

CREWKERNE TOWN COUNCIL

Minutes of a CREWKERNE TOWN COUNCIL remote meeting held on Monday 29 June 2020 at 6.45 p.m.

PRESENT

Cllrs. K. Head (Chairman), C. Aslett, M. Best, R. Cottle, B. Hartshorn, R. Pailthorpe, J. Roberts, J. Roundell Greene, A. Stuart and D. Wakeman.

In Attendance

The Clerk P. Davidson, Deputy Clerk L. Gowers, Finance Officer P. Hewitt (part-time attendance), M. Jay Operations Manager (part-time attendance), 1 member of the press and 10 members of the public.

27 TO NOTE APOLOGIES FOR ABSENCE

20/21

None.

28 TO CONFIRM THE MINUTES OF THE PREVIOUS MEETINGS

20/21

It was **AGREED** that the minutes of the Town Council meetings held on Monday 9 March, Monday 18 May and Monday 8 June 2020 be **APPROVED**.

29 DECLARATIONS OF INTEREST

20/21

on items on the agenda

Cllrs. Best and Head declared a personal interest in agenda item 12 (fees and hire charges).
Cllr. Hartshorn declared a personal interest in agenda item 7a (planning application 20/01053/OUT).

30 OPEN FORUM

20/21

A member of the public raised two points:

- She asked whether the Council would consider creating a pedestrian sub-committee to look at pedestrian-related issues around the town.
- Regarding the recent appeal decision relating to the Kithill housing development planning application, she asked whether the Council intended to raise an objection to the proposed closure of the footpath which runs across the field from Cathole Bridge Road.

A member of the public expressed a number of concerns regarding inconsistencies and anomalies regarding the planning inspector's visit to Crewkerne in relation to the Kithill housing development planning appeal.

31 TO RECEIVE VERBAL REPORTS FROM THE COUNTY AND DISTRICT COUNCILLORS

20/21

County

County Cllr. Best noted that he had submitted his report prior to the meeting [the report is attached to the minutes].

deputyclerk@crewkerne-tc.gov.uk

From: Laura Gowers <deputyclerk@crewkerne-tc.gov.uk>
Sent: 11 August 2020 15:30
To: clerks@magdalenchambers.co.uk
Subject: Contacting Natasha Bellinger

Good afternoon

I am writing on behalf of Crewkerne Town Council and would like to make contact with Natasha Bellinger regarding a planning application that has been refused (3 times), went to appeal and was allowed.

We would like advice on whether there is any legal reason for us to question the decision.

I have tried to make contact with Ms Bellinger via a contact form on the website but haven't had a response.

What is the best way to contact Ms Bellinger?

Many thanks

Laura

--

Laura Gowers
Deputy Clerk
Crewkerne Town Council

deputyclerk@crewkerne-tc.gov.uk

From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 11 August 2020 15:34
To: 'Laura Gowers'
Subject: RE: Contacting Natasha Bellinger

Importance: High

Dear Laura,

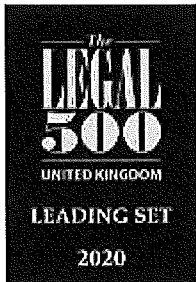
Thank you for getting in touch and apologies but that enquiry hasn't reached us for some reason. I will speak with Ms Bellinger and come back to you in relation to advice. Do you have a link to the planning application in question?

Best regards

Harry

Clerks
Clerks@magdalenchambers.co.uk

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Magdalen Chambers

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deputyclerk@crewkerne-tc.gov.uk

From: Laura Gowers <deputyclerk@crewkerne-tc.gov.uk>
Sent: 11 August 2020 15:48
To: Clerks
Subject: Re: Contacting Natasha Bellinger

Dear Harry

Thankyou for responding so quickly.

The link to the planning application is <https://publicaccess.southsomerset.gov.uk/online-applications/applicationDetails.do?keyVal=P9JSJ6OWFUI00&activeTab=summary>

The link to the appeal is <https://publicaccess.southsomerset.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

The inspector visited the site on 30 March 2020, which was just after lockdown was announced. One of the key reasons for refusal, from the Town Council and District Council was the chaotic traffic on Cathole Bridge Road. The road is a country lane, which is a single lane with passing points. Residents living in the proposed development would use Cathole Bridge Road, rather than trying to get through the town's traffic. Although there were stats and traffic surveys, it is not as good as standing on a junction and viewing cars trying to reverse to allow another vehicle through, which on 30 March (lockdown) would have been non existent.

