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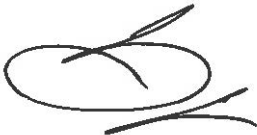
For assistance in understanding or reading this document or specific information about this Agenda or on the "Public Participation" initiative please call the Committee Team on 01629 761133 or email committee@derbyshiredales.gov.uk

02 September 2019

To: All Councillors

As a Member or Substitute of the **Planning Committee**, please treat this as your summons to attend a meeting on **Tuesday 10 September 2019** at **6.00pm** in the **Council Chamber, Town Hall, Matlock DE4 3NN**.

Yours sincerely



Sandra Lamb
Head of Corporate Services

AGENDA

SITE VISITS: The Committee is advised a coach will leave the Town Hall, Matlock at 4.10pm prompt. A schedule detailing the sites to be visited is attached to the Agenda.

1. APOLOGIES/SUBSTITUTES

Please advise the Committee Team on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Planning Committee – 13 August 2019

3. INTERESTS

Councillors are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those Interests are matters that relate to money or that which can be valued in money, affecting the Councillor, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. APPLICATIONS FOR DETERMINATION

Please note that for the following items, references to financial, legal and environmental considerations and equal opportunities and disability issues will be embodied within the text of the report, where applicable.

PUBLIC PARTICIPATION

To provide members of the public **WHO HAVE GIVEN PRIOR NOTICE** (by no later than 12 Noon on the working day prior to the meeting) with the opportunity to express views, ask questions or submit petitions relating to planning applications under consideration. Representations will be invited immediately before the relevant item of business/planning application is discussed. Details of the Council's Scheme are reproduced overleaf. To register to speak on-line, please click here www.derbyshiredales.gov.uk/attendameeting. Alternatively email committee@derbyshiredales.gov.uk or telephone 01629 761133.

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4.1 APPLICATION NO. 19/00807/FUL (Site Visit)	05 - 09
Proposed new access and parking area at 20 Snowfield View, Wirksworth.	
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Proposed workshop and crane storage building at Steve Foster Crane Hire, Units 1 to 3 Derby Road, Doveridge.	
4.3 APPLICATION NO. 19/00563/FUL	19 - 29
Change of use to equestrian, erection of stable block and formation of hardstanding (personal use) at Milverton, Main Street, Longford, Derbyshire, DE6 3DR	
5. INFORMATION ON ACTIVE AND CLOSED ENFORCEMENT INVESTIGATIONS	30 - 52
6. APPEALS PROGRESS REPORT	53 - 71
To consider a status report on appeals made to the Planning Inspectorate.	

Members of the Committee

Councillors Jason Atkin (Chairman), Richard Bright (Vice Chairman)

Robert Archer, Matthew Buckler, Sue Bull, Sue Burfoot, Tom Donnelly, Richard FitzHerbert, David Hughes, Stuart Lees, Joyce Pawley, Garry Purdy and Peter Slack.

Nominated Substitute Members

Jacqueline Allison, Martin Burfoot, Paul Cruise, Helen Froggatt, Chris Furness, Susan Hobson, Michele Morley, Tony Morley, Peter O'Brien, Mike Ratcliffe, Mark Salt, Steve Wain and Mark Wakeman.

PUBLIC PARTICIPATION

Members of the public may make a statement, petition or ask questions relating to planning applications or other agenda items in the non-exempt section of an agenda at meetings of the Planning Committee. The following procedure applies.

- a) Public Participation will be limited to one hour per meeting, with the discretion to extend exercised by the Committee Chairman (in consultation) in advance of the meeting. On line information points will make that clear in advance of registration to speak.
- b) Anyone wishing to make representations at a meeting must notify the Committee Section before Midday on the working day prior to the relevant meeting. At this time they will be asked to indicate to which item of business their representation relates, whether they are supporting or opposing the proposal and whether they are representing a town or parish council, a local resident or interested party.
- c) Those who indicate that they wish to make representations will be advised of the time that they need to arrive at the meeting venue so that the Committee Clerk can organise the representations and explain the procedure.
- d) Where more than 2 people are making similar representations, the Committee Administrator will seek to minimise duplication, for instance, by establishing if those present are willing to nominate a single spokesperson or otherwise co-operate in the presentation of their representations.
- e) Representations will only be allowed in respect of applications or items which are scheduled for debate at the relevant Committee meeting,
- f) Those making representations will be invited to do so in the following order, after the case officer has introduced any new information received following publication of the agenda and immediately before the relevant item of business is discussed. The following time limits will apply:

Town and Parish Councils	3 minutes
Objectors	3 minutes
Ward Members	5 minutes
Supporters	3 minutes
Agent or Applicant	5 minutes

At the Chairman's discretion, the time limits above may be reduced to keep within the limited one hour per meeting for Public Participation.

- g) After the presentation it will be for the Chairman to decide whether any points need further elaboration or whether any questions which have been raised need to be dealt with by Officers
- j) The relevant Committee Chairman shall exercise discretion during the meeting to rule out immediately any comments by participants that are not directed to genuine planning considerations.

SITE VISITS

Members will leave the Town Hall, Matlock at **4.10pm prompt** for the following site visits:

	Page No.
4.30pm APPLICATION NO. 19/00807/FUL	05 - 09
20 SNOWFIELD VIEW, WIRKSWORTH.	
At the request of Officers to allow Members to view the impact on the surrounding area.	
5.00pm RETURN TO TOWN HALL, MATLOCK.	

COMMITTEE SITE MEETING PROCEDURE

The purpose of the site meeting is to enable the Committee Members to appraise the application site. The site visit is not a public meeting. No new drawings, letters of representation or other documents may be introduced at the site meeting. The procedure will be as follows:

1. A coach carrying Members of the Committee and a Planning Officer will arrive at the site as close as possible to the given time and Members will alight (weather permitting)
2. A representative of the Town/Parish Council and the applicant (or representative can attend.
3. The Chairman will ascertain who is present and address them to explain the purpose of the meeting and sequence of events.
4. The Planning Officer will give the reason for the site visit and point out site features.
5. Those present will be allowed to point out site features.
6. Those present will be allowed to give factual responses to questions from Members on site features.
7. The site meeting will be made with all those attending remaining together as a single group at all times.
8. The Chairman will terminate the meeting and Members will depart.
9. All persons attending are requested to refrain from smoking during site visits.

APPLICATION NUMBER		19/00807/FUL	
SITE ADDRESS:		20 Snowfield View, Wirksworth.	
DESCRIPTION OF DEVELOPMENT		Proposed new access and parking area.	
CASE OFFICER	Mr. Ecclestone.	APPLICANT	Mr. & Mrs. Johnson.
PARISH / TOWN	Wirksworth	AGENT	Mr. Morton.
WARD MEMBER(S)	Cllr. Slack Cllr. Ratcliffe Cllr. McDonagh	DETERMINATION TARGET	6 th September 2018
REASON FOR DETERMINATION BY COMMITTEE	Requested by Ward Member.	REASON FOR SITE VISIT (IF APPLICABLE)	To allow Members to view the impact on the surrounding area.

MATERIAL PLANNING ISSUES
Impact of the development on the character and appearance of this part of the settlement / countryside. Provision of off-street parking and highway safety.

RECOMMENDATION
Refusal.

20 Snowfield View, Wirksworth

Not Set



Derbyshire Dales DC

1:1,250

Date: 30/08/2019

100019785

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Derbyshire Dales District Council,
Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN.
Telephone: (01629) 761100.
website :www.derbyshiredales.gov.uk

THE SITE AND SURROUNDINGS

The application property is a mid-terraced house, situated in a residential area at the southern end of Wirksworth (Millers Green). The houses front onto Snowfield View and their back gardens slope down to the lane (also called Millers Green) below.

The fronts of the houses are characterised as fronting onto a housing estate, whereas the Millers Green lane has more of a rural, country lane character. This rural character is reinforced by the enclosure formed by the rear boundary hedges and the grass embankment leading down to the pavement. This part of the narrow country lane is also characterised by having soft landscaping and no vehicular accesses leading onto it from the houses above – just narrow pedestrian access in between the hedges. It marks the boundary between the residential area and the open countryside.



DETAILS OF THE APPLICATION

The proposal is for the formation of a new vehicular access and parking area in the back garden, from the Millers Green lane which is a Classified Road. This will require the re-engineering of a large section of the back garden and the removal of the existing mature boundary hedge. It is proposed to have a tarmac drive, stone-faced retaining walls, additional planting to form a replacement hedge and a 5-bar timber gate.

PLANNING POLICY AND LEGISLATIVE FRAMEWORK

Adopted Derbyshire Dales Local Plan (2017)

S3: Development Within Defined Settlement Boundaries

PD1: Design and Place Making

HC19: Accessibility and Transport

National Planning Policy Framework (NPPF)

National Planning Practice Guide

RELEVANT PLANNING HISTORY

None.

CONSULTATION RESPONSES

Local Highway Authority

No objection, subject to Conditions and Footnotes.

Town Council

No comment.

REPRESENTATIONS RECEIVED

A representation of support has been received from a neighbour, stating that the proposal will help parking issues on Snowfield View.

OFFICER APPRAISAL

The main issues to consider are the impact that the formation of a vehicular access will have on highway safety and also the impact it has on the character and appearance of this section of a quiet country lane.

Provision of off-street parking and highway safety

Snowfield View, because of the era of its construction and the way it was laid out, experiences parking congestion and some consequent inconvenience to residents. In this context, it is recognised that the provision of in-curtilage parking at 20 Snowfield View will provide convenient parking for the dwelling and partly alleviate congestion of others in the process. It is of course important to ensure that new parking can be safely utilised and in this regard, the Local Highway Authority have raised no objection to this application, subject to Conditions and Footnotes.

Impact on the character of the area

Millers Green lane is characterised as a narrow, country lane. The Snowfield View housing development was designed to be off-set and elevated above the lane. It was designed with the main estate road looping round and being the single point of vehicular access, with the houses facing onto it. The row of houses that back onto the Millers Green lane have downward sloping back gardens, which are enclosed at the end by boundary hedges. Many of these have pedestrian access onto the Millers Green pavement, but none of them were designed to have vehicular access into their back gardens.

The roadside boundary hedge is considered to be an important component of this part of Millers Green, which contributes to the local character of the area, its sense of place and visual amenity of the street-scene. Its removal, simply to facilitate the formation of the vehicular access and parking area, is considered to have a harmful, urbanising effect that will be detrimental to the rural character and appearance of this part of the rural area, contrary to Local Plan Policies. Allowing one point of access would also be likely to encourage other properties to promote similar schemes, which would, cumulatively, further undermine the character and appearance of the area. Although the plans indicate additional planting, this will take time to establish and even then, it will by no means satisfactorily compensate for the big gap created.

In this case, the benefit to the individual is not considered to outweigh the harm caused to the wider local environment.

Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) requires development to be well designed and to respect the character, identity and context of townscapes and landscapes and to contribute positively to an areas character, history and identity, particularly in relation to landscape features.

Conclusion

Whilst the congested nature of Snowfield View is noted and in-curtilage parking would directly benefit the applicant, this positive element of the scheme is outweighed by the removal of the roadside hedge and significant excavation of the back garden to accommodate the parking area, which would have a detrimental, urbanising effect that would be detrimental to the rural character and appearance of this part of Millers Green. It is recommended that the application be refused for this reason.

RECOMMENDATION

Planning Permission be refused for the following reason:

The development involves the removal of the roadside boundary hedge, which is an important component of this part of Milers Green and significant excavation of the back garden to accommodate a parking area. Such works would have a harmful, urbanising effect that would be detrimental to the rural character and appearance of this part of the Millers Green, contrary to Policies S3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

NOTE TO APPLICANT

This Decision Notice relates to the following documents:

Drawing numbered 718/4839.2, received by the Council on 12th July 2019.

The Council provides a positive and proactive pre-application advice service. Unfortunately however, the advice was ignored in this case. The application was therefore considered as submitted and it was judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis, the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a Decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

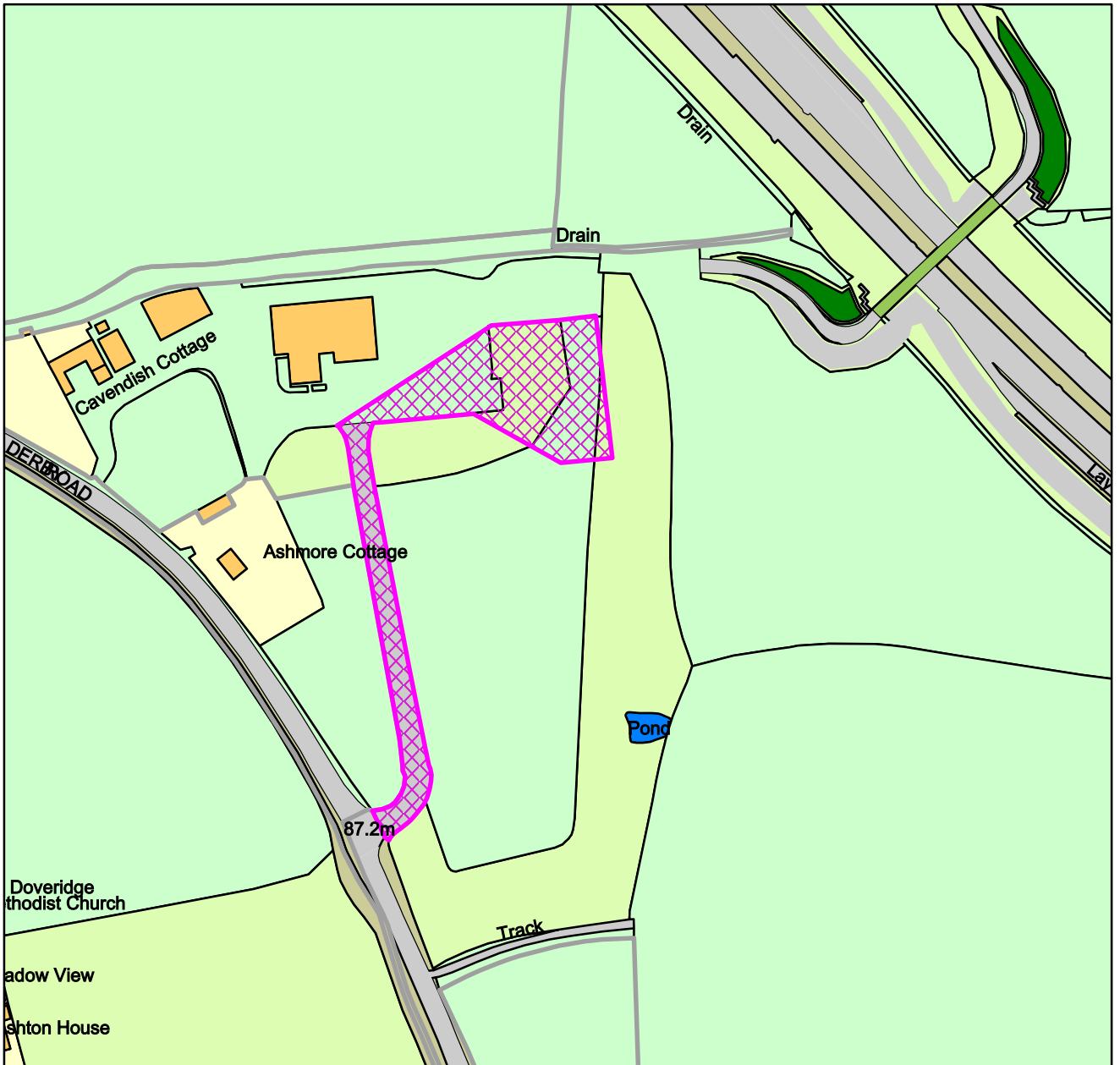
APPLICATION NUMBER		19/00495/OUT	
SITE ADDRESS:		Steve Foster Crane Hire, Units 1 to 3 Derby Road, Doveridge	
DESCRIPTION OF DEVELOPMENT		Proposed workshop and crane storage building	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	Mr Steve Foster
PARISH	Doveridge	AGENT	Dove Architectural Design Ltd
WARD MEMBER	Cllr. Jacqueline Alison	DETERMINATION TARGET	30 th September 2019
REASON FOR DETERMINATION BY COMMITTEE	Major Application	REASON FOR SITE VISIT (IF APPLICABLE)	N/A

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance the area • Impact on residential amenity • Highway Matters • Drainage Matters • Ecological Matters

RECOMMENDATION
Approval

Steve Foster Crane Hire, Units 1 to 3, Derby Road

Not Set



Derbyshire Dales DC

1:2,500

Date: 30/08/2019

100019785

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website :www.derbyshiredales.gov.uk

1. THE SITE AND SURROUNDINGS

- 1.1 The site is a commercial premises situated in the open countryside to the south of the A50 and to the north of Derby Road on the approach to Doveridge. It comprises a workshop/office building set within a yard area used for outside storage and car parking. The site is largely contained by perimeter planting with fields beyond. Contrary to the applicant's statement, there are two dwellinghouses, Ashmore Cottage and the recently constructed Hacketts Pingle, some 120m to the west of the proposed development site.



2. DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought for the erection of an additional workshop/storage building in similar materials and livery to the existing building which comprises a brickwork plinth, dove grey sheeting to the walls and roof and with a dark blue roller shutter doors and trim to the building. The building is proposed to measure 40m wide by 25m deep and have an eaves height of 9m and a ridge height of some 11m.

- 2.2 It is proposed to be situated to the east of the existing building and yard on an area that has been cleared and turned over to hardstanding. The soil which has been stripped is proposed to be used to form a landscaped bund or mound to screen the car park from Derby Road and it is advised that there will be additional tree planting. The car parking area of the remaining land is proposed to be concrete to match that of the existing yard.
- 2.3 It is advised that the building is vital to the expansion of the crane business. A number of cranes are stored in the yard at peak times and the proposed building will allow more vehicles to be maintained under cover as well as providing a vital undercover area for the storage of incoming customer goods whilst waiting to be moved onward.
- 2.4 The applicant has submitted a Flood Risk Assessment and Drainage Strategy. This advises that the proposed building would be located within Flood Zone 1, with a low probability of flooding (less than 1 in a 1000 year chance of flooding) and is considered by the applicant's consultant to be appropriate development in this case. The building is proposed to be set 150mm above the surrounding ground levels to protect against overland flow which could occur in an exceptional storm event. It is proposed that runoff drainage from the building would be directed to infiltration trenches and that surface water drainage from the yard would be drained by new gullies and pipework through an interceptor before connecting to the infiltration trenches.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2017)

S1	Sustainable Development Principles
S4	Development in the Countryside
S9	Rural Parishes Development Strategy
PD1	Design and Place Making
PD3	Biodiversity and the Natural Environment
PD5	Landscape Character
PD6	Trees, Hedgerows and Woodlands
PD8	Flood Risk Management and Water Quality
PD9	Pollution Control and Unstable Land
HC21	Car Parking Standards
EC1	New and Existing Employment Development

3.2 National Planning Policy Framework

3.3 National Planning Practice Guidance

4. RELEVANT PLANNING HISTORY

18/00224/FUL Creation of staff and visitor car park - Granted

11/00222/FUL Variation of Condition 3 of planning permission 99/10/0677 to allow for additional use of land, buildings and offices for general B8 and B1 uses and storage, maintenance and repair of equipment used by crane hire business and formation of new access road – Granted

99/10/0677 Erection of storage and office building with access apron and screening mound – Granted

0793/0481	Use of buildings for storage in addition to light industrial use (variation of condition 2 on WED/0187/0037) – Granted
0291/0139	Extension to workshop – Granted
0187/0037	Relaxation of planning conditions to allow light industrial use of buildings - Granted

5. CONSULTATION RESPONSES

Parish Council

- 5.1 - no comments received.

Environment Agency

- 5.2 - no formal comment as there are no environmental constraints associated with the site which fall within their remit.

Land Drainage Authority (DDC)

- 5.3 - technically a major planning application and therefore require the applicant to provide further information prior to being able to comment further:
- basic calculations of the greenfield/brownfield runoff and discharge rates.
 - a quick storage estimate to show the required storage volume of surface water on site.
 - calculations should include allowances for the current Environment Agency guidance for climate change.

Local Highway Authority (Derbyshire County Council)

- 5.4 - no objections subject to all use remaining ancillary to the current authorised activity on the site and that there is no impact on any existing parking/manoeuvring space and the applicant demonstrating that either additional parking is commensurate with the increase in floorspace or that current levels are sufficient.

Derbyshire Wildlife Trust

- 5.5 - no ecological information has been submitted with the application
- it is not clear from the proposed site plan what the nature of the existing habitats that would be affected is
 - aerial view from online mapping suggests there is an area of trees/woodland that would be removed
 - loss of mature trees would have the potential to impact on roosting bats and therefore recommend that an ecological appraisal is undertaken to record the existing habitats present on site and to assess the likelihood of impacts on protected species including but not limited to roosting bats
 - the survey should be undertaken by a suitably competent ecologist and the report should follow good practice guidelines such as CIEEM Ecological Report Writing and British Standards BS:4202
 - draw attention to the NPPF 2018 aim for all developments to achieve a net gain for biodiversity and would welcome consideration of opportunities for ecological enhancement, even if no direct mitigation/compensation is required.

6. REPRESENTATIONS RECEIVED

- 6.1 Two letters of representation have been received from a neighbour. A summary of the representations is outlined below:
- Hacketts Pingle not detailed on the application drawings

- further to discussing concerns with the applicant, have been assured that after screening process of the landscaped bund and further tree planting, together with the hidden siting of the new building, it will not spoil the landscape from Hacketts Pingle
- have also been assured that there will be no noise disturbance once completed as it is going to be used for a storage facility
- have no objection with these assurances in place.

7. OFFICER APPRAISAL

Principle of Development

- 7.1 This is an existing commercial premises which has a B1 (Light Industry) and B8 (Storage and Distribution) approved uses. Policy EC1 of the Adopted Derbyshire Dales Local Plan (2017) advises that the District Council will support proposals for expansion of existing business or industrial development in sustainable locations in order to enhance the economic base of the Plan area. This encourages the appropriate expansion of existing businesses requiring additional space to grow and supports business development in the countryside in accordance with Policy S4 of the Local Plan. To this end, whilst located within the open countryside, the site is reasonably sustainable being located on the fringe of Doveridge and close to the A50 to allow ease of access for the purposes of bringing vehicles and equipment to and from the site.
- 7.2 Policy S4 advises that planning permission will be granted for the extension of existing buildings for employment use provided it is appropriate to its location and preserves and/or enhances the character, appearance and local distinctiveness of the landscape.

Impact on the Character and Appearance of the Area

- 7.3 The proposed development has already resulted in the loss of some established landscaping as the applicant has prepared the site for the building. Nevertheless, the building is considered to be sited in reasonable context to the existing building and, with the use of similar materials and livery, will assimilate with the existing building. Whilst the building will provide space for some storage, which would be of benefit to the character and appearance of the area, it is unlikely to address all the external storage currently in situ.
- 7.4 It is considered reasonable to attach a condition that earthworks and planting, as suggested by the applicant, are undertaken to soften views of the building and the site from Derby Road and the neighbouring residential properties. Whilst the applicant has detailed a bund and planting to the south of the building, it is considered reasonable to attach conditions to any planning permission that a cross section of the earth mound is provided, with details of the trees, (and their standard) and other planting proposed to the bund.

Impact on Residential Amenity

- 7.5 The building is proposed to be erected some 120m away from the neighbouring properties of Ashmore Cottage and Hacketts Pingle. It is considered unlikely that the use of the building will generate any noise nuisance beyond that which may be generated by the existing workshop which is in closer proximity. Whilst there will be a likely increase in activity at the site, given the premises would be expanded, it is not considered that this will lead to a significant degree of disturbance compared to that which may be created currently.

Highway Matters

- 7.6 The Local Highway Authority has raised no objection to the proposal subject to all use of the building remaining ancillary to the current authorised activity on the site. On this basis, it is considered that there is no impact on existing parking/manoeuvring space and the applicant is considered to have adequate parking provision to be commensurate with the increase of floorspace. However, it is considered that a condition be attached to any grant

of planning permission that a mezzanine floor is not provided, without the approval of the Local Planning Authority, to ensure the useable floorspace of the building does not increase to an extent that may have implications on parking provision for staff/visitors if provided.

Drainage Matters

- 7.7 The applicant has submitted a Flood Risk Assessment and Drainage Strategy for the site and, at the request of the Local Lead Flood Authority (LLFA), additional information to address matters of run-off rates, surface water storage and allowances for climate change. At the time of preparing the Officer's report, the comments of the LLFA had not been received on the additional information but it is not considered by Officers that drainage cannot be adequately addressed. To this end, it is expected that the comments of the LLFA will be received prior to the Planning Committee Meeting and Members will be updated.

Ecological Matters

- 7.8 Derbyshire Wildlife Trust has considered the application and raise some concerns with the development. No ecological information has been submitted with the application and it is unclear from the proposed site plan what the nature of the existing habitats that would be affected is. DWT has noted that, having considered an aerial view from online mapping, there is an area of trees/woodland that would be removed. DWT advise that the loss of mature trees has the potential to impact on roosting bats and it is therefore recommend that an ecological appraisal is undertaken to record the existing habitats present on site and assess the likelihood of impacts on protected species including but not limited to roosting bats. However, the applicant has already undertaken such felling in order to create the site for building upon.

- 7.9 DWT draws attention to the aim of the National Planning Policy Framework (NPPF) for all developments to achieve a net gain for biodiversity and would welcome consideration of opportunities for ecological enhancement even if no direct mitigation/compensation is required. Given that mature landscaping has been removed to facilitate for the building, it is considered reasonable to attach a condition requiring details of replacement landscaping and other ecological enhancements such as bird nesting boxes and bat roosts to be provided by way of compensatory/enhancement measures

Conclusion

- 7.10 Whilst the proposal is for a relatively large building in the open countryside, this is nevertheless set in the context of an existing, large building and the storage associated with the crane hire business. To this extent, given the existing and proposed screening of the building, it is considered that the harm of the proposed a building in the landscape will be mitigated and that this harm is outweighed by the benefits of the development to the business and in supporting the local economy. As such, it is recommended that planning permission be granted subject to no objections being received from the LLFA and subject to conditions.

8. RECOMMENDATION

That subject to there being no objections raised by the Local Lead Flood Authority (LLFA), that delegated permission be granted to Officers to grant planning permission subject to the following conditions and any conditions requested by the (LLFA):

1. Condition ST02A Time Limit on Full

Reason:

Reason ST02A

2. Notwithstanding the details on the approved drawings, within the first planting season following the erection of the building commencing, the landscaping of the site shall be provided in accordance with cross section details of the mound/bund and its planting which shall also be first submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved landscaping scheme.

Reason:

To ensure the mitigation of the visual impact of the building in the open countryside to comply with Policies S1, S4, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

3. Condition LA13A Landscaping to be Carried Out and Maintained

Reason:

Reason LA1A Policies S1, S4, PD1 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

4. Before the building is first brought into use, details of ecological enhancement measures for birds and bats shall be submitted to and approved in writing by the Local Planning Authority. Should boxes be incorporated, positions, specification and numbers should be provided. Such approved measures will be implemented in full prior to the occupation of the dwellinghouse and thereafter retained as such.

Reason:

To offset the loss of potential habitat, and to enhance the habitat, for protected species and other wildlife to comply with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

5. Condition PD18 No Mezzanine Floor

Reason:

To safeguard the amenities of neighbouring residential properties through the potential for increased activity and to ensure the development does not lead to the requirement for further parking provision, without being fully assessed, in the interests of highway safety and to comply with Policies S1, S4, PD1, HC21 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

6. The building hereby approved shall remain ancillary to the operations of the site and shall not be sold or let for separate business purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of neighbouring residential properties through the potential for increased activity and to ensure the development does not lead to the requirement for further parking provision, without being fully assessed, in the interests of highway safety and to comply with Policies S1, S4, PD1, HC21 and EC1 of the Adopted Derbyshire Dales Local Plan (2017).

NOTES TO APPLICANT

1. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the

Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £ £116 per request. The fee must be paid when the request is made and cannot be required retrospectively.

2. The Local Planning Authority considered the application as submitted to be acceptable. On this basis, there was no need to engage with the applicant in a positive and proactive manner to resolve any planning problems and permission was granted without negotiation.
3. This decision notice relates to the following documents:

Design and Access Statement received on 1st July 2019

Drawing Nos. 332/PD/01, 01, 02 Rev. A and 03 Rev. A received on 1st July 2019

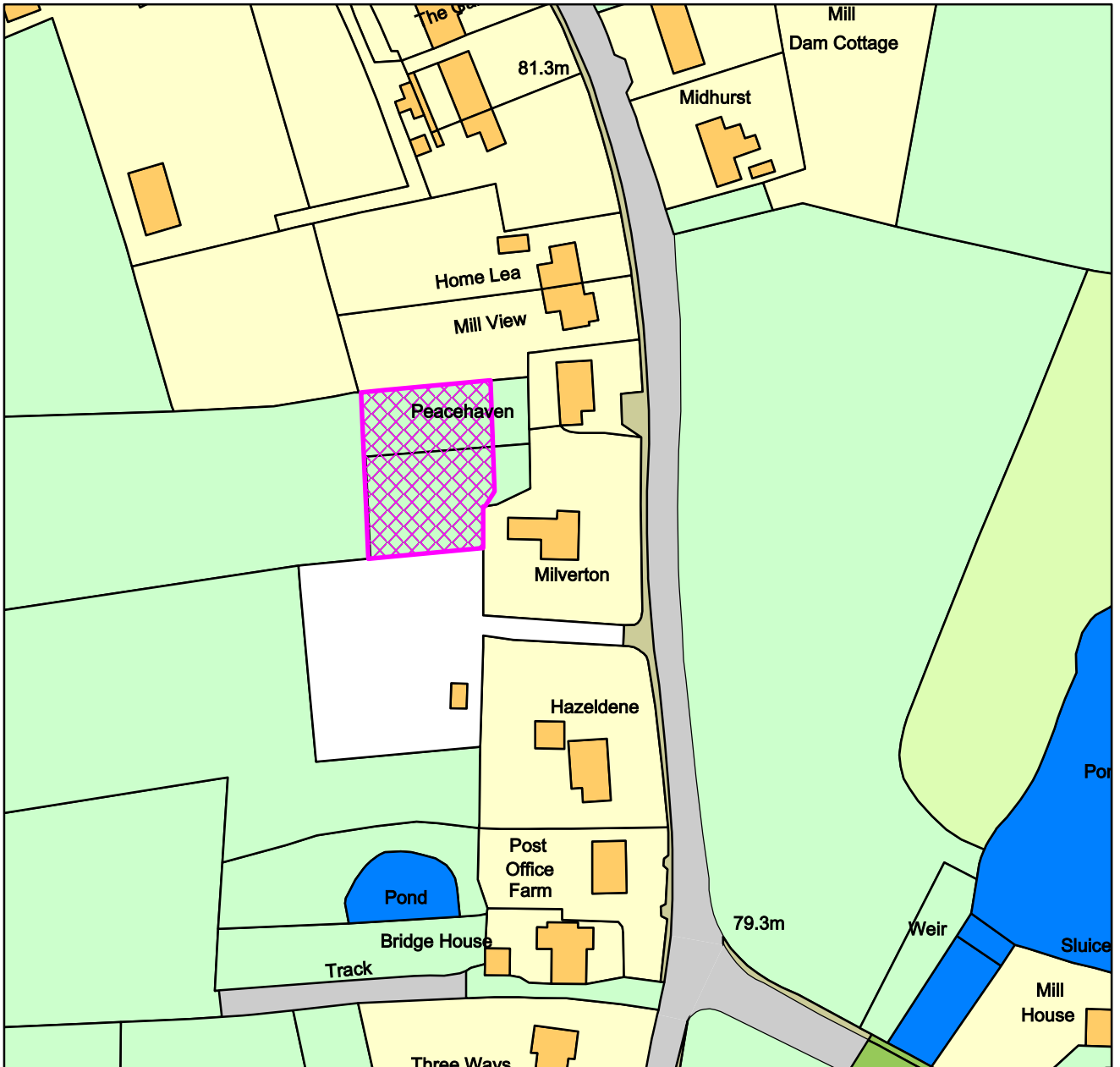
Flood Risk Assessment and Drainage Strategy received on 1st July 2019.

APPLICATION NUMBER		19/00563/FUL	
SITE ADDRESS:		Milverton, Main Street, Longford, Derbyshire, DE6 3DR	
DESCRIPTION OF DEVELOPMENT		Change of use to equestrian, erection of stable block and formation of hardstanding (personal use)	
CASE OFFICER	Mr J Baldwin	APPLICANT	Mr & Mrs Moore
PARISH/TOWN	Longford	AGENT	Mr N Pike
WARD MEMBER(S)	Cllr M Morley	DETERMINATION TARGET	10/07/2019
REASON FOR DETERMINATION BY COMMITTEE	Called to committee by Cllr Morley	REASON FOR SITE VISIT (IF APPLICABLE)	N/A site visit carried out at previous planning committee (13/08/2019)

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> - Principle of development - Impact on the amenity of neighbouring occupants. - Impact on the Longford Conservation Area. - Impact on the surrounding trees and landscape.

RECOMMENDATION
Approval with conditions

19/00563/FUL - Milverton, Main Street, Longford



Derbyshire Dales DC

1:1,250

Date: 01/08/2019

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website :www.derbyshiredales.gov.uk

1. INTRODUCTION

- 1.1 This application was presented to Planning Committee on 13th August 2019, members resolved to defer the application to see if the impact of the development on the amenity of neighbouring occupants could be lessened, by means of relocation or re-design. The item is represented, incorporating an additional supporting statement. The proposal has also been reduced in scale following the submission of amended plans. The location of the proposed stables remains as previously submitted.

