



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 19 January 2021 [online at Zoom.us](https://www.zoom.us)**. Meeting ID: 873 4032 8247

All other recipients for information only

Claire Commons CertHE Fellow SLCC, Town Clerk and Responsible Finance Officer (RFO)
13th January 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 APOLOGIES3**
 - 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) <i>(Shaftesbury Town Council Code of Conduct, 2019)</i>	
3	MINUTES	5
	To confirm the minutes of the previous meeting of the Planning and Highways Committee.(5 min) <i>(Local Government Act, 1972 Sch 12)</i>	
4	PLANNING APPLICATIONS	6
	To consider responses to planning applications to include but not be limited to; Land at Wincombe Lane and 11 Linden Park.....(15 min) <i>(Town and Country Planning Act, 190 sch.1 para.8)</i>	
5	NEIGHBOURHOOD PLAN UPDATE – RECEIVE AND NOTE	8
	To receive and note a report on changes to the Neighbourhood Plan..... (10 mins) <i>(Town and Country Planning Act, 190 sch.1 para.8)</i>	
6	DORSET COUNCIL LOCAL PLAN	10
	To consider preparing a response for the consultation on Dorset Council's Local Plan .(10 mins) <i>(Town and Country Planning Act, 190 sch.1 para.8)</i>	

(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, 1072 s.144. *Power to encourage visitors and provide conference and other facilities*. [Online]
Available at: <https://www.legislation.gov.uk/ukpga/1972/70/section/144>

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

Local Government Act, 1972 s.111. *Subsidiary powers of local authorities*. [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

Shaftesbury Town Council Financial Regulations, 2019. *Financial Regulations*. [Online]
Available at: <https://www.shaftesbury-tc.gov.uk/wp-content/uploads/2019/07/Financial-Regulations-Adopted-14-May-2019.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.

