



**PLANNING COMMITTEE**  
20 March 2012

**Agenda Item No.**

<b>Title</b>	Appeal Update Report
<b>For further information about this report please contact</b>	David Edmonds – 01926 456521 david.edmonds@warwickdc.gov.uk
<b>Service Area</b>	Development Services
<b>Wards of the District directly affected</b>	Whole District
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>	No
<b>Date and meeting when issue was last considered and relevant minute number</b>	Planning Committee: 26 April 2011 Minute No. 181.
<b>Background Papers</b>	None

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No

**Officer/Councillor Approval**

With regard to officer approval all reports *must* be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).

<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director		
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance		
Portfolio Holder(s)		

**Consultation Undertaken**

Please insert details of any consultation undertaken with regard to this report.

No consultations

<b>Final Decision?</b>	No
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**Suggested next steps (if not final decision please set out below)**

1. **SUMMARY**

1.1 This report contains information on Appeal Decisions since April 2011.

2. **RECOMMENDATION**

2.1 That the contents of the report be noted.

3. **REASONS FOR THE RECOMMENDATION**

3.1 The attached table provides the details of the appeal decisions received over the above period.

4. **ALTERNATIVE OPTION CONSIDERED**

4.1 Not applicable as the report is for information only.

5. **BUDGETARY FRAMEWORK**

5.1 No budgetary implications.

6. **POLICY FRAMEWORK**

6.1 No policy implications.

7. **BACKGROUND**

7.1 No additional information

**PLANNING APPEALS ALLOWED April 2011 – March 2012 (up to 08/03/11)**

	<b>WDC REF.</b>	<b>Address and Description</b>	<b>WDC decision</b>	<b>Statement as well as report?</b>	<b>Appeal Method</b>	<b>Appeal Decision Date</b>
<b>1.</b>	W/10/1128	Erection of 1 <sup>st</sup> floor side extension. 2, Mercia Way Kenilworth	Delegated Refusal	No	Written Rep (WR)	01/04/11
<b>2.</b>	W/10/1322	Change of use from retail (Use Class A1) to Financial/ Professional Services (Class A2) 136 Parade, Leamington Spa	Delegated Refusal	No	WR	14/04/11
<b>3.</b>	W/10/0833	Erection of single storey side extension, conservatory, parking bay & internal alterations – Listed Building Consent (LBC) 53, Lansdowne Crescent, Leamington Spa	Delegated Refusal	No	WR	19/04/11
<b>4</b>	W/10/0802	Retention of buildings for storage & vehicle hardstanding without complying with hours of use condition Grange Farm, Pinley Green, Claverdon	Delegated refusal	No	WR	28/04/11
<b>5</b>	W/10/1436	Conversion of roof space & pitched roof on bay window & existing garage. 210, Warwick Road, Kenilworth	Delegated refusal	No	WR	20/06/11
<b>6</b>	W/10/1430	Refusal - replacement of existing dwelling without complying with conditions regarding removal of permitted development rights for enlargement of dwelling 150 Chessetts Wood Road, Lapworth	Delegated refusal	No	WR	24/06/11
<b>7</b>	W/10/1252	Alterations and extensions of existing garage to form one dwelling. 68 Windy Arbour, Kenilworth	Delegated Refusal	No	WR	01/07/11
<b>8</b>	W/10/1510	Demolition of existing dwelling & erection of replacement dwelling	Delegated Refusal	No	WR	15/08/11
<b>9</b>	W/10/0967	Construction of 2 storey building – hairdressers & takeaway with two flats above Land at rear of 2,3 & 9 Reardon Court, Woodloes Avenue South, Warwick	Committee Refusal (contrary decision)	Yes	WR	27/09/11
<b>10</b>	W/11/0485	Reconstruction of roof – steeper roof pitch to provide 1 <sup>st</sup> floor accommodation. Erection of extension, solar panels etc. 9, Church Lane, Barford	Committee Refusal (contrary decision)	No	WR	08/11/11
<b>11</b>	W/10/01564	Erection of 3 storey building for use as a care home for residents with dementia and brain acquired injuries, parking, access etc Plot 8002, Tournament Fields, Edge Hill Drive, Warwick	Committee Refusal (Contrary decision)	Yes Hearing statement & specialist witness reports	Hearing	22/12/11

