

**AGENDA ITEM NO: 8/1(i)**

<b>Parish:</b>	<b>Marshland St James</b>	
<b>Proposal:</b>	<b>Construction of terraced housing consisting 2 x 2 bedroom and 2 x 3 bedroom dwellings (4 in number) on former farm yard</b>	
<b>Location:</b>	<b>Land at School Road Marshland St James Norfolk</b>	
<b>Applicant:</b>	<b>Client of Hereward Services</b>	
<b>Case No:</b>	<b>15/00985/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson Tel: 01553 616794</b>	<b>Date for Determination: 18 August 2015</b>

**Reason for Referral to Planning Committee** – Called in at the request of Councillor Brian Long, and recommendation contrary to previous appeal decision.

**Case Summary**

The site lies on the north-eastern side of School Road, Marshland St James approx. 250m from the Hickathrift crossroads (junction of Smeeth Road, Walton Road and School Road). It comprises an area of former farmyard which is now unkempt grassland commonly used for parking and turning of vehicles at school drop-off and pick-up times (Primary School lies some 100m away on the opposite side of the road). It is enclosed by a barn style dwelling 'The Trundle' to the north-west, stables to the rear beyond a close boarded fence and mature hedgerow and tree to the south-east with agricultural land beyond.

The site was identified as being beyond the development area of the village and has been the subject of historical refusals and a dismissed appeal (copy appended to this report for reference).

This application seeks full permission for the construction of a terrace of 4 dwellinghouses (two 2 bed & two 3 bed units) with a central undercroft access and associated parking and turning area to the rear.

It has been called in for determination by the Planning Committee at the request of Cllr Brian Long.

**Key Issues**

Principle of development  
Impact upon form and character of the locality  
Impact upon amenity of adjoining property  
Highways implications  
Flood risk  
Other material considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The site (approx. 0.09Ha) lies on the north-eastern side of School Road, Marshland St James approx. 250m from the Hickathrift crossroads (junction of Smeeth Road, Walton Road and School Road). It comprises an area of former farmyard which is now unkempt grassland commonly used for temporary parking and turning of vehicles at school drop-off and pick-up times (Primary School lies some 100m away on the opposite side of the road). It is enclosed by a barn style dwelling 'The Trundle' to the north-west, stables to the rear beyond a close boarded fence and mature hedgerow and tree to the south-east with agricultural land beyond.

The site was identified as being beyond the development area of the village and has been the subject of historical refusals and a dismissed appeal (copy appended to this report for reference).

This application seeks full permission for the construction of a terrace of 4 dwellinghouses (two 2 bed & two 3 bed units) with a central undercroft access and associated parking and turning area to the rear.

## **SUPPORTING CASE**

The agent requests that the following statement of support is taken into consideration in determining this application:

"The site was chosen for its location in relation to the original Preferred Option for the village, ensuring its sustainability. It was further considered an ideal location for development having been unused and redundant for many years, latterly acting as an unauthorised turning area for visitors to the local school.

Sitting adjacent the village development boundary and bordered in such a way as to be isolated from the surrounding countryside, the site lent itself to development; the large hedge to the south-east forming a natural, physical boundary to the village. The design proposal was arrived at after local consultation and examination of need and the applicant's wish to provide homes for younger families in the village. This ethos was endorsed and supported by both the Parish Council and Ward Member."

## **PLANNING HISTORY**

2/85/0052/O – Site for erection of dwelling – Refused 12.02.85

2/88/1373/O – Site for construction of bungalow – Refused 07.06.88 & dismissed on appeal 27.04.89

15/00263/F - Construction of terraced housing consisting of 2 x 2 bedroom and 2 x 3 bedroom dwellings (4 in number) on former farm yard – Withdrawn 27.04.15

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT**

**Local Highways Authority (NCC): NO OBJECTION** subject to conditions

**Internal Drainage Board:** No Comments received

**Environmental Health & Housing – Environmental Quality:** **NO OBJECTION** subject to conditions relating to possible contamination

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance:** **OBJECTION** on the basis of mains sewerage not being indicated to be used on the application forms and concerns regarding vehicle noise

**District Emergency Planning Officer:** **NO OBJECTION** subject to conditions relating to signing up to 'Floodline' and production of an evacuation plan.

**Environment Agency:** **NO OBJECTION** subject to condition relating to Flood Risk Assessment if sequential and exception testing is passed.

