APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED SITING OF A CARAVAN FOR ANCILLARY RESIDENTIAL USE, LAND AT 192 UPPER WOODCOTE ROAD, CAVERSHAM, READING, RG4 7JU

SUPPORTING STATEMENT

APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED SITING OF A CARAVAN FOR ANCILLARY RESIDENTIAL USE, LAND AT 192 UPPER WOODCOTE ROAD, CAVERSHAM, READING, RG4 7JU

SUPPORTING STATEMENT

1. Introduction:

1.1 This application is submitted under the provisions of Section 192 of the Town and Country Planning Act 1990 (as amended by Section 10 of the Planning and Compensation Act 1991). This section states that if any person wishes 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, they may make an application for the purpose to the Planning Authority specifying the land and describing the use or operations in question.

1.2 If, on an application under this section, the Planning Authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted, or begun at the time of the application, they should issue a Lawful Development Certificate to that effect.

1.3 The application is submitted in order to seek the **Reading Borough Council's** confirmation that the siting of a caravan, within the residential curtilage of 192 Upper Woodcote Road, Caversham, would be lawful having regard to the provisions of the 1990 Act.

2. Site Description:

2.1 The application site is a single residential planning unit that comprises 192 Upper Woodcote Road, and its garden grounds, as outlined in red on the submitted location plan.

3. Supporting Statement and Evidence:

3.1 As the current application falls to be determined having regard solely to matters of evidential fact and law, with the onus of proof on the applicant, there is no requirement for it to be publicised under the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Similarly, as the policies of the Development Plan (or the National Planning Policy Framework) are not relevant to the determination of an application submitted under the provisions of Section 192, any concerns regarding potential impact on the character or appearance of the area are not matters that the Council can attach any weight to.

3.2 Furthermore, in appeals which raise legal issues where the onus of proof is on the appellant, the Courts have held that the relevant test of the evidence on such matters is the “balance of probability”. As this test will accordingly be applied in any appeal against their decisions, planning authorities should therefore not refuse a Certificate because the applicant has failed to discharge the stricter, criminal burden of proof beyond reasonable doubt. Moreover, the applicant's own evidence does not need to be corroborated by independent evidence in order to be accepted. If the planning authority has no evidence to contradict or otherwise make the applicant's version of events less than probable, this is not in itself a valid reason to refuse the application.

3.3 Planning permission can only be required where **development** takes place, and development is defined in Section 55(1) of the Town and Country Planning Act 1990 as being:

> "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."

3.4 This definition has two ‘legs’; one involving permanent **physical alterations** to land, and the other **material changes of use** of buildings or land.

3.5 The caravan to be sited on the land the subject of the current application

will comply with the statutory definition in every respect. No operational development as defined by Section 55(1) will take place.

3.6 Having regard to the above, the central questions to be asked when deciding whether or not to issue the Certificate of Lawful Use applied for will therefore be:

a) Will the 'unit' be a caravan as defined in the Caravan Sites and Control of Development Act 1960 (as amended)?
b) Will the caravan be sited within the garden grounds of 192 Upper Woodcote Road? and
c) Will the caravan be used solely for purposes ancillary to the residential use of 192 Upper Woodcote Road?

Each of these questions must be answered in the affirmative in order for a Certificate to be issued. Taking each of the questions in turn:

Will the Unit be a Caravan?

3.7 Section 29 (1) of the **Caravan Sites and Control of Development Act 1960** defines a caravan 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) 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."

3.8 This definition was subsequently modified by Section 13(1) of the **Caravan Sites Act 1968**, which deals with twin-unit caravans. Section 13 (1) permits within the definition 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 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 moved on a highway when assembled."

3.9 Section 13(2) of the 1968 Act further prescribes the following maximum dimensions for twin-unit caravans:

a) length (exclusive of any drawbar); 60 feet (18.288 metres);
b) width: 20 feet (6.096 metres);
c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10 feet (3.048 metres).

3.10 Finally, the **Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006** amended Section 13(2) of the 1968 Act to increase the maximum dimensions of a caravan to:

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).

3.11 For the avoidance of any doubt the terms 'caravan' and 'building' are mutually exclusive, i.e. that a structure that complies with the statutory definition of a caravan cannot also be a building. This fundamental point of planning law was confirmed by the Court of Appeal in Wealden District Council v. Secretary of State for the Environment (1988) 56 P&CR 286 where it was held that "planning control of the placing of a caravan upon land depended solely upon the concept of the material change of use".

3.12 This point has been confirmed consistently at appeal including in respect of land at Upper Farm, Blue Bell Lane, Stoke D'Abernon, Cobham (PINS

reference APP/K3605/X/11/2147586) (**Document 1**) where the appointed Inspector stated:

> "*At the Inquiry it was established that, despite the terminology used in the application form, the Appellant considers that the 'static caravan' referred to therein was a 'building' rather than a 'caravan' for the purposes of the 1990 Act as amended by the time of the application. The terms are mutually exclusive, such that a unit of accommodation cannot be both a caravan and a building. Moreover, having regard to case law arising from the judgment in Measor v SSETR & Tunbridge Wells Borough Council [1999] JPL 182, a caravan cannot, for the purposes of the Act, be a 'dwellinghouse'*."

3.13 To be a caravan as so defined three tests must be passed: the 'size test', the 'construction test' and the 'mobility test'. Taking each in turn:

The Size Test

3.14 The maximum permitted dimensions of a twin-unit caravan are 20 metres in length, and 6.8 metres in width. The proposed caravan would measure 10 metres in length by 5 metres in width. On this basis the 'size test' is passed.

The Construction Test

3.15 The construction test is only relevant for twin unit caravans i.e a caravan which is over 5.5 metres wide, as the proposed caravan is 5 metres wide no construction test is required.

The Mobility Test

3.16 With respect to the 'mobility test' it is only necessary to be able to demonstrate that the caravan, 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". "Capable" in this context refers to the ability to do something, but not necessarily doing it. The Act does not say that you have to be able to physically demonstrate that a caravan can be moved from one place to another, only that you must be able to show, on the balance of probabilities, that it is "capable of being moved". An ordinary reading of the provisions would therefore point towards this being a hypothetical test of mobility.

3.17 The proposed caravan would not be physically attached to the land, to the extent that it would not be capable of being moved. It would rest, under its own weight, on ground screws or padstones, depending on the ground conditions as shown in Appendix A. In a recent appeal in St Albans (PINS reference APP/B1930/X/14/2216233) (**Document 12**).

