

**List of Current Planning and Enforcement Appeals  
Late March 2022**

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

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/20/1888	The Lyons Farmhouse, Rowington Green	Erection of 2 dwellings (Outline) <b>Delegated</b>	Andrew Tew	Questionnaire: 23/9/21 Statement: 21/10/21	<b>Appeal Dismissed</b>

The Inspector considered that despite the presence of neighbouring buildings, the site is not a small gap located within an otherwise uninterrupted built-up frontage but rather an open field located on the edge of the village. Nor does the site have the characteristics of an obvious vacant plot. The proposal would not integrate into an established street scene due to the substantial separation between properties along this side of Rowington Green and their set back from the road. This is quite distinct from the linear and compact group of dwellings on Old Warwick Road. Accordingly, he concluded that it does not constitute limited infill in a village and therefore contrary to Policies H1 and DS18.

Furthermore, the proposed development comprising two large, detached dwellings and the associated infrastructure and domestic paraphernalia would have a substantial impact on openness in both visual and spatial terms. He acknowledged that the proposal would not conflict with the purposes of the Green Belt, as set out in paragraph 138 of the Framework. However, considered this neutral in the overall planning balance as there would be no additional harm to that already identified.

Despite the proposed dwellings being set into the site and the hedge along the road largely retained, the Inspector considered that the scheme would result in an unacceptable encroachment into open countryside and would be very apparent and intrusive appearing as an incongruous form of development that would change the verdant appearance of the site into something more urban. Albeit localised, it would significantly erode its verdant and rural appearance and the contribution the site makes to the surrounding landscape.

W/20/2008	Three Jays, Hampton Road, Hampton on the Hill	Single Storey Front Extension <b>Delegated</b>	George Whitehouse	Questionnaire: 27/9/21 Statement: 19/10/21	Ongoing
W/20/2100	22 St Mary's Terrace, Leamington	Lawful Development Certificate for Use of Garages for Commercial Storage <b>Delegated</b>	Rebecca Compton	Questionnaire: 14/10/21 Statement: 11/11/21	Ongoing
W/21/0813	Grove Park House, Hampton on the Hill	Prior Approval for the Enlargement of Dwelling House <b>Delegated</b>	Thomas Fojut	Questionnaire: 14/10/21 Statement: 5/11/21	Ongoing
W/21/593	Austin Heath Retirement, Village, Gallagher Way, Warwick	Advertisements <b>Delegated</b>	Helena Obremski	Questionnaire: 25/10/21 Statement: 16/11/21	Ongoing
W/21/0543	3 Elizabeth Road, Leamington	Detached Garage <b>Delegated</b>	Jack Lynch	Questionnaire: 26/10/21 Statement: 16/11/21	<b>Appeal Dismissed</b>

The Inspector noted that whilst there is some variation in the building line, the prevailing character is that of dwellings set back from the road with gardens/parking to the front that remain free from built form. The set back combined with the lack of built

development gives the area a feeling of spaciousness. He considered that the proposal would be at odds with the character of the area in that it would introduce built form to the front of the host dwelling eroding the spacious character of the area. It would be located adjacent to the pavement and visible from the surrounding roads and footpaths and would be a prominent addition to the front of the host dwelling harming the character and appearance of the area. The appellant put forward examples of similar developments within the local area. However, the Inspector stated that the particular circumstances of individual cases are likely to be different and direct parallels are not easily drawn.

