

12. 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/1219/1280 3258600	Ground mount solar PV array at Blakelow Farm, Winster	Written Representations	Delegated
NP/DDD/0420/0309 3256035	Proposed erection of double garage and store at Star House, Main Street, Taddington	Householder	Delegated
NP/DDD/1018/0995 3258506	Demolish an unsafe general purpose farm building and replace it with one for the same at White Rake Cottage, Tideswell Moor, Tideswell	Written Representations	Delegated

2. **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>
ENF 16/0118 3254516	Construction of a gate and abutting gateposts and the finish of timber window frames at Brackenburn, Riddings Lane, Curbar	Written Representations	Dismissed – Enf Notice Upheld	Delegated

The Inspector considered that the gateposts and gate were at odds with the traditional appearance of the dwelling and its rural setting, and that the wood stain also detracted from the character and appearance of the dwelling. The Inspector upheld the Enforcement Notice and refused the appeal.

ENF 19/0189 3250579	Construction of local affordable needs dwelling on land adjacent to Black Harry House, Main Street, Wardlow	Written Representations	Dismissed – Enf Notice Upheld	Delegated
------------------------	---	-------------------------	-------------------------------	-----------

The Inspector considered that the property dimensions and its positioning was not that was agreed on the original planning permission, and had an unacceptable shading effect on Black Harry House and garden which caused an unacceptable harm to the living conditions of the occupiers. The Inspector considered that it was not excessive to require the demolition of the dwelling and the removal of all the resulting materials, as no lesser steps would remedy the breach of planning control that had occurred. The Inspector upheld the enforcement notice with a variation of 8 months from 6 months to comply with the notice.

NP/HPK/0120/0035 3254950	Replace existing one storey extension with a two storey extension and a detached garage to the side at Snake Cottage, Snake Road, Bamford	Householder	Dismissed	Delegated
-----------------------------	---	-------------	-----------	-----------

The Inspector considered that the proposed extension would appear awkward and disjointed and would not be in keeping with the host dwelling. As a result the proposal would fail to respect the character and appearance of the building, and its significance of a non-designated heritage asset. The Inspector also considered that the proposal would not have an acceptable impact on the functioning and safety of the highway network, despite the appellant willing to improving the visibility through various methods. The appeal was therefore dismissed.

4. **RECOMMENDATION:**

To note the report.