



Reference Number: 12/01494

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT, 1960 – SECTION 3

CARAVAN SITE LICENCE

To: Mr Mark Kempster

WHEREAS on the 12 July 2012 you made an application for a site licence in respect of land situate at BAY FARM, GRANGE ROAD, NETLEY ABBEY, SOUTHAMPTON, SO31 8GD

(hereinafter called "the said land")

AND WHEREAS you are entitled to the benefit of permission (Planning Refs: Z/35996/001 & F/10/66559) for the use of the said land as a caravan site granted under Part III of the Town and Country Planning Act 1990, otherwise than by a development order.

NOW THEREFORE the Eastleigh Borough Council

HEREBY GRANT a site licence in respect of the said land pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to the attached conditions

**THIS LICENCE IS IN EFFECT FROM:
13/09/2012**

Signed
Head of Housing and Environmental Health

Date Issued: 13/09/2012

Please refer to the attached notes and conditions that apply to this licence.

NOTES TO CARAVAN SITE LICENCE

Part 1 of The Caravan Sites and Control of Development Act 1960, provides, *inter alia*, as follows:-

Section 1

(4) In this Part of this Act the expression "caravan site" means land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed.

Section 5

(3) A site licence issued in respect of any land shall, unless it is issued subject to a condition restricting to three or less the total number of caravans which may be stationed on the land at any one time, contain an express condition that, at all times when caravans are stationed on the land for the purposes of human habitation, a copy of the licence as for the time being in force shall be displayed on the land in some conspicuous place.

(4) A condition attached to a site licence may, if it requires the carrying out of any works on the land in respect of which the licence is issued, prohibit or restrict the bringing of caravans on to the land for the purposes of human habitation until such time as the local authority have certified in writing that the works have been completed to their satisfaction; and where the land to which the site licence relates is at the time in use as a caravan site, the condition may, whether or not it contains any such prohibition or restriction as aforesaid, require the works to be completed to the satisfaction of the authority within a stated period.

(5) For the avoidance of doubt, it is hereby declared that a condition attached to a site licence shall be valid notwithstanding that it can be complied with only by the carrying out of works which the holder of the site licence is not entitled to carry out as of right.

(6) The Minister may from time to time specify for the purposes of this section model standards with respect to the lay-out of, and the provision of facilities, services and equipment for, caravan sites or particular types of caravan site; and in deciding what (if any) conditions to attach to a site licence, a local authority shall have regard to any standards so specified.

Section 7

(1) Any person aggrieved by a condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the licence was so issued, appeal to a magistrates' court acting for the petty sessions area in which the land is situated; and if the court is satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section five) that the condition is unduly burdensome, may vary or cancel the condition.

(2) In so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

Section 8

(1) The conditions attached to a site licence may be altered at any time (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods) by the local authority; but before exercising their powers under this subsection the local authority shall afford to the holder of the licence an opportunity of making representations.

(2) Where the holder of a site licence is aggrieved by any alteration of the conditions attached thereto or by the refusal of the local authority of an application by him for the alteration of those conditions, he may, within twenty-eight days of the date on which written notification of the alteration or refusal is received by him, appeal to a magistrates' court acting for the petty sessions area in which the land to which the site licence relates is situated; and the court may, if they allow the appeal, give to the local authority such directions as may be necessary to give effect to their decision.

(3) The alteration by a local authority of the conditions attached to any site licence shall not have effect until written notification thereof has been received by the holder of the licence, and in so far as any such alteration imposes a requirement on the holder of the licence to carry out on the land to which the licence relates any works which he would not otherwise be required to carry out, the alteration shall not have effect during the period within which the said holder is entitled by virtue of the last foregoing subsection to appeal against the alteration nor, thereafter, whilst an appeal against the alteration is pending.

Section 9

(1) If an occupier of land fails to comply with any condition for the time being attached to a site licence held by him in respect of the land, he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding one hundred pounds, and, in the case of a second or subsequent offence, to a fine not exceeding two hundred and fifty pounds.

(3) Where an occupier of land falls within the time specified in a condition attached to a site licence held by him to complete to the satisfaction of the local authority in whose area the land is situated any works required by the condition to be so completed, the local authority may carry out those works, and may recover as a simple contract debt in any court of competent jurisdiction from that person any expenses reasonably incurred by them in that behalf.

Section 10

(1) When the holder of a site licence in respect of any land ceases to be the occupier of the land, he may, with the consent of the local authority in whose area the land is situated, transfer the licence to the person who then becomes the occupier of the land.

(2) Where a local authority give their consent to the transfer of a site licence, they shall endorse on the licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this Part of this Act, to be treated as having become the holder of the licence.

Section 11

(1) A local authority who have issued a site licence may at any time require the holder to deliver it up so as to enable them to enter in it any alteration of the conditions or other terms of the licence made in pursuance of the provisions of this Part of this Act.

(2) If the holder of a site licence fails without reasonable excuse to comply with a requirement duly made under this section he shall be liable on summary conviction to a fine not exceeding ten pounds.

Section 29

(1) In this Part of this Act, unless the context otherwise requires:-

"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:-

- (a) any railway rolling stock which is for the time being on rails forming part of a railway system or;
- (b) any tent



SITE LICENCE CONDITIONS

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Permanent Residential Caravan Site

The following conditions have been based on those provided in the 2008 Model Standards under the Caravan Sites & Control of Development Act 1960. They are in respect of the site licence referenced above and for the site being operated solely for the use of permanent residential caravans.

