

**List of Current Planning and Enforcement Appeals
July 2019**

Public Inquiries

| Reference | Address | Proposal and Decision Type | Officer | Key Deadlines | Date of Inquiry | Current Position |
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Informal Hearings

| Reference | Address | Proposal and Decision Type | Officer | Key Deadlines | Date of Hearing | Current Position |
|-----------|---|--|--------------|---|-----------------|------------------|
| W/18/0554 | Waverley Riding School, Coventry Road, Cubbington | 16 Dwellings Committee Decision contrary to Officer Recommendation | Lucy Hammond | Questionnaire: 21/5/19 Statement: 18/6/19 Comments: - | | TBC |
| W/18/1180 | Faerie Tale Farm, Rouncil Lane, Kenilworth | Retention of Residential timber Cabin Committee Decision in accordance with Officer Recommendation | Dan Charles | Questionnaire: 17/5/19 Statement: 5/6/19 Comments: 3/7/19 | | 23 July 2019 |

Written Representations

| Reference | Address | Proposal and Decision Type | Officer | Key Deadlines | Current Position |
|---|--|--|-----------------|--|-----------------------|
| W/18/0986 | Ivy Cottage, Barracks Lane, Beausale | One and two Storey Extensions Committee Decision in accordance with Officer Recommendation | Rebecca Compton | Questionnaire: 23/10/18 Statement: 14/11/18 Comments: | Ongoing |
| W/18/1676 | Glenshee, 93 Chassetts Wood Road, Lapworth | Hip to Gable Roof Extension and Dormer Extensions Delegated | Emma Booker | Questionnaire: 11/1/19 Statement: 4/2/19 Comments: | Ongoing |
| W/18/1367 | Dial House Farm, Ashow Road, Ashow | Removal of Agricultural Occupancy Condition Delegated | Angela Brockett | Questionnaire: 13/2/19 Statement: 13/3/19 Comments: 27/3/19 | Appeal Allowed |
| <p>The Inspector was tasked to consider whether a functional need for a dwelling for an agricultural worker still exists. He found It clear from the evidence that the land associated with the farm continues to be grazed. However, he considered that it was unlikely, in his experience, that land in use for grazing would require a person on hand to manage it such that a functional need for a new dwelling would be likely to exist for those purposes alone. The Inspector concluded that the condition limiting the occupancy of unit 5 to a rural worker does not remain necessary or reasonable and it would not meet the tests in paragraph 55 of the National Planning Policy Framework. To remove it would not be contrary to policy H1 of the Local Plan.</p> | | | | | |
| W/18/1779 | 170 Emscote Road, Warwick | Alterations and Extension to Form Flat Delegated | Helena Obremski | Questionnaire: 27/2/19 Statement: 27/3/19 | Ongoing |

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| | | | | Comments: 10/4/19 | |
| W/18/2258 | Roundhill Farm, Rouncil Lane, Kenilworth | Removal of Condition relating to Occupancy Delegated | Helena Obremski | Questionnaire: 20/3/19 Statement: 17/4/19 Comments: 1/5/19 | Ongoing |
| W/17/2145 and 2146/LB; W/18/0632 and 0633/LB | Abbey Farm, Ashow Road, Ashow | Conversion and Extensions of Outbuildings to Create New Dwellings Committee Decision both in accordance with and contrary to Officer Recommendation | Dan Charles | Questionnaire: 20/3/19 Statement: 17/4/19 Comments:1/5/19 | Appeals Allowed |

2017 proposal:

The Inspector considered that in the context of the appeal property and, even more so, the village as a whole, the proposed development would represent a very minor increase in built development and, consequently, negligible loss of spatial openness. A number of factors would reduce the visual impact of the proposed extension within the appeal property and in the restricted views of it from neighbouring dwellings and the road frontage: its small size, hipped roof, sympathetic appearance and position behind the annexe and immediately in front of the garage/store, set into the rising ground of the garden.

The Inspector considered that the proposed single storey extension would generally match the existing outbuildings' modest character in architectural style and be subservient to them in its scale and mass. The short linking corridor and L-shaped plan of the converted garage/store would retain interesting articulation between the two parts of the combined building, so that it would not appear unduly monolithic or overbearing. The use of timber cladding on the extension and the garage/store conversion would ensure a rustic, low key effect, counterbalancing the insertion of additional windows, doors, rooflights and rainwater goods.

