

1st Dec 2024

The Clerk

Lavenham Parish Council,
Parish Office,
Church St,
Lavenham,
CO10 9QT

Dear Andrew,

Formal Complaint Regarding Lack of Governance within Lavenham Parish Council resulting in Misfeasance, Bias, and Defamation.

I am writing to formally lodge a complaint regarding the lack of governance within the parish council that has resulted in the council allowing misfeasance, bias, and defamation within the dealings of my planning application - DC/24/04224 Application for Outline Planning Permission with all matters reserved. Erection of wellness centre (Sui Generis Use). Removal of existing structures. Second Meadow Stables Brent Eleigh Road Lavenham CO10 9PE.

The issues outlined below reflect serious concerns about the conduct and decision-making approach of the Council that have led to a breakdown in trust and confidence in the decision-making capability of the council.

My complaint is made in the following context and definitions:

Principles, Definitions and Context:

The principle of ignorantia juris non excusat (Latin for "ignorance of the law excuses not") stands.

Adopting this principle, the assumption must be that everything that has been written or spoken about the planning application by individuals must be considered as a true act, in that they believe what they have said or written is accurate. Therefore, ignorance of planning laws and policies cannot be used as a reason for the inaccurate and misleading comments that have been made.

Role of a Parish Council

As the first tier of local government, these councils should work tirelessly to meet local needs, represent community voices, and enhance the quality of life for millions. Parish and town councils ensure that local voices are heard on critical issues, from planning and development to health and safety. Discover the vital work in your community – your local council is here to make a difference. (NALC). A community is made up of residents, businesses, service users and service providers.

Governance

Parish council governance refers to the system of rules, practices, and processes through which a parish council exercises authority and manages its responsibilities within a local community. Effective governance in a parish council is based on principles such as legality, transparency, fairness, and accountability. A Parish Council has a responsibility to ensure that its councillors comply with governance standards, including ethical behaviour, legal obligations, and transparency. If a parish

council fails to ensure compliance with these standards, it can lead to a range of issues, such as mismanagement, bias, or lack of public trust.

Misfeasance

Misfeasance in public office is a tort. In general terms, the tort is invoked where a public officer who is supposed to act in the best interests of another person or entity, does so negligently or improperly, causing harm or loss. Parish councillors are elected representatives who hold a public office and have statutory duties.

Bias in Planning: If the parish council makes planning decisions based on bias, personal gain, or without due consideration of community interest, this could be an example of misfeasance.

Bias in planning

Refers to decisions influenced by personal, political, or external factors rather than by objective planning considerations. It undermines fairness and can lead to legal challenges, poor planning outcomes, and a loss of public confidence in the planning system. Ensuring impartiality, transparency, and accountability is crucial for maintaining integrity in planning processes.

Defamation

Defamation is the act of making false statements about someone that damage their reputation, character, or standing in the community.

Sequential Test

A sequential test is a part of a Flood Risk Assessment (FRA) that ensures new development is built in areas with the lowest risk of flooding. The test requires applicants to compare the proposed development site with other available sites to show that the proposed site has the lowest flood risk. If other lower risk sites are available, the local planning authority (LPA) may refuse planning permission.

The sequential test in my application was passed by Babergh council on 17th May 2024 as it evidenced that within the whole of the Borough there were no alternative available sites for a Wellness Centre. A sequential test does not get revisited. It effectively gives permission to commence a planning application on the named site for a Wellness Centre (only).

Outline Planning Permission:

An application for outline planning permission is generally used to find out, at an early stage, whether or not a proposal is likely to be approved by the planning authority, before any substantial costs are incurred.

This type of planning application allows fewer details about the proposal to be submitted. These details may be agreed following a "reserved matters" application at a later stage. Reserved matters can include appearance, means of access, landscaping, layout and scale,

Sui Generis Class

A sui generis use is one that falls outside the established use classes. It is effectively a "catch-all" category for uses that are so distinct from other types of land use that they are not included in any of the other specified use classes.

Planning permission is required to change from one type of sui generis use to another, if it is considered a material change of use. This is because sui generis uses do not fall within the established use classes, and as a result, a change between different sui generis uses is not automatically allowed under permitted development rights.

