

# GX Modular

Caravan Hybrid Garden Annexes

SUPPORTING INFORMATION AND STATEMENT:

## Installation of a Mobile Home

### The Purpose of this Document

This document provides relevant information in support of the application for a Certificate of Lawfulness under section 192 of the Town & Country Planning Act 1990 to site a mobile home (*hybrid garden annexe*) within the curtilage of a dwelling.

### Summary

To assist Local Authority Planning Departments to swiftly grant a **Certificate of Lawful Development**, this document demonstrates:

1. the absence of **Operational Development** by clarifying the nature of a *hybrid garden annexe* in relation to a caravan
2. the absence of **Material Change of Use** by clarifying the circumstances of the applicant and the incidental use of the *hybrid garden annexe*

### Introduction

Given the recent advances in the manufacture of some mobile homes, particularly by GX Modular, as *hybrid garden annexes*, this document provides full details specifically to confirm the nature of the structure to demonstrate there is no operational development.

Similarly, in association with the details in Section G Appendix 2, this document demonstrates no Material Change of Use through the clarification of the use and function of the *hybrid garden annexe* by the applicant

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3. Intended use of the mobile home

4. Statement from Applicant

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# SECTION A

## Definition of a Caravan/Mobile Home

A caravan may be so defined by Section 13 of the Caravan Act 1968 (amended 2006) which prescribes that a caravan/mobile home is defined by satisfying the following three criteria:

- a. Size
- b. Mobility
- c. Construction

### a. Size:

The Act states that the maximum dimensions of the caravan may be:

Length: 20.0m

Width: 6.8m

Internal Height: 3.05m (internal height of living accommodation from floor to highest point of the ceiling).

### b. Movability

The Act prescribes 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”.

### c. Construction

The Act has no requirement at all that the caravan should be assembled away from the site and moved to the site in one piece. (It merely states that if in the case of twin unit caravans the final act of assembly is the bolting together of both halves).

A caravan, so defined, must be fully transportable only once fully assembled. No definition or requirement is made to the transportability prior to completion.

## SECTION B

### Definition and Detail of *Hybrid Garden Annexes* design, manufacture and installation

***A Hybrid Garden Annexe provides comfortable ancillary living accommodation for family members.***

**Factory made in the UK, the annexe may be craned into location or rapidly assembled on-site from pre-manufactured components and is a fully moveable structure - being transportable in one piece.**

***A Hybrid Garden Annexe complies with all aspects of the Factory made in the UK, the annexe may be craned into location or rapidly assembled on-site from pre-***

All *hybrid garden annexes* manufactured by GX Modular comply with Section 13 of Caravan Act 1968 (amended in 2006). These annexes are designed and manufactured in the UK under the following brand names

- Garden Annexes
- Ivyo
- St George Annexes
- Ivyo
- XB
- Annexa

All *hybrid garden annexes* (supplied by GX Modular) are “single unit” and may be delivered to site in one piece by crane or may also be rapidly assembled on site from pre-manufactured components. The process of assembly on site (normally in just a few days) is identical to that completed within the GX factory. No matter the delivery method, the annexe becomes a fully moveable structure (in one piece) once assembled.

- a. Size
- b. Mobility

c. Construction

a. **Size:**

All *hybrid garden annexes* by GX Modular have the maximum dimensions:

Length: 11.44 m

Width: 5.4m

Internal Height: 2.25m (or rising to 3.03m in some applications) internal height of living accommodation from floor to highest point of the ceiling

Please review the attached Section G Appendix 2 for the specific details of this application

b. **Movability**

All *hybrid garden annexes* by GX Modular are:

“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”.

The hybrid garden annexe will be placed on to either

- Concrete plinth foundation
- Concrete lattice (max 7 sqm)
- Lightweight lattice

The structure will not be fixed down, resting solely under its own weight.

