



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

AGENDA

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

Date: **Monday, 6th September 2021**

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	Goodman	(Chairman)
A	Kilmartin	(Vice Chairman)
K	Atwill	
P	Barlow	
S	Hicks	
C	Jay	
C	Lager	
M	Lager	
C	Livermore	
S	Rajeev	

1. APOLOGIES

To receive apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of the Planning Applications & Transport Committee held 23rd August 2021 (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. CLERK'S REPORT

To receive a verbal report from the Clerk on any matters arising from 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 Planning Officer.*

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. STREET NAMING

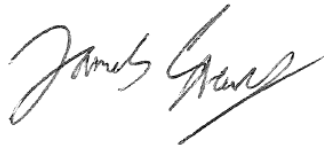
To agree seven suitable street names for the new development off Conrad Road.

11. BLACKTHORN ROAD

To receive a verbal report from Councillor Ager regarding the problems with spring water in Blackthorn Road (slides will be presented at the Meeting).

12. GIMSONS REVIEW GROUP

To receive the Minutes from the meeting of the Gimsons Review Group meeting held 19th August 2021 ([attached](#)).



James Sheehy
Town Clerk
JS/31.8.2021

**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.

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
21/02492/FUL	29 Newlands Precinct, Witham, Essex	Central	Installation of an air conditioning unit with secure cage to rear elevation
21/02469/HH	16 Millbridge Road, Witham, Essex	West	Two Storey and Single Storey Rear Extension
21/02571/HH	Littlefields, 41 Chipping Hill, Witham	North	Replacement storm porch and repairs to exterior render

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.

APPLICATION_NO	ADDRESS	WARD	PROPOSAL
21/02038/FUL	AKA Restaurant, 47 - 49 Newland Street, Witham	Central	Change of use of public house accommodation at first floor to 1 x 2 bed residential apartment
21/02439/FUL	Mill Lane Stores, Mill Lane, Witham	Central	Demolition of an existing single-storey retail unit and construction of a new two-storey building comprising retail space on the ground floor and 1 x 1-bedroom apartment on the first floor
21/02522/HH	Mortimer Cottage, Lockram Lane, Witham	Central	Erection of single-storey attached garage and two-storey extension to front of property
21/02568/T56	Land Adjacent Hatfield Road Witham Essex	Hatfield	Installation of 15m high Phase 8 Monopole , 4 No cabinets at ground-level and ancillary works.
21/02573/HH	Ruskins, Lawn Chase, Witham	Central	Installation of a Garden Annexe to provide ancillary accommodation

Witham Town Council – Planning Application Report

Application No:- 21/02038/FUL

Address:- AKA Restaurant, 47 - 49 Newland Street, Witham

Ward:- Central

Proposal:- Change of use of public house accommodation at first floor to 1 x 2 bed residential apartment

Relevant Site History:- Previously refused application 20/01575/FUL for conversion into 2 no. residential apartments on the basis the proposal would lack sufficient amenity, with proposed amenity being "substandard". No objection was offered by the Town Council.

Representations:-

Summary:- The proposal is for the creation of a single dwelling to be created out of an existing property, described in the supporting planning statement as having "no conclusive evidence that the application building was originally constructed for use by the listed building (and) it could have been a later acquisition. It is of a modern construction and of poor architectural detail. The statement suggests "The application building has previously been used for tourist accommodation, in conjunction with the former pub – forming its association with the pub. "

Recommendation:- It appears that exterior amenity proposals remain substandard and therefore a recommendation of refusal is proposed.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02439/FUL

Address:- Mill Lane Stores, Mill Lane, Witham

Ward:- Central

Proposal:- Demolition of an existing single-storey retail unit and construction of a new two-storey building comprising retail space on the ground floor and 1 x 1-bedroom apartment on the first floor

Relevant Site History:- This site has a complex history of approvals, withdrawals and refusals - permission has been granted on more than one occasion for a demolition and rebuild project.

Representations:- Two representations from neighbouring properties have been received by the LPA, both indicating support for the demolition and construction of a new property.

Summary:- The proposals are sympathetic to the historic fabric of this part of town, featuring cast stone lintels, timber fascias, plints and pillasters, creating a traditional shop front suitable for the conservation area. A good sized retail unit is provided, with self contained upstairs accommodation of 42m³ of living space provided. Vehicle parking is concordant with current standards. UPVC windows are proposed

Recommendation:- Recommend approval subject to the consideration of alternative materials to UPVC, sympathetic to the conservation area.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02522/HH

Address:- Mortimer Cottage, Lockram Lane, Witham

Ward:- Central

Proposal:- Erection of single-storey attached garage and two-storey extension to front of property

Relevant Site History:- No previous applications are recorded.

Representations:- None.

Summary:- Although sheltered from public view, this property is seemingly of some architectural merit to the conservation area, concordant with properties that face onto Guithavon Street. The property is, however, unsympathetically surrounded by post-war construction flats. The proposals are to rationalise existing outbuildings into a new double garage arrangement and minor internal alterations to improve the amenity of the property. Most materials selected are contiguous with the existing property but UPVC use has been suggested as the property appears to already feature UPVC windows .