We are also questioning if the inspector should have been out, visiting the site during lockdown.

I will look forward to hearing from you/Ms Bellinger.

Best wishes
Laura

On Tue, 11 Aug 2020 at 15:33, Clerks <Clerks@magdalenchambers.co.uk> wrote:

Dear Laura,

Thank you for getting in touch and apologies but that enquiry hasn't reached us for some reason. I will speak with Ms Bellinger and come back to you in relation to advice. Do you have a link to the planning application in question?

Best regards

Harry

deputyclerk@crewkerne-tc.gov.uk

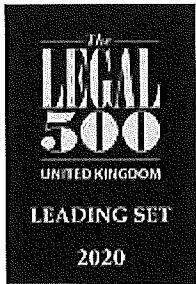
From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 11 August 2020 15:49
To: 'Laura Gowers'
Subject: RE: Contacting Natasha Bellinger

Thanks Laura, I'll be in touch.

Best regards
Harry

Clerks
Clerks@magdalenchambers.co.uk

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deputyclerk@crewkerne-tc.gov.uk

From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 17 August 2020 17:41
To: 'Laura Gowers'
Subject: RE: Contacting Natasha Bellinger

Importance: High

Hi Laura,

We note from the website (and correct me if that's wrong) that it suggests the decision date was 17 June 2020. Natasha has said that in order to challenge the decision of the Planning Inspectorate on appeal requires an application to the High Court, i.e. Judicial Review, meaning that you only have 6 weeks in which to bring judicial review proceedings. Six weeks from 17 June 2020 takes us to 29 July 2020, meaning you would be out of time to challenge the decision unfortunately. Time limits are strictly applied and so whilst she would happily advise you, we would not want you to waste your money to no avail.

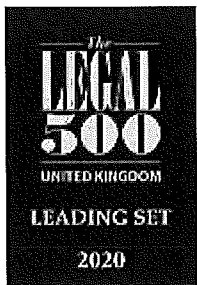
I do apologise and please let me know if we have the incorrect date.

Kind regards

Harry

Clerks
Clerks@magdalenchambers.co.uk

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deputyclerk@crewkerne-tc.gov.uk

From: deputyclerk@crewkerne-tc.gov.uk
Sent: 21 August 2020 11:00
To: 'Clerks'
Subject: RE: Contacting Natasha Bellinger

Morning Harry

Thankyou for your response. I am just waiting for Councillors to give me some guidance on the way forward. The costs to Council to take this to judicial review would be beyond our purse, but what we were hoping to discover was if the process had been legal. There are questions over the developer meeting the inspector, dates of visits and more than 1 visit. A resident has already written to the Inspectorate and challenged the site visit on 30th March and, although I haven't seen the correspondence, I believe the inspector is under review.

I will respond again once I have the guidance of Councillors.

Thank you

Laura

Laura Gowers
Deputy Town Clerk
Crewkerne Town Council
Town Hall
Market Square
Crewkerne
Somerset TA18 7LN

Tel: 01460 74001

e-mail: deputyclerk@crewkerne-tc.gov.uk

From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 17 August 2020 17:41
To: 'Laura Gowers' <deputyclerk@crewkerne-tc.gov.uk>
Subject: RE: Contacting Natasha Bellinger
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I do apologise and please let me know if we have the incorrect date.

Kind regards

Harry

deputyclerk@crewkerne-tc.gov.uk

From: deputyclerk@crewkerne-tc.gov.uk
Sent: 28 August 2020 10:31
To: 'Clerks'
Subject: RE: Contacting Natasha Bellinger

Morning Harry

Our Council have agreed to seek specialist legal advice regarding the legality of the appeal process, so I think we should continue to pursue this, even though the deadline has passed.

I am happy to explain the background to Natasha. What we then want from her is a judgement as to whether there is a legal angle here that could be turned into a letter to the Sec of State.

We would be happy to have a zoom meeting with Natasha, myself, our Chair of Planning and one of our District Councillors if that would help.

Are you able to give me an indication of costs?

