

**List of Current Planning and Enforcement Appeals  
19 June 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	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
<b>New</b> W/17/1614	19 -21 Wise Street, Leamington	Four Storey Building to Provide Student Residential Accommodation	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/17/0508	Tapster Manor, Tapster Lane, Lapworth	Conversion of Stables to 2 Dwellings <b>Delegated</b>	Dan Charles	Questionnaire: 24/1/18 Statement: 21/2/18 Comments: 7/3/18	<b>Appeal Dismissed</b>
<p>The area of contention centred around the erection of a car port and bat loft on an area of open land close to the stables. The Inspector considered that the erection of a new building would not meet the exceptions listed in the NPPF and therefore the proposal would constitute inappropriate development in the Green Belt.</p> <p>Notwithstanding the design of the car port and bat loft which would compliment the design of existing agricultural buildings within the vicinity of the site, the Inspector considered that the car port, by virtue of its form and scale on an open and development free site, would be a notable feature within the landscape. The building would therefore intrude into an open area resulting in a loss of openness in the Green Belt.</p> <p>In recent years, planning permissions at Tapster House have had a cumulative impact on a historically large and well established roost of bats. Then bat loft proposed seeks to mitigate the harmful effects of these planning permissions as well as being compensation for an anomaly in bat mitigation measures relating to a planning condition concerning a conversion of a building fronting Tapster Lane. The Inspector had no doubt that a bat loft would help to mitigate potential harm to the local bat population. Nonetheless, the bat loft would be part of a four car carport.</p> <p>Whilst the Inspector was aware that a suitable bat mitigation scheme has taken time to determine, he considered that there was no explanation for the need for a car port, of the size proposed or in the location chosen.</p>					

W/17/2025	Merlin House, Firs Lane, Haseley	Garage Outbuilding <b>Committee Decision in accordance with Officer Recommendation</b>	Holika Bungre	Questionnaire: 18/4/18 Statement: 10/5/18 Comments:	Ongoing
W/17/2323	R/O 62 The Fairways, Leamington	New Dwelling <b>Delegated</b>	Helena Obremski	Questionnaire: 19/4/18 Statement: 17/5/18 Comments: 31/5/18	Ongoing
W/17/2089	Wain House, Hawkes Meadow, Hunningham	Extension; access and gate <b>Delegated</b>	Helena Obremski	Questionnaire: 24/4/18 Statement: 16/5/18 Comments:	<b>Appeal Dismissed</b>

Wain House is a sensitively converted barn located in the open countryside. It can be readily appreciated as an historic rural building having largely retained its simplicity in form and its original external appearance, including the exposed timber framing to the front elevation. The Inspector noted that it is this integrity as a rural vernacular building that makes it distinctive and which helps the building contribute to the character and appearance of the surrounding area.

The Inspector considered that the proposed extension would introduce a disproportionately large projection to the rear of the building that would be at odds with its simple and traditional form. Despite the use of similar materials, the proposal would conflict with its well defined rectangular plan form, break the consistent eaves line to the rear elevation and introduce an alien half hip roof feature on a building characterised by gables and a pitched roof. The open fronted garage would also increase the domestic feel of the building and would be prominent from the adjacent access road. This would be in contrast to its historic character and appearance which has been successfully retained.

W/17/2091	Apple Tree Cottage, 2 Leigh Terrace, Hunningham	One and two storey extensions <b>Delegated</b>	Helena Obremski	Questionnaire: 18/4/18 Statement: 10/5/18 Comments:	Ongoing
W/17/1819	5 Mayne Close, Hampton Magna	Two Storey Extension <b>Delegated</b>	Holika Bungre	Questionnaire: 23/4/18 Statement: 15/5/18 Comments:	<b>Appeal Dismissed</b>

The existing property is a two storey, detached house located within a short, sloping cul-de-sac. It has an asymmetric roof pitch with a cat-slide roof to the front that has a dormer window set within it. The neighbouring property, to the left as you look from the road, is a bungalow which is set at a lower level due to the sloping land.

The proposal would introduce a two storey, gable fronted extension that would span the full width of the house. The Inspector considered that by virtue of its scale and mass, the proposal would overwhelm and dominate the host property and, due to its prominence at the front of the house, the extension would appear as an incongruous and bulky addition within the street scene.

The Inspector noted that the existing property is already noticeably larger than the neighbouring bungalow due to the fall in land levels and the proposed extension would increase this difference. He considered that the abrupt change in height from the enlarged two storey house to the neighbouring bungalow would create an unacceptably jarring relationship that would be harmful to the character and appearance of both the existing building and the surrounding area.

He noted on his site visit that there are examples of similar extensions to that proposed close to the appeal site, but it is the immediate context of the site and the relationship with the adjacent bungalow that makes the proposed extension unacceptable.

He concluded that the scale and mass of the proposal would unacceptably dominate the existing property and would set up an uncomfortable relationship with the neighbouring bungalow.

W/17/1291 /LB	18 -20 Mollington Grove, Hatton Park	Replacement of timber French doors with upvc <b>Delegated</b>	Holika Bungre	Questionnaire: 4/5/18 Statement: 1/6/18 Comments: 15/6/18	In preparation
W/17/1641	The Barn, Stareton Lane, Stoneleigh	Detached Car Port	Liz Galloway	Questionnaire: 4/5/18 Statement: 28/5/18 Comments:	In preparation
<b>New</b> W/18/0324	46A Edmondscote Road, Leamington	Detached Garage	Rebecca Compton	Questionnaire: 18/6/18 Statement: 10/7//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		<b>Appeal Dismissed</b>
Ground C - (that matters do no constitute a breach of listed building control )						

Inspector found the works as a whole are uncharacteristic of the Conservation Area, which derives much of its interest from the consistency of the architecture. The works are highly prominent in this corner position and cause significant harm to the appearance of the Area.

All the works enforced against have affected the character of the building as one of special architectural or historic interest. These works have not been authorised, and a contravention of s.9(1) of the Act has thus occurred.

Decision means hedge foliage must be removed, painted to match rest of building (magnolia). Paint windows back to white and all ironworks to black. Compliance months – end of July 2018.

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		<b>Appeals Dismissed</b>
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Appeal A - Ground E (listed building consent should be granted for the alleged unauthorised works)

Inspector found that all the alleged unauthorised works cause significant harm to the character of the building as one of special architectural or historic interest. Felt given the prominence of the unauthorised work widely seen within the conservation area also caused significant harm to the character of the Leam Spa Conservation Area.

The decision means that the lettering on the front must be painted out, ground floor to be painted to match the upper floors including painting of the ship motif. Paint windows and doors white. Remove advert boards – 2months compliance – by end July

Appeal B – Ground C – (that matters do no constitute a breach of listed building control )

Appellant argued the figures were freestanding. They were stabilised by sandbags. Inspector considered this to be a matter of fact and degree, the installation of the three figures entailed operations of lifting and fixing in position that should be considered as works to the listed building. They have a dramatic effect on the appearance of the building. Inspector decided on balance of probabilities the installation amounts to works of alteration that have significantly affected the special interest of the listed building.

The decision means the removal of superheroes by 30 June- received assurance will be gone following a party- 1/07/18

Tree Appeals

None