

**IN THE MATTER OF AN APPEAL UNDER SECTION 174 TOWN AND COUNTRY  
PLANNING ACT**

**APPEAL REF:** APP/D1265/C/24/3351182 & APP/D1265/C/24/3351183  
APP/D1265/C/24/3351184 & APP/D1265/C/24/3351185  
APP/D1265/C/24/3351186 & APP/D1265/C/24/3351187

**LOCAL PLANNING AUTHORITY REF:** ENF/20/0313

**LAND** Anchor Paddock, Batchelors Lane, Holtwood, Holt, Dorset, BH21 7DR

**SUMMARY OF EVIDENCE OF Ellie Lee**

**CALLED ON BEHALF OF THE LOCAL PLANNING AUTHORITY**

**[14 January 2025]**

1.1. I, Ellie Lee am a Planning Officer with Dorset Council covering the Eastern part of the Dorset area in the Development Management Team. .

1.2. I have prepared this Proof of Evidence for the public inquiry which is to be held on the dates 4 February 2025 to 6 February 2025. My evidence addresses the Appellant's ground a appeals against three enforcement notices.

(a) Enforcement Notice 1 relates to –

- 1) Without planning permission, the construction of single storey rear extension
- 2) Without planning permission, the construction of a dormer extension

(b) Enforcement Notice 2 relates to –

- i. Without planning permission, the conversion of a barn/outbuilding to a habitable dwelling including operational development to extend the barn building;
- ii. Without planning permission, the construction of a garage, outbuildings, green house, swimming pool, chicken coup and associated hardstanding

(c) Enforcement Notice 3 relates to –

- i. Without planning permission, the construction of a separate C3 dwellinghouse.

1.3. My evidence put forward is based on my own experience of the site, which I first became involved with on 12 January 2021 after the prior notification application ref: 3/20/2281/PNAGD was allocated to me as the Case Officer, and also from consulting the Council's planning and planning enforcement files, including the evidence provided to support the Appellant's application for prior approval to 'Convert machinery barn to residential dwelling' (ref: 3/20/2281/PNAG), the Appellant's application to 'Convert machinery barn to residential dwelling' (ref: 3/21/1384/CLP), the Appellants application for a certificate of lawfulness of existing 'Use of treehouse as self-contained dwelling' (ref: P/CLE/2024/01225), and the Appellant's planning application for the 'Retention of works to dwelling (see P/CLE/2024/01225) including removal/resizing of windows; replacement cladding; alter pitch of roof' (ref: P/FUL/2024/04000).

1.4. As my first visit to the site was on 12/12/2024, prior to this date I have relied on sources of information other than my own personal experience, I state that source and where appropriate or necessary, provide a copy of that source in an Appendix to this Proof.

- 1.5. My evidence includes an assessment of the three planning units and sets out the relevant planning history of the site. The original property 'Anchor Paddock' has been subdivided to create three dwellings known as 'Anchor Paddock' (Enforcement Notice One), 'White Barn' (Enforcement Notice Two) and 'Tree House' (Enforcement Notice Three).
- 1.6. I have identified that the unauthorised development has a harmful impact on the Green Belt by reason of inappropriateness, loss of openness and harm to the purposes of the Green Belt.

Enforcement Notice 1:

- 1.7. In relation to extensions to the dwelling known as Anchor Paddock, I consider that as set out in the statement of common ground, Anchor Paddock East can be granted planning permission and, with appropriate volume equalisation secured and permitted development rights for outbuildings removed, Anchor Paddock West and the dormer extensions could also be judged acceptable. Without appropriate volumetric equalisation there are no very special circumstances to outweigh the harm arising so the appeal should be dismissed subject to amendments to the notice.

Enforcement Notice 2:

- 1.8. White Barn had a lawful agricultural use but was in unauthorised use associated with C1 use of land to the west which prevented the appellant from relying upon permitted development rights.
- 1.9. The re-use and conversion of the original barn at White Barn (Enforcement Notice 2), would preserve the openness of the Green Belt and does not conflict with the Green Belt purposes, in accordance with NPPF paragraph 154 h) iv but the works that have been undertaken in providing a large residential curtilage fail to preserve Green Belt openness and represents encroachment into the Green Belt contrary to the purposes of the Green Belt.
- 1.10. Save for the White Barn Single End and White Barn Side Extension, extensions to and outbuildings associated with White Barn cannot benefit from the exceptions to development being inappropriate in the Green Belt, result in harm to the Green Belt and conflict with the purposes of the Green Belt.
- 1.11. Notwithstanding opportunities for the appellant to provide volume equalisation for some of the additional built form, I conclude that the circumstances that they have put forward for consideration fail to outweigh the harm arising and therefore cannot be judged to be very special circumstances.

- 1.12. The Inspector is respectfully asked to dismiss the ground A appeal other than for the White Barn, the White Barn Single End and the White Barn Side Extension.

Enforcement Notice 3:

- 1.13. As set out in the statement of common ground I am satisfied that the works to the Tree House structure are acceptable under Green Belt exceptions (either replacement or proportionate extensions) but the unauthorised use as a dwelling is in an unsustainable location and fails to preserve the openness of the Green Belt as a result of the intensified residential use of the land and curtilage demarcation. If the structure is a replacement then insufficient information has been provided to demonstrate that it meets policy in relation to flood risk.
- 1.14. The Inspector is respectfully asked to dismiss the ground A appeal.