

DATED 13 November 2024

**Dorset Council enforcement notice reference
ENF/20/0313 Notices One, Two and Three**

Appeal references

**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**

Notice One: Within the subject planning unit edged purple [Anchor Paddock]: (1) without planning permission, the construction of single storey rear extension (2) without planning permission, the construction of a dormer extension

Notice Two: Within the subject planning unit identified as edged orange on the plan [The White Barn]: (1) without planning permission the conversion of a barn/outbuilding to a habitable dwelling including operational development to extend the barn building (2) without planning permission, the construction of a barn/outbuilding to a habitable dwelling including operational development to extend the barn building (2) without planning permission, the construction of a garage, outbuildings, greenhouse, swimming pool, chicken coup and associated hardstanding

Notice Three: Within the subject planning unit, identified on the map edged in green [The Treehouse]: without planning permission construction of a separate C3 dwelling house

Anchor Paddock, Batchelors Lane, Holtwood, Holt BH21 7DS aka the Treehouse, Anchor Paddock & White Barn and known collectively as Former Dilly Dallys.

**ENFORCEMENT NOTICES COMBINED
FURTHER APPEAL STATEMENT**

On behalf of

Mr Michael James White and Mrs Michelle Suzanne White
The White Barn, Batchelors Lane, Holtwood, Holt BH21 7DS

THIS ENFORCEMENT NOTICES COMBINED FURTHER APPEAL STATEMENT is prepared by Sebastian Charles, Solicitor, LLB, LARTPI of Aardvark Planning Law on behalf of Mr Michael James White and Mrs Michelle Suzanne White, of The White Barn, Batchelors Lane, Holtwood, Holt BH21 7DS

1. Introduction

- 1.1 This further statement relates to three enforcement notices reference ENF/20/0313 served under a single covering letter and with a single plan attached but therein referred to as Notice One, Notice Two and Notice Three. This responds to the Council's appeal statement and also to the matters raised in the Council's enforcement and expediency reports which were withheld at the time the appeal was submitted.
- 1.2 This further statement seeks to address new matters raised by the Council and for the sake of brevity does not repeat matters set out in the initial enforcement notice appeal statement. If a matter raised by the Council is not responded to in this statement that is not to be taken that it is agreed or accepted, only that the Appellant considers it adequately addressed in the initial enforcement notice appeal statement or in general terms by the response contained herein. Para references are to the Council's appeal statement unless otherwise stated.
- 1.3 We note the Council have duplicated many of the documents that were attached to the Appeal Statement and submitted with the appeal. We are unclear why they have been attached afresh (and mixed up with new documents withheld from the Appellants) rather than referring to what was enclosed with the appeal. We are still unclear why the Council withheld the enforcement report until 5 September 2024, why there was a separate expediency report and why that was withheld until 9 October 2024. A draft SOCG was prepared by the Appellants and submitted to the Council on 22 October seeking to agree various matters arising from the expediency report but was not responded to by the Council before submitting their appeal statement. A response on the SOCG was received from the Council on 7 November 2024, a meeting finally took place to discuss its contents on 12 November 2024 at the instigation of the Appellant and positive discussions took place, but nothing was actually agreed and hence it has not been possible to progress the SOCG in time for anything to be incorporated into the Appellants' further appeal statement due on 13 November 2024.

2. THE APPEAL SITE AND CONSTRIANTS

- 2.1 The Council assert (para 2.2) that the Appellants have erred in stating that the site is not in an Area of Great Landscape Value designated in a Local Plan. We stand by the statement and suggest that the Council appears not to understand its own designation. The AGLV designation is contained in the East Dorset District Council Areas of Great Landscape Value Supplementary Planning Guidance No. 19 (June 1997) **CD1.43** which expressly states that it is "essentially an informal designation", and they do not carry with

them any planning policy status on the adopted local plan. They are not AONBs, nor equivalent to them in status. We aren't saying they are designated; we are saying the designation has no local plan status. The Appellants have fully considered the impacts on the landscape of the proposal and indeed so have the Council and we note as set out below the comments on the Council relating to the impact of the development on the surrounding area, and in particular that apart from the visual impact of the dormer the Council takes no issue with the visual impact of the development recognising that it is all largely invisible from outside the premises.

