

# SITING OF A SINGLE-UNIT MOBILE HOME WITHIN AN EXISTING RESIDENTIAL PLANNING UNIT FOR ANCILLARY RESIDENTIAL USE

*Planning Statement*

**Hornfield**  
**David Street**  
**Meopham**  
**Gravesend**  
**DA13 0BT**

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# Introduction

This statement has been prepared by NAPC Ltd in support of an application (Planning Portal Ref. PP-PP-15194526) to Gravesham Borough Council, for a Certificate of Lawfulness for a Proposed Use or Development (CLOPUD) under Section 192 of the Town and Country Planning Act 1990 (as amended).

The proposed use described in this application is the siting a single-unit mobile home (caravan) within the residential planning unit of Hornfield, David Street, Meopham, Gravesend, DA13 0BT “the Site” for residential use ancillary to the main dwellinghouse.

The definition of development requiring planning permission is outlined in Section 55 of the Town and Country Planning Act 1990 “the Planning Act”. It encompasses two primary elements:

1. **Operational development** being: ‘the carrying out of building, engineering, mining or other operation in, on, over or under land.’
2. ‘The making of any **material change of use** of any buildings or other land.’

This planning statement provides the rationale behind the siting of a single-unit mobile home for purposes ancillary to the main residential property. The siting of a mobile home for ancillary purposes does not constitute operational development, or a material change of use, as defined by Section 55 of the Town and Country Planning Act 1990. Consequently, full planning permission is not required for the stationing of a mobile home within the residential planning unit of a Class C3 dwellinghouse.

Furthermore, this statement aims to address common misconceptions commonly associated with such applications. For the purposes of planning law, the terms ‘mobile home’ and ‘caravan’ are treated as synonymous within this statement.

Given that the proposed mobile home does not amount to operational development, it is important to note that **this application does not fall under Class E Permitted Development** under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Class E pertains to operational development, such as the erection of a garden shed or the construction of a garage. We therefore politely remind the LPA that this application should **not** be assessed in accordance with the criteria for outbuildings under Class E Permitted Development.

In accordance with the principles set out in the legal precedent of *Gabbitts v SSE and Newham LBC [1985] J.P.L 630*, a Certificate of Lawfulness should be assessed solely based on the facts and evidence presented to the Local Planning Authority (LPA). The judgment states that the evidence need not be substantiated by independent evidence to be accepted. If a LPA lacks evidence to counter or cast doubt on the applicant’s account of events, and the applicant’s evidence is sufficiently precise and unambiguous, the Certificate of Lawfulness should be granted on the balance of probabilities.

# Site Context

Located within the Civil Parish of Meopham and Meopham South and Vigo Ward approximately 2.7km south of Meopham, the Site consists of a residential property comprising a single-storey residential dwelling and associated outbuildings. The Site is accessed from David Street, a laneway running north-south.

Planning history for the Site relates to historic applications to form a dwelling and more recent applications for extensions to the existing dwelling:

Address

Property History (4)

Constraints (12)

Map

Planning Applications (3)

Use of a structure as a dwelling and erection of single storey extension to form a bedroom  
Ref. No: 19850011 | Status: Application Refused

Demolition of existing kitchen and new single storey rear extension to replace. Single storey side extension to form new bedroom. Demolition of existing non-residential building on site and replaced with new barn/outbuilding.  
Ref. No: 20130348 | Status: Application Refused

Erection of single storey rear extension to form bedroom, enlarged kitchen and wc/utility room.  
Ref. No: 20130598 | Status: Application Permitted

