



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

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, 7th November 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, 1st November 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 3rd October 2023](#)
4. [Clerk's Report including progress report on Planning and Highways business](#)
5. [To consider responses to Planning Applications](#)
6. [To consider further information in relation to the 20mph application request for the Persimmon development](#)
7. [To consider an update on the proposed SID locations](#)

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 3rd October 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 [3rd October 2023](#).

Clerk’s 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/OUT/2022/00536	Location: Land at Lower Blandford Road Description: Erection of up to 7 dwellings with associated highway and drainage infrastructure and landscaping (outline application to determine access only) Appeal Reference: APP/D1265/W/23/3324438 Appellant: Mr M Nublath and Mrs A M Andrew Appeal Start Date: 4 October 2023	The appeal will be determined on the basis of Written representations. Any further representations must be received by 8 th November 2023.
TPO/2023/0071	A provisional Tree Preservation Order (TPO) has been made at Land East Of Lidl E 386789 N 123117, Christys Lane on 4 th October 2023.	This Tree Preservation Order has been made as a result of a planning enquiry being made with the Local Authority. It has not been made to prohibit development but to ensure the trees are fully considered as part of any current or future applications. All representations or valid objections regarding the order received by 8 th November 2023 will be considered prior to any decision being made.
Public Consultation	Dorset Council Off-Street Parking Places Consolidation Order - Amendment no. 2 Public Notice	Responses deadline to Dorset Council is 9 th November. Councillors should consider if they wish to respond.
Request to have two parking spaces moved near the junction of Bimport & Abbey Walk	In August the P&H committee under min no PH21 <i>RESOLVED to request that Dorset Council Highways assist STC in assessing the conflicting interests between the current footpath, parking arrangements and visibility that requires further consideration.</i> DC Highways response is as follows: <i>Last week we undertook an assessment of the proposed TRO at Bimport, Shaftesbury where we met a representative from Shaftesbury Town Council.</i> <i>As a result of the assessment, the recent proposal for the extension of the existing footpath which would allow vehicles to park along its kerb is untenable.</i>	For information purposes only. The resident has been advised of the outcome.

	<i>Drivers would be greatly restricted in being able to see past the parked vehicles in order to safely pull out of Abbey Walk onto Bimport. Therefore, I am unable to support this proposal as it would make the junction more hazardous to negotiate for all users of the highway.</i>	
P/CLP/2023/05898 Mr Charles Blane	61 Vale View SP7 8TH Erection of a summer house in the rear garden	For information purposes only.
P/CLP/2023/06199 NHS Dorset Healthcare University NHS Foundation Trust	Pepperrell House Bleke Street SP7 8JZ Certificate of Lawfulness for use as a care facility providing mental health step down support (Class C2).	For information purposes only.
P/TRC/2023/05774	10 Gold Hill SP7 8HB T1 - Cherry - Remove as tree is dead. T2 - Pittosporum - Remove as tree is growing hard up against the rear wall of 10 Gold Hill and its root plate/ trunk development could exert some lateral pressure on the rear wall of the property. S4 - Stump of a small ornamental conifer - Reduce to ground level.	For information purposes only.
P/TRT/2023/06003	6 St Rumbolds Road SP7 8NE T5 - Corkscrew Willow - Remove as after having two tree surgeons inspect the tree, they have noticed heaving at the roots, and considered with the diagonal angle of growth, it is possible that the tree would come down on the neighbour's shed.	For information purposes only.
Temporary Traffic Management Order, Salisbury Road	The Order came into operation on 3 rd January 2023 and remains in force for 18 months, However, it is anticipated that the works will be completed between 30 th October 2023 – 17 th November 2023.	For information purposes only.
Temporary Traffic Regulation Order, Lower Blandford Road	To enable essential highway maintenance works, Lower Blandford Road will be closed on 24 th November 2023, from 09:30 to 14:00, and will be re-opened to traffic overnight and at weekends – Link to Stakeholders Information.	For information purposes only.
Temporary Closure of various roads, Shaftesbury for a Remembrance Parade	On Sunday 12 th November 2023 various roads in Shaftesbury will be closed from 10:45 hrs to 10:55 hrs and then from 11:05hrs to 11:15hrs – Link to Public Notice.	For information purposes only.
Temporary Traffic Management Order of B3091, Cann.	This notice will come into operation between 09:00 - 16:00 on 1 st November 2023 and remain in force for 18 months however it is anticipated that the works will be completed by 10 th November 2023. The road will be open outside of these times and also over the weekend.	For information purposes only.