> *"The mobile home would be placed on pads at the far end of the rear garden of No. 9. I consider that merely placing it on the ground would not, itself, amount to a building operation. The mobile home would then be connected to mains water, electricity and drainage. But that would not be a physical attachment of the mobile home to the ground. Nor would the connection to services affect its mobility, in that such connections could be quickly detached and the mobile home craned off site with a minimum of work. That work would not amount to building operations, (s.55(1) of the Act)."*

3.18 In a recent appeal in Richmond upon Thames (PINS reference APP/L5810/X/15/3140569) (**Document 5**), when considering the 'mobility test' the Inspector noted in paragraphs 16 and 17 of his decision:

> "*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. <u>It is</u> <u>sufficient that the unit can be picked up intact (including its floor and roof) and be put on a lorry by crane or hoist</u>. 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. As a matter of fact and degree, I consider that the proposed accommodation once assembled would be capable of being moved intact within the terms of the statutory definition.

I note that the proposed unit would rest on concrete "pad stones" placed on the ground. As such, the unit's degree of physical attachment to the ground and the effect on mobility would be minimal or non-existent. 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, in the event that the mobile home needs to be moved. The mobile home would not acquire the degree of permanence and attachment required of buildings. The mobility test would be met."

3.19 In is particularly important to note here that the Inspector made it clear that "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, in the event that the mobile home needs to be moved".

3.20 Also, relevent in the context of the 'mobility test' is the judgement reached in Brightlingsea Haven Limited and another v. Morris and others 2008 EWHC 1928 (QB). Here, in paragraphs 83 and 84, Jack J addressed this as follows:

"*83. Section 13 of the 1968 Act requires that the structure '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)': but it need not be capable of being lawfully so moved. The last provision appears to be because of width problems: I refer to Howard v Charlton, paragraph 6. The phrase 'from one place to another' also occurs in section 29(1) of the 1960 Act, but section 29(1) does not refer to 'by road'. Section 13 provides alternatives, movement by towing, and movement by loading onto a carrier. The two opposing constructions are these: whether the structure must be capable of being moved by road from one place to another, with no specific places or roads in mind, or whether the structure must be capable of being moved from where it is and moved by road to another place.*

84. I have concluded that the first construction is the correct one. My main reason is that it is consistent with the purpose of the Act that, if a structure is once a caravan, it should remain a caravan if it is itself unaltered, regardless of where it is. If a lodge meeting the requirements of the section and so a caravan is assembled on a site, it should not cease to be a caravan if it becomes boxed in by other lodges and cannot be got out because lifting apparatus cannot sufficiently approach. Likewise, with the growth of trees. Likewise, with the change of season making ground alternatively passable or impassable to equipment or the lodge. It is also very possible that the kind of caravan that is towed behind a car might be placed in a position from which for one reason or another it could not be moved, either temporarily, or permanently. It is surely unthinkable that it would then cease to be a caravan as defined in section 29 because 'it was not capable of being moved from one place to another'. I therefore decline to follow the view tentatively express by HHJ Rich in the Byrne case. In my judgment, the test which the structure has to pass is as follows. It must either be physically capable of being towed on a road, or of being carried on a road, not momentarily but enough to say that it is taken from one place to another. It is irrelevant to the test where the structure actually is, and whether it may have difficulty in reaching a road."

3.21 For a caravan to therefore be capable of being transported on a motor vehicle or trailer all that is required to pass the 'mobility' test is that it can, when assembled, be shown to be able to be lifted off the ground and moved from one place to another. Structural calculations provided in Appendix A (even though they relate to a different mobile home, it is of similar size) prove that the load can be dispersed evenly, therefore can be lifted without any structural damage.

3.22 The Romford appeal (**Document 3**) also considered the 'mobility test', and the appointed Inspector noted how temporary lifting beams would be able to be installed under the structure so as to enable it to be lifted safely as a single entity. This is consistent with the judgement in Carter v SSE & Carrick DC [1991] JPL 131; [1995] JPL 311) which clarified that for a structure to be a caravan for the purposes of the Caravan Sites Acts the fully assembled unit must be capable, as a whole, of being towed or transported by a single vehicle.

Will the Caravan be sited within the Garden Grounds of 192 Upper Woodcote Road?

3.23 The application site is a single residential planning unit that comprises 192 Upper Woodcote Road, and its garden grounds, as outlined in red on the submitted location plan. The proposed caravan will be sited within this planning unit, in the approximate location shown on the submitted plan.

Will the caravan be used solely for purposes ancillary to the residential use of 192 Upper Woodcote Road?

11. 3.24 In respect to the proposed use of the land, - The house is currently being occupied by Mr Andrew Chapman and Mrs Lisa Jones-Allen. The caravan will be home to Megan Jones-Allen who is the 23 rear old daughter to Mrs Lisa Jones-Allen, therefore direct family, she has some disabilities, ASD/FAS among others, her autism makes cooperative living very challenging so an annexe of her own space is essential.

3.25 There is absolutely no intention that the caravan will be made available for separate, independent, residential use; the water and the electrical supply would both be shared with the main property. The caravan will not have its own utility meters or postal address and all bills will be sent to 192 Upper Woodcote Road. The provision of meals, laundry facilities, etc. will be also be shared, and the caravan will not be registered a separate unit of occupation with respect to the payment of Council Tax. The application site will thus remain occupied by a single extended family.

3.26 Whilst the caravan might be seen as being *capable* of independent occupation, this is not the basis upon which a Certificate is being sought. There will be no physical or functional separation of land, and no separate planning unit will be created. On the basis that at all times the occupation of the caravan will remain ancillary to the primary use of the land, **no material change of use** of land requiring planning permission will take place.

Submitted Evidence

3.27 In order to support this line of argument the following documents are submitted alongside the current application:

Transcript of House of Commons Debate (22 November 2005)

3.28 This debate, in part, concerned the stationing of caravans belonging to gypsies and travellers within the curtilages of the residential properties that they had purchased (**Document 6**). Reference (on page 3) is made to paragraph 29 of former Circular 01/1994 which stated:

> "*Some kinds of activity will not fall within the definition of 'development' in Section 55 of the 1990 Act and will not therefore require planning permission. Any gypsy living in a dwellinghouse will not require planning permission to use a caravan within the curtilage of the dwellinghouse, provided that the purpose is incidental to the enjoyment of the dwellinghouse as such. A caravan within the curtilage of a dwellinghouse may have a number of ancillary uses for which planning permission would not be required. For example, it could be used for additional living accommodation, provided that it remained part of the same planning unit as the dwellinghouse and the unit remained in single family occupation*."

