



Mr Andrews
WvH Planning Ltd
Elmwood
High Park Avenue
East Horsley
Surrey
KT24 5DD

Town and Country Planning Act 1990 (as amended)

Date of Decision: 17/01/2024

Application: 22/P/00500
Proposal: Erection of a detached incidental use garden outbuilding, pool plant and open pool.
Location: Stable Rise (formerly known as White House), Wix Hill, West Horsley, Leatherhead, KT24 6ED
For: Mr Scott

The Council hereby refuses discharge of the following conditions:

2. Within 4 months of the date of this decision, a noise impact assessment on the nearby noise sensitive properties must be carried out and then submitted to and approved in writing by the local planning authority. It should also include details of any noise mitigation measure required to ensure that the proposed installation will meet the following noise criteria:
 - Any air handling plant, fixed mechanical, electrical or hydraulic equipment etc., installed and operated at any time in connection with the carrying out of this permission shall not produce broadband noise that is clearly audible at the boundary of any noise sensitive premises. The noise from the plant shall not impact more than -5dBA below the existing residual background noise level (LA90) or generate any transient, cyclical tonal or impact noise or vibration that would significantly increase the residual continuous equivalent noise level (> +1dBA LAeq) and be clearly heard at the nearest noise sensitive boundary. Correction factors must be included to account for any tonal characteristic and impulsivity of the noise (Ref BS4142:2019). A regular and routine maintenance programme will be employed to ensure operational plant does not increase noise output due to mechanical wear or defect that will result in any unit failing to meet the above noise criteria.

The development must then be carried out in accordance with the agreed noise impact assessment.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to neighbouring amenity.

Notes: The plant noise assessment carried out by Anderson Acoustics dated February 2023 and the Supporting Planning Statement submitted under application 21/D/00013/3 on 20/11/23 does not satisfy the requirements of this condition. The Council's Environment Health Team have been consulted and have provided the following comments:

Having looked at the prevailing background levels for daytime, there is only 2dB difference between daytime and night-time. The impact must be reassessed for daytime.

You are advised that the following condition number remains to be discharged: 2.

Please read the Important Notes attached.

A handwritten signature in black ink, appearing to read 'C. Upton-Brown', with a long horizontal flourish extending to the right.

Claire Upton-Brown
Executive Head - Planning Development

Important Notes

The applicant is recommended to retain this decision notice in a safe place or with the title deed of the property.

Compliance with Approved Plans and Conditions

Any failure to adhere to the details of any plans approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act 1990 (as amended) and may lead to enforcement action being taken by the Council. If you want to depart in any way from the approved development, you are advised to seek the agreement of the Council before carrying out any work.

The applicant is advised that there will be a fee for each separate submission of information and details required to discharge the reserved matters and other conditions.

For further information contact planningenquiries@guildford.gov.uk or 01483 444609

Building Regulations and other legislation

This permission relates only to planning legislation. It is your responsibility to seek any authorisations required under other legislation.

In particular, Building Regulations approval may be required for this work. For free informal advice please contact our Building Control Service at www.guildford.gov.uk/buildingcontrol or telephone 01483 444000.

Attention is drawn to Section 20 of the Surrey 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.

Appeals to the Secretary of State

General

You, or an agent acting on your behalf, can appeal if you were the person who made the application. Appeals are dealt with by the Planning Inspectorate, an executive agency of the Department for Communities and Local Government. Its primary function is to determine appeals on behalf of the Secretary of State.

Appeals must be made to the Planning Inspectorate within certain time limits. You can find more information on how to appeal at [HTTPS://www.planningportal.gov.uk/planning/appeals](https://www.planningportal.gov.uk/planning/appeals). If you do not have internet access you can contact the Planning Inspectorate at

The Planning Inspectorate
Customer Support Team
Room 3/13
Temple Quay House
2 The Square
Bristol
BS1 6PN
Telephone: 0303 444 5000
Fax: 0117 372 8782

Email: enquiries@planning-inspectorate.gsi.gov.uk

Discharge of Conditions

If you are aggrieved by the decision of the Council to refuse to discharge conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made on a form which can be obtained from the Planning Inspectorate.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State 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 given by the Secretary of State.