

88A Albert Street  
London  
NW1 7NR

13 September 2022

To whom it may concern

**Retrospective Planning re. use of Roof Terrace at 88A Albert St**

We recently realised that formal planning consent for the use of the roof terrace was not obtained by any of the previous residents at this address and we would like to remedy this.

We purchased the upper maisonette at 88A Albert Street in April 2015, and at time the roof terrace was already in use by the seller, Harry Kay. The leasehold, dated November 2003, also clearly outlined that the roof terrace is part of the property demise. This means that the terrace has been in use, at least from 2003 onwards.

Since the terrace has been in use in excess of 10 years, we believe we should be successful in applying for formal consent for the continued use of the roof terrace.

**Description of the property:**

The property is located at the end of the terrace at 88 Albert Street. It is Grade II listed.

The 3 bedroom 'upper maisonette' property is mainly situated across the 1st, 2nd and 3rd floors. The property entrance is on the upper ground floor, with the main living and sleeping areas on the upper levels. The roof terrace is situated at the back of the terrace. It is accessible from the internal stairwell, inside our property via an external door leading directly to it. The terrace height is between the ground and 1st floor. We are the only people with access to the roof terrace.

**Description of the roof terrace:**

The roof terrace is approximately 250cm deep and 200cm wide. There is a water tap, and 2 outdoor wall mounted lights. There is no hand rail at present, the perimeter is demarcated with flower boxes.

The roof terrace is small but adjoins a larger flat roof section. The latter larger portion of the terrace is not part of our demise and is not in scope of this application.

**Neighbourhood**

Neighbouring properties on Delancey Street also have roof terraces which overlook the neighbouring gardens at Delancey Street, 86 Albert Street and 88 Albert Street (lower ground). Across from us, on Albert Street, the neighbouring properties also have roof terraces which overlook the street and the opposing buildings. [See item F which shows a satellite view from Google with the terraces demarcated.]

From rear windows we already have unobstructed views of the neighbouring gardens and terraces. The roof terrace has the same unencumbered views. The roof terraces of the neighbouring properties also overlook our property and the roof terrace.

Due the 19 years the roof terrace has been in use, it is clear that the use has not been an impediment to our neighbours.

Please see Appendix for a list of supporting evidence attached and their description. Please contact me if you have further questions or require more information.

Regards,

Michelle Griffiths

Tel. [REDACTED] email: [REDACTED]

**APPENDIX: Summary of supporting artefacts included to support the application:**

Documentation included in this application:

- A. Copy of the **Title Plan** for NGL920929, this shows the roof terrace area in blue which is included in the title.
- B. Copy of **Title Register** showing purchase date, and notes outlining the inclusion of the roof terrace "As to the part tinted blue on the title plan only the ground floor is included in the title."
- C. Copy of **Leasehold**, dated November 2003, which includes per The Second Schedule, paragraph 7 on p 10 "right to use the flat roof space above the lower maisonette shown attached in hatched red on the plan".
- D. **Letter from the previous resident** and owner Harry Kay who lived her from 2011 to 2015, confirming that they used the roof terrace. He also confirmed that the residents that he purchased from in 2011, Sean Corbett, also used the terrace.

**E. Photos**

***E.1 Aerial view from above of roof terrace (within red box)***



*E.2 Outward view of roof terrace from inside the property.*



*E.3 Outward view from 2<sup>nd</sup> floor across to neighbours at Delancey St*



F. Aerial View of Neighbourhood, with roof terraces highlighted



Legend: 88A Roof Terrace Neighbouring Roof Terraces