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**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2010**

DECISION NOTICE: REFUSAL OF OUTLINE PLANNING PERMISSION

Woking Borough Council, in pursuance of their powers under the above mentioned Act and Order **REFUSED** outline planning permission for the following development for the reason(s) set out in the Schedule below:-

SCHEDULE

Reference:	PLAN/2013/0026	Application Type: Outline Planning Application
Proposal:	Outline application (with all matters reserved) for the refurbishment and part redevelopment of Sheer House and adjoining retail centre including; a four storey extension above the southern car park to provide thirty one (x31) 1, 2, and 3 bedroom residential units; a two storey roof extension to Sheer House to provide ten (x10) 1 & 2 bedroom units; a two-storey roof extension above 13-14 Station Approach to provide twelve (x12) 1 & 2 bedroom units; refurbishment of the Station Approach entrance and public courtyard, with improved access to first floor level; and refurbishment of the main Sheer House entrance and foyer. Other external alterations include overcladding/render of all facades of the buildings; removal of high-level walkways; removal of public toilets; and refurbishment/replacement of rooftop balustrades., Note: The existing office floorspace, retail units and public library would be retained. (AMENDED DESCRIPTION)	
Location:	Sheer House, 7 Station Approach, West Byfleet, Surrey, KT14 6NG,	

Reason(s) for Refusal (see next page)

Ray Morgan OBE Chief Executive
Douglas J. Spinks Deputy Chief Executive
Mark Rolt Strategic Director
Steve Bonsor Strategic Director
Sue Barham Strategic Director



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Reason(s) for Refusal

01. The proposed development, by reason of its design, appearance, scale, bulk, massing and siting would form an incongruous and unattractive addition to the streetscene and skyline of West Byfleet District Centre and Sheer House respectively; and be harmful to the character and appearance of the adjacent Conservation Areas, townscape and street scene. In this regard, the proposal is considered to be contrary to Chapters 7 & 12 of the NPPF; policies CS3, CS21 and CS24 of the Woking Core Strategy and the Outlook, Amenity, Privacy and Daylight SPD-02 document, adopted July 2008.
02. In the absence of a S106 agreement or Unilateral Undertaking to secure a financial contribution towards affordable housing, highways improvements and SPA mitigation, the proposal would be contrary to Government advice contained within Circular 05/05; policies CS8, CS12 and CS16 of the Woking Core Strategy 2012; and chapter 6 - 'Delivering a wide choice of high quality homes' of the National Planning Policy Framework.
03. The proposed balconies/roof terraces located on the extension above the south car park would enable overlooking of the adjacent residential properties (Drayton Court) to the detriment of their privacy and general residential amenity. As such, the proposal would be contrary to Chapter 7 of the NPPF; policy CS21 of the Woking Core Strategy 2012; and the Outlook, Amenity, Privacy and Daylight SPD-02 document, adopted July 2008.
04. The proposed layout of the residential accommodation (contained within the roof extension to Sheer House and the four-storey extension above the south car park) would fail to provide an acceptable internal living environment for prospective residents, by virtue of many units being limited to a single northerly aspect, which would limit sunlight amenity and with an outlook blighted by the close proximity of the adjacent building [Sheer House]. As such, the proposed development would be contrary to policy CS21 of the Woking Core Strategy, Chapter 7 of the NPPF and the Outlook, Amenity, Privacy and Daylight SPD-02 document, adopted July 2008.

Date Decision Notice Issued: 8 May 2013

Chris Dale

Christopher Dale
Development Manager

*** ATTENTION IS DRAWN TO THE NOTES ATTACHED ***

Ray Morgan OBE Chief Executive
Douglas J. Spinks Deputy Chief Executive
Mark Rolt Strategic Director
Steve Bonsor Strategic Director
Sue Barham Strategic Director



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NOTES

Appeals to the Secretary of State

- If you are aggrieved by the decision of the Local Planning Authority to refuse or grant permission subject to conditions then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- **Please note, only the applicant possesses the right of appeal.**
- If you want to appeal, then you must do so within six 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. The form is also available on the Planning Inspectorate's website at www.planning-inspectorate.gov.uk.
- **If appealing against this decision, please state that you want a Planning Appeal Form, when requesting appeal forms from the Planning Inspectorate.**
- A copy of the appeal form and any accompanying details should be sent to the Borough Planning Officer, Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL.
- 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 given by him.

Purchase Notes

- If either the Local Planning Authority or the Secretary of State for Communities and Local Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor 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 Woking Borough Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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