List of Current Planning, Enforcement and Tree Appeals
May 2025

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Inquiry	Current Position
W/24/0711	Land to the North of Henley Road, Lower Norton	Change of use of land to use as residential caravan site for 12 gypsy/traveller families **Appeal against non-determination**	Lucy Hammond	Statement due 15/1/25	29/7/25	Ongoing

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing	Current Position
W/23/1746	Land On the South Side Of Chesterton Gardens, Leamington	Outline planning application for a residential development of up to 190 dwellings	Dan Charles	Statement due: 21/10/24	27/11/24	Appeal Allowed

		Called In Application				
It was considered by Warwick District Council's Planning Committee on 16 April 2024 where it was resolved to approve the application subject to the satisfactory completion of a planning obligation and further work demonstrating compliance with the then emerging Net Zero Carbon Development Plan Document. On 30 May 2024, a direction under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 was issued, directing the Council to not grant permission. The Council and the appellant agreed a final Statement of Common Ground (SoCG) in November 2024. This confirmed that there were no areas of disagreement between them. The Inspector proceeded to conclude that the proposal was acceptable in respect of the main issues which he considered to be compliance with the Net Zero DPD, safe and suitable access and effect on highway safety, living conditions of existing and future occupiers and contributions.						
New W/24/0376 and W/24/0377/ LB	5-9 Tavistock Street, Leamington	Demolition of Night Club and Erection of 5 Storey Building for Student Apartments **Committee Decision in accordance with Officer Recommendation**	Lucy Hammond	Statement due: 16/5/25	29/7/25	Ongoing

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
			Adam Walker		Ongoing

W/23/1177	Land fronting Leicester Lane, Cubbington	Lawful Development Certificate for the Use of the Land for Open Storage **Delegated**		Questionnaire: 9/4/24 Statement: 7/5/24	
W/23/1631	103 Greenwood Court, Upper Holly Walk, Leamington	Change of Use from Dwelling House to HMO **Delegated**	Millie Flynn	Questionnaire: 7/5/24 Statement: 4/6/24	Ongoing
W/23/1175	Swallowfield Stud, Rising Lane, Lapworth	Change of use of field and 3 buildings to dog care and walking use **Delegated**	Erin Weatherstone	Questionnaire: 4/10/24 Statement: 1/11/24	Appeal Dismissed
Swallowfield Lodge and Swallowfield Stud are residential properties within the equestrian facility itself, and they are therefore located near the appeal site, and this gave rise to concerns about noise and disturbance. The Inspector noted that the Noise Assessment (NA) submitted with the application did not include a quantitative assessment of barking noise arising from the outbuildings and proposed dog run, and it was not clear from the evidence whether access to the dog run would be controlled. The evidence indicated that the number of dogs on site would be likely to vary throughout the day, and it was clearly the appellant's intention to use operational and management measures to reduce barking. However, at the scale of the development proposed, the Inspector considered it entirely feasible that up to 35 dogs would be accommodated together in close quarters across a large part of the day. In these circumstances the opportunity for sustained barking by many dogs simultaneously would clearly arise. Due to the intermittent and repetitive nature of barking, and the numbers of dogs involved, this would be a particularly irritable noise source at high volume. The NA sought to demonstrate that noise levels arising from barking within the outbuildings and dog run would not be significant due, in part, to the distance between the facility and the nearest dwellings as well as the presence of intervening buildings. However, the Inspector noted that the NS did not clearly state the factors that had been considered in forming this conclusion and, therefore, there was uncertainty over the assumptions and limitations of the NS findings.					