3.29 On page 6 of the transcript, in response to the question, "to what extent would the usage of a caravan fall outside the definition of being incidental to enjoyment of the dwelling house", it was stated that:

> "*A caravan is not a building. Stationing one on land is not itself 'operational development' that requires planning permission, although associated works such as the provision of infrastructure and hygiene facilities may well be. Under planning law, householders can park caravans in their gardens or driveways indefinitely, provided that no material change of use of land occurs. However, in certain circumstances, the placing of a caravan on land may change the principal use of that land, which would amount to development in the form of a material change of use of land. It is for that reason that the use of land for an occupied caravan generally requires planning permission. The hon. Lady asked whether adding extra caravans would still be incidental. A householder is entitled to use caravans as extra accommodation without planning permission, provided that the occupants continue to use the house, for example, the kitchen or bathroom. If, on the other hand, a caravan is there for another purpose not incidental to the enjoyment of the main dwelling, known as the dwelling house - for example, it is inhabited quite separately from, and independently of, the dwelling house - planning permission for change of use of the land would, generally speaking, be required. As it would result in the creation of a new planning unit, such permission may well not be granted in a residential area*."

3.30 At a later point in the transcript (on page 8) it is confirmed that examples of ancillary uses could include uses such as storage, home office, additional sleeping accommodation and a garden shed. The original transcript can be found at: http://www.publications.parliament.uk/pa/cm200506/cmhansrd/vo051122/debtext/51122-39.htm

Homefield Appeal Decision and Costs Decision (12 November 2009)

3.31 This appeal concerned a Lawful Development Certificate application to site two caravans on land within a residential curtilage, for use as ancillary accommodation incidental and subordinate to the residential occupation of the main dwellinghouse (**Document 7**). In allowing the appeal the appointed Inspector concluded that:

> "*The evidence for the appellants is that the caravans would be used by the two sons to provide their sleeping accommodation, "and for social purposes and entertaining friends". The supporting statement goes on to say that "the sons will, as now, take all meals in the main house, use laundry facilities and generally inter-react with their parents in the normal manner associated with family occupancy." As such, I consider the proposal is to use the caravans solely as living accommodation additional to that which exists at Homefield. The stated intention is that the caravans will not be used as independent units of accommodation but will remain very much part and parcel of the main dwelling. If the caravans were to be used as self-contained living accommodation, then it is likely that would amount to a material change of use of the land. But, so long as the caravans are sited within the residential planning unit, and so long as use of the caravans remains ancillary to the main dwelling, I am satisfied their siting does not result in any material change of use of the land*."

3.32 In parallel to submitting their appeal against the refusal to issue a Lawful Development Certificate, the appellants made an application for an award or costs on the grounds that the Council had acted unreasonably. In making a full award in favour of the appellants the appointed Inspector found that by considering the proposal primarily in the context set by the 2008 [General Permitted Development] Order the Council failed to first address whether or not the siting of 2 caravans amounted to development (**Document 8**).

80 Buckingham Road Appeal Decision (19 February 2016)

3.33 In this decision the appointed Inspector noted that whilst the proposed

caravan would have contained all the facilities for independent living it would not have been used in that way (PINS reference APP/Y0435/X/15/3129568) (**Document 9**). There would have been a functional link with the main dwelling. The use of the caravan in the manner described in the application would have been a use comprised part and parcel within the primary dwellinghouse use which was already taking place within the planning unit, as a matter of fact and degree. For this (and other) reasons it was found that, had the caravan been sited and its use instigated at the time of the LDC application, there would not have been a breach of planning control. The siting and use of the caravan for the purpose of providing additional living accommodation as described in the application would have been lawful as a matter of fact and degree.

Woodfords, Shipley Road Appeal Decision (20 Sept 2016)

3.34 In this decision, which concerned the siting of a caravan for occupation by elderly parents, within the garden grounds of a dwelling, the appointed Inspector concluded (PINS Reference APP/Z3825/X/16/3151264) (**Document 10**):

> "*Use of the caravan in the way set out in the supporting statement would not, in my view, result in a separate unit of occupation, in planning terms, and the use of the existing planning unit comprising the house at Woodfords and its grounds would remain in domestic residential use as a single dwellinghouse. The character of the use would not change. Whilst I can appreciate the concerns of the Council, the size of the caravan and the facilities provided, which would be found in most large caravans, do not cast substantial doubt on the applicant's explanation of the use that is proposed. On the balance of probabilities, I consider that that use proposed would be subordinate and ancillary to the use of the property as a single dwellinghouse. It would not result in a material change of use. For that reason, I conclude, on the evidence now available, that the Council's refusal to grant an LDC in respect of the siting of a caravan for ancillary residential use within the residential curtilage of Woodfords was not well-founded and that the appeal should succeed.*

I will exercise accordingly the powers transferred to me under s195(2) of the Act."

Heathfield House Appeal Decision (2 November 2017)

3.35 In this recent decision, the appointed Inspector similarly concluded (PINS reference APP/A1530/X/17/3177321) (**Document 11**):

> "*It is clear that there would be a close family and functional link between the uses with the land also remaining in single ownership and control. Use of the caravan 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 and parcel 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. From the application, neither scenario is proposed. Accordingly, the proposal would not have required separate planning permission*."

3.36 In this recent appeal decision, regarding Skerritts of Nottingham and in the 'Woolley Chicken' case, the appointed Inspector concluded PINS reference APP/B1930/X/14/2216233) (**Document 12**):

> *"As to the question of permanence, I agree with the Appellants that the Skerritts case is not relevant or applicable to the appeal proposal. That point arose in Skerritts only on a consideration of whether the marquee should be regarded as a building. Where the siting of a mobile home does not constitute operational development, (Guildford RDC v Fortescue [1959] QB 112), its stationing is a use of land."*

Additionally, in this Appeal Decision the appointed inspector concluded PINS reference APP/B9506/X/19/3221099) (**Document 13**):

> *"A twin-unit can potentially be stationed on land for many years. Additionally, unlike portable buildings twin-units tend to be sited in one place for relatively long periods; often they are not moved unless they are being taken off site altogether or are being replaced. As a result, having regard to how permanence should be construed according to the Courts in Skerritts and Woolley, I consider that the duration of time that the structure has been on site does not have great significance in a planning context."*

Finally, in this Appeal Decision the appointed inspector concluded PINS reference APP/Q1255/X/16/3142534) (**Document 14**):

> *"Although the "Woolley Chickens" case explores points of law around the interpretation of "building" (and to that extent it is relevant) it is distinguishable from the appeal case as it concerns a different type of development (poultry units). There was no need, in that case, to consider the statutory definition of "caravan" whereas, in this current appeal, the statutory definition has bearing upon the conclusion as to whether or not the matter applied for is a "building". "*

Furthermore, in this Appeal Decision regarding Levy Regulations the appointed inspector established that caravans are not buildings (**Document 15**):

> *"From a consideration of the representations and comments received from the Appellant and CA it would appear that case law establishes that for planning purposes for a caravan (or park home) to be considered a "building" and thus "operational development" there must be a substantial degree of affixation to the land upon which it stands.*
>
> *Skerrits of Nottingham Limited v SSETR [2000] confirms earlier case law in that the primary factors to consider when determining whether a "building" exists are: size, permanence and physical attachment. It would seem reasonable to consider these same factors for the purposes of CIL when considering whether there is a "building" that needs to be included when calculating the chargeable amount under Regulation 40 CIL Regulations (as amended).*
>
> *The caravans (park homes) as described in the various submissions by the parties meet the definition of "caravans" as defined under the Caravan Sites and Control of Development Act 1960 (as supplemented by the Caravans Act 1968) as "any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer)".*

These caravans (park homes) will not be permanently affixed to the land, will be of a size small enough by unit to fall within the definition of "caravan" and are capable of being moved from one place to another. I am of the view that it is irrelevant whether or not there is any future intention to actually move the caravans (park homes) – the definition of "caravan" under the Caravan Sites and Control of Development Act 1960 makes no mention of intention, only capability.

