



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

Meeting of: **Planning & Transport Committee**

Date: **Monday, 21st August 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/15.8.2023

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 7th August 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 note that there are no applications to be considered in Part 1.

7. PART 2 APPLICATIONS

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

8. REVISED PLANS/CERTIFICATE OF LAWFULNESS

To consider an application for a Certificate of Lawfulness –
23/01908/ELD - 81 St Nicholas Road, Witham

9. DECISIONS

To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached](#) at page 9).

10. LOCAL HIGHWAYS PANEL

To receive an extract of the Minutes of items relating to Witham, from the Local Highways Panel Meeting held 12th July 2023 ([attached](#) at page 10).

11. ARDENT – ADVANCED UTILITY WORK IN PREPARATION FOR THE WIDENING OF THE A12

To note that Ardent wish to undertake advanced utility works on land owned by the Town Council and to discuss any concerns (map will be on presentation).

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.

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
23/01900/HH	89 Highfields Road, Witham, Essex	West	Proposed single storey rear extension
23/01244/HH	55 Hatfield Road, Witham, Essex	South	Retention of outbuilding to be used as home office/shed
23/01948/ADV	Colemans Bridge Industrial Estate, Colemans Bridge, Witham	Central	Retention of display of non-illuminated 48-sheet panel advertisement
23/02047/TPO	31 Barwell Way, Witham, Essex	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order 5/75

Witham Town Council – Planning Application Report

Application No:- 23/01900/HH

Address:- 89 Highfields Road, Witham, Essex

Ward:- West

Proposal:- Proposed single storey rear extension

Relevant Site History:- 00/01611/FUL - Erection of a single storey extension

Representations:-

Summary:- This is a detached house. The proposal is to demolish an existing conservatory and extend from an existing extension to create a large kitchen/dining/family room with bifold doors and a roof lantern. It looks as though part of the original extension will remain with top parts of the wall to be removed to allow for the flat roof to be created.

Recommendation:- Members need to consider whether this application is over-development of site. Taking into account the footprint of the conservatory which will be demolished, the actual increase in footprint is not particularly large but then the remaining garden is slightly smaller than that recommended by the Essex Design Guide. 88.4m² as opposed to recommended 100m².

Policy References:- LPP36a - there should be no over-development of the plot when taking into account the footprint of the existing dwelling and the relationship to plot boundaries.

Witham Town Council – Planning Application Report

Application No:- 23/01244/HH

Address:- 55 Hatfield Road, Witham, Essex

Ward:- South

Proposal:- Retention of outbuilding to be used as home office/shed

Relevant Site History:-

Representations:-

Summary:- From the description of the application it would seem that this outbuilding has already been built. The outbuilding is at the bottom of the garden 1 m from boundaries. The building will measure 5.2m by 5.25m It will measure 2.73m in height and have a flat roof.

Recommendation:- The rules for garden offices/sheds are that they must have under 30 m² floorspace and under 2.5m in height if within 2m of boundary. There have been no complaints from neighbours so would suggest no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/01948/ADV

Address:- Colemans Bridge Industrial Estate, Colemans Bridge, Witham

Ward:- Central

Proposal:- Retention of display of non-illuminated 48-sheet panel advertisement

Relevant Site History:- 22/00706/ADV - Refused

Representations:-

Summary:- From the description of the application this is for the retention of a hoarding panel adjacent to the traffic lights at Colemans Bridge, however I believe there is not one in this location. The hoarding will measure 6.396m across and be 3.348m in height and have 48 sheets to make up the panel.

Recommendation:- There had been a previous application for this site to erect a digital advertising panel which was refused on the grounds that it would be distracting to motorists. I would recommend no objection to this application.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/02047/TPO

Address:- 31 Barwell Way, Witham, Essex

Ward:- Central

Proposal:- Notice of intent to carry out works to trees protected by Tree Preservation Order 5/75

Relevant Site History:-

Representations:-

Summary:- 1 Oak (O1) to have crown lifted by removal of x 4 lowest branches to maintain tree environment and reduce nuisance to rear garden and neighbouring gardens

Recommendation:- Unfortunately there are no photos of the tree but the Tree Warden has been asked to advise whether this work would be reasonable.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/01908/ELD

Address:- 81 St Nicholas Road, Witham

Ward:- North

Proposal:- Application for a Certificate of Lawfulness for an existing use - single storey side extension

Relevant Site History:-

Representations:-

Summary:- This is a one bedroom, semi detached bungalow. The applicant has begun to do the building works already under permitted development and a certificate of lawfulness has been sought. The extension itself is 3.5m wide and stretches the whole depth of the bungalow a distance of 8.6m, which would create two further bedrooms.

