

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

PLEASE NOTE EARLIER START TIME

AGENDA

Meeting of: Planning & Transport Committee

Date: Monday, 6th February 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 remionded 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

P. Heath

S. Hicks

C. Jay

C. Lager

M. Lager

T. Pleasance

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning & Transport Committee held 23rd January 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

- (a) To receive the Notes from the meeting with Andy Goodwin, National Highways, held 19th January 2023 (attached at page 4).
- (b) To receive the Notes from the Teams meeting with National Highways, Essex County and Braintree District Council officers (attached at page 6).
- (c) To receive and approve a draft Representations Report for submission to the Planning Inspector (attached at page 8).
- (d) To receive the National Highways Draft Statement of Common Ground (attached at page 12).

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 <u>Part 1</u> 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

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

10. DECISIONS

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

11. NOTIFICATION OF APPEAL – 22/00559/FUL – ELM COTTAGE AND LAND BETWEEN COMINGMAK AND NEWTON, MALDON ROAD, WITHAM

To consider writing a letter to the Planning Inspectorate in support of the appellant (this application was considered on 29th March 2022 and recommended no objection subject to renewable energy measures such as heat pumps and solar panels being included and retention of hedges on the boundaries).

12. DISABLED PARKING

To note the revocation of a disabled parking bay in Ness Walk and the implementation of a disabled parking bay in Greenfield (attached at page 41).



13. LOCAL HIGHWAYS PANEL

To receive an extract from the LHP meeting held 12th January 2023 and the list of WTC outstanding issues (attached at page 482).

Nikki Smith

Town Clerk

GK/31.1.2023



Agenda Item 5(a)

Notes from the Informal Meeting held 19th January 2023 to discuss concerns raised about the A12 widening scheme.

Present: Councillors Michael Lager and John Goodman; Nikki Smith, Hayley Andrews and Geraldine Kennedy; and Andy Goodwin (Costains representing National Highways)

The meeting was called to discuss Michael's concerns regarding the A12 widening scheme. His Agenda is attached to these notes.

Andy explained that he had the list of Town Council's concerns and would be providing a draft Statement of Common Ground seeking agreement. It was noted that the deadline for this would be 13th February 2023.

Michael said that he had looked at the Book of Reference and a number of items showed the District Council as owning land which is in fact owned by the Town Council. It was understood that the Land Registry was not up to date. **Nikki said that she would obtain a letter from the District Council confirming that the land in question had been passed to the Town Council.** Andy said that the Book of Reference would be updated before the end of the Examination.

Michael said that there was land on the far side of the River Brain from Whetmead running to the railway embankment near Market Lane which does not appear in the Book of Reference.

Andy was able to show drawings of specific sites which showed ownership, replacement land and retained/removed vegetation.

He detailed a new bridge which would be required to get plant across the River Brain. He said that a section of land along the south side of the river was required to be purchased so that access along both sides of the river could be obtained. This was to improve the habitat for water voles. The Environmental Statement said that no harm should be caused by the development, mitigation was required along with enhancement.

Michael then spoke about the replacement land and suggested that the small triangle of land adjacent to Whetmead was a wooded swamp and could not be classed as public open space. Andy explained that the land was to replace a strip along the A12 which was basically a wooded embankment. He considered that an agreement could be reached with the Town Council so that a pathway through the land could be designed. He considered the screening of the A12 to be a bigger issue and would be happy to discuss edge protection. Andy said that a discrete track to the parcels of land would be possible.

Andy then spoke of the opportunity to create a parkland/open space on Braintree District Council land near Freebournes which could link up with Whetmead and beyond to Gershwin Boulevard.

Andy explained that deadline 1 was 30th January 2023 and deadline 2, 13th February 2023. He hoped these matters could be dealt with in the Statement of Common Ground but the Town Council could make representations.

It was agreed that it would be useful for Spencer and Nikki to make a site visit to these two parcels of land to ascertain how they could be brought up to standard with access for the public and Town Council vehicles. Andy stressed that the replacement land should not be less advantageous. A



detailed design would be available before the end of the examination and form an appendix to the Statement of Common Ground.

Michael asked how designated funding could be obtained. He considered that on safety grounds an off-road cycleway could be considered with improvements on the River Walk. He said that the Blackwater Rail Trail would also give an opportunity for pedestrians, mobility scooter users and cyclists to access other areas but there was a gap near where it crosses the Brain. Andy thought a wooden bridge would be suitable. Hayley said that as part of an improvement scheme by Braintree District Council a footbridge was proposed and she was currently awaiting details.

Andy said that Designated Funding was available for environmental and safety projects at the moment and he would check to ascertain how the Town Council could apply for funding. He said that a feasibility case would be required for the Rail Trail and funding would be available to obtain this.

In closing Andy said that he would do the first draft of Statement of Common Ground.

