



ROBERT NASH ACIS DMS
Clerk to the Town Council

THE TOWN COUNCIL

OF

ROYAL LEAMINGTON SPA
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27th September 2018

Dear Councillor

PLANNING COMMITTEE – THURSDAY 4th OCTOBER 2018

You are invited to attend a Meeting of the Planning Committee in ROOM 5, at the **TOWN HALL, ROYAL LEAMINGTON SPA**, commencing at **6.00 p.m.** on **THURSDAY 4th OCTOBER 2018**.

Yours faithfully,

CLERK TO THE TOWN COUNCIL

To: Councillors: Janet Alty, Jill Barker, Heather Calver, Daniel Howe,
Caroline Evetts, Tom Kenyon-Brown, John Knight, Ann Morrison

(All other Members of the Town Council – Agenda for information only, via website)

MEMBERS ARE INVITED TO DECLARE ANY INTEREST THEY MAY HAVE IN ITEMS IDENTIFIED FOR CONSIDERATION AT THE MEETING

AGENDA

1. Apologies
2. Declarations of Interest and Requirements for Dispensations
3. Public Forum
To receive any representation from Members of the Public in accordance with Standing Order No. 36.
4. Minutes
To approve and sign the Minutes of the Meeting of the Planning Committee held on 13th September 2018 (Report No. 4)
5. Matters Arising

6. Planning Applications

To consider a schedule of planning applications received from the Planning Authority (Report No 6)

7. Determination of Planning Applications

To consider Applications determined by the Planning Authority (Report No. 7)

8. Planning Appeal Notifications

To consider the following Planning Appeal Notifications, if any

9. Planning Appeal Decisions

To consider the following Appeal Decisions, if any

10. Tree Preservation Orders

To consider the following Tree Preservation Orders, if any

11. Any Other Business



THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 13 SEPTEMBER 2018 AT THE TOWN HALL,
ROYAL LEAMINGTON SPA

Present: Councillors John Knight (Chair), Janet Alty, Caroline Evetts, Daniel Howe, Jill Barker and Tom Kenyon Brown.

Apologies: Councillor Ann Morrison and Councillor Heather Calver

51. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS

There were none.

52. PUBLIC FORUM

No representations

53. MINUTES

The Minutes of the Planning Committee held on 23rd August 2018, having been circulated, were considered and agreed.

RESOLVED that the Minutes of the Meeting of the Planning Committee held on 23rd August 2018 are confirmed and signed as a correct record.

54. MATTERS ARISING

Application W/181276 – 2 Satchwell Place CV31 1HT to be further discussed under Any Other Business.

55. PLANNING APPLICATIONS

Consideration was given to a schedule of planning applications (Report No. 6).

RESOLVED that no objections are raised to the planning applications in the schedule (Report No. 6), with the exception of the following which were discussed in greater detail:

W/18/1375 Mr S Kandola Change of use from a single dwelling house (C3) to an 8 bed House in Multiple Occupation (Sui Generis) (retrospective) 29
Grosvenor Road CV31 2NN

RESOLVED that an objection is raised on the following grounds:

1. Exceeds Local Plan policy H6a) considerably at 18%, further exacerbating the existing issues in this area regarding unacceptable adverse impacts on parking and amenity for current residents, neighbours and future residents of this property.

W/18/1398 Mr Remi Mobed Erection of a two storey side extension, new dormer to front elevation, roof extension and new access onto Archery Road 2 Adelaide Road CV31 3PW

RESOLVED that no objection is raised

W/18/1551 Warwick District Council Improvements to existing municipal car park as part of the Leamington Spa Car Park Displacement Programme. Improvements include new asphalt surfacing, lighting, CCTV, pay machines and formalized parking bays Car park, Archery Road

RESOLVED that an objection is raised on the following grounds:

1. Loss of several mature trees along the boundary of the car park which form a useful screen between car park and listed green space - the town council questions whether it is necessary to remove all of these trees. We also support the comments of the Ecology officer regarding the provision of "further information on lighting and a revised lux diagram" being provided before the application is decided.
2. Lack of a heritage assessment as yet as recommended by the planning archaeologist at Warwickshire County Council. She states "there is a potential for the proposal to have an impact upon the character of the registered garden" therefore a heritage assessment would be of great help to inform the decision making on this application.

