

Shaftesbury Town Council
Planning and Highways Committee

SHAFTESBURY TOWN COUNCIL

SUMMONS

To: Members of the Planning and Highways Committee.

You are hereby summoned to a meeting of the Planning and Highways Committee to be held on Tuesday 11th March 2014 at 7:00pm in the Mayor's Parlour. Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: the three aims of the general duty of the Public Sector Equality Duty (eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, advance equality of opportunity between people from different groups and foster good relations between people from different groups), Crime and Disorder, Health and Safety and Human Rights.

Claire Commons - Committee Clerk
4th March 2014



Members of the public are welcome to attend meetings of the Council and Committees, unless specifically excluded due to the confidential nature of the business. Enquiries to Claire Commons on 01747 852420 or email clairecommons@shaftesburytowncouncil.co.uk

Committee Members : Councillor J Lewer (Chairman)
 Councillor P Proctor (Vice-Chairman)
 Councillor S Clinch
 Councillor T Cook
 Councillor J Pestell
 Councillor R Tippins

01 APOLOGIES FOR ABSENCE

- a) To receive apologies from those unable to attend
- b) To consider for acceptance apologies from those unable to attend

02 DECLARATIONS OF INTEREST

- a) To receive declarations of interest in respect of matters contained in this agenda, in accordance with the provisions of the Local Government Act 1972 in respect of officers and the Localism Act 2011 in respect of members.
- b) To receive any dispensation requests received by the Town Clerk and not previously considered.

03 OPEN FORUM

Members of the public are invited to address the Committee on matters relating to this parish and pertinent to the remit of the Planning and Highways Committee. Members of the public may be limited to 3 minutes each.

04 PLANNING APPLICATIONS

04 . 1	2/2014/0104	Plot Ref :-	Type Full
	Applicant Name :- Mrs J Edwards		Date Received :- 13/02/2014
	Parish :- Underhill		Date Returned :-
	Location :- Land At E 385940 N	Agent CG Architectural	
	122542		
	St James Street		
	Shaftesbury		

Proposals :- Erect 1 No. two storey dwelling (demolish existing garage).

Observations :-

04 . 2 **2/2014/0133** Plot Ref :- Type Advert
Applicant Name :- Blue Cedar Homes Date Received :- 25/02/2014
Parish :- Underhill and Centra Date Returned :-
Location :- Former site of Old Brow Agent Blue Cedar Homes
73 Bimport
Shaftesbury
Proposals :- Erect non-illuminated sign (retrospective).
Observations :-

04 . 3 **2/2014/0148** Plot Ref :- Type Householde
Applicant Name :- Mr A Perkins Date Received :- 14/02/2014
Parish :- Underhill Date Returned :-
Location :- 22 St James Street Agent Proctor Watts Cole Rutter
Shaftesbury
Dorset
Proposals :- Erect garden building (retrospective).
Observations :-

04 . 4 **2/2014/0212** Plot Ref :- Type Householde
Applicant Name :- Ms A Carter Date Received :- 03/03/2014
Parish :- Underhill Date Returned :-
Location :- 8 Breach Lane Agent Westleigh Design
Shaftesbury
Dorset
Proposals :- Erect 1 No. two storey extension and form parking area.
Observations :-

05 PLANNING AND INSPECTORATE DECISIONS

- a) To receive the planning and inspectorate decisions
- b) To discuss any matter relating to enforcement of planning conditions and determinations

06 CHAIRMAN'S URGENT BUSINESS

To consider any items of urgent business for delegation to the office or for consideration at another meeting of the council or its committees.

Shaftesbury Town Council

LOCALISM ACT 2011

DISPENSATIONS FROM SECTION 31(4)

APPLICATION FOR A DISPENSATION TO PARTICIPATE IN A MEETING

Under Section 33 of the Localism Act 2011 councillors and co-opted members of a council may, in limited circumstances, apply for a dispensation to speak and vote on a matter to be considered by the Council or one of its Committees despite having a disclosable pecuniary interest in it. Such a dispensation may only be granted if it fulfils one of the grounds set out overleaf.

Any member who wishes to apply for such a dispensation from the Clerk is requested to complete this form and to return it to the Clerk no later than two clear working days before the meeting in which the member wishes to participate.

