



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

AGENDA

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

Date: **Monday, 18th October 2021** 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.	Goodman	(Chairman)
A.	Kilmartin	(Vice Chairman)
K.	Atwill	
P.	Barlow	
S.	Hicks	
C.	Jay	
C.	Lager	
M.	Lager	
C.	Livermore	
S.	Rajeev	

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning Applications & Transport Committee held 4th October 2021 (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.

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).

10. NOTICE OF APPEAL – 21/01307/HH – 31 ARMOND ROAD, WITHAM

To consider writing a letter in support of the District Council's decision to refuse the above planning application to erect fencing to rear and side garden on the grounds of adverse impact on the street scene and adjoining residential properties (attached).

11. NOTICE OF APPEAL – 21/00325/HH – 3 BLUNTS HALL DRIVE, WITHAM

To consider writing a letter in support of the District Council's decision to refuse the above planning application to erect a single storey front, rear and side extensions together with loft conversion and dormer window roof extensions to rear elevation on the grounds of adverse impact on the street scene (attached).

12. 21/00059/VAR - MORRISONS SUPERMARKET

To consider the above application further regarding the supermarket renegeing on its obligation to comply with the Planning Inspector's condition that direct access be made onto Cut Throat Lane.

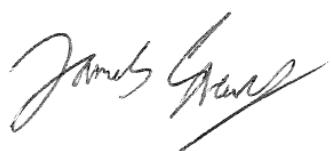
Order Note: This matter was discussed at the Meeting held 15th February 2021.

13. EXCLUSION OF THE PRESS AND PUBLIC

TO RESOLVE That under the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the Meeting for the consideration of the remaining items of business on the grounds they involve the likely disclosure of exempt information falling within Schedule 12A (S3) of the Local Government Act 1972.

14. NOTES FROM MEETING WITH NATIONAL HIGHWAYS REGARDING A12 WIDENING

To receive the Private Notes from the Meeting with National Highways held 23rd September 2021 (attached).



James Sheehy
Town Clerk
GK/11.10.2021

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.

21/02839/HH	58 Honeysuckle Way, Witham, Essex	West	Erection of single-storey detached garden store
21/02867/HH	1 Cromwell Way, Witham, Essex	West	Single-storey side extension
21/02431/ADV	Roundabout At Gershwin Boulevard, Maltings Lane, Witham	Hatfield	2 No. non-illuminated roundabout sponsorship signs
21/02430/ADV	Roundabout North Of Mayland House, The Grove, Witham	Central	2 No. non-illuminated roundabout sponsorship signs

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.

21/02858/FUL	Land To The Rear Of, 47 Hatfield Road, Witham	Hatfield	Erection of 1 x 4 bedroom two-storey dwellinghouse and 1 x 2 bedroom single-storey bungalow, formation of new driveway and associated landscaping
21/03013/HH	4 Elgar Drive, Witham, Essex	South	First-floor rear extension
21/02626/FUL & 21/02627/LBC	F Byford & Son, 90 - 92 Newland Street, Witham	Central	Alteration and conversion of retail shop (Class E(a)) with ancillary offices and store to 2 x E(a) retail units to the ground floor and 3 x 1 bedroom and 3 x 2 bedroom residential flats. Demolition of existing outbuilding and erection of a single storey bungalow to the rear

Witham Town Council – Planning Application Report

Application No:- 21/02858/FUL

Address:- Land To The Rear Of, 47 Hatfield Road, Witham

Ward:- Hatfield

Proposal:- Erection of 1 x 4 bedroom two-storey dwellinghouse and 1 x 2 bedroom single-storey bungalow, formation of new driveway and associated landscaping

Relevant Site History:-

Representations:- Two objections have been received from neighbours

Summary:- This application is on part of a long garden. The original house which is well set back from the road will have two parking spaces. The drive will be of sufficient width to allow vehicles to pass at the entrance onto Hatfield Road. The new bungalow will likewise have two parking spaces and a small front garden with a rear garden of 110 sq m. The house to the rear of the site has three parking spaces and a small front garden with a rear garden of 277 sq m.

