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**15. 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/HPK/0217/0115 3178705	Demolish existing lean to and replace with a flat roofed extension at 16 Hernstone Lane, Peak Forest	Householder	Delegated

**2. APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.

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**3. APPEALS DECIDED**

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/1016/1081 3175372	Proposed change of use from A2 to A3 from former bank to restaurant at Bank House, Main Road, Hathersage, S32 1BB	Written Representations	Allowed	Committee

The Inspector considered that the proposal, subject to the use of planning conditions, would not have an unacceptable impact on the living conditions of residents regarding odour, noise & disturbance and loss of privacy. The scheme would also comply with a core planning principle of the National Planning Policy Framework which seeks a good standard of amenity for existing and future occupants of buildings. The Inspector also felt that the proposal would not result in harm to the setting of the Conservation Area or the listed buildings, in deed the mixture of uses within the village would keep up its vitality and viability. The Appeal was therefore allowed.

The applicant had made an application for an award of costs against the Authority. The Inspector agreed with the applicant in that the Authority had behaved unreasonably by refusing the planning permission when it was capable of being dealt with by conditions, and that it then resulted in an unnecessary or wasted expense for the applicant, therefore a full award of costs was justified.

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NP/HPK/0317/0330 3182213	Proposed porch extension to rear of a detached dwelling at Rushup Cottage Farm, Rushup Lane, Chapel-en-le-Frith	Householder	Allowed	Delegated
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The Inspector felt that the proposed porch would be subordinate to the main dwelling and considered that it would respect its character and appearance. There was no conflict with Policy LC8 of the Local Plan and it also conformed with the Design Guide as well as the National Planning Policy Framework. For these reasons the Inspector concluded that the appeal should be allowed.

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.4 **RECOMMENDATION:**

**That the report be received.**