1.0 Boundaries and Plan of the Site

- 1.1 The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- 1.2 No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- 1.3 a) A plan of the site shall be supplied to the local authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.
b) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

2.0 Density, Spacing and Parking Between Caravans

- 2.1 The total number of caravans on the permanent residential site shall not exceed 4 residential caravans and space for parking 4 touring caravans.
- 2.2 Except in the cases mentioned in sub-paragraph 2.4 and subject to sub-paragraph 2.5, every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- 2.3 No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.
- 2.4 Where a caravan has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.
- 2.5 In any case mentioned in sub-paragraphs 2.2 and 2.4:
 - 2.5.1 A porch attached to the caravan may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.
 - 2.5.2 Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans is not less than 5 metres, except where sub-paragraph 2.4 applies in which case the distance shall not be less than 4.25 metres.



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- 2.5.3 Any structure including steps, ramps, etc (except garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. There should be a clear 4.5 metre clear distance between any such structure and any adjacent caravan.
- 2.5.4 A garage or car port may only be permitted within the separation distance if it is a non-combustible construction (planning permission may be required to be obtained).
- 2.5.5 A shed or covered storage space must not be less than 4.5 metres from any other caravan unless:
- a) The structure is partially constructed of combustible materials, being clad externally with incombustible materials when the distance from any other caravan shall be not less than 3 metres.
 - b) The structure is wholly constructed of incombustible materials when the distance from any other caravan shall be not less than 1.5 metres.
- 2.5.6 The space beneath caravans must not be used for storage.
- 2.5.7 Windows in structures within in the separation distance shall not face towards the caravan on either side.
- 2.5.8 Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1.8 metres high.
- 2.5.9 Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.

3.0 Types of Caravans

- 3.1 No caravan shall be stationed on the site unless it:
- a) Is of proprietary or purpose built type. (In respect of this condition regard may be taken of any relevant British Standard for residential caravans).
 - b) Is maintained in good repair consistent with (a).
 - c) Is provided with adequate means of permanent ventilation.
 - d) Has windows of sufficient area to give a satisfactory standard of natural lighting.
 - e) Is maintained in such a condition as to be capable of mobility and transportation.
- 3.2 No caravan stationed on the site shall be used for sleeping accommodation by a greater number of persons at any one time than the number it can reasonably be regarded as having been designed to accommodate. (In respect of this condition regard may be taken of any relevant British Standard for residential caravans).
- 3.3 No more than the number of touring caravans specified in sub-paragraph 2.1 shall be stored anywhere on the site without the necessary planning permissions and must be positioned a minimum of 6 metres from any residential caravan.



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4.0 Roads, Gateways and Overhead Cables

- 4.1 Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstructions at all times.
- 4.2 New roads shall be constructed and laid of suitable bitumen macadam or concrete with a suitable compacted base.
- 4.3 All roads shall have adequate surface water/storm drainage.
- 4.4 New two-way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one-way traffic, not less than 3 metres wide.
- 4.5 One-way systems shall be clearly sign posted.
- 4.6 Where existing two-way roads are not 3.7 metres wide, passing places shall be provided where practical.
- 4.7 Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- 4.8 Roads shall be maintained in good condition.
- 4.9 Cables overhangs must meet the statutory requirements.
- 4.10 Roads shall not be crossed by any overhead cables at less than 4.5 metres above the ground.
- 4.11 If there are overhead electric lines on the site, suitable warning notices must be displayed at the entrance to the site and on supports for the line. Where appropriate, particular attention shall be drawn to the danger of masts of yachts or dinghies contacting the line.

5.0 Footpaths and Pavements

- 5.1 Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- 5.2 Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

6.0 Bases

- 6.1 Every unit must stand on a concrete base or hard - standing.



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6.2 The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrances to enable occupants to enter and leave safely. The hard standing must be constructed to the industry guidance current at the time of siting, taking into account local conditions.

7.0 Supply and Storage of Gas etc.

7.1 Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements and relevant Standards of Codes of Practice.

7.2 Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

8.0 Electrical Installations

8.1 On the site there shall be install an electricity network of adequate capacity to meet safely all reasonable demands of the caravans and other facilities and services within it.

8.2 The electrical network installations shall be subject to regulation under the current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.

8.3 Any work on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.

8.4 Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

9.0 Water Supply

9.1 All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.

9.2 All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.

9.3 All repairs and improvements to water supplies and installations shall be carried out to conform with current legislation and British or European Standards.

9.4 Work on water supplies and installations shall be carried out only persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European Standards.



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10.0 Drainage and Sanitation

- 10.1 Surface water drainage shall be provided where appropriate to avoid standing pools of water.
- 10.2 There shall be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority.
- 10.3 All drainage and sanitation provision shall be in accordance with current legislation and British or European Standards.
- 10.4 Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European Standards.

11.0 Domestic Refuse Storage & Disposal

- 11.1 All refuse disposal shall be in accordance with all current legislation and regulations.

12.0 Notices and Information

- 12.1 The name of the site shall be displayed on a sign in a prominent position at the entrances to the site together with the current name, address and telephone number of the licence holder and manager and emergency contact details, a copy of the site licence or the front page of said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).
- 12.2 A current plan of the site with roads and pitches marked on it shall be prominently displayed at entrances.
- 12.3 A copy of the current site licence shall be available for inspection in a prominent place on site.
- 12.4 In addition at the prominent place the following information shall also be available for inspection:
- a) A copy of the most recent periodical electrical inspection report.
 - b) A copy of the site owner's certificate of public liability insurance.
 - c) A copy of the local flood warning system and evacuation procedures, if appropriate.
 - d) A copy of the fire risk assessment made for the site.
- 12.5 All notices shall be suitably protected from the weather and direct sunlight.



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13.0 Flooding

13.1 The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's flood map.

13.2 Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and what appropriate measures to take.

14.0 Requirement to Comply with the Regulatory Reform (Fire Safety) Order 2005

14.1 The site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the local authority.