

## **APPEAL PROGRESS REPORT**

### **PURPOSE OF THE REPORT**

The purpose of this report is to inform Members of appeals lodged and determined in the period 1<sup>st</sup> November 2017 to 31<sup>st</sup> January 2018.

### **RECOMMENDATION**

That the report is noted.

### **INTRODUCTION**

Members are requested to note the appeal decisions of either the Secretary of State or the relevant Inspector that has been appointed to determine appeals within the defined period.

In line with the parameters above the report sets out the main issues of the appeals and summarises the decisions. Where claims for costs are made and/or awarded, either for or against the Council, the decisions have been included within the report.

### **BACKGROUND INFORMATION**

When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.

Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition then they could have appealed against the condition at the time it was originally imposed.

Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.

### **MONITORING**

Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended and that appropriate and defensible decisions are being made under delegated powers and by Planning Committee. The lack of any monitoring could encourage actions that are contrary to the Council's decision,

possibly resulting in poor quality development and also costs being sought against the Council.

### **FINANCIAL & LEGAL CONSIDERATIONS**

An appeal may be determined after a Public Inquiry, a Hearing or most commonly written representations. It is possible for cost applications to be made either by the appellants against the Council or vice versa if it is considered that either party has acted in an unreasonable way.

It is possible for decisions, made by Inspectors on appeal to be challenged through the courts. However, this is only if it is considered that an Inspector has erred in law, for instance by not considering a relevant issue or not following the correct procedure.

A decision cannot be challenged just because a party does not agree with it. A successful challenge would result in an Inspector having to make the decision again following the correct procedure. This may ultimately lead to the same decision being made.

It is possible for Inspectors to make a 'split' decision, where one part of an appeal is allowed but another part is dismissed.

### **SUMMARY OF APPEALS IN PERIOD OF 1 NOVEMBER TO 31 JANUARY 2018**

|  |           |
|--|-----------|
| <b>No. APPEALS PENDING</b>                       | <b>22</b> |
| <b>No. APPEAL DECISIONS RECEIVED</b>             | <b>8</b>  |
| <b>No. ENFORCEMENT APPEALS LODGED</b>            | <b>1</b>  |
| <b>No. ENFORCEMENT APPEAL DECISIONS RECEIVED</b> | <b>0</b>  |
| <b>No. OFFICER DECISIONS ALLOWED</b>             | <b>3</b>  |
| <b>No. MEMBER DECISIONS ALLOWED</b>              | <b>0</b>  |

|                   |  |
|-------------------|--|
| Site Address:     | 1 Empire Road                                |
| Reference Number: | FUL/2017/0077                                |
| Description:      | Provision of 32 replacement domestic garages |
| Decision Level:   | Delegated                                    |
| Decision:         | Refusal on 07/03/2017                        |
| Appeal Decision:  | <i>Dismissed on 11/11/2017</i>               |

#### Summary of Decision

The main issues in this case are; whether or not the development would be inappropriate development in the Green Belt; the effect of the development on the openness and purpose of including land within the Green Belt; the effect of the proposed development on Tile Hill Wood; and if the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances to justify it.

The proposal is for 32 garages to be constructed on an area of land to the rear of residential properties on Empire Road and adjoining Tile Hill Wood. There is

evidence of the bases of garages which occupied the site previously although the area where the garages are proposed is completely covered in brambles. With the exception of the access, the site lies within the Green Belt. The Inspector recognises that although the site is open there is no dispute that the site has been previously developed.

The Inspector notes that the appeal site is currently open and free of any built development and consequently considers that the construction of 32 garages would result in development where there was previously none which would result in a loss of openness on site. She further considers that the rear gardens of the properties on Empire Road define both physically and visually the edge of the urban area in this location and consequently the garages would have an urbanizing effect on this open site and represent encroachment of development into the countryside. She concludes on this issue that the appeal would not preserve Green Belt openness and would conflict with the purpose of safeguarding the countryside from encroachment and would therefore be inappropriate development that would have a significantly harmful effect on the openness of and purpose of including land within the Green Belt.

