



Town Hall | 61 Newland Street | Witham | CM8 2FE
01376 520627
witham.gov.uk

MINUTES

PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 11th April 2022**

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

Present: Councillors

J.	Goodman	(Chairman)
A.	Kilmartin	(Vice Chairman)
P.	Barlow	
S.	Hicks	

Also in attendance; Cllr

S.	Ager	
N.	Smith	(Town Clerk)
G.	Kennedy	(Planning Officer)

And four members of the public.

268. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Atwill who was travelling abroad, Jay, Livermore, C. Lager and M. Lager who were unwell, and Rajeev who had a previous engagement.

RESOLVED That the apologies be received and accepted.

269. MINUTES

RESOLVED That the Minutes of the Meeting of the Planning and Transport Committee held 29th March 2022 be confirmed as a true record and signed by the Chairman.

270. INTERESTS

The Chairman pointed out that application 22/00802/HH – 5 Helford Court, Witham, had been made by Councillor Pleasance and as such it would be inappropriate to comment.

Later in the Meeting, at Minute 272 – Chipping Hill School, Councillor Barlow declared a non-pecuniary interest as he was a local resident and his children had attended the school; Councillor Goodman likewise declared a non-pecuniary interest as he was a local resident.

Later in the Meeting at Minute 275 – 22/00658/TPO – Podsbrook House, Councillor Barlow declared a non-pecuniary interest as he was a shareholder of Witham Housing Association and Councillor Kilmartin declared a non-pecuniary interest in 22/00696/TPO – 4 Blunts Hall Drive, as she used to live in that road.

At Minute 280 – Safer Essex Roads, Councillor Barlow declared a non-pecuniary interest as he was a neighbour of Mrs Gyford.

271. QUESTIONS AND STATEMENTS FROM THE PUBLIC

Steve Loeber from White Horse Lane referred to his comments made at the last Meeting and showed photos of the chaos caused by contractors' vehicles blocking access to Bellfields Close earlier that day. He explained that construction of the small bungalow at the end of White Horse Lane had caused these problems and this type of incident would be exacerbated should a school be built on the land at Bellfields. There would be serious disruption and inconvenience to residents and there would be no infrastructure for heavy vehicles. He added that if the school were built there would be insufficient recreational space for the pupils.

John Palombi, Witham and Countryside Society, explained that in the past planning applications requiring access from the contaminated Bellfields site onto the B1018 had been denied on highways grounds. Whilst there was no public access at present onto Bellfields wildlife had flourished and it had become a 'green lung' for a congested road junction. He added that the old school was in a Conservation Area and was on the proposed Heritage List.

Mr Palombi suggested that speed limits on residential roads in Witham should be considered as part of the Neighbourhood Plan process and whilst sympathetic with the correspondent regarding trees at Gimsons, he believed that all trees on the site should have Tree Preservation Orders on them to prevent felling once residents take occupancy.

An email had been received from Penny Screech, a resident of Bellfield Close, raising concerns about the proposals to build a school.

The Chairman thanked everyone for their comments.

272. PLANNING OFFICER'S REPORT

Members were informed that after consultation with SPS Simon Jesse, a speed survey would be requested for Maldon Road by Blackwater Lane.

A response had been received from the Planning Officer at Braintree District Council regarding the hedge at Ivy Chimneys and an assurance had been given that the planting will be substantial and appropriate.

RESOLVED That the information be received and noted.

273. PRE-APPLICATION ADVICE – CC/BTE/27/22/PRE – Chipping Hill Pupil Referral Unit Land off Chipping Hill Primary PRU School

A report was received regarding the pre-application submission and the options put forward by Essex County Council.

Councillors Barlow and Goodman declared non-pecuniary interests.

Members were informed that the District Council's Planning Department had decided that there should be no more development on White Horse Lane because the road had reached its capacity. As such, it would therefore be apparent that, firstly there could be no access to the immediately adjacent site at Bellfields from Whitehorse Lane and secondly direct access from the Bellfields site on to the B1018 would be unsafe.

The suggestion was made that the Planning Department should be contacted regarding the history of the site including land usage and the highway grounds for refusing applications. It was noted that access to the old school car park was via Church Street and the single track adjacent to the Alms Houses which was totally inadequate and owned by the Witham United Charities.

RESOLVED That a response to the pre-application submission be made to Essex County Council explaining that none of the options are suitable on the grounds of –

- That the contaminated Bellfields site should be protected as a Visually Important Space where wildlife flourishes,
- That Bellfields provided a 'green lung' at a very busy and, at peak times, congested road junction,
- That Bellfields was one of the few habitats for slow worms,
- That the Bellfields site was contaminated and it would be uneconomic to remove the soil,
- That access onto the B1018 would be inappropriate because of the current road conditions and in the past planning applications had been refused as the road network had reached capacity,
- That trees and hedges on the Bellfields site should be protected,
- That access for construction vehicles could not be via the single track onto the current Chipping Hill School site or via White Horse Lane.

RESOLVED That contact be made with the Planning Department at Braintree District Council seeking the planning history of the site including the highway reasons that planning applications had been refused when access was required via the B1018.

274. PART 1 APPLICATIONS

22/00608/HH

203 Maltings Lane, Witham

Dropped kerb and vehicle crossover to facilitate off-street parking

NO OBJECTION

22/00795/HH

12 Turstan Road, Witham

Single Storey side and rear extension

NO OBJECTION

22/00803/HH

358 Hatfield Road, Witham

Single storey front extension

NO OBJECTION

22/00802/HH

5 Helford Court, Witham

Single storey front extension to link existing detached garage with house and part conversion of garage to workshop

As the application had been made by Councillor Pleasance it was agreed that it would be inappropriate to comment.

