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Miss Sharon-lee Bow
The Clubhouse
50 Grosvenor Hill
London
W1K 3QT

Date of Decision: 10th October 2022

**TOWN & COUNTRY PLANNING ACT 1990 Town & Country Planning
(Development Management Procedure) (England) Order 2015**

In pursuance of their powers under the above-mentioned Act and Order the Council, as the Local Planning Authority, hereby **GRANT** permission for the following in accordance with the details given on the application form and approved plans and subject to the schedule of conditions listed:

Proposal: Erection of an outbuilding to be used as office ancillary to main dwelling - retrospective.

Location:

SCHEDULE OF CONDITION(S)

1. The development hereby approved shall be as shown in the following approved plans:
Site Location Plan, Existing and Proposed Block Plans, Drawing reference: 01, Received: 15.08.2022
Proposed Floor Plan of Outbuilding, Drawing reference: 04, Received: 15.08.2022
Proposed Roof Plan of Outbuilding, Drawing reference: 05, Received: 15.08.2022
Proposed Elevations of Outbuilding, Drawing reference: 09, Received: 15.08.2022
Unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

2. The development hereby permitted shall not be otherwise occupied other than as ancillary accommodation to the existing dwelling.

To ensure the ancillary nature of the outbuilding it shall not have; i) a separate postal address, ii) separate metres for the provision of services, iii) a separate and registered Land Registry title, iv) a separate Council tax account, v) a separate access independent of the main dwelling house.

In addition the outbuilding shall be retained within the curtilage of the host dwellinghouse and a separate curtilage shall not be created. At no time shall the outbuilding be sold, sub-let or rented independently to the occupation.

Reason: To maintain planning control of this property and to ensure that the additional accommodation is not in any way severed from the main dwelling to provide a self-contained dwelling unit to the detriment of the character of the area and the integrity of the Thames Basin Heath Special Protection Area in accordance with Policies DM9 and CPI4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

3. Notwithstanding the provisions set out in Schedule 2, Part 1, Class E and Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) other than for works to maintain or replace the existing fencing or walls forming the external boundaries of the application property no means of enclosure, gates, fences or walls shall be erected, installed, formed or sited anywhere within the curtilage of the application property.

Reason: To prevent the subdivision of the application site and ensure the use of the development remains ancillary to the host dwelling in the interests of visual and residential amenity and to protect the integrity of the Thames Basin Heaths Special Protection Area in accordance with Policies DM9 and CPI4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informatives:

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report.

Gavin Chinniah

Head of Planning

Duly authorised in this behalf

(ATTENTION IS DRAWN TO THE NOTES ATTACHED)

NOTES TO APPLICANTS

Appeals to the Secretary of State

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.

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, unless your decision relates to the following:

- For a Householder Planning Application you must appeal within 12 weeks of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, then you must appeal within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application then you must appeal 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.
- For a minor commercial application you must appeal within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.

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.

Further advice

- If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State 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 carrying out any development which has been or would be permitted, the owner may serve a Purchase Notice on Surrey Heath Borough Council. This Notice will require the Council to purchase his interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
- 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 120 of the Town and Country Planning Act 1990.
- This decision notice refers only to the application made and does not convey any other consent or permission. Applicants should satisfy themselves that any other relevant consent is obtained before any work commences. For example: approval under the Building Regulations; consent under the Environment Agency byelaws; the release of any restrictive covenants on the land or permission of any landowners. 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.
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