Many thanks
Laura

Laura Gowers
Deputy Town Clerk
Crewkerne Town Council
Town Hall
Market Square
Crewkerne
Somerset TA18 7LN

Tel: 01460 74001
e-mail: deputyclerk@crewkerne-tc.gov.uk

From: deputyclerk@crewkerne-tc.gov.uk <deputyclerk@crewkerne-tc.gov.uk>
Sent: 21 August 2020 11:00
To: 'Clerks' <Clerks@magdalenchambers.co.uk>
Subject: RE: Contacting Natasha Bellinger

Morning Harry

Thankyou for your response. I am just waiting for Councillors to give me some guidance on the way forward. The costs to Council to take this to judicial review would be beyond our purse, but what we were hoping to discover was if the process had been legal. There are questions over the developer meeting the inspector, dates of visits and more than 1 visit. A resident has already written to the Inspectorate and challenged the site visit on 30th March and, although I haven't seen the correspondence, I believe the inspector is under review.

I will respond again once I have the guidance of Councillors.

Thank you
Laura

Laura Gowers
Deputy Town Clerk
Crewkerne Town Council
Town Hall
Market Square
Crewkerne

CREWKERNE TOWN COUNCIL

Minutes of a remote meeting of the PLANNING AND HIGHWAYS COMMITTEE on Monday 14 September 2020 at 6.45 p.m.

PRESENT:

Cllrs. R. Pailthorpe (Chairman), M. Best, R. Cottle, K. Head, B. Hartshorn, B. Hodgson, J. Roberts, J. Roundell Greene, A. Stuart and D. Wakeman.

In attendance:

Town Clerk P. Davidson, Deputy Clerk L. Gowers, 1 member of the press and 8 members of the public

31 TO NOTE APOLOGIES FOR ABSENCE

20/21

Apologies for absence were received from Cllrs. C. Aslett (personal) and A. Smith (personal).

32 OPEN FORUM

20/21

Two members of the public spoke on the following subjects:

- Speeding traffic along West Street. Cars rev their engines and race up West Street, particularly in the evening. The member of the public proposed a solution, which was to move the parked cars and the yellow lines from one side of the street to the other, preventing a clear view of the hill. Cllr Best confirmed that he was due to meet a traffic engineer from Highways and the speed of traffic on West Street would form part of the discussion.
- Tree planting project at Barn Street Recreation Ground. The member of the public re-iterated that the proposed number of trees may spoil the open space enjoyed by many and requested that the Council put the proposal on hold to allow time for a wider public consultation.

Cllr. A Stuart joined the meeting.

33 TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING

20/21

It was **AGREED** that the minutes of the meeting of the Planning and Highways Committee held on Monday 10 August 2020 be **APPROVED**.

34 DECLARATIONS OF INTEREST

20/21

Cllr. Head declared a prejudicial interest in agenda item 6, planning applications 20/02009/HOU and 20/02010/LBC (14 Church Street).

Cllr Stuart declared a personal interest in agenda item 9, correspondence regarding speeding traffic in Broadshard.

35 TO RECEIVE THE CLERK'S UPDATE REPORT

20/21

The Deputy Clerk had nothing to report.

36
20/21

TO CONSIDER PLANNING APPLICATIONS

20/02403/DPO **Land Adjacent Ashlands, Ashlands Road, Crewkerne TA18 7DA**
Application for the variation of paragraph (c) in the first schedule of the legal agreement s106 dated 16/04/2003 for application 98/00567/OUT - grant of licences - to allow for the adoption of the eastern boundary strip by South Somerset District Council.
TO NOTE ONLY

20/02010/LBC
20/02009/HOU **14 Church Street, Crewkerne TA18 7HU**
The erection of a single storey rear extension (revised application)
RECOMMEND APPROVAL

20/01853/FUL **Flat First Floor, 12A South Street, Crewkerne TA18 8DA**
Installation of a velux window to the rear elevation, and removal and capping off a damaged chimney stack.
RECOMMEND APPROVAL

To note only:
20/02488/TCA **Beechfields, Mount Pleasant, Crewkerne TA18 7AH**
Notification of intent to carry out Tree Surgery Works to Various Trees within a Conservation Area
NOTED

37
20/21

TO RECEIVE PLANNING DECISION NOTICES FROM THE DISTRICT COUNCIL

20/02099/TCA **The Hermitage, Pulmans Lane, Crewkerne TA18 8HA**
Notification of intention to fell No 2 trees within a conservation area
DECIDED

20/01777/TPO **11 Aspen Way Crewkerne TA18 7DG**
Application to carry out tree surgery works to no. 2 trees within the South Somerset District Council (CREW 1) 1988 Tree Preservation Order
APPROVED

19/03239/FUL **Land Rear Of 25 To 31 Chubbs Lawn, Middle Path, Crewkerne**
Erection of bungalow and associated parking
APPROVED

38
20/21

KITHILL DEVELOPMENT

To receive an update on the action to seek legal advice over the appeal decision

Cllr Pailthorpe re-iterated that the council were not seeking to appeal against the appeal decision but were seeking legal advice regarding any unlawful conduct which may have taken place during the appeal process. The Deputy Clerk reported that the barrister had

looked at the case and did not consider that any lawful processes had been breached. A second opinion from a fellow barrister was being sought.

