



**Ashfield**  
DISTRICT COUNCIL  
**MAP SCALE 1: 1250**  
**CREATED DATE: 11/11/2020**

**COMMITTEE DATE**    25/11/2020                      **WARD**            Hucknall South

**APP REF**                      V/2020/0371

**APPLICANT**                      A Cash

**PROPOSAL**                      Temporary Siting of Mobile Home

**LOCATION**                      Land on the West Side of Brickyard, Brickyard Drive, Hucknall, Nottingham, NG15 7PG

**WEB-LINK**                      <https://www.google.co.uk/maps/@53.0318749,-1.1921183,17z>

**BACKGROUND PAPERS**    A, C, K

App Registered: 13/08/2020                      Expiry Date: 07/10/2020

*Consideration has been given to the Equalities Act 2010 in processing this application.*

*This application has been referred to Planning Committee by Councillor Mitchell on the grounds of policy implications.*

### **The Application**

This is an application which seeks planning consent for the siting of a static caravan on land to the west side of the Brickyard. The caravan is proposed to be occupied for a temporary period during the construction of a dwelling at the development site.

### **Consultations**

Site Notices has been posted together with individual notifications to surrounding residents.

The following responses have been received:

### **Resident Comments:**

7x Letters of objection/concern have been received from a local resident group and residents in respect of the following:

- Mobile home has already been positioned on site and is occupied
- No drainage details have been provided despite the mobile home already being occupied
- The siting of the mobile home would restrict the development of the approved dwelling (mobile home sited in location of dwelling) – the house would never be built
- Unlawful ground works undertaken on the site to facilitate the siting of the mobile home – disturbed ground contamination

- Fence has been erected unlawfully along the plot frontage
- The applicant has failed to serve the correct notice
- The mobile home will be used for business purposes
- Applicant has not detailed how long 'temporary' will be
- Increased traffic along the unadopted driveway
- Consultation period has been very short

**No further comments received from statutory consultees or local residents in respect of the proposal.**

### **Policy**

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

#### **National Planning Policy Framework (NPPF) 2019**

Part 5 – Delivering a Sufficient Supply of Homes

Part 11 – Making Effective Use of Land

Part 12 – Achieving Well Designed Places

#### **Ashfield Local Plan Review (ALPR) 2002**

ST1 – Development

ST2 – Main Urban Area

HG5 – New Residential Development

#### **Supplementary Planning Documents**

Residential Design Guide 2014

Residential Car Parking Standards 2014

#### **Relevant Planning History**

##### **V/2019/0652**

Details: Approval of Reserved Matters Following Application V/2019/0013 for a Single Dwelling

Decision: Conditional Consent

Date: 06/01/20

##### **V/2019/0013**

Details: Outline Application with all Matters Reserved for a Dwelling

Decision: Outline Conditional Consent

Date: 08/05/19

##### **V/2017/0670**

Details: Outline Application with all Matters Reserved for a Maximum of One Dwelling

Decision: Outline Refusal

Date: 16/01/18

**V/2015/0473**

Details: Outline Application for a Detached Dwelling

Decision: Outline Refusal

Date: 27/10/15

**V/2015/0298**

Details: Outline Application for a Detached Dwelling

Decision: Withdrawn

Date: 16/06/15

**V/2014/0200**

Details: Outline Application for a One Dwelling

Decision: Outline Refusal

Date: 17/07/14

**Comment:**

The application site comprises of a parcel of land to the west of the Brickyard, where planning permission for the construction of a dwelling with associated off-street parking and private amenity space has previously been approved.

Sited to the east and south of the site is existing residential development, whilst immediately to the north and west is an area of open land which is allocated for residential development as outlined within policy HG1 of the ALPR 2002.

As part of this application, the applicant seeks planning consent for the siting of a mobile home on the site for a temporary period, during the construction of the dwelling house permissioned under application references V/2019/0013 (outline permission) and V/2019/0652 (approval of reserved matters).

The main issue to consider as part of this application is the principle of the proposed development.

***Permitted Development:***

The application site is located within the main urban area of Hucknall, where the principle of development is considered acceptable, as set out within policy ST2 of the ALPR 2002.

