

VIZARCHi

ARCHITECTURE & VISUALIZATION

35 Shooting Field

Steyning
BN44 3RQ

PLANNING STATEMENT

27.03.2025

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INTRODUCTION

VIZARCHi has prepared this document on behalf of the applicant Mr B. Marks-Thomson to be submitted in support of a Certificate of Lawfulness for a proposed use or Development under section 192 of the Town and Country Planning Act 1990(as amended) for a stationing of a mobile home within the curtilage of 35 Shooting Field, Steyning, BN44 3RQ.

This Planning Statement describes the context, the existing buildings, illustrates our design approach and construction method and explains how the proposal responds to The Caravan Act to support the determination of this Planning Application.

This Planning Statement will provide justification as to **why the siting of a mobile home** for purposes ancillary to the main dwelling **does not constitute operational development or a material change of use** as per section 55 of the Act, and therefore does not require planning permission.

This report will also seek to address common misconceptions and answer questions that often arise with such applications.

In this statement, references are made to mobile homes and caravans for the purpose of planning law they are one and the same thing.

Policies mentioned in this document as follows:

- Town and Country Planning Act 1990 (As amended)
- Caravan Sites Act 1968
- Caravan Sites Act, October 2006 (CSA) (As amended)
- Caravan Sites and Control of Development Act 1960

Appeal references and Case laws mentioned in this document as follows:

- **APPENDIX A**:

Appeal Ref: APP/K3605/X/12/2181651: Sandy Holt, 9 Blackhills, Esher KT10 9JP

- **APPENDIX B**:

Appeal Ref: APP/N1025/C/01/1074589: 159 Victoria Avenue, Borrowash, Derbyshire DE72 3HF.

- **APPENDIX C**:

Appeal Ref: APP/J1915/X/11/2159970: 4 Waterworks Cottage, Redricks Lane, Sawbridgeworth, Hertfordshire CM21 0RL.

- **APPENDIX D**:

Appeal Reference: APP/L5810/X/15/3140569: 27 Elmfield Avenue, Teddington TW11 8BU

- **APPENDIX E**:

Brightlingsea Haven Limited and another v. Morris and others 2008.

1. SITE & CONTENTS

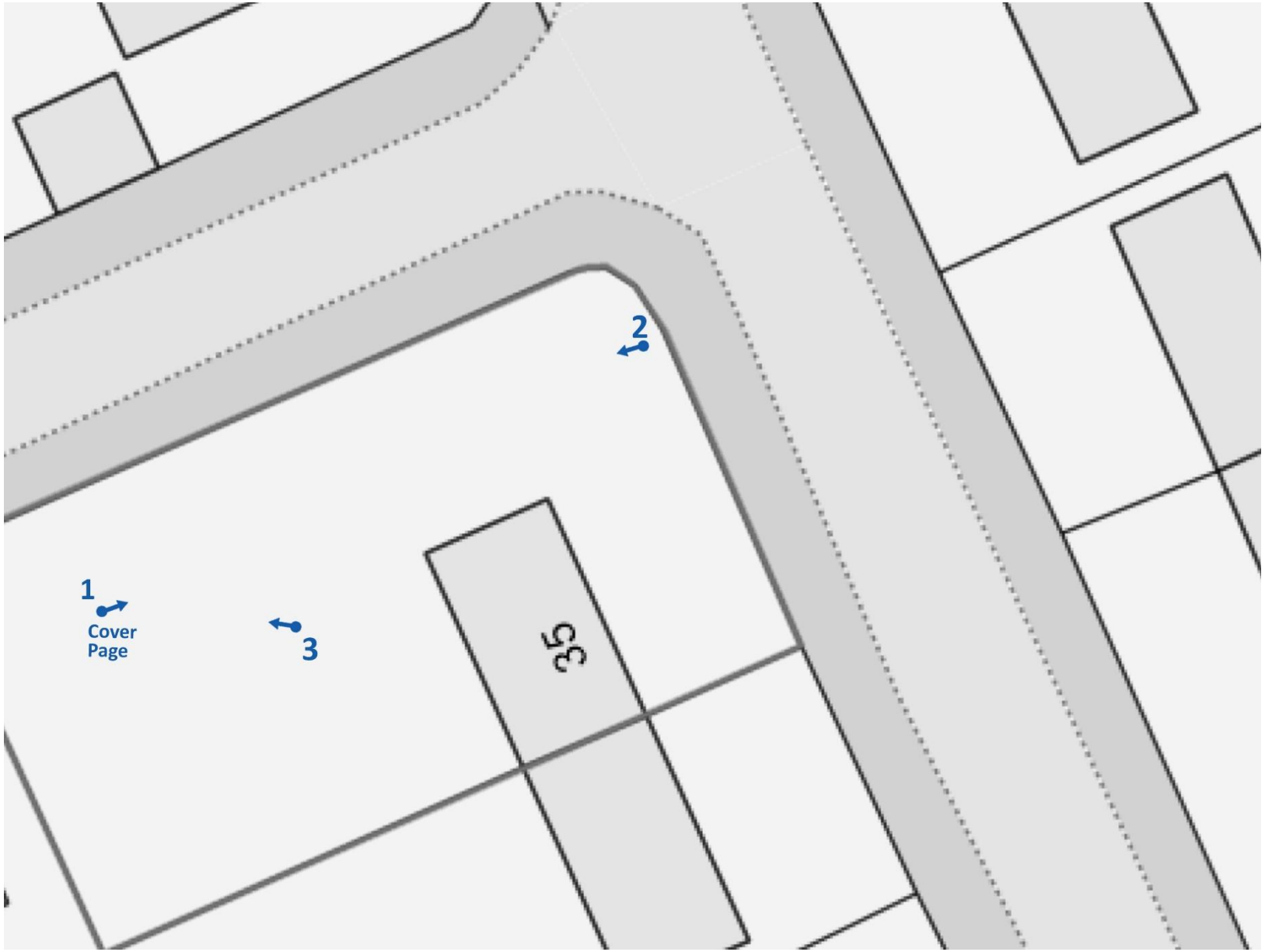
1.1 SITE LOCATION



1.1 SITE LOCATION



1.2 PHOTOS LEGEND



1.2 SITE PHOTOS



No.2 – Looking from Eastern boundary to the location of proposed mobile home



No.3 – Looking towards the northern boundary treatments

2. OPERATIONAL DEVELOPMENT

2.OPERATIONAL DEVELOPMENT

2.1 WHAT IS A CARAVAN?

A caravan is by definition a “structure”, yet it is settled law that stationing a **caravan on land** –even for prolonged periods - **is a use of the land** rather than operational development, this principle is embedded in the legislative framework, **endorsed by the case-law*** and routinely applied by the Inspectorate. This is because a caravan is regarded as an article of movable personal property known as a ‘chattel’ and there is no public law preventing one being kept in someone’s garden.

The definition of a twin unit Caravan is found within section 13 of the Caravan Sites Act 1968, and as amended in October 2006 (CSA). In order for something to be considered a caravan/mobile home it has to meet three key tests as set out in the CSA these are:

- Size
- Mobility
- Construction

In the next section of this report the proposed mobile home will be assessed against the above three tests.

* In Measor v SOS (1998), the High Court held that generally a structure that met the definition of 'caravan' for the purposes of the 1960 and 1968 Acts above would not generally be considered a 'building' for the purposes of the 1990 Act above because of the lack of permanence and attachment.