W/23/1472	Land to the North of Bakers Lane, Knowle	Change of use to equestrian use and erection of associated stables and tack room **Delegated**	Jack Lynch	Questionnaire: 8/10/24 Statement: 5/11/24	Appeal Allowed and Costs Claim Refused
The Council's main concern was whether the proposal would comprise the provision of appropriate facilities with regard to the amount of grazing land, particularly given the leasehold nature of part of the land to which the appeal relates. The Inspector noted the British Horse Society recommendation of a minimum of 1 acre of grazing land per horse, which would trigger a requirement of 2 acres to serve the number of stables proposed in this case. However, the appeal submissions indicated that the front part of the site adjacent to Bakers Lane, which covers in excess of 2 acres, on which the stables would be sited, was owned freehold by the appellant. The Council took the view that, when taking account of the position of the access drive, the extent of uninterrupted land within the ownership of the appellant amounts to less than 2 acres. Nonetheless, the Inspector considered that it had not been shown how the arrangement of the land owned by the appellant, including its severance by fencing and the driveway, would prevent it being used for grazing by the horses to be accommodated within the proposed stables. Consequently, he concluded that even in the event that the lease was terminated, and the leasehold land became unavailable, there would be adequate land within the ownership of the appellant, and available for the grazing of horses, to satisfy the British Horse Society recommendations. COSTS: The Council's concerns in consideration of the provision of grazing land were set out in the Decision Notice, with further justification provided in the Delegated Decision Worksheet. Although the Inspector reached a different conclusion, he was clear that it does not automatically follow that the Council's view was unreasonable, given that it was a matter of planning judgement.					
W/23/1563/LB and W/1564	Whitley Elm Cottages, Case Lane, Rowington	Erection of single storey extensions, amendments to fenestration and internal alterations. **Delegated**	Millie Flynn	Questionnaire: 9/9/24 Statement: 7/10/24	Appeals Dismissed

Policy BE4 of the Warwick District Local Plan relates to the conversion of rural buildings and requires, amongst other things, that proposals avoid extensive alteration to the external appearance of the building, respect the special qualities of listed, rural buildings, externally and internally, and the conversion protects the character and appearance of the countryside. The supporting text further advises that extensions as part of their conversion will not be approved unless essential for the retention of the building.

The Inspector helpfully confirmed that although the policy wording relates to a building conversion, it appeared to him that the policy intent remains applicable to the future adaptation of these buildings - this would protect the integrity of the building and the character and appearance of the surrounding area in the long term. To do otherwise would mean that a sensitive building conversion may be quickly unravelled by future building works.

This confirmation will be useful in future cases. Furthermore, the supporting text of Policy H14 explains that the Council is extremely unlikely to grant approval for the extension of a barn conversion and the disruption to the integrity of the building must be considered. The Inspector considered that the extension would considerably disrupt the distinctive, historic linear form of the building range, stepping back abruptly from the rear building line in a conspicuous and unexpected position. Furthermore, the ridge would be higher than the building to which it would attach, and it would have a significantly greater form and massing.

Therefore, although the proposed extension would be subordinate in terms of the building range as a whole, it would be disproportionately larger than the immediately adjoining building. Its presence and scale would be more pronounced by using metal cladding and its different design, contrasting with the building's vernacular character. Whilst this would make the extension appear distinct and of design interest, and there may well be precedents for modern metal barns associated with traditional farmsteads, in this case the extension would be visually jarring.

W/24/0375	13 Damson Road, Hampton Magna	First Floor Extension **Committee Decision contrary to Officer Recommendation**	Thomas Senior	Questionnaire: 16/9/24 Statement: 8/10/24	Ongoing

W/23/0826	9 St Johns, Warwick	Change of use of Building and Field to dog care and walking use. **Delegated**	Erin Weatherstone	Questionnaire: 6/11/24 Statement: 4/12/24	Appeal Dismissed
Whilst acknowledging that national and local planning policy seek to create diverse and active town centres, which includes support for residential uses, the Inspector noted that there is no suggestion that this should be at the expense of the retail function of these areas. The Inspector was critical of the Marketing which only promoted the building as an office, as opposed to a wider range of Class E uses and only marketed the building for rent. He could not therefore be assured that there was no interest in the appeal building for any Class E use. Furthermore, whilst it was stated that the marketing of the property resulted in very little interest, information on the numbers of viewings and interested parties over a marketing period of at least 12 months was absent, as was information and analysis on the rent being asked when compared to similar premises in the local area. He therefore had insufficient evidence to be satisfied that all opportunities to sell or re-let the accommodation had been fully explored and that there was no realistic prospect of the unit being used in Class E purposes. The weight he gave to the possible change of use under Class MA prior approval was given limited weight as a fallback as the Inspector could not be certain that permission would be forthcoming.					
W/24/0478	Carpswell Cottage, Ludlows Lane, Hatton	Lawful Development Certificate for a Twin Unit Mobile Home **Delegated**	Jack Lynch	Questionnaire: 17/12/24 Statement: 14/1/25	Ongoing
W/24/0885	The Conifers, 12 Birmingham Road, Stoneleigh	Two Storey Rear Extension, removal of chimney and change of window colour. **Delegated**	James Moulding	Questionnaire: 2/12/24 Statement: 24/12/24	Appeal Dismissed

