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

AGENDA

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

Date: **Monday, 23rd August 2021** 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 remionded 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	
		S	Hicks	
		C	Jay	
		C	Lager	
		M	Lager	
		C	Livermore	

1. APOLOGIES
To receive apologies for absence.

2. MINUTES
To receive the Minutes of the Meeting of the Planning Applications & Transport Committee held 9th August 2021 (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. CLERK'S REPORT

To receive a verbal report from the Clerk 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

20/02060/OUT - Phase 4 Land North East of rectory Lane, Rivenhall
21/01916/FUL - Land rear of 51 - 57 Newland Street, Witham

9. PROPOSED 5G TELECOMMUNICATIONS INSTALLATION FOR H3G UK

To receive a letter from WHP Telecoms Ltd (attached) regarding the proposed installation of a 15m telecoms monopole. Members will remember an application was considered by the Committee on 14th June 2021 (application number 21/01664/T56) for a 18m high pole in this location and it was resolved that the District Council engage with the applicant to negotiate a more suitable site and consider ways to disguise the pole so it would blend in with surroundings.

10. DECISIONS

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

11. TEMPORARY CLOSURE OF FOOTPATH 124

To receive details of the Temporary Closure of Footpath 124 from the Park to the River Walk (attached).

12. NATIONAL PLANNING POLICY FRAMEWORK

To receive a revised National Planning Policy Framework as provided through the Rural Community Council for Essex and to note that this will be covered at a Members' Evening (attached).

13. NEIGHBOOURHOOD PLAN STEERING GROUP

To receive the Notes from the Neighbourhood Plan Steering Group Meeting held 3rd August 2021 (attached).

14. 21/00318/FUL – LAND TO REAR OF 59 BRIDGE STREET, WITHAM

To receive emal correspondence in relation to the above decision by District Council (attached).

James Sheehy
Town Clerk

GK/16.8.2021

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.

21/02289/LBC	**118 Newland Street, Witham, Essex**	**Central**	**Installation of log burner and associated flue to main fireplace in living room**
21/02453/HH	**26 Chelmer Road, Witham, Essex**	**West**	**Single-storey rear and side extension**

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.

21/02385/HH	**42 Blunts Hall Road, Witham, Essex**	**West**	**Part ground floor and first floor front extension, first floor side extension over existing garage and extension, ground floor rear extension to replace conservatory, first floor rear extension over existing extension**
21/02170/FUL	**59 Rowan Way, Witham, Essex**	**North**	**Demolition of existing single-storey side extension, and erection of two-storey 2 bedroom dwelling**
21/02473/TPOCON	**26 Newland Street, Witham, Essex**	**Central**	**Notice of intent to carry out works to tree in a Conservation Area**
21/02520/TPO	**10 Hollybank, Witham, Essex**	**Central**	**Notice of intent to carry out works to tree protected by Tree Preservation Order 6/76 - Cut down to ground level 1 Lime tree**
21/02352/FUL	**Portakabin Site Accommodation , Freebournes Road, Witham**	**Central**	**Erection of single-storey workshop building comprising 450sqm of B8 floorspace**

Witham Town Council – Planning Application Report

Application No:- 21/02385/HH

Address:- 42 Blunts Hall Road, Witham, Essex

Ward:- West

Proposal:- Part ground floor and first floor front extension, first floor side extension over existing garage and extension, ground floor rear extension to replace conservatory, first floor rear extension over existing extension

Relevant Site History:-

Representations:-

Summary:- This is a linked, three bedroomed house. The proposal is to extend at the front by 1.7m to enlarge the living room and upstairs to create a larger bedroom. At the side it is proposed to build over the garage to create a new bathroom and ensuite master bedroom which will have two rooflights. There will be three light tunnels to give light to the landing. The existing conservatory will be incorporated into the house and the utility room into part of the garage. Materials will match existing except there will be vertical timber style cladding at the front instead of hung tiles. There is ample parking at the front of the house

Recommendation:- This is a a large extension which will radically change the front elevation with a gable to the middle of the building. There is a precedent to build over the garage but that extension is set back. The street scene is varied and had the neighbour put in for a similar application I would have no hesitation to suggest no objection but Members need to consider whether the proposals would be sympathetic to the neighbouring property.

Policy References:- RLP 17 & LPP29f

Witham Town Council – Planning Application Report

Application No:- 21/02170/FUL

Address:- 59 Rowan Way, Witham, Essex

Ward:- North

Proposal:- Demolition of existing single-storey side extension, and erection of two-storey 2 bedroom dwelling

Relevant Site History:-

Representations:- There are two representations received complaining inter alia that it would cut out sunlight to 28, 30 and 32 Rowan Way, it would affect houses in Pine Grove, access would remove parking for residents in Pine Grove and parking is the main issue as there is no access from Rowan Way.

Summary:- This is a corner plot in a cul de sac which abuts a similar cul de sac in Pine Grove. The proposal is to demolish the existing single storey side extension and to build a two bedroomed attached house on a larger footprint. The plot is of sufficient size and the proposals would blend in wiith the street scene. There would be one parking space to the front of the property but access would be from the side off Pine Grove. This would be over an area of parking and thereby reduce the number of parking spaces available.

Recommendation:- In view of the parking issue, would recommend refusal on the grounds of affecting neighbouring amenity.

Policy References:- RLP 17 & LPP29f

Witham Town Council – Planning Application Report

Application No:- 21/02473/TPOCON

Address:- 26 Newland Street, Witham, Essex

Ward:- Central

Proposal:- Notice of intent to carry out works to tree in a Conservation Area

Relevant Site History:-

Representations:-

Summary:- The applicant proposes to renovate their garden and to remove - Yew (T1) - request to fell due to close proximity to brick garage outbuilding, excessive shading and overhanging neighbouring residents outbuildings to rear and Bay (T2) - request to due to close proximity to main house (Grade 2 listed), blocking natural light to rear facing bedroom. It is proposed to replace the trees at the back of the garden away from the house.

