



Shaftesbury Town Council

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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

Members are invited to attend a presentation from Churchill Retirement Living at **6.00pm on Tuesday, 5th September 2023** in the **Council Chamber, Shaftesbury Town Hall** to receive a presentation on the former cattle market site off Christy's Lane.

You are summoned to a meeting of the council for the transaction of the business shown on the agenda below. To be held at **7 pm on Tuesday, 5th September 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, 30th August 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 1st August 2023](#)
4. [Clerk's Report including progress report on Planning and Highways business](#)
5. [To consider responses to Planning Applications](#)
6. [To consider installing road signs at Lyons Walk and Breach Common](#)
7. [To consider a second site for STC's Speed Indicator Device](#)

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.

To date, no apologies 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 1st August 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 [1st August 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.

4.1 Planning information to receive and note

Subject	Description	Progress / comments
Consultations on Proposed Changes to the Planning System	<p>The government has announced three consultations on proposed changes to the planning system. The first consultation seeks views on proposed changes to existing Permitted Development Rights in England (which allows certain types of work to be undertaken without the need to apply for planning permission) as well as proposing new ones. This includes rights that would allow the change of use of certain commercial, business and service buildings as well as the change of use of agricultural buildings to dwelling houses and the erection or extension of schools, colleges, universities, hospitals and some prisons. It also explores the use of local design codes to change Permitted Rights.</p>	<p>SLCC intends to respond to the consultation. The deadline for comments is 25 September 2023.</p> <p>For information only.</p>
Proposed temporary closure of Foyle Hill	<p>Application from Openreach to close Foyle Hill, between Foyle Hill House and Tucks House, a distance of approximately 190 metres. The closure has been requested to allow Openreach to carry out pole replacement works.</p> <p>These works are programmed to commence from 09:30 - 14:30 on 3rd October 2023.</p>	<p>For information only.</p>
<p>Dorset Council Housing Strategy Consultation</p>	<p>Dorset Council has launched The Housing Strategy Consultation.</p> <p>Residents who take part will have the opportunity to influence the council’s approach to housing over the next five years.</p> <p>The consultation is primarily a questionnaire, with some space for free text, it’s anticipated it will take just minutes to complete.</p> <p>The aim is for as many people as possible to contribute with their views about what is important to them. Key issues such as housing need, supply, and standards are some of the issues highlighted. The over-arching aim of the consultation however is simple, to hear what residents have to say.</p>	<p>The consultation is open for 10 weeks.</p> <p>If residents are unable to complete the consultation on -line or wish to request a paper copy, please call 01305 221000 for further information.</p> <p>The strategy will run from 24th July 2023 for ten weeks and closes on Monday 2nd of October.</p> <p>An evidence-based document will also be available for anyone who chooses to read it, it is not compulsory. It can be accessed on the consultation site or at libraries.</p> <p>Paper copies will need to be returned by 6th October 2023.</p>

Proposed Highways works - Higher Shaftesbury Road and Boyne Lane	Revised Planned maintenance works as follows: 2 nd to 10th October Higher Shaftesbury Road (Tower Hill to Smugglers Lane) 11 th to 23 rd October Boynes Lane (Smugglers Lane to Bushes Road) - carrying out targeted and localised repairs to sections of those roads.	For information purposes only.
P/TRC/2023/04539	9 Salisbury Street SP7 8EL T1 - Gingko - Crown lift to 3m from ground level. Reduce the height by topping up to 3m. Reduce radial spread by up to 1.5m all around. T2 - Cypress - Fell.	For information purposes only.
P/TRC/2023/04625	13 Breach Lane Shaftesbury SP7 8LE T1 - Magnolia - Reduce crown by 3m and shape inside limbs by up to 2m. Thin crown by 10%. T2 - Silver birch - Fell to low stump. T3 - Prunus - Reduce dying back limbs by up to 1m and a crown thin by 5-10%.	For information purposes only.
Temporary Traffic Management Notice, Various Roads, Shaftesbury	The Notice comes into operation on 6th September 2023 between 09:00 - 16:00 and will remain in force for 5 days, however it is anticipated that the works will be completed by 6th September 2023. This Notice will enable Openreach to renew a frame and cover on Wincombe Lane.	For information purposes only.
P/TRC/2023/04980	Bimport House 15 Bimport SP7 8AT T1 - Yew - Remove as tree is dead. T2 - Yew - Remove as tree is dead.	For information purposes only.

