

**List of Current Planning, Enforcement and Tree Appeals
September 2023**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Inquiry	Current Position
W/22/1877	Land at Warwickshire Police Headquarters	Outline planning application for 83 dwellings. Non-Determination Appeal	Dan Charles	Statement due: 2 June	TBC	Ongoing

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/21/1518	8 Offa Road, Leamington	One and Two Storey Extensions Delegated	Millie Flynn	Questionnaire: 7/3/22 Statement: 28/3/22	Ongoing
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	Ongoing
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
W/21/0834	The Haven, Rising Lane, Baddesley Clinton	2 dwellings Delegated	Dan Charles	Questionnaire: 26/7/22 Statement: 23/8/22	Ongoing
W/20/1251	Land on the South Side of Birmingham Road, Budbroke	Erection of 75 Bed Care Home Delegated	Dan Charles	Questionnaire: 21/11/22 Statement: 29/11/22	Ongoing
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W/21/1852	West Hill, West Hill Road, Cubbington	Detached Garage; Maintenance Store with Walled Courtyard Delegated	George Whitehouse	Questionnaire: 1/3/23 Statement: 22/2/23	
W/22/1593	50 Russell Terrace, Leamington	Single storey extension and enclosure of front porch Delegated	Josh Cooper	Questionnaire: 20/3/23 Statement: 10/4/23	Ongoing
W/22/1308 and W/22/1309/LB	8 Clarendon Crescent, Leamington	Various Improvements to Building Fabric Delegated	Lucy Shorthouse	Questionnaire: 30/3/23 Statement: 27/4/23	Appeals Dismissed

The Inspector noted the Net Zero DPD requires further consultation but considered it has progressed sufficiently for its policies and supporting text to be afforded moderate weight in his determination of the appeals.

He considered the plan layout, including the size and configuration of rooms, and flooring materials all contribute to the understanding of the building, as they help to evidence the changing social requirements of its occupation as a dwelling and inform its individual character. For example, while the basement floorplan has changed it remains legible and the varied use of stone flags, black and red quarry tiles, and brick pavements all contribute to understanding use of its rooms.

While structural repair works are required to parts of the building, most notably the first floor, he felt it was in reasonably good condition and, at the Hearing, the Council confirmed these did not need remedying by an urgent works notice.

He stated that the special interest of the listed building is to be found in its architectural and historic interest as an early 19th Century villa. In particular, its plan form and remaining historic fabric are important to its understanding and, thereby, significance.

The passageway and outer window would be removed, and a garden room formed beneath the proposed summer room and steps to the terrace. Some harm would therefore result from loss of understanding of the original intent of the passageway.

The basement floor would be lowered to accommodate insulation and greater headroom, as part of the proposed energy efficiency measures, refurbishment and return to domestic use. At the Hearing, the appellant stated the flooring could be lifted, repaired, and covered up. While this is common in historic building conversion works, it is not the appellant's preferred approach as he seeks to lower the floor. He considered the loss of such fabric would be harmful to understanding the historic function of the basement rooms.

A large opening would be formed through the original south wall into the west room. This would remove what remains of the ground floor chimney breast that, despite the kink, still contributes to the room's character and layout being opposite that at the northern end. This loss of historic fabric and the resultant predominantly open-plan arrangement through into the hallway would erode an important subdivision and element of character within this part of the listed building, that would be harmful to its legibility and understanding.

Removal of the two-storey northwest and southeast ranges would result in the special interest of the listed building being directly and irrevocably affected through harmful impacts to its plan form and loss of considerable areas of historic fabric. Moreover, while they did not form part of the original plans for the villa, they contribute to its historic narrative.

The windows in the west lounge would be replaced with French windows onto the veranda, that would be detailed in the same style using hardwood timber. At the Hearing, the appellant suggested there are other properties in the Crescent with these, but the Inspector was not aware of the circumstances that led to these being installed. In any event, he felt the windows were so tall that they were almost certainly intended to be opened upwards to fulfil this function. This loss of historic fabric, noted in the listing, would therefore be harmful to the special interest of the listed building.