Services are provided separately and maybe rapidly decoupled

Please review Section F Appendix 1 for more details on crantage points

Please view a *hybrid garden annexe* being moved by crane:

<https://www.youtube.com/watch?v=o8OWC0FCyOw&t=83s>

Please review the attached Section G Appendix 2 for the specific details of this application

c. **Construction**

A *hybrid garden annexe* by GX Modular is factory-built and then either factory-assembled (and installed by crane) - or is rapidly assembled on site (in just a few days) from the same pre-manufactured components in the same way as assembly is completed in the factory

The chassis of the *hybrid garden annexe* is constructed from pre-machined and indexed CLT (maximum length 5.4m) components and assembled from man-portable pre-finished and cabled panels.

Walls are 222mm thick including 150mm premanufactured studwork and pre-cut 100mm slab insulation.

The Floor is constructed from premanufactured 220mm CLT with 150mm joists and pre-cut 100mm insulation

All roof and ceiling components are also CNC-cut prior to assembly.

When assembly on-site is necessary, all the components are delivered directly to site and no material cutting is necessary.

Once assembled the *hybrid garden annexe* is fully movable in one-piece and may be removed by crane in a few hours (or may also be readily disassembled and rapidly moved).

**Conclusion:**

Whilst a *hybrid garden annexe* may have the ability to be rapidly assembled on site, it still complies with all three criteria (see Section A) so that it may be considered a caravan.

## SECTION C

### Matters regarding Operational Development

In Section A and in Section B we demonstrate that a *hybrid garden annexe* may be considered a caravan under the three tests in section 13 of the Caravan Site Act 1968 (amended 2006)

Therefore, as such the siting of a *hybrid garden annexe* or caravan does not constitute operational development.

## SECTION D

### Matters regarding Material Change of Use

In Section G, Appendix 2 Part 3 we demonstrate that the use of the hybrid garden annexe is ancillary to the C3 residential use

This information:

- outlines the relationship between the occupants of the main dwelling and the *hybrid garden annexe*
- demonstrates the size of the dwelling and garden in relation to the footprint *hybrid garden annexe*
- compares the interior accommodation size of the *hybrid garden annexe* in relation to the main dwelling
- clarifies the secondary, subordinate nature of the operation of the *hybrid garden annexe*

It is agreed that the certificate can only be granted on the basis of the stated use but should not be declined on the supposition of possible alternative future outcomes.

As such the siting of a *hybrid garden annexe* or caravan does not constitute Material Change of Use.

#### **Overall Conclusion:**

The proposal is valid, given the existing case law, the above circumstances which demonstrate there is no Material Change of Use and the nature of the *hybrid garden annexe* which demonstrates there is no operational development.

Consequently, the Certificate of Lawfulness should be granted.

# SECTION E

## FAQs & Supporting Evidence

### **How can the *Hybrid Garden Annexe* be considered independent as it includes kitchen and washing facilities?**

The inclusion of washing facilities and a kitchen in a hybrid garden annexe does not diminish the ancillary nature of the structure. The key factors are that all utilities are shared, and that (see Section G Appendix 2 Part 3) the use of the annexe is secondary to the main dwelling house. The annexe cannot function without the main dwelling.

Please refer to appeal decision APP/L5810/X/15/3140569 which concludes “accommodation can be used interchangeably” between main dwelling and annexe. Also High Court Case *Uttlesford v SoS (Environment and White)* 1991 highlights that the significant factors are not so much the facilities but indeed the lack of separate utility meters and postal address.

### **Given the that *Hybrid Garden Annexe* maybe assembled on site then isn't this operational development?**

There is no discernible difference between the operation of craning in a large structure into a domestic garden and the rapid onsite assembly by two technicians in a similar timescale. A Hybrid Garden Annexe is not a “building”, it is designed, manufactured and delivered as a movable structure

Please refer to appeal decision APP/N1025/C/01/1074589 which outlines that it is the movability of the finished, fully assembled, structure which is paramount. “A caravan may be delivered to site in many pieces”

### **Doesn't the connection to services mean that this becomes a permanent structure?**

Connection to the services does not imply non-movability as *Hybrid Garden Annexes* can be specified with a ready de-coupling station for rapid removal of the annexe – similar to that maybe specified with a mobile home.

