



AGENDA

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

Date: **Monday, 19th August 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:	J.C.	Goodman	(Chairman)
	Mrs	A.	Kilmartin	(Vice Chairman)
	Mrs	S.	Ager	
		K.L.	Atwill	
		P.R.	Barlow	
		J.C.	Bayford	
		S.E.	Hicks	
	Miss	C.	Jay	
		M.C.M.	Lager	
	Mrs	S.C.	Lager	
		C.S.	Livermore	
		T.A.	Pleasance	
		R.P.	Ramage	
		P.M.	Ryland	
	Miss	M.L.	Weeks	
		R.	Williams	

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting held on 5th August 2019 (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.

5. **CLERK'S REPORT**

To receive a verbal report from the Clerk on any matters arising from the 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 committee clerk.*

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](#)).

10. **5 YEAR SUPPLY OF HOUSING LAND**

To receive a copy of the letter sent to Secretary of State from Councillor Graham Butland, Leader of Braintree District Council ([attached](#)).

11. **SPEEDING VEHICLES**

(a) Speed Indicator Devices

Following advice from Essex County Council Members will need to come up with a list of roads and locations where they would wish the proposed Speed Indicator Device to be situated.

(b) Collingwood Road

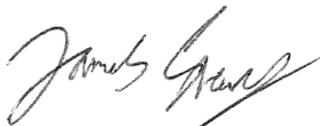
To receive an email from a member of the public regarding speeding vehicles in Collingwood Road ([attached](#)).

12. **SIGNPOSTING OF ST NICOLAS CHURCH**

To receive an email from the Revd Christine Newmarch regarding signposting to St Nicolas Church ([attached](#)).

13. **TEMPORARY SUSPENSION OF PARKING IN NEWLAND STREET**

To receive the Order suspending parking in Newland Street for the weekly street market ([attached](#)).



James Sheehy
Town Clerk
GK/13.8.2019

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

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.

19/01347/HH	90 Highfields Road, Witham, Essex	West	Single storey rear ground floor extension
19/01290/HH	49 Pitt Avenue, Witham, Essex	South	Proposed single storey rear addition and front porch
19/01390/HH	10 Ashby Road, Witham, Essex	South	Single storey front addition
19/01409/FUL	Powers Hall Academy, Spa Road, Witham	West	Replacement classroom

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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.

19/01318/FUL	44 Cressing Road, Witham, Essex	North	Retrospective application for the retention of a single-storey outbuilding in the rear garden for use as catering business
19/01321/LBC	White Hart, Newland Street, Witham	Central	Retention of roof and chimney works
19/01350/VAR	Land That Was Originally A Building Called Cerine, Braintree Road, Witham	North	Application for a variation of Conditions 2 & 3 of planning permission 16/00371/FUL -changes to the layout, boundary treatment and external materials
19/01376/ADV	Land Adjacent To Lodge Farm, Hatfield Road, Witham	Hatfield	Retention of Illuminated sign

Witham Town Council – Planning Application Report

Application No:- 19/01318/FUL
Address:- 44 Cressing Road, Witham, Essex
Ward:- North

Proposal:- Retrospective application for the retention of a single-storey outbuilding in the rear garden for use as catering business

Relevant Site History:- 19/00408/FUL - recommended for refusal on 29.4.2019 on the grounds that a catering business of this nature is inappropriate in a residential setting.

Representations:- The neighbours have written in support

Summary:- This is a new application for a retrospective planning consent for the retention of a single storey outbuilding. The applicant had run her business from her kitchen since 2005 but in 2014 took over another catering company renting a unit in Chelmsford but the scale of business did not justify these premises. In January 2018 the applicant demolished the existing garage in Cressing Road and erected the outbuilding for her small scale home catering business. No one is employed by the applicant. The building is 3.5m wide by 8m long. The BDC Environmental Health Officer has no objection subject to no machinery being used before 9 a.m. or after 5 p.m. nor at any time on Saturday, Sunday or Bank Holidays; and that the commercial use of the building should be by the applicant herself and when the use of the building ceases, all the materials and equipment brought onto the premises in connection with the use shall be removed.

