

Appendix A

Statement by applicant

In relation to concerns raised previously regarding the application, the applicant provides the following further information, while noting that under Government Guidance relating to LDCs, planning merits should not be considered.

1. **Regarding a tree that would have to be felled.** This is a young tree of no specific note. While there is no matter of planning law that would require it, the applicant is happy to plant a replacement tree on site, if the tree cannot be retained.
2. **Regarding making the development smaller if required.** As already noted by the Planning Officer, this is not development. Since no development exists it is not possible to make said 'development' smaller. The applicant commits to keeping the caravan within the definitions stipulated by the Caravan Act.
3. **Regarding how the caravan would be brought onto site.** The caravan would be towed onto site behind a Rangerover (or similar) style vehicle – as explained in the Planning Officer Report, via the driveway and gates to the south west of the site:



4. **Regarding need for a bathroom in a caravan.** While not a planning consideration, the main dwelling has just 2 bathrooms some 60m away. The applicant has a family of 5 (including very young children), and often more on site with visiting relatives. Noting the desire for this

to be used as a year round facility, it would be unreasonable to expect young children in need of the toilet to venture 60m away - potentially in darkness and rain - in the hope of finding an unoccupied toilet. Previous statements in reference to school outbuildings are not valid comparisons. In response to concerns about whether anyone would struggle to get to a toilet; yes – the applicant’s 1 year old and wheel-chair bound grandparent would struggle.

5. **Regarding use as a music room including piano, drums and digital mixing area and whether the applicant plays any of these instruments.** The applicant has a GSCE in music, has composed concert music and has passed graded exams in piano, trumpet, french horn, saxophone and music theory. In his time he has been a member of various musical ensembles including the Kent Youth Wind Orchestra and Kent Youth Jazz Orchestra. The applicant’s brother in law has been a professional DJ for over 20 years. The desire is for the applicant’s children to have a musical upbringing and the proposed suite of instruments in the application represents those in which the applicant anticipates the children will find their grounding in music.
6. **Regarding ‘specifically what the caravan would be used for’.** This has been addressed extensively in the application. However, if the Caravan were used for any other purposes, which were found to be unlawful, normal enforcement options exist. The application is to determine whether the uses stated would be lawful – not any other uses.
7. **Regarding the size of the caravan in relative (to the main dwellinghouse) and absolute terms.** There is no aspect of law which determines what size a caravan can be (either in absolute or relative terms) in relation to any other building, other than as provided for in the Caravan Act, as referenced in the application and Planning Officer report. As a Lawful Development Certificate application (rather than a Planning Application), the only question to be put is whether the proposal – as described, and used for the purposes described – would transgress any stated law. It is not subject to the subjective opinions of a Planning Application.
8. **Regarding the site does not have (some) permitted development rights.** This is irrelevant since the LDC does not propose to make use of any permitted development rights.
9. **Regarding whether a caravan constitutes development.** This Planning Report considers this extensively and concludes it does not constitute development.
10. **Regarding the site is in green belt land.** This is not relevant since the proposal does not constitute development.

It is hoped that all additional queries raised have been addressed by the answers given in this statement. Should there be any further questions or queries, the applicant is happy to meet with any relevant parties to discuss.

Appendix B

LONDON BOROUGH OF BROMLEY
HOUSING, PLANNING AND REGENERATION



STATEMENT OF CASE

LBB REF: 22/04204/PLUD

PINS REF: APP/G5180/X/23/3323690

Appeal by Mr Callum Harwood against the refusal by LB Bromley to grant a Certificate of Lawfulness for the siting of a caravan/mobile home within the rear garden of the existing property for purposes incidental to the enjoyment of the dwellinghouse as such at 5 Leaves Green Crescent, Keston, BR2 6DN.

1. Introduction

1.1 The appeal relates to the refusal by LB Bromley to grant a Certificate of Lawfulness for the siting of a caravan/mobile home within the rear garden of the existing property for purposes incidental to the enjoyment of the dwellinghouse under Section 192 of the Town and Country Planning Act 1990 (as amended).

1.2 The Council refused to grant a Certificate of Lawfulness by Notice dated 26 April 2023 the following reason:

“In light of the failure by the speaker on behalf of the appellant to confirm the applicant has a musical and computer/digital mixing hobby and the size of the caravan (absolutely and relative to the main dwelling), it is not considered that the caravan would be incidental to the enjoyment of the main dwellinghouse as such. Its siting would therefore be unlawful.”

1.2 Following further legal advice sought by the Council, the Council will not be contesting this appeal.

1.3 This statement forms the background history of site for the Inspector’s information for an informed decision to be made.

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2. Appeal Site and Surroundings

- 2.1 The appeal site hosts a two storey semi-detached dwellinghouse located on the western side of Leaves Green Crescent, Keston. The property is located within an area designated as Green Belt land.
- 2.2 The curtilage of No.5 includes a large parcel of land to the rear. This part of the appeal site, where the caravan would be located, had its permitted development rights for any buildings, structures, alterations, walls or fence removed in 1994 (planning ref. 94/00028/FUL). This area of land has an existing double garage associated with No.5. The approved building measures approximately 8m x 7.6m (60.8sqm)
- 2.3 It should also be noted that two Lawful Development Certificates were granted permission in 2021 (identical submission), for the erection of an outbuilding within the original garden of No.5 for use as a home office and gym, measuring 10m x 3.7m (37sqm)
- 2.4 A Lawful Development Certificate for a hip to gable loft conversion including rear dormer was also granted permission in 2023 to provide an additional bedroom and bathroom (4 bedrooms in total) measuring approximately 38.8cu.m.
- 2.5 The host dwelling measures approximately 140sqm over two floors (179,6sqm including the approved loft conversion)

3.0 Proposal

- 3.1 The appeal seeks a Lawful Development Certificate under Section 192 of the Town and Country Planning Act 1990 (as amended) for the siting of a caravan/mobile home.
- 3.2 The proposed mobile home would measure 18m in length and 6.7m in width and would have a total height of 3m with an eaves height of 2.4m. The proposed mobile home would be sited in the rear garden and would provide a hobby room (music/study), computer/digital mixing area, a bathroom and a store room.
- 3.3 The application was accompanied by a planning statement which states that ***“the caravan will be primarily used as a music/hobby room along with a store. It also has toilet facilities, to be connected to the existing drain via detachable pipes.*”**

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The caravan will be used by members of the household incidental to their enjoyment of the house, using the path from the house.”

