

**North East Derbyshire District Council**

**Planning Committee**

**14 January 2025**

**Planning Appeals – Lodged and Determined**

**Report of the Planning Manager – Development Management**

Classification: This report is public

Report By: **Joanne Edwards**

Contact Officer: **Joanne Edwards 01246 217163**

---

**PURPOSE / SUMMARY**

To inform the Committee of the appeals lodged and determined.

---

**RECOMMENDATIONS**

None.

---

**IMPLICATIONS**

---

**Finance and Risk:** Yes  No

**Details:**

On Behalf of the Section 151 Officer

---

**Legal (including Data Protection):** Yes  No

**Details:**

On Behalf of the Solicitor to the Council

---

**Staffing:** Yes  No

**Details:**

On behalf of the Head of Paid Service

---

## DECISION INFORMATION

<b>Decision Information</b>	
<p><b>Is the decision a Key Decision?</b>  A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><b>NEDDC:</b>  <b>Revenue - £125,000</b> <input type="checkbox"/> <b>Capital - £310,000</b> <input type="checkbox"/>  <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p><b>Is the decision subject to Call-In?</b>  (Only Key Decisions are subject to Call-In)</p>	No
<p><b>District Wards Significantly Affected</b></p>	None
<b>Equality Impact Assessment (EIA) details:</b>	
<p><b>Stage 1 screening undertaken</b></p> <ul style="list-style-type: none"> <li>Completed EIA stage 1 to be appended if not required to do a stage 2</li> </ul>	Not required as the report is for information only.
<p><b>Stage 2 full assessment undertaken</b></p> <ul style="list-style-type: none"> <li>Completed EIA stage 2 needs to be appended to the report</li> </ul>	No, not applicable
<p><b>Consultation:</b>  <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Cabinet</b> <input type="checkbox"/>  <b>SMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/>  <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/></p>	Yes  Details:

### Links to Council Plan priorities, including Climate Change, Economic and Health implications.

A place to live that people value.  
A place where people enjoy spending time.  
Continually improve Council services to deliver excellence and value for money.

## REPORT DETAILS

### 1 Background

1.1 To inform the Committee of the appeals lodged and determined.

## 2. Details of Proposal or Information

### 2.1 Appeals Lodged

The following appeals have been lodged: -

**Mr Robert Sharpe - Erection of barn (Package Treatment Plant) at Site Of Former Hay Lane Cottage Hay Lane Milltown Ashover (24/00800/FL)**

Planning Officer – Kerry Hallam [kerry.hallam@ne-derbyshire.gov.uk](mailto:kerry.hallam@ne-derbyshire.gov.uk)

**Daniel Smedley - Demolition of single storey extension to the north east and south west, plus demolition of rear garage outbuilding. Erection of 2 two storey side extensions, new glazed entrance feature, Orangery to rear, roof raised 900mm and rear dormer added plus erection of new rear garage at Orchard House Lower Alley Calow (24/00300/FLH)**

Planning Officer – Curtis Rouse [curtis.rouse@ne-derbyshire.gov.uk](mailto:curtis.rouse@ne-derbyshire.gov.uk)

**Mr Brian Cooper - Outline application for residential development of up to 5 dwellings with access off Main Road (Landscaping only reserved matter) (Affecting the Setting of a Listed Building) (Conservation Area)(Amended Title)(Amended Plans) (Further Amended Plans) at Land To Rear Of Hollybush Farm Main Road Morton (23/00262/OL)**

Planning Officer – Steven Wigglesworth [steven.wigglesworth@ne-derbyshire.gov.uk](mailto:steven.wigglesworth@ne-derbyshire.gov.uk)

**Mr Taylor - Construction of subterranean garage accessed through existing outbuilding with subterranean link to Birley Hay Farmhouse and restoration of adjoining retaining wall. (Listed Building)(Conservation Area)(Affecting public footpath)(Amended Plans) at Birley Hay Farm Geer Lane Birley Hay Ridgeway (23/00938/LB)**

