



GARDEN ANNEXES

FASTUPTM

FACTORY ASSEMBLED
STANDARD TWIN UNIT PROTOCOL

BS 3632 Twin Unit Caravan
Referred to as
Hybrid Garden Annexe

FASTUP (Factory Assembled Standardised Twin Unit Protocol) Twin Unit Final Assembly Methodology

FASTUP is the factory-based twin-unit assembly methodology developed by GX Caravans. Under this protocol, a definitive set of precision-machined and coded BS3632-compliant components are pre-assembled in two halves at the GX factory. These completed sections are then transported to site, where they are bolted together using clamp fixings applied at identified access points in the base rails, walls, and roof.

Once joined, the hybrid garden annexe functions as a single, fully moveable unit that complies with the statutory definition of a twin-unit caravan under Section 13 of the Caravan Sites Act 1968 (as amended). The outcome is identical in planning terms to a caravan assembled on-site: a structure designed for human habitation, within prescribed size limits, and capable of being moved as a whole by road.

As confirmed in case law such as *Measor v SOS (1998)*, a caravan (including a twin-unit constructed by FASTUP) is treated as a use of land, not operational development. The method of assembly—whether on site or in the factory—has no bearing on its lawful status as a caravan. Importantly, the FASTUP protocol simply provides a factory-based alternative to the RADOS on-site methodology, with both producing the same lawful outcome: a compliant, fully habitable, movable hybrid garden annexe.

A caravan (or hybrid garden annexe) is considered as a 'structure.' It is settled in law that the stationing of a caravan on land, even for extended durations, constitutes a use of the land rather than operational development. This fundamental principle is embedded in the legislative framework, endorsed by case law, and consistently applied by the Planning Inspectorate. In **Measor v SOS (1998)**, the High Court held that generally a structure that met the definition of 'caravan' for the purposes of the 1960 and 1968 Acts above would not generally be considered a 'building' for the purposes of the 1990 Act above because of the lack of permanence and attachment.

This perspective arises from the recognition of a caravan as an item of movable personal property, commonly referred to as a 'chattel.' Importantly, there is no public law precluding the placement of a hybrid garden annexe in an individual's garden. As such, the legal standpoint maintains that the act of stationing a caravan on land is a use of the land within the property, and not operational development.

FASTUP Final Assembly Methodology

The hybrid garden annexe may be supplied in two parts and bolted together on site. The following access points and methodology apply. Images shown X-Ray by way of explanation.

1. Assembly is completed via the F3/4 -B3/4 access points (**see figure 1**) on the completed sections. X-ray style images to demonstrate fixing points
2. Clamp fixings by way of M16 T nuts applied at Alpha via Access points (**see figure 2**) on jointing section in floor
3. Clamp fixings by way of M16 T nuts applied at Alpha via Access points (**see figure 3**) on jointing section in walls F & B
4. Clamp fixings by way of M16 T nuts applied at Alpha via Access points (**see figure 4**) on jointing section in roof