4.0 Planning history

4.1 The relevant planning history on the site can be summarised as follows:

4.2 Under planning reference 94/00028/FULL6 planning permission was granted for the change of use of the land from grazing land to land within the residential curtilage of No.4 Leaves Green Crescent, subject to conditions, and in particular Condition 1, which reads as follows:

“notwithstanding the provisions of the Town and Country General Development Order 1988 (or any Order amending revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind, other than those hereby permitted, shall be erected or carried out on the land the subject of this permission without the prior approval of the Local Planning Authority”.

4.3 Under planning reference 96/00714/FUL permission was granted for a detached double garage, subject to conditions, in particular Condition 3, which reads as follows;

“The garage shall only be used for purposes ancillary to the residential use of 4 Leaves Green Crescent and shall not be used for any commercial or other purpose.”

4.4 Under planning reference 19/05262/FULL6 permission was refused for an extension to the eastern end of an existing single storey detached double garage to incorporate a study and playroom. The reasons for refusal are as follows:

“The proposal would constitute inappropriate development in the Green Belt and would result in a detrimental impact on its openness and visual amenity with no very special circumstances demonstrated to outweigh the harm caused; thereby the proposal would be contrary to Policy 51 of the Bromley Local Plan.

The proposal, by reason of its size, layout, siting and detached position, is capable of being severed and used as a separate self-contained unit of accommodation and therefore does not represent an ancillary form of accommodation to the main dwelling, which would in turn result in a cramped form of development that would be out of character with the area and contrary to Policy 7 of the Bromley Local Plan.”

- 4.5 Under planning reference 20/00229/OPDEV an appeal was dismissed for the erection of an extension to the existing double garage and the erection of a single storey detached outbuilding.
- 4.6 Under planning reference 21/05110/PLUD a certificate was granted for a single storey outbuilding.
- 4.7 Under planning reference 21/05172/PLUD certificate was granted under appeal ref. 3291627 sought for the erection of an outbuilding comprising home office and gym.
- 4.8 Under planning reference 23/01539/PLUD certificate was granted for a hip to gable loft conversion including rear dormer with two front roof lights and eight front solar panels.
- 4.9 Under planning reference 23/02241/PLUD permission is pending consideration for the Siting of a caravan/ mobile home within the rear garden area of the existing property for purposes incidental to the enjoyment of the dwellinghouse. This application is identical to the appeal scheme, however information has been submitted in an attempt to address the concerns raised at Plans Sub Committee.

5.0 Planning Legislation

Section 55 of the Town and Country Planning Act 1990 (as amended).

- 5.1 According to Section 55 ***“development means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.”***
- 5.2 According to Section 55(2)(d) of the Town and Country Planning Act 1990 ***“the use of any buildings or other land within the curtilage of a dwellinghouse for any purposes incidental to the enjoyment of the dwellinghouse”***

Caravan Sites and Control of Development Act 1960 (“Act”)

- 5.3 The definition of a caravan, which includes a mobile home, as outlined within Section 29(1) of the Act states that a caravan is 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).

5.4 The Caravan Sites Act 1968 Section 13 - definition of twin unit caravans as amended by the Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006 provides as follows:

- (1) A structure designed or adapted for human habitation which:
 - (a) 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; and
 - (b) is, when assembled, 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), shall not be treated as not being (or as not having been) a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a highway when assembled.
- (2) For the purposes of Part 1 of the Caravan Sites and Control of Development Act 1960, the expression "caravan" shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely:
 - (a) length (exclusive of any drawbar): 20 metres;
 - (b) width: 6.8 metres;
 - (c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 3.05 metres."

5.5 In order to assess whether a caravan is permitted at this location, two criteria have to be considered:

- whether the proposal is an operational development
- whether the proposal comprises a material change of use of the land

6.0 Main Submissions

6.1 The certificate was refused for the following reason:

“In light of the failure by the speaker on behalf of the appellant to confirm the applicant has a musical and computer/digital mixing hobby and the size of the caravan (absolutely and relative to the main dwelling), it is not considered that the caravan would be incidental to the enjoyment of the main dwellinghouse as such. Its siting would therefore be unlawful”

7.0 Conclusion

- 7.1 The Council considers that the proposal would not be classified as operational development under section 55 of the Act, given that the mobile home would continue to be a mobile and removable structure as indicated by the appellant.
- 7.2 The Council also considers that the proposal does not represent a material change of use of the residential curtilage land, given that there would be no subdivision of the residential curtilage and would be occupied by the same family providing incidental space to the main house, without providing a new, separate dwelling severed from the main house.
- 7.3 The appellant has submitted a further LDC application in which additional information has been provided, the Council's considers the additional information addresses, in the most part, the grounds of refusal. On the basis of this supporting evidence the Council no longer wishes to contest this appeal.

Appendix C: Appeal Cases Study

Summary of appeal cases

Assessment Criteria	Appeal case 1	Appeal Case 2a + 2b (Cost)
Ancillary to the main dwelling	√	√
Construction test	√	√
Size test	√	√
Mobility test	√	√
Appeal Decision	Allowed	Allowed
Date	10.01.23	26.10.22

Summary of each appeal cases

Appeal Case 1 - Appeal Decision – Allowed

26 Friars Close, Whitstable, Kent (ref: APP/J2210/X/22/3298471)

1.1 The appeal site contained an enlarged semi-detached dwelling. It is proposed to set up a detached structure described as mobile home or caravan within the curtilage of the dwelling. The structure would be around 6m long, 5.5m wide and 2.7m high. The structure would contain a living area and kitchen together with a bedroom and ensuite WC.

1.2 The issues in dispute were whether the proposed structure would meet the definition of a caravan as defined by the Caravan Sites and Control of Development Act 1960, and the issue of mobility.

1.3 The inspector considered that the proposed structure was well within the maximum size limits defined in the 1960 Act. It would be held in place by its own weight without the use of foundations and would be easily detached from services.

1.4 It was noted that the structure lacked wheels or a tow-bar and it could not simply be towed away. However, it could be lifted onto a trailer in one piece. It was stated that the wheel-less structure assembled on site would still considered to be a caravan and the proposal met the definition of a caravan.

1.5 The inspector found that neither development nor the undertaking of building operations had occurred, and granted the LDC.

