List of Current Planning and Enforcement Appeals
June 2021

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Inquiry	Current Position
W/20/0617	Land South of Chesterton Gardens, Leamington Spa	Outline Application for 200 dwellings **Committee Decision contrary to Officer Recommendation**	DC	Statement of Case: 24 May Proofs of Evidence: 15 June 2021	13 July for up to 4 Days	In Preparation

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing	Current Position
W/20/1176	Land on the North Side of Birmingham Road	Variation of Condition to Allow the Removal of a Footpath/Cycle Link on Planning permission for 150 dwellings (W/19/0933)	DC	Statement Due: 29 April 2021	6 July	In Preparation

		Delegated				

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/19/1604	17 Pears Close, Kenilworth	First and Ground Floor Extensions **Delegated**	George Whitehouse	Questionnaire: 19/6/20 Statement: N/A	Ongoing
W/20/1189	12 Warmington Grove, Warwick	Lawful Development Certificate for Use of Mobile Home as Ancillary Residential Accommodation **Delegated**	Andrew Tew	Questionnaire: 25/3/21 Statement: 19/4/21	Ongoing
W/20/0358	Junction of Rising Lane and Birmingham Road, Baddesley Clinton	Erection of 2 Detached Houses **Delegated**	Rebecca Compton	Questionnaire: 10/3/21 Statement: 7/4/21	**Appeal Dismissed**
The Inspector noted that when looking at the site from the west, the site is appreciated within the wider context of built development on the opposite side of Birmingham Road. However, given the juxtaposition of these houses to the appeal site and the road in-between, they are not part of the line of frontage properties along Rising Lane. Consequently, the appeal site is at the end of a line					

of frontage properties. Criterion b) of policy H11 supports the infilling of a small gap fronting the highway. 'Gap' refers to a space between two objects and when reading policy H11 in the round, the 'infilling of a small gap' suggests a space between properties.

Being at the end of a row of houses, the development would not fulfil criterion b). For development to be acceptable, policy H11 requires criterion b) and c) to be met. Given that the development would not meet criterion b), the development would be contrary to policy H11, irrespective of any assessment against criterion c). On this basis, the Inspector found the proposal not to constitute limited infilling and would constitute inappropriate development in the Green Belt. He also found that it would result in harm to openness.

With regards to the impact on the character and appearance of the area, the Inspector noted that the site itself, being a corner plot, is prominent in local views and by virtue of the vegetation growing on it, contributes to the positive effect landscaping has on the character of the village. That said, the site is overgrown and untidy in appearance which reduces its contribution to the visual qualities of the village. Given the prevalence of development around the site, and the busy Birmingham Road which adjoins it, two houses in principle would not appear unduly discordant. He recognised that this view was not shared by an Inspector who found that development on the site would disrupt the rural edge of the village. However, he did not agree that the site creates a rural edge to the village.

However, he did consider that the houses would be highly prominent and much of the plot would be occupied by built development and hardstanding and that the development would therefore appear unduly dominant alongside the more subtle forms of development in the area.

Regarding biodiversity he noted that there would be a loss of habitat. As required by policy NE3 of the Warwick Local Plan (2017), the appellant has not provided any evidence as to why biodiversity cannot be better protected or enhanced. Furthermore, there is no evidence of mitigation measures being explored. Policy NE3 states that only when these options come to no avail should compensatory measures involving biodiversity off-setting be secured. He found that the appellant's financial contribution towards offsetting was premature.

W/20/1504	16 Aylesbury Court, Aylesbury Road, Lapworth	Extension to Garage to form Pool House **Delegated**	Thomas Fojut	Questionnaire: 12/2/21 Statement: 22/3/21	Ongoing

W/20/1716	The Threshing Barn, Finwood Road, Rowington	Extension to Outbuilding **Delegated**	Emma Booker	Questionnaire: 8/4/21 Statement: 28/4/21	**Appeal Dismissed**
In design terms the Inspector considered that while the extension would increase the scale of the garage, it would be a relatively modest extension and the garage would remain subservient to the main building at the site. The extension would retain the simple, agricultural appearance of the garage building, ensuring that it remains appropriate to its context near a converted barn. The extension would be parallel to the existing building, attached to one end, and therefore, a clear separation would remain between it and the barn conversion. It would not result in the garage appearing as a cramped feature within the site and there would be no unacceptable sense of enclosure around the barn, given the retention of the width of the driveway and limited footprint of the proposal. With regards to ecology, the Inspector noted on site that there were gaps between the timber boarding which clad the end elevation. In this light, he found that the potential for protected species to use the building should be addressed and that this should be done prior to permission being granted. In the absence of evidence demonstrating that the proposal would not have a harmful effect on biodiversity, he was unable to conclude that the scheme would not conflict with Policy NE2 of the Warwick District Local Plan.					
W/19/1573/LB	Church Farmhouse, Woodway, Budbrooke	First Floor Extension **Delegated**	George Whitehouse	Questionnaire: 13/3/21 Statement: 27/4/21	Ongoing
W/20/1741	149 – 151 Warwick Road, Kenilworth	Demoliton of Hotel and Dwelling and erection of 9 Dwellings **Delegated**	Helena Obremski	Questionnaire: 13/4/21 Statement: 17/5/21	Ongoing

W/20/0966	45 Brook Street, Warwick	Timber Pergola **Committee Decision in accordance with Officer Recommendation**	Andrew Tew	Questionnaire: 17/5/21 Statement: 14/6/21	Ongoing
New W/20/1497	4 Appletree Cottages, Old Warwick Road, Warwick	First floor extensions **Delegated**	Emma Booker	Questionnaire: 1/6/21 Statement: 22/6/21	Ongoing
New W/20/1732	13 North Close, Cubbington	First floor side extension **Delegated**	Emma Booker	Questionnaire: 14/6/21 Statement: 6/7/21	Ongoing
New W/20/1856	12 Helmsdale Road, Lillington	Hip to gable extension; side extension and dormer window **Delegated**	George Whitehouse	Questionnaire: 8/6/21 Statement: 30/6/21	Ongoing
New W/20/1415	62 Brunswick Street, Leamington Spa	Various extensions and alterations **Delegated**	Helena Obremski	Questionnaire: 26/5/21 Statement: 23/6/21	Ongoing
New					Ongoing

W/20/1683	Former Polestar Foods, St Mary's Road, Leamington	Appeal against the refusal of a lawful development certificate **Delegated**	Helena Obremski	Questionnaire: 9/6/21 Statement: 7/7/21	

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	The inquiry has been held in abeyance

Tree Appeals

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines		Current Position

					Date of Hearing/Inquiry	