



To: Members of Shaftesbury Town Council’s Planning & Highways Committee (PH). P&H Councillors; Edwyn-Jones (Chair), Lewer (Vice-Chair), Chase, Hollingshead, Proctor, Tippins. All other recipients for information only. Members are reminded of their duty under the Code of Conduct.

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, 05 April 2022 in the Council Chamber, Shaftesbury Town Hall, High Street, Shaftesbury SP7 8LY

Brie Logan, Interim Town Clerk 30 March 2022

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 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)

[Scheme of Delegation](#) and [Standing Orders](#) are available to view here.

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1 Apologies

Report 0422PH1

To receive and consider for acceptance, apologies for absence

(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's Proctor, Chase and Tippins

2 Declarations of Interest

Report 0422PH2

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

(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.

3 Minutes

Report 0422PH3

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

(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: [1st March 2022](#)

(End)

4 Officer Report to the Committee

Report 0422PH4

To receive reports pertaining to the Planning & Highways Committee

(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 [1st March 2022](#)

4.2.1 It was AGREED to support the Dorset Greener Homes campaign for 2022. – *Shaftesbury Town Council is on the communications distribution list*

4.2.2 Investigate options for a planning consultant to look into the affordable housing numbers for Shaftesbury. This will be an item for discussion on the next Planning and Highways agenda, scheduled for April 5th. – *See Item 8*

4.2.3 Planning Applications- *Submitted*

4.2.4 P/OUT/2022/00536 Proposal: Erection of up to 13no. dwellings with associated highway & drainage infrastructure and landscaping (outline application to determine access only). Location: Land at Lower Blandford Road Shaftesbury Dorset - It was AGREED to investigate costings to undertake an ecology survey on this site. This will be an item for discussion on the next Planning and Highways agenda, scheduled for April 5th. – *See Item 9*

4.2.5 Land at Lower Blandford Road Shaftesbury Dorset - It was AGREED to flag this application with AONB (Area of Outstanding Natural Beauty) officers and CPRE (The Countryside Charity).

4.2.6 Meeting with Dorset Council – Dorset local plan - Officer report 0322P07 was received and it was RESOLVED to await an update on the Local Plan from Dorset Council. To then discuss as a committee, organise a meeting with Officers at Dorset Council to log Shaftesbury related issues as detailed in the draft Dorset Local plan. – *Awaiting update from Dorset Council*

4.2.7 It was AGREED to include the following items on the next Planning and Highways committee meeting; Fields in Trust, Cycleways and S106 funds. *See Item 10*

4.3 Other Matters

4.3.1 High Street Closure Licence – update – summary of meeting with Dorset Council Highways:

As part of the research and feasibility due to be undertaken for a potential longer term and permanent scheme it seems appropriate to review the terms of the TRO. As you will be aware Shaftesbury Town Council requested that taxis are included on the Event Licence TRO that will run from 6th April 2022 to March 2023. Taking on board feedback from all, including those 84% of shoppers who prefer a 'managed traffic' experience it also seems prudent to improve the accessibility for Blue Badge holders. After our discussion it seems appropriate for the marshall to engage with the Blue Badge holder at the point of entry and for him to escort the driver to a 'disabled bay'. The parking bays from the Grosvenor to Barclays Bank could be dedicated to Disabled parking on Thursdays whilst the market is operational. I will arrange for the marshall to keep a record of the vehicles and duration as this will help support the gathering of further evidence to pass to Dorset Council as part of the longer-term aspirational plan.

In summary therefore the TRO will need to include:

1. *Delivery vehicles*
2. *Emergency Services*
3. *Buses*
4. *Taxi's*
5. *Disabled access - (maximum of 5 vehicles at any one time)*

During the first few weeks I will ask the marshall to provide weekly feedback and then I would like to suggest a formal review mid-May. As the new licence will run from 6th April, when the current one expires, may I suggest that after the initial 6-week review we review the above on a quarterly basis and take on board any additional feedback.

At the time of writing this report no update on the licence application has been received.

- 4.3.2 1 St James Street – New buyer has requested and been granted permission to carry out works to a drain that backs on to land owned by Shaftesbury Town Council at St James Park. This is for information only as the contractor will need to access the property via St James Park.

