



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

## AGENDA

Meeting of: **Planning & Transport Committee**

Date: **Monday, 15th November 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.	Goodman	(Chairman)
A.	Kilmartin	(Vice Chairman)
K.	Atwill	
P.	Barlow	
S.	Hicks	
C.	Jay	
C.	Lager	
M.	Lager	
C.	Livermore	
S.	Rajeev	

**1. APOLOGIES**

To receive apologies for absence.

**2. MINUTES**

To receive the Minutes of the Meeting of the Planning Applications & Transport Committee held 1st November 2021 (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. 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. SAUL'S BRIDGE**

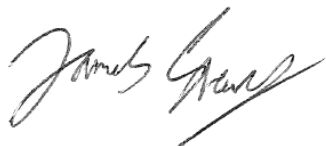
To receive a letter from a concerned resident regarding the number of HGVs using Saul's Bridge and information given by Essex Highways ([attached](#)).

**10. DECISIONS**

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

**11. LOCAL HIGHWAYS PANEL**

To receive an extract from the Local Highways Panel Meeting held 30th September 2021 ([attached](#)).



James Sheehy  
Town Clerk  
GK/9.11.2021

**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.

21/03296/HH	10 Raven Drive, Witham, Essex	Hatfield	Insertion of obscure-glazed first floor flank window
21/03245/HH	28 Claudius Way, Witham, Essex	Hatfield	Conversion of existing integral garage to a workshop / room with a separate toilet / shower area and link extension to connect to existing house

## 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)

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21/03207/TPOCON	19 The Paddocks, Witham, Essex	Central	Notice of intent to carry out works to trees in a Conservation Area
21/03208/TPO	10 Hollybank, Witham, Essex	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order 6/76
21/03138/TPOCON	Noel Pelly House, 15 Collingwood Road, Witham	Central	Notice of intent to carry out works to tree in a Conservation Area
21/03191/FUL	Southview School, Conrad Road, Witham	North	Internal remodelling of the existing building and a new teaching block at Southview School
21/03253/TPO	13 The Paddocks, Witham, Essex	Central	Notice of intent to carry out works to tree protected by Tree Preservation Order 6/74 - Horse-chestnut
21/03292/TPOCON	34 Mill Lane, Witham, Essex	Central	Notice of intent to carry out works to trees in a Conservation Area
21/03265/FUL & 21/03266/LBC	Ground Floor Office, Blue Post House, 128 Newland Street	Central	Change of use from retail (Use Class E(a)) to a gym (Use Class D2).
21/03288/FUL	Barclays Bank Plc, 59 Newland Street, Witham	Central	Removal of existing ATM. Section of existing ATM's aperture to be infilled by stonework to match existing stonework. Section of existing window in ATM's aperture area to be re-instated to match existing window. Removal of existing night safe. Existing night safe's aperture to be infilled by stonework to match existing stonework. Section of existing window in night safe's aperture area to be re-instated to match existing window.

## Witham Town Council – Planning Application Report

**Application No:-** 21/03207/TPOCON

**Address:-** 19 The Paddocks, Witham, Essex

**Ward:-** Central

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

**Relevant Site History:-**

**Representations:-**

**Summary:-** Proposal is to remove 2 metres from the top of a Holly and reduce by a metre on the sides and cut other Holly back to old cutting points

**Recommendation:-** The Tree Warden has recommended no objection. Suggest following Tree Warden's recommendation subject to the advice of the Landscape Officer

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/03208/TPO

**Address:-** 10 Hollybank, Witham, Essex

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to trees protected by Tree Preservation Order 6/76

**Relevant Site History:-**

**Representations:-**

**Summary:-** Repollard 2 Lime trees, Reduce a Yew by 1.4 max and trim another Yew

**Recommendation:-** The Tree Warden has recommended no objection. Suggest following Tree Warden's recommendation subject to the advice of the Landscape Officer

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/03138/TPOCON

**Address:-** Noel Pelly House, 15 Collingwood Road, Witham

**Ward:-** Central

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

**Relevant Site History:-**

**Representations:-**

**Summary:-** Cherry (T1) - fell to ground level due to damage to nearby wall and surface roots causing a trip hazard to residents

**Recommendation:-** The Tree Warden has made a site visit and recommends that this application be refused until there are details available regarding the planting of a replacement tree.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/03191/FUL

**Address:-** Southview School, Conrad Road, Witham

**Ward:-** North

**Proposal:-** Internal remodelling of the existing building and a new teaching block at Southview School

**Relevant Site History:-**

**Representations:-** Sport England has objected to the application on the grounds that part of the adjacent playing field/netball court will be lost as part of the development. It has suggested that the netball courts be replaced with equivalent or better facilities.

