



Town Hall | 61 Newland Street | Witham | CM8 2FE
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AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Monday, 13th November 2023** 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 reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:

P.	Barlow	(Chairman)	T.	Hewitt
J.C.	Coleman	(Vice Chairman)	J.	Martin
E.	Adelaja		R.	Ramage
J.M.	Coleman		A.	Sloma
L.	Headley		E.	Williams

Nikki Smith
Town Clerk

GK/7.11.2023

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 30th October 2023 (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.

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. PLANNING OFFICER'S REPORT

To receive a verbal report from the Planning Officer on any matters arising from previous Meeting.

6. PART 1 APPLICATIONS

To note that there are no Part 1 applications to consider.

7. PART 2 APPLICATIONS

To consider applications in [Part 2](#).

8. REVISED PLANS

To consider any revised plans received by Braintree District Council that have previously been commented upon.

9. DECISIONS

To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached](#) at page 9).

10. NEIGHBOURHOOD PLAN STEERING GROUP

To receive the Minutes of the Neighbourhood Plan Steering Group held 26th October 2023 and a recommendation to proceed from the Scoping Report, through to the Review of the Regulation 14 responses and funding sought according ([attached](#) at page 11).

11. ESSEX PLANNING OFFICERS ASSOCIATION PARKING GUIDANCE

To receive a report (to follow).

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.

23/02571/HH	Ruskins , Lawn Chase, Witham	Central	Proposed loft conversion with rear roof dormer and 6No. roof lights
23/02460/VAR	49 Braintree Road, Witham, Essex	North	Variation of condition 2 'Approved Plans' of 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 Regulation Part B (Fire Safety)
23/02601/TPOCON	39 Bridge Street, Witham, Essex	Hatfield	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO -Crown reduction to remove up to 12 ft from the height of the tree, and up to 6 ft from the radius of the tree
23/02645/LBC	19 Home Bridge Court , Hatfield Road, Witham	Hatfield	Proposed replacement of 7no. windows and an entrance door
23/02673/HH	49 Chipping Hill, Witham, Essex	North	Replace timber bay window with PVCu

Witham Town Council – Planning Application Report

Application No:- 23/02571/HH

Address:- Ruskins, Lawn Chase, Witham

Ward:- Central

Proposal:- Proposed loft conversion with rear roof dormer and 6No. roof lights

Relevant Site History:-

Representations:-

Summary:- Ruskins, a detached bungalow, is on the edge of the Conservation Area near the bottom of Lawn Chase. The proposal is to convert the existing loft area to create a master bedroom and en-suite, guest bedroom with ensuite and an office. A large dormer will be created at the rear of the bungalow and six roof lights.

Recommendation:- It is considered that the dormer window will not over look neighbouring properties as it is over 10m distant. The property is well tucked away at the end of Lawn Chase and should not affect the Conservation Area. There have been no representations from neighbours. Recommend no objections.

Policy References:- LPP53 - Built or other development within or adjacent to a Conservation Area

Witham Town Council – Planning Application Report

Application No:- 23/02460/VAR

Address:- 49 Braintree Road, Witham, Essex

Ward:- North

Proposal:- Variation of condition 2 'Approved Plans' of 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 Regulation Part B (Fire Safety)

Relevant Site History:- 18/00011/FUL originally the Town Council recommended refusal on the grounds of lack of amenity for the dwellings and inadequate vehicle parking but when reconsidered a year later recommended no objection subject to a condition that the work be started within two years.

Representations:-

Summary:- This is the re-development of the old Pool Club at 49 Braintree Road, which has been considered by the Planning Committee on previous occasions. The last set of plans failed to meet building regulations so there is now a variation application. The proposal is to create ten flats but there are only two garages and the turning area is marked to allow parking for three vehicles. There is an ebike store on the ground floor by an exit route. There will be a roof terrace for the residents.

Recommendation:- This is just a variation and not an opportunity to comment again on the actual proposals. The Town Council would not normally be asked to comment on such applications as our technical knowledge is probably scant. It is a three storey development with a roof terrace. Fire safety is paramount and with the bad press on ebikes I would suspect that the proposal to store bikes on the secondary exit route is not acceptable. Would therefore recommend refusal.

