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MINUTES

PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 30th October 2023**

Place: **Council Chamber, Town Hall, 61 Newland Street, Witham, CM8 2FE**

Present: Councillors

P.	Barlow	(Chairman)
J.C.	Coleman	(Vice Chairman)
E.	Adelaja	
J.M.	Coleman	
L.	Headley	
E.	Williams	
G.	Kennedy	(Planning Officer)
S.	Smith	(PA to the Council)

And three members of the public.

131. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hewitt, Martin, Ramage, and Sloma.

RESOLVED That the apologies be received and approved.

132. MINUTES

RESOLVED That the Minutes of the Meeting of the Planning and Transport Committee held 16th October 2023 be confirmed as a true record and signed by the Chairman.

133. INTERESTS

All Members declared a non-pecuniary interest in application 23/02016/FUL - Allotments, Cut Throat Land, Witham, as the allotments were under Town Council ownership. Cllr J.C. Coleman declared a non-pecuniary interest in application 23/02368/FUL - Land Between Eustace Court and 34 Blunts Hall Road, Witham, as he used to live in the property at 34 Blunts Hall Road.

134. QUESTIONS AND STATEMENTS FROM THE PUBLIC

The members of the public present wished to raise concerns over the proposed felling of the Lynfield Elm. One member of the public, who was a member of the Witham Tree Group, attended so that he could answer any questions Members may have had in relation to the elm.

As well as this, a member of the public spoke in regards to application 23/00403/DAC - Gimsons, Kings Chase, Witham, as he was disappointed that the original park railings were not being reinstated. He asked that the Town Council reinforce this view where possible, but if the railings were not to be reinstated, then all of the park railings should be replaced likewise to ensure it is matching and also safe.

131. LYNFIELD ELM

Due to there being several members of the public present who were interested in this item, it was agreed to bring this item forward.

An email was received from the Tree Group regarding the proposed felling of the elm tree near Lynfield Motors. Members were informed that the Planning Officer had made enquiries of the District Council's Landscape Officer and a report had been circulated to Members explaining that the tree was in poor health and could become a hazard for motorists. Root saplings were flourishing and these would be taken and nurtured as they would be genetically identical to the parent tree which was resistant to Dutch Elm disease; and a number would then be planted on the new estate.

Members were extremely disappointed that the tree had been left unmanaged which had led to its poor quality; it was recognised that due to the tree's declining health, stability and prominent location it would likely be felled in a few years, regardless of the proposed infrastructure changes. They acknowledged that as a result of this a Tree Preservation Order had not been granted as it would need to meet the criteria of being a healthy tree.

Although Members were sympathetic and were aware that the felling of the elm was not the desired conclusion, they recognised that the proposal to transplant the root saplings and remove the unhealthy tree was the best outcome for this unfortunate situation.

Members proposed that the saplings should be used within Witham, potentially by the Witham Tree Group, and that one of the saplings should be included in the design of the roundabout, so there would eventually be a prominent elm again on the entrance into Witham. It was also suggested that the wood from the felled elm should be used, if possible, to create a commemorative item such as a bench or arbour to recognise the historic elm.

RESOLVED That the Town Council noted all representations made by residents regarding this matter and were extremely sympathetic regarding the sense of feeling surrounding this issue. They recognised that the proposals made were the best outcome, but were disappointed that this felling was deemed necessary. Members requested that it should be ensured that the saplings should be used within Witham and some should be gifted to the Witham Tree Group to plant. They also requested that at least one of the saplings should be included in the design of the proposed roundabout, so that there would eventually be a prominent elm again on the entrance into Witham. Members also asked that the wood from the felled elm should be used to create a commemorative item such as a bench or arbour to recognise the historic elm.

RESOLVED That the A12 consultants be made aware of the situation.

132. PLANNING OFFICER'S REPORT

The Planning Officer informed Members that application 23/00737/REM relating to Land North of Woodend Farm would be considered by the District Council's Planning Committee on 7th November 2023. She remarked that it would give Members the opportunity to put forward the Town Council's aspirations with regard to the elm tree.

Councillor J.C. Colman said that he would attend.

RESOLVED That the information be received and Councillor J.C. Coleman attend the District Council's Planning Meeting on 7th November 2023 to seek conditions with regard to the felling of the elm tree.

133. PART 1 APPLICATIONS

23/02444/HH **189 Honeysuckle Way, Witham**
Single storey rear extension

NO OBJECTION

23/02489/HH **19 Page Close, Witham**
Single storey rear extension

NO OBJECTION

23/02417/HH **22 Armond Road, Witham**
Single storey rear extension

NO OBJECTION

134. PART 2 APPLICATIONS

23/02368/FUL **Land Between Eustace Court and 34 Blunts Hall Road, Witham**
Proposed infill development to provide 1 No. detached and 2 No. semi-detached properties

Cllr J.C. Coleman declared a non-pecuniary interest in regards to this application as he used to live in the property at 34 Blunts Hall Road.

NO OBJECTION

23/02509/TPOCON **Witham Pavilion Club, Maldon Road, Witham**
Notice of intent to carry out works to trees in a Conservation Area:
Carry out various works to trees

NO OBJECTION Subject to the advice of the District Council's Landscape Officer.

**23/00403/DAC &
18/02010/FUL**

Gimsons, Kings Chase, Witham

Application for approval of details as reserved by condition 26 (Boundary Treatments) of approved application 18/02010/FUL

NO OBJECTION but the Town Council was sympathetic to the Witham and Countryside Society's view that the existing stored railings should be reinstated if at all possible but if not, then the rest of the railings in the park should be replaced to match.

23/02381/HH

6 Porter Way, Witham

Proposed partial conversion of existing garage to create a home office, including new external access door and window

NO OBJECTION Subject to the office being ancillary to the main dwelling.

23/02016/FUL

Allotments, Cut Throat Land, Witham

Replacement of portable cabin on Cut Throat Lane Allotment Site, for Allotment Association members use

All Members had declared a non-pecuniary interest. It was agreed that it would be inappropriate to comment.

RESOLVED To receive and note.

135. REVISED PLANS

There were no revised plans.

136. DECISIONS

The decisions on Planning Applications pertaining to Witham were received.

RESOLVED That the decisions be received and noted.

137. EARLS COLNE NEIGHBOURHOOD PLAN

It was noted that Earls Colne Parish Council had made a Pre-Submission Consultation (Regulation 14) for its Neighbourhood Plan with the consultation period running until 2nd December 2023.

RESOLVED That the information be received and noted.

138. ESSEX PLANNING OFFICERS ASSOCIATION PARKING GUIDANCE

Details of a consultation were received.

RESOLVED That the details be received and this item be brought to the next Planning and Transport Committee meeting.

139. NOTICE OF APPEAL – 23/01656/HH – 17 JOSHLIN AVENUE, WITHAM

Notification of an appeal against the refusal to grant planning consent on the above application was received.

RESOLVED That the information be received and noted.

There being no further business the Chairman closed the Meeting at 7.20 p.m.

Councillor P. Barlow
Chairman

GK/SS/31.10.2023