Whilst the CA has demonstrated through the MHCLG Technical Note that the caravans (park homes) should be considered as "dwellings", this does not preclude them from being "caravans" as opposed to "buildings". Simply because a form of housing is considered to be a "dwelling" for the purposes of assessing housing land supply does not make it a "building".

It is my decision that as the proposed dwellings in question are not buildings they cannot be considered liable for CIL charges under Regulation 40 of the CIL Regulations 2010 (as amended).

3.37 All of these appeal decisions conclusively demonstrate that the siting of a caravan, to be used for ancillary purposes, is not to be regarded as operational development, and does not bring about a material change of use of the land. Whether or not the caravan is capable of independent occupation is of no relevance; the assessment of whether development is involved can only be made on the basis of how the caravan in question will actually be used.

3.38 Finally, whilst not in respect of the siting of a caravan, reference is also made to Uttlesford District Council v Secretary of State for the Environment & White [1991], one of the leading cases in respect of the use of an existing building within the curtilage of a dwellinghouse, for the provision of ancillary residential accommodation. Here it was concluded by Mr Lionel Read QC (sitting as a deputy judge of the Queen's Bench Division) that a building within the garden of a property could similarly be used as an integral part of the main residential use, without this representing a breach of planning control (i.e. a material change of use). As he noted in his judgement:

> *"… the Department's present view is that the use of an existing building in the garden of a dwelling-house for the provision of additional bedroom accommodation … merely constitutes an integral part of the main use of the planning unit as a single dwelling-house and, provided that the planning unit remains in single family occupation, does not therefore involve any material change of use of the land*."

4. Conclusions:

4.1 To summarise, the key elements of the application submission are as follows:

- The additional accommodation provided would be within a caravan as defined in the 1960 and 1968 Caravan Sites Acts (as amended);
- The caravan would be sited within the lawful garden grounds of the existing dwelling;
- It would be when sited, and will thereafter remain, a movable structure;
- It would not be permanently affixed to the ground and no operational development would need to take place; only services would be connected;
- The use of the caravan would at all times be ancillary to the use of the residential planning unit that is 192 Upper Woodcote Road;
- The occupiers of the caravan would all have a close family link with the occupiers of the main dwelling, and the provision of main meals etc. would be shared with the main dwelling;
- The caravan would not be provided with its own separate curtilage; and
- The caravan would not have a separate postal address, it would share the existing dwelling's utility services, and it will not be registered a separate unit of occupation with respect to the payment of Council Tax.

4.2 For these reasons, and having regard to the submitted evidence, it is therefore clear that there would be no material change in the use of the planning unit, and thus no development as defined by Section 55(1) of the Town and Country Planning Act 1990 would take place. A Certificate of Lawfulness of Proposed Use or Development, under the provisions of Section 192 of the 1990 Act, should therefore be able to be timeously issued.

Appendix A – Ground Screws/Pad Stones – Structural Calculations

SEJC Consulting Engineers

Consulting Structural & Civil Engineers

STRUCTURAL CALCULATIONS

PROJECT	Annex Lift
PROJECT No.	23731
CLIENT	
DATE	February 2017
NOTES	Design of temporary lifting beams to be installed under an annex structure to enable safe lifting for transportation.
BY	JG Smith

Floor 12
The Basilica
2 King Charles street
Leeds
LS1 6LS

t : 0113 246 7910
f : 0113 241 6989
e : mail@sejc.co.uk
w : sejc.co.uk

SEJC Consulting Engineers
Consulting Structural & Civil Engineers
12th Floor, The Basilica, 2 King Charles Street, LEEDS, LS1 6LS
0113 246 7910 graham@sejc.co.uk

Project	Job No.
ANNEX LIFT	23731
	Sheet 1
	Date 02/2017

NOTES REGARDING LIFTING

1. Annex to be lifted by specialist using straps or chains fixed to the ends of the temporary lifting beams installed under the annex.
2. Lifting company to use a "spreader beam" or similar method to ensure the lift is vertical, this must be capable of supporting the loads given on page 8.
3. Positions of lifting beams shown on page7.
4. Outer timber floor beams and longitudinal beams to be connected as shown on pages 11 and 13 to facilitate lifting. In service all beams supported on the foundation.
5. The general principle of the lifting operations and sequence shown on page 14.

SEJC Consulting Engineers
Consulting Structural & Civil Engineers
12th Floor, The Basilica, 2 King Charles Street, LEEDS, LS1 6LS
0113 246 7910 graham@sejc.co.uk

Project: ANNEX LIFT

Job No. 23731
Sheet 3
Date 02/2017

LOADING (kN/m²) - dead load only considered

Roof	Concrete tiles	0.8	(worst)
	Battens	.03	
	on slope	.83	(22½°)
	on plan	.90	
	Trussed rafters	.20	
	Ceiling	.15	
	Services (nom)	.05	
	Insulation	.03	
		1.48	say 1.5
Floor	Boards	.10	
	Joists	.15	
	Insulation	.05	
	"Under" board	.10	
	Partitions (nom)	.50	
		.90	

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0113 246 7910 graham@sejc.co.uk

Project: ANNEX LIFT

Job No. 23731

Sheet 4

Date 02/2017

Walls	Cedral panels	.20
	Studs	.15
	Insulation	.05
	Plasterboard	.2
		.60

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0113 246 7910 graham@sejc.co.uk

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Lifting beams designed to support loads at foundation positions. Refer to plan for references - loads in kN

