

**REPRESENTATION TO BRAINTREE DISTRICT COUNCIL
PLANNING COMMITTEE - 23RD JUNE 2020.**

PLANNING APPLICATION NO. 19/02200/FUL

As you will be aware, previous applications prior to that referenced above have been made by the applicant.

The first under reference 19/01118/COUPA came before the Planning Applications & Transport Committee of Witham Town Council in July 2019 and related to the conversion of commercial premises to accommodate 10 dwellings by means of flats.

At the time, Witham Town Council considered this to be over-development of a property which occupies a prominent position in a Conservation Area and on a major thoroughfare.

However, as a result of enquiries made with the Planning Officer at Braintree District Council, we were advised that the Prior Approval for the Change of Use came within permitted development rights (*Policy ADM21*) and, as such, Witham Town Council was obliged to offer "No Objection" despite the misgivings of Members of the Town Council Planning Applications & Transport Committee.

A similar situation arose under a subsequent Application No. 19/01159/FUL with regard to fenestration and an additional staircase but, in the light of the previous *fait accompli* whereby we were obliged to offer "No Objection" under a Change of Use Prior Approval, Witham Town Council offered the same decision although with the *caveat* that this was subject to an archaeological survey.

However, over the festive period at the end of 2019 the further Application No. **19/02200/FUL**, which is the subject of this Representation, was received.

This application referenced the addition of another flat bringing the total number of dwellings to 11.

Due to the timing of the receipt of this application, no meeting of the Witham Town Council Planning Applications & Transport Committee was programmed to take place prior to Braintree District Council's deadline for receipt of recommendations from third parties.

Hence, given the concerns previously raised by Members with regard to over-development of the site in question, it was considered by the Chairman of the Witham Town Council Planning Applications & Transport Committee, utilising his delegated powers, that the addition of an 11th dwelling further constituted over-massing of the site.

Therefore, Witham Town Council reiterates its position made in writing on 3rd January 2020 and recommends REFUSAL of Application No. 19/02200/FUL on the grounds of over-massing of this prominent site in a Conservation Area.

*Cllr John Goodman
Chairman
Planning Applications & Transport Committee
Witham Town Council*

20th June 2020