

Public Protection Partnership

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West Berkshire
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West Berkshire District Council and Wokingham Borough Council

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

SITE LICENCE – PERMANENT MOBILE HOME SITE

To: Warfield Park Homes Ltd

Reference: LN/19990051

Of: Maclaren House, Warfield Park, Bracknell, Berkshire, RG42 3RG

ON 27th April 2020 an application was made for the variation of a site licence in respect of the land known as: (the "Park"), Licence Number LN/19990051, Warfield Park, Warfield RG42 3RG (hereinafter called "the said land") and delineated in red, on the attached plan, ref: Warfield Park WP/05/01 dated 18th July 2019

AND WHEREAS you are entitled to the benefit of planning permissions (ref no: 20441, 605751, 617076, 625248, 621988, 624320, 623589, 03/00993/FUL, 03/01160/FUL, 03/00792/FUL, Certificate of Lawfulness 19/00660/CLPUD and 19/00787/FUL) 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

Bracknell Forest Borough Council hereby GRANT the SITE LICENCE

in respect of the said land pursuant to Section 3 of the Caravan Sites and Control of Development Act. 1960. Licence conditions (2008) are attached to this licence.

DATED: 15th October 2020

Signed.....
Authorised Officer

Please direct any correspondence regarding this licence and conditions to:

Bracknell Forest Borough Council
Time Square, Market Street, Bracknell, Berkshire RG2 1JD

THE NOTES AND THE ATTACHED PAGES OF CONDITIONS FORM PART OF THIS SITE LICENCE

The issue of this licence & acceptance by the Licence holder revokes all previous licences issued in respect of this land

NOTES

The Caravan Sites and Control of Development Act, 1960, makes the following provisions:-

7- Appeal to magistrates' court against conditions attached to site licence

(1) Any person aggrieved by any 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 the court, if 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 conditions 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.

9- Provisions as to breaches of condition

(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 level 4 on the Standard Scale of fines*

(2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may (if an application in that behalf is made at the hearing by the local authority in whose area the land is situated), make an order for the revocation of the said site licence to come into force on such date as the court may specify in the order - being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction; and if (before the date so specified) an appeal is so brought the order shall be of no effect pending the final determination of withdrawal of the appeal.

The person convicted, or the local authority who issued the site licence, may apply to the magistrates' court which has made such an order revoking a site licence for an order extending the period at the end of which the revocation is to come into force, and the magistrates' court may if satisfied that adequate notice of the application has been given to the local authority or, as the case may be, the person convicted, make an order extending that period.

(3) Where an occupier of land fails 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 a simple contract debt in any court of competent Jurisdiction from that person any expenses reasonably incurred by them in that behalf.

10- Transfer of site licensee and transmission on death, etc.

(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 insofar as the proposed new occupier is seen to have a sufficient interest in the land to hold a Site Licence.

(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.

(3) If an application is made under subsection (1) of this section for consent to the transfer of a site licence to a person who is to become the occupier of the land, that person may apply for a site licence under section (3) of this Act if he were the occupier of the land. If the local authority at any time before issuing a site licence (in compliance with that application) gives their consent to the transfer they need not proceed with the application for the site licence.

(4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a site licence is in force and is, by virtue of his holding that estate or interest, the occupier of the land within the meaning of the Part of this Act he shall, for the purposes of this Part of the Act be treated as having become the holder of the licence on the day on which he became the occupier of the land. The local authority in whose area the land is situated shall, if applications in that behalf is made to them, endorse his name and the said date on the licence.

*(currently £2500- subject to alteration by Order).

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MOBILE HOMES PARK STANDARD CONDITIONS

These conditions are based on the Model Standards 2008 for the Caravan Sites in England and are issued under Section 5 of the Caravan Sites and Control of Development Act 1960.

“The Council” means the Bracknell Forest Borough Council or its successor.

