Expiry Date - 23/10/2025

Development Management – Delegated Officer Report

Application Number: AWDM/1104/25 **Recommendation – APPROVE**

Site: **17 Chantry Road Worthing West Sussex BN13 1QN**

Proposal: **Application for Certificate of Lawfulness for proposed use of land to station a mobile home family annexe for use incidental to the main dwelling**

Date of site visit: 29.09.2025

Neighbours checked: N/A

Additional neighbour notifications: N/A

Site and Surroundings

The application relates to a detached dwelling occupying a corner site at the junction of Chantry Road with Littlehampton Road.

A mobile home sited in the private garden to the south side of house has been in situ since c.2015, and is occupied as residential accommodation incidental to the use of the main house.

The site adjoins 15 Chantry Road to the south and 41 Littlehampton Road to the west.

Proposal

A certificate of lawfulness (CLPUD) is now sought for the proposed stationing of a replacement, larger mobile home within the garden to be used for residential purposes incidental to the main house.

In practical terms this would involve removing the existing outbuilding/storage structures currently in situ on either side of the existing mobile home, lifting and re-positioning the mobile home further westward and attaching/bolting-on a new ‘bay’ on the eastern end to form a twin-bay mobile home.

The existing single bay mobile home is 11.2m long x 3.8m wide with a ridged roof 3.51m high. The accommodation consists of a living/kitchen/dining area, shower room, double-bedroom and small single bedroom.

The proposed mobile home would be 14.4m long x 3.8m wide with a ridged roof. 3.51m high (external dimensions). The proposed accommodation would consist of a living/kitchen/dining area, 2no double bedrooms and a wet-room.

As a present, the new mobile home would continue to be occupied by the Applicants' son and grandson who will retain their close family links with the Applicants who occupy the main house and on whom they are dependent for day-to-day practical support and companionship. A Planning Statement has been provided which explains that the larger mobile home is required to meet the special needs and particular care requirements of the grandson. The additional bay will provide a wet room and larger bed space to allow hoists to be installed, in addition to increasing internal doorway sizes for accessible wheelchair use. A wheelchair accessible door will be inserted into the North elevation to allow for improved disabled access into the mobile home.

As at present, the son and grandson will continue to share the residential occupation and enjoyment of the principal dwelling and spend most of their time with their family in the main house, including for meals and socialising, and provision of other facilities such as laundry. The Planning Statement explains that: "*The mobile home will provide the son and grandson with a degree of privacy and their own retreat when needed as well as a better level of comfort and accessibility."* There will be no division of curtilage and amenity space will continue to be shared.

Planning History

AWDM/1723/15 Lawful development certificate for the stationing of mobile home in rear garden to be used an annexe by a dependant relative. Issued 02.02.2016 – implemented.

Consultations: The Legal Officer advises to issue the CLPUD commenting:

"*I have considered the applicant's extensive evidence submitted in relation to the above application and I am satisfied on the balance of probabilities that the certificate should be granted because this is neither operational development (because the proposed mobile home meets the definition of a caravan), nor is it a material change of use (because the mobile home will be used ancillary to the main dwelling and will be used interchangeably with the accommodation in the main dwelling), and therefore planning permission is not required.*

The addition of a bay to the existing single unit mobile home is fine as it's covered under s.13 of the Caravan Sites Act 1968 which deals with "twin-unit caravans" and once completed, will be within the restrictions set out in that section so that the completed structure can still be considered to be a caravan."

Representations: N/A

Relevant Legislation

The Town and Country Planning Act (1990) Section 55 Meaning of 'Development' and 'New Development'

Caravan Sites and Control of Development Act 1960 (1960 Act).

The Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006.

Planning Assessment

The legal tests in this instance are whether to the proposed mobile home is 'operational development'. Secondly, whether the use of the land is incidental to the use of the dwelling house and therefore would not constitute the creation of a new planning unit, i.e. "the making of any material change in the use of any buildings or other land" (Section 55 Town and Country Planning Act 1990).

The planning merits of the proposal are not a relevant consideration in this instance.

The relevant considerations are:

1. Whether the proposed mobile home falls within the definition of a caravan in terms of its size, permanence, construction and transportability (which includes assessment of whether it is connected to the ground, connected to services and can be transported by a single vehicle when fully assembled).

2. Whether the siting of the proposed mobile home would result in the creation of a new planning unit (a matter of fact and degree in terms of whether its use retains a functional link with the main dwelling at 17 Chantry Road).