Recommendation:- The Tree Warden has advised that whilst the bay tree could be managed, as the trees will be replaced when the garden is renovated, he suggests offering no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02520/TPO

Address:- 10 Hollybank, Witham, Essex

Ward:- Central

Proposal:- Notice of intent to carry out works to tree protected by Tree Preservation Order 6/76 - Cut down to ground level 1 Lime tree

Relevant Site History:- Members will remember that we have received applications in the past for works to this tree

Representations:-

Summary:- The proposal is to fell a lime, repollard the remaining one, reduce the height of a yew by 0.5 m at the top and trim round the outer parts; and trim and shape the other yew.

Recommendation:- The Tree Warden has advised that the proposal to fell the lime tree is inappropriate and it should be managed by repollarding. Recommend refusal to fell the lime tree.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02352/FUL

Address:- Portakabin Site Accommodation , Freebournes Road, Witham

Ward:- Central

Proposal:- Erection of single-storey workshop building comprising 450sqm of B8 floorspace

Relevant Site History:- 18/00845/FUL - replacement of existing offices and staff welfare facilities - granted

Representations:-

Summary:- This is part of an ongoing long-term improvement and upgrade of the site. The applicant wishes to erect a new workshop building adjacent to an existing warehouse.

Recommendation:- Recommend approval

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 20/02060/OUT

Address:- Phase 4 Land North East of Rectory Lane, Rivenhall

Ward:- Rivenhall

Proposal:- Outline application for up to 230 dwellings

Relevant Site History:-

Representations:- The representations from the public are mounting on this application

Summary:- The Town Council considered this application in March 2021 and recommended refusal on a number of grounds. There have now been added a number of reports added to the application including viability of mineral extraction, reptile mitigation plan, ecological survey. There is an interesting letter from NHS which I have attached to this report.

Recommendation:- Suggest that our original decision to refuse the application stands.

Policy References:-

NHS
Mid and South Essex
Sustainability and
Transformation Partnership
CCG Joint Committee

Our Ref:

Your Ref: 20/02060/OUT

Planning Services
Braintree District Council
Causeway House,
Bocking End
Braintree
Essex
CM7 9HB

Wren House
Hedgerows Business Park
Colchester Road
Chelmsford
CM2 5PF

Catherine Bicknell
Telephone: 01245 398072
Email: catherine.bicknell@nhs.net

21st May 2021

Dear Sir / Madam

Planning application 20/02060/OUT
Outline application with all matters reserved for up to 230 dwellings and associated development on land north east of Rectory Lane, Rivenhall, Essex

1.0 Thank you for consulting Mid Essex Clinical Commissioning Group (the CCG) on the planning application 20/02060/OUT on land north east of Rectory Lane, Rivenhall.

1.1 Further to a review of the application details the following comments are made in regard to the primary healthcare provision on behalf of the CCG and the Mid and South Essex Health and Care Partnership (HCP).

2.0 Existing Healthcare Position Proximate to the Planning Application Site

2.1 The proposed development is likely to have an impact on the services of 2 GP practices operating within the vicinity of the application site. The GP practices do not have capacity for the additional growth resulting from this development and cumulative development in the area.

2.2 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated.

3.0 Review of Planning Application

3.1 The CCG notes the Planning Statement submitted with the planning application. The statement acknowledges that primary healthcare capacity is very limited in Witham and the surrounding area and that the new homes proposed will place

further demand on existing services.

3.2 The draft heads of terms for a S106 legal agreement contained in the statement include healthcare provision. It is proposed that a financial contribution will be made towards expanded GP/healthcare provision in the local area, the quantum of which will be discussed and agreed prior to determination of the application.

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4.0 Assessment of Development Impact on Existing Healthcare Provision

4.1 The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 529 new residents and subsequently increase demand upon existing constrained services.

4.2 The primary healthcare services directly impacted by the proposed development and the current capacity position are shown in Table 1.

Table 1: Summary of position for healthcare services within a 2km radius of (or closest to) the proposed development

Premises	Weighted List Size [1]	NIA (m^2)[2]	Capacity[3] needed for current weighted list size	Spare Capacity (NIA m^2)[4]
Collingwood Road Surgery	2108	113.8	144.5	-30.7
Witham Health Centre	5514	236	378.1	-142
Total	**7622**	**349.8**	**522.7**	**-172.9**

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula; this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice
3. Based on 120m^2 per 1750 patients (this is considered the current optimal list size for a single GP within the Mid and South Essex STP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
4. Based on existing weighted list size

4.3 Table 1 shows that the capacity of primary healthcare felicities in the area of the proposed development is already below the recognised standards of provision for the existing population. Additional population growth in the area resulting from new development would add to the deficit and so would be unsustainable if unmitigated.

5.0 Healthcare Needs Arising From the Proposed Development

5.1 Table 2 shows the population likely to be generated from the proposed development, the primary care floorspace needed to support this additional population and the costs of doing so. Using the accepted standards set out below the table, the capital required to create additional floorspace for support the population arising from the proposed development is calculated to be £87,170.

Table 2: Capital Cost calculation of additional health services arising from the development proposal

Premises	Additional Population Growth (825 dwellings) [5]	Additional floorspace required to meet growth (m^2)[6]	Capital required to create additional floor space (£)[7]
Witham Health Centre	552	37.9	£87,170

Notes:

5. Calculated using the Braintree District Council average household size of 2.4 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).
6. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the Mid & South Essex STP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
7. Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the BCIS Public Sector Q3 2015 price & cost Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m²), rounded to nearest £100.

5.4 The development would have an impact on healthcare provision in the area where there is already a deficit of primary care facilities. If unmitigated, the development would be unsustainable. Planning obligations could be used to secure contributions to mitigate these impacts and make an otherwise unacceptable development acceptable in relation to healthcare provision.

5.5 The CCG therefore requests that the sum of £87,190 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission in order to increase the capacity of the Witham Healthcare Centre for the benefit of patients of that practice.

6.0 Conclusions

6.1 The CCG and the Mid and South Essex STP has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development and requests that these are secured through a S106 legal agreement attached to any grant of planning permission. In the absence of such mitigation the development would impose an unsustainable burden on local

healthcare services.