Recommendation:- In view of the comments from the Environmental Health Officer, the neighbours and the conditions placed upon the applicant I would suggest no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/01321/LBC
Address:- White Hart, Newland Street, Witham
Ward:- Central

Proposal:- Retention of roof and chimney works

Relevant Site History:- There have been a number of recent applications for the White Hart

Representations:-

Summary:- During the renovations of the White Hart it was discovered that the nails were badly corroded and by removing one slate several were dislodged. The roofer therefore deemed it necessary that all the slates be removed for safety reasons. The Listed Building Officer has been consulted. The roof will also be felt and battened to protect the beams beneath. Two of the existing chimneys require additional urgent work to make them safe. As many original bricks and slates will be used.

Recommendation:- In view of the Listed Buildings Officer's advice, no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/01350/VAR

Address:- Land That Was Originally A Building Called Cerine, Braintree Road, Witham

Ward:- North

Proposal:- Application for a variation of Conditions 2 & 3 of planning permission 16/00371/FUL -changes to the layout, boundary treatment and external materials

Relevant Site History:- 16/0037/FUL

Representations:-

Summary:- This was always a difficult site at the end of a private road. The planning consent was given in 2016 and there are now minor variations to make of brick, pantile rather than slate roof, and gravel parking bays and manoeuvring area. Patios will be reduced in size and the existing 1.8m high close boarded fence with trellis will be retained.

Recommendation:- No objection

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/01376/ADV

Address:- Land Adjacent To Lodge Farm, Hatfield Road, Witham

Ward:- Hatfield

Proposal:- Retention of Illuminated sign

Relevant Site History:-

Representations:-

Summary:- This would seem to be a retrospective consent to display an illuminated advertisement. The sign is 9 metres in width and 1.54 metres high standing 0.79 metres from the ground and illuminated with light bulbs and will be switched off from 11 p.m. to 7 a.m. The sign will remain in situ until the development has been completed.

Recommendation:- Looking at the actual signage and its position, I would suggest no objection

Policy References:-

19/00896/ADV - Witham Police Station Newland Street Witham Essex CM8 2BQ	Display of 2 non-illuminated freestanding signs	Application Permitted	No objection
19/01118/COUPA - Warwick House 48 Collingwood Road Witham Essex CM8 2DZ	Prior approval for the change of use from office use (Class B1(a)) to dwellinghouses (Class C3)	Prior Approval Required and Given	No objection
19/00588/HH - 6 The Avenue Witham Essex CM8 2DJ	Roof extension to form loft conversion	Application Permitted	No objection

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Our Ref: GB/JPDB
Your Ref:
From: Councillor Graham Butland
Tel. No.: (01376) 557700
Ext.:
E-Mail: jo.deboos@braintree.gov.uk
Date: 5th August 2019

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CM7 9HB

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www.braintree.gov.uk

The Rt. Hon. Robert Jenrick, MP
Secretary of State for Housing, Communities and Local Government,
Ministry of Housing, Communities and Local Government,
2 Marsham Street,
LONDON
SW1P 4DF

Dear Secretary of State,

Planning Practice Guidance and the Calculation of the Five Year Supply of Housing Land

I would first like to congratulate you on your appointment as Secretary of State for Housing, Communities and Local Government. Braintree District Council welcomes the Government's commitment to clarifying the Planning Practice Guidance on the definition of deliverable supply for the five year supply of housing land and at its heart, the issue "clear evidence."

Since the publication of NPPF2 in July 2018 and the revised Practice Guidance in September 2018, far too much time and money has had to be spent by this Council, and many other Councils, in arguing over the evidence on sites included in the five year supply, in the absence of clear guidance. These are resources that have had to be diverted from progressing planning applications and work on the new Local Plan and we now seek your help to improve further the guidance on housing supply.

In particular the Council is concerned about two areas:

- the different decisions being made on sites by different Inspectors who are faced with the same evidence; (see attached table)
- and the number of outline planning permissions or adopted housing allocations which are being excluded from the five year supply, despite clear evidence of progress being submitted.

Recent appeal decisions have also rejected the Council's and the developers' evidence, but without giving intelligible reasoning that the Council could apply to future evidence. This makes it virtually impossible for the authority to determine how to take the housing supply forward.

Continued/2...

