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To: Planning Department, Buckinghamshire Council

Date: 23rd July 2025

Re: Formal Complaint: Planning Dept., Buckinghamshire Council

Planning applications: PL/20/0401/FA and PL/22/4074/FA

Location: St Leonard's 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

I am instructed by Chesham Bois Parish Council to submit a formal complaint to Buckinghamshire Council about the way in which the above planning applications were managed.

The principal reasons for submitting a formal complaint are:

- 1) To ensure that future applications are properly validated and adequately researched
- 2) To ensure that Case Officers provide balanced and objective opinions, supported by relevant information and evidence, in their reports.
- 3) To ensure that Planning Committees are provided with the necessary breadth and depth of information by Case Officers to be able to make informed decisions.
- 4) To ensure that misleading and inaccurate directions are not given to a Planning Committee.
- 5) To ensure that misleading, inadequate statements are not given to external bodies.
- 6) To ensure that Planning Officers and Cabinet members conduct themselves in an appropriate manner and take appropriate action in line with Bucks. Council procedures.
- 7) To request that Planning Officers are adequately trained and sufficiently experienced to be allocated to deal with contentious, large planning applications.
- 8) To request that members of a Planning Committee, especially the Chair, are adequately trained to understand the requirements of the role.

Our specific concerns about the management of the two planning applications referenced above are detailed as follows.

A. Pre-Application Advice dated 6th August 2019

By virtue of a Freedom of Information request we were sent a copy of the above pre-application advice with the identity of the author being redacted.

According to guidelines published by the Ministry of Housing, Communities and Local Government (MHCLG), the information provided by the LPA should be a “clear, timely and authoritative view on the merits of proposed development”.

It is clear from the Pre-Application advice that the writer departed from those guidelines by writing ‘*The new Parish Centre is a very large* but interesting and exciting building*’ and concluded ‘*In summary, the proposed development provides an opportunity to create an attractive, well-designed development that will serve the local community.*’

* The reference to ‘very large’ is underlined because the proposed, huge increase in scale of the village hall (from c. 100 to c. 400) and car park spaces (from 26 to 114) generated significant local opposition by residents to the proposed development in the heart of the Chesham Bois Conservation Area. Not only has the author reported their personal, subjective opinions, which may influence the subsequent Case Officer or committee, they also failed to follow the published guidelines for reporting on the merits of a planning application.

<https://www.gov.uk/guidance/before-submitting-an-application>

B. Planning Application

The applicant appears to have cut and pasted content from the first planning application into the second and the Bucks Council Planning Dept. failed to adequately screen and validate the presented information.

There was an overreliance by Bucks Highways on the high-level Travel Plan submitted by the applicant. Capacity event traffic and its impact on local roads as well as road safety issues were not considered for a location surrounded by five schools and no pavements.

The proposed future use capacity in the application was for ‘up to 150’ people and Officers failed to fully investigate the reasons why the Applicant has designed a centre that had a capacity of 400+.

There was also a lack of consideration given to the potential impact of such a large commercial development on the environment and location in the heart of a Conservation Area, for which planning application guidelines are published.

Please refer to

a) Chesham Bois Conservation Area document published by Chiltern District Council: Section 3 references the semi-rural nature of the area and Section 4 references planning guidelines.

b) General Planning Controls and Policies for Conservation Areas Section 1.8 refers to the extra planning controls in Conservation Areas and 2.1 references the council’s duties to ‘pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas (Town & Country Planning Act 1990 (as amended) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

C. Complaint against Case Officer **Melanie Beech**

- 1) Reports provided to the East Buckinghamshire Planning Committee (EBAPC) were inadequately researched and biased, attempting to lead the Committee to approve each application.

According to the Planning Advisory Service a report should clearly articulate ‘*both the positive and negative elements of the proposal and the weight given by the case officer considers appropriate on the material considerations*’. No reports produced by **Ms. Beech** included any negative element of either application and were widely criticised in public by the East Bucks Area Planning Committee, (EBAPC).

- 2) [REDACTED] failed to report the outcome of the applicant's first appeal to the Planning Committee in time for the EBAPC to challenge the opinions expressed in the Planning Inspector's report on the applicant's first appeal. This omission was highlighted by members of the EBAPC at the public meeting held on 9th January 2024.
- 3) In each of the two Planning Committee meetings held to consider the second planning application, Ms. Beech refused to permit committee members to list all the reasons why they wished to refuse the application for a second time.