Appeal Case 2a (LDC Decision) 2b (Cost Decision) – Allowed

3A Coombe Lane West, Kingston-upon-Thames (Ref: APP/Z5630/X/21/3277752)

2.1 The appeal site contained a detached dwelling. A caravan would be located within the curtilage of the dwelling, measuring 6m long, 5m wide and 2.8m high. The proposed caravan would be composed of two sections which would be separately constructed and then joined together on the site as the final act of assembly. The caravan unit would then rest on blocks and would not be fixed to the ground.

2.2 Based on the information provided, the inspector was satisfied that the structure would accord with the statutory definition of a twin-unit caravan in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, after applying the tests commonly referred to as the construction test, the mobility test and the size test. The inspector further considered that use of the caravan, fitted out with kitchenette and bathroom and accommodating office workspace and gym equipment, would be incidental to the main house and therefore not a material change of use of the land.

2.3 The inspector allowed this certificate of lawful use for the proposed caravan, making a full award of costs.



Appeal Decision

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH JANUARY 2023

Appeal Ref: APP/J2210/X/22/3298471
26 Friars Close, Whitstable, Kent CT5 1NU

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Sally Turner against the decision of Canterbury City Council.
 - The application Ref CA/22/00409, dated 25 January 2022, was refused by notice dated 26 April 2022.
 - The application was made under section 192(1)(a) of the Town and Country Planning Act 1990 as amended.
 - The use for which a certificate of lawful use or development is sought is use of the land for siting a mobile home for use ancillary to the main dwelling.
-

Decision

1. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the proposed use which is considered to be lawful.

Preliminary Matter

2. I consider that the appeal can be determined without the need for a site visit. This is because I have been able to reach a decision based on the information already available.

Main Issue

3. The main issue in this appeal is whether the Council's refusal to grant an LDC in respect of the proposal was well-founded. This turns on whether the appellant has been able to show that, on the balance of probability, the proposal would not involve the carrying out of development as defined in s55(1) of the 1990 Act.

Reasons

4. The appeal site contains an enlarged semi-detached dwelling. It is proposed to set up a detached structure described as a mobile home or caravan within the curtilage of the dwelling. The structure would be around 6 m long and 5.5 m wide, the overall height not exceeding 2.7 m. It would have a timber laminate frame with composite timber cladding and a rubber covered roofing material. The structure would contain a living area and kitchen together with a bedroom and ensuite WC.
5. A caravan is defined in s29 of the *Caravan Sites and Control of Development Act 1960* as "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)...". The stationing on land of a structure which would satisfy the definition of a caravan in s29 of the 1960 Act would not normally involve building operations. The established tests of size, degree of permanence and physical attachment are relevant when ascertaining whether a structure is a building.

6. The size of the structure falls well within the maximum size allowed for caravans in s13(2) of the *Caravan Sites Act 1968*. The structure would rest on the site solely by means of its own weight. Services would be provided separately and could be detached with ease. The structure would not be fixed to the supporting foundation. There was no dispute between the main parties regarding the limited extent to which the structure would be physically attached to the site and there is nothing before me to suggest that I should find otherwise.
7. 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.
8. 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. The structure would be about a quarter of the floor area of the largest twin-unit allowed by s13(2) of the 1968 Act. Moreover, it is clear that unlike in the case of a twin-unit, the structure could be brought to the site intact if desired. Consequently, the structure does not need to meet the statutory requirements in respect of the maximum number of sections applicable to a twin-unit caravan.
9. Drawing the above matters together, as a matter of fact and degree the structure would not have the characteristics of a building and it would meet the definition of a caravan in the 1960 Act. It follows that setting up the structure on the site would not involve the carrying out of building operations.
10. 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 a material change of use. Generally, 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 use¹.

11. I am given to understand that the structure would be used to provide additional living accommodation for the appellant's family. It was not disputed that the intended use of the structure would be as an integral part of the primary use of the planning unit as a single dwellinghouse; there is no sound reason why I should find otherwise. As a result, the proposal would also not involve the making of any material change of use.
12. On the balance of probability, the available evidence therefore shows that the proposal would not involve the carrying out of development, as it would not involve undertaking building operations or the making of any material change in the use of the site.

Conclusion

13. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of the siting of a mobile home for use ancillary to the main dwelling was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act as amended.

Stephen Hawkins

INSPECTOR

¹ *Uttlesford DC v SSE & White* [1992] JPL 171.



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 25 January 2022 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in black on the plan attached to this certificate, would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

On the balance of probability, the proposal involves the stationing of a mobile home and its use integral to and part and parcel of the primary use of the planning unit as a single dwellinghouse and therefore would not fall within the definition of development in s55(1) of the 1990 Act.

Signed

Stephen Hawkins

Inspector

Date 10TH JANUARY 2023

Reference: APP/J2210/X/22/3298471

First Schedule

Siting a mobile home for use ancillary to the main dwelling [as shown on drawing reference nos 995551/01, 995551/02 and 995551/03]

Second Schedule

Land at 26 Friars Close, Whitstable, Kent CT5 1NU

NOTES

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters which were relevant to the decision about lawfulness.



