

From: [Darren Gregory](#)
To: [Marcus Bolton](#)
Subject: RE: Ref EN/23/00197 [UNC]
Date: 09 January 2024 15:00:00

Dear Mr Bolton

Thank you for your email.

I answer to your question, the Article 4 Direction was not served on 'Estate and Land Holdings'. The Article 4 Direction was served on the following as the owners of the land, as registered with HM Land Registry:

Amanda Jayne Bolton of [REDACTED]
Marcus Peregrine Bolton of [REDACTED]
5AW
Victoria Lucy Elizabeth Byatt of [REDACTED]

In addition we served copies on the following to ensure good service:

The Owner of Land on the south and east sides of Chase Cottage, Sutton Place, Abinger Hammer, Dorking, RH5 6RP
The Occupier of Land on the south and east sides of Chase Cottage, Sutton Place, Abinger Hammer, Dorking, RH5 6RP

This fulfils the requirements of the legislation in terms of service of the Article 4 Direction.

Kind regards

Darren

The contents of this email are the opinion of the named officer and are given without prejudice. If the contents relate to a matter of planning law they are not legally binding, should you wish for a lawful determination of a planning matter then you are advised to apply for a Lawful Development Certificate.

Darren Gregory
Senior Planning Enforcement Officer
Planning Services

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From: Marcus Bolton [REDACTED]
Sent: 04 January 2024 10:45
To: Darren Gregory <Darren.Gregory@guildford.gov.uk>
Cc: Joanna Searle <Joanna.Searle@guildford.gov.uk>; Amanda [REDACTED]; Vicky (Celia And Trudy) Byatt [REDACTED]
Subject: Re: Ref EN/23/00197 [UNC]

Thank you Darren.

Did you serve this notice to the owners of Estate and Land Holdings, the company that had exchanged on the purchase of our land and was doing everything you describe below? If you didn't it'd be rather like sending a speeding ticket to the driver of the car that was overtaken by the speeding driver rather than the perpetrator themselves.

On 4 Jan 2024, at 09:38, Darren Gregory <Darren.Gregory@guildford.gov.uk> wrote:

Dear Mr Bolton

I am writing in response to your email below on behalf of Joanna Searle.

In May 2023, the Council received concern and credible evidence to suggest that the land in question was advertised for sale in multiple smaller parcels of land. This land lies within an Area of Outstanding Natural Beauty (now known as National Landscapes), an Area of Great Landscape Value (AGLV) and the Green Belt. Additionally the land lies close to the Grade II Listed Building Usherwood.

Officers took the decision to recommend that the Council serve an immediate Article 4 Direction across the land to remove permission, granted by Class A, Part 2, Schedule 2 of the GDPO, relating to fences, gates, walls and any other means of enclosure and Class B, Part 4, Schedule 2 of the GDPO relating to temporary uses of the land. The justification for this is that were the land to be subdivided as advertised this would result in considerable harm to the open nature of this area and cause serious harm to the valued landscape character of the area. Additionally the potential subdivision of the land would conflict with the setting of the Listed Building Usherwood.

The Council accepted the decision and the Article 4 Direction was signed and sealed on the 12th of December before then being served on the land and the landowners.

I trust this email explains the decision to serve the Article 4 Direction.

Kind regards

Darren

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Darren Gregory
Senior Planning Enforcement Officer
Planning Services

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From: Marcus Bolton [REDACTED]
Sent: 28 December 2023 12:04
To: Joanna Searle <Joanna.Searle@guildford.gov.uk>
Cc: Amanda [REDACTED]; Vicky (Celia And Trudy) Byatt
[REDACTED]
Subject: Ref EN/23/00197

Article 4 Direction request.

Land on the south and east sides of Chase Cottage, Sutton Place, Abinger Hammer, Dorking RH5 6RP

Dear Ms Searle,

As the owners of the above plot we were surprised to receive a letter from yourselves reminding us of all the things we couldn't do from a planning perspective, even though we're not trying to do anything!

We did try and sell this parcel of land earlier in the year and the buyers, having exchanged, then tried to 'flip' it at auction. They were not completely successful however, and evidently had cash flow problems as they failed to complete their contract to purchase by the agreed deadline, and lost their deposit.

We have zero connections to the (failed) purchaser and have had no contact since, although we did have concerns over a possible fraudulent transfer of title by them, which necessitated our lawyer engaging with the Land Registry to avoid any possible malfeasance.

As such, since we are and always have been passive and inactive landowners, we are curious as to what caused your department to serve us this notice.

I believe I can apply for this information under the Freedom of Information Act but really don't feel that's necessary for an enquiry of this nature and certainly not at this stage.

Yours sincerely,

Marcus Bolton

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