



## **Area West Committee**

**Wednesday 7th December 2022**

**5.30 pm**

**The Guildhall,  
Fore Street, Chard TA20 1PP**

(disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Brian Hamilton  
Robin Pailthorpe  
Jason Baker  
Mike Best  
Ray Buckler  
Dave Bulmer

Martin Carnell  
Ben Hodgson  
Val Keitch  
Jenny Kenton  
Paul Maxwell  
Tricia O'Brien

Sue Osborne  
Oliver Patrick  
Garry Shortland  
Martin Wale

There are no planning applications to consider this month.

For further information on the items to be discussed, please contact [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

Please note this meeting will not be available to view on YouTube.

This Agenda was issued on Tuesday 29 November 2022.

**Jane Portman**, *Chief Executive Officer*



This information is also available on our website [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the [mod.gov](https://www.mod.gov.uk) app

## **Information for the Public**

The council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as "key decisions". The council's Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman's discretion, members of the public are permitted to speak for up to up to three minutes on agenda items; and
- see agenda reports

Meetings of the Area West Committee are usually held monthly, at 5.30pm, on the third Wednesday of the month (unless specified otherwise).

Agendas and minutes of meetings are published on the council's website

<https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

## **Public participation at committees**

### **Public question time**

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

### **Planning applications**

There are no planning applications to consider this month.

## **Recording and photography at council meetings**

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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# Area West Committee

## Wednesday 7 December 2022

### Agenda

#### *Preliminary Items*

#### 1. Minutes of the Previous Meeting

To approve as a correct record the minutes of the previous meeting held on 19 October 2022. The minutes can be viewed at:

<https://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=131&Year=0>

#### 2. Apologies for Absence

#### 3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

#### **Planning Applications Referred to the Regulation Committee**

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Jason Baker, Paul Maxwell, Sue Osborne and Martin Wale.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

#### 4. Date and Venue for Next Meeting

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held on Wednesday 18<sup>th</sup> January 2023 at 5.30pm at The Guildhall, Chard.

## **5. Public Question Time**

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

## **6. Chairman's Announcements**

*Items for Discussion*

- 7. Community Grants (Executive Decision)** (Pages 6 - 20)
- 8. Area West Committee Forward Plan** (Pages 21 - 22)
- 9. Planning Appeals** (Pages 23 - 28)
- 10. Next Steps following the Judicial Review re Planning Application 21/02654/FUL**  
(Pages 29 - 32)

**Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.**

**This does not apply to decisions taken on planning applications.**



## Community Grants (Executive Decision)

Strategic Director: Kirsty Larkins, Director of Service Delivery  
Service Manager: Tim Cook, Locality Manager  
Lead Officer: Nathan Turnbull, Locality Officer  
Contact Details: Nathan.turnbull@southsomerset.gov.uk or 01935 462462

## Purpose of the Report

Councillors are asked to consider the awarding of four grants towards West & Middle Chinnock play equipment project at the Recreation Field, Ashill Village Hall project, Merriott Tithe Barn project and George Reynolds Centre project.

## Public Interest

Awarding grants is a keyway that SSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across the district.

We have received requests, as detailed below, to the Area West community grants programme for financial assistance. The Locality Officer is submitting this report to enable the Area West Committee to make an informed decision about the application and has assessed the application.

## Recommendations

It is recommended that Councillors award the following grants, from the Area West Community capital and revenue grant fund, subject to SSDC standard conditions for community grants (appendix A)

1. £9,996 towards West & Middle Chinnock play equipment project.
2. £5,946 towards Ashill Village Hall project.
3. £8,185 towards Merriott Tithe Barn project.
4. £4,675 towards George Reynolds Centre project.

### 1. West & Middle Play Equipment Project

#### Application Details

Name of applicant:	West & Middle Chinnock Parish Council
Project:	Installing new play equipment at the Recreational Field
Total project cost:	£21,996
Amount requested from SSDC:	£9,996
% amount requested	45.5%



### Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Max Score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	2	2
C Supports Environment Strategy	3	2
D Need for Project	10	9
E Capacity of Organisation	15	12
F Financial need	7	3
Total	38	29

### Background

The Parish Council was offered the opportunity to purchase the Village Recreation Ground as part of the Community Asset Transfer programme for £1.00 in June 2018. The Parish Council were determined to purchase the Recreation Ground in order to secure the land for future generations and ensure its status as land explicitly for "recreation" purposes only.

