



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

## AGENDA

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

Date: **Monday, 9<sup>th</sup> December 2019** Time: **6.30 p.m.**

Place: **Town Hall, 61 Newland Street, Witham, Essex.**

Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:	Councillors:	J.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 25<sup>th</sup> November 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. **PROW – FOOTPATH FROM BRIDGE STREET TO GUTHAVON ROAD**

To receive a request from Mr D. Chignall for the footpath from Bridge Street to Guthavon Road to be made a Public Right of Way ([attached](#)).

11. **LIGHTS AND SIGNAGE AT LIDL**

To receive email correspondence between Mr D. Chignall and Councillor M.C.M. Lager in relation to the Lidl lights and signage ([attached](#)).

12. **REMOVAL OF PHONE BOX – KING EDWARD WAY JUNCTION WITH BOYDIN CLOSE**

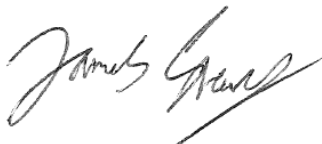
BT is consulting with the Town Council in relation to the removal of the above telephone box ([attached](#)).

13. **TPO 20/2019/TPO – LAND ADJACENT TO 110 HONEYSUCKLE WAY WITHAM**

To note that a Notice has been served on the owners/occupiers of the above land advising of the proposed TPO.

14. **APPEAL – 17/02065/FUL – 65 NEWLAND STREET, WITHAM**

To note that an appeal has been made against the District Council's decision to refuse the above planning application. This Sub-Committee had recommended no objection. Members are asked to consider writing a letter of support for the permission to be granted.



James Sheehy  
Town Clerk  
GK/4.12.2019

## 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](http://www.braintree.gov.uk)

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

19/02080/HH	58 Highfields Road, Witham, Essex	West	Erection of a single-storey rear extension, a hip-to-gable side and rear dormer roof extension
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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](http://www.braintree.gov.uk)

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

19/02022/LBC	Roslyn House, 16 Newland Street, Witham	Central	Internal alterations to include the installation of a transparent column to secure the safety of the main staircase and transparent safety barriers in front of windows; external works to involve the replacement of modern garden wall and gate, and new resin stone paving in rear garden.
19/00308/TPO	10 Hollybank, Witham, Essex	Central	Notice of intent to carry out works to trees protected by Tree Preservation Order 6/76 - Repollard 2 Lime trees by 1 metre and remove the new growth and Trim 2 Yew trees

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## Witham Town Council – Planning Application Report

**Application No:-** 19/02022/LBC

**Address:-** Roslyn House, 16 Newland Street, Witham

**Ward:-** Central

**Proposal:-** Internal alterations to include the installation of a transparent column to secure the safety of the main staircase and transparent safety barriers in front of windows; external works to involve the replacement of modern garden wall and gate, and new resin stone paving in rear garden.

**Relevant Site History:-** Application 19/00352/FUL for Change of Use from B1(Office) to D1(School) was considered on 1st April and recommended for approval.

**Representations:-**

**Summary:-** Roslyn House is a Grade II\* Listed Building, 16th century framed and plastered house which was re-fronted in 18th century. Over the years the interior of the building has been modernised and significantly altered for use as offices. It is proposed to make changes to Roslyn House to make it suitable for a Special Needs School with up to 50 pupils. The main changes are to insert a perspex tube to prevent children falling from the original main staircase, install transparent safety barriers in front of windows and external work to the garden. Other work proposed includes sub-partitioning, conversion small spaces to WC, kitchen and shower use, replacement of ceiling lights for safety reason, addition of CCTV cameras and vision panels to be inserted into modern doors. Externally a new sign and cameras at the front of the building, replacement of the modern brick garden wall and gate on the north-eastern side of the house, brick and gravel edging along the back of the house to be replaced with resin stone and seating to be placed around the nearest tree. Historic England has been involved in the in the pre-application meetings with the applicant and the District Council.

**Recommendation:-** For the school to function it is necessary for safety reasons to prevent the falls from windows or the staircase. The proposal to install an acrylic tube which will not materially affect the original staircase and transparent panels in front of the windows which again will not affect the fabric or the integrity of the building appears reasonable. I am less sure about the resin stone for the garden but it will be at the back of the house so on balance recommend no objection subject to the Listed Buildings Officer.

**Policy References:-**

## Witham Town Council – Planning Application Report

**Application No:-** 19/00308/TPO  
**Address:-** 10 Hollybank, Witham, Essex  
**Ward:-** Central

**Proposal:-** Notice of intent to carry out works to trees protected by Tree Preservation Order 6/76 - Repollard 2 Lime trees by 1 metre and remove the new growth and Trim 2 Yew trees

**Relevant Site History:-** 19/00117/TPO - Remove 2 lime trees. This was recommended for refusal on the grounds that the felling of the lime trees would be excessive and as the trees had recently been pollarded no work was necessary, subject to the advice of the District Council's tree officer.