Plan

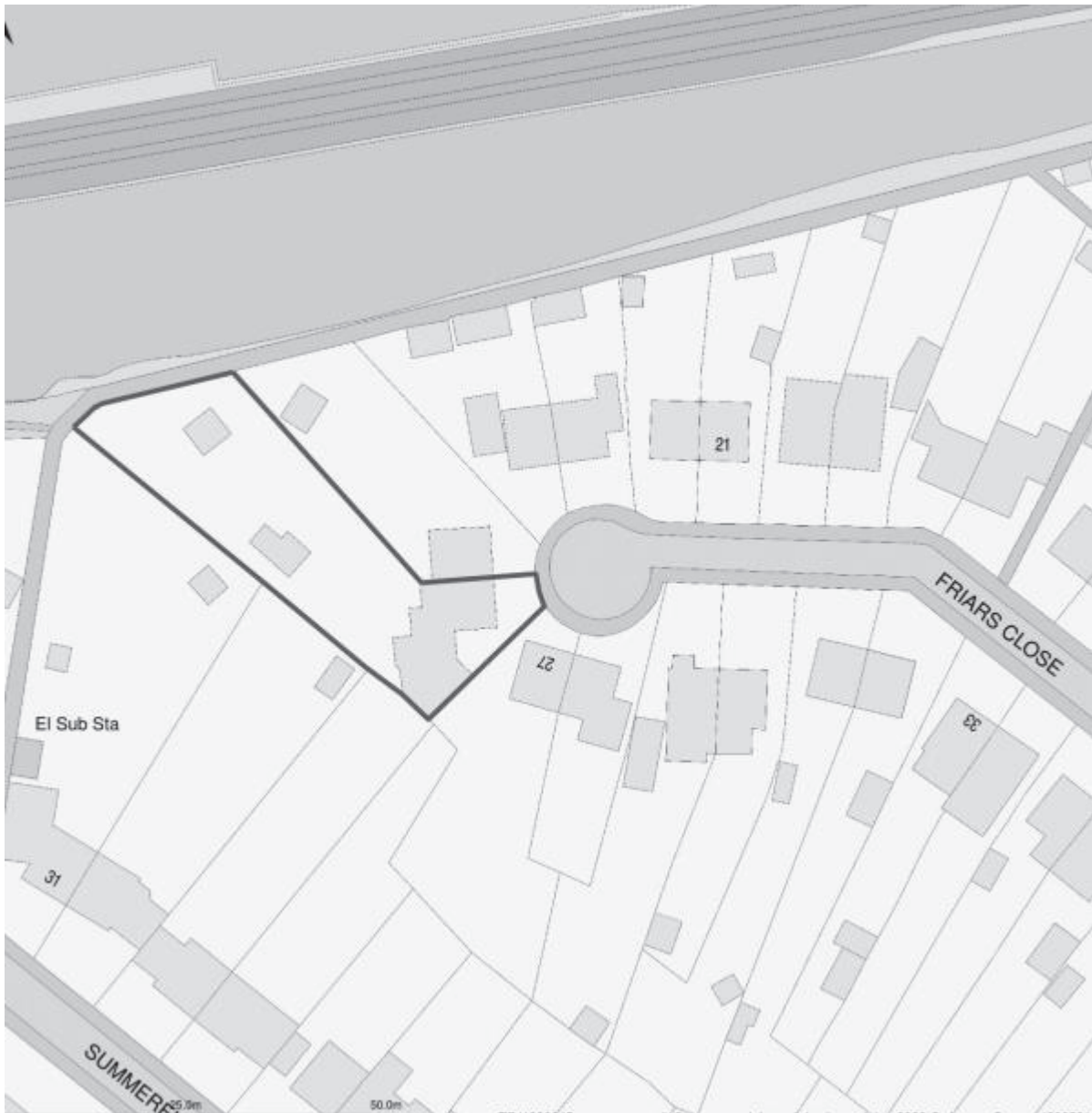
This is the plan referred to in the Lawful Development Certificate dated: 10TH JANUARY 2023

by **Stephen Hawkins MA, MRTPI**

Land at: 26 Friars Close, Whitstable, Kent CT5 1NU

Reference: APP/J2210/X/22/3298471

Scale: Not to scale





Appeal Decision

Site visit made on 31 August 2022

by L Perkins BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2022

Appeal Ref: APP/Z5630/X/21/3277752

3A Coombe Lane West, Kingston-upon-Thames KT2 7EW

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr and Mrs B Barikor against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 21/00987/CPU, dated 30 March 2021, was refused by notice dated 26 May 2021.
 - The application was made under section 192(1)(a) of the Town and Country Planning Act 1990 as amended.
 - The use for which a certificate of lawful use or development is sought is described as: Proposed siting of a caravan for purposes incidental to the enjoyment of the dwellinghouse.
-

Decision

1. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the proposed use which is found to be lawful.

Application for Costs

2. An application for costs was made by Mr and Mrs B Barikor against the Council of the Royal Borough of Kingston-upon-Thames. This application is the subject of a separate decision.

Preliminary Matters

3. There is no clear description on the application form and so I have taken the description in the heading above from the appeal form which is consistent with the Council's decision notice.
4. The application has been made under section 192 ('Certificate of lawfulness of **proposed** use or development'). Yet at my site visit I saw that a structure exists within the garden of the appeal property in broadly the same location as the proposal. What I saw is not entirely consistent with drawings provided for this appeal. So I cannot be certain whether the structure which exists is that which is described in the application or not. Therefore, I have based my decision on the application documents provided and not what I saw on my site visit. Should it transpire that what exists is materially different to that described, it may be a breach of planning control which could be liable to enforcement action by the local planning authority.

5. I am aware that the appellant wished for video evidence to be accepted as part of their submissions. Video evidence cannot be accepted as part of a written representations appeal and so it was returned to the appellant and I have not taken it into account in my deliberations.

Main Issue

6. The main issue is whether the Council's decision to refuse the certificate was well-founded or not.

Reasons

7. Section 192(1) of the 1990 Act provides for the making of an application to ascertain whether (a) any proposed use of buildings or other land; or (b) any operations proposed to be carried out in, on, over or under land would be lawful. In an LDC appeal the onus is on the appellant to make out their case to the standard of the balance of probabilities.
8. In an LDC application the question is whether the proposed use or operation would be lawful if 'instituted or begun' on the date of the application. Evidence should not be rejected simply because it is uncorroborated. If there is no evidence to contradict the appellant's version of events or make it less than probable, and their evidence is sufficiently precise and unambiguous, it should be accepted.
9. The appellant proposes the siting of a caravan for purposes incidental to the enjoyment of the dwellinghouse on the site. A drawing provided indicates the caravan would be fitted out with a kitchenette and bathroom and would accommodate office workspace and gym equipment. It appears that it would be designed for human habitation.
10. The information provided indicates that the proposed caravan would be composed of two sections and it is the appellant's position that it is a twin-unit caravan. As such, in broad terms, the basis of the application is that what is proposed is not "development" under the 1990 Act. However, as is reflected in the Council's first reason for refusing the application, the Council is not satisfied that the proposal would not constitute building operations as defined within section 55(1A) of the 1990 Act.
11. In summary, section 55(1) of the 1990 Act defines development as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. Section 55(1A) clarifies that building operations includes other operations normally undertaken by a person carrying on business as a builder.
12. Section 55(2)(d) of the 1990 Act provides that the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such shall not be taken for the purpose of the Act to involve development of the land.
13. The stationing of a caravan is normally taken as constituting a use of land, rather than operational development, and so I need to consider, based on the information provided, whether what is proposed would constitute a caravan or not.