GK/23.1.2023

Michael's Agenda

- (a) entries in the Book of Reference that note BDC as Owner (and presumably beneficiary of Replacement Land) with WTC as "lessee" due to delays in Land Registry in registering the transfer of the freehold of the whole of the leased land by BDC to WTC, and the fact that land up to Carraways and Market Lane south of the Brain was leased to WTC and (presumably) included in the freehold transfer;
- (b) the proposed areas of Replacement Land for open space lost at Whetmead are both completely unacceptable; they lie north of Whetmead alongside the A12 and are both very wet and far less accessible than the existing open space to be lost as well being both harder to maintain and for the interested public to use;
- (c) our thoughts on HE Designated Funds within the funding streams of Safety and Congestion, Environment and Well-being, Users and Communities, and Innovation and Modernisation; personally I feel we should seek the repairs needed to the River Walk, improving the integration of the town's cycle routes including better ability to cross heavily trafficked local roads (which might allow us to offer Park Runs), linking up the Woodend Farm -> Lodge Farm -> station route, conversion of the Blackwater Rail Trail from the Catholic Bridge to Blue Mills (and potentially further southwards) into a foot- and cycle-route of a good standard (including a bridge over Blackwater Lane and the Brain to provide a linear link instead of the diversion to near the entrance to Whetmead. No doubt there are other projects we should identify;
- (d) drafting our Relevant Representation and Statement of Common round by the Deadline.



Agenda Item 5(b)

NOTES FROM THE A12 MEETING HELD ON 24TH JANUARY 2023 BY TEAMS

WTC Members: Councillors J. Goodman and M. Lager

Officers: Nikki Smith, Hayley Andrews and Geraldine Kennedy

National Highways Team: Andy Goodwin, Jaya Raj, Tracey Harvey, Niamph McCutcheon, James

Jackson, Nuno Fernandes and Nigel Alsop

Essex County Council: Chris Bandy

Braintree District Council: Gary Sung and Louise Flavel.

Andy explained that he wanted to get the three authorities together to talk about the replacement following the widening of the A12. In addition, Anglia Water, Taylor Wimpey and historic developers of sites would be given replacement land. He said that the criteria for replacement land was to try to avoid using existing agricultural land, to provide accessible and maintainable land which could serve a purpose. He said that there was potential for connectivity between these parcels of land which would be provided as close as possible to the land required to be replaced.

He presented slides showing the different land parcels owned by ECC, BDC and WTC which would be permanently required and others that would be needed during construction.

He spoke of his aspiration to link the areas from Gershwin Boulevard via a new footbridge restoring a public right of way (PROW) past land to be used as an ecological mitigation zone accessed from Howbridge Hall Road off Maldon Road. The footpath/cycleway would continue along the south side of the A12 past replacement land for Braintree District Council. It would be necessary on reaching Maldon Road to veer away from the A12 unless it proved possible to have access through the Church car park. The pathway would continue along the south side of the A12 past the proposed ecological mitigation site to the west of the River Brain and then onto Whetmead. The footpath would link the two areas of proposed WTC land and beyond to Coleman's Farm fisheries. The owner is currently objecting to the proposed pathway but there was a historic severance which occurred when the original A12 was built. There would be a bridge over the A12 to link up with proposed replacement land currently the old A12, to the south of the Freebournes estate, which would have potential to create open space. This proposed pathway from Gershwin Boulevard to Freebournes/Eastway would link up to the existing River Walk network and the Rail Trail.

Mr Goodwin hoped that this proposal could be explored by the three authorities. He said that whilst this scheme was outside the scope of the Development Consent Order there was an opportunity to take this forward.

A discussion then took place regarding safety and attractiveness of the proposed path and whether people would want to walk beside the busy A12. The question was asked as to how BDC and ECC would maintain these parcels of replacement land particularly as the Rail Trail is not maintained at the moment.

Chris Bandy, ECC spoke of the potential to get together to look at the proposal and how it could be managed.



Gary Sung said that the replacement land had been discussed at BDC to maximise the benefit for health, nature and green credentials. They would support circular PROWs and would need to consider how these areas could be maintained.

It was agreed that officers work together to arrange a meeting to discuss these issues.

GK/30.1.2023



Agenda Item 5(c)



A12 Widening Scheme Witham Town Council Representations Report

Interested Party Ref. No. 20033063

Date 31st January 2023

Contact: Nikki Smith (Town Clerk)

townclerk@witham.gov.uk

01376 520627

GK/31.1.2023



The Town Council as owners of the River Walk and Whetmead Nature Reserve have been in conversation with National Highways regarding the impact of the A12 widening scheme on its property and, in the wider context, the town as a whole.

The Town Council registered as an interested party in 2022 under reference 20033063 and made the following comments –

- Loss of land at Whetmead Nature Reserve
- Proposed replacement land is inadequate as a Nature Reserve
- Understanding that agricultural traffic will not be permitted on the A12 and the implications this will have on Witham town centre traffic
- Overall traffic issues for Witham during the course of construction
- Problems with noise
- Loss of mature trees and shrubs
- Loss of access to nature reserve during construction
- Whetmead was used as a translocation zone.



