



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

## AGENDA

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

Date: **Tuesday, 1st June 2021** 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: Councillors:	J.C.	Goodman	(Chairman)
	Mrs A.	Kilmartin	(Vice Chairman)
	K.L.	Atwill	
	P.R.	Barlow	
	S.E.	Hicks	
	Miss C.	Jay	
	M.C.M.	Lager	
	Mrs S.C.	Lager	
	C.S.	Livermore	

**1. APOLOGIES**

To receive apologies for absence.

**2. MINUTES**

To receive the Minutes of the Meeting of the Planning Applications & Transport Committee held (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. CLERK'S REPORT**

To receive a verbal report from the Clerk 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 the following revised plan -  
21/01320/HH - Land North Of Woodend Farm

Report to follow

**9. DECISIONS**

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

**10. LOCAL HIGHWAYS PANEL – MALTINGS LANE**

To consider a request ([attached](#)).



James Sheehy  
Town Clerk  
GK/25.5.2021

**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.

21/01391/FUL	Hayman Group Limited, Eastways Park, Witham	Central	Replacement of roof to match existing. Over cladding of front elevation and replacement of windows
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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.

21/01320/HH	42 Collingwood Road, Witham, Essex	Central	Proposed single storey annexe
21/01380/HH	1 Stainer Close, Witham, Essex	South	Single-storey rear extension with internal alterations
21/01392/FUL	Land Rear Of, 59 Bridge Street, Witham	South	Erection of 1 x 1 bed single-storey dwelling house
21/01586/TPOCON	Croxall Court, Armond Road, Witham	West	Notice of intent to carry out works to a tree in a Conservation Area - Remove an Ash tree
21/01607/TPOCON	12 The Avenue, Witham, Essex	Central	Notice of intent to carry out works to tree in a Conservation Area - Remove Birch tree and carry out stump treatment
21/01618/TPO	17 Armiger Way, Witham, Essex	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order 5/75
21/01348/FUL	Clifton House, Mill Lane, Witham	Central	Erection of 1 x 3 bedroom two-storey detached dwellinghouse, new access and alterations to driveway hardstanding

<p>ESS/51/21/BTE</p>	<p>Colemans Farm Quarry, Little Braxted Lane, Rivenhall, Witham, Essex, CM8 3EX</p>	<p>Central</p>	<p>For the continuation of mineral extraction and ancillary use without compliance (for a temporary period ceasing upon the working and restoration of the western extension) with conditions 12 (HGV movements), 25 (mineral handling), 27 (restoration materials importation), and 35b (restrictions on permitted development rights) of planning consent ESS/40/18/BTE that was an earlier variation of conditions under planning consent ESS/10/18/BTE to now enable the importation of as raised sand and gravel from a proposed western extension to the site; the importation of inert materials (for use in the restoration of the proposed western extension); the inclusion of additional water lagoons on site; and a temporary increase in HGV movements to enable accelerated progression of proposed western extension restoration scheme to return the land to formation level in advance of the a12 road widening and improvement national infrastructure project</p>
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## Witham Town Council – Planning Application Report

**Application No:-** 21/01320/HH

**Address:-** 42 Collingwood Road, Witham, Essex

**Ward:-** Central

**Proposal:-** Proposed single storey annexe

**Relevant Site History:-** 08/00789/FUL – Planning permission granted for Annexe structure. 11/00412/FUL Application for a new planning permission to replace an extant planning permission (08/00789/FUL) in order to extend the time limit for implementation.

**Representations:-**

**Summary:-** The proposal is to demolish existing garage and workshop/shed in the back garden to build a one bedroom annex for elderly parents. The annex will have a floor area of 52 square metres and will be built one metre from the boundary fence. The roof of the structure will be visible over the 1.8m high boundary fence but to date there have been no representations.

**Recommendation:-** A previous application had been made on this site for an annexe. The Town Council had recommended the application for refusal on the grounds of the building not being in keeping with the street scene and may result in inappropriate development. Whilst this site is in a Conservation Area the annexe would not be seen from the road. The garden is large, the annexe is subservient to the host building and there is ample parking. Would recommend no objection subject to the annexe being ancillary to the existing dwelling and not as an independent residential unit and no representations from neighbours.