Recommendation:- No objection subject to the consideration of alternative materials to UPVC and heritage styled rainwater goods, sympathetic to the conservation area.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02568/T56

Address:- Land Adjacent Hatfield Road Witham Essex

Ward:- Hatfield

Proposal:- Installation of 15m high Phase 8 Monopole , 4 No cabinets at ground-level and ancillary works.

Relevant Site History:- Prior approval required and not given by LPA on the basis that "there are likely alternative locations which should be considered which would not be so harmful to the visual amenities of the surrounding area, and therefore in this case, the public benefit does not outweigh the harm identified."

Representations:- No objection from BDC environmental health.

Summary:- Proposals submitted are unaltered save for a 3m reduction in the original promised height from 18m to 15m.

Recommendation:- Members should decide whether sufficient mitigations have been considered by the applicant.

Policy References:-

Witham Town Council – Planning Application Report

Application No:- 21/02573/HH

Address:- Ruskins, Lawn Chase, Witham

Ward:- Central

Proposal:- Installation of a Garden Annexe to provide ancillary accommodation

Relevant Site History:-

Representations:- None.

Summary:- The submitted D&A states "The applicant seeks to erect a garden Annex, which will be ancillary to their house and provide living accommodation for one of our client's elderly relatives allowing them a degree of independence

whilst being in proximity to the family. "

Recommendation:- Members should consider the proposal on its merits, similar to previously considered annexe proposals.

Policy References:-

Application & Address	Proposal	BDC Decision	WTC Decision	Agenda Item 9
21/02015/TPOCON - Barclays Bank Plc 59 Newland Street Witham Essex CM8 2AJ	Notice of intent to carry out works to trees in a Conservation Area - Crown lift the canopies of 6 Sycamore trees to minimum 5m from ground level as causing neighbouring complaints.	Application Permitted	raised no objection subject to the advice of the District Council's Landscape Officer	
21/01781/HH - 16 Baker Way Witham Essex CM8 1UG	Replacement of existing windows and external doors.	Application Permitted	raised no objection	
21/01041/HH - 6 Driver Way Witham Essex CM8 2FY	Erection of single-storey detached 'log cabin' outbuilding.	Application Permitted	raised no objection	
21/02209/TPOCON - 31 Collingwood Road Witham Essex CM8 2DZ	Notice of intent to carry out works to trees in a Conservation Area - Carry out works to trees as specified in the plan included with this application	Application Permitted	raised no objection subject to the advice of the District Council's Landscape Officer	
21/01815/HH - 9 Duncombe Close Witham Essex CM8 1GR	Single-storey rear extension	Application Permitted	raise no objection to the revised application for a smaller extension preserving a larger garden space.	
21/01382/HH - 26 Mersey Road Witham Essex CM8 1LJ	First floor front extension	Application Refused	raised no objection	

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Agenda Item 12

MINUTES OF THE MEETING OF THE **GIMSONS REVIEW GROUP AT WITHAM TOWN COUNCIL HELD 19TH AUGUST 2021 AT 10:00AM IN THE COUNCIL CHAMBER.**

PRESENT: - Councillors: J Goodman (Interim Chair)
K. Atwill

Committee Members: D. Chignall
J. Palombi
P. Goold

Staff: J Sheehy - Town Clerk

1. **APPOINTMENT OF CHAIRMAN**

Councillor J. Goodman was appointed as interim chair of the committee.

2. **DECLARATIONS OF INTEREST**

Councillor K. Atwill declared a non-pecuniary interest as a potential prospective purchaser on the future development.

P. Goold declared a non-pecuniary interest as an employee of the Essex County Council Infrastructure Department, and a non-pecuniary interest as a serving member of the local scout group, which shares a land boundary with the development.

3. **TERMS OF REFERENCE & GROUP REMIT**

Members reviewed the relevant Scheme of Delegation and noted the role of the committee.

4. **EXAMINATION OF DECISION NOTICE**

Members reviewed the decision notice and current progress of the development, noting that tree work had been halted, whilst several conditions appeared to be outstanding.

Members **AGREED** that key areas of concern should be highlighted with Bellway Homes with a view to seeking a site visit to allay concerns on:

- The protection of trees that form the boundary with the development site and Witham Town Park.
- The proposed removal of the historic Town Park railings.
- Management and felling of trees across the site in general.
- The length of time proposed for the footpath closure and proposed diversion route.
- Agreement of the development boundary adjacent to the River Walk backchannel and Riverview Meadows area.

It was subsequently **AGREED** that urgent correspondence be sent by the Town Clerk to contacts at Bellway Homes to facilitate a site visit.

5. S106 AGREEMENT

Received and noted. It was further noted that a condition for the provision of funding for footpaths on the River Walk had been included in the agreement, but it was unclear as to when the funding would become available and whether such funding would be passed to the Town Council for its approved corporate strategy objective, the "Footpaths & Cycleway Programme".

6. ANY OTHER BUSINESS & AREAS OF CONSIDERATION

Members noted the need for timely resolution of agreed action points as the development was now commencing.

There being no further business, the review group concluded at 11:30am.

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Councillor J Goodman
Interim Chairman

JS 23.08.2021

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