Whetmead Nature Reserve

This 11.4 hectare site was formerly the town tip and on decommissioning Essex County Council returned the site in 1976 to Braintree District Council as open space and in 1981 it was formally designated as a Local Nature Reserve. It was transferred to Witham Town Council's ownership in 2005.

The Nature Reserve lies within the Blackwater Valley is situated at the confluence of the River Blackwater and River Brain and is accessed from Blackwater Lane under the existing A12. During periods of heavy rain the large quantity of water flowing into the River Brain causes the underpass to flood. The Nature Reserve is subject to an Essex Ecology Services Limited Management Plan 2015 - 2024. Within the Nature Reserve there is a large lagoon within the ownership of Anglian Water which is remnant of a former water treatment works. This lagoon holds shallow water in the winter months but tends to dry out during the summer. Although next to the A12 the noise and pollution is buffered by shrub land and trees. It is a quiet and remote area of open space where wildlife can be observed and is used mainly by dog walkers and supports the Living Landscapes initiative of embracing characteristic landscapes and the wildlife they support.

To allow for widening of the A12, a strip of the Whetmead Nature Reserve, approximately 4,344 square metres of grassland, unnamed track, trees and shrubbery will be lost. Reference 8/47a in the Book of Reference and land parcel 9/11a refers.

Whetmead benefits from this wooded area which cuts back noise and pollution from the A12, with the removal of this buffer the peace and quiet of the reserve would be lost. The boundary treatment is a great concern to the Town Council to ensure that there is no loss of amenity with the removal of mature trees and shrubbery. The Town Council has a green/climate change agenda and is disappointed that this vegetation would be lost.

National Highways has proposed replacement land in two parcels, one adjacent to Whetmead, the other a distance from it reference 9/1a and 9/1h.

The Town Council considers that the proposed replacement land is inadequate for a nature reserve. The land in question is a boggy wooded area and not accessible by the public at present. The Town Council is considering seeking financial compensation as well as the replacement land.

The second small piece of land is a distance from the nature reserve and isolated from it. Access would be required by a footpath alongside the A12. Concern is raised that this footpath would be unattractive to walkers as it would be beside the equivalent of a motorway so adequate screening of the A12 would be required.

The value of the proposal to create a route along the side of the A12 from Whetmead to Little Braxted Lane is questioned unless this route can be linked to existing networks along the River Walk or Blackwater Rail Trail.



During construction of the A12 public amenity of the nature reserve will be lost whilst embankments are constructed by the entrance to Whetmead although access by Town Council staff for maintenance purposes would be possible.

Whetmead has been used in the past as a translocation zone for reptiles and other wild life. Care must be taken to ensure that the wildlife or habitat is not endangered.

In addition, another area owned by the Town Council will be affected by the A12 widening. Land to the west of the River Brain, north of the A12 will be lost and likewise land to the south referenced 8/11q, r and s. It is understood that the National Highways propose to erect a temporary bridge over the River Brain in this area.

Land parcel 8/11v is also owned by the Town Council.

A site adjacent to Whetmead is going to be used as an ecological mitigation area and during construction prior to work starting on the A12 access will be required over Town Council land. Representations have been made to ensure that access to Whetmead is maintained at all times and that mud/debris on the access is removed daily.

Witham's River Walk

By Maldon Road, part of the River Walk by the River Brain will be temporarily required for relocation of the gas main. This land is incorrectly shown as being owned by Braintree District Council numbered 8/11g, h and i.

Agricultural Vehicles

The National Highways have stated that agricultural vehicles will no longer be able to use the A12. At certain times of the year there are a number of agricultural vehicles which already use the town centre, once the widened A12 has been constructed this number will increase. The town centre is a conservation area with narrow pavements and Georgian houses with overhangs, which would be in danger. A site visit has proven that there is no alternative route round the town.

Traffic Issues during construction

The Town Council is concerned how the traffic in Witham will be affected during the construction period. When traffic is slow on the A12 motorists will use the B1389 through the town centre causing severe congestion. It is hoped that the National Highways will ensure that A12 closures will be kept to a minimum so that delays and congestion in the town centre, and beyond, do not occur.

GK/31.1.2023



Agenda Item 5(d)



A12 Chelmsford to A120 widening scheme

TR010060

9 Statement of Common Ground with
Witham Town Council

Rule 8 (XIX)

Planning Act 2008
Infrastructure Planning (Examination Procedure)
Regulations 2010

Volume 9

<Month/Year>



A12 Chelmsford to A120 widening scheme
Statement of Common Ground with Witham Town Council



Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

A12 Chelmsford to A120 widening scheme

Development Consent Order 202[]

Statement of Common Ground with Witham Town Council

Regulation Reference	Rule 8 (x)(x)
Planning Inspectorate Scheme Reference	TR010060
Application Document Reference	TR010060/EXAM/9/X
Author	A12 Project Team and National Highways

Version	Date	Status of Version	
P01.1	<month year=""></month>	S0 - INITIAL STATUS	

Planning Inspectorate Scheme Ref: TR010060 Application Document Ref: TR010060/EXAM/9/X

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A12 Chelmsford to A120 widening scheme
Statement of Common Ground with Witham Town Council



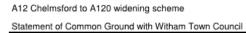
STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Witham Town Council.