There were also other consequences for internal fabric of the building, as the floor coverings at ground floor would be lost, including flagstones and timber floorboards. Although some of the latter have been lifted in sections, they generally appear to be in good condition and, together, these show evidence of the original floor plan arrangement. The floor would be replaced with pre-cast concrete floor plates, as part of the thermal upgrading of the building to accommodate under-floor heating served by the air-source heat-pump (AHP) central heating system.

Insulated drylining would also be added to the internal side of all exterior walls. The historic fabric of the building would be able to breathe and hardwood skirting boards and plaster cornice mouldings could be lifted and re-used or retained in situ beneath new mouldings. He appreciated that there are many instances where joinery details have been lost through earlier modifications to

the property. However, potential loss of further historic fabric would add to the cumulative harm to the heritage value of the building.

The prominent projection of the timber mouldings around the shutter boxes within the ground floor east and west rooms and the shallower projection of the mouldings to other sash windows would also be significantly affected by the insulation. This would weaken variation in the plane of the internal walls in the affected rooms, to the detriment of the villa's character. Shallower first floor window mouldings would also be affected by the change in plane of the wall.

The replacement of the north and south ranges would omit ensuite bathrooms serving the west bedrooms, the reprovision of which would further disrupt the historic plan form and hierarchy of west-facing rooms, that was significantly diluted with loss of subdivision at ground floor. Moreover, focus of the west bedrooms would change to a master bedroom in the south room and bath and dressing rooms in the north room. The latter would be separated by a curved stud wall and accessed from the south room by new openings between and the fireplace would be retained, but in an awkward position in the corner of the dressing room. These changes could be reversed, but they are likely to at least be generational, as the villa would again be occupied as a family home.

The southern roof slope of the villa would be re-clad with solar photovoltaic slates. While the roof covering may previously have changed, slates are a strong characteristic of the listed building. The evidence before me indicates that the proposed slates would have a different appearance, potentially including a sheen that would be evident from within the surroundings of the listed building. This would therefore amount to a further harmful divergence from traditional fabric associated with a building of its age.

The Inspector considered that the proposals to alter the historic floor plan of the building to accommodate contemporary living, including the free flow of space, would not align with the best interests of the listed building, including safeguarding its character and appearance. Similarly, the heritage value of the building's fabric would be compromised, particularly through the loss of the large veranda windows and reduced prominence of mouldings and timber detailing around windows due to insulation. Moreover, at the Hearing, the appellant confirmed fabric that could not be saved or requires removal could be preserved by record, but so much of the building's fabric would be lost through the proposal it would significantly weaken its heritage value. Accordingly, he felt this approach would not be palatable.

Although the appellant's Energy Assessment is theoretical, he felt it was a reasonable and proportionate response, that has used engineering speciality alongside other professionals to take a 'whole building approach' to improve the energy performance of the villa to bring it as close to net zero as possible.

There are undoubtedly certain measures within the proposal, that combined, would be innovative, thought-provoking, and may be of interest to the development community. However, he concluded that it would not sit well as an exemplar for the sustainable

refurbishment of the listed building, or the deployment of energy saving technologies given the extent of harm that would be caused through loss of historic fabric and other associated alterations to the building that would harm its heritage significance. Moreover, this would not adhere to the sensitive England approach advocated by Historic regarding energy retrofitting of historic buildings. Accordingly, I afford this concept limited weight.

Despite there being various benefits associated with the different aspects of what is proposed, the villa is likely to be habitable in the future, so its optimum viable use as a dwelling would not be in doubt.

Structural strengthening work to the first and attic floors, alongside other repairs and refurbishment listed in the appellant's Design and Access Statement, would address decline, and ensure the longevity of the building for some time. However, these are likely to be required in the absence of the proposal to ensure its continued occupation, so he afforded this only limited weight as heritage benefits.

