



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

AGENDA

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

Date: **Monday, 14th October 2019** Time: **6.15 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 30th September 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. WITHAM LOCAL HERITAGE LIST PROPOSALS

To receive the Witham Local Heritage List proposals submitted by Mr John Palombi of the Witham & Countryside Society (sent separately).

11. TRAFFIC REGULATION ORDER – JUNCTION PROTECTION MEASURES ON LODGE FARM

To note the TRO in relation to junction protection measures on various roads on the Lodge Farm Estate (attached).

12. RAILINGS AT GIMSONS

To receive a report (attached).

EXCLUSION OF THE PRESS AND PUBLIC

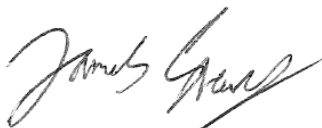
TO RESOLVE That under the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting for the following items of business on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the legal advice.

13. LEGAL ADVICE

To receive a report (attached).

14. PUBLIC DOMAIN

To consider whether the item discussed in the Private Session should be moved into the Public Domain.



James Sheehy
Town Clerk

GK/8.10.2019

PART 1

APPLICATIONS WITH OFFICER 'NO OBJECTION' RECOMMENDATIONS TO BE CONSIDERED "EN BLOC" WITHOUT DEBATE.

Applications Received:

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

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

19/01779/HH	1 Lifchild Close, Witham, Essex	South	Single storey side extension
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[Back to Agenda](#)

PART 2

APPLICATIONS FOR MEMBERS' DEBATE

Applications Received:

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

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

19/01620/HH & 19/01661/LBC	The Old Vicarage, Chipping Hill, Witham	North	Erection of a replacement shed and remedial work to boundary fencing including the addition of trellis panels
19/00239/TPOCON	Witham Pavilion Club, Maldon Road, Witham	Central	Notice of intent to carry out works to trees in a Conservation Area
19/01689/REM	Lodge Farm, Hatfield Road, Witham	Hatfield	Application for approval of reserved matters following outline approval 15/00430/OUT - Application for approval of Reserved Matters for 'Appearance', 'Landscaping', 'Layout' and 'Scale' for Phases 3 and 4 comprising 292 dwellings with associated landscaping, access and parking
19/00250/TPOCON	Bramstons, White Horse Lane, Witham	North	Notice of intent to carry out works to tree in a Conservation Area - Reduce crown of Holly by up to half a metre
19/01757/FUL & 19/01758/LBC	F Byford & Son, 90 - 92 Newland Street, Witham	Central	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
19/01763/FUL	1 Freebournes Road, Witham	Central	Change of use of existing commercial unit to flexible use classes of B1, B2 and/or B8

Witham Town Council – Planning Application Report

Application No:- 19/01620/HH & 19/01661/LBC
Address:- The Old Vicarage, Chipping Hill, Witham
Ward:- North

Proposal:- Erection of a replacement shed and remedial work to boundary fencing including the addition of trellis panels

Relevant Site History:-

Representations:-

Summary:- The applicant wishes to replace the existing shed which is 2m by 3.7m and 2.3m at its greatest height with a new structure which is 4m by 4.7m with a lean-to work space 1.15m in width and 2.4m at its greatest height. There will be a small window and an up and over door 2.1m wide and 1.85m high in the front elevation and a door to the side. The shed will be in pre-fabricated concrete sections and stained green to amouflage and have a galvanised steel roof. The lean-to section will have a white plastic roof. The boundary wall, adjacent to the churchyard, is to be re-constructed to the same height of 1.1m and be flemish bond with rubbed jointing. New trellis panels 90 cms high and stained green, will be attached to the wall to create an overall height of 2m. The boundary fence which is damaged in two locations will be replaced with green anti-deer fence panels.

Recommendation:- The applicant has included a number of photographs which show that the existing shed cannot be seen from outside the property. The existing boundary is a hotch potch of different fences and the proposed work would be an improvement. Recommend no objection subject to the advice of the Listed Building Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00239/TPOCON

Address:- Witham Pavilion Club, Maldon Road, Witham

Ward:- Central

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

Relevant Site History:-

Representations:-

Summary:- The applicant wishes to fell to ground level and poison one sycamore which is in close proximity to the back of the sheds/outbuildings and to reduce a cedar by 2m in height and trim lateral growth to maintain a sensible size within the car park without restricting access.