**Representations:-**

**Summary:-** These trees are in the applicant's small front garden. The lime trees have been pollarded before and this work seems reasonable but the advice of the Tree Warden has been sought.

**Recommendation:-**

**Policy References:-**

Application & Address	Proposal	BDC Decision	WTC Decision
19/01866/HH - 29 Brain Road Witham Essex CM8 1LB	Single storey front extension	Application Permitted	No objection
19/01758/LBC & 19/01757/FUL - F Byford & Son 90 - 92 Newland Street Witham Essex CM8 1AS	Alteration and conversion of retail shop (A1) with ancillary offices and store to two A1 retail units on the ground floor and 6 x 1 bedroom and 2 x 2 bedroom residential flats above. Demolition of existing outbuilding and erection of a single storey bungalow to the rear.	Application Refused	Recommend Refusal on the grounds of lack of parking, over development of the site and lack of bike storage. Advice would need to be given to the developer regarding hours of construction and obligations regarding the private road.
19/01660/LBC - The Spread Eagle Newland Street Witham Essex CM8 2BD	Internal refurbishment and associated works.	Application Permitted	No objection subject to the advice of the Listed Buildings Officer
19/01126/LBC & 19/00922/ADV - Hold The Anchovies 68 Newland Street Witham Essex CM8 1AH	2 No. externally illuminated fascia signs and painting of shop front.	Application Permitted	No objection
19/00953/FUL - 1 Wheaton Road Witham Essex CM8 3UJ	Change of use from B1 to D2 (Dance and fitness studio)	Application Refused	Recommend approval on the grounds that the revised National Planning Policy Framework paragraph 120 gave a duty to review and approve alternative uses to meet an unmet need.

19/01487/PLD - Morrisons Supermarket Braintree Road Witham Essex CM8 2BY	Certificate of lawfulness of proposed development consisting of continuation of operations to implemented Planning Permission ref: 12/01569/FUL as allowed on appeal ref: APP/21510/A/13/2198996 dated 11/02/14 for 'Erection of extensions to an existing supermarket with associated works to an existing car park'.	Application Permitted	Recommend approval with a reminder that as part of the planning consent, Morrisons will open up the road onto Cut Throat Lane car park.
19/01221/HH - 27 Benton Close Witham Essex CM8 1JT	Rendering of property	Application Permitted	No objection
19/00109/FUL - Old Ivy Chimneys Hatfield Road Witham Essex CM8 1EN	Redevelopment of the site involving the erection of 2 x 3 bed, 5 x 4 bed and 6 x 5 bed dwellinghouses (13 units) together with associated parking and landscaping	Application Permitted with S.106	No objection subject to the advice of the Listed Buildings Officer.
18/02308/FUL - Van Forecourt Land Adjacent 1 Easton Road Witham Essex CM8 2DW	Change of use from private season ticket car park to private season ticket car park and separate taxi service office.	Application Refused	Recommend refusal on the grounds of traffic congestion at this busy junction, access posed a danger, insufficient space to manoeuvre taxis, loss of amenity to neighbours who would be affected by noise and emissions, the Design and Access statement was incorrect as the site had already been converted into a car park, any approved site should be restricted to operating times not exceeding 10 p.m.
18/00086/FUL - 16 Chalks Road Witham Essex CM8 2JG	Formation of off-street parking and outdoor storage area	Application Permitted	No objection

