



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, 2nd May 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, 26th April 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 4th April 2023](#)
4. [Clerk's Report including progress report on Planning and Highways business](#)
5. [To consider responses to Planning Applications](#)

(6 Weighbridge Bimport, 6 Salisbury Street, 20 Bimport, 7 New Road, 94 St James Street, 8 Church Lane, Garage and land adjacent 1 Mews Cottage Coppice Street, St John Ambulance Barton Hill)

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.

No apologies were received.

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 4th April 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 [4th April 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
Shooters Lane	A verbal update will be provided at the meeting.	
DLUHC Consultation - New Infrastructure Levy	<p>The consultation seeks insight on:</p> <ul style="list-style-type: none"> • Technical aspects of the design of the Infrastructure Levy • The preparation and content of regulations NALC will be responding to this consultation and are requesting views from their member councils. 	<p>NALC require any views from members by 19th May. Closing Date 9th June 2023</p>
Public Space Protection Order (PSPO)	<p>Dorset Council will shortly be starting a public consultation for a new dog related PSPO as the existing Order will be finishing on December 31st 2023. The consultation period will run from mid June until the end of August 2023.</p> <p>The intention will be to continue with a consistent approach to restrictions across the Dorset Council area. As such, they will be particularly looking for views on whether the dog on lead requirement at Front Town Beach, Lyme Regis outside of the prohibition period should be discontinued. This would bring the beach restrictions into alignment with the other specified beaches in Dorset.</p> <p>As landowners, Parish and Town Councils DC are seeking views, before they finalise the consultation questions, on whether town councils wish to see any change to the current PSPO and what form this may take in terms of the land area STC has an interest in.</p>	<p>Comments to be submitted by 15th May 2023.</p>
Dorset Council Leisure Strategy Consultation	<p>Dorset Council is currently undertaking a review of the leisure and physical activity provision and opportunities across the Council area. This will help to shape a new Leisure Strategy. Survey Link</p> <p>It is recognised, both nationally and locally, that physical activity, leisure, wellbeing, and sport facilities can have a significant and positive impact on (but not limited to):</p> <ul style="list-style-type: none"> · Improved health and wellbeing and reduced inequalities. · Connecting communities. · Positive experiences for young children and young people. · Recovery from the pandemic. 	<p>View the draft documents and comment online Closing Date 14th May 2023</p>

	As part of the review, it is important to consider the views and knowledge of stakeholders and we would welcome the opportunity to hear from all the town and parish councils across the Dorset Council area.	
Dorset Council Consultation: Planning for climate change guidance documents	<p>Dorset Council is consulting on proposed Guidance for planning for climate change.</p> <p>Consultation letter with further details.</p> <p>Dorset Council has prepared three draft guidance documents to assist in addressing climate change through planning. The documents provide guidance on considering climate change when planning applications are being prepared and decided. The documents are:</p> <p>Planning for climate change: Interim Guidance and Position Statement - provides commentary on the weight that can be given to climate change in decision making and sets out considerations for new buildings and stand-alone renewable energy schemes in relation to climate change, given current planning policy.</p> <p>Sustainability Checklist - to be completed by applicants in support of planning applications. The checklist covers sustainable design and construction measures for new development, and provides best practice guidance on what can be done to achieve net zero carbon development. Please see the associated questions in relation to changes to paragraph 39 of the Council's Local List of planning application requirement: Sustainability checklist and statement.</p> <p>Listed buildings: what you can do for climate change – a guidance note outlining measures to consider when looking at energy efficiency in Listed Buildings.</p>	The consultation is running from 20 th April to 8 th June 2023.
Dorset Council consolidation traffic regulation orders 2023	<p>This is a consolidation of all existing parking restrictions across Dorset and update on-street parking tariffs, there will be no changes to the provisions on street as a result of this Order. DC last consolidated in 2021 and are looking to continue doing this on a regular basis.</p> <p>The most important aspect of this statutory consultation is that there will be no material change to any of the existing on street parking restrictions.</p>	For information purposes only
P/TRC/2023/01672 Mr David Young Delegated	<p>Old School House, Church Hill</p> <p>1 - Blackthorn - Remove.</p> <p>2 - Leylandii - Reduce to 13m in height and 12m in width at its widest point, bringing it down to the smaller Lleylandii to the right.</p> <p>3 - Cherry - Reduce to 14m in height and 7m in width.</p> <p>4 - Goat Willow - Reduce to 14m in height and 10m in width.</p>	For information purposes only