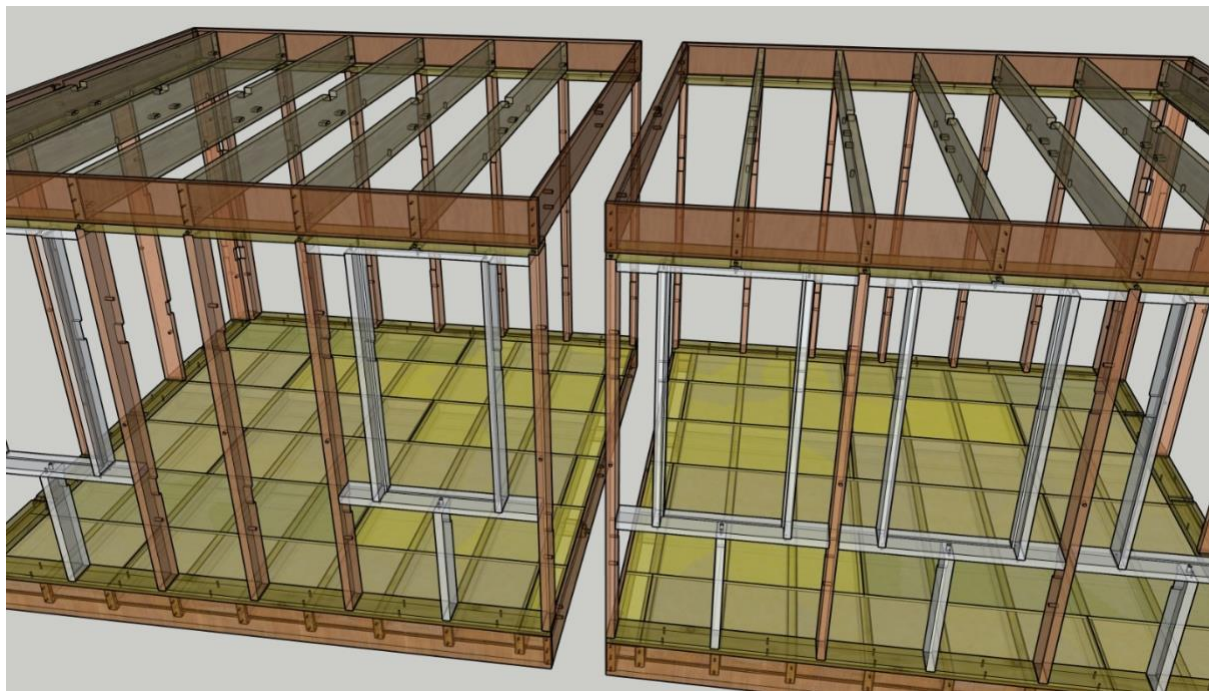


Figure 1 Hybrid Garden Annexe Assembly point F3/4 to B3/4 as twin unit

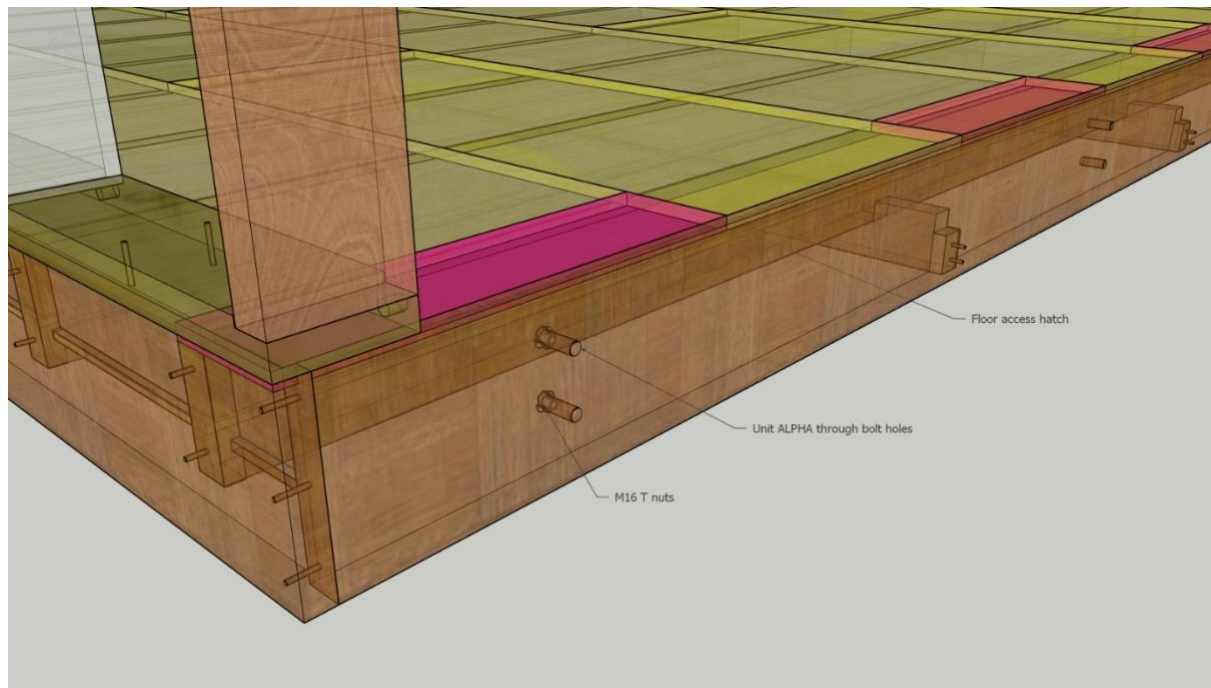


Figure 2 Base rail fixing points for Hybrid garden annexe Twin unit caravan to BS 3238 including ALPHA location via floor access hatch M16 T nuts