14. The term 'caravan' is defined in section 29(1) of the Caravan Sites and Control of Development Act 1960 (CSCDA60) as meaning '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'.
15. In law, a caravan is only a caravan if it meets the description laid down in section 29 of the CSCDA60 and the Caravan Sites Act 1968 (CSA68) as amended. Section 13 of the CSA68 defines twin-unit caravans, as follows:
 - (1) A structure designed or adapted for human habitation which— (a) 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; and (b) is, when assembled, 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), shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a highway when assembled.
 - (2) For the purposes of Part I of the Caravan Sites and Control of Development Act 1960, the expression "caravan" shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely— (a) length (exclusive of any drawbar): 65.616 feet (20 metres); (b) width: 22.309 feet (6.8 metres); (c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10.006 feet (3.05 metres).
16. In light of the above, the tests to be applied in determining whether a proposed structure is a caravan are commonly referred to as the construction test, the mobility test and the size test.
17. In respect of the size test, based on the submitted drawings, the Council states the approximate measurements for the proposed caravan are 6.12 metres wide, 4.92 metres deep and with a maximum external height of 2.79 metres. As such, there is no dispute between the parties that the proposed caravan would satisfy the size test.
18. In respect of the construction test, the appellant states that the proposed caravan would be composed of two sections which would be separately constructed and then joined together on the site as the final act of assembly. This being the case, I have no reason to believe that the proposal would not satisfy the construction test, based on the information provided.
19. In respect of the mobility test, the appellant states that the unit will rest on blocks and is not fixed to the ground. It is said that at all times it will remain capable of being moved. A lifting diagram has been provided which, according to the appellant, shows how temporary lifting beams could be installed under the unit, to enable it to be lifted safely for transportation. I have no reason to believe this would not be the case.

20. A drawing indicates the caravan would likely need to be connected to services. But it is invariably simple to detach a caravan from connections to services such as water, drains and electricity.
21. Given the limited degree of the proposal's attachment to the ground, other than service connections and that the caravan would rest by its own weight, I have no reason to believe that it would not satisfy the mobility test, based on the information provided.
22. Taking all of the above points into account, I conclude, as a matter of fact and degree, that the proposed structure would accord with the statutory definition of a caravan.
23. In respect of the caravan's use, the Council states that as the site is already established as a residential use and the placing of a 'mobile home' would be for use in conjunction with the original property, it is not considered that the proposal would constitute a material change of use of the land in this case. I have no reason to disagree with the Council's assessment in this regard. So based on the information provided, and consistent with section 55 referred to above, I conclude that the proposal would not constitute a material change of use of the land.
24. Turning to the Council's concern that the proposal may constitute building operations, pursuant to section 55 of the 1990 Act, I have had regard to section 336(1) of the 1990 Act and the *Skerritts*¹ case.
25. Section 336(1) states that a "building" includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building. But as has been established in case law, it is not the case that because caravans are defined as 'structures' in the CSA68, that they fall within the definition of a building in the 1990 Act.
26. The *Skerritts* case established 3 primary factors as decisive of what constitutes a 'building': size, permanence and physical attachment to the land. None of these factors are necessarily decisive and greater weight may be given to one over others in reaching a conclusion on whether a structure constitutes a building.
27. I have considered these 3 factors for the proposal described and I make the following observations. A caravan is mobile by definition and I have found that the proposal would be a caravan. Notwithstanding that its size would be considerable, I have not found it would be a permanent structure given that it would be mobile and with a limited degree of attachment to the land.
28. The proposed caravan may well remain in place for years. But this is not unusual for a twin-unit caravan and does not necessarily mean therefore that the proposal would be permanent. There is no evidence that the proposal would result in a permanent physical alteration to the land or interfere with its physical characteristics.
29. Taking into account all of the above, and as a matter of fact and degree, I give greater weight to the lack of permanence and physical attachment to the ground than to the size of the proposal. I conclude that what is proposed is not

¹ *Skerritts of Nottingham Ltd v SSETR (No. 2)* [2000] 2 PLR 102

a building, notwithstanding that section 336(1) contains a wide definition of what a building is.

30. The Council has indicated that the appellant has not discharged the burden of proof that the proposal would not constitute 'other operations'. But, in this regard, nothing has been provided to substantiate the Council's position or to contradict the appellant's case or make it less than probable. So I have no reason to believe the proposal would constitute other operations, pursuant to section 55(1) of the 1990 Act.
31. With regards to the *Woolley*² case, this concerned poultry units and so, in my view, it has limited (if any) relevance to a very different structure, such as a caravan, as proposed in this application, to which specific tests apply, based on the statutory definition of a caravan.
32. I have also been referred to an appeal decision at 14 Almshouse Lane in Chessington³. Nevertheless, each case will turn on its own specific facts and, based on the information provided, I cannot be certain that the circumstances in that case are the same as those in the case before me.
33. In respect of the Council's second reason for refusing the application, given that I have found the proposal would not be operational development, I do not need to consider whether it is permitted development, under Schedule 2, Part 1, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Other Matters

34. Representations received raise concerns about ownership of the access to the site, plan accuracy, damage said to have been caused, visual effects and loud music. But as is set out in the Planning Practice Guidance, views expressed by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are irrelevant when determining the application⁴. Therefore, I cannot take planning merits into account.

Conclusion

35. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of the proposed siting of a caravan for purposes incidental to the enjoyment of the dwellinghouse, was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act as amended.

L Perkins

INSPECTOR

² *R (Save Woolley Valley Action Group Ltd) v Bath and North East Somerset Council* [2012] EWHC 2161 (Admin)

³ Reference APP/Z5630/X/20/3254407 dated 1 March 2021

⁴ Lawful development certificates, paragraph: 008 Reference ID: 17c-008-20140306



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 30 March 2021 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The proposal described in the application documents and shown on the unnumbered drawing entitled "THE CARAVAN" and drawing number 2021_0033-01 dated September 2021, constitutes a caravan and would not be operational development or a material change of use of the land and so planning permission is not required.

Signed

L Perkins
INSPECTOR

Date: 26 October 2022

Reference: APP/Z5630/X/21/3277752

First Schedule

Proposed siting of a caravan for purposes incidental to the enjoyment of the dwellinghouse.

Second Schedule

Land at 3A Coombe Lane West, Kingston-upon-Thames KT2 7EW

NOTES

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters which were relevant to the decision about lawfulness.