2. THE SITE AND SURROUNDINGS

- 2.1 The site is located on the western side of Main Street in the centre of Longford and within the Longford Conservation Area. The application relates to a parcel of land to the rear of Milverton, which has been formerly used as an orchard. The site will be surrounded by residential properties to the east and south following the completion of an ongoing barn conversion. To the west of the site is open countryside.



3. DETAILS OF THE APPLICATION

- 3.1 Planning permission is sought for the change of use of the land to equestrian and for the construction of a stable block with associated hardstanding. The stable block is proposed to be for private use only and would be constructed in an 'L' shape with a height of 2.9m. The stables would be constructed using timber and the land around would be covered in a permeable stone hardstanding. Access to the proposed stable block will be gained along an

existing loose gravel driveway to the south of Milverton, this driveway will also serve the barn conversion which is currently under construction.

- 3.2 Following the deferral of this application at the Planning Committee on 13th August 2019 the applicants have submitted a further statement in support of the application and to address some concerns raised by members, a summary of which is as follows:

Contamination of land, noise and odour.

- The land could be utilised for grazing cows, pigs, sheep etc which would result in uncontrolled faeces and urine around the site. Livestock would also produce more odour and noise than horses.
- The stables would allow for the controlled management of waste due to the daily mucking out. The horses would never be loose in the area outside the stables and would instead be led to/from the adjacent field.
- The stables will largely be empty in the spring/summer months with the horses being in the adjacent field. Therefore there would be no harm with regard to flies and odour etc., particularly when the neighbouring occupants are most likely to be using the gardens.
- If the stables were relocated into the adjacent field, during the spring summer months when the horses are outside, they would be in closer proximity to the neighbouring occupant's garden.

Permeable Stone Area

- The permeable stone area would never be used for the exercising of the horses as it is dangerous. It is required for access to the fields, parking of the horsebox, parking of two cars and access for the removal of the muck trailer.
- The permeable stone has been chosen to allow better drainage. There were concerns with regard to cleaning faeces off the stone, however as the stone would only be used to lead the horses to the field this is unlikely and could be fully removed with a shovel.
- The horses will never be loose on the permeable stone area which has been reduced in size following comments at the planning committee.

Lighting

- Some lighting is necessary for safe working practices. Bulkhead lights would be installed under the roof canopy – 240volts at 60/100 watts and ip44 rated.

Vehicle Movements

- There will be limited vehicle movements in relation to the horses and stables. One horsebox would be used approximately once a week during October-March.
- The horsebox may be used if veterinary treatment is required.
- The farrier will shoe the horses every 4-6 weeks and a vet will visit every 6 months.
- A local farmer would take the muck trailer to be emptied off site.
- The relocation of the stables would require a longer driveway which would result in increased noise nuisance.

Stabling of the Horses

- From April/May to September/October the horses are turned out to grass 24/7. The horses are stabled overnight throughout the rest of the year.
- Whilst the horses are stabled overnight they are:
 - Fed and skipped out in the mornings
 - Turned out to graze for the day
 - Stables mucked out once a day
 - Ridden 5/6 days a week
 - Brought in from the field before dark.
 - Fed and skipped out early evening.
- All stable floors will have rubber matting which dampens the sound of hooves on the floor. Rockwool sound insulation is also proposed.

3.3 Amended plans have also been received following the previous Planning Committee. The proposed stables are now smaller in scale as one loosebox has been removed. The area of permeable stone hard surfacing has also been reduced.

4. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. Adopted Derbyshire Dales Local Plan (2017):
Policy S4: Development in the Countryside
Policy PD1: Design and Place Making
Policy PD2: Protecting the Historic Environment
Policy PD5: Landscape Character
Policy PD6: Trees, Hedgerows and Woodlands
Policy PD9: Pollution and Unstable Land
2. National Planning Policy Framework (2019)
National Planning Practice Guidance

5. RELEVANT PLANNING HISTORY:

15/00524/FUL	Change of use and conversion of barn to dwelling	REF	6/09/2015
16/00679/FUL	Change of use and conversion of barn to dwelling	PERC	6/12/2016
19/00225/FUL	Change of use to equestrian, erection of stable block and installation of hard standing for personal use	REF	3/04/2019

19/00225/FUL - The proposed stable block would create an unacceptable level of noise and odour in close proximity to existing, adjacent residential properties to the detriment of the residential amenity of the occupants of those properties. The proposal would not therefore have a satisfactory relationship with adjacent development and would conflict with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

6. CONSULTATION RESPONSES

Longford Parish Council

- 6.1 Longford Parish Council strongly object to this application. The proposed location for this development is still very close to residential properties and the impact of noise, lighting, run off and smell would be unacceptable, especially when there is ample room at the rear of the field for the development to be sited.

Although the amended plans have re-aligned the development, we think this will make matters worse, channelling the smell, noise etc. towards the residential properties, especially Brimar.

Trees in a conservation area would also be felled to accommodate the proposed site.

Design and Conservation Officer (Derbyshire Dales)

- 6.2 The Longford Conservation Area Appraisal (2011) notes and recognises that little back land development has taken place within the Conservation Area. Specifically, this relates to residential dwellings. The proposal, therefore, for an equestrian type building of a relatively low and ephemeral character and appearance is likely to be deemed acceptable on this back land site associated with the cottage. Views of the proposed site from the public realm within the Conservation Area are limited, mainly due to existing buildings and

existing planting. Additional planting should be considered to enclose the new building within its proposed context.

It is considered that the proposal is unlikely to be harmful to the character and appearance of the Longford Conservation Area.

Conservation Advisory Forum

- 6.3 CAF discussed the proposed change in shape and form of the new stable block. In its proposed form it appeared slightly smaller in footprint to that previously proposed and its introspective form would allow all the external walls to be blank. CAF considered that the timber walling should be stained/painted an appropriate recessive colour. It was noted the roof would be black. CAF considered that the proposal would not be harmful to the character and appearance of this part of the Conservation Area.

Environmental Health (Derbyshire Dales)

- 6.4 Comments from 31/05/2019: - as per previous application. *Concerns about the proximity of this development to the neighbouring dwellings. A more suitable location or the re-orientation of the stables to reduce the impact would be more desirable. This would then minimise the impact of noise, flies and odour on neighbouring dwellings.*

Comments from 02/07/2019: I have been out to Milverton, and from my visit have concluded that any stables should be pushed up as close to the dividing fence line as possible. I think a condition requiring the manures and wastes to be adequately managed would be helpful going forward. Soundproofing of the stables was also discussed and insulated panels were to be investigated and used. In addition, restoring the hedge between the garden and orchard area was discussed and would be desirable.

7. REPRESENTATIONS RECEIVED

- 7.1 The Local Planning Authority have received objections to the proposed development from two neighbouring properties and one representation in support. A summary of the representations follows:

Supporting:

- Having looked at the proposed plans, and discussing muck removal, drainage and light pollution, I have no objection to the stables location in relation to my property.

In objection:

- The application does not resolve objections raised with the previous application.
- Why is the applicant applying for change of use of the orchard, there is other available land not bordering residential land.
- The height of the building is 3 metres high, whereas the boundary hedge is 5 feet. The proposal would impact on neighbouring occupants day to day life.
- The development would result in smells, noise, run-off and disturbance and would increase the vermin population.
- The manure trailer is situated quite a distance from the stables which may result in the applicant not using it correctly.
- Rainwater run-off may result in flooding of neighbouring properties.
- The application is largely the same as the previous application.
- A protected tree has been removed and work began on removing a second protected tree.
- The removal of the trees and the noise of the development would be detrimental to the wildlife in the area
- Unauthorised development has occurred on the land.
- The stables would result in overshadowing and loss of light to neighbouring properties due to the difference in land levels.

- The shape of the stables would funnel noise and odour toward neighbouring residential properties.
- Neighbouring properties would be unable to have doors/windows open due to the odour from the development.
- The proposed stables would introduce vermin/flies etc. which attract potential disease.
- There is up to 3 acres of available land and is no need to build the stables in such close proximity to the residential properties.
- The scale on the proposed block plan is incorrect and doesn't show the true size of the stables, and hardstanding or the proximity of neighbouring properties.
- How can faeces be removed from the loose permeable surface.
- The proposed lighting would cause unnecessary nuisance and light pollution.
- The stables would appear overbearing from neighbouring properties.
- The proposal would not enhance the area or preserve the wildlife.
- The loading and unloading of horses from the horse lorry would be an unnecessary disturbance to neighbouring occupants.
- The proposed planting would not sufficiently screen the proposed building.
- Disagree with the conservation officers description of the stables as ephemeral in character and appearance – the stables will last a lifetime.
- The outlook from neighbouring properties would be lost.
- Following the amended plans received – all objections remain.

8. OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Impact on the Longford Conservation Area.
- Impact on the surrounding trees and landscape.
- Impact on the amenity of neighbouring occupants.

8.1 Principle of Development

During the assessment of the previous application (19/00225/FUL) it was considered that the principle of the development was acceptable. Policy S4 of the Adopted Derbyshire Dales Local Plan (2017) states that planning permission will be granted in the countryside where the development “comprises equestrian development where it does not have an adverse impact upon the character of the area”. Whilst concerns have been raised by neighbouring residents, the stables would be located the rear of the dwellings, immediately adjacent to the agricultural land. A former barn which is currently undergoing a conversion to a dwelling is located immediately to the south of the site, whilst no longer in agricultural use it would retain the agricultural character of this area to the rear of the dwelling. It is not considered that the introduction of a stable or the change of use of the land to equestrian use would harm this character. The proposal is considered to comply with policy S4 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

8.2 Impact on the Longford Conservation Area.

Whilst the development site is located within the Longford Conservation Area it would not be prominent in public views due to the screening provided by the existing dwellings along the eastern side of Main Street. The 2.9m height of the building is also relatively modest and the use of timber to construct the stables would allow the stables to appear as an ephemeral building. Although the shape/form of the building has been altered since the previous application, both the Derbyshire Dales District Council Conservation Officer and the Conservation Advisory Forum have again concluded that the proposal would not result in an adverse impact to the character and appearance of this part of the Longford

Conservation Area and the proposal is therefore considered to comply with policy PD2 of the Adopted Derbyshire Dales Local Plan 2017 in this regard.

8.3 Impact on the surrounding trees and landscape

Whilst the proposal – particularly the creation of the hardstanding would have an impact on the landscape, it is considered that as the proposal is contained within the building line of the properties along the eastern side of Main Street it would not encroach into the open countryside and would not cause an unacceptable level of harm to the character and appearance of the surrounding landscape.

Concerns have been raised by local residents in relation to the removal of a tree and the proposed removal of further trees to accommodate the proposal. Although no formal comments have been received from the Derbyshire Dales District Council Trees and Landscape Officer, it was suggested as part of the previous application that subject to a condition securing an appropriate landscaping scheme, the character of the area and the wildlife on site could be protected. The impact on the trees and landscape surrounding the development is not considered to be sufficient to warrant the refusal of planning permission in this case.

8.4 Impact on amenity of neighbouring occupants.

A number of concerns have been raised by local residents in relation to the odour, noise, light and vermin generated by the proposed development. Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) requires development to “achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution, or other adverse impacts on local character and amenity”. Policy PD9 also seeks to “protect people and the environment from unsafe, unhealthy and polluted environments”.

The previous application was refused due to the harmful impact of noise and odours generated as a result of the proposed stable block on the amenity of neighbouring occupants. During the consideration of this application the Environmental Health Officer (Derbyshire Dales) carried out a site visit, following which it was concluded that subject to conditions securing appropriate waste management, soundproofing and vermin control, the impact on the neighbouring residents could be reduced to a point where it would be unjustified to refuse planning permission on this ground. Amended plans have been received during the application which have moved the stable block approximately 5m further from the boundary with Brimar. Whilst this slight relocation would not in itself sufficiently reduce the impact on the neighbouring amenity, in combination with the above conditions, it is considered to reduce the impact to a satisfactory level in accordance with policy PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

Following the construction of the proposed stables, the use of the existing gravel driveway may be increased and may create additional noise and potential nuisance to the neighbouring property to the south and the occupants of the barn conversion once complete. In this case however, the driveway is currently used by the occupants of Milverton and has small parking area at its western end, the increase in the amount of vehicular activity along the driveway is unlikely to be significant as a result of the stables.

Whilst there have also been representations received from neighbouring residents which raised concern with the height of the building and the varying land levels resulting in a significant overbearing effect and overshadowing, it is considered that the 3m height and almost 20m distance between the corner of the proposed stables and the boundary with Brimar, this is unlikely to result in a significant adverse impact and would not warrant rejecting the scheme.

Following deferral of the application by members at the previous Planning Committee the applicant has provided further clarification on how the stables would be used and how concerns relating the amenity of neighbouring occupants would be addressed. Firstly stating that for 6 months of the year, the horses would be turned out to the adjacent field 24/7 and would only be kept in the stables overnight throughout the winter months. The applicant has stated that the horses would be mucked out daily when the horses are in the stables reducing the potential impact of odours and flies. It is also outlined that the number of vehicle movements would be limited to a horsebox once per week from October – March, a farrier to shoes the horses once every 4-6 weeks, a vet once every six months and by a local farmer emptying the muck trailer. It is also proposed to utilise rubber matting to the floor of the stables and Rockwool sound insulation to reduce and noise created by the horses whilst the stables are occupied.

8.5 Conclusion:

The previous planning application for the change of use of the land, erection of stable block and formation of hardstanding was refused due to the impact of the odour and noise on the amenity of occupants of neighbouring residential properties. Following the revised comments received from the Environmental Health Officer stating that these concerns can be overcome through the amended plans which have been received and a series of planning conditions, the Local Planning Authority consider that the planning balance has been tipped in favour of this scheme. The applicant has amended the scale of the proposed building and submitted further details on the intended use of the stables in order to address the concerns raised by Members and neighbouring occupants at the previous Planning Committee which led to the application being deferred. The Local Planning Authority consider that subject to appropriate conditions the proposed stables can achieve a satisfactory relationship with surrounding developments in accordance with policy PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017). A recommendation of approval is made on this basis.

9. RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. This permission relates solely to the application as amended by the revised plan(s) received by the Local Planning Authority on the 09/07/2019 numbered P2v2 (Rev 3), P3v2 (Rev 1), P4v2 (Rev 1).

Reason:

For the avoidance of doubt.

3. A scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority within 56 days of the commencement of development, the details of which shall include :-

- a) Indications of all existing trees, hedgerows and other vegetation on the land;
- b) All vegetation to be retained including details of the canopy spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- c) Measures for the protection of retained vegetation during the course of development;
- d) All plant species, planting sizes, planting densities, the number of each species to be planted and plant protection;
- e) Car park layouts;
- f) Other vehicle and pedestrian access and circulation areas;
- g) Hard surfacing materials;

Reason:

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features in accordance with policy PD1, PD5 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:

To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policy PD1, PD5 and PD6 of the Adopted Derbyshire Dales Local Plan (2017).

5. Details of sound insulation to be installed within the building hereby approved shall be submitted to and approved in writing prior to the building being brought in to use. The approved insulation shall be installed and retained within the building unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To minimise the impact of noise emitted from the building on neighbouring residential properties in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

6. A manure management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the building hereby approved being brought into use. The manure management plan shall then be carried out in accordance with the approved details.

Reason:

In the interests of preserving the amenity of neighbouring occupants in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

10. NOTES TO APPLICANT:

The Local Planning Authority prior to and during the consideration of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of a scheme that overcame initial concerns relating to the impact of the proposed development on the amenity of neighbouring occupants.

The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £34 per householder request and £116 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.