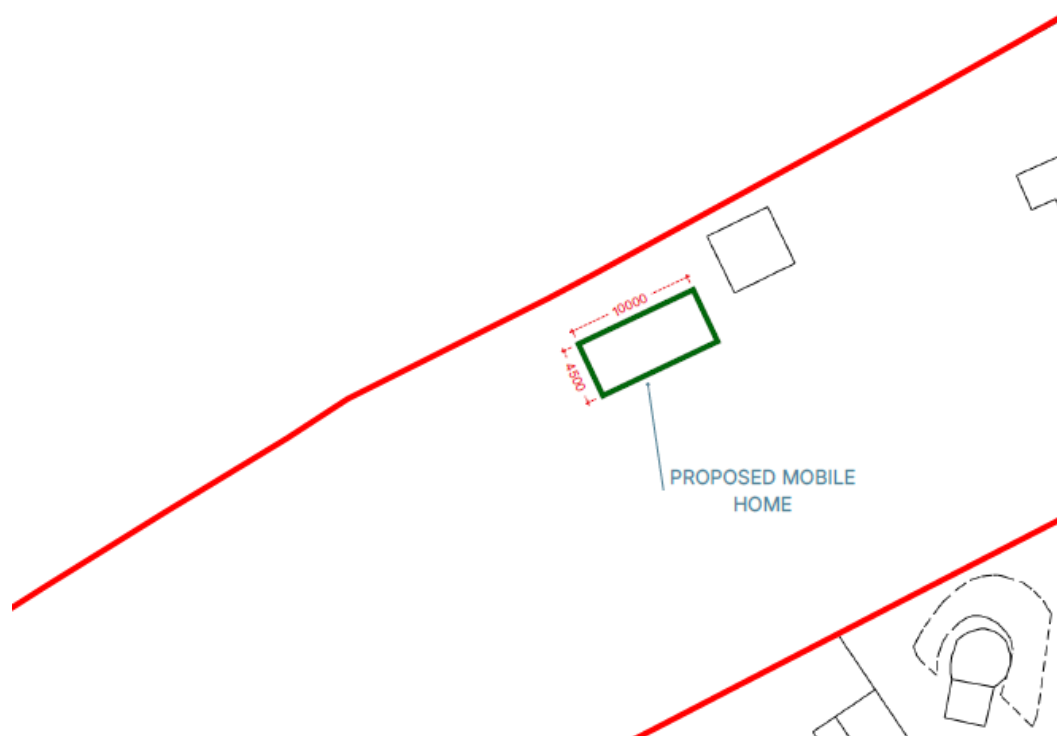
Planning Appeals (1)

Use of a structure as a dwelling and erection of single storey extension to form a bedroom  
Ref. No: 1985/00015/REF | Status: Appeal Dismissed

The Site is located within Flood Zone 1 of the GOV.UK Flood Map for Planning. The Site is not a designated heritage asset, nor is it located within a conservation area. The Site is located within the London Metropolitan Green Belt. This notwithstanding, the application is to establish whether the proposed siting of a mobile home is lawful; planning designations are not therefore relevant to the assessment of this application.

As per submitted plans and outlined in the block plan extract below, the mobile home would be sited in the rear garden, where it would replace an existing outbuilding and be in close proximity to another. The siting has been selected due to its physical and functional connection with the main dwellinghouse, on land that is owned by the applicant and maintained as residential garden. Any planning requirements for demolition of the existing outbuilding will be dealt with under a separate application.

Figure 1: Extract from proposed block plan, showing the intended location of the proposed mobile home.



It is important to note that the ultimate positioning within the garden does not impact the assessment of this application, given that a mobile home can be lawfully sited anywhere within the residential planning unit of the dwelling.

The mobile home would be sited on ground screws; it is well established do not constitute engineering works, as defined under Section 55(c) of the Town and Country Planning Act 1990.

# Operational Development

A caravan is considered as a 'structure.' It is settled in law that the stationing of a caravan on land, even for extended durations, constitutes a **use of the land** rather than operational development. This fundamental principle is embedded in the legislative framework, endorsed by case law<sup>1</sup>, and consistently applied by the Planning Inspectorate.

This perspective arises from the recognition of a caravan as an item of movable personal property, commonly referred to as a 'chattel.' Importantly, there is no public law precluding the placement of a caravan in an individual's garden. As such, the legal standpoint maintains that the act of stationing a caravan on land is a use of the land within the property, and not operational development.

## Definition of a Caravan

The definition of a caravan is found in Section 29(1) of the Caravan Sites & Control of Development Act 1960 (as amended) "the 1960 Act":

"'Caravan' means 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, but does not include:

A – any railway rolling stock which is for the time being on rails forming part of a railway system, or

B – any tent."