Elements of the proposal, namely the summer room, alteration to the appearance of the veranda, and restoration of the primacy of the original south main entrance would better reveal the architectural and historic interest of the villa and would not be harmful to its appearance. However, these would be accomplished alongside the considerable harm from loss of some of the remaining elements of historic fabric, including windows, joinery detailing, and later additions that all contribute to its historic narrative, so he afforded these heritage benefits limited weight.

He concluded that while there would be considerable public benefits from the climate measures associated with the proposal, and other limited benefits, the harm that would be caused to the special interest of the listed building by allowing the proposal would be of greater significance. In accordance with Framework paragraphs 199 and 202 and LP Policy HE1, considered together, he was not persuaded there would be wider public benefits of sufficient magnitude to outweigh the great weight to the asset's conservation and considerable importance and weight to the less than substantial harm identified to its significance.

He noted that DPD Policy NZC4 states 'the sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings...will be encouraged, providing the special characteristics of the heritage assets are conserved in a manner appropriate for their significance [his emphasis]'. Further, Policy CC2 requires proposals for new low carbon and renewable energy technologies to be designed to ensure that heritage assets are conserved in a manner appropriate for their significance.

W/22/1574	Leasowe House, Southam Road, Radford Semele	Lawful Development Certificate for Garden Land Delegated	Michael Rowson	Questionnaire: 20/3/23 Statement: 17/4/23	Ongoing
W/22/0548	Land to the West of A46	Installation of Solar Farm Delegated	Mohammed Akram	Questionnaire: 14/6/23 Statement: 12/7/23	Ongoing
W/22/1332 and 1333/LB	17 Bridge Street, Barford	Single Storey Rear Extension and Other Alterations Delegated	James Moulding	Questionnaire: 8/6/23 Statement: 6/7/23	Ongoing
W/22/1697	Rosedale, Main Street, Eathorpe	One and Two Storey Extensions Delegated	James Moulding	Questionnaire: 5/6/23 Statement: 23/6/23	Ongoing
W/22/1954	Ribbons, Rowington Green, Rowington	1.5 Storey Granny Annexe Delegated	Lucy Shorthouse	Questionnaire: 8/6/23 Statement: 6/7/23	Ongoing
W/22/0357		Lawful Development Certificate for Various Works	Lucy Shorthouse	Questionnaire: 23/6/23	Ongoing

	Liberty House, Stoneleigh Road, Blackdown	Delegated		Statement: 21/7/23	
W/23/0245	6 Holmes Road, Whitnash	2 Storey Front Extension Delegated	Theo Collum	Questionnaire: 8/6/23 Statement: 29/6/23	Appeal Dismissed
<p>The Inspector noted that like other properties in the same road, the appeal property has a flat roof single garage projecting from the central part of the front elevation which matches the neighbouring house which creates a strong sense of uniformity. Some of the properties have been extended to the front at ground floor level, but at first floor dwellings have a largely uniform appearance which provides a simple, uncluttered appearance to the streetscene. This combined with the sense of spaciousness contributes positively to local character.</p> <p>The proposed extension to the front would replace the existing single storey garage. He considered that because of the gable fronted roof design, the extent of the forward projection and its width, the proposed front extension would appear as a prominent and incongruous feature against the simple form of the existing buildings and would harmfully unbalance the existing pair of semi-detached houses.</p> <p>Notwithstanding that appeal property and its neighbour are set back from other properties along the same road, he felt the proposal would be highly prominent being set forward and seen against the existing single storey garage at the neighbouring property and would appear as an incongruous feature in the It would neither harmonise with the appeal property, nor would it integrate into the streetscene. Consequently, the proposed development would look harmfully out of place.</p>					
W/22/1845	5 Kirby Avenue, Woodloes Park	2 Storey Side Extension Delegated	Thomas Senior	Questionnaire: 7/6/23 Statement: 28/6/23	Appeal Dismissed

