



# Shaftesbury Town Council

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

You are summoned to a meeting of the Planning & Highways Committee for the transaction of the business shown on the agenda below. To be held at 7 pm on Tuesday, 02 November 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  
27 October 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 Committee.(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 Committee .....  | (5 min)  |
|          | <i>(Local Government Act, 1972 Sch 12)</i>  |          |

<b>5</b>	<b>PLANNING APPLICATIONS .....</b>	<b>7</b>
	To consider responses to planning applications to include but not limited to: Wincombe Lane, Paynes Place Farm, Cottage Green St James Street, The Band Hall Bleke Street, Starmead, Umbers Hill, St Edwards Close .....	(30 mins)
	<i>(Town and Country Planning Act, 1990 sch.1 para.8)</i>	
<b>6</b>	<b>PROPOSED ROAD CLOSURE ALONG BIMPORT AND ST JOHNS HILL .....</b>	<b>8</b>
	To consider the proposed road closure along Bimport and St Johns Hill planned for 20-26 <sup>th</sup> January 2022. ....	(10 mins)
	<i>(Highways Act 1980 s56 and s57)</i>	
<b>7</b>	<b>STREET MARKET AND PEDESTRIANISATION.....</b>	<b>11</b>
	To review the current position of the Street Market and Temporary Event Licence(20 mins)	
	<i>(Local Government Act, 1972 s.111)</i>	
<b>8</b>	<b>ENMORE COURT .....</b>	<b>12</b>
	To consider next steps in relation to the Barrister’s Opinion Report.....	(10 mins)
	<i>(Local Government Act, 1972 s.111)</i>	

Anticipated meeting end time 8:30pm

## 1 Apologies

Report 1121PH1

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.

1.1.2 No apologies have been received

## 2 Declarations of Interest

Report 1121PH2

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

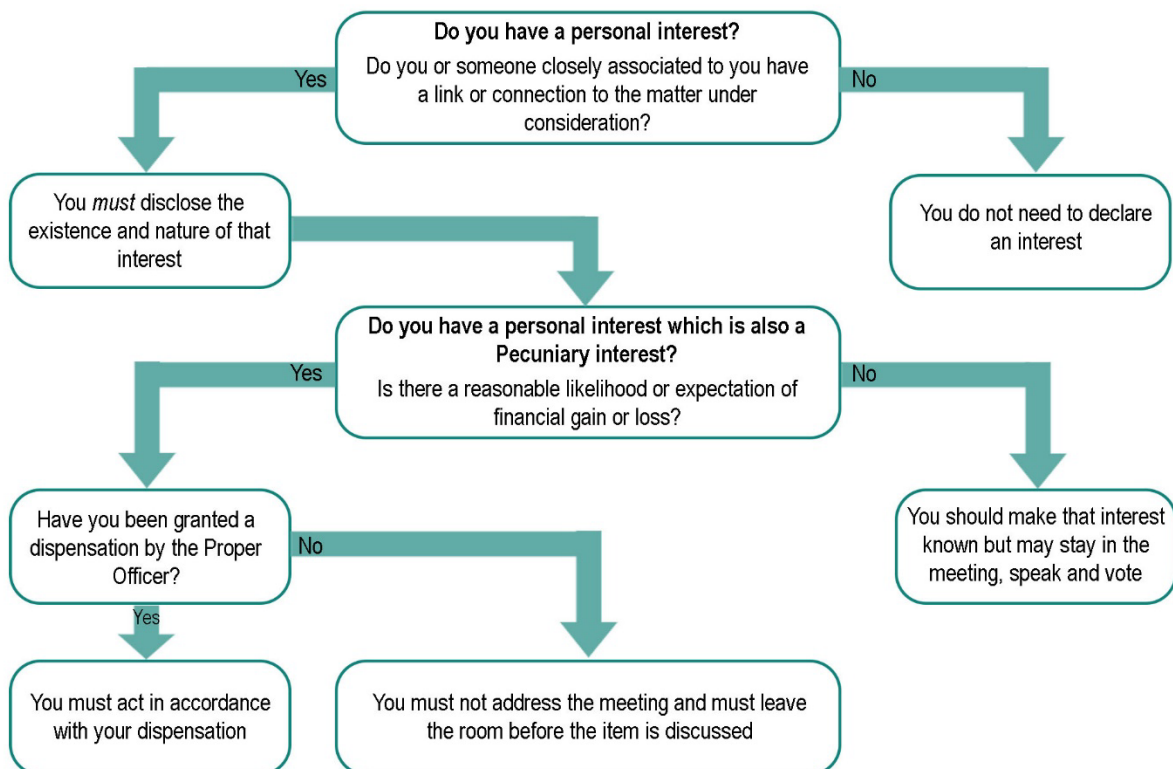
(1 min)

*(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 1121PH3

To receive the minutes of the previous meeting of the Planning & Highways Committee.(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: [05 October 2021](#)

(End)

## 4 Officer Report to the Committee

Report 1121PH4

To receive reports pertaining to the Planning & Highways Committee

(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 since last meeting

4.2.1 **Licence Review** – response submitted. Committee Hearing to review this application is scheduled to take place via Teams on 9<sup>th</sup> November @ 2pm. It will be available to view live on Dorset Council's You Tube Channel.