- 2 -

Other districts have been left equally perplexed. Indeed, my Council has already been contacted by three districts whereby a recent Secretary of State's decision (Land at Fitch Way appeal) has been used to justify the exclusion of sites across Cheshire East; Wyre and South Lakeland. Braintree District Council's problems are clearly of wider significance.

What remains an issue across the appeals determined by Planning Inspectors is their failure to identify what the five year supply is, as a specific figure or as a range; neither do they confirm which sites in the Council's evidence are disagreed with.

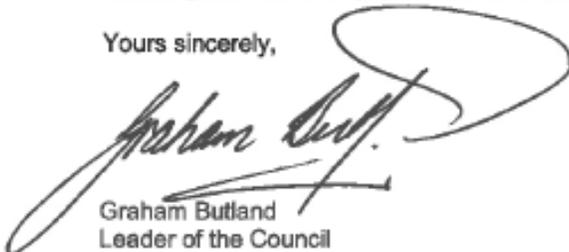
In the light of our experience at recent Public Inquiries, there are a number issues which we believe need to be addressed:

- 1) The establishment of the so-called "Woolpit principle" whereby that appeal decision (APP/W3520/W/18/3194926) and its flawed logic is being afforded the weight and status of a binding judgement.
- 2) Sites being removed from the supply because they are a full application following an outline, rather than a reserved matters following an outline.
- 3) Inspectors are accepting untested and partial evidence from Appellants on issues inappropriate for consideration in a S78 appeal inquiry.
- 4) The guidance for evidence in Monitoring Reports is inadequate, and does not cover situations where an update is required between Monitoring Reports.
- 5) The evidential requirements are not set out in the Guidance are now considerable and place considerable resource pressures on LPAs.
- 6) PINS and the MHCLG Casework Unit should ensure that all appeal decisions are intelligible on housing supply matters, and where the evidence on disputed sites is summarised for Inspectors the decision should address each of those sites with properly reasoned conclusions.

Braintree District Council has continued to grant permissions for suitable developments over and above the proposals in the emerging Local Plan. However, trying to explain to communities why sites agreed in the Local Plan or granted planning permission are excluded from the supply is incredibly difficult. This undermines the credibility of the planning system.

We would seek a meeting with you or your officers to set out our experiences and how we believe guidance for all parties can be improved.

Yours sincerely,



Graham Butland
Leader of the Council

cc The Rt Hon Priti Patel, MP
James Cleverly, MP
Cllr John Jamieson, LGA Chairman
Cllr John Fuller, Chair of the DCN

Against the baseline assumed by the Planning Authority, the table shows how subsequent decisions have made contrasting and conflicting conclusions for each site. The cumulative impact of these show are shown in the final row.

	Planning Authority 6 year Supply	SoS Decisions, Finch Way and Hatfield Peverel	Inspector's Decision Mount Hill Hatfield	Inspector's Decision Bures Appeal
South West Witham Growth Location Phases 1B, 2, 3, 4, 5	375	375	318	221
Site at Rayne Lodge Farm Rayne Road (Rayne Gardens) Braintree	127	127	127	127
Land south of The Limes Gosfield	19	0	19	22
Land east of Sudbury Road Hatfield	218	0	218	90
Former Arla Dairy site Hatfield Peverel (Hatfield Grove)	145	145	145	120
Land NE of Inworth Road Feering	180	0	112	100
Station Field Kelvedon	150	0	108	100
Phase 2 NE Witham Growth Location East of Forest Road	183	183	163	163
Land off Western Road Silver End (Meadow View)	178	178	178	77
Land east of Boars Tye Road Silver End	80	50	50	50
SE Side of Ashen Road Ridgewell	16	0	16	0
Land rear of Hatfield Road Earls Colne	80	0	0	54
Former Bowls Club & Land Old by Chimneys Hatfield Rd Witham	12	0	0	0
Land north of Conrad Road Witham	124	0	103	100
Land south of Mellings Lane Witham	40	0	0	40
Hunstable Industrial Estates Great Yaldham	60	60	60	60
NW Braintree Adopted Plan Growth Location, Parfield Lane	200	0	100	96
Hatfield Bury Farm Bury Lane Hatfield Peverel	40	40	14	40
Land adjacent to Braintree Road Cressing	165	165	137	59
Land East of Morleys Road Earls Colne	20	20	0	0

Subtotal supply from these sites
per cent of local plan being assumed

2,336	1,329 57%	1,568 67%	1,504 64%
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Inspector/SoS removed from supply
Inspector/SoS included at reduced supply
Inspector/SoS did not amend BOC supply



Agenda Item 11(b)

Dear Councillor Lager,

For a while now and more recently (as it is getting much worse), there are a large amount of motorcycles and cars who speed up and down Collingwood Road. Collingwood Road is being used as a race track.

