



Town Hall | 61 Newland Street | Witham | CM8 2FE  
01376 520627  
witham.gov.uk

## AGENDA

Meeting of: **Planning Applications & Transport Committee**

Date: **Monday, 10th February 2020** 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: Councillors:	J.C.	Goodman	(Chairman)
	Mrs A.	Kilmartin	(Vice Chairman)
	Mrs S.	Ager	
	P.R.	Barlow	
	S.E.	Hicks	
	Miss C.	Jay	
	M.C.M.	Lager	
	Mrs S.C.	Lager	
	C.S.	Livermore	
	P.M.	Ryland	

**1. APOLOGIES**

To receive apologies for absence.

**2. MINUTES**

To receive the Minutes of the Meeting of the Planning Applications & Transport Committee held (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 regarding any item on the Agenda.

**5. CLERK'S REPORT**

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

**6. RESCISSION NOTICE**

To receive a rescission notice in relation to Application 19/02196/FUL – Cut Throat Lane, Witham, which was considered as part of the Chairman's delegated decisions over the Christmas period and endorsed at Minute 180 – Clerk's Report, on 13th January 2020. Report [attached](#).

**7. 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.*

**8. PART 2 APPLICATIONS**

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

**9. REVISED PLANS**

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

**10. DECISIONS**

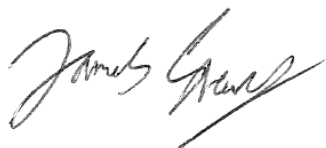
To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached](#)).

**11. PARKING IN PELLY AVENUE**

To consider a request for additional parking in Pelly Avenue ([attached](#)).

**12. APPEAL – 19/00953/FUL – 1 WHEATON ROAD, WITHAM**

To note the above appeal and to consider sending a letter of support.



James Sheehy  
Town Clerk  
GK/5.2.2020

## Witham Town Council – Planning Application Report

**Application No:-** 19/02196/FUL

**Address:-** Land at Cut Throat Lane, Witham

**Ward:-**

**Proposal:-** Development of standby gas powered generation facility, incorporating improved access provision, internal access tracks, security fence, gas generators and associated infrastructure.

**Relevant Site History:-**

**Representations:-** There are now 16 representations mainly from allotment holders. The issue was brought to the Town Council attention by a resident of Mulberry Gardens who was concerned about the vehicular access.

**Summary:-** This application was originally considered as part of the Chairman's delegated powers over the Christmas period as the Town Council was notified of the application on 16th December 2019 and needed a response by 13th January 2020. No objection subject to the trees on the eastern boundary being retained, adequate screening being planted and the remainder of the site being planted to enhance wildlife was made. The application was brought to our attention regarding the access to the site and the damage that this would do. The gas powered generator is needed during times of peak electricity use and without these schemes the national grid is at real risk of blackouts. The hours of operation would be limited to 6.00 to 23.00. The facility will not be manned and only have motion activated lights. The building time frame would be 32 weeks. There is a detailed 78 page Planning Statement. It was considered that the generator which would consist of 6 gas engines with a stack height of 7m, 1 gas kiosk, 6 transformers, amenity cabin, DNO building, switchroom and 2 battery energy storage containers within a gated compound with a 2.4 high palisade fencing, with 3 m high solid timber acoustic barrier along the eastern boundary and internal access track, will be sufficiently distant from residents to not cause noise problems. Likewise there should be no effect on nearby ecological designations (i.e. allotments). It is suggested that there would be a maximum number of 8 movements in traffic a day during construction during the weekday hours of 8 am to 6 pm and on Saturday 8 am to 2 pm. The proposed route onto the site would be via Mulberry Gardens, at para 5.5 under Improvements it says that the site access fronting Cut Throat Lane would need to be widened to accommodate construction vehicles. Further 'improvements' would be required to permanently widen Cut Throat Lane to three metres, temporary track widening and potential for embankment cutting to allow vehicle clearance.

**Recommendation:-**

**Recommend Refusal on the grounds of adverse impact.**

**Policy References:-** RLP81 relates to retention and planting hedgerows. RLP84 states that planning permission will not be given if there is an adverse impact on certain species.

