Adur District Council

Planning, Regeneration and Wellbeing

C.J.Lock & Co
161 Old Fort Road
SHOREHAM-BY-SEA
BN43 5HL

Your Ref:
Our Ref: ADC/0460/10

Date: 10 February 2011

Dear Mr Lock,

161 Old Fort Road, Shoreham-by-Sea: Replacement dwelling (ADC/0460/10): Proposed temporary storage and accommodation during construction work

Thank you for your letter of 9 February 2011, enclosing a plan of the proposed temporary fencing, shed and caravan.

Class A of Part 4 of the Town & Country Planning (General Permitted Development) Order 1995 sets out the provisions for temporary structures on building sites that can be erected without applying for planning permission. It states:-

Permitted development:- A. The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land. Conditions:- A.2 Development is permitted by Class A subject to the conditions that, when the operations have been carried out— (a)any building, structure, works, plant or machinery permitted by Class A shall be removed, and (b) any adjoining land on which development permitted by Class A has been carried out shall, as soon as reasonably practicable, be reinstated to its condition before that development was carried out.

Your proposed temporary Heras fencing would fall into this category. The proposed temporary shed at the rear would only fall into this category if it is used to accommodate building equipment and materials – not for storing household items.

Class A of Part 5 of the same Order sets out the provisions for caravans on building sites without applying for planning permission. It states:-

A. The use of land, other than a building, as a caravan site in the circumstances referred to in paragraph A.2.

Condition:- A.1 Development is permitted by Class A subject to the condition that the use shall be discontinued when the circumstances specified in paragraph A.2 cease to exist, and all caravans on the site shall be removed as soon as reasonably practicable.

Interpretation of Class A:- A.2 The circumstances mentioned in Class A are those specified in paragraphs 2 to 10 of Schedule 1 to the Caravan Sites and Control of Development Act 1960 (cases where a caravan site licence is not required). This includes paragraph 9 – building and engineering sites.

In the case of a temporary caravan, the 'permitted development' right relates to the accommodation of workers employed in carrying out the proposed building or engineering operations (ie. the new dwelling permitted under ADC/0460/10). It does not relate to site security. Therefore, if you are going to live in the caravan yourself and not be directly employed in carrying out the building operations (or at least not to a significant extent), then you would have to make an application for planning permission for the caravan.

I would advise you to make a planning application if there is any doubt, as there have been previous complaints from local residents in this locality about temporary structures on other local building sites and you would be well advised to avoid any potential enforcement action.

Yours sincerely,

Keith Morgan
Planning Services Manager

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