Councillor(*insert name*)

I apply for a dispensation to allow me to participate in –

Title of meeting: **Planning and Highways Committee**

Date of meeting: **11th March 2014**

Subject matter:

I have the following disclosable pecuniary interest:

I request the dispensation for the following reasons:

I would like to speak only / speak and vote on the matter under consideration (*delete as appropriate*)

I would like the dispensation to apply to this meeting only/until *(insert date which may not be more than four years in the future or the date of the next elections whichever is the sooner)*

Date

Signed

LOCALISM ACT 2011

DISPENSATIONS TO PARTICIPATE IN A MEETING

A request for a dispensation must be submitted promptly if a member with a disclosable pecuniary interest is to have the request considered in sufficient time to enable participation in a meeting of the Council or a Committee. In practice this means that any request must be submitted to the Proper Officer before the meeting not at it so that the Clerk has sufficient time to consider the request.

A request for a dispensation is needed only when a member is aware that he or she has a disclosable pecuniary interest in business to be transacted at full Council, or at a Committee meeting.

A dispensation may be granted under the Act only if, after having had regard to all relevant circumstances, the authority –

- (a) considers that without the dispensation the number of persons prohibited by section 31(4) of the Act from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area,
- (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements considers that without the dispensation each member of the Authority's executive would be prohibited by s.31(4) from participating in any potential business to be transacted by the authority's executive, or
- (e) considers that it is otherwise appropriate to grant a dispensation.

If there are a number of members seeking a dispensation in respect of the same matter, each member should complete and sign their own form.



SHAFTESBURY TOWN COUNCIL

MEETING OF THE PLANNING & HIGHWAYS COMMITTEE

Tuesday 11th March 2014

Agenda item 04

Report title:	Planning Applications
Report author:	Claire Commons, Committee Clerk
Purpose of report:	To provide members with additional information relating to the applications to be considered
Statutory Authority:	n/a
Financial Implication:	n/a

The role of the committee

The committee is a statutory consultee which is provided the opportunity to make observations on planning applications within its parish. These observations are reported back to the planning authority, North Dorset District Council, in order that they can make an informed decision when determining the application. The committee may request that an application is considered by the planning authority's Development Management Committee if there are matters of particular concern or which would be better considered during debate.

Viewing Planning applications

The planning applications listed in the agenda can be viewed online at <http://plansearch.north-dorset.gov.uk/swiftlg/apas/run/wphappcriteria.display>. In addition, the office holds 1 paper copy of each application which can be viewed by arrangement at the office.

Recommendation

Members are asked to consider for each application, whether they support the application or object to it. Consideration should be given to matters relating to planning law and also to local knowledge. More guidance on how to comment on planning applications can be found at <http://www.planninghelp.org.uk/improve-where-you-live/how-to-comment-on-a-planning-application> or on the reverse of this report are some considerations to bear in mind when considering the committee's observations. If the committee resolves to object to an application, reasons supporting that observation should be provided.

Planning Considerations

Appearance and Character of the area or street, including the design and materials of buildings, landscaping and tree loss
Other environmental issues e.g. noise
Traffic generation and road safety
Employment and the local economy
Impact on public services
Effects on the landscape and the need to protect special areas
Impact of a building on its neighbours

Other Material Considerations

Private interests
Other regulatory codes
Retention of an existing use
Financial Considerations
'Enabling development'
Planning gain
Precedent
Planning history of a site
Ulterior purpose
Predetermination, bias, conflict of interest
Personal hardship
Particular occupier
Alternative sites
Policy
Racial discrimination
Hazardous development
Consistency in decision making
Public concerns about safety

History

Planning application history where available for the applications on this agenda are appended to this report. Members are reminded that although the history of planning applications on a particular site may provide them with a 'bigger picture', they are to provide observations on the details of the current application only.

At : 09:25

History of Applications by Property Location :- Old Brow

Application No : 2/2009/00041

Type : Full

Applicant : Mr Sean Phillips
Old Brow
Bimport
Shaftesbury
SP7 8BA

Location : Old Brow
Bimport
Shaftesbury
SP7 8BA

Proposal : Erect 16 no. retirement homes for over 55's. (10 x2 bedroom houses, 1x3 bedroom house, 3x4 bedroom houses and 2x2 bedroom flats.) Form 11 no. Parking spaces (1 of these disabled) and provide link between development and the public right of way.