	<p>5 - Silver Birch - Reduced height to 13m and remove lower limbs as per annotated photograph.</p> <p>6 - Oak - Raise crown from 3m to 5m from ground level and remove the lower 2 limb as shown in the annotated photograph.</p>	
<p>P/TRC/2023/02198 Mr O Kane</p>	<p>1 Great Lane SP7 8ET</p> <p>T1 – Conifer – Remove stem growing roadside. T2 – Lime – Reduce stem over road by 4m. G1 – Pine x4 – Fell.</p>	For information purposes only
<p>P/TRC/2023/02274 Mr Colin Harding</p>	<p>Walled Garden 15 Parsons Pool SP7 8AL</p> <p>T1 - Lawson Cypress - Remove.</p>	For information purposes only
<p>P/MPO/2023/01726 Enmore Court</p>	<p>Hampshire Homes have advised that the heras fencing will be replaced with gates, which (in their opinion) should look more fit for purpose. A site meeting is being arranged.</p> <p>It resolved to engage with a planning lawyer to seek legal clarification on the implications of the change in wording and to take on board the planning inspectors report.</p> <p>It was also agreed to request a site meeting with all Dorset Council stakeholders. The Committee will draft a letter to be sent to all stakeholders.</p>	<p>For information only</p> <p>Contact has been made with the Planning Consultant (from Terence O' Rourke) commissioned to undertake the report on Enmore Court in May 2022 to seek his advice about the latest situation re the S106 amendment. He has referred to expert S106 lawyers. He was also able to confirm that the outline planning permission is currently extant and cannot be 'blocked'. Unless and until a reserved matters submission is made it is not possible to review whether it is robust. He has also advised that a specialist engineer is commissioned to evidence its concerns about abnormal build costs so I am researching local geo-technical engineers that the council may want to consider.</p> <p>A quote is expected from Wessex and West Ground Investigation Ltd to undertake the Geological Survey.</p>

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

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/HOU/2023/00771 Michael O’Devlin Delegated 03.05.2023	6 Weighbridge Bimport SP7 8AX Erection of a ridge roofed timber garden office.	5. Design & Heritage Bimport Character Zone SFDH1 to SFDH7 Conservation Area
P/LBC/2023/01837 Mr and Mrs Richard Shean 03.05.2023	6 Salisbury Street SP7 8EJ Internal works to existing shop and flat	SFTC1, SFTC2 5. Design & Heritage Town Centre Character Zone SFDH1 to SFDH7 Conservation Area
P/HOU/2023/01412 Mr James Smith Delegated 03.05.2023	20 Bimport SP7 8AZ Alter roof pitch from 33° to 42° and build gable walls to facilitate a loft conversion. Erect dormer to South elevation	5. Design & Heritage Bimport Character Zone SFDH1 to SFDH7 Conservation Area
P/HOU/2023/00812 Mr Richard Harber Delegated 03.05.2023	7 New Road SP7 8QW Erection of Replacement Garage	SFDH1 to SFDH7 Conservation Area
P/LBC/2023/00581 Mr A Macdonald Delegated 04.05.2023	94 St James Street SP7 8HF Replacement windows on front elevation.	5. Design & Heritage 3. St James Character Zone SFDH1 to SFDH7 Conservation Area
P/LBC/2023/01965 Mr Paul Smethurst 08.05.2023	8 Church Lane SP7 8JT Replace existing window in south west gable end elevation and repoint the same elevation in lime mortar	SFTC1, SFTC2 5. Design & Heritage 2. Town Centre Character Zone SFDH1 to SFDH7 Conservation Area
P/RES/2023/01902 Mr and Mrs Randolph Fear 09.05.2023	Garage and land adjacent 1 Mews Cottage Coppice Street SP7 8PD Demolition of an existing garage and the erection of 1 no. dwelling (with all matters	5. Design & Heritage 2. Town Centre Character Zone SFDH1 to SFDH7 Conservation Area

	reserved) (reserved matters application to determine access, appearance, layout & scale following the grant of outline planning permission number P/OUT/2022/00223)	
P/FUL/2023/02042 Mr J Lever 09.05.2023	St John Ambulance Barton Hill SP7 8DQ Change of use of building to gymnasium, fitness centre and health club (Use Class E)	5. Design & Heritage 2. Town Centre Character Zone

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.