- 2.2 Flood risk: the Council note (para 2.4) the Appeal Site falls within the Dorset Level 1 Strategic Flood Risk Assessment (SFRA, dated February 2023) **Appellant's Attachment 39, CD 2.39** as having high groundwater levels, and its location within the medium zone is shown on **Appellant's Attachment 39a, CD 2.39a**, the assertion that there is some risk of surface water flooding (1 in 1000) overlapping this area of the site is not accepted and as can be seen on the EA Flood Map for planning the site is in Flood Zone 1 **Appellant's Attachment 40, CD 2.40** and in the EA surface water flood map **Appellant's Attachment 41, CD 2.41** that there is a risk for surface water flooding on Batchelors Lane, but as shown on the map and is apparent on site Batchelors Lane is at a lower level than the Appeal Site, the Appeal Site has never flooded and is not at risk of surface water flooding because of its elevated and sloping position and the indication of high groundwater levels in this situation is not indicative of a flood risk requiring a sequential assessment to be undertaken (which appears to be the Council's suggestion).

3. **PLANNING HISTORY**

- 3.1 The Council's version of the planning history (section 3) is noted. The various reasons for refusal are noted as stated but are not necessarily agreed. We consider that alongside the planning history it is also helpful to consider the Covid timeline **Appellants' Attachment 11 CD 2.11**.
- 3.2 Also, on 11 October 2024 the Council refused application P/HOU/2024/00739 **Council's Attachment 38 CD 1.38**. We refer to the report **Council's Attachment 38(e) CD 1.38** where in considering that application the Council also considered the potential for a Class AA permitted development to be used to increase the height of the original dwelling. This was proposed, at the suggestion of the Council, to create a situation where the main ridge of the original dwelling could be raised up, such that the dormer would then be lower than the ridge of the building and could accordingly be approved either on the basis that it was permitted development or that the same dormer could be rebuilt as permitted development and such fall back could amount to a material consideration and very special circumstances allowing retention of the dormer and planning permission to be granted. Having made the suggestion however, the Council then ruled it out by producing a photograph identified as 1947 Dorset Explorer (extracted from **Council's Attachment 38(e) CD 1.38** as **Appellants' Attachment 42 CD 2.42**). This isn't something the Appellants are able to dispute and hence must take a face value, and on that basis accepts that Class AA would

not apply on the basis the original dwelling was constructed prior to 1 July 1948 and accordingly the argument made at para 12.2 of the Appellants' Appeal statement is withdrawn. Whilst unhelpful in connection with application P/HOU/2024/00739 that same evidence, when taken with a 1950 aerial photograph **Appellants Attachment 38 CD 2.38** shows that the dwelling was constructed including the protruding rear element because it has matching brickwork and roof tiles, rather than being a later addition. This clears up a matter the Appellants were unclear about in paras 1.2 and 9.4 of the Appellants' Appeal Statement about the date of construction and extent of the original dwelling. This new evidence produced by the Council confirms that the single storey rear element was part of the original dwelling meaning that neither of Anchor Paddock East nor Anchor Paddock West extend back beyond 4m from the rear wall of the original dwelling house, confirming per para 10.1 of the Appellants' Appeal Statement that Anchor Paddock West is entirely permitted development. It also confirms that Anchor Paddock East is capable of being permitted development in terms of its rearward extent, leaving just the question of its lateral extent (see below).

- 3.3 There are a number of errors on the part of the Council and matters of concern: In relation to the bat surveys (para 3.13 (3) the Council describe the two bat surveys as contradictory whereas they were obviously produced in sequence and the latter supersedes the former. The latter (**Appellants' Attachment 33 CD2.33**) was a detailed survey carried out using a drone and confirmed the absence of bats and that there was no need for any further survey work. The Council's suggestion of a breach of policy ME1 is unfounded. The Appellant has offered for his bat expert to meet the Council's bat expert on site to resolve any outstanding issues relating to bats. The report is entirely sufficient, and uncontradicted by the Council, and there is no basis for seeking a biodiversity plan, certified or otherwise.
- 3.4 On this basis the Council were wrong to rule out the demolition of equivalent floorspace as an appropriate way to mitigate in principle harm to the openness of the green belt. The Council provide no explanation as to why it considers volumetric equalisation, which was expressly found to be a very special circumstance in the Warehams Farmhouse appeal decision (**Appellants' Attachment 30 CD2.30**). Other than to suggest that because the outbuilding proposed to be demolished is not part of the dwelling house and accordingly the demolition is "not relevant". This is to entirely misapply Warehams Farmhouse where the building to be demolished as a stable block some distance away on the other side of the property, and actually much less visually prominent than the building to be retained. The outbuilding proposed in this case is immediately adjacent and although it is true that it historically it was used in association with the Dilly Dallys BnB operation, that operation has since ceased, and the curtilage of the dwelling extended to incorporate all the former BnB outbuildings.
- 3.5 The planning history omits reference to the recently granted planning permission on the immediately adjacent site for a modern residential conversion **Appellants' Attachment 48 CD2.48** which is notable not just because it represents a further evolution of the local character of the area from the sylvan character described by the Council para 6.23 to one increasingly interspersed with new residential development, but also because of the more positive attitude to development shown in the consideration of the planning issues, versus