Cllr. Best reported that the date of the inspector's visit was now in dispute and that the inspector claimed to have made his visit prior to the Covid lockdown. Cllr. Best also reported that the leader of South Somerset District Council had requested information from the Chief Planner regarding the information sent through to the inspectorate. Cllr. Pailthorpe requested that this item stayed on the agenda until a satisfactory conclusion was reached.

39

CORRESPONDENCE

20/21

To receive correspondence from residents regarding speeding traffic in Broadshard

The correspondence was noted. A number of measures were discussed to slow the traffic, including a 20mph zone through the town, traffic calming and Community Speedwatch. It was agreed that Community Speedwatch was a good deterrent against speeding vehicles but relied on volunteers. Council would support any volunteers who wished to be involved. The Deputy Clerk was also asked to investigate costings for the purchase of a mobile speed indicator device.

40

TO RECEIVE ANY OTHER MATTERS OF REPORT

20/21

Cllr. Wakeman reported that drivers from the kebab shop on the corner of Hermitage Street ignored the No Entry sign and frequently turned on to Market Street. Cllr. Best asked that anyone witnessing this type of action should report it via 101.

Cllr. Stuart reported that the beacons on the zebra crossings on Mount Pleasant and South Street were not working.

Cllr. Best confirmed that he would raise all points with the traffic engineer. The meeting had originally been organised as the majority of road markings in the town centre were fading, after less than a year of being newly painted, particularly on the mini roundabout by the Town Hall.

41

DATE OF NEXT MEETING

20/21

Monday 12 October 2020 at 6.45 p.m.

The meeting closed at 7.20 p.m.

Signed:

Dated:

pl14Sept2020

deputyclerk@crewkerne-tc.gov.uk

From: deputyclerk@crewkerne-tc.gov.uk
Sent: 23 September 2020 14:34
To: 'Clerks'
Subject: Kithill Development, Crewkerne

Hi Harry

When we last spoke, Natasha was due to go on maternity leave and you were going to ask a colleague, Gavin Collet? To have a look at the documents and information regarding this development. The Town Council needs to be able to go back to the general public and say definitively, that there was nothing unlawful in the appeal process.

If your colleague finds that there was, then the Town Council need to decide what to do with that information. Do you have any idea when Gavin may have an opportunity to have a look at the planning application and appeal documents?

Many thanks

Laura

Laura Gowers
Deputy Town Clerk
Crewkerne Town Council
Town Hall
Market Square
Crewkerne
Somerset TA18 7LN

Tel: 01460 74001

e-mail: deputyclerk@crewkerne-tc.gov.uk

deputyclerk@crewkerne-tc.gov.uk

From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 23 September 2020 14:55
To: 'deputyclerk@crewkerne-tc.gov.uk'
Subject: RE: Kithill Development, Crewkerne

Hi Laura,

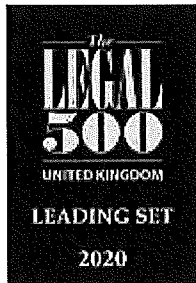
I'll give you a call later, I did try and call late on the day you had the meeting but I got your voicemail. Can you send me your mobile number again to make sure I have it correctly.

Best regards

Harry

Clerks
Clerks@magdalenchambers.co.uk

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From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 30 September 2020 19:09
To: 'deputyclerk@crewkerne-tc.gov.uk'
Cc: Kadie Blackburn
Subject: RE: Kithill Development, Crewkerne

Flag Status: Flagged

Hi Laura,

Thank you for your patience. Gavin Collett would be happy to have a telephone conference with you to discuss the matter and advise you. I would suggest a fee of £750 + VAT which will include a little pre reading. If you are happy to proceed could you forward over the most relevant plans and documents to discuss and maybe an outline of the main points you'd like him to focus on.