Section 13(2) of the Caravan Sites Act 1968 "the 1968 Act" qualified the definition of caravan in Section 29(1) of 1960 Act by introducing length, width, and height of living accommodation requirements. The maximum length is 20m, width is 6.8m, and overall internal height is 3.05m.

There are 3 clear tests for a single-unit caravan, which the proposed structure will be assessed against. These are:

1. It is designed for **human habitation**.
2. It is of the correct **size**.
3. It is capable of being moved from one place to another, towed or transported (**mobility**).

## Human Habitation

The mobile home is designed to be used for human habitation, as highlighted by the inclusion of primary living facilities, such as a bedroom and bathroom. The mobile home also includes appropriate insulation, services, natural light, and ventilation.

## Size

Section 13 of the 1968 Act outlines the maximum legal dimensions for a caravan. The below assessment has compared these specified maximum dimensions with those of the proposed mobile home:

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<sup>1</sup> In *Measor v SOS (1998)*, the High Court held that generally a structure that met the definition of 'caravan' for the purposes of the 1960 and 1968 Acts above would not generally be considered a 'building' for the purposes of the 1990 Act above because of the lack of permanence and attachment.

|                                                                                          | Maximum CSA Dimensions | Proposed Size |
|------------------------------------------------------------------------------------------|------------------------|---------------|
| Length                                                                                   | 20.0m                  | 10.00m        |
| Width                                                                                    | 6.80m                  | 4.50m         |
| Internal Height (measured from finished floor level to the highest point of the ceiling) | 3.05m                  | 2.29m         |

The plans and drawings are accurately scaled and confirm adherence to the specified measurements outlined in Section 13 of the Act. It is important to note that the height measurement is internal, taken from the floor level to the highest point of the ceiling internally.

Considering the above, the proposed mobile home does not exceed the prescribed measurements outlined in Section 13 of the Act, therefore satisfying the requirements of the size test.

### Construction & On-Site Assembly

The mobile home will be constructed on-site using prefabricated components. Modern caravan construction often involves panelised or modular systems, and importantly, there is no statutory requirement for a caravan to be built off-site or delivered to the land in its finished form.

This principle has been repeatedly maintained in numerous appeal decisions, such as Appeal Ref: **APP/T0355/X/23/3333956** (Appendix K), where Inspector stated that there is no legal restriction on the number or size of prefabricated parts that may be brought to the site for assembly.

In appeal ref: **APP/R3650/X/25/3359353** (Appendix L), the Inspector concluded in Paragraph 8 that:

“As a ‘single unit’ caravan is proposed, it is not necessary under section 13(1) of the CSA 1968 that it is ‘composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices.’ In other words, assembling the prefabricated residential unit on the appeal site does not in this case mean that it is not a caravan with reference to the CSA 1968.”

### Mobility

Section 13(1)(a) of the Caravan Sites Act 1968 stipulates that a caravan is a structure which “... when assembled, [is] physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer).”

In this context, ‘capable’ denotes the inherent ability to do something but not necessarily doing it. The Act does not necessitate a physical demonstration but instead requires a showing, on the balance of probabilities, that the caravan is ‘capable of being moved.’ Therefore, it is evident that this is a hypothetical test of mobility.

Once assembled, the mobile home can be transported by trailer or lorry as a complete unit. Its placement will be on a screw pile foundation system, rather than being fixed down to the ground. (see Figure 2 below). Instead, the caravan will rest on these foundations under its own weight, as illustrated in the diagram below. This ensures a minimum ground clearance of 150mm, allowing for the use of

lifting straps/rigging to be positioned under the structure. As such, the caravan can be lifted by crane and placed on to a flatbed lorry (see Figure 3 below).

Figure 2: Illustration of screw pile foundation system (ground screws).



Figure 3: Lifting capability of the proposed mobile home, using a crane to remove it from the land.



The proposed caravan is not affixed to the ground through permanent works, and any connections to services are easily reversible. Legal precedent has established that such connections are deemed de-minimis by the courts.