6.2 The terms set out above are considered appropriate having regard to the formulated needs arising from the development and the CCG is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

6.3 The CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Yours faithfully

Catherine Bicknell
Planning Policy Officer for Mid and South Essex

Witham Town Council – Planning Application Report

Application No:- 21/01916/FUL

Address:- Land rear of 51 - 57 Newland Street, Witham

Ward:-

Proposal:- Erection of 6 x 1 bed dwellings within courtyard development and 1 - 2 bed flat over garage with associated parking to the rear patio area of the Spread Eagle

Relevant Site History:-

Representations:-

Summary:- This application was considered on 27th July 2021 and no objections were raised subject to suitable solution regarding bin storage/refuse collection, sound proofing, zero carnbon approach/solar panels and archaeological survey. Revised plans have now been submitted which has moved the end dwelling over slightly.

Recommendation:- In view of the minor amendment suggest that our original decsion stands

Policy References:-

Back to Agenda

Agenda Item 9

Our Ref: BRA16986

1st August 2021

Dear Witham Central Ward Councillors and Witham Town Council Members,

Subject: Proposed 5G Telecommunications Installation for H3G UK

The purpose of this letter and its enclosures is to inform stakeholders of our proposed installation prior to the submission of a formal planning application. The application will be in the name of CK Hutchison Networks (UK) Ltd who will be responsible for construction of the site, the Operator will be H3G better known as Three.

As you will see we have already undertaken several steps in the site identification process having examined the Radio Communications Agency Mast Register, our record of other operators' sites and the council's own mast register. In addition, the policies in the council's development plan have been examined and any relevant planning history of the site. This has led to us identifying the following potential site:

Site Name/Address:	Hatfield Road Streetworks Witham Braintree Essex England CM8 1HG
NGR:	E: 581056 N: 213292
Type of Installation:	Proposed 15.0m Phase 8 monopole c/w wraparound cabinet at base and associated ancillary works.

The exact location of the site and a detailed description can be found on the enclosed drawings.

The site identified has been rated Amber under the voluntary Ten Commitments Traffic Light Rating System.

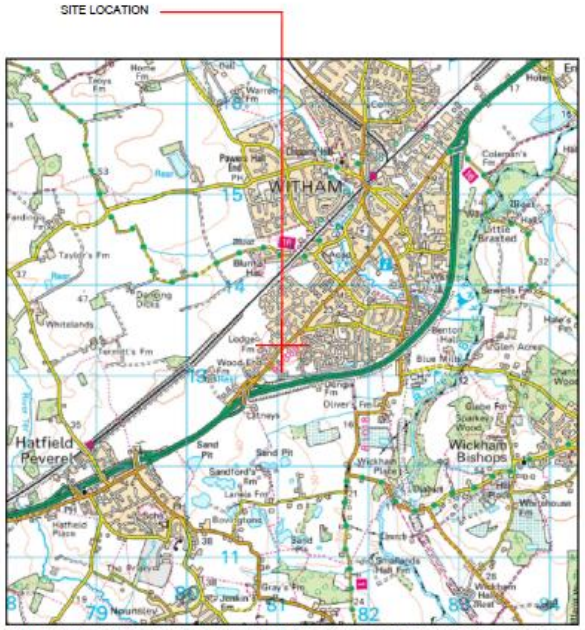
All H3G UK Ltd installations are designed to be fully compliant with the public exposure guidelines established by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). These guidelines have the support of UK Government, the European Union and they also have the formal backing of the World Health Organisation. A certificate of ICNIRP compliance will be included within the planning submission.

If you have any feedback on these proposals, we look forward to receiving your comments and if you are aware of any other local organisations that are not statutory consultees that you consider should be informed, please let us know and we will endeavour to consult with them.

Yours faithfully,

Susannah Help

s.help@whptelecoms.com



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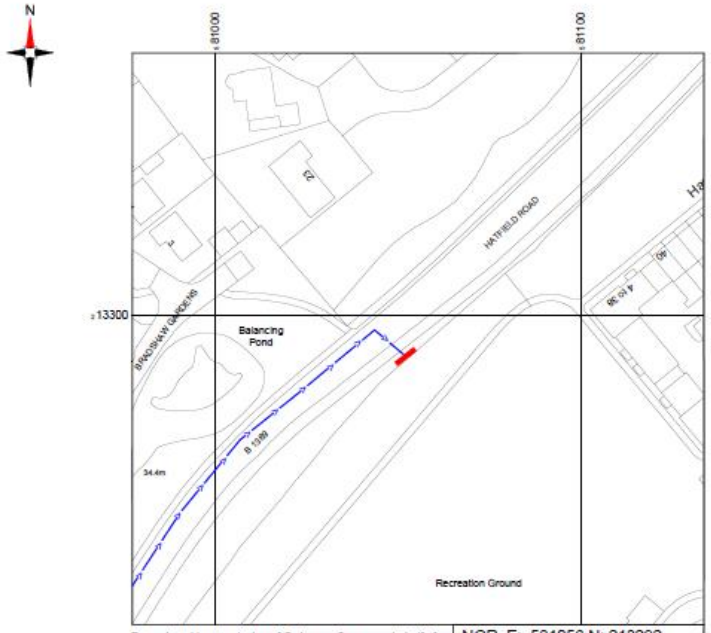
SITE AREA PLAN

