



Committee Report

Planning Committee North - 9 November 2021

Application no DC/21/2278/FUL

Location

The Gatehouse
Middleton Crossing
Middleton Road
Yoxford
Suffolk
IP17 3LG

Expiry date 4 July 2021
Application type Full Application
Applicant Mrs Amy Osborne

Parish Yoxford

Proposal This application is to gain planning consent to place a log cabin, which falls under 'The Caravan Sites Act 1968, as amended in England 2006 and Wales' 2007' (as detailed in the attached Certificate of Conformity provided by KEOPS) within the garden curtilage of the main dwelling house at The Gatehouse, Middleton Crossing, Middleton Road, Yoxford, IP17 3LG for residential ancillary use. Further detail is provided in the statement of evidence.

Case Officer Charlie Bixby
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1. Summary

- 1.1 The proposed application seeks to site a log cabin within the garden curtilage of the main dwelling house for ancillary residential use. The log cabin meets the definition of a 'Caravan' as set out in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.
- 1.2 The application is referred direct to Planning Committee (North) due to the applicant being related to an East Suffolk Council member of staff.

1.3 The proposal is potentially something that would not amount to development, and therefore not require planning permission. However, an application has been submitted and therefore assessed against the relevant Local Plan policies, and the siting of the log cabin within the curtilage of the property is found to be acceptable. The application is recommended for approval.

2. Site description

2.1 The application site comprises a detached single storey property located at the Middleton Crossing within Yoxford Parish, although outside the defined settlement boundaries and is considered to form part of the countryside, for planning purposes.

2.2 The property is situated on a large parcel of land running parallel to the train tracks of the associated crossing and continuing to the south. There are no adjacent neighbouring properties.

2.3 To the west, opposite the Middleton Crossing, are a couple of residential properties located on the other side of the road, one of which is under construction, these two properties are the nearest residential neighbouring properties to the site.

2.4 To the east the road continues at national speed limit and slopes down the hill with a couple of residential properties located further to the east.

3. Proposal

3.1 The proposed application seeks planning permission to place a log cabin. The application has been submitted on the basis that the proposed log cabin meets the definition of a 'caravan' under 'The Caravan Sites Act 1968, as amended in England 2006 and Wales' 2007'. The log cabin is therefore a caravan, rather than a building, and this application seeks planning permission for the siting of that log cabin within the curtilage of the dwelling.

3.2 The proposed log cabin is to be sited in the location of the existing garage outbuilding on the existing site, within the garden curtilage of the main dwelling house. It would be occupied for residential use ancillary to the main house. The log cabin will be of timber construction.

3.3 The proposed dimensions are as follows:

- Length 14m
- Width 4 to 4.85m
- Overall height (internally, from the floor at its lowest to the ceiling at its highest) 3.024m

3.4 The log cabin is to be occupied by the daughter of the applicants, who will still be dependent on the main house for some of its services and functions for day-to-day living.

4. Consultations/comments

4.1 There are no neighbour comments or third-party representations on this application.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Yoxford Parish Council	17 May 2021	8 June 2021
Summary of comments: Yoxford Parish Council: "Support."		

6. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 25 May 2021

Expiry date: 16 June 2021

7. Planning policy

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.13 - Residential Annexes (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.16 - Residential Caravans and Mobile Homes (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

National Planning Policy Framework 2021 (NPPF)

8. Planning considerations

8.1 The proposed log cabin will replace the existing outbuilding in the same location.

8.2 The siting of a log cabin (which in planning terms is a caravan, rather than a building) in the curtilage of a dwellinghouse occupied incidental to the main dwellinghouse, will often not amount to development as it would not create a new planning unit. It is always dependent upon the circumstances of the particular case, but in many instances where a caravan is sited in the garden, and the occupants still rely on the main dwellinghouse for some of their

day-to-day living – for example taking meals in the main house, using laundry facilities etc, then the siting of a caravan would not require planning permission.

- 8.3 Had a lawful development certificate been applied for to establish that the siting of the log cabin in the garden would not be ‘development’, and thus not require planning permission, then it is likely a certificate could have been granted on that basis. However, an application for planning permission has been submitted, and therefore the relevant Local Plan policies will need to be considered in reaching a decision.
- 8.4 For additional context, the definition of a ‘Caravan’ is set out in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (“The Acts”).
- 8.5 Allowed maximum dimensions:
- Depth - External 6.8metres (22 feet 3 3/4 inches)
 - Length - External 20 metres (65 feet 7 1/2 inches)
 - Ceiling Height - Internal 3.05 metres (10 feet 0 inches)
- 8.6 The Acts also specify that the structure can be transported or removed from the site; this does not necessarily have to be a structure on wheels, but The Acts specify that transported just means that a structure is capable of being removed and transported by road in no more than two pieces; this appears to be the case in this instance and the proposal also meets the above allowed dimensions so is considered to conform with the criteria in The Acts, and constitute a caravan for planning purposes.
- 8.7 Local Planning Policies SCLP5.13 and SCLP5.16 are of relevance in terms of this application.
- 8.8 Local Planning Policy SCLP5.13: Residential Annexes states that:
"An annex to an existing dwelling will be supported where:
a) The annex is smaller in scale and clearly ancillary to the host dwelling;
b) The proposal does not involve the physical separation of the residential curtilage;
c) No separate access is required;
d) The annex is either an extension or is well related to the host dwelling;
e) In the case of a new build annex, it is not feasible to create the annex through an extension or the conversion of an outbuilding;
f) There is sufficient off-road parking; and
g) There is no significant adverse effect on the landscape or visual amenity."
- 8.9 Local Planning Policy SCLP5.16: Residential Caravans and Mobile Homes states that:
"As a residential use, the principal of development of permanent residential caravans and mobile homes will be considered under the relevant policies for housing. Proposals for residential caravan and mobile home sites will be supported where:
a) They are designed and sited in a way which does not result in a harmful impact on the landscape or on the character of a settlement;
b) Amenity space is provided on site;
c) They are located outside of Flood Zone 2 and Flood Zone 3; and
d) Safe access and space for vehicle manoeuvring can be achieved within the site"
- 8.10 The annexe policy in the Local Plan relates more to buildings rather than siting of caravans, but nonetheless, a log cabin/caravan can function as annexe accommodation so similar considerations apply. SCLP5.16 is not directly relevant, as that policy relates more to