It is on this basis that the planning application is for outline permission (only) for a Sui Generis Wellness Centre (only) on this site (only).

The application site is currently Sui Generis Leisure – Commercial Livery Yard (existing structures) on a Brownfield site (i.e. not agricultural or countryside). Even if the structures were remaining a change in type of Sui Generis requires a planning application.

In context of the definitions and principles above, any commentary or narrative that is contrary to this basis must be considered misfeasant or biased. The chair made it very clear at the Parish Council Meeting on 7th Nov 2024 that each councillor was responsible for their own due diligence & that any councillor is expressing their opinion of the application.

1. Lack of Governance:

The Parish Council has consistently failed to adhere to basic governance principles. There has been a lack of robust challenge and compliance with planning standards which has resulted in the draft planning document being publicly available that contained subjective, misleading and biased information, poor management of the parish council meeting on 7th November 2024 that allowed misfeasant, biased and defamatory statements to be made and no apparent review of the document submitted to Babergh planning to ensure it aligned fully to the legal framework as committed to on the 1st Feb 2024. This lack of oversight and proper procedure has undermined the integrity of the Council and with the blatant disregard of the petitions that were completed by Lavenham businesses, residents and service users demonstrates that they have not considered the community voice and worked to their own biased agenda.

If there was robust governance in place and applied, the following areas of failure would have been unlikely to have been allowed, or at worst, less occurrences of misfeasance, bias and defamation would have taken place.

2. Misfeasance:

I am concerned that certain actions taken by the Parish Council members has constituted misfeasance, examples are detailed below. These actions clearly demonstrate that councillors have not acted in the benefit of the community and in doing so have lessened the likelihood of providing nearby health and wellness services which will potentially harm the health and wellbeing of some of the community, especially those that do not have access to a motor vehicle.

3. Bias:

There has been clear evidence of bias in the decision-making processes within the Council. The majority of the comments are detrimental to the application, no clear benefits have been used to counterbalance any debate, making the response extremely subjective. Detailed below. This biased conduct has led to decisions that do not fully reflect the needs or wishes of the wider community, evidenced in the petition and supporting comments and will result in unfair treatment of some residents. It is essential that the Parish Council operate impartially, upholding the principles of fairness and equality for all.

4. Defamation:

Instances of defamation committed by members of the Parish Council are detailed below. These defamatory actions are not only damaging to the individuals concerned but also tarnish the credibility and professionalism of the Parish Council as a whole. These judgements and throw away comments should not have been allowed to happen in a parish council meeting, enabling this to happen reflects the limited governance and upholding of the required standards of behaviours that are expected to take place during the parish council meetings.