This decision notice relates to the following documents:

Design and Access Statement (15/05/2019)
Lighting statement (15/05/2019)
Arboricultural method statement (15/05/2019)
Manure management statement (15/05/2019)
Personal statement (15/05/2019)
Housekeeping statement (15/05/2019)
Planning statement (15/05/2019)
P1v2 – Site Location Plan – 1:1250 (15/05/2019)
P2v2 (Rev 4) – Block Plan – 1:200 (27/08/2019)
P3v2 (Rev 2) – Elevations – 1:100 (27/08/2019)
P4v2 (Rev 2) – Roof and Floor Plans (27/08/2019)
Further Supporting Information (27/08/2019)

Ashbourne North

ENF/14/00071	Unauthorised building works to facilitate a Biomass Boiler and affecting the setting of a listed building.	Sturston Hall Farm Mill Lane Sturston Derbyshire DE6 1LN	Notice Issued
ENF/15/00014	Unauthorised alterations to listed building. Installation of photo voltaic panels on roof slope - Sturston Hall Farm, Ashbourne, DE6 1LN		Notice Issued
ENF/17/00094	Unauthorised fascia signs at 1 Shawcroft Centre, Dig Street, Ashbourne, DE6 1GF	1 Shawcroft Centre Dig Street Ashbourne Derbyshire DE6 1GD	Pending Consideration
ENF/18/00020	Change of use to hot food takeaway (A5) and works to a listed building (Grade II) - Shopfront changes, additional side entry and removal of bricks	3 Church Street Ashbourne Derbyshire DE6 1AE	Pending Consideration
ENF/18/00038	Breach of Conditions 6, 16, 17, 18, 19, 21, 22 and 23 of Planning Permission 09/00496/FUL (Allowed on appeal)	The Mount 4 North Avenue Ashbourne Derbyshire DE6 1EZ	Notice Issued
ENF/18/00101	Formation of vehicular access onto a classified road	Parkfield Stable Parkfield House Farm Kniveton Lane Offcote Derbyshire DE6 1JQ	Pending Consideration
ENF/18/00137	Erection of salon building in rear garden	91 Park Avenue Ashbourne Derbyshire DE6 1GB	Pending Consideration
ENF/19/00016	Installation of artificial grass to steps, neon internal signage and spotlights to Grade II Listed Building	5 Church Street Ashbourne Derbyshire DE6 1AE	Pending Consideration
ENF/19/00028	Replacement fascia and hanging sign and repainting of shop front	Costa 14 St John Street Ashbourne Derbyshire DE6 1GH	Pending Consideration
ENF/19/00082	Siting of caravan and alterations to associated access track	Land To The Rear Of Woodcock Delph And Adjacent To Herdsman Close Farm Ashbourne Road Fenny Bentley Derbyshire	Pending Consideration
ENF/19/00088	Signage scheme to Grade II Listed Building	Drink Zone Plus Ground Floor 5B St John Street Ashbourne Derbyshire DE6 1GP	Pending Consideration

ENF/19/00125	Breach of conditions of original planning permissions (Outline Planning Ref. WED/1191/0894, Reserved Matters Ref. WED/0195/0049/C) - Removal of boundary hedge to be kept in perpetuity	2 Catherine Court Ashbourne Derbyshire DE6 1ET	Pending Consideration
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Ashbourne South

ENF/14/00070	Unauthorised internally illuminated signage above front of restaurant - 25 Dig Street, Ashbourne, DE6 1GF	25 Dig Street Ashbourne Derbyshire DE6 1GF	Pending Consideration
ENF/17/00038	Unauthorised works to listed building	Avanti Jewellers 2 - 4 Church Street Ashbourne Derbyshire DE6 1AE	Pending Consideration
ENF/18/00092	Holiday homes being used as permanent residences	Peak Gateway Leisure Club Osmaston Derbyshire DE6 1NA	Pending Consideration
ENF/18/00123	Signage advertising new development at Leys Farm development. One sign on Corner of Lower Pingle Road and one sign near the entrance to Ashbourne Golf Club	Land South Of Leys Farm Wyaston Road Ashbourne Derbyshire	Pending Consideration
ENF/18/00125	Breach of Conditions 6 (Soft Landscaping), 7(Landscape Management Plan), 8 (Amenity and Play Areas laid out before first occupation) and 27 (Landscape and Ecological Management Plan) of 14/00722/FUL	Land Formerly Hillside Farm Wyaston Road Ashbourne Derbyshire DE6 1NB	Notice Issued
ENF/18/00164	Unauthorised siting of caravan for residential purposes.	Land To The Rear Of Mayfield Road Cadet Hut Mayfield Road Ashbourne Derbyshire DE6 1AR	Pending Consideration
ENF/18/00207	Breach of Conditions of Planning Permission 17/01248/REM	Land North East Of Lathkill Drive Ashbourne Derbyshire	Pending Consideration
ENF/18/00208	Incorporation of public open space (as approved under 12/00774/OUT and 14/00356/REM) into residential garden	12 Tutbury Hollow Ashbourne Derbyshire DE6 1TD	Pending Consideration
ENF/18/00215	Erection of shed(s) on land forward of a principal elevation	7 Weaver Close Ashbourne Derbyshire DE6 1BS	Pending Consideration
ENF/18/00222	Breach of condition 16 of planning permission 16/00519/FUL - by failing to provide obscure glazing in the rear 1st floor east elevation windows of plots 4 and 5.	Former R Silcock Clothing Manufacturers Derby Road Ashbourne Derbyshire DE6 1BE	Notice Issued
ENF/18/00226	Unauthorised change of use of part of the building for residential purposes. 6A Henmore Trading Estate	Mr Wayne Travers 6A Henmore Trading Estate Mayfield Road Ashbourne Derbyshire DE6 1AS	Notice Issued

ENF/19/00007	Removal of Bin on development site (related planning application 14/00722/FUL)	Land Formerly Hillside Farm Wyaston Road Ashbourne Derbyshire DE6 1NB	Pending Consideration
ENF/19/00040	Breach of Condition 10 (Construction Management Plan) of planning permission 15/00060/OUT	Land Off Lathkill Drive Ashbourne Derbyshire	Pending Consideration
ENF/19/00046	Breach of Condition 4 (working hours) of planning permission 17/00250/REM	Land South Of Leys Farm Wyaston Road Ashbourne Derbyshire	Pending Consideration
ENF/19/00114	Provision of traffic regulation order and markings to restrict parking secured via section 106 agreement not yet in place, landscaping/ damaged fencing on site and unauthorised signage (banner sign and advanced sign) for local housing site being displayed. Related planning approval 18/00180/FUL	Unit 6 Blenheim Road Airfield Industrial Estate Ashbourne Derbyshire	Pending Consideration

Brailsford

ENF/17/00058	Unauthorised erection of replacement fencing around boundary of South Lodge, Long Lane, Longford, Derbyshire	South Lodge Long Lane Longford Derbyshire DE6 3DS	Pending Consideration
ENF/18/00009	Unauthorised building works to barn at West Mammerton Farm, Sutton Lane, Longford	Buildings At West Mammerton Farm Sutton Lane Longford Derbyshire	Pending Consideration
ENF/18/00129	Breach of conditions 2 (opening times) and 3 (number of customers) of planning permission 17/00540/FUL	The Spruces Main Road Brailsford Derbyshire DE6 3DA	Pending Consideration
ENF/18/00138	Unauthorised change of use of Agricultural land and the erection of a timber built cabin.	Land North East Of Willow Croft New Road Mercaston Derbyshire	Notice Issued
ENF/18/00193	Relocation of boundary fence outside of approved residential curtilage (related planning permission 13/00826/FUL)	Land Off Luke Lane Brailsford Derbyshire	Pending Consideration
ENF/18/00214	Use of dwelling approved under 17/00847/PDA for commercial business operations	Converted Barn At West Mammerton Farm Sutton Lane Longford Derbyshire DE6 3DE	Pending Consideration
ENF/19/00043	Breach of Condition 7 (Working Hours) of planning permission 18/00711/REM	Land At Luke Lane / Mercaston Lane Brailsford Derbyshire	Notice Issued
ENF/19/00056	Engineering works	Ednaston Park Painters Lane Ednaston Derbyshire DE6 3FA	Pending Consideration
ENF/19/00062	Creation of new fishing lake	Birch House Fishing Lake Derby Lane Ednaston Derbyshire	Pending Consideration

ENF/19/00063	Unauthorised building of hay store. Building in different location to that approved under 16/00946/AGR.	Land North Of Willow Croft New Road Mercaston Derbyshire	Pending Consideration
ENF/19/00095	Has access road been built to correct width and planting on verge (related planning permissions - 16/00567/OUT (outline) and 18/00397/REM and 19/00467/REM (reserved matters))	Land Off Main Road Brailsford Derbyshire	Pending Consideration
ENF/19/00130	Breach of Condition 10 (Construction Management) of Planning Permission 16/00567/OUT - Mud and debris on roads and parking of vehicles on and around the site		Pending Consideration
ENF/19/00136	Unauthorised engineering works to rear of property, including the raising of inspection chamber.	10 Ednaston Court Ednaston Derbyshire DE6 3BA	Pending Consideration

Carsington Water

ENF/16/00034	Unauthorised erection of Dog kennels	Four Lane Ends Farm Gibfield Lane Hulland Ward Derbyshire DE6 3EJ	Notice Issued
ENF/17/00082	Unauthorised erection of raised platform on land within the conservation area and to the rear of Barnwood, Hopton, Wirksworth, Matlock, Derbyshire DE4 4DF	Barnwood Main Street Hopton Derbyshire DE4 4DF	Pending Consideration
ENF/18/00013	Building not built in accordance with approved plans	Mulino Lodge Agnes Meadow Lane Kniveton Derbyshire DE6 1JR	Pending Consideration
ENF/18/00105	Alterations not done in accordance with approved planning application 16/00912/LBALT	Brook Cottage Pethills Lane Kniveton Derbyshire DE6 1JN	Notice Issued
ENF/18/00175	UNAUTHORISED ERECTION OF A NEW TWO STOREY BUILDING AT BARN 2, WALLANDS FARM, ASHBOURNE ROAD, BRASSINGTON, DERBYSHIRE, DE4 4DB	Wallands Farm Brassington Derbyshire DE4 4DB	Notice Issued
ENF/18/00179	Unauthorised engineering works to facilitate a standing area for farm machinery and produce.	Land And Buildings Off Wester Lane Ashbourne Road Brassington Derbyshire	Pending Consideration
ENF/18/00196	Works to Holiday Let - Installation of chimney, erection of conservatory and extension to single storey element. Other Works - Caravan hookups, associated timber structure and extension to shower block	New Harboro Farm Manystones Lane Brassington Derbyshire DE4 4HF	Pending Consideration
ENF/18/00202	Breach of Section 106 Obligations - Agreement No. 1093 (Related planning permission 05/00729/FUL)	Bradbourne Mill Bradbourne Derbyshire	Pending Consideration
ENF/18/00203	Erection of retaining wall		Pending Consideration

ENF/19/00066	Breach of Condition 2 (Time Limit for siting of chalet) of planning permission 13/00158/EXF	Mulino Lodge Agnes Meadow Lane Kniveton Derbyshire DE6 1JR	Notice Issued
ENF/19/00067	Unauthorised engineering works to create a raised platform base for the approved building, and a new access and access track onto land off Manystones Lane, Brassington.	Land North Of Wirksworth Dale Brassington Derbyshire	Pending Consideration
ENF/19/00089	Creation of dog play park	Four Lane Ends Farm Gibfield Lane Hulland Ward Derbyshire DE6 3EJ	Pending Consideration
ENF/19/00096	Unauthorised change of use of the building known as Shaws Barn, from B8 (Limited storage and distribution) use, to a use including the sale of alcohol.	Shaws Barn Winn Lane Atlow Derbyshire DE6 1NS	Pending Consideration
ENF/19/00122	Unauthorised change of use of land (front and side of 8 Greenway, Brassington) for the storage of a large shipping container.	8 Greenway Brassington Derbyshire DE4 4HD	Pending Consideration

Clifton And Bradley

ENF/18/00015	Unauthorised use of land for wood processing facility	Duke Of York Filling Station Mayfield Road Mayfield Ashbourne Derbyshire DE6 2BN	Pending Consideration
ENF/18/00047	Use of agricultural building as a lorry shed and creation of hardstanding	Wyaston House Farm Orchard Lane Wyaston Derbyshire DE6 2DR	Pending Consideration
ENF/18/00055	Unauthorised erection of summer house, on land at Cloud Barn, Clifton Road (A515), Clifton, Derbyshire and Untidy Land	Cloud Barn Clifton Road Clifton Derbyshire DE6 2DH	Pending Consideration
ENF/19/00002	Erection of shed in field	Land Between The A517 And Rear Of Kennels Cottages Yew Tree Lane Bradley Derbyshire	Pending Consideration
ENF/19/00065	Erection of solar panel array on boundary	8 Cross Side Clifton Derbyshire DE6 2GJ	Pending Consideration
ENF/19/00132	Unauthorised siting of a caravan on land outside of the permitted area	Ashbourne Camping And Caravanning Club Site Hulland Ward Derbyshire DE6 3EN	Pending Consideration

Darley Dale

ENF/12/00034	Unauthorised demolition of a Listed wall and unauthorised access off the A6 at Dale Road North Darley Dale.	Stancliffe Quarry, Darley Dale, Matlock.	Notice Issued
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ENF/17/00016	Breach of pre commencement conditions on planning permission 15/00718/FUL Demolition of existing dwelling and barn and erection of replacement dwelling and swimming pool building.	Former Bent Farm Farley Hill Matlock Derbyshire DE4 5LT	Pending Consideration
ENF/17/00100	Alleged - Unauthorised Use of Site and Building for the Holding of Weddings	Peak Village Ltd Darwin Lake Holiday Village Jagers Lane Darley Moor Matlock Derbyshire DE4 5LJ	Pending Consideration
ENF/17/00139	Unauthorised office building	Bent Farm / Ameycroft Farm Farley Hill Matlock Derbyshire DE4 5LR	Pending Consideration
ENF/17/00158	The unauthorised change of use of land for the storage of domestic and commercial vehicles, building materials and heras fencing	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Notice Issued
ENF/18/00067	Works comprising the formation of a widened access and works to provide water supply and electricity hook-ups points.	Former Bent Farm Farley Hill Farley Derbyshire DE4 5LT	Notice Issued
ENF/18/00070	Breach of condition 14 (hard and soft landscaping) of planning permission 10/00069/FUL - Failure of new trees	Land Off Morledge Bakewell Road Matlock Derbyshire	Pending Consideration
ENF/18/00086	Extension to agricultural building	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Pending Consideration
ENF/18/00103	Erection of fence over 1m in height adjacent to the highway	No. 16 And Riversdale Darley Avenue Darley Dale Derbyshire DE4 2GB	Pending Consideration
ENF/18/00121	Unlawful externally illuminated advertisements on land adjacent to Molyneux Business Park and A6 for Creating Spaces Ltd	Creating Spaces (Derbyshire) Ltd Unit 20A Molyneux Business Park Whitworth Road Darley Dale Derbyshire DE4 2HJ	Pending Consideration
ENF/18/00160	The material change of use of the land, edged blue on the attached plan, for the stationing of a shepherds hut for the purposes of human habitation as holiday accommodation with associated hard surfacing and siting of hot tub	Oakstone Farm Old Hackney Lane Hackney Derbyshire DE4 2QJ	Pending Consideration
ENF/18/00167	Unauthorised siting of temporary site cabin	St Elphins Park Darley Dale Derbyshire	Pending Consideration
ENF/18/00219	Siting of Caravans and Tents at Ameycroft, Farley Hill	Ameycroft Farm Farley Hill Farley Derbyshire DE4 5LR	Pending Consideration

ENF/19/00031	Garage not being built in accordance with plans (related application 18/00457/CLPUD) and agricultural building with office and rest area above being used as ancillary accommodation (related application 18/00104/FUL)	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Pending Consideration
ENF/19/00068	Dwelling not being built in accordance with planning permission 17/00809/FUL	Rear Of Sunnyside Terrace Farley Hill Matlock Derbyshire	Pending Consideration
ENF/19/00097	Siting of a marquee and untidy land	The Plough Inn Wheatley Road Two Dales Derbyshire DE4 2FF	Pending Consideration
ENF/19/00102	Continued siting of mobile home (Breach of Condition 1 of Appeal Decision APP/P1045/C/15/3131891)	Woodside Farm Back Lane Darley Moor Matlock Derbyshire DE4 5LP	Pending Consideration
ENF/19/00127	Car Sales and Scrapyard businesses operating from site	Morfu Farley Hill Matlock Derbyshire DE4 5LT	Pending Consideration
ENF/19/00131	Dwelling not built in accordance with approved planning permission 15/00718/FUL (Demolition of existing dwelling and barn and erection of replacement dwelling and swimming pool building)	Bent Farm Farley Hill Farley Derbyshire DE4 5LT	Pending Consideration
ENF/19/00134	Alteration to access and creation of hardstanding area on agricultural land.	Land South West Of Bent Farm Ameycroft Lane Hackney Derbyshire	Pending Consideration

Dovedale And Parwich

ENF/18/00090	Extension and raising of ridge height of existing outbuilding to 2.7m	Bank House Mapleton Road Mapleton Derbyshire DE6 2AB	Pending Consideration
ENF/19/00073	Siting of 40+ containers for rental	Ash Tree Farm Spend Lane Sandybrook Ashbourne Derbyshire DE6 2AR	Pending Consideration

Doveridge And Sudbury

ENF/18/00165	Unauthorised change of use of agricultural building to use as dog kennels and associated building operations	Victory Farm 10 Marston Lane Doveridge Derbyshire DE6 5JS	Notice Issued
ENF/19/00017	Unauthorised commencement of development prior to correctly discharging planning conditions relating to planning permissions 15/00389/OUT - residential development of upto 70 dwellings and 18/00891/REM - Approval of reserved matters for the erection of 62 dwellings- Land East of Bakers Lane, Doveridge	Land To The East Of Bakers Lane Doveridge Derbyshire	Pending Consideration