Recommendation:- There is a precedent for building on garden land in Hatfield Road. The Fire & Rescue has stated that the pumping appliance has to be within 45m of all points inside the dwelling house. As the distance is far in excess of this, the surface of the drive would need to be capable of sustaining a load of 18 tonnes, overall width not less than 3.7m and have a turning circle of 17.8m and a sweep circle of 19m. The plans do not appear to conform as the initial section of the drive adjacent to the original house looks less than 3.7 m and the area available for turning an appliance is insufficient. The position of both dwellings are approximately one metre from the objectors' homes. Recommend refusal on the grounds that the plans do not comply with current Building Regulations in relation to access for fire appliances and impact on neighbouring amenity

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/03013/HH

Address:- 4 Elgar Drive, Witham, Essex

Ward:- South

Proposal:- First-floor rear extension

Relevant Site History:-

Representations:- No objections from neighbours.

Summary:- The applicant wishes to build over the existing kitchen to create a study with a Juliet balcony.

Recommendation:- There is a potential for overlooking neighbouring properties but on balance would recommend no objection subject to no representations from neighbours.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02626/FUL & 21/02627/LBC

Address:- F Byford & Son, 90 - 92 Newland Street, Witham

Ward:- Central

Proposal:- Alteration and conversion of retail shop (Class E(a)) with ancillary offices and store to 2 x E(a) retail units to the ground floor and 3 x 1 bedroom and 3 x 2 bedroom residential flats. Demolition of existing outbuilding and erection of a single storey bungalow to the rear

Relevant Site History:- 19/01757/FUL & 19/01758/LBC for conversion into 8 flats with two shops and dwelling at rear which was refused by the District Council on the grounds of over-development of site and dismissed on Appeal. The Town Council had recommended refusal on the grounds of lack of parking, over development of site and lack of bike storage. It was considered that parking should be provided where the bungalow was proposed to be built and that advice should be given to the developer regarding obligations regarding the private road.

Representations:- No representations at present on planning portal

Summary:- This is an application for the old Byfords shop which is a Grade 11 Listed Building in the Conservation Area with a detached outbuilding within the rear yard along with a small parking area. It is proposed to create two new retail units with separate entrances. The original central entrance will be retained for access to the upper floor accommodation. The three ground floor flats will be accessed from the side and rear of the building. Two upstairs flats will be over two floors and the other just on the first floor. There will be a one bedrooned bungalow at the rear with two parking spaces with an area to allow for turning, and a pravate garden of 75sqm. There will be a communal garden for the six flats along with a cycle and refuse store. Existing garden walls will be retained. There will be no parking allocated for the flats.

Recommendation:- The original application was for 8 flats and the Planning Inspector considered them to be cramped and with lack of daylight. This application provides for a smaller number of flats with a communal garden which includes a bike and refuse store. The original bungalow was proposed to be 13m by 7m and was considered by the Inspector to be too large in the Conservation setting. The new proposed bungalow would be 9.1m by 6m. On balacne recommend no objection subject to the Listed Buildings Advisor being satisfied with materials.

Policy References:- RLP95 & 96, RLP 108 and LPP47 and 48 of the emerging Local Plan.

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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 9
21/02146/HH - 7 Ash Fall Witham Essex CM8 2LT	Part single, part two-storey side extension and single-storey front porch.	Application Permitted	Raised no objection	
21/01640/HH - 41 Howbridge Road Witham Essex CM8 1BY	First floor side extension and first floor rear extension.	Application Permitted	Raised no objection subject to no representations from the neighbours regarding the potential for over looking contrary to RLP 17 and LPP29f.	
21/02288/HH - 25 Pinkham Drive Witham Essex CM8 1DT	Single-storey rear extension	Application Permitted	Raised no objection	
21/02289/LBC - 118 Newland Street Witham Essex CM8 1BA	Installation of log burner and associated flue to main fireplace in living room.	Application Permitted	Raised no objection	
21/02266/HH - 157 Humber Road Witham Essex CM8 1TY	Single-storey rear extension	Application Permitted	Raised no objection	
21/01898/HH - 8 Town End Field Witham Essex CM8 1EU	Erection of first-floor rear extension	Application Permitted	Raised no objection	
21/01846/HH - 44 Cressing Road Witham Essex CM8 2NP	Single-storey rear extension	Application Refused	Raised no objection	