Tile Hill Wood is designated as an Ancient Semi Natural Woodland (ASNW) and Site of Special Scientific Interest (SSSI). The Inspector notes that the garages would abut the edge of Tile Hill Wood and that the Arboricultural Impact Assessment which accompanies the application clearly shows that the garages would be located directly beneath the canopy of a number of high quality trees and within their root protection zones. She further notes that the garage would be sited on land which is currently characterised by an abundance of brambles which have become part of the woodland's understorey and consequently the proximity of the garages to the woodland edge would impact on the visual and marginal biodiversity value of this woodland fringe which she considers provides an important buffer to the ASNW and SSSI.

The Inspector concludes that the appeal proposal would have an adverse effect on the ASNW and SSSI and would conflict with Policy GE11 of the CDP and would constitute inappropriate development and is therefore harmful to the Green Belt. She gives limited weight to the issues of fly tipping on the site and the existence of garages on the site in the past and considers that the substantial weight to be given to Green Belt harm is not outweighed by other considerations to demonstrate very special circumstances and the proposals conflict with the NPPF and Policy GE6 of the CDP.

|                   |  |
|-------------------|--|
| Site Address:     | 216 Lythalls Lane                        |
| Reference Number: | HH/2017/0939                             |
| Description:      | Erection of detached garage/garden store |
| Decision Level:   | Delegated                                |
| Decision:         | Refusal on 06/06/2017                    |
| Appeal Decision:  | <i>Dismissed on 08/12/2017</i>           |

#### Summary of Decision

The main issue is the effect on the living conditions of the occupiers of No's 1 and 3 Cossington Road with particular reference to outlook.

The detached outbuilding would abut an existing blockwork wall at the foot of the rear garden of the appeal site. Close to the rear boundary is a block of 4 single aspect dwellings. The front elevations of 1 and 3 are between 4m and 5.4m from the rear boundary of 216 Lythalls Lane. The outbuilding at 3m in height would project above the rear boundary wall by about 0.6m. The Inspector notes that the outlook from No's 1 and 3 is already affected by the high boundary treatment but that the additional height of the outbuilding above the fence would be readily noticeable which he considers would add to the sense of being hemmed in and enclosed and would appear overbearing and would result in a discernible deterioration in living conditions.

The Inspector concludes that the effect on the living conditions of the occupiers of No.'s 1 and 3 Cossington Road, with particular reference to outlook would be unacceptable and would not accord with one of the core principles of the NPPF in that a good standard of amenity for all existing occupants of land and buildings would not be achieved.

|                   |  |
|-------------------|--|
| Site Address:     | 4 Sylvan Drive   |
| Reference Number: | HH/2017/1318   |
| Description:      | Erection of rear and side extensions with dormer and alterations |
| Decision Level:   | Delegated  |
| Decision:         | Refusal on 16/08/2017  |
| Appeal Decision:  | <i>Dismissed on 08/12/2017</i>                                   |

#### Summary of Decision

The main issue is the effect of the proposed development on the living conditions of the occupiers of 5 Sylvan Drive with regard to outlook, privacy and overshadowing. The Inspector considers Policy H4 to be most relevant as it seeks to protect the living conditions of neighbours.

No. 4 and 5 are closely spaced detached houses. To the rear of No.5 immediately adjacent to the side boundary between the dwellings is a patio area. The Inspector notes that at present the outlook to the north from the patio area and facing patio windows serving No.5 is largely open with, at the appeal property, only the eaves and shallow pitched roof of the existing single storey back addition apparent above

the height of the side boundary fence. The extension would fill in the space at first floor level over this back addition creating a second storey and extend further into the garden. In the Inspectors view, the close proximity of this large extension and the extent of its rearward projection would result in an oppressive and overbearing outlook to the north at No.5 from its patio area, lounge, kitchen diner and side bedroom above.