the entirely more hostile attitude to which consideration of the Appellants' applications have been subjected. A further example of a more positive and pro-active approach to decision making by the Council on a rural site is include at **Appellants' Attachment 49 CD2.49** slightly further afield at Longhow, but the difference in the tone of the decision and the balancing of planning issues is quite marked.

- 3.6 The Appellants have no further comments on the planning history part of the Council's appeal statement other than to note that the reasons for refusal stated are not accepted as being correctly decided as set out in this appeal.

4. **SITE HISTORY AND BACKGROUND**

- 4.1 We note a number of points in this section: As explained above the 1947 image (extracted from **Council's Attachment 38(e) CD1.38** as **Appellants' Attachment 42 CD 2.42**). is new evidence and although unhelpful to the Appellant in the context of P/HOU/2024/00739 it is helpful as regards the extent of the original dwelling and confirms Anchor Paddock West is permitted development.
- 4.2 We note at para 4.6 that the Council accept that a CPH number is evidence of the keeping of livestock etc. We do not accept the Council's assertion that the property was a small holding and that such a small holding was sui generis. This appears to be trying to establish its case that White Barn is not and never has been agricultural. This is not accepted, and the sheer size of White Barn and what is shown in the historic aerial photographs we say better supports the conclusion that White Barn was originally constructed for agricultural purposes, not sui generis.
- 4.3 In paras 4.7 – 4.16 the Council appears, in its rush to defend its subsequent stance on the Class Q application that it failed to deal with, fails to recognise the contradictions in its own evidence. On the one hand it seeks to rely on evidence of White Barn being in use (at least in part) for the Dilly Dallys BnB operation, but that was a use that it refused to accept as lawful in relation to CLE application 3/16/1460/CLE, and in also relying on the notes of the investigating officer at the time (see para 9.2 of the expediency report **Council's Attachment 2 CD1.2**) identifying White Barn as being used for the dwelling rather than the BnB operation. All of the Council's evidence about use of White Barn being in use in association with the BnB is inconsistent with its required enforcement step of requiring the use to revert back to ancillary use to the residential use of Anchor Paddock. Then in para 7.37 etc. the Council argues the us was agricultural and that planning permission is required for garden use and associated domestic paraphernalia.
- 4.4 After careful review we consider there is an error in the sales particulars produced by Edwards Estates and that the **Council's Attachments 7a and 7b CD1.7** are the room being the eastern part of the barn and that the central room has been mislabelled as a games room, and the games room remained. There appears to be no evidence whatsoever that the BnB use ever took over the whole of the barn and only utilised a minor

part of it, and it is clear that by the time of the Class Q application the use had fully reverted back to the historic agricultural use.

- 4.5 We note the parking laid out for touring caravans but there appear to have been few ever in attendance and that the aerial photographs include evidence of continued agricultural operations such as the green house and fruit frames. Whilst it is accepted there is some evidence of limited non-agricultural use, such uses were never fully established, and we consider these to be ancillary to the historic agricultural use and entirely consistent with what you see on many small farms with partial diversification in place.
- 4.6 It is not accepted it rules out the use of Class Q, and that the historic agricultural use for which the barn was constructed and had been in use for prior to 20 March 2013, had resumed by the time of the application. The building was not brought into use for a period of less than 10 years, the historic agricultural use prior to 20 March 2013 was resumed.
- 4.7 In the alternative it is argued that there is a realistic fallback position of resuming the agricultural use, and then in 10 years to seeking Class Q approval to convert to residential. Whilst this is a long time to wait it demonstrates the futility of the Council's case in relation to residential conversion of White Barn.
- 4.8 However the Council's efforts to justify its position (further expanded in Section 7) are moot because the Council agrees that the building is suitable for change of use to residential and that complies with green belt policy and also has no issue with the design and external appearance of the White Barn as no steps are specified requiring the cladding, openings, solar panels, insulation or detailed to be removed or reversed. Accordingly, we are unclear why cessation of residential use is being required, when clearly it would be appropriate to grant planning permission for that.

