

Supporting documentation for an application for a Certificate of Lawfulness under the Caravan Act

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General

This document is to outline the information that the Caravan / Temporary Structure / Mobile Home / Annexe, detailed in submission under the caravan act meets the 3 tests required under the act. For clarity, the Caravan / Temporary Structure / Mobile Home / Annexe will hereafter be referred to as a *Mobile Home*.

Caravan Act definition

Section 29 (1) of the Caravan Sites and Control of Development Act 1960 defined a caravan 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) 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 system, or*
- (B) Any tent”*

Section 13 (1) of the Caravan Sites Act 1968, which deals with twin-unit caravans. Section 13 (1) provides that:

“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 and other devices; and*
- (B) Is, when assembled, physically capable of being moved by road from one place to another (whether being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or have been) a caravan within the means of Part 1 of the Caravan Sites Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled”.*

For the mobile home to be considered a caravan/mobile home it must meet three key tests as set out in the CSA, these are

1 Size

- (a) Length (exclusive of any drawbar) 20m (65.6FT)
- (b) Width: 6.8m (22.3ft)
- (c) Overall height (measured internally from the floor at the lowest level to the ceiling at the highest level) 3.05m (10ft)

2 Construction

Section 13(1)(a) of the Caravan Sites Act 1968 Twin-unit caravans... (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. The *mobile home* is assembled into two distinguishable parts on site and the final act of assembly is the bolting of the two parts together.

2 Mobility

Section 13(1) (a) of the Caravan Sites Act 1968 indicates that a caravan is a structure (*mobile home*) which, "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)".

Test 1 Size

In the consultation paper issued by the Office of the Deputy Prime Minister August 2005, “Amending the Definition of a Caravan”

Page 9 Proposals

We propose to amend the definition of a caravan by altering the dimensions set out in section 13(2) of the 1968 Act as follows

- (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*

Additionally we propose:

To set out our view in guidance that the measurements of length and width should be taken between the exterior faces of the external body walls, excluding non-habitable projecting windows (i.e. projecting windows that do not extend to floor level) and excluding projecting eaves and minor projections such as gutters, down pipes, door canopies, sills, thresholds and drip rails. Whilst the guidance is non-statutory, the courts will normally take it into account in deciding relevant cases.

Following this guidance the length and depth of the proposed mobile home have been measured as external wall sizes.

Dimension	Maximum dimension permitted	Proposed dimensions
Length	20.0Mtrs	13.0Mtrs
Depth	6.8Mtrs	6.7Mtrs
Overall Height	3.05Mtrs	3.05Mtrs
Attached Drawings Reference Number		V2 / R1 01.09.2022

The proposed mobile home clearly falls inside or does not exceed the maximum dimensions permitted under the Act, so meets the requirements of Test 1

Test 2 Construction

We always use the Twin-Unit method of construction for our mobile homes and offer 2 different methods (options) to achieve compliance under the act both for Test 2 construction and subsequently for Test 3 Mobility

The 2 differing construction and foundation methods we utilise to achieve compliance with the Act are

- (a) A raised timber floor construction, resting under its own substantial weight on an Easy pad foundation system, the mobile home is split into 2 sections across its depth (front to back)
- (b) A twin alloy wheeled chassis sitting on a concrete pad foundation, the mobile home is split into 2 sections down its length (side to side) with the mobile home being erected in 2 sections on each chassis

Our preferred construction method Option (a) as detailed below

Option A

Foundation

The foundation system used is the Easy Pad system: pads are placed at critical load points whereby the mobile home floor sits on raised plates approximately 160mm above ground level.

