



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

### PLANNING AND TRANSPORT COMMITTEE

Date: **Tuesday, 14<sup>th</sup> December 2021**

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

Present: Councillors

J.	Goodman	(Chairman)
A.	Kilmartin	(Vice Chairman)
K.	Atwill	
P.	Barlow	
S.	Hicks	
C.	Jay	
C.	Lager	
M.	Lager	
C.	Livermore	
J.	Sheehy	(Town Clerk)
N.	Smith	(Deputy Town Clerk)

And two members of the public.

#### **175. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Rajeev who was unwell.

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

#### **176. MINUTES**

**RESOLVED** That the Minutes of the Meeting of the Planning and Transport Committee held 29<sup>th</sup> November 2021 be confirmed as a true record and signed by the Chairman.

#### **177. INTERESTS**

Councillors Atwill and Goodman, both declared non-pecuniary interests in application 21/03502/HH – 6 Old Parsonage Court, Witham, as they knew the applicant.  
Councillor Atwill declared a non-pecuniary interest in 21/03457/ADV and 21/03458/FUL-17A The Grove Centre, Newland Street as he knew the applicant and had previously offered advice to them regarding this application.

Later in the Meeting at application 21/03458/ADV – 17A The Grove, Witham, Councillor Barlow declared a non-pecuniary interest as he had previous dealings with the applicant as their ward member.

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

Mr Green, Witham resident, spoke regarding the removal of hedgerow at Ivy Chimneys Development, Minute 184. He shared his concerns that hedgerows were being removed without permission and asked for the Town Council to speak with Braintree District Council about this application.

The Chairman thanked Mr Green for his comments which would be considered by the Committee.

Mr Palombi, Witham & Countryside Society, agreed with the previous comments regarding the removal of hedgerows within Witham and asked for penalties to be awarded against developers who remove or damage hedgerows without permission.

The Chairman thanked Mr Palombi for his comments.

**179. PLANNING OFFICER'S REPORT**

The Planning Officer had nothing further to report however members noted the dates of the consultation for the Braintree Local Plan and were urged to make appropriate responses.

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

**180. PART 1 APPLICATIONS**

**21/03374/HH**                      **12 Tiberius Gardens, Witham**  
Two-storey rear extension

**NO OBJECTION**

**21/03459/HH**                      **1 Orwell Walk, Witham**  
Single storey rear extension

**NO OBJECTION**

**21/03485/HH**                      **177 Cressing Road, Witham**  
Single storey side extension

**NO OBJECTION**

**181. PART 2 APPLICATIONS**

**21/03421/TPOCON**              **Avenue House, 4 Newland Street, Witham**  
Notice of intent to carry out works to a tree in a Conservation Area-Bay tree at rear of garden. Reduce height to 4.5 metres

The Tree Warden has suggested no objection.

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

**21/03355/VAR**

**Witham Power Generation Plant, Cut Throat Lane, Witham**

Variation of Condition 2 (Approved Plans) of permission 19/02196/FUL granted 30/04/2021 for :Development of a standby gas powered generation facility, incorporating improved access provision, internal access tracks, security fence, gas generators and associated infrastructure

**NO OBJECTION** subject to clear and robust oversight by the LPA and ECC Highways, an assurance from the LPA that the work will be duly inspected at all key points to ensure ecology and amenity is preserved as best as possible, that all key steps of the construction and traffic management plans are adhered to and that the appointed planning officer keeps ward members fully apprised of ongoing developments in writing on a regular basis.

**21/03458/ADV**

**17A The Grove Centre, Newland Street, Witham**

1 non-illuminated fascia sign.

Councillor Atwill had declared an interest and Councillor Barlow declared a non-pecuniary interest as he had previous dealings with the applicant as their ward member.

**NO OBJECTION**

**21/03457/FUL**

**17A The Grove Centre, Newland Street, Witham**

Change of use from Retail (Class E9a) to Sui Generis, together with the installation of ground floor toilet and extraction vent.

**NO OBJECTION**

**21/03463/HH**

**Mortimer Cottage, Lockram Lane, Witham**

Erection of two-storey front and side extensions and single storey-detached garage.

**RECOMMEND REFUSAL** on the grounds that further UPVC should not be used and subject to the advice of the Listed Buildings Officer.

**21/03365/FUL**

**Warwick House, 48 Collingwood Road, Witham**

Change of use, extension to and alteration of single-storey detached office outbuilding to form 1 x 1 residential dwelling house.

**NO OBJECTION**

**21/03502/HH**

**6 Old Parsonage Court, Guithavon Street, Witham**

Two-storey side extension, alterations to and retention of single-storey rear extension and installation of French doors to front elevation.

Councillors Atwill and Goodman had declared interests.

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

**182. REVISED PLANS**

**ESS/36/21/BTE**

**Land at Colemans Farm Quarry, Little Braxted Lane, Rivenhall, Witham**

Further information has been provided on air quality, traffic assessment, ecology appraisal, archaeology report and a mitigation report.

**RECOMMEND REFUSAL** on the basis that 300 HGVs movements a day is excessive and would impact on local roads and as such all HGVs should be required to use the adjacent A12.

**183. DECISIONS**

The decisions on Planning Applications pertaining to Witham were received.

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

**184. IVY CHIMNEYS DEVELOPMENT**

An email was received from a resident expressing concern on the removal of the hedge between the Ivy Chimneys development and Augustus Way.

Members discussed the removal of hedgerows in Witham and how they could be better protected as well as ensuring developers conform to all conditions attached to applications.

**RESOLVED** That officers make enquiries as to what permissions were granted relating to the removal of hedgerows, by whom and why.

**RESOLVED** That hedgerows are afforded stronger protection by including them within the Neighbourhood Plan.

**RESOLVED** That Witham Town Council write to Kerry Harding at the NHS asking if they could apply a covenant to hedgerows when disposing of land.

**185. SAULS BRIDGE**

Members received a response from Councillor Derrick Louis regarding the large number of HGVs using Sauls Bridge.

Councillor Louis explained that any breach of the Construction Management Plan is a matter for Braintree District Council but stressed that some legitimate exemptions applied.

**RESOLVED** That the report from Councillor Louis be received and noted.

**186. CRESSING ROAD- PROPOSED PEDESTRIAN CROSSING**

Members were pleased to receive details on the proposed pedestrian crossing.

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

There being no further business the Chairman closed the Meeting at 7.27 p.m.

Councillor J. Goodman  
Chairman

15.12.2021