1:50,000

SITE PHOTOGRAPH



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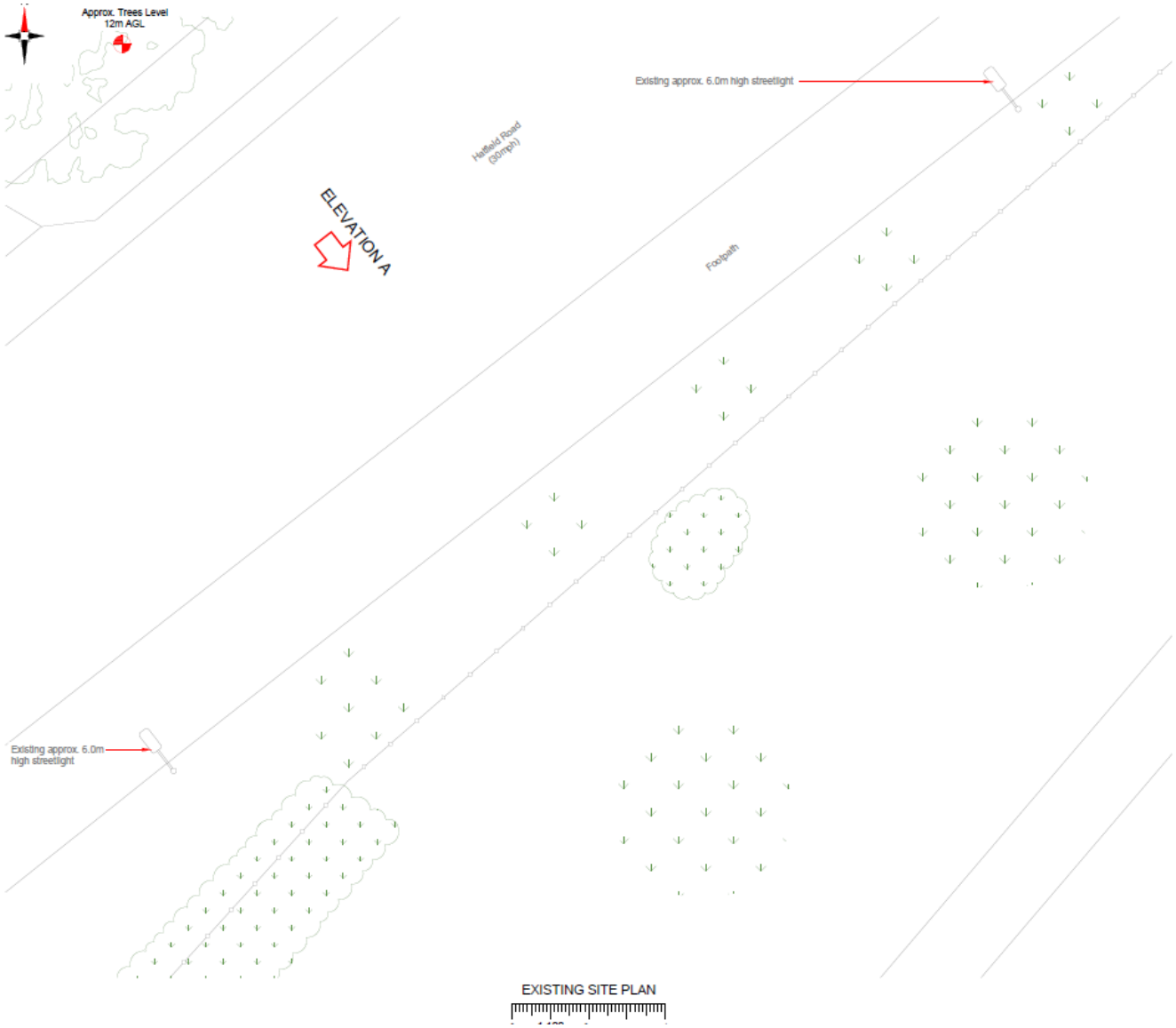
SITE LOCATION PLAN