W/21/0822	48 Princes Drive, Leamington.	Garage conversion; extensions and alterations. <b>Delegated</b>	George Whitehouse	Questionnaire: 8/12/21 Statement: 30/12/21	<b>Appeal Dismissed</b>
<p>The Inspector considered that despite design variation along the road, the proposed development by virtue of its overall form, projection and height would be unduly prominent appearing as an incongruous feature that would unduly dominate the front of the property and significantly disrupting the appearance of the street scene. There are examples of where contemporary design can sit comfortably side-by-side more traditional architecture. However, the overall appearance of the development, namely the rooflight, curved design, slimline vertical glazing and the choice of materials would not complement the dwelling, but jar against its appearance.</p>					
W/20/2126	27 Eastfield Road, Leamington	Replacement Dwelling - Appeal against Obscure Glazing Condition. <b>Condition Added by Planning Committee</b>	Dan Charles	Questionnaire: 20/12/22 Statement: 17/1/22	Ongoing
W/21/1736	Garage to the rear of 22 St Marys Terrace, Leamington	Certificate of Lawfulness Appeal: Commercial Storage <b>Delegated</b>	Emma Booker	Questionnaire: 30/1/22 Statement: 28/2/22	Ongoing

W/21/0073 and W/21/0074/LB	Oldfield Farm, Old Warwick Road, Rowington	Replacement of 3 Porches <b>Delegated</b>	Jonathan Gentry	Questionnaire: 20/12/21 Statement: 17/1/22	<b>Appeals Dismissed</b>
<p>The Inspector considers the special interest of the listed building, insofar as it relates to this appeal, is derived from it being a good example of a 17th and 18th century Warwickshire farmhouse, its architectural and aesthetic features and the historic legibility of its phased development. The Inspector noted that the proposed porch on the northwest elevation would be taller and wider than the existing timber frame structure and considered that this increase in scale and mass results in a greater amount of the timber framing and brick panelling being obscured. The existing porch is a simple structure which appears subservient on this elevation. The ridge of the proposed replacement porch would extend above the sill of an adjacent first floor window. Together with the increased width, it would result in a more prominent and disproportionate feature. This would distract from the simple, historic architectural form of this elevation.</p> <p>Regarding the southwest elevation, he observed the existing timber porch sits comfortably within the central element of this double gabled elevation. The proposed replacement porch, whilst being positioned centrally, would however be slightly wider, covering more of the historic fabric. He considered the proposed dual pitch roof replacing the current mono pitch, increases the scale and mass of the porch giving the structure greater prominence on this elevation, resulting in a discordant and distracting addition.</p> <p>On the southeast elevation the replacement porch would be of the same dimensions and design to that on the southwest elevation. However due to the position of existing windows, the porch extends slightly further towards the southern end of the building. This means that the centrally positioned door of the extended porch would not align with the door opening into the farmhouse. This would obstruct views of this historic opening and also be visually distracting and incongruous. Furthermore, the scale and bulk of the proposed porch, together with the extent of framing, would result in a visually assertive addition to this elevation that would erode its historic form.</p> <p>Cumulatively, the proposed three replacement porches would form incongruent modern additions, unsympathetic to the aesthetic and architectural qualities of this heritage asset.</p>					

W/21/1575	Aylesbury Cottage, 156-158 Aylesbury Road, Lapworth	First Floor Rear Extension <b>Delegated</b>	Millie Flynn	Questionnaire: 21/12/21 Statement: 12/1/22	<b>Appeal Dismissed</b>
<p>With reference to the 30% referenced in Policy H14 the Inspector noted that although this is only a guide, "it provides a useful insight into the Council's approach to this concept. It also provides developers with a clear indication of the Council's expectations in this regard within the district's Green Belt". The Inspector noted that although policy H14 requires context to be taken into account, he considered that the local landform, vegetation and arrangement of the local pattern of development does not offer a compelling reason to patently deviate from the Council's general approach to this matter. Furthermore, whilst the scheme would not increase the footprint, it felt it would add a considerable mass to the building substantially increasing its overall size. Given this, and my observations on site, and concluded that the proposed extension would be a disproportionate addition to the original dwelling. It would also harm openness.</p> <p>Due to the age of the building, and the form of construction of the rear extensions, he considered there is a likelihood that the roof space could be used by bats. As such, he could not discount the possibility of the presence of protected species within the roof void of the dwelling. The absence of this prevents this matter being properly resolved prior to determination. He considered a condition requiring such survey work would be unreasonable as its outcome could affect the nature of development undertaken and he also noted that Policy NE2 is clear that development will only be permitted once an ecological survey can justify the suitability of a proposal. Consequently, without compelling evidence he could not be satisfied that the proposal would not affect a protected species.</p>					
W/20/1670	Rear of 47 Lakin Road, Warwick	1 Dwelling (Outline) <b>Delegated</b>	Rebecca Compton	Questionnaire: 29/12/21 Statement: 26/1/22	<b>Appeal Dismissed</b>
<p>The Inspector noted that the proposed dwelling would be one of the only detached dwellings in this area. Furthermore, the size and orientation of the dwelling would produce a plot with a greater horizontal emphasis and a shallower depth than is present within this context. As such, although the dwelling would have a broadly similar scale, height and design to the nearby terrace, the plot size and layout would fail to respect the established pattern of development. Furthermore, the spacing, which provides visual relief</p>					

