



Shaftesbury Town Council

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To: Members of Shaftesbury Town Council’s Planning and Highways Committee (PH), Councillors for P&H; Welch(Chair) Lewer (Vice-Chair), Chase, Hollingshead, Proctor and Loader.

You are summoned to a meeting of the Planning and Highways Committee for the transaction of the business shown on the agenda below. To be held at 7.00pm on **Tuesday 09 February 2021 [online at Zoom.us](https://www.zoom.us/j/87823052871)**. Meeting ID: 878 2305 2871

All other recipients for information only

Claire Commons CertHE Fellow SLCC, Town Clerk and Responsible Finance Officer (RFO)
3rd February 2020

Public Participation

Due to the current government coronavirus response, the Town Council will be meeting online. Members of the public are encouraged to submit their questions or comments under ‘Public Participation’ in advance of the meeting to the Chairman and these will be made available to all Councillors. Members of the public may also link in to observe the meeting using the details above. ([Local Government Act, 1972 s.100](#))

Online Meeting Arrangements

The Chairman will host the meeting, attendees will be muted and councillors invited to speak in turn at each agenda item in line with Standing Orders Rules of Debate, Councillors may raise their hand to indicate that they wish to speak at other times. Voting will be taken in turn as directed by the Chairman and should be by the response ‘In Favour’, ‘Against’, or ‘Abstain’. The decision and summary of votes will be read back before moving to the next item. ([The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations, 2020](#))

The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership

([Committee on Standards in Public Life, 1995](#))

Agenda

- 1 **APOLOGIES**..... 3
To receive and consider for acceptance, apologies for absence(1 min)
([Local Government Act, 1972 s.85](#))
- 2 **DECLARATIONS OF INTEREST** 3

To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk..... (1 min)
(Shaftesbury Town Council Code of Conduct, 2019)

3 MINUTES 4

To confirm the minutes of the previous meeting of the Planning and Highways Committee.
..... (5 min)
(Local Government Act, 1972 Sch 12)

4 PLANNING APPLICATIONS 5

To consider responses to planning applications to include but not be limited to; 52 Bell Street and 46 Salisbury Rd..... (15 min)
(Town and Country Planning Act, 190 sch.1 para.8)

5 PLANNING APPEAL - LAND NORTH OF ENMORE COURT 7

To consider any further response to Appeal Notification - 2/2020/0677/OUT - Land North of Enmore Court, New Rd, Shaftesbury, Dorset..... (10 mins)
(Town and Country Planning Act, 190 sch.1 para.8)

6 FOOTPATH 32, SHAFTESBURY..... 9

To consider a response to the order to divert footpath 32..... (10 mins)
(Town and Country Planning Act, 190 sch.1 para.8)

7 DORSET COUNCIL FREE PARKING POLICY 14

To consider preparing a response for the consultation on Dorset Council's Free Parking Policy (10 mins)
(Town and Country Planning Act, 190 sch.1 para.8)

(End)

Anticipated meeting end time 8:15pm

References

Committee on Standards in Public Life, 1995. *The seven principles of public life*. [Online]

Available at: <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

Local Government Act, 1972 s.100. *Admission of public and press to local authority committee meetings*. [Online].

Local Government Act, 1972 s.85. *Vacation of office by failure to attend meetings*. [Online].

Local Government Act, 1972 Sch 12. *Meetings and Proceedings of Local Authorities*. [Online].

Planning and Highways Committee Terms of Reference, 2019. *Planning and Highways Terms of Reference*. [Online]

Available at: <https://www.shaftesbury-tc.gov.uk/wp-content/uploads/2020/01/2019-07-23-Adopted-TERMS-OF-REFERENCE.pdf>

Shaftesbury Town Council Code of Conduct, 2019. *Code of Conduct*. [Online]

Available at: https://www.shaftesbury-tc.gov.uk/images/STC_Code_of_Conduct_2012.pdf

Tharmarajah, M., 2013. *Local Council's Explained*. 1st ed. London: NALC.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations, 2020 . [Online].

