



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

AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Tuesday, 2nd April 2024** 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/25.3.2024

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 19th March 2024 (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 Part 1 applications to consider.

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. RURAL CONNECTIONS – TRANSPORT CHALLENGES AND OPPORTUNITIES FOR COMMUNITIES IN THE EAST

To note that details of a report in relation to challenges and opportunities for rural communities in the East has been prepared and can be accessed via –

https://www.transporeast.gov.uk/wp-content/uploads/JFG6592_TransportEastReport_Summary_AW-WEB-2.pdf

11. BIODIVERSITY NET GAIN

Councillor Ager has asked that the Planning and Transport Committee receive the draft Biodiversity Net Gain document from the National Association of Local Councils which developers now have to consider ([attached](#) at page 13).

12. TACKLING SPEED IN WITHAM

To consider the outstanding issues.

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
24/00578/FUL	Sports Ground, Stevens Road, Witham	West	Erection of 2.5m high acoustic fencing
24/00562/HH	8 Clayshotts Drive, Witham, Essex	South	Retrospective outbuilding
24/00604/TPO	13 The Paddocks, Witham, Essex	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 6/74. T1 Horse chestnut -1.5 m reduction to crown & 10% crown thinning
24/00570/FUL	3 Freebournes Road, Witham, Essex	Central	Alterations to fenestration, replacement of roof and wall cladding, replacement of roof lights windows and doors and installation of dock shelters
24/00579/VAR	Unit 7, Cullen Mill, 49 Braintree Road, Witham	North	Variation of condition 2 (Approved plans) of approved application 23/02244/COUPA Date of Decision: 20/10/2023 for: Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to 12No. Dwellinghouse (Use Class C3). Variation would allow change to the external walls and roof
24/00309/LBC	Witham Town Council, Town Hall, 61 Newland Street	Central	Installation of wall mounted defibrillator cabinet to the rear of the Town Hall
24/00112/P14JPA	Cego Ltd, Crittal Road Witham	Central	Notification for prior approval for the installation of solar photovoltaics (PV) equipment on the roof

Witham Town Council – Planning Application Report

Application No:- 24/00578/FUL

Address:- Sports Ground, Stevens Road, Witham

Ward:- West

Proposal:- Erection of 2.5m high acoustic fencing

Relevant Site History:- 23/03067/FUL considered on 22nd January and also 19th March 2024

Representations:-

Summary:- Following the recent application for the installation of a 3G artificial pitch at Spinks Lane and the noise nuisance that residents suffer in Epping Way, it has been proposed to install acoustic fencing to the south east side of the existing pitch. The proposed fencing will be 2.5m high.

Recommendation:- This will be an improvement for the residents and would therefore recommend approval.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00562/HH

Address:- 8 Clayshotts Drive, Witham, Essex

Ward:- South

Proposal:- Retrospective outbuilding

Relevant Site History:-

Representations:- Comment from neighbour about parking issues caused by visitors to the healthcare business

Summary:- This is a retrospective application for a garden office. The building has been set less than 0.5m from the boundaries at the bottom of the applicant's garden. The building is 4.89m by 4.24m and contains an office and store cupboard. The building has patio/french doors and a window to the front with a small high window to the road side. The height of the building is 2.65m.

Recommendation:- Planning consent is required because the internal space is more than 15sqm and the building is less than 1m away from the boundary. Likewise the height of the building required consent as it is over 2.5m in height and less than 2m from the boundary. The only concern I have is the size of the garden as it is now 11m in length and approx. 6m across. To comply with the Essex Design Code the garden should be 100sqm and this is considerably less. It would be churlish to recommend refusal particularly as this is a business but would suggest that the applicant be advised that visitors be advised to park in such a way as not to cause obstruction to neighbours. Recommend no objection with the above caveat.

Witham Town Council – Planning Application Report

Application No:- 24/00604/TPO

Address:- 13 The Paddocks, Witham, Essex

Ward:- Central

Proposal:- Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 6/74.
T1 Horse chestnut -1.5 m reduction to crown & 10% crown thinning

Relevant Site History:-

Representations:-

Summary:- The proposal is to reduce the crown by 1.5m and 10% crown thinning. The applicant explains that the large branches overhang their and their neighbour's garden and are liable to break and cause damage to persons or property.

Recommendation:- The work appears reasonable to prevent damage to the tree as well as people/property however the advice of the Tree Warden has been sought.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00570/FUL

Address:- 3 Freebournes Road, Witham, Essex

Ward:- Central

Proposal:- Alterations to fenestration, replacement of roof and wall cladding, replacement of roof lights windows and doors and installation of dock shelters

Relevant Site History:-

Representations:-

Summary:- This is the building at the corner of Freebournes Road and Perry Road. Offices on the north west corner of the site have been demolished and this allows for HGVs to manoeuvre easier around the site. The building has been upgraded with modern insulated cladding, double glazed windows, replacement doors and roof lights. Windows and vents have been removed and there is new cladding. Six additional parking spaces and one disability space will be provided along with electric charging points.

