



Town Hall | 61 Newland Street | Witham | CM8 2FE
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witham.gov.uk

AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Monday, 5th February 2024** 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/30.1.2024

1. APOLOGIES

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 22nd January 2024 (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 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 Planning Officer.*

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 11).

10. PROPOSED STOPPING UP OF HIGHWAY AT THE VICTORIA PUBLIC HOUSE, POWERS HALL END, WITHAM

To receive and discuss the proposed compromise ([attached](#) at page 12)(Minute 186 refers).

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

To receive a notice in relation to the deregistering a strip of common land in front of 26 - 30 Chipping Hill ([attached](#) at page 13).

12. 20's PLENTY

To discuss the 20's Plenty Campaign following the Zoom meeting on 23rd January 2024.

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

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.

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
24/00154/HH	13 Dorothy Sayers Drive, Witham, Essex	North	Proposed part single, part two storey side extension

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.

24/00089/HH	Elton, Maltings Lane, Witham	South	Single story rear and side extension
24/00079/ADV	96 Newland Street, Witham, Essex	Central	Replacement of 1no externally illuminated projecting sign and 1no externally illuminated fascia sign. Replacement of 1no ATM and surround
24/00102/TPOCON	Avenue House, 4 Newland Street, Witham	Central	Notice of intent to carry out works to trees in a Conservation Area
24/00111/TPO	7 Witham Lodge, Witham, Essex	Hatfield	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 24/83
24/00130/TPO	Managers Office, Newland Court, Newland Street, Witham	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 4/96
24/00046/ADV	The Grove Garage, Newland Street, Witham	Central	Signage to include:- 1 No. internally illuminated pylon sign, Internal illuminated fascia signs, 6 No. non-illuminated car return signs, Door vinyl

Witham Town Council – Planning Application Report

Application No:- 24/00089/HH

Address:- Elton, Maltings Lane, Witham

Ward:- South

Proposal:- Single story rear and side extension

Relevant Site History:-

Representations:-

Summary:- This is a two bedroom semi-detached bungalow. The proposal is to demolish an existing bathroom and part of an existing kitchen and build along the back of the property to create a large kitchen family room and an additional bedroom and new bathroom. The extension will measure 3.8m in depth and a total of 10.4m across. There will be a bi-fold door and two roof lights.

Recommendation:- The Design Statement explains that the percentage increase of the property would be 49%. The extension would result in a loss of garden space resulting in a garden size of about 70 m². It is therefore recommended that the application be refused on the grounds of over development of site and reduction in garden size not complying with the Essex Design Guide.

Policy References:- LPP36a - no over-development of the plot.

Witham Town Council – Planning Application Report

Application No:- 24/00079/ADV

Address:- 96 Newland Street, Witham, Essex

Ward:- Central

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

Relevant Site History:-

Representations:-

Summary:- This is the Nationwide Bank which is in a Conservation Area but the building is not listed. The proposal is to replace the existing projecting sign, replace fascia and logo. Replace ATM surround and decals, replace statutory signage, replace strip to window with privacy manifestation, replace door handle and decorate render.

Recommendation:- The proposals are for rebranding. It is presumed that the fascia will be replaced like for like with regard to materials. The Town Council would prefer to see traditional materials used in accordance with LPP55g but we should accept the fascia which will be externally lit with trough lighting. LPP56c relates to well-designed hanging signs using traditional materials. Any illumination necessary should take the form of discreet external downlighting but LPP56d states that projecting and hanging signs should not be illuminated. I have made a site visit and on balance I would suggest no objection subject to the Listed Buildings Officer being satisfied with proposed materials.

Policy References:- LPP55 and 56

Witham Town Council – Planning Application Report

Application No:- 24/00102/TPOCON

Address:- Avenue House, 4 Newland Street, Witham

Ward:- Central

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

Relevant Site History:-

Representations:-

Summary:- The proposal is to crown reduce the Magnolia grandiflora to height of 4.5 meters likewise the illex aquifolium.

