



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

AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Tuesday, 2nd May 2023** Time: **6.00 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	
P.	Heath	
S.	Hicks	
C.	Jay	
C.	Lager	
M.	Lager	
T.	Pleasance	

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 17.04.2023 (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 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

22/03367/FUL, Land Adjacent Unit A

9. DECISIONS

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

10. MALTINGS LANE SPEEDING CONCERNS

To receive a correspondence from a member of public with concerns regarding Maltings Lane ([attached](#)).

11. A12 WIDENING

- a) To receive a verbal report.
- b) To receive a letter regarding the A12 DCO Change Consultation ([attached](#)).



Nikki Smith
Town Clerk

SS/NS 20.4.2023

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.

23/00361/FUL	Witham Public Hall , Collingwood Road, Witham	Central	Installation of 4No. air-conditioning units on flat roof at side of building.
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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.

23/00707/FUL	Allotments, Conrad Road, Witham	North	Erection of 8no. detached dwellings with single access and parking.
23/00782/FUL	Sports Pavillion, Maldon Road, Witham	Central	Construction of a cricket practice facility.
23/00781/REM	Land North Of Woodend Farm, Hatfield Road, Witham	Hatfield	Application for the approval of Reserved Matters (Access, Appearance, Landscaping, layout and scale) for the central open space (Main Central Park Area), pursuant to outline application 19/01896/OUT approved on 21.07.2022 for up to 400 residential dwellings and day nursery with all associated access, servicing, parking, drainage infrastructure, landscaping, open space and utilities infrastructure.
23/00882/FUL	3 Freebournes Road, Witham, Essex	Central	Proposed widened entrance to Pasture Road.
23/00251/FUL	Land South Of Haygreen Road , Witham, Essex	South	Proposed new community building, with associated landscaping and car parking
23/00914/FUL	3 Freebournes Road, Witham, Essex	Central	Proposed security fence to north and east boundaries.

Witham Town Council – Planning Application Report

Application No:- 23/00707/FUL

Address:- Allotments, Conrad Road, Witham

Ward:- North

Proposal:- Erection of 8no. detached dwellings with single access and parking.

Relevant Site History:- 15/01273/OUT, Application Permitted with S.106

Representations:- Two objection comments from a neighbour.

Summary:- This development would be located next to the existing development of 150 houses that are currently being built. This would allow for two, styles of three bedroom houses and two styles of four bedroom houses.

Recommendation:- This area is already overdeveloped, and the addition of more housing would only exacerbate this issue. The local infrastructure is not able to support more housing, and there is no provision in the application to improve this.

The proposed development would lead to further traffic congestion, particularly as the road is already busy with school traffic. This would have a negative impact on the quality of life for local residents, as well as on the environment.

In addition, the proposed development would result in the destruction of trees and open space. There is no mention in the application of any provision to retain or replace these important features, which would have a significant impact on the local environment and biodiversity.

In light of these factors, and that the application is contrary to policies SP4, SP7, and LPP52 the Planning Officer's recommendation is that the planning application be refused.

Policy References:- SP4, SP7, LPP52

Witham Town Council – Planning Application Report

Application No:- 23/00782/FUL

Address:- Sports Pavillion, Maldon Road, Witham

Ward:- Central

Proposal:- Construction of a cricket practice facility.

Relevant Site History:- 13/00926/ADV Application Refused, 12/00245/TPOCON Application Permitted, 11/00005/FUL Application Permitted, 11/00004/FUL Application Permitted

Representations:- Environmental Health who are unable to support this application.

Summary:- The site is located at the southern end of the conservation area . The position of the practice facility has been selected as it was the site of the former tennis courts and is away from the main cricket square. The practice facility is self contained and is 33.0 m in length and 10.950 m in width and is surrounded by a 2.4m high security fence (refer to attached detailed plans. The sides and roof are covered by a robust high quality netting supported by a galvanised steel tubular frame.

Recommendation:- Witham Cricket Club is a long established cricket club who have played cricket in Witham for the last 130 years and have been looking to update their practice facilities for some time. This facility will help to enhance the services provided by the club, therefore the Officer recommendation would be to raise no objection subject to noise mitigation, and select opening times to avoid disturbance.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/00781/REM

Address:- Land North Of Woodend Farm, Hatfield Road, Witham

Ward:- Hatfield

Proposal:- Application for the approval of Reserved Matters (Access, Appearance, Landscaping, layout and scale) for the central open space (Main Central Park Area), pursuant to outline application 19/01896/OUT approved on 21.07.2022 for up to 400 residential dwellings and day nursery with all associated access, servicing, parking, drainage infrastructure, landscaping, open space and utilities infrastructure.