W/18/1597 Newbold Buildings Ltd Change of use from HMO to three dwellings (2 no two bedroom dwellings and 1 no three bedroom dwelling) with proposed two storey side extension and ancillary external works 27 Edmondscote Road CV32 6AG

RESOLVED that no objection is raised

W/18/1625 Mr M Ranautta Notification for prior approval for a proposed larger home extension for the erection of a single storey rear extension; 4.00 meters in depth, 3.61 metres in height and 2.117 metres to the eaves 23 Parklands Avenue CV32 7BH

RESOLVED that no objection is raised

W/18/1602 Mr J Whitehead & Ms D Hepburn Resubmission of W/18/0591: proposed erection of a single storey dwelling Land adjacent to 2 Mill Road CV31 1BE

RESOLVED that no objection is raised

W/18/1571 Mr C Franch Proposed change of use from C3 residential (existing 1 no one bedroom flat and 1 no two bedroom flat) into 6 bedroom house in multiple occupation (C4) 222 Rugby Road CV32 6DZ

RESOLVED that no objection is raised, however, the town council does note that residents of the top storey of this property will be more than one floor away from the kitchen - this does not accord with the District Council's HMO Space and Amenity Standards. There are currently on-street parking pressures which current residents experience and despite Traffic Regulation Orders being in place along Rugby Road

and Highfield Terrace to prevent vehicles parking on and around the Rugby Road / Highfield Terrace Tjunction, this is happening regardless and without enforcement of the TRO's.

56. PLANNING DETERMINATIONS

A schedule of applications (Report No. 7) determined by the Planning Authority since the last meeting had been circulated and was considered.

57. PLANNING APPEAL NOTIFICATIONS

Application No: W/18/0290
Applicant: Ms Mulley & Mr Stevens
Site: 44 St Mary's Road CV31 1JP
Description: Erection of first floor side extension over existing single storey side extension

Application No: W/18/0139
Applicant: Mr C Tarrant
Site: 4 The Grange Mews Beverley Road CV32 6PX
Description: Replace windows, frame and glazed door from timber frames to UPVC frames

Application No: W/18/0820
Applicant: Mr Tony Dunn
Site: 52 St Fremund Way Whitnash CV31 1AB
Description: Erection of first floor side extension with a rear dormer

Application No: W/18/0235
Applicant: Mr & Mrs Owen
Site: 57 Highfield Terrace CV32 6EE
Description: Erection of single storey and first floor rear extension