Town and Country Planning Act, 190 sch.1 para.8. *LPA notify parish of Planning Applications*. [Online]

Available at: <https://www.legislation.gov.uk/ukpga/1990/8/schedule/1/paragraph/8>

1 Apologies

To receive and consider for acceptance, apologies for absence (1 min)

(Local Government Act, 1972 s.85)

1.1 Background

1.1.1 The Council (including committees) should approve (or not) the reason for apologies given by absent councillors. If a council member has not attended a meeting of the council (or its committees) or has not tendered apologies which have been accepted by the council (or committee), for six consecutive months, they are disqualified.

2 Declarations of Interest

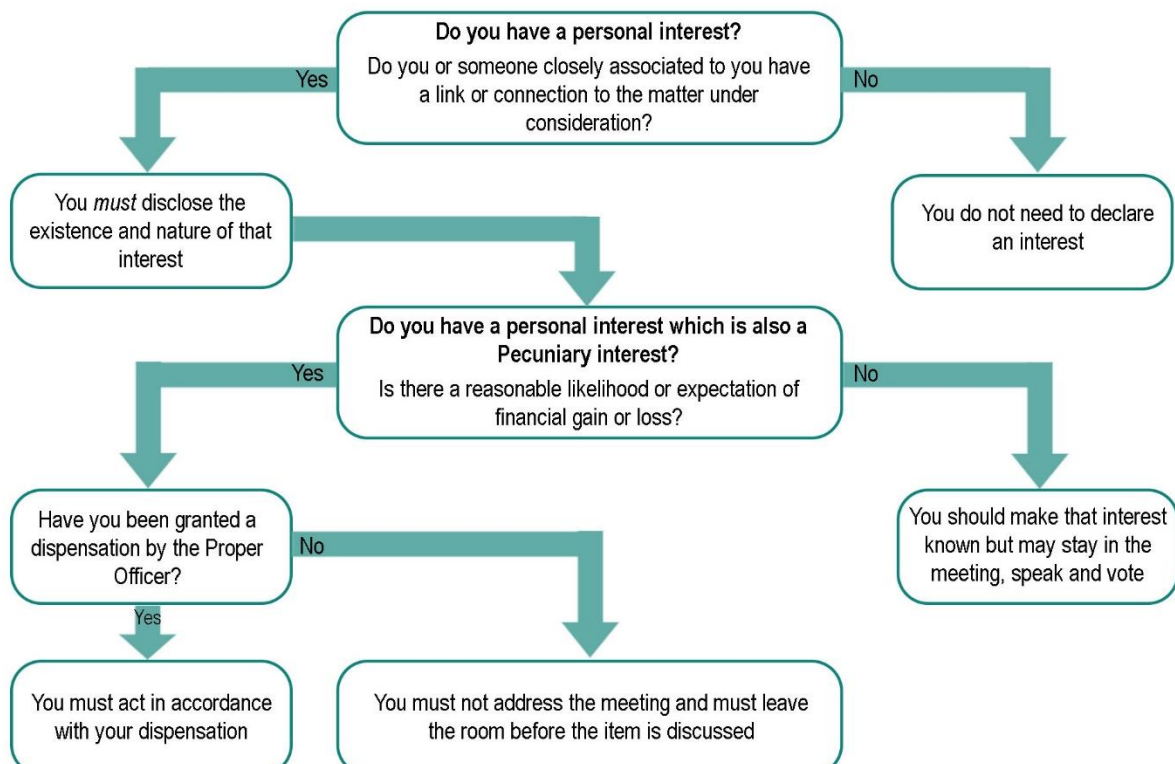
To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk. (1 min)

(Shaftesbury Town Council Code of Conduct, 2019)

2.1 Background

2.1.1 Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2019. The Clerk will report any dispensation requests received

2.1.2 Where a matter arises at a meeting which relates to a councillor's interest, the councillor has the responsibility of declaring that interest in accordance with the adopted code of conduct. (Shaftesbury Town Council Code of Conduct, 2019)



3 Minutes

To confirm the minutes of the previous meeting of the Planning and Highways Committee. (5 min)

[\(Local Government Act, 1972 Sch 12\)](#)