Please also refer to appeal decision APP/L5810/X/15/3140569 which highlights that attachment to services is not the same as physical attachment to the land and refer to appeal decision APP/J1915/X/11/2159970 which is that the test is to demonstrate the movability of the unit once assembled

### **How can you convince me the *Hybrid Garden Annexe* is movable once its assembled-on-site?**



Movability has been designed into all *Hybrid Garden Annexes* by GX Modular so that installation may take place via crane or by rapid assembly on site. See proof here:  
<https://www.youtube.com/watch?v=o8OWC0FCyOw>

Please also refer to appeal decision APP/N1025/C/01/1074589 which outlines that the structure neither requires access or a trailer, simply the capability to be moved, not necessarily the access.

**Why not apply this through permitted development rights?**

To ensure suitable interior headroom for permanent use the minimum exterior height is 2.69m

Similarly, the locating of a *hybrid garden annexe*, caravan or mobile home for the purposes ancillary to the main dwelling does not constitute operational development and should not be considered under class E part 1 of schedule 2 of the GPDO which concerns operational development for such things as the building of a garage.

**Are there any similar precedents to which to refer?**

Please refer to APP/B5480/C/17/3174314 which provides suitable similar precedent.

# SECTION F

## Appendix 1

### 1 Movability Statement (5 pages)

**This appendix outlines the nature of the GX range of hybrid annexes, and clarifies the compliance of the structures with the Caravan Act 1968 Section 13**

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The GX range of hybrid annexes includes all compliant structures under the following nomenclature:

**Names:**

St George, XB, Ivyo, Annexxa

**Sizes:**

So named: 430, 435, 440, 445, 530, 535, 540, 545, 630, 635, 640, 645, 730, 735, 740,745

**Dimensions:**

All GX annexes are within the maximum dimensions of the defined caravan being **no more** than:

6.8m deep

20.0m long

3.05m internal height

**Construction**

All GX annexes are manufactured from cross laminated timber, with a 225mm *structural base rail frame* on which the entire structure is based.

Specifically designed and manufactured in the UK as moveable structure, the GX range of hybrid annexes utilises the *structural base rail frame* to accommodate a modular assembly for full and ready transportability.

**Movability**

All GX Annexes are manufactured for movability and each structure includes the following elements to facilitate the function

- Indexed hoist/lift points
- Pneumatic lift mat points
- Removable wheeled transport rig

GX structures may be readily moved by lifting, firstly by utilising *pneumatic lift mats* (on specific points and locations as marked on the structure) and then simply moved by hoist, crane/hiab and onto a suitable trailer. The attached illustration demonstrates the structural elements of the *structural base rail frame*, the *pneumatic lift mat* points and the associated hoist points.

Each GX annexe can also be moved by reattaching the *removable wheeled transport rig*, see illustration, and transporting the structure accordingly.

### **Movement Alternatives for the 430 size**

#### **Option A: Move 430 by hoist**

Pic 1: A typical 430 with *pneumatic lift mat points* so marked

Pic 2: A typical 430 with *hoist points* so marked

Pic 3: Indexed lifting points in detail

Pic 4: *Removable transport beam* for 430

Pic 5: 430 with a pair of *removable transport beam* in place

#### **Option B: Move 430 by wheeled skid**

Pic 6: 430 with alternative move method – Removable wheeled skid

### **Movement Alternatives for the 745 size**

#### **Option A: Move 745 by hoist**

Pic 7: A typical 745 with pneumatic lift mat points so marked

Pic 8: A typical 745 with hoist points so marked, with removable transport beams in place

Pic 9: Indexed lifting points in detail

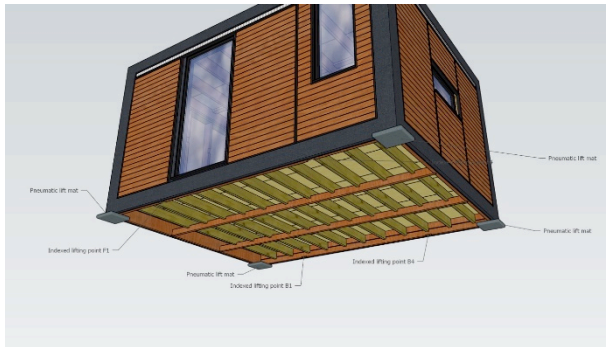
#### **Option B: Move 745 by Wheeled skid**