4.2.2 **Enmore Court** – complete. Barrister report provided to all Councillors - see report 8

4.2.3 **Shooters Lane** – In hand with Dorset Council, update provided to committee members by email 6<sup>th</sup> October 2021.

4.2.4 **Car Park Charges** - Complete

4.2.5 **Planning Applications** – Submitted

4.2.6 **Christy's Lane Beech Trees** – Follow up from Full Council meeting to arrange a meeting with DC Highways, DC Tree Officer, STC, OSG and STG to review the required actions and agree the next steps – verbal update from Cllr Cook

4.2.7 **Community Highways Policy** - A minor modification has been made to the policy and the following sentence has been removed from section 4.2 - *It is unlikely that community requests will become a priority.* [Click here to view the policy](#)

### 4.3 Other Updates and Information

4.3.1 [Proposed temporary road closure: Crockers Farm Lane to Hawkcombe Lane, Twyford, 09:30 15<sup>th</sup> November 2021 – 15:30 15<sup>th</sup> November 2021.](#)

I have received an application from Sunbelt Rentals agents of Openreach to close Crockers Farm Lane to Hawkcombe Lane, Twyford from the junction of Buddens Lane (in both directions), a distance of approximately 260 metres South of this point. The closure has been requested to allow Sunbelt Rentals agents of Openreach to carry out and work on underground structure and overhead cables in the highway. Sunbelt Rentals agents of Openreach will publicise the road closure in a number of ways: they will place information boards on the road in this area to inform the travelling public of the works; they will carry out a letter drop to local residents directly affected by the works; and they will sign a vehicular diversion route using the local road network. The following map shows the extent of the closure and the diversion route. This document is for information only, however if you have any concerns about this proposal, please contact Nigel Coelho, ([trafficteam@dorsetcouncil.gov.uk](mailto:trafficteam@dorsetcouncil.gov.uk)) by 08th November 2021.

### 4.4 Recommendation

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

### 4.5 Reason for Recommendation

4.5.1 To keep members updated on committee actions and information.

## 5 Planning Applications

Report 1121PH5

To consider responses to planning applications to include but not limited to: Wincombe Lane, Paynes Place Farm, Cottage Green St James Street, The Band Hall Bleke Street, Starmead, Umbers Hill, St Edwards Close (30 mins)

*(Town and Country Planning Act, 1990 sch.1 para.8)*

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### 5.1 Summary

5.1.1 Report 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/FUL/2021/03688](#)

**Proposal:** Amendments to the improvement scheme for Wincombe Lane to comprise an additional (fourth) arm to the approved roundabout in order to enable direct continuation north eastwards along Wincombe Lane.

**Location:** Land at Wincombe Lane

**Committee/Delegated:** Delegated

**Consultation Ends:** 12/11/2021

#### 5.2.2 [P/FUL/2021/02705](#)

**Proposal:** Erection of Agricultural Barn

**Location:** Paynes Place Farm, New Road, SP7 8QL

**Committee/Delegated:** Delegated

**Consultation Ends:** 08.11.2021

#### 5.2.3 [P/HOU/2021/03358](#) and [P/LBC/2021/03359](#)

**Proposal:** Erection of Garden Shed (retrospective and regularisation of works)

**Location:** Cottage Green, St James Street, SP7 8HL

**Committee/Delegated:** Delegated

**Consultation Ends:** 09.11.2021.

#### 5.2.4 [P/FUL/2021/03316](#)

**Proposal:** Erect replacement band hall

**Location:** The Band Hall Bleke Street Shaftesbury SP7 8QA

**Committee/Delegated:** Delegated

**Consultation Ends:** 10.11.2021

#### 5.2.5 [P/FUL/2021/03492](#)

**Proposal:** Erection of a free-standing tree house to be used as a holiday let (Use Class C3) and associated works

**Location:** 2 Starmead Umbers Hill, SP7 8LB

**Committee/Delegated:** Delegated

**Consultation Ends:** 12.11.2021

#### 5.2.6 [P/HOU/2021/04243](#)

**Proposal:** Erect Single Storey side & rear extensions. Erect pitched roof over garage

**Location:** 2 St Edwards Close, SP7 8RJ

**Committee/Delegated:** Delegated

**Consultation Ends:** 17.11.2021

### 5.3 Scheme of Delegation

5.3.1 The Committee had delegation to comment on planning applications received from the local planning authority

#### 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, 1990 sch.1 para.8)

#### 5.5 Financial Implication

5.5.1 None

#### 5.6 Recommendation

5.6.1 That the Committee provides its response on the listed planning applications and considers responses to applications received without notice, in the form of Support or Objection with supporting reasons.. Delegate to the Town Clerk all details in discharging this decision.

