

## NOTE 6 P.M. START TIME



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

## AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Tuesday, 30th May 2023** 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:	P.	Barlow	(Chairman)
		J.C.	Coleman	(Vice Chairman)
		E.	Adelaja	
		J.M.	Coleman	
		L.	Headley	
		J.	Martin	
		R.	Ramage	
		A.	Sloma	
		E.	Williams	

### 1. **APOLOGIES**

To receive apologies for absence.

### 2. **MINUTES**

To receive the Minutes of the Meeting of the Planning & Transport Committee held 2nd May 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 regarding any item on the Agenda.

*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. A12 WIDENING**

To receive and agree the Statement of Common Ground in relation to the Application for a Development Consent Order for the Widening of the A12 ([attached](#) at page 3).

**6. PLANNING OFFICER'S REPORT**

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

**7. 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.*

**8. PART 2 APPLICATIONS**

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

**9. REVISED PLANS/URGENT PLANS**

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

**10. HATFIELD ROAD SPEEDING CONCERNS**

The decision was taken at Minute 310 of Meeting held 2nd May 2023 to further consider the speeding issues and the development behind the Jack and Jenny.

**11. DECISIONS**

To receive and note decisions on planning applications pertaining to Witham which have been received from Braintree District Council ([attached](#) at page 26).



Nikki Smith  
Town Clerk  
GK/SS 23.2.2023

Agenda Item 5

A12 Chelmsford to A120 widening scheme

Statement of Common Ground with Witham Town Council



Table 3.2 Issues in discussion.

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
1	Loss of Land at Whetmead Nature Reserve		<i>Loss of land at Whetmead Nature Reserve.</i>	<p>Please see response to Relevant Representation, RR-084-002.</p> <p>Is accepted that a narrow strip of land from the Whetmead LNR, adjacent to the A12 needs to be acquired for the widening of the A12.</p> <p>Adjacent to this land is required temporarily for modifications to utilities crossing or adjacent to the A12. Permanent rights need to be acquired over this land for the utility companies.</p> <p><u>Access to be maintained where practical during works at Brain Bridge.</u></p>	<del>In-discussion</del> Agreed in principle (subject to Council resolution)	27/04/05/2023
2	Proposed Replacement Land is Inadequate for a Nature Reserve	<p>Environmental Statement, Chapter 9, Biodiversity [APP-076]</p> <p>Environmental Statement, Figure 2.1 Environmental</p>	<i>Proposed replacement land is inadequate for a nature reserve. Concerns include required access and maintenance to make the areas enjoyable to the public.</i>	<p>Please see response to Relevant Representation, RR-084-002.</p> <p>National Highways has sought to provide replacement land as close to the loss of the existing open space as is practicable. The parcels identified are both currently woodland adjacent to the existing A12 and would replace the existing woodland strip adjacent to the A12 in the</p>	Agreed in principle (subject to Council resolution) <del>In-discussion</del>	27/04/05/2023

A12 Chelmsford to A120 widening scheme

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Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		Masterplan Part 1 [APP-086]		<p>Whetmead Nature Reserve. The plots identified as replacement land for Witham Town Council either border the existing Whetmead Nature Reserve or connect with an existing Public Right of Way (PRoW).</p> <p>National Highways will work with Witham Town Council to develop a suitable landscaping design and access design.</p> <p><a href="#">Subject to plot 8/45f being accepted into examination. WTC are happy with the proposed Replacement Land</a></p>		
3	Slow Moving Vehicles banned on the A12 and the alternative route through Witham Town Centre		<i>Understanding that agricultural traffic will not be permitted on the A12 and the implications this will have on Witham town centre traffic</i>	<p>Please see response to Relevant Representation, RR-084-003.</p> <p>National Highways does not believe the volume of Slow Moving Vehicles (SMVs) is such that it is inappropriate for use around the current route around Witham without current weight restraints.</p> <p>National Highways does not believe it proportionate to amend the existing weight restriction through the Town Centre. But will work with Witham Town</p>	<a href="#">Agreed in principle (subject to Council resolution) in discussion</a>	27/04/05/2023

