



## Directorate for Planning, Growth and Sustainability

King George V House, King George V Road, Amersham, Bucks HP6 5AW

planning.csb@buckinghamshire.gov.uk

01494 732950 | 01895 837210 (weekdays, 8:45am to 2pm)

www.buckinghamshire.gov.uk

Mrs Clare Preece  
Fuller Long Limited  
The Granary  
1 Waverly Lane  
Farnham  
GU9 8BB

## BUCKINGHAMSHIRE COUNCIL DECISION NOTICE

Application no. PL/20/0401/FA

### TOWN AND COUNTRY PLANNING ACT 1990

### Town and Country Planning (Development Management Procedure)(England) Order 2015

In pursuance of their powers under the above-mentioned Act and Order, Buckinghamshire Council as Local Planning Authority, **HEREBY REFUSE PERMISSION** for the following:

- Applicant:** St Leonard's Parochial Church Council
- Location:** St Leonards Parish Centre, Glebe Way, Chesham Bois, Buckinghamshire, HP6 5ND
- Proposal:** Redevelopment of the site to create a new multifunctional Parish Centre with cafe, day nursery building, replacement rectory with detached garage, additional staff dwelling, 2 outbuildings to provide prayer room and substation/bin and bicycle store, associated parking and landscaping

in accordance with your application received on **10 February 2020** and the plans and particulars accompanying it. The reasons for refusal are set out on the following page(s).

**Steve Bambrick**  
**Service Director of Planning and Environment**  
On behalf of the Council

Date: 15 January 2021

### **SCHEDULE OF REASONS FOR REFUSAL**

1. By virtue of its scale, mass and external appearance, the proposed Parish Centre building would appear as a prominent and intrusive feature within the street scene, would appear out of keeping with nearby buildings and would fail to preserve or enhance the Chesham Bois Conservation Area. In addition, the Common is a prominent rural feature with its mature deciduous trees, grassed open areas and pond. It is a central focus for the conservation area and contributes to the rural character. The loss of open space, extensive car parking area and light spillage from the glazing in the proposed building and from cars using the facility would fail to preserve the feeling of rural tranquillity that is an important part of the character of the conservation area. This harm is not outweighed by any identified need for the community facilities proposed. The proposal is therefore considered to represent an overdevelopment of the site and is contrary to Policies GC1, CA1, CA2 and CSF1 of the Adopted Chiltern District Local Plan 1997 (including the Adopted Alterations May 2001 and July 2004) Consolidated September 2007 & November 2011, Policies CS20 and CS29 of the Core Strategy for Chiltern District (Adopted November 2011) and the guidance in the NPPF (2019).

2. The proposed new Rectory building would be sited close to the boundaries with the adjoining streets and would be a prominent addition to the site, visible from North Road and Glebe Way. By virtue of its siting, it would appear overly prominent, intrusive and out of character with the surrounding pattern of development. The proposal would therefore neither preserve nor enhance the character or appearance of the conservation area and is contrary to Policies GC1, CA1 and CA2 of the Adopted Chiltern District Local Plan 1997 (including the Adopted Alterations May 2001 and July 2004) Consolidated September 2007 & November 2011, Policy CS20 of the Core Strategy for Chiltern District (Adopted November 2011) and the guidance in the NPPF (2019).

3. The proposed car parking areas would result in vehicles manoeuvring in close proximity to the dwelling at the Old Rectory, which would result in disturbance to the occupiers of this neighbouring property. This would be exacerbated by light pollution from headlamps, noise from car doors and people in the car park. This would be detrimental to the residential amenities of this property. As such the proposal is contrary to Policy GC3 of the Adopted Chiltern District Local Plan 1997 (including the Adopted Alterations May 2001 and July 2004) Consolidated September 2007 & November 2011.

4. The proposed development would result in an intensification of use of an existing access at a point where visibility is substandard due to being blocked by parked cars along Glebe Way. This would lead to danger and inconvenience to people using it and to highway users in general. The development is therefore contrary to Policy TR2 of The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011, Policy CS26 of the Core Strategy for Chiltern District (Adopted November 2011) and the guidance in the NPPF (2019).

### **INFORMATIVES**

1. The applicant is advised that Members were concerned regarding ecology. Whilst this does not form a reason for refusal, the impact on the biodiversity of the area needs further consideration. With any resubmission, Members were keen to ensure that more measures were proposed as part of the application to show a biodiversity net gain could be achieved, rather than dealing with this by way of a Condition. The applicant is therefore advised to provide more information relating to biodiversity, using an established biodiversity metric, to show that a 'measurable net gain' for biodiversity can be achieved, in order to comply with Policy CS24 of the Core Strategy.

### **GENERAL NOTES**

1. See the attached Appeal Notes for details of appealing this decision

### **APPEAL NOTES**

The applicant may appeal to the Secretary of State if aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. Guidance can be found on their website including how to complete your appeal form.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

#### **• Householder Applications(\*)**

If you want to appeal against the **refusal of planning permission** on a 'Householder Application' then you must do so within **12 weeks** of the date of this notice. However, if you want to appeal **against the granting of planning permission subject to conditions** on a 'Householder Application' then you must do so within **6 months** of the date of this notice.

(\*) A householder development is development in the boundary of, or to an existing dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse, that does not involve change of use or a change to the number of dwellings. It includes an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development. Please note, this does not include development in the boundary of, or to an existing flat or maisonette.

#### **• Other Planning Applications (Non Householder)**

You may wish to appeal against the:

- (1) Refusal of a planning, listed building consent, including refusal to vary or discharge conditions.
- (2) The conditions attached to a planning or listed building consent application.
- (3) Refusal, partial refusal or deemed refusal of a lawful development certificate.

The correct form must be used to appeal – Planning: Listed Building Consent; or Certificate of Lawful Use or Development Appeal Forms. Please specify form required, if requesting from Inspectorate. The time period to do this will vary depending on the application type or development type. An appeal must be made within the following time periods of the decision date:

- (1) An **advertisement application** must be made within **8 weeks**
- (2) If development is a **shop front or other minor commercial development** must be made within **12 weeks**
- (3) All other **non-householder application types** or development types must be made within **6 months**

- The Secretary of State can allow a longer period for giving notice of an appeal but he/she will not normally be prepared to use this power unless there are special circumstances which excuse the delay
- The Secretary of State need not consider an appeal if it seems to him/her that the local planning authority would not have been able to have granted planning permission for the development or would not have been able to 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 practise, 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/her.

#### **Important information in relation to an enforcement notice**

Different timescales apply where the development is also the subject of an enforcement notice. If an enforcement notice has been served within two years of an application being submitted or is served before the time period for determining the application has expired, the time limit to appeal is within: **28 days from the date of refusal or the date of determination**. If an enforcement notice is served after the application's decision date or date for determination, the time limit is **28 days from the enforcement notice date**, unless this would extend the period beyond the usual time limit for cases not involving an enforcement notice. (This does not apply to Advertisement Consent Applications)

#### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim 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, either carrying out any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land, in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.