The occupiers of No.5 referred to the bevelled corner of the existing single storey extension at No.4 as a feature that was required to prevent obstruction of light to their main lounge and the Inspector recognises that this appears to meet the SPG and therefore the existing single storey rear extension marks the limit of how far a rear extension can project without causing material harm in terms of outlook at No.5. The Inspector is not persuaded that the proposed development would comply with the SPG in relation to the 45 degree line as the proposed extension at first floor would extend further than the existing single storey rear extension and its bevelled corner and furthermore the extension would be overbearing in views from the patio and habitable rooms. He concludes that the proposed development would unacceptably harm the living conditions of the occupiers of No.5, contrary to Policy H4 of the CDP.

The Inspector notes that the appellant has a large family and that the extension would provide larger accommodation but whilst these personal circumstances are given consideration he considers it probable that the development would remain long after the current circumstances cease to be material and therefore do not outweigh the harm identified.

The Inspector also notes the location of the site within the Kenilworth Road Conservation Area. He considers that the proposed development would not harm the distinctive design of the house or character and appearance of the Conservation Area but this does not give any positive weight in favour of the scheme.

|                   |   |
|-------------------|---|
| Site Address:     | 389 Green Lane                                    |
| Reference Number: | FUL/2017/0619                                     |
| Description:      | Erection of new dwelling adjoining 389 Green Lane |
| Decision Level:   | Delegated   |
| Decision:         | Refusal on 15/05/2017                             |
| Appeal Decision:  | <i>Allowed on 12/12/2017</i>                      |

#### Summary of Decision

The main issue is the effect of the proposed development on the living conditions of the occupants of 391 Green Lane with particular regard to outlook, overshadowing and light.

The appeal site is the garden of 389 Green Lane, a semi-detached dwelling. The proposal would extend this property sideways creating a small terrace of 3 dwellings. It would involve demolition of an existing garage to the side of the house and extending the property outwards at two storey to within 1m of the boundary

with No.391. No.391 has 3 small secondary windows and a conservatory on the side facing the side of the appeal property.

The Inspector notes that the conservatory forms part of the house and appears to be habitable with windows facing the side and rear. Currently the outlook to the side would be to the boundary fence and detached garage behind it. He notes that the side wall of the proposed dwelling would be set off the boundary by 1m and would have a greater impact on the outlook from the side conservatory windows than the current situation, but that there would still be a distance of 5m from the side conservatory windows to the flank wall.

The Inspector considers that there would be some harm to outlook as a result of the proposed development but that this would not be to an unacceptable degree and that although there would be some limited overshadowing and impact on daylight into the conservatory this would not be to an unacceptable degree given the extent of the gap and that the dwelling lies in a northerly direction to No.391.

The Inspector concludes that the development would not have a harmful effect on the living conditions of the occupants of No.391 Green Lane with particular regard to outlook, overshadowing and light and consequently the development would accord with Policy H4 of the CDP. The appeal is allowed with conditions relating to: time limit for commencement of development; development to be carried out in accordance with approved plans; submission of sample materials; submission of details of boundary treatment; and no occupation until car parking has been provided.

|                   |  |
|-------------------|--|
| Site Address:     | 657 Stoney Stanton Road  |
| Reference Number: | FUL/2017/1007  |
| Description:      | Change of use of ground floor from residential to butchers shop (A1) and erection of outbuilding, external staircase and two storey rear extension and installation of rear dormer window. First floor to be flat. |
| Decision Level:   | Delegated  |
| Decision:         | Refusal on 28/06/2017  |
| Appeal Decision:  | <i>Dismissed on 12/12/2017</i>   |

#### Summary of Decision

The main issues are; the effect of the proposed shop on Coventry's shopping strategy; the effect of the proposed development on the character and appearance of the area; and the effect of the proposed external staircase on the privacy of the occupiers of the adjacent flat.

The appeal site is located near to the Foleshill District Centre where there are 6 vacant units. The Inspector considers that the proposed shop would therefore demonstrably harm Coventry's shopping strategy, contrary to policy S9 of the CDP.