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 Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
				Council and Essex County Council, as the Highways Authority, should they wish to amend the existing orders.		
4	Traffic during the A12 Construction	Outline Construction Traffic Management Plan (OCTMP) [APP-273; REP4-033]  OCTMP, Appendix A: Proposed Diversion Routes Part 2 [APP-274]  OCTMP, Appendix B: Permitted and Excluded Routes for Construction Vehicles (plans) [APP-	<i>Overall traffic issues for Witham during the course of construction</i>	Please see response to Relevant Representation, RR-084-004.  The traffic management philosophy of the proposed scheme, as set out in Section 1.1 - Purpose and Objectives of the Outline Construction Traffic Management Plan (OCTMP) [REP4-033; APP-273], is to minimise disruption to all road users, business and communities. This is delivered through developing traffic management designs based on strategies to keep as much traffic as is practical on the existing A12, to avoid the desire for road users to divert onto local roads such as through Witham, and through proactive communication with local authorities, communities and wider road user groups.  Witham Town Council will be invited as a local authority to the Local Area Traffic Management	<a href="#">Agreed in principle (subject to Council resolution) in discussion</a>	04/05/2023 27/01/2023

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A12 Chelmsford to A120 widening scheme

Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		<a href="#">275REP2-004</a>		Forum where communication, input into and review of plans, restrictions and closures affecting local communities will be discussed.  <a href="#">3<sup>rd</sup> Saturday in September and 1<sup>st</sup> Saturday in December, preference for traffic management closures to be avoided due to WTC events.</a>		
5	Operational noise	Environmental Statement, Chapter 12, Noise and vibration [APP-079]  Environmental Statement, Figure 12.8 Noise Change Contour Map Sheets 4 and 5 [APP-235]	Road noise from operation of A12	Please see response to Relevant Representation, RR-084-005.  The extent of enhanced low noise surfacing goes from east of junction 21 past junction 22, ensuring the benefits of the enhanced low noise surfacing to the community of Witham.	In discussion	27/01/2023
6	Construction noise		Noise during the construction period.	National Highways continues to investigate the construction methodology for the retaining walls on the north side of the	In discussion	27/01/2023

A12 Chelmsford to A120 widening scheme



Statement of Common Ground with Witham Town Council

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
				A12 by Market Lane ( <a href="#">can this be updated</a> ). National Highways will, if practicable, aim to maintain the existing noise barrier during the construction works.		
7	Loss of mature Trees and Shrubs	Environmental Statement, Chapter 9, Biodiversity [APP-076]  Retained and Removed Vegetation Plans, Part 1 [APP-035] and Part 2 [AS-017]  Environmental Statement, Chapter 3, Assessment of Alternatives [APP-070]	<i>Loss of mature trees and shrubs</i>	Please see response to Relevant Representation, RR-084-006.  The Applicant acknowledges that construction of the proposed scheme would result in adverse impacts to Whetmead Local Nature Reserve and Local Wildlife Site through the permanent loss of 0.89ha of semi-natural broadleaved woodland habitats adjacent to the A12 on the western boundary of the nature reserve. This loss would occur during site clearance to enable widening of the existing A12 carriageway and construction of a retaining wall. This would be mitigated through provision of approximately 2ha of new habitats in an area immediately south of and outside the site as detailed in Section 9.10 of Chapter 9: Biodiversity, of the	<a href="#">Agreed in principle (subject to Council resolution)</a> <del>in discussion</del>	<a href="#">04/05/2023</a> <del>27/01/2023</del>



A12 Chelmsford to A120 widening scheme



Statement of Common Ground with Witham Town Council

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		<p>First iteration Environmental Management Plan (EMP) Appendix A: Register of Environmental Actions and Commitments (REAC) [APP-086REP4-023]</p> <p>Environmental Statement, Figure 2.1, Environmental Masterplan [APP-086, APP-087 and APP-088REP4-015]</p>		<p>Environmental Statement, [APP-076].</p> <p>For the wider proposed scheme, it is acknowledged there would be a loss of mature trees and shrubs including woodland and five potential veteran trees. Vegetation loss and retention is illustrated on the Retained and Removed Vegetation Plans [APP-035 and AS-017].</p> <p>A landscape design is proposed to mitigate the effects of lost vegetation and screening.</p>		
8	Loss of Access to Local Nature Reserve during construction		<i>Loss of access to nature reserve during construction</i>	<p>Please see response to Relevant Representation, RR-084-007.</p> <p>National Highways has confirmed to Witham Town Council that its representatives, subject to suitable Health and</p>	<p><a href="#">Agreed in principle (subject to Council resolution) in discussion</a></p>	<p><a href="#">04/05/2023</a></p> <p><a href="#">27/01/2023</a></p>

