**Vote of No confidence in Somerset Council Planning Service**

**Ref: Planning application 19/02211/OUT Land OS 9987 Queen Street, Keinton Mandeville, Somerton –** residential development of 9 dwellings with all matters reserved except access.

**Points to note to date:**

* Somerset Council Planning Officer has advised that she has recommended the application to be approved.
* Chair of Planning Committee has advised county councillor, Dean Ruddle, that it has been agreed (on 13.09.2023) which would indicate that the application has been agreed in full and will not be presented to the Planning Committee. This indicates that there is no right to object to the application with the local authority.
* The planning Officer, Catherine Pearce, has advised that she has only made a recommendation and therefore this has not been completely approved yet but Peter Seib who chairs the Planning Committee advises it has been approved. Unclear which source is the accurate reporting. Emails sent to try and establish but no responses received yet from Catherine or Peter.

Therefore the Keinton Mandeville wishes to express their vote of no confidence in the process above for the following reasons:

* When the planning application was due to expire the parish council enquired if the application was now void. Catherine Pearce advised it was not and the expiry date for an application is merely an administrative date and not one to be held to account. Parish council requested at this point notifications of any further changes.
* Notifications received in September to advise the application had been approved – information received by parish council, county councillors and members of the public from Catherine Pearce and Peter Seib did not correlate and it would appear that different messages were coming out to different people. Still unclear if the recommendation is just at Catherine Pearce level or if Planning Committee (Peter Seib) have approved and determine they do not need to hear the application.
* Planning Committee Rules, paragraph 8.1 on delegated powers would indicate that there has been a failure of due process with this application and therefore could be challenged by judicial review.
* The parish council do not feel that the traffic survey has been adequate enough for the area and are willing to share a traffic survey they have commissioned by an independent provider which is due at the end of October. Planning Department at Somerset Council have advised they are unable to view any traffic survey but this is potentially wrong in law as it needs to be considered.
* Safety on Queen Street is a key feature and not appropriate to deal with under delegated powers.

The parish council have consulted with an external organisation in relation to planning and they have consulted with a legal representative. Each of these consultees believe that Keinton Mandeville have a strong case to take this application to judicial review. Therefore you may wish to withdraw this decision and remake it in accordance with the correct principles of public law.

Keinton Mandeville Parish Council

13.10.2023