

23. HEAD OF LAW - 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>
15/0047 (Enf) 3128691 NP/HPK/0315/0169	Use of land for clay pigeon shooting without planning permission on land to the west of A624 Hayfield to Glossop Road	Written Representations	Committee

2. APPEALS WITHDRAWN

The following Appeal was withdrawn during this month.

NP/DDD/0811/0766 2186724	Continuation of stone extraction at New Pilhough Quarry, New Road, Stanton in the Peak	Public Inquiry	Committee
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3. APPEALS DECIDED

There were 5 appeals decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/0215/0074 3100595	Change of use of 'croft' to domestic curtilage, erection of gritstone clad retaining wall and associated ground works at the former Goldcrest Works, Main Road, Stanton in Peak, DE4 2LX	Written Representations	Allowed with conditions	Committee

The Inspector felt that the proposal would respect the locally distinctive pattern of development in Stanton and would not detract from the character and appearance of the surrounding area. She also felt that the proposal would not reduce the existing levels of privacy of the neighbours, so would not be contrary to Local Plan Policy LC4 which requires development to pay particular attention to the amenity, privacy and security of nearby properties. Having said that, the Inspector has stated as one of the conditions, that a landscaping scheme was necessary to safeguard the living conditions of the neighbours and that the use hereby permitted shall not begin until full landscaping works has been approved. The Inspector also considered that the proposal would conserve the natural beauty, wildlife and cultural heritage of the area and would not conflict with the statutory purposes of the National Park, the Framework of the development plan. The appeal was therefore allowed.

12/0040 (Enf) 3006175	Erection of a building without planning permission at Wigtwizzle Cottages, Sheffield, S36 4ZA	Written Representations	Enf Notice upheld with variation	Delegated
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The Inspector considered that the replacement building took on the appearance of a residential property rather than a functional agricultural building, and shared the Authority's concern that the building did not appear to have been designed with an agricultural use in mind; its external appearance and layout was more akin to a residential property, and in a location where a residential development would not be supported. It also did not conserve the landscape and scenic beauty of the surrounding area and so was contrary to relevant local and national policy. The Inspector agreed that the building must be demolished due to breach of planning control, but in upholding the enforcement notice, varied one of the enforcement notice requirements.

NP/HPK/0514/0542 3006599 (LDC)	Repair of stone wall and insertion of memorial plaques onto surface of wall on land west of Lockerbrook Farm, Hope, Derbyshire, S33 0AQ	Written Representations	Dismissed	Delegated
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The Inspector considered that the wall would not have formed a means of enclosure and that the development would have involved a material change of use of the land and thus, for both of those reasons would not have been permitted development. She concluded that the Authority's refusal to grant an LDC in respect of the repair of the stone wall to insert memorial plaques was well-founded and therefore dismissed the Appeal.

NP/S/0415/0315 3133512	Erection of double garage and utility room with workshop/office space above at Dyson House, New Road, Bradfield, S6 6HW	Householder	Dismissed	Delegated
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The Inspector considered that the proposed extension would have dominated the house and its primary elevation. Due to its considerable size and position in relation to the dwelling, it would have failed to be subordinate to the house, and rather than providing a new focal point for the original front elevation or improving its formal frontage, it would unacceptably overwhelm its appearance. It would appear out of proportion with the relatively modest and simple form of dwelling and unacceptably detract from the appearance of Dyson House. As a result the Inspector was not convinced that it would enhance the function or identity of the house so dismissed the appeal.

NP/DDD/1114/1157 3033489	Erection of a lean-to onto an existing agricultural building at Ashmount, Smalldale, Bradwell, S33 9JQ	Written Representations	Dismissed	Delegated
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The Inspector considered that the appeal proposal was not necessary and had not been sufficiently justified for the purposes of agriculture in the countryside location with the Peak National Park. It was also felt that, in terms of character, the statutory duty of conserving landscape and scenic beauty in the Peak National Park had not been demonstrated. Therefore it was considered that the proposal would have been detrimental to the character of the locality and conflicted with the relevant elements of Local Plan Policy LC13 and the Framework. In addition it would not have followed the objectives of the SPD. For these reasons the appeal was dismissed.

4. **RECOMMENDATION:**

That the report be received.