**Summary:-** The proposal is to erect a new teaching block adjacent to the side of the school and remodel the existing building. Southview caters for children/young people from the ages of 3 to 19 with physical and neurological difficulties. The new building will have six classrooms, associated group rooms and library, offices and toilet facilities and be sited on courts used by Elm Hall School. The building will be single storey and measure approximately 35m by 20m and have facing brickwork, vertical larch cladding and be double glazed with aluminium windows and doors. The proposed remodelling of the existing building is internal to include new toilet provisions and provision of a new corridor to provide connection to the playground and new building.

**Recommendation:-** The size of the school does not comply with national guidelines. The new building will be built on adjacent Elm Hall School land currently use as netball/tennis courts. It states in the Design and Access statement that these facilities will be built elsewhere on the site but does not specify where exactly. Recommend Approval.



## Witham Town Council – Planning Application Report

**Application No:-** 21/03253/TPO

**Address:-** 13 The Paddocks, Witham, Essex

**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to tree protected by Tree Preservation Order 6/74 - Horse-chestnut

**Relevant Site History:-**

**Representations:-**

**Summary:-** The applicant has suggested that the horse chestnut needs to be felled as the limbs are heavy and could fall.

**Recommendation:-** The Tree Warden has advised that it is unnecessary to fell the tree and the branches should be reduced by 4 feet. Recommend refusal on the grounds above and subject to the advice of the District Council's Landscape Officer.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/03292/TPOCON

**Address:-** 34 Mill Lane, Witham, Essex

**Ward:-** Central

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

**Relevant Site History:-**

**Representations:-**

**Summary:-** Remove Leylandii tree

**Recommendation:-** The Tree Warden has made a site visit and recommends no objection.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 21/03265/FUL & 21/03266/LBC

**Address:-** Ground Floor Office, Blue Post House, 128 Newland Street

**Ward:-** Central

**Proposal:-** Change of use from retail (Use Class E(a)) to a gym (Use Class D2).

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposal is for a change of use from retail to a gym. The property is a Grade II Listed Building in a Conservation Area.

**Recommendation:-** This would appear to be an empty office at present and to bring it back into use would benefit the building. The applicant states that the work to the interior would be minimal and very few original period features remain. There are no details about the proposed signage except to say that it is a company sign as per existing business at the property. Would recommend refusal until detailed plans of the sign are submitted.

**Policy References:-** Policy References:- RLP 108 & RLP 109

## Witham Town Council – Planning Application Report

**Application No:-** 21/03288/FUL

**Address:-** Barclays Bank Plc, 59 Newland Street, Witham

**Ward:-** Central

**Proposal:-** Removal of existing ATM. Section of existing ATM's aperture to be infilled by stonework to match existing stonework. Section of existing window in ATM's aperture area to be re-instated to match existing window. Removal of existing night safe. Existing night safe's aperture to be infilled by stonework to match existing stonework. Section of existing window in night safe's aperture area to be re-instated to match existing window.

**Relevant Site History:-**

**Representations:-**

**Summary:-** The proposed work is to bring the building to pre-Barclays occupation so all the signage will be removed along with the ATM and Night Safe. The apertures will be infilled by stonework to match existing or window reinstated respectively. It is also proposed to remove all internal counters and internal furniture. The building is not Listed but in a Conservation Area.

**Recommendation:-** Subject to the advice of the Listed Building's Officer in regard to materials, recommend no objection.

**Policy References:-** RLP 108

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Agenda Item 9

Invicta Maldon road

Witham

Essex CM81HP

Dear Witham town council,

I would like to ask for the council to appeal to Essex police to monitor the traffic going over Saul's bridge on Maldon road.

As you are aware of the Gimson's development it seems now more poignant than ever that HGV traffic is stopped from using it.

Over the past few years I have noticed that it is being used more regularly and the development seems now to be making it worse.

I shall also be writing to Essex police to ask if they will be able to monitor and curb drivers violating the weight limit.

