



Town Hall | 61 Newland Street | Witham | CM8 2FE
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AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Monday, 2nd October 2023** Time: **6.30 p.m.**

Place: **Town Hall, 61 Newland Street, Witham, Essex**

Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:

P.	Barlow	(Chairman)	T.	Hewitt
J.C.	Coleman	(Vice Chairman)	J.	Martin
E.	Adelaja		R.	Ramage
J.M.	Coleman		A.	Sloma
L.	Headley		E.	Williams

Nikki Smith
Town Clerk

GK/SS/26.9.2023

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 18th September 2023 (previously circulated).

3. INTERESTS

To receive any declarations of interests that Members may wish to give notice of on matters pertaining to any item on this Agenda.

4. QUESTIONS AND REPRESENTATIONS FROM MEMBERS OF THE PUBLIC

Members of the press and public will be invited to address the Meeting.

Order Note: A maximum of 30 minutes is designated for public participation time with no individual speaker exceeding three minutes unless otherwise granted an extension by the Chairman under Standing Order 3(F) & 3(G)

5. PLANNING OFFICER'S REPORT

To receive a verbal report from the Planning Officer on any matters arising from previous Meeting.

6. PART 1 APPLICATIONS

To approve officer 'no objection' recommendations for applications listed under [Part 1](#) without debate. *Applications may be moved to Part 2 where Members are in disagreement with recommendations by giving 24 hours' notice to the Planning Officer.*

7. PART 2 APPLICATIONS

To consider applications in [Part 2](#).

8. REVISED PLANS

To consider any revised plans received by Braintree District Council that have previously been commented upon.

9. DECISIONS

To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached](#) at page 11).

10. CYCLING DEVELOPMENT WORKING GROUP

To receive the Minutes from the Cycling Development Working Group and to note that Braintree District Council will put its proposals out to public consultation in October 2023 ([attached](#) at page 13).

11. HATFIELD PEVEREL NEIGHBOURHOOD PLAN REGULATION 16 CONSULTATION

To receive and note the Hatfield Peverel Neighbourhood Plan Regulation 16 Consultation ([attached](#) at page 15).

PART 1
APPLICATIONS WITH OFFICER ‘NO OBJECTION’
RECOMMENDATIONS TO BE CONSIDERED “EN BLOC” WITHOUT
DEBATE.

Applications Received:

The following applications have been made to the District Council for planning permission under the Town & Country Planning Acts and referred to the Town Council as a statutory consultee. Copies of the applications and accompanying plans may be seen at the Planning Department Causeway House, Bocking End, Braintree or online at www.braintree.gov.uk

PLEASE NOTE: Under the Local Government (Access to Information) Act 1985, representations cannot be treated in confidence. Witham Town Council is not responsible for issuing planning decisions.

23/02197/HH	59 Flemming Way, Witham, Essex	North	Proposed single storey rear extension
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PART 2 APPLICATIONS FOR MEMBERS' DEBATE

Applications Received:

The following applications have been made to the District Council for planning permission under the Town & Country Planning Acts and referred to the Town Council as a statutory consultee. Copies of the applications and accompanying plans may be seen at the Planning Department Causeway House, Bocking End, Braintree or online at www.braintree.gov.uk

PLEASE NOTE: Under the Local Government (Access to Information) Act 1985, representations cannot be treated in confidence. Witham Town Council is not responsible for issuing planning decisions.

23/02102/HH	Barnardiston House , 35 Chipping Hill, Witham	North	Proposed detached garage. Installation of new fireplace within drawing room. Alterations to landscaping to include the removal of decking, extension to existing terrace and pergola.
23/02103/LBC	Barnardiston House , 35 Chipping Hill, Witham	North	Proposed detached garage. Installation of new fireplace within drawing room. Alterations to landscaping to include the removal of decking, extension to existing terrace and pergola.
23/02289/T56	Verge At, Spa Road, Witham	West	The proposed installation of a 15m 5G street pole and additional equipment cabinets.
23/02237/TPO	Tudor Close, Witham, Essex	South	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 1/2018 Ash tree - Overhanging the property of 4 Tudor Close - 1 metre cut back from the boundary line to appropriate growth points
23/02249/HDG	Colemans Farm, Little Braxted Lane, Rivenhall End	North	Notice of intent to remove a hedgerow - Remove 10m of hedgerow to establish a new road
23/02212/FUL	1 Freebournes Road, Witham, Essex	Central	Erection of first floor external mezzanine on eastern side elevation, adjacent to first floor staff
23/02349/HH	38 Claudius Way, Witham, Essex	Hatfield	Proposed single storey rear extension and first floor side extension

Witham Town Council – Planning Application Report

Application No:- 23/02102/HH & 23/02103/LBC

Address:- Barnardiston House , 35 Chipping Hill, Witham

Ward:- North

Proposal:- Proposed detached garage. Installation of new fireplace within drawing room. Alterations to landscaping to include the removal of decking, extension to existing terrace and pergola.

