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| <p>BASILDON<br/>10/00265</p> <p>Pins Ref 2127353</p> | <p>Greensleeves,<br/>Reading Road,<br/>Lower Basildon<br/>Harley James Ltd</p> | <p>Construction of a<br/>single 4-bed<br/>dwelling to the<br/>rear of<br/>Greensleeves<br/>with access<br/>parking and<br/>amenity, new<br/>access for the<br/>existing and<br/>proposed<br/>dwellings</p> | <p>Delegated Refusal</p> | <p>Allowed<br/>25.10.10</p> |
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The Inspector considered the main issues to be the effect of the proposed development on the living conditions of occupiers of neighbouring Pelynt House, and its effect on the character and appearance of the area and that of the Area of Outstanding Natural Beauty (AONB).

The Inspector noted that Lower Basildon is predominately linear in character, though the depth of development begins to thicken below and to the east of Park Wall Lane.

In terms of the effect of living conditions on Pelynt House the Inspector noted the distance of 21 metres between the proposed dwelling and Pelynt House. There was no dispute that the upper portion of the gable and the hip of the roof would be visible from the ground and first floor of Pelynt House, but maintained that visual presence did not amount to material harm. Due to the height, the hipped form and distance from the habitable rooms of Pelynt House this would not amount to an overbearing presence cause material harm to the living conditions of occupiers of Pelynt House. The Inspector was satisfied that there would be no loss of sunlight.

In terms of the effect of character and appearance the Inspector considered that critical to the acceptability of development is its conformity with the predominately linear character. A specific threat to that character of tandem development was identified by another Inspector in the Trees decision. Critical to this case therefore is whether the development is considered tandem or otherwise.

The Inspector did not consider the development to fall within the definition of tandem development. The access to the proposed dwelling is shared with that of Greensleeves and is set within the frontage of the lane. The plot addresses the lane frontage. The Inspector did not consider the development to be inconsistent with the established character of its environs. The gable end relationship with the frontage is established by the orientation of Pelynt House and by Basildon Cottage on Park Wall Lane, which exhibits a similar part-gable facing arrangement. Moreover, the pattern of development established by the proposed dwelling, Greensleeves and Basil Corner, grouped around the junction of Church

Lane and Reading Road would be similar to the established pattern of houses around the junction of Reading Road and Park Wall Lane.

The proposed development would be set back within the site for it to be screened from view from the key perspective along Reading Road from the south east. The articulation, detailing and materials proposed all serve to integrate the proposed house with the prevailing Arts and Crafts neo-vernacular architecture that strongly defines the character of the village. The Inspector therefore considered that the proposed would comply with PPS1, OVS2 of the Local Plan, and points 8 and 9 of the Basildon Village Design Statement.

The Inspector did accept that the proposed development would extend the building line of this part of the settlement towards the open countryside and AONB. However, the site is effectively screened from the open countryside by the dense stand of trees on the railway embankment. No material harm to the natural beauty of the landscape or countryside would result.

In terms of developer contributions the Inspector was satisfied that the requests were justified and related to the development.

The Inspector did consider the revisions to PPS3 where garden land is excluded from the definition of previously developed land. The site lies within the settlement boundary where the principle of development is acceptable. Moreover, the focus of the Council's case is the effect of the development on the character of the village and AONB. The Inspector therefore did not consider the revised definition of previously developed land to have a primary or material bearing on the outcome of the case.

Allowed, subject to conditions.