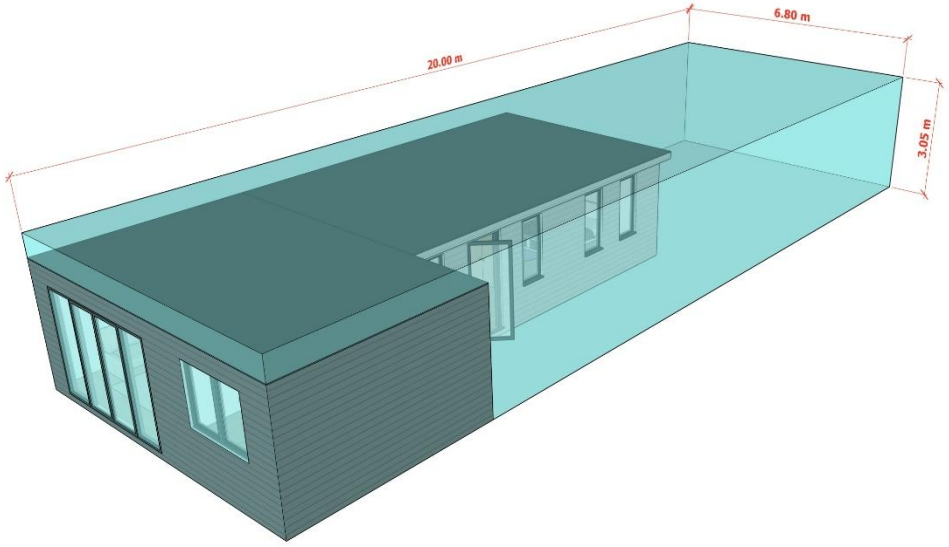
2.2 SIZE

A caravan is by definition a “structure Section 13 of The Caravan Sites Act 1968 (amended 2006); prescribes the maximum dimensions of a caravan. We have tested these maximum dimensions against the proposal.

	Maximum CSA Requirement	**Proposed Size**
LENGHT	20 m	12.00 m
WIDTH	6.8 m	6.80 m - max
INTERNAL HEIGHT	3.05 m	2.30 m

This means the structure can’t be bigger than 20m long, 6.8m wide, and the height can’t be higher than 3.05m between the floor and the ceiling –note this does not indicate the external height, as the external height is not limited by The Caravan Act–; so, any structure that is not bigger than those dimensions meet the criteria of the first test.

It is clear at the below image that the proposal is smaller in form than the prescribed maximum dimensions for a caravan, therefore meets the requirements of the size test.



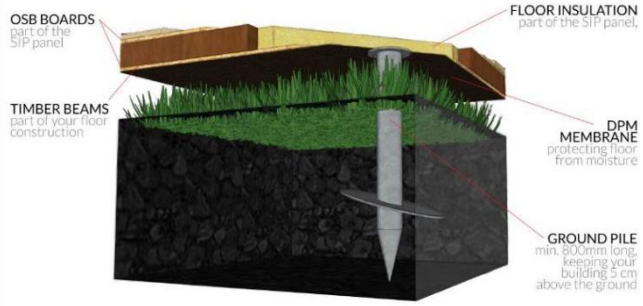
2.OPERATIONAL DEVELOPMENT

2.3 MOBILITY

Section 13(1) (b) of the Caravan Sites Act 1968 indicates that a caravan is a structure which, *"when assembled, [is] physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer)"*

This means the structure can't be permanently attached to the ground so it can be lifted and moved to a different location when the owner decides to do so (please note that The Caravan Act does not specify the time limits for moving static caravans).

The caravan is placed on a screw pile foundation system and is not fixed down, but rather rest on these foundations under its own weight, please see the pictures below. This provides a minimum ground clearance of 150mm, and allows for lifting straps/rig to be placed under the structure and therefore lifted by crane and placed onto a flatbed lorry.



This photo shows the ground clearance.

All electrical connections are going through a special mobile home box connector, which is really a massive plug on the side of a mobile home; this can be easily unplugged and the mobile home can be lifted up.

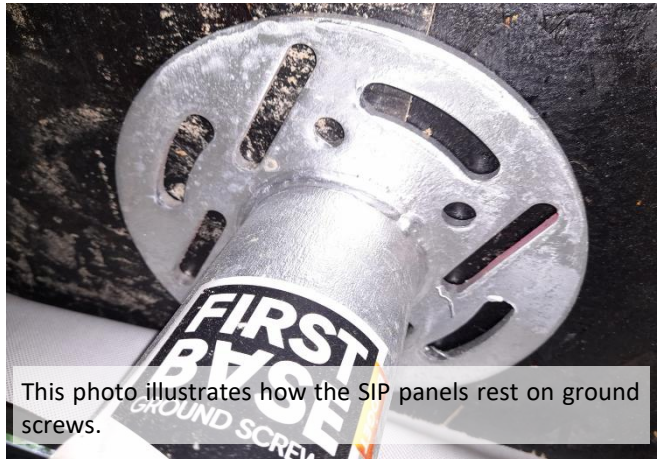
All water connection is going through a fast-connecting element, similar to the one used in hose pipes people use to water their gardens; it is usually located in an accessible area under the mobile home and can be simply unplugged allowing for the caravan to be lifted.

All sewage connections from the toilet are done using a flexible rubber connect, which allows the 100mm pipe to simply slide off during the lifting process, or slide on during the installation process.

We consider given the caravan can be transported and lifted **as a single unit**, the mobility test is satisfied and the proposal is in accordance with section 13 of the Caravan Sites Act 1968.



This photo shows the ground screws in the ground.



This photo illustrates how the SIP panels rest on ground screws.

2.OPERATIONAL DEVELOPMENT

2.3 MOBILITY PRECEDENTS

- Appeal reference: **APP/N1025/C/01/1074589**

"To fall within this definition the structure must be capable of being moved by road from one place to another in its assembled state. It may be moved by trailer, but it is not excluded from the definition merely because it would be unlawful to move it in such a manner on a highway. The fact that the private drive to [the appeal property] is too narrow to allow the passage of the park Unit in its assembled state along it is not the point. ***It seems to me that it is the structure that must possess the necessary qualities, not the means of access.*** *"*
(Pg.8, clause 7, Appx B)

- Appeal Reference **APP/L5810/X/15/3140569**

"In the case of twin-unit mobile homes the whole unit must be physically capable of being transportable by road, ***the illegality of any such transportation on the public highway being irrelevant****. "*
(Pg.24, clause 16, Appx,)

"Similarly, ***any attachment to services is not the same as physical attachment to the land, as invariably disconnection from such services is a simple matter which can be achieved within minutes****, in the event that the mobile home needs to be moved."*
(Pg.24, clause 17, Appx,)

- Appeal Reference **APP/J1915/X/11/2159970** (Erewash).

a. The test is whether the unit, once fully assembled, is ***capable****, as a whole, of being towed or transported by a single vehicle;*
(pg.17, clause 5, Appx B)

b. Lack of intention ***to move the unit around the site is not relevant*** *to the main issue, and would apply to most "static" caravans on any lawful caravan site;*
(pg.17, clause 5, Appx B)

c. **The fact that the practicalities of mobility (e.g., a narrow driveway or awkward craning points) is immaterial**. The test is whether the mobile home possess the necessary structural qualities to achieve theoretical mobility.

- Appeal Decision by J G Roberts 2002 an Inspector appointed by the Secretly of State. Brentall v. Erewash Borough Council.

"It is not necessary for it (a caravan) to be towed, only that it is capable of being moved my road".

The High Court has handed down judgment in the case of Brightlingsea Haven Limited and another v. Morris and others 2008 concerning rights between the park owners and the three defendants in respect of their lodges. It states that:

"It ***is irrelevant to the test where the structure actually is, and whether it may have difficulty in reaching a road"***

- Appeal Reference **APP/B5480/C/17/3174314,** Land at 28 Lodge Lane, Romford, RM5 2EJ

"As to the mobility test, the mobile home for which the certificate was granted 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****…"*
(Pg.5, clause 13, Appx A)

"The structure rests on plinths and is not fixed to the ground. The statement supports the view that ***temporary lifting beams could be installed under the structure*** *to enable it to be lifted safely for transportation."*
(Pg.5, clause 15, Appx A)

2.OPERATIONAL DEVELOPMENT

2.4 CONSTRUCTION

Section 13 of the Caravan Sites Act 1968 states that a twin unit caravan must be composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices.

The mobile home is assembled into two distinguishable parts on site and the final act of assembly is the bolting of the two parts together.

