

**List of Current Planning and Enforcement Appeals
27 March 2018**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
New W/17/0699	Land South of Gallows Hill, Warwick	Up to 260 Dwellings	Dan Charles	TBC	TBC – likely October 2018	In Preparation

Informal Hearings

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

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/16/0429	68 Thornby Avenue, Kenilworth	Single Storey Rear Extension Delegated	Liz Galloway	Questionnaire: 2/8/16 Statement: 24/8/16 Comments:	Ongoing
W/17/0514	Land at the Valley, Radford Semele	Residential Development of up to 20 Dwellings Delegated	Rob Young	Questionnaire: 20/10/17 Statement: 17/11/17 Comments: 1/12/17	Ongoing

W/17/0686	Lodge Farm House, Westwood Heath Road	Change of Use to 9 Bedroom HMO Committee Decision contrary to Officer Recommendation	Dan Charles	Questionnaire: 20/10/17 Statement: 17/11/17 Comments: 1/12/17	Ongoing
W/17/1146	Kenlea, Bericote Road, Blackdown	Retention of outbuilding; erection of means of enclosure Delegated	Helena Obremski	Questionnaire: 18/1/18 Statement: 18/2/18 Comments:	Appeal Part Dismissed and Part Allowed

Appeal allowed for retention of outbuilding. The Inspector agreed with the LPA that it comprised inappropriate development in the Green Belt, which is harmful by definition. However, the Inspector considered that the outbuilding has had little or no effect on local visual amenities or on the character of the Green Belt; The outbuilding could be slightly modified to fall within permitted development limitations and the harm caused by reason of inappropriateness and slight loss of openness is clearly outweighed by other benefits. He therefore considered that the very special circumstances necessary to justify the development existed.

Legal Officers at the County have reviewed the decision and agree with Planning Officers that the decision may be flawed. The Inspector appears to suggest, without specifically stating it, that the accumulation of the effect that the outbuilding has on the visual amenity of the area and the Green Belt and the fall-back position relating to PD rights is sufficient to constitute very special circumstances. Whilst it is possible that the accumulation of a number of common place factors could constitute very special circumstances it is unusual that an Inspector has specifically stated this. What is also considered to be unhelpful is the statement that "the harm caused by reason of inappropriateness and slight loss of openness is clearly outweighed by the other benefits in favour of retention" when the Inspector does not state what these "benefits" are.

The LPA are currently considering whether to challenge this element of the decision.

Appeal dismissed for alterations to access including proposed erection of walls, pillars and a set of gates. The Inspector considered that the proposal would harmfully affect the openness of the Green Belt. He also considered that the type of formal access arrangement proposed was more suited to an urban or suburban context than to a rural location such as this and would therefore harm the visual amenities and character of this part of the Green Belt.

W/17/1084	The Barbican, Willes Road, Leamington	Change of Use to HMO Delegated	John Wilbraham	Questionnaire: 23/1/18 Statement: 20/2/18 Comments: 6/3/18	Ongoing
W/17/0508	Tapster Manor, Tapster Lane, Lapworth	Conversion of Stables to 2 Dwellings Delegated	Dan Charles	Questionnaire: 24/1/18 Statement: 21/2/18 Comments: 7/3/18	Ongoing
W/17/0537	8 Priory Road, Warwick	2 Storey Extension Delegated	Helena Obremski	Questionnaire: 23/1/18 Statement: 20/2/18 Comments: 6/3/18	Ongoing