Ms. Beech incorrectly advised the committee that they had to restrict their debate and views about the application to reflect the subjective views of a Planning Inspector appointed to consider the appeal for the first planning application. A legal opinion about the option to deviate from an initial Planning Inspector's report was submitted by a KC and High Court Judge and we had previously contacted the Planning Inspectorate who had confirmed that reasonable objections to a previous appeal decision would be permissible. However, we understand that Ms. Beech advised the Planning Committee that Bucks Council could have costs awarded against them for re-stating their reasons to refuse the application for a second time which Ms Beech considered to be 'unreasonable behaviour'.

The Planning Committee, elected ward councillors, the Parish Council and other interested parties were of the opinion that the first Planning Inspector had erred in his assessment due to inadequate facts being presented by the applicant and by the case officer. In addition, the Planning Committee was entitled to raise objections on ecological grounds as these had not been a consideration for the first application or appeal. (The first planning application was submitted prior to the Environment Act 2021).

- 4) In October 2023, a decision on the second planning application had to be postponed by the EBAPC as Ms. Beech had failed to produce an Appropriate Assessment report on the potential impact of the proposed development on the Chiltern Beechwoods SAC. The report presented to the Planning Committee in January 2024 was deemed inadequate and failed to reference site capacity events.

At the Planning Committee meeting in January 2024, members highlighted the fact that Ms. Beech had requested Natural England to provide an opinion on the proposed development in October 2023, prior to conducting the research required or producing an Appropriate Assessment report. Indeed, Ms. Beech was forced to admit in that public meeting that she had not at any stage highlighted the possible maximum usage of the site.

- 5) At the Planning Meeting held on 9th January 2024, Ms. Beech told the Committee that the Ecology Officer had produced an updated report which there had not been time to publish on the planning portal prior to the meeting. Ms. Beech advised that the report had been circulated but no issues relating to the potential impact on biodiversity were permitted to be discussed, despite the fact that ecology was a new topic to be taken into account for the second application following the publication of the Environment Act 2021.
- 6) The Heritage Officer had registered a holding objection to the application which was never removed nor the request for further information supplied, and this was ignored by Mrs Beech in her report.

D. Complaint against Planning Officer Mike Shires

- 1) Mr Shires was criticised by District Councillors and the Parish Council for reappointing Mrs Beech as Case Officer for the second planning application. Following concerns being raised by a ward councillor, Mr. Shires tried to provide reassurance by writing in an email that '...I will perform an additional check on the report before it goes to the Planning Committee'. Also, the planning committee was not advised that its decision would override the views of a case officer. However, if any checks were conducted, that would imply that [REDACTED] was supportive of the inadequate reports.

- 2) We were advised that [REDACTED] sent an email to members of the Planning Committee prior to the meeting held on 9th January 2024 advising them to ignore the legal opinion from the KC and High Court Judge referenced above. We consider this to be trying to exert undue influence on the decision-making process.
- 3) [REDACTED] responded to our email of 8th January 2024 on 9th January and said that ‘*I acknowledge receipt of your email, and I have passed to the case officer to ensure all aspects are fully considered by the planning committee before reaching a decision on this application.*’ Evidently, that request was disregarded as [REDACTED] also limited discussions by the Planning Committee based on a false premise that the Committee could not challenge the first Planning Inspector’s opinion.
- 4) [REDACTED] did not advise interested parties such as the Planning Committee that they were able to question the first planning inspectors report especially as it had been poorly written by someone who clearly had not been provided with adequate information and had evidently not been able to fully evaluate the issues.
- 5) The Planning Inspector requested a public hearing to be arranged by Bucks. Council in order to fully consider the issues relating to the second appeal. [REDACTED] responded in writing and refused to comply with the request.

The reasons [REDACTED] used to refuse the Planning Inspector’s request included:

- The LPA does not consider that the appeal should be dealt with by way of a Hearing, which would incur unnecessary work and cost for all parties.
- Incorrectly restricting the appeal to one topic (impact on the Chiltern Beechwoods SAC)
- Incorrect interpretation of the first Planning Inspector’s Appeal and
- Incorrectly stating that the criteria for determining an appeal by a public hearing did not apply.
- Insufficient public interest

‘Planning Inspectorate’s Guidance, “Criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals”, published 21 April 2022.