3.1 Background

- 3.1.1 When the meeting is approving the draft minutes of a previous meeting as an accurate record, the only issue for the meeting is whether the minutes accurately record the proceedings of the meeting and the resolutions made at them. It is irrelevant if the chairman or other councillors were not present at the meeting to which the draft minutes relate.
- 3.1.2 If it is necessary for the draft minutes of the previous meeting to be corrected because of an inaccuracy in them, then the amendments to the draft minutes must be approved by resolution. (Tharmarajah, 2013, p. 154)

3.2 Minutes to be adopted

- 3.2.1 Minutes to be adopted are provided through the hyperlinks against each of the dates below. Members should read them in advance of the meeting and satisfy themselves that they are a true record of the decisions taken.
- 3.2.2 [19th January 2021](#)

4 Planning Applications

To consider responses to planning applications to include but not be limited to;
52 Bell Street and 46 Salisbury Rd (15 min)

[\(Town and Country Planning Act, 190 sch.1 para.8\)](#)

4.1 Summary

4.1.1 The planning applications listed below have been received and require comments to be submitted to the Local Planning Authority. Prior to the meeting members are urged to view the planning applications using the link below and visit the site (with appropriate social distancing) to understand the local context.

4.2 Planning Applications

4.2.1 [2/2020/1286/LBC](#)

Location: 52 Bell Street Shaftesbury Dorset SP7 8AE

Proposal: Replace existing street lighting unit & existing electrical supply box

4.2.2 [P/VOC/2020/00451](#)

Location: 46 Salisbury Street Shaftesbury Dorset SP7 8EJ

Proposal: Erect 1 No. single storey dwelling (Variation of condition No. 2 from planning permission 2/2016/1751/VARIA to allow amended plans to change design).

4.3 Scheme of Delegation

4.3.1 The Committee is delegated to act as a Statutory Consultee on behalf of the Town of Shaftesbury in all planning matters relating to the Town and to decide Shaftesbury Town Council responses to consultations on planning and tree applications received from higher tier authorities and forward them in writing to the respective planning authority. (Planning and Highways Committee Terms of Reference, 2019) paras 1 and 3.

4.4 Legal Implication

4.4.1 The Town Council is a consultee but does not have the authority to determine planning applications. The Council has the power to be notified of planning applications affecting the Council's area and to comment (Town and Country Planning Act, 190 sch.1 para.8)

4.4.2 Planning applications are delegated to the Planning and Highways Committee for consideration (Planning and Highways Committee Terms of Reference, 2019, p. 2) but may be considered by the Full Council or the General Management Committee where time constraints apply.

4.5 Recommendation

4.5.1 That the Council provides its response on the listed planning application and considers responses to applications received without notice, in the form of Support, No Objection or Objection.

4.6 Reason for Recommendation

4.6.1 To fulfil the Council's responsibility and exercise its views as a Statutory Consultee.

4.7 Additional Information

4.7.1 As part of Shaftesbury Town Council's response to planning proposals it needs to give material planning reason for its comments, be they of support or objection. Simply stating 'No Objection' or 'Support' is insufficient as there is a requirement to give the reasons for that decision.

Biodiversity	Design
Economic Benefits	Effect on the Appearance of Area
Flooding Issues	Height
Heritage	Impact on Access
Impact on Light	Landscape
Local or Government Policy	Noise/Disturbance
Other	Overlooking/Loss of Privacy
Parking	Residential Amenity
Road Safety	Traffic or Highways
Trees	Financial Implication

4.7.2 To assist here are a few examples as to how you might word something to give a material planning reason for your thoughts;

- House Extension – no objection as limited impact on amenity of neighbouring property/ object – will have detrimental impact on neighbouring property
- New dwelling – support, design is in keeping with locality/ object – design not in keeping with local area
- Vehicular access – support, will have no impact on road safety given proposed visibility splays/ object – visibility is poor in this location and traffic speeds are high.