4.2 – Other matters to resolve

20mph East Shaftesbury – response from Dorset Council	<p>In March 2023 the P&H committee resolved to put forward a request to Dorset Council, Highways, to fix the speed limit to 20 mph throughout the whole of the East of Shaftesbury estate (Persimmon Parcels 1 – 7). Following the submission, a response from Dorset Council is as follows:</p> <p><i>Thank you for sending through this information and I can advise that the 20mph Phase 2 applications (including this one) are under review.</i></p> <p><i>To help with this review I would like to pick up on some comments made within the attached motion that formed part of the application.</i></p> <p><i>The motion states that - According to page 31 of the Persimmon master plan, Aug 2007, all the other roads on the new estate are to be adopted as 20 mph. However, there has been no communication or clarity from Dorset Highways on the mph limits for the whole of the estate. It is just that the Persimmon Master Plan states Allen Road is definitely 30mph and all the others are 20mph. The officers need to obtain clarity on what the plan is on speed limits for the estate.</i></p> <p><i>I can confirm that the majority of the estate roads are designed to a maximum design speed of 20mph in accordance with current national guidance as contained in Manuals for Streets, however, all the roads are subject to a 30mph speed limit (sometimes referred to as a restricted road) and this is denoted by the presence of the street lights - Speed limits - GOV.UK (www.gov.uk).</i></p>
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	<p><i>30mph is the speed limit for all the public housing developments in the area including the ones abutting this development.</i></p> <p><i>With the above in mind, I would welcome clarification from the TC that they wish to continue with this stand-alone 20mph application or whether the TC now wishes to consider this update and the potential impact of this application on the wider community living in the nearby estates.</i></p>
<p>Recommendation: The committee provides clarification on whether to continue with the stand-alone 20mph application as referenced in the Dorset Council response.</p>	
<p>Neighbourhood Plan review</p>	<p>There is a requirement to enlist professional planning support using the Dorset Planning Consultant to guide and support the development of the Neighbourhood Plan review.</p> <p>The planning support will cover the period October 2023 (post grant confirmation) to end March 2024, and will equate to 15.6 days' equivalent based on the following (approximate day estimates provided):</p> <ul style="list-style-type: none"> • NP Group meetings (6 estimated) • LPA liaison and project plan updates (3.7 days' equivalent) • Review of NP theme chapters Town Centre; Housing and Employment; Green Infrastructure; Design and Heritage; Community and Leisure (8.8 days' equivalent, mapping support from Town Council team) • SEA / HRA screening in liaison with LPA (0.5 day's equivalent) – • Plan updates – identify main modifications, finalise amendments (2.6 day's equivalent) • Misc printing / disbursements • NB assumes addition of sites would not trigger SEA requirement and SEA / HRA screened out – if this is not the case the project plan will be updated to accommodate this. <p>Dorset Planning Consultant quote is £9,117 and a funding application to the value of £5,000 will be submitted to Locality.</p>
<p>Recommendation: The committee resolves to recommend to Full Council to enlist the support of the Dorset Planning Consultant at a cost of £9,117, noting that a funding application will be submitted to Locality.</p> <p>Note: The fee proposal is over the Scheme of Delegation limit for the P&H committee (£5,000) hence why Full Council need to validate the cost on 19th September.</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