West & Middle Chinnock does not have a dedicated open recreation space with equipment for children and families. There is a small enclosed, high fenced in area at the village school, with limited static play equipment, a small hard surface basketball/netball fenced in area. This is opened by volunteers at weekends and evenings, and it is not appropriate for older children or families, with no seating area or access to "recreation and leisure" space.

Currently there is 2 sets of 2 swings on the Recreation ground, however these are not a "draw" for children and families as there is no other play equipment. Families who are seeking recreation facilities for children will leave the villages to access other local areas such as Merriott and Crewkerne Recreation Ground.

The Parish Council received £15K CIL in 2018 and this money was ring fenced towards the re-development of the Recreation Ground. The project was put on hold during COVID. The sale of the Recreation Ground finally went through on in October 21 and it was agreed that the Parish Council would formally take over the redevelopment of the Recreation Ground with a further on-going resident consultations and sub committees formed at each stage of the development.

Parish information

Parish*	West & Middle Chinnock
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## South Somerset District Council

Parish Population	592
No. of dwellings	270

\*Taken from the 2011 census profile

### The project

The Parish Council's aim is to kick-start the project by the immediate installation of a prioritised small amount of the play and leisure equipment from their wider vision. The Parish Council wants to create excitement amongst the residents and local organisations, to inspire them to support the recreational park. The park will be a destination point for health, leisure, and wellbeing activities.

The project is to install a new wooden play tower with slides and climbing frame, a new Log Swing with Basket, as well as new surfacing.

This project is part of a bigger plan to improve the recreational field, with the aim is to improve access at all entry points, the introduction of children and teenage play areas, adult health & fitness activities, a circular path, landscaping, habitat development, tree planting, specific leisure space for families to enjoy space and time together, picnic space and picnic tables, and additional seating.

### Local support / evidence of need

Prior to the suggestion of the Community Asset transfer, a community plan had been produced 2016/17, which identified the Recreation Ground as the number one priority by residents for development of a play and recreation/leisure area.

Over the past 3 years the villages have seen a rise in low level vandalism for teenage children, linked to lack of facilities and activities for teenage children in the villages and lack of transport access to the main towns, Crewkerne and Yeovil. We are working closely with our local PCSO to address these issues and hope that this project will go part way to provide facilities for teenagers.

### Project costs

Project costs	Cost £
Wooden Play Tower with slides and climbing frame	£11,199
Log swing with Basket	£2,806
Surfacing	£5,509
Welfare/site security	£1,932.
Soil Removal	£550.00
<b>Total</b>	<b>£21,996</b>

## Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	Secured	£12,000
SSDC Community Grant	Pending	£9,996
<b>Total</b>		<b>£21,996</b>

## 2. Ashill Village Hall Project

### Application Details

Name of applicant:	Ashill Community Village Hall Committee
Project:	Removal of asbestos roof and installation of a new roof to the Village Hall
Total project cost:	£37,423
Amount requested from SSDC:	£5,946
% amount requested	15.89%
Application assessed by:	Nathan Turnbull

### Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Max Score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	2	2
C Supports Environment Strategy	3	3
D Need for Project	10	9
E Capacity of Organisation	15	12
F Financial need	7	5
<b>Total</b>	<b>38</b>	<b>32</b>

## Background

Ashill Village Hall is a registered charity which was built in 1935 on land gifted to the village by the Speke family and has been used as a community amenity ever since.

Ashill has a primary school with approximately forty-five pupils, playing fields and a church. The shop closed some years ago and the pub has now closed, so the village hall is the only public building for the community to meet.

Parish*	Ashill
Parish Population	529
No. of dwellings	250

\*Taken from the 2011 census profile

## The project

Currently Ashill Village Hall has an Asbestos roof. The roof is currently not watertight and is causing internal damage to the building. There are financial implications because of this issue, the Committee must put the heating on to keep it warm and to prevent mould, which is having an impact on users and potential future users.