[NAME]
Project Manager
on behalf of National Highways
Date: [DATE]
Signed
[NAME]
[POSITION]
on behalf of [STAKEHOLDER]
Date: [DATE]

Signed.....







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Statement of Common Ground with Witham Town Council



1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed A12 Chelmsford Widening (the Scheme) made by National Highways Company Limited (National Highways) to the Secretary of State for Transport (Secretary of State) for a Development Consent Order (the Order) under section 37 of the Planning Act 2008 (PA 2008).
- 1.1.2 The Order, if granted, would authorise National Highways to widen the existing A12 to three lanes between junction 19 and 25 in each direction, where it is not already three lanes. This would mainly involve online widening of the carriageway, with offline bypasses created between junctions 22 and 23 (Rivenhall End Bypass) and between junctions 24 and 25 (Kelvedon to Marks Tey). This would be accompanied by junction improvements (junction 19 and 25), construction of new junctions catering for traffic movements both north and southbound (junctions 21, 22 and 24), and removal of existing junctions (junction 20a, 20b and 23).
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 The SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has not (yet) been reached and still under discussion, and areas of disagreement. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

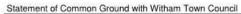
- 1.2.1 This SoCG has been prepared by (1) National Highways (formerly known as Highways England) as the Applicant and (2) Witham Town Council.
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by National Highways.
- 1.2.3 Witham Town Council is a prescribed consultee under Section 43 of the PA 2008.

1.3 Terminology

1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-









going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.

1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoGS are not of material interest or relevance to Witham Town Council, and therefore have not been the subject of any discussion between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Witham Town Council.

2 Record of Engagement

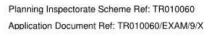
2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and Witham Town Council in relation to the Application is outlined in table [2.1].



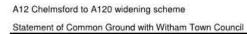
Statement of Common Ground with Witham Town Council



Table 2.1 Record of Engagement









Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Braintree and Chelmsford Community Forum
11 August 2016	Meeting	Introduced the A12 widening scheme
	15	Braintree and Chelmsford Community Forum
26 September 2016	Meeting	To inform forum members about the consultation and the principles of a good consultation, as well as providing a project update.
11 February 2017	Public Information Event	Gather feedback from the consultation to shape the designs and to identify potential opportunities to meet Key Performance Indicators and wider targets
		Braintree and Chelmsford Community Forum
3 August 2017	Meeting	To inform forum members about the consultation, as well as providing a project update.
		East and West Community Forum
24 July 2019	Meeting	Provide an overview of the A12 scheme, including work that has taken place to date and provide an update on the way forward for the scheme.
2 March 2020	Meeting	Following the PRA, discuss the next steps.
	26	East Community Forum
24 August 2020	Online Meeting	To provide a project update, an overview of how the schemes will now be drawn back together and an overview of how when a PRA is announced it will be managed.
		West Community Forum
25 August 2020	Online Meeting	To provide a project update, an overview of how the schemes will now be drawn back together and an overview of how when a PRA is announced it will be managed.
18 November 2020	Online meeting	To discuss the updates to the scheme and get feedback
18 March 2021	Online meeting	To provide an update on design fix 1 and get feedback
		East Community Forum
15 June 2021	Online meeting	Present arrangements for statutory consultation



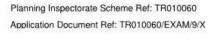




Statement of Common Ground with Witham Town Council

10 July 2021	Public Information Event	To explain the proposed scheme under the statutory consultation.
23 September 2021	Meeting and site visit	To discuss impacts of scheme to Whetmead LNR
		Followed by a joint site visit to Whetmead LNR
26 November 2021	Public Information Event	To explain the proposed scheme under the supplementary consultation.
9 March 2022	Meeting	Provide a project update, discuss the biodiversity mitigation, replacement land and designated funds
6 June 2022	Meeting	Replacement Land Meeting To discuss the replacement land proposals for Witham Town Council
15 June 2022	Site visit	Walk around the slow moving vehicles diversion route with Councillors.
4 October 2022	Meeting	To discuss consultation responses, designated funds, WCH designs and advanced works.
		Replacement Land Meeting
24 January 2023	Hybrid Meeting	Joint meeting with Essex County Council, Witham Town Council and Braintree District Council regarding replacement land proposals in the Witham area.

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Witham Town Council in relation to the issues addressed in this SOCG. Additional correspondence has also taken place with a view to finalising the SoCG.
- 2.1.3 The issues and matters highlighted in Section 3 of this SoCG summarise the key issues that have been identified in relation to a number of key areas of the DCO application.





Statement of Common Ground with Witham Town Council



3 Issues

3.1 Introduction

3.1.1 This section summarises the key issues explored by Witham Town Council (WTC) and National Highways.

3.2 Summary of issues agreed

Table 3.1 Summary of agreed issues between Witham Town Council and National Highways.