Relevant Site History:- Erection of extension and alterations including alterations to surrounding landscape

Representations:- One Support Comment

Summary:- The house has previously been remodelled and extended to designs. The designs included the construction of an open cart lodge set back and at one end of the house and this although it received planning and listed building consent was never completed. Now there is a proposal to complete the garaging with a fully enclosed structure that has sufficient volume to accommodate a hydraulic lift for the maintenance of classic cars. At the same time, it is intended to carry out a landscape design and some minor alterations in the main house.

The application relates to the existing garage footprint established for a carport from previous development on the site that was undertaken in 2004. This proposal seeks to create a garage to store two four-post parking lifts for classic sports cars and a small, basic workshop bench/space for the applicant.

This application also includes alterations to the garden landscaping to create a more unified space to meet the demand of the applicant. Internally, there is a proposal for a new fireplace in one of the principal living rooms.

Recommendation:- Members will need to make two decisions, one for the HH application and the other for the LBC one. This property is in a conservation area, and as a result any proposed works must encourage the preservation and enhancement of the character and appearance of the area in line with Policy LPP53. Therefore, Members need to decide whether the proposed plans achieve this and subject to the advice of the Listed Buildings Officer.

Policy References:- Policy LPP53

Witham Town Council – Planning Application Report

Application No:- 23/02289/T56

Address:- Verge At, Spa Road, Witham

Ward:- West

Proposal:- The proposed installation of a 15m 5G street pole and additional equipment cabinets.

Relevant Site History:-

Representations:- One Objection Comment, and a Government statement

Summary:- In this location, existing mast sites are not capable of supporting additional equipment compliment to extend coverage reach across the target area and prospective 'in-fill' mast sites are extremely limited. There is an acute need for a new base station to provide effective service coverage and in this case, the height of the proposed street pole is the minimum required to bring the benefits of 5G to this area.

Recommendation:- Such development has the potential to facilitate educational benefits, providing access to vital services, improving communications with the associated commercial benefits for local businesses, enabling e-commerce and working from home as well as enjoying access to social, media and gaming for leisure time activities.

The National Planning Policy Framework (NPPF) is clear that LPAs should not question the need for the installation under Part 116, and that and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections under Part 114.

However, in paragraph 115 it details that " Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate." Therefore, it is up to members to decide whether the proposed achieves this.

Policy References:- National Planning Policy Framework

Witham Town Council – Planning Application Report

Application No:- 23/02237/TPO

Address:- 4 Tudor Close, Witham, Essex

Ward:- South

Proposal:- Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 1/2018

Ash tree - Overhanging the property of 4 Tudor Close - 1 metre cut back from the boundary line to appropriate growth points

Relevant Site History:- Application for Certificate of Lawfulness for demolition of conservatory and erection of a flat roofed single storey rear extension. Extension of existing bedroom with pitched roof over. Additional window to ground floor west elevation.

Ref. No: 21/00001/PLD | Status: Application Refused

Single-storey rear extension and installation of new window to ground floor west elevation.

Ref. No: 21/00820/HH | Status: Application Permitted

Representations:- None

Summary:- Ash tree - Overhanging the property of 4 Tudor Close - 1 metre cut back from the boundary line to appropriate growth points

Recommendation:- The Tree Warden has been to look at the tree and would recommend no objection. Therefore, the Officer recommendation would be to raise no objection subject to the advice of the District Council's Landscape Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/02249/HDG

Address:- Colemans Farm, Little Braxted Lane, Rivenhall End

Ward:- North

Proposal:- Notice of intent to remove a hedgerow - Remove 10m of hedgerow to establish a new road

Relevant Site History:- Hedgerow Removal Notice - Remove Alder trees forming a hedge

Ref. No: 11/00404/HDG | Status: Application Permitted

Representations:- None

Summary:- It is proposed to remove a 10m stretch of hedgerow to facilitate the establishment and use of a new haul road at Colemans Farm Quarry. The new haul road will enable BAL to better segregate heavy plant and road going HGV vehicles along site haul roads. It is proposed to remove the hedge between grid ref 583352, 215638 and 583364, 215630. This is in addition to an already approved/exempt area of removal associated with the diversion of the Burghey Brook. The same stretch of hedge is also subject to removal as part of the A12 scheme.