Installing a new roof, making it watertight will not only rectify the issues but will save energy and heating costs meaning less CO2 emissions.

Planning permission will be submitted for this application.

## Local support / evidence of need

The Village Hall is the only Community Hall space in Ashill.

It is used on a regular basis by a variety of different groups these include, the local school, lunch groups, craft workshops, cooking classes for the under 5's, as well as being used for Polling and general elections.

The hall is also available for private functions.

## Project costs

Project costs	Cost £
Scaffolding	£13,680
Removal of old asbestos roof	£2,650
New roof panels	£4,370
Roof Strengthening	£16,724
<b>Total</b>	<b>£37,424</b>

## Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	Secured	£2,000
Own Funds	Secured	£2,000
Local donations	Secured	£6,095
National Lottery Awards for all	Secured	£10,000
Garfield Weston Foundation	Secured	£5,000
Wessex Water Foundation	Secured	£3,000



## South Somerset District Council

The Somerset Fund	Secured	£2,500
Local Fund raising	Secured	£883
SSDC Community Grant	Pending	£5,946
<b>Total</b>		<b>£37,424</b>

### 3. Merriott Tithe Barn Project

#### Application Details

Name of applicant:	Merriott Tithe Barn Committee
Project:	Installing new guttering, new flooring, and damp-proof membrane at Merriott Tithe Barn
Total project cost:	£21,391
Amount requested from SSDC:	£8,185
% amount requested	38.3%
Application assessed by:	Nathan Turnbull

#### Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Max Score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	2	2
C Supports Environment Strategy	3	2
D Need for Project	10	9
E Capacity of Organisation	15	10
F Financial need	7	3
<b>Total</b>	<b>38</b>	<b>27</b>

#### Background

The Tithe Barn was gifted to Merriott Church in 1913 for the benefit of the village. It is held by the diocese and is run on a day-to-day basis by the Tithe Barn Committee.

Tithe Barn was given to the Church for the benefit of the village and the church. The Committee has a duty to preserve this 14th century building for use by a wide range of groups and clubs in Merriott.

Parish*	Merriott
Parish Population	1979
No. of dwellings	882

\*Taken from the 2011 census profile

## The project

The Tithe Barn is in danger of becoming unsafe, currently part of the hall has been cordoned off due to falling masonry. The west wall has moved, and heli-pins need to be inserted to stop further movement. External and internal repointing with lime mortar is necessary. This is the first phase of work that needs to be completed before the second phase can start, this work has been funded by the committee and external funds.

The Community grant application is to support phase 2 of the project, the floor is a major concern because it's becoming unsafe for users due to uneven surfaces and the risk of injury from screws and nails. This floor was replaced a hundred years ago and has subsequently become damp and rotten. Repeated short-term attempts at repair with screws and nails, have now rusted and the boards are moving and uneven. Dampness from the floor is causing secondary damage to the wall panelling. They will remove this floor, install DPM and a new wooden floor. They will also replace the plastic guttering, which has become bent and unfit for purpose, causing damage to the west wall. They aim to replace this with cast iron guttering, which would be longer lasting and return the external appearance of the Tithe Barn to its original appearance

## Local support / evidence of need

Merriott currently has two community halls. Merriott Tithe Barn is the smaller village hall in Merriott. This is a large village of some 2,500 residents. The Hall is used by Scouts and Cubs, Merriott Majorettes, Gardening Club, Merriott Dog Training, Gardening Club, Bridge Club, Badminton Club, Minnows Parent and Baby Group, Evergreen Games and Social Club and Café Church. There is no capacity for these activities to move into the Village Hall as it is fully booked every day except weekends. The groups which are using the Tithe Barn value it as a lower cost, smaller venue and recognise its value in the village. Around three hundred people use the hall every week.