The proposed development would include a shop front, two storey rear extension, rear dormer and outbuilding. There is no objection to the design of the proposed shopfront or outbuilding. The Inspector considers that the two storey rear extension

would not be problematic in design terms but that the large size of the proposed rear dormer would dominate the rear roof and appear incongruous and that the functional external steel staircase proposed would appear out of place and detract from the terrace. On this matter he concludes that the proposed development would unacceptably harm the character and appearance of the area contrary to Policy BE2 of the CDP.

The Inspector notes that adjacent to the entrance door of the proposed flat is a window serving one of the rooms of the neighbouring dwelling. The landing to the proposed external staircase would extend rearwards from the proposed entrance to the flat and as a result would give future occupier and visitor clear views into the neighbours room which he concludes would unacceptably harm privacy within the adjacent dwelling, contrary to Policy BE2.

|                   |  |
|-------------------|--|
| Site Address:     | 47 Signet Square                         |
| Reference Number: | HH/2017/1833                             |
| Description:      | Erection of single storey rear extension |
| Decision Level:   | Delegated                                |
| Decision:         | Refusal on 05/05/2017                    |
| Appeal Decision:  | <i>Allowed on 12/12/2017</i>             |

#### Summary of Decision

The main issue is the effect of the proposal on the living conditions of the occupiers of No.48 Signet Square, with particular regard to light and outlook.

No.48 Signet Square is south of and adjoins the appeal site with a close boarded fence on the shared boundary between the two properties. No.48 has ground floor living space windows which overlook the rear garden.

The Inspector notes that whilst the extension would be within a 45 degree line taken from the nearest habitable window at No.48 it would be over 1.5m from the shared boundary and to the north of the neighbour. He considers that the development would not be within the sun's path and therefore would not overshadow the neighbours living space and that the distance of the development from the shared boundary means that the extension would not restrict the amount of light into the living area. The Inspector notes that the extension would extend above the height of the fence but there would be no direct view from the living space of No.48 and therefore taking all of this into account concludes that the development would not be harmful to the living conditions of the occupiers of No.48 Signet Square with regard to light and outlook.

The appeal is allowed with conditions relating to: time limits for commencing development; development in accordance with approved plans; and materials to match the existing building.

|                   |                              |
|-------------------|------------------------------|
| Site Address:     | 12 Milton Street             |
| Reference Number: | FUL/2017/0498                |
| Description:      | Erection of detached house   |
| Decision Level:   | Delegated                    |
| Decision:         | Refusal on 05/05/2017        |
| Appeal Decision:  | <i>Allowed on 14/12/2017</i> |

#### Summary of Decision

The main issue is whether the proposal would provide a satisfactory living environment for future occupiers with particular reference to outlook and noise and disturbance.

The area around the appeal site is predominantly residential but with some commercial uses alongside and to the rear. The appeal site sits between a row of houses and an area of small lock-up units served off Coventry Street. The Inspector notes that although the high rear wall of the lock-up units would form the northern boundary its appearance could be softened but the wall is to the north and would not result in loss of sunlight to the garden. The Inspector did not notice any intrusive noise from commercial uses when visiting the site and sees nothing to suggest that any noise and disturbance from neighbouring land is likely to be so unneighbourly as to make the living environment within the appeal site unsuitable. The Inspector considers the proposal would provide a satisfactory living environment for future occupiers with particular reference to outlook and noise and disturbance.

The Inspector notes that parking would be provided on site and considers that there is no evidence that any on-street parking which arises from the development would cause highway dangers or inconvenience local residents.

