



Town Hall | 61 Newland Street | Witham | CM8 2FE
01376 520627
witham.gov.uk

AGENDA

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

Date: **Monday, 24th June 2019** Time: **6.45 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)
		Mrs S.	Ager	
		K.L.	Atwill	
		P.R.	Barlow	
		J.C.	Bayford	
		S.E.	Hicks	
	Miss C.		Jay	
		M.C.M.	Lager	
	Mrs S.C.		Lager	
		C.S.	Livermore	
		T.A.	Pleasance	
		R.P.	Ramage	
		P.M.	Ryland	
	Miss M.L.		Weeks	
		R.	Williams	

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting held on 10th June 2019 (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 the 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 committee clerk.*

7. **PART 2 APPLICATIONS**

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

8. **REVISED PLANS**

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

9. **DECISIONS**

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

10. **DISTRICT COUNCIL PLANNING OFFICE – RESPONSES**

To receive a report ([attached](#)).

11. **BRICK WALL – POWERS HALL END**

To note following an enquiry of the Planning Enforcement concerning the deterioration of the above wall, they have indicated that there will be a delay due to a high demand.

12. **NOTICE OF APPEAL - 17/02256/FUL & 17/02257/LBC - Land Rear Of 51 - 57 Newland Street, Witham**

To consider writing a letter in support of the District Council's decision to refuse the above planning condition.

13. **VEHICLE ACTIVATED SIGNS**

The Town Council has been advised by Essex County Council that speed surveys will be required for any site where a VAS is to be installed. How do Members wish to proceed?



James Sheehy
Town Clerk
GK/27.06.2019

PART 1

APPLICATIONS WITH OFFICER ‘NO OBJECTION’ RECOMMENDATIONS TO BE CONSIDERED “EN BLOC” WITHOUT DEBATE.

Applications Received:

The following applications have been made to the District Council for planning permission under the Town & Country Planning Acts and referred to the Town Council as a statutory consultee. Copies of the applications and accompanying plans may be seen at the Planning Department Causeway House, Bocking End, Braintree or online at www.braintree.gov.uk

PLEASE NOTE: Under the Local Government (Access to Information) Act 1985, representations cannot be treated in confidence. Witham Town Council is not responsible for issuing planning decisions.

19/00935/HH	11 Braintree Road, Witham, Essex	North	Proposed single storey rear extension
19/00932/VAR	Unit B1, Eastways, Witham	Central	Application for a variation of Condition 2 of planning permission 17/002294/FUL - 'No above ground development shall be commenced unless and until a scheme of ductwork has been submitted to and approved in writing by the local planning authority. Details shall specify that all extract ductworks shall be fitted with a suitable odour control system commensurate with the use of the premises'. To amend the condition deferring the timing of the submission to' prior to phase 2 internal fit out commencing'
19/00948/HH	123 Powers Hall End Witham Essex CM8 1LS	West	Two storey side extension

19/00995/DAC

Land Adjacent To Lodge Farm
Hatfield Road Witham Essex

Hatfield

Application for approval of details reserved by conditions 8, 15 and 19 of approval 18/00884/REM - Application for approval of Reserved Matters for 'Appearance', 'Landscaping', 'Layout' and 'Scale' for Phase 1B comprising 84 dwellings with associated landscaping, access and parking, pursuant to outline planning permission 16/02101/VAR - Application to vary condition no. 26 of planning approval 15/00430/OUT (Outline application with all matters reserved other than strategic access point onto Hatfield Road, for the erection of up to 750 dwellings, Primary School and early years centre, enterprise centre (A1/A2/B1/D1/D2 uses) and retention of existing barn buildings for mixed use purposes (A1/A2/A3/B1/D1/D2 uses), with associated infrastructure and landscaping) - to vary the condition so that the site wide design guide will be submitted to and approved by the Council prior to the submission of the first reserved matters application for the 92nd dwelling on the site.

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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

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.

19/00934/ADV	Bramston Sports Centre, Bridge Street, Witham	Hatfield	3 no. wall mounted illuminated billboard panels; 1 no. small wall mounted sign; 2 no. wall mounted billboard frames; 1 no. free-standing poster display unit; 1 no. square wall mounted sign; 3 no. Lidl directional signs, 1 no. free-standing externally illuminated billboard and 1 no. illuminated free-standing totem sign.
19/00909/FUL	Bellcroft, Witham, Essex	Central	Construction of two steel frame metal clad building, use classes (B1) Business, (B2) General Industrial & (B8) Storage or Distribution, along with associated parking, circulation spaces and cycle storage areas. Development to include the formation of a tall Gabion retaining wall along the south east boundary.
19/00993/FUL	15 Moss Road, Witham, Essex	Central	Provision of new air inlet duct and extract flue serving both vehicular paint booth
19/00139/TPOCON	29 The Paddocks, Witham, Essex	Central	Notice of intent to carry out works to tree in a Conservation Area - Remove Conifer tree in front garden and replant with a smaller tree
19/00137/TPOCON	49 Chipping Hill, Witham, Essex	North	Notice of intent to carry out works to trees in a Conservation Area
19/00922/ADV	Hold The Anchovies, 68 Newland Street, Witham	Central	2No externally illuminated fascia signs
19/00953/FUL	1 Wheaton Road Witham Essex CM8 3UJ	Central	Change of use from B1 to D2 (Dance and fitness studio)

