

**List of Current Planning and Enforcement Appeals  
4 November 2020**

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
W/19/185 8	Former Tamlea Building, Nelson Lane, Warwick.	Redevelopment for residential Purposes. <b>Committee Decision in accordance with Officer Recommendation</b>	Helena Obremski	Questionnaire: 29/5/20 Statement: 26/6/20		Awaiting Decision following Hearing.

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
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W/18/0986	Ivy Cottage, Barracks Lane, Beausale	One and two Storey Extensions <b>Committee Decision in accordance with Officer Recommendation</b>	Rebecca Compton	Questionnaire: 23/10/18 Statement: 14/11/18	Ongoing
W/19/0091	21 Northumberland Road, Leamington	Erection of Railings and Gates <b>Delegated</b>	Emma Booker	Questionnaire: 17/6/19 Statement: 9/7/19 Comments: -	Ongoing
W/19/2006	Unit 1, Moss Street, Leamington	Removal of Condition to allow for the Unrestricted Occupancy of 47 bed HMO. <b>Committee Decision in accordance with Officer Recommendation</b>	Helena Obremski	Questionnaire: 11/6/20 Statement: 9/7/20	Ongoing
W/19/1973	Wooton Grange Farm House, Warwick Road, Kenilworth	Extensions and Alterations <b>Delegated</b>	Jonathan Gentry	Questionnaire: 23/4/20 Statement: 15/5/20	Ongoing
W/19/1442	129 Warwick New Road, Leamington	Application for a Certificate of Lawful Development for a Rear Extension <b>Delegated</b>	Ankit Dhakal	Questionnaire: 6/7/20 Statement: 3/8/20	<b>Appeal Dismissed</b>

The reason for the Council's refusal is because the extension contravenes limitations (f), (j) and (ja) of Schedule 2, Part 1, Class A of the GPDO. This is because, combined with the previous enlargement of the property, the proposed extension would have more than a single storey and would extend more than 3 metres beyond the rear wall of the original dwellinghouse. The proposal would also extend beyond a wall forming a side elevation of the original dwellinghouse.

The Council's case rests on the fact that the proposed extension adjoins a previous single storey rear and two storey side extension granted planning permission in 1991. The "total enlargement" for the purpose of limitation (ja) is the extension now proposed, combined with the single storey rear and two storey side extension previously constructed. The photographs provided by the appellant clearly show that the proposal has been erected although the building work has not been completed.

The appellant argued that the proposed single storey rear kitchen extension would not join the previously enlarged section of the original house. Instead, the proposal would join the rear wall of the original dwellinghouse which incorporated the outhouse that was attached to the side of the dwelling.

Based on the evidence before him, the Inspector considered that the height of the roof would extend beyond the height of the previous outhouse, thereby connecting with the rear elevation on the previous enlargement.

Consequently, based on the submitted plans for the LDC, the appeal proposal would contravene limitation (h) because the "total enlargement" would have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres. It would also contravene limitation (j) because the "total enlargement" would extend beyond a wall forming a side elevation of the original dwellinghouse and would exceed 4 metres in height and have more than a single storey.

W/19/2037	Arden Hill, Lapworth Street, Lapworth	New Dwelling <b>Delegated</b>	Dan Charles	Questionnaire: 26/6/20 Statement: 24/7/20	Ongoing
W/19/0860	6 Phillipps Road, Warwick	Change of use to Garden and Erection of Fencing	Emma Booker	Questionnaire: 22/7/20	Ongoing

		<b>Committee Decision in accordance with Officer Recommendation</b>		Statement: 13/8/20	
W/19/1604	17 Pears Close, Kenilworth	First and Ground Floor Extensions <b>Delegated</b>	George Whitehouse	Questionnaire: 19/6/20 Statement: N/A	Ongoing
W/20/0214	Broadford House, Grovehurst Park, Stoneleigh	Boundary Features <b>Delegated</b>	George Whitehouse	Questionnaire: 19/6/20 Statement: N/A	Ongoing
W/19/1558	Land rear of 14 – 16 Randall Road, Kenilworth	Detached Bungalow <b>Delegated</b>	Helena Obremski	Questionnaire: 26/6/20 Statement: 24/7/20	Ongoing
W/19/1572	Land off Birmingham Road and A46, Warwick	2 Dwellings <b>Delegated</b>	Helena Obremski	Questionnaire: 26/6/20 Statement: 24/7/20	Ongoing
W/19/1949	22 St Mary's Terrace, Leamington	Conversion and Extension of Garage into Dwelling <b>Delegated</b>	Rebecca Compton	Questionnaire: 26/6/20 Statement: 24/7/20	Ongoing

