

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01247/LDCP	Erection of single storey detached outbuilding.	47 Bedford Road Hitchin Hertfordshire SG5 2TP

Submitted Plan Nos

Location-Plan DWG 02 Site-Plan DWG 01_Floor andElevation Plans DWG 03

1.0 Policies

2.0 Site History

2.1 None relevant

3.0 Representations

3.1 N/a

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1 The application site accommodates a terraced dwelling located on Bedford Road, Hitchin. The application site lies within the Butts Close, Hitchin Conservation Area.

4.2 **Proposal**

4.2.1 The application is seeking a Certificate of Lawful Development (LDC) for the siting of a detached outbuilding for ancillary use in rear garden. For the purposes of evaluation, this will be considered as a caravan. The caravan is proposed to be a home office/photo studio. There is no indication of a bedroom, WC or kitchen. The proposed caravan would measure 7.2m long, 4.0m wide and 3.0m tall.

4.3 **Key Issues**

4.3.1 The applications supporting documents sets out that the key issue for consideration when placing a caravan in the rear garden is the use of the land. It states that as the use of the caravan is for a use that is incidental to the dwellinghouse, no change of use is occurring.

4.3.2 The application is not to be considered under the GPDO 2015, Schedule 2, Part 1, Class E as this class is for the erection of buildings (enclosures, swimming, or other pools) incidental to the enjoyment of the dwelling house within the curtilage of the dwelling house. As this proposal is for the stationing of a caravan, this is not a building, so Class E does not apply.

4.3.3 The definitions of what a caravan/mobile home is must be considered. This is set out under the Caravans Act 1960, updated by the Caravan Act 1968 and amended again in 2006. This states that a caravan may be no larger than 20m long, by 6.8m wide and does not have an internal floor to ceiling height taller than 3.05m. The Size, Construction and Mobility Tests follow.

4.3.4 The proposed caravan is to be 7.2m long, 4.0m wide and 3.0m tall. The internal ceiling height will therefore not exceed 3.05m. Therefore, the size test is passed.

4.3.5 The proposed caravan has no aspect of self-sufficiency. The proposed caravan arrives to site fully assembled. The proposed caravan has spread plate foundations which allow for air flow below the caravan and provide space for lifting cradles or straps to be inserted should the caravan need to be moved. On this basis, the construction test is passed.

4.3.6 As stated, provisions are proposed to ensure that the caravan can be moved if need be, which is the baseline requirement for the mobility test. It is proposed to connect the caravan to services, and it will not be fixed down, simply resting in position under its own weight. No additional structures are proposed to be added to it. Therefore, the mobility test is passed.

4.3.7 Therefore, it is considered that the proposed caravan would comply with the necessary criteria under the Caravan Act 1960 (amended 1968 and 2006) for it to be deemed a caravan.

4.3.8 The next considerations are whether the proposal is to be regarded as operational development or if there is a material change of use. Seeing as the proposed caravan would meet all of the required tests to be considered as a caravan, it is considered that the siting of a caravan in this location would not constitute operational development. The caravan would not have its own separate curtilage and would not have a separate postal address, it would share the existing dwelling's utility services, and it will not be registered as a separate unit of occupation with respect to the payment of Council Tax. Therefore, given the submitted information that speaks to the relationship between the main dwelling and the caravan, its size and the fact it will be used for ancillary purposes, it is not to be regarded as operational development, and does not bring about a material change of use of the land.

4.3.9 As such, for the reasons set out in this report and having regard to the submitted evidence, it is considered that there would be no material change in the use of the planning unit, and thus no development as defined by Section 55(1) of the Town and Country Planning Act 1990 would take place. A Certificate of Lawfulness of Proposed Use or Development, under the provisions of Section 192 of the 1990 Act, can therefore be granted for this proposal.

4.4 **Conclusion**

4.4.1 Grant Certificate of Lawfulness under Section 192 (Proposed).

5.0 **Recommendation**

5.1 That a certificate of lawfulness be **GRANTED** for the following reason:

Proactive Statement:

The siting of the caravan would meet the requirements of Section 29 of the Caravan Sites Act 1960, as amended in 1968 and 2006 and the definition of the Caravan Act 1960. Moreover, having regard to the submitted evidence, it is considered that there would be no material change in the use of the planning unit, and thus no development as defined by Section 55(1) of the Town and Country Planning Act 1990 would take place. A Certificate of Lawfulness of Proposed Use or Development, under the provisions of Section 192 of the 1990 Act, can therefore be granted for this application.

Signed	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer	
Date: 15 July 2026	