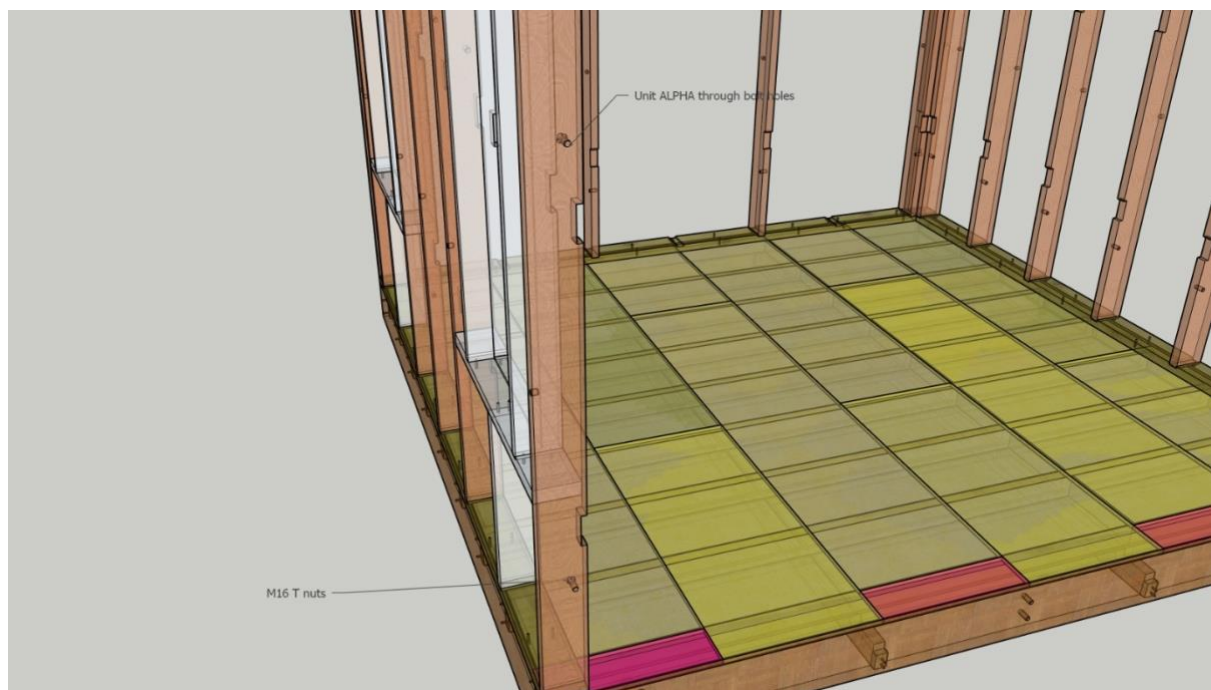


Figure 3 X-Ray image of finished section showing fixing points for M16 T nuts for twin unit caravan assembly. Note ALPHA access points.