1:1250

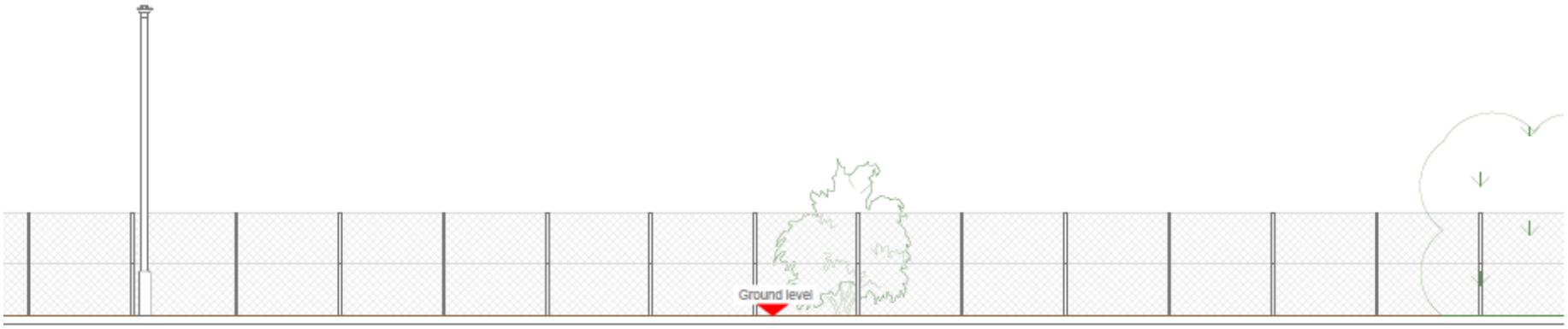
GOOGLE MAPS QR CODE

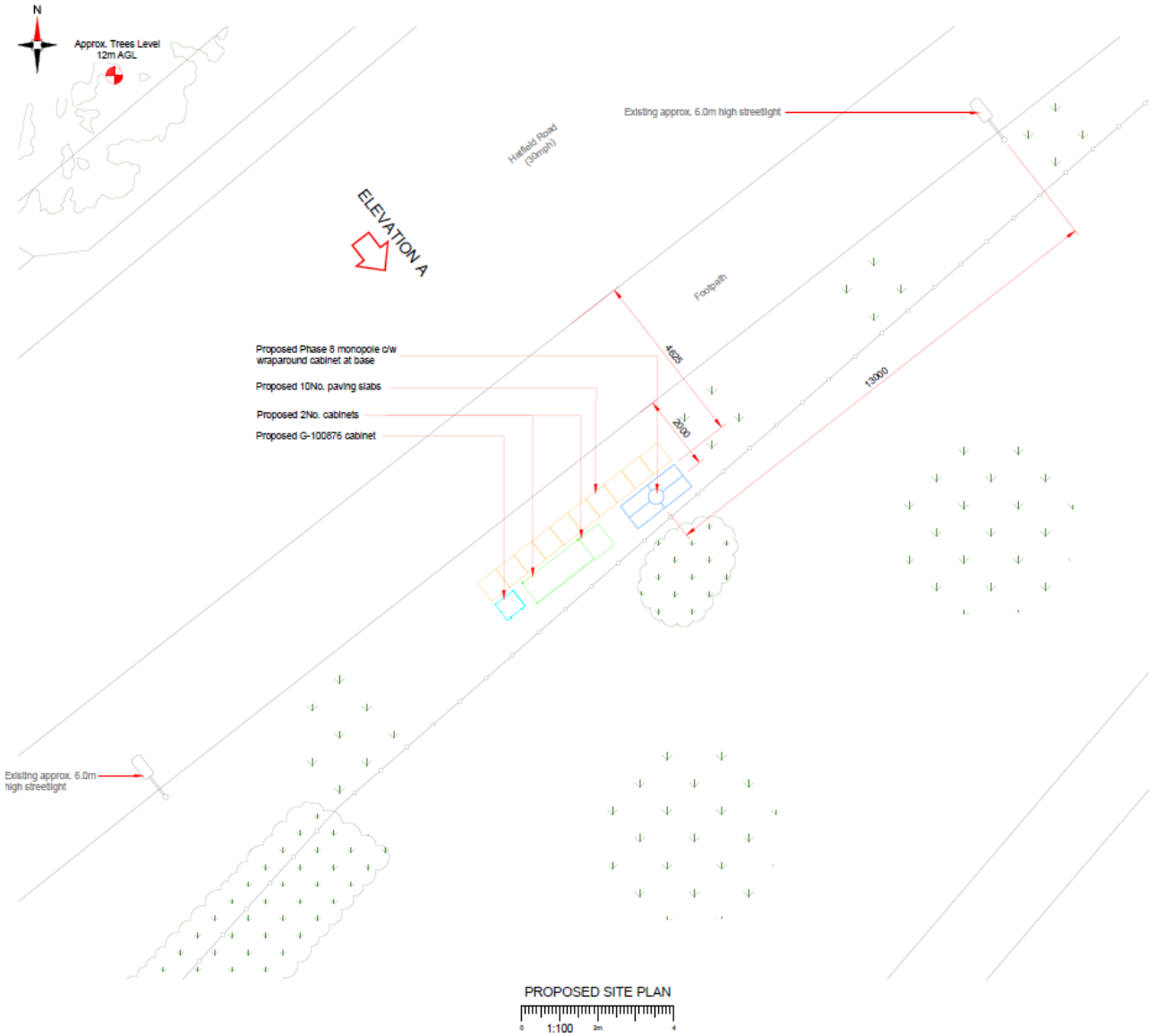
GOOGLE MAPS - https://goo.gl/maps/qcHRbLB77AHiqFbH8

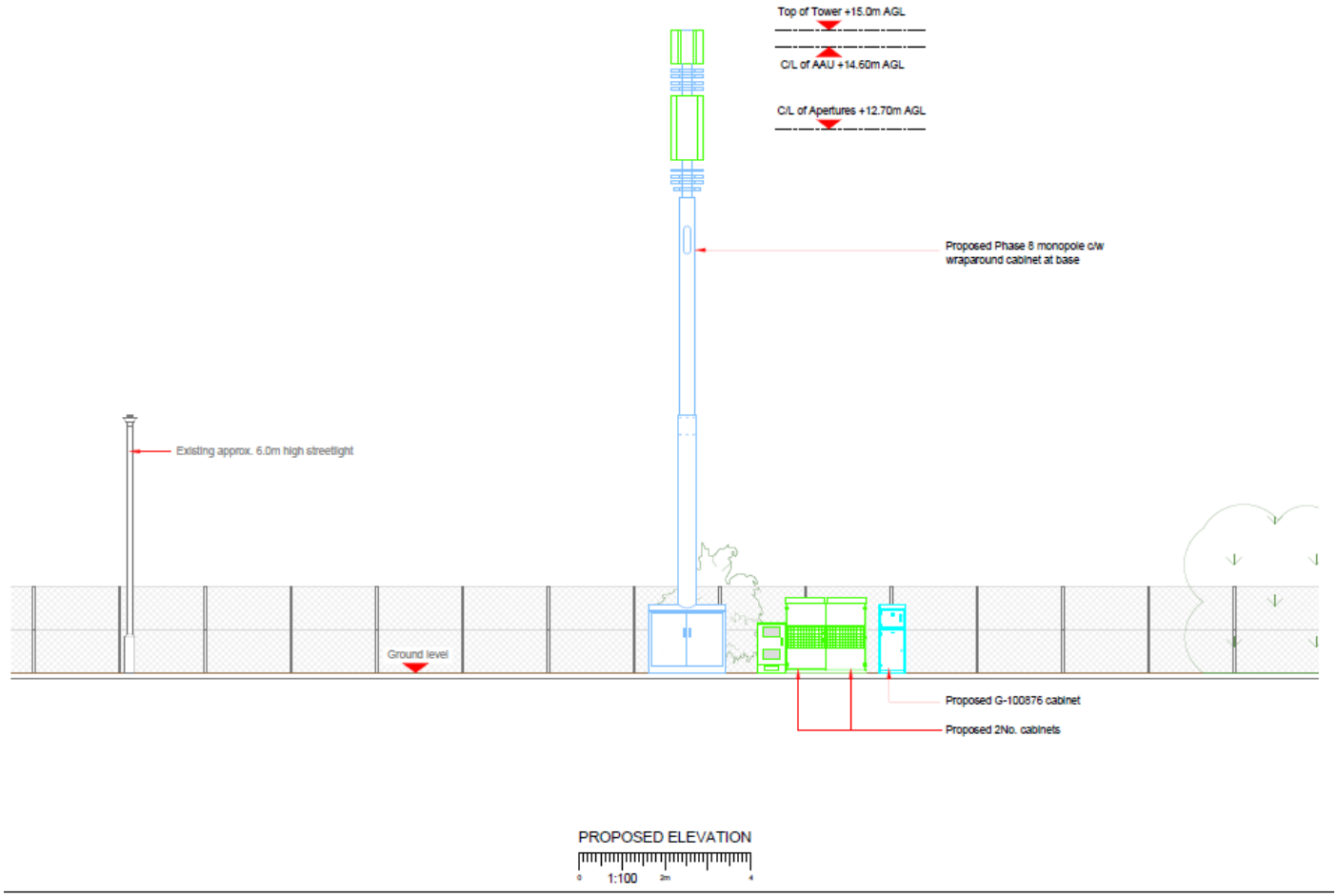
GOOGLE STREETVIEW - https://goo.gl/maps/dg2YLxd9rNFxZJ94A