Recommendation:- This vacant warehouse and offices have been upgraded and as part of this a further planning application is required. I am not sure whether all the work has currently been undertaken yet or in process. This building is on an Industrial Estate. Modern glazing and cladding will improve the insulation and thermal efficiency. Recommend Approval.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00579/VAR

Address:- Unit 7, Cullen Mill, 49 Braintree Road, Witham

Ward:- North

Proposal:- Variation of condition 2 (Approved plans) of approved application 23/02244/COUPA Date of Decision: 20/10/2023 for: Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to 12No. Dwellinghouse (Use Class C3). Variation would allow change to the external walls and roof

Relevant Site History:-

Representations:-

Summary:- This application is part of the Change of Use Application for Unit 7 Cullen Mill to convert into 12 dwelling houses. The variation would allow change to the external walls and roof materials to rendered white and new tiled slates.

Recommendation:-

Would recommend no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00309/LBC

Address:- Witham Town Council, Town Hall, 61 Newland Street

Ward:- Central

Proposal:- Installation of wall mounted defibrillator cabinet to the rear of the Town Hall

Relevant Site History:-

Representations:-

Summary:- It is proposed to relocate the defibrillator to an outside wall so that there is 24/7 access to it. It was necessary to seek Listed Building Consent. The key pad cabinet will contain not only the defibrillator which will include pediatric pads, but a blood kit.

Recommendation:- This is for information only as it would be inappropriate to comment. Recommend receive and note.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00112/P14JPA

Address:- Cego Ltd, Crittal Road Witham

Ward:- Central

Proposal:- Notification for prior approval for the installation of solar photovoltaics (PV) equipment on the roof

Relevant Site History:-

Representations:-

Summary:- This is a notification for prior approval for the installation of solar photovoltaics equipment on the roof of Cego. We are not considering the actual application itself but whether there would be any reason why they should not be granted prior approval. Prior approval is a streamlined process designed to bypass the need for a full application.

Recommendation:- Would suggest that no objection be made to the prior approval.

Policy References:-

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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 9
24/00154/HH 13 Dorothy Sayers Drive Witham Essex CM8 2LZ	Proposed part single, part two storey side extension	Application Permitted	Raised no objection	
23/01068/FUL The Swan Public House 153 Newland Street Witham Essex CM8 1BE	Demolition of single storey function room and proposed 1No. two bedroomed unit to provide holiday accommodation	Application Refused	Recommended refusal on the grounds that access to the site was inadequate. Members asked that if the application is considered by the Planning Committee that a Town Councillor attends the Meeting to give our representations	
24/00247/TPOCON Croft House 10 Bridge Street Witham Essex CM8 1BT	Notice of intent to carry out works to trees in a Conservation Area: Fraxinus Exelsior-Crown reduction of approximately 1.5 to 2.00m, retaining current shape and ensuring safe even growth.	Application Permitted	Raised no objection subject to the advice of the District Council's Landscape Officer	
23/02897/TPO 17 Armiger Way Witham Essex CM8 2UY	Notice of intent to carry out works to trees protected by Tree Preservation Order 5/75 A1-Sycamore -Bs 3998 Reduction back to suitable growth points to the Northern Lateral aspect of the crown to bring crown into balance. Removal of major dead wood over 75mm in diameter.	Application Permitted	Raised no objection subject to the advice of the District Council's Landscape Officer.	

23/02702/TPO Land North Of
Podsbrook House Guithavon
Street Witham Essex

Notice of intent to carry out works to
trees protected by Tree Preservation
Order TPO - 5/83 T1 Horse Chestnut -
reduce crown by 2 metres in height
and 1.5 metres in crown width on all
aspects, back to previous pruning
points.

Application Permitted

Raised no objection subject to the advice of the
District Council's Landscape Officer.

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BIODIVERSITY NET GAIN

Draft parish council response to planning applications March 2024

BACKGROUND

From 12th February 2024 developers of major sites in England are obliged to consider whether the biodiversity of their proposed site can be increased by 10% as part of their development.

This also applies to most small sites from April 2nd, and nationally significant infrastructure projects from late November 2025.

POINTS TO CHECK

Further to Government guidance for planning authorities (which can be found at www.gov.uk/guidance/biodiversity-net-gain-what-local-planning-authorities-should-do) the following points in a developer's application may be looked for:

- confirmation that biodiversity net gain is applicable (if not, why not?)
- calculation of the biodiversity value of the site (have they missed anything?)
- description of any irreplaceable habitat (is there really no alternative?)
- a habitat plan of the whole site (is it accurate?)
- to what extent the net gains are to be provided on-site and off-site
- a draft habitat management plan for on-site biodiversity
- plan for any off-site biodiversity gain.

It will be important for local councils to take a view on these points, as developers may be asking to buy "statutory biodiversity credits" rather than enhance local biodiversity.

There will also be a biodiversity net gain plan (*the Government template for this is not mandatory!*), but this is only agreed AFTER planning permission has been given.

CONSIDERATIONS

Local councils may like to consider:

- contacting local wildlife or conservation groups for their advice
- identifying local experts in either habitats or locations
- noting areas outside development sites that might benefit from enhancement.
- building up over time a biodiversity map of the council area, adding in the details discovered for each development proposal.

See also biodiversity guidance at www.slcc.co.uk/climate-action/ .

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