**Policy References:-** LPP38

## Witham Town Council – Planning Application Report

**Application No:-** 21/01380/HH

**Address:-** 1 Stainer Close, Witham, Essex

**Ward:-** South

**Proposal:-** Single-storey rear extension with internal alterations

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is to extend across the back of the house to form an open plan living area. The extension will be a maximum of 3.5m in depth by 9.1m across. In addition the back of the garage will be used to form a utility room.

**Recommendation:-** This five bedroomed property is close to the roundabout The garden is a fair size to take the proposed extension but what concerns me is the proposal to convert the back of the garage into a utility room. There is parking on the drive for just one vehicle. Recommend refusal on the grounds of insufficient parking for a five bedroomed house in line with Essex Parking Standards

**Policy References:-** Essex Parking Standards

## Witham Town Council – Planning Application Report

**Application No:-** 21/01392/FUL

**Address:-** Land Rear Of, 59 Bridge Street, Witham

**Ward:-** South

**Proposal:-** Erection of 1 x 1 bed single-storey dwelling house

**Relevant Site History:-** There have been numerous applications for this site and planning consent was approved at 20/00146/FUL for a single dwelling.

**Representations:-**

**Summary:-** This is the awaited application for the second bungalow on this site. The proposal is for a disabled access bungalow with a covered electrical charging point for a mobility scooter. There is no parking provision on the site at all.

**Recommendation:-** The Fire Authority has specified that there should be inter alia 3.7m access for the fire truck. The proposed access from the road is not quite that distance and it narrows as it passes the properties facing the road. Would recommend refusal on the grounds of insufficient access for emergency vehicles and no parking provision.

**Policy References:-** LPP37



## Witham Town Council – Planning Application Report

**Application No:-** 21/01586/TPOCON

**Address:-** Croxall Court, Armond Road, Witham

**Ward:-** West

**Proposal:-** Notice of intent to carry out works to a tree in a Conservation Area - Remove an Ash tree

**Relevant Site History:-**

**Representations:-**

**Summary:-** The applicant wishes to fell an ash tree as it is suggested that it is damaging the property.

**Recommendation:-** I have sought the advice of the Tree Warden. The applicant has stated that they do not wish to replant but this should be mandatory.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/01607/TPOCON

**Address:-** 12 The Avenue, Witham, Essex

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to tree in a Conservation Area - Remove Birch tree and carry out stump treatment

**Relevant Site History:-**

**Representations:-**

**Summary:-** This application has apparently been made with a tree report which BDC has kept private as there would appear to be an insurance claim.

**Recommendation:-** The Tree Warden has confirmed my view to recommend refusal on the grounds of lack of information.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/01618/TPO

**Address:-** 17 Armiger Way, Witham, Essex

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to trees protected by Tree Preservation Order 5/75

**Relevant Site History:-**

**Representations:-**

**Summary:-** Crown reduce Sycamore tree to reduce all branches all around by 4 metres to clear any dead wood, prevent any damage to building and significant cross of boundaries

**Recommendation:-** The work appears reasonable but the Tree Warden's advice has been sought.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/01348/FUL

**Address:-** Clifton House, Mill Lane, Witham

**Ward:-** Central

**Proposal:-** Erection of 1 x 3 bedroom two-storey detached dwellinghouse, new access and alterations to driveway hardstanding

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is to build a new dwelling to the side of Clifton House. There will be a 2.3 metre gap between the house. Clifton House will have a new access with three parking spaces. The new dwelling which will be three bedroomed with have two parking spaces and retain the existing access. Following advice from the Planner Authority new visibility splays have been aligned.

**Recommendation:-** There is sufficient space for this dwelling to be built. Mill Lane is a busy road and both the existing access and the new one will have improved visibility splays. Recommend no objection.

