

**List of Current Planning, Enforcement and Tree Appeals  
November 2023**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Inquiry	Current Position
W/22/1877	Land at Warwickshire Police Headquarters	Outline planning application for 83 dwellings. <b>Non-Determination Appeal</b>	Dan Charles	Statement due: 2 June	Inquiry adjourned until 5 January 2024.	Ongoing

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing	Current Position

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position

W/21/1518	8 Offa Road, Leamington	One and Two Storey Extensions <b>Delegated</b>	Millie Flynn	Questionnaire: 7/3/22 Statement: 28/3/22	Ongoing
W/20/1975	6 Lower Ladyes Hills, Kenilworth	Formation of Driveway <b>Committee Decision in Accordance with Officer Recommendation</b>	Jonathan Gentry	Questionnaire: 10/2/22 Statement: 4/3/22	Ongoing
W/21/1622	1 The Chantries, Chantry Heath Lane, Stoneleigh	Gazebo and Fencing <b>Delegated</b>	George Whitehouse	Questionnaire: 29/4/22 Statement: 23/5/22	Ongoing
W/21/0834	The Haven, Rising Lane, Baddesley Clinton	2 dwellings <b>Delegated</b>	Dan Charles	Questionnaire: 26/7/22 Statement: 23/8/22	Ongoing
W/21/1852	West Hill, West Hill Road, Cubbington	Detached Garage; Maintenance Store with Walled Courtyard <b>Delegated</b>	George Whitehouse	Questionnaire: 1/3/23 Statement: 22/2/23	Ongoing

W/22/1574	Leasowe House, Southam Road, Radford Semele	Lawful Development Certificate for Garden Land <b>Delegated</b>	Michael Rowson	Questionnaire: 20/3/23 Statement: 17/4/23	Ongoing
W/22/1332 and 1333/LB	17 Bridge Street, Barford	Single Storey Rear Extension and Other Alterations <b>Delegated</b>	James Moulding	Questionnaire: 8/6/23 Statement: 6/7/23	<b>Appeals Dismissed</b>

The Inspector clarified that it should be noted that list descriptions are primarily for identification purposes only and do not provide an exhaustive or complete description of the special interest of those buildings. Therefore, proposed alterations to elevations or features not mentioned in the list description does not mean that there would be no effect on the building's special interest/significance.

The Inspector considered that the special interest and significance of the listed building, insofar as it relates to these appeals, is predominantly derived from its age, plan form, fabric, function, and its architectural features. A key feature is the active frontage of the dwelling with its main windows and entrance addressing the street and relatively few openings to the rear. The appeal building and listed barn alongside are prominently viewed along Bridge Street, and contribute positively to the character and appearance of the CA.

He considered that the proposed addition of a large, flat-roofed extension would radically transform the appearance of the existing relatively blank rear elevation with minimal openings. It would introduce a large expanse of glazing, disrupting the appearance of this façade and fail to reflect the smaller openings present on the building. The extension would also be of a substantial massing and be of a very different form and appearance to the surrounding traditional buildings with pitched roofs. Its overall height would also be higher than the eaves of the existing single storey wings of the building which would further emphasise its dominance. It would appear as a large, discordant element which would fail to harmonise with the form and character of the dwelling and distort the visual relationship with the single storey buildings within this small courtyard. It would therefore erode the ability to appreciate the special interest/significance of the listed buildings from the rear garden. Whilst the contemporary design would make the

extension appear distinct, it would further exacerbate the inappropriateness of the appeal proposal and harm the building's significance/special interest.

He also considered that the creation of the two large openings in the historic rear wall would result in the loss of a sizeable amount of historic fabric. Moreover, it would disrupt the historic floorplan of the dwelling which is characterised by small rooms in a linear plan. The removal of the walling to create a more open-plan arrangement is distinctly at odds with the character of these historic spaces, distorting the historic identity and legibility of the building.

Although the extension would be largely hidden from public view, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views are available. Equally, the significance of a listed building is not just focussed on frontages and in this case the rear elevation and the internal floorplan contribute to the building's special interest/significance and the proposed extension would be harmful to it.

The Inspector saw that the existing windows are mainly single glazed with the glass putty fixed, have structural, moulded glazing bars, several frames have pegged joints, and the overall design is reflective of traditional detailing. The windows therefore need to be properly evaluated and their condition assessed before a decision is taken on their replacement. Full joinery details would also be required to demonstrate that any replacements would preserve the significance of the listed building. This is especially important considering that double glazing might be considered which has the potential to significantly alter the construction, detail and appearance of a window. Joinery details would also be required to allow proper consideration of the proposed new window opening in the rear elevation. This could not be addressed through a joinery condition as these matters are pivotal to the decision. Therefore, the evidence submitted does not offer sufficient clarity and robustness to conclude that this element of the proposal would not cause harm to the building's special interest/significance.