#### 5.7 Reason for Recommendation

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

#### 5.8 Additional Information

5.8.1 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.

##### Material Planning Reasons

Biodiversity	Design
Economic Benefits	Effect on the Appearance of the 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

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

##### Examples

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



Report 1121PH6

To consider the proposed road closure along Bimport and St Johns Hill planned for 20-26<sup>th</sup> January 2022. (10 mins)

*Highways Act 1980 s56 and s57*

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## **6.1 Summary**

- 6.1.1 Dorset Council have requested that the stretch of road between Bimport and St Johns Hill is closed to allow KN to carry out essential works; desilting and clearing blockages in the highways.
- 6.1.2 To enable works to be completed with minimum disruption all stakeholders and relevant parties are informed in advance.
- 6.1.3 To ensure the proposed diversion route is well communicated in advance and any comments regarding the diversion is communicated to Dorset Council in good time.
- 6.1.4 Timely and effective communication between Dorset Council, Shaftesbury Town Council and all relevant key organisations to ensure the impact of this closure is minimal. Dorset Council has asked for Shaftesbury Town Council's views.

The Event Licence in place to manage the weekly Thursday market is due to expire at the end of December 2021. A licence application for the period January to end of March 2021 is underway. If a licence is granted by Dorset Council then the licence would need to be revoked on Thursday 20th January to support the traffic flow through the town centre.

## **6.2 Scheme of Delegation**

- 6.2.1 Matters for consideration and determination by the Planning and Highways committee Section 7.2 excerpt from the Scheme of Delegation:

*7.2.3 to comment on and make recommendations regarding all highways and parking issues within the town.*

## **6.3 Legal Authority and Implication**

- 6.3.1 The duty of a highway authority is to maintain publicly repairable highways in a proper state of repair

## **6.4 Financial Implication**

- 6.4.1 No financial impact arising from this report

## **6.5 Impact Assessment**

- 6.5.1 Equalities – None
- 6.5.2 Environmental – Weekly Market needs to be considered as the High Street will need to be open for the duration of the works. There may also be a potential increase in vehicles using Bell Street Car Park as a shortcut.
- 6.5.3 Crime and Disorder – None
- 6.5.4 Resources – None
- 6.5.5 Economic – The market income may be reduced with less stall holders
- 6.5.6 Risk Management – The maintenance needs to be undertaken in a timely manner to prevent the situation from worsening.

## **6.6 Recommendation**

6.6.1 The committee resolves to support the request from Dorset Council for the road closure. Delegate to the Town Clerk all details in discharging this decision.

**6.7 Reason for Recommendation**

6.7.1 Dorset Council needs to undertake this essential maintenance.

(End)

## 7 Street Market and Pedestrianisation

Report 1121PH7

To review the current position of the Street Market and Temporary Event Licence (20 mins)

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

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### 7.1 Summary

- 7.1.1 Shaftesbury Town Council has continued regular communication with Dorset Council in relation to the Temporary Event Licence on Thursdays to accommodate greater social distancing for residents and visitors attending the weekly street market.
- 7.1.2 On 7<sup>th</sup> October a safety assessment was undertaken by the Dorset Council Community Highways team. On this day the High Street the road was closed to cars between 9 and 3 as per the terms of the Event Licence and using the same conditions as per the Temporary Traffic Regulation Order (in place from June 2020 to July 2021).
- 7.1.3 An informal recommendation was made by the Community Highways team to revert the stalls back to facing the pavement as per the pre-Covid shopping experience to be positioned no more than 10 foot into the carriageway.
- 7.1.4 No formal instruction has been received from Dorset Council and further advice is awaited which may inform this report. **An update will follow or be provided as a verbal update at the meeting.**

(End)

## 8 Enmore Court

Report 1121PH9

To consider next steps in relation to the Barrister's Opinion Report

(10 mins)

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

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### 8.1 **Summary**

- 8.1.1 This item was requested by the Committee Chairman to enable further discussion.
- 8.1.2 Barrister's opinion report is available [here](#)
- 8.1.3 High level feedback from the Dorset planning Consultant relating to the Enmore Court appeal can be [viewed here](#)
- 8.1.4 At the Full Council meeting on 26<sup>th</sup> October a statement was read out by a member of the public endorsing an offer of support to form a working group. The committee may select to consider this approach to work in collaboration with local residents passionate about protecting the Slopes.

### 8.2 **Recommendation**

- 8.2.1 There is no officer recommendation and the next steps will be determined by the committee

(End)