Plan

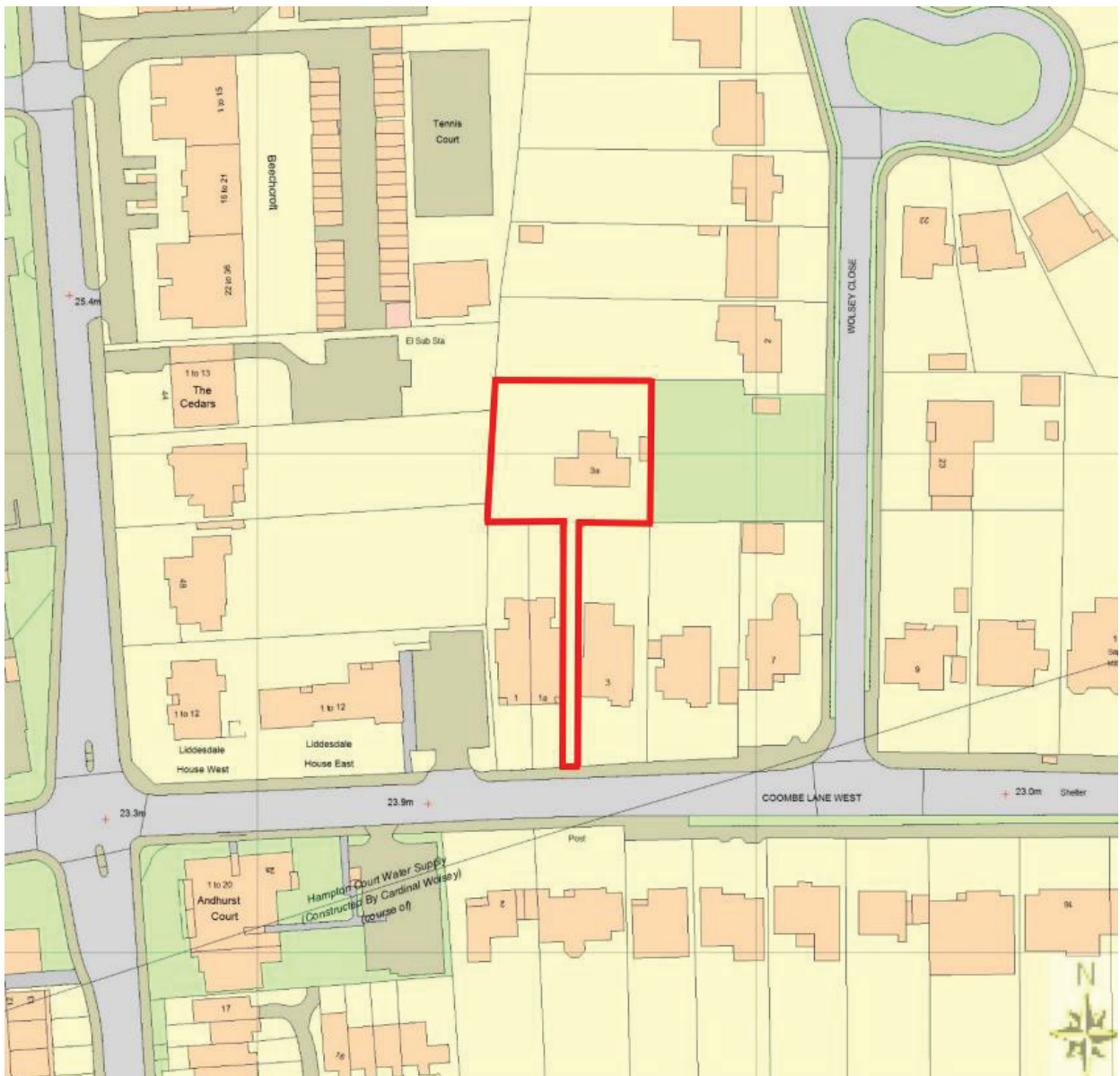
This is the plan referred to in the Lawful Development Certificate dated: 26 October 2022

By **L Perkins BSc (Hons) DipTP MRTPI**

Land at: 3A Coombe Lane West, Kingston-upon-Thames KT2 7EW

Reference: APP/Z5630/X/21/327752

Scale: Not to scale





Costs Decision

Site visit made on 31 August 2022

by L Perkins BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2022

Costs application in relation to Appeal Ref: APP/Z5630/X/21/3277752 3A Coombe Lane West, Kingston-upon-Thames KT2 7EW

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
- The application is made by Mr and Mrs B Barikor for a full award of costs against the Council of the Royal Borough of Kingston-upon-Thames.
- The appeal was against the refusal of a certificate of lawful use or development for: Proposed siting of a caravan for purposes incidental to the enjoyment of the dwellinghouse.

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. Unreasonable behaviour may be procedural – relating to the process; or substantive – relating to the issues arising from the merits of the appeal. In this case the application is made on substantive grounds.
4. The applicant has referred to paragraph 38 of the National Planning Policy Framework (the Framework) and states that the Council has not been proactive and that there has been no opportunity for meaningful engagement with the Council at all. But based on the information provided, the Council offers a pre-application advice service and section 10 of the application form indicates that the applicant did not avail themselves of this.
5. The applicant states that at no point did the Council request additional information in order to demonstrate that the siting of the proposed caravan would not constitute building operations or other operations as defined within section 55(1) of the 1990 Act. But as is set out in the PPG, the applicant is responsible for providing sufficient information to support an application¹ and in this regard a Council is under no obligation to request additional information.
6. However, the applicant states that the Council's decision appears to be predicated primarily upon a judgement that has no relevance to the siting of a caravan, ie the *Woolley*² case.

