



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, 7<sup>th</sup> February 2023** 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, 1<sup>st</sup> February 2023

**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 10<sup>th</sup> January 2023](#)
4. [Clerk's Report including progress report on Planning and Highways business](#)
5. [To consider responses to Planning Applications](#)
6. [To consider the Neighbourhood Plan Review](#)

## **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 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 10<sup>th</sup> January 2023**

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 Planning & Highways meeting held on [10<sup>th</sup> January 2023](#).

**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**

Subject	Description	Progress / comments
<p>PROW Route N1/3 Diversion Application Consultation</p>	<p><b>Proposed Public Path Diversion Order at Cranborne Drive/Tollgate Park SP7 9HA/SP7 9LB.</b></p> <p>As part of the Barratts David Wilson Homes Development, Wincombe Lane, it is proposed that a section of Public Right of Way (PRoW) Route N1/3 is diverted.</p> <p><a href="#">The route plans</a> propose a diversion from the existing route, into the development to the east. The development is currently in construction and borders the existing footway alignment. This section of N1/3 is narrow with tall and dense vegetation causing some sections to become very secluded. The proposed route will provide a betterment to the existing as it will be consistently 2m in width, it will be within a public open space setting with grassland on either side of the footpath and will have no significant incline.</p>	<p>The views of the Rights Of Way Liaison Officer are “Having examined the diversion, I think it looks ok as long as there is sufficient signposting.”</p> <p><a href="#">Form to be completed</a></p>
<p>Tree Works application <a href="#">P/TRC/2023/00347</a></p>	<p><b>St Edwards Chantry 75 Bimport SP7 8BA</b> T1 - Ash - Remove due to damage it is causing to historic stone boundary wall.</p>	<p>For information purposes only.</p>
<p>Tree Works application <a href="#">P/TRC/2023/00456</a></p>	<p><b>Hays Travel 14 High Street SP7 8JG</b> T1 - Sycamore - Fell. Too close to wall and threatening its integrity.</p>	<p>For information purposes only.</p>

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

None

**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**

<b>Planning App Ref</b>	<b>Proposal</b>	<b>Neighbourhood Plan Ref / Comments</b>
<a href="#">P/FUL/2023/00188</a> HSBC CRE 08.02.2023 Delegated	<b>HSBC 2 The Commons, SP7 8JX</b> Removal of external ATM, signage, and CCTV. Internal removal of existing furniture, equipment, and marketing	<b>2. Town Centre</b> Policy SFTC1, SFTC2, SFTC3 <b>5. Design &amp; Heritage</b> 2. Town Centre Character Zone Conservation Area Policy SFDH9
<a href="#">P/LBC/2023/00189</a> HSBC CRE 08.02.2023 Delegated	<b>HSBC 2 The Commons, SP7 8JX</b> Removal of external ATM, signage, and CCTV. Internal removal of existing furniture, equipment, and marketing	<b>2. Town Centre</b> Policy SFTC1, SFTC2, SFTC3 <b>5. Design &amp; Heritage</b> 2. Town Centre Character Zone Conservation Area Policy SFDH9
<a href="#">P/HOU/2022/08052</a> Dr Michael Barclay 09.02.2023 Delegated	<b>Redcliffe Great Lane, SP7 8ET</b> Addition of a veranda to the south elevation of the existing house	<b>5. Design &amp; Heritage</b> 5. Layton Lane Character Zone Conservation Area
<a href="#">P/HOU/2023/00419</a> Mr and Mrs Ben Currie 16.02.2023 Delegated	<b>17A Salisbury Street, SP7 8EL</b> Erect Single Storey Extension	<b>5. Design &amp; Heritage</b> 2. Shaftesbury Town Centre Conservation Area

**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 the Neighbourhood Plan review

### **Background**

The current version of the Shaftesbury Neighbourhood Plan (SNP) was made by Dorset Council on 22<sup>nd</sup> June 2021.

The SNP does not allocate land for development, therefore there is no requirement to review the Plan every two years. However, it feels timely for STC to review the SNP and amend policies to be more robust to further protect Shaftesbury from speculative development.