Recommendation:- The Tree Warden has been asked for advice.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/01689/REM
Address:- Lodge Farm, Hatfield Road, Witham
Ward:- Hatfield

Proposal:- Application for approval of reserved matters following outline approval 15/00430/OUT - Application for approval of Reserved Matters for 'Appearance', 'Landscaping', 'Layout' and 'Scale' for Phases 3 and 4 comprising 292 dwellings with associated landscaping, access and parking

Relevant Site History:-

Representations:-

Summary:- There are 84 documents and drawings relating to this application which deals with reserved matters for phases 3 and 4. On the northern boundary with the railway line there will be a landscaped buffer or open space corridor. There will be a central green space at the heart of Phase 3 and a crescent of green space to the south west corner of Phase 4. 0.41 ha of allotments will be provided. Slides will show affordable housing, house mix, landscaping, cycle routes and bin storage.

Recommendation:- Recommend no objection

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/00250/TPOCON
Address:- Bramstons, White Horse Lane, Witham
Ward:- North

Proposal:- Notice of intent to carry out works to tree in a Conservation Area - Reduce crown of Holly by up to half a metre

Relevant Site History:-

Representations:-

Summary:- This is routine maintenance to a holly tree with the proposal to reduce the crown by up to half a metre.

Recommendation:- The Tree Warden has been asked for advice but the work seems reasonable and would suggest no objection subject to the advice of the Tree Warden and District Council's Tree Officer.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 19/01757/FUL & 19/01758/LBC
Address:- F Byford & Son, 90 - 92 Newland Street, Witham
Ward:- Central

Proposal:- 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

Relevant Site History:-

Representations:-

Summary:- Byfords was formerly three medieval premises with a Georgian brick façade. Over the years there have been numerous extensions to the rear of the building and an outbuilding erected in the rear yard. There is a small parking area accessed via Lawn Chase. Byfords closed earlier this year after 63 years in business and is currently vacant. The retail element to the building will be reconfigured to form two shops with staff facilities and new accesses will be required. Eight flats are proposed (6 x 1 bed and 2 x 2 bed) and the original staircase will be retained along with the front door. There will be four flats on the ground floor and roof lights will be installed where only small windows are present. Two small flats will be on the first floor, with one apartment over both first and second floor. The final flat will be on the second floor. Roofs over the modern extensions will be replaced with traditional materials and windows and doors will be formed within the post-war extensions. The flat roofed outbuilding built in the 50's will be demolished and a two bedroom bungalow built with access via Lawn Chase (the applicant has rights of access). The existing boundary wall will be unaffected. There will be two parking spaces for the bungalow and a garden. There will be limited amenity space for the residents of the flats, bin storage but no parking.

Recommendation:- The proposal is in line with WTC policy for residential use above shops. There are no views from the Listed Buildings Officer but changes are minimal to the structure of the building. The Environmental Health Officer has commented about bedroom size and adequate natural lighting. The bedroom sizes appear compliant and because of the nature of the building and the small windows, additional light will be via roof lights. Recommend no objection subject to the advice of the Listed Buildings Officer.

Witham Town Council – Planning Application Report

Application No:- 19/01763/FUL
Address:- 1 Freebournes Road, Witham
Ward:- Central

Proposal:- Change of use of existing commercial unit to flexible use classes of B1, B2 and/or B8

Relevant Site History:- 19/01549/FUL - small extension to existing which no objections were offered on 16th September 2019.

Representations:-

Summary:- The proposal is to use these premises to consolidate the applicant's business onto one site from three. The company cuts, laminates, shapes and toughens sheet glass. The company wishes to expand the current use to B1, B2 and/or B8 to cover these operations. The company employs 140 employees in total working shifts with a maximum of 70 people on site at any one time.

Recommendation:- Recommend Approval

Policy References:-

[Back to Agenda](#)

WTC – Planning Application Report - Revised Plan

Application No:- 17/02227/FUL

Address:- Witham Railway Station Albert Road Witham Essex CM8 2BS

Ward:- North

Proposal:- Refurbishment of Albert Road Station entrance and new associated station building on eastern side of track, together with upgraded parking bays in the forecourt and improved cycle storage facilities

Relevant Site History:-

Representations:- There are a number of objections ranging from affects to boundary, road layouts and congestion.

