
Appeal Decision

Hearing held on 15 April 2014

Site visit made on 15 April 2014

by K G Smith BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 June 2014

Appeal Ref: APP/W0340/A/13/2208764

Beale Park, Lower Basildon, Reading RG8 9NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by The Child Beale Trust against the decision of West Berkshire Council.
 - The application Ref 13/00575/OUT, dated 11 March 2013, was refused by a notice dated 21 May 2013.
 - The development proposed is the erection of a Thames Heritage Boat Museum.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a Thames Heritage Boat Museum at Beale Park, Lower Basildon, Reading RG8 9NW in accordance with the terms of the application, Ref 13/00575/OUT, dated 11 March 2013, and the plans submitted with it, subject to the conditions set out in the Schedule of Conditions at the end of this decision.

Background

2. There were four reasons for the refusal of the application but two of these, concerning ecology and flood risk, were subsequently withdrawn by the Council. The remaining reasons deal with the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and the effect on trees.
3. The site for the proposed building is at the northern edge of the large Beale Park, which lies to the north west of Pangbourne and serves as both a local facility and a tourist destination serving a wider area, being signed from the M4 motorway. At the time of my site visit, on a sunny afternoon, the large car parks were full and parking had extended into the overflow areas. The facilities in the park include a small railway, a model boat display, meerkats, rare birds, an ornamental lake, climbing frames, paddling pool, café and so on. The landscape of the park includes parkland, formal gardens, hard surfaced pathways, play areas, animal enclosures, water gardens and a number of buildings, some quite large, of varying designs, sizes, materials and heights.
4. The appellant, The Child Beale Trust, is a registered charity set up in 1956 for outdoor recreation and the enjoyment of local people and to care for and conserve endangered species. Visitors can park and either go walking nearby, for example along the west bank of the River Thames, or pay to enter the park. The proposed museum would be an additional attraction, open freely to those paying to go into Beale Park.

5. The proposal is in outline other than details of access and layout which are to be considered now. The proposed museum building would be a piled structure, some 50m long x 9m (and in part 13m) wide and 7m high to the ridge. The height would be dictated by the need to use a hoist within the building and by the requirements arising from the flood risk assessment. Within the building there would be a wet dock with direct water access and a hard standing for maintenance, display area and a workshop. The museum would have displays dealing with the whole history of the Thames including, as well as its boats, the demise of the ferries and the flash locks (which were changed to pound locks), the loss of the many Thames boat yards, the changes in power for moving boats and so on. The museum would aim to bring together the varied elements of the story of the Thames.
6. The waterside access to the building would be from its western end, via the pond/sheltered lagoon. The landside service access to the building, also at its western end, would start at ground level and then rise gradually on piles to be elevated about a metre or so above ground level at the building. This access would be rarely used, possibly once or twice a year, for the supply of coal, to install exhibits and for emergencies.

Main Issues

7. The main issues are the effect on trees, the effect on the AONB and the need for and benefits of the proposal. Then I will give my overall conclusion in which I will carry out a decision-making balancing exercise and assess the degree of compliance or conflict with the development plan.

Reasons

Effect on trees

8. A tree survey and plan has been submitted and a plan for the siting of the building and the access road but there is no plan that superimposes the building/access on the trees plan. Also, there is no clear indication of which trees would be affected and there is dispute over the number that would need to be felled to allow the development to proceed. However, at my visit, the line of the proposed service access could be seen clearly and the site of the proposed building was pegged out. From this, I agree with the Council that it is likely that trees numbered 3, 4, 10, 11, 13-31 inclusive would need to be felled or, in some cases, severely cut back, a total of 23 trees, comprising 11 category B, 11 category C and one needing to be felled because of its condition. In addition, there are trees in Group G1, all category C, of which some would need to be lopped or felled.
9. Clearly, this would be a significant amount of tree felling and lopping, which should not be undertaken without justification. I am, however, mindful also that the trees lie within an area that is managed by The Child Beale Trust and I saw at my visit the tree felling that it has carried out recently along the waterside banks in the area. The amenity value of the individual affected trees is low to moderate but, when taken together, they form an attractive group along the boundary between the countryside and the more formal nature of the park, while softening the appearance of the security fencing along the park limits at this point.

