

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01513/LDCP	Siting of caravan for ancillary use in rear garden	3 Baldock Lane Willian Letchworth Garden City Hertfordshire SG6 2AY

Submitted Plan Nos

062603

1.0 Policies

2.0 **Site History**

2.1 N/A.

3.0 **Representations**

3.1 None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1 The site is a semi-detached two storey dwelling located on Baldock Lane, Willian, Letchworth Garden City. The site is within the Willian Conservation Area and the Green Belt.

4.2 **Proposal**

4.2.1 The application is seeking a Certificate of Lawful Development (LDC) for the siting of a detached structure (twin-unit caravan) to provide ancillary habitable accommodation. The structure is approximately 7m by 6.7m with a side gable roof, 4.95m to ridge and 2.6m to eaves. The proposed section plan shows a max ceiling height of 3m. The mobile home consist of a two modular units, one containing lounge and kitchen, the other containing a bedroom and bathroom.

4.3 **Key Issues**

4.3.1 The applications supporting documents sets out that the key issue for consideration when placing a mobile home in the rear garden is the use of the land. It states that as the use of the mobile home is for a use that is ancillary domestic, 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 mobile home, this is not a building, so Class E does not apply.

4.3.3 The definitions of what a caravan/mobile home is has to 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 mobile home (and/or caravan which are regarded to be the same thing under the definition) is a mobile home providing that it is not larger than 20m long, by 6.8m wide and does not have an internal floor to ceiling height taller than 3.05m. Furthermore, provided that it can be constructed through the joining together of two separate parts or sections (not that it needs to be delivered in two separate parts to the site) and can be moved when fully erected, it would class as a mobile home/caravan. The siting of the mobile home on pad stones and the connection of it to services for example is not considered to restrict its mobility. It is only if

extensive porches or other structures are built on to it, then it can be considered to be no longer mobile. The fact that the applicant has no intention to move it around the site is irrelevant. The key fact is that it could be moved. These matters are known as the Size, Construction and Mobility Tests.

- 4.3.4 The proposed mobile home is to be 7m long, 6.7m wide and 4.95m in height. The internal ceiling height will therefore not exceed 3.05m. Therefore, the size test is passed.
- 4.3.5 The proposed caravan will be composed of two sections, manufactured off-site in two separate sections, which will be joined together on the application site as the 'final act of assembly'. The applicant has not submitted any information to demonstrate how the unit would be transported to and constructed on site. On this basis it does not pass the construction test.
- 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 not comply with the necessary criteria under the Caravan Act 1960 (amended 1968 and 2006) for it to be deemed a caravan.
- 4.3.9 As such, for the reasons set out in this report and having regard to the submitted evidence, it is considered that the proposed caravan would not comply with the necessary criteria under the Caravan Act 1960 (amended 1968 and 2006) for it to be deemed a caravan. A Lawful Development Certificate cannot 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 **refused** for the following reason:

Insufficient information has been submitted to demonstrate that the proposed unit would comply with the construction test for it to be deemed a caravan. On this basis, a Certificate of Lawfulness of Proposed Use or Development, under the provisions of Section 192 of the 1990 Act, cannot be granted for this application.

Signed  Naomi Reynard	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 September 2026	