Position A

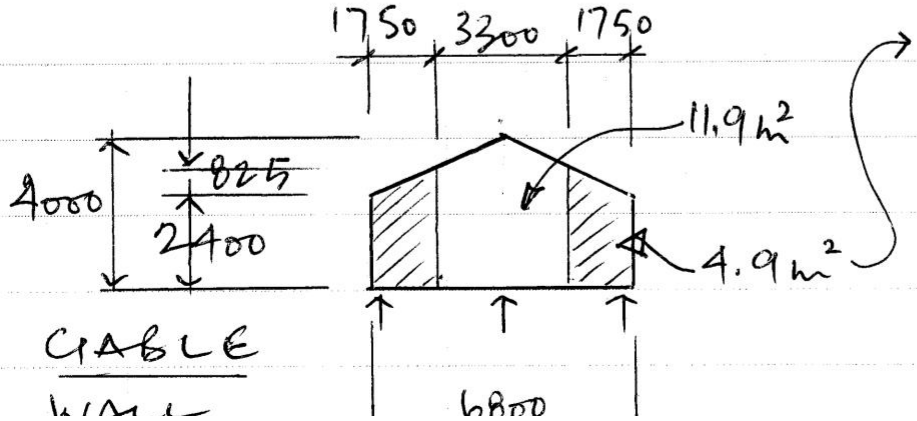
3.4 x 2.3m	roof	11.7
1.65 x 2.3m	floor	3.4
2.3 x 2.4m	wall	3.3
		18.4

Position B

3.3 x 2.3m	floor	6.8

Position C

3.4 x 1.15m	roof	5.9
1.65 x 1.15m	floor	1.7
1.15 x 2.4m	side wall	1.7
		2.9
		12.2



GABLE

WALL

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Position D

3.3 x 1.15 floor	3.4
11.9 m² gable wall	7.1
	10.5

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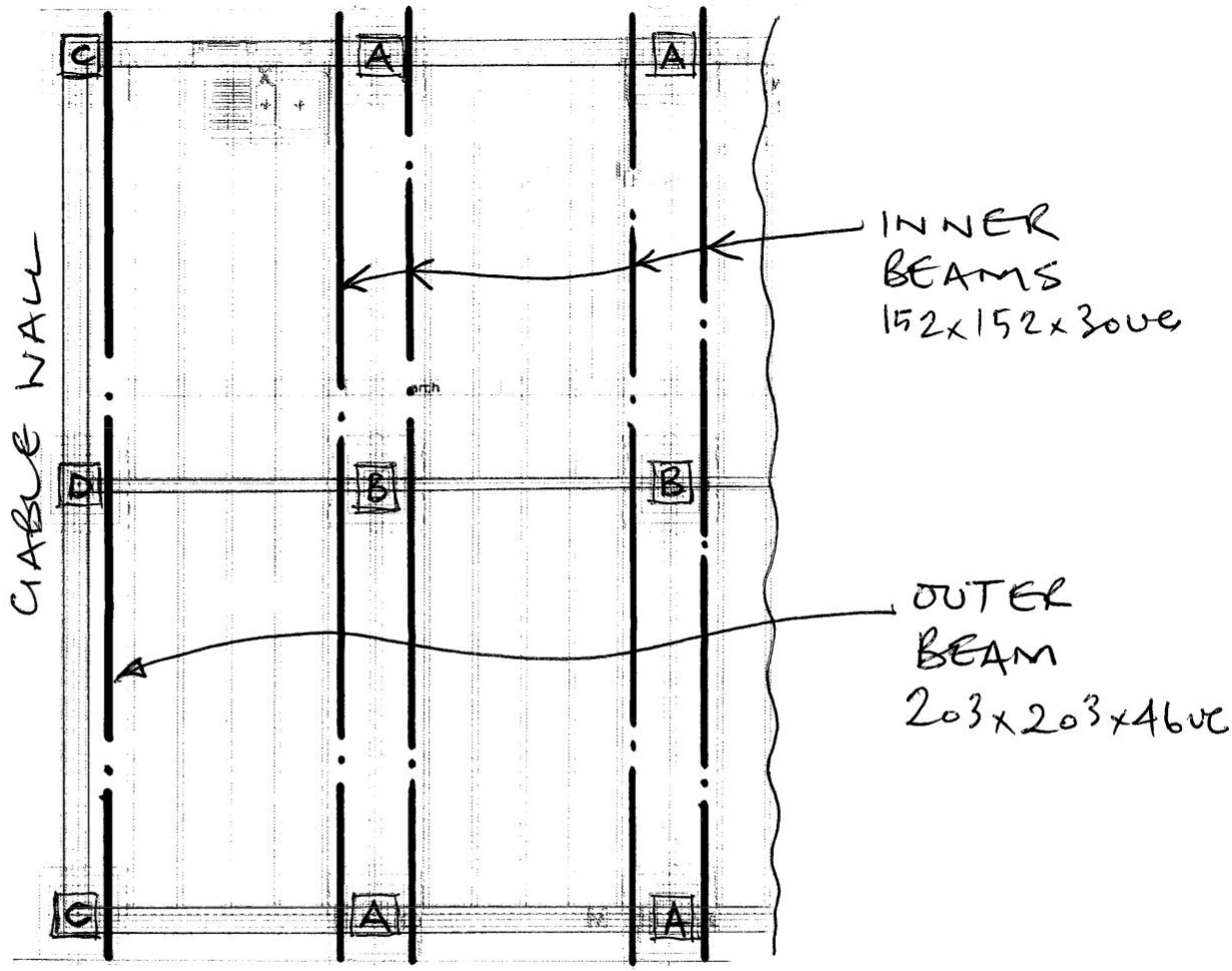
Position lifting beams under the annex next to foundation positions – on inner lines of support use a beam either side of the foundation connection point, on outer lines of support position just inside the line of the wall:



PART PLAN NTS.

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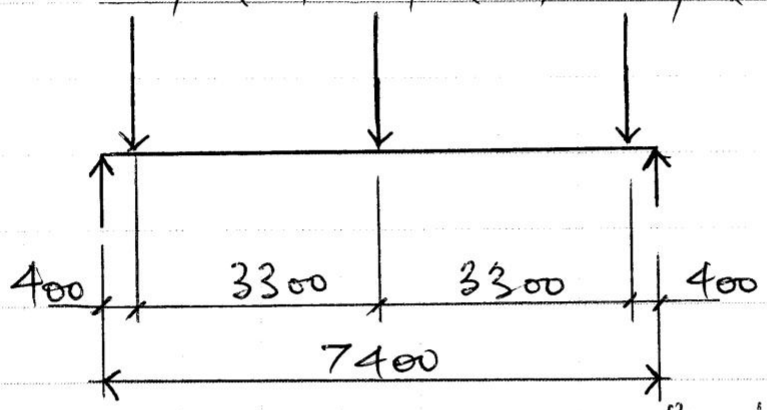
Loads onto lifting beams (kN):

12.2 (14.6) 10.5 (12.6) 12.2 (14.6) OUTER BEAM

18.4/2 (11.0) 6.8/2 (4.1) 18.4/2 (11.0) INNER BEAM



Values in parentheses include 20% for dynamic effect

See overleaf:

Outer beams 203 x 203 x 46 UC

Inner beams 152 x 152 x 30 UC in pairs.

