

MIDGHAM 11/01204/HOUSE Pins Ref 2164123	Garth House, Bath Road, Midgham Mr & Mrs Goodman	First floor accommodation provided to existing garage block	Del Refusal	Allowed 8.3.12
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In allowing the appeal the Inspector considered the main issue to be the effect of the proposed development on the character and appearance of the area.

The Inspector acknowledged the policy basis on Local Plan Policies ENV18 and ENV24, and that the impact or cumulative impact of development should not be materially greater or more harmful than that of the existing buildings on the rural character of the area. Neither should development result in an extended dwelling disproportionate in size to the original.

Having taken the SPG on 'replacement dwellings and extensions to dwellings in the countryside' into account the Inspector considered that paragraph 5.1 was relevant. This allows detached garages of appropriate dimensions and height if they are not obtrusive upon the wider locality. When assessing the proposal the dwelling is set some distance from the main road and the garage lies below the level of the main house. The garage is visible from the road, but not unduly prominent or obtrusive. It is seen in the context of the existing house and adjacent dwellings, which are more imposing.

The works would increase the height and bulk of the garage but not in a disproportionate manner. The block would remain as a subordinate structure to the existing house, and maintain the essential character as an ancillary building of moderate scale. The proposal would not have an obtrusive effect upon the site or the wider locality.

In respect of the Council's concerns about the potential for the development to be occupied as a self-contained unit of accommodation, the layout of the property, and proximity of the garage to the house, does not lend itself to subdivision. The Inspector could see no reason why this matter could not be adequately controlled by means of a condition.

In allowing the appeal the Inspector placed the standard time limit and approved plans condition, as well as a condition to ensure that the accommodation shall not be occupied other than for ancillary purposes.

This is quite an interesting decision, as concerns were raised in refusing the application, that a two bedroom annex with living room and bathroom, located separately from the main house, could be used as a unit for independent living. This demonstrates how on site factors need to be assessed to consider whether a piece of land could be subdivided.