



**Supporting Planning
Statement**

**Certificate For Lawful
Existing Use or
Development:**

**Anchor Paddock, Holt
Wood, Wimborne, Dorset
BH21 7DS**

Prepared By

JN Planning Consultants Ltd
5 Seymer Close
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Dorset
DT11 0PH

Mr & Mrs D Maidment

August 2017

- 1.1 This Supporting Planning Statement should be read in conjunction with the evidence submitted with the application for a Certificate of Lawful Use at the property known as Anchor Paddock, Holt Wood, Wimborne, Dorset BH21 7DS.
- 1.2 The applicant has clearly proven 10 consecutive years of use of the site as bed and breakfast accommodation including 9no. self-contained rooms within 3no. brick and timber chalet buildings. It is clear from the documents submitted that the 3no. brick and timber chalet buildings have been present well in excess of 4 years and so they are immune, in themselves, from enforcement action.
- 1.3 The question then turns to how the site has been used and it is evident that from at least July 2006 (ten years prior to this application being submitted) that the site has been in use as bed and breakfast holiday accommodation. In fact, the use started in 2002.
- 1.4 The relevant test is whether the local planning authority consider that the use has been in evidence on the balance of probabilities. Indeed, reference is made to *Gabbitas v SSE and Newham LBC [1985] JPL630* whereby it was held in the Court that the applicant's own evidence does not need to be independently corroborated in order to be accepted and that if the local planning authority has no evidence of their own to contradict the applicant's version of events then there is no good reason to refuse the application. The applicant's evidence is precise and unambiguous and for that reason the Certificate should be issued without delay.
- 1.5 Company Accounts are provided from 2003 as well as magazine articles from 2001 through the 2000s and sales particulars of the property from more recent times.
- 1.6 It is respectfully requested that the Certificate of Lawful Use should be issued.
- 1.7 In terms of the refusal of 3/16/1460/CLE, the planning officer Mr Brigden accepted in an email to JN Planning Consultants Ltd dated 3rd February 2017

that he did not take account of the Statutory Declaration of Mr Maidment, the accounts from years 2003 to 2016 inclusive and other evidence.

1.8 In the interests of the LPA ensuring that they have the complete evidence base in order to determine this application, the documents are listed below:-

- Full accounts from 2003 to 2016 inclusive
- Statutory Declaration from David Maidment
- Magazine Articles x 5 from 2001, 2002, 2003 and 2008 (x2)
- Website Extract
- Historic Insurance Premium documents
- Sales Particulars (dated November 2015)
- 2002 Aerial Image
- Extract from Sundial
- 2009 and 2014 Aerial Images
- Trip Advisor extracts from 2011 (one confirming that there are 9 chalets)
- Naturist Directory extracts
- Trip Advisor 2012 Photo of some of the chalets

1.9 In response to the officer's report, the alleged deficiencies are dealt with via the submitted evidence.

1.10 It is considered that the full set of accounts confirms that the B&B has been in use continuously for more than 10 years.

1.11 The Statutory Declaration from Mr Maidment and the aerial images provided show that the layout of the buildings has not changed since 2009 and they are identical to that shown within the 2015 sales particulars ie 9 chalets. There can be no doubt that the chalet structures have been in situ for at least four years.