Recommendation:- The application for the Certificate has been made as to whether a proposal for permitted development is legal. The applicant needs to prove that the building itself has been used as a dwelling for a period of four years as a dwelling. For permitted development the side extension cannot exceed 4m in height, can only be single storey and can only be up to half the width of the original house. The bungalow is 7.1m wide. Unless Members have any additional information, I would suspect that the bungalow has been used as a dwelling and therefore there would be no objection to the granting of a Certificate of Lawfulness.

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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 9
23/01408/HH - 74 Powers Hall End Witham Essex CM8 1LS	Proposed rear roof dormer	Application Permitted	No objection	
23/01372/FUL - 1 Croft Way Witham Essex CM8 2FB	Erection of single storey side extension	Application Permitted	Recommend Approval	
23/01354/HH - 76 Maldon Road Witham Essex CM8 1HP	Enlargement of dwelling through the provision of additional storey and proposed two storey rear extension	Application Permitted	No objection subject to no representations being made by neighbours	

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Agenda Item 10

EXTRACT OF THOSE ITEMS RELATING TO WITHAM FROM THE BRAINTREE LOCAL HIGHWAYS PANEL MINUTES HELD – 12TH JULY 2023

Matters Arising from the Minutes of the Meeting Held on 19th April 2023:

Speed Surveys Action: - Dan Maclean, Essex Highways, had been requested to circulate to the Members of the Panel a copy of a document explaining how Essex Highways assesses speed limits. It had also been reported that the guidance document was being updated.

Update: It was reported that the revised version of the Speed Management Strategy was still awaited and that it would be circulated to the Members of the Panel when available. In the meantime, Dan Maclean indicated that he would circulate a copy of the existing document to the Members of the Panel.

‘Tru-Cam’ Automated Speed Checking Device Action: - Dan Maclean, Essex Highways, had been requested to circulate details of the ‘Tru-Cam’ mobile, automated speed D Maclean (HLTL) 3 checking device and its cost to the Members of the Panel. ‘TruCam’ incorporated number plate recognition which enabled fines to be imposed. The system could also be self-funding if Parish Council’s purchased capacity.

Update: - It was reported that the ‘Tru-Cam’ automated speed checking device was not being progressed at this time. It was understood that North Essex Parking Partnership (NEPP) had been asked to take the scheme forward. However, Lisa Hinman, Area Manager for NEPP indicated at the meeting that NEPP would not be able to do so as its remit was to deal with parked vehicles, not the speed of vehicles.

In a post meeting note, Lisa Hinman indicated that NEPP’s Head of Parking had confirmed that no-one from Essex County Council, or elsewhere, had approached NEPP about the ‘Tru Cam’ initiative. Furthermore, a scheme operated by Maldon District Council, which had been referred to at the meeting, appeared to be in partnership with Essex Police, not Essex County Council.

It was noted that the scheme in the Maldon District had been successful and that Parish Councils were keen for it to be implemented in the Braintree District. It was agreed that Councillor C Siddall the Chairman of the Panel, and Dan Maclean of Essex Highways should discuss the matter with Councillor L Scott, Essex County Council’s Cabinet Member for Highways and report back to the Panel.

Schemes Awaiting Funding:

That it be recommended that the following schemes, the status of which has been assessed as ‘red’ as they do not meet the criteria, are removed from the list of potential schemes:-

LBRA222056 – Introduction of 20mph speed limit, Avenue Road, Witham Estimated Cost:- Not known

Revenue Spend – Traffic/Speed Survey Requests 2023/24

Consideration was given to a report on requests which had been submitted for traffic/speed surveys to be carried out and funded from Braintree Local Highways Panel's revenue budget for 2023/24.

It was reported that the Panel's total revenue budget for 2023/24 amounted to £5,000 and that 15 schemes had been submitted for funding, which had a total value of £5,812. It would not be possible therefore to accept any more requests, or to fund all the schemes submitted. A decision would be required as to which schemes should be supported. It was noted that one of the schemes, LBRA192018, would be funded as this was a recommissioned scheme.

As a way forward, it was proposed that the £5,000 budget allocation should be divided equally between the eight Essex County Council Divisions within the Braintree District and that the County Councillors representing those Divisions should advise Officers within the Essex Highways Team as to which schemes, if any, they wished to be considered.

It was proposed that the position should be reviewed at the next meeting of the Panel and that a decision should be made at the Panel's meeting to be held in January 2024 regarding expenditure of any unallocated funds. It was also agreed that Dan Maclean of Essex Highways should circulate details of the cost of undertaking traffic/speed surveys to the Members of the Highways Panel.

Action By: Dan Maclean - Essex Highways. To circulate details of the cost of undertaking traffic/speed surveys to Members of the Panel and to request Essex County Councillors to indicate prior to the next meeting of the Panel which schemes within their respective Divisions they wished to progress, if any.

Date of Next Meeting:

It was noted that the next meeting of Braintree Local Highways Panel would take place 'in person' on Thursday, 21st September 2023 at Causeway House, Bocking End, Braintree starting at 5.00pm.

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