- 1 The mobile home is placed onto the ground, not built into the ground,
- 2 The pads are positioned down both sides of the mobile home, between 2 ~ 3.3Mtr centres, where the mobile home is more than 5Mtrs wide a central line is also installed
See Fig 1 & 2
- 3 The use of the Easy Pad foundation allows for the complete removal of the foundation pads [and reinstatement of the garden] should the mobile home be moved, thus rendering it a temporary foundation system

Fig 1

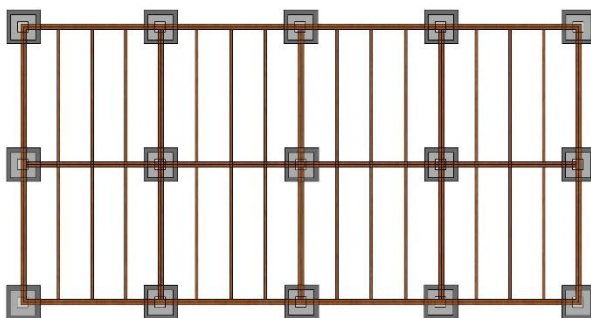


Fig 2



Mobile home on site construction

The mobile home will be delivered as a flat pack sectional build to be constructed on site as 2 separate sections and then joined together in compliance with the Section 13 (1) (A) of the act, a typical mobile home foundation & construction drawing pack is shown in Fig 3 ~6

Test 2 Construction Cont'd

Fig 3

Shows the layout of the Easy Pad foundation pads, these will have been calculated so that the modular floor cassettes will sit directly on the load points

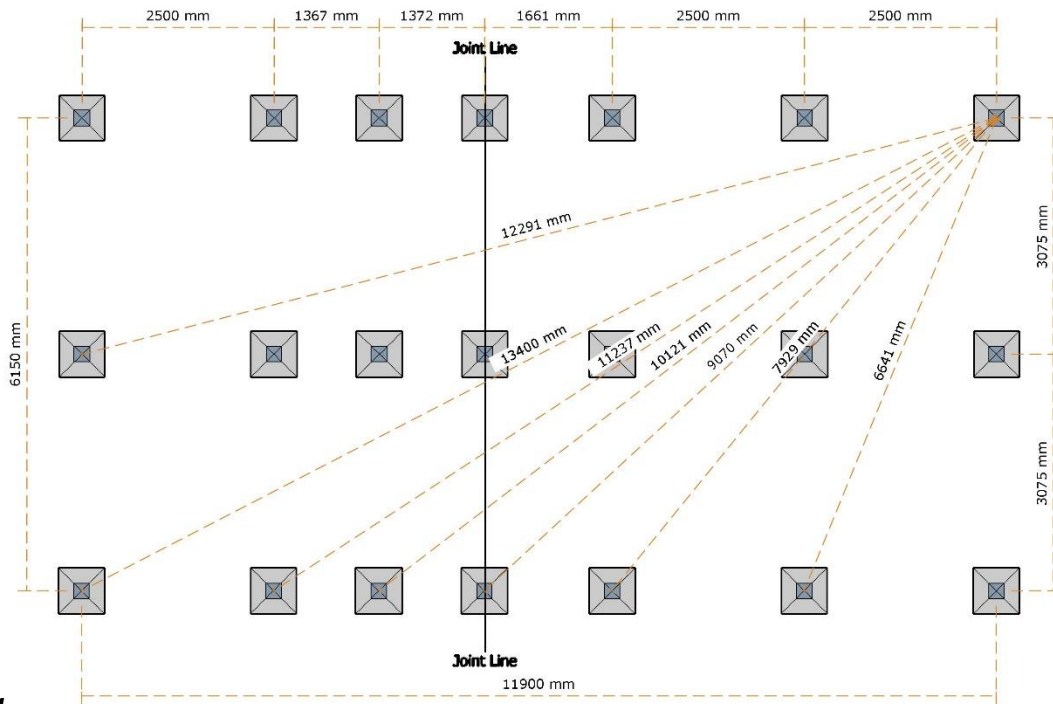
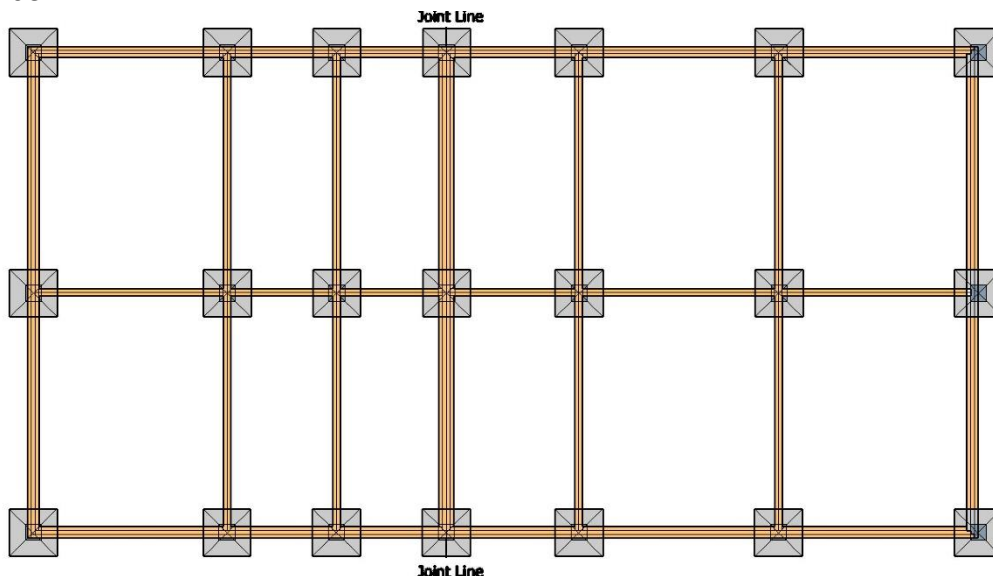