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.

(End)

5 Planning Applications

Report 0422PH5

To consider responses to planning applications to include but not be limited to: 5 Kingsman Lane, 25 Coppice Street, Wincombe Lane, 19 Greenacre Way, Browns Cottage Sally Kings Lane, Mampitts Farm Mampitts Lane, Tesco Stores Christy's Lane, Old School House Church Hill, land at Indus Road and Mampitts Road,

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

5.1 Summary

5.1.1 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 application using the link below and to visit the site to understand local context. The presentation for the meeting is available to view in advance [here](#)

5.2 Planning Applications

5.2.1 [P/HOU/2022/01278](#)

Proposal: Erect single storey extension and new porch canopy (demolish garage and outbuilding)

Location: 5 Kingsman Lane Shaftesbury Dorset SP7 8HD

Committee/Delegated: Delegated

Consultation Ends: 06.04.2022

5.2.2 [P/FUL/2022/01329](#)

Proposal: Erect 1 No. dwelling and create pedestrian access. Create 3 No. parking spaces with charging points to provide 4 in total.

Location: 25 Coppice Street, SP7 8PD

Committee/Delegated: Delegated

Consultation Ends: 06.04.2022

5.2.3 [P/FUL/2022/01031](#)

Proposal: Amendments to the proposed improvement scheme for Wincombe Lane to comprise a crossroads junction in order to enable direct continuation north eastwards along Wincombe Lane

Location: Land at Wincombe Lane,

Committee/Delegated: Delegated

Consultation Ends: 06.04.2022

5.2.4 [P/PALH/2022/01584](#)

Proposal: Erect single storey rear extension: To extend 3.70 metres beyond the rear wall of the original dwellinghouse; maximum height 3.56 metres; height to eaves 2.22 metres

Location: 19 Greenacre Way, SP7 8FT

Committee/Delegated: Delegated

Consultation Ends: 07.04.2022

5.2.5 [P/LBC/2022/01548](#)

Proposal: Regularisation of replacement ground floor windows to front elevation, insert new cill to rear first floor window and reposition rear flashings

Location: Browns Cottage 4 Sally Kings Lane, SP7 8LS

Committee/Delegated: Delegated

Consultation Ends: 07.04.2022

5.2.6 [P/FUL/2022/00487](#)

Proposal: Convert barn to 1 No. dwelling.

Location: Mampitts Farm Mampitts Lane Shaftesbury SP7 8PG

Committee/Delegated: Delegated

Consultation Ends: 07.04.2022

5.2.7 [P/FUL/2022/01449](#)

Proposal: Install 2x Kelvion Gas Cooler & 2 x ECO2 MIDI H Reach-in Housed DT Booster unit on a new platform with steps and handrail

Location: Tesco Stores Ltd Christy's Lane, SP7 8PF

Committee/Delegated: Delegated

Consultation Ends: 07.04.2022

5.2.8 [P/HOU/2022/01825](#)

Proposal: Installation of 14 x photovoltaic solar panels on the existing dwelling roof.

Location: Old School House Church Hill, SP7 8LL

Committee/Delegated: Delegated

Consultation Ends: 12.04.2022

5.2.9 [P/HOU/2021/05441](#)

Proposal: Erect two storey side and rear extensions (demolish existing conservatory)

Location: 13 French Mill Lane, SP7 8EU

Committee/Delegated: Delegated

Consultation Ends: 12.04.2022

5.2.10 [P/FUL/2022/00761](#)

Proposal: Formation of two no. vehicular access points. Erect swing gate & fence and install drain.

Location: Land at Indus Road and Mampitts Lane Shaftesbury

Committee/Delegated: Delegated

Consultation Ends: 07.04.2022

5.3 Scheme of Delegation

- 5.3.1 The Committee has 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 Recommendation

- 5.5.1 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 Interim 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.

