
11. HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0715/0658 3150216	Proposed agricultural unit at Town End Farm, Main Street, Chelmorton	Written Representations	Committee
NP/DDD/0915/0913 3151518	Proposed conversion of former house to form accessible holiday let accommodation at Smelters Cottage, Hathersage	Written Representations	Committee

2. APPEALS WITHDRAWN

The following appeal was withdrawn

3012587 Hurst Nook Croft, Derbyshire Level, Glossop, SK13 7PR - due to agreement to vary the enforcement notice to extend the period for compliance to allow the implementation of the recently approved scheme.

3. APPEALS DECIDED

The following appeal has been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
MIN 2382 73265	Prohibition Order – Deep Rake, Hassop (Longstone Edge East)	Public Inquiry	Order Confirmed	Committee

The Secretary of State was satisfied that the tests required for the making of a Prohibition Order under Schedule 3 of the Act had been met. Schedule 3 states that when making a prohibition order, a minerals planning authority may impose requirements such as site restoration conditions. The Secretary of State noted that there was no dispute between the parties as to the requirement for Backdale Quarry and the land at Wagers Flat to be restored - the Inquiry focussed on how the restoration should take place. The Secretary of State shared the Inspector's view that, on balance, the NPA's scheme of site restoration was the more appropriate for the site (as compared to the site owner's scheme), having regard to visual and landscape impact. He agreed with the Inspector that safety considerations made the scheme proposed by the NPA the more appropriate restoration scheme for the site, while remaining both reasonable and practicable, therefore the Order was confirmed.

4. RECOMMENDATION:

That the report be received.