58. PLANNING APPEAL DECISIONS

There were none

59. TREE PRESERVATION ORDERS

There were none

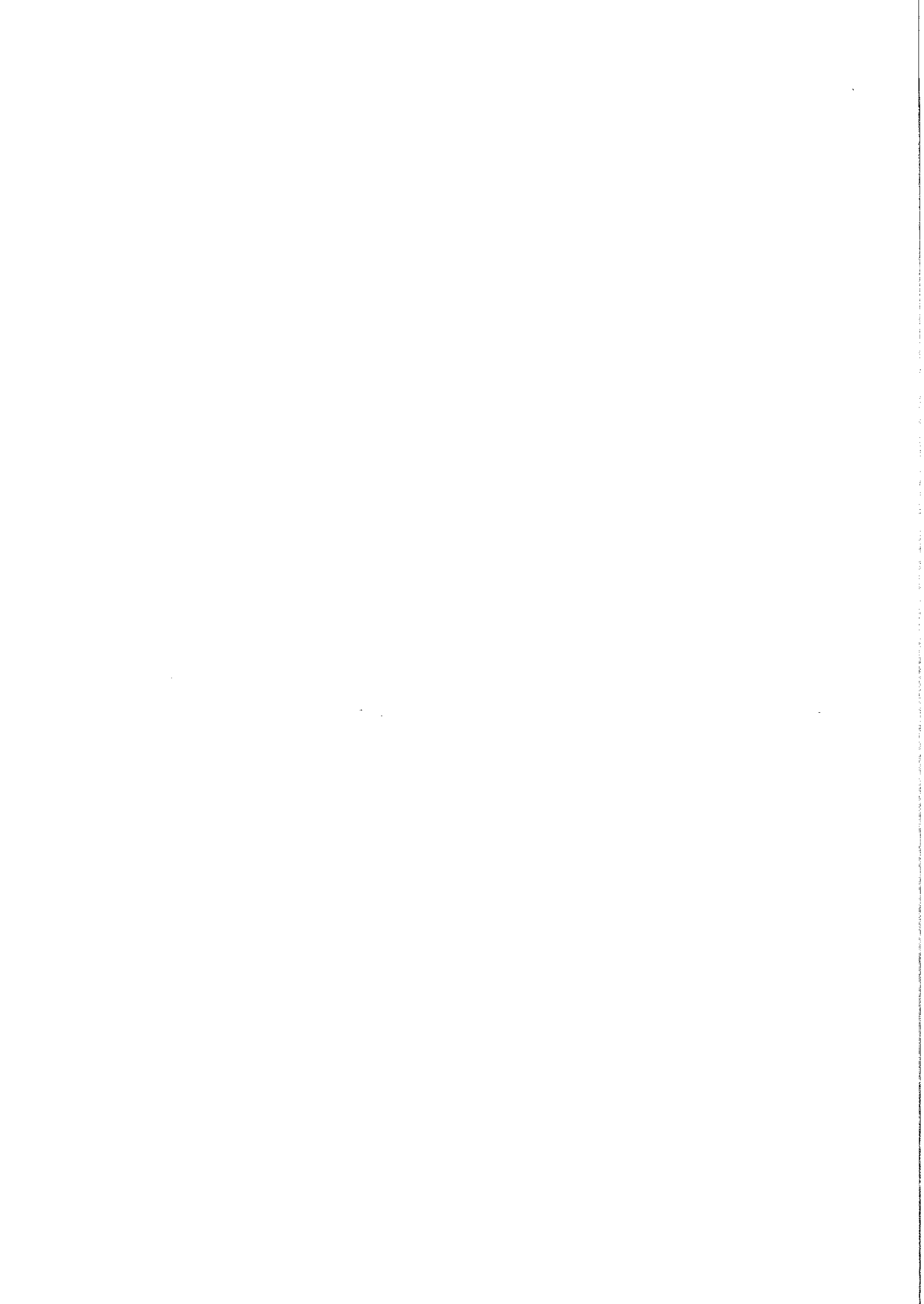
60. ANY OTHER BUSINESS

Application W/181276 – 2 Satchwell Place CV31 1HT was further discussed as requested by Councillor Alty and Councillor Morrison. It was concluded that no further development had taken place with the application so far as requested in the town council's objection and, therefore, the objection should stand as submitted.

The meeting commenced at 6:00 pm and concluded at 6:48pm.

Signed

Dated





The Town Council of Royal Leamington Spa

PLANNING DETERMINATIONS 4 OCTOBER 2018

Planning Permission has been **REFUSED** by the Planning Authority in respect of the following applications:

W/18/1037	Mr Ali	Erection of 1 no. two bedroom end of terrace dwelling
	10 Central Avenue CV31 3EZ	

RESOLVED that no objection is raised

WDC Reason for Decision

1. Policy H1 of the Warwick District Local Plan 2011-2029 states that new housing will be directed to the Urban Areas as defined on the Policies Map. However, the policy also states that housing development on garden land in urban and rural areas, will not be permitted unless the development reinforces or harmonises with the established character of the street and / or locality and respects surrounding buildings in terms of scale, height, form and massing. Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design. The proposed new dwelling would be located on the garden land of No.10 Central Avenue and due to its design and siting is not considered to reinforce or harmonise with the character and appearance of the streetscene or wider area. The development is thereby considered to be contrary to the aforementioned policies.

