

Scrutiny Request

Actions by West Berkshire Council that led to the planning inspector in his recent appeal decision on the Faraday Plaza planning application:

- awarding costs against the Council
- stating that "comments offered to the committee were misleading
- stating that "the Council have misunderstood or misapplied the procedures applicable to the application, misinterpreted the weight due to their own policies relevant to the proposal and, in my view, misinterpreted the weight due to their own policies.

Subject

The actions by West Berkshire Council that led to the planning inspector in his recent appeal decision on the Faraday Plaza planning application (application 12/00772/XOUTMA):

- awarding costs against the Council
- stating that comments made to the Western Area Planning Committee on the update sheet were misleading
- stating that the Council misunderstood or misapplied the procedures applicable to the application
- stating that the Council misinterpreted the weight due to their own policies
- stating that, in his view, the Council perversely construed what was actually being proposed in the application.

Reason

The inspector's costs decision means that the Council will be required to spend a significant sum of money to reimburse the applicant's costs at a time of financial stringency.

To understand why the Western Area Planning Committee was given the advice that the inspector criticises.

To understand why no evidence was offered to substantiate any of the four reasons for refusal

To understand why there was a delay of well over two years between the application being submitted and being heard at the Western Area Planning Committee.

The evidence is provided in the inspector's appeal decision and costs decision notices.

Outcomes:

To ensure that:

- Planning decisions made in future are robust
- the Council does not lose planning appeals in such a way in future.
- to ensure that the Council does not incur unnecessary expenditure reimbursing planning applicants' costs