Hulland

ENF/14/00041	Breach of condition 2 relating to planning permission 10/00812/TEMP - Provision of temporary access for a period of 2 years - Redmire Gap, Intakes Lane, Turnditch, Derbyshire DE56 2LU	Redmire Gap Intakes Lane Turnditch Derbyshire DE56 2LU	Pending Consideration
ENF/15/00004	Unauthorised engineering works including substantive excavation on land at Common Farm.	Common Farm Mugginton Lane End Weston Underwood Ashbourne Derbyshire DE6 4PP	Pending Consideration
ENF/15/00024	The unlawful use of the buildings outlined and hatched green on the 1:2500 and 1:1000 Scale attached plans, as a dwellinghouse (Use Class C3).	Blackbrook Lodge Farm Intakes Lane Turnditch Derbyshire DE56 2LU	Notice Issued
ENF/17/00064	Unauthorised change of use of land to create a horse riding Manege' on land West side of Broadway, Kirk Ireton	Caravan At Valley View Broad Way Kirk Ireton Derbyshire	Pending Consideration
ENF/17/00109	Use as a collection point for County Council vehicles	Wheel Plant Ltd Winney Hill Farm Hob Lane Kirk Ireton Derbyshire DE6 3LG	Pending Consideration
ENF/18/00087	Unauthorised building works. Buildings not in accordance with approved plans - 17/00309/FUL - Erection of 2 no. dwellings	The Smithy Main Road Hulland Ward Derbyshire DE6 3EF	Pending Consideration
ENF/18/00110	Breach of Condition 3 (Lighting Details) and Condition 5 (Restricted Use) of 17/00159/FUL	Common End Farm Bradley Derbyshire DE6 1PL	Pending Consideration
ENF/18/00111	Breach of Condition 9 (Events Management) of 12/00581/FUL	Land Off A517 North Of Hough Park Farm Brunwood Lane Hulland Ward Derbyshire DE6 3EN	Pending Consideration
ENF/18/00112	Unauthorised use of buildings for storage of mowers in connection to an off site business	Hough Park Farm Brunwood Lane Hulland Ward Derbyshire DE6 3EN	Pending Consideration
ENF/18/00151	Non compliance with condition 3 of planning permission 06/00204/VCOND - Affordable housing to be provided onsite in perpetuity	High Meadow Hulland Ward Derbyshire DE6 3EE	Pending Consideration
ENF/18/00152	Plots 6 - 11 of 15/00776/FUL - Dwellings not built in accordance with approved plans	Darne Mews Development Hulland Ward Derbyshire DE6 3GQ	Pending Consideration
ENF/18/00155	Replacement agricultural storage building not built in accordance with permission 15/00616/AGR, construction of car park and building being used as a dog training business	Moorside Farm Moor Lane Kirk Ireton Derbyshire DE6 3JZ	Pending Consideration

ENF/18/00174	Unauthorised change of use of land from agricultural land to storage of builders materials and a large container.	Land East Of Les Ardennes Hulland Ward Derbyshire	Pending Consideration
ENF/18/00181	Unauthorised change of use of holiday cottage to permanent dwelling - Barn to rear of Fairfields, Waterlagg House, Turnditch, Belper, DE56 2LW	Waterlagg House Turnditch Derbyshire DE56 2LW	Pending Consideration
ENF/18/00201	Agricultural storage building and associated access track not being built in accordance with approved planning permission 18/00249/FUL - Alterations to entrance including erection of stone gate piers	Pearl Well Farm Wirksworth Road Kirk Ireton Derbyshire DE6 3JX	Pending Consideration
ENF/18/00206	Unauthorised use of site for wood processing and storage	Poplars Farm Belper Road Hulland Ward Derbyshire DE6 3ED	Pending Consideration
ENF/19/00001	Timber and forestry storage in yard area and planting of trees	Land To The North West Of Smith Hall Farm Smith Hall Lane Hulland Ward Derbyshire	Pending Consideration
ENF/19/00048	Breach of Condition 3 (building to be incidental/ connected to existing farmhouse) of planning permission 15/00538/FUL	Outbuilding At Blackbrook Farm Intakes Lane Turnditch Derbyshire DE56 2LU	Pending Consideration
ENF/19/00069	Dependent relative accommodation not being built in accordance with planning permission 17/00661/FUL - Installation of skylight	Penfold Lodge Penfold Farm Hulland Village Derbyshire DE6 3EQ	Pending Consideration
ENF/19/00077	Siting of 2no. shipping containers	Penfold Farm Hulland Village Derbyshire DE6 3EQ	Notice Issued
ENF/19/00093	Use of outbuilding as a dwelling	Mukkibruk Farm Intakes Lane Turnditch Derbyshire DE56 2LU	Pending Consideration
ENF/19/00105	Works to Apple Store building - Installation of flue and use of log burner and erection of timber shelter.	Land To The East Of Innisfree Nether Lane Biggin Ashbourne Derbyshire	Pending Consideration
ENF/19/00106	Unauthorised engineering works including the creation and extension of a new access, the re-surfacing of an access track and the excavation of new footings around the existing hay barn, on land opposite Hulland Grange, Upper Lane, Hulland Ward.	Land Opposite Hulland Grange Upper Lane Hulland Ward Derbyshire	Pending Consideration
ENF/19/00117	Removal of chimney stack and breach of condition 12 (vegetation clearance) of planning permission 19/00287/FUL	Birches Cottage Hoon Well Lane Biggin Ashbourne Derbyshire DE6 3FJ	Pending Consideration

ENF/19/00124	Development not being built in accordance with approved elevation plans of planning permission 18/01237/REM (Approval of reserved matters for the erection of 22 dwellings (outline application 16/00832/OUT))	Land East Of Les Ardennes Hulland Ward Derbyshire DE6 3EE	Pending Consideration
ENF/19/00126	Widening/ alterations to access onto a classified road (Intakes Lane)	Halter Devil Farm Intakes Lane Turnditch Derbyshire DE56 2LU	Pending Consideration

Masson

ENF/15/00054	Unauthorised alterations to a Grade II Listed Building.	Rita's Fish Bar 182 South Parade Matlock Bath Derbyshire DE4 3NR	Pending Consideration
ENF/17/00022	Erection of two wooden sheds.	The Cottage Puddle Hill Bonsall Derbyshire DE4 2BA	Notice Issued
ENF/17/00147	Breach of Conditions of Planning Permission Reference 11/00504/FUL	Cromford Hill Hand Car Wash 161 The Hill Cromford Derbyshire DE4 3QU	Pending Consideration
ENF/18/00003	Untidy site - Land at Gullivers Kingdom, Adjacent to the upper car park, Matlock Bath, Derbyshire	Gullivers Kingdom Temple Road Matlock Bath Derbyshire DE4 3PG	Pending Consideration
ENF/18/00032	External alterations - Doorway replaced with a window and window covered up	County And Station Hotel 258 Dale Road Matlock Bath Derbyshire DE4 3NT	Notice Issued
ENF/18/00071	Unauthorised works to provide walls and doors to atrium	Cromford Court Derby Road Matlock Bath Derbyshire DE4 3PY	Pending Consideration
ENF/18/00077	Unauthorised change of use of buildings from fully self contained holiday cottage. to	The Carriage House Building 24 Cromford Mill Mill Road Cromford Derbyshire DE4 3RQ	Pending Consideration
ENF/18/00078	Unauthorised painting of shop front.	196-198 South Parade Matlock Bath Derbyshire DE4 3NR	Notice Issued
ENF/18/00088	Erection of fence on top of existing wall	18 North Street Cromford Derbyshire DE4 3RG	Pending Consideration
ENF/18/00136	Various Fencing erected around listed building	3 North Street Cromford Derbyshire DE4 3RG	Pending Consideration
ENF/18/00140	Commencement on site prior to discharging conditions 3, 4 and 7 of planning application 17/01097/FUL	Outbuilding To The Rear Of 14 - 16 Yeoman Street Bonsall Derbyshire DE4 2AA	Pending Consideration
ENF/18/00177	Unauthorised erection of decking in the rear garden of Ranmoor, Waterloo Road, Matlock Bath	Ranmoor Waterloo Road Matlock Bath Derbyshire DE4 3PH	Pending Consideration
ENF/18/00210	Erection of terraces to provide seating area	The Tors Cafe Derby Road Cromford Derbyshire DE4 3RP	Pending Consideration

ENF/19/00014	Erection of advertisement hoardings	Cromford Hill Hand Car Wash 161 The Hill Cromford Derbyshire DE4 3QU	Pending Consideration
ENF/19/00019	Unauthorised painting of shop front (Article 4), and erection of external hanging lights	Gifts Galore 40 - 42 North Parade Matlock Bath Derbyshire DE4 3NS	Pending Consideration
ENF/19/00037	Formation of raised platform and associated retaining walls	21 Castle View Drive Cromford Derbyshire DE4 3RL	Pending Consideration
ENF/19/00038	External re-painting of premises and change of use to A3 use (Cafes and Restaurants)	192 South Parade Matlock Bath Derbyshire DE4 3NR	Pending Consideration
ENF/19/00070	Installation of chimney	The Barn Bonsall Lane Bonsall Derbyshire DE4 2AT	Pending Consideration
ENF/19/00071	Display of flag advertisements	Surf Shack 20 North Parade Matlock Bath Derbyshire DE4 3NS	Pending Consideration
ENF/19/00076	Use of flat above public house as a holiday let accommodation	Barley Mow The Dale Bonsall Derbyshire DE4 2AY	Pending Consideration
ENF/19/00084	Tipping of limestone chippings on former tennis court at The Rock House, Cromford.	The Mews Derby Road Cromford Derbyshire DE4 3RP	Notice Issued
ENF/19/00086	Breach of condition 16 (paint finish and colour of all external joinery) of planning permission DDD/0697/0381/C - Repainting of premises without prior consent to variation	Unit 5 The Riverside South Parade Matlock Bath Derbyshire DE4 3NR	Pending Consideration
ENF/19/00098	Demolition of wall	15 Alabaster Lane Cromford Derbyshire DE4 3QJ	Pending Consideration
ENF/19/00112	Unauthorised internal works to listed building	19 North Street Cromford Derbyshire DE4 3RG	Pending Consideration
ENF/19/00135	Unauthorised alteration to access onto classified road, including widening and the building of new retaining structure.	14 The Hill Cromford Derbyshire DE4 3QL	Pending Consideration

Matlock All Saints

ENF/16/00101	Unauthorised erection of sheds, chicken enclosures and a "shepherds hut".	High Croft Salters Lane Matlock Derbyshire DE4 2PA	Notice Issued
ENF/18/00042	Unauthorised alteration of shop frontage	Turkish Delight 57 Dale Road Matlock Derbyshire DE4 3LT	Notice Issued
ENF/18/00081	Erection of two entrance signs	Golding Grange 68 Cavendish Road Matlock Derbyshire DE4 3GY	Pending Consideration

ENF/18/00082	Banner signage above main entrance	Harveys Wine Bar And Cafe 119 Dale Road Matlock Derbyshire DE4 3LU	Pending Consideration
ENF/18/00183	Shared driveway being used for storage in association with a business	Land Between 23 & 27 Cavendish Road Matlock Derbyshire	Pending Consideration
ENF/18/00225	Operation of a brewery	South Barn Wolds Farm Cavendish Road Matlock Derbyshire	Pending Consideration
ENF/19/00044	Erection of verandah to top of shed	133 Smedley Street Matlock Derbyshire DE4 3JG	Notice Issued
ENF/19/00078	Use of premises as therapeutic centre	The Old Sunday School Bank Road Matlock Derbyshire DE4 3GL	Pending Consideration
ENF/19/00091	Alleged change of use of Band Hall to business/domestic storage facility	Hall Jackson Road Matlock Derbyshire	Notice Issued
ENF/19/00109	Loft conversion	242 Smedley Street Matlock Derbyshire DE4 3JD	Pending Consideration
ENF/19/00113	Potential breach of conditions 9 (approved and retained landscaping scheme), 10 (soft landscaping replacement within 5 year period), 11 (replacement of retained trees and tree protection) and 12 (landscape management plan) of approved planning permission 14/00847/FUL	Buckley Drive Matlock Derbyshire	Pending Consideration

Matlock St Giles

ENF/13/00084	Unauthorised erection of workshop	Phillips Woodware Smuse Lane Matlock Derbyshire DE4 5EY	Notice Issued
ENF/17/00020	Unauthorised use of land for the storage and stationing of caravans.	Duke William Hotel 91 Church Street Matlock Derbyshire DE4 3BZ	Notice Issued
ENF/17/00117	Unauthorised engineering works, erection of timber posts and the formation of an access	Land And Track Opposite Willersley Lane Plantation Matlock Derbyshire DE4 5JE	Pending Consideration
ENF/18/00031	Erection of signage and second access	Gate Inn The Knoll Tansley Derbyshire DE4 5FN	Pending Consideration
ENF/18/00063	Unauthorised banner sign	Matlock Cricket Club Causeway Lane Matlock Derbyshire DE4 3AR	Pending Consideration
ENF/18/00074	Engineering operations to create hardstanding for cars and associated removal and disposal of materials on private land	The Croft Green Lane Tansley Derbyshire DE4 5FJ	Pending Consideration

ENF/18/00093	Dwellings not being built in accordance with planning permission 16/00779/FUL - Built higher than approved	Land Adjacent To 9 Oak Tree Gardens Tansley Derbyshire	Pending Consideration
ENF/18/00099	Piling of soil and materials	Land And Barn At The Corner Of Thatchers Lane And Alders Lane Tansley Derbyshire	Pending Consideration
ENF/18/00107	Operation of residential dwelling as a bed and breakfast facility with 6 letting rooms	The Chalet Bungalow Butts Drive Matlock Derbyshire DE4 3DJ	Pending Consideration
ENF/18/00132	Replacement windows and non compliance with planning permission 13/00762/FUL	27 - 29 Causeway Lane Matlock Derbyshire	Pending Consideration
ENF/18/00162	Unauthorised tipping of materials/stone	Land Adjacent To 9 Oak Tree Gardens Tansley Derbyshire	Notice Issued
ENF/18/00171	Alterations to access to the A615	Hill Top Farm Alfreton Road The Cliff Tansley Derbyshire DE4 5JU	Pending Consideration
ENF/18/00178	The development is not in accordance with the approved plans.	Land Adjacent To 9 Oak Tree Gardens Tansley Derbyshire	Pending Consideration
ENF/18/00191	Erection of shed structure	Land To The Rear Of White Leas Oaksedge Lane Tansley Derbyshire DE4 5FQ	Notice Issued
ENF/18/00213	Erection of front porch	7 The Rocks Tansley Derbyshire DE4 5ES	Pending Consideration
ENF/19/00003	Landscaping works	Land South West Of 116 Church Street Matlock Derbyshire	Pending Consideration
ENF/19/00008	Use of land for the parking of vehicles, unloading and storage of aggregates, unloading and storage of domestic and business waste and as a personal allotment with a greenhouse	Land To The Rear Of Sunnyside Farm Riber Road Riber Matlock Derbyshire DE4 5JU	Pending Consideration
ENF/19/00011	Erection of lighting on premises	Matlock Gurkha Inn Alfreton Road The Cliff Tansley Derbyshire DE4 5FY	Pending Consideration
ENF/19/00015	Formation of access onto a classified road (A615)	The Cottage Alfreton Road The Cliff Matlock Derbyshire DE4 5EZ	Pending Consideration
ENF/19/00026	Increased size of residential curtilage and installation of septic tank (plot 2 of approved planning permission 16/00779/FUL)	High View 13 Oak Tree Gardens Tansley Derbyshire DE4 5WA	Pending Consideration
ENF/19/00027	Tipping of materials additional to soil including rock, concrete and redundant farm machinery	Land At Junction Of Cunnery Lane And Alders Lane Tansley Derbyshire	Pending Consideration

ENF/19/00041	Garage building being used as a dwelling	Three Lane Ends Whitelea Lane Tansley Derbyshire	Notice Issued
ENF/19/00050	Unauthorised use of residential outbuilding	Kubong-Sa High Tor Road Matlock Derbyshire DE4 3DG	Notice Issued
ENF/19/00080	Engineering works and changes to land levels	64 Tor Rise Matlock Derbyshire DE4 3DL	Pending Consideration
ENF/19/00083	Excavation works and removal of trees	Derwent Treescapes Limited Deep Carr Lane Matlock Derbyshire DE4 3NQ	Pending Consideration
ENF/19/00099	Removal of dry stone wall and creation of paths at Bull Lane in connection to residential development approved under 14/00089/OUT, 17/00025/REM and 18/01297/FUL	Land At Asker Lane Matlock Derbyshire	Pending Consideration
ENF/19/00128	Unauthorised engineering works to facilitate a large retaining wall in the rear garden of the property.	Park House Matlock Green Matlock Derbyshire DE4 3BX	Pending Consideration
ENF/19/00129	Development not lawfully commenced - Failure to discharge pre-commencement conditions of planning permission 13/00067/FUL (Redevelopment of site to provide extended car parking area)	The Old Mill Nottingham Road Tansley Matlock Derbyshire DE4 5FD	Pending Consideration

