



## AGENDA

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

Date: **Tuesday, 28<sup>th</sup> May 2019** 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:

Mrs	S.C.	Lager (Town Mayor in the Chair)
Mrs	S.	Ager
	K.L.	Atwill
	P.R.	Barlow
	J.C.	Bayford
	J.C.	Goodman
	S.E.	Hicks
Miss	C.	Jay
Mrs	A.	Kilmartin
	M.C.M.	Lager
	C.S.	Livermore
	T.A.	Pleasance
	R.P.	Ramage
	P.M.	Ryland
Miss	M.L.	Weeks
	R.	Williams

### **1. ELECTION OF CHAIRMAN**

To receive nominations for Chairman of the Planning Applications and Transport Sub-Committee for the civic year 2019/2010.

### **2. ELECTION OF VICE CHAIRMAN**

To receive nominations for Vice Chairman of the Planning Applications and Transport Sub-Committee for the civic year 2019/2020.

**3. APOLOGIES**

To receive apologies for absence.

**4. MINUTES**

To receive the Minutes of the Meeting held on 29<sup>th</sup> April 2019 (previously circulated).

**5. INTERESTS**

(a) To permit Members of this Council who are also Members of Braintree District Council to confirm that, whilst considering planning applications at the Town Council, any opinion that may be given will be based on the information that is known to date. Each Councillor should confirm that he/she will not be held by opinions given or comments made at meetings of Witham Town Council, but will approach further meetings with an open mind. Furthermore, he/she will consider any additional information and/or representations that may be received prior to the meeting of the District Council.

(b) To receive any declarations of interests that Members may wish to give notice of on matters pertaining to any item on this Agenda.

**6. 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.

**7. CLERK'S REPORT**

To receive a verbal report from the Clerk on any matters arising from the previous meeting.

**8. 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 committee clerk.*

**9. PART 2 APPLICATIONS**

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

**10. REVISED PLANS**

To consider any revised plans received by Braintree District Council that have previously been commented upon –

18/00011/FUL - The Old Pool Club, 49 Braintree Road, Witham.

**11. REPRESENTATIONS TO BRAINTREE DISTRICT COUNCIL**

To note that the Town Council will send a co-optee to attend the Braintree District Council Planning Committee to make comments on possible contentious items.

**12. DECISIONS**

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

**13. APPEAL – 18/00628/FUL – 36 GERSHWIN BOULEVARD**

To note that a notice of appeal against the District Council's decision to refuse the above planning application has been received and to consider sending a letter of support to the Planning Inspector.



James Sheehy  
Town Clerk  
GK/21.05.2019

## 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](http://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.

19/00715/HH	62 Cressing Road, Witham, Essex	North	Erection of a single storey rear conservatory
19/00738/VAR	18 Maidment Crescent, Witham, Essex	South	Variation of Condition 2 (Approved Plans) of permission 18/00050/FUL
19/00736/HH	86 Church Street, Witham, Essex	North	Single storey rear extension
19/00774/HH	26 Juvina Close, Witham, Essex	South	Proposed two storey side extension with rear garden access

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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](http://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.

19/00548/FUL	Collingwood House, 8 - 10 Collingwood Road, Witham	Central	Erection of bin store, bike store, substation enclosure and boundary railings
19/00688/OUT	2 Victoria Cottages, Maltings Lane, Witham	South	Outline application with all matters reserved for the erection of a pair of semi-detached cottages
19/00708/HH	20 & 22 Juniper Crescent, Witham, Essex	North	New application to include provision of porches, removal of garage door to no. 22 and replacement with door and window, including retrospective application for render to two storey elevations, and amendment to height of single storey extension following detailed design
18/02251/FUL	Land South Of, Hatfield Road, Witham	South	Proposed commercial vehicle dealership with estate access road and associated infra-structure
19/00748/ADV & 19/00751/LBC	White Hart, Newland Street, Witham	Central	Installation of replacement illuminated and non illuminated signs to the exterior of the building
19/00769/FUL	1 Teign Drive, Witham, Essex	West	Change of use from public land to garden land
19/00109/TPO	Greensward, Armiger Way, Witham	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order 5/74
19/00788/FUL	The Victoria PH, Powers Hall End, Witham	West	Change of use from public house (A4) to single detached house (C3)

