



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

MINUTES

PLANNING AND TRANSPORT COMMITTEE

Date: Monday 17th March 2025

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

Present: Councillors

| | | |
|------|-----------|-----------------|
| P. | Barlow | (Chairman) |
| J.C. | Coleman | (Vice Chairman) |
| J.M. | Coleman | |
| J. | Martin | |
| R. | Ramage | |
| J. | Robertson | |

| | | |
|----|-----------|-------------------------------|
| H. | Andrews | (Deputy Town Clerk) |
| S. | Puckey | (Open Spaces Admin Assistant) |
| L. | Bamigbele | (PA to the Council) |

A member of the public was also in attendance.

262. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ross Playle and Councillor Adelaja. Councillor Headley and Councillor Williams were absent.

RESOLVED That the apologies be received and approved.

263. MINUTES

RESOLVED That the Minutes of the Meeting of the Planning and Transport Committee held 3rd March 2025 be confirmed as a true record and signed by the Chairman.

264. INTERESTS

No interests were declared at the time.

Councillor J.C Coleman later declared a non-pecuniary interest in relation to Minute 266 – Planning Officer’s Report, as he knew the owner of the former Victoria Public House.

265. QUESTIONS AND STATEMENTS FROM THE PUBLIC

A member of the public expressed his interest regarding Minute 271 – Tackling Speeding in Witham/20s Plenty and Minute 272 - Planning Members Forum-Gershwin Park, Land North East of Reid Road

266. PLANNING OFFICER’S REPORT

Members were updated on the response to an email sent to Essex County Council (ECC) regarding the Stopping Up of the Highway at the former Victoria Public House. ECC were drafting a letter of complaint about how the representations were dealt with and not being invited to the Public Inquiry, despite being an interested party, and not receiving acknowledgment for their submitted comments. Members again raised their grave concerns about the handling of the appeal and the lack of consultation with the relevant authorities.

Councillor J.C. Coleman declared a non-pecuniary interest, as he knew the owner of the former Victoria Public House.

Members were also informed of a temporary road closure from Blunts Hall Road to Dancing Dicks Lane for the annual Witham May Day 10 Mile run on May 5th, from 10:15 to 10:45 AM. No objections were raised, as the closure was expected to cause minimal disruption.

Additionally, Members were updated on the response to a letter written to Braintree District Council about WTC’s disappointment in the lapsing of the TPO at The Old Magistrates Court. The Tree Landscape Officer had conducted a review, following our letter, and determined that a new TPO would be inappropriate, primarily because the conservation area protects the trees, but it had also been noted that one of the trees was in close proximity to the building and may not be suitable for long-term retention. The location of the tree should have been picked up at the planning stage of building the development and a TPO placed at that time. Members expressed their disappointment but were reassured that any work to the trees would have to be evidence based and would still be required to go through an application process.

RESOLVED That the information be received and noted.

267. PART 1 APPLICATIONS

25/00251/FUL

Howbridge C of E Junior School, Dengie Close, Witham

Removal of the existing fencing and 9no. gates and
Instillation of 10No. gates and 2.408 metre fencing.

NO OBJECTION

25/00207/PLD

20 Epping Way, Witham, Essex

Application for Certificate of Lawfulness for a proposed
development – Conservation of garage to habitable
accommodation.

NO OBJECTION

25/00349/ADV

Francis House, 4 Freebournes Road, Witham

Instillation of 2 no. Illuminated signs.

NO OBJECTION

268. PART 2 APPLICATIONS

25/00323/ADV

The Albert, 2 Chipping Hill, Witham

Signage to include:

- 1 No externally illuminated Fascia
- 3 externally illuminated individual lettering
- 1 No. externally illuminated hanging sign
- 3 No. amenity boards
- 2 No chalkboards

Members were informed that this site is located within a conservation area. Members welcomed the proposed changes and agreed that the improvements would enhance the site's appearance, making it more attractive for both residents and visitors.

NO OBJECTION subject to the advice of the Listed Buildings Officer

25/00418/TPO

Home Bridge Court, Hatfield Road

Notice of intent to carry out works to tree protected by Tree Preservation Order 19/2002 T2 1x Magnolia – Remove to ground level and poison stump.

Members were informed that the Tree Warden recommended refusal on the basis that Magnolia trees are often planted close to buildings and have shallow roots, making it unlikely to cause subsidence. It was further noted that no replacement tree was proposed.

RECOMMEND REFUSAL on the grounds that the work is unnecessary and no replacement tree was offered

25/00419/TPO

33 Armiger Way, Witham, Essex

Notice of intent to carry out works to tree protected by Tree Preservation Order 5/74. T1–Ash Tree has Inonotus throughout crown - Pollard by approximately 7m to create new framework for regeneration.

Members were informed that the Tree Warden recommended no objection, as the tree had a fungus therefore the tree would benefit from maintenance work.