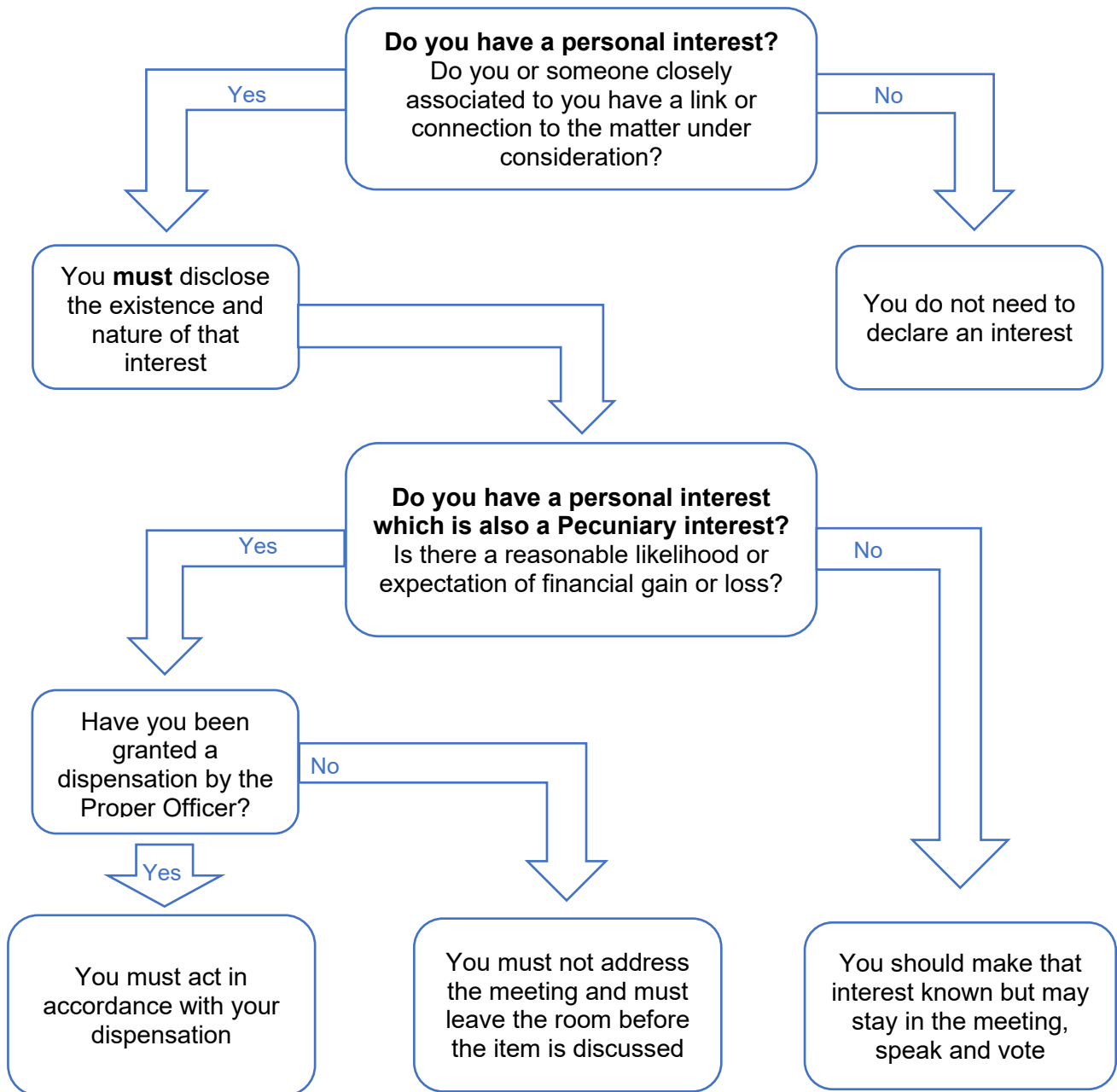
2 Declarations of Interest

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 [21st December 2020](#)

4 Planning Applications

To consider responses to planning applications to include but not be limited to;
Land at Wincombe Lane and 11 Linden Park (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 [Application No: P/FUL/2020/00332](#)

Location: Land at Wincombe Lane Shaftesbury Dorset

Proposal: Amendments to width and alignment of Wincombe Lane, (minor adjustments further to application 2/2014/1350/FUL for residential development and 2/2015/0427 relating to the dairy access).Scheme of Delegation

4.2.2 [Application No: P/HOU/2020/00174](#)

Location: 11 Linden Park Shaftesbury SP7 8QZ

Proposal: Erect first floor side extension

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 Neighbourhood Plan Update – Receive and Note

To receive and note a report on changes to the Neighbourhood Plan (10 mins)

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

5.1 Summary

5.1.1 All 27 of the Neighbourhood Plan modifications based on the examiner report have been incorporated into the plan. Dorset Council has reviewed the updated plan and is satisfied that all modifications are evident in the final version of the Neighbourhood Plan.

The Planning Officer at Dorset Council has confirmed that plans are afoot to start making arrangements for a formal decision to be made stating that the Neighbourhood Plan can proceed to referendum. This is important as although referendums are currently suspended until May 2021, it will mean that the plan can still be given significant weight when determining planning applications.

5.1.2 Summary (excerpt from Examiners report August 2020)

The Shaftesbury Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.

I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

5.1.3 The Referendum and its Area

I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. I conclude that the Shaftesbury Neighbourhood Plan, as modified, has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. Therefore, I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

5.1.4 Overview

It is clear that a significant amount of work has been undertaken by the Town Council to ensure that the SNP appropriately reflects the aspirations of the local community. The document is thorough, sufficiently detailed and based on a clear analysis of the evidence that has been gathered. It is presented in an attractive and inviting way and the efforts of the Town Council in this regard should be recognised. There is no reason to doubt

that the Plan, if made, will become a valuable element in the Development Plan for the locality.

5.2 Recommendation

That the Committee receives and notes the report.

5.3 Reason for Recommendation

5.3.1 To ensure all Councillors are aware of the updates to the Neighbourhood Plan.

(End)

Report Author: Brie Logan, Business Manager

6 Dorset Council Local plan

To consider preparing a response for the consultation on Dorset Council's Local Plan (10 mins)

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

6.1 Summary

- 6.1.1 Consultation on the Dorset Council Local Plan is due to start on Monday 18th January 2021, and will run for 8 weeks until Monday 15th March 2021. Please see link below for more information:
<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/dorset-council-local-plan.aspx>

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, 190 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.

6.4 Recommendation

- 6.4.1 That the Council prepares a response to be approved at the next Planning and Highways meeting and then be recommended to Full Council for submission.

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, Officer Administrator