## Witham Town Council – Planning Application Report

**Application No:-** 19/00548/FUL

**Address:-** Collingwood House, 8 - 10 Collingwood Road, Witham

**Ward:-** Central

**Proposal:-** Erection of bin store, bike store, substation enclosure and boundary railings

**Relevant Site History:-**

**Representations:-** Five representations from adjacent residents and one comment from the District Council's waste management team

**Summary:-** The proposal is to site the bin store adjacent to Ben Sainty Court. The comment from BDC waste Management is that the bin store is very far from the north west end of the building and only just sufficient size. There will be new 1.8 m high railings to the front of the building and close board fencing adjacent to the Public Hall.

**Recommendation:-** The bin store is an obvious problem and therefore recommend refusal on the grounds of adverse impact on neighbouring amenity. Members might also wish to have a view on the railings and close board fencing.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00688/OUT  
**Address:-** 2 Victoria Cottages, Maltings Lane, Witham  
**Ward:-** South

**Proposal:-** Outline application with all matters reserved for the erection of a pair of semi-detached cottages

**Relevant Site History:-**

**Representations:-** Five representations

**Summary:-** The proposal is to build a pair of semi detached houses in the grounds of number 2 Victoria Cottages. The access to the new properties would be via the driveway for the existing four cottages. Neighbouring residents have complained that their amenity will be affected.

**Recommendation:-** Recommend Refusal on the grounds of access and loss of neighbouring amenity.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00708/HH  
**Address:-** 20 & 22 Juniper Crescent, Witham, Essex  
**Ward:-** North

**Proposal:-** New application to include provision of porches, removal of garage door to no. 22 and replacement with door and window, including retrospective application for render to two storey elevations, and amendment to height of single storey extension following detailed design

**Relevant Site History:-** 17/00687/FUL & 18/01351/FUL

**Representations:-**

**Summary:-** This is a complicated case as the original set of plans, approved by the District Council were adapted and consequently refused. The new plans include a small porch 2.1m by 1.4 metres in depth and 2.9m to the top of the gable. The existing garage door to number 22 is proposed to be removed and replaced with a door and window. There will be an infill extension behind the garages and then an extension across the back of the two properties. Behind the existing garage at 22 there will be a utility area and a shower room. At number 20 the garage door will remain and there will be a further store and utility area. There will be a first floor extension over the infill extension to form a dressing room and shower room. The Planning Officer refused the second application inter alia because of the overbearing height of the single storey extension at number 22 and this has now been reduced to 2.9 m - 3.3 at number 20 which is at the end of neighbouring gardens. The first floor extensions will now have gable roofs. The extensions will be grey render and the porches will be weather boarded.

**Recommendation:-** The Town Council had no objections to the original application but in view of the complications it was thought Members would wish to be aware of the application. It is noted that at number 22 there will be a front door and a window in the former garage, leading into a utility room and then a shower room. There is a need for accommodation for the elderly or adult children in homes but there should be a condition that the home remains single occupancy. Recommend no objection subject to number 22 remaining single occupancy.



## Witham Town Council – Planning Application Report

**Application No:-** 18/02251/FUL  
**Address:-** Land South Of, Hatfield Road, Witham  
**Ward:-** South

**Proposal:-** Proposed commercial vehicle dealership with estate access road and associated infrastructure

**Relevant Site History:-**

**Representations:-**

**Summary:-** This application has been considered several times and we are very much being drip-fed. This time we are being asked to consider the impact on residents of the new Redrow development across Hatfield Road. Residents of three storey houses opposite will see the dealership from their top floor. The developers are confident that there will be no noise pollution based on comparable sites. The bund will be three metres high along the length of the site with planting. To shield residents further a one metre high acoustic timber fence will be built on top of the bund behind a one metre high hedge.

