

## **PLANNING COMMITTEE – 31ST OCTOBER, 2007**

### **Report of the Development Manager**

#### **ENFORCEMENT ITEM**

##### **Parish: Nynehead**

1. **File/Complaint Number** E316/26/2006
2. **Location of Site** Barn C, Upcott Farm, Nynehead, Wellington.
3. **Names of Owners** Mrs J Wright, Weekmoor Farm, Milverton.
4. **Names of Occupiers** Unoccupied at present.
5. **Nature of Contravention**

Increased height of roof and provision of first floor in contravention of originally approved plans.

6. **Planning History**

Permission was granted for the conversion of the barn into a holiday let in October 1991. Work started on the conversion within the five year commencement date but only enough work was carried out to keep the permission live. It was noticed in September 2006 that increased activity was occurring on site with materials and plant being brought to the site. In February/March of 2007 work was well underway. In order to comply with current Building Regulation legislation additional strengthening work had to be carried out to the building. A concrete ring beam had to be installed at wall plate level. This involved the removal of the entire roof and the provision of new roof trusses. The size of the beam was approximately 300 mm high. This raised the wall plate level and instead of adjusting the roof pitch to bring the ridge level in line with the approved plans the roof trusses were manufactured with a raised collar and were also positioned at least 350 mm higher than approved. The provision of the raised collar enabled a first floor to be included in the building. No approval has been given for the additional floor and in 1996 the owner applied to convert this building into a self-contained dwelling incorporating a first floor. This application was refused in January 1997. The owner has been contacted numerous times about the contravention and has been requested to submit a planning application but nothing has been received and the work continued at all speed. The development is now complete and furniture has been installed.

7. **Reasons for taking Action**

The barn lies in open countryside where development is strictly controlled. It is the opinion of the Local Planning Authority that this building is of inadequate size. To increase the floor area with the addition of a first floor would materially alter

the appearance of the building thus making it unacceptable under the Taunton Deane Local Plan Policy H7. Furthermore the curtilage of the development would not provide adequate amenity space for a permanent dwelling together with adequate vehicle parking and manoeuvring.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice and take Prosecution Action, subject to satisfactory evidence being obtained that the notice has not been complied with.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

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