Observations : Objection - The application contravenes policies SB3, SB4 and article 37.2.11 of the DWLP, Shaftesbury Inset Plan. Application contravenes policy SB5. The dwelling by reason of extensive size and inappropriate plan form appear obtrusive and incongruous on this site, thus causing harm to character and amenity of area and is therefore contrary to SH, EN.F 1A and 1D of the Dorset, Bournemouth and Poole Structure Plan.

Status : 3 Refused

Decision Date : 12 August 2009

Conditions : Amended plans received 25/03/2009

Application No : 2/2009/0041A

Type : Full

Applicant : Etchingham Morris
Old Brow
Bimport
Shaftesbury
SP7 8BA

Location : Old Brow
Bimport
Shaftesbury
SP7 8BA

Proposal : AMENDED PLANS to Erect 16 no retirement homes for over 55's.(4x2 bedroom houses, 1x3 bedroom house, 3x4 bedroom houses, 7x2 bedroom flats and 1x1 bedroom flat.) Form 11 no. Parking spaces (1 of these disabled) and provide link between development and the public right of way.

Observations : OBJECTION - Members strongly objected to the Amended Plans for Old Brow. The proposed development by reason of its style and form would reduce and urbanise the distinct rural character of the slopes contravening policy SB3 and SB5 of the NDDWLP. Members feel that the dwelling by reason of its extensive size and appearance would appear obtrusive and incongruous on the site. This would result in unnecessary harm to the appearance and the character of the landscape contravening policies G,Q,F,G,A and D of the Bournemouth, Dorset and Poole Structure Plan.

Status : 1 Granted

Decision Date : 4 December 2009

Conditions : Refer to schedule of condition for detail

Application No : 2/2010/01026

Type : Full

Applicant : Archstone Homes
Old Brow
Bimport
Shaftesbury
SP7 8BA

Location : Old Brow
Bimport
Shaftesbury
SP7 8BA

Proposal : Revisions to planning permission reference APP/N1215/A/09/2112367/NWF (2/2009/0041) for the redevelopment of the site to create 15 retirement homes with landscaping and parking provision.

Observations : Objection - The loss of affordable housing is contrary to North Dorset District-Wide Local Plan policy 2.13. Members also expressed concern at the loss of quality in materials proposed.

At : 09:25

History of Applications by Property Location :- Old Brow**Status :** 1 Granted**Decision Date :** 5 September 2011

Conditions : 28 conditions have been applied to this application. Please contact the office to see the details in full.

1. In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the North Dorset District Wide Local Plan (First Revision) 2003, were taken into account. This includes specifically the following policies: EN.E, EN.F, EN.Q, I.A, I.D, S.H, H.B, H.D, 1.1, 1.2, 1.28, 1.33, 1.35, 1.37, 1.38, 1.40, 1.41, 2.1, 2.2, 2.3, 2.5, 2.9, 2.13, 5.10, 5.17, 5.18, 5.19, SB 1, SB 2, SB 5, 1.6, 1.7, 1.8, 1.23, 1.24.
2. Policy 1.1, 1.8, 1.24, 1.28, 1.33, 1.40, 2.9, SB2, and SB5 will be complied with as the amenity of surrounding land users will be safeguarded, the character and appearance of the Conservation Area and the wider landscape will be protected, the archaeological assets of the site will be maintained, and the scheme will not give rise to unacceptable levels of traffic movement.

Application No : 2/2012/00173**Type :** Listed

Applicant : Blue Cedar Homes
Brightwater House
Market Place
Ringwood
Hants
BH24 1AP

Location : Old Brow
Bimport
Shaftesbury
SP7 8BA

Proposal : Planning application to vary condition No.2 from Planning Permission 2/2010/1026 (Revision to Planning Permission APP/N1215/A/211367/NWF [2/2009/0041] to allow the position of the apartment block to be moved.

