

**List of Current Planning and Enforcement Appeals
14 August 2018**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
W/17/0699	Land South of Gallows Hill, Warwick	Up to 260 Dwellings Committee Decision contrary to Officer Recommendation	Dan Charles	TBC	11 -14 December (inc) 2018	In Preparation

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
W/17/1614	19 -21 Wise Street, Leamington	Four Storey Building to Provide Student Residential Accommodation Committee Decision contrary to Officer Recommendation	Lucy Hammond	Questionnaire: 23/5/17 Statement: 20/6/18 Evidence 15/8/18 Comments:	12/9/18	In preparation

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/17/1291 /LB	18 -20 Mollington Grove, Hatton Park	Replacement of timber French doors with UPVC (retrospective application) Delegated	Holika Bungre	Questionnaire: 4/5/18 Statement: 1/6/18 Comments: 15/6/18	Appeal dismissed
<p>The Inspector considered that even slight differences between historic fabric and proposed replacements can have a significantly harmful effect on the integrity and significance of a listed building. In this case the design of the UPVC double glazed doors and windows are obviously modern. They have a visible internal parting bead and noticeable depth between the two plates of glass. These give a degree of double register from the glass. Together with the appearance of the smooth and shiny surface of the white UPVC frames, their wide configuration, and flat white glazing strips, the UPVC units markedly contrast with the traditional thin painted frames, slender structural glazing bars, and single glass elements within the historic and traditional openings within the same façade of the building and elsewhere. The contrast that now exists between the modern UPVC elements and the historic and architectural form of the other fenestration and building as a whole is stark, detracting from its character and appearance. As such, the significance of the LB is diminished.</p> <p>The appellant referred to the current occupier’s particular health needs. The Inspector made it clear that individual benefits from the works, no matter how laudable and well-intentioned they may have been, are only a modest public benefit in the balancing exercise set out in para 196 of the NPPF.</p> <p>The Inspector accepts in principle that improved thermal efficiency would result in a lower carbon footprint for the building which could be considered to be a public benefit. However, he considered that it had not been demonstrated that other methods of accruing the same public benefits could not have been achieved by alternative methods without resulting in the harm he identified. He therefore only attached very limited weight to this public benefit.</p>					

W/18/0324	46A Edmondscote Road, Leamington	Detached Garage Delegated	Rebecca Compton	Questionnaire: 18/6/18 Statement: 10/7//18 Comments:	Appeal dismissed
<p>The proposal sought to introduce a detached garage to the property but given the geometry of the plot, it would sit at an angle with the highway, with a front elevation that would sit forward of the main elevation of the dwelling itself.</p> <p>The Inspector considered that it was the siting rather than the design of the garage which was the issue. Although the garage would be built some distance from the edge of the highway, it would sit noticeably forward of the broadly consistent building line of the group of dwellings located along this section of Edmondscote Road. As a result the garage would appear ungainly and overly prominent when approaching from the Edmondscote Road/ Prince's Drive junction and also when approaching from the crescent.</p> <p>While the garage would not impact on the verdant character of the local area, it would not respond positively to the well-defined and well-ordered layout of existing development and it would appear as an overly prominent and awkward feature as a result.</p>					
W/17/2394	Budbrooke South SF Connect, A46 Warwick Bypass	7 metre high totem sign Delegated	Holika Bungre	Questionnaire: 9/7/18 Statement: 31/7//18 Comments:	Ongoing
W/18/0215	Lombardy, Old Warwick Road	Dropped kerb to provide vehicular access Delegated	Rebecca Compton	Questionnaire: 13/7/18 Statement: 6/8/18 Comments:	Ongoing

W/17/1470	Land at Leamington Shopping Park	3 x A1 retail units Committee Decision in accordance with Officer Recommendation	Rob Young	Questionnaire: 11/7/18 Statement: 8/8/18 Comments:	Ongoing
W/18/0233	5 Mayne Close, Hampton Magna	First floor front extension Delegated	Holika Bungre	Questionnaire: 18/6/18 Statement: 10/7/18 Comments:	Appeal dismissed
<p>This proposal was similar to a scheme which was previously dismissed at appeal. The difference is that this one does not project forward by 1m. The Inspector considered that this was not a significant difference and did not overcome the concerns outlined by the previous Inspector.</p> <p>The proposal would dramatically alter the front elevation and would appear overly dominant. Further, it would appear out of keeping with the form of the adjacent house with a similar cat slide roof and it would dominate the bungalow to the left, which sits at a lower ground level. As a result it would appear overly prominent in the streetscene.</p>					
W/17/2422	34 Eborall Close, Woodloes Park, Warwick	Erection of Boundary Fencing Delegated	Liz Galloway	Questionnaire: 18/6/18 Statement: 10/7/18 Comments:	Appeal dismissed
<p>The Inspector considered that a noticeable feature of this modern estate was the largely open plan nature of the front gardens which make a positive contribution to the open and spacious character of the estate.</p> <p>Although set back from the adjacent public footpath which runs along the side of the appeal property, the fencing at the front has enclosed the majority of its front garden. This is a stark contrast to the open nature of the front gardens of the two bungalows</p>					

immediately to the north, Nos. 35 and 36 Eborall Close. As a result, even accounting for the picket style, the fencing appears overly prominent and damages the open character of the estate. The introduction of landscaping would not satisfactorily mitigate this harm.

The Inspector noted the argument that the fencing has increased security, particularly in light of the fact that the dwelling sits adjacent to a public footpath, nevertheless, he did not consider that this positive factor outweighed the harm identified.

New W/18/0505	Mountford Farm, Church Lane, Lapworth	Detached Garage Delegated	Liz Galloway	Questionnaire: 14/8/18 Statement: 15/9/18 Comments:	Ongoing
New W/18/0239	5 Radford Road, Leamington	Change of Use to 7 Bed HMO Delegated	Helena Obremski	Questionnaire: 6/7/18 Statement: 3/9/18 Comments: 17/9/18	Ongoing
New W/18/0264	CFS Aeroproducts Ltd, The Alvis Works, Bubbenhall Road, Baginton	3no. non-illuminated signs Committee Decision in accordance with Officer Recommendation	Holika Bungre	Questionnaire: 14/8/18 Statement: 15/9/18 Comments:	Ongoing

New W/17/2404	16 Goldsmith Avenue, Warwick	2 bed detached dwelling Delegated	John Wilbraham	Questionnaire: 6/8/18 Statement: 3/9/18 Comments: 17/9/18	Ongoing

Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position

Tree Appeals