Yours Sincerely

John Jessop

Dear Mrs Kennedy

Thank you for contacting us on 8 November 2021 with your concerns regarding breaches to a weight restriction limit in Sauls Bridge, Witham.

Enforcement for weight limit orders can be carried out by Essex Police and Essex Highways. At this time in order to protect and safeguard highway assets Essex Highways prioritises its enforcement activity towards weight limit orders placed over weak structures and not environmental weight limits. Please see the following for further information: <https://www.essexhighways.org/uploads/docs/weight-restriction-order-enforcement-policy.pdf>

You may also wish to report this to Essex Police using their online portal: <https://www.essex.police.uk/ro/report/>

Thank you for drawing this matter to our attention and trust the above has provided you with sufficient information.

Kind Regards

**Emily**

Regulatory and Compliance Officer

**Compliance and Complaints**

Statutory and Regulated Customer Services



## **Weight Restriction Order Enforcement Policy**

### **1. About this policy**

- 1.1. This policy explains how Essex Highways will approach enforcement of Weight Restriction Orders and forms part of, and should be read in conjunction with, the Highways Authority Enforcement Policy.
- 1.2. The flowcharts on the following two pages outline the process that will be followed when investigating contraventions of both environmental Weight Restriction Orders (put in place to prevent heavy goods vehicles using unsuitable roads on the grounds of safety, noise, pollution, etc.) and structural Weight Restriction Orders (implemented to protect weak bridges, roads and culverts from damage). The fundamental aim of this policy is to ensure a consistent and fair approach to enforcement that reflects the seriousness of the contravention under investigation.

### **2. Prioritisation**

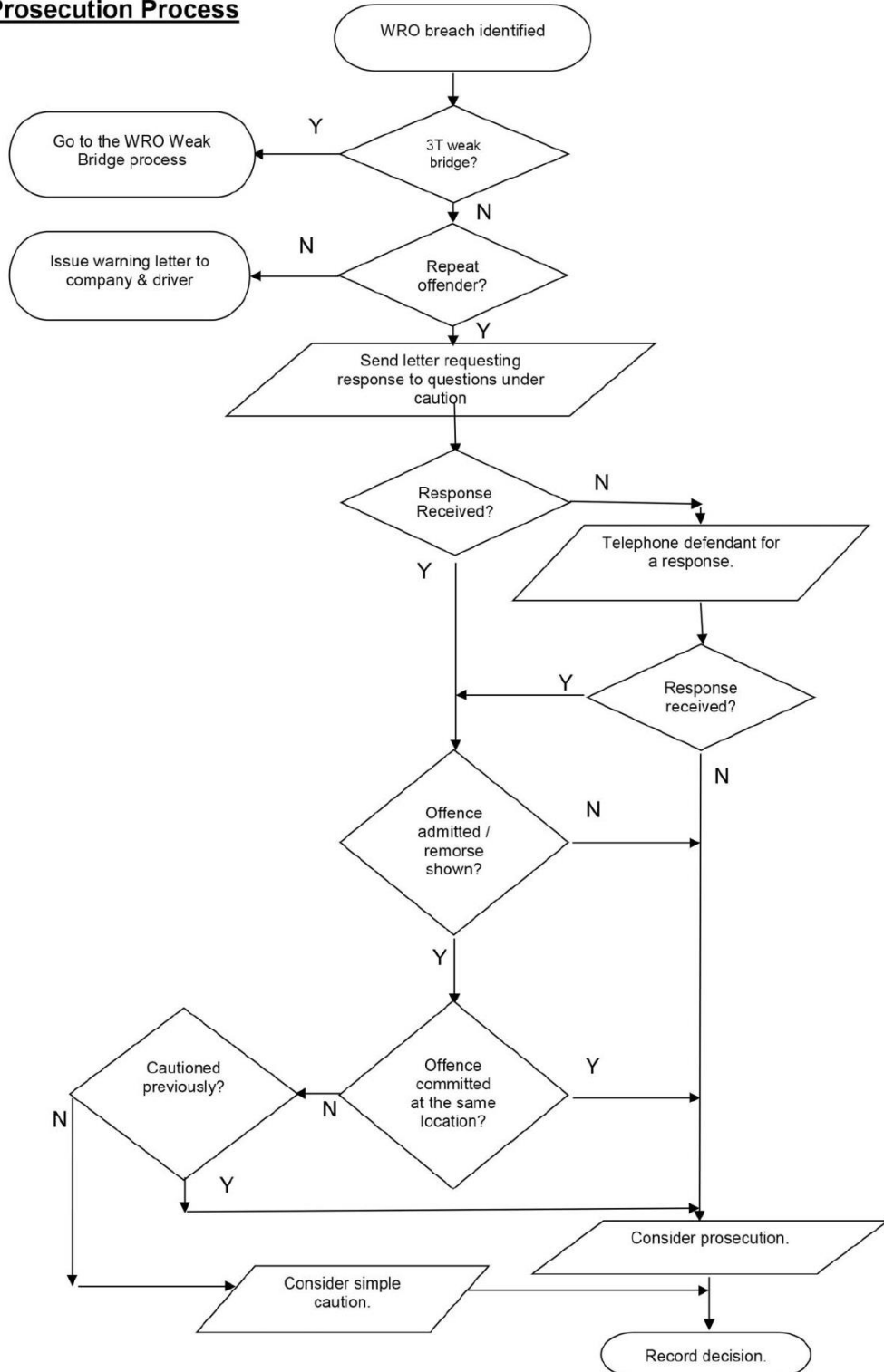
- 2.1. Enforcement activity will be prioritised towards Weight Restriction Orders placed over weak structures.