There is no requirement that the process of creating the two parts must take place away from site, or from each other. The fact the two parts have been constructed side by side does not nullify the fact they are two separate parts which will be bolted together as the final act in the process.

The caravan/mobile home consist of two sections (please refer to construction methodology section) and will be assembled on site by means of screws. The construction technique can be seen in Figure 1.

Given the method of construction as stated above, we consider the proposal meets construction test and is therefore in accordance with section 13 of the Caravan Sites Act 1968.

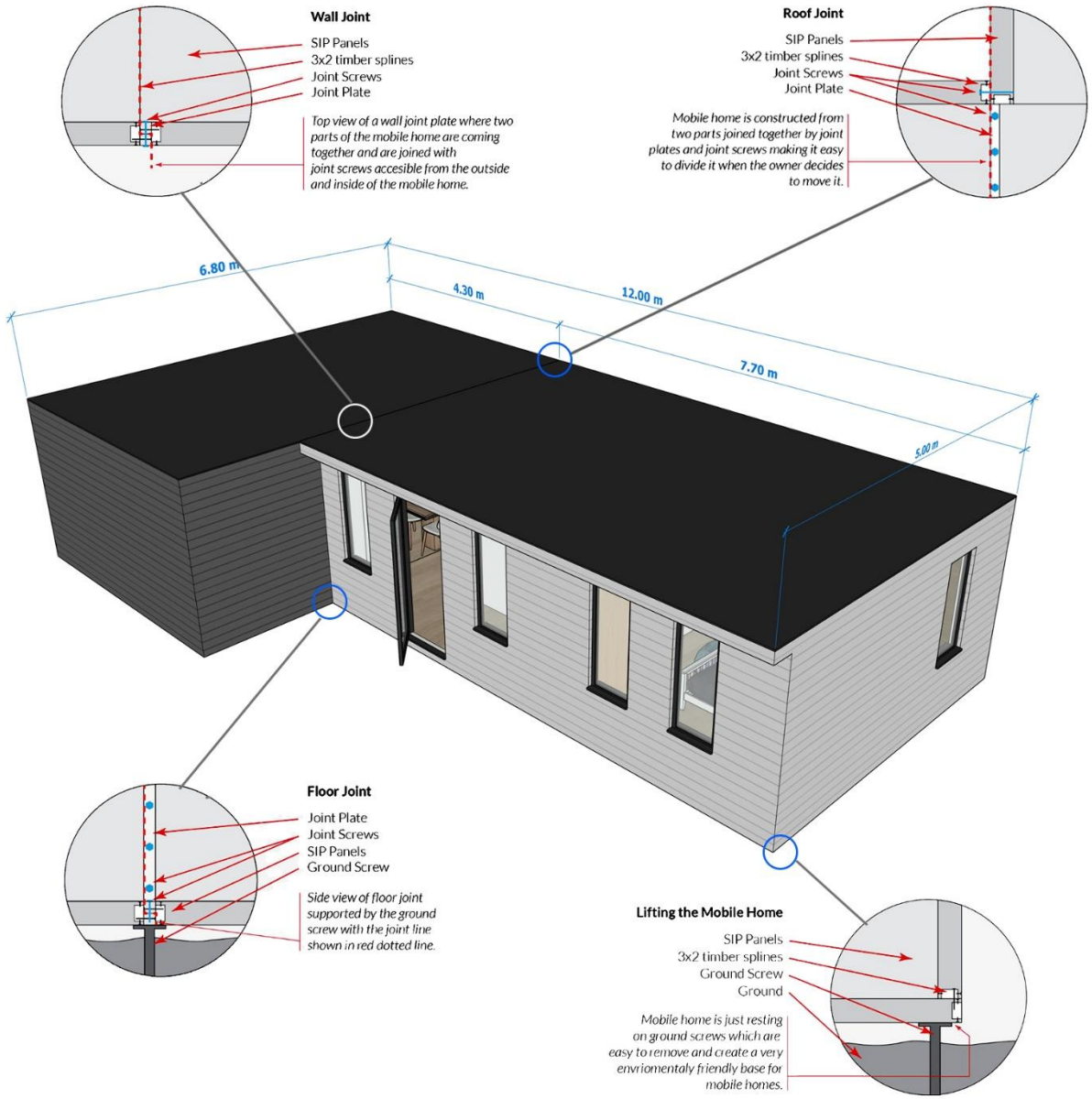


Figure 1

2.OPERATIONAL DEVELOPMENT

2.4 CONSTRUCTION PRECEDENTS

- Appeal reference: **APP/B5480/C/17/3174314**

A. Two halves constructed on site -He remarks:

"There is no requirement that the process of creating the two separate sections must take place away from the land".

B. Two halves being completed adjacent to one another, and then finally bolted together. He remarks:

"The installation method shows that the two sections, having been completed alongside each other, were then connected securely by using a series of bolts along the lines of the walls and floor."

- Appeal Reference **APP/N1025/C/01/1074589**

The key observations include:

A. There is no requirement for the 2 sections to be each identifiable as caravans, or capable of habitation, before they are joined together;

B. A caravan can be delivered to site in many pieces, and there is no requirement in 13(1)(a) that the process of creating the 2 separate sections must take place away from the site on which they are then joined together.

C. It is only necessary the act of joining the 2 sections together should be the final act of assembly.

3. MATERIAL USE OF CHANGE

3.MATERIAL CHANGE OF USE

The general approach of the Courts is that it is the actual use of a mobile home/unit that is determinative rather than its potential to be occupied as a self-contained residential unit.

For there **not** to be a material change of use, the mobile homes must be ancillary to the C3 residential use.

Whilst there is no statutory planning definition of ancillary, there are four broadly accepted 'ancillary` tests as arising from relevant case law:

- The relationship between the respective occupants
- The relative size of the house, its garden and the caravan
- The relative scale of accommodation in the mobile home/caravan and the house
- The degree to which the mobile home/caravan/unit is functionally connected to and subordinate to the use of the dwelling house.

THE RELATIONSHIP BETWEEN THE RESPECTIVE OCCUPANTS

- The mobile home will be used by the applicant's elderly dad and granded, allowing them to live independently while staying closely connected to the family. The full rationale could be found within personal statement.

THE RELATIVE SIZE OF THE HOUSE, ITS GARDEN and THE CARAVAN

The proposed mobile home/caravan results in a small increase in footprint after reducing the floor space of demolished shed. The proposal is smaller than what is permitted under the Caravan Sites Act 1968 (20m x 6.8 metres) and will cover a small area of the overall curtilage.

THE RELATIVE SCALE OF ACCOMODATION IN THE MOBILE HOME AND THE HOUSE

The accommodation within the proposed mobile home/caravan is the minimum needed to provide for the basic needs of the applicant. Again, the proposal is smaller than what is permitted under the Caravan Sites Act 1968 (20m x 6.8 metres).

THE DEGREE TO WHICH THE MOBILE HOME IS FUNCTIONALLY CONNECTED TO AND SUBORDINATE TO THE USE OF THE DWELLING HOUSE

The proposal is and will be used in a manner ancillary to the main property and will not be a separate dwelling. Any use of the caravan/mobile home will depend on a connection with the main dwelling as it will not be separately metered. It will continue to share the services such as washing, internet, phone line and television. It will have the same address and post box. It will not have an independent curtilage and the garden will be shared and only used by the occupants and their guests who will have access to both the mobile home and the main dwelling.

To confirm there will be no separate;

- Address
- Post Box
- Utility meters
- Services such as internet, phone line and television
- Parking
- Garden area or curtilage, and
- Access

It is evident that without the main dwelling the mobile home would not be able to function and the **application site would remain a single planning unit.**

3.MATERIAL CHANGE OF USE

3.1 MATERIAL CHANGE OF USE PRECEDENTS

- High Court case Uttlesford v SoS (Environment & White)

Inspector acknowledged that the annexe contained all the facilities for day-to-day domestic existence and was capable of being used as a separate dwelling house.