## **REPRESENTATIONS**

**SIX** letters of **OBJECTION** received raising concerns regarding the following matters:

- Noise and disturbance – impact upon adjoining stables/horses causing adverse safety implications and Human Rights affected in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land;
- Overlooking and loss of privacy;
- Overshadowing;
- Boundary position – there is a 1m strip between the boundary wall of The Trundle and the adjoining land, which does not appear to have been taken into consideration;
- The development will adversely change the whole character of the neighbourhood – terrace out of context in terms of design and style in comparison to others along School Road;
- Traffic matters – the site lies beyond the 40mph speed limit and is prone to congestion especially at school times – no pedestrian pavement in this part of School Road resulting in road safety concerns. Increased traffic movements associated with new development will adversely affect School Road, which is extremely busy at times with farm, school and additional proposed housing traffic. This is too much for a countryside road;
- The site lies outside the development area of the village and should remain so – to allow this would set a precedent for additional development;
- There has been an attempt to secure development by neglect - site would be better used as a pony paddock or other agricultural use;
- The justification on the basis of the existence of the travellers' site is not relevant as that site does not contain permanent structures/dwellings and cannot be seen from the proposed site;
- The four properties are not 'affordable housing' as defined by the Department for Communities and Local Government 2012, they are low-cost houses tightly built on a small plot; and
- Concern that properties will be purchased by 'buy-to-rent' landlords and over-populating the houses with migrant workers as is happening in Wisbech and other towns around the country.

## **NATIONAL GUIDANCE**

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT**

**DM1** – Presumption in Favour of Sustainable Development

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **OTHER GUIDANCE**

Marshland St James Parish Plans

## **PLANNING CONSIDERATIONS**

The key considerations in assessing this proposed development are considered to be as follows:

- Principle of development
- Impact upon form and character of the locality
- Impact upon amenity of adjoining property
- Highways implications
- Flood risk
- Other material considerations

### **Principle of development**

As stated the site falls outside of the development boundary identified in the Local Plan, where normally new development is restricted.

However, members will be aware that as a result of an appeal decision at Clenchwarton (former Fosters sports fields) and a recent High Court ruling, the Council does not have a 5 year land supply.

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF deals with this presumption in favour of sustainable development and states: "For decision-taking this means:

...where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted".

Given that housing supply policies in the Borough are deemed to be out of date in the absence of a 5 year supply, the main consideration is therefore whether the proposal constitutes sustainable development.

The application site is a sustainable location as indicated in the assessment undertaken as part of the LDF review. It was not chosen as a preferred option as two other sites were considered to be more suited (sites G57.2 & G57.1) the latter for 15 dwellings is situated on the opposite side of the road and adjoins the Primary School.

The site is close to the school and within easy walking distance to the public house (The Marshland Arms) and village hall – all the facilities available within Marshland St James.

It is considered that the benefits associated with the provision of these 4 additional dwellings in this relatively sustainable location, would make a small, but positive contribution to addressing the shortfall of the five year land supply.

### **Impact upon form and character of the locality**

School Road comprises a mix of property types and styles including Hickathrift House (residential care home), substantial detached houses and bungalows set in large grounds, a barn conversion, semi-detached houses and the 1960s style school.

The proposed dwellings are in a terraced format with a central undercroft driveway leading to a rear parking and turning area. The appearance of this block has been the subject of change with modified plans simplifying the appearance and pitch of the roofline. The dwellings are positioned approx. 6.6m back from the road with a dwarf wall and railings enclosed front garden arrangement, plus private gardens to the rear with parking beyond. This presents a continuation of the frontage development that forms the character of this part of School Road. The hedgeline to the south-eastern side of the site is to be retained and constitutes a 'soft' edge to the built-up frontage.

It will be noted from the appeal decision in 1989 (appended to this report) that the characteristics of this land have changed over the intervening years, in that the site is contained by an established hedge and is no longer "part of one continuous open area unobstructed by physical features." There would no longer be a protrusion of the built form into the countryside.

Therefore in terms of impact upon the form and character of this locality, the proposal is now considered to be acceptable.

### **Impact upon amenity of adjoining property**

Concerns have been raised by the neighbouring residents at The Trundle in terms of overlooking, overshadowing and position of boundary.

Given the separation distances (9.5m at nearest point), orientation of windows to front and rear (blank gables) and existing boundary treatment (2m high brick wall and close-boarded fence), it is considered that the inter-relationship between the proposed dwellings and The Trundle is acceptable.

With regards to noise and disturbance, there would be some disturbance during the construction phase which is to be expected. From the residential use, the activity would be contained to the rear of the dwellings – gardens and parking area. The equine activities to the rear of the site would be beyond a timber boundary fence and existing stable block. There are no concerns raised by our colleagues in Community Safety & Neighbourhood Nuisance with regards to this proposal.