In appeal ref: **APP/J2210/X/22/3298471** (Appendix C), the Inspector confirmed in Paragraph 8 that:

“It is proposed to assemble the structure on site using pre-manufactured components; it was estimated that such works would take around five days to complete. The definition of a caravan contains no requirement for pre-assembly or for it being brought to site intact. Moreover, the number of components involved in assembling the structure has only a limited bearing on whether it is capable of being moved subsequently. The requirements set out in s13(1)(a) of the 1968 Act to be no more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other device apply in respect of twin-unit caravans. However, the above requirements do not extend to single unit caravans. It is more appropriate to regard the structure as a single unit, as it would be much smaller than a twin-unit caravan.”

Considering the caravan can be lifted as a whole unit, which satisfies the mobility test, it is evident that the proposed structure meets the criteria outlined in Section 13(1)(a) of the 1968 Act.

### Common Mobility Misconceptions

***“You can’t physically move the caravan!”***

**Appeal Ref: APP/N1025/C/01/1074589 (Appendix A)**

“To fall within this definition the structure must be capable of being moved by road from one place to another in its assembled state. It may be moved by trailer, but it is not excluded from the definition merely because it would be unlawful to move it in such a manner on a highway. The fact that the

private drive to [the appeal property] is too narrow to allow the passage of the Park Home in its assembled state along it is not the point. It seems to me that it is the structure that must possess the necessary qualities, not the means of access... It is not necessary for it (a caravan) to be towed, only that it is capable of being moved my road.

As per the Brightlingsea judgement,<sup>2</sup> ‘...it is irrelevant to the test where the structure actually is, and whether it may have difficulty in reaching a road.’

**Appeal Ref: APP/L5810/X/15/3140569 (Appendix B)**

*“The mobility test does not require a mobile home to be mobile in the sense of being moved on any wheels and axles it may have. It is sufficient that the unit can be picked up intact (including its floor and roof) and be put on a lorry by crane or hoist. In the case of twin-unit mobile homes the whole unit must be physically capable of being transportable by road, the illegality of any such transportation on the public highway being irrelevant.”*

**Appeal Ref: APP/J2210/X/22/3298471 (Appendix C)**

*“A factor critical to ascertaining whether the structure would be a caravan, or a building is its mobility. The structure would not be wheeled, nor would it have a drawbar as in a caravan in the conventional sense. However, that does not necessarily mean that the structure would be immobile.*

*Mobility does not require a caravan to be mobile in the sense of being moved on its own wheels and axles. A caravan may be mobile if it can be picked up intact and put on a lorry. The available evidence clearly showed that the structure would be capable of being picked up intact and moved, either by lifting it onto a trailer using a hoist attached to a crane, or by using a removable wheeled skid.”*

***“You have attached the mobile home to services; therefore, it becomes a permanent structure!”***

**Appeal Ref: APP/L5810/X/15/3140569 (Appendix B)**

Planning Inspector Andrew Dales states in the above appeal that:

“Similarly, any attachment to services is not the same as physical attachment to the land, as invariably disconnection from such services is a simple matter which can be achieved within minutes if the mobile home needs to be moved. The mobile home would not acquire the degree of permanence and attachment required of building. The mobility test would be met.”

**Appeal Ref: APP/J1915/X/11/2159970 (Appendix D)**

The assessment by Planning Inspector Martin Joyce within the referenced appeal highlights key considerations related to the mobility of the mobile home:

1. **Capability:** The primary test is whether the unit, when fully assembled, is capable of being towed or transported by a single vehicle. This highlights the focus on the inherent structural qualities that enable the caravan to be theoretically moved.
2. **Intention:** The lack of intention to move the unit around the site is deemed irrelevant to the main issue. This observation recognises that the term ‘static’ in the context of caravans on lawful caravan sites does not negate their classification as caravans. The criterion remains the structural capability for theoretical mobility.
3. **Practicalities:** Practical considerations, such as a narrow driveway or awkward craning points, are considered immaterial. The critical factor is whether the mobile home possesses the

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<sup>2</sup> Brightlingsea Haven Ltd v. Morris [2008] EWHC 1928 (QB)

necessary structural qualities for theoretical mobility, irrespective of the site-specific challenges that may impede actual movement.

