

**List of Current Planning and Enforcement Appeals
June 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. Non-Determination Appeal	Dan Charles	Statement due: 2 June	Commences 25 July for 6 days	Ongoing

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing	Current Position
W/21/2042 and W/21/2043/LB W/22/1407 and	The Glebe Hotel, Church Street, Barford	Redevelopment and Conversion to 4 Dwellings and 4 Apartments Delegated	Adam Walker	Questionnaire: 30/1/23 Statement: 27/2/23	16 and 17 May 2023	Awaiting decision

W/22/1408/ LB						
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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 Delegated	Millie Flynn	Questionnaire: 7/3/22 Statement: 28/3/22	Ongoing
W/20/1975	6 Lower Ladyes Hills, Kenilworth	Formation of Driveway Committee Decision in Accordance with Officer Recommendation	Jonathan Gentry	Questionnaire: 10/2/22 Statement: 4/3/22	Ongoing
W/21/1622	1 The Chantries, Chantry Heath Lane, Stoneleigh	Gazebo and Fencing Delegated	George Whitehouse	Questionnaire: 29/4/22 Statement: 23/5/22	Ongoing
W/21/0834		2 dwellings Delegated	Dan Charles	Questionnaire: 26/7/22	Ongoing

	The Haven, Rising Lane, Baddesley Clinton			Statement: 23/8/22	
W/20/1251	Land on the South Side of Birmingham Road, Budbroke	Erection of 75 Bed Care Home Delegated	Dan Charles	Questionnaire: 21/11/22 Statement: 29/11/22	Ongoing
W/21/0153	Land adjacent to 1 Castle Hill, Kenilworth	Single Storey Dwelling Delegated	Jonathan Gentry	Questionnaire: 3/11/22 Statement: 1/12/22	Appeal Dismissed

The large grounds of No 1 comprise a Grade II registered Park and Garden which was added to the register in 2016. The Inspector noted that given the grounds are registered and No 1 is listed, the garden must also be deemed to be an important open space in the conservation area, and so contributes to the significance of that designated heritage asset as well. These findings are reflected in the Kenilworth Neighbourhood Plan, where Policy KP13J states it is important to maintain the garden as an entire garden. The proposal is to erect a flat-roofed eco bungalow on the north-western portion of the garden, between No 1 and 3 Castle Hill. This part of the garden is lower than the main house and was originally an orchard. The Inspector noted that it might never have been an ornamental area, and inter-visibility with the rest of the garden might always have been limited, giving rise to a degree of disconnection and some sense of separation. However, he did not consider that these factors diminish the contribution it makes to the garden's overall character. As it was laid out with a kitchen garden, formal beds, a rose garden, and an orchard amongst other things, uniformity does not appear to have been an intention of the designers. Rather, to my mind this orchard would have formed one of the distinct 'rooms' they sought to create. Siting a bungalow here, even accepting its current overgrown state, would remove an area of the Park and Garden that was intended to form a part of the wider whole, and would prevent it being re-instated at a future date. He considered the proposal would not maintain the site's green character. Moreover, as the house and garden were intended as an ensemble, by developing part of the garden in this way the underlying principles behind the design and arrangement of the house would be diminished. Furthermore, this modern bungalow would also be a notable and striking addition to the curtilage of No 1 that would challenge the dominance of the existing house.

W/21/0374 and W/21/375/LB	64-66 Market Place, Warwick	Conversion of Offices into 2 Apartments Delegated	George Whitehouse	Questionnaire: 20/2/23 Statement: 20/3/23	Ongoing
W/21/1852	West Hill, West Hill Road, Cubbington	Detached Garage; Maintenance Store with Walled Courtyard Delegated	Jonathan Gentry	Questionnaire: 1/3/23 Statement: 22/2/23	Ongoing
W/22/1578 and W/22/1965	23 Freemans Close, Leamington	Single Storey Rear Extension and Enclosure of Front Porch Delegated	Josh Cooper	Questionnaire: 9/2/23 and 28/2/23 Statement: 23/3/23 and 21/3/23	Appeals Allowed

The Inspector noted that in both appeals the extension would project to the rear by 3.6m and would be single storey with a flat roof design. In Appeal A, the extension would be sited immediately adjacent to the shared boundary with No.22 for its whole depth. The extension in Appeal B, would be sited immediately adjacent to the boundary for 3m, before cutting away. He observed to the rear of No.22 are rear facing habitable room openings at ground floor level including dining room patio doors, positioned closest to the boundary, and a kitchen window. The position and height of the extension is such that it would be visible from both the internal and external areas of No.22. He noted that the rear extensions for both Appeal A and Appeal B would infringe upon the 45o guideline taken from the nearest opening in No.22 Freemans Close. The Inspector was mindful that this is guidance only and the SPG confirms that the application of the guideline is not the overriding consideration, and regard must be had to individual circumstances. He noted the orientation of the properties is such that the extensions would be sited to the north of this opening. Therefore, he considered that any reduction of daylight or sunlight would be limited, particularly given the single storey nature of the extensions. In addition, he observed that the affected room benefits from a further large south-east facing opening meaning there is a further principal source of light serving that room. Given these factors, he did not consider that the infringement of the guideline in both

Appeal A and Appeal B would result in a significant loss of light to the occupiers of No.22 Freemans Close. With regard to outlook, he considered that the scale and flat roof design of the extensions would limit the effect of the proposals to some extent. Furthermore, the depth and width of the rear gardens along Freemans Close are relatively open and spacious. The extent of built form along the boundary, in both Appeal A and Appeal B, would be modest in this context and it would result in an unacceptable sense of enclosure.