5. **LEGAL AND PLANNING ISSUES IN THE COUNCIL'S APPEAL STATEMENT.**

Alteration versus new build

- 5.1 We note in relation to alteration versus new build relevant to the Treehouse, White Barn Teen Annex, White Barn Single End and Greenhouse the Council agrees that leading case is *Oates* (**Appellants' Attachment 24 CD 2.24**) and the conclusion that it is for the decision maker (Inspector) to determine whether it is a new building or not is agreed (this is the "crucial" element of the judgement not any reference to any specific part of the works). However, the Council don't express a view as to the weight to be given to the footprint being retained. Increasing the footprint was a material factor in *Oates* and in *Atlanta* determining the works did amount to a new building. Here as well as incorporating elements of the previous building the fact that the footprint has remained identical is, we submit, an indication towards alteration versus an entirely new building. We submit that where the footprint is identical it is easier to conclude it is a retained/altered building,

whereas if it is on a larger footprint that points toward being a new building. However we are unclear what the Council's position is on this point as it is not addressed in its appeal statement. It is not possible to see the Treehouse in Google Earth images because it is under the trees so evidence from the builder confirming the extent of the works relating to the Treehouse is now included (**Appellants' Attachment 43 CD2.43**), and this can be corroborated by inspection on site and is corroborated by **Appellants' Attachment 35 CD2.35** showing a picture of [REDACTED] at work (a video is mentioned but this is before the works started, not the works underway but has been shared with the Council in any event and is of some assistance). In relation to the other structures this can be corroborated by the Google Earth images (**Appellants' Attachment 8 CD2.8**).

Continuity

- 5.2 The other issue that was considered in *Atlanta* was whether the use was discontinued whilst the works were being carried out, such that continuity of use for the purpose of establishing the lawfulness of that use was broken. Helpfully and directly in parallel with the facts relating to the Treehouse the conclusion was that the continuity of use was not broken because the use before and after the works was the same. This contrasts with (LB of Islington v SSHCLG [2019] EWHC 2691 (Admin) **Council's Attachment 40 CD1.40**), which came to a different view, but based on different facts and which in our submission can be distinguished. *Islington* involved a basement in a non-residential building, which was converted to a flat, was later gutted and reoccupied as a flat. The rationale for taking enforcement action was that if the Council had inspected the basement when the works were being undertaken it wouldn't have been possible to ascertain what the use was or was capable of being used for. However, this is very different to the Treehouse which was and always had been a purpose-built residential building that had never been in use for anything else. Whilst for the brief period that the works were being carried out, and because those works involved moving around the internal configuration (before the works the second bedroom was only accessible through the first, but by moving the principal room to the centre the layout was much improved – **Appellants Attachment 22g CD2.22** showing the internal layout before and after, which are corroborated by video evidence shared with the Council). It would have been impossible to disguise what the purpose was, and the continuation of the use would have become pretty apparent when the kitchen etc was reinstalled. Unlike Islington, where it was a pre-existing lawful building with an allegation of unlawful use within it, here the building and use were one and the same and the Council could have taken action against the building if it what was going on inside it wasn't apparent. In this case as a matter of fact and degree, principally based on the argument that no new different use had commenced, our submission is that the suspension of actual occupation whilst works are underway, in the same way as suspension whilst you are on holiday or whilst tenants are changing over, does not break continuity.

Treehouse scheme benefits

- 5.3 The Council suggest (para 8.46) that the improvements to the Treehouse are about décor and appliances, and this is to completely misunderstand the works and the benefits of the reconfiguration, raising the ceiling height and environmental performance which we

consider to be capable of being very special circumstances when weighed against the environmental impact and waste associated with reversing the works. The Council then object to it on the basis it is not large enough which appears contradictory and perverse, when it is at least an improvement on before in terms of layout and headroom if not in size – this can be observed on site and deals with para 8.46. **Appellants' Attachment 43 CD2.43** also deals with the environmental improvements addressing para 8.46.