However, the inspector also stated that this did not mean that it had been so used; ***Factors of significance were the lack of separate utility meters, postal address and telephone line.*** He also mentioned the lack of any separate curtilage or access arrangements.

- Appeal Reference **APP/K3605/X/12/2181651**

The appointed Inspector noted that the whole of the appeal site would remain under one ownership and control, and that there would be no functional separation of the main dwelling house use from the mobile home use. The siting of the mobile home would not, therefore, lead to the creation of a new planning unit

- Appeal Reference **APP/L5810/X/15/3140569**

"The appeal site would remain a single planning unit and that unit would remain in single family occupation.

Both the first two named elderly appellants have health problems and are becoming increasingly dependent upon the two younger appellants. ***The accommodation in the appeal unit would be used interchangeably with the accommodation in the main dwelling for socialising and practical support with day-to-day living needs.*** *A completely separate self-contained dwelling unit is not being provided."*

- Appeal Reference **APP/Z3825/X/16/3151264**

"…Whilst I can appreciate the concerns of the Council, the size of the caravan and the facilities provided, which would be found in most large caravans, do not cast substantial doubt on the applicant's explanation of the use that is proposed. On the balance of probabilities, I consider that that use proposed would be subordinate and ancillary to the use of the property as a single dwelling house. It would not result in a material change of use."

- Uttlesford DC v SSE & White [1992] JPL 171

The Court considered that, even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; it would be a matter of fact and degree.

The Court stated that, if an outbuilding with its living accommodation was part of the same planning unit as the dwellinghouse, and provided that the planning unit remains in single family occupation and continues to function as a single household, no material change of use is involved.

- **Restormel BC v SoS for the Environment and Rabey [1992]**

'… you had to look at the planning unit; you had to look at the use to which that planning unit was being put, and if there was a caravan stationed there, then the Inspector was right in saying that if the use to which the caravan was being put was in fact a use which did not amount to a material change of use, then there was no breach of planning control.

4.CONCEPT

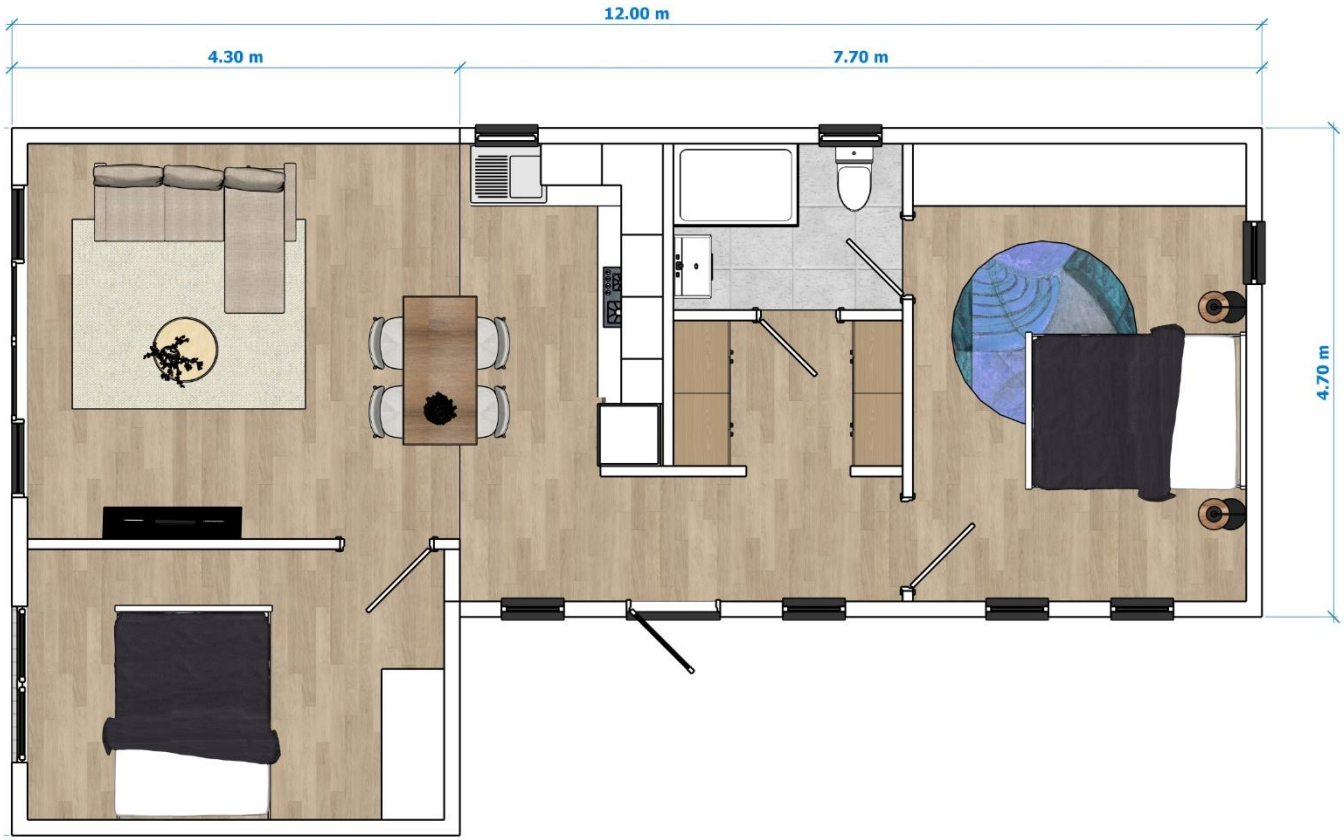
4. **DESIGN STRATEGY**

The application is made for a proposed use of a siting mobile home ancillary of the host dwellinghouse to the side garden at the property. The mobile home is a single-storey a flat roof measuring internally 2.30m.

Internally, the mobile home comprises a lounge area, kitchen, 2 bedrooms, and bathroom. The facilities would be ancillary to the main house as expected from a caravan, retaining dependency by sharing full facilities, parking, and utilities/services.

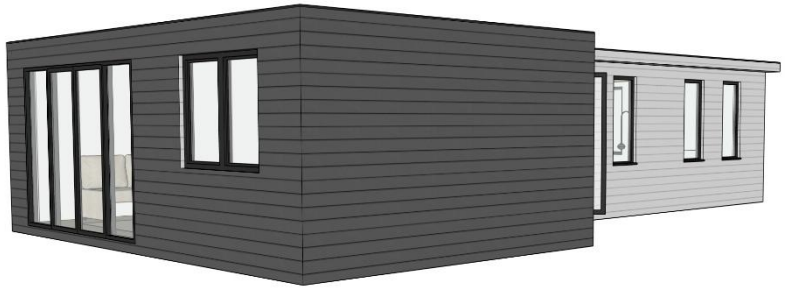
The mobile home will be used by applicant's dad and granddad as stated previously to ensure their need of support. The full rationale for the mobile home is set out in this statement, and in the accompanying letter from the applicant at personal statement.

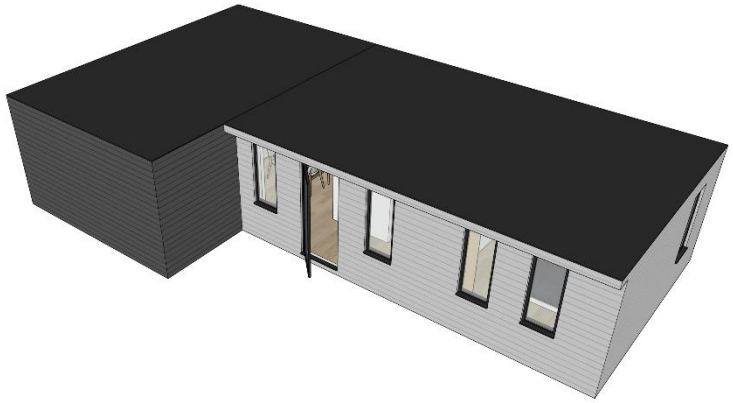
The proposed floor plan contains all of the necessary facilities for a mobile home both to ensure it suits for human habitation and an independent lifestyle, whilst maintaining physical and functional dependency on the main dwelling.



