

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

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

#### **Enforcement Item**

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

1. **File/Complaint Number** E153/24/2006 - 24/2005/037
2. **Location of Site** Chestnut Farm, Helland
3. **Names of Owners** Mr B Webber
4. **Names of Occupiers** Unoccupied

5. **Nature of Contravention**

Unauthorised opening in gable wall.

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 including a first floor extension and the insertion of a half glazed door on the end gable facing the rear of the existing farmhouse. 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 glazed door and panels in the south elevation are approximately 6 m away from the rear of the existing farmhouse. A difference in ground floor levels leaves the door at a higher level that results in direct overlooking that is considered detrimental to the privacy and amenity of the occupiers of the farmhouse.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice to secure blocking up of glazed door and panels 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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