Pic 10: 745 with alternative method – Removable wheeled skid

## **Illustrations: Movement Alternatives for the 430 size**

### **Option A: Move 430 by hoist**

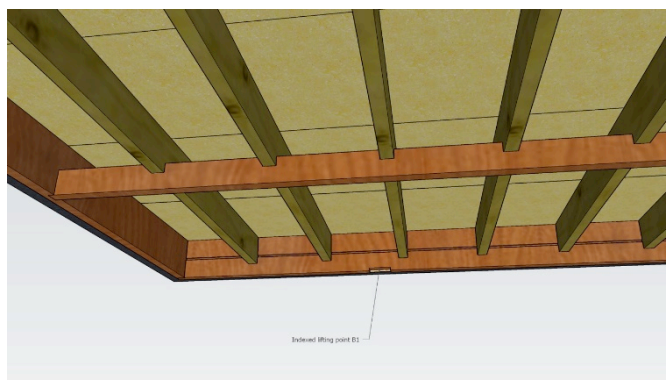
**Pic 1: A typical 430 with *pneumatic lift mat points* so marked**



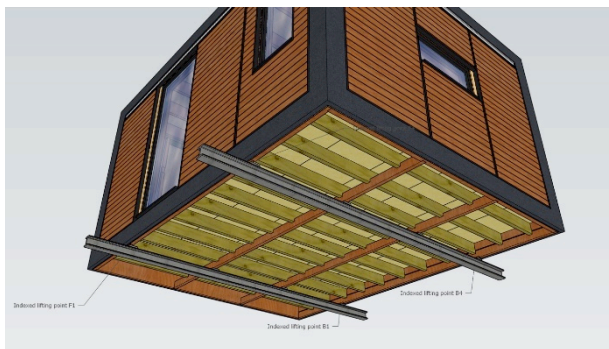
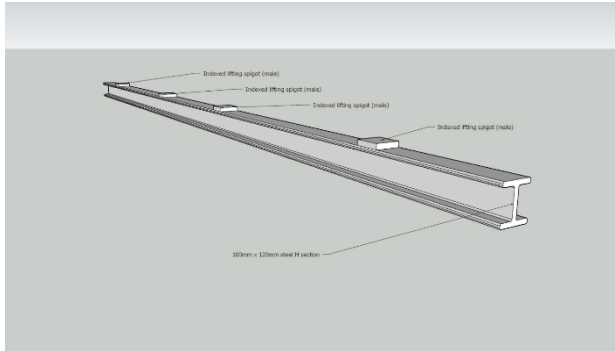
**Pic 2: A typical 430 with hoist points so marked**



**Pic 3: Indexed lifting points in detail**



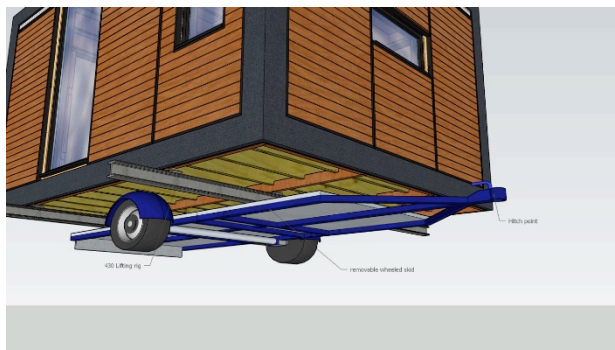
**Pic 4: Removal transport beam for 430**



