

Application ref: 2019/0817/P  
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Date: 5 April 2019

**Development Management**  
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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 first, second and third floors of building as a residential unit (Use Class C3).  
Drawing Nos: Tenancy Agreements dated 24/11/18; 03/12/2017; 11/12/2016;  
15/12/2015; 01/01/2015 01/01/2014; 01/01/2013; 01/05/2012; 01/07/2010 for 52 weeks  
Council Tax Invoices for financial year 2013/14; 2015/16; 2016/17; 2017/18; 2018/19.  
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:

**20 York Mews**  
**London**  
**NW5 2UJ**

#### Reason for the Decision:

- 1 The use of 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.

