



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

### PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 26<sup>th</sup> September 2022**

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

Present: Councillors

J.	Goodman	(Chairman)
A.	Kilmartin	(Vice Chairman)
P.	Barlow	
S.	Hicks	(arrived at 6.03 p.m.)
C.	Jay	(arrived at 6.12 p.m.)
C.	Lager	
M.	Lager	
T.	Pleasance	
G.	Kennedy	(Planning Officer)
S.	Smith	(PA to the Council)
C.	Strachan	(Assistant RFO)

And two members of the public.

**96. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Atwill and Heath.

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

**97. MINUTES**

**RESOLVED** That the Minutes of the Meeting of the Planning and Transport Committee held 30<sup>th</sup> August 2022 be confirmed as a true record and signed by the Chairman.

**98. INTERESTS**

Councillors C. and M. Lager declared non-pecuniary interests in Minute 100 – Planning Officer’s Report - Littlefields as it is a neighbouring property and Minute 106 – Chipping Hill bridge as they live close by.

Councillor Barlow declared a non-pecuniary interest in application 22/01996/FUL – F. Byford and Son, as a relative lived on Lawn Chase.

Later in the Meeting, Councillor Jay declared a non-pecuniary interest in Minute 105 – Phase 4 – Rivenhall Park as she is a resident on that estate.

Councillor Hicks arrived at the Meeting.

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

Mr Palombi, Witham and Countryside Society, referred to Minute 100 – Planning Officer’s report and the Enforcement Officer’s comment that no action could be taken with regard to the new windows at Littlefields. He had hoped that the new cycleway across the fields by Motts Lane could have been positioned close to the hedge line to allow children more space to play and noted that the Listed Buildings Officer’s advice was still awaited with regard to Chipping Hill bridge. He referred to Minute 110 – 5 Year Housing Supply, and was surprised that there was now insufficient housing allocation. He hoped that this issue in relation to unplanned development for Witham could be addressed through the Neighbourhood Plan.

The Chairman thanked Mr Palombi for his comments.

**100. PLANNING OFFICER’S REPORT**

Councillors C and M Lager had declared an interest.

A detailed written report was received from the Planning Officer.

Members were surprised that the change in style and materials of the window frames at Littlefields were not subject to a planning application as it affects the historic setting of the neighbouring Listed Building. It was agreed that the Planning Officer would make further enquiries of the Planning Authority.

In addition, the Planning Officer explained that the deferred Teams meeting with Essex County Council in relation to the A12 would now be held on Friday, 30<sup>th</sup> September 2022 between 4 and 5 p.m. Details of the joining instructions would be sent to Members.

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

Whilst this item was being discussed Councillor Jay arrived at the Meeting.

**101. PART 1 APPLICATIONS**

**22/02312/HH**                      **26 Wulvesford, Witham**  
Single storey side extension

**NO OBJECTION**

**22/02430/HH**                      **27 Constantine Road, Witham**  
Single storey rear extension

**NO OBJECTION**

102. **PART 2 APPLICATIONS**

**22/01996/FUL**

**F Byford & Son, 90 – 92 Newland Street, Witham**

Alteration and conversion of retail shop (Class E(a)) with ancillary offices and store to 2 x E(a) retail units to the ground floor and 1 x 1 bedroom and 4 x 2 bedroom residential flats above. Demolition of existing outbuilding and erection of a single storey bungalow to the rear. Erection of ancillary refuse and cycle store.

Councillor Barlow had declared an interest.

Members were mindful that the right of access was over a private road and that there would be no parking provision for residents of the flats. A similar application in Templars Close was cited and that protection of private facilities should be protected.

**RECOMMEND REFUSAL** On the grounds that this development would adversely affect local residents and the adjacent Church, due to the impact on residential amenity. Should the application be permitted then the developer should erect a physical barrier to prevent unauthorised parking and that the condition of the private road be reinstated after building work has been completed. Conditions should also apply regarding construction and that builders' vehicles should not obstruct access to existing residents.

**22/01997/LBC**

**F Byford & Son, 90 – 92 Newland Street, Witham**

Alteration and conversion of retail shop (Class E(a)) with ancillary offices and store to 2 x E(a) retail units to the ground floor and 1 x 1 bedroom and 4 x 2 bedroom residential flats above. Demolition of existing outbuilding and erection of a single storey bungalow to the rear. Erection of ancillary refuse and cycle store.