between Lakin Road and Paradise Street would be diminished by the introduction of the two-storey dwelling at this location. The harm would be exacerbated by the prominence of the proposed dwelling from localised views, resulting in a discordant feature within the street scene. Accordingly, in this context, the proposed development would appear cramped and contrived, at odds with the established pattern of development and damaging the character and appearance of the area. He acknowledged that the proposal is in outline and some matters can be dealt with via planning conditions or an amended reserved matters design. However, in view of the size of the plot and the constraints of the site, the character and appearance issues set out would be fundamental to this scheme being considered acceptable in principle.

While a level of separation would be maintained, the reduced garden length results in the proposed two storey dwelling being in close proximity to the ground floor annexes of neighbours and their gardens. The closer proximity, together with the two-storey height would detrimentally impact upon the sense of space, unacceptably dominating the open outlook from the rear of these properties and their gardens. As such, the siting of the dwelling close to the shared boundary, coupled with its scale and two storey heights would unacceptably change the open outlook, detrimentally impacting upon the living conditions of No 45 and No 47.

The Inspector observed that Paradise Street is narrowed by the parking of cars along both sides of the road, particularly near to the proposed access to the site. While noting that Paradise Street is a side street and traffic movements from a single dwelling would not be high, he considered that parked cars would limit manoeuvrability on the Street, resulting in the situation where most vehicles are likely to enter the site in a forward gear and exit in reverse. In this instance, and in combination with the location of the boundary fence and parked cars, he felt it would be very difficult to see towards Lakin Drive when reversing onto the Street. Having regard to the visibility issues, particularly when exiting, the proposed access would result in an unacceptable level of risk of vehicle conflicts to the detriment of highway safety along Paradise Street.

W/20/1828	Clattylands Barn, Haseley Knob	Conversion of Barn and Stables into Dwelling <b>Delegated</b>	Rebecca Compton	Questionnaire: 17/12/21 Statement: 14/1/22	<b>Appeal Allowed</b>
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The dispute between main parties was whether the proposed development would lead to an enhancement of the building's immediate setting and the character and appearance of the countryside. The Inspector noted that the curtilage of Clattylands Barn is domestic in character and the curtilage of the appeal building is not dissimilar; surrounded by areas of hardstanding and open storage. The appeal building, therefore, in functional and visual terms, is more closely associated with the Clattylands Barn and the original farm

than the open countryside beyond. The proposal would result in modest changes to the external appearance of the appeal building and as there would be no material changes to form and scale, the building would continue to be appreciated within the context described. Much of the building would be surrounded by a meadow grass area with native hedgerow. This would create a more rural setting to the building compared with the current use of this area for open storage and purposes ancillary to the barn. Furthermore, as domestic paraphernalia would be confined to a private inner courtyard, the building's immediate setting would be visually enhanced. Space would be made available within the site for the manoeuvring and parking of vehicles. Space already exists within the site for this. The introduction of native hedgerow would help screen the visual impact of vehicles and therefore the proposal would be a visual improvement on what exists already. The Inspector concluded that the proposal would lead to an enhancement of the immediate setting.

