



Mr. Martin Gardner
10 Stockers Lane
Woking
Surrey
GU22 9DB

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPROVE WITH CONDITIONS FULL PLANNING PERMISSION

Proposal: Provision of raised planting area to rear and eastern side of site incorporating a retaining wall of timber railway sleepers to a height of 600mm (in relation to application 08/P/02011 allowed on appeal 29/10/2009) (amended description 20/11/12).

Location: Valentines Farm, Rose Lane, Ripley, Woking, GU23 6NE

For: Mr. Alex Stewart-Clark

CONSENT FOR THE ABOVE APPLICATION IS HEREBY GRANTED SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S)

1. The development hereby permitted shall be begun before the expiration of 6 months from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The raised planting areas (hereby approved) shall be constructed of timber railway sleepers only, or such other materials as have been approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is satisfactory. In accordance with the following policy number(s) G5 of the Guildford Borough Local Plan (as saved by CLG Direction on 24/09/07).

3. The proposed raised planting areas shall be constructed in accordance with the Design and Access Statement dated 19 April 2012. The soil used in the planting areas shall comprise topsoil and subsoil only in accordance with BS3882:2007 and shall not include any waste materials.

Reason: In order to ensure a satisfactory form of development and to ensure optimum growing conditions for the new planting, in the interests of visual amenity. In accordance with the following policy number(s) G5(9) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07).

4. All planting, seeding or turfing comprised in the approved details of landscaping (As shown on drawing no. 1103/03D received 16/11/12) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 10 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The additional screen planting to the lorry turning and car parking areas shall be permanently retained.

Reason: In the interests of visual amenity. In accordance with the following policy G5(7) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07).

5. This decision relates expressly to drawing(s) 1103/01, 1103/08, 1103/09 and 1103/10, and additional information received on 19 April 2012 and amended drawing 1103/03D received 16 November 2012.

Reason: To ensure that the development is carried out in accordance with the approved plans, and in accordance with policy G1 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated 24/9/07).

The application was granted for the following reasons:

The development hereby approved has been assessed against Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) and been found by the Head of Planning Services to be in compliance with its policies. In particular, the Head of Planning Services determined that the proposals comply with policy G1, which relates to the general standards of development including the protection of amenities enjoyed by the occupants of neighbouring properties; Policy G5, which provides a design code that proposals, including the requirement for a high standard of landscaping design to ensure that new development integrates into the existing landscape; and Policy RE2 which relates to new development within the Green Belt. The requirements of the National Planning Policy Framework are also relevant.

Other material considerations, including third party representations, have also been considered.

The application proposes the provision of a raised bed for the previously agreed planting scheme to the rear of the site. The proposal would be modest in scale and together with the proposed planting scheme will result in an improvement to the appearance of the site and will not have an adverse impact on the Green Belt. Due to the separation distance and tree screening to neighbouring properties, there will be no adverse impact on neighbouring amenity.

Accordingly, it is held that the development is consistent with policies G1, G5 and RE2 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07). The proposal would also accord with the provisions of the National Planning Policy Framework.

Ref. No. **12/P/00732**
Decision Date 21/11/2012

Regard has been had to all representations made including all letters of representation. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a reason for refusal.

JK
PS ONLINE

Carol Humphrey
Head of Planning Services

THIS DECISION NOTICE DOES NOT GRANT BUILDING REGULATIONS APPROVAL.

NOTES IN RESPECT OF APPLICATIONS FOR PLANNING PERMISSION

Appeals to the Secretary of State

If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Department for Communities and Local Government, under Section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Department for Communities and Local Government refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Borough Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Borough Council if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her. These circumstances are set out in Part V and related provisions of the Town and Country Planning Act 1990.

NOTES IN RESPECT OF APPLICATIONS FOR LISTED BUILDING CONSENT AND CONSERVATION AREA CONSENT

Appeals to the Secretary of State

If you are aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent or Conservation Area Consent for the proposed works, or to grant consent subject to conditions, you may appeal to the Secretary of State for the Department for Communities and Local Government in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals must be made on a form which is obtainable from the Planning Inspectorate.

Purchase Notices

If Listed Building Consent or Conservation Area Consent is refused, or granted subject to

conditions, whether by the Local Planning Authority or by the Secretary of State for the Department for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he/she may serve on the Borough Council in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NOTE: Where consent is given to demolish a Listed Building the applicant is advised that "Attention is drawn to Section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to English Heritage South East Region, Eastgate Court, 195-205 High Street, Guildford, GU1 3EH and English Heritage have subsequently either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it".

NOTES IN RESPECT OF ALL APPLICATIONS

Conditions

Where this decision notice relates to the grant of planning permission, Listed Building Consent or Conservation Area Consent, the applicant's attention is drawn to the conditions attached. It is the applicant's responsibility to ensure that the conditions are properly complied with. If you are in any doubt about the meaning or implications of any of the conditions you should contact the Local Planning Authority or seek professional advice.

Breach of Condition Notices

IMPORTANT: If you do not comply fully with the attached conditions the Council may serve a Breach of Condition on you and you may be prosecuted and fined. There is no right of appeal against a Breach of Condition Notice.

NOTE: Attention is drawn to Section 20 of the Surrey County Council Act 1985 which requires that when a building is erected or extended, proper provision shall be made for the fire brigade to have means of access to the building and any neighbouring building.

If you require any further information on Building Regulations please contact Building Control on 01483 444545.