[Back to Agenda](#)

**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](http://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.

20/00084/HH

62 Maldon Road, Witham, Essex

Central

Single-storey rear and side extension

## 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](http://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.

19/02213/ADV	Carpark Braintree Road/Whitehorse Lane, Witham, Essex	North	1 No. non-illuminated sponsorship sign
20/00092/FUL	Ginetta House, 157 Newland Street, Witham	Central	Retention of UPVC windows and aluminium doors
20/00017/TPOCON	Grove House, Newland Street, Witham	Central	Notice of intent to carry out works to trees in a Conservation Area
20/00128/OUT	Land North Of, Colchester Road, Witham		Outline planning permission for B1c (Light Industrial), B2 (General Industry) and B8 (Storage and Distribution) use, and for future development of buildings up to a maximum building height to ridge of 43.00 AOD, comprising a maximum gross internal floor space of 15,470 square metres, (166,518 square feet) with associated service yards, HGV and trailer parking, car parking provision, revised landscape provision and new service road with access onto Eastways.
20/00001/SCR	Land At Burghey Brook Farm London Road Rivenhall End Rivenhall Essex		Town & Country Planning Act 1990 (as amended), Town & Country Planning (Environmental Impact Assessment) Regulations 2017 - Screening Request (Regulation 6) - Industrial and warehouse units with ancillary offices and associated car parking and parking/loading of HGV's

## Witham Town Council – Planning Application Report

**Application No:-** 19/02213/ADV

**Address:-** Carpark Braintree Road/Whitehorse Lane, Witham, Essex

**Ward:-** North

**Proposal:-** 1 No. non-illuminated sponsorship sign

**Relevant Site History:-**

**Representations:-**

**Summary:-** This signage will be 2.4m in width and 1.2m in height raised 2m from the ground surface. The signage will be at the corner of the car park by the roundabout and be a combination of wood, metal and plastic.

**Recommendation:-** Recommend no objection .

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 20/00092/FUL

**Address:-** Ginetta House, 157 Newland Street, Witham

**Ward:-** Central

**Proposal:-** Retention of UPVC windows and aluminium doors

**Relevant Site History:-**

**Representations:-** Witham & Countryside Society have made representations stressing the importance of keeping the building in its original form and conservation area guidelines enforced.

**Summary:-** The owners of Ginetta House, an iconic building in the Conservation Area, had replaced the original timber windows and doors with upvc units being unaware that planning consent would be required. The Historic Buildings Officer has stated that the upvc windows are inappropriate for the Conservation Area and detract from the architectural qualities and interest of the building.

**Recommendation:-** Recommend Refusal on the grounds of inappropriate materials in a Conservation Area.

**Policy References:-** ADM63, RLP95 and RLP96 - Building materials are authentic and complementary to the building's character.

## Witham Town Council – Planning Application Report

**Application No:-** 20/00017/TPOCON

**Address:-** Grove House, Newland Street, Witham

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to trees in a Conservation Area

**Relevant Site History:-**

**Representations:-**

**Summary:-** T1 Cedar of Lebanon - sever ivy at base and cut 1-metre ring T4 Oak Crown lift to 3 metres over the footpath and remove deadwood, T6 - Cedar of Lebanon - Remove ivy to allow inspection of the base. Remove deadwood. G2 - Lime X 2 Norway Maple X2 Mountain Ash - crown lift limes to 3 metres over parking bays. Monitor group for further drought deterioration G3- Sycamore Holly Pine Cedar of Lebanon Horse chestnut - crown lift Horse Chestnut to 3 metres and remove deadwood to affected trees within the group, W1 Various - remove deadwood and hanging branches located on footpath and roadside on multiple trees clear traffic lights by 1.5 metres

**Recommendation:-** The Tree Warden has been asked to advise and clarify some points but the work would appear to be reasonable.

**Policy References:-**



## Witham Town Council – Planning Application Report

**Application No:-** 20/00128/OUT

**Address:-** Land North Of, Colchester Road, Witham

**Ward:-**

**Proposal:-** Outline planning permission for B1c (Light Industrial), B2 (General Industry) and B8 (Storage and Distribution) use, and for future development of buildings up to a maximum building height to ridge of 43.00 AOD, comprising a maximum gross internal floor space of 15,470 square metres, (166,518 square feet) with associated service yards, HGV and trailer parking, car parking provision, revised landscape provision and new service road with access onto Eastways.

