



# Shaftesbury Town Council

Town Hall, Shaftesbury, Dorset. SP7 8LY

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To: Members of Shaftesbury Town Council's Planning & Highways (PH). P&H Councillors; Edwyn-Jones (Chair), Lewer (Vice-Chair), Chase, Hollingshead, Proctor, Tippins.

You are summoned to a meeting of the Planning & Highways for the transaction of the business shown on the agenda below. To be held at 7 pm on Tuesday, 05 October 2021 **in the Council Chamber, Shaftesbury Town Hall.**

Members are reminded of their duty under the Code of Conduct

All other recipients for information only

Claire Commons FdA (Comm Gov), Fellow SLCC, Town Clerk and RFO  
29 September 2021

## Public Participation

The Chairman will invite members of the public to present their questions, statements or petitions. The period of time designated for public participation shall not exceed twenty minutes. A member of the public shall not speak for more than three minutes. The meeting will also be hosted online. **Public, press and non-committee members, join on your computer or mobile app** [Click here to join the meeting](#)

## The 7 principles of public life

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

*(Committee on Standards in Public Life, 1995)*

## Agenda

- |          |   |          |
|----------|---|----------|
| <b>1</b> | <b>APOLOGIES</b> .....  | <b>3</b> |
|          | To receive and consider for acceptance, apologies for absence .....   | (1 min)  |
|          | <i>(Local Government Act, 1972 s.85)</i>  |          |
| <b>2</b> | <b>DECLARATIONS OF INTEREST</b> .....   | <b>3</b> |
|          | To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk. .... | (1 min)  |
|          | <i>(Shaftesbury Town Council Code of Conduct, 2019)</i>   |          |
| <b>3</b> | <b>MINUTES</b> .....  | <b>4</b> |
|          | To receive the minutes of the previous meeting of the Planning & Highways. ....   | (1 min)  |
|          | <i>(Local Government Act, 1972 Sch 12) (Shaftesbury Town Council Scheme of Delegation, 2021)</i>                            |          |
| <b>4</b> | <b>OFFICER REPORT TO THE COMMITTEE</b> .....  | <b>5</b> |
|          | To receive reports pertaining to the Planning & Highways .....  | (5 min)  |
|          | <i>(Local Government Act, 1972 Sch 12)</i>  |          |

|          |   |           |
|----------|---|-----------|
| <b>5</b> | <b>PLANNING APPLICATIONS .....</b>  | <b>6</b>  |
|          | To consider responses to planning applications to include but not be limited to; The Manor House, St James Street, Windrush, Hawksdene, 7 Butts Knapp, Bleke St, 24 Bimport, 3 St Edwards Close, 40 Imber Rd..... | (35 mins) |
|          | <i>(Town and Country Planning Act, 190 sch.1 para.8)</i>  |           |
| <b>6</b> | <b>LICENSE REVIEW .....</b>   | <b>8</b>  |
|          | To consider response to License review for Ye Old Two Brewers.....  | (10 mins) |
|          | <i>(Local Government Act, 1972 s.111)</i>   |           |
| <b>7</b> | <b>CARPARK CHARGES .....</b>  | <b>9</b>  |
|          | To consider response to Dorset Council on the proposed carpark charges .....  | (20 mins) |
|          | <i>(Local Government Act, 1972 s.111)</i>   |           |
| <b>8</b> | <b>ENMORE COURT .....</b>   | <b>10</b> |
|          | To consider engaging a planning barrister in relation to Enmore Court.....  | (20 mins) |
|          | <i>(Local Government Act, 1972 s.111)</i>   |           |
| <b>9</b> | <b>SHOOTERS LANE.....</b>   | <b>11</b> |
|          | To receive petition in relation to Shooters Lane and consider next steps.....   | (20 mins) |
|          | <i>(Local Government Act, 1972 s.111)</i>   |           |

