



Mr Patrick Robson
3 Chantries
Abbots Way
Merrow
Surrey
GU1 2XP

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPROVE WITH CONDITIONS FULL PLANNING PERMISSION

Proposal: Replacement of floodlighting on courts 1, 2 and 3 at Merrow Lawn Tennis Club.

Location: Merrow Lawn Tennis Club, Epsom Road, Guildford

For: Merrow Lawn Tennis Club

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 three years 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. This decision relates expressly to drawing(s) MLTC002, MLTC003, MLTC004, MLTC005 and MLTC3/7 to 6/7 and additional information received on 28 April 2011.

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).

3. The floodlights hereby permitted shall only be illuminated between the hours of dusk and 21:30 hours Monday to Saturday and dusk and 18.30 hours on Sundays.

Reason: In order to protect the amenities of neighbours in accordance with policies R6, G1(3) and G1(8) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07).

4. The floodlighting shall not exceed 4 x 1Kw luminaires on 8 metre columns per court. The illumination for each court shall be independently switched and sequenced so that the floodlights on court 3 will operate first, followed by court 2 and lastly court 1. The luminaires shall be adjusted and shielded at all times to ensure light shall not trespass or be otherwise reflected onto adjacent properties so as to cause disturbance by light glare.

Reason: In the interests of visual amenity and in order to protect the amenities of neighbours in accordance with policies R6, G1(3) and G1(8) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07).

5. The surface illuminance for each court shall not exceed an average value of 300 lux.

Reason: In the interests of visual amenity and in order to protect the amenities of neighbours in accordance with policies R6, G1(3) and G1(8) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07).

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 should comply with; Policy R5, relating to the protection of Open Space and R6 which relates to the intensification of recreational use.

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

It has been concluded that the proposal, due to the size and design of the proposed floodlights, together with the proposed measures for the minimising light spill and their impact on the neighbouring properties and given that they would replace existing floodlighting, would not have a detrimental impact on the amenities of neighbours, the character of the area, or the character and visual amenity of the area of Protected Open Space.

Accordingly, it is held that the development is consistent with policies G1(3), G5, R5 and R6.

Regard has been had to all representations made including all later 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.

Ref. No. **11/P/00756**
Decision Date **23/06/2011**

JP
~~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.