

## **Planning Committee – 14 February, 2007**

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

#### **Enforcement Item**

#### **Parish: North Curry**

1. **File/Complaint Number** E153/24/2006 - 24/2004/026
2. **Location of Site** Chestnut Farm, Helland, North Curry
3. **Names of Owners** Mr B Webber
4. **Names of Occupiers** Unoccupied
5. **Nature of Contravention**

Unauthorised fence, extended garden curtilage and the building of walls within the site.
6. **Planning History**

24/2004/026 - Conversion of barn to dwelling, the erection of an ancillary garage, construction of a new vehicular access and change of use of outbuilding to domestic garage for the existing farmhouse at Chestnut Farm, Helland, North Curry. Planning permission granted on 6 August, 2004.

24/2005/037 - Conversion of barn into a 5 bedroomed two storey dwelling with detached double garage at Chestnut Farm, Helland as amended by plans 003D received 11 October, 2005. Permission refused 13 October, 2005. Reasons:- Barn conversion involves significant extension and alterations and this would materially alter the character of the barn. The proposed extended curtilage is considered to be excessive and likely to result in a detrimental change in the character of this rural area. Appeal dismissed 27 November, 2006.

24/2005/065 - Retention of private double garage to the north of Chestnut Farm barn conversion, Helland, North Curry. Permission refused 24 March, 2006. Reason:- The height of the garage is considered excessive and no longer subsidiary in relation to the adjacent barn conversions and will thereby have a detrimental impact on the visual amenity and character of the barn. Appeal dismissed 27 November, 2006.
7. **Reasons for taking Action**

The extended garden curtilage requires Planning permission and it is very unlikely that the Planning Officer would recommend approval for such. The walls that have also been constructed within the site detract from the visual amenity of the area as well as the setting and character of the barn conversion.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice to secure removal of walls and reversion of garden back to that approved and prosecution proceedings subject to satisfactory evidence that the notice is not 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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