Beam reactions for crane lifting including 20% allowance for dynamic effect.

Inner beams 13 kN

Outer beams 21 kN

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Leeds, LS1 6LS
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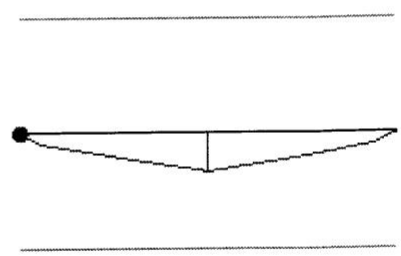
OUTER BEAM

Loads described as "live" for analysis but γ = 1.4 used for design

Member Loading and Member Forces

Loading Combination : 1 UT + 1.4 D1 + **1.4 L1**

```
L1 PY   -014.600 0.400      ( kN,m )
L1 PY   -012.600 3.700      ( kN,m )
L1 PY   -014.600 7.000      ( kN,m )
```



Member Forces in Load Case 1 and Maximum Deflection from Load Case 2						
Level No.	Node End1 End2	Axial Force (kN)	Shear Force (kN)	Bending Moment (kN.m)	Maximum Moment (kN.m @ m)	Maximum Deflection (mm @ m)
1	1	0.000C	31.603	0.000	45.144	15.601
	2	0.000C	-31.603	0.000	@ 3.700	@ 3.700

Classification and Properties (BS 5950: 2000)

Section (46.1 kg/m)	203x203 UC 46 [Grade 43]		
Class = Fn(b/T,d/t,py,F,Mx,My)	9.25, 22.33, 275, 0, 45.14, 0	(Axial: Non-Slender)	Compact
Auto Design Load Cases	1		

Moment Capacity Check Mc

Fv/Pv	8.82 / 241.402 =	0.037	Low Shear
Mc = py.Sxx≤1.2 py.Zxx	275 x 497.4≤1.2 x 275 x 449.87 =	136.785 kN.m	
MA/Mc	45.143 / 136.785 =	0.330	OK

Equivalent Uniform Moment Factor mLT

$m_{LT}=0.2+(.15M_2+.5M_3+.15M_4)/M_{max}$	0.2+(.15x28+.5x45+.15x28)/45 = 0.44	0.884	Table 18

Lateral Buckling Check Mb

Le = 1.00 L	1 x 7.4 =	7.4 m	
λ = Le/ryy	7.4 / 5.14	143.97	OK
v = Fn (x,Le,ryy,λ)	17.71, 7.4, 5.14, 143.97	0.694	Table 19
λ_{LT}= u.v.λ.$\sqrt{\beta_W}$	0.847 x 0.694 x 143.97 √ 1	84.65	
pb = Fn (py,λ_{LT})	275, 84.65	154.6 N/mm²	Table 16
Mb = Sxx.pb ≤ Mc	497.4 x 154.6 ≤ 136.785 =	76.900 kN.m	
MA/(Mb/m_{LT})	45.144 / (76.9 / 0.884)	0.519	OK

Deflection Check - Load Case 2

δ ≤ Span/360	15.6 ≤ 7400 / 360	15.6 mm	OK

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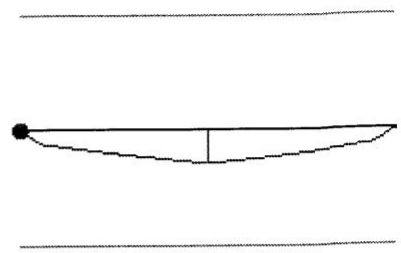
INNER BEAM

Loads described as "live" for analysis but γ = 1.4 used for design

Member Loading and Member Forces

Loading Combination : 1 UT + 1.4 D1 + **1.4 L1**

```
L1 PY   -011.000 0.400      ( kN,m )
L1 PY   -004.100 3.700      ( kN,m )
L1 PY   -011.000 7.000      ( kN,m )
```



Member Forces in Load Case 1 and Maximum Deflection from Load Case 2						
Level No.	Node End1 End2	Axial Force (kN)	Shear Force (kN)	Bending Moment (kN.m)	Maximum Moment (kN.m @ m)	Maximum Deflection (mm @ m)
1	1	0.000C	19.796	0.000	19.602	18.020
	2	0.000C	-19.796	0.000	@ 3.700	@ 3.700

Classification and Properties (BS 5950: 2000)

Section (30.03 kg/m)	152x152 UC 30 [Grade 43]		
Class = Fn(b/T,d/t,py,F,Mx,My)	8.13, 19.02, 275, 0, 19.6, 0	(Axial: Non-Slender)	Plastic
Auto Design Load Cases	1		

Moment Capacity Check Mc

Fv/Pv	2.87 / 169.026 =	0.017	Low Shear
Mc = py.Sxx≤1.2 py.Zxx	275 x 247.7≤1.2 x 275 x 221.94 =	68.118 kN.m	
MA/Mc	19.6 / 68.118 =	0.288	OK

Equivalent Uniform Moment Factor mLT

$m_{LT}=0.2+(.15M_2+.5M_3+.15M_4)/M_{max}$	0.2+(.15x14+.5x20+.15x14)/20 = 0.44	0.908	Table 18

Lateral Buckling Check Mb

Le = 1.00 L	1 x 7.4 =	7.4 m	
λ = Le/ryy	7.4 / 3.83	193.21	OK
v = Fn (x,Le,ryy,λ)	15.946, 7.4, 3.83, 193.21	0.588	Table 19
λ_{LT}= u.v.λ.$\sqrt{\beta_W}$	0.849 x 0.588 x 193.21 √ 1	96.53	
pb = Fn (py,λ_{LT})	275, 96.53	131.05 N/mm²	Table 16
Mb = Sxx.pb ≤ Mc	247.7 x 131.05 ≤ 68.118 =	32.461 kN.m	
MA/(Mb/m_{LT})	19.6 / (32.461 / 0.908)	0.548	OK