4. APPEREANCE







5.CONSTRUCTION METHODOLOGY

5.CONSTRUCTION METHODOLOGY

Along with the **definition of Caravan** and as mentioned in **2. Operational Development** section, there are 5 main conditions to fulfil so the structure can be classified as a caravan.

- **Size:** Maximum of 20m x 6.8m x 3.05m
- **Mobility:** Cannot attached to the ground.
- **Construction:** Maximum of 2 independent parts.
- **Material change of use:** Follow the use of land.
- **Designed for human habitation.**

In the following sections, you will see how **Sussex Garden Room's** construction methodology meets all of criteria mentioned above.

5.1 FOUNDATION

The first and most important part of every structure is the solid foundation. To comply with the Caravan Sites Act 1968, the foundation has to be moveable at any time or stay in place for a number of years. Our solution to solve this problem is to use ground screws. These screws are relatively a new solution, but we have tested it on over 100 structures and the results are outstanding.

The screws (refer to photos) are basically like every other but much bigger. The sizes vary from 0.85m to 3m long. They are usually 80mm in diameter and each of them can support up to 1.5tonnes of load.

The screws can be easily screwed into the ground and screwed out when needed. Thanks to the easy installation process and the diameter of the screws, when they screwed out, they leave no trace of the structure being there in the first place.

Each screw has a large, flat head (200mm in diameter) which allows to simply place the mobile home on them without attaching the structure to the screws. We usually put a screw around every 1.2m which creates a perfect and even base for the entire structure. Also, the head of the screw is installed well above the ground, which means that the entire structure does not touch the ground, but also it gives us enough room under the caravan to install lifting equipment and move the structure away.

Thanks to large top plates of the screws, it is easy for us to put two parts of the structure together, as they easily slide on top of the plates. Once joined together the weight of the structure prevents it from moving, therefore the entire caravan simply rests on top of the screws without being attached to the ground.



This photo shows the top plate of a screw.



This photo shows the screw installation in progress. The installer is using a small handheld device which screws them into the ground.

5.CONSTRUCTION METHODOLOGY

5.2 MAIN STRUCTURE

The main structure is the Structural Insulated Panel (SIP). This invention is not new, as it was created first in 1939 in the USA. Since then, it was brought to Europe, especially Scandinavian countries, where most of the houses are built using it. It is a sandwich of OSB board and polyurethane foam injected in between those boards.

At the thickness of 150mm its U-value (the value of heat loss) is 0.17, which is much better than any other building material. The weight of the standard SIP is around 48kg, making it also a very light and stable material.

SIPs are being used for the floor, walls and roofs for mobile homes and units. They are connected using timber inserts, screws and a special glue, which when set creates a seamless structure, similar to a large sheet of cardboard. This idea of a 'cardboard box' is what allow us to move the mobile homes easily.

When the floor, walls and roof are constructed from this material, the entire structure behaves like a large box with a U-value that is better than new built homes, which is suitable for human habitation.

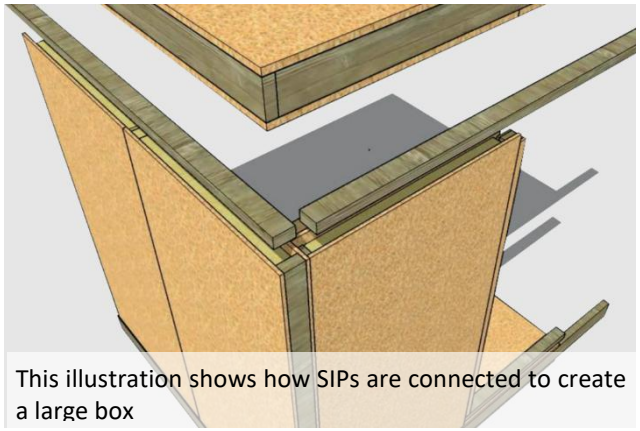
Once the main structure is built, the external part is covered with cladding, which can be any material that can withstand the weather - timber, aluminium, ceramic tiles or even glass sheets. The cladding is usually installed on timber battens and can create an interesting form. This is what gives us the freedom to design our mobile homes and give them a nice architectural appeal compared to the old, panel based, ugly mobile homes which each of us knows from caravan sites.

Because of how light the structures are, we can easily transport them. The largest unit at 20m long and 6.8m deep will weigh around 12 tonnes, while a smaller unit, around 10m long and 4m deep can be under 6 tonnes fully completed.

SIPs are the core of our construction method and thanks to them we know we can deliver perfect, high quality mobile homes which look much better than their well-known predecessors. Please be aware of that as this might look very confusing and give you the impression that what we are presenting below is a building. As explained above and on the drawings below, it is not. We simply put available materials in a creative way, giving our customers much more pleasing structures to look at.



This photo shows how the panels are connected together



This illustration shows how SIPs are connected to create a large box



This is how the SIP garden room looks when it is almost finished.

5.CONSTRUCTION METHODOLOGY

5.3 CONNECTING POWER, WATER AND SEWAGE

Another challenge in connecting the power, water and sewage into the mobile homes is the fact that those structures might not be permanently connected to the ground. Therefore, an electric cable can't be in one piece between the house and the caravan, and the same applies to water and sewage.

As explained in the **2.3 Mobility,** section of. Operational development;

All electrical connections are going through a special mobile home box connector, which is really a large plug on the side of a mobile home; this can be easily unplugged and the mobile home can be lifted up.

All water connection is going through a fast-connecting element, similar to the one used in hose pipes people use to water their gardens; it is usually located in an accessible area under the mobile home and can be simply unplugged allowing for the caravan to be lifted.

All sewage connections from the toilet are done using a flexible rubber connect, which allows the 100mm pipe to simply slide off during the lifting process, or slide on during the installation process.

By solving those connections in this way (plug-in) we can confirm that the process of moving the mobile home from one location to another is in line with The Caravan Sites Act 1968.



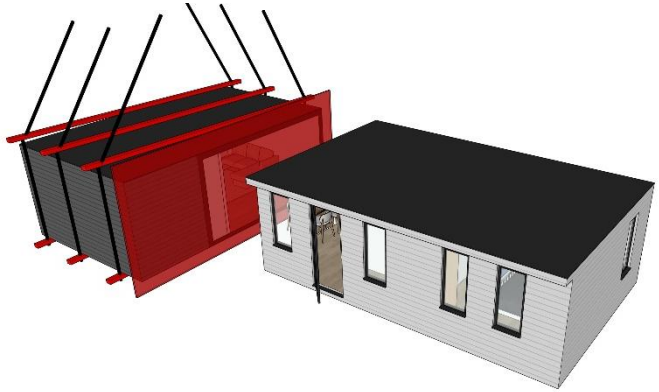
You can see the white electric connection box -similar to boat connectors at the marina-. The mobile home can be unplugged when it needs to be moved away.



This picture shows how the sewage and water systems are connected under the mobile home. The blue pipe is water, the brown is sewage. They are both push-fit connectors.

5.CONSTRUCTION METHODOLOGY

5.3 MOBILITY DEMONSTRATION



1) Shows two parts clearly apart - although in real life they will be only 5 cm apart, so both of them can easily sit on top of the screw plates. This is easily achieved as the entire structure simply sits on top of the large ground screw plates and we do it using the car lifting equipment, which with this weight of our structures is perfect for this application.



2) Shows the lifting process which involves placing metal hollow squares under the mobile unit and above to create a simple cage which will then be lifted and moved to be bolted.



3) This illustration shows the last step of lifting up the SIP mobile unit. Here you can see where the structure will be joined and bolted together.



4) This illustration shows the completed mobile unit, with a separation line visible.

In the case of mobile home needs to be moved, as per phase 2, the hollow squares will be placed under the whole structure and taken away by a crane.