**Policy References:-** LPP37

## Witham Town Council – Planning Application Report

**Application No:-** ESS/51/21/BTE

**Address:-** Colemans Farm Quarry, Little Braxted Lane, Rivenhall, Witham, Essex, CM8 3EX

**Ward:-** Central

**Proposal:-** For the continuation of mineral extraction and ancillary use without compliance (for a temporary period ceasing upon the working and restoration of the western extension) with conditions 12 (HGV movements), 25 (mineral handling), 27 (restoration materials importation), and 35b (restrictions on permitted development rights) of planning consent ESS/40/18/BTE that was an earlier variation of conditions under planning consent ESS/10/18/BTE to now enable the importation of as raised sand and gravel from a proposed western extension to the site; the importation of inert materials (for use in the restoration of the proposed western extension); the inclusion of additional water lagoons on site; and a temporary increase in HGV movements to enable accelerated progression of proposed western extension restoration scheme to return the land to formation level in advance of the A12 road widening and improvement national infrastructure project

**Relevant Site History:-**

**Representations:-**

**Summary:-** In the planning statement it is explained that it is wished for a western extension to include the diversion of Burghey Brook, restoration to arable land using imported inert restoration materials and on-site matters in advance of the A12 widening and for the continuation of mineral extraction without compliance for a temporary period, to enable the importation of sand and gravel from the western extension, importation of inert material, to include additional water lagoons on site and a temporary increase in HGV movements to enable accelerated progression of the western extension restoration scheme to return the land to formation level in advance of the A12 road widening. The documentation states that these activities are necessary in view of the potential upgrades of the A12 and an application was made at ESS/10/18/BTE which was granted. Six changes have been identified should the A12 alignment proceed namely - New primary route into the quarry, relocate the plant site, a need to ensure that the current void space under the preferred route is restored, remove remaining minerals on the proposed route as per national and local policy guidance, the construction of the A12 would compromise the approved restoration landform and the construction of the A12 will compromise the approved restoration habitat distribution.

**Recommendation:-** The proposed route of the A12 will significantly impact on the Quarry site. Originally it was estimated that the sand/gravel extraction and restoration of the site would take between 16 to 18 years. It was envisaged that there would be 58 HGV movements a day, although a finalised application increased this to 150 HGV movements a day and was approved. It is now suggested that for a period of two years whilst this restoration of imported materials is carried out the number of HGV movements a day could be as high as 300 i.e. double. The Transport Statement suggests that there will be demonstrable impact on traffic. It is suggested that in view of the impact such high numbers would have on local traffic that the HGVs should all use the A12 to leave Witham rather than using local roads such as to Braintree going past a number of schools en route.

Application & Address	Proposal	BDC Decision	WTC Decision Agenda Item 9
21/00795/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 - One large Walnut tree in the rear garden which is very close to house.	Application Permitted	raised no objection subject to the District Council's Landscape Officer's advice.
21/00649/HH - 16 Henderson Way Witham Essex CM8 1GN	Single-storey rear extension	Application Permitted	No objection subject to a hipped roof on the extension so that there would be no issues with light or maintenance.
21/00335/FUL - Hut Of 1st Witham Scouts Newland Street Witham Essex CM8 2HD	Re-roof single-storey lower activity	Application Permitted	raise no objection subject to the advice of the Listed Buildings Officer
21/00052/FUL - 3A Cypress Road Witham Essex CM8 2SR	Erection of external bin enclosure	Application Permitted	raised no objection

<p>20/02161/FUL - Kelsale White Horse Lane Witham Essex CM8 2BU</p>	<p>Erection of single-storey 1 bedroom detached bungalow adjacent to existing property.</p>	<p>Application Permitted</p>	<p>recommended refusal on the grounds of gross over-development of site, inadequate amenity space contrary to the Essex Design Guide, contrary to Essex Highways' opinion that the roadway would not support further development and inadequate parking provision contrary to RLP 10</p>
<p>19/02196/FUL - Land At Cut Throat Lane Witham Essex CM8 2BY</p>	<p>Development of a standby gas powered generation facility, incorporating improved access provision, internal access tracks, security fence, gas generators and associated infrastructure.</p>	<p>Application Permitted</p>	<p>raises 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.</p>
<p>21/00758/HH - 3 Mersey Road Witham Essex CM8 1LL</p>	<p>Two-storey side and single-storey rear extension.</p>	<p>Application Permitted</p>	<p>raised no objection</p>
<p>21/00655/HH - 85 Haygreen Road Witham Essex CM8 1GT</p>	<p>Proposed single storey rear extension</p>	<p>Application Permitted</p>	<p>raised no objection</p>

21/00514/VAR - Land Adjacent To Victoria Cottages Powers Hall End	Variation of Condition 2 (Approved Plans) of permission 20/00185/FUL granted	Application Refused	recommended refusal on the grounds of lack of amenity space in line with National Planning Guidelines and contrary to RLP10.
21/00512/HH - 22 Duncombe Close Witham Essex CM8 1GR	Erection of single-story rear extension	Application Permitted	raised no objection

[Back to Agenda](#)



Agenda Item 10

**Subject:** Defective Speed Inhibitor

Good morning.

