



# SHAFTESBURY TOWN COUNCIL

To: All Town Councillors, Dorset Council Councillors, Members of the Public & Press

## A G E N D A

### PLANNING AND HIGHWAYS MEETING OF THE TOWN COUNCIL

You are summoned to a meeting of the for the transaction of the business shown on the agenda below. To be held at **7pm on Tuesday, 05 July 2022** in the Council Chamber, Shaftesbury Town Hall. 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](#)

**Scheme of Delegation:** Committee meeting may be held online, in the event where no formal resolutions are made apart from confirmation of the minutes of the previous meeting. Delegated powers are to be given to the Clerk to comment on planning applications after consultation with members of the Highways and Planning Committee.

Members are reminded of their duty under the [Code of Conduct](#), [Scheme of Delegation](#) and [Standing Orders](#) are available to view here.

Mrs Brie Logan, Town Clerk, 29 June 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.

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (race, gender, sexual orientation, marital status, religion, belief or disability), Crime & Disorder, Health and Safety and Human Rights. Disabled access is available.

### The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership  
([Committee on Standards in Public Life, 1995](#))

All in attendance should be aware that filming, recording, photography or otherwise may occur during the meeting.

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## **1 Apologies - receive and consider for acceptance**

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.

Councillor Proctor due to personal reasons

*(Local Government Act, 1972 s.85) Vacation of office by failure to attend meetings.*

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## **2 To receive any Declarations of Interest and Requests for Dispensations**

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.

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, 2021) Declaring interests*

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## **3 Minutes of the Planning and Highways meeting held on 7<sup>th</sup> June 2022**

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.

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).

### **Recommendation**

Confirm the accuracy of the Minutes of the Town Council meeting held on [7th June 2022](#)

*(Local Government Act, 1972 Sch 12)*

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**4 Officer progress reports on Planning and Highways Business**

**Report Content/Detail**

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) that need to be resolved.

**Planning Information to receive and note**

Planning Application Ref	Proposal/ update	Location
P/NMA/2022/03729	Non-material amendment to planning permission P/FUL/2021/1429 to amend the boundary treatments for Plots 5, 31, 121, 155, 103, 94 & 80 from a 1.8m brick wall to a 1.8m brick & Shaftesbury greenstone wall	Land at Wincombe Lane Shaftesbury Dorset
P/OUT/2022/00536	Ecology Report - submitted to Dorset council	Land at Lower Blandford Road
P/OUT/2020/0677	it was <b>RESOLVED</b> to write to Jackson drilling to inform them of the unusual geology of this area which has caused consternation in the past <a href="#">link to letter</a> . Response received: <i>Jackson Drilling were instructed to undertake exploratory drilling works. Once the works are undertaken, data and samples are passed on to Geologists and Consulting Engineers – we do not play a part in any decision-making process.</i>  <i>I have forwarded your email to our client.</i>	Enmore Court
As above	it was <b>RESOLVED</b> that the Chair of the committee writes to Motcombe Parish Council in relation to the triangle of land by Woollens Lane <a href="#">link to letter</a>	Woodlands Lane/ New Road/ Calves Lane, Motcombe
N/A	The slides from the Dorset Council Planning Meeting held on 27 <sup>th</sup> May are available <a href="#">to view here</a> . Questions were submitted in advance and answers were provided post the meeting. The questions and answers <a href="#">can be viewed here</a>	

**Delegated Decisions for Information (all within the Clerks delegated spend)**

Delegated Decision	Comments	Cost	Budget
No delegated decisions for June			

**Recommendation**

That the reports are received and noted and any actions arising identified for future meetings of the Council or its Committees and to resolve on any matters.

## 5 Planning Applications

### Purpose:

To consider responses to planning applications to include but not be limited to:

### Summary

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

### Planning Applications

Planning App Ref	Proposal	Location	Dorset Council Committee/ Delegated	Consultation Date
<a href="#">P/HOU/2022/03367</a>	Changing the 2 existing dormer window flat roofs to 40 degree pitched roof with tiles to match existing Remove the existing tile cladding to the dormers and replace with oak cladding Install a new oak front porch Install a new front door Remove the existing tiles from the front gable wall and install oak feather edge horizontal cladding to the whole front gable wall	Beech Trees 51 Breach Lane SP7 8LF	Delegated	05/07/2022
Comments:				
<a href="#">P/LBC/2022/02663</a>	Block up stud wall doorway between bathroom & bedroom.	19 Layton Lane SP7 8EY	Delegated	06/07/2022
Comments:				
<a href="#">P/HOU/2022/02383</a>	Erect two storey extension & replace entire roof.	White Gates 9 Church Hill SP7 8QR	Delegated	06/07/2022
Comments:				
<a href="#">P/FUL/2022/03432</a>	Erection of 1 No. dwelling with 1 No. parking space.	76 Blackmore Road SP7 8RL	Delegated	07/07/2022
Comments:				

<a href="#">P/HOU/2022/02664</a>	Retain skateboard halfpipe ramp	Yew Tree House Littledown SP7 9HD	Delegated	06/07/2022
Comments:				
<a href="#">P/HOU/2022/03683</a>	Erect first floor extension	13 Belmont Close SP7 8NF	Delegated	06/07/2022
Comments:				
<a href="#">P/HOU/2022/03581</a>	Erect single storey side extension	5 Ratcliffs Garden SP7 8HJ	Delegated	06/07/2022
Comments:				
<a href="#">P/HOU/2022/03609</a>	Erection of single storey side extension, including the formation of a doorway from window, block doorway, form new doorway & line outbuilding walls. Installation of 1no. rooflight & 1no. window to southwest elevation & replacement of window on northeast elevation	Old Cann Rectory Salisbury Road SP7 8ER	Delegated	12.07.2022
Comments:				
<a href="#">P/LBC/2022/03610</a>	External & internal alterations to facilitate the erection of single storey side extension including the formation of doorway from window, block doorway, form new doorway & line outbuilding walls. Installation of 1no. rooflight & 1no. window to southwest elevation & replacement of window on northeast elevation	Old Cann Rectory Salisbury Road SP7 8ER	Delegated	12.07.2022
Comments:				
<a href="#">P/HOU/2022/03843</a>	Erect first floor rear extension	5 Lower Blandford Road SP7 8NR	Delegated	19.07.2022
Comments:				
<a href="#">P/HOU/2022/01681</a>	Erect single storey rear extension.	102 St James Street Shaftesbury SP7 8HQ	Delegated	20.07.2022