The Inspector found the harm in the context of the significance of the heritage assets as a whole, in the language of the Framework, to be less than substantial in this instance. However, he made it clear that this commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal.

W/22/1697	Rosedale, Main Street, Eathorpe	One and Two Storey Extensions <b>Delegated</b>	James Moulding	Questionnaire: 5/6/23 Statement: 23/6/23	<b>Appeal Dismissed</b>
<p>The Neighbouring Daylight and Sunlight Study accompanying the appellant's appeal statement concludes that when assessed against the proposed development all neighbouring habitable windows would pass the BRE tests for diffuse daylight, direct sunlight, and overshadowing. It considers that there would be no unacceptable loss of light to the bedroom window proposed to be affected, that the level of impact is considered to be 'very low, and that daylight and sunlight amenity would be safeguarded. The Council did not comment on this study, and the Inspector had no further evidence to disagree with its findings. The Inspector noted that only the limited angled view would be affected by the proposed development and therefore the outlook from this window would not be significantly compromised such that it would make it unacceptable from a planning perspective. Furthermore, the revision to the width of the proposed two storey wing during the application process has increased the separation distance so that some views from the bedroom window would more than likely be retained and this would lessen any overbearing effect.</p> <p>The Preliminary Bat Roost Assessment and Bird Survey (2022) identified that Brown Long Eared bats were using the buildings. The County Ecologist recommended additional activity surveys to establish how the bats are using the building to assess any likely impacts as a result of the proposal, and to ensure the conservation of protected species. The Inspector noted that whilst this additional survey could be conditioned, this approach is not supported by the Circular, and there were no exceptional circumstances to depart from this guidance. Furthermore, if protected species were affected, even with best practice measures, he could not be certain as to what mitigation, if appropriate, may be required. In the absence of the further activity surveys and having viewed the nature of the proposal and the site context, he could not conclude that the proposal would not adversely affect protected species.</p>					
W/22/0357	Liberty House, Stoneleigh Road, Blackdown	Lawful Development Certificate for Various Works <b>Delegated</b>	Lucy Shorthouse	Questionnaire: 23/6/23 Statement: 21/7/23	Ongoing
W/22/0941	Land South of Banner Hill Farm, Kenilworth	Proposed Energy Storage Facility <b>Delegated</b>	George Whitehouse	Questionnaire: 17/7/23	Ongoing

				Statement: 14/8/23	
W/22/0367	Clinton House, Old Warwick Road, Rowington	Single Storey Dwelling <b>Committee Decision in Accordance with Officer Recommendation</b>	Millie Flynn	Questionnaire: 30/6/23 Statement: 28/7/23	Ongoing
W/22/0471	Leasowe House, Southam Road, Radford Semele	Erection of 2 Replacement Dwellings <b>Non-Determination Appeal</b>	George Whitehouse	Questionnaire: 4/8/23 Statement: 8/9/23	Ongoing
W/22/1672 and 1673	Hay Wood Grange, Birmingham Road, Wroxall	Removal of Condition restricting Permitted Development Rights <b>Delegated</b>	George Whitehouse	Questionnaire: 25/7/23 Statement: 22/8/23	Ongoing
W/22/1508	Land at Sherbourne Priors, Vicarage Lane, Sherbourne.	2 Dwellings <b>Delegated</b>	Jack Lynch	Questionnaire: 8/9/23 Statement: 6/10/23	Ongoing
W/22/0928	Third Floor Flat, 28 Clarendon Square, Leamington	Change of Use to HMO <b>Committee Decision Contrary to Officer Recommendation</b>	Millie Flynn	Questionnaire: 8/9/23 Statement:	Ongoing

				6/10/23	
W/22/1638	8 England Crescent, Leamington	Erection of Extensions and creation of New Dwelling <b>Delegated</b>	Millie Flynn	Questionnaire: 12/9/23 Statement: 10/10/23	Ongoing
W/23/0591	140-142 Parade, Leamington	Externally Illuminated Fascia Sign <b>Delegated</b>	Millie Flynn	Questionnaire: 4/9/23 Statement: 22/9/23	Ongoing
W/23/0400	25 Blacklow Road, Warwick	2 Storey Front Extension <b>Delegated</b>	Theo Collum	Questionnaire: 31/8/23 Statement: 21/9/23	Ongoing
W/23/0458	101 Windy Arbour, Kenilworth	Extensions and Detached Garage <b>Delegated</b>	Theo Collum	Questionnaire: 22/8/23 Statement: 12/9/23	<b>Appeal Dismissed</b>

The Inspector noted that the proposed 2 storey front gable would mean that the main part of the dwelling was no longer set back from the existing gable. It would substantially increase the scale and massing of the house, creating a discordant appearance in the

street scene. The proposed rendering would help the proposal assimilate with the existing dwelling but would not overcome the harm caused by the bulkiness of the front extension.