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 Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
				Safety and any practical requirements, would be permitted access to Whetmead LNR in order to carry out ongoing maintenance activities.		
9	LNR is a Historic Landfill site	Environmental Statement, Chapter 10 Geology and Soils [APP-077]  First iteration Environmental Management Plan (EMP) Appendix A: Register of Environmental Actions and Commitments (REAC) [APP-185REP4-023]  First Iteration Environmental Management Plan, Appendix D: Land Contamination	<i>Sharing of ground investigation information from Whetmead LNR</i>	Further ground investigation has been undertaken in the Whetmead historic landfill area. Results will be shared with Witham Town Council when available.  <a href="#">NH to provide where to find information regarding ecological surveys on PINS website.</a>	<del>in discussion</del> Agreed in principle (subject to Council resolution)	27/04/05/2023

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A12 Chelmsford to A120 widening scheme



Statement of Common Ground with Witham Town Council

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		Management Plan [APP-188]				
10	Whetmead as translocation zone	Environmental Statement, Figure 2.1, Environmental Masterplan [APP-086]	<i>Whetmead was used as a translocation zone</i>	Please see response to Relevant Representation, RR-084-008. National Highways welcomes discussions with the <del>interested</del> <del>Interested party</del> <del>Party</del> regarding the creation of ecological and other environmental enhancements where appropriate by agreement within the existing nature reserve, such as hibernacula and log piles to increase carrying capacity for reptiles.	<del>Agreed in principle (subject to Council resolution)</del> <del>in discussion</del>	<del>04/05/2023</del> <del>27/01/2023</del>

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**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.

23/01121/HH	2 The Paddocks, Witham, Essex	Central	Proposed first floor side extension and single storey rear extension
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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.

23/00836/FUL	Land South Of, Gershwin Boulevard, Witham	South	Erection of 18 no business and light industrial units (Use Class E(g)) with servicing, associated car parking, landscaping and infrastructure
23/00827/FUL	Land Opposite, The Old Pottery Kiln, Gershwin Boulevard	South	Erection of 3No. retail units (Class E (a or b)), a drive thru restaurant, (McDonalds, Class Sui Generis) and a drive thru coffee shop (Class E), and an electric vehicle charging station with associated access, parking and landscaping
23/00873/ADV	Land Opposite, The Old Pottery Kiln, Gershwin Boulevard	South	Installation of: 2NO. Custom letter fascia signs , 3NO. Booth Lettering Signs, 1NO Digital Booth Screen
23/00875/ADV	Land Opposite, The Old Pottery Kiln, Gershwin Boulevard	South	Installation of a freestanding totem sign
23/00874/ADV	Land Opposite, The Old Pottery Kiln, Gershwin Boulevard	South	Installation of: 3NO Double 1NO Single - Freestanding internally illuminated digital menu signs, 2NO. Banner units, 1NO. internally illuminated play land sign, 18NO. Dot signs comprising of: 2NO Accessible bays, 2NO Parked order bays, 3NO litter, 2NO No entry, 2NO Pedestrian crossing, 2NO Give way, 3NO Look left and 2NO Look right
23/01068/FUL	The Swan Public House, 153 Newland Street, Witham	Central	Demolition of single storey function room and proposed 1No. two bedroomed unit to provide holiday accommodation