There is a boundary dispute between the applicant and the owners of The Trundle relating to a 1m strip of land adjacent to the wall. This is a matter of civil law and will need to be resolved between the two parties. Land registry title plan shows all of the site as being within the applicant's ownership.

### **Highways implications**

As stated above, there is a central access drive leading to a parking and turning area to the rear of the dwellings. 11 parking spaces are provided to serve the 4 dwellings (i.e. 2 per dwelling plus 3 visitor spaces). This comfortably meets the NCC parking standards to serve such a development. A wall and railings have been introduced along the frontage of the site to ensure that vehicles will use the dedicated parking area and avoid abuse from parking associated with the school.

Visibility splays are acceptable, but County Highways recommend that the speed restricted area is extended further eastwards to a point beyond the site. This may be achieved via condition.

Local concerns have been raised regarding highway safety issues at school times, but any congestion is short-lived and County Highways consider that it would not be significantly affected by this self-contained development.

### **Flood risk**

The application site lies within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment and the application is accompanied by a Statement of Justification which contains a section on Flood Risk. The proposal passes sequential testing as there are no alternative sites identified as being available to take this development in a lower risk area within the village. The exception test is also passed as the benefits to the community outweigh any flood risk concerns and the development is considered to be safe – a view confirmed by the Environment Agency (EA).

Our Emergency Planning Officer has recommended that the residents sign up to the EA's Floodline service and an evacuation plan is prepared. These matters may be controlled via condition.

### **Other material considerations**

There are no significant crime and disorder issues raised by this proposed development.

Foul water is to be disposed of via the mains sewer and surface water will be controlled via condition.

Given the former use of the site as a farmyard, there could be potential contamination issues, but this matter may be controlled via conditions as recommended by our Environmental Protection team.

There is an ash tree in the south-eastern corner of the site which has been discussed with our Arboricultural Officer. It appears to be self-set, is multi-stemmed and of no significant amenity value. Its loss is considered to be acceptable.

There is an electricity power line adjacent to the south-eastern boundary, but this is not thought to be affected by the proposed development and could be repositioned if necessary at the applicant's expense. The electricity operator was consulted on this proposal, but has not responded to date.

The agent has tabled a deed of covenant relating to the tenure and disposal of these houses, this is however a matter between the applicant and the Parish Council as the site is below the threshold for affordable housing provision as defined in Core Strategy Policy CS09 of the LDF. For planning purposes these are open market properties. If the applicant wishes to pursue this matter with the Parish Council, that is his prerogative, but the Local Planning Authority would not be party to any such agreement.

## **CONCLUSION**

In light of recent changes in relation to housing supply policies in the borough and the need to provide a 5 year supply of deliverable housing sites, this proposal is considered to constitute a sustainable development that would not adversely affect the form and character of this locality. Whilst the site was dismissed at appeal in 1989 for the erection of a bungalow, the form and character of the area has changed, and the 5 year land supply issue is a material consideration deemed to carry significant weight. All other matters of planning importance may be controlled via condition and the proposal is considered to be acceptable subject to certain conditions stated below.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 14-MSJ-02 Revision A & 14-MSJ-03 Revision A.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority.

The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 3 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 4 Condition Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 5 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.  
Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.



- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan 14-MSJ-02 Revision A in accordance with the highway specification drawing No: TRAD 4. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 7 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 8 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the first occupation of the development hereby permitted, the proposed access, on-site car parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 9 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 10 Condition Prior to the first occupation of the development hereby permitted, a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage.

The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.9 metres above the level of the adjacent highway carriageway.

- 10 Reason In the interests of highway safety.
- 11 Condition No works shall commence on the site until the Traffic Regulation Order for relocating the extent of the 40 mph speed limit has been promoted by the Highway Authority.
- 11 Reason In the interests of highway safety.
- 12 Condition The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk section of the Statement of Justification, dated February 2015 by Hereward Services, and the following mitigation measure detailed within the FRA:
- Finished floor levels are raised 300mm above the existing ground level of School Road, set at a minimum level of 2.10m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

- 12 Reason To reduce the risk of flooding to the proposed development and future occupants; in accordance with the provisions of the NPPF.
- 13 Condition Prior to occupation of the dwellings hereby approved, evidence of the following shall be submitted to and agreed in writing by the Local planning Authority:
- The occupiers shall sign on to the Environment Agency's Floodline Warnings Direct service;
  - A flood evacuation plan shall be prepared - to include actions to take on receipt of the different warning levels, evacuation procedures (e.g. isolating services and taking valuables etc.) and evacuation routes.