21/02473/TPOCON - 26 Newland Street Witham Essex CM8 2AQ	Notice of intent to carry out works to tree in a Conservation Area - Fell Yew (T1) and Bay (T2)	Application Permitted	Raised no objection subject to the advice of the District Council's Landscape Officer
21/02385/HH - 42 Blunts Hall Road Witham Essex CM8 1LY	Part ground floor and first floor front extension, first floor side extension over existing garage and extension, ground floor rear extension to replace conservatory, first floor rear extension over existing extension.	Application Refused	Members were mindful for the potential of change of street scene and that the extension could be unsympathetic to the neighbouring property but on balance agreed to offer no objection
21/02112/LBC - 25 Bridge Street Witham Essex CM8 1BU	Cleaning of internal beams throughout the property through gentle dry-ice blasting process, to ensure that stain / paint is removed and beams are restored to their natural colour.	Application Permitted	Raised no objection
21/01993/HH - 10 Graces Close Witham Essex CM8 1QH	Erection of single storey front porch	Application Permitted	Raised no objection
21/01348/FUL - Clifton House Mill Lane Witham Essex CM8 1BP	Erection of 1 x 3 bedroom two-storey detached dwellinghouse, new access and alterations to driveway	Application Permitted	Raised no objection
21/00877/FUL - Land Rear Of 47-57 Newland Street Witham Essex	Construction of 6 No. 2 bedroom dwellings & associated works including access, parking and landscaping.	Application Refused	Raised no objection subject to suitable solution regarding bn storage/refuse collection, sound proofing, zero carbon approach/solar panels, archaeological survey and replacement of trees with more suitable varieties.

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Agenda Item 10

Our ref: 21/00060/HOUSE
Your Ref:
Direct Dial: 01376 552525 ext. 2506
Ask for: Liz Williamson
Date: 06.10.2021



Witham Town Council
Town Clerk's Office
61 Newland Street
Witham
Essex
CM8 2FE

Development Management
Causeway House Braintree
Essex CM7 9HB

Tel: 01376 552525
Email: appeals@braintree.gov.uk

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER S78 AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION**

Site Address: 31 Armond Road Witham Essex CM8 2HD
Description of Development: Erection of fencing to rear and side garden
Planning Application Ref: 21/01307/HH
Appellant's Name: Mr Nicholas Rushen
Planning Inspectorate Ref: APP/Z1510/D/21/3280329
Appeal Start Date: 29 September 2021

I refer to the above details. An appeal has been made to the Secretary of State following Braintree District Council's refusal of the above planning application.

As this appeal is proceeding under the **Householder Appeals Service**, there is no opportunity for you to submit comments. However, we have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to withdraw any representations you made on the application, you must make this request to the Planning Inspectorate by **27 October 2021**. You can do this online at <http://acp.planninginspectorate.gov.uk/>. If you do not have access to the internet, you can write (quoting the appeal reference) to:

The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

You could also email them to RT1@planninginspectorate.gov.uk.

The Planning Inspectorate will publish appeal documentation, including copies of representations received, online at <http://acp.planninginspectorate.gov.uk/>.

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Agenda Item 11

Our ref: 21/00070/HOUSE
Your Ref:
Direct Dial: 01376 552525 ext.
Ask for:
Date: 06.10.2021



Witham Town Council
Town Clerk's Office
61 Newland Street
Witham
Essex
CM8 2FE

Development Management
Causeway House Braintree
Essex CM7 9HB
Tel: 01376 552525
Email: appeals@braintree.gov.uk

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER S78 AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION

Site Address: 3 Blunts Hall Drive Witham Essex CM8 1LZ
Description of Development: Erection of single-storey front, rear and side extensions, together with loft conversion and dormer roof extensions to rear elevation.
Planning Application Ref: 21/00325/HH
Appellant's Name: Mr Keith Rice
Planning Inspectorate Ref: APP/Z1510/D/21/3281951
Appeal Start Date: 6 October 2021

I refer to the above details. An appeal has been made to the Secretary of State following Braintree District Council's refusal of the above planning application.

As this appeal is proceeding under the **Householder Appeals Service**, there is no opportunity for you to submit comments. However, we have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to withdraw any representations you made on the application, you must make this request to the Planning Inspectorate by **3 November 2021**. You can do this online at <http://acp.planninginspectorate.gov.uk/>. If you do not have access to the internet, you can write (quoting the appeal reference) to:

The Planning Inspectorate

Temple Quay House
2 The Square
Bristol
BS1 6PN

You could also email them to RT1@planninginspectorate.gov.uk.

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