2018 proposal:

The Inspector considered that the proposed single storey extension to the annexe would generally match its existing modest character in architectural style and be subservient to it in its scale and mass. The scheme would have very limited impact on the setting of Abbey Farm, due to its small size, sympathetic appearance and position immediately in front of the garage/store. Similarly, for those reasons and being at the northern end of the existing building, where the level of the garden begins to rise, the extension would have very limited impact on views from Abbey House or Ashow Road.

Both proposals:

The Inspector considered that the creation of an additional, small, self-contained dwelling would bring about a modest increase in activity but this would not be so great as to have any harmful impact on the significance of the heritage assets. Sub-division of the garden, including the courtyard/parking area, would alter the spatial relationship between the annexe and the listed building but the appellants are open to a number of potentially acceptable boundary treatments which could be controlled by imposition of a condition. Enlargement of the access drive and hard-surfaced vehicle turning/parking area would have a slight urbanising effect but the existing area is fairly limited and I consider that, if a separate application were to be made to enlarge it, it would be difficult to resist on its own merits. The modest realignment of part of the front boundary hedge to accommodate the visibility splay would have limited impact on the character of the heritage assets in the long term.

On the whole, the proposal would not detract from the building's current function in terms of rural building stock, landscape character and local distinctiveness.

Whilst the Council's Historic Building Guidance on Agricultural Buildings and Conversion - Barns does not support extensions to barns undergoing conversion, the annexe does not currently conform to the type of typical rural building described and illustrated in the document and would not be converted from current agricultural use or appearance. The modest size and nature of the proposed extension in this case would not overly further domesticate an already domesticated building, signifying no material conflict with the guidance or threat to its future validity through the creation of an unwelcome precedent. Indeed, consent has previously been granted for extensions to Daffodil Barn.

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| W/18/1907 | 8 Cassandra Grove, Warwick Gates | Single Storey Front Extension Delegated | Emma Booker | Questionnaire: 10/4/19 Statement: 2/5/19 Comments:- | Appeal Dismissed |
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The proposed development would extend the existing garage forward by about 3.3 metres and would extend it sideways to its boundary. The extension would have an external width of some 4.8 metres of which about 4.2 metres would be the proposed garage door. The Inspector considered that the garage door, by its greater width, would be more prominent than that of the existing garage and would have a significant, discordant appearance amongst the other dwellinghouses in Cassandra Grove and the wider area where garages are invariably single width. Furthermore, the proposed development would extend beyond the adjoining dwellinghouse to its left when seen from Cassandra Grove by nearly a metre. It would not relate to any building line and would jut out making it an incongruous feature which would be significantly harmful to the street scene.

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| W/18/1733 | Sowe View, Coventry Road, Stoneleigh | 2 bedroomed bungalow Committee Decision in accordance with Officer Recommendation | Angela Brockett | Questionnaire: 8/5/19 Statement: 5/6/19 Comments: 19/6/19 | Ongoing |
| W/18/2212 | Unit 1 Moss Street, Leamington | Removal of Condition to Allow unrestricted Occupancy of 47 bed HMO Delegated | Angela Brockett | Questionnaire: 22/5/19 Statement: 19/6/19 Comments: 3/7/19 | Ongoing |
| W/18/2199 | 135 Warwick Road, Kenilworth | Amendments to Residential Planning Permission including in respect of access arrangements. Committee Decision contrary to Officer Recommendation | Lucy Hammond | Questionnaire: 1/5/19 Statement: 29/5/19 Comments: 12/6/19 | Ongoing |
| W/18/1398 | 2 Adelaide Road, Leamington | Extensions Delegated | Rebecca Compton | Questionnaire: 30/4/19 Statement: 22/5/19 Comments: - | Appeal Dismissed |

The Inspector considered that the two storey extension, partly sited forward of the dwelling, would appear as a prominent addition which would, as a result of its contemporary design and roof terrace, be incongruous with the simple, traditional, character of the service wing. Further, the flat-roof would jar with the traditional form of the existing roofs. Also, by substantially increasing the length of the terrace would significantly reduce the visual separation and identity of the host property and No 3 Archery Road.

The proposed dormer on the north elevation of the main roof would be in a prominent location where it would be visible from public views within the conservation area. Its flat-roof and the proportions of the landscape windows would be at odds with the existing house and fenestration.

