

**List of Current Planning and Enforcement Appeals
May 2022**

Public Inquiries

| Reference | Address | Proposal and Decision Type | Officer | Key Deadlines | Date of Inquiry | Current Position |
|-----------|---------|----------------------------|---------|---------------|-----------------|------------------|
| | | | | | | |
| | | | | | | |

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/20/2008 | Three Jays, Hampton Road, Hampton on the Hill | Single Storey Front Extension Delegated | George Whitehouse | Questionnaire: 27/9/21 Statement: 19/10/21 | Ongoing |
| W/20/2100 | 22 St Mary's Terrace, Leamington | Lawful Development Certificate for Use of Garages for Commercial Storage Delegated | Rebecca Compton | Questionnaire: 14/10/21 Statement: 11/11/21 | Ongoing |
| W/21/0813 | Grove Park House, Hampton on the Hill | Prior Approval for the Enlargement of Dwelling House Delegated | Thomas Fojut | Questionnaire: 14/10/21 Statement: 5/11/21 | Ongoing |
| W/21/593 | Austin Heath Retirement, Village, Gallagher Way, Warwick | Advertisements Delegated | Helena Obremski | Questionnaire: 25/10/21 Statement: 16/11/21 | Ongoing |
| | | | | | |

| | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------|-----------------------------|
| W/20/2126 | 27 Eastfield Road, Leamington | Replacement Dwelling - Appeal against Obscure Glazing Condition. Condition Added by Planning Committee | Dan Charles | Questionnaire: 20/12/22 Statement: 17/1/22 | Withdrawn |
| W/21/1736 | Garage to the rear of 22 St Marys Terrace, Leamington | Certificate of Lawfulness Appeal: Commercial Storage Delegated | Emma Booker | Questionnaire: 30/1/22 Statement: 28/2/22 | Ongoing |
| W/21/0495 | Deer Park Farm, Bakers Lane, Knowle | Oak Framed Garage Building Delegated | Emma Booker | Questionnaire: 28/2/22 Statement: 28/3/22 | Appeal Dismissed |
| The Inspector agreed with the LPA that the proposed building would constitute inappropriate development in the Green Belt, harmful by definition and by reason of harm to openness. | | | | | |
| W/21/0977 | Unit 7, The Mill, Mill Lane, Little Shrewley | Alterations to permission for Conversion to Dwelling including increased Eaves and Ridge heights Delegated | Emma Booker | Questionnaire: 28/2/22 Statement: 28/3/22 | Ongoing |
| W/21/1461/TC | Highway verge (B4115), Stoneleigh Park | Prior Approval for 18 metre Monopole Delegated | Emma Booker | Questionnaire: 24/2/22 Statement: 24/3/22 | Appeal Allowed |

The main issue identified by the Inspector was the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

The Inspector considered that in views about the junction, the scale and standardised appearance of the mast and associated equipment would stand out against the rural appearance of the road corridor. This includes the contrasting modest scale of the highway signage and the integrated timber telegraph poles amongst the tree cover. Despite being the minimum height in order to fulfil its technical requirements, the overall combined height of the mast and open headset, its utilitarian appearance and galvanised steel finish would cause it to be a discordant feature in the countryside setting. In views beyond the immediate junction area, the intended additional height of the mast necessary to clear the height of the trees would, when taken with its appearance, cause the structure to stand out from within the surrounding landscape. Overall, he found that the siting and appearance of the mast would cause a moderate level of harm to the character and appearance of the locality.

The appellant had included details of alternative sites within the search area that were discounted. The majority of these lie in closer proximity to Stoneleigh village where its visibility would be greater to local residents. Furthermore, although not discounted on the basis of potential effects on the CA, the majority of those sites would lie closer or within the CA where the magnitude of environmental harm would increase. Sites to the south of the sensitive area would be frustrated by the extent of tree cover.

The Inspector was satisfied that the location on a classified road benefitting from existing vegetation screening, away from the village and CA, and avoiding roads of a more intimate rural character, would result in the least environmental harm within the relevant search area and that the appellant has duly demonstrated that there are no other technically suitable locations that both meet operational requirements and cause less environmental harm.

| | | | | | |
|-----------|---------------------------------|------------------------------------------------|----------------------|---------------------------------------------------|-----------------------|
| W/21/1889 | 12 Almond Avenue, Leamington | Extensions and Alterations Delegated | George Whitehouse | Questionnaire: 16/2/22 Statement: 9/3/22 | Appeal Allowed |
|-----------|---------------------------------|------------------------------------------------|----------------------|---------------------------------------------------|-----------------------|