The Inspector allows the appeal subject to conditions relating to: time limit on the commencement of development; development to be carried out in accordance with approved drawings; submission of sample materials; submission of hard and soft landscaping details; and submission of drainage details.

|                   |   |
|-------------------|---|
| Site Address:     | 59 Clay Lane  |
| Reference Number: | FUL/2017/1451   |
| Description:      | Change of use from retail shop (use class A1) to hot food takeaway (use class A5) and installation of external extraction flue. |
| Decision Level:   | Delegated   |
| Decision:         | Refusal on 03/08/2017   |
| Appeal Decision:  | <i>Dismissed on 16/01/2018</i>  |

#### Summary of Decision

The main issues are: whether the development would be in an appropriate location for such a use, with particular regard to local planning policies; the effect of the



development on the living conditions of nearby occupants with particular regard to noise, disturbance and the fear of crime; and the effect of the development on the health and well-being of the local population.

The appeal site is a vacant mid-terrace A1 retail unit in an area characterised by a mixture of commercial and residential properties, but outside the Ball Hill District Centre. Policy R6 of the CLP states that A5 uses will normally be discouraged outside defined centres and the Inspector finds that the fact that the unit lies outside a defined centre represents a clear conflict with this policy.

The Inspector notes the argument that Policy R4 requires all main town centre uses to be subject to a sequential approach to site selection and that there is dispute as to whether a hot food takeaway constitutes a main town centre use but is clear that the controls on the location of hot food takeaways are clearly set out in Policy R6. The applicant sought to demonstrate that there would be no suitable sites within the nearest defined centre but even if Policy R4 applied, the Inspector was not convinced that the use could not be accommodated within the vacant units within the centre and this would not set aside the locational requirement of Policy R6.

In looking at living conditions, The Inspector notes that there are a number of existing commercial outlets in the area but also a large number of residential properties. Policy R6 of the CLP recognises that outside defined centres there is likely to be a greater risk to the living conditions of nearby residents and the Inspector notes that takeaways can generate significant levels of activity which can negatively affect the living conditions of nearby residents, both individually and cumulatively. Whilst he accepts that the re-use of the shop for other retail purposes could generate some degree of noise, he considers this is unlikely to be as intensive as a takeaway.

The evidence suggests that there are already a large number of similar uses in the area both inside and outside the defined centre, but the Inspector is not convinced on the evidence provided that the residents of nearby properties would not be further inconvenienced by another hot food takeaway in this area. Policy R6 of the CLP does not contain a test relating to the effect on living conditions for proposals outside defined centres, but the Inspector is satisfied that there would be conflict with para.17 of the NPPF which seeks, amongst other things, to ensure existing residents have good standards of amenity and that the development would conflict with this requirement.

Concerns were raised regarding the public health implications relating to levels of obesity in the local community but the Inspector does not consider this is reflected in Policy R6 and that there is no substantive evidence to demonstrate that an additional hot food takeaway in this location would be directly attributable to any material decline in the health and well-being of nearby residents.

The Inspector concludes that the benefits of bringing a vacant property back into use is insufficient to outweigh the conflict with Policy R6 and he has identified his concerns over the potential impact on living conditions.



