
Appeal Decision

Site visit made on 16 January 2026

by D A Hainsworth LL.B(Hons) FRSA Solicitor
an Inspector appointed by the Secretary of State

Decision date: 28th January 2026

Appeal Ref: APP/W2845/X/24/3352042

Land at 10 Leben Square, Northampton NN3 5BT

- The appeal is made by Paul Francis under section 195 of the Town and Country Planning Act 1990 against a refusal by West Northamptonshire Council to grant a lawful development certificate.
 - The application Ref: 2024/3466/LDP, dated 17 July 2024, was refused by notice dated 12 September 2024.
 - The application was made under section 192(1)(b).
 - The development for which the certificate is sought is "Building of a garage onto a side of a semi detached house".
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Decision

1. The appeal is allowed and attached to this decision is a lawful development certificate relating to the operations described in the application, which are considered would be lawful if begun at the time of the application.

Reasons for the decision

2. Section 195 requires an assessment to be made as to whether the Council's refusal of the application is or is not well-founded. The assessment is based on the lawfulness of the proposed development at the time of the application.
3. The Council refused to grant the application because they considered the garage, as a separate building from the house, would not be permitted development. During the course of the appeal, the Council have realised that the garage would be attached to the house as a lean-to structure and should therefore be treated as an enlargement of the house. Given the measurements provided, the Council now consider that the garage would be permitted development, subject to the materials used in any exterior work being of a similar appearance to those used in the construction of the exterior of the existing house. I agree; I am satisfied that the Council's refusal of the application was not well-founded.
4. The appeal has therefore been allowed and the certificate has been granted.

D.A.Hainsworth

INSPECTOR



Certificate of Lawful Development

APPEAL REFERENCE APP/W2845/X/24/3352042

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015: ARTICLE 39 & SCHEDULE 8

IT IS CERTIFIED that on 17 July 2024 the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and shown in solid black on the plan attached to this certificate would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990, for the following reason:

The operations were permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015, Article 3(1) and Schedule 2, Part 1, Class A, subject to the condition set out in A.3(a) that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

D.A.Hainsworth

INSPECTOR

Dated: 28th January 2026

First Schedule

The building onto the side of the house of a lean-to garage with a mono-pitched roof, the building having the dimensions: length 8m; width 2.6m; roof height 3.9m adjoining the house; eaves height 2.3m; and floor size 20sqm.

Second Schedule

Land at 10 Leben Square, Northampton NN3 5BT

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990.
2. It certifies that the operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful on the specified date and, therefore, would not have been liable to enforcement action under Part VII of the 1990 Act on that date.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations that are materially different from those described or which relate to any other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is qualified by section 192(4) of the Act, which states that the lawfulness of the operations is only conclusively presumed where there has been no material change, before the operations are begun, in any of the matters relevant to determining such lawfulness.



Plan attached to Certificate of Lawful Development

Land at 10 Leben Square, Northampton NN3 5BT

Appeal reference: APP/W2845/X/24/3352042

This is the plan attached to the Certificate of Lawful Development dated: 28th January 2026

D.A.Hainsworth

Inspector