Norbury

ENF/14/00030	Change of use of land from use for Microlight flying to use for the flying of Biplane aircraft.	Airways Airsports Darley Moor Airfield Darley Moor Ashbourne Derbyshire DE6 2ET	Pending Consideration
ENF/17/00056	Unauthorised engineering works to facilitate access at Old House Farm, Can Alley, Roston, Derbyshire	Old House Farm Can Alley Roston Derbyshire DE6 2EF	Pending Consideration
ENF/17/00137	Change of use of agricultural land for the siting of 2 caravans for human habitation	Shaw Lane Farm Shaw Lane Marston Montgomery Derbyshire DE6 2FJ	Notice Issued
ENF/17/00156	Unauthorised engineering works to create a vehicular access to the holiday lets from the Roston Inn car park	Roston Inn Mill Lane Roston Derbyshire DE6 2EE	Pending Consideration
ENF/18/00089	Siting of a caravan in agricultural field	"Doles" Field Adj. The Elms And Elms Farmhouse Church Lane Cubley Derbyshire	Pending Consideration
ENF/18/00142	Siting of shipping container	Land Off Rodsley Lane Yeaveley Derbyshire	Pending Consideration
ENF/18/00147	Siting of a shipping container		Pending Consideration
ENF/18/00149	Alteration to listed building, enlarged window in gable end to west facing elevation.	Listed Barn At Waldley Manor Waldley Lane Waldley Doveridge Derbyshire	Notice Issued

ENF/18/00218	Use of area of hard standing	Marston Brook Farm Barway Marston Montgomery Derbyshire ST14 5BT	Pending Consideration
ENF/19/00024	Breach of conditions 2 (bat activity surveys) and 3 (mitigation plan) of planning permission 17/01023/FUL	Marston Park Farm Cubley Lane Marston Montgomery Derbyshire DE6 2FG	Pending Consideration
ENF/19/00030	Garage being used for business purposes as a joinery workshop	Doverdale House Audishaw Lane Boylestone Derbyshire DE6 5AE	Pending Consideration
ENF/19/00034	Erection of Building	The Orchard Audishaw Lane Boylestone Derbyshire	Pending Consideration
ENF/19/00060	Breach of Condition 21 (Great Crested Newt mitigation and monitoring) of planning permission 16/00587/FUL	Mushroom Farm Rodsley Lane Yeaveley Derbyshire DE6 2DT	Pending Consideration
ENF/19/00079	Breach of condition 11 of planning permission 16/00587/FUL - No machinery shall be operated on the site, no process or operations shall be carried out and no deliveries shall be taken at or despatched from the site except between 8:00 and 18:00 hours Monday to Friday and 9:00 and 13:00 on Saturdays or at any time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.		Pending Consideration
ENF/19/00081	Formation of pond/ lake and installation of ground sourced heating to site	Woodhay Farm Marston Common Marston Montgomery Derbyshire DE6 2EJ	Pending Consideration
ENF/19/00107	Breach of condition 2 (use restriction) of planning permission 18/00807/FUL - Use of workshop/ store building for HGV repairs	Woolliscroft (Garage Services) Former Abattoir Green Lane Norbury Derbyshire DE6 2EL	Pending Consideration

Stanton

ENF/18/00075	Engineering work construction of retaining wall within the curtilage of Grade II listed building	Midland Cottages 1 - 2 Dale Road North Rowsley Derbyshire DE4 2EL	Pending Consideration
ENF/18/00180	Illuminated signage	Unit 10 Unity Complex Dale Road North Darley Dale Derbyshire DE4 2HX	Pending Consideration
ENF/18/00192	Use of barn as dwelling and development of land potentially for equestrian use	Rowsley Barn Chesterfield Road Rowsley Derbyshire DE4 2EG	Pending Consideration
ENF/19/00018	Creation of soil platform	Land Adjacent Rowsley Bar Farm Chesterfield Road Rowsley Derbyshire	Pending Consideration

Wirksworth

ENF/17/00002	Unauthorised engineering operations to create a raised area	11 New Road Bolehill Derbyshire DE4 4GL	Pending Consideration
ENF/17/00018	Unauthorised works to remove a fire surround in a Grade II Listed Building.	Red Lion Hotel Market Place Wirksworth Derbyshire DE4 4ET	Pending Consideration
ENF/17/00023	Breach of conditions on planning permission 14/00891/FUL	Mount Cook Adventure Centre Porter Lane Middleton By Wirksworth Derbyshire DE4 4LS	Pending Consideration
ENF/17/00051	Unauthorised change of use of garage/store to beauty studio.	The Mews 3 Wirksworth Hall Farm Wash Green Wirksworth Derbyshire DE4 4FD	Pending Consideration
ENF/17/00104	Non compliance with planting condition	Land Adjacent To 11A Little Bolehill Bolehill Derbyshire DE4 4GR	Pending Consideration
ENF/17/00106	Erection of High Fence Posts	2 New Road Bolehill Derbyshire DE4 4GL	Pending Consideration
ENF/17/00127	Engineering operations	11A Little Bolehill Bolehill Derbyshire DE4 4GR	Pending Consideration
ENF/17/00154	Unauthorised change of use of land and buildings	Sleepy Hollow Farm Hopton Lane Wirksworth Derbyshire DE4 4DF	Pending Consideration
ENF/18/00023	Unauthorised erection of fence	Land At Cromford Road Wirksworth Derbyshire	Pending Consideration
ENF/18/00049	Breach of condition of 16/00420/FUL - Colour of fascia boards on dwellings	Land East Of Derby Road Wirksworth Derbyshire	Pending Consideration
ENF/18/00100	Various alterations to property including the installation of white UPVC windows	7 The Dale Wirksworth Derbyshire DE4 4EJ	Pending Consideration
ENF/18/00126	Removal of front wall and erection of ply wood replacement	Kenwood Cottage Wash Green Wirksworth Derbyshire DE4 4FD	Pending Consideration
ENF/18/00154	Listed building consent and planning permission expired Ref 22.04.2018, no work commenced on site.	3 Gate House Gatehouse Drive Wirksworth Derbyshire DE4 4DL	Pending Consideration
ENF/18/00204	Removal of stone wall to facilitate off road parking	4 New Road Middleton By Wirksworth Derbyshire DE4 4NA	Pending Consideration
ENF/18/00216	Breach of conditions 3 and 4 of planning permission 15/00793/FUL - Conversion and extension of garage to form dependant relative unit.	38 West End Wirksworth Derbyshire DE4 4EG	Pending Consideration
ENF/18/00220	Unauthorised surfacing of car parking areas, provision of car park extension	Haarlem Mill Derby Road Wirksworth Derbyshire	Pending Consideration

ENF/18/00221	Unauthorised Banner Advertisements	Haarlem Mill Derby Road Wirksworth Derbyshire	Pending Consideration
ENF/18/00227	Alleged unauthorised static caravan on land at The Racecourse, Hardhurst Farm, Ashleyhay, Wirksworth	Gorse Bank Fields Farm Hey Lane Wirksworth Derbyshire DE4 4AF	Pending Consideration
ENF/19/00004	Installation of hot tub to front of property	Stowe Cottage 4 New Road Middleton By Wirksworth Derbyshire DE4 4NA	Pending Consideration
ENF/19/00005	Unfinished Wall	Land Opposite 86 Greenhill Wirksworth Derbyshire	Pending Consideration
ENF/19/00010	Unauthorised replacement window - The Gate House	3 Gate House Gatehouse Drive Wirksworth Derbyshire DE4 4DL	Pending Consideration
ENF/19/00029	Internal works to listed building	4 St John Street Wirksworth Derbyshire DE4 4DR	Pending Consideration
ENF/19/00036	Formation of raised deck and incorporation of land into domestic curtilage	14 Water Lane Middleton By Wirksworth Derbyshire DE4 4LY	Pending Consideration
ENF/19/00059	Siting of a static caravan	Land To East Of Kings Lot Wood Longway Bank Whatstandwell Derbyshire	Notice Issued
ENF/19/00072	Rear timber window to rear replaced with UPVC window	9 Baileycroft Mews Cemetery Lane Wirksworth Derbyshire DE4 4FZ	Pending Consideration
ENF/19/00074	Erection of 2m high boundary fence	The Old Tape Works Speedwell Mill Millers Green Wirksworth Derbyshire DE4 4BL	Pending Consideration
ENF/19/00092	Untidy Land	High Peak Trail Near Intake Quarry (Disused) Middleton By Wirksworth Derbyshire	Pending Consideration
ENF/19/00104	Internal works to Grade II Listed Building	16 North End Wirksworth Derbyshire DE4 4FG	Pending Consideration

Total Open Cases

222

Enforcement Investigations Closed

In the 6 Months Prior to 30/08/2019



Ashbourne North

ENF/17/00046	Unauthorised engineering comprising of excavations and leveling of land to the rear of 71 Park Avenue.	71 Park Avenue Ashbourne Derbyshire DE6 1GB	Justification from Officer	25/03/2019
ENF/18/00130	Unauthorised erection of fence in excess of 1m in height adjacent to vehicular highway and unauthorised erection of timber structure within 2m of boundary, exceeding 2.5m in height.	16 Beresford Avenue Ashbourne Derbyshire DE6 1FW	Complied Voluntarily	24/05/2019
ENF/18/00194	Change of use of former toilet block to A2 Use (professional and financial services) at ground floor and apartment at first floor	1 Union Street Ashbourne Derbyshire DE6 1FG	Justification from Officer	12/03/2019
ENF/19/00118	Removal of tree and fence	29 Brookside Meadows Ashbourne Derbyshire DE6 1RQ	Justification from Officer	25/07/2019

Brailsford

ENF/18/00114	Breach of Condition 1 of 14/00031/TEMP - Mobile home should have been removed from site by the 19th August 2017 and the land reinstated	Round Oak Farm Slade Lane Mercaston Derbyshire DE6 3DZ	Appeal Allowed	07/08/2019
ENF/18/00185	Erection of sign and car park barrier	Ednaston Park Painters Lane Ednaston Derbyshire DE6 3FA	Planning Application Received	08/05/2019
ENF/19/00108	Removal of section of hedge/ possible further access point to Avant Homes development site	Land Adjacent Springfield Main Road Brailsford Derbyshire DE6 3DA	Complaint Unfounded	23/07/2019

Carsington Water

ENF/17/00041	Unauthorised change of use of land for the stationing of a static caravan for the purpose of human habitation	Barn At Arm Lees Farm Ryder Point Road Wirksworth Derbyshire	Complied Voluntarily	01/04/2019
ENF/17/00095	Unauthorised building works to create a roof over an existing muck store and unauthorised minor enlargement of approved building, 15/00493/FUL.	Turlow Fields Farm Turlowfields Lane Hognaston Derbyshire DE6 1PW	Not in the Public interest to pursue	23/07/2019
ENF/18/00016	Unauthorised demolition/conversion of barn.	Barn At Arm Lees Farm Ryder Point Road Wirksworth Derbyshire	Complied Voluntarily	05/04/2019

ENF/18/00057	Erection of fence to front of property in excess of 2 metres in height	Barney's Cottage Main Street Hognaston Derbyshire DE6 1PR	Planning Application Received	25/03/2019
ENF/18/00195	Unauthorised engineering works to create a new agricultural vehicular access onto a classified Road from land opposite Carslow Farm, Brassington	Carslow Farm Ashbourne Road Brassington Derbyshire DE4 4DB	Planning Application Received	26/03/2019
ENF/19/00021	Breach of conditions 3-4 of planning permission 15/00894/FUL, Erection of 4 garages, boundary wall and gates	Home Farm Main Street Hopton Derbyshire	Complied Voluntarily	05/07/2019

Clifton And Bradley

ENF/19/00055	Land clearance works including felling of trees and works to hedgerow	Land At Wyaston Road Ashbourne Derbyshire	Justification from Officer	29/04/2019
ENF/19/00061	Unauthorised erection of satellite antenna on front elevation of curtilage listed building - The Malthouse, Bradley Pastures, Ashbourne, Derbyshire, DE6 1PL	Malthouse Belper Road Bradley Derbyshire DE6 1LP	Complied Voluntarily	27/06/2019
ENF/19/00120	Creation of flat above commercial premises	Woolliscroft Garage Services Virginsalley Lane Snelston Derbyshire DE6 2DN	Complaint Unfounded	31/07/2019

Darley Dale

ENF/18/00135	Garage not being built in accordance with 18/00457/CLPUD	St Elphins Cottage Blind Lane Hackney Derbyshire DE4 2QE	Justification from Officer	25/03/2019
ENF/19/00009	Formation of a equestrian menage and engineering works being carried out to rear of property	Morfu Farley Hill Matlock Derbyshire DE4 5LT	Justification from Officer	03/06/2019
ENF/19/00054	Alleged change of use of land. Corner of Dale Road and Moorledge	158 Bakewell Road Matlock Derbyshire DE4 3AZ	Complaint Unfounded	19/03/2019
ENF/19/00103	Increased traffic to site outside of approved opening/ delivery and despatch hours	Molyneux Business Park Whitworth Road Darley Dale Derbyshire	Justification from Officer	24/06/2019
ENF/19/00121	Summerhouse in rear garden 3.5m high and within 2m of the boundary	10 Hall Dale View Darley Dale Derbyshire DE4 2FP	Complaint Unfounded	29/07/2019

Doveridge And Sudbury

ENF/18/00029	Erection of Porch	17 West Drive Doveridge Derbyshire DE6 5NG	Justification from Officer	07/05/2019
ENF/18/00037	Change of Use of shop / dwelling to Nursery (Use Class D1)	31A High Street Doveridge Derbyshire DE6 5NA	Planning Application Received	05/03/2019

ENF/18/00168	Swale forming part of Doveridge Park Development (Planning application reference no. 17/00092/REM) being filled in and development closer to property boundary then was approved	Land Off Derby Road Doveridge Derbyshire	Complied Voluntarily	04/04/2019
ENF/19/00052	Erection of summerhouse	3/ 3A Alms Road Doveridge Derbyshire DE6 5JZ	Justification from Officer	15/03/2019

Hulland

ENF/19/00039	Breach of conditions' relating to planning permission 16/00832/OUT - Outline application for residential development and associated access. And 18/01237/REM - Approval of reserved matters for the erection of 22 dwellings (outline application 16/00832/OUT)	Land East Of Les Ardennes Hulland Ward Derbyshire DE6 3EE	Complied Voluntarily	26/03/2019
ENF/19/00051	Use of extension as seperate dwellinghouse	The Cottage Poplars Farm Belper Road Hulland Ward Derbyshire DE6 3ED	Complied Voluntarily	07/05/2019
ENF/19/00058	Breach of conditions 3 (permitted development rights restriction) and 7 (unobstructed parking and manoeuvring) of planning permission 01/04/0296	Buxton Hall Cottage And Hazel Cottage Main Street Kirk Ireton Derbyshire DE6 3JP	Complaint Unfounded	04/06/2019
ENF/19/00111	Alleged unauthorised side gate and hanging sign.	Mandene Cottage Main Street Kirk Ireton Derbyshire DE6 3JP	Complaint Unfounded	17/07/2019

Masson

ENF/13/00108	Unauthorised works to Grade II Listed Building	Corn Mill Cottage Water Lane Cromford Derbyshire DE4 3QH	Not in the Public interest to pursue	23/07/2019
ENF/16/00097	Unauthorised engineering operations and the creation of concrete retaining wall.	UK Slipform Ltd Dunsley Mill Via Gellia Road Bonsall Derbyshire DE4 2AJ	Complied Voluntarily	20/08/2019
ENF/17/00061	Unauthorised works to a Listed Building	RIVA Rose Cottage 124 - 126 North Parade Matlock Bath Derbyshire DE4 3NS	Complied Voluntarily	06/06/2019
ENF/17/00150	Breach of condition 2 relating to planning permission 17/00104/FUL - Single storey extension, 1 Water Lane, Cromford, Derbyshire, DE4 3QH.	1 Water Lane Cromford Derbyshire DE4 3QH	Justification from Officer	25/03/2019
ENF/18/00069	Unauthorised engineering works including excavation of stone to land at the rear of the Mill Managers House in Cromford.	Mill Managers House Cromford Mill Mill Road Cromford Derbyshire DE4 3RQ	Complied Voluntarily	23/07/2019
ENF/18/00182	Unauthorised painting of a listed building	Rose Cottage 124 - 126 North Parade Matlock Bath Derbyshire DE4 3NS	Planning Application Received	06/06/2019