Examples of comments – written and spoken that evidence the identified breaches

Comment	Raised By	When	Governance	Misfeasance	Bias in planning	Defamation	Comment
Whilst it is important to acknowledge previous planning decisions, it is imperative that this application is considered as a stand-alone separate proposal.	Written - Planning Group	Before PC Meeting		X	X		A resubmission should only be assessed on previous reasons for refusal in addition to any changes required through updated planning guidance and law.
However, the average UK Gym memberships is estimated as 16% which represent 308 parishioners (see section 19 Nupremis report), a much smaller number, and not all might move from the current Gym provider to the Wellness Centre.	Written - Planning Group/ Planning Statement	Before PC Meeting/ Submission		X	X		This is not a material consideration – the source of this data is not known and does not take into consideration the age profile in Lavenham. There is no relevance to this statement except to undermine the application and therefore should not have been included.
It is understood that the proposed facility would be privately run and would be a not be a public facility.	Written - Planning Group/ Planning Statement	Before PC Meeting/ Submission		X	X		This is not a material consideration – there is no relevance to this statement except to undermine the application
Frequent walkers of this route will know it is not normally cut. It was observed to have been freshly cut prior to the Planning Group visit Thursday 24th October	Written - Planning Group	Before PC Meeting		X	X		The footpath is regularly cut by a nearby air B&B to give their guests a route into Lavenham – why is this statement in here? – if the frequent walkers can walk down the path why is it considered unusable?
Noted the SUDS recommends that the floor levels need to be 0.5m above ground level.	Written - Planning Group	Before PC Meeting		X	X		This statement is not within the SuDs report
Consultee Comments from the Environment Agency Response dated 16/10/24 that this statutory body is not yet persuaded that flooding can be appropriately managed on this site.	Written - Planning Group	Before PC Meeting		X	X		On 18th Oct 2024 I emailed Babergh planning and copied in the Clerk advising that the EA report was wrong – there is clear evidence of a sequential test and that an exception test is not required. This correspondence should have been noted and recognised and the recognition that the EA had potentially got their recommendation wrong as there is a sequential test that evidences that an exception test is not required. This was not done.
The Parish Council supports the concept of a Wellness Centre for the village, but this must be on an appropriate and accessible site within the Settlement Boundary	Written - Planning Group	Before PC Meeting		X	X		The planning application is for a Sui Generis Wellness Centre (only) on this site (only) as agreed through the sequential test process. On this basis there is no debate around the site location as this has been agreed in principle through the sequential test. This comment evidences the lack of knowledge around the complexity and implication of a sequential test.
No overwhelming community need for a Wellness Centre in this location has been identified.	Written-Planning Group	Before PC Meeting		X	X		The planning application is for this site only as agreed through the sequential test process. On this basis there is no debate around the site location as this has been agreed in principle through the sequential test. This comment evidences the lack

Comment	Raised By	When	Governance	Misfeasance	Bias in planning	Defamation	Comment
							of knowledge around the complexity and implication of a sequential test.
No recognition by the Parish Council of benefits* or how the application aligns and supports the LNP2**.	Absence - Planning Group	Before PC Meeting	X	X	X		As the parish council addressed matters beyond the 3 original reasons for refusal, they should have done a holistic and objective response that considered all the benefits and alignments to LNP2. ie they can't have it both ways – do a holistic, objective review or only focus on the 3 previous reasons for refusal. The lack of controls and checks in place allowed the biased and subjective nature of the commentary to be presented in its incomplete context.
No reference was made to the petitions supplied to the parish council supporting the application and signed by Lavenham businesses, residents and service users. There are no prescriptive methods around creation of petitions, so these were relevant and appropriate.	Absence - Planning Group	Before PC Meeting		X	X		The petitions provided to the clerk on 14 th Oct 2024 and Nupremis recognised “These benefits are material considerations that the Parish Council should consider in reaching conclusions on the proposal”. They should have been recognised.
At the Feb 24 LPC meeting the chair advised: “that the Parish Council acknowledges that there were expressions of support from both within and outside Lavenham for the original application and that any future submission will be evaluated by the Parish Council in accordance with the legal framework noting that it is Babergh District Council who are the Local Planning Authority.”	Chair – Feb 2024 meeting	Feb 2024 meeting	X				There are clearly no governance arrangements in place to ensure that the planning application was assessed on this basis only and in line with the legal framework – as evidenced above this was not the case and the pre meeting document was published online and made available to the public which contained multiple examples of bias and misfeasance.
“It is for putting something on that site”	Verbal – Cllr B	7 th Nov 24 meeting			X		The planning application is for outline permission for a Sui Generis Wellness Centre (only) on this site (only) – not “something”.
“No overwhelming community need that has been identified in this particular location down by the river where it floods. The Parish Council supports the concept of a Wellness Centre for the village, but this must be on an appropriate and accessible site within the Settlement Boundary”	Verbal – Cllr B	7 th Nov 24 meeting		X	X		As the proposal has passed the sequential test which proved there were no other sites available, this statement is not relevant or appropriate. It should never have been made as it is contrary to planning guidance on sequential test.
“There is no evidence of a need”	Verbal – Cllr A	7 th Nov 24 meeting			X		The Parish Council supports the concept of a Wellness Centre for the village – this comment is misaligned to the written parish council statement and demonstrates their lack of understanding of the collective approach and the relevance of the sequential test.
“It’s also important to take account of other needs that would possibly take priority”	Verbal – Cllr A	7 th Nov 24 meeting		X	X		Not a material planning consideration. Inappropriate comment, not relevant and is just a personal opinion with no influence.
“Who are the intended beneficiaries to the Wellness Centre...” “will that mean that there will be less pounds spent in the existing businesses which rely on income from tourists.	Verbal – Cllr A	7 th Nov 24 meeting		X	X		Competition is not a material consideration, is of no relevance to the overall application and should never have been said.
“if the target clients are principally local people what impact might that have on existing businesses”	Verbal – Cllr A	7 th Nov 24 meeting		X	X		Competition is not a material consideration, is of no relevance to the overall application and should never have been said.