Relevant Site History:- 19/01896/OUT, Application Permitted With s106

Representations:-

Summary:- The Site extends to 18.5ha of agricultural land, and includes a small area of commercial uses at the southern end. The existing farm buildings and cottage fall outside of the site boundary and are to be retained. The site comprises a single field unit with the peripheral field boundary marked predominantly by hedgerows, and in places hedgerow trees.

The southern section of the site is occupied by commercial premises, primarily a car dealership, which comprise a range of buildings, areas of hardstanding and circulation space, accessed off Hatfield Road. The landscape beyond the site to the north, west and south comprises field units interspersed with woodland blocks.

Recommendation:- Officer recommendation would be to raise no objection, subject to any trees and hedges felled being replaced with suitable alternatives.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/00882/FUL

Address:- 3 Freebournes Road, Witham, Essex

Ward:- Central

Proposal:- Proposed widened entrance to Pasture Road.

Relevant Site History:- 21/03029/FUL Application Permitted, 97/00003/FUL Application Permitted

Representations:-

Summary:- The development proposal involves substantial refurbishment of the existing industrial unit and widening of the existing access / egress on Freebournes Road / Pasture Road in order to enable HGVs to use that access / egress. It is proposed that the widened section of the access would be constructed to the Essex Highways specification for an industrial vehicular crossover.

Recommendation:- The prior approval proposal involves substantial refurbishment of the existing industrial unit and additionally, widening of the existing site access / egress on Pasture Road in order to enable HGVs to exit the site to the east at that point.

It has been demonstrated that the proposed widened access / egress would operate acceptably and would provide adequate levels of visibility. Therefore, the Officer recommendation would be to raise no objection, in line with the final bullet point of paragraph 111 (page 32) of the National Planning Policy Framework 2021 (NPPF), which indicates that “Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Policy References:- National Planning Policy Framework

Witham Town Council – Planning Application Report

Application No:- 23/00251/FUL

Address:- Land South Of Haygreen Road , Witham, Essex

Ward:- South

Proposal:- Proposed new community building, with associated landscaping and car parking

Relevant Site History:-

Representations:-

Summary:- The application site is located on land to the west of Owers Road and south of Haygreen Road, on a parcel of undeveloped shrubland. To the north east and east of the site is residential development, to the north west of the site is playing fields, and to the west is an Aldi retail unit.

Planning permission is sought for a new community building, associated open space and car parking. The building will allow for several uses which will benefit the wide area and will complement the existing playing field and hard-court area that is present on the site. The main hall within the centre of the building is designed around Sport England's requirements for a club level badminton court.

The space is designed to be multi use as it has direct use to catering/bar facilities as well as an allowance for a removable stage area. The proposed building is predominantly 1 & 2 storey with the central block containing the badminton court being 3 storey in height. The roof heights are staggered in order to reduce the overall mass of the building therefore making it appear less bulky on the site. The scale and massing of the proposed building takes direct reference from the Neighbouring Chipping Hill school building and the Gershwin Park nursery.

Recommendation:- The proposal will provide a number of community benefits. Policy LPP61 which relates to local community services and facilities is clear that the provision of new community facilities will be supported wherever possible.

The preamble to the policy recognises that the provision of community facilities to meet local needs, create sustainable communities and reduce the need to travel. Therefore, it is up to Members whether the building supports the needs for social infrastructure which is encouraged within the Local Plan, and whether the design is sympathetic to the character of the area.

Policy References:- LPP61

Witham Town Council – Planning Application Report

Application No:- 23/00914/FUL

Address:- 3 Freebournes Road, Witham, Essex

Ward:- Central

Proposal:- Proposed security fence to north and east boundaries.

Relevant Site History:- 23/00341/FUL, Application Withdrawn

Representations:-

Summary:- Unit 3 is currently being totally refurbished, modernised, and reclad. In order for the site to be let, it is necessary for the site to be secure. It is proposed to erect a mesh v fence on the northern and eastern boundaries. This has been the subject of a previous planning application but the fence element was withdrawn as it appeared to be meeting with some resistance by one of the officers. However, following submission of more details it appears that the proposal would now be supported by the LPA.

