



Mobile/Transportable Log Cabins

Delivered to Site in more than Two Sections – An Overview.

The Bespoke Log Cabin Company has sited mobile log cabins throughout the United Kingdom. The legal definition regarding the sitting of a mobile home that is delivered to site in more than two sections is confusing. This document and its associated documents will clarify the matter in a clear and straightforward way.

The Caravan Sites Act of 1968

The Legal Definition of a Mobile Home and therefore a Transportable/Mobile Log Cabin was first defined in the Caravan Sites Act of 1968.

(1)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 or other devices; and

(b)is, when assembled, 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),

shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the M1Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a [F1highway][F1road] when assembled.

(2)For the purposes of Part I of the Caravan Sites and Control of Development Act 1960, the expression “caravan” shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely—

(a)length (exclusive of any drawbar): 60 feet (18.288 metres);

(b)width: 20 feet (6.096 metres);

(c)overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10 feet (3.048 metres).

There followed an Amendment of the definition of caravan in article 3 of the Social Landlords (Permissible Additional Purposes) (England) Order 2006. This basically increased the size of a mobile home and clearly stated this measurement should be taken from the external wall and not from the roof line. See Appendix 1. The Key points are listed below:

3. Paragraph 3 of article 3 of the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (meaning of caravan) shall be amended
(a) in paragraph (a) by the substitution for "18.288 metres (60 feet) of "20 metres";
(b) in paragraph (b) by the substitution for "6.096 metres (20 feet)" of "6.8 metres"; and
(c) in paragraph (c) by the substitution for "3.048 metres (10 feet)" of "3.05 metres".
Signed by authority of the Secretary of State Angela Smith
Parliamentary Under Secretary of State Department for Communities and Local Government
4th September 2006
[1] 1968 c.52. The functions of the Secretary of State so far as exercisable in relation to Wales are transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672.

Therefore the law states that a mobile home can be 20m x 6.8m external and an internal ceiling height of 3.48m. The acts did not clearly clarify if a mobile home can be constructed on site in two halves and the final act of the construction is the adjoining of two halves. Therefore cases where brought to court and the situation clarified.

Construction of Two Halves of a Mobile Home on Site

The main cases that are used to clarify the construction on site issue are:

Appendix 2:

Appeal Decision by JG Roberts BSc(Hons) Dip TP MRTPI, Inspector appointed for the Secretary of State for Transport, Local Government and the Regions. Ref: APP/N1025/C/01/1074589.

Appendix 3:

Appeal decision by D Roger Dyer BA, DipArch, RIBA, FCI Arb, Barrister – Ref: APP/Q1153/C/08/2064995 and 6 – 7 Burnshall Cottages, Chillaton, Lifton PL16 0HX.

The key points are listed below:

Appeal Decision by JG Roberts BSc(Hons) Dip TP MRTPI, Inspector appointed for the Secretary of State for Transport, Local Government and the Regions. Ref: APP/N1025/C/01/1074589

The notice alleges the erection of a building. The appellant contends that the Park Home is not a building and has not involved operational development of land, but falls within the definition of a caravan. This is found in section 29(1) of the Caravan Sites and Control of Development Act 1960.

A caravan means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include railway rolling stock in certain circumstances or tents.

Its application to twin-unit caravans is elaborated in Section 13 of the Caravan Sites Act 1968.

Such a structure, designed or adapted for human habitation and which is (a) composed of not more than 2 sections separately constructed and designed to be assembled on a site by means of bolts, clamps, or other devices; and (b) when assembled, 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), shall not be treated as not being a caravan for the purposes of part 1 of the 1960 Act by reason only that it cannot lawfully be so moved on a highway when assembled.

However, such a unit which when assembled exceeds 18.288M in length, 6.096M in width or 3.048M in overall height of the living accommodation (measured internally from the floor at the lowest point to the ceiling at the height level) are specifically excluded from the expression “caravan” by section 13(2) of the 1968 Act. Thus there are 3 tests to be applied to the Park Home before me: a construction test, a mobility test and a size test.

Construction Test

Attention is drawn to the analysis of the meaning of the words “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” which was given in *Byrne v SSE and Arun DC, QED 1997*.

Though the Park Home was delivered by lorry in many pieces I see no requirement in section 13(1)(a) that the process of creating 2 separate sections must take place away from the site on which they are then joined together. **It is necessary only that the act of joining the 2 sections together should be the final act of assembly.**

Mobility Test

Section 13(1)(b) of the Caravan Sites Act 1968 must be satisfied also. To fall within the definition the structure must be capable of being moved by road from one place to another in its assembled state. The fact that the private drive to No 159 Victoria Avenue 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 to be capable of being towed, only that it is capable of being moved by road.

The terrace and porch canopy are bolted to the unit and could be removed quickly and easily. The decking appears to have been attached to the remains of the caravan chassis and does not form an integral part of the structure. In my opinion neither affect the transportability of the assembled Park Home. In my opinion it meets the mobility criterion of the 1968 Act.

Conclusion

It is clearly designed for and capable of use for human habitation. The addition of decking and porch canopy has not affected the integrity of the Park Home such a twin unit. It may look like a building at first site. It may be a structure in the sense of something that has been constructed, but so are all caravans. It has not become a building through permanence or its degree of physical attachment to the ground.

Therefore the decision was reached that: *It is necessary only that the act of joining the two sections together should be the final act of assembly.*” This key conclusion is further supported by Appendix 3 case:

The key points are listed below:

The manufacturer of the caravan (or mobile home) attended the hearing. His evidence was that the structure was fabricated in his factory but, after ascertaining that the access to the site was not conducive to delivery in two sections, it was taken apart and transported to the site in smaller segments. It was then re-assembled into two section which were bolted together in the conventional way envisaged by section 13. That would meet the provision in section 13 for the final two sections to be assembled on site. From the information provided to the tribunal, including drawings , and from my inspection of the unit it is clear that this is a standard twin-unit caravan. It happened not to have been delivered in two sections merely because of the site access. Accordingly it meets the provisions of section 13 (1) (a).

This decision combined with the JG Roberts decision illustrates that twin units can be erected on site as long as the units are erected in the correct manner. Bespoke Log Cabin Company have sited many mobile log cabins in this manner throughout the U.K