List of Current Planning and Enforcement Appeals
6 December 2016

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
W/14/0618	Land north of Common Lane, Kenilworth	Outline application for up to 93 dwellings	Jo Hogarth	TBA	-	In abeyance whilst the applicant considers their position to amend s.106 agreement

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/ Inquiry	Current Position
W/15/2154	Unit 1, Moss Street, Leamington	Erection of 46 bed HMO **Delegated**	Rob Young	Questionnaire: 10/10/16 Statement: 7/11/16 Comments: -	7/12/16	In progress

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/15/1653	Chesford Bridge House, Bericote Road, Blackdown	Installation of 200 mounted solar panels **Delegated**	Emma Spandley	Questionnaire: 18/5/16 Statement: 15/6/16 Comments: 29/6/16	Awaiting decision
W/16/0133	29 The Fairways	Two storey extensions (revised scheme) **Delegated**	Jo Hogarth	Questionnaire: 9/6/16 Statement: 1/7/16 Comments:	Awaiting decision
W/15/1561	Wyken Field, High Cross Lane, Rowington	Certificate of Lawful Development for Residential Use **Delegated**	Jo Hogarth	Questionnaire: 1/6/16 Statement: 29/6/16 Comments: 20/7/16	Awaiting decision
W/16/0429	68 Thornby Avenue, Kenilworth	Single Storey Rear Extension **Delegated**	Liz Galloway	Questionnaire: 2/8/16 Statement: 24/8/16 Comments:	Awaiting decision

W/16/0280	The Former Bull Public House, Weston Under Wetherley	Demolition of existing building and erection of 3 houses **Committee Decision as per Officer recommendation**	Helena Obremski	Questionnaire: 20/9/16 Statement: 18/10/16 Comments: 1/11/16	Awaiting decision
W/16/0384	The Elms. 75 Chessetts Wood Road, Lapworth	Certificate of Lawfulness for new access **Delegated**	Helena Obremski	Questionnaire: 12/10/16 Statement: 9/11/16 Comments: 30/11/16	In progress
W/16/0928	Oak House, Birmingham Road, Budbrooke	Erection of 2 Dwellings **Delegated**	Helena Obremski	Questionnaire: 6/10/16 Statement: 3/11/16 Comments: 17/11/16	In progress
W/16/0838	Old Post House, Rowington Green	One Dwelling **Delegated**	Ian Lunn	Questionnaire: 17/10/16 Statement: 14/11/16 Comments: 28/11/16	In progress
W/16/0669	24 Freemans Close, Leamington	One and two storey extensions **Delegated**	Helena Obremski	Questionnaire: 2/11/16 Statement: 24/11/16	In progress

				Comments:	
W/16/1220	32 Stephenson Close, Milverton	Single Storey Dwelling **Committee decision in accordance with Officer's recommendation**	Helena Obremski	Questionnaire: 10/11/16 Statement: 8/12/16 Comments: 22/12/16	In preparation
W/16/0735	Sandford, Offchurch Road, Hunningham	Single Storey Extension **Delegated**	Holika Bungre	Questionnaire: 18/10/16 Statement: 9/11/16 Comments:	**Appeal Dismissed**

The Inspector considered that Policy RAP2 was inconsistent with the NPPF in that it considers matters such as impact on openness and impact on the design and character of the original dwelling which are not matters which are addressed in the relevant bullet point at paragraph 89 of the NPPF. It is also inconsistent in its reference to 'dwellings' where the NPPF refers to all buildings. As a result, whilst having regard to the Policy's 30% guideline figure, he gave the policy limited weight in the determination of the appeal.

The Inspector noted the appellants assertion that the site was located within a dense core of development, he concluded that the proposal would extend into an undeveloped area of garden and would project further to the rear than the nearby buildings on adjacent plots and therefore would have a harmful effect on the openness of this part of the Green Belt, which would add to the harm identified by reason of inappropriateness.

The appellants provided details of a Lawful Development Certificate for an outbuilding, which they stated would have a greater impact on openness. However, the Inspector did not consider this to be a fallback position as it was for an outbuilding on another part of the plot and he had concerns that should the appeal be allowed both schemes could be implemented.

W/16/1074	3 Gleave Road, Whitnash	Repositioning of Boundary Fence **Delegated**	Holika Bungre	Questionnaire: 18/10/16 Statement: 9/11/16 Comments:	**Appeal Dismissed**
The Inspector noted the character of the area consisted largely of open frontages and where there was boundary treatment parallel with and close to the highway edge it consisted of low brick walls and hedgerows. The very few fences he observed were lower than the proposal and overall he considered the character was fairly open and spacious. The proposed fence would be much closer to the highway and would be stepped well forward of the general building line. In the proposed location the Inspector considered it would contrast markedly with the character identified. Given the height and position of the fence it would appear as a dominant feature in the streetscene which would cause significant harm to the character of the area.					
W/16/0616	71A Northumberland Road, Leamington	Erection of workshop and car port **Delegated**	Ian Lunn	Questionnaire: 4/11/16 Statement: 8/11/16 Comments:	In progress
New W/16/0652	42 Regent Street, Leamington	First floor extension **Delegated**	Rob Young	Questionnaire: 30/11/16 Statement: 28/12/16 Comments: 11/1/17	In preparation
New W/16/0535	The Barn, Big House Farm, Church Road, Norton Lindsey	Change of Use of Annexe to Dwelling House **Delegated**	Helena Obremski	Questionnaire: 2/12/16 Statement:	In preparation

				30/12/16 Comments: 13/1/17	
New W/16/1308	The Barn, Big House Farm, Church Road, Norton Lindsey	Change of Use of Annexe to Holiday Let **Delegated**	Helena Obremski	Questionnaire: 2/12/16 Statement: 30/12/16 Comments: 13/1/17	In preparation
New W/16/0858	Croft Cottage, 165 Bakers Lane, Knowle	Erection of Garage **Delegated**	Helena Obremski	Questionnaire: 5/12/16 Statement: 27/12/16 Comments: -	In preparation
New 16/0558/LB	The Woolpack, Market Street, Warwick	Internal Alterations to Listed Building **Delegated**	Holika Bungre	Questionnaire: 2/12/16 Statement: 30/12/16 Comments: 13/1/17	In preparation

<u>Tree Appeals</u>

-	7 Chance Fields, Radford Semele	Felling of 2 TPO pine trees	Rajinder Lalli	-	**Appeal Allowed**
Whilst noting that these were substantial evergreen specimens that afford a degree of public visual amenity, the Inspector did not find the trees to be especially attractive trees or important features within the wider landscape. The Inspector concluded that the Pines were disproportionately large for their proximity to the house and that the negative impact on the character and appearance of the surrounding area that would result from their removal, to facilitate the extension of the appellant's property was insufficient to preclude this course of action.					