Recommendation:- Officer recommendation would be to raise no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 22/03367/FUL

Address:- Land Adjacent Unit A Eastways Witham Essex

Ward:- Central

Proposal:- Erection of commercial unit (Use Class B8) together with access, parking, landscaping and associated works.

Relevant Site History:- 07/02234/FUL, 16/00082/FUL, 17/02294/FUL

Representations:- Representations available on the Planning Portal made by, Essex County Council, Unit H Eastways Industrial Estate, Eastways, Pebmarsh, Witham CM8 3YQ, 70 eastways, Witham, Essex CM8 3YE, Suds, Anglian water, Essex fire & rescue, Essex Police, and Witham Town Council.

Summary:- This application seeks approval for a new unit with internal ancillary offices, new site entrance and vehicle turning area. The proposed use will fall within Class B8 with ancillary office space measuring approximately 280 m2.

Recommendation:- The proposed changes only seek to improve upon the original application that was previously recommended approval by the Town Council. It is up to Members to decide whether they would like to retain their original decision.

Policy References:-

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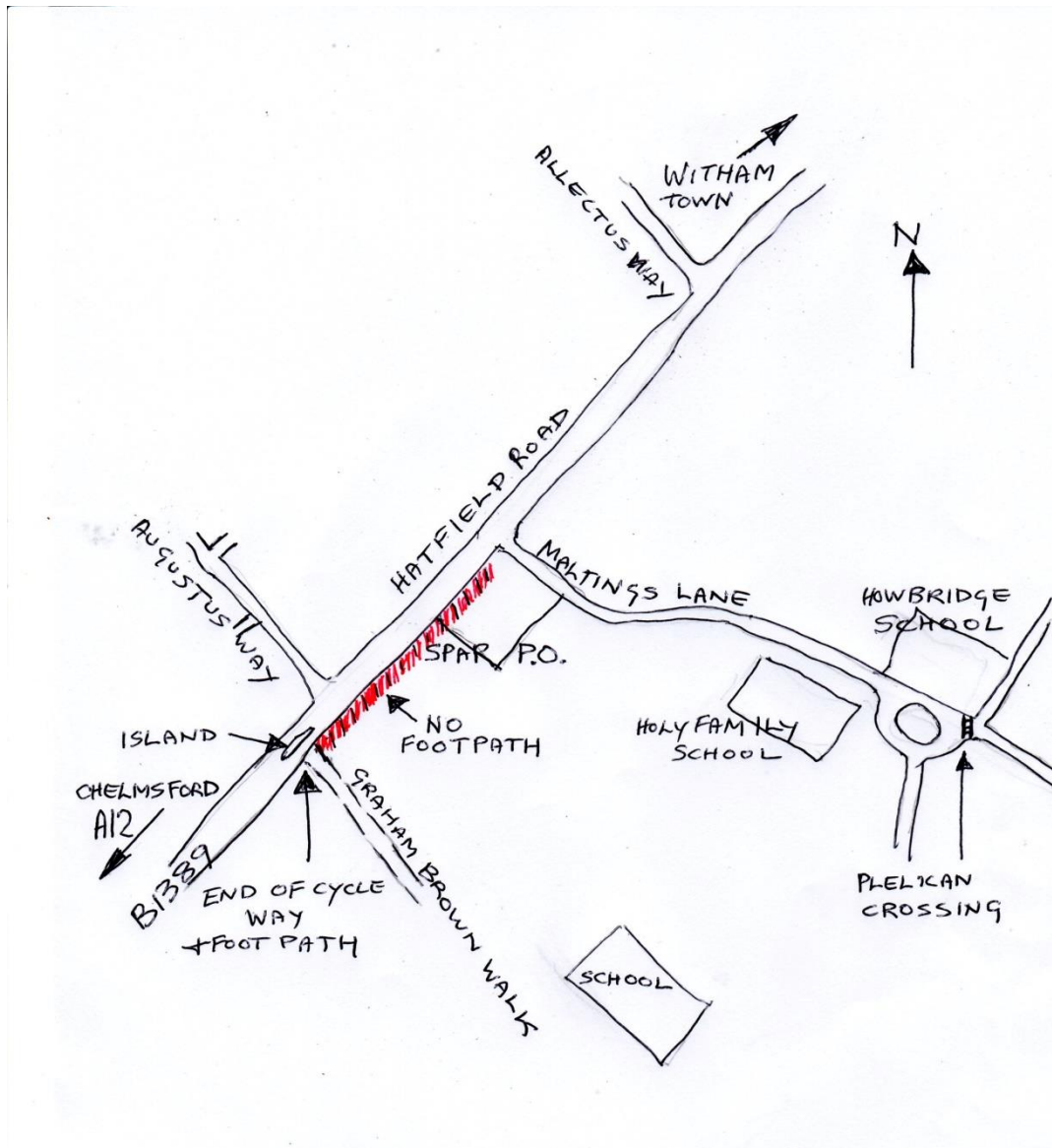
ITEM 9