**RECOMMEND REFUSAL** On the grounds that this development would adversely affect local residents and the adjacent Church, due to the impact on residential amenity. Should the application be permitted then the developer should erect a physical barrier to prevent unauthorised parking and that the condition of the private road be reinstated after building work has been completed. Conditions should also apply regarding construction and that builders' vehicles should not obstruct access to existing residents.

**22/02284/TPOCON**

**Penhaligon Court, Guithavon Street, Witham**

Carry out work on trees affected by the Conservation Area

**RECOMMEND REFUSAL** on the grounds that there are no details of replacement trees and subject to the advice of the District Council's Landscape Officer.

**22/02280/HH**

**9 Stevens Road, Witham**

Single storey front extension and change in roof pitch to existing porch

**NO OBJECTION**

**22/02283/FUL**

**Land North of Colchester Road, Witham**

Erection of two B8 (storage/distribution) units with office space and associated infrastructure

**RECOMMEND APPROVAL** subject to noise mitigation.

**103. REVISED PLANS**

**22/01414/HH &  
22/01451/LBC**

**26 Newland Street, Witham**

Refurbishment and extension to existing garage, relocation of boiler and flue, removal of partition wall in kitchen, insertion of partition wall in hallway, conversion of bedroom to bathroom, and replacement/repair of doors and windows to front and rear elevations

**NO OBJECTION** subject to the proposed summer house being in single occupancy with the main house.

**104. DECISIONS**

The decisions on Planning Applications pertaining to Witham were received.

Members commented that several of the decisions did not seem compliant, due to missing documentation. It was suggested that the Planning Officer should contact the Braintree District Council Planning Department, outlining the concerns in conjunction with Members' advice.

**RESOLVED** That the Planning Officer should contact the Braintree District Council Planning Department, outlining the concerns.

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

**105. PHASE 4 – RIVENHALL PARK APPEAL**

Details of an Appeal in relation to application 20/02020/OUT – Land North East of Rectory Land were received and Members asked to consider the Town Council's representation.

Councillor Jay declared a non-pecuniary interest, as she lives on the estate.

It was proposed that the Town Council should attempt to generate as much public engagement as possible to prevent this development. It was suggested that a large banner could be hung on the Town Hall suggesting residents contact the Planning Inspectorate to make representations. Members were unsure as to whether this would be possible and officers would make enquiries.

**RESOLVED** That a letter in support of the District Council's decision to refuse the application be sent to the Planning Inspectorate along with the Planning Officer's report.

**RESOLVED** That the office should investigate whether it is feasible to display a banner on the Town Hall.

**RESOLVED** That an invitation to comment should be sent to Witham Town Councillors, Rivenhall Parish Council and local groups.

**RESOLVED** That this information should be shared on the Town Council's social media, and that a template letter for residents to copy should be made available.

**106. CHIPPING HILL BRIDGE**

A report regarding the proposal to photograph the coping stones on the bridge was received and it was noted that work was due to start on Monday, 26<sup>th</sup> September 2022.

The Planning Officer informed Members that they were still awaiting a response from the Listed Buildings Officer in regards to the possibility of preserving the coping stones.

**RESOLVED** That a recommendation be made to Town Council that professional photographs be taken of the coping stones.

**107. BRAINTREE LOCAL HIGHWAYS PANEL**

An extract from the LHP Meeting held 3<sup>rd</sup> August 2022 was received and Members asked to note that the next meeting would be on 3<sup>rd</sup> October 2022.

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

**108. LOCAL HIGHWAYS PANEL REQUESTS**

Details of the LHP requests made by the Town Council was received.

Comment was made that the proposal to seek a weight restriction for Chipping Hill bridge had been withdrawn in favour of the HGV routing. It was agreed that the matter should be revisited at the next Meeting.

**RESOLVED** That the withdrawn LHP request for a weight limit on Chipping Hill Bridge be discussed at the next meeting.

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

**109. NEWLAND STREET SUSPENSION OF PARKING RESTRICTIONS**

It was noted that the suspension of parking restrictions in Newland Street for the Tuesday Street Market had been extended for a further six months.

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

**110. FIVE YEAR HOUSING LAND SUPPLY POSITION STATEMENT – APRIL 2022**

The position statement in regards to the five-year housing land supply was received from Braintree District Council.

Members commented that decisions regarding the designation of housing for Witham needed to be closely monitored by the Town Council, and action taken as required.

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

**111. A12 UPDATE**

- (a) An email was received from Essex County Council.

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

- (b) An email was received from National Highways.

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

There being no further business the Chairman closed the Meeting at 7:27p.m.

Councillor J. Goodman  
Chairman

GK/SS 28.9.2022