The Council considered the removal of the chimney stack and the dark coloured fenestration to be harmful to the character and appearance of both the appeal dwelling and the CA. The Inspector noted that common features of the CA and the original dwelling are chimney stacks and white coloured fenestration. Whilst properties in the CA varied in terms of their scale, age, and appearance, both elements were important characteristics, which contribute positively to the architectural significance of the heritage asset. Whilst the appeal property would retain a second chimney, the Inspector considered that the removal of the chimney that is subject to the appeal was detrimental to the character and appearance of the dwelling. It also resulted in a loss of symmetry and balance when viewed in conjunction with the adjoining dwelling at number 13 Birmingham Road. He recognised that not all properties within the CA have chimney stacks and not all have white windows, however, these features are common and they are important characteristics of the historic part of Stoneleigh and should be retained where possible.					
W/24/0887	The Conifers, 12 Birmingham Road, Stoneleigh	Two and single Storey Rear Extensions **Delegated**	James Moulding	Questionnaire: 2/12/24 Statement: 24/12/24	Appeal Allowed
The Council considered that the development would be harmful to the character and appearance of the existing property by obscuring both its original plan form and its original rear elevation. Furthermore, the Council also considered that the proposal would cause harm to the setting of the neighbouring property at number 11 Birmingham Road, which is a listed building, and that the harm to the heritage assets is not outweighed by any public benefits. The Inspector considered that the two-storey element of the appeal proposal was acceptable in terms of its design and appearance and because it was little different to the extension that was granted in 2023. Whilst the single-storey rear extension covers the original ground floor elevation of the property, he saw it to be a relatively small addition not visible from Birmingham Road. In his opinion, it did not harm the character or appearance of the CA. Furthermore, whilst the original ground floor elevation was of a simple and traditional appearance, he was not persuaded that it was of particular significance in heritage terms.					
W/24/1137	Old Barn, Mountford Farm, Church Lane, Lapworth	Permission in Principle for 2 Dwellings **Delegated**	Millie Flynn	Questionnaire: 11/12/24 Statement:	Appeal Allowed

				8/1/25	
Lapworth is a Limited Infill Village; however, Officers considered the appeal site not to be viewed as a small gap in an otherwise built-up frontage when experienced on the ground as required by Policy H11. The Inspector considered that while the site is bordered by vegetation, it is nonetheless visible as part of the street scene. Whilst noting that the site contributes positively to the spacious character of the area, he took the view that the site appears to have the capacity to be developed in a manner which retains much of the boundary vegetation, consistent with the established character of the area. This provided sufficient comfort that the site could be developed without harmfully impacting upon the local character and distinctiveness of the area or the integrity of the village. He therefore concluded that the proposal would represent limited infilling in a village and thus would not be inappropriate development in the Green Belt.					
W/24/0923	43 Coriolanus Square, Warwick Gates, Warwick	Erection of a 1.27m high fence to front boundary **Delegated**	Thomas Senior	Questionnaire: 5/12/24 Statement: 26/12/24	Appeal Dismissed
The Inspector noted that the predominant architectural style consists of a mix of detached and semi-detached red brick dwellings, featuring open frontages that accommodate driveways and various landscaping elements. The close proximity of dwellings enhances the prominence of the open front spaces, which serve as a defining feature of the street scene. Collectively, these characteristics contribute to the area's open, suburban character and appearance. He considered that the appeal proposal was markedly taller than and thus contrasted with the open frontages typical of the area. The design comprises three distinct horizontal layers: a solid concrete base, wooden panels and an upper wooden trellis layer, segmented by vertical concrete posts. Although the trellis layer offers a semi-permeable aspect, the lower two layers are entirely solid. Given the development's considerable width and height, it effectively encloses the host property's frontage from public view, thereby disrupting the openness of the estate and adversely affecting the character and appearance of the area. The development introduces a boundary treatment design that is not present in the surrounding area. Furthermore, the choice of timber and concrete materials, along with their associated colours, fails to complement the existing aesthetic of the estate and does not align with the character of the host property.					
		Adaption of Railings	Jane Catterall		

