
18. 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/0517/0517 3184842	Erection of replacement lean-to conservatory at rear of dwelling at South Croft, Church Lane, Monyash	Written Representations	Delegated
NP/DDD/0417/0440 3183270	Erection of conservatory at Burrs Farm, Caxterway Lane, Chelmorton	Householder	Delegated
NP/DDD/0417/0424 3285405	Extension to approved balcony and screening wall at Oak Cottage, Hay Lane, Froggatt, Calver	Householder	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

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/HPK/0517/0475 3182026	Drop shared western boundary wall and a footway/dropped kerb to allow vehicular access to the property at 24 Hernstone Lane, Peak Forest	Householder	Part Allowed/ Part Dismissed	Delegated

The Inspector considered that the proposed dropped kerb could lead to vehicle movements that would prejudice highway safety, and would be contrary to Policy LT18 of the Local Plan and paragraph 32 of the NPPF, which both require development to provide safe access arrangements; therefore this part of the appeal was dismissed. As to the proposed reduction in the height of the boundary wall, the Inspector considered that the proposal would have limited visual impact on the street scene and as such would accord with LC4 of the Local Plan and GSP3 of the Core Strategy, which both aim to protect the character of the area, therefore this part of the appeal was allowed.

NP/DDD/0117/0080 3179328	Alterations & extensions to create bedsit and ground floor shower	Householder	Allowed	Delegated
-----------------------------	---	-------------	---------	-----------

room for disabled
resident at Aston
Grange, Oker Road,
Oker, Matlock

The Inspector felt that the extension would not be seen as a dominant addition to the dwelling, and that it would not have a harmful effect on the National Park's valued characteristic, particularly in terms of the impact on the quality of the wider landscape, the rural and agricultural setting of the dwelling or any aspect of its cultural heritage. There would also be no conflict with DS1, GSP1, GSP2 & GSP3 of the Core Strategy or LC4 and LH4 of the Local Plan, which seek, amongst other things to ensure extensions, respect and conserve the character and appearance of the original building and its setting, and that the development would not affect the purposes and duties of the National Park. For these reasons the Inspector considered the appeal should be allowed.

NP/HPK/0217/0115 3178705	Demolition and replacement of existing extension to rear of property at 16 Hernstone Lane, Peak Forest	Householder	Dismissed	Delegated
-----------------------------	--	-------------	-----------	-----------

The Inspector considered that the proposed replacement rear extension would be conspicuous within the open character of the settlement, notably from the adjacent recreation ground and more particularly to the east of the appeal site, where the slope of the land affords a good view of the roof of the existing extension. The proposal would also fail to preserve or enhance the character of the Peak Forest Conservation Area as well as the appearance of the host building. The appeal was therefore dismissed.

.4 **RECOMMENDATION:**

That the report be received.