These points reinforce the legal perspective that the focus of the mobility test is on the structural qualities of the mobile home, emphasising the theoretical capability for its movement.

***“The mobile home won’t be moved periodically!”***

In the case of *Measor v Secretary of State for the Environment, Transport and the Regions* [1998] 4 PLR 93, the Court of Appeal examined whether a structure could still be classified as a caravan even if it is not moved frequently. The court held that a caravan does not cease to be a caravan merely because it is not moved regularly. The definition of a caravan, as provided by the 1960 Act (amended by later statutes like the 1968 Act), focuses on the physical characteristics and the ability to be moved, rather than the frequency of movement.

**Appeal Ref: APP/B0230/X/22/3295944 (Appendix E)**

“It is reasonably safe to assume that the unit [mobile home] might remain in situ for some years, having regard to its intended use. Even so, I do not regard this as being a significant factor in relation to the test of permanence. A caravan can often stay in one position for an indeterminate period, without adversely affecting its ability to be moved. For example, a static caravan at a residential or holiday park will often remain in the same position for several years without being moved. Such a caravan would also generally remain connected to services. In no sense could a residential or holiday park caravan be described as a building simply because it had not been moved periodically.”

***“The caravan must have wheels and a drawbar to be considered a caravan for planning purposes!”***

**Appeal Ref: APP/J2210/X/22/3298471 (Appendix C)**

The observation that the structure would lack wheels or a drawbar in the conventional sense of a caravan does not automatically render it immobile. The concept of ‘mobility’ in this context transcends the traditional notion of a caravan being mobile on its own wheels and axles. It is clarified that mobility, for the purposes of legal assessment, extends beyond the specific means of movement commonly associated with caravans.

The absence of wheels or a drawbar does not prevent the structure from being considered mobile. The test of mobility is broader, encompassing the potential for the structure to be moved, whether by alternative means such as lifting onto a trailer using a hoist attached to a crane or utilising a removable wheeled skid. This interpretation supports the legal understanding that mobility is not confined to a specific mode of transportation but is dependent on the structure's inherent capability to be moved in its assembled state.

## **Operational Development Conclusion**

The unit will be constructed as a single-unit caravan and the proposal meets the size test and is, in fact, smaller than the allowed maximum dimensions. Clear evidence has been provided to prove that the caravan can be lifted and moved from the site, while case law indicates that the temporary attachment to services does not constitute permanence, this therefore satisfies the mobility test.

The above sections clearly demonstrate beyond reasonable doubt that the proposal meets the three tests set out in Section 13 of the 1968 Act, and as amended in October 2006 (CSA) and should be considered a caravan. As such, the proposal does **not** constitute operational development.

# Material Change of Use

To ensure there is no material change of use of the land, the mobile home must be ancillary/incidental to the C3 residential use. Although there is no statutory planning definition for ancillary/incidental, the following four widely recognised ‘incidental’ tests, derived from significant case law, and documented in the House of Commons (Hansard, 22 November 2005<sup>3</sup>), serve as benchmarks:

1. The relationship between the respective occupants.
2. The relative size of the house, its garden, and the caravan.
3. The relative scale of accommodation in the caravan and the house.
4. The degree to which the caravan is functionally connected / subordinate to dwellinghouse.

**Relationship** – The mobile home will be used by the applicant’s extended family members who are frequent visitors (*see supporting letter in Appendix H*).

**Size/Scale of Accommodation** – The proposed caravan creates only a modest increase in footprint. The accommodation within the caravan is designed with minimal scale, offering the necessary facilities for the occupants to lead a comfortable life.

**Function** – While a caravan typically possesses all the amenities needed for independent day-to-day living, the inclusion of primary living accommodation does not automatically result in a change of use.

To confirm, the proposed mobile home will have **no** separate or independent:

- Address
- Post box
- Utility meters
- Services (such as internet, phone line, and television)
- Parking
- Garden area
- Access

The caravan will not be independently registered as a separate unit of occupation for Council Tax purposes. The mobile home is not viable in isolation and is dependent on the main dwelling for its functionality and operation. As such, there will be a clear functional relationship between the main dwelling and the mobile home by all occupants.

