



To: Members of the Planning & Highways Committee

For Information: 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 **7 pm on Tuesday, 6th September 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 using [Microsoft Teams](#).

Mrs Brie Logan

Town Clerk, 31st August 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 of their duty under the [Code of Conduct](#), [Scheme of Delegation](#) and [Standing Orders](#).

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.

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

The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership

(Committee on Standards in Public Life, 1995)

1. [Apologies – To receive and consider for acceptance](#)
2. [To receive any Declarations of Interests and Requests for Dispensation](#)
3. [Minutes of the Planning and Highways meeting held on 2nd August 2022](#)
4. [Clerks Report including progress report on Planning and Highways business](#)
5. [To consider responses to Planning Applications](#)
6. [To consider responses to Footpath Diversion Order](#)
7. To discuss the felling of trees at the Persimmon Development at Land at Upper Blandford Road

Agenda Item No. 1

Apologies – To 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.

Apologies were received from Cllr Proctor.

Agenda Item No. 2

To receive any Declarations of Interests and Requests for Dispensation

Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct – adopted in July 2021. 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, 2019)

Agenda Item No. 3

Minutes of the Planning and Highways meeting held on 2nd August 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 [2nd August 2022](#).

Clerks Report including progress report 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 Council 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
	Fields In Trust date – Thursday 20 th October 2022, 10am start. All Councillors are invited to attend.	
	Trinity North-West area of churchyard – confirmed as managed by STC as consecrated churchyard – (Legal ref Section 215 of the Local Government Act 1972, requires that where 'a churchyard has been closed by an Order in Council the parochial church council shall maintain it by keeping it in decent order and its wall and fences in good repair'). The Land Registry document can be viewed here.	
	St James Allotments owned by DC – business case to transfer the asset was sent in December 2019. This is in the process of being followed up with DC.	
P/CLE/2022/01692	Certificate of lawfulness to confirm that planning permission 2/2018/0434/HOUSE has been implemented.	5 Victoria Street Shaftesbury SP7 8AG
	Planning Notifications to neighbours and Site Notices DAPTC requested for a Snap Poll to be completed. As the due date was before this meeting, the ATC, in conjunction with the Chair and Vice Chair of P&H, completed the survey on members’ behalf.	
	British Heart Foundation Shop - This was Shaftesbury’s first cinema prior to the 1930’s Savoy in Bimport. It is believed that the original ceiling is still intact above the suspended ceiling. DC conservation has been made aware.	54b High Street

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

Delegated Decision	Comments	Cost	Budget
	Nothing to report		

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.

To consider responses to Planning Applications

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)

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	Neighbourhood Plan Ref / Comments
P/LBC/2022/03554 Mr James Smart 7 th September 2022 Delegated	33A St James Street, SP7 8HF Erect single storey extension, (demolish existing conservatory). Reposition 1st floor dormer.	5.0 Design & Heritage 5.2.3. St James
P/HOU/2022/04158 Mr Mike Godden 7 th September 2022	33A St James Street, SP7 8HF Erect single storey extension, (demolish existing conservatory). Reposition 1st floor dormer.	5.0 Design & Heritage 5.2.3. St James
P/FUL/2022/03432 Miss Bethany Colburn 7 th September 2022	76 Blackmore Road, SP7 8RL Erection of 1 No. dwelling with 1 No. parking space.	5.0 Design & Heritage 5.2.8 East of Christy’s Lane including Grosvenor Road
P/HOU/2022/04818 Jake Hobson 7 th September 2022	8 Haines Lane, SP7 8AJ Erect single storey extension to rear of house. Demolition of side entrance construction of new entrance and store. Reconstruction of enclosed passage. Reconfiguration of former garage space to enlarge ground floor bedroom. Landscaping of front yard, including repaving and regrading of parking area.	3.0 Housing & Employment 5.0 Design & Heritage 5.2.2 The Town Centre
P/ADV/2022/04520 Santander UK PLC 10 th September 2022	53 High Street, SP7 8JE Display 1no. Illuminated TV display screen	2.0 The Town Centre 2.5 The Town Centre
P/LBC/2022/04985 Santander UK PLC 5 th September 2022	53 High Street, SP7 8JE Display 1no. Illuminated TV display screen. Internal and external alterations.	2.0 The Town Centre 2.5 The Town Centre
P/HOU/2022/04897 Mr & Mrs Peter Bursey 9 th September 2022	37 Homefield, SP7 8DT Erection of single storey extension	5.0 Design & Heritage 5.2.8 East of Christy’s Lane including Grosvenor Road
P/HOU/2022/04240 Mr Adam Slatter 8 th September 2022	92 St James Street, SP7 8HQ Erect first floor extension to provide an ensuite bathroom for the master bedroom and reconfigure the ground floor bathroom/utility room	3.0 Housing & Employment 5.0 Design & Heritage 5.2.3. St James
P/LBC/2022/05240 Mrs S Tolfree 14 th September 2022	The Manor House, St James Street SP7 8HQ Alterations to building to form library	5.0 Design & Heritage 5.2.3. St James

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.

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 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 or Objection as visibility is poor in this location and traffic speeds are high.

To consider responses to Footpath Diversion Order for Footpath 32

Information

Received from Dorset Council

Further to our previous correspondence on this matter, please see attached the Creation Agreement for the additional length of footpath at the site of Redrow’s development at Littledown, Shaftesbury. The Agreement has now been signed by the parties to it.