6.APPROVED PROJECTS

6.APPROVED PROJECTS

4.1 COUNCIL'S REPLIES TO VARIOUS PROJECTS

Although it is not obligatory with mobile home or unit installation, over the years were able to obtain a number of Certificates of Lawful Development. An example of one can be find below of a completed project.

ADC ADUR DISTRICT COUNCIL

Mr Alperen Turk
VIZARCHI ARCHITECTURE & VISUALIZATION LTD
22 First Avenue
Newhaven
BN9 9HT
United Kingdom

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015; article 39

Application Number: AWDM/1487/24

The Adur District Council hereby certify that on 20/11/2024 (reference AWDM/1487/24), the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan submitted with this application, would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:-

01. The proposed siting of a mobile home within the curtilage of the dwelling house and its use as a granny annex for a dependent relative, in accordance with the terms described in the Planning Statement and plans accompanying the application, does not constitute development requiring planning permission and is lawful within section 192 of the Town and Country Planning Act 1990 (as amended).

This decision is based on the following submitted plans/documents for avoidance of doubt.

Reference/Drawing Number	Version	Date Rec
LOCATION PLAN		20.11.2024
VERIFICATION EVIDENCE		20.11.2024
SUPPORTING INFORMATION		20.11.2024
APPENDICES		20.11.2024
MOBILE HOME OVERVIEW	01	20.11.2024
MOBILE HOME ELEVATIONS	02	20.11.2024
MOBILE HOME FLOOR PLAN	03	20.11.2024
MOBILE HOME ROOF PLAN	04	20.11.2024
MOBILE HOME DIVISION	05	20.11.2024
PROPOSED SITE PLAN	06	20.11.2024
SIZE CONSTRAINTS	07	20.11.2024
PERSONAL STATEMENT		20.11.2024
PLANNING STATEMENT		20.11.2024

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

ARUN DISTRICT COUNCIL www.arun.gov.uk

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2015 - Article 39

Application for Lawful Development Certificate for a Proposed Use or Development

DECISION NOTICE

Application Ref: BR/216/24/CLP

To Addressee

Vizarchi Architecture
22 First Avenue
Newhaven
BN9 9HT

Site Address

126A Chichester Road
Bognor Regis
PO21 5AA

Description of Application

Lawful development certificate for the proposed stationing of mobile home/caravan within curtilage of and ancillary to main dwelling.

The Arun District Council hereby certify that on 29 October 2024 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in black on the plan attached to this certificate, was lawful within the meaning of Section 192 of the Town & Country Planning Act 1990 by reason of compliance with the relevant criteria within Part 1 Sections 1 & 29 Caravan Sites and Control of Development Act 1960, and Section 55 of the Town and Country Planning Act 1990.

EXTENT OF USE
Siting of mobile home unit as incidental residential accommodation to the main house at 126A Chichester Road, Bognor Regis.

SECOND SCHEDULE
126A Chichester Road, Bognor Regis, PO21 5AA

FIRST SCHEDULE
The siting of mobile home unit as incidental residential accommodation to the main house of a single family residence as shown on the following plans and information:
- Location Plan
- Planning Statement
- Mobile Home Overview 01
- Elevations 02
- Floor Plan and Topview 03
- Mobile Home Division
- Proposed Site Plan 05
- Site Constraints 06

PLDNCLEP (ODB) 2018 Arun District Council BR/216/24/CLP 1 of 4

6.APPROVED PROJECTS

TOWN AND COUNTRY PLANNING ACT 1990, SECTIONS 191 AND 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.

CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

James Callaway,
Parker Dann
Suite 10
The Waterside Centre
North Street
Lewes
East Sussex
BN7 2PE

Application No. MO/2021/0296/PCL
Application Date: 19 February 2021

(On behalf of Mr A Day)

Mole Valley District Council hereby certify that on 19 February 2021 the use/operation described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, will be lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The proposal meets the criteria set out in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 and does not constitute operational development or a material change of use and therefore does not require planning permission.

FIRST SCHEDULE **Certificate of Lawfulness for a proposed use/development in respect of the stationing of a caravan/mobile home.**

SECOND SCHEDULE **Vann Croft, Friday Street, Ockley, Dorking, Surrey, RH5 5TE**

Signed



Piers Mason
Executive Head of Service (Planning and Regulation)

Dated: 1 June 2021

CROYDON
www.croydon.gov.uk

Development Management
Sustainable Communities, Regeneration and
Economic Recovery Department
3rd Floor, Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA

Mr Alperen Turk
Vizarchi Architecture & Visualization Ltd
22 First Avenue
Newhaven
BN9 9HT
United Kingdom

Please ask for/reply to: Andrew Foulkes
Tel/Typetalk: 0208 726 6000 Ext
Minicom: 020 8760 5797
Email: development.management@croydon.gov.uk

Your ref: Existing use of the land for sit
Our ref: P/PC/South Area Team/DCAZF

Date: 5th September 2024

Town and Country Planning Act 1990.
Section 191 (As amended by Section 10 of the Planning & Compensation Act 1991) Town and Country Planning (Development Management Procedure) (England) Order 2015: Article 39

Application Number: 24/02473/LE **Applicant:** Mrs. S. Fox

Grant of Certificate of Lawful Use or Development

The Council of the London Borough of Croydon, as the Local Planning Authority, hereby certify that on 19.07.2024 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged black on the plan attached to this certificate, was lawful within the meaning of section 191 of the Town and Country Act 1990 (as amended), for the following reason(s) :-

1 The proposal does not constitute operational development within the meaning of Section 55 of the Town and Country Planning Act as amended and no material change has occurred.

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

3 It certifies that the operations specified taking place on the land would be lawful, on the specified date and, thus, would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

Informative(s):

1 The applicant is hereby made aware that the proposal does not constitute operational development within the meaning of Section 55 of the Town and

6.APPROVED PROJECTS

4.1 COUNCIL'S REPLIES TO VARIOUS PROJECTS

TOWN AND COUNTRY PLANNING ACT 1990:
SECTION 191 & 192 (as amended by Section 10 of the Planning & Compensation Act 1991)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

Wealden District Council

CERTIFICATE OF PROPOSED USE OR DEVELOPMENT
Application No. WD/2023/1301/LDP

Wealden District Council hereby certifies that on 16 May 2023 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 date stamped 17 May 2023, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):-

1. The stationing of a caravan (compliant with the definition of a caravan as outlined in the Caravan Sites and Control of Development Act 1960, The Caravan Sites Act 1968 and the amended definition of a caravan by Paragraph 3 of Article 3 of The Social Landlords (Permissible Additional Purposes) (England) Order 2006)) for occupation as ancillary use incidental to the occupation and enjoyment of the host dwelling, Merriewood (105 South Street), to which it serves, within the curtilage of the dwelling, would not constitute development, being neither operational development nor a material change of use.

   Accordingly, planning permission is not required.

2. This planning decision relates solely to the information contained within the application form, the following plan(s) and (where appropriate) documents:

Ref.	Date Stamped
Location Plan	17 May 2023
Proposed Site Plan 08	17 May 2023
Project Floor Plan 05	17 May 2023
Project Top View 06	17 May 2023
Mobile Home Sides 04	17 May 2023
Mobile Home Sides 03	17 May 2023

   REASON: For the avoidance of doubt.

   The Local Planning Authority's reasons for its decision to grant planning permission are set out in the officer's report which can be viewed on the Council's website at www.planning.wealden.gov.uk

Signed:
Council's Authorised Officer
On behalf of Wealden District Council
DATE OF ISSUE: 13 July 2023

First Schedule
USE OF THE LAND FOR SITING A MOBILE HOME FOR USE INCIDENTAL TO THE MAIN DWELLING

Second Schedule
MERRIEWOOD, 105 SOUTH STREET, EAST HOATHLY, BN8 6DT

Notes
1. This Certificate is issued solely for the purpose of Section 191/192 of the Town and Country Planning Act 1990 (as amended).