**Recommendation:-** It would seem that the developer has tried very hard to mitigate impact on the residents opposite with approximately 11 metres in depth of landscaping. It is recommended no objection.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00748/ADV & 19/00751/LBC

**Address:-** White Hart, Newland Street, Witham

**Ward:-** Central

**Proposal:-** Installation of replacement illuminated and non illuminated signs to the exterior of the building

**Relevant Site History:-**

19/00520/FUL & 19/00521/LBC

**Representations:-**

**Summary:-** The existing pictorial sign will be refurbished and repainted and will be illuminated by 2 new 50w LED floodlights on extended arms. Over the top of the door in Newland Street will be a 4m wide 'White Hart Hotel' sign in formed aluminium panel with gold writing. There will be two cast bronze plaques 33cm by 23 cm adjacent to the two entrances. Above the corner entrance will be a semi-circular 'White Hart Hotel' in individual foamex gold letters (in total measuring 85 cms in height and 200 cms in width) lit by two floodlights on extended brackets. Direct onto the wall, in an existing area, will be signwriting with a small black spotlight. Again directly onto a wall area in Maldon Road will be a new 'The White Hart Hotel' in signwriting with three cowl lights. On the white wall at the back of the premises, to be seen from The Grove centre will be other signwriting directly onto the wall detailing the services on offer. There will be two internally illuminated menu boards one at each entrance. There will be 'The White Hart Hotel' in white foamex letters, measuring in total 4 metres across by 19 cms high, on the back wall adjacent to the car park with LED trough lighting. Finally there will be three uplighters on the Newland Street elevation to show the architectural features of the building.

**Recommendation:-** This 13th century inn is on a prominent corner in the town centre. Much of the signage is replacement. Externally the building is already cluttered with signage probably due to temporary pvc banners and bunting. Members need to decide whether the signage is appropriate - I would suggest that foamex lettering is not and a more appropriate material be used, but otherwise the signage would seem to be acceptable. With the exception of the menu boards all the other lighting is spotlight or trough lighting.

**Policy References:-** RLP108 and RLP 109

## Witham Town Council – Planning Application Report

**Application No:-** 19/00769/FUL  
**Address:-** 1 Teign Drive, Witham, Essex  
**Ward:-** West

**Proposal:-** Change of use from public land to garden land

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is to make an area to park vehicles at the side of this house. The grass land is public open space and the resident wishes to use the dropped curb for the footpath, and drive approximately eight metres along the footpath to the new parking area.  
**Recommendation:-** The Town Council has a policy to refuse applications when there is a loss of public land and whilst this is a small strip it would be unwise to create a precedent. Recommend refusal on the grounds of loss of public amenity and dangerous access along an existing footpath.  
**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00109/TPO  
**Address:-** Greensward, Armiger Way, Witham  
**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to trees protected by Tree Preservation Order 5/74

**Relevant Site History:-**

**Representations:-**

**Summary:-** T12 Ash - reduce lateral limb by up to 4m to alleviate end weight, reduce height by 3m to re-balance to alleviate overall weight due to presence of Inonotus and T17 - Sycamore - Bark removal too much for survival of tree, this tree has been vandalised, advised the tree is removed before it becomes too dangerous to climb

**Recommendation:-** The general maintenance of the ash seems reasonable but the Tree Warden has been asked to advise as without a site visit the extent of damage to the sycamore is unknown.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00788/FUL  
**Address:-** The Victoria PH, Powers Hall End, Witham  
**Ward:-** West

**Proposal:-** Change of use from public house (A4) to single detached house (C3)

**Relevant Site History:-**  
19/00115/FUL

**Representations:-**

**Summary:-** This is a full application for a change of use of the Victoria Pub., which has been empty for some time. It was put on the market to rent in April 2017 and then after a year put up for sale. The premises were bought and a tenant found but this fell through, likewise the interest in turning the pub into a restaurant. Despite marketing there has been no further interest and therefore an application to convert into a residential property has been made. The original structure is from 1900's and some later unsightly extensions will be removed. A five bedroomed property will be created.