¹ Lawful development certificates - paragraph:006 Reference ID: 17c-006-20140306

² *R (Save Woolley Valley Action Group Ltd) v Bath and North East Somerset Council* [2012] EWHC 2161 (Admin)

7. In its assessment, the Council also drew on an appeal decision at 14 Almshouse Lane in Chessington³, which it said was for a "similar proposal". But, as the applicant has pointed out, the Inspector in that case stated that the *Woolley* case had no bearing on his decision, given the very different nature of the structures being considered. So, as is set out in my appeal decision, the *Woolley* case has limited (if any) relevance to a caravan and in my view, the Council misdirected itself in relying on this case law to substantiate its decision.
8. The Council says that a "comprehensive assessment" of the application is contained within the officer's report. But there is no mention in the report of the Caravan Sites and Control of Development Act 1960 or the Caravan Sites Act 1968. So I am not satisfied that the Council properly engaged with the statutory definition of a caravan and whether the proposal complied with this or not.
9. In light of the case put forward by the appellant for the appeal and consistent with the PPG⁴, the Council should have reviewed its case promptly following the lodging of the appeal, as part of sensible on-going case management. But there is no evidence this occurred, despite the appellant inviting the Council to reconsider its position via the appeal and noting that no statement for the appeal was provided by the Council to counter any of the evidence submitted by the appellant.
10. The appellant has indicated that the appeal would have been withdrawn if the Council had confirmed its support for a resubmission, on the basis of the evidence submitted with the appeal. The implication of this is that the appeal was avoidable and nothing has been provided by the Council to satisfy me this was not the case.
11. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that a full award of costs is justified.

Costs Order

12. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that the Council of the Royal Borough of Kingston-upon-Thames shall pay to Mr and Mrs B Barikor, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
13. The applicant is now invited to submit to the Council of the Royal Borough of Kingston-upon-Thames, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

L Perkins

INSPECTOR

³ Reference APP/Z5630/X/20/3254407 dated 1 March 2021

⁴ Appeals – paragraph: 049 Reference ID: 16-049-20140306



Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62 8 and 9 Eliz 2

PART I

CARAVAN SITES

Miscellaneous and supplemental

29 Interpretation of Part I.

(1) In this Part of this Act, unless the context otherwise requires—

“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;

“caravan site” has the meaning assigned to it by subsection (4) of section one of this Act;

“development order” means an order made under section thirteen of the Act of 1947 (under which orders may be made which, in some cases, themselves grant permission for development and, in other cases, provide that permission shall be granted on an application in that behalf);

^{F1} . . .

^{F2} ^{F3} “fire and rescue authority”, in relation to any land, means the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area in which the land is situated;]

“local authority” means a council of a [^{F4}London borough or a] . . . ^{F5} district [^{F6}the Common Council of the City of London] and the Council of the Isles

Changes to legislation: There are currently no known outstanding effects for the Caravan Sites and Control of Development Act 1960, Section 29. (See end of Document for details)

of Scilly; [^{F7}but, in relation to Wales, means the council of a Welsh county or county borough]

“occupier” has the meaning assigned to it by subsection (3) of section one of this Act and “occupied” and “occupation” shall be construed accordingly;

[^{F8}“relevant protected site” has the meaning assigned to it by section 5A(5);

“relevant protected site application” has the meaning assigned to it by section 3(7);]

“site licence” has the meaning assigned to it by subsection (1) of section one of this Act;

“the Minister” means [^{F9}the Secretary of State].

[^{F10}“tribunal” means the First-tier Tribunal or where determined by or under Tribunal Procedure Rules, the Upper Tribunal.]

- (2) Any reference in this Part of this Act to the carrying out of works shall include a reference to the planting of trees and shrubs and the carrying out of other operations for preserving or enhancing the amenity of land.
- (3) For the purposes of any provision of this Part of this Act relating to the expiration of permission granted under Part III of the Act of 1947 for any use of land, permission granted for the use of land for intermittent periods shall not be regarded as expiring at any time so long as the permission authorises the use of the land for further intermittent periods.
- (4) Any reference in this Part of this Act to permission granted under Part III of the Act of 1947 for the use of land as a caravan site shall be taken as a reference to such permission whether or not restricted in any way or subject to any condition or limitation, and any reference in this Part of this Act to such permission shall include a reference to permission deemed to be granted under the said Part III [^{F11}or granted on the designation of an enterprise zone under Schedule 32 to the Local Government, Planning and Land Act 1980].
- (5) In this Part of this Act references to the local planning authority shall, where appropriate, be taken as references to any local authority to whom any of the functions of the local planning authority under Part III of the Act of 1947 have been delegated.

Textual Amendments

- F1** Definition in s. 29(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIII** Group 1.
- F2** Definition inserted (E.W.) by **Local Government (Miscellaneous Provisions) Act 1982** (c. 30, SIF 81:1), **s. 8(2)(e)**
- F3** Words in s. 29(1) substituted (E.W.) (1.10.2004 for E., 10.11.2004 for W.) by **Fire and Rescue Services Act 2004** (c. 21), s. 61, **Sch. 1 para. 14(4)**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F4** By **Greater London Council (General Powers) Act 1976** (c.xxvi), **s. 11** it is provided that the definition of “local authority” in section 29(1) shall have effect and be deemed to have had effect as from 1 April 1974 as if after the words “of a” there were inserted the words “London borough or a”
- F5** Words repealed by **Local Government Act 1972** (c. 70), **Sch. 30**
- F6** Words inserted by **London Government Act 1963** (c. 33), **Sch. 17 para. 21(1)(b)**
- F7** S. 29(1): words in definition of “local authority” added (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16**, para. 16(3) (with ss. 54(5)(7), 55(5), **Sch. 17** paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F8** Words in s. 29(1) inserted (E.W.) (1.4.2014) by **Mobile Homes Act 2013** (c. 14), **ss. 1(7)**, 15(1)
- F9** Words substituted by virtue of S.I. 1965/319, **arts. 2**, 10(1)(a) Sch. 1 Pt. I and 1970/1681, arts. 2, 6(3)
- F10** Words in s. 29(1) inserted (18.7.2014) by **The Transfer of Tribunal Functions (Mobile Homes Act 2013 and Miscellaneous Amendments) Order 2014** (S.I. 2014/1900), art. 1, **Sch. 1 para. 11**

Changes to legislation: There are currently no known outstanding effects for the Caravan Sites and Control of Development Act 1960, Section 29. (See end of Document for details)

F11 Words inserted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 8](#)

Modifications etc. (not altering text)

C1 Definition of "caravan" amended by [Caravan Sites Act 1968 \(c. 52\)](#),s. 13

C2 By [Greater London Council \(General Powers\) Act 1976 \(c.xxvi\)](#), [s. 11](#) it is provided that the definition of "Local Authority" in section 29(1) shall have effect and be deemed to have had effect as from 1 April 1974 as if after the words "of a" there were inserted the words "London borough or a"



Caravan Sites Act 1968

1968 CHAPTER 52

PART III

MISCELLANEOUS

13 Twin-unit caravans.

- (1) A structure designed or adapted for human habitation which—
- (a) 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; and
 - (b) is, when assembled, 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),

shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the ^{M1}Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a [^{F1}highway][^{F1}road] when assembled.