### **3. Enforcement Action**

- 3.1. We will only resort to taking formal legal action against drivers who repeatedly breach Weight Restriction Orders. This policy is only varied when a driver of a vehicle with a maximum permissible weight in excess of 7.5 tonnes contravenes a 3.0 tonne structural Weight Restriction Order. In these circumstances consideration will be given to proceeding directly to prosecution due to the seriousness of the contravention.

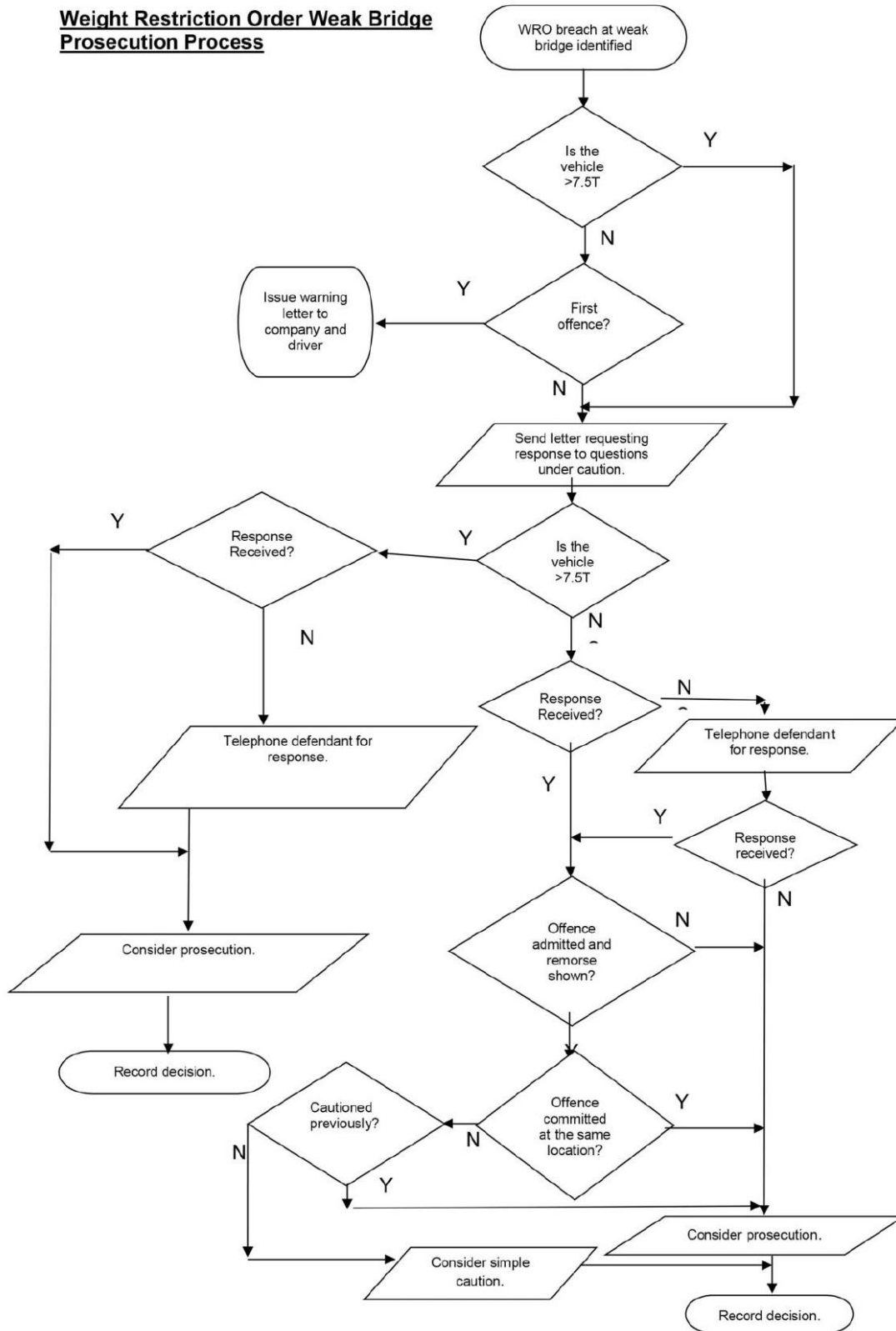
May 2018

**Weight Restriction Order  
Prosecution Process**





**Weight Restriction Order Weak Bridge  
Prosecution Process**



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Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 10
21/02469/HH - 16 Millbridge Road Witham Essex CM8 1HB	Part two-storey, part single-storey rear extension	Application Permitted	Raise no objection	
21/02038/FUL - AKA Restaurant 47 - 49 Newland Street Witham Essex CM8 2BD	Change of use of public house accommodation at first floor to 1 x 2 bed residential apartment.	Application Permitted	Recommend refusal on the grounds that the exterior amenity proposals remain substandard. If this application was to be granted by the Local Planning Authority Witham Town Council request that a condition be attached stating that ownership and occupancy of the apartment should reside with the owners of 47 Newland Street.	
20/01571/VAR - Land Adjacent To Lodge Farm Hatfield Road Witham Essex	Variation of Condition 4 (Drawings) of the Outline planning permission reference 15/00430/OUT and subsequently updated by application 16/02101/VAR and 17/02176/VAR to allow the substitution of drawings relating to minor alterations to the illustrative Masterplan and Parameter Plans	Application Permitted	Raise no objection	
21/02568/T56 - Land Adjacent Hatfield Road Witham Essex	Installation of 15m high Phase 8 Monopole , 4 No cabinets at ground-level and ancillary works.	Prior Approval Required and Given	Recommend refusal on the grounds that no mitigations have been made to camouflage the pole so that it blends in with the surrounding area. It was suggested that the applicant should negotiate a more suitable site and seek expert advice as to the maximum height required.	