Recommendation:- The removal of additional hedgerow result in the further destruction of habitats for local wildlife. Therefore, recommend refusal in line with Local Plan Policy LPP71.

Policy References:- Policy LPP71.

Witham Town Council – Planning Application Report

Application No:- 23/02212/FUL

Address:- 1 Freebournes Road, Witham, Essex

Ward:- Central

Proposal:- Erection of first floor external mezzanine on eastern side elevation, adjacent to first floor staff canteen and erection of extension to western side elevation.

Relevant Site History:- Creation of new access

Ref. No: 14/00277/FUL | Status: Application Permitted

Representations:- None

Summary:- This full planning application seeks a first floor external mezzanine to the eastern elevation of the industrial unit, to be an ancillary use of additional seating to the staff canteen as well as an extension to western side elevation. The mezzanine will be accessed through a new single doorway from the staff canteen, which is located on the first floor of the building, immediately adjacent to the proposed mezzanine.

There will be an external staircase from the mezzanine to ground level to provide a means of access and escape. The proposed extension has external dimensions of 12.00m x 6.02m, heights are 4.7m to the eaves and 5.12m to the ridge. The extension is required in order to free up space within the existing factory. The proposal will not require any additional staffing, therefore there is no requirement for any additional parking on site.

Recommendation:- Recommend no objection in line with policies, Policy SP1 Presumption in favour of sustainable development, Policy SP 5 Employment, and Policy SP7 Place Shaping Principles.

Witham Town Council – Planning Application Report

Application No:- 23/02349/HH

Address:- 38 Claudius Way, Witham, Essex

Ward:- Hatfield

Proposal:- Proposed single storey rear extension and first floor side extension

Relevant Site History:-

Representations:- None

Summary:- The application seeks to create a large dining and kitchen space on the ground floor and create an additional bedroom on the first floor.

Recommendation:- This is a large extension in relation to the original property and would suggest that this would be over development of site - LPP36 applies. The property already has a small rear garden and the proposal would reduce this even further. The Essex Design Guide recommends a garden size of 100sqm for a three bedroom property, and this property would reduce the garde size to 30 sqm. Therefore, the Officer recommendation would be to recommend refusal.

Policy References:- LPP36a and Essex Design Guide

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Application & Address	Proposal	BDC Decision	WTC Decision
23/02095/TPOCON 9 Old Magistrates Court Witham Essex CM8 2FT	Notice of intent to carry out works to trees in a Conservation Area:- Removal of tree	Application refused	Recommended refusal
23/01900/HH 89 Highfields Road Witham Essex CM8 1LW	Proposed single storey rear extension	Application Permitted	Raised no objection
23/01899/TPO 5 Witham Lodge Witham Essex CM8 1HG	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 24/83 Fell both T4 (Sycamore) and T6(Horse Chestnut)	Part Granted Part Refused	Recommended refusal
23/01709/HH 74 Maldon Road Witham Essex CM8 1HP	Proposed triple garage to rear of site; proposed change of levels to front of site to accommodate a hardstanding for car parking and provision of dropped kerb	Application Permitted	Recommended refusal of the hardstanding at the front of the property on the grounds of detrimental impact on the street scene and potential traffic hazard but no objection to the triple garage at the rear.
23/01641/HH 42 Braintree Road Witham Essex CM8 2DB	Replacement front porch and single-storey side and rear extension	Application Permitted	Raised no objection
23/01441/FUL 18 The Grove Centre Newland Street Witham Essex CM8 2YT	Insertion of 2No. windows to side elevation.	Application Permitted	Raised no objection

23/01361/VAR 49 Braintree Road Witham Essex CM8 2DB	Variation of Condition 2 (Approved Plans) of approved application 18/00011/FUL granted 27/05/2019 for: Redevelopment of the site to provide 8 one bedroom flats and 2 two bedroom flats (10 units total) incorporating the remodelling of the existing building to provide a three storey building with associated landscaping, parking Variation would allow compliance with the current Building Regulations (Drawing Nos: 17.2960/P204 rev H, 17.2960/P202 rev D and 17.2960/P203 rev E)	Application Refused	Raised no objection
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Agenda Item 10

**MINUTES OF THE CYCLING DEVELOPMENT WORKING GROUP MEETING HELD
8TH SEPTEMBER 2023**

Present: Councillors R. Playle, L. Barlow, J.C.Coleman and P. Heath

L. Flavell (Economic Development Officer, Braintree District Council)
G. Kennedy (Planning Officer)

1) APPOINTMENT OF CHAIRMAN

It was agreed to appoint Councillor Playle as Chairman of the Group.