W/21/0495	Deer Park Farm, Bakers Lane, Knowle	Oak Framed Garage Building <b>Delegated</b>	Emma Booker	Questionnaire: 28/2/22 Statement: 28/3/22	Ongoing
W/21/0977	Unit 7, The Mill, Mill Lane, Little Shrewley	Alterations to permission for Conversion to Dwelling including increased Eaves and Ridge heights <b>Delegated</b>	Emma Booker	Questionnaire: 28/2/22 Statement: 28/3/22	Ongoing
W/21/1461/TC	Highway verge (B4115), Stoneleigh Park	Prior Approval for 18 metre Monopole <b>Delegated</b>	Emma Booker	Questionnaire: 24/2/22 Statement: 24/3/22	Ongoing
W/21/1889	12 Almond Avenue, Leamington	Extensions and Alterations <b>Delegated</b>	George Whitehouse	Questionnaire: 16/2/22 Statement: 9/3/22	Ongoing



W/21/1242	Lodge Farm Barn, Lapworth Street, Bushwood	Single Storey Front Extension <b>Delegated</b>	James Moulding	Questionnaire: 16/2/22 Statement: 9/3/22	Ongoing
W/20/1975	6 Lower Ladyes Hills, Kenilworth	Formation of Driveway <b>Committee Decision in Accordance with Officer Recommendation</b>	Jonathan Gentry	Questionnaire: 10/2/22 Statement: 4/3/22	Ongoing
W/21/0657	2 Elizabeth Way, Kenilworth	Timber fence <b>Committee Decision in Accordance with Officer Recommendation</b>	Millie Flynn	Questionnaire: 16/2/22 Statement: 9/3/22	Ongoing
W/21/0368	21 Vine Lane, Warwick	Variation of conditions for Planning Permission for 2 Dwellings <b>Delegated</b>	Rebecca Compton	Questionnaire: 28/2/22 Statement: 28/3/22	Ongoing
<b>New</b> W/21/1929	23 Leam Terrace, Leamington	Garage with Studio Above <b>Delegated</b>	James Moulding	Questionnaire: 31/3/22 Statement: 21/4/22	Ongoing
<b>New</b>					Ongoing

W/21/1355	Barn at Little Manor Farm, Manor Lane, Pinley Green	Replacement and New Storage Buildings <b>Delegated</b>	Jonathan Gentry	Questionnaire: 23/3/22 Statement: 22/4/22	
<b>New</b> W/20/2144	24 Kenilworth Road, Leamington	Demolition of Building Wings and Cottage. Replacement Extensions and Building to provide increased No. of Studio Flats. <b>Committee Decision in Accordance with Officer Recommendation</b>	Lucy Hammond	Questionnaire: 23/3/22 Statement: 20/4/22	Ongoing
<b>New</b> W/21/1518	8 Offa Road, Leamington	One and Two Storey Extensions <b>Delegated</b>	Millie Flynn	Questionnaire: 7/3/22 Statement: 28/3/22	Ongoing
<b>New</b> W/21/1966	46 Peabody Way, Warwick	New Boundary Treatment and Gates <b>Delegated</b>	Millie Flynn	Questionnaire: 31/3/22 Statement: 21/4/22	Ongoing
<b>New</b> W/21/2092	22 St Mary's Terrace, Leamington	Conversion and Extension of Existing Garage to Form Dwelling <b>Delegated</b>	Rebecca Compton	Questionnaire: 31/3/22 Statement: 28/4/22	Ongoing

<b>New</b> W/21/1982	2 The Grange, Myton Lane, Warwick	Front and Rear Box Dormer Extensions <b>Delegated</b>	Thomas Fojut	Questionnaire: 15/3/22 Statement: 5/4/22	Ongoing
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#### 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	Ongoing
ACT 18/0600	Nova Equestrian, Glasshouse Lane, Lapworth	Construction of Dwelling	TBC	Statement: 12/1/21	Public inquiry No of days TBC	Ongoing

#### Tree Appeals

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