



## Directorate for Planning, Growth and Sustainability

Walton Street Offices, Walton Street, Aylesbury, HP20 1UA

planning.csb@buckinghamshire.gov.uk

01494 732950 | 01895 837210

www.buckinghamshire.gov.uk

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

## BUCKINGHAMSHIRE COUNCIL DECISION NOTICE

Application no. PL/22/4074/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 Church Hall, 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, 2 outbuildings to provide prayer room and substation/bin and bicycle store, associated parking and landscaping

in accordance with your application received on **13 December 2022** and the plans and particulars accompanying it. The reasons for refusal are set out on the following page(s).

**Eric Owens**  
**Service Director of Planning and Environment**  
On behalf of the Council

Date: 11 January 2024

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

1. The application site is located within the 12.6km Zone of Influence of the Chiltern Beechwoods Special Area of Conservation (SAC). The Council's published FAQs on the SAC identify that types of uses other than new homes could lead to a significant impact on the SAC, depending on their scale and location. In this case, it is considered that, given the scale and use of the proposed Parish Centre, there is insufficient evidence submitted in support of the proposal to conclude that its impacts, whether alone or in combination with other plans and projects, could be avoided or mitigated so that the integrity of the SAC would be preserved. Overall, there is insufficient evidence the proposal would preserve the integrity of the Chiltern Beechwoods SAC and consequently there would be conflict with Policy CS24 of the Core Strategy for Chiltern District - Adopted November 2011, Paragraph 186 of the NPPF (2023), and The Conservation of Habitats and Species Regulations 2017 (as amended).

### **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.