Summary:- Members will remember that representatives from Great Anglia attended the Planning Apps Meeting on 9th July (Minute 42 refers). Members agreed that no objections should be offered to the proposed work at the Railway Station or multi-storey car park with two accesses subject to - costs of car parking, additional parking restrictions in Avenue Road, provision of a safer junction at Station Road and Avenue Road, feasibility of one way system in and out to the car park and bus routing. The application has now been amended so as not to include the multi-storey element of the car park.

Recommendation:- Recommend no objections subject to previous comments and to seek an assurance that adjacent householders' concerns are taken into consideration.

Policy References:-

Application No & Address	Proposal	BDC decision	WTC decision
19/01443/HH - 29 Cromwell Way Witham Essex CM8 2ES	Single storey rear extension	Application Permitted	No objection
19/01347/HH - 90 Highfields Road Witham Essex CM8 2HH	Retention of single storey rear ground floor extension	Application Permitted	No objection
19/01318/FUL - 44 Cressing Road Witham Essex CM8 2NP	Retrospective application for the retention of a single-storey outbuilding in the rear garden for use as catering business.	Application Refused	No objection
19/01280/HH - 10 Owers Road Witham Essex CM8 1FR	Two storey rear extension and new garage	Application Permitted	No objection
19/01159/FUL - Warwick House 48 Collingwood Road Witham Essex CM8 2DZ	Alterations to fenestration, insertion of velux windows to the roof, addition of external staircase to the side and provision of lightwells to the front and side elevations.	Application Permitted	No objection
19/01088/FUL - 25 Claudius Way Witham Essex CM8 1PY	Conversion of carport and garage to habitable accommodation	Application Refused	Recommend Refusal on the grounds of lack of information and poor plans
19/00948/HH - 123 Powers Hall End Witham Essex CM8 1LS	Two storey side extension	Application Permitted	No objection
19/00548/FUL - Collingwood House 8 - 10 Collingwood Road Witham Essex CM8 2TT	Erection of bin store, bike store, substation enclosure and boundary railings/wall	Application Permitted	Recommend Refusal on the grounds of impact on neighbouring amenity and should be placed closer to the building rather than at the edge of the property

19/00292/FUL - Spring Lodge
Veterinary Centre Powers Hall
End Witham Essex CM8 2HE

New single storey pitched roof side
extension, new rear flat roof extension
& new flat roof outbuilding

Application Permitted

No objection

[Back to Agenda](#)



**The Essex County Council (Braintree District) (Permitted Parking Area and Special Parking Area)
(Amendment No.83) Order 201*
Statement of Reasons**

The Lodge Farm Development will incorporate up to 750 dwellings, a Primary School, an Early Years Centre and an Enterprise Centre. It is therefore likely that a high presence of vehicle traffic will arise during school drop off/pick up times and that parents who drive their children to School may park in the adjoining residential roads. The No Waiting at Any Time restrictions have been proposed to protect junctions and turning heads, maintaining the safe movement of vehicles and adequate sight lines which may otherwise be restricted by on street parking, particularly during these times of higher vehicular and pedestrian traffic.

**The Essex County Council (Braintree District) (Permitted Parking Area and Special Parking Area)
(Amendment No.83) Order 201***

Notice is hereby given that the Essex County Council proposes to make 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 Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984.

Effect of the order: To introduce ‘No Waiting at Any’ restrictions on the following roads, Witham in the District of Braintree:

