



Surrey Heath Borough Council

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Mr J Gellini
Pegasus Group
The Columbia Centre
Station Road
Bracknell
RG12 1LP

22 September 2017

TOWN & COUNTRY PLANNING ACT 1990

Town & Country Planning (Development Management Procedure) (England)
Order 2010

Application Type: Relaxation/Modification

Drawing No:/Date Stamped: 11(B), 11(G), 28/07/2017.

The Council as Local Planning Authority **APPROVES** the following relaxation/modification of condition(s) (if any) of planning permission no: SU 16/0741.

Proposal: Variation of condition 2 of planning permission SU16/0741, so as to allow changes to windows, doors and external materials.

Location: THE ABSOLUTE BUILDING, LYON WAY, FRIMLEY, CAMBERLEY, GU16 7ER

The applicant is advised that all conditions must be fully complied with in accordance with the time frame set out in the condition. Failure to do so may result in action being taken against you or the permission becoming void.

Requests to discharge conditions must be submitted on the appropriate 1APP application form (available from the Planning Portal: www.planningportal.gov.uk, or via the Surrey Heath Website: www.surreyheath.gov.uk and select Planning). A fee is now payable for this service.

The applicant must advise the Local Planning Authority in writing 14 days prior to the implementation of the permission of the intention to commence work. Letters should be sent to the Council's Planning Compliance Officer, Surrey Heath Borough Council, Knoll Road, Camberley, Surrey GU15 3HD. Alternatively, an email

should be sent to development.control@surreyheath.gov.uk .

SCHEDULE OF CONDITION(S) (If any)

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

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance 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 proposed development shall be built in accordance with the following approved plans: Site Plan and Proposed Elevations S168 11 Rev G both validated 28.7.17 , 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.

3. The development hereby permitted shall not be commenced until such time as a scheme to ensure compensatory floodplain storage for loss of floodplain storage up to the 1% Annual Exceedence Probability plus an appropriate allowance for climate change flood extent has been submitted to and approved in writing by the Local Planning Authority. This will include full details, including calculations and plans outlining where compensatory storage will be provided. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements to be embodied within the scheme, or within any other period as may be subsequently agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of flooding on site and elsewhere in accordance with paragraph 103 of the National Planning Policy Framework.

4. The development hereby permitted shall be carried out in accordance with the following information submitted as part of SU16/0741 which is drawing Proposed Ground Floor - 88 Flats Flood Mitigation Plan reference 36060 drawing 01 revision H dated September 2016, and the following measures detailed in the email dated 7th September 2016 from George Kelly of ARK Ltd : - Finished floor levels are set no lower than 62.6m above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation of the development and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and its future occupants, in accordance with paragraphs 102 and 103 of the National Planning Policy Framework.

Informatives:

1. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the

necessary consents applicable under the Building Regulations and the affects of legislation under the Building Act 1984.

2. This decision notice is a legal document and therefore should be kept in a safe place as it may be required at a later date. A replacement copy can be obtained however there is a charge for this service.

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

A handwritten signature in black ink that reads "U. Richard". The signature is written in a cursive, slightly slanted style.

Executive Head - Regulatory
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 an enforcement notice of a minor commercial development – see below).
 - 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, if you want to appeal against your local planning authority's decision on your application, then you must do so 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 and if you want to appeal against your local planning authority'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.
 - If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so 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.
- 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 at www.surreyheath.gov.uk. A paper copy can be obtained but there is a charge for this service.

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