Treehouse fallback

- 5.4 In addition, whilst it is not the Appellants' case, if it were found that the original treehouse was not a separate dwelling, then the appropriate enforcement period would have been 4 years to 2016 against the uncontroverted construction date of 2012, and that building would then have been eligible as a replacement building under green belt policy and the Council has not put forward any planning reason why planning permission would not have been granted for a replacement building for the same use at that time, even with a small increase in size (see para 8.33 of the Council's appeal statement), so the alternative fall back is to grant planning permission for the replacement building to be retained, albeit to be condition to require it to only be used ancillary to Anchor Paddock (as is opposed for White Barn). The Council appear to accept the idea of a condition (para 8.51 of the Council's appeal statement), but we are unclear why it needs to be reversed back to its previous form, subject to just dealing with the very small volumetric increase in size which is proposed to be addressed by volumetric equalisation if required. However, this is not the Appellants' main case as they consider the evidence of use and alternation to be proven.

Treehouse use

- 5.5 In relation to the use of the treehouse the Council produce no evidence to counter that of the Appellant and the detailed statutory declaration and photographs, other than the absence of reference to it in the sale particulars (see para 8.17). Whilst we cannot know for sure why no mention of the Treehouse was included in the sales particulars, a number of explanations are plausible, such as it might not have been intended to include it in the sale and Mr Coles might have been allowed to stay on? The agents might not have been shown the Treehouse if Mr Coles was intending to stay on as that might have put purchasers off. Or it might be a simple error as occurred in relation to the White Barn. However compared with the detailed evidence of long user, the Council's assertions comes nowhere near to upsetting the balance against the evidence of long user, which ought to be accepted unless controverted in some meaningful way with actual evidence.

Treehouse and Dorset Heathlands

- 5.6 The Council raise a new point in relation to Dorset Heathlands and the Treehouse (para 8.40) stating that if it is to be consented as a new dwelling that mitigation could be secured via Community Infrastructure Levy. This would only be the case if it was intended to be granted planning permission on the basis it was not a dwelling before. However, we query the use of CIL, when a different mechanism appears to have been used for White Barn,

and we'll explore with the Council whether actually a sum next to be secured in a planning obligation, but with an appropriate blue pencil clause if found not to be needed.

Anchor Paddock fallback

- 5.7 In relation to Anchor Paddock, the Council appear to treat the three elements of work as a single scheme (para 6.35) and whilst it is true they were carried out at the same time, the works are not connected to each other and each could have been carried out separately and none are structurally required for the other or interdependent, it was just quicker and cheaper and more convenient to carry them all out at the same time. The Council suggest that there has been salami slicing and a bigger scheme has been section off to conceal its full extent. This is not the case. The facts the works were carried out at the same time does not preclude some of the works benefitting from permitted development as is the case in relation to Anchor Paddock West, nor from works potentially benefitting from permitted development fallbacks as is the case for Anchor Paddock East and the Dormer. The Council appear to suggest the fall backs as theoretical only, but the Appellants have drawn up plans (**Appellants Attachments 44 and 45 CD2.44 & 45**) to show the feasibility of the works (which could be carried out separately or together), and taken advice from their builder who constructed them originally and he confirms it is perfectly possible to implement schemes that would comply with permitted development. This is included in the form of a draft statutory declaration (**Appellant's Attachment 46 CD2.46**). However, the cost would be significant. It would be more cost effective than total demolition of these elements, but the cost is out of proportion to the harm, subject to volumetric equalisation of around 5 cu m dealing with the in-principle harm. There is no visual or green belt benefit to reversing Anchor Paddock East, and although the Dormer is slightly more visible when above the roof line, than below, the difference from many viewpoints is imperceptible and the Council's objection appears to be against the principle of the dormer, rather than the design merits of being slightly above or slightly below the ridgeline. Because the difference is so small, and can be traced back to Covid related reasons, and would cause hardship, it is submitted VSCs can be found. Whilst any harm to protected species is not accepted, the Appellant will happily agree to a bat box/bird box condition if required.

Volumetric equalisation

- 5.8 We remain unclear why they Council appears not to accept the principle of volumetric equalisation (para 6.12). If it is solely based in the inconsistencies between the two bat surveys, we consider that can be easily explained that the earlier is superseded by the latter and the Appellants bat expert is happy to meet the Council's expert on site to ascertain whether there is a bat related reason to not permit demolition of old outbuildings to achieve volumetric equalisation. This would address paras 6.27-6.31. The Council hasn't commented on the draft planning obligation (other than suggesting it relies on the aborted ground AA argument, which it only did to a limited extent, with the main focus being the potential to demolish so much as is required of Anchor Paddock outbuildings 1-3 and 5 which total 403.87 cu m) and we look forward to working with it to agree that and also the figure for equalisation in the different scenarios. We note the Council's assertion para

6.42 that the Class AA argument is contrived and misconceived, but it was the Council's suggestion that route was pursued!