Road	Description
Ager Road	<p>NORTH SIDE: From a point approximately 4 metres south west of the western extended kerb line of Road 1, north east for a distance of approximately 27 metres.</p> <p>SOUTH SIDE:</p> <ul style="list-style-type: none"> i. From a point approximately 3 metres south west of the south western extended kerb line with Pavelin Avenue, north east for a distance of approximately 21 metres. ii. From a point approximately 5 metres south west of the south western extended kerb line with Butcher Row, north east for a distance of approximately 29 metres. iii. From a point approximately 5 metres south west of the south western extended kerb line with Ingles Drive, north east for a distance of approximately 33.6 metres.
Bones Croft	<p>BOTH SIDES:</p> <ul style="list-style-type: none"> i. From its junction with Joslin Avenue, proceeding east then north east for a distance of approximately 37 metres. ii. From a point approximately 33 metres north west from the northern extended kerb line of Bradshaw Gardens, north west for a distance of approximately 21.5 metres (including the turning head on the western side of the carriageway). <p>WEST SIDE: From a point approximately 3 metres south west from its junction with Bradshaw Gardens, north east then north west for a distance of approximately 24 metres.</p> <p>EAST SIDE: From the south western extended kerb line of Bradshaw Gardens, south west for approximately 4 metres.</p>
Bradshaw Gardens	<p>BOTH SIDES: From its junction Bones Croft, south east for a distance of approximately 9 metres.</p> <p>NORTH EAST SIDE: From a point approximately 50 metres south east of its junction with the eastern kerb line of Bones Croft, south east for a distance of approximately 11.5 metres.</p> <p>SOUTH WEST SIDE: From a point approximately 47.5 metres south east of its junction with the south eastern kerb line of Bones Croft, south west for a distance of approximately 8.5 metres.</p>
Bradshaw Gardens Turning Head	<p>NORTH WEST SIDE: From a point approximately 3 metres south west of the southern kerb line of Bradshaw Gardens, north east for a distance of approximately 24.5 metres to the north eastern end of the turning head.</p> <p>SOUTH EAST SIDE: From a point approximately 6.5 metres south west of the southern kerb line of Bradshaw Gardens located at the south western end of the turning head, north east for a distance of approximately 26 metres to the north eastern end of the turning head.</p>

	NORTH EAST SIDE: From the north western kerb to the south east kerb for a distance of approximately 5 metres (entire length of kerb along the north eastern end of turning head).
Butcher Row	BOTH SIDES: From the junction with Ager Road, south east for approximately 12 metres.
Claydon Grove	BOTH SIDES: i. From the junction with Bones Croft, south east for a distance of approximately 8 metres. ii. From the south western end of the road, in a north easterly direction for a distance of approximately 28 metres (Including turning head/car park access).
Ingles Drive	BOTH SIDES: From the junction with Ager Road, south east for approximately 10 metres.
Joslin Avenue	NORTH WEST SIDE: From a point approximately 24 metres north east from the eastern extended kerb line with Ingles Drive, north east then north for approximately 41 metres. EAST SIDE: From a point approximately 48 metres north east from the eastern extended kerb line with Ingles Drive, north east then north for approximately 24 metres.
Pavelin Avenue	BOTH SIDES: From the junction with Ager Road, south east for approximately 5 metres.
Road 1	BOTH SIDES: From its junction with Ager Road, north west for approximately 11 metres.

This Order will be incorporated into The Essex County Council (Braintree District) (Permitted Parking Area and Special Parking Area) (Consolidation) Order 2008 by introducing tile numbers TL805 132 and TL810 132 revision 1 and substituting tile number TL805 130 revision 1 to revision 2.

Further details: A copy of the draft Order, the Order to be amended, tiles illustrating the proposal and a Statement of Reasons may be examined at all reasonable hours Essex County Council, County Hall E block main reception, Market Road, Chelmsford; Braintree District Council, Causeway House, Braintree and Witham Library, 18 Newland Street, Witham. These documents are also available via the Essex Highways website: <http://www.essexhighways.org/Transport-and-Roads/Highway-Schemes-and-Developments/Traffic-Regulation-Orders.aspx>

Objections: Anyone who wishes to object to the proposed order, should send the grounds for their objection in writing to ‘TRO Comments, Network Assurance, A2 Annexe Seax House, County Hall, Victoria Road South, Chelmsford, Essex, CM1 1QH’ or e-mail to TrafficRegulation.Order@essexhighways.org quoting reference TRAF/7082, by 1 November 2019.

Dated: 10 October 2019
County Hall
Chelmsford

Essex County Council
Network Assurance



ITEM NO: 12

Officer Report: Railings at Gimsons

Issue:

The following response has been received from Braintree District Council. Minute 48 of Planning Meeting held 9th July 2019 refers.

Thank you for confirming that the boundary to which you refer is the one to the south of Witham Town Park – I have shown it very approximately with a green line on the attached plan.