<p>The Inspector noted that the appeal site was set on a corner plot and comprises a two-storey semi-detached dwelling with an attached single-storey garage to the side. This pair and the adjoining pair are attached at the garages. The resulting group are built largely to the same simple design, although No 11 has a single-storey side extension in place of the garage. Nevertheless, the consistent design of the dwellings contributes positively to the character and appearance of the area.</p> <p>The Warwick District Council Residential Design Guide states, amongst other things, that side extensions should be set back from the front elevation, down from the ridge and be no more than two-thirds the width of the original property. The Inspector noted that the first floor would be set back from the front and have a ridge line lower than the main roof. However, the width would appear to be close to that of the existing house. As a result, he agreed with the LPA that the extension would not appear subservient, significantly exceeding the two-thirds limit set out in the RDG. The proposed extension would maintain a gap to the side boundary however, it would be out of proportion with, and thus fail to respect the consistency of the wider group.</p>					
W/22/0941	Land South of Banner Hill Farm, Kenilworth	Proposed Energy Storage Facility Delegated	George Whitehouse	Questionnaire: 17/7/23 Statement: 14/8/23	Ongoing
W/22/2034	Fernwood Lodge, Fernwood Farm, Rouncil Lane, Beausale	Front Dormer Delegated	James Moulding	Questionnaire: 29/6/23 Statement: 20/7/23	Ongoing
W/22/0367	Clinton House, Old Warwick Road, Rowington	Single Storey Dwelling Committee Decision in Accordance with Officer Recommendation	Millie Flynn	Questionnaire: 30/6/23 Statement: 28/7/23	Ongoing

W/22/0471	Leasowe House, Southam Road, Radford Semele	Erection of 2 Replacement Dwellings Non-Determination Appeal	George Whitehouse	Questionnaire: 4/8/23 Statement: 8/9/23	Ongoing
W/22/1672 and 1673	Hay Wood Grange, Birmingham Road, Wroxall	Removal of Condition restricting Permitted Development Rights Delegated	George Whitehouse	Questionnaire: 25/7/23 Statement: 22/8/23	Ongoing
New W/22/1508	Land at Sherbourne Priors, Vicarage Lane, Sherbourne.	2 Dwellings Delegated	Jack Lynch	Questionnaire: 8/9/23 Statement: 6/10/23	Ongoing
New W/22/0928	Third Floor Flat, 28 Clarendon Square, Leamington	Change of Use to HMO Committee Decision Contrary to Officer Recommendation	Millie Flynn	Questionnaire: 8/9/23 Statement: 6/10/23	Ongoing
New W/22/1638	8 England Crescent, Leamington	Erection of Extensions and creation of New Dwelling Delegated	Millie Flynn	Questionnaire: 12/9/23 Statement: 10/10/23	Ongoing
New W/23/0591	140-142 Parade, Leamington	Externally Illuminated Fascia Sign Delegated	Millie Flynn	Questionnaire: 4/9/23 Statement:	Ongoing

				22/9/23	
New W/23/0400	25 Blacklow Road, Warwick	2 Storey Front Extension Delegated	Theo Collum	Questionnaire: 31/8/23 Statement: 21/9/23	Ongoing
New W/23/0458	101 Windy Arbour, Kenilworth	Extensions and Detached Garage Delegated	Theo Collum	Questionnaire: 22/8/23 Statement: 12/9/23	Ongoing

Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
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ACT 450/08	Meadow Cottage, Hill Wootton	Construction of Outbuilding	TBC	Statement: 22/11/19	Public Inquiry TBC	Ongoing
ACT 102/22	126 Cubbington Road, Lillington, Leamington Spa	Creation of further storey	Phil Hopkinson	Statement: 8 August 2023	Written Reps	Ongoing
ACT 600/18	Nova Stables, Glasshouse Lane, Lapworth	Erection of building in green belt	Will Holloway	Statement: 31 st July 2023	Hearing	Ongoing

Tree Appeals

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