It is important to note that the consideration of this application assess the proposed use, rather than what may potentially occur. If the caravan deviates from its intended ancillary use with the dwelling as described, and the functional connection is severed, it will not benefit from the certificate.

As such, the proposed mobile home should not be assessed on its potential to be used as an independent unit from the main dwelling, as this goes beyond the use and evidence described in the application and is not what this application is proposing.

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<sup>3</sup> <https://publications.parliament.uk/pa/cm200506/cmhansrd/vo051122/debtext/51122-40.htm>

## Common Ancillary Misconceptions

### ***“The mobile home contains all the facilities to be used independently of the main dwelling!”***

The judgement in the High Court case *Uttlesford v SoS for the Environment & White [1991]* considered that, even if an annexe within a residential planning unit possesses all the essential living facilities, allowing the occupier to live independently and potentially qualify as a separate dwelling house, this does not automatically signify a material change of use. The Court concurred that the annexe, despite its residential amenities, did not amount to the creation of a separate planning unit that required planning permission. The Judge in this case deemed several factors as significant in reaching this conclusion. Notable factors included the absence of separate utility meters, a postal address, and telephone line. Additionally, emphasis was placed on the absence of any separate curtilage or access. These considerations supported the view that the annexe, while functionally self-sufficient, did not represent a separate planning unit, requiring planning permission.

This is further emphasised in the appeal ref: **APP/J2210/X/22/3298471** (Appendix C) where the Inspector notes in para. 10 that: “... the stationing on land of a caravan for purposes that are part and parcel of and integral to the lawful use as a single residential planning unit would not involve the material change of use... the provision within the curtilage of a dwelling of a separate structure which would provide the facilities for independent day-to-day living but is nevertheless intended to function as part and parcel of the main dwelling would also not involve a material change of use.”

This is reaffirmed in appeal ref: **APP/T3725/X/21/3266375** (Appendix I). This acknowledges that:

“Much depends on how the unit [mobile home] would actually be used and the proposal should be assessed on the basis of the stated purpose and not what might possibly occur.”

In the above-mentioned appeal, the intended occupant of the mobile home was the appellants’ Godfather. At the time of the application, the Godfather was residing at the appellants’ residence. Given the Godfather’s health issues and the anticipation of another baby within the applicant’s household, the provision of the mobile home was deemed necessary.

The rationale behind this decision was in the understanding that the limited space within the main dwelling, coupled with the impending addition to the family, would make accommodation challenging. The introduction of the mobile home was a strategic measure to ensure that the Godfather could continue to stay with the appellants. This arrangement aimed to facilitate close support and assistance in managing the health and well-being of their Godfather, thereby addressing the unique circumstances and needs of the occupants.

The Inspector concluded the following:

“...there would be a family and functional link with the land which would remain in single ownership and control. The proposed use of the mobile home in the manner described would not involve physical or functional separation of the land from the remainder of the property. The character of the use would be unchanged. Thus, the use described would form part of the residential use within the same planning unit. Only if operational development which is not permitted development is carried out or if a new residential planning unit is created, will there be development.”

Furthermore, in the appeal ref: **APP/B0230/X/22/3295944** (Appendix E), the Inspector acknowledged that the mobile home would serve a function akin to that of a residential annexe; the Inspector reached the conclusion that:

“The intended use would therefore be integral to and part and parcel of the primary use of the planning unit as a single dwellinghouse. The planning unit would remain in single family occupation

and would continue to function as a single household. Therefore, as a matter of fact and degree there would be no material change of use.”

*“You can’t use a mobile home interchangeably with the accommodation in the main dwelling!”*

**Appeal Ref: APP/L5810/X/15/3140569 (Appendix B)**

In this appeal, the Inspector stated that a mobile home can be deemed ancillary if it would be used interchangeably with the accommodation in the main dwelling. Specifically, the interchangeability should encompass aspects such as socialising and providing practical support for day-to-day living.