Effect on the AONB

10. When looking north from the site, the AONB has a particularly attractive landscape. The wide valley floor is generally open, with steep valley sides at some distance. The floor is pasture land with low lying areas of water and it is relatively undeveloped with buildings. Other than at and near the appeal site, it is not dominated by trees. But it would be wrong to think of this landscape to the north of the site and the park as having an undeveloped open rural character: that would be to ignore the commercialising and intrusive impact of the large areas of parked cars associated with Beale Park.
11. Moreover, the proposal would not constitute a seriously harmful intrusion into an open landscape. Indeed, it would, despite the necessary tree works, be well screened from areas outside Beale Park. The Thames Path is on the opposite side of the river from the appeal site, at the top of the valley side behind a belt of riverside trees. It is unlikely that the proposed building would be seen from that path because of the distance and the intervening trees, even in winter. Views of the development from path Basildon 18, along the near bank of the Thames, would be likely to be glimpsed only, and hidden when trees are in full leaf. Near views from the north on the line of the relocated permissive path or from the west along the proposed service access would be in the context of looking towards the more formal landscape of Beale Park, which I have outlined above.
12. Indeed, the appeal site is at the boundary between the park and the more open land to the north. The proposed museum would straddle the existing fenced boundary and the line of fencing would be moved to incorporate the proposal within the park. The museum would become part of the park as one of its many varied buildings. The appeal site would no longer be part of the wider landscape outside the park; rather it would become a relatively minor extension to the park.
13. In this context, I am mindful that the North Wessex Downs AONB Management Board accepts in principle the location of the proposed development at Beale Park, the Basildon Parish Council has no objections and Natural England states, with regard to landscape, that 'we do not believe that this development is likely to impact on the purposes of designation of North Wessex Downs AONB. I agree.

Need and benefits

14. The following points are of particular significance. They are not in any order of importance. Firstly, the park has far fewer visitors now than 20-30 years ago. Its visitor numbers have dropped from around 200,000 per year to about 150,000. This development would enhance the attractiveness of Beale Park, which employs 19 local people with support from 12 voluntary workers, thus giving additional employment security and improving leisure and tourism facilities. Also, the development would benefit from its location in a long established tourist facility which has parking, café and toilets.
15. Secondly, there are some 1,400 vessels on the National Register of Historic Vessels (NRHV) and, of these, 200 are in the National Historic Fleet (NHF) because of their national significance. The museum would house, among other things, *Consuta*, a working exhibit built nearby in 1898 using a patented method of construction; *Cygnets*, for static display, built in 1870 and having an

early example of mechanical propulsion applied to a small launch; and Thames Inspection launch Danola, a registered vessel built in 1894. I am advised by the Director of National Historic Ships UK that the NHF vessels are, given their limited numbers, the equivalent of Grade 1 listed buildings. Consuta is an NHF vessel. Cygnet, which is owned by the Thames Boats Trust, is on the national small boat register and is a candidate for the NHF.

16. Thirdly, Consuta is hoisted by crane from the open water of the pond each year for preservation reasons but this is a risky and expensive operation.
17. Fourthly, the site for the boat museum needs safe access to the Thames. The appeal site would provide that access for Consuta via the adjacent pond/sheltered lagoon and the lake without carrying out any construction or excavation works. The location of the water channel determines the site for the proposal.
18. Fifthly, the appellant has investigated nine alternative sites and none has been found to provide matching features of access, location and security. The Council is unable to suggest an alternative location for the museum and it does not argue that one would be available.
19. Sixthly, only two parts of the UK are associated with inland steam vessels: the Thames and Lake Windermere, albeit with very different craft. Windermere is developing a steam boat museum for its craft.