1. No more than **FOUR HUNDRED AND NINETY THREE (493)** caravans shall be permitted on site at any one time. Each caravan shall be individually identified by a number.
2. The siting and layout of the caravans and other structures shall be in accordance with Planning Permissions, Application ref: 20441, 605751, 617076, 625248, 621988, 624320, 623589, 03/00993/FUL, 03/01160/FUL, and 03/00792/FUL, 19/00787/FUL and the attached plan ref: WP/0S/01C. The Council shall be informed of any intended change with a proposed plan and appropriate details. Plans and layout shall not be changed without any necessary Planning Permission, Building Regulations Approval and the written consent of the Council. Updated plans shall be drawn up and provided to the Council as soon as the proposed development has taken place.
3. The site and all facilities shall be maintained in a clean and tidy condition at all times.
4. **Boundaries** – All boundaries of the site shall be clearly marked, for example by fences or hedges.
5. **Construction of Caravans** – No caravans, other than caravans complying with section 29(1) of the Caravan Sites and Control of Development Act 1960, Section 13 of the Caravan sites Act 1968 and any other Acts or Regulations amending or extending the said Acts, shall be stationed or kept on site. Any residential caravan brought onto and stationed on site shall conform to BS3632 (or any standard that may subsequently replace it) that was relevant at the time the residential caravan was manufactured.
6. Where the caravan is in the ownership of the site operator it shall be weatherproof, clean and maintained internally and externally in a good state of repair.
7. No caravan shall be stationed on site other than on a concrete hard standing which shall extend over the whole area occupied by the caravan placed upon it and shall project outwards not less than 1 metre from the entrances to the caravan to enable occupants to enter and leave safely. The hard standing shall be of such construction and thickness as to afford adequate support at all times.
8. Every caravan shall be supported by wheels, jacks or similar but not by any brick, skirt or similar construction, which shall only be provided for aesthetic purposes.
9. No caravan shall be occupied by more than one household without the prior consent in writing of the Council. Where such consent is given, each one household shall be separated by a partition having at least half-hour fire resistance in accordance with BS476: Parts 20-24:1987 (Or any standard that may subsequently replace it) that was relevant at the time of installation.

10. Separation Distances – Subject to Conditions 11, 12, 13, 14 & 29 whilst any caravan is stationed on a pitch, unless otherwise agreed in writing by the Council in respect of that caravan, the separation spaces shall be no less than:

- a. 6 metres from any other caravan which is occupied separately,
- b. 2 metres from any site road and
- c. 3 metres from clearly defined site boundaries including fences, hedges etc.

11. Porches, Stairs, Garages, Sheds etc. – Porches shall comply with the following requirements:

- a. An open porch means a canopy that is open on all sides except where it adjoins the caravan. An open porch shall not protrude more than 1 metre into the 6 metres separation space between caravans
- b. No enclosed porch is permitted within any of the separation spaces (see condition 10). The design, construction and materials of an enclosed porch shall be in all respects similar to those of the main caravan and of ½ hour fire resistant construction.
- c. The total maximum permitted floor area of any porch shall be 2 square metres and it shall be no higher than the height of the caravan it serves.
- d. The construction of any porch shall be such that it is capable of being easily detached from the main structure and if enclosed constructed of sections held together by bolts, clamps or similar devices.

12. Eaves, drainpipes and bay windows may extend into the 6 metres separation space only (see Condition). This is provided that the total separation space at the extremities of such is at least 5.25 metres between caravans.

13. Unless constructed of a non-combustible materials, where there are ramps for the disabled, veranda's or stairs extending from a caravan, there shall be at least 4.5 metres of clear space to the next caravan and no two such items shall face each other in the separation space between caravans (see Condition 10).

14. A garage, shed or covered storage space is permitted between units where it meets the following requirements:

- a. It shall be of non-combustible construction (including non-combustible roof)
- b. It shall be sited so as to maintain sufficient space around each unit so as not to prejudice means of escape in case of fire.
- c. The wall of any garage, shed or covered storage space facing a site boundary or an adjacent unit shall be imperforate with no window or door openings where the other structure is less than 3 metres away unless that other structure is constructed on non-combustible materials.

15. Car ports and covered walkways shall not be constructed/erected within any separation space (see Condition 10).

16. Roads, Gateways and footpaths – A suitable board shall be erected at the main site entrance in order that it is readily identifiable to the emergency services.

17. Roads and footpaths shall:

- a. Be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times;
- b. Be constructed of suitable material; and
- c. Be properly maintained at all times and be provided so that no caravan is more than 50 metres from a road
- d. Emergency vehicle routes shall be kept clear of obstruction at all times.

18. New roads shall be not less than 3.7 metres wide unless they form part of a clearly marked one-way traffic system when each road must not be less than 3 metres wide. Where existing two-way are less than 3.7 metres wide suitable passing places must be provided. No overhead cable shall be less than 4.5 metres above the road's surface. Each gateway shall be a minimum of 3.1 metres wide with a minimum height clearance of 3.7 metres.

19. Each caravan standing shall be connected to a site road by a footpath with a hard surface. Footpaths shall not be less than 0.75 metres wide and properly maintained at all time. Any such footpath shall not terminate in an area designated for public car parking unless there is a clearly marked path, with hatching or similar, at least 0.75 metres wide through the car parking spaces.

20. Any speed restriction ramps, shall be suitable for the speed limit on the site. They shall be clearly marked, as part of the traffic calming measures and maintained at all times.

