



**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Approval of planning permission: 23/P/00793

Date of Decision: 06/02/2024

Proposal: Erection of replacement dwelling.

Location: The Folly, Backside Common, Wood Street Village, Guildford, GU3 3EB

For: Mr G. Maltby
Maltby Property Ltd

The application is hereby approved subject to the following condition(s):

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan GM 2023 TF SLP002 received 10/05/2023
Site Block Plan GM 2023 TF SBP001 received 10/05/2023
Existing Floor Plans GM 2023 TF EFP 001 received 10/05/2023
Existing Elevations GM 2023 TF EE001 received 10/05/2023
Proposed Floor Plans GM 2023 TF PFP001 received 10/05/2023
Proposed Elevations GM 2023 TF PE001 received 10/05/2023
Existing Roof Plan and Section GM 2023 TF ERPS001 received 10/05/2023
Proposed Roof Plan and Section GM 2023 TF PRPS001 received 10/05/2023

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. Prior to the commencement of any development above slab level works, a written schedule with details of the source/ manufacturer, colour and finish, OR samples on request, of all external facing and roof materials. This must include the details of embodied carbon/ energy (environmental credentials) of all external materials. These shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using only those detailed.

Reason: To ensure that a satisfactory external appearance of the development is achieved and to ensure materials that are lower in carbon are chosen.

4. No development above ground floor slab level shall take place until details of the design, external appearance and decorative finish of all fences, gates and other means of enclosure have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being occupied and shall be maintained in perpetuity.

Reason: To ensure that the external appearance of the means of enclosure is satisfactory.

5. Prior to the commencement of development, a detailed landscape and ecological management plan (LEMP) for the site, including detailed landscaping proposals and the ecological mitigation and enhancement measures set out in the submitted Preliminary Ecological Appraisal, Reptile Presence/Likely Absence Surveys, and Great Crested Newt and Reptile Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should include adequate details of proposed impact avoidance, mitigation and enhancement and include details of the following:

- a) description and evaluation of features to be manage
- b) ecological trends and constraints on site that might influence management
- c) aims and objectives of management
- d) appropriate management options for achieving aims and objectives
- e) prescriptions for management actions together with a plan of management compartments
- f) ongoing monitoring and remedial measures
- g) final biodiversity net gain assessment

The development shall be implemented in accordance with the agreed LEMP.

Reason: To secure an appropriate development and to protect and enhance the biodiversity value of the site.

6. No development shall take place until details of the sustainability measures to be included in the development have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water, materials and waste in accordance with Sustainable Design and Construction Supplementary Planning Document (March 2011). The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the developmen.

7. Prior to first occupation of the dwelling hereby approved, the existing out buildings (or their remnants as applicable) as identified on Site Block Plan (GM 2023 TF SBP001) received 10/05/2023 shall be demolished, including the removal of its foundations. The demolition of the existing buildings and the removal of the resultant materials (where they are not be to used in the construction of the development hereby approved) must be completed in its entirety pursuant to this permission.

Reason: To secure a satisfactory development and in the interests of the openness and amenity of the Green Belt.

8. The development hereby permitted shall only be carried out in full accordance with the measures set out in the Arboricultural Method Statement and Tree Protection plan included within the approved Arboricultural Impact Assessment (prepared by Mark Welby - ref MW.2308.FBC.AIA Rev A issued 01/02/2024). No equipment, machinery or materials shall be brought onto the site for the purposes of the development until tree protection measures as set out in the AMS and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the adequate protection of trees prior to works commencing on site goes to the heart of the planning permission.

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2023.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Class E shall be carried out within the curtilage of the dwellinghouse.

Reason: To control the development in the interests of protecting the Green Belt and its openness.

11. No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In the interests of visual amenity and for the protection of bats in the area.

12. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

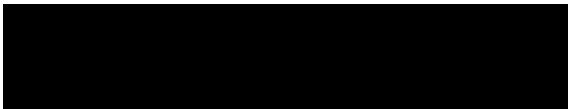
Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk.
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre-application advice service in certain circumstances
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission and the application was acceptable as submitted.

Please read the Important Notes attached.



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

If you are aggrieved by the decision of your 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 under section 78 of the Town and Country Planning Act 1990 (as amended).

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 can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

Planning Permission

If you want to appeal against the refusal of this application or against condition(s) attached to this approval, then you must do so within 6 months of the date of this decision notice.

If an enforcement notice is served relating to the same or substantially the same land and

development as in your application and if you want to appeal against the Council's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier

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 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.

Purchase Notices

If either the Council or the Secretary of State 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. 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 (as amended).