The publication of the NPPF proposed changes are out for consultation until 2<sup>nd</sup> March 2023 - <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

This includes a number of points that the Town Council could comment on, including:

- making it easier for Local Plans to remain up-to-date, including reducing the requirement for a 5 or 20% “buffer” in calculating the 5-year housing land supply, taking into account extant permissions (so that if builders are sitting on sites this should not get penalised) – this may help Dorset’s position significantly,
- making conflicts with a made Neighbourhood Plans a key reason for refusal for 5 (as opposed to 2) years from its adoption, provided the plan has policies and allocations to meet its housing needs (and regardless of housing land supply and delivery issues in the wider area) – a much needed change to avoid the need to review the plan so quickly,
- making it clearer that the standard method for calculating housing need is only advisory, and that the release of Green Belt and the character of urban areas are factors that can outweigh the benefits of meeting need in full – this will have implications for how the Local Plan’s target is set to be more responsive to environmental impacts and take a more measured look at housing need rather than simply projecting forward past growth. Furthermore, the Government is also going to look again at the way in which the housing numbers are calculated (which up to now have been using the 2014-based population projection, which are now considerably out of date and void of any strategic thinking of where growth would be most beneficial) – but this is likely to be post-2024 when the 2021 Census-based projections data has been released.
- Some minor tweaks on energy efficiency and renewables which continue to support these matters (including the need for these to be re-powered / extended beyond their temporary use), but no panacea for those with Listed Buildings who run up against Heritage / Conservation Officer resistance as the significant weight for energy efficiency improvements is still caveated as subject to the heritage conservation objectives.

There is also discussion - as part of this (and more to do with the Levelling Up Bill’s reforms to the plan-making system than the NPPF) – on the proposed transition arrangements between the current way Local Plans are prepared and the more streamlined approach that the Bill will bring into being. This could have implications for Dorset’s Local Plan programme – in particular, the draft proposals would give plan-makers until 30<sup>th</sup> June 2025 to submit their Local Plans to be examined under the existing system; after that date any plans would be tested under the reformed process / legal requirements.

### **Further Information**

The NP consultant who worked with STC on the Neighbourhood Plan previously, prepared the [Scope of Works](#) for the review of the Plan, which also includes a suggested time scale for the review.

The proposed Scope of Works include:

1. Updating the housing and employment land supply position and related evidence of need
2. Updating the Plan in relation of further Climate Change information and strategies
3. Reviewing other material changes that are likely to be relevant
4. Supporting the NP group to produce a revised draft Plan, for Town Council approval
5. Providing support/advice as required to carry out the Regulation 14 pre-submission consultation
6. Assisting in the analysis of consultation response and advise on changes to the Plan for consideration by the Town Council. Prepare the necessary supporting documents.
7. Providing support/advice as necessary during the independent examination

### **Key Changes**

At this stage it is thought that the following key changes are to be included in the revised NP:

1. Reinforce policies with a link to Sustainability – Low Carbon future
2. Settlement boundary – gain more control (e.g., prevent the slopes from being built on)
3. Review of the benefits and impacts of making sustainable drainage systems (SuDS) a legal requirement for new developments (published 10<sup>th</sup> January 2023)

<https://www.gov.uk/government/publications/sustainable-drainage-systems-review>

All changes will need to be evidenced and submitted as part of the review process.

1. A 6-week consultation will be required.
2. A Strategic Environmental assessment may be needed, unclear at this stage.
3. The need for a referendum is unknown at this stage - to be validated by the inspector once scope of policy changes is understood.

### **Financial Information**

1. Consultancy Fees for this financial year – Info to follow.
2. Officers have applied for a grant from Locality for £2,750 – outcome of decision awaited.
3. The NP EMR 4932/901 currently has allocated funds of £6,259.

### **Recommendation**

Councillors approve:

- To respond to the proposed NPPF changes in consultation with the Dorset Planning Consultant
- To undertake the process to review the Shaftesbury Neighbourhood Plan
- To engage with the consultant and approve costs noting these will be ratified by Full Council
- To re-engage with the Shaftesbury Neighbourhood Plan Advisory Committee together with the subject matter experts (those with synergy with the policies that are likely to change) + SUDS expert + a member of DCAN
- To delegate the management of this to the Town Clerk in consultation with the Lead councillor (Lewer).

The Action Plan will be presented to Full Council for ratification in February 2023.