

PLANNING COMMITTEE – 15 FEBRUARY, 2006

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Milverton

1. **File/Complaint Number** 23/2002/014
2. **Location of Site** 2 Baghay Cottages, Houndsmoor, Milverton
3. **Names of Owners** Dr M Evans
4. **Names of Occupiers** Dr M Evans
5. **Nature of Contravention**
Erection of detached garage not in accordance with approved drawings.
6. **Planning History**
Planning permission was granted on 4 September, 2002 by Milverton Parish Council for the erection of single storey and two storey extensions, erection of detached garage and alterations to vehicular access. However, it was subsequently brought to our attention that the garage was not being built in accordance with the approved drawings and encroached upon the neighbours land. Revised plans have now been received which show the garage in the position as built, but the applicant maintains that it is located entirely on her land. However due to the uncertainty in terms of whether the garage is located within the site area originally approved I do not consider it appropriate to deal with the matter under the Councils minor amendment procedure.
7. **Reasons for not taking Action**
It is considered that the issue between the two parties here is primarily a land ownership one and that the impact of the garage upon the neighbouring property is not such as to warrant enforcement action.
8. **Recommendation**
That Members resolve to take no further action over the garage.

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

CONTACT OFFICER: Mrs A Dunford Tel: 356479