Comment	Raised By	When	Governance	Misfeasance	Bias in planning	Defamation	Comment
“consider the economic benefit vs harm to Lavenham in the form of existing jobs and spending, whether there will be any tangible health benefits to local people that can’t be achieved somewhere else”	Verbal – Cllr A	7 th Nov 24 meeting		X	X		This is not a material consideration. To gain access to similar services involves travelling outside Lavenham which is contrary to LNP concerns about traffic management.
“This particular application isn’t necessarily for a Wellness centre it’s just to have permission to have outline planning permission and it could be for something else- it doesn’t necessarily have to be for a Wellness Centre – for me I am thinking what could it be”	Verbal – Cllr C	7 th Nov 24 meeting		X	X	X	The planning application is for outline permission for a Sui Generis Wellness Centre (only) on this site (only) – to imply that it might be for something else implies that I am lying on my application and shows complete lack of understanding of the overall application.
“On page 29 it says the site is not in the special landscape area, which also isn’t true”	Verbal – Cllr C	7 th Nov 24 meeting		X	X	X	Special landscape areas no longer exist at district level. Therefore saying that the statement is not true is accusing me of lying which is defamatory.
“it appears to infer that the application sequential test was based upon site requirements from the application previously submitted”	Verbal – Cllr E	7 th Nov 24 meeting		X	X	X	This is not the case and is an incorrect statement.
“I am intrigued to know what basis to go through that sequential test”	Verbal – Cllr E	7 th Nov 24 meeting		X	X		The sequential test details are fully document. This councillor clearly had not read them despite being requested to do so by the chair.
“The more important point that follows from that is that Mr Russell had advised them that if they were going to resubmit an outline application, they should change the description very slightly to “Application for Outline Planning Permission (Access and Layout to be considered) Erection of wellness centre (Sui Generis Use). Removal of existing structures – the applicants didn’t do that and decided to that as all matters reserved” ..” and if they had followed Mr Russell’s advice then a number of the issues that have been raised here would have been resolved. I find it very difficult to address a planning application where visual impact has not been proposed, I can’t, I have no explanation for this”	Verbal – Cllr E	7 th Nov 24 meeting		X	X	X	The sequential test is a starting point of an application and an application does not have to follow full instructions from the planning department. This is a challenge over the applicant’s competence and if followed Mark Russell’s instructions had been followed Cllr E would have looked the application differently – it is not the Cllr’s role to do this and is not a material consideration. This is an outline planning application – this level of detail is not required or relevant. To refer to it is misleading, inappropriate and demonstrates a serious lack of knowledge around the basics of planning. This councillor should have been stopped from commenting when their lack of knowledge and expertise became apparent.
“whether this is an application for any kind of Sui Generis, I think it is an application for a Wellness Centre but of course we have no idea what a Wellness Centre looks like”	Verbal – Cllr E	7 th Nov 24 meeting		X	X		This is an outline planning application – none of the specific details are worked up until reserved matters – As it is assumed that the councillor should have a working knowledge of what level of detail is required in an outline planning application this statement is clearly demonstrating misfeasance with the intention of creating bias.
“There is a need but not on that site”	Verbal – Cllr J	7 th Nov 24 meeting		X	X		As per the sequential test the site has been agreed in principle. As there is a recognised Need from this councillor, in line with the sequential test the site is not a point for debate and therefore the Need must be recognised.
“I’ve read through the objections”	Verbal – Cllr H	7 th Nov 24 meeting			X		No Mention of all the supports which considerably outnumber the objections– very biased and subjective commentary.