Overall Conclusion

20. The Council's main concerns relate to the size of the proposed building, its proximity to the Thames and the impact on trees. I am satisfied that there would be little effect on the setting, or on users, of the river and of its western side path, Basildon 18, other than in glimpsed views. Thus, concerns about conflict with Saved Policy RL.5A(i) of the 2007 Local Plan, which seeks to prevent harm to the character or landscape setting of the river, carry little weight in this case.
21. As indicated above, the effect on the AONB would not be such as to harm the purposes of its designation. Of more concern at the appeal site would be the loss or lopping of a substantial number of trees for the development, albeit that this is in an area where the trees are managed by The Child Beale Trust. The tree loss would be, as one would expect, most evident from nearby, for example from the new permissive path but, generally, the proposed museum and its access would be well screened from outside the park. Additional tree planting could be required by condition on land owned by the appellant but that would take time to establish and, for some years, the loss of trees would result in environmental harm from the proposal.
22. To be set against this are the cultural, social, economic, recreational, tourism and environmental benefits that would be secured, to which I make reference above. As the Council states, the principle of supporting the existing leisure facilities at Beale Park, the rural economy and the boating heritage of the area is supported by the adopted (2012) West Berkshire Core Strategy and the objectives of the National Planning Policy Framework.
23. Core Strategy (CS) Policy Area Delivery Plan Policy 5 (ADPP5), North Wessex Downs AONB, is a lengthy policy with several strands. It pulls in different directions for this proposal where the Environment section deals with the

strong sense of remoteness and tranquillity, while promoting traditional and rural skills and the vibrancy of the rural economy. The Economy section supports the proposal by seeking to promote local job opportunities, tourism, leisure, cultural heritage, rural businesses, community organisations and projects that would benefit local communities.

24. Policy CS14, on Design Principles, extends from the appearance of a development to the way it would function and its contribution to local distinctiveness and sense of place. I see no reason why the design of the proposed museum with water access should not incorporate features that reflect the boat houses that were typical of the Thames frontages for many years. Moreover, the proposal would gain support from the conservation and enhancement of the historic and cultural assets of West Berkshire.
25. Policy CS19, which deals with Historic Environment and Landscape Character, seeks the consideration of the natural, cultural and functional components of the landscape character of the District together in an holistic way. I find no significant conflict with the criteria on the sensitivity to change in this case or the location, scale and design of the scheme, which would be subject to future consideration for the approval of details. But on the positive side, the museum would score well for the conservation and enhancement of heritage assets and participation in the historic environment by the local community.
26. The supporting text to Policy CS10 emphasises the importance of tourism as one of the two keys to fostering economic growth. Also, under the heading of Background and Challenges (on page 12 of the CS), the River Thames is highlighted as a focus for recreation and leisure, for tourism and economic development, and opportunities are identified for improving the tourism offer, promoting the cultural tourist base and improving the culture and leisure offer.
27. The proposal would constitute sustainable development as set out in the Framework and, despite the effect on the trees at the site, I have no doubt that the need for and benefits of this proposal, to which the development plan gives strong and widespread support, are sufficient to make it in conformity with the plan when considered as a whole. I am satisfied that this appeal should be allowed.

Conditions

28. A schedule of conditions has been submitted for consideration. All of those would pass the six tests on the imposition of conditions in paragraph 206 of the Framework, as explained in more detail in the (March 2014) National Planning Practice Guidance. The conditions on biodiversity and flood risk are self explanatory; they serve to overcome the two withdrawn reasons for refusal. The first two conditions are standard requirements and the remainder flow from the matters dealt with above. Fencing details for the new boundary to Beale Park were not included in the schedule but there is no dispute that a condition on this subject is needed.

