



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0584

Spinners, Hayes Lane, Slinfold, West Sussex, RH13 0SQ

DESCRIPTION:

Siting of a mobile home for ancillary use to the main dwellinghouse. (Lawful Development Certificate - Proposed).

RELEVANT PLANNING HISTORY:

No relevant planning history.

SITE LOCATION & APPLICATION DESCRIPTION

The application site comprises Spinners, a detached two-storey dwellinghouse, situated on the west side of Hayes Lane. The property benefits from a sizeable curtilage, in which this mobile home is proposed to be located in the northeast corner, approximately 12 metres from the host dwelling. Spinners is neither statutory or locally listed and the site is not within a conservation area and there are no Article 4 Directions covering the site.

PLANNING ASSESSMENT

Section 192(2) of the Town and Country Planning Act 1990 (TCPA 1990) provides that: -

"If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application."

Under section 57(1) of the 1990 Act, planning permission is required for the carrying out on land of any 'development'. 'Development' is defined under section 55(1) and includes the making of any material change of use of any buildings or other land, and/or building operations, including demolition, rebuilding, new structures, and additions/extensions. Section 55(2)(d) states that the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such does not involve development.

The application relates to the siting of a caravan for residential purposes, constituent with the primary use of Spinners, Hayes Lane, Slinfold. A 'caravan' is defined under Section 29(1) of the Caravan Sites and Control of Development Act 1960 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*'.

Section 13(1) of the Caravan Sites Act 1968 provides that a caravan can consist of a 'twin-unit' if it is '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, camps or other devices; and*
- 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)'.*

Section 13(2) of the 1968 Act, as amended, by the Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of a Caravan) (Amendment)(England) Order 2006, the maximum dimensions of a caravan are: -

- a) Length (exclusive of any drawbar): 65.616 feet (20m);
- b) Width: 22.309 feet (6.8m);
- c) Overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10.006 feet (3.05m).

Section 1(4) of the 1960 Act defines a 'caravan site' as 'land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed'. There is a problem of the use of land as a caravan site without a site licence under section 1(1) of the 1960 Act. However, Schedule 1 of the 1960 Act exempts land used as a caravan site if such use is both situated within the domestic curtilage of, and incidental to, the enjoyment of a dwellinghouse from the necessity for a site licence.

The Court of Appeal held in *Dyer vs Dorset County Council* [1989] 1 Q.B. 346 that in the absence of any statutory definition, 'curtilage' bore its restricted and established meaning connoting a small area forming part and parcel with the house or building which it contained or to which it was attached. The kind of ground usually attached to a dwellinghouse would be a garden.

The submitted plans demonstrate that the structure would not exceed the dimensions of a caravan, detailed below -

Length – 15.2 metres

Width – 6.8 metres

Internal Ceiling Height – 3 metres

The submitted Planning Statement confirms that the mobile home will be placed onto ground screws and will remain in place due to its own weight, as opposed to being affixed to the ground through permanent works and any connections to services are easily reversible. Furthermore, there will be a ground clearance of 150mm, to allow a suitable clearance for lifting equipment, where the mobile home is capable of being lifted and placed on a flatbed lorry for transportation. On the basis of the available information, it is considered that the structure constructed and assembled in accordance with the details available 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 Court of Appeal held in *Dyer v Dorset County Council* [1989] 1 Q.B. 346 that in the absence of any statutory definition, 'curtilage' bore its restricted and established meaning connoting a small area forming part of parcel with the house or building which it contained or to which it was attached. The kind of ground usually attached a dwellinghouse would be a garden.

An ancillary use must be carried on in the same planning unit as the primary use. *Bridge J in Burdle v Secretary of State for the Environment* [1972] All E.R. 240, 244, suggested three broad tests for determining the appropriate planning unit:

1. "whenever it is possible to recognise a single main purpose of the occupiers use of this land to which secondary activities are incidental or ancillary, the whole unit of occupation should be considered."
2. "consider the entire unit of occupation even though the occupier carries on a variety of activities and it is not possible to say that one is incidental or ancillary to another."
3. "it may frequently occur that within a single unit of occupation two or more physically separate and distinct areas are occupied for substantially different and unrelated purposes. In such a case each area used for a different main purpose (together with its incidental and ancillary activities) ought to be considered as a separate planning unit."

The proposed caravan would be sited within the incidental curtilage of the dwellinghouse, in the front garden, and would not constitute the formation of a new planning unit. The submitted details indicate that the proposed mobile home would provide a living room, two bedrooms, kitchenette and bathroom. The Planning Statement contains a supporting statement by the applicants, in which they detail the mobile home will be used to accommodate their son and his family. The statement confirms the mobile home will remain ancillary to the main dwelling, within the same ownership and will not be independently occupied, sold or rented. Furthermore, it is confirmed that the mobile home will not have a separate or independent address, services, access, or be registered as a separate unit for Council Tax Purposes.

It is noted that the proposed mobile home will be occupied by the applicant's son and his family, with little information provided relating to the connection between the host dwelling and this mobile home.

The circumstances of this application are similar to appeal APP/P1615/X/22/3313719, in which an Inspector granted a certificate of lawful development for the siting of a mobile home ancillary to the main dwelling. In that case, the mobile home was to be occupied by the appellant and her husband, with other family members occupying the main dwellinghouse. The Inspector rejected the Council's view that, due to the level of accommodation provided, the unit would amount to a self-contained dwelling, instead emphasising that the assessment should focus on how the unit would actually be used and its stated purpose, rather than what might potentially occur. The Inspector found that the unit would remain within the existing residential planning unit, located close to the main dwellinghouse, and would function as part and parcel of the primary use of the site, providing additional living accommodation for close family members. The land would remain in single ownership and control, with no physical or functional separation, such that no new planning unit would be created and the character of the existing residential use would not change.

Conclusions:

It is considered that precise and unambiguous information has been provided to demonstrate, on the balance of probabilities, that the mobile home will form part of the primary use of Spinners, 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 Spinners, and its use to provide accommodation ancillary to the occupation of 'Spinners' 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/26/0584

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning Statement	NAPC/JD/1931/JM	08.04.2026
Location & Block plan	Existing Location and Block Plan	04 1	08.04.2026
Block plan	Proposed Block Plan	05 1	08.04.2026
Section plan	Cross Section	06 1	08.04.2026
Plans	Planning Footprint	07 1	08.04.2026
Elevation plan	Proposed Elevations - South and East	08 1	08.04.2026
Elevation plan	Proposed Elevations - North and West	09 1	08.04.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 02/06/2026

Authorising Officer sign/initial RHERMITAGE Date: 03.06.2026