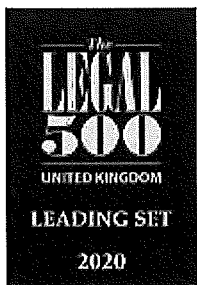
I'm off for the rest of the week so please contact my colleague Kadie and she can diarise a time for a conference next week sometime.

Best regards

Harry

Clerks
Clerks@magdalenchambers.co.uk

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deputyclerk@crewkerne-tc.gov.uk

From: deputyclerk@crewkerne-tc.gov.uk
Sent: 02 October 2020 13:43
To: 'Clerks'
Cc: 'Kadie Blackburn'; townclerk@crewkerne-tc.gov.uk
Subject: RE: Kithill Development, Crewkerne

Hello Kadie and Harry

Is Gavin available between 12 and 2pm on Thursday or Friday next week? This fits with 2 of our key Councillors working patterns.

Many thanks
Laura

Laura Gowers
Deputy Town Clerk
Crewkerne Town Council
Town Hall
Market Square
Crewkerne
Somerset TA18 7LN

Tel: 01460 74001
e-mail: deputyclerk@crewkerne-tc.gov.uk

From: Clerks <Clerks@magdalenchambers.co.uk>
Sent: 30 September 2020 19:09
To: 'deputyclerk@crewkerne-tc.gov.uk' <deputyclerk@crewkerne-tc.gov.uk>
Cc: Kadie Blackburn <KBlackburn@magdalenchambers.co.uk>
Subject: RE: Kithill Development, Crewkerne

Hi Laura,

Thank you for your patience. Gavin Collett would be happy to have a telephone conference with you to discuss the matter and advise you. I would suggest a fee of £750 + VAT which will include a little pre reading. If you are happy to proceed could you forward over the most relevant plans and documents to discuss and maybe an outline of the main points you'd like him to focus on.

I'm off for the rest of the week so please contact my colleague Kadie and she can diarise a time for a conference next week sometime.

Best regards

Harry

Clerks
Clerks@magdalenchambers.co.uk

deputyclerk@crewkerne-tc.gov.uk

From: Kadie Blackburn <KBlackburn@magdalenchambers.co.uk>
Sent: 02 October 2020 14:27
To: 'deputyclerk@crewkerne-tc.gov.uk'; Clerks
Cc: townclerk@crewkerne-tc.gov.uk
Subject: RE: Kithill Development, Crewkerne

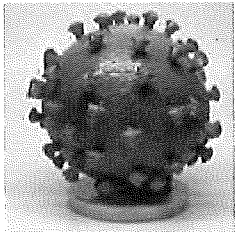
Good afternoon Laura

Gavin could do next Friday.

Kind regards
Kadie

Kadie Blackburn
KBlackburn@magdalenchambers.co.uk

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It's business – but not as usual



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deputyclerk@crewkerne-tc.gov.uk

From: deputyclerk@crewkerne-tc.gov.uk
Sent: 05 October 2020 10:57
To: 'Kadie Blackburn'
Cc: 'Mike Best'; Charles Aslett
Subject: RE: Kithill Development, Crewkerne
Attachments: Traffic survey presentation_short.pptx; Cathole Bridge video short.mp4

Thank you Kadie

I can confirm that Cllr. Mike Best, Cllr. Charles Aslett and myself would like to be part of the call.

What platform do you use? We use Zoom here at the Council and I'm happy to set up a Zoom call if that helps. Please let me know.

The planning application number is 18/01737/OUT. The link to all the documents on the South Somerset District Council planning portal is:

https://www.southsomerset.gov.uk/forms/planning/planning-documents?ref_no=18/01737/OUT

The original application was refused by the Town Council and SSDC Area West committee. It then went to SSDC regulation committee where it was also refused.

The developer has appealed. The appeal documents (19/00040/REF) are also listed on the link above.

There are a couple of anomalies. The site visit was made on 30 March, during lockdown. One of the key subjects which led town and district councils to refuse the application was "Cathole Bridge Road". A country lane, on the edge of Crewkerne that traffic from the new development would naturally feed into, rather than fight the traffic through the town. Cathole Bridge Road is single track, with passing spaces, very near a level crossing. Traffic is often chaotic, but the inspector wouldn't have seen this for himself, due to lockdown. I have attached a video and traffic survey (from the residents of the houses nearby). The junction is where Lang Road meets Cathole Bridge Road. Traffic from the new development will join Cathole Bridge Road on this junction and the level crossing is just around the blind corner.