(End)

Report Author: Zoe Moxham, Officer Administrator

5 Planning Appeal - Land North of Enmore Court

To consider any further response to Appeal Notification - 2/2020/0677/OUT -
Land North of Enmore Court, New Rd, Shaftesbury, Dorset (10 mins)

[\(Town and Country Planning Act, 190 sch.1 para.8\)](#)

5.1 Summary

5.1.1 Notification of Appeal

Application No:2/2020/0677/OUT

Location:

Land North of Enmore Court New Road Shaftesbury Dorset
Description of Development: Develop land by the erection of 23 No.
affordable dwellings, form vehicular accesses, parking and landscaping.
(Outline application to determine access).

5.1.2 Appeal Reference:

Appellant: Nylo Homes Ltd

Appeal Start Date: 20 January 2021

5.1.3 An appeal has been made to the Secretary of State against Against Non-determination by Dorset Council.

5.1.4 You may view the documents relating to this appeal online at

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning/planning-application-search-and-comment.aspx>

5.1.5 The appeal will be determined on the basis of written representations. The procedure to be followed is set out in Part 2 of The Town and Country Planning (Appeals) (Written Representations Procedure)(England) Regulations 2009, as amended.

5.1.6 This means that you will be given the opportunity to submit representations on the appeal. We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

5.1.7 All representations must be received by 24 February 2021. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. All representations must quote the appeal reference.

5.1.8 Planning Service privacy notice can be found at:

www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/service-privacy-notices/planning.aspx

5.1.9 Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

5.1.10 If you wish to make comments, or modify/withdraw your previous representation, you can do so online at <https://acp.planninginspectorate.gov.uk> or by emailing RT1@planninginspectorate.gov.uk.

5.2 Scheme of Delegation

5.2.1 The Committee is delegated to act as a Statutory Consultee on behalf of the Town of Shaftesbury in all planning matters relating to the Town and to decide Shaftesbury Town Council responses to consultations on planning and tree applications received from higher tier authorities and forward them in writing to the respective planning authority. (Planning and Highways Committee Terms of Reference, 2019) paras 1 and 3.

5.3 Legal Implication

5.3.1 The Town Council is a consultee but does not have the authority to determine planning applications. The Council has the power to be notified of planning applications affecting the Council's area and to comment (Town and Country Planning Act, 190 sch.1 para.8)

5.3.2 Planning applications are delegated to the Planning and Highways Committee for consideration (Planning and Highways Committee Terms of Reference, 2019, p. 2) but may be considered by the Full Council or the General Management Committee where time constraints apply.

5.4 Recommendation

5.4.1 That the Council provides a response to Dorset Council for this planning application.

5.5 Reason for Recommendation

5.5.1 To fulfil the Council's responsibility and exercise its views as a Statutory Consultee.

(End)

Report Author: Zoe Moxham, Officer Administrator

6 Footpath 32, Shaftesbury

To consider a response to the order to divert footpath 32.

(10 mins)

[\(Town and Country Planning Act, 190 sch.1 para.8\)](#)

6.1 Summary

- 6.1.1 The following email has been received regarding Footpath 32, at the Littledown development.
- 6.1.2 *In the light of responses to consultations a revised proposal for the changes to the footpath has been put forward, and I am writing to seek your views.*
- 6.1.3 *Planning consent has been granted by the former North Dorset District Council for a development comprising of 170 dwellings, vehicle access to the A350, public open space, landscaping, car parking, ancillary works and associated infrastructure at Littledown, Shaftesbury. (Application No. 2/2018/1418/REM), and the diversion is sought to enable the development to be carried out. Attached is a plan showing the layout of the development for which planning consent has been granted. **Appendix A***
- 6.1.4 *This proposal provides for the diversion of footpath 32 by means of a diversion order under section 257 of the Town and Country Planning Act 1990, and the change to be made by the order is shown on the attached proposed order plan. **Appendix B***
- 6.1.5 *The length of footpath that would be extinguished by the order is shown as a bold line between points A and B. The proposed alternative footpath is shown between A, A1, A2 and B. The new footpath would have a width of two metres. Between A and A1, and between A2 and B, the path would have a tarmac surface, and between A1 and A2 it would have mix of surfaces consisting of tarmac and block paving.*
- 6.1.6 *In addition to the diversion order, it is proposed that an additional length of public footpath, shown between points A1, C, E, E1, F, G, H, I, J and K on the attached creation agreement plan, at **Appendix C**, is created by means of a public path creation agreement under section 25 of the Highways Act 1980. Between points between A1 and C, and between H, I, J and K the diverted footpath would have a tarmac surface, and a width of 2 metres; between C, E and E1 it would have a grass surface and a width of 1.8 metres; and between E1, F, G and H it would have a gravel surface and a width of 1.8 metres.*
- 6.1.7 *I should be grateful if you would inform me of any comments you wish to make and let me know whether the Town Council would intend to object to a path order under S.257 of the Town and Country Planning Act 1990 to effect the changes as described. If I do not hear from you by 22nd*