Observations : OBJECTION - Traffic Generation and Road Safety - decrease in parking spaces

Status : 1 Granted**Decision Date :** 22 May 2012**Conditions :** SCHEDULE OF CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission. Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the following approved plans - 11106SI01P4, 1106PL01P3, 11106PL02P3, 11106PL03P3, 11106PL04P3, 11106E01P3, 11106E02P3, 11106E03P3, 11106E04P3, 11106E05P3, 11106E06P3, received on 20th February 2012. Reason: For the avoidance of doubt and to clarify the permission.
3. Prior to the commencement of the development a scheme showing precise details of the construction and finish of the copings, lintels, and balcony railings shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the agreed details. Reason: To safeguard the character of the locality in accordance with Settlement Policy H, Environment Policies F and H and Implementation Policies A and D of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.8, 1.24, and 1.33 of the North Dorset District Wide Local Plan (First Revision).
4. Prior to the commencement of the development a scheme showing precise details of the construction and finish of the roofs and all external walls of the dwellings, flats and outbuildings shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the agreed details. Reason: To safeguard the character of the locality in accordance with Settlement Policy H, Environment Policies F and H and Implementation Policies A and D of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.8 and 1.24 of the North Dorset District Wide Local Plan (First Revision).
5. Prior to the commencement of the development sample panels a minimum of 1.5 metres square of the approved stone coursing and brick work shall be erected on site to demonstrate the method, colour and texture of the pointing and arrangement. Any such sample panels shall require approval to be obtained in writing from the Local Planning Authority. The sample panels shall be retained on site until all building work is completed. All works on site shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. Reason: To safeguard the character of the locality and in the interests of the appearance of the development in accordance with Settlement Policy H, Environment Policies F and H and Implementation Policies A and D of the Bournemouth, Dorset and Poole Structure Plan and Policies 1.8, 1.24, and 1.33 of the North Dorset District Wide Local Plan (First Revision).

At : 09:25

History of Applications by Property Location :- Old Brow

Application No : 2/2013/0842

Type :

Applicant : Blue Cedar
Old Brow
Bimport
Shaftesbury
Dorset
SP7 8BA

Location : Old Brow
Bimport
Shaftesbury
SP7 8BA

Proposal : Non-material amendment to Planning Permission 2/2010/1026 to change boundary wall to timber fence, revised details for screen, addition of patios, reduction of footpath, amended landscaping and external storage for apartments enclosed and in timber.

Observations : The committee felt unable to comment as the digital plans did not provide sufficient clarity for an informed decision. It was agreed to ask NDDC to consider paper plans being made available.

Status : 1 Granted

Decision Date : 3 October 2013

Conditions :

At : 09:26

History of Applications by Property Location :- 22 St James Street

Application No : 2/2013/1180

Type : Householde

Applicant : Mr A Perkins
22 St James Street
Shaftesbury
SP7 8HE

Location : 22 St James Street
Shaftesbury
SP7 8HE

Proposal : Erect garden building (retrospective).

Observations : Members objected to the application as it contravened policy SB4. In addition members considered that it negatively impacted on the visual amenity of the area and it was requested that this be considered by the Development Management Committee.

Status : 4 Withdrawn

Decision Date : 14 November 2013

Conditions : WITHDRAWN

At : 09:32

History of Applications by Property Location :- 8 Breach Lane

Application No : 2/2013/1008

Type : Householde

Applicant : Ms A Carter
8 Breach Lane
Shaftesbury
SP7 8LE

Location : 8 Breach Lane
Shaftesbury
SP7 8LE

Proposal : Erect 1 No. two storey extension and form parking area.

Observations : NO OBJECTION. Members however requested that plumbing be internal, external material to match existing, gable pitch to be in sympathy with either side and gable finish to match.

Status : 4 Withdrawn

Decision Date : 18 December 2013

Conditions : WITHDRAWN

NOTIFICATIONS OF PLANNING DECISIONS FROM North Dorset District Council

Minute Ref 05

Tue 11 March 2014

District Ref

' C ' Contrary to District 'CD' Contrary Delegated '
D ' Delegated

Page No : 1

' E ' Endorsed by District 'ED' Endorsed Delegated

GRANTED PLANNING PERMISSIONS

ED 2/2013/1074	Granted	63 St James Street
ED 2/2013/1263	Granted	11 Salisbury Street
ED 2/2014/0021	Granted	47 Bell St