21/02520/TPO - 10 Hollybank Witham Essex CM8 1UX	Notice of intent to carry out works to tree protected by Tree Preservation Order 6/76 - Cut down to ground level 1 Lime tree	Application Refused	Recommend refusal on the grounds that felling the lime tree would be inappropriate and it should be re-pollarded and subject to the advice of the District Council's Landscape Officer. There would be no objection to the other works contained in the application
21/02352/FUL - Portakabin Site Accommodation Freebournes Road Witham Essex	Erection of single-storey workshop building comprising 450sqm of B8 floorspace	Application Permitted	Recommend approval
21/02573/HH - Ruskins Lawn Chase Witham Essex CM8 1AZ	Installation of a Garden Annexe to provide ancillary accommodation	Application Permitted	Raise no objection subject to the following conditions - that there is no separate occupancy from the main dwelling and that all materials used are suitable for a house within the Conservation Area
21/02571/HH - Littlefields 41 Chipping Hill Witham Essex CM8 2JT	Replacement storm porch and repairs to exterior render	Application Permitted	Raise no objection subject to the advice of the Historic Buildings Officer being satisfied with materials.
21/02522/HH - Mortimer Cottage Lockram Lane Witham Essex CM8 2BJ	Erection of single-storey attached garage and two-storey extension to front of property.	Application Refused	Recommend refusal on the grounds that there should be no further UPVC used at the property in line with LPP56
21/02730/HH - 97 Chelmer Road Witham Essex CM8 2ET	Erection of Single-storey side extension	Application Permitted	Raise no objection
21/02724/HH - 8 Lifchild Close Witham Essex CM8 1QQ	Single-storey rear extension and single-storey front extension	Application Permitted	Raise no objection

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Agenda Item 11

**Extracts from Braintree Local Highways Panel meeting 30<sup>th</sup> September 2021**

**Schemes Awaiting Funding**

At the last meeting of the Panel, it had been recommended that the balance of the Panel's budget for 2021/22 should be allocated to 'cycling' initiatives identified by Braintree District Council and Essex County Council working together with voluntary cycling organisations. This could include the allocation of funding for a proposed cycle route / walk way between Kelvedon and Earls Colne and, in particular the first stage of this route between Earls Colne and Coggeshall for which some funding was available via a Section 106 Agreement.

