



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

MINUTES

PLANNING AND TRANSPORT COMMITTEE

Date: **Monday, 16th September 2024**

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

Present: Councillors

P.	Barlow	(Chairman)
J.C.	Coleman	(Vice Chairman)
T.	Hewitt	
R.	Ramage	
E.	Williams	Arrived 18:36
G.	Kennedy	(Planning Officer)
S.	Smith	(PA to the Council)

And one member of the public.

108. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs E. Adelaja, J.M. Coleman, L. Headley and A. Sloma. Cllr J. Martin was absent.

RESOLVED That the apologies be received and approved.

109. MINUTES

RESOLVED That the Minutes of the Meeting of the Planning and Transport Committee held 2nd September 2024 be confirmed as a true record and signed by the Chairman.

110. INTERESTS

No interests were declared.

111. QUESTIONS AND STATEMENTS FROM THE PUBLIC

The member of the public present did not comment.

112. PLANNING OFFICER’S REPORT

The Planning Officer explained that the developer of the new road off Eastways had countered that the Town Council’s suggestion of Burghey Brook would be inappropriate and suggested Foremost Way. She suggested that she would go back to Braintree District Council and explain that it is a Town Council policy to use names connected to the area.

RESOLVED That the report be received and noted.

113. PART 1 APPLICATIONS

There were no Part 1 Applications.

114. PART 2 APPLICATIONS

24/01819/FUL

14 Rickstones Road, Witham

Erection of 1 x 3 bedroom two-storey detached dwelling house

NO OBJECTION

24/01855/HH

8 Clayshotts Drive, Witham

Retrospective application for an existing outbuilding subsequent to refusal of 24/00562/HH

Members discussed this application at length. They acknowledged that whilst reluctantly agreeing to offer no objections to the previous application as the outbuilding was already in situ, they were concerned that the use as an office was inappropriate in a neighbourhood setting. Members raised concerns over parking issues that had occurred due to the office being in operation and were not satisfied that the amendments suggested would sufficiently mitigate these problems.

RECOMMEND REFUSAL on the grounds of loss of neighbouring amenity contrary to LPP 52.

24/01841/ADV

Cofunds House, Mayland Road, Witham

Replacement of 2 no. existing signs incorporating new logo and graphics

NO OBJECTION

24/01883/HH

Beau Manor, Guithavon Valley, Witham

Construction of a car lodge and gardener’s store

NO OBJECTION Subject to the advice of the Listed Buildings Officer being satisfied with materials.

115. REVISED PLANS

23/02958/FUL

Roslyn House, Newland Street, Witham
Conversion of building into 2no dwellings

NO OBJECTION but Members commented that the kitchen extensions originally proposed were still shown on the side elevation.

23/02959/LBC

Roslyn House, Newland Street, Witham
Conversion of building into 2no dwellings

NO OBJECTION Subject to the advice of the Listed Buildings Officer, but Members wanted to comment that the kitchen extensions originally proposed were still shown on the side elevation.

116. DECISIONS

The decisions on Planning Applications pertaining to Witham were received.

RESOLVED That the decisions be received and noted.

117. TACKLING SPEEDING IN WITHAM/20S PLENTY

Members were reminded of the 20s Plenty Meeting on 17th September 2024 on Zoom.

RESOLVED That the information be received and noted.

118. TREE GROUP PROPOSALS ON PLANNING RULE CHANGES

The Tree Group's response to Braintree District Council was received.

RESOLVED That the letter be received and noted.

119. PROPOSED REFORMS TO THE NATIONAL PLANNING FRAMEWORK

A report was received and Members commented on the proposed reforms.

It was agreed that the report with Members' answers be circulated for additional comments so that the response can be made before the closing date of 24th September 2024. The final document would be attached to these Minutes as an appendix.

RESOLVED That the report be received, additional comments be collected from Members for a response to be made and the final report attached to these Minutes as an appendix.

120. NATIONAL GRID UPDATE – NORWICH TO TILBURY

This item would be deferred to the next agenda due to time restrictions.

There being no further business the Chairman closed the Meeting at 7:29p.m.

Councillor P. Barlow
Chairman

GK/SS/18.9.2024

DRAFT

Response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system

Question 1

Do you agree that the changes made to paragraph 61 should be reversed? Agree

Question 2

Do you agree that reference should be removed to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF? No comment

Question 3

Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62? Disagree

Question 4

Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130? Disagree – need to be aware of surrounding areas and have sympathetic development

Question 5

Do you agree that the focus of design codes should move towards supporting spatial vision in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities? Agree – support the need for garden villages and new towns with more liberal policies to allow for taller and higher density development of good design so that less land is used.

