

PLANNING SUPPORTING STATEMENT

Application Type: Application for a Certificate of Lawfulness for a Proposed Use or Development (CLEUD / CLOPUD)

Application Reference: DC/26/1694

Site Address: Topfield, West End Lane, Henfield, West Sussex, BN5 9RF

Proposal: Siting of a mobile home/annexe within the curtilage for use ancillary to the main dwellinghouse

On Behalf Of: Mrs Jill Scully

1. Introduction and Overview

This Planning Statement has been prepared on behalf of Mrs Jill Scully in support of the application for a **Certificate of Lawfulness** under reference **DC/26/1694** at Topfield, West End Lane, Henfield. The purpose of this statement is to demonstrate conclusively that the proposed annexe constitutes a lawful use of land under Section 55 of the Town and Country Planning Act 1990. Specifically, it confirms that the structure conforms precisely to the statutory definition of a caravan and that its installation and use will remain ancillary to the primary residential dwellinghouse, thereby failing to constitute a material change of use or operational development.

2. Statutory Compliance with the Caravan Act

To qualify for a Certificate of Lawfulness for the siting of a mobile structure without the need for express planning permission, the proposed unit must meet the statutory definition of a caravan as established under Section 29(1) of the Caravan Sites and Control of Development Act 1960 and amended by Section 13 of the Caravan Sites Act 1968, alongside the Caravan Sites Act 1968 (Amendment of Definition of Caravan) (England) Order 2006.

The proposed structure satisfies all three of the legal criteria required to establish its identity as a twin-unit caravan:

- **The Construction Test:** The structure will be delivered to the site in no more than two main components and subsequently assembled on-site using bolts, clamps, or similar non-permanent fastenings.
- **The Mobility Test:** Once assembled, the structure will remain completely structural-foundation free. It is designed to be physically capable of being lifted intact and moved from the site by road, whether by a trailer or suitable motor transport.
- **The Size Test:** The statutory limits for a twin-unit caravan restrict the structure to a maximum length of 20.00 metres, a maximum width of 6.80 metres, and an overall internal height of 3.05 metres.

3. Direct Confirmation of Internal Height

The applicant formally confirms that the **internal height of the proposed annexe is exactly**

3.037m.

Pursuant to Section 13(2)(c) of the Caravan Sites Act 1968 (as amended), the statutory dimension rules dictate that the ceiling limit must be measured internally from the floor at the lowest level to the ceiling at the highest level. Because the internal height of this specific unit is **3.037m**, it sits comfortably within the legal parameters, remaining 13 millimetres below the absolute statutory maximum ceiling of 3.05 metres. As it conforms strictly to the size test alongside the mobility and construction factors, the structure remains legally defined as a caravan rather than operational development.

4. Ancillary Use vs. Independent Dwelling Unit

Under established UK planning law and notable case law (such as *White v Essex CC* and *Hertfordshire CC v Secretary of State*), the siting of a caravan within the established domestic curtilage of an existing dwellinghouse for purposes ancillary or incidental to the main house does not constitute a material change of use of the land.

The applicant, Mrs Jill Scully, confirms that the proposed unit will function strictly as an **ancillary residential accommodation link** to the primary home at Topfield and will not equate to a separate, independent dwelling based on the following operational realities:

- **No Subdivision of Curtilage:** The caravan will occupy land within the shared domestic garden of Topfield. No physical boundaries, fences, or separate curtilages will be erected to isolate the structure. It will share the primary access driveway, parking facilities, and outdoor amenity spaces.
- **Shared Utilities:** The unit will have no separate or independent utility meters. All mains services—including electricity, water, and drainage—will be linked directly to and supplied via the primary infrastructure of the main dwellinghouse.
- **Functional and Family Dependency:** The occupant of the annexe will remain completely integrated into the day-to-day life of the main house. They will depend upon Topfield for primary domestic facilities, including shared family meals, laundry infrastructure, and essential social support, maintaining an unbroken domestic link.
- **No Separate Legal Identity:** The proposed unit will not be registered as an independent postal address, nor will it be registered for separate council tax evaluation, ensuring it remains an indivisible part of the single planning unit.

5. Conclusion

The proposed annexe strictly conforms to the legal definition of a caravan, explicitly verified by an internal height of **3.037m** which safely adheres to the 3.05m statutory boundary. Because the structure does not involve operational development and its proposed use is entirely ancillary to the main house at Topfield, it does not constitute a material change of use under Section 55(2)(d) of the 1990 Act.

Accordingly, the criteria for the issuance of a **Certificate of Lawfulness** are completely satisfied, and the Local Planning Authority is respectfully requested to grant the certificate under application reference **DC/26/1694**.