*“The size and level of facilities of the mobile home allows for independent use!”*

**Appeal Ref: APP/R3650/X/16/3161457 (Appendix J)**

This point was also raised in the above appeal, where the Inspector commented the following:

“Whilst I note that the Council have concerns that adding a further four bedrooms in the Proposed Caravan may be excessive, I do not consider this is a matter which should concern the Council when dealing with a LDC for a proposed use. If the Appellant were to permit the use of the Proposed Caravan for any uses that were not ancillary to the residential use of the Dwellinghouse it is likely that planning permission would be required, and the Council would retain control over any non-ancillary uses of the Proposed Caravan.

Further, whilst the plans show four bedrooms it could well be that these rooms were used for other ancillary uses e.g. as a study room, a home cinema, a home library, a home fitness room.

I therefore conclude that the size and scale of the Proposed Caravan do not preclude it from being used for ancillary residential uses to the Dwelling-House.”

## **Material Change of Use Conclusion**

The mobile home will be used ancillary to the existing residential use of the main dwellinghouse. Despite the mobile home being equipped with all the necessary facilities for independent use, it is explicitly outlined that the occupants of the mobile home will maintain a reliance on the main dwellinghouse, and these will be used interchangeably, ensuring the site will remain as one whole planning unit. As such, a material a change of use of the land will **not** occur.

# Planning Precedents

Whilst we note that Lawful Development Certificates are assessed against facts and evidence and are not assessed against a local development plan or material considerations, to ensure this application is determined efficiently and fairly, we would like to direct the case officer towards previous applications that were approved by Gravesend Borough Council. From a search of the public planning folder, two recent planning decisions were found:

- 20260070|Application for a Proposed Lawful Development Certificate; Siting of a mobile home.|Carousel 61 Rhododendron Avenue Meopham Gravesend Kent DA13 OTU;
- 20240382|Application for a Lawful Development Certificate for the proposed siting of a caravan (mobile home) for residential occupation ancillary to the main dwelling.|60 Mitchell Avenue Northfleet Gravesend Kent DA11 8AX;
- 20250073|Application for a Proposed Lawful Development Certificate; Use of the land for siting a mobile home for ancillary use to the main dwelling house.|17 Hadley Close Meopham Gravesend Kent DA13 ONX;
- 20251002|Proposed Lawful Development Certificate; Siting of mobile home for use ancillary to the main dwelling.|18 The Rise Gravesend Kent DA12 4BX;
- 20200766|Application for Lawful Development Certificate for the proposed siting of a caravan (mobile home) for residential occupation ancillary to the main dwelling.|Suva Dean Lane Harvel Gravesend Kent DA13 OBS

These recent planning decisions, which are in principle identical to this submission, demonstrate that the local planning authority has recent precedence in determining these applications.

## Conclusion

This statement has demonstrated that the proposed mobile home at Hornfield, David Street, Meopham, Gravesend, DA13 OBT falls within the definitions of a caravan outlined in the 1960 and 1968 Acts (as amended) and therefore does not result in operational development.

The caravan would be situated entirely within the residential planning unit of the existing dwelling, forming an integral part of the planning unit. Furthermore, the applicant explicitly states the mobile home will be used ancillary to the main dwelling. This is reinforced by shared services, the scale of facilities contained within the mobile home, and the commitment to maintaining the site as one planning unit, therefore not resulting in a material change of use of the land.

Considering the submitted evidence and the referenced case law and precedents, it is firmly contended that the correct application of planning law should warrant the issuance of a Certificate of Lawfulness for the proposed use of the land.

In conclusion, under the provisions of Section 192 of the 1990 Act, the Certificate of Lawfulness for the proposed use or development should be granted.

### **Positive and Proactive Decision-Making**

NPPF Paragraph 39 states that local planning authorities should approach decisions positively and proactively, working with the applicants and agents to reach amicable solutions. Should the council require any further information or any clarification on any aspects of the application, we ask that this is requested from NAPC Ltd before a decision is issued, to ensure that a positive outcome can be reached on the application.

# Appendices

**Appendix A – Appeal Ref: APP/N1025/C/01/1074589**

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