## Project costs

Project costs	Cost £
Remove plastic guttering and replace with cast iron guttering	£5,188.
Remove wooden floor and install DPM and install new wooden flooring	£16,203
<b>Total</b>	<b>£21,391</b>

## Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	Secured	See below*
Own Funds	Secured	£750
Awards for all	Secured	£9,956
Merriott Heritage Trust	Secured	£2,500
SSDC Community Grant	Pending	£8,185



<b>Total</b>		<b>£21,391</b>
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*\*Officer to provide an update at the meeting\**

#### 4. George Reynolds Centre Project

##### Application Details

Name of applicant:	Crewkerne Town Council
Project:	Installing four new air conditioning units at the George Reynolds Centre
Total project cost:	£9,350
Amount requested from SSDC:	£4,675
% amount requested	50%
Application assessed by:	Nathan Turnbull

##### Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Max Score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	2	2
C Supports Environment Strategy	3	1
D Need for Project	10	8
E Capacity of Organisation	15	8
F Financial need	7	2
<b>Total</b>	<b>38</b>	<b>22</b>

##### Background

The George Reynolds Centre was built in 2012, it is owned by Crewkerne Town Council and run as an open-to-all sports, recreation, youth, and community facility. It has two rooms suitable for events, functions and meetings and a well-equipped kitchen and bar.

##### Parish information

Parish*	Crewkerne
Parish Population	7,000
No. of dwellings	3,427

\*Taken from the 2011 census profile

## The project

The Town Council would like to install air conditioning units in the two meeting rooms at the George Reynolds Centre (GRC). The GRC was built with large glass frontage to enable good views of the sports pitches below but in summer the rooms heat up, making them uncomfortable for users.

## Local support / evidence of need

It is used throughout the year by the rugby club, football club and cricket club and twice a week during terms times it is home to the town's youth group in the evenings.

It is used by a range of community groups, including U3A, toddler music groups and many more community groups. It is available for private functions.

## Project costs

Project costs	Cost £
Supply and fit 4 x wall mounted inverter heat pump units with condensing units, including all wiring, pipework, labour, and commissioning.	£9,350
<b>Total</b>	<b>£9,350</b>

## Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	Secured	£4,675
SSDC Community Grant	Pending	£4,675
<b>Total</b>		<b>£9,350</b>

## Conclusion and Recommendation

It is recommended that the four grants totalling £28,801 is awarded.

## Financial Implications

The total grant request for all 4 applications above is £28,802. If awarded this will be funded through the Area West Community Grant capital and revenue fund. There is currently £22,716 Area West Capital funding available and will reduce this balance of £0. There is also £6,535 Area West revenue funding available and will reduce this balance to £449.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a % basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

## Council Plan Implications

Council Plan themes and Areas of focus for 2021/22

### Healthy, Self-reliant Communities

**To enable healthy communities which are cohesive, sustainable and enjoy a high quality of life.**

- Work with partners to support people in improving their physical and mental health and wellbeing
- Enable quality cultural, leisure and sport activities

### Environment

**To keep South Somerset clean, green, and attractive and respond to the climate and ecological emergency we will work in partnership to:**

- Continue the delivery of the Environment Strategy action plan, reducing our carbon emissions by 10% every year, to reach carbon neutrality by 2030

## Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposals?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was <b>not</b> required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.</i>	
<i>If an EIA <b>was</b> required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.</i>	
<b>Additional Comments</b>	
Eg the project aims to provide for people across all age and interest groups in the local community.	

## Background Papers

None

## **Appendix A**

### **Standard conditions applying to all SSDC Community Grants**

#### **The applicant agrees to: -**

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of the grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured before starting the project, if these were not already in place at the time of the application.  
Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc.).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.
- Complete an evaluation survey when requested after the completion of the project.
- Note that they cannot apply for another community grant for the same project within a 3-year period of this award.

#### **Standard conditions applying to buildings, facilities and equipment**

- Establish and maintain a “sinking fund” to support future replacement of the building / facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control Service when buildings regulations are required.
- Incorporate disabled access and provide an access statement where relevant.

#### **Additional conditions applying to Play & Facilities**

- All play equipment considered for purchase will have passed an EN1176 test.
- All play equipment installed will have Impact Absorbing Surfacing (safety surfacing) installed to EN1177 standard.
- All play equipment installed will have a Post Installation Inspection completed by a fully trained person.
- Ensure that the play area is inspected and maintained in accordance with EN1176 or a successive standard
- Provide good quality signage to buildings and facilities.