Witham Town Council – Planning Application Report

Application No:- 19/00934/ADV

Address:- Bramston Sports Centre, Bridge Street, Witham

Ward:- Hatfield

Proposal:- 3 no. wall mounted illuminated billboard panels; 1 no. small wall mounted sign; 2 no. wall mounted billboard frames; 1 no. free-standing poster display unit; 1 no. square wall mounted sign; 3 no. Lidl directional signs, 1 no. free-standing externally illuminated billboard and 1 no. illuminated free-standing totem sign.

Relevant Site History:-

Representations:-

Summary:- This is the application for the new signage at Lidl. There is a 6m free standing illuminated sign at the entrance to the site along with 2 directional signs. There will be a free standing externally illuminated billboard measuring 6.1m x 3.05m and another directional sign. On the building itself there will be 3 externally lit billboards measuring 6.1m x 3.05m, a 2.5m square internally lit wall sign, 2 1.64m x 3.25m billboards and a 1m square internally lit mounted sign. There will also be a 1.7m square free-standing poster display units adjacent to the store.

Recommendation:- The correspondence states that the illumination has been designed in order to minimise spillage, will not be excessively bright and will only be illuminated during opening hours. With the exception of the free standing totem at the entrance all the illuminated signs are facing into the car park. I would recommend no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00909/FUL
Address:- Bellcroft, Witham, Essex
Ward:- Central

Proposal:- Construction of two steel frame metal clad building, use classes (B1) Business, (B2) General Industrial & (B8) Storage or Distribution, along with associated parking, circulation spaces and cycle storage areas. Development to include the formation of a tall Gabion retaining wall along the south east boundary.

Relevant Site History:-

Representations:-

Summary:- This is really for Members' information. This 0.22 hectare site formerly agricultural land will become an extension to the Bellcroft site off Eastways. It is proposed to build two units and should generate 12 full time and 4 part time employment posts. There will be 20 parking spaces in total along with 2 motorcycle spaces and 6 cycle spaces.

Recommendation:- No objection

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00993/FUL
Address:- 15 Moss Road, Witham, Essex
Ward:- Central

Proposal:- Provision of new air inlet duct and extract flue serving both vehicular paint booth

Relevant Site History:-

Representations:-

Summary:- The premises are to be leased by a vehicle bodyworks and paint spraying company. The enclosed booth inside the building, used for the paint spraying, will require an external air intake and an external extract flue. The hours of operating will be 7 a.m. to 5 p.m. weekdays and on Saturday 7 a.m. to 12 noon.

Recommendation:- These premises are on an industrial estate and therefore recommend no objection.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00139/TPOCON
Address:- 29 The Paddocks, Witham, Essex
Ward:- Central

Proposal:- Notice of intent to carry out works to tree in a Conservation Area - Remove Conifer tree in front garden and replant with a smaller tree

Relevant Site History:-

Representations:-

Summary:- At present there is no documentation on the website but the District Council has been asked to provide. In the meantime the Tree Warden has been asked to comment but the request seems reasonable.

Recommendation:-

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00137/TPOCON
Address:- 49 Chipping Hill, Witham, Essex
Ward:- North

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

Relevant Site History:-

Representations:-

Summary:- T1 & T2 Holly - Section fell to ground level and poison stumps to prevent regrowth, T3 Bay - Coppice to 1m approximately, T4 Multi-stemmed Hazel - Coppice to .75m approximately T5 Conifer Section fell to ground level. T6 Hazel - Cut back to boundary line (approximately 1.5 m). The area is over crowded and felling will allow the other trees in the area to grown on. They are too large for the area and damaging fence and greenhouse. The Tree Warden has been asked to comment.

Recommendation:-

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00922/ADV
Address:- Hold The Anchovies, 68 Newland Street, Witham
Ward:- Central

Proposal:- 2No externally illuminated fascia signs

Relevant Site History:-

Representations:-

Summary:- This is the former Hold the Anchovies restaurant at the corner of Guithavon Street. It is proposed to reopen as a Icecream Parlour . The signs will be printed letters onto the white wooden fascia. There will be three overhead light fittings to the front and three to the side. The lettering will be 0.414 m high and 3.015 in width for both signs.

Recommendation:- Recommend no objection

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00953/FUL

Address:- 1 Wheaton Road Witham Essex CM8 3UJ

Ward:- Central

Proposal:- Change of use from B1 to D2 (Dance and fitness studio)

Relevant Site History:- This is the second application to get a change of use for these premises. This was first considered on 4th February 2019 and Members agreed no objection. The District Council refused the application on the grounds that this is an Employment Policy Area protected for particular employment use. The emerging draft Local Plan forecasts an additional demand on office space and the District Council has cited that it is crucial to retain as well as provide new offices. On balance therefore it was concluded that the harms identified would significantly outweigh the social benefits of the development.