Planning Officer – Kenneth Huckle [kenneth.huckle@ne-derbyshire.gov.uk](mailto:kenneth.huckle@ne-derbyshire.gov.uk)

**Mr Taylor - Construction of subterranean garage accessed through existing outbuilding with subterranean link to Birley Hay Farmhouse and restoration of adjoining retaining wall (Listed Building)(Conservation Area)(Affecting public footpath)(Amended Plans) at Birley Hay Farm Geer Lane Birley Hay Ridgeway (23/00937/FLH)**

Planning Officer – Kenneth Huckle [kenneth.huckle@ne-derbyshire.gov.uk](mailto:kenneth.huckle@ne-derbyshire.gov.uk)

### 2.2 Appeal Allowed

The following appeals have been allowed:

**Friar 2019 Ltd - Proposed footway extension to the north side of (Amended Plan) 43 Hallfieldgate Lane Shirland (22/00185/FL)**

Planning Officer – Susan Wraith [susan.wraith@ne-derbyshire.gov.uk](mailto:susan.wraith@ne-derbyshire.gov.uk)

**Mr David Ray - Application for Lawful Development Certificate for proposed use for static and touring caravans without control on the number (revised scheme 19/00008/LDC) at Pinegroves Caravan Park High Lane Tansley (21/00465/LDC)**

Planning Officer – Susan Wraith [susan.wraith@ne-derbyshire.gov.uk](mailto:susan.wraith@ne-derbyshire.gov.uk)

**Application for costs against the Council was dismissed.**

**Trustees Of Ted Speed And Pauline Speed Hallfield Trust - Application to vary conditions 4 (Approved Plans), 16 (Temporary Access) and 17 (Highway Improvement Works) of planning approval 19/00335/OL to provide a revised site access (Major Development) (Amended Plan) at Land To The South Of Hallfieldgate Lane Shirland (21/01376/OL)**

Planning Officer – Susan Wraith [susan.wraith@ne-derbyshire.gov.uk](mailto:susan.wraith@ne-derbyshire.gov.uk)

**Application for costs against the Council was partially allowed.**

### 2.3 **Appeal Dismissed**

The following appeals have been dismissed: -

**Mr Stuart Hadley - Application for Advertisement consent for the installation of one freestanding LED illuminated display panel 6.4m wide x 3.4m high at TTS Car Sales Derby Road New Tupton (24/00295/AD)**

Planning Officer – Colin Wilson [colin.wilson@ne-derbyshire.gov.uk](mailto:colin.wilson@ne-derbyshire.gov.uk)

**Mr John Painter - Change of use from Allotment to use class C3 residential and the construction of a single storey 3 bed bungalow at Land To North Of 4 West Street Stonebroom (24/00093/FL)**

Planning Officer – Susan Wraith [susan.wraith@ne-derbyshire.gov.uk](mailto:susan.wraith@ne-derbyshire.gov.uk)

**Mr Duncan Fuller - Demolition of stables and workshop, rear and side extensions forward of existing dwelling, alterations to openings, terraces and associated landscaping (resubmission of application 23/00825/FL at The Cottage Oxtan Rake Road Oxtan Rakes Barlow (24/00343/FLH)**

Planning Officer – Kenneth Huckle [kenneth.huckle@ne-derbyshire.gov.uk](mailto:kenneth.huckle@ne-derbyshire.gov.uk)

**Mr Tony Johnson - Proposed two storey front extension including new basement area with alterations to fenestration at Rosings Hundall Apperknowle (24/00403/FLH)**

Planning Officer – Curtis Rouse [curtis.rouse@ne-derbyshire.gov.uk](mailto:curtis.rouse@ne-derbyshire.gov.uk)

### 2.4 **Appeals Withdrawn**

No appeals have been withdrawn.

**3 Reasons for Recommendation**

3.1 The report is to inform the Planning Committee of appeals lodged and determined.

**4 Alternative Options and Reasons for Rejection**

4.1 There are no alternative options as this report is for information only.

**DOCUMENT INFORMATION**

Appendix No	Title
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	