Comments:	
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**Scheme of Delegation**

The Committee has delegation to comment on planning applications received from the local planning authority. Delegated powers are to be given to the Clerk to comment on planning applications after consultation with members of the Highways and Planning Committee.

**Legal Authority and Implication**

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)

**Recommendation**

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.

**Reason for Recommendation**

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

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

**Additional Information**

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                         | Impact on Access    |
| Local or Government Policy           | Traffic or Highways |
| Noise/Disturbance                    | Road Safety         |
| Parking                              | Residential Amenity |
| Overlooking/Loss of Privacy          | Heritage            |
| Landscape                            | Height              |
| Impact on Light                      | Flooding Issues     |
| Design                               | Economic Benefits   |
| Effect on the Appearance of the Area |                     |

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<br>Objection as will have detrimental impact on neighbouring property                            |
| New dwelling     | Support, design is in keeping with locality<br>Objection as design is not in keeping with local area  |
| Vehicular access | Support, will have no impact on road safety given proposed visibility<br>splays or Objection as visibility is poor in this location and traffic<br>speeds are high. |

## 6 Planning Appeals

Purpose: to provide a response on the Land at Park Farm Access to Park Farm Gillingham.

Planning Ref:	PI Ref	Proposal	Location	Start Date
<a href="#">P/FUL/2021/02046</a>	APP/D1265/W/22/3300299	Construct solar photovoltaic farm, battery storage and associated infrastructure, including inverters, batteries, substations, security cameras, fencing, access tracks and landscaping.	Land at Park Farm Access to Park Farm Gillingham	14 <sup>th</sup> June 2022

### Previous Comments Submitted by STC

Committee	Date of meeting		Agenda Reference	Comments
Planning & Highways	17.08.2021		P06a	Objection due to: No archaeological assessment, impact on Area of Outstanding Natural Beauty views and views from Castle Hill, Impact on White Hart Link walking route, contrary to the National Planning Policy Framework NPPF201
General Management	16.11.2021		G46b	Support as the screening changes the perception and the proposal supports the roll out of low carbon electricity.

## 7 Fields in Trust

**Objective:** To consider protecting the locally important Shaftesbury Open Green Spaces via Field's in Trust Deed of Dedication

### **Background:**

At the April 2022 Planning and Highways meeting it was resolved to invite a **Fields in Trust** representative to present the options and opportunities to the Council for consideration

### **Consultation / Research:**

In the first instance the Fields in Trust Senior Operations & Stewardship Manager has sent through information which can be accessed via links within the appendix below. Further information is being sent by post so this will be made available before the meeting.

Once the background documentation has been read and understood the committee may want to pursue the protection of STC owned land. The next step would then be to invite the Senior Operations & Stewardship Manager to Shaftesbury to evaluate each open space against the criteria for protection.

In 2019 the Fields in Trust Manager (at the time) visited Shaftesbury Open Space sites as shown [on the map](#) and deemed them all suitable for protection under the Deed of Dedication scheme. The committee may opt to add in additional parcels of land or amend those on the map. Note; area 5 (Castle Hill) has since been protected via a Deed of Dedication.

Fields in Trust's 'Deed of Dedication' is underwritten in contract law. This makes the Deed very robust – it 'sits' independently of town and planning policy and is therefore less susceptible to development. It is robust, yet flexible enough to allow for ownership and management to stay with the landowner. Fields in Trust's role is entirely custodial and advisory.

### **Powers / Legislation:**

*Open Spaces Act 1906, ss9 and 10 – power to acquire and maintain land  
Public Health Act 1875 s.164 / and Public Health Act 1961 s.54– power to acquire land for or to provide recreation grounds, public walks and open spaces and to manage and control them.*

### **Options:**

- A. Progress to the next stage and invite the Senior Operations & Stewardship Manager to Shaftesbury to evaluate each open space
- B. Undertake further research and identify more parcels of land that may be suitable including land in private ownership
- C. Leave as is under the ownership and management of Shaftesbury Town Council

### **Risks:**

No.	Risk	Mitigation
1	None at this stage	Not applicable
2		



**Costs:** Once a nominated site is accepted for protection, the costs to the landowner are:

- The installation of the commemorative plaque/sign so the commitment can be recognised.
- The registration of the Deed with the Land Registry, which in most cases should cost no more than £80. There are no recurring fees.

**Timeline:**

Date	Activity
5 <sup>th</sup> July 2022	Planning and Highways review the potential Open Spaces deemed important to protect via a Deed of Dedication.
July date TBC	Invite the Senior Operations & Stewardship Manager to Shaftesbury to evaluate each open space against the criteria for protection.
September/ October	Once those important Open Spaces have been identified and criteria assessed the proposal will be presented to Full Council for consideration

**Recommendation:**

The committee to set the direction for officers to deliver.

**Actions:**

No.	Action	Date
1	To be updated once the committee has set the direction	
2		

Appendix:

1. [Shaftesbury Intro - Fields in Trust](#)
2. [Fields-in-Trust-summary-document.pdf](#)