<u>Operational Development</u>

The definition of a 'caravan' at S.29(1) of the Caravan Sites and Control of Development Act 1960 (the 1960) Act is modified by S.13(I) of the Caravan Sites Act 1960 which deals with twin-unit caravans and provides that:

"A structure designed or adapted by human habitation which:

a) Is composed of not more than two sections separated constructed and designed to be assembled on a site by means of blots, 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 transported on a motor vehicle or trailer),

shall not be treated a not being (or 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 moved on a highway when assembled."

There is no description of what the structure should look like or a requirement that it can only comprise a structure with wheels.

S.13(2) of the Caravan Sites Act 1968 Amendment Order (2006) sets out the maximum dimensions for twin-unit caravans.

For planning purposes a mobile home comes under the definition of a 'caravan' where it meets the tests set out in the above Acts being:

i. It provides habitable accommodation;
ii. It is within the maximum dimensions provided for;
iii. Construction; and
iv. Mobility, which means that the mobile home must be capable of being moved when assembled from one place to another.

In this case, proposed mobile home would provide residential accommodation as described above.

The length and width and minimum height of the new mobile home would be within the relevant limits. [There is no restriction on external height only internal height.]

The existing mobile home is a single section, i.e. existing as a single volumetric unit. It is proposed to remain as one section, be repositioned within the garden as one volumetric unit, and have the new section/bay 'bolted on' with the joining of the two sections the final act of assembly to create a new 2-bay mobile home.

The completed unit would not be permanently fixed to the ground, only services would be connected. [A 'skirt' is added for aesthetic purposes and is not to be fixed to the ground.]

Crane-in and removal evidence has been provided to demonstrate the new twin-bay mobile home would continue to be physically capable of being moved by road from one place to another.

In view of the above, it can be considered the proposal meets the definition of a caravan. It would not constitute operational development under S.55 of the T&CP Act and for planning purposes has the status of a 'chattel' and a use of the land on which it is stationed.

<u>The 'Planning Unit'</u>

The use of a caravan or mobile home in a residential curtilage for 'purposes incidental to the enjoyment of the dwelling house as such' falls within the primary use of the dwelling and is excluded from the definition of development.

The term ‘incidental’ is not defined in planning law but the general approach of the Courts is that it is the actual use of a mobile home that it determinative rather than its potential to be occupied as a self-contained residential unit.

Consequently, the fact that in this case the proposed twin-bay mobile home has all the facilities capable of independent living is not determinative of its use since the Applicants’ son and grandson will be dependent on the day-to-day support of the Applicants and the facilities of the main house. The ‘planning unit’ is the dwelling and curtilage of 17 Chantry Road and this will remain the same with the stationing of the new, larger mobile home in the garden.

The site will be shared with no physical separation, all amenity space will be shared. There will be free movement and use of both the main house and the mobile home by the Applicants, and their son and grandson.

In essence, the new mobile home will not function as a separate dwelling unit and will not result in a material change of use.

Conclusion

Sufficient evidence has been provided to demonstrate that the proposed mobile home meets the definition of a ‘caravan’ and that its proposed occupation by the Applicants’ son and grandson would be functionally dependent on the main house and would not result in the creation of a separate dwelling unit. As such, the proposal does not amount to ‘development’ requiring planning permission and the CLPUD can be issued.

Recommendation

Issue Certificate of Lawfulness for Proposed Development for the following reason:

The siting of the proposed mobile home within the curtilage of the dwelling and its use as a family annexe for dependant relatives, in accordance with the terms described in the Planning Statement (Southern Planning Practice Ltd: August 2025) and supporting information accompanying the application, does not constitute development requiring planning permission and is lawful within section 192 of the Town and Country Planning Act 1990 (as amended).

Informatives

1. The Certificate of Lawfulness hereby permitted is subject to the mobile home being installed, maintained and used in accordance with the submitted details, including the accompanying Planning Statement (Southern Planning Practice Ltd: August 2025) and the plans/documents listed on this decision.

2. You are advised to contact the Council's Building Control department with regard to the installation of the mobile home to check whether Building Regulations approval is required.

Is recommendation contrary to letter(s) of representation? N/A

Case Officer	Jo Morin	Date 10.10.2025
Authorising Officer	Louise Prew	Date: 16/10/2025