



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

### PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 13<sup>th</sup> November 2023**

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

Present: Councillors

P.	Barlow	(Chairman)
J.C.	Coleman	(Vice Chairman)
E.	Adelaja	
L.	Headley	
T.	Hewitt	
J.	Martin	
A.	Sloma	
G.	Kennedy	(Planning Officer)
S.	Smith	(PA to the Council)

And two members of the public.

#### **140. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J.M. Coleman, R. Ramage and E. Williams.

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

#### **141. MINUTES**

**RESOLVED** That the Minutes of the Meeting of the Planning and Transport Committee held 30<sup>th</sup> October 2023 be confirmed as a true record and signed by the Chairman.

#### **142. INTERESTS**

Councillor P. Barlow declared a non-pecuniary interest in regards to application 23/02571/HH, Ruskins, Lawn Chase, Witham, as his daughter owned the property. Councillor J. Martin declared non-pecuniary interests in applications 23/02601/TPOCON, 39 Bridge Street, Witham, and 23/02645/LBC, 19 Home Bridge Court, Hatfield Road, Witham, as she knew the applicants.

**143. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

One member of the public present spoke in regards to application 23/02673/HH, 49 Chipping Hill, Witham, as they were concerned by the proposal for PVCu windows in a Conservation Area. They explained that this property was one of a pair of Victorian terraces in a prominent location and was situated in between historic 15<sup>th</sup> century properties. He believed that using PVCu would have a detrimental effect on the street scene and asked Members to consider this when discussing the application. He informed Members that the Witham and Countryside Society would be writing to the Planning Authority highlighting their concerns and urged the Committee to do the same.

**144. PLANNING OFFICER'S REPORT**

The Planning Officer explained that Councillor J.C. Coleman had attended the District Council's Planning Meeting last week to speak about the elm tree by Lynfield Motors. It was noted that the District Council's Planning Officer would speak to the developers concerning the suggestion that all the remaining root saplings should be given to the Tree Group and that a commemorative item, such as a bench, should be created from the felled elm tree.

The Planning Officer explained that she had complained to Andrew Digby, District Council's Tree and Landscape Officer, about two trees, with preservation orders, on the Gimsons site which had died apparently because tree root protection had been compromised. Andrew has asked the Planning Officer and Planning Enforcement Officer to have a site visit and even if there was no breach of conditions at the very least the trees should be replaced.

The Planning Officer informed Members that they had received notification that there would be a road closure in place for Witham Running Club's Annual Boxing Day race and asked Members if they had any objections.

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

**RESOLVED** That no objection be raised to the road closure for the Witham Running Club's Boxing Day race.

**145. PART 1 APPLICATIONS**

There were no Part 1 applications to be considered.

**146. PART 2 APPLICATIONS**

**23/02571/HH**

**Ruskins, Lawn Chase, Witham**

Proposed loft conversion with rear roof dormer and 6 no. roof lights

For the avoidance of doubt, due to Councillor Barlow's interest, Councillor Coleman chaired this application and Councillor Barlow did not take part in any discussion or voting.

It was considered that the dormer window would not overlook neighbouring properties as it was over 10m distant. The property was well tucked away at the end of Lawn Chase and should not affect the Conservation Area

**NO OBJECTION**

**23/02460/VAR**

**49, Braintree Road, Witham**

Variation of condition 2 ‘Approved Plans’ permission 18/00011/FUL granted on 19/06/2019 for: Redevelopment of the site to provide 8 one-bedroom flats and 2 two-bedroom flats (10 units total) incorporating the remodelling of the existing building to provide a three-storey building with associated landscaping, parking & cycle parking; Variation would allow changes to the elevations due to various components not complying fully with the Building Regulations Part B (Fire Safety)

Members raised concerns over the proposed location of the e-bike store in regards to fire safety, as the store is located by one of two access points in the building.

Members were aware that the fire service had raised no concerns, however within Fire England’s official guidance regarding e bikes and scooters it stated ‘Don’t charge e-bikes and e-scooters in bedrooms or where escape routes can be blocked – for example, hallways’.

Members raised no objections to the application as a whole, but were concerned that the location of the store was unsafe if e-bikes were being charged.

**NO OBJECTION** to the application as a whole however, Members wanted to raise their concerns over the proposed location of the e-bike store in regards to fire safety.

**23/02601/TPOCON**

**39 Bridge Street, Witham**

Notice of intent to carry out works to trees protected by Tree Preservation Order TPO – Crown reduction to remove up to 12ft from the height of the tree, and up to 6ft from the radius of the tree

Councillor Martin had declared a non-pecuniary interest.

The Tree Warden had made a site visit and recommended no objection to the reduction of the height of the crown by up to 12ft or the removal of the overhang to create a more regular shape to the crown however he objected to the general reduction by up to 6ft of the radius of the tree as it would become a narrow column, out of character of this healthy mature ash.

**NO OBJECTION** to the crown reduction but recommend refusal to the general reduction of the radius of the tree and subject to the advice of the District Council’s Landscape Officer.

**23/02645/LBC**

**19 Home Bridge Court, Hatfield Road, Witham**

Proposed replacement of 7 no. windows and an entrance door

Councillor Martin had declared a non-pecuniary interest.

The Planning Officer informed Members that 19 Home Bridge Court is part of the Grade II Listed Building on the old Bridge Hospital. The dwelling cannot be seen from the road only from the site itself.

Members were pleased that the applicants were looking to keep the windows timber and agreed the proposed double glazing was reasonable and would help to improve heat efficiency in the dwelling, which is especially important in a cost-of-living crisis.

**NO OBJECTION** subject to the advice of the Listed Buildings Officer.

**23/02673/HH**

**49, Chipping Hill, Witham**

Replace timber bay window with PVCu

The Planning Officer informed Members that 49 Chipping Hill was in a Conservation area but not itself listed. It is one of a pair of mirror image dwellings sandwiched between Grade II Listed Buildings.

It was explained to Members that they needed to consider whether the proposal was in line with policy LPP53 which encouraged the preservation and enhancement of Conservation Areas. Members would not object to a replacement if timber double glazed windows were used.

**RECOMMEND REFUSAL** in line with policy LPP53 and subject to the advice of the Listed Buildings Officer.

**147. REVISED PLANS**

There were no revised plans.

**148. DECISIONS**

The decisions on Planning Applications pertaining to Witham were received.

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

**149. NEIGHBOURHOOD PLAN STEERING GROUP**

The Minutes of the Neighbourhood Plan Steering Group held 26<sup>th</sup> October 2023 were received along with a Recommendation to proceed from the Scoping Report, through to the Review of the Regulation 14 responses and funding sought accordingly.

**RESOLVED** That the Minutes be received.

**RESOLVED** That the Neighbourhood Plan proceed from the Scoping Report, through to the Review of the Regulation 14 responses and funding sought accordingly.

**150. ESSEX PLANNING OFFICERS ASSOCIATION PARKING GUIDANCE**

A report was received regarding the above consultation.

The Planning Officer highlighted points in the draft guidance which had applied to applications considered in the past.

Members were encouraged to respond directly to the consultation.

**RESOLVED** That the report be received and noted

**RESOLVED** That a response be formulated from the Planning Officer's report.

There being no further business the Chairman closed the Meeting at 7.26 p.m.

Councillor P. Barlow  
Chairman

GK/SS/15.11.2023