February 2021, I shall assume that you do not object to the proposals and inform Dorset Council accordingly.

6.2 Scheme of Delegation

6.2.1 The Committee is delegated to act as a Statutory Consultee on behalf of the Town of Shaftesbury in all planning matters relating to the Town and to decide Shaftesbury Town Council responses to consultations on planning and tree applications received from higher tier authorities and forward them in writing to the respective planning authority. (Planning and Highways Committee Terms of Reference, 2019) paras 1 and 3.

6.3 Legal Implication

6.3.1 The Town Council is a consultee but does not have the authority to determine planning applications. The Council has the power to be notified of planning applications affecting the Council's area and to comment (Town and Country Planning Act, 1990 sch.1 para.8)

6.3.2 Planning applications are delegated to the Planning and Highways Committee for consideration (Planning and Highways Committee Terms of Reference, 2019, p. 2) but may be considered by the Full Council or the General Management Committee where time constraints apply.

<h2>6.4 Recommendation</h2>

<p>6.4.1 That the Council provides its response to the plans for footpath 32.</p>

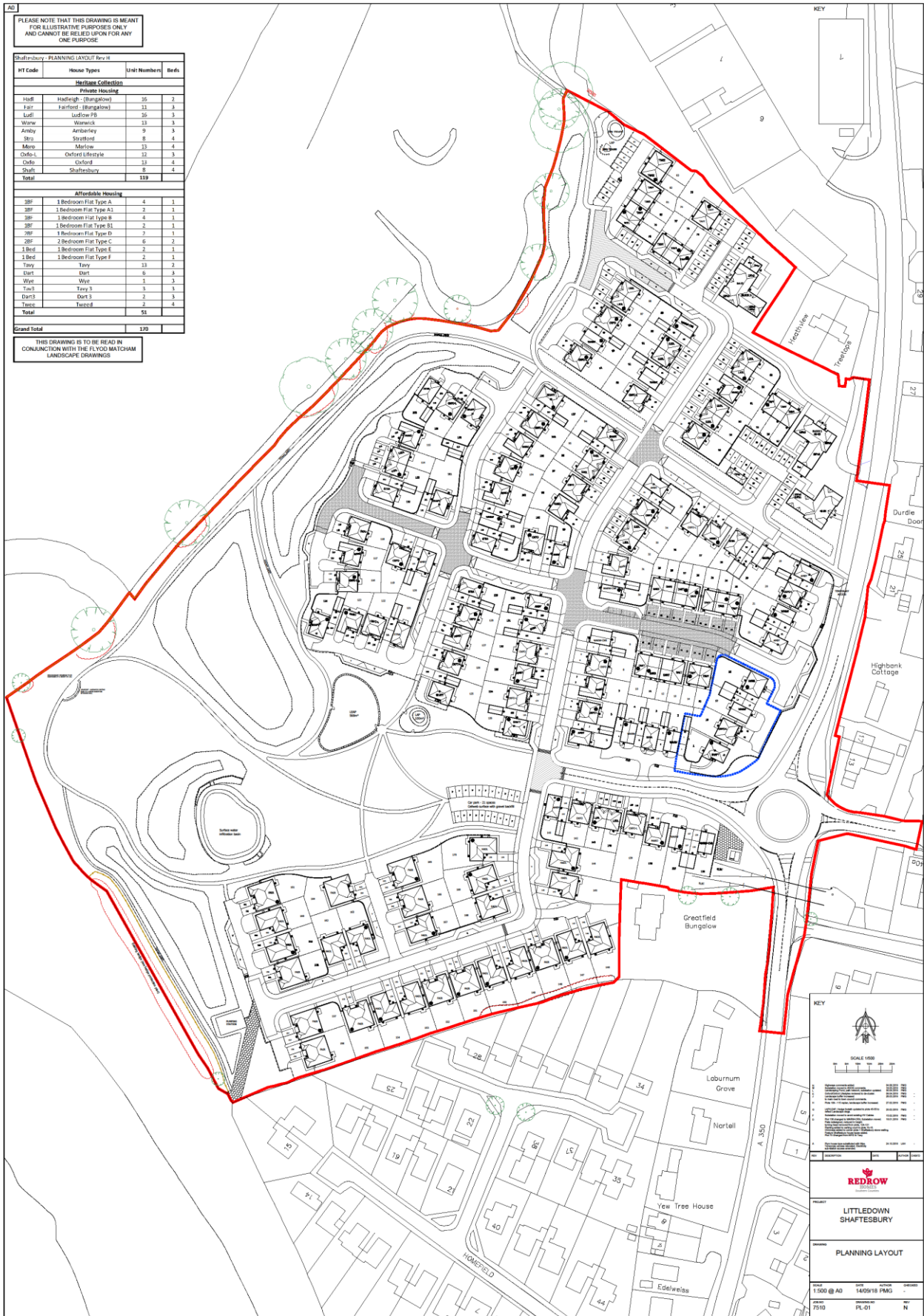
6.5 Reason for Recommendation

6.5.1 To fulfil the Council's responsibility and exercise its views as a Statutory Consultee.

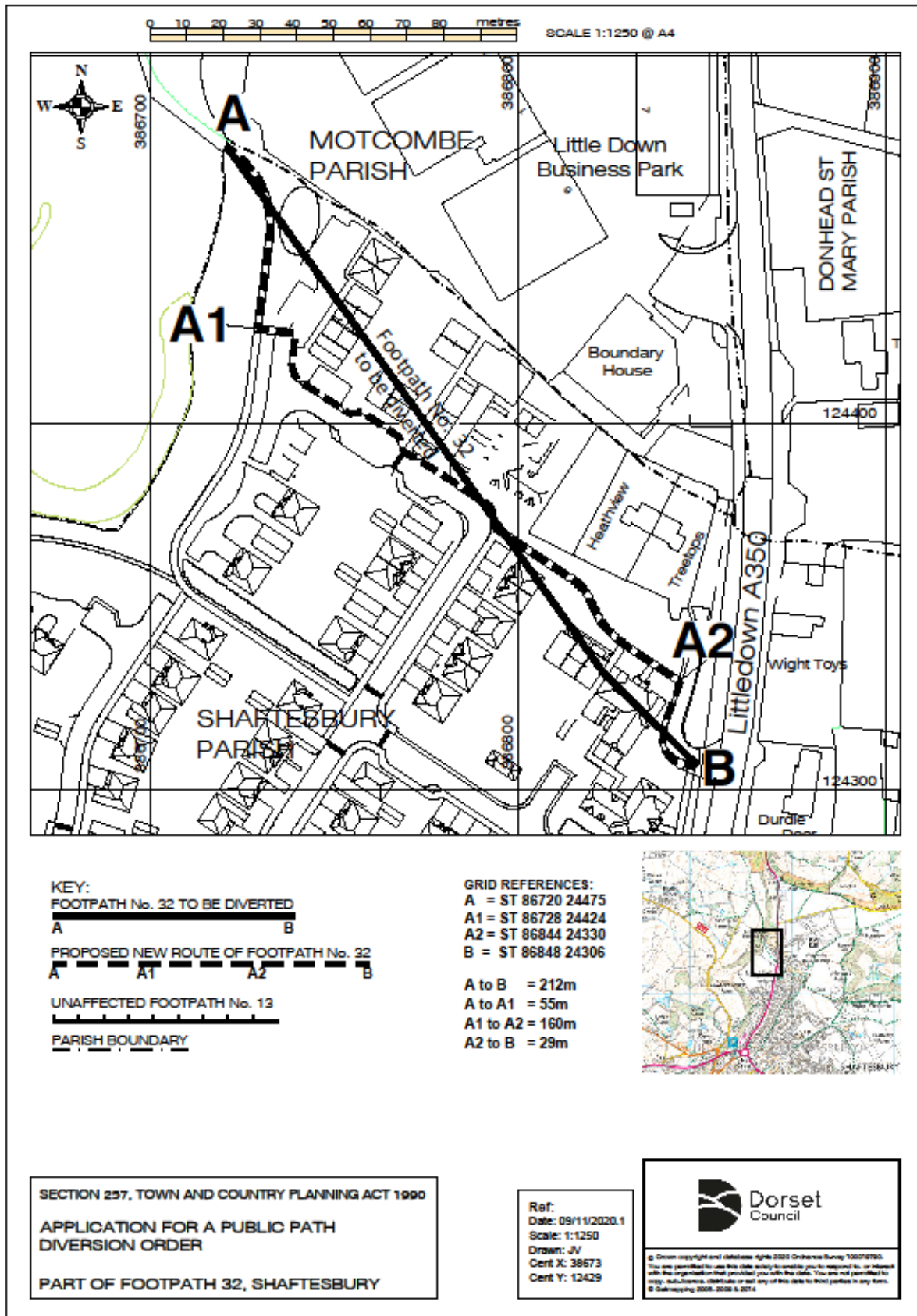
(End)