K G Smith

Inspector

SCHEDULE OF CONDITIONS

- 1) Details of appearance, landscaping and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
 - 3) No development or site clearance shall take place until a detailed biodiversity mitigation and enhancement scheme based on Table 4 of the Arbtech Extended Phase 1 Habitat Survey dated 9 December 2013 and the email from Brian Smith, dated 6 December 2013 and entitled 'ecology matters at Beale Park', has been submitted to and approved in writing by the local planning authority. The building hereby approved shall not be brought into use until the approved scheme has been implemented in full and shall thereafter be maintained in accordance with the approved details.
 - 4) No development or site clearance shall take place until full construction details and details of the location of the access road and path, re-routed permissive path and new footbridge and the method and removal of spoil removal and disposal have been submitted to and approved in writing by the local planning authority. Thereafter, all works must be carried out in accordance with the approved details.
 - 5) The building hereby permitted shall achieve Excellent rating under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The building shall not be brought into use until a final Certificate has been issued certifying that a BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Excellent has been achieved by the development and a copy of the Certificate has been provided to the local planning authority.
 - 6) The hereby permitted development shall be carried out in accordance with the approved Flood Risk Assessment (FRA), revised on 6 December 2013 as compiled by B W Smith of The Consuta Trust and the following mitigation measures detailed within the FRA:
 - Finished floor levels are set no lower than 42.14 metres above Ordnance Datum (mAOD);
 - All excavated material will be taken off site outside of the floodplain;
 - No ground-level raising will be undertaken; and
 - All of the building (including walls and doors) will be water permeable up to 41.84 mAOD
- The building hereby approved shall not be brought into use until the mitigation measures have been implemented or in accordance with the timing/phasing arrangements embodied within the scheme.
- 7) No development or other operations shall commence on site until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the local planning authority. The details shall

- include schedules of plants noting species, plant sizes and proposed number/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure completion of the approved landscaping scheme within the first planting season following completion of the development. Any trees, shrubs or plants that die or become seriously damaged within five years of planting shall be replaced in the following year by plants of the same size and species.
- 8) No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the local planning authority. Such a scheme shall include a plan showing the location of the protective fencing and shall specify the type of protective fencing, all in accordance with B.S. 5837:2012. Such fencing shall be erected prior to any development works taking place and at least two working days' notice shall be given to the local planning authority that it has been erected. It shall be retained and maintained for the full duration of the works. No activities, fires or storage of materials whatsoever shall take place within the protected areas.
- 9) No development or other operations shall commence on site until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted to and approved in writing by the local planning authority.
- 10) No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The statement shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter all works must be carried out in accordance with the approved details.
- 11) Prior to the commencement of development, details of the location, design and materials of fencing to be erected to incorporate the hereby permitted museum into the confines of Beale Park shall be submitted to and approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before the hereby permitted building is first brought into use and shall be retained and maintained thereafter.

APPEARANCES

FOR THE APPELLANT and SUPPORTERS

Mr B Smith	The Consuta Trust
Mr P Smith	The Consuta Trust
Mr A Cundick	Supporter
Mr M Heighton	Supporter and Director of National Historic Ships UK
Mr O Pearcey	Supporter and Trustee of Thames Boats Trust
Mr P Turvey	Supporter and Trustee of Consuta Trust and Curatorial Adviser to Thames Heritage Boats Trust
Mr D Eager	Supporter
Mr A Birtles	Supporter and Vice President of Steam Boat Association of GB
Mr N Gourley	Supporter and member of The Consuta Trust

FOR THE LOCAL PLANNING AUTHORITY:

Miss E Fuller	Principal Planning Officer, West Berkshire Council
Mr A Cullen	Senior Tree Officer, West Berkshire Council

DOCUMENTS submitted after the opening of the Hearing

- 1 Core Strategy Policy CS10
- 2 Core Strategy extract, page 12.
- 3 Wikipedia definition of Cultural Heritage