23/00995/FUL	Land Rear Of 95 Newland Street, Newland Street, Witham	Central	Erection of 7No. 1-bedroom flats in a two-storey building including occupied loft building, with associated parking and hard and soft landscaping
23/01089/VAR	Witham Power Generation Plant, Cut Throat Lane, Witham	Northern	Variation of Conditions 2 (Approved Plans) and 5 (Landscaping) of approved application 21/03355/VAR granted 09.02.2022 for: 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. Variation would allow for: - Changes to the orientation and footprint of the welfare cabin - Changes to the positions of other ancillary equipment - Changes to the site access
23/00992/ADV	82 Newland Street, Witham, Essex	Central	Refurbishment of shopfront including replacement of fascia sign and hanging sign, and repainting of front elevation
23/01178/TPO	1 Nicholas Court, Collingwood Road, Witham	Centre	Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 18/76 - Pollarding of Lime Trees
23/01102/FUL	5 Wheaton Road, Witham, Essex	Centre	Partial demolition of existing two-storey workshop bay incorporating ground and first floor admin and office suites and remodelling to create new office and administrative support areas. Alterations and re-roofing of attached factory and service bays. Removal of single-storey later addition to existing workshop and service bay building. Associated landscaping reinstatement and operational development. Application follows earlier part implemented scheme under 21/03147/FUL.
23/01113/VAR	Land Rear Of, 59 Bridge Street, Witham	Hatfield	Variation of Condition 2 (Approved Plans) of approved application 21/00318/FUL granted 12.12.2022 for: Erection of a single-storey two bedroomed detached dwellinghouse. Variation would allow for: - Addition of velux window at front of roof

## Witham Town Council – Planning Application Report

**Application No:-** 23/00836/FUL

**Address:-** Land South Of, Gershwin Boulevard, Witham

**Ward:-** South

**Proposal:-** Erection of 18 no business and light industrial units (Use Class E(g)) with servicing, associated car parking, landscaping and infrastructure

**Relevant Site History:-**

**Representations:-**

**Summary:-** This triangular site is located in a defined development boundary. The southern boundary is the A12 and access is off Griggs Way (which has the Mercedes Benz garage to the right and the Palet store at the end). The proposal is to provide 18 units of varying sizes, according to need and have potential for future mezzanine floor to allow for expansion. There will be a service yard, vehicle turning and parking. There will be 105 car parking spaces including 5 accessible bays, 48 cycle spaces and 6 for motor bikes. The buildings are set within an established hedgerow and the perimeter landscaping buffer will be strengthened and enhanced. Additional tree planting is proposed in the car park and a wildflower meadow proposed between the hedge and and the buildings around the perimeter.

**Recommendation:-** Proposals for this employment land have been a long time coming. Whilst recommending approval I would suggest that this be subject to noise mitigation if any of the units are operational 24/7. Where possible water harvesting should be installed to allow for watering the new trees on the estate which should be nurtured during dry spells and any that fail within ten years be replaced; and efficient heating systems installed in accordance with LPP71 and LPP72.

## Witham Town Council – Planning Application Report

**Application No:-** 23/00827/FUL

**Address:-** Land Opposite, The Old Pottery Kiln, Gershwin Boulevard

**Ward:-** South

**Proposal:-** Erection of 3No. retail units (Class E (a or b)), a drive thru restaurant, (McDonalds, Class Sui Generis) and a drive thru coffee shop (Class E), and an electric vehicle charging station with associated access, parking and landscaping

**Relevant Site History:-**

**Representations:-**

**Summary:-** This site is on the corner of Hatfield Road and Gershwin Boulevard with vehicular access from Griggs Way with several separate pedestrian access points. The site is designated in the Local Plan as retail warehousing but because of the challenges faced by the developer pre-application meetings have been held with the Planning Officers and the change to include a drive thru restaurant and coffee shop would be supported if evidence of marketing completed for the allocated use and completion of sequential test and retail impact assessment. The Drive Thru lane for McDonalds would be away from the central parking area. The car park will be one way with easy access to Costa Coffee. There will be landscaping around the perimeter of the site with wildflower meadow, and tree planting in the car park. Each building would have a refuse 'corral'. The car park will be well lit likewise the pedestrian walkways. McDonalds would have a primary heating and cooling system via an air source pump. Solar photovoltaic would be considered for the site. There would be a kitchen extractor fan. Opening hours would be restricted from 6 a.m. to 11p.m. There will also be an electric vehicle charging station with 6 bays, but there is space for additional bays to be added if demand requires. There are a total of 112 parking spaces, including 7 accessible spaces and in total 28 cycle spaces.

