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

1. **APPEALS LODGED**

There were no new appeals lodged this month.

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 **APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.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/SM/0719/0729 3246109 | Residential conversion of traditional stone barn at Carr Lane, Wetton | Written Representations | Dismissed | Committee |

The Inspector considered that the public benefits did not outweigh the harm that would be caused to the character and appearance of the Conservation Area, the surrounding landscape and the rural setting of Wetton and to the character and setting of the barn as a non-designated heritage asset. Accordingly, the Inspector found that the proposal conflicted with the development plan as a whole, so dismissed the appeal.

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| NP/GDO/1219/1271 3251761 | New agricultural storage building at Broadhay Farm, Highlow | Written Representations | Allowed | Delegated |
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The Inspector considered that the proposal would be reasonably necessary for the purposes of agriculture, and would not fail to conserve the valued characteristics of the National Park. The Inspector allowed the appeal.

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| NP/CEC/0919/0985 3243568 | S.73 Removal or Variation of condition 2 on NP/CEC/0718/0600 to allow a new first floor window and re-location of an existing glazed former ventilation slot at Shire Horse Barn, Macclesfield Forest | Written Representations | Allowed | Delegated |
|-----------------------------|---|-------------------------|---------|-----------|

The Inspector considered that the proposal would greatly improve the living conditions, and would not harm the significance of the non-designated heritage asset or the character and appearance of the appeal property or its setting. The appeal was therefore allowed.

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|-----------------------------|---|-------------|-------------------------|-----------|
| NP/HPK/0120/0039 3253768 | Rear two storey extension and demolition and re-build of porch at 78 Castleton Road, Hope | Householder | Allowed with Conditions | Delegated |
|-----------------------------|---|-------------|-------------------------|-----------|

The Inspector considered that the proposal would not have an effect on the character and appearance of the area nor that the proposed extension excessive, as it would only be seen from a small section of the main road. The Inspector allowed the appeal subject to conditions requiring the flue to be painted matt black and for materials used to match the existing stonework.

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|-----------------------------|---|-------------|-------------------------|-----------|
| NP/HPK/0120/0041 3253769 | Rear two storey extension 76 Castleton Road, Hope | Householder | Allowed with Conditions | Delegated |
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The Inspector considered that the proposal would not harm the character and appearance of the host dwelling, and would not be prominent in the street scene. The Inspector allowed the appeal subject to the condition that materials used should match the existing stonework.

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| NP/CEC/0919/1002 3240770 | Construction of 9no. residential units (use class C3), comprising 2no. one-bedroom flats, 2no. two-bedroom dwellings and 2no. three-bedroom dwellings for affordable rent, and 3no. three-bedroom dwellings for shared ownership, associated car parking, creation of new access, landscaping and associated works, at land off Church Lane, Rainow | Written Representations | Dismissed | Committee |
|-----------------------------|---|-------------------------|-----------|-----------|

The Inspector considered that the proposed development would have a harmful impact on the character and appearance of the Conservation Area, highway safety and potential harm to climate change and sustainability. The proposal would also conflict with Core Strategy Policies GSP1, GSP3, L1, L3, and DMP Policies DMC1, DMC3, DMC5, DMC8 and DMC13 which together seek to preserve or enhance the significance of Conservation Areas, their setting and the landscape character of the National Park. The appeal was therefore dismissed.

4. **RECOMMENDATION:**

To note the report.