

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

1. APPEALS LODGED

The following appeals have been lodged during November & December.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0418/0314 3213622	Extensions and alterations to dwelling, at 6 Aldern Way, Bakewell	Householder	Committee
NP/HPK/0316/0215 3201092	Alterations to the listed building as minor material amendments specifically referred to in the Heritage Statement to NP/HPK/0714/0706 and 0707 at Edale House, Hope Road, Edale	Informal Hearing	Delegated
NP/HPK/0418/0352 3212360	Subdivision of existing dwelling into 2no. dwellings at Tower Cottage, Moorfield, Glossop	Written Representatives	Delegated
NP/DDD/0218/0126 3208806	Change of use of part of premises from commercial to residential at Queen Street, Tideswell	Written Representation	Delegated
NP/DDD/0518/0446	Alterations and additions to an existing 1920's timber framed bungalow/chalet at Badgers Wood, Upper Padley, Grindleford	Householder	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during November & December.

3. APPEALS DECIDED

The following appeals have been decided during November & December.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/1217/1282 3200699	Erection of mobile timber hen-house on skids at Rocklands, The Bent, Curbar	Written Representations	Allowed	Committee

The Inspector considered that condition 4 (that there should be no egg sales directly from the site); condition 5 (that prior to the erection of any fencing, details of the type, height and colour shall be submitted and approved in writing by the Authority); condition 6 (a plan showing the locations in which the hen house will be located within the field); and condition 8 (the number of hens on site at any one time shall be limited to 150) which were imposed on the planning permission by the Authority, were not necessary or reasonable, as the development would not have an adverse effect on the character and appearance of its surroundings. Nor did the Inspector agree that adding any further conditions to the permission requiring visibility to be improved at the site entrance, as was suggested by the Highway Authority necessary. The planning permission decision notice was therefore amended and the appeal was allowed.

NP/DDD/0118/0027 3196378	Section 73 - Removal or variation of condition 2 on APP/M9496/W/15/30531 01 - Revised design for house on Plot 1 at Dove Dairy, Stonewell Lane, Hartington, SK17 0AH	Written Representations	Dismissed	Delegated
<p>The Inspector felt that the proposed development would be well detailed and proportioned and would be appropriate within its context at the edge of the housing estate. The Inspector also considered that the development would not harm the setting of the conservation area, nor conflicted with the two purposes of the National Park, however, in the absence of an updated Unilateral Undertaking (Section 106 agreement), the Inspector dismissed the appeal.</p>				
NP/DDD/0318/0255 3208690	Single storey garden room extension at 15 Lowside Close, Calver, S32 3WZ	Householder	Allowed with Conditions	Delegated
<p>The Inspector felt that the proposal would respond well to the character and appearance of the host dwelling and its setting, and would not conflict with GSP3 of the Core Strategy nor LC4, LH4 of the Local Plan. The appeal was allowed with a condition that the external finishes of the extension should match those of the host dwelling, in order to ensure a visually acceptable development.</p>				
NP/HPK/0318/0256 3208632	Two storey extension to rear of the existing property and revised front elevation to attached barn at Heath Farm, Smalldale SK17 8EB	Householder	Dismissed	Delegated
<p>The Inspector considered that although the gables would have a lower ridge, they would amount to a significant enlargement which would engulf the scale of the original dwelling. The Inspector felt that the proposal would harm the character and appearance of the host dwelling, the adjacent barn and would be detrimental to the natural beauty. The appeal was dismissed.</p>				
NP/DDD/0118/0055	Development proposed 'demolition of existing flat roof extension to be replaced with two storey side extension at Bramblegate, Tideswell Lane, Eyam S32 5RD	Householder	Dismissed	Committee
<p>The Inspector considered that the overall proposed extension would harm the character and the appearance of the host dwelling. The inspector agreed that although there was no harm to the living conditions of the occupiers of nearby dwellings, the main issues were that the proposed dwelling would visually compete with the main dwelling. The appeal was dismissed.</p>				

NP/DDD/0518/0440 3210641	Domestic garage at Swallow Cottage, Pilhough, Rowsley, DE4 2NE	Householder	Dismissed	Delegated
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The Inspector considered that although the development was smaller than previous schemes, it would still give rise to similar concerns over its scale, prominence and harmful nature as well as cause unacceptable harm to the character and appearance of the area, and would also conflict with GSP1, GSP2, GSP3 and L1 of the Core Strategy as well as LC4 and HC4 of the Local Plan. The appeal was therefore dismissed.

4. **RECOMMENDATION:**

That the report be received.