A Hearing is the most suitable procedure for an appeal that meets the following criteria:

- the Inspector is likely to need to test the evidence by questioning or to clarify matters; or
- the status or personal circumstances of the appellant are at issue; or
- there is no need for evidence to be tested through formal questioning by an advocate or given on oath; or
- the case has generated a level of local interest such as to warrant a hearing; or
- it can reasonably be expected that the parties will be able to present their own cases (supported by professional witnesses if required) without the need for an advocate to represent them.

[REDACTED] incorrectly stated that ‘None of these points apply here’. In terms of the underlined bullet point alone, Bucks. Council will be aware that the highly contentious planning applications were challenged by several hundred residents, many of whom attended the Planning Committee meetings. Opposition to the second application was also featured in local and national BBC News coverage.

E. Complaint against Bucks. Highways Officers

The Bucks Highways Officers report was wholly inadequate. They simply accepted the applicant's transport report without questioning why the predicted extra traffic was minimal for such a large capacity venue. They failed to consider and report on the impact of the traffic generated for a full capacity event, which, with reference to the applicant's published activities, could even be continuous over a period of days.

F. Complaint against

i. [REDACTED] plus one other unnamed person made the decision to alter a specific table in the Chiltern Beechwoods SAC Guidelines within two weeks of the Planning Committee meeting in January 2024 at which that table referencing potential developments to be 'screened in/out' for consideration was referenced as the reason to refuse the planning application. The Parish Council had to submit a request to discover why the Guidelines had been changed so quickly after such a highly contentious planning application had been considered and we were advised that the actions were taken without reference to ward councillors. No explanation or rationale to make the changes were provided.

Although the new mitigation strategy was formally agreed at an Executive meeting in July and published in August 2024, the Planning Committee had already agreed in January that the proposed development was an exceptional case. Furthermore, the updated Chiltern Beechwoods SAC Guidelines document includes a provision for exceptional cases, S. 3.6.5 below which the Planning Committee (and other interested parties) consider relevant to the proposed development which would operate as a destination venue for conferences and large-scale social events for 400+ people.

3.6.5. Equally, there may be situations where some forms of development are considered to be screened out above but may give rise to increased visitor pressures at Ashridge Commons and Woods SSSI. This may be due to their scale, location (within the wider Zone of Influence) and particular details.

Source: [Appendix 2 CBSAC Mitigation Strategy Parts A & Strategic Guidance 16.07.24.pdf](#)

ii. **We also wish to refer to a letter from** [REDACTED] **to the Planning Inspector dated 30th December 2024, following the decision by Bucks Council to refuse the second Planning Inspector's request for a public hearing.**

[REDACTED] wrote that the Council could not now defend the reason for its refusal of the second application as an updated version of the Chiltern Beechwoods SAC Mitigation Strategy had been adopted in August 2024 which 'screened out' applications such as the proposed new development. However, in this correspondence, Bucks Council chose to classify the proposed development as a 'Café/Shop/Visitor Centre/Museum' and the letter stated that the decision was to refuse it for this reason, specifically the impact of the new café and nursery forming part of the parish centre possibly attracting more visitors to the SAC.'

This statement is simply not true. The Planning Committee had agreed in January 2024 that a venue of the proposed scale operating as a conference centre and social event space for 400+ people was an 'exceptional case' as it would attract visitors from afar who would be expected to require hotel accommodation and typically explore the area whilst visiting. The Ashridge Estate at the centre of the SAC includes a hotel and is widely promoted as a tourist attraction.

This letter caused the Planning Inspector to change his mind about a public hearing which prevented Interested Parties in discussing other issues with the Planning Inspector in a public forum. Some might view this as a deliberate attempt by Bucks. Council to avoid criticism of the Bucks. Planning Department being openly discussed.

iii) **We would expect members of the Planning Committee** and at least the [REDACTED], to have been sufficiently trained in the role to understand that their opinion and views on planning applications override views expressed by case officers.

In summary, we consider that both planning applications were inadequately managed and failed to take material facts into account, influenced by the subjective, selective and biased views of the case officer as expressed in reports to the Planning Committee. Therefore, and for the reasons stated, we believe it necessary to submit this formal letter of complaint to highlight the failures of Bucks. Council's Planning Service in respect of a planning application that would cause irrevocable harm to the Chesham Bois Conservation Area if it should proceed.

Yours faithfully

Annette Dealey

Annette Dealey CiLCA
Clerk
Chesham Bois Parish Council