## PLANNING APPEAL PROGRESS REPORT – SUMMARY TABLE

### CURRENT APPEALS LODGED

| Application Reference & Site Address                              | Case Officer             | Type                    | Appellant   | Proposal  | Progress & Dates   |
|---|--------------------------|-------------------------|-------------|---|--|
| <b>TP/2016/2499</b><br><i>12 Beaumaris close</i>                  | <i>Robert Penlington</i> | Written Representations | Mrs Lawson  | Ash (T58) – canopy 15% canopy thin and cut back from property by 4m   | Lodged date: 09/02/2017<br>Start date: 09/02/2017<br>Appeal closed: 16/03/2017 (no action will be taken by Inspectorate) |
| <b>FUL/2016/2506</b><br><i>75-77 Albany Road</i>                  | <i>Shamim Chowdhury</i>  | Written Representations | Mr Murphy   | Change of use to A1 retail (retrospective application)  | Lodged date: 25/04/2017<br>Start date: 20/09/2017<br>Questionnaire: 27/09/2017   |
| <b>FUL/2017/0563</b><br><i>215 The Farmhouse Beechwood Avenue</i> | <i>Anne Lynch</i>        | Written Representations | Mr Mohammed | Retention of the existing marquee on a temporary basis for 2 years  | Lodged date: 12/06/2017<br>Start date: 11/09/2017<br>Questionnaire: 22/09/2017<br>Statement : 24/10/2017                 |
| <b>FUL/2017/0745</b><br><i>27 Camden Street</i>                   | <i>Anne Lynch</i>        | Written Representations | Mr Tee      | Retention of storage buildings, fencing and hard surfacing  | Lodged date: 29/06/2017<br>Start date: 21/11/2017<br>Questionnaire/Statement: 13/12/2017                                 |
| <b>LDCP/2017/0763</b><br><i>27 Camden Street</i>                  | <i>Anne Lynch</i>        | Written Representations | Mr Tee      | Lawful development certificate for use of the land for general storage of vehicles and materials and ancillary repair of stored vehicles.   | Lodged date: 29/06/2017<br>Start date: 21/11/2017<br>Questionnaire/Statement: 05/12/2017                                 |
| <b>S73/2017/1184</b><br><i>New Century Park Allard Way</i>        | <i>Anne Lynch</i>        | Written Representations | Mr Goodwin  | Variation of condition 22 (to enable occupation of 200 units prior to completion of Copsewood Grange and Lodge) : imposed on application reference OUT/2012/0888 for phase II development for up to 329 residential units | Lodged date: 21/08/2017<br>Appeal closed: 02/11/2017 (appeal withdrawn)  |

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|--|--------------------------|-------------------------|-------------------------------------|--|--|
| <b>FUL/2017/0443</b><br><i>12 Wren Street</i>                                      | <i>Liam D'Onofrio</i>    | Written representations | Mr Earp                             | Change of use from a dwellinghouse (C3 Use) to 6 independent bedsits (Retrospective)   | Lodged date: 18/09/2017<br>Start date: 07/12/2017<br>Questionnaire/Statement: 12/12/2017 |
| <b>FUL/2017/1685</b><br><i>37 Heath Crescent</i>                                   | <i>Shamim Chowdhury</i>  | Written Representations | Me Kismet                           | Change of use of ground floor from retail (Use Class A1) to hot food takeaway (Use Class A5)   | Lodged date: 20/09/2017<br>Start date: 07/12/2017<br>Questionnaire/Statement: 14/12/2017 |
| <b>FUL/2017/0212</b><br><i>83 Kirby Road</i>                                       | <i>Pooja Kumar</i>       | Written Representations | Stone and Stone Property Ltd        | Erection of first floor rear extension and new external staircase to create two one bedroom flats (Use Class C3) and minor elevation alterations to existing flats   | Lodged date: 25/09/2017<br>Start date: 07/12/2017<br>Questionnaire/Statement: 14/12/2017 |
| <b>ENF/2017/00038</b><br><i>46 Kenilworth Road</i>                                 | <i>Marcus Fothergill</i> | Written Representations | Mr Simon Thurgood                   | Without planning permission the erection on the land of metal fencing to the southeastern facing boundary (fronting Kenilworth Road) and the southwestern facing boundary (fronting Fletchamstead Highway); in the approximate positions shown in blue on the plan | Lodged date: 09/10/2017<br>Start date: 21/11/2017<br>Questionnaire: 06/12/2017           |
| <b>TP/2017/1984</b><br><i>3 Staircase Lane</i>                                     | <i>Robert Penlington</i> | Written Representations | Cowle                               | Works to TPO Tree – Oak – Remove dead wood from the tree and cut back overgrown branches that are encroaching on the house to a distance of 4 metres from the front of the property  | Lodged date: 09/10/2017<br>Start date: 04/01/2017  |
| <b>FUL/2017/0952</b><br><i>Aylesford Intermediate Care Centre Aylesford Street</i> | <i>Nigel Smith</i>       | Written Representations | Mr Patel Aylesford Coventry Limited | Demolition of former care centre and erection of 189 beds student accommodation  | Lodged date: 11/10/2017<br>Start date: 08/12/2017<br>Questionnaire: 15/12/2017           |
| <b>TEL/2017/0713</b><br><i>The Painted Lady Longfellow Road</i>                    | <i>Pooja Kumar</i>       | Written Representations | Cornerstone Telecommunication s     | Application for prior notification of proposed development by telecommunications code system operators   | Lodged date: 11/10/2017<br>Start date: 08/12/2017<br>Questionnaire/Statement: 14/12/2017 |
| <b>OUT/2017/1562</b><br><i>14 The Riddings</i>                                     | <i>Liam D'Onofrio</i>    | Written Representations | Mr Jakeman                          | Outline application for a residential dwelling with allocated parking spaces (means of access submitted)   | Lodged date: 18/10/2017<br>Start date: 08/12/2017<br>Questionnaire/Statement: 18/12/2017 |

