



Planning Services

County Hall, Colliton Park
Dorchester, Dorset, DT1 1XJ

☎ 01305 838336- **Development Management**

☎ 01305 224289- **Minerals & Waste**

🌐 www.dorsetcouncil.gov.uk

James Cain
Planning Base Ltd
5 Seymer Close
Shillingstone
Blandford Forum
DT110PH

Date: 27 September 2024

Ref: P/CLE/2024/01225

Case Officer: Ellie Lee

Team: Eastern

☎ 01202228808

✉ ellie.lee@dorsetcouncil.gov.uk

Planning Decision Notice

Certificate of Lawful Use Existing

Town and Country Planning Act 1990

Town and Country Planning

(Development Management Procedure) (England) Order 2015

Application Number: P/CLE/2024/01225

First Schedule: Use of treehouse as self-contained dwelling

Second Schedule: Tree House at Anchor Paddock Batchelors Lane Holt BH21 7DS
(Shown edged red on the attached plan)

Dorset Council as Local Planning Authority hereby certify that on 8 April 2024 the development described in the First Schedule, of the land specified in the Second Schedule (as edged red on the plan attached) **is not lawful** for the purposes of Section 191 of the Town and County Planning Act 1990.

In making this decision the Council considered whether the use/development as described in the application is lawful or whether the application should be refused.

This development is not lawful for the following reasons:

1. The applicant has failed to provide adequate clear and unambiguous evidence to demonstrate on the balance of probability that the use of the structure as a separate dwellinghouse independent of Anchor Paddock has taken place for a continuous period of 10 years prior to the date of the submission of the application, so the development is not immune from Enforcement action.
2. Insufficient evidence has been provided to demonstrate on the balance of probability that the structure known as the Tree House was constructed more than 4 years prior to the date of the submission of the application. Nor is there sufficient evidence to demonstrate on the balance of probabilities that the Tree House was created from

alternations to a pre-existing lawful structure and that the alterations took place more than 4 years prior to the date of the submission of the application.

Decision Date: 27 September 2024


Mike Garrity
Head of Planning
Economic Growth and Infrastructure

Planning Decision Notes

1. If you disagree with the decision you can appeal to the Secretary Of State (Planning Inspectorate) under section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

An appeal must be made by the applicant. You must use a form available from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or an appeal can be made on-line at the website <https://www.gov.uk/planning-inspectorate>. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.