The appellant had referenced other properties in the road that have been subject to extensions and alterations in support of their case. However, it was noted that they are not located in the same part of the road and the Inspector did not consider them directly comparable in terms of scale and appearance as the development proposed. In any event, each case is determined on its own merits.

The Inspector noted that the proposed garage would be a prominent feature in the front garden. Whilst there are examples of garages in front gardens elsewhere in the area, there are none in the immediate vicinity of the site. As such, the development would create an incongruous addition in the street scene. The existing trees in the front garden of the property would only provide partial screening at certain angles and do not make the proposed development acceptable.

The existing window serving bedroom 4 would be blocked off and a new window inserted on the side elevation. This would directly face the side wall of No 103 Windy Arbour in close proximity. It would create a restrictive and oppressive outlook for the inhabitants, harming the living conditions that the occupiers currently enjoy. Whilst a second-floor obscure glazed side window could be installed under permitted development rights, under the current arrangements it would not be the only window serving the room. As such he gave this little weight.

W/22/1745	3 Rai Court, Beauchamp Road, Leamington	Change of Use to HMO <b>Committee Decision Contrary to Officer Recommendation</b>	Millie Flynn	Questionnaire: 4/10/23 Statement: 1/11/23	Ongoing
W/23/0101	Church Farm, Glasshouse Lane, Lapworth	Single Storey Rear Extension <b>Delegated</b>	Thomas Senior	Questionnaire: 22/9/23 Statement: 13/10/23	Ongoing
					Ongoing



W/23/0597	89 Buckley Road, Lillington	Single Storey Rear and Side Extension including Revised External Facing Materials <b>Delegated</b>	Thomas Senior	Questionnaire: 9/10/23 Statement: 30/10/23	
<b>New</b> W/22/0198	Highlands Farm, Long Itchington Road, Offchurch	Erection of Dwelling <b>Delegated</b>	Kie Farrell	Questionnaire: 20/10/23 Statement: 17/11/23	Ongoing
<b>New</b> W/22/1728	Claywood, Clattyland Lane, Beausale	Erection of Replacement Dwelling <b>Committee Decision in accordance with Officer Recommendation</b>	Kie Farrell	Questionnaire: 1/11/23 Statement: 29/11/23	Ongoing
<b>New</b> W/22/1744	2 Rai Court, Beauchamp Road, Leamington	Change of Use to HMO <b>Committee Decision Contrary to Officer Recommendation</b>	Millie Flynn	Questionnaire: 4/10/23 Statement: 1/11/23	Ongoing
<b>New</b> W/23/0068	17 High Street, Cubbington	Subdivision of Flat to Create 2 Flats <b>Delegated</b>	Millie Flynn	Questionnaire: 17/10/23 Statement: 14/11/23	Ongoing
<b>New</b> W/23/0445	Garage, 22 St Marys Terrace, Leamington	Change of Use to 1 Dwelling <b>Delegated</b>	Millie Flynn	Questionnaire: 31/10/23	Ongoing

				Statement: 28/11/23	
<b>New</b> W/22/1762 and 1763/LB	41 Portland Street, Leamington	Replacement of Windows <b>Committee Decision in accordance with Officer Recommendation</b>	Theo Collum	Questionnaire: 27/11/23 Statement: 11/12/23	Ongoing

### Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
ACT 450/08	Meadow Cottage, Hill Wootton	Construction of Outbuilding	Will Holloway	Statement: 22/11/19	Public Inquiry 16/1/24	Ongoing

ACT 102/22	126 Cubbington Road, Lillington, Leamington Spa	Creation of further storey	Phil Hopkinso n	Statement:8 August 2023	Written Reps	Ongoing
ACT 600/18	Nova Stables, Glasshouse Lane, Lapworth	Erection of building in green belt	Will Holloway	Statement: 31 <sup>st</sup> July 2023	Hearing TBC	Ongoing
<b>New</b> ACT 103/23	Land at Uplands Farm, Lapworth	Residential use of caravan	Will Holloway	No dates as yet	TBD	Ongoing
<b>New</b> ACT 506/20	Hatton Arms, Hatton	Erection of covered enclosure to rear	Stephen Hewitt	No dates as yet	TBD	Ongoing

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Tree Appeals

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