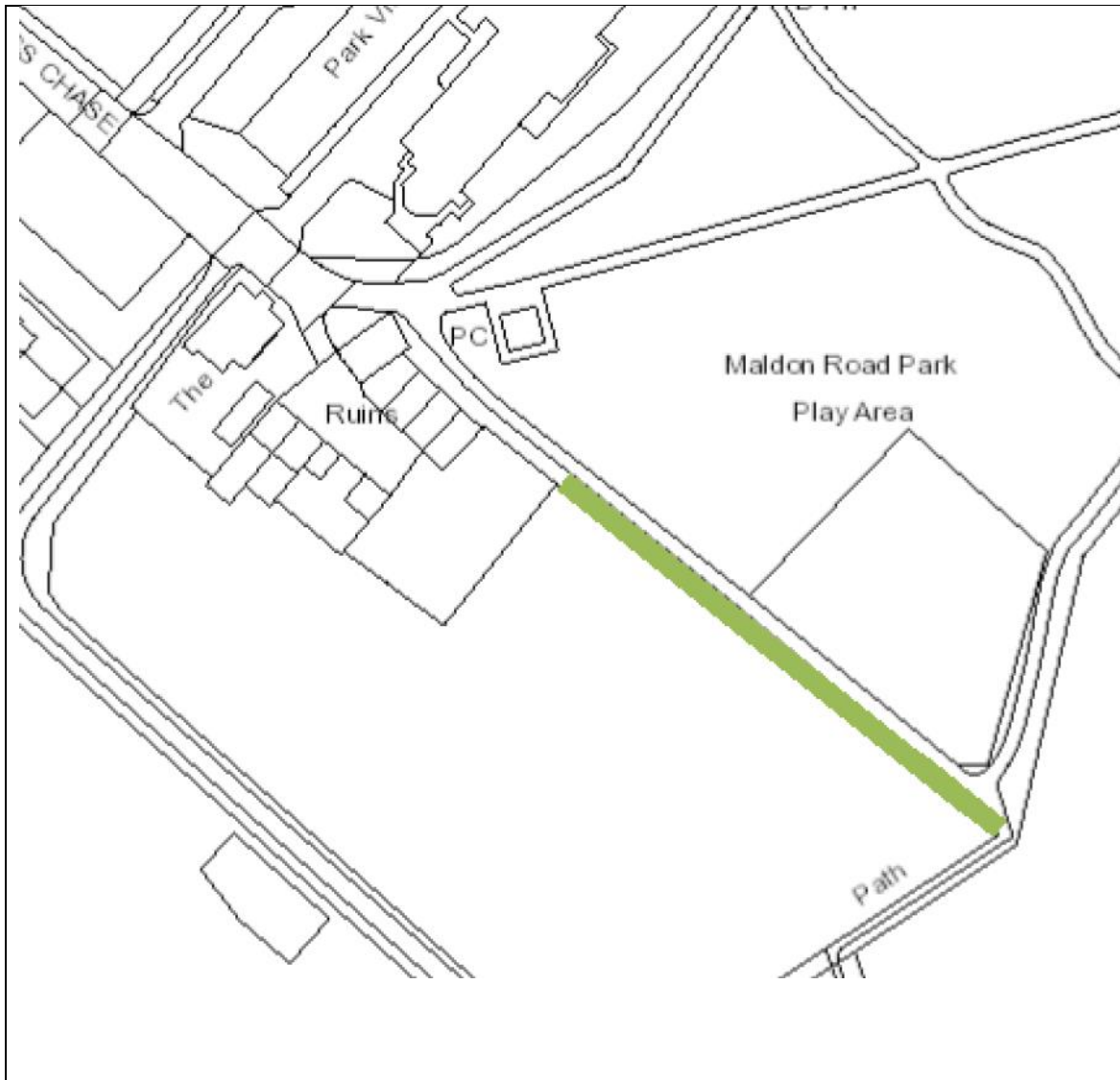
We have checked the titles both for the Witham Town Park and the property which borders it to the south, which is commonly known as “Gimsons”. Neither side has an obligation to maintain the boundary.

However, it appears that sometime after the Council’s predecessors acquired the Town Park the railings were constructed to delineate the Park. As such, the Council acquired responsibility for the railings.

Whilst the Council does not intend to make any changes to these at present, it may consider any future approaches or proposals in relation to the boundary treatment.

Kind regards,
Sarah

Sarah Stockings
Solicitor – Property Law Manager



Advice:

For Members to consider what further action can be taken.