#### **Special conditions**

*Projects need to be completed within 6 months of award letter being signed.*

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	West & Middle Chinnock Parish Council
Type of proposal (new or changed Strategy, policy, project, service or budget):	Community Grant
Brief description of the proposal:	Installing new play equipment at the Recreational Field
Name of lead officer:	Nathan Turnbull

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>YES</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
New play park equipment has been designed so that all ages and abilities can use the Equipment. The Flooring has no lips on it and provides a flat surface that enable direct access on to the equipment base. Nest swings are being installed which are great for all abilities as they enable people to sit or lay down in a various positions and more than one person can swing at once. In view of the provision of specialised accessible equipment the project delivers positive impacts for disabled children and their care givers therefore a full EIA is not required.	
Service Director / Manager sign-off and date	Tim Cook 29/11/22
Equalities Officer sign-off and date	Dave Crisfield 29 <sup>th</sup> November 2022

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Ashill Community Village Hall Committee
Type of proposal (new or changed Strategy, policy, project, service or budget):	Communtiy Grant
Brief description of the proposal:	Removal of asbestos roof and installation of a new roof to the Village Hall
Name of lead officer:	Nathan Turnbull

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
The Village Hall roof Improvements are to bring the hall back up to a usable standard. The facilities are accessible to all abilities including those requiring wheelchair accessibility, and the inclusion of disabled accessible toilets.	
Service Director / Manager sign-off and date	Tim Cook - 29/11/22
Equalities Officer sign-off and date	Dave Crisfield 29 <sup>th</sup> November 2022

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Merriott Tithe Barn Committee
Type of proposal (new or changed Strategy, policy, project, service or budget):	Community Grant
Brief description of the proposal:	Installing new guttering, new flooring, and damp-proof membrane
Name of lead officer:	Nathan Turnbull

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

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Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
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<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
The Village Hall floor Improvements are to create and bring the hall back up to a usable standard. The facilities are accessible to all abilities including those requiring wheelchair accessibility, including provision of accesible toilets. A full EIA is therefore not required.	
Service Director / Manager sign-off and date	Tim Cook - 29/11/22
Equalities Officer sign-off and date	Dave Crisfield - 29 <sup>th</sup> November 2022

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Crewkerne Town Council
Type of proposal (new or changed Strategy, policy, project, service or budget):	Community Grant
Brief description of the proposal:	Installing four new air conditioning units at the George Reynolds Centre
Name of lead officer:	Nathan Turnbull

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
The Hall is already fully accesible. The improvemnets covered by this grant will not have any negative impact on any of the Protected Charaterstics . A full EIA is therefore ot required.	
Service Director / Manager sign-off and date	Tim Cook - 29/11/22
Equalities Officer sign-off and date	Dave Crisfield 29 <sup>th</sup> November 2022



## **Area West Committee Forward Plan**

Strategic Director: Nicola Hix, Strategy & Support Services  
Agenda Coordinator: Jo Morris, Case Officer (Strategy & Support Services)  
Contact Details: jo.morris@southsomerset.gov.uk

## **Purpose of the Report**

This report informs Members of the agreed Area West Committee Forward Plan.

## **Recommendations**

Members are asked to:

- a. Comment upon and note the proposed Area West Forward Plan as attached;
- b. Identify priorities for further reports to be added to the Area West Forward Plan.

## **Area West Committee Forward Plan**

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

To make the best use of the Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

## **Background Papers**

None.

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**Notes**

- (1) Items marked in italics are not yet confirmed.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail [jo.morris@southsomerset.gov.uk](mailto:jo.morris@southsomerset.gov.uk)

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
<i>TBC</i>	<i>Chard Flood Report</i>	<i>Jess Power, Lead Specialist – Strategic Planning</i>
<i>A report on S106 obligations is due to be considered at Full Council on 15<sup>th</sup> December</i>	<i>S106 Obligations /CIL funding</i>	<i>Tim Cook, Locality Team Manager</i>
<i>TBC</i>	<i>Parrett Trail Tunnel</i>	<i>TBC</i>
<i>TBC</i>	<i>Verbal update on Chard Regeneration</i>	<i>Peter Paddon, Acting Director Place &amp; Recovery</i>



## Planning Appeals

Strategic Director: Kirsty Larkins, Service Delivery  
Lead Specialist: John Hammond, Lead Specialist – Built Environment  
Contact Details: john.hammond@southsomerset.gov.uk

## Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

## Recommendation

That members note the report.

## Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

## Appeals Received

21/01903/FUL - Erection of a two-storey dwelling and ancillary garage/workshop.  
Land Os 1621 Higher Wambrook, Wambrook, Chard, Somerset (GR:329155/108215)  
(Officer delegated decision)

21/01562/FUL - Erection of replacement two storey dwelling and garage/home office together with remodelling of the site levels.  
Laurdine, Howley, Chard, Somerset, TA20 3DU (GR:326499/110166)  
(Committee decision)

APPEAL REF: APP/R3325/C/22/3308600 - Without planning permission, the erection of garden building in the form of a summer house (oriental style).  
64 Middle Path, Crewkerne, Somerset TA18 8BG  
(Enforcement Appeal)

## Appeals Dismissed

21/03447/S73A - The erection of dwelling and associated formation of access. (Section 73 application to vary Condition 2 (approved plans) of 18/00467/FUL and 21/01234/S73A) by the addition of balcony with 1.8m high obscure privacy screen for the master bedroom.  
Land Adjoining Three Corners, Stoopers Hill, Combe St Nicholas, Chard, TA20 3LT  
(Officer delegated decision)



**South Somerset**  
District Council

**Appeals Allowed**

None

**Background Papers**

Decision notice attached.



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# Appeal Decision

Site visit made on 18 October 2022

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 21 November 2022**

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**Appeal Ref: APP/R3325/W/22/3297723**

**Land Adjoining Three Corners, Stoopers Hill, Combe St Nicholas, Chard TA20 3LT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Mr Paul Newman against the decision of South Somerset District Council.
  - The application Ref 21/03447/S73A, dated 16 November 2021, was refused by notice dated 6 January 2022.
  - The application sought planning permission for 'the erection of dwelling and associated formation of access. (Section 73 application to vary Condition 2 (approved plans) of 18/00467/FUL) to add a balcony and basement store' without complying with a condition attached to planning permission Ref 21/01234/S73A, dated 8 September 2021.
  - The condition in dispute is No 2 which states that: *The development hereby permitted shall be carried out in accordance with the following approved plans: PL-1459-500 Rev B (Proposed Site Plan); PL-1459-501 Rev B (Proposed Basement and Ground Floor Plan); PL-1459-502 Rev B (Proposed First Floor Plan & Section); PL-1459-503 Rev B (Proposed Elevations); PL-1459-504 Rev B (Proposed Elevations).*
  - The reason given for the condition is: *In the interests of proper planning and for the avoidance of doubt.*
- 

## Decision

1. The appeal is dismissed.

## Background and Main Issue

2. Planning permission for the erection of a dwelling at the site was originally granted in 2018<sup>1</sup>. An application to vary that proposal was made in 2021<sup>2</sup>. The changes included the erection of a balcony but, despite the description of development in the banner heading above, the balcony element was omitted before permission was granted. This was confirmed by condition 2, which required that the development be carried out in accordance with the approved plans.
3. The appellant now seeks to vary condition 2 of consent 21/01234/S73A to amend the proposal by adding a balcony, including a 1.8m high obscure privacy screen. The main issue is the effect of the proposed balcony on the living conditions of the occupiers of Treen House and Higher Alderhey, with regard to privacy, noise and disturbance.

