

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03075/LDCP	Siting of a twin-unit caravan for ancillary use in rear garden	132 Eastern Way Letchworth Garden City Hertfordshire SG6 4PF

Submitted Plan Nos

Floor plans Side elevation (right) Side elevation (left) Rear elevation Location plan Block Plan Front elevation

1.0 Policies

NONE	None Relevant
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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 an end of terrace dwelling located on Eastern Way, Letchworth.

4.2 **Proposal**

4.2.1 The application is seeking a Certificate of Lawful Development (LDC) for the siting of a twin-unit caravan for ancillary use in rear garden. The mobile home has a habitable area for living/sleeping, a bathroom and kitchen facilities. The proposed caravan would measure 11.0m long, 4.01m wide and 2.73m tall. The overall height of the living accommodation, measured internally from the floor at the lowest level to the ceiling at the highest level, would not exceed 3.05m.

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 11.0m long, 4.01m wide and 2.73m 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'. Prior to the delivery of the caravan to the site ground screws will be installed, which will create a level platform, 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. Moreover, it is stated that the caravan would be occupied by the applicant's mother and allow for care giving and support, with some dependence and reliance on the host dwelling for meals/laundry etc, whilst also allowing for some independence for as long as possible. 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 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.
- 4.3.9 There are numerous appeal decisions cited in this submission and submitted in support, which testify to the suitability of this proposed caravan, which are used as the benchmark through which applications such as this are considered.
- 4.3.10 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 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  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 22 January 2026	