Witham Town Council – Planning Application Report

Application No:- 23/02601/TPOCON

Address:- 39 Bridge Street, Witham, Essex

Ward:- Hatfield

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

Relevant Site History:-

Representations:-

Summary:- The applicant states that the tree is near the edge of the driveway boundary. The tree is approximately 35 ft tall and 20 ft wide. The applicant has requested an overall crown reduction of up to 12 ft from the height of the tree and up to 6 ft from the radius to protect property in the event that a limb should fall.

Recommendation:- The Tree Warden has been asked for advice as to whether the proposed work seems reasonable.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 23/02645/LBC

Address:- 19 Home Bridge Court , Hatfield Road, Witham

Ward:- Hatfield

Proposal:- Proposed replacement of 7no. windows and an entrance door

Relevant Site History:-

Representations:- A neighbour has objected on the grounds that this is a Grade II Listed building

Summary:- The proposal is to replace the timber, single glazed windows and door with timber framed double glazed units. The glazed units will be slim-line. The applicant has stated that secondary glazing would not be suitable for all windows.

Recommendation:- 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. Some of the original windows and door were replaced when the building was converted into dwellings. The existing windows and door are now in need of replacement. There would be no objection to the replacement windows and door as such but it is the 'double glazed' element which the Listed Buildings Officer has objected to in the past for Listed Buildings. The proposed glazing is 'slim-line' and with the internal shutters on windows would not affect the look of the building. Suggest to improve heat efficiency in the dwelling, no objection subject to the advice of the Listed Buildings Officer.

Policy References:- LPP57 - Heritage Assets and their settings

Witham Town Council – Planning Application Report

Application No:- 23/02673/HH

Address:- 49 Chipping Hill, Witham, Essex

Ward:- North

Proposal:- Replace timber bay window with PVCu

Relevant Site History:-

Representations:-

Summary:- The proposal is to replace the existing timber framed bay window with UPVC which will be higher performing and cut back on noise from the road and trains. The proposed windows will be in the same style.

Recommendation:- 49 Chipping Hill is in a Conservation area but not itself listed. It is one of a pair of mirror image dwellings sandwiched between Grade II Listed Buildings. LPP53 encourages the preservation and enhancement of Conservation Areas. There would be no objection to the replacement but considering the setting of the dwelling I would suggest that timber albeit double glazed should be used and subject to the advice of the Listed Buildings Officer.

Policy References:- LPP53 - Built or other development within or adjacent to a Conservation Area

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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 9
23/02109/FUL - 66B Newland Street Witham Essex CM8 1AH	Application for Certificate of Lawfulness for a proposed development - Conversion of garage to habitable accommodation, including the replacement of garage door with new casement window.	Application Permitted	Raised no objection	
23/02092/TPO - 31 Constantine Road Witham Essex CM8 1HL	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO: 11/75 Sycamore Tree (T4) (T1 on Site Block Plan) - Reduce the width to 4m both sides, therefore reducing the width by 2.7m & 3.7m. Then lift the tree from 3.8m to 5m, therefore lifting by 1.2m. Limbs crossing and bearing on each other to be thinned, trim limbs to balance tree spread, and any deadwood removed to prevent further branches falling. Tree needs to be tidied, shaped and thinned.	Application Permitted	Raised no objection subject to the advice of the District Council's Landscape Officer	
23/02237/TPO - 4 Tudor Close Witham Essex CM8 1AU	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 1/2018 Ash tree - Overhanging the property of 4 Tudor Close - 1 metre cut back from the boundary line to appropriate growth points	Application Permitted	Raised no objection subject to the advice of the District Council's Landscape Officer	

23/02050/HH - 36 Avenue Road Witham Essex CM8 2DP	Proposed front porch	Application Refused	Raised no objection, subject to the Listed Buildings Officer being satisfied with the design and materials to be used
23/02289/T56 - Verge At Spa Road Witham Essex	The proposed installation of a 15m 5G street pole and additional equipment cabinets	Prior Approval Required and Given	Raised no objection subject to the design being sympathetic to the area

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Agenda Item 10

Minutes of the Neighbourhood Plan Steering Group held 26th October 2023

MINUTES OF THE MEETING OF THE NEIGHBOURHOOD PLAN STEERING GROUP AT WITHAM TOWN COUNCIL HELD 26TH OCTOBER 2023 AT 10 A.M. IN THE COUNCIL CHAMBER

Members Present: Councillors S. Ager, P. Barlow, J.C. Coleman, L. Headley, P. Heath J. Martin, R. Playle and B. Taylor

Co-optees: A. Cousins (Witham Industrial Watch), J. Goodman, M. Lager and J. Palombi (Witham & Countryside Society)

Officers N. Smith (Town Clerk) and G. Kennedy (Planning Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Fleet. Members introduced themselves.