2 Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents or the amenity of future occupiers of the development. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect. The proposed dwelling would contravene the 45 degree line measured from the ground and first floor rear windows of the existing property at No.10 Central Avenue and therefore it is considered that the proposal would result in material harm to the living conditions of the occupiers of this property by reason of loss of light and outlook. In addition, the submitted plans show that the private amenity area for both the existing dwelling and new one would be below the minimum standards set out in the Residential Design Guide SPD. The proposal is thereby considered to be unneighbourly and one which would fail to provide adequate levels of amenity for existing and future occupants and is therefore contrary to the aforementioned policy.

3 Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards. The Council has adopted the Parking Standards SPD in 2018. The proposed parking spaces fail to meet the relevant requirements to enable safe use of in terms of visibility splays or manoeuvring space to exit in a forward gear. The proposal is therefore considered to be contrary to the aforementioned policy and SPD.

4 Paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System advises that it is essential that the presence or otherwise of protected species, and the extent to which

they might be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations will not have been addressed on making the decision. Circular 06/2005 advises that the need to ensure that ecological surveys are carried out should only be left to conditions in exceptional circumstances. No such circumstances exist in this case. Policy NE3 of the Warwick District Local Plan 2011-2029 states that new development will be permitted provided that it protects, enhances and/or restores habitat biodiversity. The proposal would result in substantial works to the roof of No.10 Central Avenue which has the potential to support protected species. No survey has been submitted with the application to allow a full assessment of the impact the proposal would have on protected species. As such it has not been demonstrated that the development would protect, enhance and/or restore habitat biodiversity. The proposal is therefore contrary to the aforementioned policy.

W/18/1392 Mr Knowles Erection of single storey side and rear wrap-around extension 13 Clapham Street CV31 1JJ

RESOLVED that no objection is raised

WDC Reason for Decision

1. Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect. The proposed single storey rear wrap around extension is considered to cause unacceptable harm to the amenity of the neighbouring dwelling to the north-east, No.14 Clapham Street. The proposed side element of the extension, at a depth of 6.190 metres and 2.0 metres to the eaves, will block light and curtail outlook from a habitable room served by a single window on the rear elevation of No.14 Clapham Street. The proposed extension when read in context with No.14 Clapham Street will create an unneighbourly and overbearing tunnelling effect, blocking light to a significant proportion of the private amenity space belonging to No.14 Clapham Street. The proposal is thereby considered to be unneighbourly and contrary to the aforementioned policy.

2. Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development. Furthermore, the District Council has also adopted the Supplementary Planning Document, Residential Design Guide May 2018, which set out minimum standards for private amenity space. In the case of 1 or 2 bedroom dwellings the standard is 40.0 sq m and 50.0 sq m for 3 bedroom dwellings. As an existing first and second floor plan of the dwellinghouse has not been provided for assessment it is difficult to determine how many bedrooms No.13 Clapham Street benefits from. Nevertheless, the proposed extension would leave the dwellinghouse with approx. 12.0 sq m of private amenity space to the rear. Although as existing the private amenity space of No.13 Clapham Street does not meet the standards for 1no. 2no, or 3no. bedroom dwellings, the proposed development is considered to be an overdevelopment of the site as 12.0 sqm of private amenity space is considered inadequate for a family dwellinghouse of this size. The proposal is thereby considered to be unacceptable and contrary to the aforementioned policy and SPD.

Planning Permission has been **GRANTED** by the Planning Authority in respect of the following applications:

W/18/1352 Mr F Roper Proposed change of use from dwellinghouse (C3) to a small bedroomed HMO (C4) (resubmission of W/17/1539) 12 Staunton Road CV31 2PN

RESOLVED that an objection is raised for the following reason:

No on-site parking is proposed - Warwick District Council's Parking Standards require 2 parking spaces for a 3 bed HMO. This area is already very busy with parking due to the number of existing HMOs - adding more cars onto on-street parking will exacerbate the situation. The town council notes that this change of use (should it be permitted) will bring the HMO calculation to 10% which is the limit set within policy H6 of the Local Plan.