Ref No.	Topic	Issue	Status	Date

3.3 Summary of issues in discussion

Table 3.2 Summary of issues in discussion between Witham Town Council and National Highways

1	Loss of Land	Loss of Land at Whetmead Nature Reserve	In discussion	27/01/2023
2	Replacement Land	Proposed Replacement Land is Inadequate for a Nature Reserve	In discussion	27/01/2023
3	Slow Moving Vehicles	Slow Moving Vehicles banned on the A12 and the alternative route through Witham Town Centre	In discussion	27/01/2023
4	Traffic	Traffic impacts during the A12 construction period	In discussion	27/01/2023
5	Operational noise	Impact of road noise on the Witham area	In discussion	27/01/2023
6	Construction noise	Impact of noise during the construction period	In discussion	27/01/2023
7	Landscape	Loss of mature Trees and Shrubs	In discussion	27/01/2023







8	Access	Loss of Access to Local Nature Reserve during construction period	In discussion	27/01/2023
9	Ground Investigations	LNR is a Historic Landfill site	In discussion	27/01/2023
10	Wheatmead as translocation zone	Translocation of reptiles within Whetmead LNR and the surrounding area	In discussion	27/01/2023

3.4 Issues agreed

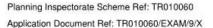
Table 3.3 Issues agreed.

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		3.				
					2	2

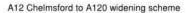
3.5 Issues in discussion

Table 3.4 Table 3.4 Issues is discussion.

Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
1	Loss of Land at Whetmead Nature Reserve		Loss of land at Whetmead Nature Reserve.	Please see response to Relevant Representation, RR-084-002. Is accepted that a narrow strip of land from the Whetmead LNR, adjacent to the A12 needs to be	In discussion	27/01/2023
				acquired for the widening of the A12.		











Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
				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.		
2	Proposed Replacement Land is Inadequate for a Nature Reserve	Environmental Statement, Chapter 9, Biodiversity [APP-076] Environmental Statement, Figure 2.1 Environmental Masterplan Part 1 [APP- 086]	Proposed replacement land is inadequate for a nature reserve. Concerns include required access and maintenance to make the areas enjoyable to the public.	Please see response to Relevant Representation, RR-084-002. 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 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). National Highways will work with Witham Town Council to develop a suitable landscaping design and access design.	In discussion	27/01/2023
3	Slow Moving Vehicles banned		Understanding that agricultural traffic will not be permitted on the	Please see response to Relevant Representation, RR-084-003.	In discussion	27/01/2023





Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
	on the A12 and the alternative route through Witham Town Centre		A12 and the implications this will have on Witham town centre traffic	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.		
				National Highways does not believe it proportionate to amend the existing weight restriction through the Town Centre. But will work with Witham Town 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-272] OCTMP, Appendix A: Proposed Diversion Routes Part 2 [APP-274]	Overall traffic issues for Witham during the course of construction	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) [APP-272], 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	In discussion	27/01/2023

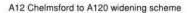






Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		OCTMP, Appendix B: Permitted and Excluded		local roads such as through Witham, and through proactive communication with local authorities, communities and wider road user groups.		4
		Routes for Construction Vehicles (plans) [APP- 275].		Witham Town Council will be invited as a local authority to the Local Area Traffic Management Forum where communication, input into and review of plans, restrictions and closures affecting local communities will be discussed.		
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





Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
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 A12 by Market Lane.	In discussion	27/01/2023
				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,	Loss of mature trees and shrubs	Please see response to Relevant Representation, RR-084-006.	In discussion	27/01/2023
		Chapter 9, Biodiversity [APP-076] Retained and Removed Vegetation Plans, Part 1 [APP-035] and Part 2 [AS- 017] Environmental		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		
		Statement, Chapter 3, Assessment		mitigated through provision of approximately 2ha of new habitats in an area immediately south of and outside the site as detailed in		





Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
		of Alternatives [APP-070]		Section 9.10 of Chapter 9: Biodiversity, of the Environmental Statement, [APP-076].		il de la constant de
		First iteration Environmental Management Plan (EMP) Appendix A: Register of Environmental Actions and Commitments (REAC) [APP- 185]		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]. A landscape design is proposed to mitigate the effects of lost vegetation and screening.		
		Environmental Statement, Figure 2.1, Environmental Masterplan [APP-086, APP-087 and APP-088]				
8	Loss of Access to Local Nature Reserve during construction		Loss of access to nature reserve during construction	Please see response to Relevant Representation, RR-084-007. National Highways has confirmed to Witham Town Council that its	In discussion	27/01/2023



Statement of Common Ground with Witham Town Council



Ref	Issue	Doc Reference	Witham Town Council Position	National Highways Position	Status	Date
				representatives, subject to suitable Health and 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]	Sharing of ground investigation information from Whetmead LNR	Further ground investigation has been undertaken in the Whetmead historic landfill area. Results will be share with Witham Town Council when available.	In discussion	27/01/2023
		First iteration Environmental Management Plan (EMP) Appendix A: Register of Environmental Actions and Commitments (REAC) [APP- 185]				
		First Iteration Environmental Management Plan, Appendix D: Land Contamination		s		