<b>12</b>	W/11/0829	Change of use of ground floor & basement from shop (class A1) to Financial and professional services (class A2). 164 The Parade. Leamington Spa	Delegated Refusal	No	WR	23/12/11
<b>13</b>	W/10/1052	Conversion of offices in former piggery to live/work units Hatton Grange, Brownley Green Lane, Hatton	Delegated Refusal	No	WR	07/02/12
<b>14</b>	W/11/0030	Demolition of existing house and construction of replacement dwelling Fairfield, Old Warwick Road, Lapworth.	Delegated Refusal	No	WR	15/02/12
<b>15</b>	W/11/0605	Change of use from offices to a house in multiple occupancy (HMO) 59, Holly Walk, Leamington Spa	Delegated Refusal	No	WR	09/02/12

**APPEALS DISMISSED: APRIL 2011 – MARCH 2012 (up to 08/03/12)**

	<b>WDC REF.</b>	<b>Address and Description</b>	<b>WDC decision</b>	<b>Statement as well as report?</b>	<b>Appeal Method</b>	<b>Appeal Decision Date</b>
<b>1.</b>	W/10/1029	Change of use of agricultural land to residential – to form parking area. Land adjacent Roseland cottage, Rowington	Delegated Refusal	Yes	Written Rep (WR)	17/04/11
<b>2.</b>	W/10/1161	Change of use from retail (A1) to restaurant (A3/A5) use 23-25 St John's Parade, Warwick	Delegated Refusal	No	WR	07/06/11
<b>3.</b>	W/10/0557	Erection of replacement petrol filling station including shop, car wash etc. Stratode, 54 Stratford Road, Warwick	Delegated Refusal	Yes	WR	09/06/11
<b>4</b>	W/10/1372	Change of use from light industrial (B1) to gymnasium (D1) use. Unit 3, Princes Drive, Kenilworth	Delegated Refusal	No	WR	10/06/11
<b>5</b>	W/10/1461	Two banner advertisements Episode Hotel, 64 Holly Walk, Leamington Spa	Delegated Refusal	No	WR	21/06/11
<b>6</b>	W/10/0831	Lawful Development Certificate application residential use as garden. Pinley Acres, Pinley Green, Claverdon	Delegated Refusal	Yes	WR	23/06/11
<b>7</b>	W/10/1469LB	Internal Alterations, 9A Abbey House, Abbey Hill, Kenilworth	Delegated Refusal	No	WR	04/07/11
<b>8</b>	W/10/1400LB & 1399	Replacement staircase, dormer window, new pitched roofs to existing dormers & 2 roof lights – Refusal LBC and PP 57 Fieldgate Lane, Kenilworth	Delegated Refusals	Yes	WR	08/08/11
<b>9</b>	W/10/1317	Creation of new access and driveway. 4 Willes Road, Leamington Spa	Delegated Refusal	Yes	WR	08/08/11
<b>10</b>	W/11/0255	Erection of garden room Lodge Farm Barn, Lapworth Street, Lowsonford	Committee Refusal	No	WR	08/08/11
<b>11</b>	W/10/1392	Erection of replacement outbuildings as ancillary accommodation to existing house Great Pinley Barn, Pinley	Committee Refusal (Contrary decision)	Yes	WR	23/08/11. Reinstated after withdrawn
<b>12</b>	W/10/0599	Change of use of land for British Romani gypsy families for 13 permanent pitches, 13 touring caravans & 13 utility day rooms Land adjacent to Kites Nest Lane, Beausale	Committee Refusal	Yes Statement & Proof	Public Inquiry (7days)	29/06/11 (Inspector report) Secretary of State 01/09/11

13	W/09/1153	Conversion of existing stable building to form dwelling (holiday cottage) & access drive. Bridge Cottage, Barford	Delegated Refusal	No	WR	10/09/11
14	W/10/1210	Change of use from agriculture to equestrian use; erection of stables & gated access Plot 2, Five Ways Road, Shrewley	Delegated Refusal	No	WR	27/09/11
15	W/11/0440	Erection of dormer 'to match existing 58, Parkland Ave, Leamington Spa	Delegated Refusal	No	WR	17/10/11
16	W/11/0650	Erection of a building for stabling of 3 horses & equipment storage Land adjacent to 170, Kenilworth Road, Coventry	Not Determined	Yes (completed committee report)	WR	10/01/12
17	W/11/0287/LB; 0425/CA & 0424	Demolition of existing residential garage and erection of a new dwelling. The Wantage 'Plot 10', no. 1 Castle Hill, Kenilworth	Not determined	Yes	WR	24/01/12 Two dismissed; CA not need
18	W/11/0653	Application for Certificate of Lawful Proposed Use or Development. Erection of two Storey extension. Falfield. Old Warwick Road. Lapworth	Delegated Refusal	No	WR	
19	W/10/1521	Erection of replacement petrol filling station (PFS), shop, canopy etc. without complying with condition attached to planning permission W06/1194 relating to prevention of use between 2300 and 0700 Shell PFS, Warwick Road, Kenilworth	Committee Refusal	Yes Hearing statement & specialist report	Hearing	16/02/12
20	W/11/0798	Loft conversion with 2 dormers and 2 roof lights 32 Granville Street, Leamington Spa	Delegated Refusal	No	WR	16/02/12