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Agenda Item 10

Dear James

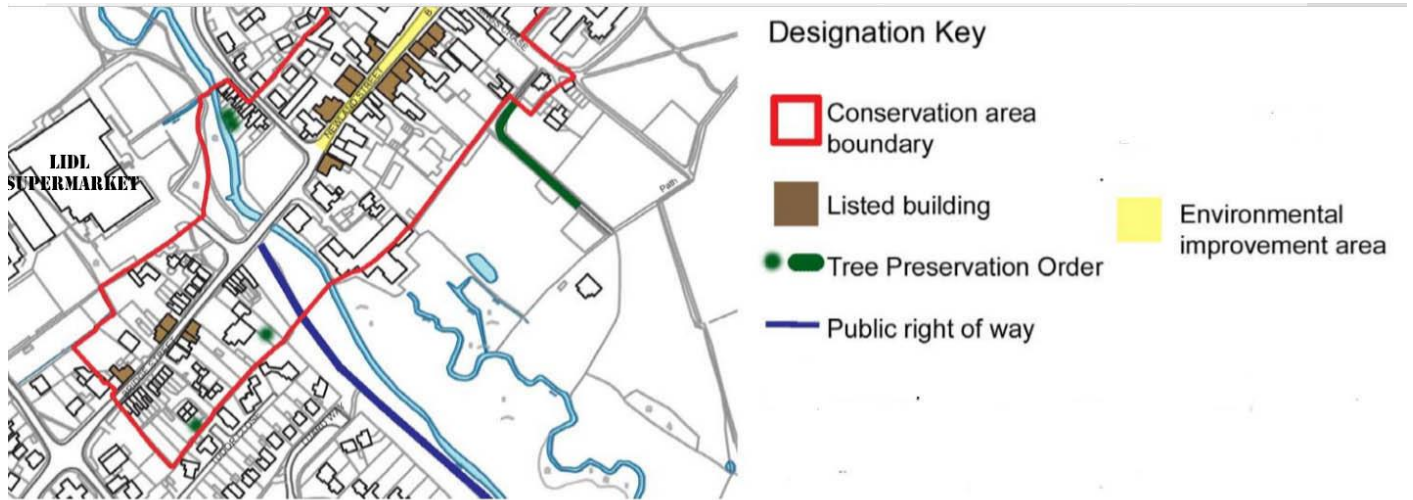
I do feel that it is time to get the river walk footpath that runs past the Lidl site from Bridge Street to Guithavon Road the protection of a Public Right of Way.

Is this something that you can put to the relevant committee or do I need to make a different approach? Your advice would be appreciated.

Many Thanks

Kind Regards

Dudley Chignall



'ham town centre showing conservation area boundary and other statutory and local designations.

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## Agenda Item 11

Michael

**19/00934/ADV** | 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. | Bramston Sports Centre Bridge Street Witham Essex CM8 1BT

BDC are still accepting comments on the Lidl application in case WTC wish to comment again.

The Planning Application contravenes all the following Council Policies and Management Plan

Witham Town Centre Newland Street Conservation Area Appraisal Management Plan

Policy RLP 86 River Corridors

Policy RLP 95 Preservation and Enhancement of Conservation Areas

Policy RLP 98 Environmental Improvements in Conservation Areas

Policy RLP 107 Outdoor Advertisements

Policy RLP 108 Fascias and Signs in Conservation Areas

Policy RLP 109 Illuminated Signs in Conservation Areas

If such signage was allowed by the Council it would be setting a dangerous precedent for other shops, restaurants & taverns to request similar illuminated signage within the conservation area.

kind regards

Dudley



Thanks, Dudley - the town council did resolve on 24th June 2019 to raise no objection and would need to rescind this decision if a different view were to be reached within 6 months. The first meeting after that date is set for 13th January 2020 and of course there is nothing to stop the LPA determining the application before then.

I recognise that there is a degree of concern from various quarters about the Lidl site advertising including their erection of signs without the necessary consent (a criminal offence under S224(3) of the Town and Country Planning Act 1990). In particular there is a letter from the LPA's Historic Buildings Consultant raising objections and suggesting a more modest scheme.

The application was validated by BDC on 23rd May this year and under the regulations the LPA has 8 weeks in which to determine it, a period that has long since elapsed without any determination, although one may assume discussions are taking place with Lidl.

Under the circumstances I would be happy to see an item on the next WTC Planning & Transport Subcommittee meeting that reported this issue and sought the Members' instructions as to any further action. This could include the forwarding of additional comments regarding the impact on the Conservation Area and any other applicable material planning considerations, and asking the LPA what action they propose to take regarding the unauthorised erection of the signage. We would need to be careful to act within standing orders if it were proposed to change the decision raising no objection, so that there could be no question as to its validity.

(By the way, your photo does underline the need to do something about the clutter of various signs, poles, posts etc in the vicinity that disfigure it, all this as you enter what is probably the best Georgian street in the county.)

Regards,

Michael

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Agenda Item 12

Please use this annex and return in this format to ensure that the telephone number of the kiosk is clearly shown.  
 A separate sheet can be used for further comments if required.  
 If you would like an electronic copy of this letter, please e mail [bt.authorisation.team@bt.com](mailto:bt.authorisation.team@bt.com)

Braintree

	Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
1	01245380331	AT PC01 HADFELDA SQUARE HATFIELD PEVEREL CHELMSFORD	CM3 2HD	21	11/11/2019		
2	01376324757	O/S NUMBER 1B PC01 LYONS HALL ROAD BRAINTREE	CM7 9SG	18	11/11/2019		
3	01376330877	OPP WHITE COURT PC01 LONDON ROAD BLACK NOTLEY BRAINTREE	CM77 8QG	53	11/11/2019		
4	01376510857	JUNC KING EDWARD WAY PC01 BOYDIN CLOSE WITHAM	CM8 1PD	54	11/11/2019		

Signature: .....  
 Area: Braintree

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