

**CERTIFICATE OF LAWFUL USE OR  
DEVELOPMENT FOR SITING OF A STATIC  
CARAVAN AS A WELFARE UNIT ANCILLARY  
TO AGRICULTURAL AND EQUESTRIAN USES.**



**Planning Branch Ltd**

**Highview, Mill Lonning, Lowca**

**August 2024**

## INTRODUCTION

Planning Branch has been commissioned to prepare this report in support of the Certificate application at High View, Mill Lonning. The application applies under section 192 of Town and Country Planning Act 1990 to determine siting of a static caravan as a welfare unit ancillary to agricultural and equestrian uses.

## CERTIFICATE OF LAWFULNESS OF PROPOSED USE.

Under section 192 of the Town and Country Planning Act 1990 states that “a proposed use of buildings or other land, or some operations proposed to be carried out in, on, over or under land, would be lawful for planning purposes.”

### **Legislation**

The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 4 Class A – temporary buildings and structures

*The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the **duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.***

### **Caravan**

A caravan in relation to the Caravan Sites and Control of Development Act 1960 in that:

*“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..”*

*“Provided that when assembled:*

- (a) Its length (exclusive of any drawbar) does not exceed 60 feet (18.288m);*
- (b) Its width does not exceed 20 feet (6.096m);*
- (c) The overall height of the living accommodation (measured internally from the floor to the lowest level of the ceiling at the highest level) does not exceed 10 feet (3.048m)”*

## HISTORY

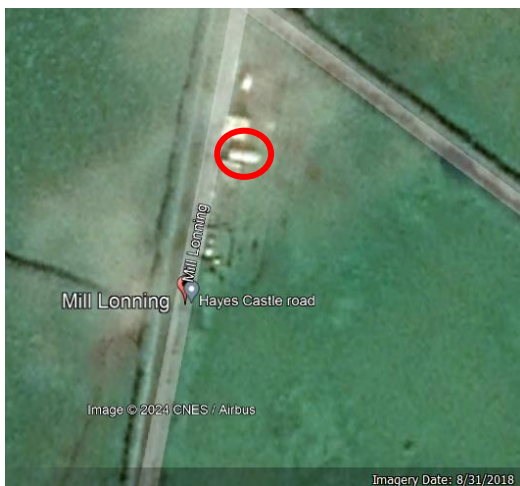
A caravan has been sited on the yard area since 2008 as the images have shown. The caravan has changed over the years from a mobile caravan to a static caravan. The caravan is used as a welfare unit in that it provides shelter, washing and toilet facilities and cooking facilities when the applicant is farming the land tending to the livestock.



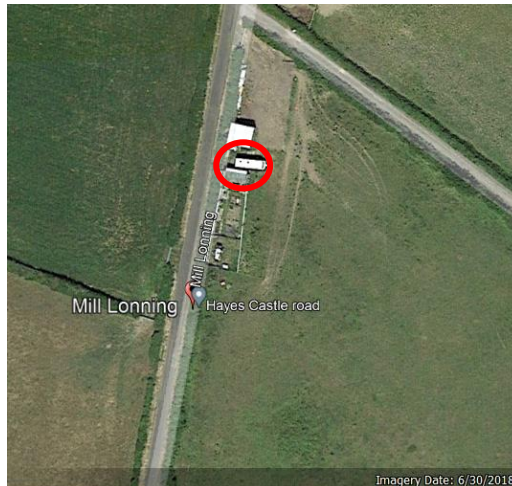
25/04/2023



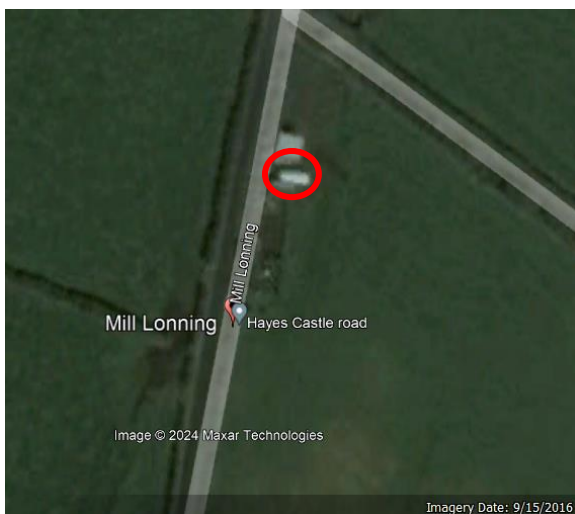
20/04/2020



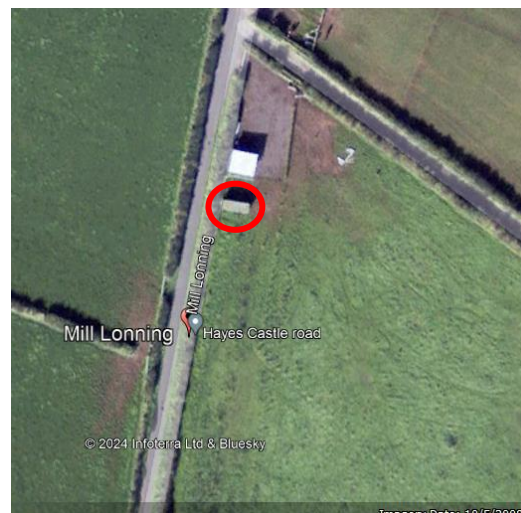
31/08/2018



30/06/2018



15/09/2016



05/10/2008

## **ASSESSMENT**

As per the assessment under application CLDP/2023/0006 this is an identical situation. The main planning consideration is the use of the caravan and the land on which it is sited. If the caravan is used for residential purposes, this would constitute the creation of a new planning unit and a material change of use. This would not be lawful development. However, if the caravan is to be used ancillary to the primary use of the site (as a welfare unit), this does not constitute a material change of use of the land. In addition, the caravan is not considered to be “development” as defined by Section 55 of the Town and Country Planning Act (1990).

The caravan would be used as a welfare unit whilst the livestock are on the field and thus is an identical situation to CLDP/2023/0006. (Decision notice and officer report in appendix 1 for information).

The caravan is in the process of been painted dark green to match the existing agricultural building on the site. See image below during the process.



## **CONCLUSION**

As set out in this document the caravan is used in accordance with the description for this application (“siting of a static caravan as a welfare unit ancillary to agricultural and equestrian uses”), and not for residential purposes, no material change of use or operational development will occur and it is therefore considered to be lawful. Therefore, the Certificate of Lawfulness for a Proposed Development could be granted.