



## Please note 6 p.m. start time

### AGENDA

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

Date: **25<sup>th</sup> November 2019** Time: **6.00 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:	Councillors:	J.C.	Goodman	(Chairman)
		Mrs A.	Kilmartin	(Vice Chairman)
		Mrs S.	Ager	
		K.L.	Atwill	
		P.R.	Barlow	
		J.C.	Bayford	
		S.E.	Hicks	
	Miss C.		Jay	
		M.C.M.	Lager	
	Mrs S.C.		Lager	
		C.S.	Livermore	
		T.A.	Pleasance	
		R.P.	Ramage	
		P.M.	Ryland	
	Miss M.L.		Weeks	
		R.	Williams	

**1. APOLOGIES**

To receive apologies for absence.

**2. MINUTES**

To receive the Minutes of the Meeting held on 11<sup>th</sup> November 2019 (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.

**5. NEWLANDS SHOPPING CENTRE**

To receive a presentation from Q & A Planning Ltd concerning the redevelopment of part of Newlands Shopping Centre.

**6. A12 CHELMSFORD TO A120 WIDENING**

To consider the Town Council's response to the above consultation.

**7. CLERK'S REPORT**

To receive a verbal report from the Clerk on any matters arising from the previous meeting.

**8. 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 committee clerk.*

**9. PART 2 APPLICATIONS**

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

**10. REVISED PLANS**

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

**11. DECISIONS**

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

**12. Examination of the North Essex Authorities' Section 1 Plan**

To receive details of the above Examination Hearing (attached).

**13. NOTICE OF APPEAL – 19/01038/FUL – 6 CRESSING ROAD, WITHAM**

To note that an appeal has been made against Braintree District Council's decision to refuse the above planning application and to consider sending a letter of support.



James Sheehy  
Town Clerk  
GK/21.11.2019

## **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](http://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.

<b>19/01985/PLD</b>	<b>6 Purcell Road, Witham, Essex</b>	<b>South</b>	<b>Replacement of glazed roof with roof tiles including a roof light</b>
<b>19/01965/HH</b>	<b>35 Guithavon Street, Witham, Essex</b>	<b>Central</b>	<b>Part ground floor and part first floor rear extension</b>
<b>19/02041/HH</b>	<b>6 Cressing Road Witham Essex CM8 2NP</b>	<b>North</b>	<b>Dropped kerb</b>

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## 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](http://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.

19/00291/TPOCON	22 Avenue Road, Witham, Essex	Central	Notice of intent to carry out works to tree in a Conservation Area - Reduce height of Sycamore tree by approx 20ft and shape sides to balance
19/00292/TPO	Roslyn House, 16 Newland Street, Witham	Central	Notice of intent to carry out works to tree protected by Tree Preservation Order 26/90 - Remove 3 large branches from a Horse Chestnut on the boundary of 14 and 16 Newland Street
19/00294/TPO	Avenue House, 4 Newland Street, Witham	Central	Notice of intent to carry out works to trees in a Conservation Area - Crown reduce a Magnolia (A) to a height of 4.5 metres, Crown reduce a Ilex Aquifolium (B) to a height of 4.5 metres to prevent overhang to 6 Newland Street, Crown reduce Crab Apple trees (C, D) to a height of 4.5 metres to clear cottage gutters and reduce shading to garden of adj paddocks garden
19/01986/COUPA	Aviva, 80 Chelmer Road, Witham	West	Notification for Prior Approval for a Proposed Change of Use of a Building from Shops (Class A1) to a use falling within Class C3 (Dwellinghouse), and for Associated Operational Development - Change of use to residential
19/02057/FUL	Witham Cricket Club, Maldon Road, Witham Town	Central	Erection of semi-demountable cricket ball stop fencing (15m high x 48m wide)

**19/00277/TPO**

**12 Armiger Way Witham Essex CM8 2UY**

**Central**

**Notice of intent to carry out works to tree protected by Tree Preservation Order 5/74 - T1 Walnut tree in rear garden of property. Reduce branches on house side of tree by approximately 2.5m back to appropriate pruning points to prevent damage to property.**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00291/TPOCON  
**Address:-** 22 Avenue Road, Witham, Essex  
**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to tree in a Conservation Area - Reduce height of Sycamore tree by approx 20ft and shape sides to balance

**Relevant Site History:-**

**Representations:-**

**Summary:-** The applicant wishes to reduce the height of a sycamore by 20 foot and shape sides to balance as it causes excessive shading and sheds excessive amounts of leaves and moss of the lawn. The Tree Warden has been asked to advise.

**Recommendation:-** Await the advice of the Tree Warden

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00292/TPO

**Address:-** Roslyn House, 16 Newland Street, Witham

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to tree protected by Tree Preservation Order 26/90  
- Remove 3 large branches from a Horse Chestnut on the boundary of 14 and 16 Newland Street

**Relevant Site History:-**

**Representations:-**

**Summary:-** The applicant wishes for a diseased horsechestnut which is over-hanging path and garden to have three large branches removed as it is causing shade on small lawn and path. The Tree Warden has been asked to advise.