Question 6

Do you agree that the presumption in favour of sustainable development should be amended as proposed? Agree

Question 7

Do you agree that all LPA should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status? Agree

Question 8

Do you agree with our proposals to remove wording on national planning guidance in paragraph 77 of the current NPPF? Agree

Question 9

Do you agree that all LPAs should be required to add a 5% buffer to their 5YHLS calculations? Agree

Question 10

If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure? Agree

Question 11

Do you agree with the removal of policy on Annual Position Statements? Disagree

Question 12

Do you agree that the NPPF should be amended to further support effective cooperation on cross boundary and strategic planning matters? Agree

Question 13

Should the tests of soundness be amended to better assess the soundness of strategic plans or proposals? Agree

Question 14

Do you have any suggestions in relating to the proposals in this chapter?

Question 15

Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

Do you have any additional comments of the proposed method for assessing housing needs?

Question 20

Do you agree that we should make the proposed change set out in paragraph 124c as a first step towards brownfield passports? Agree

Question 21

Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt? Agree

Question 22

Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of green houses for horticultural production is maintained? Agree if green houses have fallen out of use

Question 23

Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend? Agree

Question 24

Are any additional measures need to ensure that high performing Green Belt land is not degraded to meet grey belt criteria? High performing Green Built land should not be built on

Question 25

Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance? Green belt land should be protected to prevent coalescence

Question 26

Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes? Green belt land should be enhanced for better use by the community

Question 27

Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced? Green belt land should be enhanced for better use by the community

Question 28

Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations? Agree

Question 29

Do you agree with our proposal to make clear that the release of land should not be fundamentally undermine the function of the Green Belt across the areas of the plan as a whole? Agree

Question 30

Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend. Agree

Question 31

Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development need through plan making and decision making, including the triggers for release? Agree but the development needs to be sustainable

Question 32

Do you have views on whether the approach to the release of Green Belt through plan and decision making should apply to traveler sites, including the sequential test for land release and the definition of PDL? No views

Question 33

Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a LPA should undertake a Green Belt review? LPAs should be aware

Question 34

Do you agree with our proposed approach to the affordable housing tenure mix? Agree but necessary to be affordable for people on a basic or single salary

Question 35

Should 50% target apply to all Green Belt areas (including previously developed land in the Green Belt) or should the Government or LPAs be able to set lower targets in low land value areas? Agree

Question 36

Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs? Agree

Question 37

Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt to inform LPAs? Agree

Question 38

How and at what level should Government set benchmark land values? No comment

Question 39

To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach? No

Question 40

It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach? Regardless of a development being policy compliant, additional contributions for affordable housing should apply, at least at the moment due to the crisis and lack of affordable housing

Question 41

Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively? Agree that late-stage viability reviews should take place to assess further/ adequate contributions are being met. Unsure on the support local planning authorities may require at this stage.

Question 42

Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers' sites and types of development already considered 'not inappropriate' in the Green Belt? No views

Question 43

Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage? No views

Question 44

Do you have any comments on the proposed wording for the NPPF (Annex 4)? No comment on the wording however disagree with the premiss that released green belt land will have a higher land value and as a result should not have to support standard levels of affordable housing. This is wrong and will create areas of inequality that are not representative of all in communities. The green belt is not just for those who can afford it.

Question 45

Do you have any comments on the proposed approach set out in paragraphs 31 and 32? Agree in principle

Question 46

Do you have any other suggestions relating to the proposals in this chapter? No

Question 47

Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who required Social Rent when undertaking needs assessments and setting policies on affordable housing requirements? Yes in principle but concerned that some local authorities won't act without the push from central government. Affordable rent, affordable homes is a political belief and councils who do not subscribe to this idea will not prioritise these schemes, leaving people struggling.

Question 48

Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership? Unsure sceptical that leaving it to Local authorities may mean it is not acted on

Question 49

Do you agree with removing the minimum 25% First Home requirement? Unsure sceptical that leaving it to Local authorities may mean it is not acted on, could create some areas with little first home residents and areas with high concentration.

Question 50

Do you have any other comments on retaining the option to deliver First Homes, including through exception sites? No comment

Question 51

Do you agree with introducing a policy to promote developments that have a mix of tenure and types? Agree

Question 52

What would be the most appropriate way to promote high percentage social rent/affordable housing developments? A balanced approach is necessary to ensure that there is a mixed development of both ownership and affordable homes

Question 53

What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate? Take the Singapore approach to social housing, mix private and social ownership and rent together to create a balanced reflection of society.