Comment	Raised By	When	Governance	Misfeasance	Bias in planning	Defamation	Comment
“Possible threat to the business in the village hall and the wellness here, the village hall thrives on a number of key practitioners that do yoga, Pilates etc, it’s also worth pointing out that the village hall is incredibly important to the village “	Verbal – Cllr H	7 th Nov 24 meeting		X	X	X	Assumption and no evidence. In the application it clearly says: “The applicant has taken this into account and removed space that could have been used for community activities in line with the LNP.”. The implication from this comment is that I am lying in my application, which is defamatory.
“It Floods all the time, I mean we’ve seen it, what are you going to do about it? can you stop it? Because if you can stop it, we should tell the rest of the world” “I’d love a swimming pool, I’d be there every day, but it floods”	Verbal – Cllr G	7 th Nov 24 meeting		X	X		No evidence has ever been provided throughout the application process that the site floods. It is on a floodplain and the SuDs plan, accepted by the SCC, mitigates for this. Councillors were advised by the planning group lead to leave the flooding to the experts.
“Everybody agrees that the idea of a Wellness centre in principle is a good idea, what we are talking about here is whether the proposed Wellness centre, or actually we don’t know what it will actually look like is appropriate or right for where that plot of land is, taking all of the things into account”	Verbal – Cllr I	7 th Nov 24 meeting		X	X		As per the sequential test the site has been agreed in principle. Where the site is not a point for debate or what it may or may not look like.
“it does not provide us with information about the actual buildings are going to be, not necessarily in detail... but about how high they are going to be, what area they might occupy, so we can get some sense And that makes it very difficult, in my mind when it’s impossible to support this particular application but I understand if a different application came forward where that information was available, we would be able to undertake a more rounded view”	Verbal – Cllr E	7 th Nov 24 meeting		X	X		The application is for outline planning and therefore this commentary is not relevant or a material consideration. This statement should never have been made.
“I am interested in some of “Cllr Hs” comments that some of the functions of the Wellness centre might well be competitive to the events at the village hall	Verbal – Cllr B	7 th Nov 24 meeting		X	X		Assumption and no evidence. In the application it clearly says: “The applicant has taken this into account and removed space that could have been used for community activities in line with the LNP.”.
“Fundamentally this is actually about something that is being created outside, significantly outside the settlement boundary””is that you do not build outside the settlement boundary unless there is absolutely no alternative “	Verbal – Cllr A	7 th Nov 24 meeting		X	X		The sequential test evidenced that there were no other alternative, available sites in the whole of the borough that could be used for a Wellness centre at the time that the test was carried out. Therefore it is considered that there is no alternative. Shows the councillor’s lack of knowledge again around sequential tests and the associated planning process.
“The sequential test that I looked at seems to relate to August 2023, well excuse me, that is quite some time gone – but maybe I got confused..... but there is property coming onto the market all the time and there maybe a site somewhere else but not necessarily in Lavenham, but not necessarily actually even on the outskirts of Lavenham because I am not clear about as to whether or not the applicant wants a Wellness centre as a number one priority or to convert the land which is currently countryside and is used for a rural pursuit into something that will be built up and that’s something that we need to make a decision on”	Verbal – Cllr A	7 th Nov 24 meeting	X	X	X	X	Clearly demonstrates a lack of understanding or knowledge around the sequential test process. This councillor should not have been permitted to comment on this area and should have been stopped when they said, “but maybe I got confused”. The site is currently brownfield, Sui generis- commercial livery yard – leisure with existing structures.

