

Application ref: 2019/2463/P  
Contact: Adam Greenhalgh  
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Date: 8 July 2019

**Development Management**  
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Mr Edwin Graham  
14B Murray St  
NW1 9RE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Existing) Granted**

The Council hereby certifies that on the 11 June 2019 the use described in the First Schedule below in respect of the land specified in the Second Schedule below, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 as amended.

First Schedule: Use of the first floor roof as a terrace with associated wooden decking and metal balustrade

Drawing Nos: Statutory declaration of Edwin Graham, proprietor of flat 14b Murray Street (14/06/2019); H.M. Registry Title Plan NGL 712083; 125 year lease of flat 14B Murray Street to Dennis Hale Murfitt and Jean Mair Murfitt commencing 14/06/1993 and including first floor plan; Approved plans of planning permission PEX 0100504/R02, approved 23/04/2002, showing first floor roof terrace 'as existing' Location Plan, First Floor Plan (including first floor roof terrace), Rear Elevations; and Rear elevation, First floor plan, Location plan.

Second Schedule:

**14 Murray Street**  
**London**  
**NW1 9RE**

Reason for the Decision:

- 1 The installation of the wooden decking and metal balustrade to form the roof terrace occurred more than 4 years before the date of this application.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope  
Chief Planning Officer

#### Notes

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.