Evidence to verify application for a Lawful Development Certificate for Proposed Use

The application for a Lawful Development Certificate for a proposed use is applied for on the basis that the proposal satisfies the following criteria:

Location: The intended location lies within the residential garden of the house. Evidence of this is supported by the attached site location map.

Definition of a Caravan: The mobile home conforms to the definition of the caravan. Evidence of this is supplied by the manufacturers (eco mobile homes ltd) who provide a comprehensive engineering report and methodology confirming the structure conforms to the size, mobility and construction tests.

Use: The use is incidental to the main dwelling with shared use of facilities by family members. Evidence of this is below.

Location:

Boorley Green Cottage, 150 Winchester Street is a detached four bedroomed home sat in three quarters of an acre of garden, with two large garages (shown on the land registry) within the garden area. The proposed location for the caravan is within the curtilage of the house thus:

- Physical layout: The caravan will be sited in the garden within the fenced boundary. The garden was fenced and separated from surrounding land before1948.
- Ownership past and present: The garden was purchased with the house part-and-parcel in May 2000. The ownership of the garden area has and will remain in the ownership of the household. It was not purchased as a separate plot.
- The caravan will go where there is currently a log cabin. This was put up 10 years ago in 2003 as an overspill bedroom and play area under Permitted Development Rights related to out buildings.

Structural Conformity –The Caravan

Attached is a plan drawing and image of the mobile home we are intending. This is a twin-unit mobile home in The Feature Oak style from manufacturer “Eco Mobile Homes Ltd” who will provide a comprehensive engineering report and methodology confirming the structure conforms to the size, mobility and construction tests. Please note this may not be the exact layout or style of caravan but is an indication of our intentions.

Use:

The use of the mobile home is lawful because it satisfies the following criteria:

- The relationship between the respective occupants. The house is occupied by Mr and Mrs P Whitfield and their children. Mrs Maureen Whitfield will occupy the caravan. Mrs Maureen Whitfield is the mother of Mr Paul Whitfield and is a widow. She is partially sighted and finding it increasingly difficult to live independently at some distance from her only son. This mobile home will enable her to live close by her son and grandchildren who can help to care for her.

- The relative size of the house, its garden and the caravan. The entire plot is about three quarters of an acre. The mobile home will be up to 135 m2.

- The relative scale of the accommodation in the caravan and the house. The house has four bedrooms, two bathrooms, a cloakroom, one kitchen and four living areas. The mobile home will have two bedrooms, one bathroom, one shower room, one kitchen and a living area.

- The degree to which the caravan is functionally connected to and subordinate to the use of the dwelling house. The mobile home will depend on the use of the utilities of the house, electricity, gas and water. It will share all bills. No new entrance to the property will be created. People using the mobile home share access to the site.

- Mrs Maureen Whitfield will sleep and wash in the mobile home, but will take many meals in the main house with the rest of the family. Occupants will use the living spaces of both the main house and the mobile home. The caravan's occupants will vitally depend on the cooking and food storage facilities of the main dwelling. They will also vitally depend on the storage area of the main house for the majority of their belongings as they will be downsizing from a detached property.

- No rent will be paid for the use of the caravan.

Conclusions and Recommendations

The mobile home will be stationed within what is clearly the curtilage of the house. The use is for family members as an integral part of the overall use of the property and will not be used independently, as documented. The caravan conforms to the legal definition within the relevant legislation. Therefore the Council should issue a Lawful Development Certificate.