**APPEALS SPLIT DECISIONS: APRIL 2011 – MARCH 2012 (up to 08/03/12)**

	<b>WDC REF.</b>	<b>Address and Description</b>	<b>WDC decision</b>	<b>Statement as well as report?</b>	<b>Appeal Method</b>	<b>Appeal Decision Date</b>
<b>1.</b>	W/10/0566 W10/0408LB	Construction of decking and handrail on existing flat roof (PP) & internal alterations: ensuite (LB) 22 Mill Street, Warwick	Delegated refusal	No	Written Repres'n (WR)	27/04/11 PP grant LB refuse
<b>2.</b>	W/11/0153LB & W/11/0152	Display of illuminated fascia and gable signs (retrospect) – advert and LB The Clarendon Arms, 44 Castle Hill, Kenilworth	Delegated Refusal	No	WR	20/10/11 Gable sign dismissed Fascia sign allowed
<b>3.</b>	W/11/0663	Display of non illuminated sign text, illuminated projection sign and menu boxes to front and illuminated sign text and non illuminated log to side elevation Zizzi, 29, The Square, Kenilworth	Delegated Split decision	No	WR	09/01/12 Fascia signs allowed. Side elevation signs dismissed
<b>6</b>	W/11/0674	Demolition of conservatory; erection of 2 storey side extension, rear conservatory & walls under 1 <sup>st</sup> floor projection The Finches, Southam Road, Radford Semele	Delegated refusal	No (fast track appeal)	WR	31/01/12 Demolition & erection side exten. Dismissed. The others Allowed





**ENFORCEMENT APPEAL DECISIONS: APRIL 2011 – MARCH 2012**

	<b>WDC REF.</b>	<b>Address and Description</b>	<b>WDC Enforcement Notice date</b>	<b>Statement + report?</b>	<b>Appeal Method</b>	<b>Appeal Decision Date</b>
<b>1.</b>	ACT/354/39/09	Erection of conservatory Without PP Land adjacent to BPS Ltd, Tachbrook Park Drive, Warwick	04/01/11	Yes	Written Rep: WR	23/06/11 Dismissed - Notice upheld
<b>2.</b>	ACT/103/11/09	Erection of one replacement dwelling with granny annex and link block. Shunt House, Leamington Road, Bubbenhall	18/01/11	Yes	WR	11/07/11 Dismissed -Notice upheld
<b>3.</b>	ACT 157/19/10	Material change of use from land uses for grazing/keeping horses to use as a residential caravan site. Kites Nest Lane, Beausale	07/07/10	Yes Statement and proof	Public Inquiry (7 days)	29/06/11 (Inspector report) Secretary of State 01/09/11 Dismissed
<b>4</b>	ACT/232/26/10	Installation of satellite dish, mounting pole and fixings 61 Smith Street, Warwick	01/04/11	No	WR	16/09/11 Appeal allowed



**APPEALS WITHDRAWN APRIL 2011 – MARCH 2012 (up to 08/03/12)**

	<b>WDC REF.</b>	<b>Address and Description</b>	<b>WDC decision</b>	<b>Statement as well as report?</b>	<b>Appeal Method</b>	<b>Appeal With'n Date</b>
<b>1</b>	W/10/1392	Erection of building for ancillary residential accommodation. Great Pinley Farm, Pinley, Claverdon	Committee Refusal (contrary decision)	Yes	WR	03/06/11 later reinstated
<b>2</b>	W/10/1595	Construction of 4 new garages and for new dwellings after demolition of conservatory and garages. Land at rear of 7 & 9 Beauchamp Avenue, Leamington Spa	Delegated refusal	No	WR	27/7/11