Approx. Trees Level
12m AGL
Existing approx. 6.0m high streetlight
Hatfield Road
(30mph)
ELEVATION A
Footpath
Existing approx. 6.0m
high streetlight
EXISTING SITE PLAN

Existing Street Scene




N
Approx. Trees Level 12m AGL
Existing approx. 6.0m high streetlight
Hatfield Road (30mph)
ELEVATION A
Footpath
Proposed Phase 8 monopole c/w wraparound cabinet at base
Proposed 10No. paving slabs
Proposed 2No. cabinets
Proposed G-100676 cabinet
4625
2000
13000
Existing approx. 6.0m high streetlight
PROPOSED SITE PLAN
1:100



Back to Agenda

Application & Address	Proposal	BDC Decision	WTC Decision

21/01870/HH - 5 Templars Close Witham Essex CM8 2JD	Single-storey rear extension	Application Permitted	No objection
21/01874/TPOCON - Penhaligon Court Guithavon Street Witham Essex	Notice of intent to carry out works to trees in a Conservation Area - Carry out 2 metre crown reductions to 2 thought to be Ash trees	Application Permitted	No objection subject to the crown reduction being limited to 1.5m and the advice of the District Council's Landscape Officer
21/01862/TPOCON - Littlefields 41 Chipping Hill Witham Essex CM8 2JT	Notice of intent to carry out works to trees in a Conservation Area	Application Permitted	No objection subject to the planting of a replacement reee and the advice of the District Council's Landscape Officer
21/01841/HH - 58 Glebe Crescent Witham Essex CM8 2HY	Erection of single-storey front porch	Application Permitted	No objection
21/01854/TPOCON - 18 The Paddocks Witham Essex CM8 2DR	Notice of intent to carry out works to trees in a Conservation Area - Remove Cherry tree and Holly bush	Application Permitted	Recommend Refusal on the grounds that felling the tree is not justified but would suggest reduction in size by 1.5m that there would be no objections to removal of the holly bush and subject to the advice of the District Council's Landscape Officer

21/01795/HH - 12 Augustus Way Witham Essex CM8 1HH	First floor extension above garage and part conversion of garage to habitable accommodation.	Application Permitted	No objection
21/01391/FUL - Hayman Group Limited Eastways Park Witham Essex CM8 3YE	Replacement of roof to match existing. Over cladding of front elevation and replacement of windows.	Application Permitted	No objection
21/01320/HH - 42 Collingwood Road Witham Essex CM8 2DZ	Proposed single storey annexe	Application Permitted	No objection subject to the annex being ancilliary to the existing dwelling and not as an independent residential unit and no representations from neighbours
21/01933/LBC - 66B Newland Street Witham Essex CM8 1AH	Change of Use from Funeral Directors (Class E) to a Skin Clinic (Sui Generis) with associated internal alterations.	Application Withdrawn	No objection subject to the advice of the Listed Buildings Officer

Back to Agenda

Agenda Item 11

Public notice

The Essex County Council (Footpath 124, Witham) (Temporary Prohibition of Use) Order 2021

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 close Footpath 124, Witham in the District of Braintree (from points B-D as shown on the below plan).

The closure is scheduled to commence on 30/08/2021 or where appropriate signs are showing and weather permitting. The closure is required for the safety of the public and workforce while construction works are undertaken.

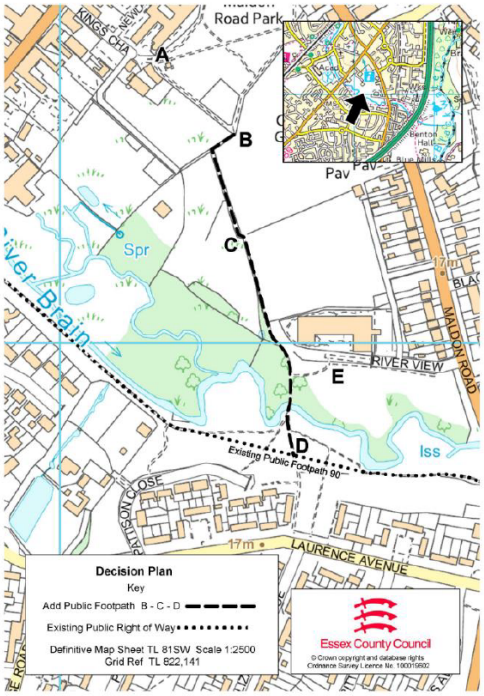
The alternative route will be North West via Footpath 90, north east along B1389 then south east on Kings Chase and vice versa.

The Order will come into effect on 30/08/2021 and may continue in force for 6 months or until the works have been completed, whichever is the earlier.