The Inspector also concluded that the proposed access would not suitably protect the safety of those using the highway and junction around Archery Road and Adelaide Road.

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| W/18/2275 | Rivendell, Stoneleigh Road, Bubbenhall | Extensions Delegated | George Whitehouse | Questionnaire: 13/5/19 Statement: 4/6/19 Comments: - | Ongoing |
| W/18/2419 | Three Jays, Hampton Road, Hampton on the Hill | Front Extension Delegated | George Whitehouse | Questionnaire: 30/4/19 Statement: 22/5/19 Comments: - | Appeal Dismissed |
| <p>Sited to the front of the dwelling, the Inspector considered that the extension would appear as a prominent addition which would, as a result of its depth and roof design be incongruous with the relatively clean and simple design of the existing dwelling. The southern gable end, by increasing the size of the extension away from the dwelling, would not tie in to the existing dwelling and would appear visually separate from it.</p> | | | | | |
| W/19/0239 | 24 Rounds Hill, Kenilworth | Extensions Delegated | George Whitehouse | Questionnaire: 13/5/19 Statement: 4/6/19 Comments: - | Ongoing |
| W/18/1141 | R/O 177 -179 Chessetts Wood Road, Lapworth | Dwelling Committee Decision in accordance with Officer Recommendation | Helena Obremski | Questionnaire: 8/5/19 Statement: 5/6/19 Comments: 19/6/19 | Ongoing |
| Holly Tree Cottage, Tapster Lane, Lapworth | W/18/1520 | Application for a Lawful Development Certificate for the Stationing of a Mobile Home Delegated | Angela Brockett | Questionnaire: 4/6/19 Statement: 2/7/19 Comments: 23/7/19 | Ongoing |
| The Cedars, Stoneleigh Road, Bubbenhall | W/18/1630 | Erection of Dwelling House Committee Decision in accordance with Officer Recommendation | Angela Brockett | Questionnaire: 10/6/19 Statement: 8/7/19 | Ongoing |

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| | | | | Comments: 22/7/19 | |
| 21 Northumberland Road, Leamington | W/19/0091 | Erection of Railings and Gates Delegated | Emma Booker | Questionnaire: 17/6/19 Statement: 9/7/19 Comments: - | Ongoing |
| 2 Satchwell Place, Leamington | W/18/1276 | Retention of Fence Committee Decision in accordance with Officer Recommendation | Helena Obremski | Questionnaire: 18/6/19 Statement: 10/7/19 Comments: - | Ongoing |
| Valley Farm, Valley Lane, Lapworth | W/18/2324 | Conversion of Barn to Dwelling Delegated | Helena Obremski | Questionnaire: 18/6/19 Statement: 16/7/19 Comments: 30/7/19 | Ongoing |
| Lapworth Farm, Spring Lane, Lapworth | W/18/2287 | Removal of a planning Condition tying the Occupancy of a Dwelling to Valley Farm Appeal against Non-Determination. | TBC | Questionnaire: 10/6/19 Statement: 8/7/19 Comments: 22/7/19 | Ongoing |
| Eversleigh House, 2-4 Clarendon Place, Leamington | W/19/0281 | Car parking and Landscaping Delegated | TBC | Questionnaire: 10/6/19 Statement: 8/7/19 Comments: 22/7/19 | Ongoing |
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Enforcement Appeals

| Reference | Address | Issue | Officer | Key Deadlines | Date of Hearing/Inquiry | Current Position |
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| ACT 474/16 | 4A Wise Terrace, Leamington Spa | Use of Flats as HMOs | Rob Young | Statement: 7/12/18 Final Comments: 28/12/18 Evidence: 11/2/19 | 29 May over 3 days | Awaiting decision |
| ACT 026/17 | Fleur De Lys, Lowsonford | Erection of a pergola- attached to listed building. Planning granted but lb consent refused for applications to retain. Alternative scheme submitted approved but have failed to implement | RL | Start date 21/05/19 Statements 02/07/19 Final comments 23/07/19 | | Written Representations Ongoing |
| ACT 450/08 | Meadow Cottage, Hill Wootton | | RL | Start date 04/06/19 Statements 16/07/19 Final comments 06/08/19 | Public inquiry over 2 days | ongoing |

Tree Appeals

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