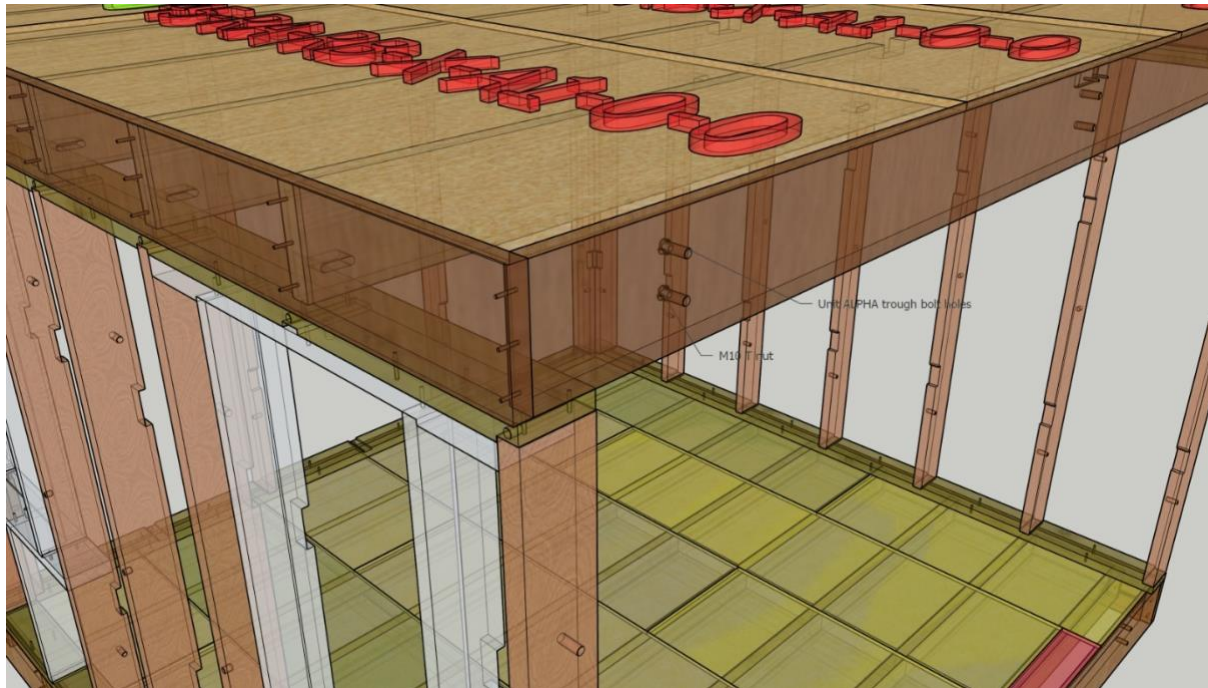


Figure 4 Roof section joining locators access points and Alpha clamping and fixing points with M16 T

FASTUP Hybrid Garden Annexe – Planning Statement in Support of Lawful Development Certificate

The FASTUP methodology provides a factory-based twin-unit assembly process in which two pre-finished sections are transported to site and joined using standardised fixing points across the base rails, walls and roof. Once bolted together, the hybrid garden annexe functions as a single, fully compliant unit. This method directly aligns with the statutory definition of a twin-unit caravan under Section 13 of the Caravan Sites Act 1968 (as amended), which allows for a structure to be separately constructed in two sections and designed to be assembled on site by means of bolts, clamps, or other devices.

The ability to transport, assemble, and subsequently move the completed structure ensures that it satisfies the key legal tests of size, mobility and habitation. As confirmed in *Measor v SOS (1998)* and subsequent appeal decisions, a caravan assembled in this way is regarded as a chattel and its stationing on land is treated as a use of that land, not as operational development. The fact that FASTUP relies on factory-built halves does not alter this legal position: the outcome remains a caravan in law rather than a building under the 1990 Act.

Accordingly, the FASTUP methodology demonstrates that the proposed hybrid garden annexe falls squarely within the scope of the caravan definition and therefore does not constitute development requiring planning permission. Having explained the assembly process and its compliance with the statutory framework, the following section now focuses on the planning considerations, legal context and supporting case law relevant to this application.

The definition of a twin-unit caravan is specified in Section 13 of the Caravan Sites Act 1968, as amended in October 2006 (CSA). According to the CSA, for a structure to be considered a caravan or mobile home, it must satisfy three key tests, as outlined below: 1. Size 2. Mobility 3. Construction

Size

Section 13 of The Caravan Sites Act 1968 (amended 2006) outlines the maximum legal dimensions for a caravan. Our assessment has compared these specified maximum dimensions with those of the proposed mobile home.

	Maximum CSA Requirement	Proposed Size
<u>Length</u>	20.0m	5.94m
<u>Width</u>	6.80m	4.29m
<u>Internal Height</u> (measured from the finished floor level to the highest point of the ceiling)	3.05m	2.7m

The submitted drawings are accurately scaled and confirm adherence to the specified measurements outlined in Section 13 of The Caravan Sites Act 1968 (amended 2006). It is crucial to note that the height measurement is internal, from the floor to the highest point of the ceiling. It is clear the proposal does not exceed the prescribed measurements, satisfying the requirements of the size test.

Mobility

Section 13(1)(a) of the Caravan Sites Act 1968 stipulates that a caravan is a structure 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).’

In this context, ‘capable’ denotes the inherent ability to do something, but not necessarily doing it. The Act does not necessitate a physical demonstration but instead requires a showing, on the balance of probabilities, that the caravan is ‘capable of being moved.’ Therefore, it is evident that this is a hypothetical test of mobility.

Specific structural calculations, **as attached**, affirm that the load can be evenly dispersed, ensuring the caravan can be lifted without incurring structural damage. For clarity, this mobile home corresponds to a Wheatley model.

The hybrid garden annexe will be placed on to either Concrete plinth foundation (max 5 sqm) or Concrete lightweight lattice, low impact ground screws or small plinth blocks. The structure will not be fixed down, resting solely under its own weight. Services are provided separately and maybe rapidly decoupled. Consequently, **the caravan can be lifted by crane and placed onto a flatbed lorry.**

The proposed caravan is not affixed to the ground through permanent works, and any connections to services are easily reversible. Legal precedent has established that such connections are deemed de-minimis by the courts.