Network Rail originally objected to the development, but did a U turn having spoken to the developers. There is a pedestrian crossing on a footpath running across the railway line, in the field subject to the development. National Rail and the developer agree that it is necessary to address this issue in the interest of public safety. The inspector appears to suggest the stopping up of the pedestrian crossing and moving the footpath so that the pedestrian crossing is now at the level crossing. This is on Cathole Bridge Road, a single track country lane, without any pavements and on a blind bend.

If there have been plans drawn up to stop up the pedestrian crossing or for the movement of the footpath, they have not been made available to the Town Council and nearby Parish Council.

Many thanks
Laura

Laura Gowers
Deputy Town Clerk
Crewkerne Town Council
Town Hall
Market Square
Crewkerne
Somerset TA18 7LN

Tel: 01460 74001

deputyclerk@crewkerne-tc.gov.uk

From: Kadie Blackburn <KBlackburn@magdalenchambers.co.uk>
Sent: 06 October 2020 15:41
To: 'deputyclerk@crewkerne-tc.gov.uk'
Subject: RE: Kithill Development, Crewkerne

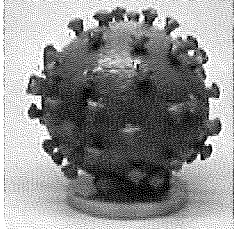
Thank you Laura

I will put this in Gavin's diary. Gavin is happy to use Zoom and it would be great if you wouldn't mind setting it up.

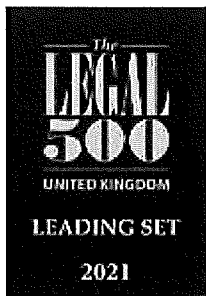
Kind regards
Kadie

Kadie Blackburn
KBlackburn@magdalenchambers.co.uk

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It's business – but not as usual



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Please consider the environment - only print this e-mail if absolutely necessary.

deputyclerk@crewkerne-tc.gov.uk

From: Kadie Blackburn <KBlackburn@magdalenchambers.co.uk>
Sent: 06 October 2020 18:27
To: 'deputyclerk@crewkerne-tc.gov.uk'
Subject: New Booking for Mr Gavin Collett for Kithill Development Crewkerne

Dear Laura Gowers

This is a notification for a new Conference booking for Mr Gavin Collett on:-

09/10/2020

Time: between 12:00 & 14:00

Location:

Booking Length: 1 day(s)

Case: 73828 - Kithill Development Crewkerne

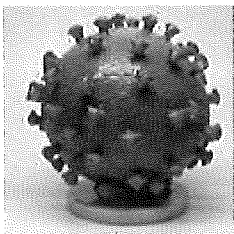
Contact for the case: Ms. Laura Gowers

This notification was sent by: KB

Kadie Blackburn

KBlackburn@magdalenchambers.co.uk

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deputyclerk@crewkerne-tc.gov.uk

From: Laura Gowers <deputyclerk@crewkerne-tc.gov.uk>
Sent: 06 October 2020 22:42
To: Kadie Blackburn; Mike Best; Charles Aslett
Subject: Re: New Booking for Mr Gavin Collett for Kithill Development Crewkerne

Please find below the link to the Zoom meeting on Friday 9 October, to discuss lawfulness of the appeal decision of the Kithill Development.

Laura Gowers is inviting you to a scheduled Zoom meeting.

Topic: Kithill Development Discussion meeting
Time: Oct 9, 2020 12:00 PM London

Join Zoom Meeting

<https://us02web.zoom.us/j/81793123591?pwd=eGk0emJuOFVvcXdKTzV2T3NQK2hFdz09>

Meeting ID: 817 9312 3591

Passcode: 913001

One tap mobile

+442039017895,,81793123591#,,,,,0#,,913001# United Kingdom

+441314601196,,81793123591#,,,,,0#,,913001# United Kingdom

Dial by your location

+44 203 901 7895 United Kingdom

+44 131 460 1196 United Kingdom

+44 203 051 2874 United Kingdom

+44 203 481 5237 United Kingdom

+44 203 481 5240 United Kingdom

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

Meeting ID: 817 9312 3591

Passcode: 913001

Find your local number: <https://us02web.zoom.us/j/kcJ0QjWoly>

Thanks

Laura

On Tue, 6 Oct 2020 at 18:26, Kadie Blackburn <KBlackburn@magdalenchambers.co.uk> wrote:

Dear Laura Gowers

This is a notification for a new Conference booking for Mr Gavin Collett on:-