independent residential uses, rather than an annexe use as is proposed here, but the consideration about design and siting being appropriate for the context is applicable to this scheme.

- 8.11 The proposed log cabin is fairly modest in size and scale and will be visually recessive to the main host dwelling whilst also being well-related in terms of location. There is little prospect of it ever becoming a separate dwelling due to the constrained site width, and in any event that would require planning permission in its own right (and it is not what has been applied for here). The log cabin would not cause visual or residential amenity harm to the local character of the area, nor the few properties located near the site. The building to be removed is not considered to be of any special interest and its replacement, with the siting of a log cabin, is deemed to be acceptable and compliant with local planning policies SCLP5.13, SCLP5.16, SCLP11.1 and SCLP11.2.
- 8.12 A planning condition is recommended to limit occupancy so that this will not result in the creation of a new dwelling.

9. Conclusion

- 9.1 The proposed siting of a caravan is potentially work that does not require planning permission but, in any event, having assessed the proposal against the Local Plan, it is found to be acceptable and recommended for approval.

10. Recommendation

- 10.1 Approve with conditions as listed in section 11 of this report.

11. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan, Proposed Elevations, Floor, and Block Plan received 10/5/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. The hereby permitted annexe shall not be occupied or let as a separate dwelling but shall be used only for purposes incidental to the use of the dwellinghouse to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right.

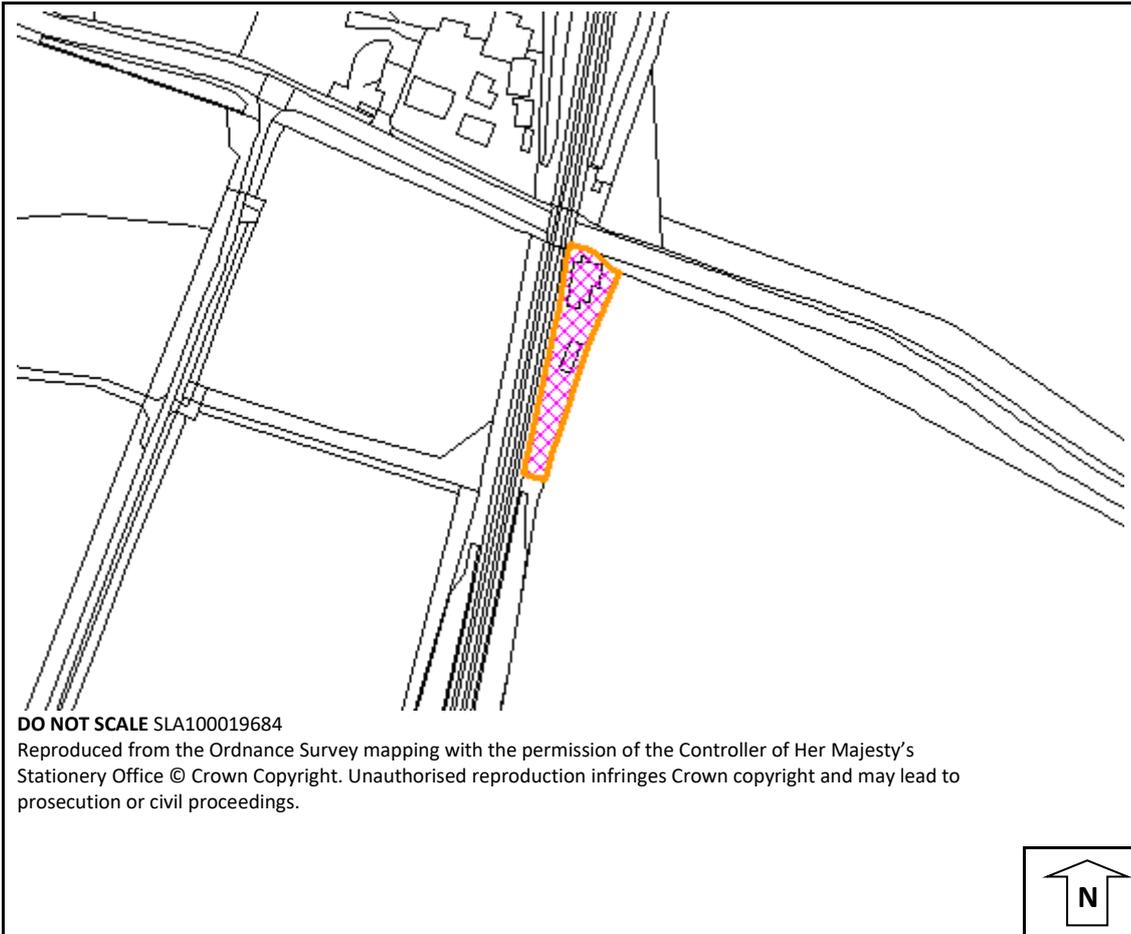
12. Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

Background Papers

See application reference DC/21/2278/FUL on [Public Access](#)

Map



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