**Pic 5: 430 with a pair of *removable transport beams* in place**

**Option B: Move 430 by wheeled skid**

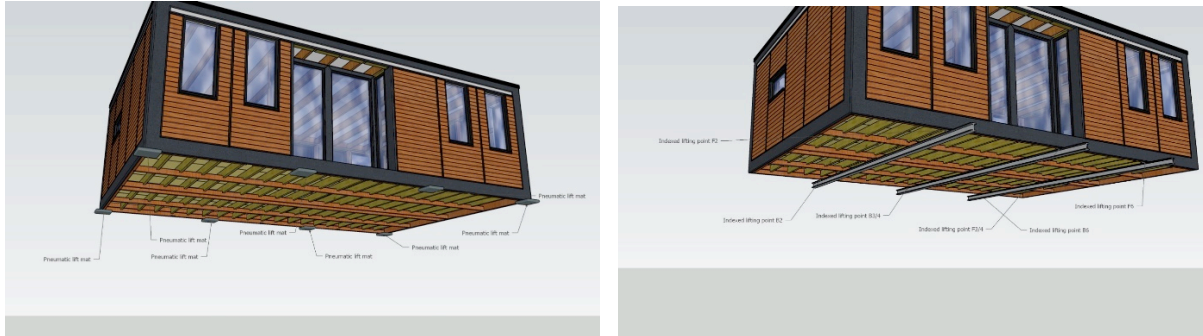
**Pic 6: 430 with alternative method – Removable wheeled skid**



## Movement Alternatives for the 745 size

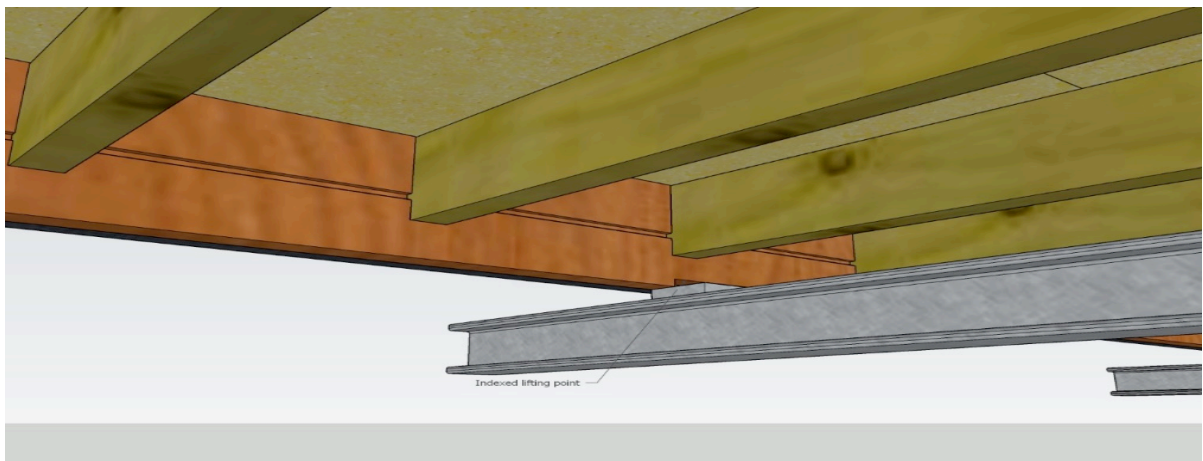
### Option A: Move 745 by hoist

Pic 7: A typical 745 with pneumatic lift mat points so marked



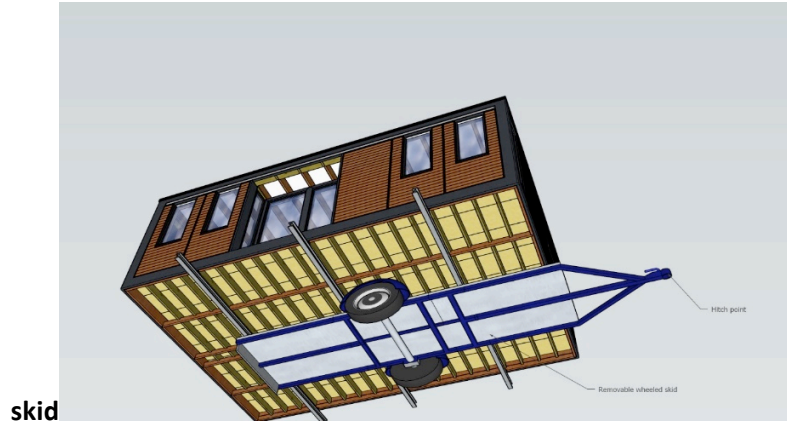
Pic 8: A typical 745 with hoist points so marked, with removable transport beams in place