**Recommendation:-** Await the advice of the Tree Warden

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00294/TPO

**Address:-** Avenue House, 4 Newland Street, Witham

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to trees in a Conservation Area - Crown reduce a Magnolia (A) to a height of 4.5 metres, Crown reduce a Ilex Aquifolium (B) to a height of 4.5 metres to prevent overhang to 6 Newland Street, Crown reduce Crab Apple trees (C, D) to a height of 4.5 metres to clear cottage gutters and reduce shading to garden of adj paddocks garden

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposed work is to prevent overhang of the magnolia and ilex; and to ensure the crab apples clear the cottage gutters. The work seems reasonable but the Tree Warden has been asked to advise.

**Recommendation:-** Await the advice of the Tree Warden

**Policy References:-**



## Witham Town Council – Planning Application Report

**Application No:-** 19/01986/COUPA  
**Address:-** Aviva, 80 Chelmer Road, Witham  
**Ward:-** West

**Proposal:-** Notification for Prior Approval for a Proposed Change of Use of a Building from Shops (Class A1) to a use falling within Class C3 (Dwellinghouse), and for Associated Operational Development - Change of use to residential

**Relevant Site History:-** 18/01954/COUPA - Considered by this Sub-Committee on 11.12.2018 and considered no objection subject to sufficient dedicated parking provision.

**Representations:-**

**Summary:-** The District Council refused the first application on poor design and layout of the two flats as the access to the ground floor would be from the service and car parking areas at the rear of the premises. The proposals do give a better layout for the ground floor flat being accessed from the front but now the first floor flat is accessed through the service area.

**Recommendation:-** Suggest we maintain our decision for no objection subject to sufficient dedicated parking provision.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/02057/FUL

**Address:-** Witham Cricket Club, Maldon Road, Witham Town

**Ward:-** Central

**Proposal:-** Erection of semi-demountable cricket ball stop fencing (15m high x 48m wide)

**Relevant Site History:-**

**Representations:-** Two representations have been received - one complaining that this application is only being submitted for the benefit of new home owners at Gimsons, requesting information about what is meant by the semi-permanent nature of the screening and that the proposal is unnecessary. The second representation asks why there is a need for this fencing after all these years and complains about the detrimental impact on the landscape and danger to birds which could get caught in the netting.

**Summary:-** The semi-demountable screen will be 15m high and 48m wide and will generally be set 3 metres away from the boundary rope but a minimum 1m distance off the ownership boundary. The applicant says that the netting will be erected when required and is required in order to protect pedestrian safety and the users of the adjacent public footpath.

**Recommendation:-** Members will need to consider whether this application will be detrimental to the landscape.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00277/TPO  
**Address:-** 12 Armiger Way Witham Essex CM8 2UY  
**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to tree protected by Tree Preservation Order 5/74 - T1 Walnut tree in rear garden of property. Reduce branches on house side of tree by approximately 2.5m back to appropriate pruning points to prevent damage to property.

**Relevant Site History:-**

**Representations:-**

**Summary:-** The applicant seeks to reduce the branches of a walnut tree in the rear of the property, by 2.5m back to appropriate pruning points to prevent damage to properties. The Tree Warden has been asked to advise.

**Recommendation:-** Await the advice of the Tree Warden

**Policy References:-**

## Witham Town Council – Planning Application Report

**Revised Plan**

**Application No:-** 18/02304/FUL

**Address:-** Former Bramston Sports Centre

**Ward:-** Hatfield

**Proposal:-** Redevelopment of site

**Relevant Site History:-** Members discussed this planning application on 19th February and recommended refusal on the grounds that parking provisions appear to remain inadequate for the proposed number of dwellings, Tree T12 which is being felled should be replaced with a substantial replacement tree to preserve local amenity, whilst noting the improved layout of the site from the previous submission, concern remains that refuse collections may not be able to adequately navigate the proposed access road and parking area and finally it was believed the site sits upon a high water table and has incurred flooding when previously used as a leisure centre.

**Representations:-**

**Summary:-** WTC has been asked if it wishes to make further comments. Essex County Council has raised a holding objection regarding flooding as flood water storage should half empty within 24 hours, that a detailed drainage plan to show how the water is routed and specific water treatment; and is not prepared at present to revise its decision as no additional information is available. Clarity needs to be sought regarding the proposed riparian meadow, which looks to be part of their own land but adjacent to the River Walk. Will the land be totally fenced off, how will it be maintained and will it be flowing into Town Council's ditches?

**Recommendation:-** Recommend that the Town Council retains its stance and continues its refusal but adds concerns relating to the riparian meadow asking will the land be totally fenced off, how will it be maintained and will it be flowing into Town Council's ditches?