NO OBJECTION subject to the advice of the District Council's Landscape Officer

25/00277/NAR

Gimsons, Kings Chase, Witham

Variation of Condition 2 of (Approved plans) of approved application 18/02010/FUL granted 30.10.20 for: Demolition of existing dwelling and construction of 78 dwellings including access, landscaping, parking and associated works. Variation seeks to update the list of approved plans to regularise what has been built at the site.

Members were informed of all the differences between the original agreed plans and the "as built" construction. Members expressed anger that this had occurred, particularly as Gimsons was a controversial site and unwanted by the town. Members questioned why developers had not designed the site with fire engines in mind, which had resulted in some of the changes, and how so many differences in house design had occurred. There was particular concern that, although prospective residents knew the correct details of the homes they were buying, 35% of the properties now do not have a garden that complies with the Essex Design Guide.

The number of changes were considered unprecedented and Members emphasised the importance of upholding proper planning standards. Members were deeply concerned that developers were trying to bend planning rules and that allowing retrospective changes without recompense would set a precedent for other developers.

It was noted that no reference had been made to additional Section 106 money, as a result of the variations, and were disappointed that this had not been considered. In particular, the "as built" plans had clearly resulted in amenity space loss for residents and this deficit should be reflected in additional Section 106 payments to further improve the park and River Walk.

Members were also concerned about how this had been allowed to happen and felt that they needed more clarity from Braintree District Council on the process.

RECOMMENDED REFUSAL on the grounds that, although on the surface many of the variations were minor, there had been a significant loss of amenity and a more meaningful Section 106 agreement was needed to reflect this deficit.

25/00438/FUL

Unit 5, 16 Crittall Road, Witham

Single Storey extension to the existing commercial unit.
Increase of onsite parking to 14 spaces.

Members expressed their approval based on the economic benefits that come with the extension, particularly in providing more jobs in Witham.

NO OBJECTION

25/00444/ADV and
25/00445/LBC

The Red Lion PH, 7 Newland Street

Retain the existing fascia, repaint existing letters gold, existing through light illumination. Retain existing 3no. amenity boards, house name to be changed from red to gold with applied vinyl text. Retain the existing 2 No. chalk boards, house name to be changed from red to gold with applied vinyl text. Retain the existing projecting sign, repaint the gibbet black, house name letters to be repainted gold. New flat panel and plot cut vinyl text to be applied. 1no decorative brass lantern.

Members were pleased to see investment in another Witham public house which demonstrated it was thriving in a difficult economic environment. They noted it was an important historic building in the centre of the town and welcomed the opportunity to enhance the building while retaining its character.

NO OBJECTION subject to the advice of the Listed Buildings Officer

25/00441/HH

Jacksons Farm, Maltings Lane, Witham

Proposed conversion of garage to annexe accommodation, alongside the erection of a single storey side extension, front porch, alterations to fenestration. Erection of Shed.

Members discussed the conversion and were happy that it would be sympathetic to the style of the property.

NO OBJECTION subject to the advice of the Listed Buildings Officer.

25/00478/HH

8 Claudius Way, Witham, Essex

Proposed loft conversion with rear dormer and 2No. front roof lights.

NO OBJECTION

269. REVISED PLANS

There were no revised plans.

270. DECISIONS

The decisions on Planning Applications pertaining to Witham were received.

RESOLVED That the decisions be received and noted.

271. TACKLING SPEEDING IN WITHAM/20s PLENTY

There were no updates to report

272. PLANNING MEMBERS FORUM-GERSHWIN PARK, LAND NORTH EAST OF REID ROAD

A Member, who attended the forum, provided an overview of the proposals that were being considered for the area. It was noted that current aspirations included the development of upmarket retirement flats, bungalows and a care home, along with three retail units, one of which would be a pharmacy and/or a GP surgery, although Members expressed doubts about the feasibility of a pharmacy and GP.

It was explained that the bungalows were currently proposed to be situated at the boundary to the playground and the concern would be that elderly residents would not appreciate the noise and light pollution. There would need to be open discussions about boundary treatments to avoid conflict.

Members were informed that these plans were only aspirations at present and the consultation process was still in its early stages. The developer had, during the forum, further agreed to work with Witham Town Council and to come and present their ideas at a committee meeting.

The development was discussed at length. Members raised concerns that the development appeared to be for high end properties which, together with service charge agreements, would not be affordable for Witham residents. It was further noted that there was over capacity of elderly-focused housing in this area, with recent developments only at 50% occupation, and any new development for older residents would put further strain on Witham's already overstretched GP services.

Members agreed that it would be important to stay engaged with the ongoing planning process to monitor developments and welcomed a presentation from the developer.

RESOLVED That the information be received and noted.

There being no further business the Chairman closed the Meeting at 19:20

Councillor P. Barlow
Chairman

SP/LB / 20/3/2025