Teen Annex

- 5.9 The Council allege that the predecessor building to the teen annex was not of permanent and substantial construction (para 7.33) such that it falls within para 155(d) of the NPPF. This is not correct, and the Appellants have now located the structural report they had commissioned for this building and this is now attached **Appellants Attachment 47 CD 2.47**. The Appellants case is that it ought to have secured consent first for the reuse of the existing building under 155(d) and could then have applied to replace it under 154(d), only in the event that it is found to be a new building and not an alteration, which the Council does not appear to have understood, nor have explained why it would not have been consented on that basis.

Very Special Circumstances

- 5.10 In relation to very special circumstances we note the Council agrees that cumulatively matters that are not special on their own can amount to very special circumstances (para 6.32). The Class AA argument suggested by the Council has now been aborted in light of new evidence from the Council, but it was only a small part of the Appellants overall case anyway (para 6.34).
- 5.11 The Council's position as stated at paragraph 6.33 is that the Covid pandemic is incapable of being a material planning consideration, let alone a very special circumstance. We find that view extraordinary. Although public sector workers were entirely protected from the economic consequences of the pandemic and associated lockdowns, entrepreneurs such as the Appellants faced complete ruin as financial commitments taken on before the pandemic still required contracts to be completed and mortgage repayments and interest to be paid, and with their source of income being from completed projects the option of sitting around and waiting for it all to be over was an option simply not available to the Appellants. Plus, contractors that didn't work would lose their livelihood, and not be available to complete projects when things returned to normal. Whilst we don't condone proceeding ahead of planning permission the Appellants have fully acknowledged what happened and their willingness to regularise matters after the event and secure permission after the event that should have been secured before works were carried out. They are not seeking to secure any advantage from the retrospective nature, only for matters to be considered fairly on the basis of what could have been applied for and granted but for the pandemic situation, and it is this combined basis of the pandemic and how matters could have proceeded in different circumstances that forms the basis of the very special circumstances coupled with the individual circumstances of the Appellants. In the ordinary way those circumstances might not be material, but in the context of the extreme consequences of the covid situation become not just material but also special.

White Barn

- 5.12 Without repeating the comments in the planning history section above about Class Q we note in section 7 the Council fail to appreciate that White Barn was constructed in two stages. First the Class Q plans were complied with, including the rebuilding of White Barn Single End, and then later as a subsequent separate operation the White Barn Side Extension and White Barn Glazed link were added. Each one is supported by different NPPF Green Belt paragraphs: White Barn is a re-use 155(d), the White Barn Single End is a replacement 154(d), and the White Barn Glazed Link and White Barn Side Extension are extensions 154(c), with volumetric equalisation offered for White Barn Glazed Link and White Barn Side Extension if required and only if they were considered to be too great in size to meet the requirements of 154(c) although we note the already large size of the White Barn and submit they are not disproportionate. We submit the use of gross floor area used by the Council in para 7.17 is appropriate and the comparison should be on the basis of volume and not floorspace. We are unclear what evidence the Council are relying on in para 7.32 that it is a new build not a conversion, other than in relation to White Barn Single End which the Appellant has explained is a rebuild. At para 7.36 the Council says it has no information about volumes, so we refer it again to **Appellants Attachment 2b CD 2.2b** which sets them out and we invite the Council on site to agree all the measurements and dimensions as part of the SOCG process.

Engineering works

- 5.13 We remain unclear what green belt or other policy is offended by engineering works underground to lay services, or retaining historic foundations, and why they need to be removed (at significant expense) when there is no suggestion of any planning impacts (para 7.38, 7.52) and residential use of White Barn served by the services is agreed as being acceptable, and the specified step is to “return” it to use associated with Anchor Paddock which would require power and we submit at least a WC given its distance from that dwelling.

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SCHEDULE

Attachments

38. 1950 PHOTO

39 DORSET LEVEL 1 SFRA FEB 2023 FULL

39A DORSET LEVEL 1 SFRA FEB 2023 EDIT

40 EA FLOOD RISK FOR PLANNING

41 EA SURFACE WATER

42 1947 AERIAL PHOTO DORSET EXPLORER

43 BRIAN ROSEBANK

44 PD COMPLIANT ANCHOR PADDOCK EAST

45 PD COMPLIANT DORMER

46 GARY TAYLOR

47 STRUCTURAL REPORT TEEN ANNEX

48 OAK TREE PADDOCK P/FUL/2024/00324 REPORT

49 LONGHOW P/FUL/2024/01423 REPORT