

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

1. APPEALS LODGED

No new appeals have been lodged during 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 APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.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/DDD/1120/1077 3270329 | Installation of replacement windows and repairs/modifications to some window openings at Carpenters Cottage, Main Street, Winster | Written Representations | Dismissed | Delegated |

The Inspector considered that the proposed installation of stone mullions in the historic window openings, would not be authentic to the listed building and the historic setting of the village and conservation area. The appeal was dismissed.

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|-----------------------------|--|-------------|-----------|-----------|
| NP/DDD/0320/0224 3273608 | Proposed vehicle pull-in with pedestrian path at 3 Wheatlands Lane, Baslow | Householder | Dismissed | Delegated |
|-----------------------------|--|-------------|-----------|-----------|

The Inspector considered that the scale and extent of the excavation would be very prominent and out of character with the country lane, and would diminish the distinct sense of enclosure and continuity experienced within the land that is derived from the stone retaining walls. The Inspector also considered that the development would have an adverse effect on highway safety. The development also failed to accord with the development plan as a whole. The appeal was therefore dismissed.

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|-----------------------------|---|-------------------------|-----------|-----------|
| NP/DDD/1220/1143 3271911 | Erection of two affordable local needs dwellings at Hardy Lane, Tideswell | Written Representations | Dismissed | Committee |
| NP/DDD/0620/0548 3271913 | Erection of three affordable local needs dwellings at Hardy Lane, Tideswell | | | |

The Inspector considered the above appeals together and found that it would be difficult to reconcile the siting of the dwellings and the future use of the gardens and parking areas with the presence of the mature trees.

The Inspector felt that it was unclear as to how the dwellings built beneath the trees with low canopies, or how the external amenity space, almost wholly oversailed by the large tree canopies, could be anything but dark and not particularly useable, or allow sufficient light to enter the dwellings, and found that it highly likely that other issues relating to the trees would be raised in the longer term. The appeals were dismissed.

4. **RECOMMENDATION:**

To note the report.