

04 May 2013 08:55

Re: Planning application - Thames Heritage Boat Museum - Beale Park

Dear Brian

I am happy to talk this through with you (01635 864023)

Regards

Graham Pask

From: Brian W Smith [mailto:brian.smith@consuta.org.uk]

Sent: Thursday, May 02, 2013 09:07 AM

To: Graham Pask

Cc: Pamela Bale; Quentin Webb; Irene Neill; Tim Metcalfe; Geoff Mayes; Alan Macro; Royce Longton; Alan Law; Brian Bedwell; Peter Argyle

Subject: Planning application - Thames Heritage Boat Museum - Beale Park

To the Chairman of the West Berkshire Eastern Area Planning committee

Dear Mr. Pask

I am contacting you on behalf of the Musuem Project team who would like to establish a Thames Heritage Boat Museum at Beale Park . The ref:- 13/00575/OUT

We believe that this application should be referred to the Eastern planning committee for the following reasons.

First reason

There are presently 34 representation letters which are contrary to the views (currently) expressed by the Case Officer, of which 14 represent sizeable local and national groups. Note that there have been no objections from any external consultants, parish council or by representation letters. This application therefore must be determined by committee according to West Berkshires own published guidelines.

Copied from WBC website link here:-

<http://www.westberks.gov.uk/index.aspx?articleid=17560>

Please see appendix at the bottom of this email for the full text.

The West Berkshire planning website states that an application is determined by committee when

"Applications where 10 or more separate representation letters have been received and the recommendation is contrary to the views expressed"

Second reason

The advice and comment to date from the Case Officer has been incorrect and contradictory; unfortunately there have been

several examples of Procedural Impropriety.

For example, our application was presented on the 14th March, and an extract from the first email from the Case Officer dated 17th April says:-

I would be grateful if you could advise on how you wish to proceed no

later than 26th April 2013. If I have not heard from you by this time the application will be refused.

Because the consultation period had only just started and was not due to close until 7th May (still open now), this statement clearly shows that the officer had already decided to refuse without considering any of the consultation responses. This procedural error was pointed out and a later retraction was issued. There are other mistakes or mis-directions which we also have on record.

Another example:- The case officer has never asked for any additional information regarding this Outline Application as is advised in Government guidelines. Yet the same officer now claims there is insufficient information on reserved matters to be able to decide the application and states it will be refused because of this.

Because of these procedural mistakes we now have no confidence in the impartiality of the case officer, particularly as the judgement had been made before the consultation started.

Third reason

The proposed development at the Child Beale Wildlife Park is wholly for public benefit and is of significant public interest judging by the number of representative letters; note this important museum project has not even been promoted in the media to date.

Government Guidelines on the planning decision processes state that applications of significant public interest should not be determined by delegated powers.

Fourth reason

This proposed Museum would have MLA accreditation status so will be of National Importance. We believe any decisions on a significant development designed for leisure, educational and tourism in West Berkshire should be a matter decided by the committee and not by delegated authority.

We would like to point out that the only objections to date are from two of the WBC own internal departments, and they are related to reserved matters of landscaping. This application is for "outline permission" at this stage, and The West Berkshire website states that an Outline Application is appropriate if you wish to know whether a development would be acceptable in principle.

Because of our concerns regarding this important project we respectfully request that you call this application to committee, in your capacity as chairman. If you require any additional information please contact me.

Brian Smith on behalf of the project team

Note:- I'm copying this email to the Eastern Area Planning committee members only.

Appendix -- WBC website statement.

“Determining the application

Having visited the site, the planning officer determining (coming to a decision on) the application will then consider:

- Whether the proposal complies with relevant national, strategic and local planning policies
- The effect of the proposal on existing neighbouring developments and on the character of the area
- Any representations received, from consultees and interested parties

There are two ways an application can be determined:

- Under delegated powers, where the Head of Planning & Countryside is authorised to issue the decision
- At committee

An application is determined by committee when,

- An application is called to committee by a member (within 28 days of it appearing on the weekly list)
- An application is submitted on behalf of West Berkshire Council, a council member or a planning officer where 5 or more objections have been lodged
- **Applications where 10 or more separate representation letters have been received and the recommendation is contrary to the views expressed**
- Applications that attract a petition of 20 or more signatures and the recommendation is contrary to the views expressed
- Applications which, in the opinion of the Development Control Manager, it is not prudent to exercise delegated authority OR are of strategic importance.”

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