ENF/18/00211	Unauthorised building of 3 bay lambing shed on land at Woodseats Farm, Cromford	Woodseats Farm Willersley Lane Cromford Derbyshire DE4 5JG	Planning Application Received	18/04/2019
ENF/19/00012	Breach of condition 6 (opening hours) of planning application 11/00504/FUL	Cromford Hill Hand Car Wash 161 The Hill Cromford Derbyshire DE4 3QU	Justification from Officer	29/04/2019
ENF/19/00087	Installation of new fascia signage	16A North Parade Matlock Bath Derbyshire DE4 3NS	Complaint Unfounded	24/07/2019
ENF/19/00110	Single storey rear extension not being built in accordance with planning approval 18/00870/FUL	Four Trees 109 Derby Road Cromford Derbyshire DE4 3RN	Complaint Unfounded	17/07/2019

Matlock All Saints

ENF/19/00115	Alleged unauthorised change of windows and render to property within the Matlock conservation area	1 Jackson Road Matlock Derbyshire DE4 3JQ	Not in the Public interest to pursue	19/07/2019
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Matlock St Giles

ENF/16/00053	Unauthorised access off Riber Road.	Brookdale Riber Road Lea Derbyshire DE4 5JQ	Notice complied with	25/03/2019
ENF/18/00080	Alleged unauthorised building works at 44 The Knoll, Tansley	44 The Knoll Tansley Derbyshire DE4 5FN	Justification from Officer	05/03/2019
ENF/18/00097	Erection of unauthorised retaining wall	Land East Of Chesterfield Road / South Of Quarry Lane Matlock Derbyshire	Complied Voluntarily	10/05/2019
ENF/18/00146	Unauthorised extensions to Public House	Gate Inn The Knoll Tansley Derbyshire DE4 5FN	Planning Application Received	24/04/2019
ENF/19/00032	Scraping off top layer of land at West Yard, Tansley and unauthorised creation of another access onto Thatchers Lane.	Land Off Thatchers Croft Thatchers Lane Tansley Derbyshire	Justification from Officer	12/06/2019
ENF/19/00033	Engineering works - Scraping off top layer of land at West Yard, Tansley and unauthorised creation of another access onto Thatchers Lane.	Land Off Thatchers Croft Thatchers Lane Tansley Derbyshire	Justification from Officer	12/06/2019
ENF/19/00042	Ground clearance/ engineering works including the felling of trees	Land To The Rear Of 225 Starkholmes Road Matlock Derbyshire	Complaint Unfounded	01/03/2019
ENF/19/00101	Breach of Condition 11 (hedgerows, trees and brambles removal restrictions) of planning permission 16/00941/OUT	Land At Pump Close Matlock Derbyshire	Complaint Unfounded	01/08/2019

Norbury

ENF/17/00113	Unauthorised engineering works to facilitate what appears to be a hard standing area for the base of a garage.	Old Barn Riggs Lane Marston Montgomery Derbyshire DE6 2FD	Complied Voluntarily	26/03/2019
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ENF/19/00064	Unauthorised addition of second flue pipe protruding from roof slope.	Old Barn Riggs Lane Marston Montgomery Derbyshire DE6 2FD	Not in the Public interest to pursue	16/08/2019
ENF/19/00090	Trailers parked blocking the southern entrance and overgrown headrow blocking the northern stile	Land To The South Of West View Shields Lane Roston Derbyshire	Complaint Unfounded	04/06/2019

Stanton

ENF/19/00116	Removal of dry stone wall and excavation of bank	106 Northwood Lane Darley Dale Derbyshire DE4 2HS	Complaint Unfounded	23/07/2019
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Winster And South Darley

ENF/18/00122	Unauthorised erection of garage	Stags House 35 Main Road Darley Bridge Derbyshire DE4 2JY	Planning Application Received	07/03/2019
ENF/18/00189	Unauthorised building works - Failure to discharge pre-commencement conditions relating to 17/01014/FUL	Thorntrees Oker Road Oker Matlock Derbyshire DE4 2JJ	Complied Voluntarily	15/08/2019
ENF/19/00047	Breach of Condition 14 of planning permission 17/00732/FUL (Construction work hours)	9 Eversleigh Rise Darley Bridge Derbyshire DE4 2JW	Complied Voluntarily	27/03/2019
ENF/19/00100	Two storey side and rear extensions at 15 Eversleigh Rise, Darley Bridge (application reference 18/00825/FUL) - Has development been built in accordance with the approved plans	Box House 15 Eversleigh Rise Darley Bridge Derbyshire DE4 2JW	Complaint Unfounded	21/06/2019
ENF/19/00123	Alleged creation of stable block and access	Land South East Of Pumping Station Main Road Darley Bridge Derbyshire	Complaint Unfounded	31/07/2019

Wirksworth

ENF/18/00014	New Shop Signage	26 - 27 Market Place Wirksworth Derbyshire DE4 4ET	Complied Voluntarily	01/08/2019
ENF/19/00020	Alterations to balcony	Farthing House Greenhill Wirksworth Derbyshire DE4 4EN	Planning Application Received	03/07/2019
ENF/19/00035	Erection of fence between driveways	4 Willows Terrace Cromford Road Wirksworth Derbyshire DE4 4JF	Justification from Officer	12/03/2019
ENF/19/00053	Alleged unauthorised change of use of land and works being carried out without planning permission	Land Adjacent Middleton Road Wirksworth Derbyshire	Complaint Unfounded	18/03/2019
ENF/19/00057	Erection of fence to front between properties	7 Churchill Avenue Middleton By Wirksworth Derbyshire DE4 4NG	Complied Voluntarily	24/05/2019

ENF/19/00075	Unauthorised change of use of agricultural land for the erection of a timber cabin/caravan for use as a dwelling, on land to The West Of Millers Green Farm, Callow Lane, Wiksworth.	Farm Buildings To The West Of Millers Green Farm Callow Lane Wirksworth Derbyshire	Complied Voluntarily	09/08/2019
ENF/19/00094	Garage approved under planning permission 18/00591/FUL not being built accordance with plans (garage location)	Preservation House Speedwell Mill Millers Green Wirksworth Derbyshire DE4 4BL	Complaint Unfounded	08/07/2019

Total Closed Cases **64**

NOT CONFIDENTIAL - For public release

PLANNING COMMITTEE – 10th September 2019

PLANNING APPEAL – PROGRESS REPORT

REFERENCE	SITE/DESCRIPTION	TYPE	DECISION/COMMENT
Southern			
17/00752/FUL	The Manor House, Church Street, Brassington	WR	Appeal being processed
18/00662/LBALT	Brook Cottage, Pethills Lane, Kniveton	WR	Appeal being processed
18/00696/FUL	Norman House, Painters Lane, Brailsford	WR	Appeal being processed
18/00859/FUL	1 Union Street, Ashbourne	WR	Appeal being processed
18/00801/FUL	Round Oak Farm, Slade Lane, Mercaston	WR	Appeal allowed – a copy of the appeal decision is attached
18/00675/FUL	Land adjacent to Hulland House, Smith Hall Lane, Hulland Ward	WR	Appeal allowed – a copy of the appeal decision is attached
18/01433/FUL	Newlands Farm, Longford, Ashbourne	WR	Appeal being processed
19/00086/FUL	Land Between 1 - 2 Beresford Avenue Ashbourne	WR	Appeal being processed
19/00042/LBALT	Barn At Waldley Manor Waldley Lane Waldley	WR	Appeal being processed
19/00031/OUT	1 Park Avenue, Ashbourne	WR	Appeal being processed
18/01345/FUL	Agricultural Land off Kniveton Lane, Offcote	WR	Appeal being processed
19/00129/FUL	The Firs, Rodsley Lane, Yeaveley, Ashbourne	HOUSE	Appeal dismissed – a copy of the appeal decision is attached
18/01180/FUL	Waldley Manor Farm, Waldley Lane, Doveridge	WR	Appeal being processed
18/00973/CLEUD	The Knockerdown Inn, Knockerdown, Ashbourne	WR	Appeal being processed

Central			
18/00547/REM	North Park Farm, Whitworth Road, Darley Dale	WR	Appeal being processed
19/00148/OUT	Penzer House, Dale Road South, Matlock	WR	Appeal dismissed – a copy of the appeal decision is attached
18/01328/FUL	Bent Farm, Farley Hill, Matlock	WR	Appeal being processed
19/00168/FUL	Building to rear of Doone Cottage, Ladygrove Road, Two Dales	WR	Appeal dismissed – a copy of the appeal decision is attached
18/00910/LBALT	Old Coach House Gatehouse Drive Wirksworth	WR	Appeal being processed
18/01011/FUL	Rock House, Derby Road, Cromford	WR	Appeal being processed
19/00318/FUL	Between 12 and 14 Water Lane, Wirksworth	WR	Appeal being processed
18/00687/CLPUD	Building at Back Lane, Two Dales, Matlock, DE4 5LP	WR	Appeal being processed
ENF/18/00160	Oakstone Farm Old Hackney Lane Hackney	HEAR	Appeal being processed

WR - Written Representations
 IH - Informal Hearing
 PI – Public Inquiry
 LI - Local Inquiry
 HH - Householder

OFFICER RECOMMENDATION:

That the report be noted.



Appeal Decision

Site visit made on 17 July 2019

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2019

Appeal Ref: APP/P1045/W/18/3216375

Round Oak Farm, Slade Lane, Mercaston DE6 3DZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs A Hatton against the decision of Derbyshire Dales District Council.
 - The application Ref 18/00801/FUL, dated 20 July 2018, was refused by notice dated 15 October 2018.
 - The development proposed is the retention of a mobile home
-

Decision

1. The appeal is allowed and planning permission is granted for the retention of a mobile home at Round Oak Farm, Slade Lane, Mercaston DE6 3DZ, in accordance with the terms of Application Ref: 18/00801/FUL dated 20 July 2018 and subject to the conditions set out in the schedule attached to this Decision.

Background and Main Issue

2. Planning permission is sought for the retention, for a further two years, of a mobile home that is already in place on the site. I have therefore determined the appeal on that basis.
3. The site has an extensive planning history relating to the establishment of an equestrian business. The Council details that consent¹ for the siting of a mobile home for a period of 3 years, was first granted in March 2010. The consent was subsequently renewed², following a number of applications, in August 2014 for a further period of 3 years. Applications³ for the erection of stables and agricultural storage buildings were also granted during this time. I have been provided with very little evidence with regards these consents, the policies and circumstances that applied at the time that the applications were determined.
4. The main issue in the appeal is whether or not the retention of the mobile home for a further period of two years is justified by the business operating from the site for the purposes of the development plan.

Reasons

5. Policies S1, S4 and HC13 of the Derbyshire Dales Local Plan 2017 (LP) relate to the provision of housing, seeking to focus development to existing settlements

¹ 09/00687/TEMP 5 March 2010

² 14/00031/TEMP 27 August 2014

³ 10/00532/AGR 22 September 2010; 11/00178/FUL 7 July 2011; and, 12/00099/FUL 4 April 2012.

and separately, to meet the needs of agricultural, forestry and rural-based workers in the countryside where development would not otherwise be permitted.

6. Policy HC13 (c) relates, in part, to the provision of temporary dwellings to allow time for the business to develop and states, among other matters, that a *temporary dwelling will only be permitted for a maximum period of 3 years*.
7. As a result of earlier planning consents and periods of time when the mobile home has been retained on site without the appropriate consents, the maximum period of 3 years has already been exceeded to a significant degree.
8. The appellants have stated that the delay in establishing and growing the business was as a result of an illness suffered by one of the appellants and I give this matter some weight. However, I have been provided with very little information as to how this affected the day to day operation of the business or may affect the business in the future.
9. With regards other criteria set out by policy HC13, there is a functional need for a rural worker to reside on site to support the needs of the related enterprise and this is not, in principle, at dispute between the parties. The Council has however raised concern that the business is not financially sound and that there is no clear prospect of it becoming so.
10. The appellant has submitted some limited evidence with regards the financial performance of the business. A single page extract of the accounts of the business shows that a small profit was realised in the financial years ending April 2016 and April 2017. Furthermore, a modest directors' salary is recorded as being taken in 2017.
11. No substantive details of the most recent trading have been submitted, the appellant has however submitted financial forecasts for the period 2018-2021 showing a steady increase in the profitability of the business. It is not clear what this forecast is based on, consequently the weight given to this evidence is limited.
12. The enterprise has operated for around ten years and based on the evidence before me, it has achieved a profit in the last two years for which details have been provided and financial forecasts suggest that this will continue and grow. This indicates that the enterprise has been, and will continue to be, viable and profitable.
13. I have carefully considered all of the evidence before me, taking account of all of the concerns raised with particular regards to the significant length of time that the mobile home has already been on site. This is a very finely balanced decision, but I conclude that the retention of the mobile home for a further period of two years is justified by the business operating from the site for the purposes of the development plan, specifically with regards policies S1, S4 and HC13 of the LP.

Other Matters

14. An objector to the application and the Council have stated that the appellant's have disposed of some grazing land. The appellants state, and the Council acknowledges, that some additional land for grazing is currently rented and I

have no substantive evidence before me to suggest that there is not sufficient grazing land available to meet the current or future needs of the business.

Conditions

15. I have had regard to the suggested conditions attached to the Council's Appeal Statement and I have included a condition limiting the retention of the mobile home on the site for a further two years, requiring the removal and reinstatement of the land thereafter in order to protect the character and appearance of the open countryside.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed subject to conditions.

Mark Brooker

INSPECTOR

SCHEDULE OF CONDITIONS

1. This permission is for a temporary period of two years from the date of this decision immediately after which the mobile home shall be removed and the land reinstated.

END OF SCHEDULE



Appeal Decision

Site visit made on 8 July 2019

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th August 2019

Appeal Ref: APP/P1045/W/19/3227186

Hulland House, Unnamed section of C3 from Main Road to Carr Farm Hall access, Hulland Ward DE6 3EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Zwolinski and Ms Fox against the decision of Derbyshire Dales District Council.
 - The application Ref 18/00675/FUL, dated 20 June 2018, was refused by notice dated 30 October 2018.
 - The development proposed is described as the construction of an access road and areas of hardstanding, services and other works in association with a certified caravan site.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of an access road and areas of hardstanding, services and other works in association with a certified caravan site at Hulland House, Unnamed section of C3 from Main Road to Carr Farm Hall access, Hulland Ward DE6 3EE in accordance with the terms of the application Ref: 18/00675/FUL, dated 20 June 2018 and subject to the conditions set out in the attached schedule.

Procedural Matters

2. The description of development in the planning application form is the 'Construction of an access road and areas of hardstanding, services and other works in association with a certified caravan site'. The Council say that it is inferred that this means that the planning application was for change of use (COU) of the land to a caravan site. At my request, the appellants have confirmed that the planning application was only for the proposed access, hardstanding, services and other works.
3. The appellants take the view, that they do not need planning permission to use the land as a caravan site as they have a certificate of lawful development (Ref 18/000529/CLPUD) dated 29 May 2018 for use of the land for the siting of five caravans. The Council disputes that the land can lawfully be used as a caravan site and contend that this is because no caravan club certificate has been issued.
4. This section 78 appeal is not, though, the correct mechanism for determining whether or not the site can be lawfully used as a caravan site without the need for planning permission. Given that the appellants have confirmed that they are not applying for planning permission for the use of the site as a caravan

site, I have therefore determined this appeal solely on the basis that the proposal relates to a proposed access, hardstanding, services and other works in accordance with the description of development set out on the planning application form.

5. The appellants submitted Drawing no. 01 Site Plans dated March 2019 with the appeal submission that was not before the Council at the time of its decision. As the Council and interested parties have, though, had the opportunity to comment on this document during the appeal process, I have considered it in my decision. Accordingly, no party has been prejudiced.

Main Issue

6. Given the above, and notwithstanding the Council's decision to deal with the planning application on a change of use basis, the main issue is the effect of the hardstanding area and access on the character and appearance of the area. Whilst the Council has referred to use of the land as a caravan site in its reasons for refusal, as I have set out, this is not a matter for my consideration.

Reasons

7. The appeal site is an open field in an elevated position approximately 500 metres west of the village of Hulland Ward.
8. The site is situated to the rear of an existing detached property but is accessed separately via Smith Hall Lane which abuts the western boundary of the site. The field is bounded by mature hedgerows and is only visible intermittently from the main road to the north. From Smith Hall Lane to the west, the appeal site is almost entirely screened from view except at the point of access where there is an open view looking east across the site.
9. The proposal before me comprises the construction of an access road, 5 areas of hardstanding, car parking, works associated with the installation of services for each pitch and the installation of a treatment plant for waste water and ground mounted solar array. The development would be set back from the main road leaving an area of open field between the proposal and the road.
10. The Council considers that the proposal would be clearly visible in its edge of settlement location and therefore harmful to the character and appearance of the rural landscape. I do not consider this to be the case. The site sits in an elevated position and therefore long distance views into the site are severely restricted by the landform. Within close range, the existing hedgerows screen the site from both adjacent roads and from the fields to the east and south. Whilst I acknowledge that the hedgerow on the northern boundary is somewhat lower, views of the site are still relatively intermittent and the potential for further landscaping as suggested by the appellants could further mitigate any impact.
11. Furthermore, the proposed development would be relatively small scale with the individual plots set back from the road. The works applied for would be low to the ground and therefore not unduly prominent within the landscape.
12. I acknowledge that the new access point would be modified to enable suitable visibility splays and whilst the view into the site at this point would be greater than it is currently, it would still be relatively narrow and would not therefore be unduly visually intrusive.