Temporary Traffic Regulation Order for St John's Hill	To enable essential highway maintenance and urgent tree works, St John's Hill will be closed between the Cliff House and the junction with Love Lane from 11th to 15 th December 2023. The road will be closed daily from the hours of 09:00 to 15:00 and will be re-opened to traffic overnight and at weekends – Stakeholder Information for highways works and tree works	For information purposes only.
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Delegated Decisions for Information (all within the Clerks delegated spend)

N/A

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/2023/05568 La Fleur de Lys Limited 08.11.2023	La Fleur De Lys Bleke Street SP7 8AW Conversion of existing restaurant (with ancillary letting rooms) to a single dwelling & associated works.	5.2 Shaftesbury Character Zones 2. Shaftesbury Town Centre SFDH9 Listed Grade II
P/LBC/2023/05569 La Fleur de Lys Limited 10.11.2023	La Fleur De Lys Bleke Street SP7 8AW Alterations for conversion to a single dwelling & associated works	5.2 Shaftesbury Character Zones 2. Shaftesbury Town Centre SFDH9 Listed Grade II
P/FUL/2023/05839 Mrs Carola Zogolovith 08.11.2023	2 & 4 Salisbury Street SP7 8EJ Change of use of the first floor from residential dwelling (use class C3) to offices (use class E)	5.2 Shaftesbury Character Zones 2. Shaftesbury Town Centre SFDH9 Listed Grade II
P/VOC/2023/05852 Lidl UK 09.11.2023	Lidl Shaftesbury Christys Lane SP7 8TL Erection of retail foodstore with associated car parking, access, landscaping and engineering works. (With variation of Condition Nos. 22 and 23 of Planning Permission No. P/FUL/2020/00008 to extend the opening hours and delivery hours on bank holidays).	5.2 Shaftesbury Character Zones 4. Barton Hill & Cockram’s Field
P/FUL/2023/05674 Fontmell Estates 10.11.2023	13 High Street SP7 8JD Convert building into 1 No. retail unit and 2 No. dwellings, and carry out associated external alterations including re-instating the shopfront.	5.2 Shaftesbury Character Zones 2. Shaftesbury Town Centre SFDH9 Listed Grade II
P/LBC/2023/05675 Fontmell Estates 17.11.2023	13 High Street SP7 8JD Carry out internal and external alterations associated with the conversion of the building into 1 No. retail unit and 2 No. dwellings, including re-instating the shopfront.	5.2 Shaftesbury Character Zones 2. Shaftesbury Town Centre SFDH9 Listed Grade II

P/HOU/2023/06094 Ms Kavanagh 16.11.2023	1 Sweetmans Road SP7 8EQ Erect Single Storey Side Extension	5.2 Shaftesbury Character Zones 8. East of Christy's Lane inc Grosvenor Rd
P/LBC/2023/06304 Dr John Middleton 21.11.2023	82 St James Street SP7 8HF Remove existing exterior masonry paint on front elevation to eaves level and leave stonework exposed. Removal of existing cement pointing and re-point greensand stonework to eaves level.	5.2 Shaftesbury Character Zones 3. St James 5.3 Shaftesbury Conservation Area
P/HOU/2023/06244 Mr Pickford & Ms Lewis 21.11.2023	29 Lower Blandford Road SP7 8NR Erect single-storey rear extension, install new ground floor window. Convert loft into living accommodation with one dormer window.	5.2 Shaftesbury Character Zones 6. Cann

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	Economic Benefits
Local or Government Policy	Traffic or Highways	Design
Noise/Disturbance	Road Safety	Flooding Issues
Parking	Residential Amenity	Impact on Light
Overlooking/Loss of Privacy	Heritage	Height
Landscape	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 further information in relation to the 20mph application request for the Persimmon development

Background

In March 2023, STC *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).

