

Somerford Keynes Parish Council

Clerk: Mrs Muriel Watkins

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Mr David Neudegg
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10th January 2012

Dear Mr Neudegg

Keynes Country Park - Lake 31

I am writing to express the deep concerns of Somerford Keynes Parish Council, South Cerney Parish Council and Poole Keynes Parish Meeting regarding the breach of planning application 09/03196/FUL (Lake edge improvement works in association cable tow wake board course (08/00827/FUL)) and lack of action from CDC. Their concerns arise in a number of areas and are described below.

Failure to Accept Breach

As I am sure that you are aware, the Parish Councils reported their concerns about the excess infilling of Lake 31 to CDC as early as summer 2010. However, it took until October 2011 for planning officers to accept that a breach had occurred. Between these two dates, your officers repeatedly met with the applicant, Watermark, whilst infilling continued at a tremendous rate. It should have been obvious that the rate and quantity of infilling was at total variance with the method statement and drawings submitted with the application. Throughout this time, the Parish Councils continued to voice their dissatisfaction with the handling of the breach by CDC planning officers, who appeared to be unwilling to accept the fact that a breach had occurred. This view was maintained despite the fact that officers had apparently accepted, at an early stage, that Watermark no longer planned to build the cable ski tow, the very reason that the infill was required in order to re-profile the banks. The continual denial of excess infilling by officers, and their mistaken assertion that the resulting profile would be correct, has allowed for a greater breach of the application and a greater environmental scar on Keynes Country Park than would have occurred had action been taken earlier.

Unwillingness to Enforce

After finally accepting that a breach had occurred, CDC did not immediately issue a stop notice due. This is the most serious development of all as a failure to take any action gives any large developer the green light to do what it likes.

Unfortunately, this attitude does not reside only with the officers. At the CDC planning meeting to discuss the action to be taken in light of the Pegasus report, there was clearly a view amongst the members that enforcement should be avoided at all costs to prevent the possibility of the CDC being involved in a costly appeal. However, the extent of the breach was so great, and was verified by a third party, that we believe that an appeal by the applicant would have been extremely unlikely to succeed.

Nor did the members interrogate the processes used by the officers appearing to uphold the rationale that denied a breach for over a year. The overwhelming feeling of the two parishes is that the population at large is not being protected from developers who overstep planning permissions as should be its right to expect. A much loved country park, established over forty years, has been seriously damaged in very short order without any measures being taken against the offender. Parts of the park now resemble a building site with large bricks and builders' rubble clearly visible amongst the, now green, extended banks.

Instead, the applicant is now being required to regularise its excess infill.

Regularisation and the Way Forward

It is our understanding that Watermark is required to have completed the regularisation of the infill by late Spring 2012 and this requires the submission, and approval, of another planning application and the completion of works. It is understood that there is an allowance for settlement until the end of February 2012.

Following this protracted debacle, the Parish Councils insist that CDC publishes a plan of what it believes to be the works that are required in order to make Lake 31 acceptable to them and to the community. Ideally, this plan should be drawn up following consultation with the community and should include a clear timetable.

The plan should include the following:

- Full description of the works required to regularise the site following a site visit at the end of the settlement period (Feb/March 2012).
- Actions to mitigate the impact on the environment and ambience of Keynes Country Park of the breach of original planning approval.
- List of stringent conditions that would be applied to a successful planning application from Watermark to regularise the site.
- Timetable of events including the deadline for when a planning application to regularise the site should have been received.
- Statement of enforcement actions to be taken should any part of the plan not be met.

The Parish Councils hope that CDC can recognise and learn from its failings in this matter so far. However, to restore Keynes Country Park to a welcoming environment where local families can take their children, a clear action plan is needed and it essential that it can be enforced if it is not adhered to. We trust that you can work with the community to draw up such a plan so that Lake 31 is restored in the timescale required.

We look forward to hearing from you in due course.

Yours sincerely

Muriel Watkins
Clerk, Somerford Keynes Parish Council

cc Geoffrey Clifton Brown, MP
CDC Cllr Clive Bennett
CDC Cllr Esmond Jenkins
CDC Cllr Juliet Layton
GCC Cllr Shaun Parsons