Representations:- There are 16 letters of support.

Summary:- The proposal is for a change of use to allow an existing dance studio to expand. The unit is part of a divided building and it is argued that the other tenants who fall within the B1 Category fulfil the requirements for this parcel of land. The application site has been basically empty since 2013. The studio currently employs 15 staff and provides 60 classes a week. There is a car park for 20 vehicles and outside of working hours neighbouring car parks can be used. There is a precedent for leisure use on industrial sites.

Recommendation:- Despite the District Council's objections, it is considered that a change of use should be granted to support a local employer, bring the building back into use and provide facilities to increase well being and therefore the application should be supported - no objection.

Policy References:-

APPLICATION	DESCRIPTION	BDC DECISION	TOWN COUNCIL COMMENTS
19/00736/HH - 86 Church Street Witham Essex CM8 2JH	Single storey rear extension	Application Permitted	No objection
19/00688/OUT - 2 Victoria Cottages Maltings Lane Witham CM8 1DZ	Outline application with all matters reserved for the erection of a pair of semi-detached cottages	Application Withdrawn	Recommend Refusal on the grounds of adverse impact caused by the poor siting of the proposed bin store.
19/00477/DAC - Former Bramston Sports Centre Bridge Street Witham Essex CM8 1BT	Application for approval of details reserved by condition nos. 8 and 18 of approval 17/01918/FUL	Application Permitted	No objection
19/00774/HH - 26 Juvina Close Witham Essex CM8 1QL	Proposed two storey side extension with rear garden access	Application Permitted	No objection
19/00715/HH - 62 Cressing Road Witham Essex CM8 2NJ	Erection of a single storey rear conservatory	Application Refused	No objection
19/00344/FUL & 19/00345/LBC - Cullen Mill 49 Braintree Road Witham Essex CM8 2DD	Repair/partial rebuild of retaining wall at rear of the property	Application Permitted	No objection
18/01598/LBC - Cullen Mill 49 Braintree Road Witham Essex CM8 2DD	Replacement of aluminium-framed and UPVC windows with timber joinery painted white with slimline double glazing. - Replacement of current entrance doors to the west and central rear with vertical timber doors painted black with simple glazed section. - Replacement of internal doors to each flat with plain timber doors with vertical timbers and frame in oak. - Removal of wires on external faces of building. - Retention of door entry systems.	Application Permitted	No objection

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ITEM NO: 10

Officer Report: District Council Planning Office – Responses

Issue:

The Town Council considers more planning applications than any other Town/Parish Council in the Braintree District, considering 195 applications during the last civic year. About a year ago the District Council, without consultation, changed its system from producing an editable list of plans which could easily be copied onto our agenda papers, to a non-definitive list on its website which was added to as and when. They also instigated a system of emailed letters onto which the Town Council was supposed to add our comments and return. Numerous correspondence was raised with the Corporate Director for the planning division to highlight the inadequacies of this system which has created a significant increase in general administrative time spent on planning committee work.

These changes have meant that to ensure we do not miss an application both the letters received and weekly lists have to be scrutinised. The individual sections have to be copied onto our system taking much more time than in the past.

To cut back on our paperwork and time taken to produce planning reports and agenda papers, planning consultation responses are automatically produced via a mail-merge system for multiple letters.

After the last Meeting the email with all the attached letters was sent and the following response was received –

Thank you for contacting Braintree District Council’s Development Management Team.

The team are current experiencing high volumes of enquiries and whilst we would look to respond in a timely manner it may not always be possible to do so, therefore whilst you are waiting for a response, your attention is drawn to our webpage and advice on how to submit a comment relating to a planning application, what happens once you have submitted a comment and information about pre application advice.

Thank you for taking the time to read this automated response. Think before you print!

Further correspondence from the Planning Department was received at the submission of our last consultation responses as follows:

Good afternoon,

We would appreciate separate emails for each of the consultation replies as it will be quicker for us to upload your comments onto the website, also no signatures are required.

The Town Clerk wished Members to be aware of this situation as the Town Council staff have to take on added administrative to compensate for the District Council’s apparent staffing shortage. It is noticeable when ‘old’ planning applications are checked how many have not had our letters downloaded onto the District Council’s website and it is often recorded in the Planning Officer’s report that the Town Council did not comment when in fact we comment on all planning applications. Will this system of separate emails mean that in fact they will no longer be missed?

Advice: The Town Council is afforded what are effectively ‘statutory consultee’ rights in that the LPA is under a duty to consult with us and not make a planning determination until a three-week window has passed to receive our comments.

It is the view of the Town Clerk that it is for the Town Council to decide how it wishes to send its comments and in what format they are sent.

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