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]				2
10	Wheatmead as translocation zone	Environmental Statement, Figure 2.1, Environmental Masterplan [APP-086]	Whetmead was used as a translocation zone	Please see response to Relevant Representation, RR-084-008. National Highways welcomes discussions with the interested party 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.	In discussion	27/01/2023



A12 Chelmsford to A120 widening scheme
Statement of Common Ground with Witham Town Council



Acronyms

Abbreviation	Term
ECC	Essex County Council
WTC	Witham Town Council
SoCG	Statement of Common Ground



national highways

A12 Chelmsford to A120 widening scheme

Statement of Common Ground with Witham Town Council

Glossary

Term	Definition



A12 Chelmsford to A120 widening scheme
Statement of Common Ground with Witham Town Council



References



A12 Chelmsford to A120 widening scheme
Statement of Common Ground with Witham Town Council



Appendix A

[INSERT RELEVANT DOCUMENTS NOT FORMING PART OF THE APPLICATION THAT ARE REFERENCED IN THE SOCG E.G. EMAILS/MEETING NOTES/DATA].

A.1 Appendix Heading 2

A.1.1 Appendix numbered para text

Appendix Heading 3

A.1.2 Appendix numbered para text

Appendix Heading 4

A.1.3 Appendix numbered para text

Plate A.1 Use 'Appendix Plate Caption' Style

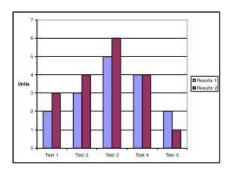


Table A.1 Use 'Table Plate Caption' Style

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Planning Inspectorate Scheme Ref: TR010060 Application Document Ref: TR010060/EXAM/9/X

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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

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.

23/00091/НН	9 Gershwin Boulevard, Witham, Essex	South	Erection of single-storey rear extension to existing garden room, with additional pergola to side
23/00134/HH	222 Church Street, Witham, Essex	North	Part single part two storey side extension and garage conversion



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.

23/00033/LBC	58 Powers Hall End, Witham, Essex	West	Replacement of rear double French doors on a like- for-like basis
23/00162/НН	94 Highfields Road, Witham, Essex	West	Proposed first floor rear extension
23/00152/OUT	Cullen Mill , 49 Braintree Road, Witham	North	Outline planning application with all matters reserved for redevelopment of the site involving the erection of 10 residential units and associated access and gardens



Witham Town Council – Planning Application Report

Application No 25/00055/LBC
Address:- 58 Powers Hall End, Witham, Essex
Ward:- West
Proposal:- Replacement of rear double French doors on a like-for-like basis
Relevant Site History:-
Representations:-
Summary: - The original house was built in 1736 although thought to incorporate the frame of an earlier house. The current french doors are rotten and are beyond repair. The repairs will be made of PEFC sapele with slimline double glazing with all sizes and mouldings to match the existing. (PEFC trademark is sustainably managed forests, recycled and controlled sources). The windows will be painted white.
Recommendation:- The french doors are not visible from the front of the house as obscured by a garden
wall. Would advise no objection subject to the Historic Buildings Officer being satisfied with materials.
wall. Would advise no objection subject to the Historic Buildings Officer being satisfied with materials. Policy References:-



Witham Town Council – Planning Application Report



Witham Town Council – Planning Application Report

Application No:- 23/00152/OUT

Address:- Cullen Mill, 49 Braintree Road, Witham

Ward:- North

Proposal:- Outline planning application with all matters reserved for redevelopment of the site involving the erection of 10 residential units and associated access and gardens

Relevant Site History:- 20/00694/OUT - following a revision of the plans the Town Council objected as the original elevation was more in keeping with the former industrial area and that ten parking spaces was only achieved by four being blocked by four other cars and that there was no longer a large shared amenity space just a corner of the roof. The application was refused by Braintree District Council on the grounds that the development would be cramped and congested in layout and provide inadequate amenity space.

Representations:- A neighbour has objected to the development as her parking space is already being blocked by work trucks for the demolition, work begins at 7.30 a.m. and no consideration is being given to protecting pedestrians or property.

Summary:- The existing warehouse will be demolished and a residential block over four floors be built in its place. The proposed materials would be brick and render. A communal garden of 130 sqm would be provided and a bin store.

Recommendation:- Whilst it could be argued that this development is in an area with adequate public transport there is no parking provision. Nearby there is a public car park but it would no doubt be tempting for residents and visitors to park on neighbouring land where parking is already tight. A neighbour has complained that parking bays and access are being blocked at present. LPP52k states that sustainable modes of transport should be promoted in the design and layout of new development. Would recommend refusal on the grounds of elevation of design not reflecting or enhancing the area, impact on neighbouring amenity and outdoor amenity space not complying with the Essex Design Guide (25sqm per two bedroom flat required).