He was also mindful of what could be constructed under permitted development rights as a fall back. Permitted Development under Class A would allow for the construction of a 3m single storey rear extension along the site boundary, with an eaves height of 3m, and overall maximum height not exceeding 4m. Given the position of the dining room opening, a single storey extension under permitted development along the boundary would have a similar effect on the living conditions of occupiers of No.22. he did not consider the additional depth within the proposed extensions would be of such a scale to have a significant effect on living conditions, compared to the fall back, having particular regard to the matters of orientation, context and design observed.

The Council's principal concern with regard to the design of the extension proposed under Appeal B, was that the corner of the extension on the boundary with No.22 being "cut off", would result in a contrived design, citing the advice contained within the SPG. The Inspector considered the splayed corner would be relatively minor in the context of the overall extension and overall, the extension would be sympathetic to the proportions and appearance of the host dwelling. Visibility of the proposed extension from public vantage points would be limited and so the extension would not be harmful to the character and appearance of the streetscene. Given the rear siting, views of the extension would be more apparent from adjoining gardens but the single storey nature of the development, with its modest scale and height, along with the use of appropriate materials, is such that the extension with its splayed corner, would not appear as a prominent or an incongruous form of development within the private realm.

W/21/2283	Land off Charingworth Drive, Hatton Park, Hatton	Redevelopment for 7 Dwellings Delegated	George Whitehouse	Questionnaire: 25/4/23 Statement: 23/5/23	Ongoing
W/22/0869	209 Old Warwick Road, Lapworth	Various extensions, raising of roof and new access Delegated	Josh Cooper	Questionnaire: 24/3/23 Statement: 14/4/23	Ongoing

W/22/1593	50 Russell Terrace, Leamington	Single storey extension and enclosure of front porch Delegated	Josh Cooper	Questionnaire: 20/3/23 Statement: 10/4/23	Ongoing
W/22/1308 and W/22/1309/LB	8 Clarendon Crescent, Leamington	Various Improvements to Building Fabric Delegated	Lucy Shorthouse	Questionnaire: 30/3/23 Statement: 27/4/23	Ongoing
W/22/1574	Leasowe House, Southam Road, Radford Semele	Lawful Development Certificate for Garden Land Delegated	Michael Rowson	Questionnaire: 20/3/23 Statement: 17/4/23	Ongoing
W/22/0275	Hammonds Barn, Purlieu Lane, Kenilworth	Erection of 5 Stables Delegated	Michael Rowson	Questionnaire: 22/5/23 Statement: 19/6/23	Ongoing
W/22/0892	28 Clarendon Square, Leamington	Erection of 2 Storey Coach House Committee Decision in Accordance with Officer Recommendation	Michael Rowson	Questionnaire: 3/5/23 Statement: 31/5/23	Ongoing
W/22/1393	3 Lewis Road, Radford Semele	Erection of Bungalow Delegated	Millie Flynn	Questionnaire: 2/5/23	Ongoing

				Statement: 30/5/23	
New W/22/0548	Land to the West of A46	Installation of Solar Farm Delegated	George Whitehouse	Questionnaire: 14/6/23 Statement: 12/7/23	Ongoing
New W/22/1332 and 1333/LB	17 Bridge Street, Barford	Single Storey Rear Extension and Other Alterations Delegated	James Moulding	Questionnaire: 8/6/23 Statement: 6/7/23	Ongoing
New W/22/1697	Rosedale, Main Street, Eathorpe	One and Two Storey Extensions Delegated	James Moulding	Questionnaire: 5/6/23 Statement: 23/6/23	Ongoing
New W/22/1954	Ribbons, Rowington Green, Rowington	1.5 Storey Granny Annexe Delegated	Lucy Shorthouse	Questionnaire: 8/6/23 Statement: 6/7/23	Ongoing
New W/22/0357	Liberty House, Stoneleigh Road, Blackdown	Lawful Development Certificate for Various Works Delegated	Lucy Shorthouse	Questionnaire: 23/6/23 Statement: 21/7/23	Ongoing

New W/23/0245	6 Holmes Road, Whitnash	2 Storey Front Extension Delegated	Theo Collum	Questionnaire: 8/6/23 Statement: 29/6/23	Ongoing
New W/22/1845	5 Kirby Avenue, Woodloes Park	2 Storey Side Extension Delegated	Thomas Senior	Questionnaire: 7/6/23 Statement: 28/6/23	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	TBC	Statement: 22/11/19	Public Inquiry TBC	Ongoing

ACT 185/18	Thomas James Hotel, 45-47 Bath Street, Leamington	UPVC Windows in Listed Building	Phil Hopkinso n	Statement: 29 November 2022	N/A	Ongoing

Tree Appeals

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