The main issue identified by the Inspector was the effect of the proposed roof extension upon the character and appearance of the host dwelling and the street scene. The Council considered that the height of the proposed roof was an inappropriate treatment as it would tie in with the main roof line and so fail to appear subservient. However, the Inspector considered that the existing flat roof

over the extension did not reflect the host dwelling and harmed its appearance which in turn, harmed the appearance of the street scene. He concluded that in comparison, the proposed larger consistent roof over the whole of the dwelling would create a balanced and more attractive dwelling. Moreover, given the variation in the appearance of dwellings and specifically the roofs locally, the larger roof would not appear out of character.

| | | | | | |
|-----------|--------------------------------------------------|---------------------------------------------------|-------------------|---------------------------------------------------|-----------------------------|
| W/21/1242 | Lodge Farm Barn, Lapworth Street, Bushwood | Single Storey Front Extension Delegated | James Moulding | Questionnaire: 16/2/22 Statement: 9/3/22 | Appeal Dismissed |
|-----------|--------------------------------------------------|---------------------------------------------------|-------------------|---------------------------------------------------|-----------------------------|

The Inspector noted that the proposed single storey extension would retain the narrow dimensions of the building, and considered that, in isolation, its scale would not be a disproportionate addition to the host building. Nevertheless, he also noted that there have been significant additions already totally 104%, including a similar extension on the other end of the building and the link. He concluded that when viewed in combination with these existing additions, the proposal would result in disproportionate additions over and above the size of the original building which would constitute inappropriate development in the Green Belt harmful by definition and by reason of harm to openness.

In terms of impact on the character and appearance of the building, the Inspector noted that the proposal would introduce a large window on the wall facing the road which is the most prominent section of the building. He observed that the existing wall is simple in appearance and retains the traditional agricultural appearance of the building. In comparison, he considered that the proposal would appear overly domesticated due to the large area of glazing and concluded that this amount of glazing would not give the impression of an adaptation of a former traditional structure and would harm the integrity of the former barn.

| | | | | | |
|-----------|-------------------------------------|------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------|-----------------------------|
| 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 | Appeal Dismissed |
|-----------|-------------------------------------|------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------|-----------------------------|

The Inspector noted that the appeal site is close to the junction with Tainters Hill and on a slight bend in the road. There is a section of narrow footway running from the junction which crosses in front of the site and continues along Manor Road. The allotment

gardens between the appeal site and Tainters Hill extend down to the edge of the footway on Manor Road where they are bordered by fences, high hedges, and some trees. These hedges and trees, combined with the angle of Manor Road, prevent views of the driveway when turning left from Tainters Hill onto Manor Road. Consequently, he considered that vehicles reversing into, or driving out of, the driveway would only be visible to a driver whilst making the turn or pulling out substantially forward of the junction. Also, vegetation blocks the view from the driveway looking right towards the junction. To see oncoming traffic, vehicles leaving the site must cross the pedestrian footway and nose out partially into the road.

While the appellant suggested that bends in the road, nearby junctions, and narrow sections of road mean that traffic approaching the site is likely to be travelling at speeds below the 30 mile per hour speed limit. Nonetheless, the Inspector considered that even at relatively low speeds, poor visibility for vehicles leaving the driveway and turning towards it from the nearby junction, and resultant need to pull out into the highway to see on-coming traffic, would lead to conflict between vehicles and pedestrians harming highway and pedestrian safety.

| | | | | | |
|-----------|--------------------------------|---------------------------------------------------------------------------------------------|--------------|---------------------------------------------------|-----------------------------|
| W/21/0657 | 2 Elizabeth Way, Kenilworth | Timber fence Committee Decision in Accordance with Officer Recommendation | Millie Flynn | Questionnaire: 16/2/22 Statement: 9/3/22 | Appeal Dismissed |
|-----------|--------------------------------|---------------------------------------------------------------------------------------------|--------------|---------------------------------------------------|-----------------------------|

The Inspector noted that on the opposite side of the street is a large concrete post and timber panel fence which screens the rear gardens of properties on Castle Hill. Also, a hedge bound the appeal site prior to the erection of the new fence. As a result, this part of the street is, and was, more enclosed than the spacious and open plan layout exhibited further along Elizabeth Way.