Pic 9: Indexed lifting points in detail



### Option B: Move 745 by Removable Wheeled Skid

Pic 10: 745 with alternative method – Removable wheeled



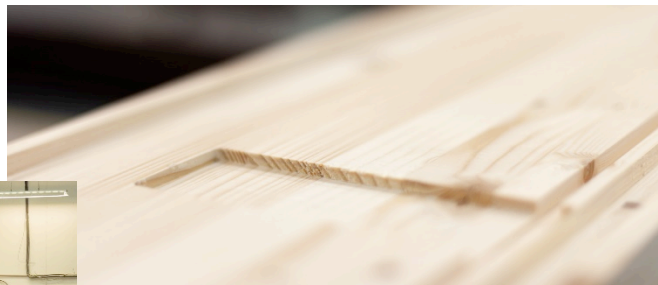
## SECTION F

### Appendix 1 continued

#### 2. Manufacture



Manufacture is undertaken in the GX factory near Bury St Edmunds, where each individual component is CNC machined to tolerances 0.1mm.



Using 150mm CLT (glulam) for core frame with 100mm slab insulation and 15mm panel work each component is machined for rapid indexed assembly.

#### 3. Assembly Options

Assembly of the *hybrid garden annexe* can be undertaken within the factory or on-site in similar timescales





#### 4. Crane Options (including video evidence)

The *hybrid garden annexe* can be craned into location in one piece, or components maybe craned onto site for instant assembly <https://www.youtube.com/watch?v=o8OWC0FCyOw>



#### 5. Precedents

- ✓ Appeal decision APP/L5810/X/15/3140569 which concludes “accommodation can be used interchangeably” between main dwelling and annexe.
- ✓ High Court Case Uttlesford v SoS (Environment and White) 1991 highlights that the significant factors are not so much the facilities but indeed the lack of separate utility meters and postal address.
- ✓ Appeal decision APP/N1025/C/01/1074589 which outlines that it is the movability of the finished, fully assembled, structure which is paramount. “A caravan may be delivered to site in many pieces”
- ✓ Appeal decision APP/L5810/X/15/3140569 also highlights that attachment to services is not the same as physical attachment to the land
- ✓ Appeal decision APP/J1915/X/11/2159970 states that the test is to demonstrate the movability of the unit once it is assembled
- ✓ Appeal decision APP/N1025/C/01/1074589 which outlines that the structure neither requires access or a trailer, simply the capability to be moved, not necessarily the access.
- ✓ Appeal decision APP/B5480/C/17/3174314 which provides suitable similar overall precedent



## SECTION G:

### Appendix 2 (Client Specific Details - to be redacted as necessary)

1. Applicant Details
2. Specific product information and dimensions
3. Intended use and justification of the *hybrid garden annexe*
4. Confirmation of Dependency
5. Statement from Applicant

1. Applicant Name and Address:

**Natasha Knight, 1 Kingsmead, Cuffley, EN6 4AN**

2. Specific Product to be sited above: **XB 745 Size 8144 \* 5394mm 2700 High**
3. **XB 745**

3. Intended Use and Justification :

- 3.1 Relationship between the occupants of the hybrid garden annexe and the main dwelling  
**Carer ( Hybrid garden Annexe)**
- 3.2 The size of the XB 745 footprint in relation to the garden  
*Footprint 8144 \*5394 mm = 11%.*
- 3.3 Comparison of the *hybrid garden annexe* interior size in relation to the main dwelling  
*=25%*
- 3.4 Day to day use by the occupants of, and function of, the *hybrid garden annexe* mutually shared premises garden and facilities.

4. Confirmation of Dependency

We confirm that the hybrid garden annexe shares the address and the access with the main dwelling and utilises the same post box, parking, garden area and shares the same utility meters.

The *hybrid garden annexe* is consequently wholly dependent upon the main dwelling and neither annexe nor the occupants can function without the main dwelling.

5. Statement from Applicant

"I seek to provide additional, ancillary living space, for a live in carer for my family's declining health and for the purposes of our eldercare".