Planning App Ref	Proposal	Neighbourhood Plan Ref / Comments
P/FUL/2023/03980 Friends of Westminster Memorial Hospital (Charity) 06.09.2023	1 Abbey Walk SP7 8BB Change of use from residential (Class C3) to medical uses (Class E(e)). Erect single storey front and rear extensions.	5.2 Shaftesbury Character Zone 1 Bimport 5.3 Conservation Area
P/VOC/2023/04299 Mr & Mrs D Thompson 06.09.2023	Windrush Hawkesdene SP7 8NT Erection of first floor extension and single storey rear extension (with variation of Condition No. 2 of Planning Permission No. P/HOU/2021/02304 to amend the approved plans).	SFHE1/SHGI2 Generally level area on higher ground (plateau edge). Very sensitive to development 5.2 Shaftesbury Character Zone 6 Cann
P/LBC/2023/04215 Newnham and Bird 06.09.2023	57 St James Street SP7 8HF Remove exterior cement pointing and external grade masonry paint and replace with lime mortar and stone left unsealed. Reconfigure the first floor bathroom	SFHE1/SHGI2 Shallower slopes 1:5 to 1:15 at lower levels, sensitive to development 5.2 Shaftesbury Character Zone 3 St James 5.3 Shaftesbury Conservation Area Grade II Listed Building
P/VOC/2023/04151 Mr and Mrs K and S Beedle 06.09.2023	Old Cann Rectory Salisbury Road SP7 8ER 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 (with variation of condition 2 of planning permission P/HOU/2022/03609 - to amend approved plans)	SFGI1 - Important Treed Area 9 5.2 Shaftesbury Character Zone 6 Cann Grade II Listed Building
P/VOL/2023/04152	Old Cann Rectory Salisbury Road SP7 8ER	SFGI1- Important Treed Area 9

Mr and Mrs K and S Beedle 06.09.2023	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 (with variation of condition 2 of listed building consent P/LBC/2022/03610 to amend approved plans)	5.2 Shaftesbury Character Zone 6 Cann Grade II Listed Building
P/VOC/2023/04470 Mr David Buczynskyj	Land at E 387435 N 123315 Maple Road Construction of local equipped area of play (LEAP) and associated works (with variation of Condition No. 2 of Planning Permission No. P/FUL/2022/00553 to amend the approved plans and retain the LEAP as constructed).	5.2 Shaftesbury Character Zone 8 East of Christy's Lane
P/HOU/2023/04631 Ms Kavanagh 08.09.2023	1 Sweetmans Road SP7 8EQ Erect single storey side extension.	5.2 Shaftesbury Character Zone 8 East of Christy's Lane
P/LBC/2023/04628 Mr Antony Macdonald 13.09.2023	94 St James Street SP7 8HF Replace the timber windows on the front (street) elevation. The ground floor windows would be replaced with heritage timber casements to match the first-floor windows with single glazing. The first-floor windows would be replaced with heritage single glazed timber casement windows.	5.2 Shaftesbury Character Zone 3 St James 5.3 Shaftesbury Conservation Area
P/FUL/2023/03910 Blackmore Vale Farm Cream Ltd 14.09.2023	Blackmore Vale Farm Cream Ltd Wincombe Lane SP7 8QD Widen existing drive & construct a footpath along south side of drive. Erect security entry gate and fencing. Install lighting & security systems.	NPSB within Parish boundary, outside Settlement boundary SFHE3 Employment area (B class)

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 installing road signs at Lyons Walk and Breach Common

(1) Lyons Walk

Background

In June 2023 a request was brought to this committee to install a street sign in Lyons Walk. Residents continually experience problems with deliveries and people finding their road.

Before the request was presented to STC officers contacted DC, who provided the following information: *As there has never been a street name plate as this location we would not place a new one there. The reasoning behind there never being one there is probably because it would encourage people to use it as a through road when it is entirely not suitable for that purpose. However, if the Town Council would like to have one made at our sign shop and get in put in place, I would not stand in your way, but if it were to come to light that it did encourage unwanted vehicles using the narrow lane, I would reserve the right to take it down.*

The committee **resolved** to respond to Dorset Council to advise that there used to be a sign at this location, and that it is Dorset Council's responsibility as the Highways Authority under the Road Traffic Regulation Act 1984, section 65 to install a sign.

Further Information

DC has requested for photographic proof that a sign used to be installed at the site. Officers were unable to find a photo of a sign in situ. Gold Hill Museum was approached, however they do not have any photographs with the road sign in position. Google Maps from 2009 shows the wall without a street sign.

DC Highways have further confirmed that *The Road Traffic Regulation Act 1984, section 65 applies to the speed limit and directional signs not the road name plates. We at Dorset Council have a finite budget for the replacement of strategic signs.*

Lyons Walk is not a strategic sign, putting one in place will no doubt encourage unwanted traffic along this narrow section of road, so Dorset Council will not be placing one at that location. If Shaftesbury T.C feel the need for one to be put up I will consider it, however if it starts to cause issues with unwanted traffic, I will insist that it is taken away again.

