



Appeal Decision

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2026

Appeal Ref: APP/F5540/X/25/3365649

18 Eve Road, Isleworth, TW7 7HS

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Sylwia Kopica (Your Extra Space Limited) against the decision of the Council of the London Borough of Hounslow.
 - The application ref P/2025/0644, dated 3 March 2025, was refused by notice dated 28 April 2025.
 - The application was made under section 192(1)(a) of the Town and Country Planning Act 1990 (as amended).
 - The use for which a certificate of lawful use or development is sought is “C3 dwellinghouses.”
-

Decision

1. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the proposed use which is found to be lawful.

Preliminary Matters

2. In the banner heading I have quoted the appellant’s description of the proposed use or development as stated on the application form. However, it is clear that the appellant is seeking to establish whether the siting, and occupation by a family member, of a mobile home in the rear garden would be lawful.

Main Issue

3. The main issue is whether the Council’s decision to refuse the LDC was well founded. This turns on whether the proposed structure is a caravan or a building and whether or not a separate planning unit would be created.
4. The planning merits of the proposal are not relevant.

Reasons

Caravan or building?

5. The disagreement between the parties is solely over whether the completed unit could be transported. If the unit would not be capable of being transported in one piece it would not be a caravan.
6. Section 29(1) of the Caravan Sites and Control of Development Act 1960 defines a caravan as “any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include – (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or (b) any tent”.

7. In Cardiff Rating Authority¹, endorsed by the Court of Appeal in Skerritts², three primary factors were identified as decisive of what was a building. These are size, permanence and physical attachment. No one factor is decisive.
8. The proposed mobile home would be a single unit of 11m x 3.6m with an internal height of 2.4m. There is no dispute that the size of the structure would not exceed the maximum physical dimensions of a caravan under S.13(2) of the Caravan Sites Act 1968.
9. The single unit would be assembled on site, with a steel frame and anchor points for lifting once assembled. It would rest on ground screws supported by its own weight without being anchored down and service connections could be easily undone.
10. The appellant has supplied technical information to demonstrate that it could be lifted as a single unit by crane and that it would be capable of being put on a transport lorry dedicated to carry the load of a static caravan.
11. The Council says that the road is too narrow to move the caravan once assembled. However, the test is that a caravan should, once fully assembled, be physically capable of being moved as a whole by road, by being towed or transported. A lack of intention to move is not relevant, nor is the absence of a suitable means of access or an adequate road network. It is only necessary that the mobile home should possess the structural qualities to permit its movement in one piece.

Separate planning unit?

12. The Council allege a new planning unit would be created by the siting of the caravan. The caravan would come with all the amenities needed for day-to-day living. However, it would not have a separate address, post box, access, utility meters, or garden area. It would be lived in by a close family member in association with the main house. Therefore, it would be part and parcel of the primary use of the planning unit as a single dwellinghouse. A new planning unit would not be created. Therefore, as a matter of fact and degree, there would be no change of use.
13. On the balance of probability, the available evidence shows that the proposal would not involve the carrying out of development, as it would not involve undertaking building operations or the making of any material change of use.

Conclusion

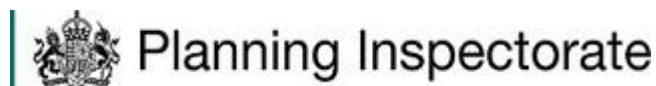
14. For the reasons given above, I conclude on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development for the siting of a mobile home in the rear garden is not well-founded and that the appeal should succeed. I will exercise accordingly the powers transferred to me in section 195(2) of the 1990 Act (as amended).

Siobhán Watson

INSPECTOR

¹ *Cardiff Rating Authority v Guest Keen Baldwin's Iron and Steel Co Ltd* [1949] 1QB 385

² *Skerritts of Nottingham Ltd v SSETR (No.2)* [2000] 2 PLR 102



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 3 March 2025 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, would have been lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

On the balance of probability, the proposal involves the stationing of a caravan and its use would be integral to and part and parcel of the primary use of the planning unit as a single dwellinghouse and therefore it would not fall within the definition of development in s55(1) of the 1990 Act.

Signed

Siobhán Watson

Inspector

Date: 30 October 2026

Reference: APP/F5540/X/25/3365649

First Schedule

Siting of a caravan in the rear garden for occupation by a family member as part and parcel of the main C3 dwelling.

Second Schedule

Land at 18 Eve Road, Isleworth, TW7 7HS

IMPORTANT NOTES – SEE OVER

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule was /were lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

Plan

This is the plan referred to in the Lawful Development Certificate dated: 30 October 2026

by Ms Watson

Land at: 18 Eve Road, ISLEWORTH, TW7 7HS

Reference: APP/F5540/X/25/3365649

Scale: Not to Scale