Recommendation:- The work is regular maintenance to the magnolia and holly. The Tree Warden has confirmed no objections subject to the advice of the District Council's Landscape Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00111/TPO

Address:- 7 Witham Lodge, Witham, Essex

Ward:- Hatfield

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

Relevant Site History:-

Representations:-

Summary:- The proposal is reduce the Sycamore Tree by a maximum of 2 m to suitable growth points and remove lowest bough back to main stem.

Recommendation:- The general reduction would appear to be reasonable but I am unsure about the removal of the lowest bough. Advice has been sought from the Tree Warden and as he was unable to see the lower limb has agreed no objection subject to the advice of the District Council's Landscape Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00130/TPO

Address:- Managers Office, Newland Court, Newland Street, Witham

Ward:- Central

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

Relevant Site History:-

Representations:-

Summary:- The proposal relates to a sycamore with a plan to reduce sub-lateral limbs growing towards adjacent building by approximately 1.5 metres and crown lift over roof to give 2 metre clearance

Recommendation:- The proposed work seems reasonable but advice has been sought from the Tree Warden. All advice subject to the views of the District Council's Landscape Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 24/00046/ADV

Address:- The Grove Garage, Newland Street, Witham

Ward:- Central

Proposal:- Signage to include:- 1 No. internally illuminated pylon sign, Internal illuminated fascia signs, 6 No. non-illuminated car return signs, Door vinyl

Relevant Site History:-

Representations:-

Summary:- This is for the Markham and Smith Garage. The proposal is to change the garage into an Enterprise car hire. This is just for the Advertisement aspect not the planning. The main sign will be an internally illuminated pylon sign, operated only during opening hours and darkness. The pylon will be 7.12m tall with the illuminated sign measuring 5.5m by 1.1m. Underneath there will be another internally illuminated sign measuring 1.8m by 1m. This sign will be on the corner of Avenue Road and Newland Street. The new office will also have an internally illuminated fascia sign around three sides of the building. The fascia signs will be 0.8m deep by 12.7m along the front of the office and 9.5m along each side. There will be five 'car return' signs which are non illuminated, measuring 3.25m in height and the sign 0.5m by 0.6m. There will also be an additional sign to the front border again non-illuminated.

Recommendation:- This business will operate between 8 a.m. and 5 p.m. weekdays and 9 am to noon on a Saturday, closed on Sunday. The illuminated pylon sign is a concern and there would be a potential to impact on the resident at the corner of Avenue Road. The site is outside the Conservation Area. Members will remember the Lidl signage at the other end of the town centre, that pylon was 6m tall and the illuminated sign 2.1m square and the impact this had albeit adjacent to the Conservation Area. I would suggest that the illuminated pylon sign would have an adverse impact on the street scene and therefore recommend refusal on that point alone.

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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 9
23/02460/VAR - 49 Braintree Road Witham Essex CM8 2DB	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	Application Permitted	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	
23/02296/TPOCON - 22 The Avenue Witham Essex CM8 2DJ	Notice of intent to carry out works to trees in a Conservation Area - See application for more details of	No Objections Raised	No objection subject to the advice of the District Council's Landscape Officer	
23/02571/HH - Ruskins Lawn Chase Witham Essex CM8 1AZ	Proposed loft conversion and insertion of 11 No. roof lights	Application Permitted	No objection	
23/01244/HH - 55 Hatfield Road Witham Essex CM8 1EF	Retention of outbuilding to be used as home office/shed	Application Permitted	No objection	

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ITEM NO: 10

Officer Report: Stopping Up of the Highway at the Victoria Public House

Issue:

Members will remember that this was initially discussed at Minute 186 of the Meeting held 8th January 2024.

The Victoria Pub is now a private house and the owner wishes to use part of highway land to enclose and use as a car park. Members 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.

The Department for Transport contacted the Town Council about our decision as it was hoped that agreement could be obtained with the applicant to save a public inquiry. The only grounds to object is visibility.

I have been in contact with the agent acting on behalf of the applicant and, following consultation with the Chairman, said that a compromise might be acceptable to the Council.