(2) Breach Common

Background

Friends of Breach Common have sent the following request to the Town Council:

As a member of the Friends of Breach Common (FROB), a voluntary group consisting of interested people from the Shaftesbury area who are attempting to restore the area under the guidance of Darwin Ecology, it has been brought to my attention that there are no sign posts at either end of the unnamed lane that passes through the common to indicate where it is. It would be helpful if there were a sign at both the Breach Lane/Castle Hill end to the North and the Foyle Hill end to the south to direct people to the Common. There is also no signpost to identify the public footpath that leads to the Common (other than a homemade one), on the Foyle Hill entrance slightly further down the hill.

As a group we are trying to encourage its use by the general public and visitors to the area, but as the road is unnamed find it difficult to describe exactly where it is.

Further Information

DC Highways have commented with the following:

Breach Common, as you will probably know has never had a road name plate sign nor does it have any residential properties on it. This would make it non-strategic and so does not meet our criteria, however if Shaftesbury Town Council feel the need to have this road named, I would be happy to consider it.

Recommendation

The committee are requested to consider if street signs should be installed at Lyons Walk and Breach Common at a cost of £887.00 per sign. There is no budget line for such street signs available for at present. If Councillors wish to have these signs installed, they may wish to use funds from General Reserves or consider this expenditure as part of the budget setting process for 2024/2025.

Note: If resolved, expenditure would be posted against budget line 105 (Local Delivery Services) 4250 - Repairs and Maintenance - budget £2,500 YTD spend £2,698. This additional expenditure would then need to be ratified at Full Council due to the potential overspend and use of General Reserves.

To consider a second site for STC's Speed Indicator Device

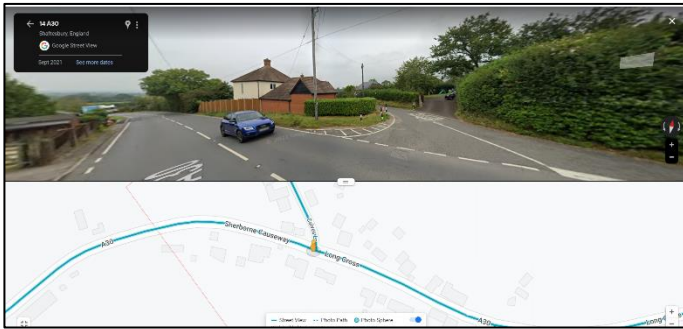
Report

Following an inspection by Dorset Council of STC's Speed Indicator Device situated at Long Cross, DC officers have suggested a second site for the SID, which would ensure greater use out of the current device.

Ideally as we have said before you need a second site so you can rotate the unit from one site to another, rather than take it in every 6 weeks where it is doing nothing. We think it is a good opportunity for the Town Council to decide whether to deploy at one site is beneficial, or whether the additional cost would be worthwhile to ensure the SID is on the Highway all the time.

Proposed Location

Offset from edge of carriageway as marked up.
Location details: Shaftesbury, Long Cross



Note to community group; please ensure where posts are to be situated close to any residential property or business, that consultation is completed with residents/owners before approval is provided for this works to proceed.

Financial Information

The cost to supply and erect one SID post in the verge as per your specification would be £845 +VAT.

Quote required for 1 post - to supply and erect number 89mm diameter galvanised post including the cap and base plate with an ST2 concrete footing in the verge/highway. 4m pole, 1m below ground, 3m above.

The above price is based up on clear and unrestricted access to site with no allowance being made for the excavation or alteration of any buried services. As the locations is on a classified 'A' road and on a junction DC will have to carry out these works during restricted working hours between 09-30 to 15:00 with the appropriate traffic management & control which will be three way temporary traffic signals.

Once the post is installed DC can commission the post and get it added to the STC SID programme.

Recommendation

Members are requested to consider if they wish to add a second Speed Indicator Device at the location specified by Dorset Council, at a cost of £845. There is no budget line available for this. If Councillors wish to have these signs installed they may wish to use funds from General Reserves or consider this expenditure as part of the budget setting process for 2024/2025.

Note: This expenditure has not been budgeted for. If resolved, expenditure would be posted against budget line 105 (Local Delivery Services) 4250 - Repairs and Maintenance - budget £2,500 YTD spend £2,698. This additional expenditure would then need to be ratified at Full Council due to the potential overspend and use of General Reserves.