MAIDSTONE Borough Council

Mrs T Cook
C/O Vizarchi Architecture & Visualization Ltd
FAO: Mr Alperen Turk
Flat 1
101 Buckingham Road
Brighton
BN1 3RB

6 July 2023

PLANNING DECISION NOTICE

APPLICANT:	**Mrs T Cook**
DEVELOPMENT TYPE:	**Certificates of Lawfulness**
APPLICATION REFERENCE:	**23/502200/LAWPRO**
PROPOSAL/SCHEDULE 1:	**Lawful Development Certificate for the proposed use of the land for siting 1no. mobile home for use incidental to the main dwelling.**
ADDRESS/SCHEDULE 2:	**Pelistry Hill Green Road Stockbury Kent ME9 7UP**

The Council hereby certify that on 11.05.2023 the use, operations or matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

The reasons for approval are:

(1) The Local Planning Authority is satisfied the proposal represents ancillary accommodation incidental to the enjoyment of Pelistry, Stockbury, neither involving operational development or a material change in the use of the site. It therefore does not constitute development within the meaning of section 55 of the Town and Country Planning Act 1990 (as amended) and henceforth, planning permission is not required for this proposal and the Lawful Development Certifcate is granted.

MKPS – Working in Partnership with: Maidstone Borough Council
Please Note: All planning related correspondence for MBC should be sent to:
Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ
Email: planningsupport@midkent.gov.uk
Access planning services online at: www.maidstone.gov.uk; or submit an application via www.planningportal.co.uk

6.APPROVED PROJECTS

4.1 COUNCIL'S REPLIES TO VARIOUS PROJECTS

MID SUSSEX DISTRICT COUNCIL

Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Switchboard: 01444 458166

DX 300320 Haywards Heath 1
www.midsussex.gov.uk

Mrs S Flint
Mr Alperen Turk
VIZARCHI ARCHITECTURE & VISUALIZATION LTD
Flat 1
101 Buckingham Road
Brighton
BN1 3RB

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 192 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

REFERENCE: **DM/22/2502**

PROPOSAL: **USE OF THE LAND FOR SITING A MOBILE HOME FOR USE ANCILLARY TO THE MAIN DWELLING**

LOCATION: **NETHEROAK, STOCKCROFT ROAD, BALCOMBE, HAYWARDS HEATH**

DECISION DATE: **20 SEP 2022**

CASE OFFICER: **STEVEN KING - STEVEN.KING@MIDSUSSEX.GOV.UK**

The Mid Sussex District Council hereby certify that on 10th August 2022 the matter 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, is lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following
reason(s):

1. The proposed siting of a mobile home within the curtilage of the dwellinghouse and its use incidental to the dwellinghouse in accordance with the terms in the Planning Statement accompanying the application does not constitute development, and so is lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended).

First Schedule

Use of the land for siting a mobile home for use ancillary to the main dwelling

Horsham District Council

Mr Oliver Wright
NAPC
Suite 219 Watermoor Point
Watermoor Road
Cirencester
GL7 1LF

TOWN & COUNTRY PLANNING ACT 1990: S192 (as amended by S10 of THE PLANNING AND COMPENSATION ACT 1991)

TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

CERTIFICATE OF LAWFUL DEVELOPMENT OR USE (PROPOSED)

Application No: DC/22/1046

Horsham District Council hereby certifies that on 21/06/2022, the development described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in red on the plan attached to this certificate was lawful within s192 of the Town and Country Planning Act 1990 (as amended) for the following reason(s):

1 The proposed siting of a caravan/mobile home, which meets the definition of a caravan under Section 29(1)of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968, within the incidental curtilage of 39 Wantley Hill Estate, Henfield, and its use to provide additional accommodation for the occupiers of 39 Wantley Hill Estate, Henfield, would be constituent of the pre-existing use of 39 Wantley Hill Estate, Henfield as a single planning unit, and would not give rise to a material change of use of the planning unit comprising 39 Wantley Hill Estate, Henfield. It does not, therefore, involve development requiring planning permission.

FIRST SCHEDULE

Use of land within the curtilage of the existing dwelling for the stationing of a mobile home for use in association with 39 Wantley Hill Estate Henfield (Lawful Development Certificate - Proposed).

SECOND SCHEDULE

39 Wantley Hill Estate Henfield West Sussex BN5 9JR

Horsham District Council, Parkside, Chart Way, Horsham, West Sussex RH12 1RL
Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

6.APPROVED PROJECTS

4.1 COUNCIL'S REPLIES TO VARIOUS PROJECTS

ECONOMY AND PLANNING SERVICES

Crawley Borough Council

Contact: Mr J. Patterson
Direct Line: (01293) 438046
Our Ref: CR/2023/0068/192
Email: development.control@crawley.gov.uk
Date: 27 April 2023

Mrs. D Patterson
c/o Mr Alperen Turk
Flat 1
101 Buckingham Road
Brighton
BN1 3RB

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 AND 192
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

Dear Sir/Madam

Crawley Borough Council hereby certifies that on 1 February 2023

The proposal described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and shown on the plans listed in the Third Schedule, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason[s]:-

1. The proposal meets the criteria set out in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) and does not constitute operational development or a material change of use and therefore does not require planning permission.

Please be advised that this certificate does not constitute an approval under the Building Regulations Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

Yours faithfully

Clem Smith
Head of Economy and Planning Services

MID SUSSEX DISTRICT COUNCIL

Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Switchboard: 01444 458166

DX 300320 Haywards Heath 1
www.midsussex.gov.uk

Mr Alexander Bourne
Mr Alperen Turk
Vizarchi Architecture And Visualization Ltd
Flat 1
101 Buckingham Road
Brighton
BN1 3RB

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 192 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

REFERENCE:	**DM/23/0361**
PROPOSAL:	**PROPOSED USE OF THE LAND FOR SITING A MOBILE HOME FOR USE INCIDENTAL TO THE MAIN DWELLING AND THE PROPOSED MOBILE HOME MEETS THE DEFINITION OF A CARAVAN AS SET OUT IN THE CARAVAN SITES ACT 1968, AND AS AMENDED IN OCTOBER 2006 (CSA).**
LOCATION:	**FURNIVAL COTTAGE, CUCKFIELD ROAD, ANSTY, HAYWARDS HEATH**
DECISION DATE:	**5 MAY 2023**
CASE OFFICER:	**ANDREW WATT - ANDY.WATT@MIDSUSSEX.GOV.UK**

