



Town Hall | 61 Newland Street | Witham | CM8 2FE  
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## MINUTES

### PLANNING AND TRANSPORT COMMITTEE

Date: Tuesday, 4<sup>th</sup> January 2022

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

Present: Councillors

J.	Goodman	(Chairman)
P.	Barlow	
C.	Lager	
M.	Lager	
S.	Rajeev	
N.	Smith	(Deputy Town Clerk)
G.	Kennedy	(Committee Clerk)

#### 187. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Atwill who was travelling abroad, Hicks who was working, Jay who was self-isolating and Kilmartin who had a previous engagement.

**RESOLVED** That the apologies be received and accepted.

#### 188. MINUTES

**RESOLVED** That the Minutes of the Meeting of the Planning and Transport Committee held 14<sup>th</sup> December 2021 be confirmed as a true record and signed by the Chairman.

#### 189. INTERESTS

Councillors C and M Lager declared non-pecuniary interests in Minute 195 – Decisions, as application 21/03089/HH – 39 Chipping Hill, Witham related to a property in the vicinity of their residence.

#### 190. QUESTIONS AND STATEMENTS FROM THE PUBLIC

No member of the press or public were present.

**191. PLANNING OFFICER'S REPORT**

There was nothing to report.

**192. PART 1 APPLICATIONS**

**21/03522/HH**

**Hill View, Maldon Road, Witham**

Two storey side extension

**NO OBJECTION**

**21/03624/ADV**

**The Cherry Tree, Cressing Road, Witham**

3 x externally illuminated sets of letters with copper face – 1 x non illuminated sign written amenity text with cherry image – x non-illuminated amenity board with vinyl text – 2 x non-illuminate poster cases with vinyl text – 1 x non-illuminated carpark disclaimer with vinyl text – 1 x eternally illuminated double sided aluminium bullnose sign to existing posts – 1 x non-illuminated carpark directional with vinyl text fixed to entrance pillar – 2 x non-illuminated chalk boards

**NO OBJECTION**

**21/03637/HH**

**Velden, The Paddock, Witham**

Rear dormer roof extension, installation of 4 roof lights to front elevation and first floor window to east flank gable, in connection with conversion of loft space to habitable accommodation

**NO OBJECTION**

**193. PART 2 APPLICATIONS**

**21/03694/TPO**

**Dental Wizards Surgery, Lockram Lane, Witham**

Notice of intent to carry out works to trees protected by Tree Preservation Order 18/76 – Crown reduce 4 – 5 metres around trunk from 2 trees

The Tree Warden had made a site visit and reported that whilst the trees had grown over the foot path they were not a danger as above head height and it would be excessive to do any work.

**RECOMMEND REFUSAL** as the work would be excessive and the trees are above head height so not a danger to the public; and subject to the advice of the District Council's Landscape Officer.

**ESS/98/21/BTE**

**Land at Coleman Farm Quarry, Little Braxted Lane, Rivenhall End, Witham**

Continuation of mineral extraction without compliance with: condition 4 (Approved details); 11 (Plant Site Layout) and 55 (Restoration and Landscaping) and the Ecological Management Plan under the attendant Section 106 Agreement of Planning permission ESS/40/18/BTE that itself was a

Variation of Condition permission that enabled increases in both annual throughput and HGV activity to now allow for re-phasing of the working and restoration; changes to the approved restoration concepts and management plans; and the establishment of an inert materials recycling facility, in advance of the A12 road widening infrastructural project.

Members agreed that whilst they wished to continue to recommend this application for refusal they wanted to inform the Planning Authority that all such applications would be recommended for refusal until such time that the HGVs use the adjacent A12 and cease using Witham town centre.

Comment was made that an aggregate lorry recently shed its load at the Chipping Hill roundabout covering both the roadway and footpath with gravel.

**RECOMMEND REFUSAL** on the basis that 300 HGV movements a day would be excessive and would impact on local roads and as such all HGVs should be required to use the adjacent A12; and that rather than speed up extraction it should cease elsewhere on the site.

**RESOLVED** That a letter be sent to Essex County Council explaining that the Town Council would continue to recommend refusal for all such applications until such time as all of the HGVs use the adjacent A12 rather than the town centre.

**21/03703/TPO**

**Land at Old Parsonage Court, Guithavon Street, Witham**  
Notice of intent to carry out works to tree protected by Tree Preservation Order 13/14 – Fell a Norman fir tree

The Tree Warden had made a site visit but could find no evidence of damage to the wall or uneven paving so therefore recommended that the application should be refused.

**RECOMMEND REFUSAL** on the grounds that there was no evidence of damage to the wall or uneven paving and subject to the advice of the District Council's Landscape Officer.

**194. REVISED PLANS**

There were no revised plans to consider.

**195. DECISIONS**

Councillors C and M Lager had declared interests.

The decisions on Planning Applications pertaining to Witham were received.

The Planning Officer drew Members' attention to the decision in relation to 21/03421/TPOCON. The Town Council had been emailed on 23<sup>rd</sup> November 2021 asking for

comments on the above application to be made by 21<sup>st</sup> December 2021 yet a decision was taken by the District Council to permit the application the week beginning 29<sup>th</sup> November 2021, three weeks before the deadline and two weeks before the Town Council's Meeting on 14<sup>th</sup> December when the decision was taken to offer no objection.

The Chairman referred Members to the withdrawal of the application at Old Ivy Chimneys and that hopefully information would be available at the next Meeting regarding the removal of the protected hedge along Hatfield Road.

**RESOLVED** That a letter be sent to Braintree District Council pointing out that the decision on 21/03421/TPOCON was taken before the application could be considered.

**RESOLVED** That the decisions be received and noted.

**196. CHURCHILL DEVELOPMENT**

The Town Council had been contacted by Churchill Development asking for recommendations to name the development as those suggested to Braintree District Council had been declined.

Members agreed that Willow Lodge would be an appropriate name but gave further suggestions of Riverside Lodge, River Walk Lodge or Mill Green Lodge.

**RESOLVED** That the name of Willow Lodge be recommended along with Riverside, River Walk and Mill Green Lodge as alternatives.

**197. GIMSONS REVIEW GROUP**

The Notes from the Meeting of the Gimsons Review Group held 30<sup>th</sup> November 2021 were received.

Members were informed that the questions raised at the Meeting would be sent to the Planning Officer at Braintree District Council and it was agreed that a future Meeting would not be arranged until a response was received.

**RESOLVED** That the Notes be received and noted.

**198. NOTICE OF APPEAL – THE SWAN PUBLIC HOUSE**

The Notice of Appeal was received and Members were asked to consider sending a letter in support of the District Council's decision to refuse the above planning consent.

Members noted that whilst the Town Council had recommended refusal on the grounds that access arrangements are insufficient as the proposed access is via a private road, the District Council had refused the application on the basis of potential flooding.

**RESOLVED** That a letter in support of the District Council's decision to refuse planning consent be sent to the Planning Inspectorate to include not only the insufficient access arrangements but to explain that as the site was low lying there would be potential to flooding from both the nearby river and surface water.

There being no further business the Chairman closed the Meeting at 7.10 p.m.

Councillor J. Goodman  
Chairman

GK/5.1.2021

DRAFT