The danger this poses and the noise from either the cars or motorcycles is now becoming much worse. Last week, I witnessed a van racing with a 4x4 towards the Station, as they passed the Oak tree the van sped passed the 4x4 and another 4x4 on the corner, if anyone would have been crossing at this particular moment, it could have resulted in a tragic accident.

I would like to request that a speed camera or other traffic monitoring device is placed in Collingwood Road.

It would be very much appreciated if you could please put this urgent request forward to Witham Town Council.

I look forward to hearing from you.

Kind regards,

Mrs Nicola Brittain

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Agenda Item 12

Dear Clare,

Many congratulations on your election as Town Mayor.

As the Church of England Parish Church for the whole town of Witham, St Nicolas Church is delighted to welcome people to weddings, baptisms and funerals as well as our regular services. In addition we have a programme of recitals and other events throughout the year - such as the Medieval Fayre and the Christmas Tree Festival.

Increasingly people from other parts of the town and from further afield tell us that they or their friends have difficulty in finding the church. For some while we have become aware that the church is far less visible in its setting than hitherto, and no doubt this is a significant contributory factor. The once clear view of the church from the Morrisons roundabout in Braintree Road disappeared behind the foliage several years ago. More recently, the views of the church from the part of Chipping Hill opposite the Railway PH have also become obscured for much of the year by extensive tree growth - some on church land, but some in private gardens.

We are doing all we can to bring the existence of the church more people - through social media including Facebook, Twitter and Instagram - and this September we shall be taking part in the Heritage Open Days programme for the first time as well.

It would be a great help if one or more heritage signs to the Parish Church could be installed - perhaps at the railway bridge, or at the bend in Chipping Hill. I appreciate that Chipping Hill is a Conservation Area, and that such a proposal would need careful consideration and planning, most likely with a number of agencies being involved, but it would be wonderful to have your support and that of the Town Council for this idea. I wonder if you could, please, advise how it would be best to proceed to work together towards an acceptable proposal?

Kind regards,

Christine

Revd Christine Newmarch
Team Curate
Witham & Villages Team Ministry

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The Essex County Council (Newland Street, Witham) (Temporary Suspension of Parking Restriction) Order 2019

Notice is hereby given that the Essex County Council intends, not less than seven days from the date of this notice, to make the above Order under section 14(1) of the Road Traffic Regulation Act 1984.

Effect of the order: To temporarily suspend the existing Limited Waiting Mon-Sat 8am-6pm 1 Hour No Return 3 Hours restrictions on Newland Street, Witham in the District of Braintree, NORTH WEST SIDE: From a point in line with the south western property boundary of No.78 Newland Street, south west to a point in line with the north eastern property boundary of No.100 Newland Street, a distance of approximately 100m.

The parking restrictions will commence on the 03/09/19 and will be suspended every Tuesday between the hours of 6am to 4pm while the market is in operation. The parking restrictions will be reinstated for all other days of the week or where the market is not in operation.

Tile reference TL820 142 of The Essex County Council (Braintree District) (permitted parking area and special parking area) (Consolidation) Order 2008 shall be temporarily varied as detailed above. All other restrictions and exemptions contained in the aforementioned Order and Amendments to that Order shall remain in force.

The Order will come into effect on 03/09/19 and may continue in force for 18 months or until the works have been completed, whichever is the earlier.

Dated: 22/08/19

Essex County Council
Network Assurance
A2 Annexe, Seax House,
Victoria Road South,
Chelmsford, Essex
CM1 1QH



Telephone: 0345 603 7631

Website: www.essex.gov.uk/highways

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