W/19/1963 and W/19/1964/LB	Rectory Cottage, Church Lane, Lapworth	Demolition of Garage Block and erection of Sun Room <b>Delegated</b>	George Whitehouse	Questionnaire: 19/8/20 Statement: 16/9/20	Ongoing
W/20/0097	10 Wasperton Road, Wasperton	Change of Use of Store Room to Dog Grooming Salon <b>Delegated</b>	Rebecca Compton	Questionnaire: 19/8/20 Statement: 16/9/20	Ongoing
W/19/1197	89 Shrubland Street, Leamington	Change of Use to HMO <b>Appeal against Non- Determination</b>	Rebecca Compton	Questionnaire: 1/9/20 Statement: 29/9/20	Ongoing  See also enforcement appeal below
W/20/0247	3-5 Mill Street, Leamington	Subdivision into 2 dwellings; Extensions and other Alterations <b>Appeal against Non- Determination</b>	Emma Booker	Questionnaire: 11/9/20 Statement: 9/10/20	Ongoing
W/20/0980	9 Camberwell Terrace, Leamington	Front Lightwells <b>Delegated</b>	Emma Booker	Questionnaire: 25/9/20 Statement: 19/10/20	Ongoing

W/20/0262	Old Barn, Sands Farm, Old Warwick Road, Lapworth	Change of use to Dwelling <b>Delegated</b>	Helena Obremski	Questionnaire: 28/9/20 Statement: 26/10/20	Ongoing
W/20/0271	The Hay Barn, Packwood Lane	Replacement Garage <b>Delegated</b>	Jonathan Gentry	Questionnaire: 8/9/20 Statement: 30/9/20	Ongoing
W/20/0429	12 Victoria Street Warwick	Extensions and Alterations <b>Delegated</b>	Jonathan Gentry	Questionnaire: 11/9/20 Statement: 5/10/20	Ongoing
W/20/0467	Morrisons, Old Warwick Road, Leamington	Various Signage <b>Delegated</b>	Lucy Hammond	Questionnaire: 28/9/20 Statement: 26/10/20	Ongoing
W/20/0201	37 Shakespeare Avenue, Warwick	First floor Side Extension <b>Delegated</b>	Thomas Fojut	Questionnaire: 8/9/20 Statement: 30/9/20	Ongoing
W/19/1197	89 Shrubland Street, Leamington	Change of Use to 7 Bed HMO <b>Appeal against Non-Determination</b>	Rebecca Compton	Questionnaire: 1/9/20 Statement:	Ongoing

				29/9/20	
<b>New</b> W/20/0801	5 Cubbington Road, Lillington	Front Boundary Wall	George Whitehouse	Questionnaire: 23/10/20 Statement: 16/11/20	Ongoing
<b>New</b> W/20/0170	Eversleigh Nursing Home, 2-4 Clarendon Place, Leamington	Car parking and Landscaping	Helena Obremski	Questionnaire: 13/10/20 Statement: 10/11/20	Ongoing
<b>New</b> W/20/0466	Morrisons, Old Warwick Road, Leamington	Structures to form MOT Pod, Wheel Repair Pod and Car Repair Centre	Lucy Hammond	Questionnaire: 15/10/20 Statement: 29/11/20	Ongoing
<b>New</b> W/20/0834	21 Wordsworth Drive, Kenilworth	Part rendering to Front and Rear	Thomas Fojut	Questionnaire: 16/10/20 Statement: 9/11/20	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	RR	Statement: 22/11/19	Public inquiry 1 Day	The inquiry has been held in abeyance
ACT 097/17	2 Satchwell Place, Leamington Spa	Construction of Fence	RR	Statement: 23/6/20	Written Representations	Ongoing
<b>Grounds of Appeal</b>  The steps to comply with the notice are excessive The Notice compliance period is too short.						



ACT/565/18	41 Clemens Street, Leamington	Erection of structures/fencing to the front of the premises	RR	Statement Due: 5/11/20	Written Representations	Ongoing
<b>Grounds of Appeal</b>  That the alleged works haven't taken place. That the alleged works (if they occurred) do not constitute a breach of planning control. That the steps to comply with the notice are excessive.						
ACT/386/19	89 Shrubland Street, Leamington	Change of use to a 7 bed HMO.	RC	Statement Due: 11/09/20	Written Representations	Ongoing
<b>Grounds of Appeal</b>  Planning permission ought to be granted.						
ACT/665/18	64 Bath Street Leamington Spa	Removal of historic door, frame and fanlight. Installation of UPVC doorset with double glazed fanlight (to Listed Building)	RR	Statement Due 21/09/20	Written Representations	<b>Appeal Dismissed and Enforcement Notice Upheld.</b>

**Grounds of Appeal**

That the building is not of special architectural or historic interest  
That Listed Building consent ought to be granted.

ACT/354/20	Old Folly Barn, Kites Nest Lane, Beausale, Warwick	Erection of detached car port.	GW	Statement Due:  5/8/20	Written Representations	Ongoing
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**Tree Appeals**

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