

Application ref: 2020/4639/P  
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Date: 29 October 2020

**Development Management**  
Regeneration and Planning  
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Heike Wetzstein  
33 Roderick Road  
2nd and 3rd floor  
London  
NW3 2NN

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

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

The Council hereby certifies that on the 09 October 2020 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 rear flat roof area at second floor level as a roof terrace to Flat 3 (Use Class C3).

Drawing Nos: LE/01, Correspondence, cheque, invoices with regards to roofing works dated 2002, photograph, Invoices with regards to windows dated 1999, Window detail works dated 1999.

#### Second Schedule:

**Flat 3**  
**33 Roderick Road**  
**London**  
**NW3 2NN**

#### Reason for the Decision:

- 1 The use of the roof terrace above the rear flat roof area at second floor level has been 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

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope  
Director of Economy, Regeneration and Investment

#### 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.