
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/DDD/0820/0713 3270501	Erection of an agricultural barn for the housing of livestock and storage at Dale Farm, Middleton by Youlgreave	Written Representations	Committee
NP/DDD/1120/1077 3270329	Installation of replacement windows and repairs/modification to some window openings at Carpenters Cottage, Winster	Written Representation	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 APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.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/DDD/0120/0101 3260769	Change of use of building from agricultural to holiday Cottage at the Barn Opposite the Old Ore House, Winster	Written Representations	Allowed	Committee

The Inspector considered that although the proposal would introduce some domesticity into the surround area, the external alterations would be kept to a minimum and overall the character of the agricultural building would be retained, and the harm caused to the significance of the building and its setting and on the wider agricultural landscape would be limited. The appeal was allowed.

NP/DDD/0419/0377 3252910	Conversion of former garage and workshop to single dwellinghouse and use as a Class C3 dwellinghouse at The Garrett, High Street, Calver	Inquiry	Allowed	Delegated
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The Inspector considered that Condition 2 of the 2008 permission was a “true” condition precedent and was not discharged in either substance or form so therefore the 2008 planning permission was never implemented, however because the conversion was substantially completed by March 2009 immunity from enforcement action for the unauthorised development had been achieved. The Inspector considered that Condition 18 was not a “true” condition precedent as it was not necessary in order to facilitate the implementation of the approved works. The appeal was therefore allowed.

NP/DDD/1018/0995 3258506	Demolish an unsafe general purpose farm building and replace it with one for the same use. White Rake Farm, Tideswell Moor	Written Representations	Dismissed	Delegated
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The Inspector considered that there was insufficient information or justification about the significance of the non-designated heritage asset to assess or justify the total loss of the barn, nor would it outweigh the harm to the character and appearance of the area in the wider historic landscape. The appeal was dismissed.

NP/SM/0420/0350 3262961	Change of use of an agricultural building to a mixed use of purposes ancillary to a tourism business and storage of land management equipment, and the addition of a below ground rainwater storage tank at Anroach Farm, Quarnford	Written Representations	Allowed	Delegated
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The Inspector considered that the appeal building was suitable for the proposed development and provided an opportunity to support the existing business as well as conserving the landscape and scenic beauty of the National Park. The appeal was allowed.

NP/DDD/1020/0912 3266751	Proposed rear lean-to extension at Sycamore Farm, Biggin	Householder	Allowed	Delegated
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The Inspector considered that the proposed additional expanse of roof would not be significant in size and would not demonstrably alter the overall form of the building and concluded that the proposal would preserve the character and appearance of the area. The appeal was allowed.

NP/SM/0520/0438 3267009	Change of use of workshop to a dwelling including alteration and extension of the building, creation of garden, retention of parking area and relocation of field access at The Workshop, Penny Tree Farm, Alstonefield	Written Representations	Dismissed	Delegated
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The Inspector considered that there was no local need demonstrated so was contrary to policy HC1, and the proposal would also introduce domesticity into the locality, which would harm the general agricultural nature of the listed building and wider setting of the conservation area. The appeal was dismissed.

NP/DDD/1020/0986 3269446	Replace existing wooden sash windows with like for Like UPVC sash windows at 21 Riverside Crescent Bakewell	Written Representations	Dismissed	Delegated
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The Inspector considered that UPVC was not acceptable, and would detract from the character and appearance of the host building and the local area, and would have limited harm to the setting of the Conservation Area. The appeal was dismissed.

ENF 19/0218 3262757	Engineering and building operations for an extension to the guest house accommodation at Home Farm, Sheldon	Written Representations	Dismissed	Delegated
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The Inspector considered that development did not preserve or enhance the character of the Conservation Area and had a harmful effect on the character and appearance of the host property and the National Park. The harm was not outweighed by any public benefit, including any intended improvements to the existing holiday accommodation. The development also conflicted with the Development Plan as a whole and GSP1, GSP2 and GSP3 of the Core Strategy. The Enforcement Notice was upheld and the appeal was dismissed.

4. **RECOMMENDATION:**

To note the report.