



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

### PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 5<sup>th</sup> February 2024**

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

Present: Councillors

P.	Barlow	(Chairman)
J.C.	Coleman	(Vice Chairman)
E.	Adelaja	
J.M.	Coleman	Arrived 6:45pm
T.	Hewitt	
J.	Martin	
R.	Ramage	
A.	Sloma	
E.	Williams	
G.	Kennedy	(Planning Officer)
S.	Smith	(PA to the Council)

And three members of the public.

#### 197. APOLOGIES FOR ABSENCE

No apologies for absence were received. Councillor L. Headley was absent.

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

#### 198. MINUTES

**RESOLVED** That the Minutes of the Meeting of the Planning and Transport Committee held 22<sup>nd</sup> January 2024 be confirmed as a true record and signed by the Chairman.

#### 199. INTERESTS

Councillor J. Martin declared a non-pecuniary interest in regards to Minute 201 – Notice of an Application to deregister land registered as Common Land – Chipping Hill Green, as she was part of the St Nicolas Church Choir and her husband was employed by St Nicolas Church.

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

A member of the public spoke in regards to the deregistering of a strip of common land in front of 26 – 30 Chipping Hill. He argued that this section of Common Land would date back to the 850s and no owner was registered in 1968. The applicant had access over the land which had only been used since the 1940s. If this proposal was to go ahead it could lead to a precedent. He considered that if the land was deregistered it would possibly be enclosed and therefore a loss of public amenity.

He explained that there had been an issue regarding rendering of a wall by Rosyln House and that he had received complaints from residents at Whitehall Court. He informed Members that this had already been reported to Braintree District Council, so this was just for their information.

In addition to this, he spoke regarding application 24/00046/ADV - The Grove Garage, Newland Street, Witham, as he was concerned that the proposals were too industrial for the area. The Planning Officer explained that the main application would be discussed at the next Meeting and the application to be considered later was just for signage.

Another member of the public spoke in regards to the deregistering of a strip of common land in front of 26 – 30 Chipping Hill. He was concerned that the proposal would restrict access to St Nicolas Church, as the area was used in multiple ways, including the Medieval Fayre, weddings, funerals and other Church events.

In light of the interested attendees, it was agreed to consider this item next.

**201. NOTICE OF AN APPLICATION TO DEREGISTER LAND REGISTERED AS COMMON LAND – CHIPPING HILL GREEN**

Councillor Martin had declared a non-pecuniary interest.

A notice in relation to the deregistering of a strip of common land in front of 26 – 30 Chipping Hill was received.

The points raised by members of the public were discussed. In addition, two emails from members of the public were tabled. It was agreed that if the land was not in the curtilage of 28 Chipping Hill, the application must fail

As well as this, Members agreed that this application would lead to a range of issues, such as adverse impact on neighbouring properties, the Parish Church and the community as a whole.

**RECOMMEND REFUSAL** on the grounds that the land was not in the curtilage of the applicant and that the loss of amenity space, as well as potential visual impact on the Conservation Area, would have an adverse impact on neighbouring properties, the Parish Church and the community as a whole.

**202. PLANNING OFFICER'S REPORT**

The Planning Officer informed Members that application 23/02988/FUL which related to the Changing Places toilet at the Town Hall would be considered by the Planning Committee on 13<sup>th</sup> February 2024 at 7.15pm. This was for information only.

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

**203. PART 1 APPLICATIONS**

**24/00154/HH**

**13 Dorothy Sayers Drive, Witham**

Proposed part single, part two storey side extension

**NO OBJECTION**

**204. PART 2 APPLICATIONS**

**24/00089/HH**

**Elton, Maltings Lane, Witham**

Single storey rear and side extension

The Planning Officer explained that the Design Statement states that the percentage increase of the property would be 49%. The extension would result in a loss of garden space to about 70 m<sup>2</sup>. Members agreed that with the combined percentage increase in the property and the loss of garden space the application, particularly with the addition of another bedroom, should be recommended for refusal.

**RECOMMEND REFUSAL** on the grounds of over development of dwelling in line with policy LPP36a and reduction in garden size not complying with the Essex Design Guide.

**24/00079/ADV**

**96 Newland Street, Witham**

Replacement of 1no externally illuminated projecting sign and 1 no externally illuminated fascia sign. Replacement of 1no ATM and surround

The Planning Officer said the proposals were for rebranding and it was presumed that the fascia would be replaced like for like with regard to materials. She had made a site visit but it was difficult to ascertain current materials.

She explained that the Town Council would prefer to see traditional materials used in accordance with LPP55g but recommended that Committee should accept the fascia which will be externally lit with trough lighting, likewise the hanging sign.

**NO OBJECTION** subject to the Listed Buildings Officer being satisfied with the proposed materials.

**24/00102/TPOCON**

**Avenue House, 4 Newland Street, Witham**

Notice of intent to carry out works to trees in a Conservation Area

The Tree Warden had confirmed that the work would be regular maintenance of the trees.

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

**24/00111/TPO**

**7 Witham Lodge, Witham**

Notice of intent to carry out works to trees protected by Tree Preservation Order TPO – 24/83

The Tree Warden had made a site visit and agreed that the general reduction would appear to be reasonable but was unable to confirm whether the lowest branch needed to be removed. On balance he suggested no objection subject to the advice of the District Council's Landscape Officer.

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

**24/00130/TPO**

**Managers Office, Newland Court, Newland Street, Witham**

Notice of intent to carry out works to trees protected by Tree Preservation Order TPO – 4/96

The Tree Warden had made a site visit and agrees that the work is reasonable.

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

**24/00046/ADV**

**The Grove Garage, Newland Street, Witham**

Signage to include:- 1no internally illuminated pylon sign, internally illuminated fascia signs, 6no non-illuminated car return signs, door vinyl

Members were concerned about the large illuminated pylon sign which would be distracting and have an adverse impact on the street scene.

**RECOMMEND REFUSAL** on the grounds that the illuminated pylon sign would have an adverse impact on the street scene and that any illuminated sign should be locked in so that they would turn off when the business had closed.

**205. REVISED PLANS**

There were no revised plans to consider.

**206. DECISIONS**

The decisions on Planning Applications pertaining to Witham were received.

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

207. **PROPOSED STOPPING UP OF HIGHWAY AT THE VICTORIA PUBLIC HOUSE, POWERS END, WITHAM**

Members were asked to discuss a proposed compromise regarding the stopping up of the highway at the old Victoria Public House. The Planning Officer explained that she had been contacted by the Department of Transport suggesting that the Town Council and the applicant reach an agreement in this case to avoid the need for an Inquiry. She had been told the only reason for the application to be refused was on the grounds of visibility.

Members previously agreed to raise objections to the proposal due to the adverse impact on residents and motorist amenity as there would be a loss of visibility. A discussion took place whether it was right that a member of the public should benefit from the stopping up of the highway and that Section 106 funding should be sought.

**RESOLVED** That the original decision to object be rescinded and the matter discussed further at the next Meeting.

208. **20's PLENTY**

Due to time restraints, it was agreed that Officers should do further investigation on the whole issue of speeding in the town centre and this item put on the next Agenda.

There being no further business the Chairman closed the Meeting at 7:29p.m.

Councillor P. Barlow  
Chairman

GK/SS/6.2.2024