The plans shall be executed as agreed.

- 13 Reason In order to protect the development, and future residents, at times of flooding in accordance with the provisions of the NPPF.
- 14 Condition Notwithstanding the submitted plans, prior to the commencement of development, full details of proposed site levels (including patios, footpaths etc.) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with those details agreed.
- 14 Reason In order to prevent an increased risk of flooding and residential amenity in accordance with the principles of the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 15 Condition No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 15 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 16 Condition Prior to occupation of the dwellings hereby approved, the dwarf wall and railings along the frontage of the site shall be constructed in accordance with the approved plans, and maintained in that condition thereafter.
- 16 Reason In the interests of highway safety and residential amenity in accordance with the provisions of the NPPF.
- 17 Condition No development or other operations shall commence on site until the existing hedgerow to be retained along the south-eastern boundary of the site, has been protected in accordance with a scheme that has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of the hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 17 Reason To ensure that existing hedgerow is properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to the hedge during the construction phase.



Telex 449321

Direct Line 0272-218927  
Switchboard 0272-218811  
GTN 1374

Mr J R Major BSc ARICS FAAV  
White & Kingston Chartered Surveyors  
18-19 Sheep Market  
SPALDING  
Lincolnshire  
PE11 1BG.

Your reference:

JRM/klp/2393

Our reference:

T/APP/V2635/A/88/110239/P

Date:

27 APR 89

DISTRICT PLANNING OFFICE

RECEIVED

- 3 MAY 1989

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR R S MARKILLIE  
APPLICATION NO:-2/88/1373/O

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the King's Lynn and West Norfolk Borough Council to refuse outline planning permission for the erection of a bungalow on land adjoining Hickathrift Farm, School Road, Marshland St. James. I have considered the written representations made by you and by the Council, and also those made by the Marshland St. James Parish Council, the Anglian Water Authority, and other interested parties. I inspected the site on 17 April 1989.
2. The appeal site is on the north side of School Road to the east of its junction with Smeeth Road. It consists of a flat area of grassland with a derelict corrugated iron structure located close to its northern boundary. There is no physical barrier between the appeal site and a larger grassed area to its north. To the east is an area of unbroken farmland separated from the appeal site by a ditch. West of the site is the walled complex of farm buildings at Hickathrift Farm, beyond which is its two-storey farmhouse. Opposite the appeal site on the south side of School Road is a further expanse of flat grassland to the east of a primary school.
3. From my inspection of the site and its surroundings and the written representations I consider that the main issue in this appeal is whether the erection of a dwelling on this site would unacceptably harm the rural character and appearance of the locality.
4. Marshland St. James is a linear settlement consisting of development on both sides of Smeeth Road. An arm to this linear pattern extends eastwards along School Road to the farm buildings of Hickathrift Farm on its northern side and including the primary school on the south side of the road. To the east of these points in School Road the settlement pattern becomes much more dispersed with open farmland intervening between isolated buildings, and this is recognised in the Council's non-statutory Village Guideline for Marshland St. James, produced in accordance with Policy H7 of the approved Norfolk Structure Plan.

5. I consider that the guideline is a realistic document, since it includes all of the more or less continuous ribbon of development at the western end of School Road within the settlement boundaries, but excludes the sporadic pattern of buildings to its east. The appeal site lies immediately to the east of the defined settlement boundary, and is separated from the main mass of open land to its east by a drainage ditch. Nevertheless, I consider that the western wall of the farmyard makes a more clear-cut boundary to the village than the ditch.

6. Consequently, although separated from the main belt of farmland to the east by a watercourse, to my mind the appeal site is part of one continuous open area unobstructed by any prominent physical features. Therefore, I am firmly of the opinion that its residential development would be contrary to structure plan Policy H7, as it would not enhance the form and character of Marshland St. James. Instead I consider that, in the absence of any special justification for a new dwelling outside a village, in breach of Policy H8 of the structure plan, it would constitute an unwarranted urban intrusion into predominantly open countryside and would thereby be out of keeping with the rural character of the area.

7. In reaching my conclusions on this appeal I have taken careful account of all the matters raised in the representations, including the fact that the site has in the past been part of the adjoining farmyard, but do not consider these to be of sufficient weight to alter my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir  
Your obedient Servant

*I. Currie*

I W CURRIE BA MPhil ARICS MRTPI  
Inspector