In September Dorset Council requested clarification, if the TC that 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.

STC *RESOLVED* to request that Dorset Council continue with the Member's Motion as previously submitted, to have a standalone 20mph for Persimmon Estate parcels 1-7.

Further Information

Dorset Council have now provided further information and clarification the Town Council will wish to consider:

1. In order to create a new 20mph scheme the Traffic Regulation Order process needs to be followed [How a Traffic Regulation Order \(TRO\) is made - Dorset Council](#) and this will necessarily involve a public consultation. The 20mph panel will require evidence to satisfy itself that there is already significant community support for the scheme and that the town is ready for a public consultation. In assessing community support, the Town Council and local Ward Member should consider residents views to best ensure that there is broad consensus. The application states that there is no evidence of community support and therefore I would have difficulty presenting this application to the panel.
2. It would be helpful to understand if the Town Council have considered the needs and views of residents in relation to the 20mph policy especially in the adjoining roads (in addition to the Persimmon residents) when defining the extent of the 20mph request. Presently the speed limit for the estate and the surrounding roads is defined by the 30mph terminal signs (start points) and street lighting which provides consistency in line with regulations and the Highway Code. Any new speed limit would need to reinforce the road user's natural assessment of what is appropriate.
3. The policy advises that a Community Speed Watch team to have been active in the community for a minimum of 12 months unless there is clear demonstratable reason why a team cannot be established.
4. As part of the assessment process, I would need to understand the current road speeds with the Town Council commissioning surveys unless data is already available. Speed surveys can be obtained at £275 +VAT for first site and then £200 +VAT for each additional site monitored at the same time in the same area. I would welcome confirmation that the Town Council would be willing in principle to pay for these surveys. The number of surveys (and therefore the costs) would be commensurate with the extent of an application.

Recommendation

Members are requested to consider the information and advise on a way forward.

To consider an update on the proposed SID locations

Background

At the P&H meeting on 5th September members *RESOLVED* to not have a second site at Long Cross, but to request for Dorset Council to investigate Mampitts Lane and Pound Lane locations for a second SID site.

Further Information

Dorset Council have looked at these two locations previously. The locations do not meet the criteria for an SID. The surveys carried out are summarised below;

Site 3260 – Pound Lane, Shaftesbury (Between Imber Rd and Gower Rd) - Nov 2018

		5 DAY AV. FLOW	7 DAY AV. FLOW	7 DAY AV. 85%ILE	7 DAY AV. MEAN
1	: South Westbound	1301	1206	28.6 mph	24.1 mph
2	: North Eastbound	1450	1349	26.1 mph	21.0 mph

Site 3461 – Mampitts Lane, Shaftesbury (East of Pound Lane) – Nov 2019

		5 DAY AV. FLOW	7 DAY AV. FLOW	7 DAY AV. 85%ILE	7 DAY AV. MEAN
1	Westbound to Christy's Lane	1276	1202	27.3	20.9
2	Eastbound to Spar	1477	1373	23.6	19.1

Unless members think there has been some significant change in the area that would impact these results there is probably no benefit in repeating these surveys again.

Surveys cost £275+VAT for the first site, then £200+VAT for each additional site in the same area, at the same time.

Further information on the [SID criteria can be found on this sheet.](#)

Recommendation

Councillors are requested to note the information and to advise if

- (a) They would like to proceed with the option suggested by Dorset Council, a second site at Long Cross at a cost of £845+ VAT
- (b) Or to proceed with Pound Lane and Mampitts Lane if they feel there is a significant change in speed, commissioning new surveys at a cost of £475+VAT and installing a new post at a cost of £845 + VAT if accepted by Dorset Council
- (c) Or to not proceed with a second site.

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.