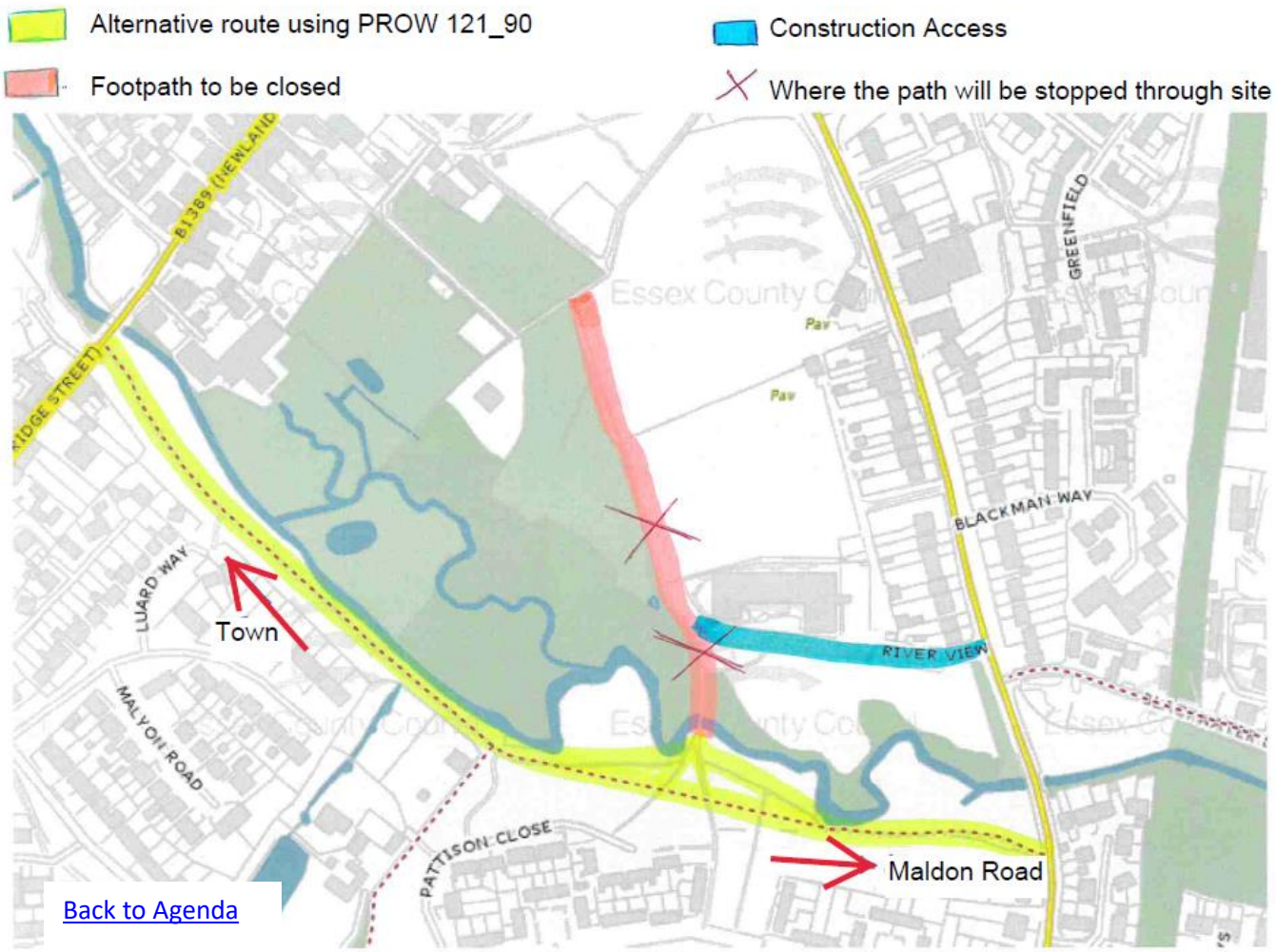
Dated: 19/08/2021

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



Essex County Council



Back to Agenda

Agenda Item 12

A Revised National Planning Policy Framework: 10 Key Changes

On 20th July 2021 the Government produced a new version of the National Planning Policy Framework (NPPF). https://www.gov.uk/government/publications/national-planning-policy-framework--2 The MHCLG confirmed in a statement that the updated NPPF "will place greater emphasis on beauty, place-making, the environment, sustainable development and underlines the importance of local design codes". Key changes include the following;

1. Measures to improve design quality

Updated policies aim to improve the design of new developments, in response to the findings of the government's Building Better, Building Beautiful Commission.

These include:

- Changes to the overarching social objective of the planning system (paragraph 8b) to include the fostering of "well-designed, beautiful and safe places". The old version had required "a well-designed and safe built environment".
- A new paragraph 128 states that in order to "provide maximum clarity about design expectations at an early stage", all local planning authorities "should prepare design guides or codes. This new demand is consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. It says design codes can be produced as either part of a local plan or as a supplementary planning document. They can also be prepared at an area-wide, neighbourhood or site-specific scale – and can be prepared by landowners or developers for their own sites.
- A new paragraph 133 is introduced which focusses on 'beautiful' development. A test that development should be well-designed, confirming that development which "fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes" should be refused.
- Paragraph 133 continues to confirm that "significant weight" should be given to "development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes". Significant weight should also be given to "outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area", the new paragraph 133 says.

2. Inclusion of trees in new developments

A new paragraph 131 is introduced, stating that "planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible". This paragraph continues to confirm that applicants

and local planning authorities "should work with local highways officers and tree officers to ensure that the right trees are planted in the right places".

3. Adjusting the presumption in favour of sustainable development for plan-makers.
The NPPF's presumption in favour of sustainable development for plan-makers (paragraph 11a) says that "all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects".

4. Development plan policies for proposed large new settlements should have a 30-year timescale rather than the former 15.
Paragraph 22 states that strategic policies "should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure". A new sentence adds: "Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery."

5. New limits on the use of Article 4 directions to restrict PD rights
A new paragraph (53) has been introduced stating that Article 4 directions, which remove PD rights in specific areas, where they relate to residential conversions, should only be used where it is "essential to avoid wholly unacceptable adverse impacts", for example the "loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability". In "all cases", Article 4 directions should be "based on robust evidence and apply to the smallest geographical area possible". The new wording confirms it is 'very unlikely' an Article 4 direction could now extend to a whole town centre.

6. Councils should restrict the removal of statues.
A new paragraph (198) states: "In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal."

7. Encouraging faster delivery of further education colleges, hospitals and prisons
A new paragraph (96), states: "To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted."

8. The United Nations climate change goals have been added.
Paragraph 7 in the section on "Achieving sustainable development" states that "the purpose of the planning system is to contribute to the achievement of sustainable development". It now adds: "At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for

Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection."

9. Planning and Flood risk should be managed by development opportunity.
The section on "planning and flood risk" now confirms that plans should manage any residual flood risk by using opportunities provided by new development and "improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management)".

10. Tightened rules governing the acceptability of isolated homes in the countryside.
Paragraph 80 sets out the circumstances in which isolated homes in the countryside can be acceptable. Previously, it said such homes would be acceptable if the design was "truly outstanding or innovative" – now the word "innovative" has been removed.

Anne Pawsey

Back to Agenda

Agenda Item 13

MINUTES OF THE NEIGHBOURHOOD PLAN STEERING GROUP HELD 3rd AUGUST 2021, COUNCIL CHAMBER.

PRESENT:

Councillors S. Ager, P, Barlow, J. Goodman, and M. Lager (Chairman)

Rural Community Council for Essex: J. Stobart

Staff N. Smith (Deputy Town Clerk) G. Kennedy (Committee Clerk)

Apologies were received from Councillors K. Atwill, S. Hicks and C. Jay due to previous engagements.

