

Anchor Paddock, Holt Wood, Wimborne, BH21 7DS

Proof of Evidence

Existing Lawful Use

The Treehouse at Anchor Paddock

self-contained dwelling unit

By Mr Stuart James Coles

**PROOF OF EVIDENCE IN RESPECT OF THE USE OF THE TREEHOUSE FROM 2013 TO 2019
IN SUPPORT OF THE FOLLOWING APPEALS AGAINST ENFORCEMENT:**

APP/D1265/C/24/3351186 Notice alleging: construction of a separate C3 dwelling house

APP/D1265/C/24/3351187

Date Of Inquiry: 4 – 6 February 2025

This proof of evidence confirms the statutory declaration I have already made on 28 March 2024 in relation to these matters. The content is similar to that which I have already declared with material additions shown in italics, and the exhibits I have referred to throughout this proof of evidence can be found at CD1.019 and were submitted as part of the certificate of lawfulness application.

1. Connection to the Site at Anchor Paddock, Holt Wood, Wimborne, BH21 7DS (“the Site”)

- 1.1.** I moved into the Treehouse which is the subject of appeal references APP/D1265/C/24/3351186 and APP/D1265/C/24/3351187 and can be seen on the plan attached to enforcement notice ENF/20/0313 (“the Treehouse”) in February 2013. At this time and throughout my occupation until 2019 the Treehouse was known as The Cabin.

Exhibit a) July 2013 – Me in the kitchen with a frying pan. You can see in the background a working hob, kettle, a sink, plates, shelves and the boiler.

2. Moving in and occupation of the Treehouse 2013 – 2019

- 2.1.** The building of The Treehouse commenced in autumn 2012 and was completed just as I moved in. I was [REDACTED] at the time and it was built to accommodate myself and enable me to live independently.

- 2.2. The property was accessed via a gate which was beyond the electronic gates that served as a joint access to the property at Anchor Paddock. The gate to the Cabin (now Treehouse) was always along the north-western side of the driveway.
- 2.3. The Cabin is accessed via a gate which is beyond the electronic gates that serves as a joint access to Anchor Paddock. Once through the gate, it was clear that the Cabin had its own curtilage, and this is depicted on the plans which I have seen. There was a footpath consisting of steppingstones which lead from the gate to the path and there is a line of stones visible on historic aerial photographs which shows the separation of the Cabin's curtilage to that of Anchor Paddock.
- 2.4. In May 2014, my wife [REDACTED] moved into the Cabin with me, and we raised our [REDACTED] [REDACTED] in that property. [REDACTED] [REDACTED] lived in the Cabin from [REDACTED] until we moved out later in 2019. I have provided Planning Base Ltd with a number of photographs showing the internals of the Cabin from that time with my wife and child enjoying birthdays and Christmas, which were also submitted as part of the certificate of lawfulness application CD CD1.019.
- 2.5. *I understand that the Council are asserting that I was not living in the Treehouse for the full period of 2012 – 2019, and that they dispute that it was fully fitted out as a dwelling during this time. I confirm I was living there and not anywhere else, and not living at Anchor Paddock and using the Treehouse as an annex. I confirm it was fully fitted out with all the things you need for a small, but comfortable home.*
- 2.6. *I hope the photos below which show a full family life enjoyed there throughout the relevant period are sufficient to prove this:*

Exhibit b) August 2013 – Two photographs of my wife and I with paint on our faces from when we decorated the Cabin. The kitchen is visible in the rear of the shot together with lighting, cereal boxes and shelving containing cooking equipment.

Exhibit c) October 2013 – My wife showing off having made a pie. The fire can be

seen with the doors open and the living room is clear to see.

- Exhibit d) July 2014 – Me cooking/baking in the kitchen. You can see a toaster in the background.
- Exhibit e) March 2015 – My wife on her wedding day at the entrance to the Cabin. You can see a sign with “Cabin” written on it and as the main entrance door is open, the kitchen is visible in the background. Lights are also on.
- Exhibit f) August 2016 – My wife in a green dress. You can see part of the lounge with a coffee table, CDs on shelves and the fireplace in the background.
- Exhibit g) December 2016 – An image of us decorating the nursery ahead of the birth of our first child.
- Exhibit h) December 2016 – A photograph of my wife clearly pregnant in front of our Christmas tree. You can see books and our seating area in the image.
- Exhibit i) April 2017 – Me in the kitchen wearing a ‘Winter’s Coming’ T-shirt. You can see the kitchen scales in the background and general baby feeding equipment also in the photograph.

These are included in the core documents.

- 2.7.** The Cabin had all of the fixtures and fittings that you would associate with a self-contained dwelling. The main entrance to the property opened up into the living room which also contains a kitchen/diner. Beyond the door to the left was a bedroom which had an ensuite shower room. There was a further door beyond which accommodated another bedroom, and which acted as a nursery to my children.
- 2.8.** We had facilities to eat, wash ourselves and our clothes, watch TV and sleep in the Cabin. We have lots of hobbies and interests such as reading and listening to music that we also indulged in the Cabin.
- 2.9.** *I lived at the Cabin full time and did not want to continue living with my mother and stepfather at Anchor Paddock, but I could not afford to buy or rent a separate place at that time.*