



Town Hall | 61 Newland Street | Witham | CM8 2FE  
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## MINUTES

### PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 23<sup>rd</sup> May 2022**

Place: **Council Chamber, Town Hall, 61 Newland Street, Witham, CM8 2FE**

Present: Councillors

J.	Goodman	(Chairman)
A.	Kilmartin	(Vice Chairman)
P.	Barlow	
S.	Hicks	
C.	Lager	
M.	Lager	
T.	Pleasance	

Also in attendance: Cllr

S.	Ager	
G.	Kennedy	(Planning Officer)
C.	Strachan	(Assistant RFO)

And one member of the public.

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Atwill who was travelling abroad and Jay who was unwell.

**RESOLVED** That the apologies be received and accepted.

#### 2. MINUTES

**RESOLVED** That the Minutes of the Meeting of the Planning and Transport Committee held 9<sup>th</sup> May 2022 be confirmed as a true record and signed by the Chairman.

#### 3. INTERESTS

Councillors C and M. Lager declared non-pecuniary interests in Minute 11 – Local Highways Panel Request, as they live near Chipping Hill bridge.

#### **4. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

Mr Green referred to his correspondence and his disappointment that Members had offered no objection to application 22/00875/FUL – Land to rear of the Jack and Jenny, Hatfield Road, Witham, by a casting vote. He considered that the developers were using the proposed footpath as a means of influencing the Planning Authority. He said that this was a narrow stretch of Hatfield Road with vehicles often speeding and there would be added danger during refuse and recycling collections. He said that an elderly lady of 95 remembered playing in the garden in her childhood and it was a travesty that the remains of this historic hedge was going to be destroyed particularly as it had stretched originally as far as Lynfield Motors but had been destroyed when Maltings Estate was developed. He reminded Members of their commitment to protect trees and hedges and knew this was planned to be considered in the Neighbourhood Plan.

The Chairman thanked Mr Green for his comments.

#### **5. CORRESPONDENCE**

Correspondence was received from Mr Green regarding 22/00875/FUL – Land to rear of the Jack and Jenny, Hatfield Road, Witham.

Members recognised the division that the application had caused between Members at the previous Meeting and discussed the application further in light of the new information that Mr Green had given. It was agreed that the proviso that a careful survey should be carried out on the trees should be extended to include the hedge.

**RESOLVED** That the Planning Authority be informed that further information has been received indicating that the hedge was at least 100 years old and had formed part of an extensive hedge to Lynfield Motors but long lengths of which had been destroyed during the development of Maltings Lane estate; and in light of the new information a detailed survey should be carried out of the hedge, that consideration should be given as to the need of a 2m wide footpath particularly as there was none close to the neighbouring Spa Shop and that the hedge be retained.

#### **6. PLANNING OFFICER'S REPORT**

The Planning Officer explained that notification had been received from Braintree District Council regarding application 21/00059/VAR in relation to Morrisons' Supermarket, which would be heard at its Planning Meeting on 31<sup>st</sup> May 2022.

It was agreed that representations should be made at the Planning Meeting and it was remembered that at the Public Inquiry it was the appellant's solicitor who had volunteered to open up the wall to allow access onto Cut Throat Lane. Councillor M. Lager would attend the Meeting and Councillor Hicks would also make representations in his capacity as a District Councillor.

**RESOLVED** That Councillor M. Lager make representations on behalf of the Town Council at the Planning Committee on 31<sup>st</sup> May 2022.

The Planning Officer explained that notification had been received from Braintree District Council regarding application 21/03618/FUL for Gershwin Park which would also be considered at its Planning Meeting on 31<sup>st</sup> May 2022.

Councillor Kilmartin explained that she had asked to make representations to the Planning Meeting in her capacity as a District Councillor as a recommendation to refuse the application had been made. She read out her proposed representations which included the need for a nursing home in Witham and said that she was prepared to represent the Town Council too.

**RESOLVED** That Councillor Kilmartin make representations on behalf of the Town Council at the Planning Meeting on 31<sup>st</sup> May 2022.

The Planning Officer reminded Members that on Friday, 27<sup>th</sup> May 2022 there would be the Ride London Essex Bike Ride which would affect parts of Essex to the east of Witham, particularly Maldon.

**RESOLVED** That the information be received and noted.

## 7. **PART 1 APPLICATIONS**

**22/01216/FUL**

**Elm Hall Primary School, Conrad Road, Witham**  
Installation of 'daily mile' track

**NO OBJECTION**

**22/01226/HH**

**48 Claudius Way, Witham**  
Conversion of garage to habitable accommodation

**NO OBJECTION**

## 8. **PART 2 APPLICATIONS**

**22/01145/TPO**

**25 Windsor Close, Witham**  
Notice of Intent to carry out works to tree protected by Tree Preservation Order 19a/02 – fell one tree.

Members were informed that the Tree Warden had made a site visit and recommended refusal on the grounds of loss of amenity to the local area, that no reason had been given for felling the tree and that there were no plans to replace the tree.

**RECOMMEND REFUSAL** on the grounds of loss of amenity to the local area, that no reason had been given for felling the tree and that there were no plans to replace the tree, and subject to the advice of the District Council's Landscape Officer.

**22/00855/HH**

**127 Highfields Road, Witham**  
Single-storey side and rear extension, new cycle store and fence

**NO OBJECTION** subject to suitable screening of the 1.8m high aluminium fencing and gate.

**22/01122/HH**

**56 Gershwin Boulevard, Witham**

Single-storey rear extension

Members were concerned that the extension would significantly reduce the size of the garden contrary to the Essex Design Guide.

**RECOMMEND REFUSAL** on the grounds of over development of site and lack of amenity space contrary to RLP 17.

**9. REVISED PLANS**

There were no revised plans to consider.

**10. DECISIONS**

The decisions on Planning Applications pertaining to Witham were received.

**RESOLVED** That the decisions be received and noted.

**11. LOCAL HIGHWAYS PANEL REQUEST**

It was agreed that in view of the time this matter should be held over to the next Meeting.

**12. ROAD CLOSURE – WITHAM CARNIVAL**

Details of the road closure for the Witham Carnival on Saturday 9<sup>th</sup> July 2022 were received.

**RESOLVED** That the details be received and noted.

There being no further business the Chairman closed the Meeting at 7.28 p.m.

Councillor J. Goodman  
Chairman

GK/24.5.2022