

Appendix E



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20th November 2023

Letter sent by email:

For the Attention of:

- Steve.Bambrick@buckinghamshire.gov.uk - Corporate Director of Planning, Growth and Sustainability
- Sarah.Ashmead@buckinghamshire.gov.uk - Monitoring Officer and Deputy Chief Executive

Copy to

- Mike.Shires@buckinghamshire.gov.uk – Planning Officer
- Melanie.Beech@buckinghamshire.gov.uk - Case Officer
- Chair, East Bucks. Area Planning Committee:
Jonathan.Waters@buckinghamshire.gov.uk
- Councillor Peter Strachan, Cabinet Member Planning and Regeneration,
Peter.Strachan@buckinghamshire.gov.uk

Re: PL/22/4074/FA | Redevelopment of the site to create a new multifunctional Parish Centre with cafe, day nursery building, replacement rectory with detached garage, 2 outbuildings to provide prayer room and substation/bin and bicycle store, associated parking and landscaping | St Leonards Church Hall, Glebe Way, Chesham Bois, Buckinghamshire HP6 5ND

Chesham Bois Parish Council acts as a statutory consultee with regard to local planning applications and was represented at a meeting of the East Bucks. Area Planning Committee (EBAPC) on 17th October at which the above referenced planning application was considered.

The Case Officer's report for the EBAPC; documents submitted by the applicant; and issues arising during the committee meeting, have been considered by the Parish Council at a meeting held on 13th November. Given the scale of the proposed commercial development and very large car park, which would irrevocably change the entire environment of the Chesham Bois Conservation Area, an action was taken at the Parish Council meeting to draw your attention to a list of issues, (set out below). We respectfully request that the application form, applicant's documents and Case Officer's report are reviewed as a matter of urgency to avoid the risk of an unsound decision being made at the meeting to which this planning application has been deferred.

1. The Case Officer's report highlights the content of a Planning Inspector's report with regard to the appeal lodged by the Applicant when their previous application was refused by Bucks. Council and subsequently refused by the Planning Inspectorate. However, for this subsequent submission, no reference is made to the lack of detail provided for the Planning Inspector to make a decision in 2022, (see items below), and new issues have arisen over time.

2. The scale of the proposed commercial development has not been reported in detail. The proposed buildings far exceed a typical parish centre and would more accurately be described as a commercial conference centre with capacity for more than 400 people in two large halls; multiple offices; and a public café in just one building; plus a separate nursery building that could be used as a creche during events.

- The Bucks. Council Heritage Officer questioned the need for the proposed scale of development in March 2023 and this had not been addressed.
- The Planning Inspector was previously provided with documents that referenced proposed usage of up to 40 people for weekday events, (between the hours of 8 a.m. and 8 p.m.) and occasional use by up to 150 people on Sundays, when considering the appeal last year. At the committee meeting on 17th October, the applicant's project manager also referenced a potential capacity of only 120.
- Site usage by local organisations has not been updated in the submission since the initial application was made. Community groups have moved elsewhere for a variety of reasons. Accommodation and parking for the Parish Council is included in the plan although the council elected in 2021 has not been consulted.

3. A statement was made in the Case Officer's report that an assessment has been carried out with regard to the potential impact of the proposed development on the Chiltern Beechwoods SAC (CBSAC) based on the inclusion of a café rather than a commercial conference centre. The Case Officer states that they based their decision on the removal of one dwelling from the proposal. However, guidelines about the potential impact on the CBSAC include a wide range of destination developments, not exclusively cafes. We note that Natural England was consulted by Planning Officers for an opinion about the CBSAC on 19th October although the risk scenarios requested by the EBAPC had not been prepared nor provided for Natural England to consider and more detailed information about the scale of the development was not available at that time.

4. Traffic generation and parking requirements are directly linked to the proposed scale of development and the impact of full site occupancy for an event has not been reported to date. An independent transport consultant appointed by Chesham Bois Parish Council in 2020 reported that the proposed site scale and usage amounted to 100 houses being built on the site. The applicant's transport statement refers to site usage that is not aligned to all the proposed purpose, scale or operating hours of the development for commercial hire and for Sunday worship events and, therefore, no additional junction assessment was made. Sunday trip generation assessment was not considered even though weekends were the proposed busiest time and an assumption that all trips associated with the public café will be linked trips to the centre even though this may not be the case. The applicant's project manager advised at the meeting on 17th October that the café was likely to attract members of the public and therefore there is potential for additional daily trips to be considered. To establish the current baseline traffic, Bucks. Highways are monitoring traffic flow on Glebe Way and their report will be submitted to the Planning Officer prior to the next EBAPC meeting. Chesham Bois Parish Council have also reinstructed an independent traffic consultant to provide a more comprehensive report on the impact of the scale of this development on traffic generation and that report will also be provided.