- (2) For the purposes of Part I of the Caravan Sites and Control of Development Act 1960, the expression “caravan” shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely—
- (a) length (exclusive of any drawbar): [^{F2}65.616] feet ([^{F3}20] metres);
 - (b) width: [^{F4}22.309] feet ([^{F5}6.8] metres);
 - (c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): [^{F6}10.006] feet ([^{F7}3.05] metres).
- (3) The [^{F8}Secretary of State] may by order made by statutory instrument after consultation with such persons or bodies as appear to him to be concerned substitute for any figure mentioned in subsection (2) of this section such other figure as may be specified in the order.

Changes to legislation: There are currently no known outstanding effects for the Caravan Sites Act 1968, Section 13. (See end of Document for details)

- (4) Any statutory instrument made by virtue of subsection (3) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Word “road” substituted (S.) for word “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), [Sch. 9 para. 65](#)
- F2** Word in s. 13(2)(a) substituted (1.10.2006 for E., 30.11.2007 for W., 15.11.2019 for S.) by [Caravan Sites Act 1968 and Social Landlords \(Permissible Additional Purposes\) \(England\) Order 2006 \(Definition of Caravan\) \(Amendment\) \(England\) Order 2006 \(S.I. 2006/2374\)](#), arts. 1(1), 2(a); [The Caravan Sites Act 1968 \(Amendment\) \(Wales\) Order 2007 \(S.I. 2007/3163\)](#), arts. 1, 2(a); [The Caravan Sites Act 1968 \(Amendment of Definition of Caravan\) \(Scotland\) Order 2019 \(S.S.I. 2019/295\)](#), arts. 1(1), [2\(2\)\(a\)\(i\)](#)
- F3** Word in s. 13(2)(a) substituted (1.10.2006 for E., 30.11.2007 for W., 15.11.2019 for S.) by [Caravan Sites Act 1968 and Social Landlords \(Permissible Additional Purposes\) \(England\) Order 2006 \(Definition of Caravan\) \(Amendment\) \(England\) Order 2006 \(S.I. 2006/2374\)](#), arts. 1(1), 2(a); [The Caravan Sites Act 1968 \(Amendment\) \(Wales\) Order 2007 \(S.I. 2007/3163\)](#), arts. 1, 2(a); [The Caravan Sites Act 1968 \(Amendment of Definition of Caravan\) \(Scotland\) Order 2019 \(S.S.I. 2019/295\)](#), arts. 1(1), [2\(2\)\(a\)\(ii\)](#)
- F4** Word in s. 13(2)(b) substituted (1.10.2006 for E., 30.11.2007 for W., 15.11.2019 for S.) by [Caravan Sites Act 1968 and Social Landlords \(Permissible Additional Purposes\) \(England\) Order 2006 \(Definition of Caravan\) \(Amendment\) \(England\) Order 2006 \(S.I. 2006/2374\)](#), [arts. 1\(1\)](#), 2(b); [The Caravan Sites Act 1968 \(Amendment\) \(Wales\) Order 2007 \(S.I. 2007/3163\)](#), [arts. 1](#), 2(b); [The Caravan Sites Act 1968 \(Amendment of Definition of Caravan\) \(Scotland\) Order 2019 \(S.S.I. 2019/295\)](#), arts. 1(1), [2\(2\)\(b\)\(i\)](#)
- F5** Word in s. 13(2)(b) substituted (1.10.2006 for E., 30.11.2007 for W., 15.11.2019 for S.) by [Caravan Sites Act 1968 and Social Landlords \(Permissible Additional Purposes\) \(England\) Order 2006 \(Definition of Caravan\) \(Amendment\) \(England\) Order 2006 \(S.I. 2006/2374\)](#), [arts. 1\(1\)](#), 2(b); [The Caravan Sites Act 1968 \(Amendment\) \(Wales\) Order 2007 \(S.I. 2007/3163\)](#), [arts. 1](#), 2(b); [The Caravan Sites Act 1968 \(Amendment of Definition of Caravan\) \(Scotland\) Order 2019 \(S.S.I. 2019/295\)](#), arts. 1(1), [2\(2\)\(b\)\(ii\)](#)
- F6** Word in s. 13(2)(c) substituted (1.10.2006 for E., 30.11.2007 for W., 15.11.2019 for S.) by [Caravan Sites Act 1968 and Social Landlords \(Permissible Additional Purposes\) \(England\) Order 2006 \(Definition of Caravan\) \(Amendment\) \(England\) Order 2006 \(S.I. 2006/2374\)](#), [arts. 1\(1\)](#), 2(c); [The Caravan Sites Act 1968 \(Amendment\) \(Wales\) Order 2007 \(S.I. 2007/3163\)](#), [arts. 1](#), 2(c); [The Caravan Sites Act 1968 \(Amendment of Definition of Caravan\) \(Scotland\) Order 2019 \(S.S.I. 2019/295\)](#), arts. 1(1), [2\(2\)\(c\)\(i\)](#)
- F7** Word in s. 13(2)(c) substituted (1.10.2006 for E., 30.11.2007 for W., 15.11.2019 for S.) by [Caravan Sites Act 1968 and Social Landlords \(Permissible Additional Purposes\) \(England\) Order 2006 \(Definition of Caravan\) \(Amendment\) \(England\) Order 2006 \(S.I. 2006/2374\)](#), [arts. 1\(1\)](#), 2(c); [The Caravan Sites Act 1968 \(Amendment\) \(Wales\) Order 2007 \(S.I. 2007/3163\)](#), [arts. 1](#), 2(c); [The Caravan Sites Act 1968 \(Amendment of Definition of Caravan\) \(Scotland\) Order 2019 \(S.S.I. 2019/295\)](#), arts. 1(1), [2\(2\)\(c\)\(ii\)](#)
- F8** Words in s. 13(3) substituted (E.W.) (5.11.2013) by [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), [Sch. 4 para. 2\(4\)](#) (with [Sch. 5 para. 7](#)) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of [S.I. 2014/11](#), art. 3(2))

Marginal Citations

- M1** 1960 c. 62.