I am writing this email in the hope that you could spend some time rectifying a worrying situation that is escalating outside my mother's property.

I have copied her and also the head of the court's management team in with this email, as well as attaching photos of the speed hump's location to the building.

I would like to report a pair of defective speed inhibitors on Maltings Lane, Witham. The inhibitors in question are located outside Denholm Court which is a grade 2 listed building comprising of 7 individual properties.

Maltings Lane is frequently used by large HGV's as a through road as they head to Maldon and the surrounding areas, presumably being directed by their SatNav, even though the council has gone to the great expense of creating an effective spine road with the intention of alleviating this problem.

The exacerbation of this problem is accelerated by a faulty speed hump outside of Denholm Court that now "booms" under large vehicles, many of whom do not slow down anyway. This, in turn, shakes the property, both in its structure and its contents.

Please can I ask that you look into this matter with some urgency and bring it to the attention of the Highways Department (who advised me to contact you first).

Kind regards,

Sarah Jennings  
Watergate Bay Touring Park

*Photos will be on presentation*

**From:** Matthew Elsey <[Matthew.Elsey@essexhighways.org](mailto:Matthew.Elsey@essexhighways.org)>

**Sent:** 27 April 2021 15:23

**To:** Assistant Clerk <[assistantclerk@witham.gov.uk](mailto:assistantclerk@witham.gov.uk)>

**Subject:** Re: Defective Speed Inhibitor

Hi Hayley

I've taken a look at the speed humps and can't find anything wrong with them

I tried to lift them on all corners and was unsuccessful so they are definitely secure to the carriageway

I also watch as several cars drove over them and again they showed no sign of not being secure to the carriageway or damaged

I can only again suggest the issue is from vehicles driving over them too fast

There is no weight limit on this road either so although i agree this road should not be used as a cut through there is nothing to stop large vehicles from using this road

The only thing i can suggest is going onto the ECC Highways website and trying to find ether highways improvements (which is different from myself in maintenance) or seeing if there is any information on the highways location improvements panel and ask them if anything can be done in regards to moving the speed humps further up or down the road away from their property or having a 7.5 tone weight limit put onto this road to help with traffic numbers

Hope this is of some help

Thanks

Matt

Matthew Elsey | Highways Inspector

Highways

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Hi Kevin,

I have a resident in South Ward who has complained about a defective speed hump in Maltings Lane (see her email below). She has concerns regarding the noise created from vehicles going over the hump near her property.

I have been in touch with my contact at Highways who has confirmed the following - "I've taken a look at the speed humps and can't find anything wrong with them.

I tried to lift them on all corners and was unsuccessful so they are definitely secure to the carriageway.

I also watch as several cars drove over them and again they showed no sign of not being secure to the carriageway or damaged.

I can only again suggest the issue is from vehicles driving over them too fast.

There is no weight limit on this road either so although I agree this road should not be used as a cut through there is nothing to stop large vehicles from using this road.

The only thing I can suggest is going onto the ECC Highways website and trying to find ether highways improvements (which is different from myself in maintenance) or seeing if there is any information on the highways location improvements panel and ask them if anything can be done in regards to moving the speed humps further up or down the road away from their property or having a 7.5 tone weight limit put onto this road to help with traffic numbers"

It appears that this issue is therefore actually with the heavy goods vehicles going through Maltings Lane rather than using the slip road around Gershwin Boulevard. We could look at making a request for a scheme to improve this situation to the Local Highways Panel. For this process to start would you be happy to support the resident's concerns? We can then put it on an agenda to be heard at a Planning Apps and Transport Committee meeting. If support is received by the Committee, we will be able to make an application to the LHP. (<https://www.essexhighways.org/lhp-request-public>)

Please let me know what you think.

I have already advised the resident that I have reported her concerns to Highways but I am due to email her again to let her know the outcome of the Highways inspection. Are you happy for me to confirm that I have contacted you for support?

Many thanks,

Hayley

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[Back to Agenda](#)