



Shaftesbury Town Council

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To: Members of Shaftesbury Town Council's Planning & Highways Committee and consider any response to planning decisions by the Planning Authority. (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 and consider any response to planning decisions by the Planning Authority. for the transaction of the business shown on the agenda below. To be held at 7 pm on Tuesday, 07 December 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
01 December 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](#)**

If you would like to attend this meeting in person, where possible please register in advance by calling 01747 852 420 or email enquiries@shaftesbury-tc.gov.uk.

Due to the high Covid rate in the area, the Council will be making all necessary arrangements for social distancing within the Council Chamber. By letting the Town Council know in advance, you are helping us to achieve this.

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 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>	
4	OFFICER REPORT TO THE COMMITTEE	5
	To receive reports pertaining to the Planning & Highways Committee(15 min) <i>(Local Government Act, 1972 Sch 12)</i>	
5	PLANNING APPLICATIONS	7
	To consider responses to planning applications to include but not limited to: Littledown, Lidl, (15 mins) <i>(Town and Country Planning Act, 1990 sch.1 para.8)</i>	
6	PLANNING APPEALS	9
	To consider responses to planning appeals to include but not limited to: Land South of the A30, Former ATS Site. (20 mins) <i>(Town and Country Planning Act, 1990 sch.1 para.8)</i>	
7	HIGH STREET – THURSDAY MARKET ROAD CLOSURE LICENCE	11
	To consider the Thursday Road Closure and Market Experience (15 mins) <i>Food Act 1984 ss 50 -61</i>	

Anticipated meeting end time 8:30pm

1 Apologies

Report 1221PH1

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 Councillor absent and reason.

2 Declarations of Interest

Report 1221PH2

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

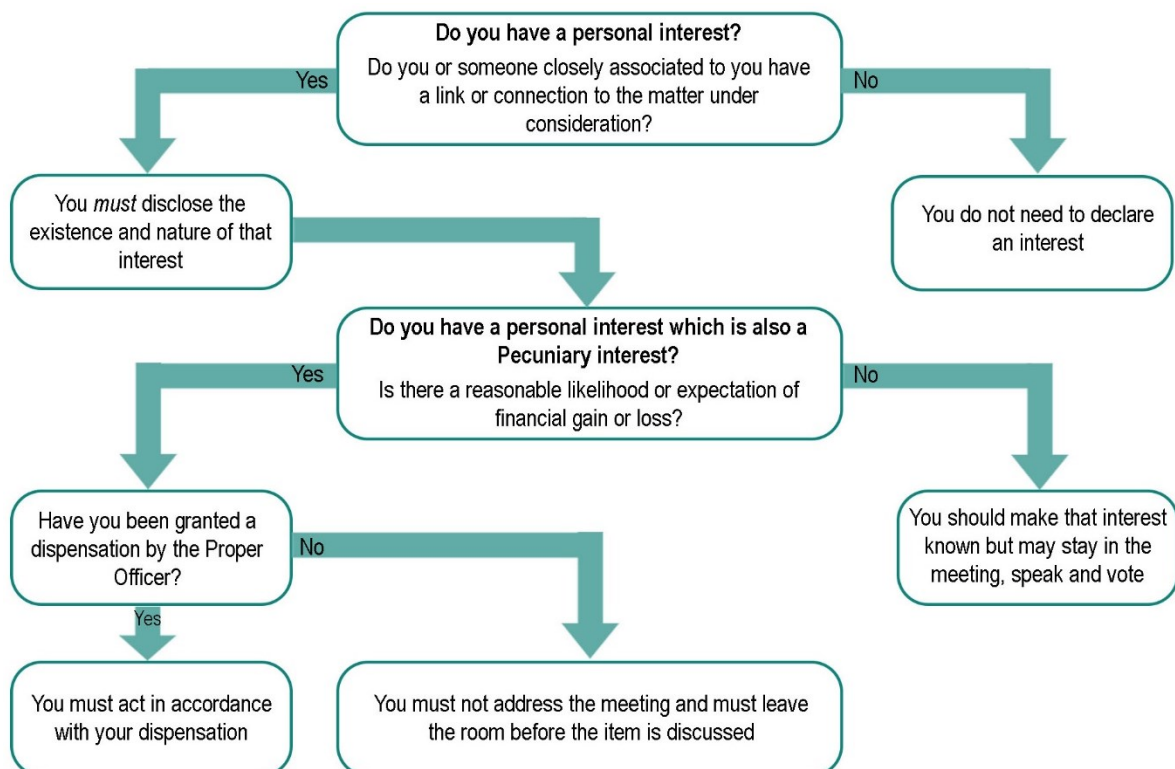
(1 min)