Policy References:- LPP52a, LPP52c and Essex Design Guide



Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 10
22/03158/HH 4 Porter Way	Single storey rear extension	Application Permitted	No objection	
Witham Essex CM8 1ZQ				
22/03136/LBC 22 Newland Street Witham Essex CM8 2AQ	Replace two timber framed sash windows at the rear of the property to double glazed UPVC .	Application Refused	Recommended refusal on the UPVC would be inappropriate that the timber sash window contrary to LPP57. Members application is considered by that a Town Councillor atterrepresentations.	te on a Listed Building and vs are included in the Listing, s asked that if the the Planning Committee
22/03135/FUL Witham Fire Station Hatfield Road Witham Essex CM8 1EW	Erection of steel framed training rig and 1.8m gates and fences	Application Permitted	No objection	
22/02698/FUL Lime Tree Place 8 Collingwood Road Witham Essex	Retention of 1No. lighting column	Application Permitted	No objection	
22/02530/HH 12 Turstan Road Witham Essex CM8 1PB	Single-storey side, rear and front extension with garden enlargement to enclose adjacent land to the side	Application Refused	No objection	



22/03240/HH 1 Dorothy Sayers Drive Witham Essex CM8 2LZ	Single storey side extension	Application Permitted	No objection
22/02118/FUL 3 Nightingale Close Witham Essex CM8 1AP	Replacement of windows and doors	Application Permitted	No objection
22/02119/FUL 4 Nightingale Close Witham Essex CM8 1AP	Replacement of windows and doors	Application Permitted	No objection
22/02117/FUL 2 Nightingale Close Witham Essex CM8 1AP	Replacement of windows and doors	Application Permitted	No objection



Agenda Item 12

The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On Street Parking Places) (Civil Enforcement Area) (Amendment 30) Order 2023

Notice is hereby given that Essex County Council has made the above Order under Sections 1(1), 2(1) to (3), 3(2), 4(1), 4(2), 32(1), 35(1), 45, 46, 49, 53 and Part III of Schedule 9 of the Road Traffic Regulation Act 1984.

TO REVOKE: Disabled Badge Holders Only at the following locations in the District of Braintree.

Road	Description
34 Windmill Road, Halstead	North Side: From a point approximately 120 metres southwest of its junction
	with Chapel Hill, south westwards for a distance of approximately 5.5 metres
	(Post and sign to be removed)
4 Ness Walk, Witham	South Side: From a point approximately 8.4 metres from the kerb outside 6
	Ness Walk, eastwards for a distance of approximately 2.7 metres.

TO REVOKE: Permit Parking Area - Mon-Fri 10AM-4PM on the following length of road in the District of Braintree.

Road	Description
88 Greenfield, Witham	West Side: From the boundary of 88 and 90 Greenfield, south for a distance of
	approximately 5.0 metres

TO UPGRADE: Disabled Badge Holders Only on the following length of road in the District of Braintree

Road	Description
90 Coldnailhurst Avenue, Braintree	East Side: From the boundary of 92 and 94 Coldnailhurst Avenue, north
	easterly for a distance of approximately 2.5 metres. (New post and sign to be
	installed

TO IMPLEMENT: Disabled Badge Holders Only at the following location

Name	Description
88 Greenfield, Witham	West Side: From the boundary of 88 and 90 Greenfield, south for a distance of approximately 5.0 metres (New post and signed to be installed) Parkmap Tile: TL820 140 Rev 0 to Rev 1

This Order will be incorporated into 'The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019' by substituting map tile: TL805 302 Rev 1 to Rev 2, TL805 145 Rev 0 to Rev 1, TL820 140 Rev 0 to Rev 1, TL755 240 Rev 0 to Rev 1

Date of operation: The Order will come into operation on 20 January 2023

If you need to view a hard copy of these documents, please call (or text) 07786125874 to arrange a suitable time to inspect the documents quoting the below reference number. Documents can be made available for inspection 8.30am-5.30pm Mon-Thurs and 8.30am-5pm on Friday at Essex County Council, County Hall E block main reception, Market Road, Chelmsford. Alternatively, documents can be posted to you upon request.

Application to the high court: Anyone who wishes to question the validity of the Order of any provision contained in it on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984 (as amended) or on the grounds that any requirement of the Act, or any instrument made under it, has not been complied with in relation to the Order, may within six weeks from the date of the making of the Order apply to the High Court for this purpose.

Dated: 19/01/2023

County Hall Essex County Council



Agenda Item 13

Extract from the Local Highways Panel Meeting held 12th January 2023

Possible Introduction of 20mph Speed Limit Zones Across Essex Action: - Dan Maclean, Essex Highways, had been requested to circulate to Members of the Panel a copy of an article published 3 in The Times newspaper on 30th September 2022 regarding the experience of other towns and cities across the Country where a 20mph speed limit had been introduced. Update: - The article had been circulated on 20th October 2022.