Application & Address	Proposal	BDC Decision	WTC Decision
23/00341/FUL 3 Freebournes Road Witham Essex CM8 3UN	Widened entrance	Application Withdrawn	Raised no objection
23/00048/HH Ruskins Lawn Chase Witham Essex CM8 1AZ	Insertion of rear dormer and associated alteration to the existing roof to facilitate loft conversion	Application Withdrawn	Raised no objection

ITEM 10

The following concerns are listed as follows:

1. Foot path opposite The Spar two people cannot pass safely.
2. No footpath on Spar side at all and pedestrians are very close to the traffic on the usable foot path.
3. Unsafe to cross Hatfield Road due to the curve in the road and poor visibility splays.
4. Excess speed and density of the traffic.
5. This very busy stretch of road is used by school children going to three different primary schools nearby with no safe crossing places.
6. There are no Vehicle Activated Speed Aware signs in either direction.
7. There is no Zebra crossings in the vicinity.
8. Cycle and pedestrian path finishes at Graham Brown Walk so people are forced to cross Hatfield Road at this point.
9. No cycle way opposite Spar P.O.
10. Commercial vehicles with overhanging rear view mirrors put pedestrians in great danger of being hit by them.
11. White line hatching in the centre of the road forces traffic towards the footpath.



Reference to: B1389 Hatfield Road between Maltings Lane and Augustus Way/Graham Brown Walk by The Spar Shop and Post Office.

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ITEM 11



Our ref:TR010060/Change Application Letter

A12 Chelmsford to A120 widening
Project Team
National Highways
Woodlands
Manton Lane
Bedford
MK41 7LW

Name

0300 123 5000

Date: 12/04/2022

Dear Salutation,

**A12 Chelmsford – A120 Widening Project – Application for Development Consent
Consultation on proposed changes to the Development Consent Order Application**

I am writing in regard to the National Highways A12 widening project, which would widen where necessary the A12 between Chelmsford (junction 19) and the A120 (junction 25) from two to three lanes in each direction; improve junction 19 and 25; remove junctions 20a, 20b and 23; move junctions 21, 22 and 24 to make them all movement junctions and create two bypasses.

As you may be aware we consulted on our proposals in 2021 and 2022, we submitted our Development Consent Order application in August 2022, the Planning Inspectorate appointed a panel of Examining Inspectors (the Examining Authority) who issued a Rule 6 Letter on 13 December 2022 and the Examination opened on 12 January 2023 with the preliminary meeting.

Further details of the accepted Application together with any documents submitted as part of the Examination can be found on the Planning Inspectorate scheme webpage: <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a12-chelmsford-to-a120-widening-scheme/>

Since submitting our application, we have progressed our design further and have identified six proposed changes that we would like to make to the scheme. The proposed changes have arisen primarily as part of the accepted Application's continuing development through detailed design and the Applicant's continued engagement with stakeholders and interested parties. As part of these proposed changes, the Applicant is not seeking to acquire additional land.

We are writing to you as you have either registered as an interested party, are a s.42 stakeholder or someone who lives in close proximity to a proposed change that the A12 scheme is consulting on.

Enclosed with this letter is a copy of the Applicant's notice publicising the consultation. The consultation on the six proposed changes to the accepted Application will run from **Thursday 13 April 2023 to Sunday 14 May 2023**.

The changes being sought by the Applicant to the accepted Application are:

Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
National Highways Limited registered in England and Wales number 09346363



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