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## 16. PLANNING APPEALS MONTHLY REPORT

### 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/0922/1170 3321415	Use of a field as a seasonal campsite between 1 March and 1 October at Land to the east of Bamford Tennis Club, Water Lane, Bamford	Written Representations	Non-Determination
NP/GDO/1222/1606 3325415	Change of use from agricultural building to Class C1 Hotel at barn at Ladywash Farm, Eyam	Written Representations	Delegated
NP/CEC/0522/0645 3324250 (Planning) NP/CEC/1221/1304 3324249 (Listed Building)	Change of use of outbuildings to dwelling and formation of residential curtilage and use of existing farmhouse. Replacement of porch with glazed link from the farmhouse to the outbuildings, extension and alteration of the outbuildings including replacement of the Nissen hut to form a family home. Replacement of stables at Wrights Farm, Kettleshulme	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 APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.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/0622/0760 3316665	S73 Application to vary Condition 3 on NP/DDD/0921/1053 to allow overflow parking between the Bastion Wall and River Derwent before the overflow car park is brought into use at Chatsworth House, Edensor, Bakewell	Written Representations	Dismissed	Committee

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The Inspector considered that although the area had been used for car parking for events for some time, they were an unwelcome and obvious visual intrusion that seriously detracted from the open nature and rural feel of the appeal site, and also undermined the site's

contribution to the significance of both the Historic Park and Garden and the House itself, and the request to increase the parking would not be modest. The application would also be contrary to GSP1, GSP3, T1, T7 and L3 of the Core Strategy and DMC3, DMC5, DMT7, DMC7 and DMC9 of the Development Management Policies. The Inspector concluded that Condition 3 should be retained as it was necessary to encourage sustainable transport and reduce the need to travel. The appeal was therefore dismissed.

NP/DDD/0822/1053 3314889	Regularisation of unauthorised work to rear roof over bathroom at Leach House, Leadmill, Hathersage	Written Representations	Allowed	Delegated
NP/DDD/0822/1054 3314891				

The Inspector has considered both appeals together as they concern the same scheme under different, complementary legislation. Previous consents which included remedial works to rectify and/or mitigate unauthorised works at the property are outside the scope of consideration in the appeals. The main issues are whether the proposal preserves a Grade II listed building, attached cottage and outbuilding, and whether there is harm to the character and appearance of the wider area. The special interest of the listed building is the historic interest primarily in respect of age and illustration of early 19<sup>th</sup> century domestic architecture. The appeal proposal does not involve the additional loss of original or historic fabric beyond that has already been permitted or undertaken. The development is appropriate in terms of its siting and design. Thus, it does not harm the character and appearance of the wider area. The proposal does not conflict with Policies GSP1, GSP3, L3 of the Core Strategy, and Policies DMC3, DMC5, DMC7, DMC8 and DMH7 of the Development Plan Policies. The proposal is in accordance with Paragraph 176 and Section 16 of the National Planning Policy Framework 2023. It is not incumbent on the Inspector to consider any public benefits that derive from the appeal proposal. No conditions are necessary. Therefore, appeal A and appeal B should be allowed.

NP/SM/1022/1315	S.73 application for the variation of condition 2 on NP/SM/0321/0297 that the development shall not be carried out otherwise than in complete accordance with amended plans Dains Mill, Roach Road Upper Hulme	Written Representations	Allowed with Conditions	Committee
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The Inspector states that although the building has undergone partial reconstruction since the granting of a 2004 permission, where some aspects of the build may not have incorporated traditional materials, the mill has been restored with extreme accuracy and authenticity. The appeal building requires consideration as a non-designated heritage asset (NDHA), which has been taken into consideration by the Inspector in order to make their decision. In 2022 a revised scheme which incorporated a projecting balcony and fencing along the front boundary was refused and an appeal dismissed. The proposal subject of the current appeal seeks to remove condition 2 in order to replace it with a condition relating to an amended balcony design and rail fencing with gates. The main issue is the effect that the varying condition would have on the character and appearance of the host property. The Authority has raised no objections to the fencing and gates, which the Inspector has no reason to disagree with. The proposed balcony doesn't appear overly dominant or visually intrusive in relation to the host building. There is already permission for double doors and a Juliette balcony to the south elevation of the building. There would not be materially greater harm resulting from the proposed, larger, balcony than that

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resulting from the approved Juliette balcony. The proposal would comply with Policies GSP3 and L3 of the Core Strategy and Policies DMC3, DMC5, DMC10 and DMH7 of the Development Management Plan. The proposal also accords with the relevant Supplementary Planning Documents. The appeal relates to a disputed condition, and the Inspector in making their decision has reviewed all the conditions previously imposed, and therefore allows the appeal with conditions.

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NP/DDD/0722/0897 3316081	Erection of new double garage with internal staircase to loft home/office/music room without complying with a condition attached to NP/DDD/0221/0113 at Hallyard House, Bakewell Road, Over Haddon	Written Representations	Dismissed	Delegated
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The Inspector considered that although the garage lay to the rear of the property, there were wider views of the scheme which would detract from the character appearance of the area and the scenic beauty of the National Park. The Inspector also considered that the use of timber cladding instead of natural stone would be at odds to the prevailing built character of the area, where natural stone is overwhelmingly the most common material used for the walls of residential and domestic buildings. The appeal was dismissed.

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#### 4. **RECOMMENDATION:**

To note the report.

Report Author: Job Title and Publication Date  
Karen Harrision, Customer & Democratic Senior Adviser, 30 November 2023.