W/24/1213/LB	65 Willes Road, Leamington	**Delegated**		Questionnaire: 27/12/24 Statement: 22/1/25	Appeal Dismissed
The appeal proposal sought to remove a section of the dwarf wall and railings facing Innage Close to create a gated vehicular access. The new access would enable a vehicle to park in a fully enclosed space immediately alongside the house. The Inspector considered that, despite the intention to replicate the existing details and cause minimal disturbance, the introduction of a wide, electronically operated gate would be a notably modern and unexpected feature looking visibly incongruous so close to the listed dwelling. There is also the potential for the gate to remain open which would considerably disrupt the building's enclosure, introducing an unsightly gap in the boundary and open views of the parking area. Furthermore, the presence of a parked vehicle near to the dwelling would detract from its open setting. A vehicle is likely to be conspicuous in an area which would normally be expected to be garden rather than parking. It would be a harmful visual draw out of keeping with the architecture and setting of the building and would impact its special interest and significance. Although the works have the potential to be reversible, given the financial outlay, they would be unlikely to be reversed.					
W/24/0888	5, Haseley Manor, Hatton	Erection of Pergola **Delegated**	Laura Slevin	Questionnaire: 10/1/25 Statement: 7/2/25	Appeal Allowed
The main issues were whether or not the proposal would be inappropriate development within the Green Belt, and the effect of the proposal on the special interest and significance of a designated heritage asset. The Inspector noted that case law has established that the exception under Framework paragraph 154 c) 'the extension of a building, provided that it does not result in disproportionate additions over and above the size of the original building', is capable of being applicable to structures which are physically detached from the main building. In this case, he considered that in view of the pergola's intended use for domestic purposes, its siting on the terrace and in close proximity to the main dwelling, that the pergola should be treated as a domestic adjunct. Therefore, the proposal was regarded as an extension to the dwelling and Framework paragraph 154 c) was applied. The Inspector was satisfied that the open nature of the pergola would not enlarge the size of the dwelling in the same way as an extension would with solid					

walls and a roof. Instead, it would be viewed as a relatively open garden structure, which would be likely to have its roof retracted for much of the time and would have little greater visual presence than the existing garden paraphernalia within the terrace. Considering the sunken position of the terrace and the screening provided by the hedge, he felt the pergola would not be readily seen in conjunction with views of the front elevation, either in part or as a whole. Even at close view, with the top of the pergola approximately at ground level, it would not be conspicuous. Given the presence of the stepped walling, garden furniture and other paraphernalia in this area, he saw little reason why a largely open structure over part of the terrace would be harmful to the building's significance.					
W/24/0690	Meadows Hut, Church Lane, Stoneleigh,	Lawful Development Certificate relating to the Abandonment of the Use of a Building **Delegated**	Millie Flynn	Questionnaire: 13/2/25 Statement: 13/3/25	Ongoing
W/24/0831	11A Hatton Terrace, Birmingham Road, Hatton	Lawful Development Certificate relating to the Use of a Building as a Dwelling **Delegated**	Millie Flynn	Questionnaire: 11/2/25 Statement: 11/3/25	Ongoing
W/24/0499	9 St Andrews Road, Lillington	Lawful Development Certificate relating to various works **Delegated**	Sophie Lad	Questionnaire: 6/3/25 Statement: 27/3/25	Ongoing
W/24/0452	Norton Croft and Cotswold House, Wolverton Road, Norton Lindsey	Demolition and Alterations to Existing Buildings and 3 New Dwellings **Delegated**	Millie Flynn	Questionnaire: 21/2/25 Statement: 21/3/25	Ongoing