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|--|--------------------------|-------------------------|---------------------|---|--|
| <b>HH/2017/0018</b><br><i>11 Stoneleigh Road</i>   | <i>Shamim Chowdhury</i>  | Written Representations | Mr Seth             | Erection of two sets of gates and railings  | Lodged date: 23/10/2017<br>Start date: 29/01/2018  |
| <b>HH/2017/1477</b><br><i>41 Oddicombe Croft</i>   | Pooja Kumar              | Written Representations | Mr Hunt             | Two storey side extension for additional living space   | Lodged date: 24/10/2017<br>Start date: 30/01/2018  |
| <b>HH/2017/1772</b><br><i>20 Watery Lane</i>       | <i>Pooja Kumar</i>       | Written Representations | MR Abdullah         | Erection of single storey side extension with first floor extension to the rear   | Lodged date: 16/11/2017<br>Appeal closed 04/12/2017 (insufficient information submitted to validate) |
| <b>HH/2017/2390</b><br><i>4 Ten Shilling Drive</i> | <i>Nigel Smith</i>       | Written Representations | Miss Nicholls       | Raise brickwork to existing garage with new pitched roof over including two pitched roof dormers to form gym  | Lodged date: 20/11/2017<br>Start date: 11/01/2018  |
| <b>FUL/2017/1831</b><br><i>84 Poppleton Close</i>  | <i>Anne Lynch</i>        | Written Representations | Mr & Mrs Wenmouth   | Change of use from C3 residential to a 7 bed HMO for 7 occupiers (sui generis) (retrospective)  | Lodged date: 11/12/2017<br>Start date: 04/01/2018  |
| <b>FUL/2017/1823</b><br><i>83 Poppleton Close</i>  | <i>Anne Lynch</i>        | Written Representations | MR Payne            | Change of use from C3 residential to a 7 bed HMO for 7 occupiers (sui generis) (retrospective)  | Lodged date: 11/12/2017<br>Start date: 04/01/2018  |
| <b>FUL/2017/1701</b><br><i>89 Poppleton Close</i>  | <i>Anne Lynch</i>        | Written Representations | Mr Saadie C/O Agent | Change of use from C3 residential to 7 bed HMO for 7 occupiers (sui generis) (retrospective)  | Lodged date: 11/12/2017<br>Start date: 04/01/2018  |
| <b>TP/2017/1283</b><br><i>3 Staircase Lane</i>     | <i>Robert Penlington</i> | Written Representations | Cowle               | Oak tree – shorten x12 low branches by 4m from dwellings 1 & 3 Staircase Lane.  | Lodged date: 04/01/2018<br>Start date: 04/01/2018  |
| <b>TP/2017/1984</b><br><i>3 Staircase Lane</i>     | <i>Robert Penlington</i> | Written Representations | Cowle               | Works to TPO Tree – Oak – Remove all dead wood from the tree and cut back overgrown branches that are encroaching on the house to a distance of 4 metres from the front of the property | Lodged date: 04/10/2018<br>Start date: 04/01/2018  |