Question 54

What measures should we consider to better support and increase rural affordable housing? Mindful of transport, employment and amenities opportunities or lack of opportunity in rural areas and ensure affordable rural housing is delivered with links to transport amenities and employment

Question 55

Do you agree with the changes proposed to paragraph 63 of the existing NPPF? Yes

Question 56

Do you agree with these changes? Yes

14. Views are sought on whether changes are needed to the definition of affordable housing for rent.

Question 57

Do you have any views on whether the definition of affordable housing for rent in the Framework Glossary should be amend, if so what changes would you recommend? Agree with the new changes

Question 58

Do you have views on why insufficient small sites are being allocated and on ways in which the small site policy in the NPPF should be strengthened? No views

Question 59

Do you agree with the proposals to retain references to well-designed building and places, but remove reference to beauty and beautiful and to amend paragraph 138 of the framework? Yes

Question 60

Do you agree with proposed changes to policy for upwards extensions? Agree

Question 61

Do you have any other suggestions relating to the proposals in this chapter? No

Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF? Yes

Question 63: Are there other sectors you think need particular support via these changes? What are they and why? Aviation and transport

Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime? Agree

Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so? No view

Question 66: Do you have any other suggestions relating to the proposals in this chapter? No

Question 67

Do you agree with the changes proposed to para 100 of the existing NPPF? Yes

Question 68

Do you agree with the changes proposed to para 99 of the existing NPPF. Yes

Question 69

Do you agree with the changes proposed to paras 114 and 115 of the existing NPPF? Agree, public transport is vital but not always available

Question 70

How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity? Easy access to safe walking and cycling routes particularly to schools

Question 71

Do you have any other suggestions relating to the proposals in this chapter? No

Question 72

Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

Supporting renewable deployment Agree

Question 73

Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy? Agree would recommend promoting solar panels on car parks, etc.

Question 74

Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and or compensatory mechanisms put in place? Agree

Setting the NSIP threshold for solar generating stations and onshore wind

Question 75

Do you agree that the threshold at which onshore wind projects are deemed to be NSI and therefore consented under NSIP regime should be changed from 50MW to 100MW? Agree

Question 76

Do you agree that the threshold at which solar projects are deemed to be NSI and therefore consented under the NSIP regime should be changed from 50MW to 150MW? Agree

Question 77

If you think that alternative thresholds should apply to onshore wind and or solar what would these be?

Agree

Question 78

In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaption? Introduce mandatory solar panels on all south facing roofs of new developments. Households that have extensions should be made to bring house up to a satisfactory EPC rating, this could be by upgrading windows glazing, or insulation where necessary. Loosening rules in regard to listed buildings and buildings in conservation areas that have leaky windows and roofs, allow these households to install modern windows that are in keeping with the style even if they are not the original material. Create Exceptions for listed buildings that are derelict. This would improve listed abandoned buildings which are essentially brownfield sites to be brought back into use and allow for once useful buildings to be restored to a standard where they can serve communities. There is no point restoring old buildings if they leak heat and are expensive and inefficient to heat, only restore them if they can be modernised with modern heat saving materials.

Question 79

What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions and what are the challenges to increasing its use? No view

Question 80

Are any changes needed to policy for managing flood risks to improve effectiveness? No view

Question 81

Do you have any other comments on actions that can be taken through planning to address climate change? No

Question 82

Do you agree with removal of this text from the footnote? Farming most modernise, farming over large areas of fields is an energy and water demanding and the yield is proving harder for farmers to make a living. Hydroponic farming, vertical farming and large greenhouses may be the future and for this view removal of the footnote text is acceptable as food security can be met affordably and domestically if we modernise farming and move away from big field farming approach.

Question 83

Are there other ways in which we can ensure that development supports and does not compromise food production? Ensure grade a quality farmland is protected and given special status to avoid development

Question 84

Do you agree that we should improve the current water infrastructure provision in the Planning Act 2008 and do you have specific suggestions for how best to do this? Yes, water firms, should be fined until the network is made compliant and brought up to an acceptable standard. At which point the state should nationalise water and buy out private stakes in our water network.

Question 85

Are there other areas of the water infrastructure provisions that could be improved? If so can you explain what those are, including your proposed changes? Relocate water treatment plants that are in close proximity to population centres ie Witham treatment plant at the time of its construction was adequately distanced from dwellings. Now it is near capacity and is very close to dwellings. The sites viability should be undertaken and relocated and modernised to deal with future increased demand on the facility.

Question 86

Do you have any other suggestions relating to the proposals in this chapter? Comment needs to be made about East of England being the driest part of the country. Also problems with sewage overflows 29 times for a total of 217.5 hours in Witham last year

Question 89

Do you agree with the proposal to increase householder application fees to meet cost recovery? Yes

Question 90

If not do you support increasing the fee by a smaller amount (at a level less than full recovery) and if so, what should the fee increase be? For example a 50% increase to the householder fee would increase the application fee to £387.

Question 91

If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes

No – it should be higher than £528

No – it should be lower than £528

No – there should be no fee increase

Don't know

If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.

Question 92

Are there any applications for which the current fee is inadequate? (Suggest more appropriate for LPAs)

Fees for applications where there is currently no charge No view

Question 93

Are there any application types for which fees are not currently charged but which should require a fee?

Please explain your reasons and provide evidence on what you consider the correct fee should be. No view