The Chairman has suggested that a section of the proposed car park approximately 2m in depth could be preserved as highway to improve visibility on the bend.

Advice:

Details of the proposals will be on the presentation along with photographs. Members should then discuss the proposals and decide whether this compromise would be acceptable to the Council.

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Agenda Item 11

OFFICIAL-SENSITIVE

ELS
Seax House
Victoria Road South
Chelmsford
CM1 1QH



Witham Town Council
Clerk to Witham Town Council Town Hall
61 Newland Street
Witham
CM8 2FE

Our Ref: LM/CAVG/128
Your Ref:
Date: 23 January 2024

By email to infocentre@witham.gov.uk

Dear Sirs

**RE: COMMON LAND 163 – CHIPPING HILL GREEN, WITHAM, ESSEX
NOTICE OF APPLICATION
COMMONS ACT 2006 – SCHEDULE 2, PARAGRAPH 7 AND COMMONS
REGISTRATION (ENGLAND) REGULATIONS 2014
NOTICE OF AN APPLICATION TO DEREGISTER LAND REGISTERED AS
COMMON LAND (APPLICATION REFERENCE NO CA01)**

Please find attached the notice which is being published and erected on site on Thursday 25th January 2024 in relation to the above. This notice is also published on the County Council's website.

You are being sent this notice because you are a person to whom we need to send notice in accordance with the 2014 Regulations either because you are a local authority for the area the application relates to, an owner of land affected by the application, have rights registered on the commons register or have asked to be informed of a corrective application.

Yours faithfully

Lantana Meiyaki
Caseworker

Telephone: 03330 321874
Internet: www.elslegal.org.uk
Email: lantana.meiyaki@essex.gov.uk



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ELS



**COMMONS ACT 2006 – SCHEDULE 2, PARAGRAPH 7
NOTICE OF AN APPLICATION TO DEREGISTER LAND REGISTERED AS
COMMON LAND**

**COMMON LAND 163 – CHIPPING HILL GREEN,
WITHAM, ESSEX (APPLICATION REFERENCE NO CA01)**

This notice is published on the County Council's website and served by e-mail on those persons who have requested notification under Regulation 21 of the Commons Registration (England) Regulations 2014 and served on other persons required to be so notified and published as prescribed.

To every reputed owner, lessee, tenant, or occupier of any part of the land described below, and to all others whom it may concern.

An application has been made to the Commons Registration Authority, Essex County Council, County Hall, Market Road, Chelmsford CM1 1QH (the 'Registration Authority') by Martin Ellis ('the Applicant') under Schedule 2, paragraph 7 of the Commons Act 2006 ('the Act') and in accordance with The Commons Registration (England) Regulations 2014 ('the Regulations').

The Applicant states that they seek correction by way of deregistration of part of the land comprising the register unit of the Register of Common Land in relation to Chipping Hill Green, Witham, Essex being part of the land forming Common Land Number 163 as shown on the attached Plan edged blue. The Applicant states that at the time of registration the land was wrongly registered as common land. If granted the Registration Authority will remove the land from the Register of Common Land.