2. APPOINTMENT OF CHAIRMAN

It was agreed to appoint Councillor P. Barlow as Chairman.

3. APPOINTMENT OF VICE-CHAIRMAN

It was agreed to appoint Councillor J.C. Coleman as Vice-Chairman.

4. INTERESTS

There were no declarations of interest.

5. CO-OPTION

It was agreed to co-opt A. Cousins, J. Goodman, M. Lager and J. Palombi onto the Neighbourhood Plan Steering Group.

6. TERMS OF REFERENCE

The Terms of Reference were received and agreed.

7. MINUTES

The Minutes of the meeting of the Neighbourhood Plan Steering Group held on 26th November 2021 were agreed and signed by the Chairman.

8. NEIGHBOURHOOD PLAN SURVEY RESULTS

The survey results were received.

Members were disappointed that only 1.9% of residents had responded to the consultation with so few responses from people under 34 years old. Comment was also made that there had been less responses from people living in social housing. Members recognised the difficulties of engagement.

Minutes of the Neighbourhood Plan Steering Group held 26th October 2023

The Town Clerk said that whilst the consultants considered the responses were sufficient to write the scoping report for the purposes of Regulation 14, she had spoken to Jan Stobart, Rural Community Council for Essex, who said that she would be able to go into the Academies and carry out consultation, addressing the gap.

Members then spoke about focus groups and the opportunities for Members to engage with the public on specific topics. The suggestion was made that a list could be drawn up of groups and organisations who could be approached to take part in workshops. Using the Heritage Room for focus groups was also suggested.

Councillor Headley left the meeting at this point.

The suggestion was made that the results of the survey should be shared with all Committees and likewise they should share any information they have with the Steering Group. Mention was made of cycling routes throughout the town and the District Council's consultation on Witham's Local Cycling and Walking Infrastructure Plan which will hopefully happen in November.

Members spoke about the Housing Needs Assessment and how to ensure there was sufficient affordable housing. Information and data from the District's Wellbeing work could also be helpful in giving more detail about demographic details [age, income, etc.] of Witham's residents down to ward level. It was considered that there was an opportunity to ensure that both existing housing stock and new builds were of a high standard, particularly with regard to insulation and the installation of solar panels. Mention was also made that it was an opportunity to fine-tune the District Council's Local Plan and that the Essex Design Guide could also be used. The importance of industrial estates meeting local needs was stressed.

Adrian Cousins explained that the Industrial Watch was currently consulting for their 4th term BID and said that they too had a poor response. He found that using a QR code received more responses. The main issue raised was in relation to parking. He said that larger sites on the industrial estates were gradually being replaced with smaller units. He added that only two out of ten of the new units had solar panel installed. Comment was made that whilst there was a desire to build on brownfield sites, land for employment must be protected.

Members spoke of the need to maintain momentum but to ensure a reliable evidence base.

9. NEXT STEPS

The Town Clerk explained that £6,827 had been used of the £20,000 grant. She had spoken to the Consultants who had advised that they would undertake the Scoping Report at the end of November, the next task would be follow-up workshops before drafting Regulation 14 version of the Neighbourhood Plan. They said they were confident this could be completed before the end of March 2024 with a slim chance that the review of the Regulation 14 responses could be undertaken. She suggested that she could apply for the remaining funding and return any monies not used. She advised that the focus groups/workshops/school consultations could be delayed until after the scoping report had been prepared.

It was agreed that Members should undertake the additional consultations and this could include a potential call for sites, designation of Village Green, etc.

Minutes of the Neighbourhood Plan Steering Group held 26th October 2023

It was agreed that a **RECOMMENDATION** be made to the **Planning and Transport Committee to proceed from the Scoping Report, through to the Review of the Regulation 14 responses and funding sought accordingly.**

10. DATE AND TIME OF NEXT MEETING

It was suggested that three dates should be set for future meetings.

The following were agreed –

Thursday, 14th December 2023 at 10 a.m.

Thursday, 15th February 2024 at 10 a.m.

Thursday, 4th April 2024 at 10 a.m.

There being no further business the Chairman closed the Meeting at 11.15 a.m.

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Councillor P. Barlow
Chairman

NS/GK/27.10.2023

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