Fig 4

Shows the layout of the floor cassettes married up to the foundation pads, with the joint line for compliance under the Act is clearly defined allowing the mobile home to be constructed as 2 sections side by side



Test 2 Construction Cont'd

Fig 5

This drawing shows the locations of the various prebuilt wall cassettes to sit on the floor cassettes, allowing for both sections of the mobile home to be constructed independently of each other

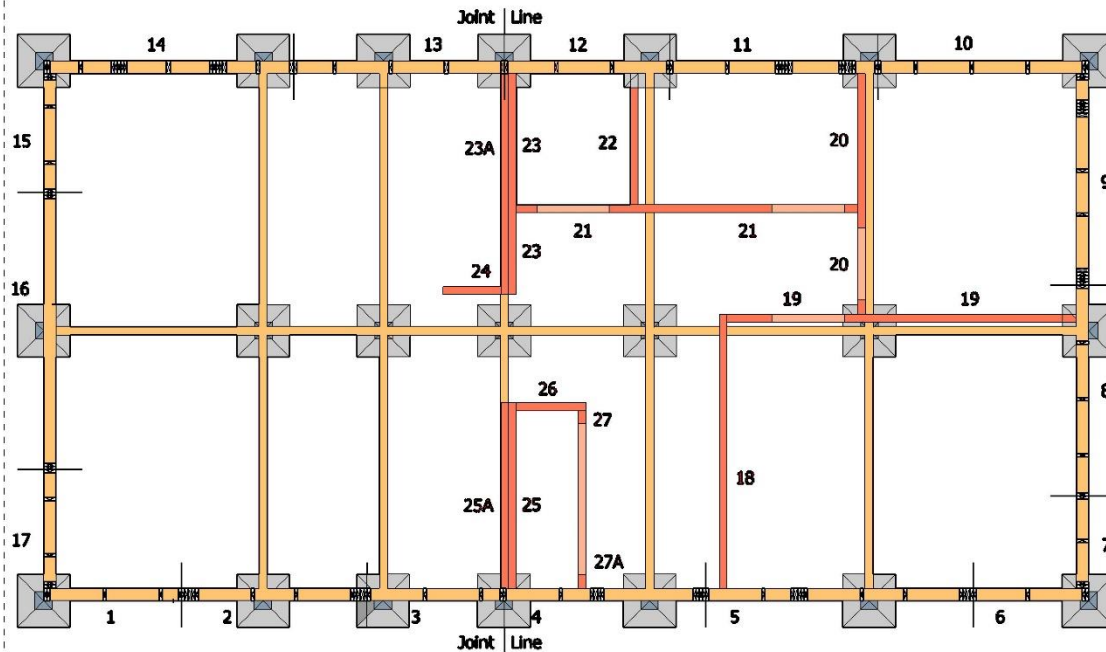


Fig 6

This shows the makeup of each section of the mobile home external and internal walls which corresponds to their position on the floor cassettes; note that the internal walls sitting down the joint line are a double wall, with one side on each side of the joint line, namely 23 / 23A & 25 / 25A



Once the 2 sections are completed, they are then joined with mechanical fixings, there is a clearly visible joint line to the external build of the mobile home

Thus meeting the requirements of test 2 under the Act

Test 3 Mobility

Using option (a) as the construction method for the mobile home, the Easy Pad foundation system means that the underside of the mobile home floor [built using 8 x 2 timber joists] sits some 160 - 200mm (6" – 8") above the ground level. To move the mobile home we would:

- 1 utilise as specialist lifting company.
- 2 Temporary Lifting bars / straps will be inserted under the annexe floor from front to rear across the depth of the mobile home at structural load points along its length
- 3 Chains / straps to the lifting company specification will be attached to the lifting bars / straps and attached to a spreader bar [cat's cradle] or similar method to ensure that the lift of the mobile home is vertical
- 4 The mobile home will be "dead weight" lifted off the foundation pads, lowered onto a suitable low loader trailer to be transported by road to another place..

The Easy Pad foundation system can then be removed and the garden reinstated

Option (b) Alternative Build method

The build the mobile home can be constructed on 2 alloy wheeled chassis being joined together as the final part of construction. The mobile home floor and wall cassettes will be manufactured in a similar way to option (a) but will be split length ways down its length, with the final act being the joining of the 2 sections together.

To move the mobile home the joined wheeled chassis would be winched onto a suitable flatbed trailer lorry again using a specialist lifting /transportation company and then transported to another place