However, notwithstanding this, the Inspector considered that due to a combination of the fence's length and height, and its position adjacent to the highway, it is an incongruous addition to the street. Whilst the fencing on the opposite side of the road is also clearly visible, its scale is more in keeping with the dwelling it serves, unlike the appeal scheme where the prominence of the fencing is exacerbated by the slope of the street relative to the height and position of No 2. This is particularly apparent when approaching the site from the junction with Castle Hill, where the street facing length of fencing screens much of No 2 and an outbuilding in the garden, and appears visually dominant and obtrusive in the street, diminishing its verdant suburban character.

The Inspector was aware that the appellant would be willing to stain or paint the fence, and this could be conditioned, but felt this alone would not be sufficient to mitigate the harm identified.

He accepted that, given the generally lower level of the garden space relative to Elizabeth Way, there are legitimate concerns that a lack of boundary screening would leave the private amenity space of No 2 overlooked, particularly as a result of pedestrians walking along the footpaths adjacent to the garden. However, it is not the enclosure of the garden he found objectionable *per se* but, rather, the combination of the fence's overall length and height, and its resultant monotonous and oppressive appearance in the street.

| | | | | | |
|-----------|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------------------------------------|---------|
| W/21/0368 | 21 Vine Lane, Warwick | Variation of conditions for Planning Permission for 2 Dwellings Delegated | Rebecca Compton | Questionnaire: 28/2/22 Statement: 28/3/22 | Ongoing |
| W/21/1929 | 23 Leam Terrace, Leamington | Garage with Studio Above Delegated | James Moulding | Questionnaire: 31/3/22 Statement: 21/4/22 | Ongoing |
| W/21/1355 | Barn at Little Manor Farm, Manor Lane, Pinley Green | Replacement and New Storage Buildings Delegated | Jonathan Gentry | Questionnaire: 23/3/22 Statement: 22/4/22 | Ongoing |
| W/20/2144 | 24 Kenilworth Road, Leamington | Demolition of Building Wings and Cottage. Replacement Extensions and Building to provide increased No. of Studio Flats. Committee Decision in Accordance with Officer Recommendation | Lucy Hammond | Questionnaire: 23/3/22 Statement: 20/4/22 | Ongoing |

| | | | | | |
|-------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------|----------------------------------------------------|---------|
| | | | | | |
| 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/21/1966 | 46 Peabody Way, Warwick | New Boundary Treatment and Gates Delegated | Millie Flynn | Questionnaire: 31/3/22 Statement: 21/4/22 | Ongoing |
| W/21/2092 | 22 St Mary's Terrace, Leamington | Conversion and Extension of Existing Garage to Form Dwelling Delegated | Rebecca Compton | Questionnaire: 31/3/22 Statement: 28/4/22 | Ongoing |
| W/21/1982 | 2 The Grange, Myton Lane, Warwick | Front and Rear Box Dormer Extensions Delegated | Thomas Fojut | Questionnaire: 15/3/22 Statement: 5/4/22 | Ongoing |
| New 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 |
| New | | | | | Ongoing |

| | | | | | |
|-------------------------|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------------------------------------|---------|
| W/21/1689 | 123 Windy Arbour, Kenilworth | First Floor Side and Single Storey Rear Extension Delegated | George Whitehouse | Questionnaire: 17/3/22 Statement: 7/4/22 | |
| New W/22/0047 | Fernwood Barn, Fernwood Farm, Rouncil Lane, Beausale | Single Storey Annexe Delegated | George Whitehouse | Questionnaire: 13/5/22 Statement: 3/6/22 | Ongoing |
| New W/21/2077 | 2 Lilac Grove, Warwick | Remodelling of Dwelling Delegated | James Moulding | Questionnaire: 17/5/22 Statement: 7/6/22 | Ongoing |
| New W/21/0066 | Little Fieldgate, 55 Fieldgate Lane, Kenilworth | 2 Storey Dwelling to Replace Bungalow Committee Decision in Accordance with Officer Recommendation | Jonathan Gentry | Questionnaire: 26/4/22 Statement: 24/5/22 | Ongoing |
| New W/21/1844 | 13 Hall Close, Stoneleigh | Various Extensions and Alterations Delegated | Thomas Fojut | Questionnaire: 15/3/22 Statement: 5/4/22 | 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 1 Day | Ongoing |
| ACT 18/0600 | Nova Equestrian, Glasshouse Lane, Lapworth | Construction of Dwelling | TBC | Statement: 12/1/21 | Public inquiry No of days TBC | Ongoing |

Tree Appeals

| Reference | Address | Proposal and Decision Type | Officer | Key Deadlines | Date of Hearing/Inquiry | Current Position |
|-----------|---------|----------------------------|---------|---------------|-------------------------|------------------|
| | | | | | | |

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|