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|---|--------------------------|-------------------------|-------------|--|---|
| <b>HH/2017/2739</b><br><i>71 Loudon Avenue</i>                      | <i>Ayesha Saleem</i>     | Written Representations | Mr Khan     | Erection of two storey rear extension and single storey side extension         | Lodged date: 08/01/2018<br>Start date: 15/02/2018 |
| <b>TEL/2017/2104</b><br><i>St. James Church<br/>Leamington Road</i> | <i>Nigel Smith</i>       | Written Representations | CTIL        | Installation of a 17.5metre high telecommunications mast and equipment cabinet | Lodged date: 15/01/2018<br>Start date: 15/01/2018 |
| <b>TP/2017/2277</b><br><i>6 Innis Road</i>                          | <i>Robert Penlington</i> | Written Representations | Mrs Johnson | Oak (T1) – 20% crown reduction   | Lodged date: 15/01/2018<br>Start date: 10/01/2018 |

## APPEAL DECISIONS RECEIVED

| Application Reference<br>Site Address           | Case Officer   | Type                    | Appellant               | Proposal  | Appeal Decision<br>& date   |
|---|----------------|-------------------------|-------------------------|---|---|
| <b>FUL/2017/0077</b><br>1 Empire Road           | Anne Lynch     | Written Representations | MR Singer<br>Garagelets | Provision of 32 replacement domestic garages  | Decision : <b>DISMISSED</b><br><b>11/11/2017</b><br>decision type: <i>Delegated</i> |
| <b>HH/2017/0939</b><br>216 Lythalls Lane        | Rebecca Grant  | Written Representations | Mr Aujla                | Erection of detached garage/garden store  | Decision : <b>DISMISSED</b><br><b>08/12/2017</b><br>decision type: <i>Delegated</i> |
| <b>HH/2017/1318</b><br>4 Sylvan Drive           | Alan Lynch     | Written Representations | Dr Ahmed                | Erection of rear and side extensions with dormer and alterations  | Decision : <b>DISMISSED</b><br><b>08/12/2017</b><br>decision type: <i>Delegated</i> |
| <b>FUL/2017/0619</b><br>389 Green Lane          | Liam D'Onofrio | Written Representations | Mr Thadwal              | Erection of new dwelling adjoining 389 Green Lane   | Decision : <b>ALLOWED</b><br><b>12/12/2017</b><br>decision type: <i>Delegated</i>   |
| <b>FUL/2017/1007</b><br>657 Stoney Stanton Road | Nigel Smith    | Written Representations | Mr Shah                 | Change of use of ground floor from residential to butchers shop (A1) and erection of outbuilding, external staircase and two storey rear extension and installation of rear dormer window. First floor to be a flat | Decision : <b>DISMISSED</b><br><b>12/12/2017</b><br>decision type: <i>Delegated</i> |
| <b>FUL/2017/1833</b><br>47 Signet Square        | Rebecca Grant  | Written Representations | Mrs Yesim               | Erection of single storey rear extension  | Decision: <b>ALLOWED</b><br>12/12/2017<br>Decision type: <i>Delegated</i>           |
| <b>FUL/2017/0498</b><br>12 Milton Street        | Anne Lynch     | Written Representations | Mr Fordham              | Erection of detached house  | Decision : <b>ALLOWED</b><br><b>14/12/2017</b><br>decision type: <i>Delegated</i>   |

|                                      |                         |                         |           |   |  |
|--------------------------------------|-------------------------|-------------------------|-----------|---|--|
| <b>FUL/2017/1451</b><br>59 Clay Lane | <i>Shamim Chowdhury</i> | Written Representations | Mr Ramzan | Change of use from retail shop (use class A1) to hot food takeaway (use class A5) and installation of external extraction flue. | Decision: <b>DISMISSED</b><br><b>16/01/2018</b><br>Decision type: <i>Delegated</i> |
|--------------------------------------|-------------------------|-------------------------|-----------|---|--|