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

- 5.7.2 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 Niveus Walk – Street Name Suggestions

Report 0422PH6

To make recommendations for the street names for new development at Land At E 387256 N 123908 Wincombe Lane

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

6.1 Summary

6.1.1 The following request has been received from Barrat Homes;

6.1.2 *'I am applying for 7 new streets on this new development called Niveus Walk (162 Plots). For the road naming process we were thinking of a theme of flowers after the site name Niveus being a flower. Does Shaftesbury Town Council have a preferred theme in mind for the street names apart from us following the county policy?'*

6.1.3 The Dorset Council street naming policy can be [viewed here](#).

6.1.4 Planning application reference number - [P/FUL/2021/014290](#)

6.1.5 Suggestions already received include;

- Wildflower names
- Characters from Jude the Obscure

6.1.6 [Full details here](#).

6.2 Legal Authority and Implication

6.2.1 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 Recommendation

6.3.1 That the Committee provides street name suggestions to Barratt Homes

6.4 Reason for Recommendation

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

(End)

7 Melbury Abbas and Cann Neighbourhood Plan
'Reg-14' Local Consultation

Report 0422PH7

To consider responding to the Melbury Abbas and Cann Neighbourhood Plan Consultation

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

7.1 Summary

7.1.1 Launch of the 'Reg-14' local consultation of the Melbury Abbas and Cann Neighbourhood Plan (Monday 14th March 2022 to 5.00 pm, Monday 9th May 2022)

7.1.2 The proposed plan can be [viewed here](#).

7.2 Recommendation

7.2.1 That the Committee provides a response to the Melbury Abbas and Cann Neighbourhood Plan consultation.

7.3 Reason for Recommendation

7.3.1 To fulfil Shaftesbury Town Councils role as a statutory consultee

(End)

8 Affordable Housing Numbers for Shaftesbury

Report 0422PH8

To consider next steps regarding the appointment of a Planning Consultant to advise on Affordable housing allocation for Shaftesbury

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

8.1 Summary

- 8.1.1 It was agreed at the last Planning and Highways Meeting to investigate the current numbers as stated by Dorset Council for the allocation of Affordable housing in Shaftesbury.
- 8.1.2 It has been established that an error was made on the affordable housing numbers allocated to Shaftesbury. This has ramifications specifically in relation to the Enmore Court development as the Appeal Inspector made decisions based on inaccurate information.
- 8.1.3 It has been suggested that Shaftesbury Town Council should enlist the services of a Planning Consultant as follows:
- a) the Planning Consultant writes directly to the Planning Inspector on behalf of the Town Council regarding the 660 housing numbers supplied by Dorset Council (known to be incorrect)
 - b) an independent investigation of Dorset Council to ensure nothing untoward has occurred and this is a genuine error
 - c) recommend to STC how to deal with the Reserved Matters Planning Application; what is affordable; is it possible to build affordable homes at Enmore Court (with the known geology & topography issues).
- 8.1.4 Shaftesbury Town Council enlisted the services of an expert Planning Consultant in 2021 to guide and advise the council on the Spine Road. The council may opt to work with the same Planning Consultant on determining the Affordable Housing position in Shaftesbury.

8.2 Legal Authority and Implication

- 8.2.1 The Council has the power to do anything that will facilitate the discharge of its duties. (Local Government Act, 1972 s.111)

8.3 Financial Implication

- 8.3.1 The cost of enlisting the services of a Planning Consultant as outlined above in 8.1.3 is quoted at £TBC

Budget line name	Actual Year to Date	Current Annual Budget	Committed Expenditure	Funds Available
4341 Professional and Legal Fees	£0	£30,000	£0	£30,000

8.4 Recommendation

- 8.4.1 The committee resolves to enlist the services of a Planning Consultant to provide advice and recommendations relating to Affordable Housing in Shaftesbury. Delegate to the Interim Town Clerk all details in discharging this decision.