[\(Shaftesbury Town Council Code of Conduct, 2019\)](#)

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 1221PH3

To receive the minutes of the previous meeting of the Planning & Highways Committee and consider any response to planning decisions by the Planning Authority.. (1 min)

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

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: 02 November 2021

(End)

4 Officer Report to the Committee

Report 1221PH4

To receive reports pertaining to the Planning & Highways Committee and consider any response to planning decisions by the Planning Authority. (15 min)

(Local Government Act, 1972 Sch 12)

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 02/11/2021

4.2.1 Ye Olde Two Brewers Inn – [Decision Notice](#)

4.3 Planning Decisions

4.3.1 Dorset Council's Northern Area Planning Committee met on 30th November 2021. This Committee is asked to note and consider any response to the decisions made.

4.4 Updates and Actions from previous meetings

4.4.1 **Dorset Council – Free Parking Days Policy** - In February 2021 it was **RESOLVED** to provide the following response to Dorset Council relating to the Free Parking Policy;

While we are grateful for the suggestion of an additional day's free parking the committee does not accept that Dorset Council is better able to anticipate the needs of Shaftesbury's residents and businesses in terms of when these days should be applied.

*Therefore, we must **object** to this proposed new policy and strongly urge Dorset Council to allow local town and parish councils to determine their own days for free parking in collaboration with key groups. i.e., The Chamber of Commerce.*

4.4.2 The [revised Free Parking Days Policy can be viewed here](#)

4.4.3 The dates selected for 2021 are 26th, 27th and 28th November (as the lead up to the Xmas Light Switch On event) and the event itself Monday 29th November plus Small Business Saturday 4th December and Friday 24th December. These dates were approved by Dorset Council and are in line with the revised policy.

4.5 Other updates

4.5.1 Request for Dorset Council planning officers to attend a meeting with Shaftesbury Town Council for the purpose of understanding affordable housing and section 106 information has been made.

4.5.2 Bus Service Improvement Plan (BSIP) – the latest stakeholder information has been released and therefore its prudent to update the committee.

4.5.3 This [link to the email](#) contains two further links which are as follows and these provide further information:

[Bus Service Improvement Plan 2021 - Dorset Council](#)

[Microsoft Word - Dorset Council BSIP Final](#)

4.6 Recommendation

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

4.7 Reason for Recommendation

4.7.1 To keep members updated on committee actions and information.

(End)

5 Planning Applications

Report 1221PH5

To consider responses to planning applications to include but not limited to: Littledown, Lidl, (15 mins)

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

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/MPO/2021/04817](#)

Proposal: Request to modify deed of variation of an agreement dated 14 March 2017

Location: Land At E386668 N124209 Littledown Shaftesbury Dorset

Committee/Delegated: Delegated

Consultation Ends: 09/12/2021

5.2.2 [P/ADV/2021/05037](#)

Proposal: Display 1no. Illuminated fascia sign

Location: Lidl Shaftesbury Christys Lane, SP7 8TL

Committee/Delegated: Delegated

Consultation Ends: 21/12/2021

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.

(End)

6 Planning Appeals

Report 1221PH6

To consider responses to planning appeals to include but not limited to: Land South of the A30, Former ATS Site. (20 mins)

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

6.1 Summary

6.1.1 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).

