



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1265

Malthouse Cottage Farm, Malthouse Lane, Ashington, West Sussex, RH20 3BU

DESCRIPTION:

Use of land forming part of the domestic curtilage of Malthouse Cottage Farm for the stationing of a mobile home to provide an ancillary annex to the house (Lawful Development Certificate - Proposed)

RELEVANT PLANNING HISTORY:

DC/21/0313

Prior approval for change of use of two agricultural buildings to two dwellings.

Prior Approval Required and
REFUSED on 01.04.2021

SITE LOCATION & APPLICATION DESCRIPTION

The application site is located on the western side of Malthouse Lane. The main property is a detached two storey dwelling. An annexe is situated to the west of the main dwelling along with a cluster of a few outbuildings positioned within close proximity of the main dwelling. There appears to be no planning permission relating to the annexe, only planning permission reference DC/17/1334 granted for the proposed erection of a new garage with annexe above.

The site does not fall within a conservation area, nor within the setting of a listed building and there are no Article 4 Directions covering the site. The application site is located outside of the defined built-up area boundary.

This application seeks to grant a certificate of lawfulness pursuant to S.192 of the Town and Country Planning Act 1990, in respect of the use of land forming part of the domestic curtilage of Malthouse Cottage Farm for the stationing of a mobile home to provide an ancillary annex to the house.

The submitted plans show the structure containing ancillary accommodation which would measure 15m in length, 6.8m in width and an internal floor to ceiling height of 2.55m.

PLANNING ASSESSMENT

Operational Development

The application is accompanied with a planning statement that states the proposed structure would satisfy the definition of a 'caravan' as defined under the Caravan Sites and Control of Development Act 1960 and Caravan Sites Act 1968 (as amended). The planning statement refers to the structure as a 'mobile home', though, this term is synonymous with 'caravan' in law.

It is considered a matter of fact and degree as to whether a structure can be considered a 'caravan' (in accordance with the statutory definition of such a chattel), with regard to the method and nature of construction/delivery, the capability of being moved following assembly/delivery and its physical scale.

The submitted plans show the structure would not exceed the dimensions of a caravan as

referenced at S.13(2) of the 1968 Caravan Sites Act, as amended by the 2006 Order. The physical scale of the structure conforms to the above Act requiring the dimension of the structure not to exceed;

- (a) a length of 20 metres; the proposal would be 15m in length
- (b) a width of 6.8 metres; the proposal would be 6.8m in width
- (c) an overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level) of 3.05 metres. The proposal would be 2.55m in height from internal floor to ceiling.

Furthermore, the method of construction also satisfies the above Act, which states that:

'(1) A structure designed or adapted for human habitation which—

- (a) is 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 planning statement explains that the mobile structure would be delivered to the site in two halves and then be joined together on the site. The agent's email received on the 30th September 2026 confirmed that the structure would be brought to the site by lorry in 2 halves and bolted together on site.

The Inspectorate has previously held that it is the final joining together of sections which describes the final act of assembly for the purposes of the S.13(1) of the 1968 Act, with no requirement that a separate section(s) be constructed away from the site. Provided that the final assembly does not comprise of the joining together of more than two-sections a structure assembled on site could still benefit from the definition contained under S.13(1)(a) of the 1968 Act, assuming that such a structure remains physically capable of being moved. The Act states that:

- '(b) 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), shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a highway when assembled.'*

In terms of 'fixation', there are no details provided as to how the structure would be physically attached to the ground. However, the agent's email received on the 30th September 2026 stated that the mobile home would not be affixed to the site but would have foul water and services connections.

In terms of 'permanence' the structure has been described as intended to be used for 'ancillary use' to accommodate family members as an extension of the main existing dwelling. The planning statement mentions that the proposed mobile home is not a permanent building or structure.

As such, it is considered that the proposed structure (mobile home) when constructed and assembled would satisfy the definition of a caravan/mobile home. The siting of a caravan/ mobile home would not therefore represent a form of operational development.

Use of land

The structure would be sited a short distance west of the main dwelling within the rear garden of Malthouse Cottage Farm, Malthouse Lane, Ashington. As a matter of fact and degree this land is considered integral of the main dwelling's residential curtilage.

As previously held by the Inspectorate, the stationing of a mobile home occupied as part and parcel of the primary dwellinghouse would not constitute a change of use of land requiring planning permission. As such, notwithstanding the capability of independent occupation, it is the manner of occupation which would inform the potential creation of an independent planning unit as a material change in the use of land.

The planning statement explains that the intended use of the mobile home is for ancillary use to accommodate family members as an extension of the main existing dwelling. The agent's email

received on 30th September 2026 states that the mobile structure would be sited for as long as needed but it is not anticipated to be a permanent addition.

On the basis of information available to the Authority, the use of the mobile home to accommodate family members as an extension of the main existing dwelling would not be considered to give rise to the creation of an independent planning unit.

Conclusion

It is considered on the balance of probabilities, that the mobile home will form part of the primary use of Malthouse Cottage Farm, as a single planning unit, would maintain a functional link between the two and would comply with the relevant statutory definitions of a caravan/mobile home. Therefore, the proposal would neither constitute a material change of use of land within the residential curtilage that it is to be sited, or operational development as defined under Section 55 of the Town and Country Planning Act 1990. On this basis, it is recommended that a Lawful Development Certificate be granted in accordance with Section 192(2) of the Town and Country Planning Act 1990.

Recommendation: Application Permitted

Reason:

1. The siting of a 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 Malthouse Cottage Farm, and its use to provide accommodation ancillary to the occupation of 'Malthouse Cottage Farm' as a single planning unit, would not constitute development as defined by Section 55 of the Town and Country Planning Act 1990, as amended.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/26/1265

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Block plan		D 0726/809/02	07.08.2026
Elevation plan	Proposed	D 0726/809/04	07.08.2026
Floor plan	Proposed Ground	D 0726/809/03	07.08.2026
Location plan		D 0726/809/01	07.08.2026
Roof plan	Proposed	D 0726/809/05	07.08.2026
Section plan	Proposed	D 0726/809/06 A	07.08.2026

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 05.10.2026

Authorising Officer sign/initial RHERMITAGE Date: 09.10.2026