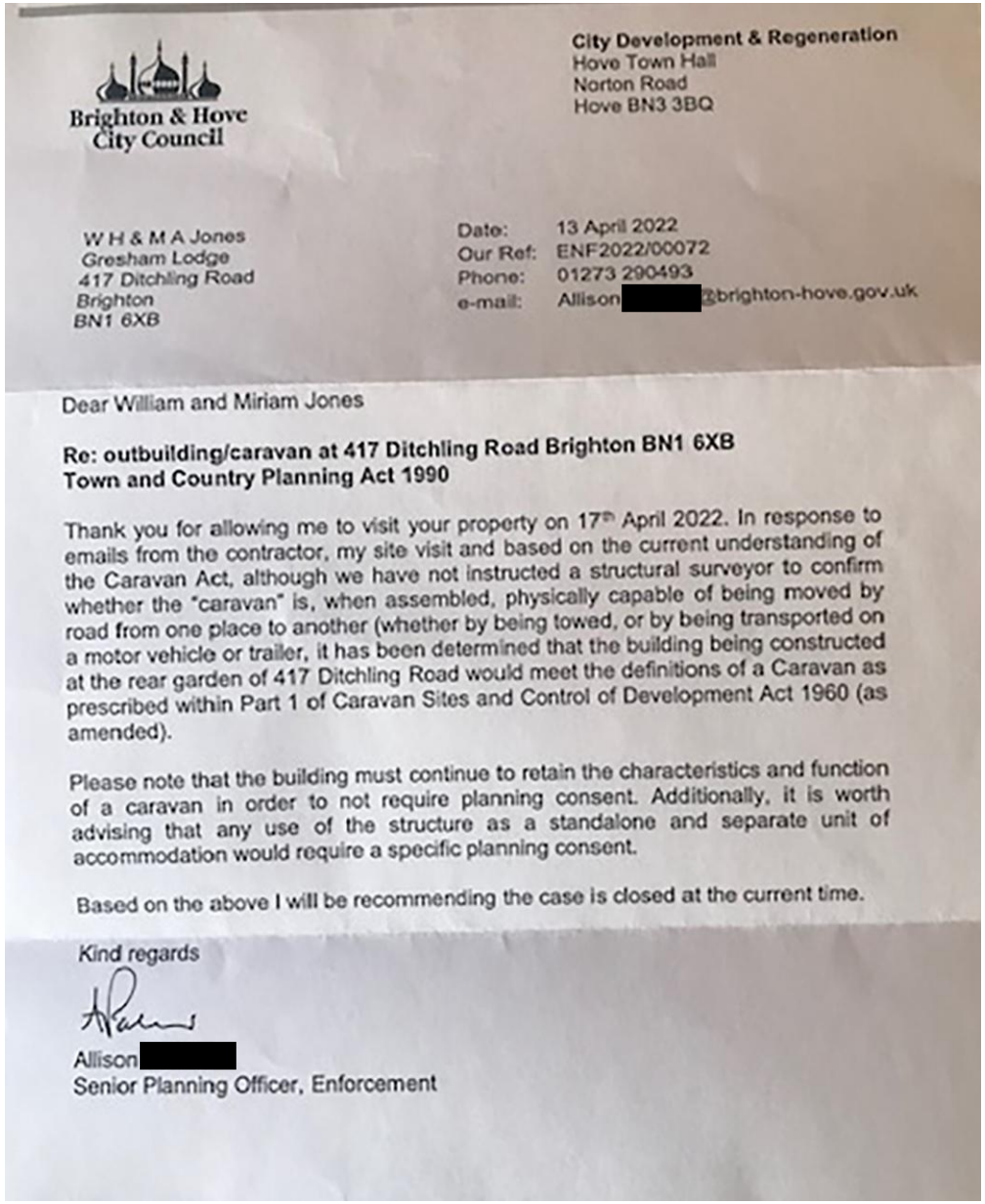
The Mid Sussex District Council hereby certify that on 5 April 2023 the matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, is lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The proposed siting of a mobile home within the curtilage of the dwellinghouse and its use incidental to the dwellinghouse in accordance with the terms in the Planning Statement accompanying the application does not constitute development, and so is lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended).

6.APPROVED PROJECTS

4.1 COUNCIL'S REPLIES TO VARIOUS PROJECTS

In cases where Certificate was not obtained, councils replied to our explanation in a positive way and closed the case based on our documentation. Here is a copy of one of the letters:



Brighton & Hove City Council

City Development & Regeneration
Hove Town Hall
Norton Road
Hove BN3 3BQ

W H & M A Jones
Gresham Lodge
417 Ditchling Road
Brighton
BN1 6XB

Date: 13 April 2022
Our Ref: ENF2022/00072
Phone: 01273 290493
e-mail: Allison [redacted]@brighton-hove.gov.uk

Dear William and Miriam Jones

Re: outbuilding/caravan at 417 Ditchling Road Brighton BN1 6XB
Town and Country Planning Act 1990

Thank you for allowing me to visit your property on 17th April 2022. In response to emails from the contractor, my site visit and based on the current understanding of the Caravan Act, although we have not instructed a structural surveyor to confirm whether the "caravan" is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer, it has been determined that the building being constructed at the rear garden of 417 Ditchling Road would meet the definitions of a Caravan as prescribed within Part 1 of Caravan Sites and Control of Development Act 1960 (as amended).

Please note that the building must continue to retain the characteristics and function of a caravan in order to not require planning consent. Additionally, it is worth advising that any use of the structure as a standalone and separate unit of accommodation would require a specific planning consent.

Based on the above I will be recommending the case is closed at the current time.

Kind regards

Allison [redacted]
Senior Planning Officer, Enforcement

6.APPROVED PROJECTS

4.1 COUNCIL'S REPLIES TO VARIOUS PROJECTS

In some cases, councils decided to issue a Planning Contravention Notice to which we have replied with the same explanation, and the results were the same as in cases above.

The case was closed as the project was determined to be a mobile home. Below you will find an example of PCN issued and the reply from the council

REIGATE AND BANSTEAD BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

Development at: Hartfield, Green Lane, Whitebushes, Redhill, Surrey, RH1 5LJ

1. Please give the name(s) and addresses of all the owners of the property	Hartfield Green Lane Redhill Surrey RH1 5LJ
2. Please give the name(s) and addresses of all permanent occupiers of the property:	Mr David John Michael Fleckney Mrs Sarah Jane Fleckney Mstr Louis James Michael Fleckney Miss Ruby Grace Fleckney
(a) What is the nature of your interest in the land? i.e. owner/occupier/tenant?	Agent dealing with the planning issue

[redacted] [redacted]

-------- Original message --------
Fro[redacted]a <Nicole.Cavanna@reigate-banstead.gov.uk>
Date: 21/05/2021 15:20 (GMT+00:00)
To: sarahfleckney25@gmail.com
Subject: Hartfield, Green Lane, Whitebushes, Redhill, Surrey, RH1 5LJ, Mobile Home.

Dear Mrs Fleckney,

I write further to the enforcement query concerning the mobile home at your residence *(Hartfield, Green Lane, Whitebushes, Redhill, Surrey, RH1 5LJ).*

Please note I informed your legal representatives that we were no longer pursuing the case any further as the structure in questions met the tests set out in Section 29 of the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act 1968 which concluded the item is a mobile home and it's stationing on land does not amount to operational development.

I assumed they would have contacted you to inform you of our conclusions, I do apologise.

However, I can confirm that we have closed the case.

Many Thanks.

Kind R[redacted]

Nicole Cavanna
Planning Enforcement Officer

Reigate and Banstead Borough Council
Tel: 01737 276669

7.CONCLUSIONS

7.CONCLUSIONS

OPERATIONAL DEVELOPMENT

The proposal meets the size test and in fact is much smaller than the allowed maximum dimensions.

Clear evidence has been provided to prove that the caravan can be lifted and moved from the site, case law indicates that the temporary attachment to services does not constitute permanence, this therefore satisfies the mobility test.

The caravan will be assembled on the site into two main sections, these will then be joined together as the final act of assembly. **This methodology has been accepted at appeal and High Court; we therefore consider this passes the construction test**.

The above sections clearly demonstrate beyond reasonable doubt that the proposal meets the three tests as set out in section 13 of the Caravan Sites Act 1968, and as amended in October 2006 (CSA) and should be considered a caravan.

Due to its mobility, a caravan is **not** operational development and may be sited within the curtilage of a dwelling without planning permission if its use is ancillary to the use of the dwelling.

MATERIAL CHANGE OF USE

It is stated within the personal statement that the mobile home will be used ancillary to the main dwelling.

It is clear the occupant and the mobile home will have a reliance on the main dwelling and will be used interchangeably.

For the reasons above It's considered that a material change of use will not occur.

CONCLUSION

The proposal unit falls within the definitions stated in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 and by any reasonable interpretation is a mobile home.

The stationing of such a structure within the curtilage of a dwelling is not operational development (as defined by Section 55 of the Town and Country Planning Act 1990) because it is not fixed to the ground and is capable of removal when no longer needed by the occupants of the main dwelling. The mobile home is a therefore a chattel to be used for purposes ancillary to the main property and will not be a separate dwelling.

Overall, for the reasons set out above, it is considered that the correct application of planning law and judgement of the particular circumstances of this case on the basis of fact and degree and on the balance of probability should result in the granting of a Certificate of Lawfulness for a Proposed Use or Development for the stationing of a mobile home within the curtilage of 35 Shooting Field, Steyning, BN44 3RQ