W/17/1278	The Orchard, Coventry Road, Stoneleigh	Erection of Dwelling Committee Decision in accordance with Officer Recommendation	Helena Obremski	Questionnaire: 11/1/18 Statement: 8/2/18 Comments: 22/2/18	Appeal Dismissed
<p>Notwithstanding the limited height of the proposed buildings, the Inspector considered that the scheme would introduce significant built development onto a site which currently has very little, which would harm openness. Although existing and proposed landscaping may limit any glimpses of the buildings from public and private vantage points, they would be visible from the access. The appellants stated that as the village is washed over by Green Belt, the area does not contribute to any of the 5 purposes of the Green Belt. The Inspector disagreed.</p> <p>The Inspector noted that the appellants have undertaken some trimming of the frontage hedgerow. Whilst he did not have precise measurements of the current visibility splays, he was satisfied from the evidence before him that a splay broadly in line with the Highway Authority's recommendation could be achieved without a significant loss of the hedgerow. In order to protect the character's area, any hedgerow loss could be mitigated by replacement planting.</p> <p>The appellants made the case that the dwelling has been designed for them, would be accessible by wheelchair and would enable them to live in the village and take a greater part in community life and to support its remaining clubs and facilities. However, the Inspector considered that whilst dismissal would have a negative impact on the appellants, he was not persuaded that there were no other suitable plots or accommodation available which could meet their needs.</p>					
W/17/1423	Land Adjoining Clinton House, Old Warwick Road, Rowington	Erection of Dwelling Delegated	Lucy Hammond	Questionnaire: 24/1/18 Statement: 21/2/18 Comments: 7/3/18	Ongoing

W/17/1883	Life Headquarters, Mill Street, Leamington	Prior Approval from Office Use to Residential Dwellings Delegated	Dan Charles	Questionnaire: 16/2/18 Statement: 16/3/18 Comments: 30/3/18	In preparation
W/17/1158	Ground Floor, 20 William Street, Leamington	Change of Use from Office to 1 bedroom flat Delegated	Helena Obremski	Questionnaire: 16/2/18 Statement: 16/3/18 Comments: 30/3/18	In preparation
W/17/1539	12 Staunton Road, Leamington	Change of Use from Dwelling to HMO Delegated	Helena Obremski	Questionnaire: 16/2/18 Statement: 16/3/18 Comments: 30/3/18	In preparation
W/17/1380	18 Clarkson Drive, Whitnash	Single Storey Extensions (Retrospective) Delegated	Rebecca Compton	Questionnaire: 23/2/18 Statement: 19/3/18 Comments:	In preparation

W/17/1938	35 Helmsdale Road, Lillington	First Floor Extension and Porch Delegated	Rebecca Compton	Questionnaire: 23/2/18 Statement: 19/3/18 Comments:	In preparation
W/17/1830	Priors Club, Tower Street, Leamington	Student Accommodation in 3 Storey Building Committee Decision contrary to Officer Recommendation	Rob Young	Questionnaire: 9/2/18 Statement: 9/3/18 Comments: 23/3/18	In preparation
W/17/1439 /LB	Roebuck Inn, 57 Smith Street, Warwick	Painting of Exterior Front to Listed Building (Retrospective) Delegated	John Wilbraham	Questionnaire: 8/3/18 Statement: 22/3/18 Comments:	In preparation
New W/17/2178	21 Village Street, Offchurch	Single Storey Rear Extension Delegated	John Wilbraham	Questionnaire: 28/3/18 Statement: 19/4/18 Comments:	In preparation
New W/17/1545	13 St Marys Road, Leamington	Erection of Dwelling Delegated	Helena Obremski	Questionnaire: 2/3/18 Statement: 30/3/18 Comments: 13/4/18	In preparation

New W/17/1628	Budbroke Services South, Warwick Bypass	Various Advertisements Delegated	Holika Bungre	Questionnaire: 21/3/18 Statement: 12/4/18 Comments:	In preparation
New W/17/1519	28 The Hamlet, Leek Wootton	Extensions Delegated	Rebecca Compton	Questionnaire: 16/3/18 Statement: 9/4/18 Comments:	In preparation

Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
ACT 248/15	30 Regent Street, Leamington	Various Unlawful works to Listed Building	Rajinder Lalli	Appeal Start Statement 21/12/17 Final comments		Ongoing
ACT 138/17	33 Regent Street, Leamington	2 x Notices relating to Unlawful works to Listed Building	Rajinder Lalli	Appeal Start Statement 20/12/17 Final comments		Ongoing

Tree Appeals - None