Appeal Ref APP/J2210/X/22/3298471 (Attached) dealt with this very point. In paragraph 8, the Inspector confirms:

‘It is proposed to assemble the structure on site using pre-manufactured components; it was estimated that such works would take around five days to complete. The definition of a caravan

contains no requirement for pre-assembly or for it being brought to site intact. Moreover, the number of components involved in assembling the structure has only a limited bearing on whether it is capable of being moved subsequently. The requirements set out in s13(1)(a) of the 1968 Act to be no more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other device apply in respect of twin-unit caravans. However, the above requirements do not extend to single unit caravans. It is more appropriate to regard the structure as a single unit, as it would be much smaller than a twin-unit caravan.'

Considering the caravan can be lifted as a whole unit, which satisfies the mobility test, it is evident that the proposed structure meets the criteria outlined in Section 13(1)(a) of the CSA 1968.

Appeal Ref: APP/N1025/C/01/1074589

'To fall within this definition the structure must be capable of being moved by road from one place to another in its assembled state. It may be moved by trailer, but it is not excluded from the definition merely because it would be unlawful to move it in such a manner on a highway. The fact that the private drive to [the appeal property] is too narrow to allow the passage of the Park Home in its assembled state along it is not the point. It seems to me that it is the structure that must possess the necessary qualities, not the means of access... It is not necessary for it (a caravan) to be towed, only that it is capable of being moved my road.'

As per the Brightlingsea judgement, '...it is irrelevant to the test where the structure actually is, and whether it may have difficulty in reaching a road.' (Brightlingsea Haven Ltd v. Morris [2008] EWHC 1928 (QB))

Appeal Ref: APP/L5810/X/15/3140569 (Attached)

Planning Inspector Andrew Dales states in the above appeal that:

'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 if the mobile home needs to be moved. The mobile home would not acquire the degree of permanence and attachment required of building. The mobility test would be met.'

Appeal Ref: APP/J1915/X/11/2159970 (Attached)

The assessment by Planning Inspector Martin Joyce within the referenced appeal highlights key considerations related to the mobility of the mobile home:

1. Test of Capability: The primary test is whether the unit, when fully assembled, is capable of being towed or transported by a single vehicle. This highlights the focus on the inherent structural qualities that enable the caravan to be theoretically moved.
2. Irrelevance of Intention: The lack of intention to move the unit around the site is deemed irrelevant to the main issue. This observation recognises that the term "static" in the context of caravans on lawful caravan sites does not negate their classification as caravans. The essential criterion remains the structural capability for theoretical mobility.
3. Immaterial Practicalities: Practical considerations, such as a narrow driveway or awkward craning points, are considered immaterial. The critical factor is whether the mobile home possesses the necessary structural qualities for theoretical mobility, irrespective of the sitespecific challenges that

may impede actual movement. These points reinforce the legal perspective that the focus of the mobility test is on the inherent structural qualities of the mobile home, emphasising the theoretical capability for its movement.

Appeal Ref: APP/B0230/X/22/3295944 (Attached)

'It is reasonably safe to assume that the unit [mobile home] might remain in situ for some years, having regard to its intended use. Even so, I do not regard this as being a significant factor in relation to the test of permanence. A caravan can often stay in one position for an indeterminate period, without adversely affecting its ability to be moved. For example, a static caravan at a residential or holiday park will often remain in the same position for several years without being moved. Such a caravan would also generally remain connected to services. In no sense could a residential or holiday park caravan be described as a building simply because it had not been moved periodically.'

Appeal Ref APP/J2210/X/22/3298471 (Attached)

The observation that the structure would lack wheels or a drawbar in the conventional sense of a caravan does not automatically render it immobile. The concept of 'mobility' in this context transcends the traditional notion of a caravan being mobile on its own wheels and axles. It is clarified that mobility, for the purposes of legal assessment, extends beyond the specific means of movement commonly associated with caravans.

The absence of wheels or a drawbar does not preclude the structure from being considered mobile. The determination of mobility is broader, encompassing the potential for the structure to be moved, whether by alternative means such as lifting onto a trailer using a hoist attached to a crane or utilizing a removable wheeled skid. This nuanced interpretation aligns with the legal understanding that mobility is not confined to a specific mode of transportation but is contingent on the structure's inherent capability to be moved in its assembled state.

Construction

The provisions of Section 13(1)(a) of the Caravan Sites Act 1968 pertaining to twin-unit caravans state that the structure should be: '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.'