**Recommendation:-** This parcel of land was originally designated for retail warehousing but marketing over the years had proved to be unsuccessful. With the A12 improvements the site would be ideal for motorists requiring a break or to charge their electric vehicles. It has also been a long term wish of young people to have a McDonalds in the town rather than they travel to Braintree or further afield. This will be a controversial application but on planning grounds, would suggest no objection



## Witham Town Council – Planning Application Report

**Application No:-** 23/00873/ADV

**Address:-** Land Opposite, The Old Pottery Kiln, Gershwin Boulevard

**Ward:-** South

**Proposal:-** Installation of: 2NO. Custom letter fascia signs , 3NO. Booth Lettering Signs, 1NO Digital Booth Screen

**Relevant Site History:-**

**Representations:-**

**Summary:-** The signage is for the collection and cash booth at the proposed McDonalds. The lettering will be internally illuminated but does not exceed the recommended level of brightness.

**Recommendation:-** Would recommend no objection.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/00875/ADV

**Address:-** Land Opposite, The Old Pottery Kiln, Gershwin Boulevard

**Ward:-** South

**Proposal:-** Installation of a freestanding totem sign

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposed totem pole will be located on the Hatfield Road side of the building. It will be ten metres tall with three individual signs with the yellow 'M' and drive thru logo being back lit

**Recommendation:-** This would be standard McDonalds signage and would not be lit when the restaurant is closed. Would recommend no objection.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/00874/ADV

**Address:-** Land Opposite, The Old Pottery Kiln, Gershwin Boulevard

**Ward:-** South

**Proposal:-** Installation of: 3NO Double 1NO Single - Freestanding internally illuminated digital menu signs, 2NO. Banner units, 1NO. internally illuminated play land sign, 18NO. Dot signs comprising of: 2NO Accessible bays, 2NO Parked order bays, 3NO litter, 2NO No entry, 2NO Pedestrian crossing, 2NO Give way, 3NO Look left and 2NO Look right

**Relevant Site History:-**

**Representations:-**

**Summary:-** This application is for a proliferation of signs and internally illuminated menus that you would expect for McDonalds.

**Recommendation:-** Would recommend no objection.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/01068/FUL

**Address:-** The Swan Public House, 153 Newland Street, Witham

**Ward:-** Central

**Proposal:-** Demolition of single storey function room and proposed 1No. two bedroomed unit to provide holiday accommodation

**Relevant Site History:-** There have been previous applications for this site. Originally permission was granted to demolish the function room and create a beer garden but at 19/01287/FUL the application to create a two bedroomed dwelling was refused on the grounds that this would be a more vulnerable development as it is located within a Flood Zone 3a. The Town Council recommended refusal on the grounds that access arrangements are insufficient as the proposed access point is via a private road. It was suggested that any proposed development making use of this access should be subject to a covenant to contribute to maintenance costs.

**Representations:-** Up to the time of writing this report there have been five objections.

**Summary:-** The Swan Public House is in the Conservation Area but the building itself is not listed. The proposal is to demolish the function room to the rear of the property and create holiday accommodation.

**Recommendation:-** The objections made against the previous application stand. Would suggest recommend refusal on the grounds that access to the site is inadequate.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/00995/FUL

**Address:-** Land Rear Of 95 Newland Street, Newland Street, Witham

**Ward:-** Central

**Proposal:-** Erection of 7No. 1-bedroom flats in a two-storey building including occupied loft building, with associated parking and hard and soft landscaping

**Relevant Site History:-** There have been a number of previous applications for this site and has a pending application for a terrace of 3 mews houses on 22/00385/FUL which the developer does not wish to proceed with.

**Representations:-** One representation and one of support. Hunnaball Funeral Group has complained that the access road between their premises and the adjacent bank would be inadequate, there would be disruption to their business, the parking bays are of insufficient width, potential for the refuse area to the rear of their premises to be an environmental risk and unobscured views to the rear of their premises could cause distress.

**Summary:-** This land is currently used as hard standing and informal car parking. The proposal is to erect an apartment block with seven one bedroom flats over two floors with an occupied loft. There would be two grassed areas for the residents and a total of nine parking spaces. There will be a bike store and bin store.

**Recommendation:-** There is a precedent for back land development of this type in the town centre and has been a policy of the Town Council to support. It is understandable for Hunnaballs to be anxious about this application as the access road is long and narrow and could cause conflict. In the past vehicular access to some of the site was from the rear. The Essex Design Guide recommends a parking space width of 2.9m and the width of the proposed bays is 2.75m. Would therefore recommend refusal on the grounds of potential for overlooking and access contrary to LPP52 c, m and n.