**Policy References:-**

Application	Proposals	BDC Decision	WTC Recommendation
19/00239/TPOCON - Witham Pavilion Club Maldon Road Witham Town Witham Essex CM8 1HN	Notice of intent to carry out works to trees in a Conservation Area - Fell to ground level and poison T1 Sycamore. The tree is in very close proximity to the back of the sheds/ outbuildings, Reduce T2 cedar by 2 metres in height and trim lateral growth to maintain the tree at a sensible size within the car park without restricting access.	Application Permitted	Recommended refusal on the grounds that the works are excessive and inappropriate; and the application is misleading.
19/00233/TPO - Land At Hardy Walk Witham Essex	Notice of intent to carry out works to tree protected by Tree Preservation Order 21/01 - Carry out up to 20% thinning to the internal crown of 1 large Oak	Application Permitted	No objection subject to the advice of the District Council's Tree Officer
19/01592/LBC - Witham Library 18 Newland Street Witham Essex CM8 2AQ	Proposed replacement roof finish to main entrance canopy.	Application Permitted	No objection subject to the advice of the Listed Buildings Officer
19/00225/TPO - Walnut House Collingwood Road Witham Essex CM8 2DY	Notice of intent to carry out works to tree protected by Tree Preservation Order 15/07 - Cut back Walnut to give 2 metres clearance from building	Application Permitted	Recommended Refusal on the grounds of lack of information regarding the scale of the proposed work
19/01376/ADV - Land Adjacent To Lodge Farm Hatfield Road Witham Essex	Retention of illuminated sign for a temporary period.	Application Permitted	No objection
19/01779/HH - 1 Lifchild Close Witham Essex CM8 1QQ	Single storey side extension	Application Permitted	No objection
19/01672/LBC - Barnardiston House 35 Chipping Hill Witham Essex CM8 2DE	Replacement of stolen lead over porch with zinc and replacement of faulty lead over french doors with zinc.	Application Permitted	No objection subject to the advice of the Listed Buildings Officer

19/01661/LBC - The Old Vicarage Chipping Hill Witham Essex CM8 2JS	Erection of a replacement shed and remedial work to boundary fencing including the addition of trellis panels	Application Permitted	No objection subject to the advice of the Listed Buildings Officer
19/01620/HH - The Old Vicarage Chipping Hill Witham Essex CM8 2JS	Erection of a replacement shed and remedial work to boundary fencing including the addition of trellis panels	Application Permitted	No objection
19/00991/FUL - 56 Chalks Road Witham Essex CM8 2JG	Demolition of existing building & construction of 2 No. two bed houses and associated external works.	Application Refused	Recommended Refusal on the grounds of adverse impact on neighbouring amenity, street scene and adjacent Conservation Area; and the inadequate parking provision

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**NORTH ESSEX AUTHORITIES  
Shared Strategic (Section 1) Plan**

**Item 12**

**Inspector:** Mr Roger Clews

**Programme Officer:** Mrs Andrea Copsey      **Tel:** 07842 643988

**Email:** [copseyandrea@gmail.com](mailto:copseyandrea@gmail.com)

**Address:** Examination Office, PO Box 12607, Clacton-on-Sea, CO15 9GN

**Examination website:**

[https://www.braintree.gov.uk/info/200643/section\\_1/1065/section\\_1\\_examination\\_publication\\_local\\_plan](https://www.braintree.gov.uk/info/200643/section_1/1065/section_1_examination_publication_local_plan)

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To all representors

11 November 2019

Dear Sir / Madam

**Examination of the North Essex Authorities' Section 1 Plan**

**Further examination hearing sessions, January 2020**

As you will know, I am the Inspector appointed to carry out the examination of the North Essex Authorities' Shared Strategic (Section 1) Plan. I am writing to let you know about the arrangements that have been made for further examination hearing sessions.

The further hearing sessions will open at 9.30am on Tuesday 14 January 2020 at the JobServe Community Stadium, United Way, Colchester, Essex CO4 5UP. Anyone is welcome to attend the further hearings and listen to the discussion, but only the invited participants may take part.

On page 4 of the examination website: *Examination Documents – Correspondence and Notifications*:

[https://www.braintree.gov.uk/info/200643/section\\_1/1065/section\\_1\\_examination\\_publication\\_local\\_plan/4](https://www.braintree.gov.uk/info/200643/section_1/1065/section_1_examination_publication_local_plan/4)

you will find a draft programme for the further hearing sessions [IED018], including lists of the invited participants for the hearings; my list of Matters, Issues and Questions for the further hearings [IED019]; and my Guidance Note [IED020].

If you are intending to participate in the further hearing sessions, please read the Guidance Note carefully, as it explains the procedure for the further hearings in detail, including the arrangements for participation and for submitting hearing statements.

To assist discussion at the further hearing sessions, and in order that participants may take them into account in preparing for the further hearings, I have arranged for a series of documents to be published today on page 10 of the examination website: *Further Documents Requested and Accepted by the Inspector*. Please see my Guidance Note for further information on them.

Please note that the further hearings programme is subject to change. Updated versions will be published on examination webpages 3 and 4. You should check them regularly for the latest version, if you are intending to participate.

You are receiving this letter because you have submitted representations on the Section 1 Plan and/or the technical consultation which the North Essex Authorities held in August and September this year.

I will take your representations into account, whether or not you participate in the further hearing sessions.

If you have any queries about the arrangements for the further hearings, or any other aspect of the examination, please do not hesitate to contact the Programme Officer, whose contact details are at the head of this letter.

Yours faithfully

*Roger Clews*

Inspector