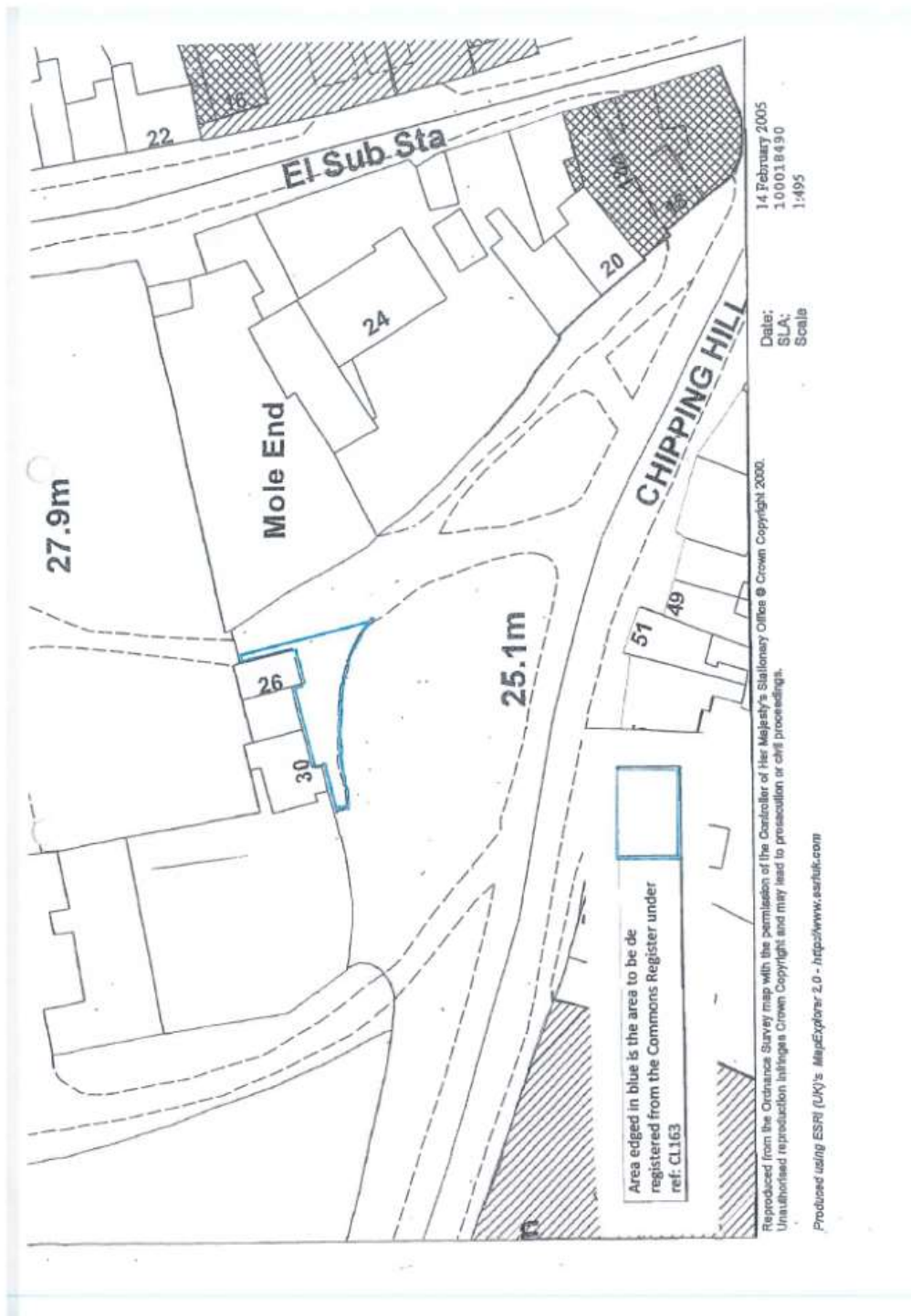
The application may be inspected at Essex County Council, Central Library, County Hall, Market Road, Chelmsford, CM1 1QH during normal opening hours.

Any person wishing to make objections should send a statement of facts upon which the objection is based to Paul Turner, Director, Legal and Assurance, Essex County Council, Seax House, Victoria Road South, Chelmsford, Essex, CM1 1QH or by email to Environmental.TeamDuty@essex.gov.uk (quoting ref CAVG/128), the receipt of which must be on or before 10th March 2024. Any representations that are to be taken into account by the Registration Authority in reaching a decision on the application cannot be considered as confidential and will be forwarded to others. Please see our privacy notice at <https://www.essex.gov.uk/about-essexgovuk/privacy-and-data-protection/privacy-legal-services>. Representations must include the name and postal address of the person making them and the nature of that person's interest, must be signed by the person making the representation and must state the grounds on which they are made. If the application is referred to the Planning Inspectorate all representations will be forwarded to them for consideration.

Dated 25th January 2024



Paul Turner, Director of Legal Services & Assurance
Essex County Council
Seax House,
Victoria Road South
Chelmsford
Essex
CM1 1QH



NOT TO SCALE

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