
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/0522/0632 3313446	Retrospective application for replacement windows at The Moon Inn, Stoney Middleton	Written Representations	Delegated
NP/DDD/0822/1079 3317880	Conversion and change of use of existing barn and yard into residential use (C3) at Stanley Lodge, Great Hucklow	Written Representations	Committee

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 APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.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/0922/1151 3312623	S.73 Application for removal of condition 4 and the variation of condition 2 on NP/DDD/0522/0657 at Damson Street, Tideswell Lane, Eyam	Householder	Allowed	Delegated

The Inspector considered that the variation of condition 2 and removal of condition 4 would not harm the character and appearance of the host property or the area. It would also not conflict with DMC3 and DME1 of the Development Management Policies or conflict with the guidance set out in the Alterations and Extensions Supplementary Planning Document. The appeal was allowed.

NP/SM/0422/0514 3309565	S.73 Application for the variation of condition 2 on NP/SM/0321/0297 at Dains Mill, Roach Road, Upper Hulme	Written Representations	Dismissed	Committee
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The Inspector considered that the size of the balcony would dominate and detract from the simple appearance of the building, and would harm the character and appearance of the host building and the significance of the non-designated heritage asset. The appeal was dismissed.

NP/HPK/1021/1120 3311757	Proposed agricultural building to house, feed, handle and lamb sheep and to store fodder at Land South of Peaslow	Written Representations	Allowed	Delegated
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Lane, Sparrowpit

The Inspector considered that the proposed building was relatively modest in size and would not introduce an urbanising feature in the rural setting even though the proposal would be visible at a distance, including nearby public footpaths and the public highway. The Inspector also considered that the proposal would not harm the character and appearance of the Peak National Park so would not conflict with GSP1, GSP3 and L1 of the Core Strategy or DMC1 and DME1 of the Development Management Policies. The appeal was therefore allowed.

NP/SM/1021/1062 3308555	Proposed internal alterations at The Cottage, Alstonefield.	Written Representations	Allowed	Delegated
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The Inspector considered that, in contrast to the submitted Heritage Impact Assessment, the fireplace did not have the potential to uncover historic features such as a lintel, bread oven, or iron fixtures and fittings, based on evidence submitted by the appellant. However, the Inspector deemed it prudent that work to the fireplace is overseen so that it does not lead to the loss of fabric which contributes to the significance of the asset by revealing its earlier form. The Inspector states that, due to renovation completed in the 1980's, the rest of the house need not require a WSI and that works to open up the fireplace in the dining room is separable from other refurbishment at the property. A condition requiring details of any fireplaces to be installed is also reasonable and necessary to ensure that the significance of the asset is not eroded by inappropriate alterations. The appeal was allowed.

NP/HPK/0522/0742 3315374	Proposed removal of used chimney stack at Hallot Hey Farm, Little Hayfield.	Written Representations	Dismissed	Delegated
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The Inspector considered that the loss of the chimney would undermine the significance of the building in both architectural and historic terms and, given the its prominent position in the landscape, would have a minor but nevertheless adverse effect on the scenic beauty of the National Park. Arguments of the chimney causing damp are not substantiated. The Inspector concludes that the proposal would harm the character and appearance of the building and surrounding area and would not preserve or enhance the character or appearance of the Little Hayfield Conservation Area. The appeal was dismissed.

NP/K/0921/0943 3303535 NP/K/0921/0945 3302822	Removal of condition on holiday let to form dwelling and partial conversion of barn to integrate into dwelling at 1 Meal Hill Farm, Holme, Holmfirth.	Written Representations	Dismissed	Delegated
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The Inspector considered that the plans for a large opening in the original rear gable wall constituted too large a loss of original fabric and disruption of the original cellular form of the building to be acceptable. The plans for the provision of a window in the rear elevation were deemed to be modest and reflective of other parts of the building. The plans regarding the formation of a dressing room within the roof-void to the lean-to with velux roof were relatively modest and unobtrusive, however there would be a harmful loss of fabric from the new internal doorway. The plans detailing the formation of a first-floor level within the garage/store were deemed by the inspectorate to lead to some loss of the intrinsic character of the building which would harm the significance of the asset. The identified benefits of the scheme would not be sufficient to outweigh the harm to the heritage asset and the proposal also conflicts with

guidance in the National Planning Policy Framework. The appeals were both dismissed.

4. **RECOMMENDATION:**

To note the report.