21. Where there are step changes of level, footpaths should be suitably and adequately lit during the hours of darkness.

22. An LPG cylinder may only be stored adjacent to the unit it serves provided that it complies with the following:

- a. It is on a concrete base and adequately secured and ventilated
- b. It is not positioned within 1 metre of any door to the unit
- c. It is not stored adjacent to any electrical installation/meters, any sources of ignition or near any open drainage gully
- d. It is not stored beneath any caravan or structure
- e. It is not within the separation boundary of an adjoining unit or within 1 metre of a boundary fence constructed of combustible material (see condition 11) unless contained within a half-hour fire resisting, ventilated and non-combustible housing to the satisfaction of the Council. An empty or reserve cylinder must similar comply.

23. LPG installations in caravans shall comply with BS 5482, "Code of Practice for Domestic, Butane and Propane Gas Burning Installation, Part 2:1977 Installations in Caravans and Non-Permeant dwellings.

24. Oil Storage – The storage and distribution of fuel oil shall be in accordance with any relevant Code of Practice. A suitable catch pit shall be provided or the tank shall be of a double skinned type. Tanks under 3500 litres shall not be sited less than 2 metres from any caravan, structure or site boundary and not within any of the separation spaces (see Condition 11). Tanks over

3500 litres may be permitted depending on the location. No storage tank may be installed without the prior written permission of the Council.

25. Electrical Installations – Any electrical network within the site shall be maintained by a competent and/or qualified person fully conversant with the appropriate statutory requirements. The electrical network installations must be inspected in accordance with the provisions of the current relevant statutory requirements.

If any inspection reveals that an installation no longer complies with the regulations existing at the time it was first installed, any deficiencies shall be rectified without delay. Any major alterations and extensions to an installation and all parts of the existing installation affected by them shall comply with the latest version of the I.E.E Wiring regulations.

If there are overhead electrical power lines on the site, suitable warning notices shall be displayed at the site entrance and also on any supports for the lines.

26. Water Supply – All caravan pitches shall be provided with a sufficient and wholesome piped water supply in accordance with Rules and Bylaws and Statutory quality standards of the Water Undertaker.

27. Drainage, Sanitation and Washing Facilities – Where a new caravan is stationed on the site or where the caravan is owned by the site operator, as a minimum it shall be provided with its own water supply, water closet, bath or shower, sink and wash-hand basin. Each pitch shall be provided with a suitable connection to a foul drainage system; the connection shall be capable of being made airtight when not in use.

The site shall be provided with an adequate drainage system for the complete and hygienic collection and disposal of foul, rain and surface water from the site, buildings, caravans, roads, footpaths and parking areas. Any changes to such systems shall be notified to the Council and must be the same standard as current Building Regulations and any statutory practice.

28. Refuse Disposal – All refuse disposal shall be in accordance with all current legislation and regulations.

29. Parking – Private cars may be parked within the separation distance provided that they do not obstruct entrances to the caravan or access around them. There shall be no designated car parking area at a point where a footpath terminates at a road unless a clearly marked path width of at least 0.75 metres is maintained between the parking spaces (see Condition).

Suitably surfaced parking spaces shall be provided on the site and kept for the use of the occupants and their visitors. The number of spaces shall be equivalent to the number of hardstanding's plus one third.

30. Notices - 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 as well as contact details for use in an emergency.

The signage shall also include details of a prominent place, such as the Park Office or Park website, where the following can be viewed:

- i) A copy of the site licence and conditions
- ii) A copy of the most recent periodic inspection shall be made available to the authority on request
- iii) A copy of the site owner's certificate of public liability insurance,; and
- iv) A copy of the fire risk assessment made for the site.

A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it. All signs and notices shall be suitably protected from the weather and from direct sunlight.

31. Steps and ramps – A stepped or ramped access must be provided to each entrance door to each caravan suitable for the needs of the residents. It must be designed, constructed and installed, as to be safe for the people entering and leaving the caravan and shall be constructed or installed with regard to building regulation guidance applicable at the time of the construction or installation. It must have a top and bottom landing, appropriate guarding and rails. Any stepped or ramped access which extends more than 1 metre from the caravan must be of non-combustible material.

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32. Fire Safety – The site licence holder 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.

Schedule of Variations to Warfield Park Site Licence LN19990051

I Condition 25 – see letter dated 27 September 1979 and Plan BS/1.

II Condition 28 – see letter dated 9 January 1981.

III Conditions within Schedule of Requested Amendments to Site Licence LN/19990051 – see letter dated 27/04/2020 Ref: ARC/W02157-0172 & associated plan Ref: WP/05/01 dated 18th July 2019, area delineated in red.

COMPLIANCE WITH SITE CONDITIONS

Bracknell Forest Council reserve the right to prosecute for failing to comply with a **Compliance Notice** served in accordance with s. 9(A) of the Caravan Sites and Control of Development Act 1960 in respect of Site Licence Conditions, and to carry out works required by the Breached Condition recovering any and all expenses of doing so via county court and subsequent bailiff action. The Council recognise the compliance notice must be served first and the Council cannot go straight to prosecution.

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