6.2 Planning Appeals

6.2.1 [A/2/2018/1773/OUT](#)

Proposal: Develop land by the erection of up to 135. No. dwellings, industrial starter units, primary school, flexible commercial uses including a combination of a hotel and non-food retail or residential care home, modify vehicular access, form car parking, sports pitches, public open space and associated works. (Outline application to determine access).

Location: Land South of A30 And East Of Shaftesbury Salisbury Road Shaftesbury Dorset

6.2.1.1 **Appeal Reference:** App/D1265/W/20/3259308

Appellant: Persimmons Homes (South Coast)

Appeal Start Date: 14th December 2021 @ 10am

6.2.1.2 An inspector appointed by the Secretary of State will hold a hearing opening on the date above to decide the appeal.

6.2.1.3 A decision will not be made on the day but will be published on the Inspectorate website at: <https://acp.planninginspectorate.gov.uk/>

6.2.2 [2/2019/0680/FUL](#)

Proposal: Erect 18 No. dwellings, form vehicular access, car parking and landscaping.

Location: Former ATS Euromaster Site, New Road, Shaftesbury, Dorset, SP7 8QH

6.2.3 **Appeal Reference:** APP/D1265/W/21/3279161

Appellant: Westcoast (Bristol) Limited

Appeal Start Date: 09.11.2021 (Applications must be received by 14th December 2021)

6.2.4 An Appeal has been made to the Secretary of State against Appeal Against Refusal by Dorset Council.

6.2.5 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.

6.2.6 When made, the decision will be published online at:

<https://acp.planninginspectorate.gov.uk/>, and will be made available on the Dorset Council website where the appeal decision will form part of the application decision.

6.3 Scheme of Delegation

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

6.4 Legal Authority and Implication

6.4.1 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)

6.5 Financial Implication

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6.7 Reason for Recommendation

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

6.8 Additional Information

6.8.1 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
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Local or Government Policy	Noise/Disturbance
Other	Overlooking/Loss of Privacy
Parking	Residential Amenity
Road Safety	Traffic or Highways

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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.

(End)

7 High Street – Thursday Market Road Closure Licence

Report 1221PH7

To consider the Thursday Road Closure and Market Experience

(15 mins)

[Food Act 1984 ss 50 -61](#)

7.1 Summary

- 7.1.1 In September 2021 Full Council RESOLVED to extend the marshal commitment until the end of December 2021.
- 7.1.2 The recommendation included in the officer report for Full Council in September 2021 stated: *That the Council considers Thursday pedestrianisation licence application and associated costs for January – March 2022. Delegates to a chosen committee in consultation with and on advisement from the Pedestrianisation Working Group all details in discharging this decision.*
- 7.1.3 In November 2021 the Planning and Highways committee **RESOLVED** that the market stalls should continue to face outwards (in to the road) while the licence is operational until the end of December 2021.
- 7.1.4 At a High Street Safety Meeting with Dorset Council officers on 7th October, it was advised that reference to the High Street closure previously known as ‘temporary pedestrian priority’ should now be known as a ‘managed traffic’ scheme.
- 7.1.5 A High Street Safety Assessment was carried out by Dorset Council in August 2021 [click here to view the report](#) and the following instruction was sent to Shaftesbury Town Council on 23rd November 2021:

As you will be aware Dorset Council have undertaken a Road Safety Audit to ascertain the H&S risks during the Thursday Market Events in its current format. The findings from this Audit which I have attached have revealed that there are fundamental concerns of having pedestrians and vehicles both using the same shared road space. We understand the reason that the stalls were turned initially was to improve the Market Experience, as well as to provide more space for effective Social Distancing during the Pandemic. All of the legal social distance measures were lifted in September and over 88% of the population in England has received at least their first dose of the vaccine, this shows that there is much less chance of catching COVID and no longer the need to have spaced out Market Stalls.