8.5 Reason for Recommendation

8.5.1 It is important for Shaftesbury Town Council to understand the Affordable Housing situation in Shaftesbury.

(End)

9 Land at Lower Blandford Road – Ecology Survey

Report 0422PH9

To consider carrying out an Ecology Survey for land at Lower Blandford Road

(Local Government Act, 1972 s.111)

9.1 Summary

- 9.1.1 It was agreed at the last Planning and Highways Meeting to discuss the costings of obtaining an Ecology Survey for this site.
- 9.1.2 The cost of carrying out an ecology appraisal survey for St James Park was £415 this gives an indicative idea of costings for this. This includes:
- details of any relevant policies and legislation.
 - results of the Phase 1 Habitat survey
 - an assessment of the site's current biodiversity value
 - identify any ecological constraints/opportunities; and
propose design recommendations to enhance the biodiversity value of the site
- 9.1.3 An Ecology survey has been produced by the applicant [and can be viewed here](#) and this is also available to view on the Dorset Council Planning Portal.

9.2 Legal Authority and Implication

- 9.2.1 The Council has the power to do anything that will facilitate the discharge of its duties. (Local Government Act, 1972 s.111)

9.3 Financial Implication

Budget line name	Actual Year to Date	Current Annual Bud	Committed Expenditure	Funds Available
4341 Legal and Professional fees	£0	£30,000	£0	£30,000

- 9.3.1 The cost of an Ecology survey will be in the region of £415

9.4 Recommendation

- 9.4.1 The committee is advised to accept the Ecology survey as presented on the Dorset Council Planning Portal. Delegate to the Interim Town Clerk all details in discharging this decision.

9.5 Reason for Recommendation

- 9.5.1 There is no need to duplicate work that has already been undertaken.

(End)

10 Fields in Trust, Cycleways and S106 funds

Report 0422PH10

To consider the next steps for Fields in Trust and to receive and note an update on Cycleway and S106 funding in Shaftesbury

(Local Government Act, 1972 s.111)

10.1 **Summary**

10.1.1 It was agreed at the last Planning and Highways committee meeting to include the following items on the next Planning and Highways committee meeting; Fields in Trust, Cycleways and S106 funds.

10.1.2 **Fields in Trust**

10.1.3 Fields in Trust legally protect parks and green spaces in perpetuity by working in partnership with landowners across the UK

10.1.4 In a nutshell, protection is a legal agreement between Fields in Trust and a space's landowner that they will retain it for use as a green space, usually a public park, playing field or recreation ground, in perpetuity. Over the years since our founding, we have used a number of mechanisms for protecting land, from taking ownership in the early years, to restrictive covenants to Deeds of Trust.

In the mid-2000s we worked with a major legal firm to develop our own, unique instrument called a "Deed of Dedication".

The Deed, or Minute, is agreed with the landowner and sets out what they can and can't do with a space, without needing to consult Fields in Trust. We think it is important that the local community remaining fully involved in the space and so the ownership and management of the land remains locally with the existing landowner, usually the local authority or town or parish council, and there is no requirement to rename the space. We do provide a plaque which we ask is installed somewhere on the space to let everyone who uses it know that it is protected in perpetuity.

[To find out more information on Fields in Trust click on this link.](#)

10.1.5 **Cycleways**

10.1.6 The Transport Planner design team at Dorset Council Highways have developed draft plans to extend the Christy's Lane cycleway to the Royal Chase roundabout. Knowing that Shaftesbury has an enthusiastic and proactive cycling community a group of cyclists were invited to informally review the plans with the Transport Planner Officer from Highways. Constructive feedback was provided and taken on board and as a result the Dorset Council plans are temporarily on hold. There is an expectation that once these plans are updated then a further version will be presented for consideration.

The [Interactive travel Map](#) including the [front cover](#) is in the process of being updated and the comments provided by the cyclists will be included in the updated version.

10.1.7 **S106 Funds**

10.1.8 An update will be provided at the meeting

10.2 **Legal Authority and Implication**

10.2.1 The Council has the power to do anything that will facilitate the discharge of its duties. (Local Government Act, 1972 s.111)

10.3 Recommendation

To consider developing an action plan for Fields in Trust and noting the Cycleways and S106 Funds updates and informing the next steps as appropriate. Delegate to the Interim Town Clerk all details in discharging this decision.

10.4 Reason for Recommendation

10.4.1 The committee needs to set the direction for future plans relating to Fields in Trust and to be aware of the Cycleways and S106 information.

(End)