13. My attention has been drawn to two previous decisions within relatively close proximity of the appeal site and whilst each case must be determined upon its own merits, I have reviewed the information available. In relation to Poplars Farm, I concur with the Council that there are no parallels to be made. The Poplars Farm decision has therefore had no bearing on my decision. In relation to the proposed residential development to the north-west of the appeal site, this was a substantially greater proposal and therefore bears little comparison to the proposal that is before me, and so it attracts limited weight in my decision.
14. I therefore conclude that the proposal would not give rise to unacceptable harm to the character and appearance of the area. Accordingly, I do not find conflict with the relevant collective requirements of Policies S4, S9, PD5 and EC9 of the Derbyshire Dales Local Plan 2017 which require proposals, including those for new camping, caravanning and holiday chalet developments to not have a prominent and adverse impact on the character and appearance of the immediate or wider landscape.

Other Matters

15. I note that there is a representation from an interested party which relates to the use of the site for caravans and the previous CLPUD application. As set out above, this is not a matter that I can deal with as part of this appeal. The representation also raises concerns about highway safety and in particular visibility acknowledging that at the proposed point of access there is currently a layby that is frequently used for parking. I noted the presence of cars and HGVs parked in the layby during my site visit. However, the installation of an improved access, either via the previously approved access consent or the implementation of the development subject of this appeal, would put in place an access that meets the required visibility splays and would effectively remove the layby. I also note that there have been no highway safety concerns raised by the Highways Authority in this regard.
16. I acknowledge the Council's first reason for refusal and that it is of limited relevance to my deliberations on the basis that this appeal does not deal with the COU. Hence it does not change my overall conclusions in respect of this appeal.

Conditions

17. Where necessary I have amended the wording of the Council's suggested conditions, in the interests of precision and clarity, and in order to comply with advice in the Planning Practice Guidance (PPG).
18. Planning permission is granted subject to the standard three-year time limit for commencement of development condition. It is necessary that the development shall be carried out in accordance with the approved plans in the interests of certainty. In the interests of the character and appearance of the area, it is necessary to impose a planning condition relating to hard and soft landscaping, including any proposed lighting. However, these do not need to be separate conditions, so I have combined them into one. Additionally, as the standard three-year time limit is in place for implementation it is not necessary to require the appellants to submit details within 56 days of the permission, accordingly, I have altered the Council's suggested wording.

19. As previously set out, this appeal deals with construction of an access road, hardstanding and other associated works. Therefore, I have omitted any suggested conditions that relate to the use of the site.

Conclusion

20. For the reasons set out above and taking into account all other matters raised, I conclude that the appeal should be allowed, subject to the conditions.

Julie Hunter

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Scale Site Location Plan, 1:1000 Proposed Engineering Works at Hulland House, DE6 3EE; Site Plans 01 (03/2019).
- 3) No above ground construction work shall commence before details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) indications of all existing trees, hedgerows and other vegetation on the land;
 - ii) all vegetation to be retained including details of the canopy spread of all trees and hedgerows within the site in relation to the proposed buildings, roads and other works;
 - iii) measures for the protection of retained vegetation during the course of development;
 - iv) all proposed additional landscaping to include all plant species and their number;
 - v) means of enclosure and;
 - vi) external lighting;
 - vii) an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The completed scheme shall be maintained in accordance with an approved scheme of maintenance.

- 4) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.



Appeal Decision

Site visit made on 8 July 2019

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st July 2019

Appeal Ref: APP/P1045/D/19/3227085

The Firs, Rodsley Lane, Yeaveley DE6 2DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Yeomans against the decision of Derbyshire Dales District Council.
 - The application Ref: 19/00129/FUL, dated 4 February 2019, was refused by notice dated 2 April 2019.
 - The development proposed is a two storey extension to existing dwelling to provide additional accommodation.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling.

Reasons

3. The appeal property is a modest single storey dwelling located in a generous plot, on the periphery of the village of Yeaveley.
4. The proposal is for a substantial two storey side extension that would provide additional living accommodation. The extension would project approximately 8 metres from the eastern gable, effectively doubling the width of the property. To the front and rear there would be modest projections of around 1 metre and 1.7 metres respectively. The ridge of the proposed extension would be approximately 0.7 metres higher than that of the host property.
5. Policy HC10 of the Derbyshire Dales Local Plan 2017 provides direction in relation to extensions to dwellings and sets out three key criteria. I am satisfied that the proposal would meet criteria a) and c) which seek to control over-development, by ensuring plot sizes are large enough to accommodate proposed extensions and necessary parking provision. However, criteria b) seeks to ensure that extensions are in keeping with the scale and character of the original building, its wider setting and location.
6. The proposed extension would effectively double the size of the host property, which in itself, is not a determining factor. However, the design of the extension and in particular the increased ridge height and scale of the side

projection, would introduce a bulky and incongruous addition that would, due to its scale and design, visually and physically dominate the host dwelling thereby resulting in a discordant juxtaposition of the old and new elements of the enlarged dwelling. Consequently, I find conflict with Policy HC10 as described above, and PD1 which relates specifically to design.

7. Whilst I do sympathise with the appellant's desire to improve and extend the family home, such matters do not outweigh the harm I have found.

Other Matters

8. The appellant has referred to the approval of extensions and alterations to the Harleys, Rodsley Lane, Yeaveley. However, no details of that development have been provided, and therefore I am unable to assess the similarities between that case and this.

Conclusion

9. For the reasons outlined above and taking into account all other matters raised, the appeal is dismissed.

J. Hunter

INSPECTOR



Appeal Decision

Site visit made on 23 July 2019

by Karen Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2019

Appeal Ref: APP/P1045/W/19/3226556

Penzer House, Dale Road South, Darley Dale DE4 3BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Jonathan Jenkin against the decision of Derbyshire Dales District Council.
 - The application Ref 19/00148/OUT, dated 6 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is an outline application for the construction of 2 dwellings and the formation of access and access driveway.
-

Decision

1. The appeal is dismissed.

Procedural Issues

2. Outline planning permission is sought with access to be considered at this stage, with indicative plans showing the respective position of dwellings in both plots.
3. However, the appellant has provided site layout plans showing the position of the dwellings which taken together with the submitted Arboricultural Impact Assessment, Tree Shading Report, Tree Shading Target Areas and 3D modelling are somewhat more indicative in an attempt to demonstrate that an acceptable detailed scheme could be advanced at the reserved matters stage, and are a basis for the Council's case. The Design and Access statement forms part of the evidence in this appeal and is fairly specific (paragraph 3.9) as to the siting of the proposed dwellings and to some extent the proposed design. I have therefore taken these into account in so far as establishing whether it would be possible, in principle, to erect 2 dwellings on the site.
4. The appellant has confirmed that the name of the property has changed from "Rotherwood" to "Penzer House", I have taken this to be the site address.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area, including the implications for the retention and health of protected trees and non-protected trees, on the site.

Reasons

6. The appeal site forms part of the private garden of Penzer House, within a residential area of semi and detached dwellings set within substantial plots. To the south of the site is a large office block at a significantly lower level separated by a high boundary wall. To the west of the site is a field leading to open countryside. Access to the site is taken directly from the A6, which currently serves Penzer House. There are two dwellings proposed and identified as 'Plot 1' to be located towards the north of the site and 'Plot 2' to the south.
7. A number of mature trees lie within the site boundaries which include Poplars, Conifers, Cypress and Limes as well as other small and ornamental trees. There are 14 individual Lime trees within the site protected by a Tree Preservation Order (TPO) to the southern boundary of the site and a further 2 covered by the TPO which adjoin the boundary with the field, notable is (T17) a large mature Lime. The arboricultural report submitted with the application identifies 72 individual trees, a group of 14 limes and shrubs and small trees. The majority being category C and B trees, but some unclassified (U).
8. The development itself would lead to the loss of 9 category U trees and 33 category C trees, which include many overgrown self-sets. Pruning works would also be required for branch clearing, canopy raising and overhanging deadwood with only four new trees proposed as replacements. The removal of these trees within the site would lead to a change in character and appearance of the site with loss of some tree cover and a change to the spacious garden setting of the mature trees. The Lime (T17) would be pruned and the extent of the pruning work would likely be excessive in order to facilitate 'Plot 2' and the overall change from the tree works would be perceived as being negative and would harm the character and appearance of the immediate and wider area.
9. As 'Plot 2' would be positioned near to the protected Lime trees, and other non-protected trees towards the southern boundary of the site, the root protection area as shown for these protected Lime trees (T16), (043) and (T17), (046) would be in extreme close proximity and I consider this would be of an insufficient distance for suitable protection and would lead to damage of the trees during construction works. Furthermore, (T17) root protection area and its canopy spread would extend across most of the rear garden of the southern plot. This would not be an ideal situation for the future protection of the tree as it would restrict the garden area of occupiers of the dwelling, place future pressure for its removal and would leave the tree vulnerable, causing harm to its health and safety and long term-wellbeing.
10. The appellant's shadow analysis appraisal of the proposed dwellings as part of the application shows 'Plot 1' with limited shading during the summer months due to the building position and tree coverage. However, it indicates that there would be significant shading particularly within the summer months during the daytime hours within the garden area of 'Plot 2' and this would worsen during the winter months. I note the appellants comments that some level of tree shade in gardens can be highly desirable and the plot would remain cool in summer and this would be the occupier's choice where to sit. I consider that the loss of daylight and sunlight caused by the overshadowing would be excessive and not be an acceptable situation for any future occupiers, furthermore this would lead to increased pressure on protected trees to be pruned or even removed.

11. Outline planning permission has been granted for the site. This permission is for the erection of only one dwelling, although indicative site layout plans, the dwelling would be positioned towards the north of the site. While there is a greater theoretical possibility that this development might take place, further permissions are likely to be required from the Council for works to the protected trees given their maturity over time and growth. From the evidence before me, any such works would likely to be a concern for the Council. I am not therefore certain that the effect of the fallback position advanced compared to that which the appeal scheme would cause. Consequently, the fallback position advanced does not outweigh my findings.
12. I therefore conclude that the proposed development would result in significant harm to the character and appearance of the area, including the implications for the retention and health of protected trees and non-protected trees, on the site. The proposal would be contrary to Policies S1, S3, S7, PD1 and PD6 of the Derbyshire Dales Local Plan (2017). Which these policies collectively seek that developments positively contribute towards sustainable development and that they are compatible with the character and appearance of the area; where possible seek to protect, manage and where possible enhance biodiversity; and that development will be refused which results in the loss or deterioration of aged or veteran trees.
13. For the same reasons the proposal would fail to conform with the policy relating to conserving and enhancing the natural environment as set out in section 15 of the Framework, specifically engaging paragraph 170 thereof, which ensures where decisions should enhance the natural and local environment.

Other Matters

14. The Council has referred to other appeal decisions and I would agree with the appellant that the circumstances that applied to the other cases are not directly comparable to those before me. I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me.

Planning Balance

15. I have found that the harm to the character and appearance of the area identified would be significant. Against this has to be balanced the factors in favour of the proposed development.
16. The provision of two additional dwellings would make a positive contribution to the Council's housing land supply shortage when weighed in the overall planning balance, albeit that the contribution would be limited due to the quantum of development proposed. There would be a small social benefit in providing the two housing units. Economic advantages would also arise from the construction and occupation of new houses.
17. When assessed against the policies in the Framework taken as a whole the adverse impacts would significantly and demonstrably outweigh the benefits. Therefore, the proposal would not be a sustainable form of development.

Conclusion

18. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Karen Taylor

INSPECTOR



Appeal Decision

Site visit made on 6 August 2019

by **Diane Cragg DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 August 2019

Appeal Ref: APP/P1045/W/19/3227027

Doone Cottage, Ladygrove Road, Two Dales, Matlock DE4 2FG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr K Bullen against the decision of Derbyshire Dales District Council.
 - The application Ref 19/00168/FUL, dated 12 February 2019, was refused by notice dated 10 April 2019.
 - The development proposed is change of use and extension of outbuilding to form dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the character and appearance of the outbuilding and surrounding area.

Reasons

3. The appeal site is a detached outbuilding located in an elevated position behind Doone Cottage and 2 Doone Cottage. The outbuilding is principally a two-storey structure with single storey lean-to. Vehicular access is via a drive adjacent to 2 Doone Cottage that leads to a forecourt area located adjacent to the building's side elevation.
4. I have been provided with details of the conditional planning permission granted for the change of use of the outbuilding into a dwelling in October 2018 (ref 18/0958/FUL) and the associated drawings. The drawings detail a two bedroomed modest house laid out within the confines of the existing structure and utilising the existing window arrangement.
5. Policies S1, S4, S7 and PD1 of the Adopted Derbyshire Dales Local Plan 7 December 2017 (Local Plan) seek among other things, and in various wording, to ensure that development does not affect the character and appearance of the area. Policy HC8 of the Local Plan states that conversion and/or reuse of existing buildings to residential use from other uses will be permitted where four criteria are met. These are that a) the building or group of buildings are of permanent and substantial construction, b) the form bulk and general design of the existing building or group of buildings make a positive contribution to the character and appearance of its surroundings; c) the building or group of buildings can be converted without extensive alterations, rebuilding or

extension; and d) the conversion does not have a detrimental impact upon the character and appearance of the building or group of buildings and its surroundings.

6. There is general agreement in the submitted evidence that the proposed development meets the requirements of criteria a) and b) of Policy HC8 and I would agree. In terms of criterion c) I note the appellant's view that the outbuilding could be converted without extensive alterations, rebuild or extension as evidenced by the approved planning permission and this would fulfil the criterion. However, the proposed development must be considered on its own merits and therefore the details in the appeal scheme must comply with criterion c). In this respect I note that the proposed conversion to a three bedroomed house would significantly change the appearance of the southern, northern and western elevations of the outbuilding and alter window openings on the eastern elevation. The drawings confirm that the scheme would require both extensive alterations and extension and therefore I find that the proposal would not accord with criterion c) of Policy HC8.
7. With regard to criterion d) the existing outbuilding is a prominent feature sited above the existing cottage and having a close relationship to it. Its functional design restricted outside space and orientation references its previous employment use. In views from Ladygrove Road and Doone Cottage the northern elevation of the outbuilding is prominent because it is set above road level and above the cottage. The proposed first floor addition would be blank, would reduce the space between the cottage and the outbuilding and increase the outbuildings visibility from the road. With no windows at first floor and reduced space between the outbuildings and the cottage, the new elevation would not sit comfortably adjacent to the cottage garden and in views from the road. Further, the refacing of the southern elevation and the insertion of windows in a domestic arrangement would increase the prominence of the building in the landscape which would be detrimental to its current functional relationship with its surroundings. Although the end elevation would be reduced, I find that overall the changes to the structure would detract from the character and appearance of the group of buildings and the character and appearance of the area. Therefore, I find that the development is contrary to the requirements of criterion d) of Policy HC8.
8. I conclude that the proposed development would detract from the character and appearance of the building and the area and would be contrary to Policies S1, S4, S7, PD1 and HC8 criteria c) and d) of the Adopted Derbyshire Dales Local Plan 7 December 2017.

Other Matters

9. I have noted the appellant's comments that the approved scheme for the use of the building as a dwelling affects the amenity of Doone Cottage and that the council did not refer to local plan Policy H10. However, these matters do not outweigh the harm I have found to the character and appearance of the area. Further, I have noted the letter in support of the proposed development from the occupier of Doone Cottage, but this factor is no determinative.

Conclusion

10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Diane Cragg

Inspector

BACKGROUND PAPERS

The following documents have been identified in accordance with the provisions of Section 100(d) (5) (a) of the Local Government Act 1972 and are listed for inspection by members of the public.

Background papers used in compiling reports to this Agenda consist of:

- The individual planning application, (including any supplementary information supplied by or on behalf of the applicant) and representations received from persons or bodies consulted upon the application by the Local Planning Authority and from members of the public and interested bodies by the time of preparation of the Agenda.
- The Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and related Acts, Orders and Regulation and Circulars published by or on behalf of the Secretary of State for the Department for Communities and Local Government.
- The National Planning Policy Framework
- The Planning Practice Guidance

These documents are available for inspection and will remain available for a period of up to 4 years from the date of the meeting, during normal office hours. Requests to see them should be made to our Business Support Unit on 01629 761336 and arrangements will be made to comply with the request as soon as practicable.

BACK TO AGENDA