## Witham Town Council – Planning Application Report

**Application No:-** 23/01089/VAR

**Address:-** Witham Power Generation Plant, Cut Throat Lane, Witham

**Ward:-** Northern

**Proposal:-** Variation of Conditions 2 (Approved Plans) and 5 (Landscaping) of approved application 21/03355/VAR granted 09.02.2022 for: 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. Variation would allow for:

- Changes to the orientation and footprint of the welfare cabin
- Changes to the positions of other ancillary equipment
- Changes to the site access

**Relevant Site History:-**

**Representations:-**

**Summary:-** This is a variation on which we have been asked to comment. There will be minor tweaking to the layout.

**Recommendation:-** I would suggest no objection to the variation although concerns have been raised from allotment holders about shading of their plots and would therefore ask that the boundary be kept clear of landscaping which should be brought further into the site away from the affected plots.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/00992/ADV

**Address:-** 82 Newland Street, Witham, Essex

**Ward:-** Central

**Proposal:-** Refurbishment of shopfront including replacement of fascia sign and hanging sign, and repainting of front elevation

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is to paint the premises in the same colours and to replace the fascia and install a new hanging sign. The fascia and hanging sign will be in aluminium composite with vinyl graphics.

**Recommendation:-** This is in a Conservation Area and as such all materials should be traditional. Would recommend refusal on the grounds that materials are inappropriate in a conservation area but have no objection to the design.

**Policy References:-** LPP55g



## Witham Town Council – Planning Application Report

**Application No:-** 23/01178/TPO

**Address:-** 1 Nicholas Court, Collingwood Road, Witham

**Ward:-** Centre

**Proposal:-** Notice of intent to carry out works to trees protected by Tree Preservation Order TPO - 18/76 - Pollarding of Lime Trees

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is to pollard nine lime trees in the front of the flats.

**Recommendation:-** Lime trees should be regularly pollarded. The Tree Warden has been asked for advice and agrees with no objection. All Tree Applications are considered in part 2 and one of the Tree Wardens would be asked to comment. Once a decision is made it is usual to make it conditional to 'subject to the advice of the District Council's Landscape Officer'. Works to trees in a Conservation Area or on a tree protected by a tree order have to be part of an application. At the moment the District Council is using Essex County Council's Tree Officers to make site visits and make a recommendation to them. Would therefore recommend no objection subject to the advice of the District Council's Landscape Officer.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/01102/FUL

**Address:-** 5 Wheaton Road, Witham, Essex

**Ward:-** Centre

**Proposal:-** Partial demolition of existing two-storey workshop bay incorporating ground and first floor admin and office suites and remodelling to create new office and administrative support areas. Alterations and re-roofing of attached factory and service bays. Removal of single-storey later addition to existing workshop and service bay building. Associated landscaping reinstatement and operational development. Application follows earlier part implemented scheme under 21/03147/FUL.

**Relevant Site History:-**

**Representations:-**

**Summary:-** Applications on the Industrial Estates are normally considered under Part 2. This proposal is to adapt two existing buildings to better meet the needs of the business. Building 1 will have a later extension removed as well as a section at the side. Building 2 will be remodelled internally, with roof raised in part.

**Recommendation:-** This is on an industrial estate and applications to protect employment should be welcomed. Would therefore recommend approval.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 23/01113/VAR

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

**Ward:-** Hatfield

**Proposal:-** Variation of Condition 2 (Approved Plans) of approved application 21/00318/FUL granted 12.12.2022 for: Erection of a single-storey two bedrooomed detached dwellinghouse. Variation would allow for: - Addition of velux window at front of roof

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is to insert a velux window in the front of the roof.

**Recommendation:-** This was a controversial application. Permission was granted by the District Council for a two bedroom bungalow on part of the site behind 59 Bridge Street although access is very limited and within inches of a neighbour's side door. The property is just within the Conservation Area and the Historic Environment Team had raised concerns about the design citing particularly that a rooflight on the front elevation should be removed. I would therefore recommend that this variation be refused on the grounds that the velux window would be unacceptable in the Conservation Area and refer to the Historic Environment Team's letter of 22nd March 2021.

