
19. 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/HPK/0522/0742 3315374	Removal of unused chimney stack at Hallot Hey Farm, Little Hayfield	Householder	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 APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.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/0921/1014 3299856	Replacement dwelling at River View, Tedgness Road, Nether Padley, Grindleford	Written Representations	Dismissed	Non-Determination

The Inspector considered that the proposed development would fail to sit comfortably on the hillside and would detract from the character and appearance of the valued landscape of the National Park. It would also be contrary to Core Strategy Policies GSP2, GSP3 and L1 and DMC3 and DMH9 of the Development Management Policy as well as conflicting with the Design Guide. The appeal was dismissed.

NP/DDD/0222/0142 3308249	Replacement of 2 existing single glazed shopfront windows with double glazed units and reinstatement of transom to one window at the YHA, Fountain Square, Youlgreave	Written Representations	Dismissed	Delegated
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The Inspector considered that the appeal building contributed positively to the historic character and appearance of the conservation area and introducing modern double-glazing units would stand out and undermine the historic integrity of the shopfront and would fail to preserve its special interest. The appeal was dismissed.

NP/DDD/0422/0472 3303155	Removal of condition 5 on application NP/DDD/1200/506 at The Old Barn, Main Road, Flagg	Written Representations	Allowed	Delegated
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The Inspector considered that the original condition 5 remained reasonable and necessary in respect of the removal of permitted development rights for alterations to the building, extensions, porches, ancillary buildings and fuel tanks. However, the removal of permitted development rights for satellite antenna, boundary walls, fences and gates did not meet the relevant tests, so the Inspector amended the condition accordingly and allowed the appeal.

NP/DDD/1121/1263 3306102	Repair, renovation and extension of previous mill complex building into a detached dwelling at The Priory, Fenny Bentley	Written Representations	Allowed	Delegated
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The Inspector considered that the proposal would not have a harmful effect on the character and appearance of the existing building and its significance as a non-designated heritage asset, and it would also be consistent with the principles for the National Park as set out in Core Strategy GSP1, GSP2 and GSP3 with regard to enhancing and conserving the National Park and benefitting the cultural heritage of the area. The appeal was allowed.

NP/HPK/0321/0372 3297533	Retention of the existing building for use as an ancillary recreation/forestry building and the removal of existing two timber buildings at One Acre Wood, Glossop Road, Little Hayfield	Written Representations	Allowed	Delegated
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The Inspector considered that the proposed development would not harm the character and appearance of the area, and that the removal of the domestic features from both the building and the land, would ensure the building was not unduly incongruous in the wider landscape. The appeal was allowed.

ENF21/004 3279072	Without planning permission: 1) construction of driveway; 2) construction of car park; 3) laying of hard surfacing; 4) construction of building; and 5) erection of fences, gateways and stiles at Thornbridge Hall, Baslow Road, Ashford in the Water	Public Inquiry	Allowed	Delegated
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The Inspector considered that the development at Thornbridge Hall had opened up the site to a much wider audience and from this flowed a wide range of public and social benefits. The Inspector's view was that, on balance, the overall harm to the designated and non-designated heritage assets was outweighed by the package of public benefits the development has and would bring forward.

The appeal was allowed, the enforcement notice quashed and planning permissions granted subject to the following conditions:

- 1) Within 3 months of the decision, to submit a landscaping scheme for the bunds adjacent to the car park and driveway to the PDNPA for written approval;
- 2) Within 3 months of the decision, to submit a landscape management plan to the PDNPA for written approval;
- 3) Within 3 months of the decision, to submit to the PDNPA for written approval, a scheme for the protection of retained trees, including a tree protection plan and an arboricultural method statement;
- 4) Within 3 months of the decision, to submit a tree survey to identify Root Protection Areas (RPAS) of all trees impacted by the development to the PDNPA for written approval;
- 5) Within 3 months of the date of the written approval of the tree survey by the PDNPA, to submit a soil amelioration plan for the RPAS of the trees to the PDNPA for written approval;
- 6) Within 3 months of the decision, to submit a Compensation Tree Planting Scheme to the PDNPA for written approval;
- 7) Within 3 months of the decision, to submit a scheme or specification for the removal/replacement of the painted lines on driveways A & B to the PDNPA for written approval;
- 8) Within 6 months of the decision, to lay out the main vehicular access and visibility splays strictly in accordance with drawings;
- 9) Within 3 months of the decision, to submit a site-specific car parking management and event management plan to the PDNPA for written approval;
- 10) Within 3 months of the decision, to submit a surface water drainage scheme management and maintenance plan to the PDNPA for written approval;
- 11) Not to carry out any groundworks until a Written Scheme of Investigation for archaeological evaluation and mitigation has been submitted to the PDNPA and approved in writing;
- 12) Within 12 months of the date of the decision, to submit a Conservation Management Plan for the whole site to the PDNPA for written approval; and
- 13) Within 3 months of the date of the decision, to submit a scheme or specification for the alteration/replacement of the external windows and doors to the café building to the PDNPA for written approval.

4. RECOMMENDATION:

To note the report.