[Shaftesbury Creation Agreement](#)
[Shaftesbury 32 Sealed Order](#)

In the light of this, so that I can advise Dorset Council, would you let me know if you are willing to withdraw the Town Council’s objection to the Public Path Diversion Order made on 23rd April 2021, and for the Diversion Order to be confirmed?

Further information

The table below shows the previous correspondence and resolutions made and submitted by STC.

Agenda reference	Proposal Documents	Previous STC Comments
<p><u>P&H Agenda</u> <u>18th August</u> <u>2020</u></p>	<p>Dorset Council Section 257, Town and Country Planning Act 1990 Application for a Public Path Diversion Order Public Footpath No. N1/32, Shaftesbury</p> <p>Countryside Access Management Ltd. has been appointed by Dorset Council to undertake consultations on an application to divert footpath 32, Shaftesbury, under S.257 of the Town and Country Planning Act 1990. Under section 257 of the Town and Country Planning Act 1990 the Council may make an order to stop up or divert a footpath if it is satisfied that it is necessary to do so to enable development to be carried out.</p> <p>Planning consent has been granted by the former North Dorset District Council for a development comprising of 170 dwellings, vehicle access to the A350, public open space, landscaping, car parking, ancillary works and associated infrastructure at Littledown, Shaftesbury. (Application No. 2/2018/1418/REM). Public footpath 32, Shaftesbury, runs through the site of the development, and the developers have applied to Dorset Council for an order under section 257 of the Town and Country Planning Act 1990 to divert the footpath to a new line to enable the development to take place. A plan is enclosed showing the effect of the proposed changes to the line of the footpath, together with a plan showing details of the layout of the development for which planning consent has been granted.</p> <p>This proposal has been put forward by the developers in the light of responses to consultations that have been carried out on an earlier proposal for the diversion of the footpath. I refer to my letter of 4th March 2020, which contains details of the proposal which has now been revised to that described in this letter and shown on the accompanying plan.</p> <p>The length of footpath that would be extinguished by the order is shown on the plan as a bold line between points A and B</p> <p>The proposed alternative length of footpath is shown as a broken black line between A, A1, C, E, E1, F, G, H, I, J and K. Between points A and A1 and E1, F, G</p>	<p><u>18th August</u> <u>2020</u> <u>Minutes,</u> <u>P81a:</u> <i>Object to the proposed line, retain the existing route or as close as practicable.</i></p>

	<p>and H the diverted footpath would have a width of 1.8 metres, and a gravel surface; between A1 and C, and H, I, J and K the diverted footpath would have a tarmac surface, and a width of 2 metres, and between C, E and E1 t would have a grass surface and a width of 1.8 metres.</p> <p>The existing route of the footpath is presently closed, but the proposed route of the footpath can be viewed from the temporary path that is open for use as an alternative. I should be grateful if you would inform me of any comments you wish to make and let me know whether you would intend to object to a path order under S.257 of the Town and Country Planning Act 1990 to effect the changes as described. Your comments will be treated as public information (please refer to the Data Protection information at the end of this letter) and may be incorporated if a report is made to the relevant Area Planning Committee. If the case is to be brought before the Committee we will write to those directly affected to advise them. If you wish to be informed of the details of the meeting, please let me know.</p>	
<p>P&H Agenda, 9th February 2021</p>	<p>In the light of responses to consultations a revised proposal for the changes to the footpath has been put forward, and I am writing to seek your views.</p> <p>Planning consent has been granted by the former North Dorset District Council for a development comprising of 170 dwellings, vehicle access to the A350, public open space, landscaping, car parking, ancillary works and associated infrastructure at Littledown, Shaftesbury. (Application No. 2/2018/1418/REM), and the diversion is sought to enable the development to be carried out. Attached is a plan showing the layout of the development for which planning consent has been granted.</p> <p>This proposal provides for the diversion of footpath 32 by means of a diversion order under section 257 of the Town and Country Planning Act 1990, and the change to be made by the order is shown on the attached proposed order plan.</p> <p>The length of footpath that would be extinguished by the order is shown as a bold line between points A and B. The proposed alternative footpath is shown between A, A1, A2 and B. The new footpath would have a width of two metres. Between A and A1, and between A2 and B, the path would have a tarmac surface, and between A1 and A2 it would have mix of surfaces consisting of tarmac and block paving.</p> <p>In addition to the diversion order, it is proposed that an additional length of public footpath, shown between points A1, C, E, E1, F, G, H, I, J and K on the creation agreement plan, is created by means of a public path creation agreement under section 25 of the Highways Act 1980. Between points between A1 and C, and between H, I, J and K the diverted footpath would have a tarmac surface, and a width of 2 metres; between C, E and E1 it would have a grass surface and a width of 1.8 metres; and between E1, F, G and H it would have a gravel surface and a width of 1.8 metres.</p> <p>I should be grateful if you would inform me of any comments you wish to make and let me know whether the Town Council would intend to object to a path order under S.257 of the Town and Country Planning Act 1990 to effect the changes as described. If I do not hear from you by 22nd Report 0221PH06 to a meeting of the Planning and Highways Committee Tuesday 09 February 2021 February 2021, I shall assume that you do not object to the proposals and inform Dorset Council accordingly</p>	<p>9th February 2021, P&H Minutes: No Objection</p>

Recommendation

Councillors should consider if they wish for their original objection to be withdrawn and confirm that the legal process of the diversion order can completed.