Report Author: Zoe Moxham, Office Administrator

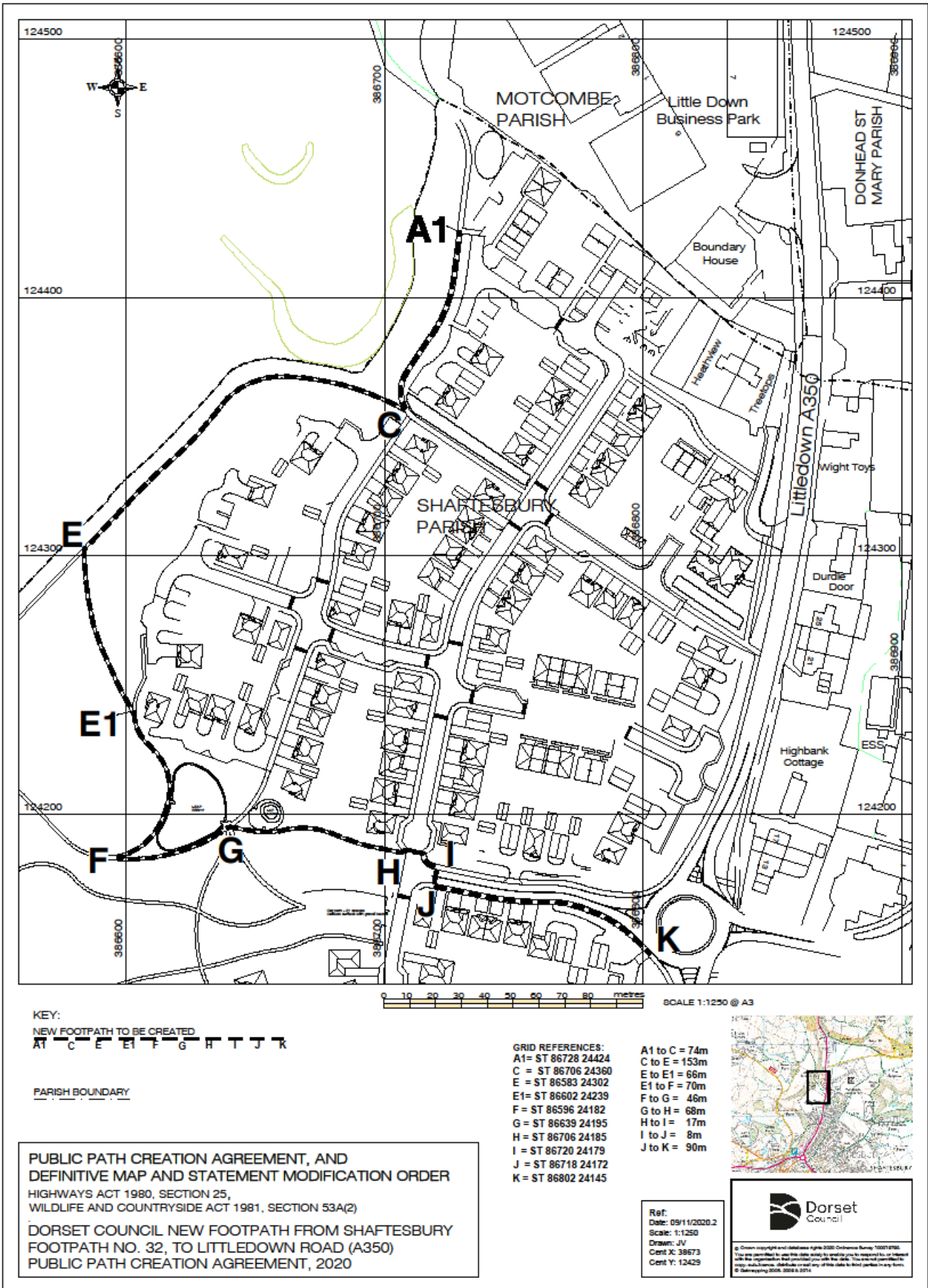
Appendix A



Appendix B



Appendix C



7 Dorset Council Free Parking Policy

To consider preparing a response for the consultation on Dorset Council's Free Parking Policy (10 mins)

[\(Town and Country Planning Act, 190 sch.1 para.8\)](#)

7.1 Summary

7.1.1 Prior to Christmas Dorset Council wrote to Shaftesbury Town Council about planned changes for their Free Parking Policy. It is Dorset Council's intention to standardise and set a clear framework for Town and Parish Councils when applying for 'free' parking days'. Historically these have been used differently in each local area, leading to ongoing perceptions of inequity, and difficulty for officers in trying to make consistent and fair decisions across the county.

7.1.2 The new policy:

7.1.3 To support local economy, Dorset Council will give a total of six free parking days in Dorset Council car parks. This is made up of the following:

7.1.4 At the request of the Town or Parish Council free parking in all Dorset Council car parks for four days each year, for events which generate valuable footfall for that town. These four days cannot be used in December.

7.1.5 At the request of the Town or Parish Council free parking in all Dorset Council Town Centre car parks for that town on one weekday in December.

7.1.6 Free parking in all Dorset Council Town Centre car parks on Small Business Saturday in December.

7.1.7 No other days in December will be considered unless the Town Council, Local BID or other organisation(s) are willing to meet the cost of the lost income at an amount to be calculated by the Council's parking team based on average weekend costs for that time of year.