Dorset Highways need to evaluate the bigger picture and consider all of the issues that have been raised to us including Safety, Bus Travel, Impact on Elderly and Disabled Pedestrians and balance this against the overall market experience. The current closure will expire at the end of December and following advice from officers, Cllr Ray Bryan and I have agreed that the following conditions need to be adhered to if the closure is to continue into the New Year. These are as follows:

- **Market Stalls turned to face the Footway for safety of pedestrians;**
- **Two-way buses must be maintained this is to ensure we don't lose any bus services in the area as well as to be EqIA compliant;**
- **Whenever road works are required in the area this will take precedence over the market;**
- **Better signage to make pedestrians aware of vehicles in the road as well as better signage to make Buses, Deliveries and Refuse vehicles aware of fact pedestrians in the road;**
- **Minimum road width of 7 metres to allow any instance where large vehicles may need to pass each other;**

These conditions will need to be adhered to by the time of the Market Event on Thursday 2nd December 2021 and if they are not then no further road closures will be granted.

- 7.1.6 Following the instruction from Dorset Council the committee needs to determine the next steps to include but not limited to:
- a) Opening back up the High Street to two-way traffic on Thursdays with effect from 14th December therefore rescinding the licence thus saving on marshall costs
 - b) Marshall cover – currently set up until the end of December 2021 (as per the current licence) and keeping the Thursday Market experience ‘pedestrian priority’ (now to be referenced as ‘managed traffic’) with the market stalls facing toward the pavement (as instructed)

Note: The Special Event Licence Application has been submitted to Dorset Council for the period 6th January 2022 to end March 2022 however a decision has not yet been made and the licence has not as yet been granted.

7.2 Scheme of Delegation

- 7.2.1 The Planning and Highways committee has delegation to comment on and make recommendations regarding all highways and parking issues within the town

7.3 Legal Authority and Implication

- 7.3.1 Power to establish markets in the council's area and provide a market place and market buildings

7.4 Financial Implication

- 7.4.1 The weekly marshall cost is £78.42

- 7.4.2 The licence application cost from January 2022 to March 2022 (inc) is £TBC as awaiting a response from Dorset Council (licence payments are currently under review).

Budget line name	Actual Year to Date	Current Annual Budget	Committed Expenditure	Funds Available	% Spent
4007 Marshalls	£3,096	0	0	0	0
4424 High Street Pedestrianisation	£2,167	£20,100	£1,293 (Q3) £1,018 (Q4)	£15,622	10.8%
TOTALS	£5,263	£20,100	£2,311	£12,526	

Q3 predicted spend	September	October	November	December	Total
	£252	£336	£313	£392	£1,293

Q4 predicted spend	January	February	March	Total
	£313	£313	£392	£1,018

7.4.3 Impact Assessment

- 7.4.4 Equalities – None

- 7.4.5 Environmental – None

- 7.4.6 Crime and Disorder – None
- 7.4.7 Resources – Currently the marshal cover is being managed by a local agency. In the absence of cover from the agency the marshal role is covered by one of the grounds team.
- 7.4.8 Economic – The shopper surveys carried out in 2020/ 2021 indicated that 86% of shoppers were either confident or very confident to shop with the ‘pedestrian priority’ experience. Shop retailers have indicated that shoppers have changed their shopping habits with many favouring the Thursday experience. Evidence from the surveys suggests the positive experience would be significantly impacted if the road was re-opened to traffic.
- 7.4.9 Risk Management – It is likely that Dorset Council would consider extending the licence into 2022 however the terms outlined in the instruction would need to be complied with. The window of application is narrow due to the time of the year therefore the application process would need to be actioned without delay.

7.5 Recommendation

- 7.5.1 Option 1: Terminate the road closure licence and revert back to the pre-Covid market experience saving the weekly marshal cost. Delegate to the Town Clerk all details in discharging this decision.
OR
- 7.5.2 Option 2: Continue with the road closure licence under the terms outlined in the Dorset Council instruction with a marshal stationed at the ‘entry’ point and costs to be drawn from budget line 4007. Delegate to the Town Clerk all details in discharging this decision

7.6 Reason for Recommendation

- 7.6.1 The committee has been informed of the shopper and business feedback from the surveys undertaken in 2022/ 2021 and this may be taken into account when setting the direction for the Thursday market experience.

(End)