Funded Schemes 2022/23:

Consideration was given to a report on the Panel's Funded Schemes for 2022/23, which had been recommended for approval. The report provided an update on the current position of all schemes in the 2022/23 programme of work. Members of the Panel were reminded that funding of £407,600 had originally been allocated to Braintree Local Highways Panel 4 for the year 2022/23. Subsequently, further sums of £100,000 in 2021/22 and £200,000 in 2022/23 had been allocated, together with a sum of £177,594 following the re-profiling of schemes in 2021/22. It was reported that £656,000 of the Panel's budget had been allocated to various schemes within the programme of work and that £59,612 had been allocated specifically to casualty reduction schemes. This meant that a total of £169,582 was available for expenditure in 2022/23. In an update to the report, Members of the Panel were advised that the allocation of £200,000 in 2022/23 might not be available as Essex County Council was considering if this could be identified as a saving when setting the budget for 2023/24. No decision had been made to date. If supported, the proposal would result in the Panel's budget being overspent by approximately £30,500, but it would still be possible to deliver all the schemes in the 2022/23 programme. In discussing this Item, it was noted that the report referred to the estimated completion time for the following schemes as 'Quarter 3'. It was agreed that Kandice Louis and Dan Maclean, Essex Highways would clarify if the report should refer to 'Quarter 4' instead and amend the report if required.

Schemes Awaiting Funding:

Consideration was given to a 'Schemes Awaiting Funding' report, which included details of requests received for funding from the Panel's budget for the year 2022/23. It was noted that a sum of £169,582 remained in the capital budget for 2022/23 and that the total value of unallocated schemes on the 'Schemes Awaiting Funding' list was £90,500. Members of the Panel were not required to recommend which schemes should be included in the Panel's programme of work at this time, as this would be considered at a future meeting of the Panel. However, it was proposed that Members should endorse removal from the list of potential schemes some which had been assessed as having a 'red' status as they did not meet Essex County Council's criteria. In discussing this Item, specific reference was made to salt bins and it was agreed that information setting out Essex Highways' criteria for the provision of salt bins should be circulated to Members of the Panel. Action By: Dan Maclean - Essex Highways. To circulate to Members of the Panel information setting out Essex Highways' criteria for the provision of salt bins. Reference was also made to schemes for the provision of bus shelters, which were currently on hold pending the completion of a County-wide audit. Essex Highways' Passenger Transport Team had indicated that terms were being finalised with a bus shelter contractor and it was anticipated that the contractor would start delivering schemes with effect from 1st April 2023.

DECISION: (1) That it be recommended that the following schemes, the status of which have been assessed as 'red' as they do not meet the criteria, are removed from the list of potential schemes:-Traffic Management



LBRA212009 – Traffic management improvements, Blunts Hall Road, Witham Estimated Cost:- Not known

LBRA212018 – 7.5 tonne weight restriction, Maltings Lane, Witham Estimated Cost:- Not known LBRA222039 – Speed reduction, Maltings Lane, Witham Estimated Cost:- Not known LBRA222045 – Speed reduction, Holst Avenue, Witham Estimated Cost:- Not known

LBRA222052 – Speed reduction measures, Forest Road, Witham Estimated Cost:- Not known

That the following schemes be subject to the specific comments denoted:-Traffic Management

LBRA212023 – Request to investigate speeding in the area, Maldon Road, Witham (Witham Southern Division) Estimated Cost:- Not known 9 (Note:- (Classified as 'red').

D Maclean to advise Councillor R Playle, Essex County Councillor for Witham Northern Division, if this scheme incorporates a similar proposal for the section of Maldon Road, Witham which falls within Witham Northern Division. The scheme requests for both stretches of road had been submitted at the same time)

LBRA192062 – Improvements to road layout close to mini-roundabout, B1018 Braintree Road, Witham Estimated Cost:- £10,000 (Note:- (Classified as 'green'). K Louis to discuss the purpose of this scheme with Councillor R Playle, Essex County Councillor for Witham Northern Division)

Witham Town Council Environment Committee: Parking & Highways Report.				
HIGHWAY / PARKING ISSUE	RAISED	FIRST RAISE	ICURRENT STAGE	MIN. REF
Collingwood Road - Speed Survey		2.9.2019	LHP request submitted 9.9.2019	92.2/9/2019
Avenue Road - Speed Survey	PA&T	2.9.2019	LHP request submitted 9.9.2019	92.2/9/2019
Pelly Avenue parking	PA&T	10.02.2020	Public consultation completed 27.03.2020.	204.10/02/2020
			Liaison with Greenfields commenced	
Guithavon Valley parking issue	PA&T	03.08.2020	LHP request for safety audit applied for	03.08.2020 delegated decision
Maltings Lane	P&T	1.6.2021	In validation	19.1.6.2021
Rickstones Road Speed survey prior to VAS		29.3.2022	LHP request	267
Maldon Road Speed Survey prior to VAS	P&T	29.3.2022	LHP Request	267
20 mph limit on all residential roads	P&T	21.4.2022	Request via RP & DL.	
Chipping Hill Bridge - withdrawn (See HGV		26.4.2022	LHP request for weight limit on grounds of	
routing below)			amenity	286
HGV routes for Witham		7.6.2022	In validation	23
Speed Survey - Cut Throat Lane		4.7.2022	LHP	46
Pedestrian Barrier - Spa Road/Highfields Road		25.8.2022	LHP request	82