Reference was made to a proposed cycle route between Maltings Lane and Howbridge Road, **Witham** which would provide a link to **Witham** town centre. It was estimated that design work for the scheme would cost £50,000 and that the overall cost would be £150,000. Approximately £46,000 was available for this scheme via a Section 106 Agreement, but the Panel would be required to meet the balance of the cost. The scheme would also have to be implemented within a given timeframe.

In discussing this Item, it was proposed that the Panel should support the Kelvedon to Earls Colne cycle route and the Maltings Lane to Howbridge Road, **Witham** cycle route, but the Panel did not agree to fund either scheme specifically at this stage pending more information. The Panel proposed that any funding which remained available within the Panel's budget should be allocated for the upgrade / repair of existing cycle routes. It was also proposed that Braintree District Council and Essex County Council should consider recommending the appointment of a joint Officer to lead on cycling initiatives in the District. Members of the Panel were advised that they would not be required to make a decision about this matter at this time. However, they agreed that the estimated cost of providing the proposed cycle routes from Earls Colne to Coggeshall and Maltings Lane to Howbridge Road, **Witham** should be obtained

**Funded Schemes 2021/2022**

Reference was also made to scheme LBRA173005 – Provision of a zebra crossing outside Templars School, Cressing Road, Witham Estimated Cost:- £67,000 and scheme LBRA173006 – Zebra crossing, South of Stubbs Lane, Cressing Road, Braintree Estimated Cost:- £91,000 to which objections had been submitted following consultation. However, Councillor L Scott (Essex County Council Cabinet Member for Highways Maintenance and Sustainable Transport) would be presented with a Cabinet Member Action to make decision on the way forward. The funding of these schemes could be from the financial budget for 2021/22 or the following year should they proceed, at a total cost of £158,000.

Funded schemes 2021/2022 -

LBRA152140 B1389 Hatfield Road, Witham - Signalised crossing. Upgrade the existing pedestrian refuge to a signalised crossing. £16,000. Trial holes to identify the extent of the problem will be undertaken as a part of the feasibility.

LBRA173005 Cressing Road, Witham outside Templars School - Zebra crossing Total scheme £67,000

LBRA192062 B1018 Braintree Road, Witham – Mini-roundabout Improvements to the road layout close to the mini-roundabout. £10,000. The feasibility study will determine if there is a viable scheme at this location.

LBRA211001 Hatfield Road, Witham - CR scheme Additional 'no entry' sign and amendment to the TRO. Total scheme £5,000. The scheme is now COMPLETED

**Schemes awaiting funding**

LBRA202006 Blunts Hall Road, Witham - Request for traffic calming. Validation Speed surveys have been requested now schools have returned. In validation stage.

LBRA212009 Blunts Hall Road, Witham Parish have requested a Speed Survey. Validation - TBC

LBRA212006 Flora Road, Witham - Traffic Management. TBC In validation.

LBRA212018 Maltings Lane - Weight Restriction Request received for a 7.5 tonne weight restriction to be applied on Maltings Lane. To be validated.

LBRA193005 Rickstones Road, Witham Request for a zebra crossing £9,500

LBRA195002 Spa Road, Witham - Bus shelter Request for a bus shelter. The progression of bus shelter schemes is currently on hold until the conclusion of a County-wide audit.

LBRA195003 Newland Street, Witham - Bus Shelter Request for a bus shelter with seats. The progression of bus shelter schemes is currently on hold until the conclusion of a County-wide audit.

LBRA195004 Maldon Road, Witham - Request for bus shelter. The progression of bus shelter schemes is currently on hold until the conclusion of a County-wide audit.

LBRA195006 Hatfield Road, Witham - Request for bus shelter. The progression of bus shelter schemes is currently on hold until the conclusion of a County-wide audit.

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