RESOLVED That the application be received and noted.

275. PART 2 APPLICATIONS

22/00753/TPO

Land in front of 2 Whiteways Court, Witham

Notice of intent to carry out works to trees protected by Tree Preservation Order 7/80 – 2 White Poplars are approx. 40 ft reduce both by 10ft and 8ft off the limbs that are overhanging the road and neighbour's property

Members were informed that there were no details of the application on the District Council's Planning portal.

RECOMMEND REFUSAL on the grounds of lack of information.

22/00664/VAR

7 Hawkins Close, Witham

Variation of 1 (Approved Plans) of permission 18/02316/REM granted 17.8.2019 for Reserved Matters application following outline approval 18/00947/OUT seeking detailed approval for access, appearance, landscaping, layout and scale for 58 dwellings, public open space, sustainable drainage systems, refuse collection, noise mitigation, broadband provision, electric car charging and landscaping including retention of the Rickstones Road hedgerow onsite and associated development. Variation would allow for – regularisation of provision of a 3 metre wide (rather than 2 metre wide) foot and cycle path near the locally equipped area for play (LEAP) onsite

Members considered that a comprehensive master plan for the whole estate should have been submitted from the outset rather than piecemeal development. Members agreed that a comprehensive cycleway strategy should also be available.

RECOMMEND REFUSAL on the grounds that

- a 3 metre wide cycle path in this location would be unnecessarily wide,
- lack of connectivity of cycleway and
- unnecessary destruction of hedgerow.

22/00658/TPO

Podsbrook, Guithavon Street, Witham

Notice of intent to carry out works to trees protected by Tree Preservation Order 5/83

Councillor Barlow declared a non-pecuniary interest.

The Tree Warden had carried out a site visit and said that the work was relatively modest and no objections should be offered.

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

22/00706/ADV

Colemans Bridge Industrial Estate, Colemans Bridge, Witham
Display of single illuminated 48 sheet digital advertisement

Members agreed that the proposed display should be refused on highway safety grounds.

RECOMMEND REFUSAL on the grounds of highways safety as the digital display would distract motorists at this busy light controlled junction.

22/00647/FUL

Josephs Barn, Hatfield Road, Witham

Erection of a two storey building to provide 309m² of floor space (1.5m high and above) of office accommodation (Use Class E(g)(Offices)(i)) and/or Special Educational Needs Facility (use class F1(a)) together with associated landscaping and parking.

Members agreed that the original decision to offer no objection should stand but as new planning policies were now in place with regard to climate change the building should comply and have 'green measures' such as solar panels, installed.

NO OBJECTION subject to a suitable bin store area commensurate with the number of office units permitted and complying with new planning policies in relation to climate change.

22/00696/TPO

4 Blunts Hall Drive, Witham

Notice of intent to carry out works to tree protected by TPO 2a/&% - Prune Holly Hedge located at right boundary reduce height by up to 1m and trim to tidy – general maintenance

Councillor Kilmartin declared a non-pecuniary interest as she used to live on Blunts Hall Drive.

The Tree Warden had advised that whilst there would be no objections to the actual work, no pruning could now be undertaken because of the bird nesting season.

NO OBJECTION subject to the work being undertaken outside of the bird nesting season.

22/00734/HH

4 Seaborn Drive, Witham

Conversion of loft with erection of dormer roof extension to front and rear roof slopes

NO OBJECTION subject to compliance with any covenants.

276. REVISED PLANS

There were no revised plans to consider.

277. DECISIONS

The decisions on Planning Applications pertaining to Witham were received.

RESOLVED That the decisions be received and noted.

278. A120 BRAINTREE TO A12

A project newsletter was received.

It was suggested that the Town Council should be involved in local consultations and it would be useful to be informed of local surveys.

RESOLVED That the newsletter be received and noted.

279. CYCLING DEVELOPMENT WORKING GROUP

The Minutes from the Cycling Development Group were received.

RESOLVED That the Minutes be received and noted.

280. SAFER ESSEX ROADS

A copy email was received from Mrs Gyford suggesting that certain roads in Witham should be made 20 mph zones.

Councillor Barlow declared a non-pecuniary interest.

Members were reminded that it was the Town Council's policy for a 20 mph limit to be introduced on all residential roads but there had been a reluctance on the part of Essex County Council to take this forward unless speed reduction measures were in place.

RESOLVED That a letter be sent to Essex County Council supporting Mrs Gyford's suggestion but asking that consideration be given that all residential roads in Witham be subject to 20 mph limit in line with Town Council's aspirations, with copies sent to Essex County Councillors Louis and Playle.

281. GIMSONS DEVELOPMENT

A letter was received from Mr Belchambers concerning trees on the Gimsons Development.

Members noted Mr Belchambers' concerns that the safety netting on the sports field caused a noise nuisance to residents in River View which had been part of a planning application.

Members agreed that an item should be put on the next Agenda to consider requesting that all remaining trees on the Gimsons' site should be subject to a Tree Preservation Order.

RESOLVED That the letter be received and noted.

There being no further business the Chairman closed the Meeting at 7.15 p.m.

Councillor J. Goodman
Chairman

GK/13.4.2022