

## Planning Committee – 2 July 2008

### Report of the Development Manager

#### Enforcement Item

#### Parish:

1. **File/Complaint Number** E54/46/2007
2. **Location of Site** 20 Dyers Close, West Buckland, WELLINGTON
3. **Names of Owners** Rev. & Mrs P Self
4. **Name of Occupiers** As above
5. **Nature of Contravention**

Extension of garden curtilage into agricultural field.

6. **Planning History**

A complaint was initially received regarding an increase of the domestic curtilage of this property in 2003. Investigations were carried out at the time and it was found that the area concerned had been in domestic use in excess of ten years therefore no action could be taken. A further complaint was received in March 2007 suggesting that additional buildings had been erected on agricultural land outside the domestic curtilage. It was suggested that the building provided changing facilities in respect of the existing swimming pool. The owner was contacted and informed that a planning application would be required for the structure should it not be used in connection with agriculture. A site meeting was arranged in order that a detailed inspection of the grounds could be carried out. From the records of the visit carried out in 2003 it was evident that little had changed. Existing buildings on site had been repaired and refurbished but no additional structures were on site. However, a native hedge forms the boundary to the garden and it was noticed that a small polytunnel had been constructed. This is the only structure near the pool that could be the subject of the complaint. It is used solely for the growing of vegetables and not used as changing rooms. The owners confirmed that the polytunnel had been there for a number of years but the polythene cover had to be replaced from time to time. When asked how long the structure had been on site the owner stated that it was in excess of 12 years. The polytunnel was not noticed in 2003 as the hedge obscured the polytunnel from the garden. The owner has subsequently submitted a photograph and two letters from neighbours confirming that the polytunnel has been on site for more than ten years therefore it is immune from any further action. The reason why this matter is before the Committee is that although the structure is immune from action the Committee is asked to support the recommendation in order that the complainant can be informed of the resolution.

**7. Reasons for Taking Action**

As stated above there is sufficient evidence to suggest that the structure has been on site in excess of ten years therefore it is recommended that no further action be taken

**8. Recommendation**

That no further action be taken.

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

**CONTACT OFFICER: Mr John A W Hardy Tel: 356479**