In alignment with these specifications, the proposed mobile home will adhere to this definition. It will be assembled on-site, with two distinguishable sections, and the final act of assembly will involve the bolting of these two parts together. The attached structural calculations, illustrates the two sections that will be separately constructed on the application site and subsequently joined together on the same site as the 'final act of assembly.' The construction methodology is provided in the attached Structural Calculations document.

Importantly, there is no stipulation in this legislation that the creation of the two parts must occur away from the application site or independently from each other. This key criterion is met by the fact that the two sections will be separately constructed and then joined together through bolting as the conclusive step in the assembly process. In adherence to the specified construction methodology and the outlined process, the construction test, as defined by Section 13(1)(a), is successfully fulfilled.

Appeal Ref: APP/N1025/C/01/1074589 Attached

The key observations include:

1. There is no requirement for the 2 sections to be each identifiable as caravans, or capable of habitation, before they are joined together.
2. 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.
3. It is only necessary the act of joining the 2 sections together should be the final act of assembly.

The leading case, *Byrne v Secretary of State for the Environment and Arun District Council* [1997] EWHC Admin 1990, clarifies that the term "separately constructed" implies an essential part of the construction process. The structure should consist of two sections separately constructed, and the pivotal aspect is that these sections are then designed to be assembled on-site through bolts, clamps, or other devices. This legal precedent underscores the importance of the construction process in bringing a structure within the statutory definition of a caravan.

Appeal Ref: APP/B5480/C/17/3174314 Attached

The Inspector's conclusions within this appeal align with the legal interpretations derived from cases such as *Byrne* and the *Erewash* decision.

The key points highlighted by the Inspector include:

- 1. On-Site Construction:** The Inspector rightly notes that there is no requirement for the process of creating the two separate sections to take place away from the land. This interpretation is consistent with the legal understanding derived from precedents like *Byrne* and the *Erewash* decision.
- 2. Adjacent Construction and Bolting Together:** The Inspector emphasises that the two halves were constructed on-site adjacent to each other. Importantly, he notes that the final act of assembly involved securely connecting the two sections using a series of bolts along the lines of the walls and floor. This underpins the statutory requirement that the act of joining the sections should be the final act of assembly.

These conclusions reinforce the notion that compliance with Section 13(1)(a) does not necessitate the construction process to occur away from the site. The critical aspect is that the structure is composed of two sections, separately constructed, and designed to be assembled on-site through a final act of joining, in this case, secured by bolts.

Appeal Ref: APP/U1240/C/18/3204771 Attached

The Inspector stated that:

‘I was shown photographs of the whole unit under construction, apparently as one unit, and also as two. It is also clear there was a final act of joining together. It was explained that as the two halves are built up from the various elements of the kit, they are placed side by side in order to ensure they various components would eventually fit together. The two halves were moved apart and back together as required during construction. This seemed to me to be a reasonable explanation of the construction process.’

Operational Development Conclusion

The points above conclude that the proposal meets the definition of a caravan, as outlined in Section 13 of the Caravan Sites Act 1968. Here's a refined summary for clarity:

1. Size Test: The proposal not only meets the size test but is significantly smaller than the maximum dimensions allowed by the Caravan Sites Act 1968, demonstrating compliance with this criterion.

2. Mobility Test: Clear evidence has been presented to affirm the mobility of the caravan, substantiating that it can be lifted and moved from the site. Legal precedent, as indicated by case law, supports the argument that temporary attachment to services does not constitute permanence, thus satisfying the mobility test.

3. Construction Test: The caravan will be assembled on-site into two distinct sections, and these sections will be joined together as the final act of assembly. This methodology has been accepted in both appeal and High Court cases, attesting to its compliance with the construction test.

Considering the above, the proposal meets all three tests outlined in Section 13 of the Caravan Sites Act 1968 and its amendment in October 2006. Consequently, the proposal should be considered a caravan, and, as such, does not constitute operational development.

I hope this provides clarity regarding the construction and mobility, I also refer to the following appeal decision which states:

In Byrne, the court held that “if the process of construction was not by the creation of two separately constructed sections then joined together...” it was not a caravan. It is thus clear that the two sections have to be constructed separately before being joined together. In Brightlingsea a lodge that comprised of two parts brought to the site and then joined together was a caravan. Each half sat on a metal chassis with wheels and a towing device. Finally an appeal decision in Borrowash accepted that construction of the two halves did not have to take place off site. In the current appeal the kit was assembled on site, and it is agreed this does not prevent it from being a caravan.