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<sup>1</sup> LPA reference 18/00467/FUL

<sup>2</sup> LPA reference 21/01234/S73A

## Reasons

4. The balcony is proposed to be installed on the rear elevation of the proposed dwelling, which is yet to be built. This elevation would face a narrow country lane, beyond which are two dwellings, known as Treen House and Higher Alderhey. These properties have rear gardens, with that serving Treen House being particularly lengthy and extending well beyond the site of the proposed dwelling and balcony.
5. The lines of sight from the balcony to the rear elevations of Treen House and Higher Alderhey would be at an oblique angle. Furthermore, the dwellings are located some distance away from the balcony. These factors mean that there would be sufficient space and orientation from the rear windows of these dwellings and the balcony, for adequate privacy to be maintained within the dwellings themselves.
6. However, the balcony would be higher than the approximate height of the boundary hedge, and the position of the balcony would allow direct views down into the rear gardens of Treen House and Higher Alderhey. The proposed 1.8m high obscure glazed privacy screen would help to restrict views from the balcony but is only proposed at one end of it. The lower screen serving the rest of the balcony would not be high enough to screen some views towards Treen House and Higher Alderhey. Similarly, an existing tall tree, telegraph pole and the summerhouse at Treen House would do little to prevent such views.
7. A window that would face the neighbouring gardens, serving a bedroom and so having some effect on privacy within the gardens, has already been approved. There may also be some noise from the proposed garden or the adjacent road, and the balcony is of modest size. However, the proposal would provide additional amenity space for the proposed dwelling with the potential for a greater level of use.
8. The balcony would have a higher position than the road and the approved garden. In contrast to the approved window, the balcony would have a semi-open nature and would be closer to the affected dwellings. These factors mean that use of the balcony would potentially generate significant noise and disturbance, even from normal use. This is likely to be greater than that generated from the development without the balcony, particularly in warmer months when the balcony would be used more intensively.
9. Most of the garden serving Higher Alderhey is to the front or side of the property, and so is concealed by the dwelling. However, there is some private space to the rear, and this would be affected by the proposal, as would much of the rear garden serving Treen House. As rear gardens, the occupiers of these properties would have a reasonable expectation of privacy and tranquillity when using these spaces, which the proposal would significantly diminish. As such, the proposal would therefore have an intrusive impact on the living conditions of the affected properties.
10. I therefore conclude that the proposal would have a harmful effect on the living conditions of the occupiers of Treen House and Higher Alderhey, with regard to privacy, noise and disturbance. It would therefore conflict with Policy EQ2 of the South Somerset Local Plan 2006-2028 (adopted March 2015) which requires proposals to protect the residential amenity of neighbouring

properties. For similar reasons it would also conflict with the advice in the Framework that requires a high standard of amenity.

### **Other Matters**

11. The approved dwelling has a contemporary design and I accept that the proposed balcony is a feature in keeping with the contrasting design of the dwelling. However, this does not change or overcome my conclusions on the main issue.

### **Conclusion**

12. For the reasons given, there would be conflict with the Development Plan, read as a whole. No material considerations have been shown to have sufficient weight to warrant a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

*O Marigold*

INSPECTOR



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## Next Steps following the Judicial Review – Planning Application 21/02654/FUL

Lead Officer: Jill Byron, District Solicitor & Monitoring Officer  
Contact Details: Jill.Byron@southsomerset.gov.uk

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### Purpose of the Report

1. To inform members of Area West Committee of a planning decision requiring redetermination following a judicial review and seek instructions in respect of that redetermination.

### Public Interest

2. The Council's decision to grant planning permission for the erection of self-contained buildings to store and facilitate construction of carnival floats on land at Longforward Lane, Ilminster (the Carnival Club application) was quashed by the High Court and needs to be redetermined. It is anticipated that a significant proportion of Committee members will declare an interest in the application and may, having considered the High Court decision, decide not to take part in considering the application. Members of Area West Committee are therefore being asking if the application should be re-determined by Area West Committee or referred to Regulation Committee.

**Note:** this item is not the redetermination of the Carnival Club application, which will be the subject of a separate report to a different meeting.

### Recommendations

3. Members instructions on whether to:
  - a) refer the application to Regulation Committee or,
  - b) redetermine the application at Area West Committeeare requested.