2) APOLOGIES

There were no apologies for absence.

3) MINUTES

The Minutes of the Meeting held 18th August 2022 were agreed.

4) DECLARATIONS OF INTEREST

Councillor Playle declared a non-pecuniary interest as a Member of Essex County Council.

5) TERMS OF REFERENCE AND GROUP REMIT

The Terms of Reference for the Group were received.

6) LOCAL CYCLING AND WALKING INFRASTRUCTURE PLAN

The Chairman welcomed Louise Flavell to the Meeting.

She explained to Members that the District Council had commissioned consultants to produce a Local Cycling and Walking Infrastructure Plan (LCWIP) for both Braintree and Witham. The idea was to produce a network plan with preferred routes listed in priority. The formal report, once approved would feed into the Council's strategy and be used to obtain funding. She said that the consultants had also produced LCWIPs for Chelmsford and Colchester. She explained that it had been a desk-top exercise, linking key destinations such as the railway station and centres of employment.

She then shared slides with Members showing draft maps of proposed walking and cycling routes. She added that the Braintree Plan was currently out for public consultation and the Witham Plan would be out in October. This would be an on-line format only. It was considered that the reports would be considered by BDC in 2024 and used by ECC as part of a Local Transport Plan. This would be an opportunity to adopt as an official document and form part of the county-wide LCWIP.

Members then had an opportunity to ask questions. Louise explained that the plan would be able to identify segregated cycleways, 20mph limits and better lighting and with potential to connect Braintree to Witham and then to Maldon. The suggestion

was made that whilst there were good transport links to Braintree it might be a higher priority to connect to villages where transport links are limited. Members commented that it was important to provide adequate secure storage for bikes once cyclists had reached their destination.

Members were informed that the original consultation with the consultants had proved difficult as it had been a virtual meeting and preferred links were unable to be identified through the system. Members had identified a route from the south of the town to the railway station running adjacent to the railway line. They had also complained that the new cycleway installed as part of the Rivenhall Park development had gone through the middle of green space behind Elderberry Gardens. Louise confirmed that the Town Council would have greater control over the most recent Section 106 monies from Rivenhall Park for cycleway development although ECC would have the final say.

Members then spoke about the benefits of the River Walk as a cycleway but recognised that it would not be possible for safety and environmental reasons to light the walk at night but cat's eyes technology could be used. Members were concerned that cyclists, particularly teenagers, were reluctant to use helmets or lights at night. Louise said that if there was a revenue stream for safety equipment they could look into this. Members noted that the Highway Code had recently changed to give priority to cyclists.

Louise explained that comments made at the consultation would be referred back to the consultants and a report with priorities taken to Council for adoption in January 2024.

7) BRAINTREE DISTRICT CYCLING STRATEGY

Louise Flavell was asked for an overview of other plans for cycling in the Braintree District. She explained that it had been agreed to finish the Braintree LCWIP first before starting on the Witham one.

8) ACTIONS

Members recognised that it would be necessary to report their views back to the Planning and Transport Committee. It was agreed to set a meeting date for October.

The Chairman closed the Meeting at 10.45 a.m.

Councillor R. Playle
Chairman

GK/13.9.2023

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Dear Sir/Madam,

You have received this email because you are registered on the Braintree District Council Planning Policy mailing list or have been involved in the Hatfield Peverel Neighbourhood Plan Review.

The Hatfield Peverel Neighbourhood Plan was adopted in December 2019 and the Parish Council has now completed work to produce and submit an updated plan to Braintree District Council.

We are now seeking views on the revised Hatfield Peverel Neighbourhood Plan (under Regulation 16).

Where can I view and comment on the revised plan?

- Online at: <https://www.braintree.gov.uk/policyconsultation>

The consultation is open between Friday 15th September and 5pm on Friday 3rd November 2023

Once the consultation has closed an independent examiner will consider the plan along with evidence documents and all the comments. A local referendum will then follow and if the plan is supported by most of the votes it will replace the existing Hatfield Peverel neighbourhood plan.

Hard copies of the documents and response forms are also available at:

- Community Café, Village Hall, Maldon Road, Hatfield Peverel. CM3 2HP (Mon-Sat 9-5, Sun 10-5)
- Doctors Surgery, Sidney House, Strutt Close, Hatfield Peverel CM3 2HB (Mon-Fri 8-6.30)
- Braintree District Council Offices, Causeway House, Bocking End, Braintree. (Mon-Fri 9-5).

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