

Application ref: 2019/0772/P
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Date: 5 April 2019

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Mr Anish Shah
18 Temple Mead Close
London
HA7 3RG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 04 March 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 building as a residential unit (Use Class C3).

Drawing Nos: Tenancy Agreements dated 05/10/2018; 29/09/2017; 21/10/2016;
07/09/2015; 01/11/2014; 30/09/2013; 23/04/2012; 04/10/2010; 21/09/2009 for 52
weeks

Tenant Housing Benefit Notification from Camden Council dated 06/12/2016;
05/03/2017; 04/03/2018; 24/10/2018.

Council Tax Invoices for financial year 2009/10; 2010/11; 2012/13; 2013/14; 2016/17.

Thames Water Bill dated 15/09/2016.

Statutory Declaration from Ashwin Shah and Anish Shah dated 08/02/2019.

Location Plan 1086-301

Block Plan 1086-302

Existing Floor Plan 1086-303

Existing Elevations 1086-304

Second Schedule:

Flat B

20 York Mews

London

NW5 2UJ

Reason for the Decision:

- 1 The use of Flat B, 20 York Mews, as a single dwelling house began more than four years before the date of this application.

Informative(s):

- 1 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

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.