



# Planning Inspectorate

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FENLAND DISTRICT COUNCIL	
PLANNING DEPARTMENT	
R	4 copies MH - 5 JAN 1990 TSC / CA
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Your reference

Our reference

T/APP/D0515/A/89/131665/P4

Date

- 3 JAN 1990

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MRS L GOOCH  
APPLICATION NO: F/1768/88/0

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the Fenland District Council to refuse outline planning permission for one building plot at Thurlands Drove, Upwell. I have considered the written representations made by you and by the Council and those representations made directly by other parties and interested persons to the Council which have been forwarded to me. I inspected the site on 6 December 1989.

2. From my inspection of the site and its surroundings and the representations made, I consider that the main issue in this case is the effect the proposal would have on the rural character of the area.

3. The local planning policies relating to this area are contained in the approved Cambridgeshire County Structure Plan in which it is stated that, with certain exceptions, the construction of new dwellings in open countryside will not be allowed. The non-statutory Village Plan for Upwell, which shows the village development area, does not extend to the appeal site. I saw on my inspection that although the site is within a small group of dwellings, it is nevertheless about a mile from the village, and I am of the opinion that it is in open countryside and therefore the rural policies apply. You do not argue that the proposal falls within the exceptions to these policies, and I am therefore convinced that the proposal would be contrary to a strict application of Structure Plan Policy P7/5.

4. I have also had regard to Government advice contained in circulars and planning policy guidance. Policy, however, is only one of the material considerations to be taken into account and I have therefore examined the proposal to determine whether it would be harmful to interests identified in the established policies.

5. The appeal site is at present part of the garden of 1 Thurlands Drove, and lies to the north east of a group of 5 pairs of semi-detached houses. To the north east there is a further dwelling separated from the appeal site by open land and a paddock with stables. Between the existing house and the appeal site there is an access road to a commercial vehicle breakers yard at the rear. Apart from this group of dwellings, the area is generally flat open countryside with sporadic dwellings and farm buildings. The group of dwellings and the breakers yard are, in my opinion, an intrusive feature in this otherwise generally unspoiled piece of rural countryside. I consider the proposal would add to that intrusion and further urbanise this area, contrary to local planning policies. I am therefore of the view



that the proposal would have a harmful effect on the rural character of this area of countryside which is worthy of protection, and that it should be rejected.

6. I have examined your submission that Application 966/88 was approved by the Council in less favourable circumstances, but in view of that site being in a village some miles from Upwell, and in the absence of further reasons to explain its approval, I do not consider it should have any bearing on my decision in this case, nor form a precedent for this proposal.

7. I have considered all other matters raised in the written representations, including the personal submissions you have made, but do not find them of sufficient weight as to alter my view that this development should not be allowed.

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

A handwritten signature in cursive script, appearing to read 'D Storey', is written over a horizontal line.

D STOREY DMA FCIS  
Inspector