Permanent residents in this area feel their neighbourhood is being deleteriously affected by the increasing number of student HMOs. Their streets become ghost towns during university holidays, and then they are hit with parking, waste and noise issues during term times. Town council would like it noted that just because the HMO calculation limit on this property is 10% this should not mean further consideration is not given to the impact an additional HMO would have on this street/area.

The map accompanying the HMO calculation was unclear and thus unhelpful as to where the surrounding HMOs were located



No.	Application No	Applicant	Proposal	Location	Ward	Link to WDC Portal
1	W/18/1763	Warwick District Council	Proposed improvements to existing municipal car park to include additional parking bays, extended asphalt surfacing, lighting, CCTV and an additional pay machine. Alterations to shop front including raising the bottom panel of the main shop front window by 30cm, replace the rotten wood window frame with new wooden one, replacement shop and flat doors. Insertion of 6 skylights to the ground floor shop flat roof.	Surface Car Park Court St CV31 2BB	Brunswick	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82169&activeTab=s summary
2	W/18/1580	Mr Brown	Internal alterations to facilitate refurbishment of the 3rd and 4th floor and to provide a new kitchen and WC facilities.	56 Regent Street CV32 5EG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81965&activeTab=s summary
3	W/18/1720 LB	Design Buro	Erection of building containing 3no flats with home office accommodation at ground floor level.	Offices, 53a Parade, CV32 4 BA	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82115&activeTab=s summary
4	W/18/1438	LD Estates Ltd	Proposed installation of an ATM to the right hand side of the shop front.	Land off John Street, Leamington.	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81813&activeTab=s summary
5	W/18/1654	Notemachine UK Ltd	Proposed installation of an ATM to be through existing glazing to the right hand side of the shop front.	8 Victoria Terrace, Leamington.	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82047&activeTab=s summary
6	W/18/1655 LB	Notemachine UK Ltd	Internally illuminated sign around ATM.	8 Victoria Terrace, Leamington.	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82049&activeTab=s summary
7	W/18/1656	Notemachine UK Ltd		8 Victoria Terrace, Leamington.	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82048&activeTab=s summary

8	W/18/1241 Mr Callaghan	Alterations to dwelling to provide an additional two bedroom dwelling within the existing basement, and restoration of existing dwelling to include: Conversion of loft space with 2 no. front dormers and 2 no rear dormers, rear ground floor extension, rear decked walkway and balustrades at ground floor level, internal and external alterations, refurbished and replaced windows and doors, demolition of existing delapidated garage and erection of new garage, store/study & garden room & new rear boundary treatment and gates.	41 Clarendon Square CV32 5QZ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 815938&activeTab=s ummary
9	W/18/1790 Sacred Heart Tattoos	Change of use from sandwich shop (Use Class A1) to Tattoo studio (sui generis use).	2A Park Street CV32 4QN	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 82197&activeTab=s ummary
10	W/18/1633 Mr Bass	Proposed single storey rear extension. Resubmission of W/18/1035: Proposed change of use from A1 (retail) on ground floor to C3 (residential) three storey rear extensions (basement, ground and first floor), front railings & alterations to the existing canopy porch, alterations to rear dormer windows and front bay windows to provide an additional 1 no. two bedroom flat.	268 Cubbington Road Lillington CV32 7AX	Crown	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 82024&activeTab=s ummary
11	W/18/1744 Mr N Jhutti	Proposed single storey side extension, new 0.8 metres high brick wall with metal railings to the front of the dwelling house and 1 no lightwell with retaining wall in front of the existing front bay window.	5 Russell Terrace CV31 1EZ	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 82149&activeTab=s ummary
12	W/18/1527 Mr Thomas Raine	Proposed single storey side extension, new 0.8 metres high brick wall with metal railings to the front of the dwelling house and 1 no lightwell with retaining wall in front of the existing front bay window.	72 Radford Road CV31 1JG	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 81907&activeTab=s ummary