**Policy References:-** LPP53

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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 11
23/00530/TPOCON 8 The Avenue Witham Essex CM8 2DJ	Notice of intent to carry out works to trees in a Conservation Area:- Restorative pruning and thinning of a multistem Amalancia. This tree has become congested with various crossing branches. Removal of crossing branches and tidying or remaining tree. No intended reduction in overall size. Work on one tree only.	Application Permitted	Raised no objection subject to the advice of the District Council's Landscape Officer.	
23/00450/HH 32 Brain Road Witham Essex CM8 1LB	Single storey rear extension	Application Permitted	Raised no objection	
23/00447/HH 56 Gershwin Boulevard Witham Essex CM8 1QY	Single storey rear extension with lean to roof and 3 velux windows	Application Permitted	Recommended refusal on the grounds that this proposal would lead to an overdevelopment of the site that would result in a compromised garden contrary to In line with policy LLP36a and the Essex Design Guide.	
22/03229/FUL 9 Stepfield Witham Essex CM8 3TH	Demolition of existing warehouse and erection of new warehouse.	Application Permitted	Recommended approval	

23/00484/HH 65 Yare Avenue Witham Essex CM8 1TS	Single storey rear extension	Application Permitted	Raised no objection
23/00364/HH 58 Powers Hall End Witham Essex CM8 1LS	Erection of detached outbuilding to be used as home office. Demolition and replacement of existing garage/stable building.	Application Permitted	Raised no objection
23/00036/HH Gueth Cottage Maldon Road Witham Essex CM8 2AB	Proposed two storey front extension, first floor side extension over existing garage and 14.No. solar panels to roof.	Application Refused	Raised no objection subject to no representations from neighbours, obscure glass being used in the side window and appropriate tree protection.
22/03186/FUL Olivers Farm Maldon Road Witham Essex CM8 3HY	Extension of existing external storage area.	Application Permitted	Raised no objection
21/01542/FUL 2 Maldon Road Witham Essex CM8 2AB	Two-storey rear extension, internal reconfiguration, replacement windows and alterations to shopfront	Application Permitted	Recommended refusal on the grounds that the revised plans still show different fenestration to the existing window panes on the first floor and in place of a 'mirrored' ground floor the waiting room window has been enlarged.
23/00529/TPO 35 Barwell Way Witham Essex CM8 2TY	Notice of intent to carry out works to trees protected by Tree Preservation Order 5/75- To fell the Robinia Tree marked T1.	Status: Application Permitted	Raised no objection

23/00152/OUT Cullen Mill 49 Braintree Road Witham Essex CM8 2DD	Outline planning application with all matters reserved for redevelopment of the site involving the erection of 10 residential units and associated access and gardens.	Application Refused	Members recommended refusal on the grounds of elevation of design not reflecting or enhancing the area contrary to LPP52a, impact on neighbouring amenity contrary to LPP52c, design not being sensitive to the need to conserve and enhance local features of architectural and historic importance contrary to LPP52e; and outdoor amenity space not complying with the Essex Design. Members asked that if the application is considered by the Planning Committee that a Town Councillor attends the Meeting to give our representations.
22/02283/FUL Land North Of Colchester Road Witham Essex	Erection of two B8 (storage / distribution) units with office space and associated infrastructure.	Application Permitted With s106	Recommended approval subject to noise mitigation.
23/00768/TPOCON Boots The Chemist 42 Newland Street Witham Essex CM8 2AR	Notice of intent to carry out works to trees in a Conservation Area: 1 x Ash Tree: Crown reduction on building side to provide 3m clearance, removing approx. 3 m of regrowth.	Application Permitted	Raised no objection
23/00681/HH 3 Bradshaw Gardens Witham Essex CM8 1YL	Single storey rear extension.	Application Permitted	Raised no objection
23/00662/HH 81 St Nicholas Road Witham Essex CM8 2JE	Single storey side extension	Application Refused	Raised no objection
23/00627/LBC 85A Newland Street Witham Essex CM8 1AA	Removal of felt covering on box gutter and replace with EPDM reinforced membrane.	Application Permitted	Raised no objection subject to the Listed Buildings Officer being satisfied with the use of a modern material.