This construction method would require a for a suitable concrete slab to be laid for the chassis to be wheeled onto.

Thus, allowing in either case, the mobile home to comply with test 2.

Other information / appeal findings

There is no requirement that the process of creating the two parts must take place away from site, or from each other. The fact the two parts have been constructed side by side does not nullify the fact they are two separate parts which will be bolted together as the final act in the process. There is no time limit set down in the act for the construction on site of the 2 separate sections.

From the various test cases and appeal decisions there is a presumption that mobile homes can be built up of many component parts, into 2 sections which are then joined together.

Other information / appeal findings

Appeal Reference – APP/N1025/C/01/1074589

The key observations include:

- A. There is no requirement for the 2 sections to be each identifiable as caravans, or capable of habitation, before they are joined together;
- B. A caravan can be delivered to site in many pieces, and there is no requirement in 13(1)(a) that the process of creating the 2 separate sections must take place away from the site on which they are then joined together.
- C. It is only necessary the act of joining the 2 sections together should be the final act of assembly. **BYRNE v. SECRETARY OF STATE FOR ENVIRONMENT and ARUN [1997]**
“Certainly, it is designed to be composed into two sections, then to be bolted together as the paragraph requires, but this argument disregards two words in the paragraph which seem to me to be of importance. The requirement is that the structure should be composed of not more than two sections "separately constructed". That means, in my judgment, that it was an essential part of the construction process in order to deem a structure as a caravan, that there should be two sections separately constructed’ ... ‘The whole was not constructed by the method of first having two separate parts.”

Appeal Reference -APP/B5480/C/17/3174314

The Inspector concludes;

- A. Two halves constructed on site -He remarks “there is no requirement that the process of creating the two separate sections must take place away from the land”. Correctly interpreting Byrne and the Erewash decision.
- B. Two halves being completed adjacent to one another, and then finally bolted together. He remarks -“...the two sections, having been completed alongside each other, were then connected securely by using a series of bolts along the lines of the walls and floor