**Recommendation:-** The location has been suggested as the reason for the public house no longer being viable. Members need to decide whether after the building being empty and marketed unsuccessfully for two years the time has come to abandon its use as a public house or restaurant.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 18/00011/FUL

**Address:-** The Old Pool Club 49 Braintree Road Witham Essex CM8 2DB

**Ward:-** North

**Proposal:-** Redevelopment of the site to provide 8 one bedroom flats and 2 two bedroom flats (10 units total) incorporating the remodeling of the existing building to provide a three storey building with associated landscaping, parking & cycle parking

**Relevant Site History:-** This application was first considered by the Planning Committee in February 2018 and recommended for refusal on the grounds of a lack of amenity for the dwellings and inadequate parking proposals.

**Representations:-**

**Summary:-** When this application was considered by the Historic Buildings Officer in 2018 he had no objection to the conversion of this modern building but considered the balconies to be unnecessarily domestic in this historic setting. The applicant has now revised the elevations to give an industrial look to this building by removing the balconies. There will be a roof garden for its residents. There will be two under-cover parking bays and seven external parking spaces along with cycle storage. The site is close to the station, bus services, supermarket and a short walk into the town centre. There is an external bin store. It is noted that the application is for ten two bedroom flats but counting up there would appear to be three one bedroom flats and seven two.

**Recommendation:-** It is for Members to decide whether the amenity space is sufficient for the residents. There is a lack of private parking - ten two bed flats should have 20 parking spaces plus extra for visitors, however there is a public car park at Whitehorse Lane and in view of the central location Members might wish to consider this is sufficient.

**Policy References:-**

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Application/Address	Proposal	BDC's decision	WTC's decision
19/00068/TPOCON - Witham Health Centre	Notice of intent to carry out works to trees in a Conservation Area	Application Permitted	No objection subject to the Tree Officer's advice
19/00597/PDEM - Garage 2019-2025 Calamint Road Witham	Application for Prior Notification of Proposed Demolition - Demolition of 7 garages	Approval Not Required	No objection
19/00437/DAC - Phase 2 Land At Forest Road Witham Essex	Application for approval of details reserved by conditions 5, 6 and 8 of approved application 17/01092/FUL.	Application Permitted	No objection
19/00409/FUL - 5 Moss Road Witham Essex CM8 3UQ	Single storey entrance lobby.	Application Permitted	No objection
19/00045/TPO - 26B Avenue Road Witham Essex CM8 2DT	Notice of intent to carry out works to tree protected by Tree Preservation Order 4/83	Application Permitted	Recommend Refusal on the grounds that there are no details on the actual application about the extent of the reduction of the crown and subject to the advice of the Tree Officer.
19/00413/FUL - Vodaphone Mast 61896 At Witham Football Club Spa Road Witham Essex CM8 1UN	The removal of the existing mast top headframe and antennas and its replacement with a new headframe, three relocated antennas and three new antennas, one new GPS module, associated radio equipment refresh and development ancillary thereto.	Application Permitted	No objection
19/00032/FUL - Garage 1372 And 1373 Walnut Drive Witham Essex	Demolition of 2 existing garages and erection of 3 replacement garages.	Application Permitted	No objection
19/00323/DAC - Bramston Sports Centre Bridge Street Witham Essex CM8 1BT	Application for approval of details reserved by condition 5, 15 and 17 of approval 17/01918/FUL - Erection of a foodstore and associated parking.	Application Permitted	No objection

18/01908/FUL - 20 Collingwood Road Witham Essex CM8 2DZ	Construction of two bedroom chalet bungalow.	Application Refused	Recommended refusal on the grounds that the proposal constitutes to an inappropriate back-land development that would harm the conservation area.
19/00554/LBC - Jacksons Farm Maltings Lane Witham CM8 1DZ	Jacksons Farm Maltings Lane Witham Essex CM8 1DZ	Application Refused	No objection subject to the advice of the Historic Buildings Officer.
19/00522/ADV - Unit 1 Potter Court Flemming Way Witham Essex CM8 2ZJ	Display of 4 x externally illuminated fascia signs to the front and side of retail premises	Application Permitted	Recommend Approval
19/00408/FUL - 44 Cressing Road Witham Essex CM8 2NP	Retrospective application for the retention of a single-storey outbuilding in rear garden being used as a catering business	Application Refused	Recommend Refusal on the grounds that a catering business of this nature is inappropriate in a residential setting

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