5. The previous application reviewed by the Planning Inspector was submitted prior to the evolution of current biodiversity guidelines relating to the Environment Act of 2021. No consideration of the impact on protected species or ecology was discussed in the meeting on 17/10 during which the Applicant's representative referenced the BNG metrics report but failed to mention the documented time to a 'target habitat' condition ranged up to 27 years and the impact of proposed site usage by several hundred people and over 100 vehicles during longer hours of operation. The site is surrounded by undeveloped land designated Priority Woodland Habitat in a Conservation Area that is predominantly dark at night. Chesham Bois Parish Council has instructed an independent ecologist with more local knowledge to report on the potential impact of the proposed development.

Note: Reports submitted to the Case Officer, Planning Committee and Bucks. Council Ecology Officer by Bucks. Badger Group highlight concerns about content in ecology reports and contradictory statements about proposed mitigation measures for protected species and proposed site usage including hours of operation.

6. The proposed scale of development would inevitably impact the quality of life of residents in the adjacent Grade II listed property. The suggestion that there would be no material impact on their property and quality of life possibly arose because of the lack of detail provided and lack of adequate scrutiny. The proposed car park at the boundary of the house; fire pit with surround seating; site capacity; and long hours of operation would inevitably generate noise and light pollution which would impact residents of the house. Also:

- No information has been reported about the proposed development being built on top of waste drains and soakaway cesspit, to which access is required for maintenance, in the midst of
- the proposed car park area.
- We understand that residents are seeking legal advice on the potential impact of the proposed development.
- Fires are banned on adjacent Common Land due to the risk of fire spreading through woodland and the proposed location of a fire pit for social gatherings at the hedge and treeline boundary with the Grade II residence represents a risk to the heritage property.

7. This site is at the heart of Chesham Bois Conservation Area, surrounded by Priority Woodland Habitat forming part of a wildlife corridor and we understand that Bucks. Council is supposed to safeguard such areas from ill-considered changes, such as large-scale commercial development. It is also of note that:

- the site is adjacent to an Established Residential Area of Special Character (ERASC). Although the proposed metal/glass design of the largest building on site could be deemed acceptable on exceptional, subjective grounds, it conflicts with the traditional design conditions imposed on the current rectory built in 1983 and even the proposed new rectory;
- the Chilterns Cycleway includes the small roads adjacent to the site, (Bois Lane, Glebe Way and North Road) enjoyed by cyclists at weekends when the site is expected to be the busiest; and
- there is no detailed consideration of the light pollution impact on heritage assets or protected species in reports.

8. Guidelines state that additional time can be allowed for those who wish to speak to a planning committee, at the discretion of the Chair. For such a highly controversial, large scale, commercial development that would irrevocably change the environment of the Chesham Bois Conservation Area, we would expect adequate time to be allowed to provide local and expert knowledge for the benefit of the committee. However, no allowance was made on 17/10/23 and the Planning Officer has advised that nobody will be allowed to speak to the EBAPC at the meeting to which a decision has been deferred.

9. Planning Officers emphasised the material weight of the Planning Inspectors report from 2022 during the meeting on 17/10 and highlighted potential financial penalties, if the committee were to challenge the Planning Inspector's views and the advisory services provided by Bucks. Council. However, we understand that financial implications are not a planning issue, and from published case law, advisory support services are deemed to be only 'advisory' and not a route to guarantee the outcome of a planning committee meeting.

10. Application Form: Errors on the application form were not picked up when the application was re-submitted and validated. These include a failure to reference Priority Woodland Habitat and out of date categories referenced for the proposed development.

11. The removal of the site manager's dwelling from the re-submitted application is a cause for concern regarding security and has not been addressed. No report from Thames Valley Police was submitted for this application and issues raised by Thames Valley Police for the previous application remain valid. Although the Planning Inspector stated that "there is no evidence that the area suffers from higher crime rates", the key point is that such a large-scale development of commercial buildings, café and car park would be expected to generate more anti-social behaviour, and this has not been addressed.

12. Prior to the committee meeting on 17/10/23, issues relating to the planning portal arose.


- Documents were not posted in a timely manner. People who called to complain were advised that all information submitted prior to a committee meeting would be read out by the Case Officer at the start of the meeting but this did not happen.
- People were advised that delays of 3 working days related to post documents on the portal related IT screening procedures.
- Links to previous planning applications that the committee may have wished to use for comparison, were not posted by the date on which the committee meeting was held, so it appears that IT systems are still impacted by the creation of the unitary council.

Given the issues referenced above, we consider that the Planning Inspector's views were based on a lack of detail when considering the appeal last year.

If you wish to carry out a site visit, we suggest visiting at different times of the day, to fully understand why residents consider the scale of this planning application would irrevocably harm the tranquil nature of Chesham Bois.

We trust that you will take appropriate action to ensure that the re-submitted planning application is comprehensively scrutinized to provide the EBAPC with more detailed information when the application is scheduled for a decision to be made.

Yours sincerely


Annette Dealey
Clerk
Chesham Bois Parish Council