7.1.8 We would like to implement this policy as soon as possible so that you can start planning your free parking days for 2021. Please could you send any queries or comments regarding the new policy by 19th February 2021.

7.2 Scheme of Delegation

7.2.1 The Committee is delegated to act as a Statutory Consultee on behalf of the Town of Shaftesbury in all planning matters relating to the Town and to decide Shaftesbury Town Council responses to consultations on planning and tree applications received from higher tier authorities and forward them in writing to the respective planning authority. (Planning and Highways Committee Terms of Reference, 2019) paras 1 and 3.

7.3 Legal Implication

- 7.3.1 The Town Council is a consultee but does not have the authority to determine planning applications. The Council has the power to be notified of planning applications affecting the Council's area and to comment (Town and Country Planning Act, 190 sch.1 para.8)
- 7.3.2 Planning applications are delegated to the Planning and Highways Committee for consideration (Planning and Highways Committee Terms of Reference, 2019, p. 2) but may be considered by the Full Council or the General Management Committee where time constraints apply.

7.4 Recommendation

- 7.4.1 That the Council prepares a response to Dorset Council regarding their new policy on free parking.

7.5 Reason for Recommendation

- 7.5.1 To fulfil the Council's responsibility and exercise its views as a Statutory Consultee.

(End)

Report Author: Zoe Moxham, Officer Administrator