Jan explained that she would go through the different stages to create the Neighbourhood Plan (NP), the tasks required and a draft timeline as a target but to recognise there could be slippage.

The Designated Area with a boundary map would need to be agreed.
Members agreed the importance of including the new Bellway estate off Forest Road within the Designated Area albeit in Rivenhall. (This would include the phase running up to Rickstones Road along Rectory Lane as well as the separate phase opposite the school playing field between Rickstones Road and the builders yard and the schools on Conrad Road). Jan explained this needed to be a joint application with Rivenhall PC and an explanation made as to why this was appropriate. If Rivenhall PC disagreed the Examiner, when considering the NP, would have the power to extend the boundary and those residents would be able to vote in the referendum. Neighbouring parishes would need to be consulted in due course in any event.

Jan stressed the importance of consultation and listing all consultees as a Consultation Report would be required listing all comments and how they were dealt with.

Once the NP had been accepted by the District Council it becomes its Plan and if challenged it is responsible to defend.

The appointed Examiner will report back to Council as to whether modifications are required and then the NP will go to referendum.

Jan then listed the salient points on a flip chart (see draft timeline attached).

Jan pointed out that the District Local Plan would be up to 2033 and Witham's NP should run probably to 2050. (She would check this point with Alan Massow, BDC). She suggested that WTC meet with BDC early to discuss the NP. BDC would have evidence up to 2033.

Michael explained that there were two main concerns regarding the Town Centre –

- Use of materials on non-Listed Buildings in the Conservation Area, particularly now due to Climate Change,
- Design of Shopfronts in the Conservation Area.

Jan said baseline evidence would be required as a snap shot of the town now.
SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis should be regularly applied.
Policies should be sustainable, with a negative impact on the environment.

Grants and technical support would be available. (See PowerPoint presentation attached).
She advised that grant applications be split as a technical support package would be available each time. Applications for grants would need to be specific.
Budget would need to be available for the consultation stage.

Jan suggested that texts from other plans could be used and she would send links to appropriate NPs.
The Plan should be organised in topics, listing vision and objections.

Policies need to be put in place with evidence, including statistical data, national/county studies. There should be an Action Plan for those items important for the public but do not fit into the NP.

The Working Groups can be topic based, they can do research then write up their section of the NP. Important to keep people aware of the NP with Focus Groups, surveys or exhibitions.

It was vital that all evidence is logged and kept up to date to be presented in a meaningful way.

The NP needed to be written in a consistent style.

The Steering Group needed to consider whether there should be a separate website for the NP or a separate page on WTC website. Important to have a Face Book page.

She said any survey needed to be left until you know what to ask.

She said to be mindful of the changes in Planning Legislation.

Members discussed employing a Project Manager which would provide continuity particularly as the NP would be completed over two administrations. The importance of value for money was stressed. Jan said that she could advertise on WTC behalf for a Project Manager to be employed on an hourly rate.

The suggestion was made that a big event in the Public Hall to launch the start of the process could be arranged.
Jan said that the cost of hall hire, banners and website would all be justifiable expenses to be covered by a grant.

It was thought that the Steering Group should meet again to discuss the launch.

Members thanked Jan for her presentation.

……..
Councillor M. Lager
Chairman

GK/NS 4.8.2021

Action Required:

- **Need to meet with Rivenhall PC to agree that new Bellway Homes off Forest Road should be in the designated area.**
- **Consider an event to launch the NP.**
- **Once date arranged of above, contact potential co-optees.**
- **Agree with BDC the dates NP covers.**
- **Consider Witham NP branding.**
- **Consider website options.**
- **Set up Face Book page.**
- **Consider ways comments/evidence can be logged and kept up to date.**
- **Consider topic working groups.**
- **Consider when it would be appropriate to employ a Project Manager/Consultant**

Back to Agenda

Agenda Item 14

From: comsec [mailto:comsec@witham.gov.uk]
Sent: 05 August 2021 11:47 AM

Hello Mathew

At a recent Meeting our Members noted that the above application was granted. Members wondered why this had been allowed because the access is inadequate.

I know originally that one dwelling was approved on two thirds of the site and that the developers would really like to have three dwellings on the whole site. I think because of that original decision your hands were tied regarding one dwelling on a third of the site. We have seen the second application for the bungalow (on the second third of the site) with no parking spaces so that one can be argued that there would be no additional vehicles. On that application the Fire Brigade came up with strict rules about access which could not be achieved. Can you explain to me why this was appropriate for the second application and not the first please?

Lastly Members want to know why the application was a delegated decision when the Town Council had recommended refusal. Was this just an oversight or because of the previous approval considered appropriate action?

Can you advise please?

Geraldine

Hopefully I can assist.

There have been three applications at this site;

20/00146/FUL – 1 dwelling on a larger footprint - approved

21/00318/FUL – 1 dwelling on a smaller footprint – approved

21/01392/FUL – 1 additional dwelling (so a net of 2 dwellings) – pending consideration with Fiona Hunter

The first application 20/00146/FUL was approved at committee as it fell within the old scheme of delegation. There were no sound planning reasons to refuse the application.

The second application 21/00318/FUL was determined in accordance with the new scheme of delegation – this determines that any application for 1 or 2 dwellings can be delegated irrespective of a Parish/Town Council objection. As such this one was delegated. You are correct in that we had given permission for 20/00146/FUL so our hands were to some extent tied, but still 21/00318/FUL complied with policy (or at least there was no reasons to refuse). I note that the Fire Brigade raised no objection.

I haven't been involved with 21/01392/FUL but it seems that the Fire Brigade have been more specific with their requirements this time compared to 21/00318/FUL. I understand these requirements are in relation to building regulations. Therefore while planning permission may have

been issued for 21/00318/FUL, they will still need building regulation approval – if they cannot achieve the specified parameters then they shouldn't be able to build the bungalow (consented).

I have copied in Fiona to this email – it may be something she investigates further with the developer / senior management to see how it could impact on current application 21/01392/FUL.

I hope this helps but if you have any further questions about the consented apps please let me know.

Kind Regards,

Mathew Wilde MRTPI

Senior Planner

Housing Delivery and Growth Team

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Back to Agenda