13	W/18/1738 LB	Miss Melanie Duggan	Listed building consent for installation of fence to front of property.	2 Satchwell Place CV31 1HT	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?activeTab=relatedCases&keyVal=WARWI_DCAPR_82143
14	W/18/1479	Spitfire Properties LLP	Erection of a single storey rear extension, insertion of bi-fold doors to the rear, enclose existing alley entrance from Priory Terrace with associated internal remodelling.	Priory House 1 Church Street CV31 1EG	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81855&activeTab=sunmary
15	W/18/1677	Enterprise Rent-A Car	Use of the site and building for car rental (suit generis) (retrospective).	Unit 17a, St Mary's Road VC31 1PR	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82072&activeTab=sunmary
16	W/18/0911	Mr B Matharu	Proposed change of use from Dental Surgery (D1) to one bedroom flat (C3).	Dental Surgery, 13 Priory Terrace CV31 1BA	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81212&activeTab=sunmary
17	W/18/1647	Mr Gary Edwards	Demolition of existing bungalow and erection of replacement two storey dwelling	82 Leicester Lane Lillington CV32 7HH	Manor	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82040&activeTab=sunmary
18	W/18/1509	Mr Coleman	Erection of single storey rear extension.	99 Kinross Road, Lillington CV32 7EN	Manor	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81887&activeTab=sunmary

19	W/18/1743	Mrs Powell	Erection of a single storey side extension and wrap around open porch canopy to front elevation. Extension of existing vehicle hardstanding area to the front of the dwelling house using porous material.	54 Braemar Road, Lillington CV32 7EY	Manor	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 82148&activeTab=s ummary
20	W/18/1742	Mr & Mrs Zhang	Erection of a two storey front porch, two storey side and rear extension, single storey rear extension and general modernization of the exterior following the demolition of existing extensions. External surfaces to be rendered with cedar board cladding to the entrance and garage frontages.	14 Park Road, CV32 6LG	Manor	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 82147&activeTab=s ummary
21	W/18/1062	Mr Ian Skinner	Erection of a two storey rear and side extension, single storey side extension and new porch to front.	2 Kendal Avenue CV32 6NG	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 81384&activeTab=s ummary
22	W/18/1598	Mr Christopher Anderson	Proposed single storey side/rear extension fronting Guys Cliffe Avenue	Dragon Cottage Guys Cliffe Avenue CV32 6ND	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 81984&activeTab=s ummary
23	W/18/1737	Mrs Sian Kangdell	Erection of a single storey rear extension and the formation of a basement terrace area (Re-submission of W/18/0331).	7 St Marks Road CV32 6DL	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 82142&activeTab=s ummary
24	W/18/1452	Mr & Mrs Davison	Application for internal and external refurbishment and alterations, new front guard rail, with addition of a new external staircase to access basement to front and rear steps and rear patio.	14 Clarendon Square CV32 5QT	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARRWI DCAPR 81827&activeTab=s ummary

25	W/18/1453LB	Mr & Mrs Davison	Application for internal and external refurbishment and alterations, new front guard rail, with addition of a new external staircase to access basement to front and rear steps and rear patio.	14 Clarendon Square CV32 5QT	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81828&activeTab=s ummary
26	W/18/1745	Mr P Bennett	Variation of Condition 2 (Drawing nos.) of planning application ref: W/17/1556 (Render to existing building and reconfiguring of windows with central gable feature. Demolish & rebuild the single storey wing accommodation garage and living space and construction of a new 2 storey rear extension.) granted 8th November 2017, to seek approval for alternative roof design and proposed extended patio to be erected at the same height as previously approved under application ref W/17/1556.	28 Northumberland Rd CV32 6HA	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82150&activeTab=s ummary
27	W/18/1618	Mr A Froud	Removal of existing hedge, fence and gate & replace with new brick pillar (to match existing), new gate, dwarf wall with stone coping, railings, using reclaimed bricks and coping; to include removal of badly maintained trees to enable planting to enhance the front of the property.	51 Beauchamp Avenue CV32 5TB	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82007&activeTab=s ummary