Anticipated meeting end time 9:00pm

## 1 Apologies

Report 1021PH01

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

Report 1021PH 02

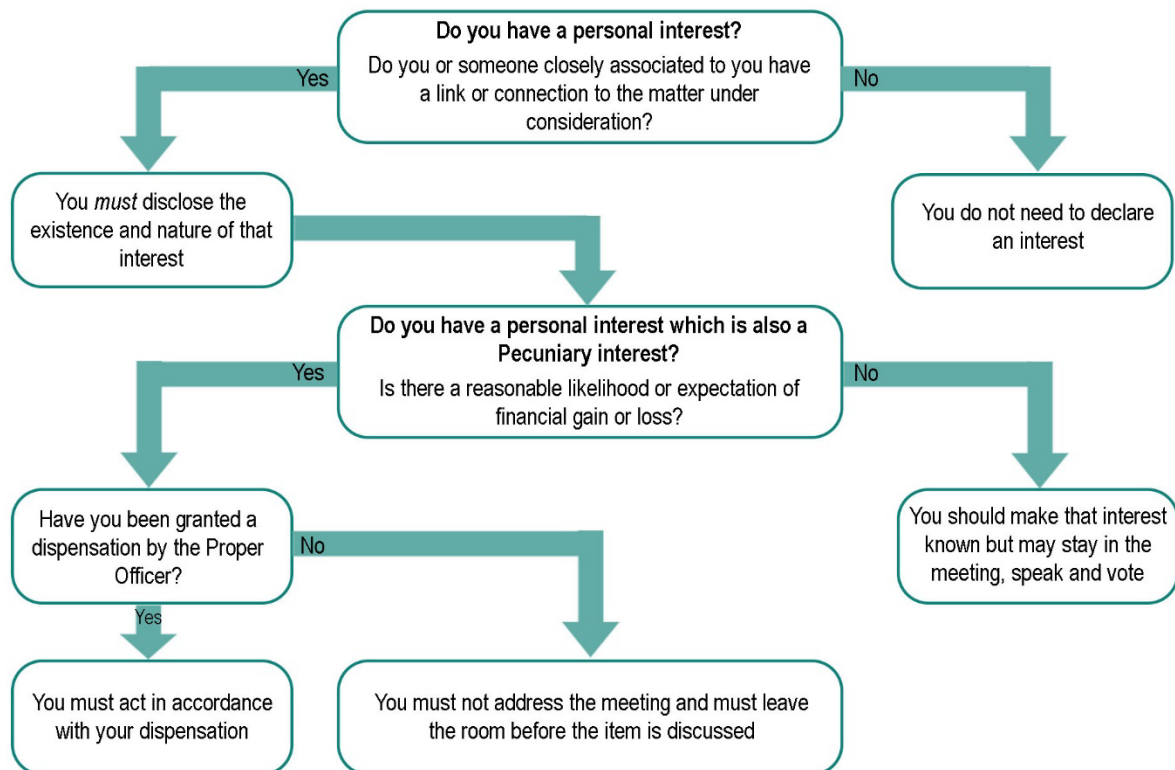
To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk.

(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**

Report 1021PH 03

To receive the minutes of the previous meeting of the Planning & Highways.

(1 min)

*(Local Government Act, 1972 Sch 12) (Shaftesbury Town Council Scheme of Delegation, 2021)*

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#### **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 inaccuracies then the amendments to the draft minutes must be approved by resolution. (Tharmarajah, 2013, p. 154).
- 3.1.3 Minutes to be adopted: [07 September 2021](#)

(End)

**4 Officer Report to the Committee**

Report 1021PH04

To receive reports pertaining to the Planning & Highways

(5 min)

*(Local Government Act, 1972 Sch 12)*

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**4.1 Summary**

4.1.1 Reports provided within this item are to be received, they provide updates on decisions already taken by the Committee and actions taken under the Scheme of Delegation (where not previously reported).

**4.2 Updates and Actions from 07/09/2021**

4.2.1 Planning applications – responses submitted

4.2.2 Committee Budget Phase 1 – recommendations put forward

**4.3 Recommendation**

4.3.1 That the reports are received and noted and any actions arising identified for future meetings of the Council or its Committees

**4.4 Reason for Recommendation**

4.4.1 To keep members updated on committee actions and information.

(End)

## 5 Planning Applications

Report 1021PH05

To consider responses to planning applications to include but not be limited to; The Manor House, St James Street, Windrush, Hawksdene, 7 Butts Knapp, Bleke St, 24 Bimport, 3 St Edwards Close, 40 Imber Rd (35 mins)

*(Town and Country Planning Act, 190 sch.1 para.8)*

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### 5.1 Summary

5.1.1 Reports provided within this item are to be received, they provide updates on decisions already taken by the Committee and actions taken under the Scheme of Delegation (where not previously reported).

