

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00151/LDCP	Use of the land to site a mobile home for ancillary use to the main dwellinghouse	9 Pinnocks Lane Baldock Hertfordshire SG7 6DL

Submitted Plan Nos

A 03 A 04 A 05 A 06 A 07

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 property located on the west side of Pinnocks Lane, Baldock.

4.2 **Proposal**

4.2.1 The application is seeking a Certificate of Lawful Development (LDC) for the siting of a detached mobile home for ancillary use in the garden of the host dwelling. The mobile home would have a habitable area with living room kitchen, two bedrooms and a shower room, with storage. The mobile home is proposed to be 12.0m in length, 4.55m wide and 4.5m in height with a dual-pitched roof. The overall height of the living accommodation, measured internally from the floor at the lowest level to the ceiling at the highest level, would be 3.0m.

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 padstones and the connection of it to services 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 12.0m long, 4.55m wide and would have an internal ceiling height of 3.0m. Therefore, the size test is passed.

- 4.3.5 The proposed mobile home will be constructed on site using prefabricated components. Modern caravan construction often involves panelised or modular systems. This method of construction for mobile homes has been supported at appeal, which are noted in support of this application. On this basis, the construction test is passed.
- 4.3.6 Once the mobile home is assembled on site, it can be transported by trailer or lorry as a unit given the use of a screw pile foundation system rather than it being fixed to the ground. The mobile home will rest on these foundations under its own weight and is therefore movable once constructed. 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 mobile home would meet all of the required tests to be considered as a mobile home, it is considered that the siting of a caravan in this location would not constitute operational development.
- 4.3.9 It is stated that the mobile home would be occupied by the applicant's mother and allow for care giving and support, as evidenced by the supporting letter from the applicant, with some dependence and reliance on the host dwelling for meals/laundry etc, whilst also allowing for some independence for the applicant's mother. The mobile home 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 mobile home, its size and the fact it will be used for ancillary purposes, is not to be regarded as operational development, and does not bring about a material change of use of the land.
- 4.3.10 There are numerous appeal decisions cited in this submission and submitted in support, which testify to the suitability of this proposed mobile home, which are used as the benchmark through which applications such as this are considered.
- 4.3.11 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:

1. The siting of the mobile home 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  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 23 February 2026	