Comment	Raised By	When	Governance	Misfeasance	Bias in planning	Defamation	Comment
Under Rules of Debates at Meetings in the Standing Orders point O Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion. Point T a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting. Cllr A spoke 3 times for a total of 8m 15s. Cllr E spoke 2 times for a total of 4m 56s		Meeting	X		X		These 2 councillors had a disproportionate amount of time in their commentary and debate. All of Cllr A's points were negative about the application. Most of Cllr E's comments were critical. This is not a fair representation and no request was made to any of the councillors to highlight the benefits of the application. This demonstrates bias and could even be considered predetermination as the commentary clearly was not objective.
The proposed development is located significantly beyond the recognised boundary of Lavenham.	Written - Planning Statement	Submission		X	X		The development is within a 10-minute walk from the centre of Lavenham (as defined within the LNP). This is the same walking distance as the adjacent Lavenham Studios – who themselves do not have access to a footpath. This is not significantly beyond the boundary.
In reaching conclusions for living accommodation at Second Meadows, a Planning Inspector considered it unlikely that future residents would regularly use the footpath to access services and facilities.	Written - Planning Statement	Submission		X	X		This statement referred to a previous planning application that was for a residential house (different planning class) – this is not relevant in this application and should never have been quoted.
The Parish Council supports the concept of a Wellness Centre for the village but this must be on an appropriate and accessible site within the Settlement Boundary.	Written - Planning Statement	Submission		X	X		The planning application is for outline permission for a Sui Generis Wellness Centre (only) on this site (only) as agreed through the sequential test process. See comment above.
Council has concerns that this development could have negative financial impacts on the 'Wellness Centre' type activities offered by the Village Hall and undermine the financial position of that valued community asset.	Written - Planning Statement	Submission		X	X	X	In the application it clearly says: "The applicant has taken this into account and removed space that could have been used for community activities in line with the LNP.". The implication from this is that I am lying in my application
Council is concerned that the 'sui generis' use applied for, could, if this application be granted, lead to the development of something other than a Wellness Centre.	Written - Planning Statement	Submission		X	X	X	As per Sui generis definition this is not possible. The implication from this is that I am lying and misleading in their application
Council considers that if the size, material and landscaping etc of the proposed development had been clearly set out in the application then some, but not all, of the issues concerning the proposal might be removed.	Written - Planning Statement	Submission		X	X		The application is for outline planning – none of these mentioned details are required for outline planning permission and this comment should not have been included and is unreasonable to expect the application to obtain them
All the comments above that are either misfeasant, biased or defamatory should have been stopped by the chair and councillors reminded of their limited remit and by their own admission limited understanding in some of the complexities.		Process	X				If there had been more control over the meeting, then the inappropriate comments would have been limited and a more balance discussion including benefits should have taken place.
No review of the planning consultation document was carried out, before submission to ensure it aligned to the chair's commitment in Feb 24		Process	X				The above evidences many written and verbal statements that were not appropriate, relevant or correct and should not have been included in the planning consultation response.

***Known benefits include:**

Provides accessible wellness and fitness services for Lavenham within easy walking or cycling distance of the centre of the village.

Increased investment and funding into the village which will have a knock-on effect of increase footfall and potential increases in customer base.

A site that will support the culture of sustainable tourism and provide more tourist facilities.

Employment opportunities including potential apprentice roles.

Volunteering opportunities.

Enhanced biodiversity.

Flood mitigation that will improve flooding impact along Brent Eleigh Road.

Flood plain restoration that will support a more diverse habitat and encourage new species of wildlife.

Supporting the ten themes of Wellness as defined by Babergh & Mid Suffolk District Councils' Wellbeing Strategy 2021-27.

Commitment to build using sustainable materials.

****Alignment to the emerging LNP2 policies – now no longer an active consideration but was so at the time of the application:**

- LAV 6: Managing surface water flood risk in Lavenham
 - Sequential test prepared and passed by Babergh DC. No exception test is required.
 - An FRA has been prepared and submitted.
 - A SuDs report has been prepared and submitted – this includes details of drainage, SuDs proposal and use of green roofs.
- LAV 7: Essential infrastructure for managing and mitigating extreme weather events
 - Existing ditches have been cleared all around the extended site, including working with the EA to implement a pipe to allow overflow water from the River Brett to help re-establish the flood plains.
 - Flood storage compensation will be addressed under reserved matters as this will need to consider the full design and materials that will be used.
- LAV 9: Lavenham sites of biodiversity value
- LAV 10: Mitigation hierarchy and delivering biodiversity net gain in Lavenham
 - Our BNG report and calculation has shown that there will be a net gain of 13.32% this is above the minimum requirement of 10%. – this is a minor calculation and place services of ecology comments are wrong and have been challenged
 - Green roofs will be on four of the buildings.