Deflection Check - Load Case 2

δ ≤ Span/360	18.02 ≤ 7400 / 360	18.02 mm	OK

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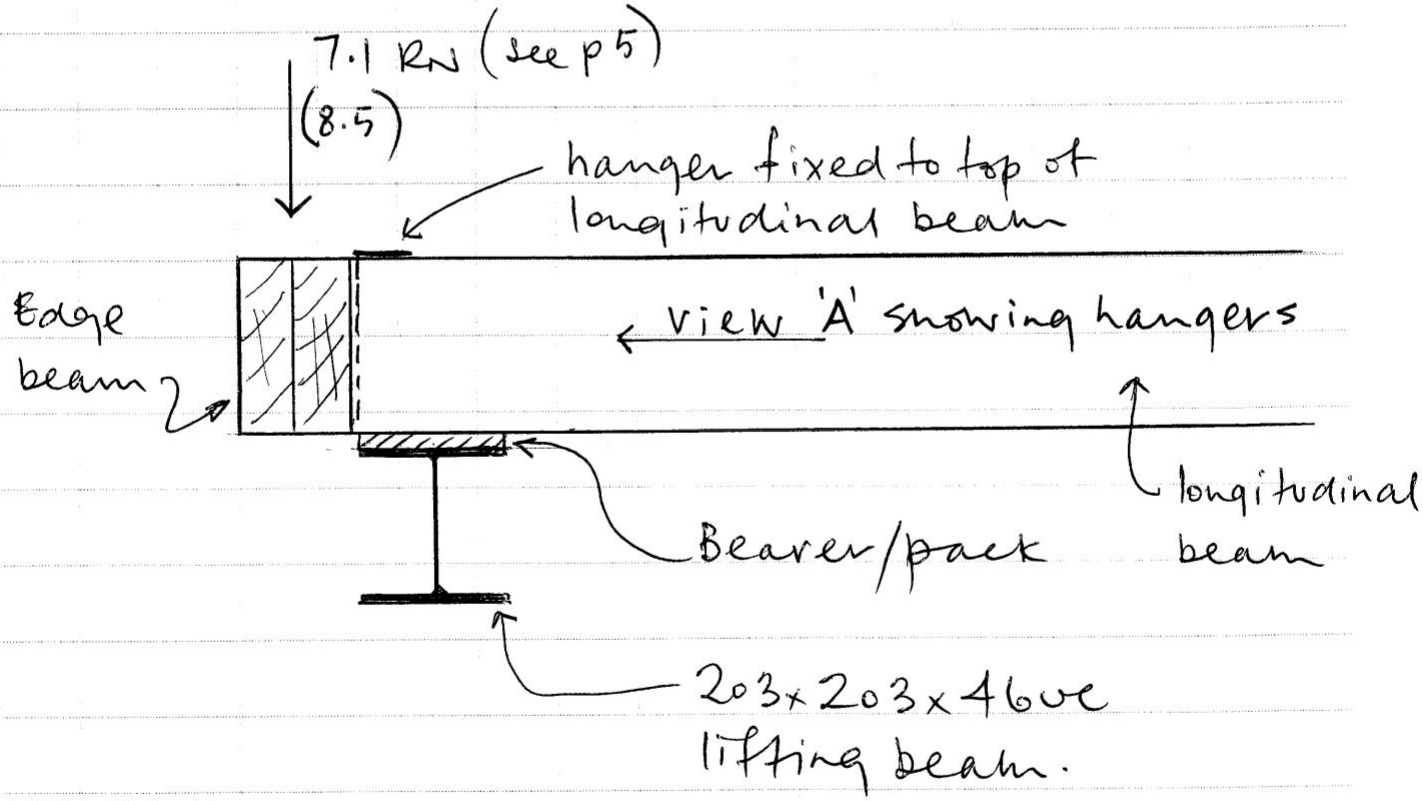
Inner beams will carry loads from the longitudinal timber beams ∴ downward forces directly onto the lifting beams.
The outer beams will transfer loading from the gable walls onto the ends of the longitudinal beams ∴ a suitable connection must be made between the timber beams:

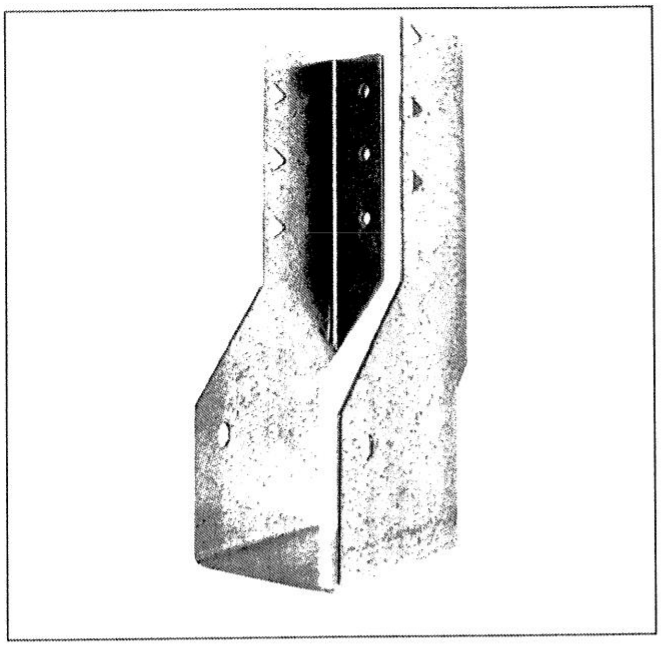


Use Simpson Strong-Tie IUC hangers - See table overleaf - for joists at least 50mm wide, 2 no hangers have SWL > 8.5 RN

Technical data sheet

IUC - FACE FIX CONCEALED FLANGE HANGER

SIMPSON Strong-Tie



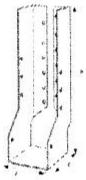
IUC is a face fix concealed flange hanger for both I-joists and solid timber sections.

UK-DoP-e04/0042, ETA-04/0042

FEATURES

Material

Pre-galvanised milld steel.



* Suitable hangers - for very short term 4.88×1.75 × 2 (2 hangers) = 17.1 kN.

TECHNICAL DATA

IUC Installed with 3.75x30mm Nails - Safe Working Load

References	Dimensions			Fasteners				Safe Working Loads [kN]	
				Header		Joist		C16 & I-Joist Header	LSL or LVL Header
	A	B	C	Qty	Specification	Qty	Specification	Long Term Download	Long Term Download
IUC142/40	40	142	51	6	3.75 x 30	2	3.75 x 30	2.09	2.44
IUC192/40	40	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/40	40	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88
IUC142/47	47	142	51	6	3.75 x 30	2	3.75 x 30	2.09	2.44
IUC192/47	47	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/47	47	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88
IUC192/50	50	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/50	50	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88 *
IUC192/53	53	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/53	53	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88 *
IUC192/61	61	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/61	61	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88 *
IUC192/66	66	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/66	66	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88 *
IUC192/72	72	192	51	10	3.75 x 30	2	3.75 x 30	3.48	4.06
IUC217/72	72	217	51	12	3.75 x 30	2	3.75 x 30	4.17	4.88 *

Winchester Road Cardinal Point Tamworth Staffordshire B78 3HG
Tél. : +44 1827 255600 / Fax : +44 1827 255616

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SEJC Consulting Engineers
Consulting Structural & Civil Engineers
12th Floor, The Basilica, 2 King Charles Street, LEEDS, LS1 6LS
0113 246 7910 graham@sejc.co.uk