### 5.2 Planning Applications

#### 5.2.1 [P/HOU/2021/02747](#)

**Location:** The Manor House, St James Street, SP7 8HQ

**Proposal:** Erection of a studio

**Consultation Ends:** 08.10.2021

#### 5.2.2 [P/HOU/2021/02304](#)

**Location:** Windrush, Hawkesdene, SP7 8NT.

**Proposal:** Erection of first floor extension and single storey rear extension

**Consultation Ends:** 08.10.2021

#### 5.2.3 [P/LBC/2021/02641](#)

**Location:** 7 Butts Knapp, Salisbury Road, Shaftesbury, SP7 8NW

**Proposal:** Install stairlift and carry out associated internal alterations.

**Consultation Ends:** 14.10.2021

#### 5.2.4 [P/HOU/2021/02393](#)

**Location:** 24, Bimport, SP7 8AZ

**Proposal:** Erection of single storey extension, first floor extension & replacement porch (demolition of modern extensions)

**Consultation Ends:** 15.10.2021

#### 5.2.5 [P/LBC/2021/02394](#)

**Location:** 24, Bimport SP7 8AZ

**Proposal:** Carry out internal and external alterations for the erection of single storey extension, first floor extension & replacement porch (demolition of modern extensions)

**Consultation:** 15.10.2021

#### 5.2.6 [P/HOU/2021/02873](#)

**Location:** 3, St Edwards Close, SP7 8RJ

**Proposal:** Erect new single storey extension (demolish existing conservatory)

**Consultation:** 18.10.2021

#### 5.2.7 [P/HOU/2021/03290](#)

**Location:** 40, Imber Road, SP7 8RX

**Proposal:** Erect Two Storey Rear Extension

**Consultation Ends:** 18.10.2021

### 5.3 Scheme of Delegation

5.3.1 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)

#### **5.4 Legal Authority and Implication**

5.4.1 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)

#### **5.5 Recommendation**

5.5.1 That the committee provides its recommended response on the listed planning application and considers responses to applications received without notice, in the form of Support, No Objection or Objection. The responses to be managed under the Scheme of Delegation as per the Full Council resolution dated 20/4/2021. . Delegate to the Town Clerk all details in discharging this decision.

#### **5.6 Reason for Recommendation**

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

#### **5.7 Additional Information**

5.7.1 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              |

5.7.2 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)

## 6 License Review

Report 1021PH06

To consider response to License review for Ye Old Two Brewers

(10 mins)

*(Local Government Act, 1972 s.111)*

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### 6.1 Summary

- 6.1.1 The council has received notification of a license review of the Ye Old Two Brewers and Dorset Council is seeking its response by 18<sup>th</sup> October 2021.
- 6.1.2 Councillors are invited to review the application and consider any comments it wishes to make to Dorset council.
- 6.1.3 The full review application is available [here](#).

### 6.2 Scheme of Delegation

- 6.2.1 To comment on Licensing matters received from the local licensing authority (Shaftesbury Town Council Scheme of Delegation, 2021)(7.2.iv)

### 6.3 Legal Authority and Implication

- 6.3.1 Dorset Council is the legal authority for determining licence applications

### 6.4 Financial Implication

- 6.4.1 None

### 6.5 Impact Assessment

- 6.5.1 The Council should consider whether there is any impact arising from this decision in relation to ;
  - Equalities
  - Environmental
  - Crime and Disorder
  - Resources
  - Economic
  - Risk Management

### 6.6 Recommendation

- 6.6.1 To provide a response to Dorset Council on the licence application for Ye Old Two Brewers. Delegate to the Town Clerk all details in discharging this decision.

### 6.7 Reason for Recommendation

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

(End)



## 7 Carpark Charges

Report 1021PH7

To consider response to Dorset Council on the proposed carpark charges

(20 mins)

*(Local Government Act, 1972 s.111)*

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### 7.1 **Summary**

- 7.1.1 Dorset Council has undertaken a thorough exercise in reviewing all carpark charges across Dorset.
- 7.1.2 On 21 May 2021 Council was updated on progress of the consultation regarding parking charges. On 28<sup>th</sup> September 2021 Full Council recommended to the Planning and Highways Committee to form a response to Dorset Council on this subject.
- 7.1.3 The Council may provide representation to Dorset Council to support the Town's position.