- LAV 11: Sustainable life and work patterns in Lavenham

- EV charging points will be provided.
- Bike facilities will be provided.
- Enhanced footpath access will be provided encouraging people to walk to the site.
- Providing nearby exercise and therapy services within Lavenham will reduce the amount of travel needed to reach these services as now there are no walkable alternatives and therefore motor transport would need to be used.

- LAV 20: Other Open Spaces of Value and Informal Green Amenity Spaces

- The Riverside footpath is specifically mentioned in this policy, this is the footpath that runs along the side of the site and provides walking access. I am bemused how the parish council can dismiss access via this route to the site, when they are specifically promoting it in this policy.

- LAV 21: New open space provision

- With the creation of the rain garden which will all support other sensory solutions this will increase the number of green and open spaces.
- New trees and hedgerows are being planted and supported by the EA.

- LAV 23: Public Rights of Way network

- The rural surroundings are an important leisure asset and any opportunities for walking, cycling, horse riding and other outdoor pursuits will be encouraged. On one hand the Lavenham Parish Council is promoting the use and accessibility of footpaths, which this application is doing, then objections are saying the public footpaths cannot be used - on this basis they are contrary to the LNP2 and should be discounted.

- LAV 30: Visitor facilities

- The services offered in this application will definitely increase visitor day facilities (no overnight increase in tourism as there is no accommodation provided). The application has received many supports from non-Lavenham residents as they are frequent visitors and would look to support and use these facilities that would enhance their Lavenham experience. The parish council should not have a policy that supports visitor facilities and experience and then negate their support and relevance.

- LAV 32: Support for small business development and home-based workers

- This is a new business that will offer local employment opportunities.
- These facilities will support local residents being able to be more flexible in their approach and timing to exercise without having to have extensive travel to enjoy a similar experience.

- LAV 37: Protecting and strengthening settlement and landscape character of Lavenham's village gateways

- The current site is tired and dilapidated due to a lack of demand for livery services. The proposal will enhance and improve the current aspect of this site.

- LAV 42: Development and parking for motorised vehicle

- This proposal will offer additional out of the village car parking facilities within easy walking of the village (800m/10 mins) which is considered acceptable within the LNP. We will be flexible around the use of the car parking and support village activities that need overspill car parking facilities.

Requested Actions:

Given the seriousness of these concerns and repeated breaches, I request the following actions:

1. A thorough and independent investigation, in the context of my planning application, into the governance practices, misfeasance, subjectivity, bias, and defamation within the Parish Council and a full and thorough explanation as to how and why this was allowed to happen with recommendations around corrective actions required.
2. The publication of the findings of this investigation to be available to the public.
3. A full review of the governance arrangements of the planning group – including a standardised consultation template that considers all benefits of an application as well as any areas of concern. Engagement and communication must be key to the success of the review, giving potential planning applicants the opportunity to discuss their applications and seek help and local insight as appropriate.
4. A recognition by members of the parish council that if a planning application is too complex for them to understand and they have already paid for an independent review, then they should not attempt to make assumptions and judgements beyond their knowledge or experience.
5. An acceptance that councillors should not be members of the planning group unless they have attended the SALC training sessions around planning and commit to have regular refresher training.
6. Assurance that commitments given by the parish council are adopted and a mechanism is put in place to monitor this compliance.
7. A review of the formal complaints procedure to include appropriate timescales for resolution and updating the types of complaints to include where the collective parish council breaches its governance arrangements and how this should be effectively managed and remedied.
8. A formal apology from the council around the way my planning application was approached, managed and considered. Including recognition on how the parish council could have handled the application differently and lessons learnt that can be applied to future planning applications that the parish council consult on.

I look forward to the meeting on the 18th December 2024 when I will be given an opportunity to be assured that this matter has been taken very seriously by the Parish council and the councillors themselves.

Pippa Mullan