W/24/0848	Hammonds Barn, Purlieu Lane, Kenilworth	Application for Variation of Condition 2 of planning permission W/21/0397 to allow for an Increase in Size **Delegated**	Millie Flynn	Questionnaire: 21/2/25 Statement: 21/3/25	Appeal Allowed
The Inspector acknowledged that the Council considered that that limited weight should be given to the approved scheme, however he noted that it had been commenced and therefore there was every likelihood that it would be built in the absence of an alternative permission. Therefore, he gave the fallback position, that is the approved scheme, considerable weight. The Inspector considered that the proposed increase in depth of the approved building was relatively minor and the development would not result in significant visual or spatial intrusion and would therefore continue to preserve the openness of the Green Belt.					
W/24/0727	Eathorpe Hall, Old Fosse Way, Eathorpe	Lawful Development Certificate for Gates **Delegated**	Sophie lad	Questionnaire: 21/2/25 Statement: 21/3/25	Ongoing
New W/22/1410	Land on the South Side of Birmingham Road, Budbrooke	Erection of a 3 Storey, 75 Bed care Home **Committee Decision contrary to Officer Recommendation**	Dan Charles	Questionnaire: 2/5/25 Statement: 30/5/25	Ongoing
New W24/1359	2 Quarry Farm Cottages, Rowington Green	First Floor Extension **Delegated**	James Moulding	Questionnaire: 21/3/25 Statement: 11/4/25	Ongoing

New W/24/1366 and W/24/1367/LB	5 Earls Meadow, Warwick	Replacement Link between Garage and Dwelling **Delegated**	Laura Slevin	Questionnaire: 8/5/25 Statement: 5/6/25	Ongoing
New W/24/1567; W/24/1568 and W/24/1569/LB	91 – 93 Regent Street, Leamington	Retractable Awning and Doors to Front Elevation; Signage; Painting of Shopfront and Doors **Delegated**	Millie Flynn	Questionnaire: 1/5/25 Statement: 29/5/25	Ongoing
New W/24/1050	11 Turton Way, Kenilworth	Change of Use of Part of Garden to Doggie Day Care Centre; erection of Outbuilding and Fencing. **Delegated**	Thomas Senior	Questionnaire: 8/4/25 Statement: 6/5/25	Ongoing
New W/24/1129	Flat 2, 6 Warwick New Road, Leamington	Change of Use of Apartment to HMO **Delegated**	Thomas Senior	Questionnaire: 8/4/25 Statement: 6/5/25	Ongoing
New W/24/1682	47 Parade, Leamington	Display of Halo Illuminated Letters **Delegated**	Thomas Senior	Questionnaire: 15/5/25 Statement: 15/6/25	Ongoing

Enforcement Appeals

Reference	Address	Issue	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
ACT 450/08	Meadow Cottage, Hill Wootton	Construction of Outbuilding	Will Holloway	Statement: 22/11/19	Public Inquiry January 2025 Hearing Postponed at the Appellants request. 20-22 May 2025 Hearing postponed at the Appellants request TBC	Ongoing

ACT 506/20	Hatton Arms, Hatton	Erection of covered enclosure to rear	Stephen Hewitt	Awaiting Planning Inspector Decision	Written Reps	Ongoing
ACT 135/24	Land at Henley Road, Budbrooke	Unauthorised traveller encampment	Will Holloway	Ground G appeal now commenced following withdrawal of Ground A	Written Reps	Ongoing and linked with Planning Appeal
ACT 182/22	Southcrest Arboretum, Crewe Lane, Kenilworth	Erection of boundary fence over 1m in height	Will Holloway	Awaiting Planning Inspector Decision	Written Reps	Ongoing
ACT 255/24	Back Lane, Rowington	Unauthorised Traveller Site	Will Holloway	Awaiting Planning Inspector Decision	Informal Hearing was 15th April 2025	Ongoing

ACT 812/20	11 Hatton Terrace, Warwick	Conversion of garage into living accommodation	Navjot Nijjar	Awaiting Planning Inspector Decision	Written reps	Ongoing

Tree Appeals

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