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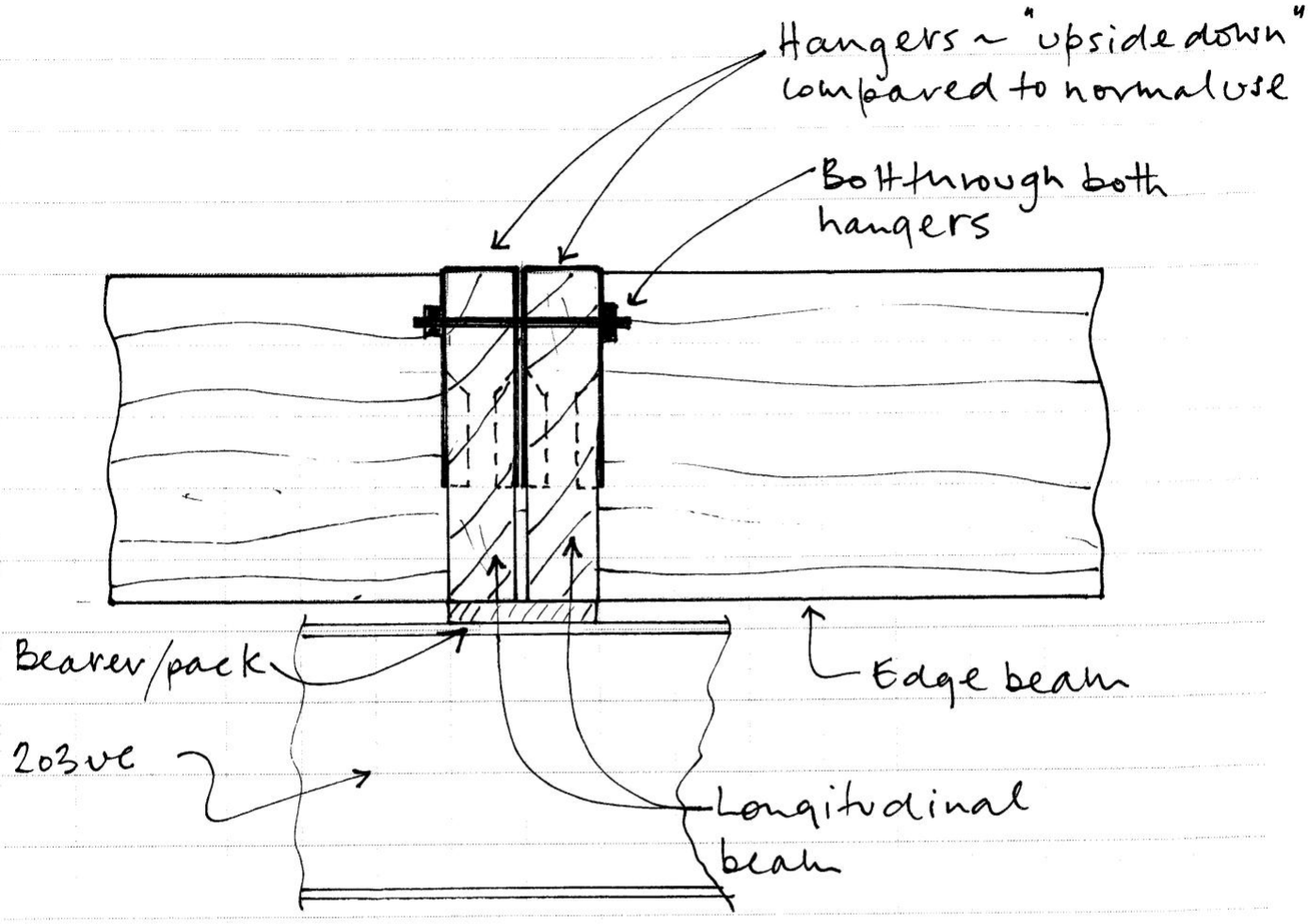
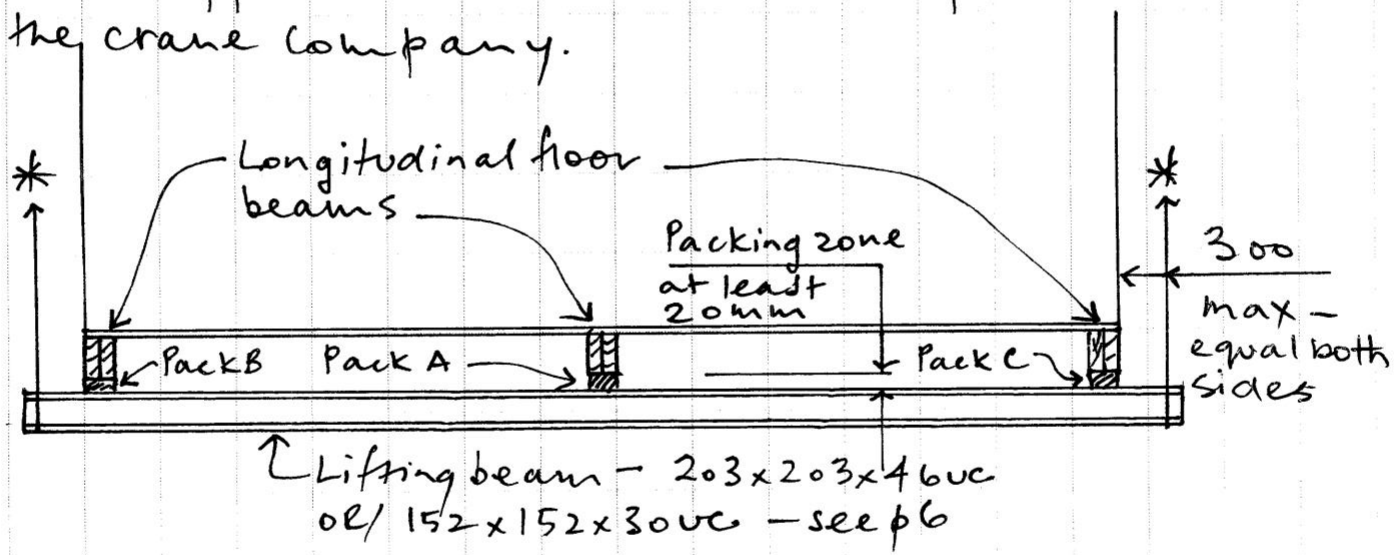


VIEW 'A' see p10

'ack A to be fixed to top flange of steel lifting beam. Beams to be passed under the annex so pack A is located directly under central longitudinal floor beam. Crane to apply slight tension to ensure pack A is bearing correctly. Packs B and C then to be installed prior to lifting the annex.

* Denotes lifting straps/chains fixed to the lifting beams below the annex floor and supported on a suitable steel spreader beam supplied by the crane company.



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graham@sejc.co.uk

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