### 7.2 **Scheme of Delegation**

- 7.2.1 To comment on and make recommendations regarding all highways and parking issues within the town (Shaftesbury Town Council Scheme of Delegation, 2021)(7.2.iii)

### 7.3 **Legal Authority and Implication**

- 7.3.1 Dorset Council is the parking authority

### 7.4 **Financial Implication**

- 7.4.1 None

### 7.5 **Impact Assessment**

- 7.5.1 The Committee should consider whether there is any impact arising from this decision in relation to ;
  - Equalities
  - Environmental
  - Crime and Disorder
  - Resources
  - Economic
  - Risk Management

### 7.6 **Recommendation**

- 7.6.1 To provide a response to Dorset Council on the proposed parking charges for Shaftesbury. Delegate to the Town Clerk all details in discharging this decision.

### 7.7 **Reason for Recommendation**

- 7.7.1 To represent the town's interest on parking charges

(End)

## 8 Enmore Court

Report 1021PH8

To consider engaging a planning barrister in relation to Enmore Court

(20 mins)

*(Local Government Act, 1972 s.111)*

### 8.1 Summary

- 8.1.1 At a meeting of the Full Council on 28<sup>th</sup> September 2021, it was recommended to this Committee to explore the option of a planning barrister in relation to the recent planning inspectorate's approval of a development at Enmore Court.
- 8.1.2 The Council and public have expressed significant concern that this application is contrary to many planning policies and yet has received approval from the planning inspectorate
- 8.1.3 The Committee is asked to consider taking advice from a planning barrister to explore what options are available to protect this sensitive part of the town.

### 8.2 Scheme of Delegation

- 8.2.1 The committee may consider any other matter which may be delegated to it by the Full Council from time to time (Shaftesbury Town Council Scheme of Delegation, 2021)(7.2.viii)

### 8.3 Legal Authority and Implication

- 8.3.1 A local authority shall have power to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. (Local Government Act, 1972 s.111)

### 8.4 Financial Implication

- 8.4.1 Costs are not known at the time of preparing the report. An update and options will be provided by the Clerk at the meeting.

| Cost Centre            | Actual Year to Date | Current Annual Bud | Committed Expenditure | Funds Available | % Spent |
|------------------------|---------------------|--------------------|-----------------------|-----------------|---------|
| Legal and Professional | £25,531             | £61,050            | £4,758                | £30,761         | 41.82%  |

### 8.5 Impact Assessment

- 8.5.1 The Committee should consider whether there is any impact arising from this decision in relation to ;
- Equalities
  - Environmental
  - Crime and Disorder
  - Resources
  - Economic
  - Risk Management

### 8.6 Recommendation

- 8.6.1 There is no officer recommendation.

(End)

## 9 Shooters Lane

Report 1021PH9

To receive petition in relation to Shooters Lane and consider next steps.

(20 mins)

*(Local Government Act, 1972 s.111)*

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### 9.1 **Summary**

- 9.1.1 Shaftesbury Town Council has received a petition from residents about the works needed to Shooters Lane. In addition, representation has been made at Council meetings and councillors have raised their concerns about this issue.
- 9.1.2 The stone walling is falling away onto a public footpath. There is also concern that the soil falling away may cause weakness to the tree roots above the stone wall which then in turn may cause a serious accident.
- 9.1.3 The Committee is asked to press for urgent action by Dorset Council to rectify this situation before autumn and winter weather exacerbates the situation.
- 9.1.4 Dorset Council already have this matter in hand and an update will be provided to the meeting to inform the discussion.

### 9.2 **Scheme of Delegation**

- 9.2.1 The committee may consider any other matter which may be delegated to it by the Full Council from time to time (Shaftesbury Town Council Scheme of Delegation, 2021)(7.2.viii)

### 9.3 **Legal Authority and Implication**

- 9.3.1 A local authority shall have power to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. (Local Government Act, 1972 s.111)

### 9.4 **Financial Implication**

- 9.4.1 None

### 9.5 **Impact Assessment**

- 9.5.1 The Committee should consider whether there is any impact arising from this decision in relation to ;
  - Equalities
  - Environmental
  - Crime and Disorder
  - Resources
  - Economic
  - Risk Management

### 9.6 **Recommendation**

- 9.6.1 There is no officer recommendation.

(End)