### Background

4. As members are aware, CPRE (Somerset) challenged the Area West Committee decision to grant permission for the erection of self-contained buildings to store and facilitate the construction of carnival floats on land at Longforward Lane, Ilminster (the Carnival Club application) by way of judicial review on the grounds of apparent bias because (i) one of the members who took part and voted was an elected member of Ilminster Town Council (the Applicant); and (ii) one of the

members who took part and voted had a longstanding association with both the Chard Carnival Committee and the Eclipse carnival club and was personally pictured in the application documents among a group of individuals appearing to support the application. When the matter came before the Court, it was determined that neither member should have taken part or voted. The decision to grant permission was quashed and referred back to the Council for redetermination.

5. It should be noted that the Judge did not criticise either of the members concerned and stated that this outcome did not reflect adversely on the integrity or professionalism of either councillor as both had declared their interests openly and neither had attempted to hide their associations.

### Relevant Considerations

6. The Carnival Club application falls within Area West Committee's remit under the Council's Scheme of Delegation. Area West Committee has sixteen members and requires four to be quorate (able to take a decision). At the meeting on 19 January 2022, of the fifteen members present, two declared a personal interest and did not speak or vote, five declared a personal interest, and one declared a personal and prejudicial interest and left the room. It is considered unlikely that the three members who previously declared an interest and did not take part in the determination of this application will now change their minds and participate. In addition, members who declared an interest and took part (other than those who were the subject of the judicial review) may revise their decisions following the judicial review decision and decide to take no further part. It is also possible that members who did not have an interest in January 2022 now have an interest, particularly following the local government elections in May 2022. It is of course a matter for each member to decide for themselves whether or not they have an interest in a particular matter, seeking advice as appropriate, but it seems likely that a significant proportion of the members of Area West Committee may decide they are unable to take part in any reconsideration of this planning application.
7. In the light of the above and the previous challenge to the original Area West Committee decision, members may wish to consider how and where the Carnival Club application is reconsidered. The purpose of this report is to ask the members of Area West Committee to consider whether the Carnival Club application should be re-considered by Area West Committee or be referred by Area West Committee to Regulation Committee.
8. In considering this question, the relevant provisions of the Constitution should be borne in mind.
9. The purpose of the Constitution, as set out in article 1.03 is to:
  - *enable the Council to provide clear leadership to the community in partnership with the public, businesses and other organisations;*

- *support the active involvement of the public in the process of local authority decision-making;*
  - *help councillors represent their constituents more effectively;*
  - *enable decisions to be taken efficiently and effectively;*
  - *create a powerful and effective means of holding decision-makers to public account;*
  - *ensure that no one will review or scrutinise a decision in which they were directly involved;*
  - *ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and to*
  - *provide a means of improving the delivery of services to the community.*
10. Article 1.04 provides that where the Constitution permits the Council to choose between different courses of action, the Council will always choose the option which it thinks is closest to the purposes set out in article 1.03.
11. Article 8.03 provides for Regulation Committee to determine applications for planning permission referred from the area committees in accordance with the approved guidelines set out in part 3 of the Constitution. Section 7 of the Constitution deals with Committee Terms of Reference (TOR), with the Regulation Committee TOR set out at paragraph 6, which provides that Regulation Committee shall:
- *Determine applications for planning permission referred from the Area Committees in accordance with the approved guidelines set out in this document and the Planning Reimagined Reports to Council in February 2021.*
12. The Scheme of Delegation providing for the reference of planning applications to the Regulation Committee for determination is set out in the Constitution and provides that referral is “only necessary” in five specific instances (A – E) but this would not prevent other referrals from area committees. It should also be noted that if members decide that the Carnival Club application should be considered by Area West Committee, the Scheme of Delegation allows for referral to Regulation Committee if the officer recommendation is not accepted.

### **Financial Implications**

13. There are no financial implications attached to this report

### **Council Plan Implications**

14. There are no Council Plan implications attached to this report



## **Carbon Emissions and Climate Change Implications**

15. There are no carbon emissions and climate change implications attached to this report

## **Equality and Diversity Implications**

16. There are no equality and diversity implications attached to this report

## **Background Papers**

- South Somerset District Council Constitution
  - CPRE (Somerset), R (On the Application Of) v South Somerset District Council [2022] EWHC 2817 (Admin) (08 November 2022)
  - Area West Committee (informal) minutes – 19 January 2022
-