**Relevant Site History:-**

**Representations:-**

**Summary:-** This is a proposal to extend the Eastways Industrial Estate. Seven options have been outlined according to the type of accommodation required by PFE Express Ltd, which owns Foremost House to the edge of the proposed development. This land has been identified in the Draft Local Plan as a strategic employment site and to be developed to extend the Employment Site. Access will be from the existing entrance to the estate. Existing trees and hedgerows proposed for retention are to be protected and a significant Oak tree will be retained. There will be landscaping to the main access road to consist of a 2 - 3 m wide band of planting to include mature trees. 20 full time employees will be appointed and up to a further 7 indirect jobs.

**Recommendation:-** Recommend Approval

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 20/00001/SCR

**Address:-** Land At Burghey Brook Farm London Road Rivenhall End Rivenhall Essex

**Ward:-**

**Proposal:-** Town & Country Planning Act 1990 (as amended), Town & Country Planning (Environmental Impact Assessment) Regulations 2017 - Screening Request (Regulation 6) - Industrial and warehouse units with ancillary offices and associated car parking and parking/loading of HGV's

**Relevant Site History:-**

**Representations:-**

**Summary:-** This is the Screening Application for the extension of the Industrial Estate and is an Environmental Impact Assessment to protect the environment. This is a technical document of 84 pages detailing geology, contamination, etc.

**Recommendation:-** Recommend no objection subject to the District Council being satisfied.

**Policy References:-**

[Back to Agenda](#)

Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 10
19/02158/HH - 59 Ashby Road Witham Essex CM8 1QT	Single-storey rear extension	Application Refused	Recommend Refusal on the grounds that the proposals would be contrary to the Essex Design Guide and a loss of amenity.	
19/01965/HH - 35 Guithavon Street Witham Essex CM8 1BJ	Part ground floor and part first floor rear extension	Application Permitted	No objection	

[Back to Agenda](#)

Agenda Item 11

Dear Chelsey,

Please see below for the full advice I have received from Planning (unusually fast) and this is about what I expected. We can certainly move this for 10<sup>th</sup> Feb planning with the recommendation that we submit a comprehensive bid to the Local Highways Panel (possibly with the offer of part funding for the LHP if the cost is the biggest stumbling block). We could further request the LHP to give us an indication of cost if possible from county. We would also need support and agreement from Greenfields as the freeholder and then the TRO changes as well, but this is all possible.

Challenging; but reasonably possible. It will start with considering a committee vote for an LHP bid. Assuming you are happy with that course of action you may wish to go back to your constituents to notify them this will be heard at planning. As I have mentioned before, if public come to the meeting and we minute their representations or support for this course of action, this will help add weight to our submission to the LHP. Demonstrating that a bid has both council support and public support really helps move things along.

Regards,

James Sheehy

Town Clerk

**From:** Massow, Alan **Sent:** 29 January 2020 12:21  
**To:** Town Clerk <[townclerk@witham.gov.uk](mailto:townclerk@witham.gov.uk)>  
**Cc:** Goodings, Emma  
**Subject:** RE: Role of LPA in Highways Amendments

Hello James,

From the information I have the amenity land at Pelly Avenue is owned by Greenfields Housing Association so would need their support.

The proposal would constitute a change of use from amenity land to parking so would require planning permission. We would then have to look at amending the traffic regulation order for the road to ensure on-street parking wouldn't continue. It may be something which the Braintree District Local Highways Panel could look at.

The main issue would be the impact on the character and appearance of Pelly Avenue. A key part of the area is characterised by the grass verges with setback housing. I am not sure if this could be done without detrimental impact to the character of the area without seeing some rough designs. But it may be possible to incorporate some parking into the larger verges with appropriate landscaping.

In terms of Local Plan policy the verges do not have any type of protection on them and are shown as white land within a development boundary but our policies on design would need to be considered, as well as issues such as drainage.

Please note that this is an officer level opinion.

Alan

**Alan Massow MRTPI**

**Principal Planning Policy Officer**

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB

☎ 01376 552525 | [www.braintree.gov.uk](http://www.braintree.gov.uk) |

[Back to Agenda](#)