Planning Inspectorate

Appeal Decision

Site visit made on 13 October 2026

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 16 November 2026

Appeal Ref: APP/F5540/X/25/3371055
13 Sarsen Avenue, Hounslow TW3 4JN

- 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 Sharath Shanagonda against the decision of the Council of the London Borough of Hounslow.
- The application ref P/2025/1040, dated 28 March 2025, was refused by notice dated 23 May 2025.
- The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
- The development for which a certificate of lawful use or development is sought is described as a 'proposed loft conversion'.

Decision

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

Applications for costs

2. An application for costs was made by Sharath Shanagonda against the Council of the London Borough of Hounslow. This application is the subject of a separate decision.

Preliminary matters

3. At my site visit I saw that works had commenced. However, for the avoidance of doubt, my assessment is confined to whether the proposed development would have been lawful at the date of the application, based on the information before the Council at that time.

4. Notwithstanding the description of the development set out in the banner heading above, which is taken from the application form, it is clear from the plans and accompanying details before me that the proposed development comprises a hip to gable roof enlargement to both sides of the dwellinghouse. The description of the development has therefore been amended accordingly in the certificate.

Main Issue

5. The main issue is whether the Council's decision to refuse to grant an LDC was well-founded. This turns on whether the proposed development would be development permitted by Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Reasons

6. The appeal relates to a detached dwellinghouse. Under Class B of Schedule 2, Part 1 of the GPDO, the enlargement of a dwellinghouse consisting of an addition or alteration to its roof is permitted development, subject to various limitations and conditions.

7. The dispute between the main parties was limited to whether the cubic content of the resulting roof space would exceed that of the original roof space by more than 50 cubic metres.

8. However, the Council now accepts that the increase in the resulting roof space would be less than 50 cubic metres. It is also not disputed that the proposal complies with the other limitations and conditions in paragraphs B.1 and B.2. Based on the evidence before me, I have no reason to reach a different conclusion.

9. Accordingly, the proposed development would comply fully with the requirements of Class B of Part 1 of Schedule 2 of the GPDO. Therefore, for the reasons given above, I conclude that the Council's refusal to grant a LDC in respect of a hip to gable roof enlargement to both sides of the dwellinghouse was not well-founded. The appeal should succeed, and I will exercise the powers transferred to me under section 195(2) of the 1990 Act, as amended.

Mark Caine

INSPECTOR

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 28 March 2025 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red 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 (as amended), for the following reason:

The proposed operations constitute development permitted by Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed

Mark Caine

Inspector

Date: **16 November 2026**
Reference: APP/F5540/X/25/3371055

First Schedule

A hip to gable roof enlargement to both sides of the dwellinghouse.

Second Schedule

Land at 13 Sarsen Avenue, Hounslow TW3 4JN

IMPORTANT NOTES – SEE OVER

NOTES

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

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 certified date and, thus, 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 operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any 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.

The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified 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 which were relevant to the decision about lawfulness.

Planning Inspectorate

Plan

This is the plan referred to in the Lawful Development Certificate dated: **16 November 2026**

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Scale: Not to Scale