As previously mentioned, the applicant seeks planning consent for the siting of a mobile home. The applicant has stated that the mobile home will be in situ during the construction of the previously approved dwelling. Once constructed, the mobile home is proposed to be removed from the site. A timeframe for the construction works and subsequent removal of the mobile home has not been provided.

Class A, of Part 5, of Schedule 2 of the General Permitted Development Order (2015) allows, amongst other things, the use of land which forms part of, or adjoins,

land on which building or engineering operations are being carried out as a caravan site, if that use is for the accommodation of a person or persons employed in connection with building or engineering operations.

The caravan proposed is currently in situ on site, and although it will be occupied by an individual who is understood to be constructing the permitted dwelling, as the permission relating to the dwelling has pre-commencement conditions which have not yet been discharged, any construction works on site would be unauthorised until such time that the conditions are formally discharged. As such the caravan, at present, would not comprise of Permitted Development, and planning permission is subsequently required for its siting.

The plans submitted with the application indicate that the proposed caravan will measure approximately 12.5m in length, and just over 4m in width. The caravan is to be located in the sites north-eastern corner, horizontal to the northern boundary of the site.

The dwelling which has been granted planning permission on site is to be located approximately 8m off the highway edge, is 10m in length and 9m in width.

Given the size of the caravan proposed, in combination with the siting and size of the permitted dwelling, it is clear that the dwelling would be unable to be constructed by virtue of the positioning of the proposed caravan on site, which would project approximately 4m into the area in which the dwelling is proposed to be sited.

In addition to this, whilst the applicant has claimed that the caravan is on wheels and can therefore easily be relocated within the site to accommodate the building operations, based on the dimensions of the proposed caravan, there is no other alternative location within the development site which would allow the caravan to be accommodated and allow the dwelling to be constructed, as approved.

***Other Matters:***

Whilst the proposed caravan would be out of keeping with the built form of development along the Brickyard, it is acknowledged that the siting of the caravan is proposed to be for a temporary period only, and as such, would not result in permanent detriment to the appearance of the street scene. Further, the proposal would not give rise to any significant impact on nearby residents by virtue of massing, overshadowing or overlooking.

Concerns have been raised regarding increased traffic along the unadopted road known as the Brickyard, the traffic generated by the siting of the caravan and its occupier's, is considered to be no greater than if the dwelling were constructed and occupied, as previously approved.

No drainage details have been submitted as part of the application. As part of any approval of the application, a condition requiring drainage details to be submitted

within 28 days of any permission would be necessary, given that the caravan is understood to already be occupied.

The application site is understood to comprise of unregistered land. In circumstances where the applicant does not know who owns a parcel of land over which they are proposing a development, they are required to complete and sign Certificate D on the application form. Where Certificate D is signed, the applicant is required to advertise their intention to apply for planning permission on the site in the local newspaper no sooner than 21 days before the submission of the planning application. The applicant has followed this procedure by advertising their intentions for the site in the Hucknall Dispatch.

Planning permission cannot be refused on the grounds that an applicant does not know who owns the land, or is unable to find out through land registry searches as the land is unregistered. Any issues that may arise surrounding land ownership disputes between the land owner and the applicant would be a private civil matter.

Local residents have also raised matters relating to the consultation period given for comments. Residents were consulted for 28 days (14<sup>th</sup> August – 11<sup>th</sup> September), and therefore the Council are satisfied that the statutory period for consultation has been complied with in this instance.

**Conclusion:**

In conclusion, it is considered that the proposed siting of a static caravan at the application site would not give rise to any permanent undue impact upon the visual amenity of the area, by reason of its temporary nature, and would also not result in any detriment to the amenity of nearby residents in respect of massing, overshadowing or overlooking. The siting of the static caravan would however, by virtue of its overall size, prevent the construction of the permitted dwelling, constituting a form of inappropriate development which would inhibit the comprehensive development of the application site.

**Recommendation: Full Application Refusal**

**REASONS**

- 1. The proposed caravan is required for a temporary period during the construction of a dwelling at the development site. The proposed caravan would however, by virtue of its size and siting, prevent the construction of the permitted dwelling. Further, there is no location within the site that could appropriately accommodate the proposed caravan whilst allowing for the construction of the dwelling, as approved. The proposal therefore constitutes a form of inappropriate development which inhibits the comprehensive development of the site, contrary to policy ST1 of the Ashfield Local Plan Review 2002.**