

LAVENHAM PARISH COUNCIL

To: Members of Lavenham Parish Council

You are duly summoned to attend the next meeting of Lavenham Parish Council to be held at 7.30 pm on Thursday 7th November 2024 at Lavenham Village Hall, Church Street, Lavenham.

Public Attendance

Members of the public and press are welcome to attend. At item 6 the public will be invited to give their views/question the Parish Council on issues on the agenda or local matters. This item will generally be limited to 10 mins. duration.

AGENDA

- 1. Apologies and approval of absences**
- 2. Co-option of either Lizzie Falconer or Alison Sherman as Councillor**
- 3. Declarations of Interest**
- 4. To consider requests for dispensations**
- 5. To approve as accurate minutes of the last meeting of the Council**
- 6. Public participation session (10 minutes)**
- 7. Chairman's Announcements**
- 8. Local Authority Councillors' Reports**
- 9. Planning**

Planning Group: To receive reports and recommendations.

10. Clerk/RFO report

- 10.a Motion to approve Accounts for month ending 30 September 2024.**
- 10.b Motion to approve Receipts and Payments for month ending 30 September 2024.**
- 10.c Motion to approve increase in salary of Clerk consequent of the conclusion of the 2024/25 Local Government pay negotiations.**

11. Motion to produce a Parish Newsletter and deliver with a copy of Lavenham Life to every household in Lavenham.

12. Motion to purchase a sign on the A134/A1141 junction.

13. Motion to purchase a second SID for the Melford Rd.

14. Motion concerning condition of Playground Equipment.

15. Motion to advertise for quotations for green maintenance and street cleaning.

16. Motion concerning how the Parish Council assesses Planning Applications.

17. Date of next meeting – Thursday 5th December 2024

A handwritten signature in dark ink, appearing to read 'A Smith', with a stylized flourish at the end.

Andrew Smith
Clerk to the Council
Parish Office
Church St
Lavenham

Date: 1st November 2024

Agenda Item 2

Report to Council 7th November 2024

Co-option of Lizzie Falconer or Alison Sherman

- 1 The Council advertised in September 2023 that there were two vacancies from the May 2023 election which it sought to fill by co-option as soon as possible.
2. Electoral Law is clear: 'where insufficient members are elected at an ordinary election but the Parish Council nevertheless has a quorum, the Parish Council can fill the vacancies by co-option'
3. These vacancies were filled by Christopher Robinson (December 2023) and Michael Sherman (May 2024).
4. In May 2024 Matthew Chick resigned and in June 2024 Lizzie Falconer. Both vacancies were advertised and in neither case was a request for an election received and so Babergh Electoral Services have informed the Parish Council that in both cases the vacancy can be filled by co-option.
5. One of those vacancies was filled in October 2024 by Roy Mawford.
6. Lizzie Falconer and Alison Sherman have come forward and expressed interest in the remaining vacancy.
7. Both candidates have provided evidence of their eligibility and completed the required Register of Interests form.
8. Both candidates have received a copy of the Code of Conduct and have been directed to the other Parish Council policies published on the Parish Council website.
9. Both candidates have written statements outlining their suitability for Council.
10. Neither candidate has requested a dispensation.

Vote

Parish Councillors will vote to select which candidate they consider most suitable for Council.

The Chair will then welcome the candidate with the highest number of votes to Council.

The Clerk will ask the successful candidate to sign the Acceptance of Office and will a) inform Babergh District Council and b) lodge with Babergh District Council the 'Register of Members Interests' form.

Appendix A

Suitability Statement: Lizzie Falconer

Returning to the Lavenham Parish Council as a councillor is a commitment to a community I deeply care about. My previous experience and understanding of the Parish make me a strong candidate for this role.

As the former Vice Chair, I possess a comprehensive understanding of council operations, including adherence to the code of conduct. My tenure provided me with insights into the planning process, financial management, and the importance of effective communication.

Key Areas of Experience:

1. Planning Process: I actively participated in discussions surrounding planning applications, ensuring resident needs were considered.
2. Financial Management: I gained hands-on experience in managing parish finances, understanding budget constraints, and promoting transparency.
3. Social Media Skills: I utilised social media to engage with the community, fostering a sense of connection and keeping residents informed.
4. Listening to Community Opinions: I prioritised inclusivity, ensuring diverse voices were heard in council decisions.
5. Traffic Management: I collaborated with local authorities and residents to address unauthorized lorry traffic, enhancing community safety. This included persuading our local MP to hold a meeting with all concerned parties.

Community Engagement and Events:

I led significant community events, including the Queen's Platinum Jubilee, which gained national attention for Lavenham, and successful Christmas festivities that united our village.

Having lived in Lavenham for over 40 years, from a late teen working in the Greyhound to teach a regular and successful Meditation group at the Guildhall and Village Hall. I am committed to preserving its charm while promoting sustainable development and transparency. My vision includes enhancing community engagement, addressing traffic concerns, and expanding events to strengthen connections.

I seek your support to continue serving our village, ensuring Lavenham remains a vibrant and welcoming place for future generations.

Suitability Statement: Alison Sherman

I write to you regarding my desire to join the Lavenham Parish Council.

I have been a resident of Lavenham for the last 8 years and have lived in the area for the last 60 years moving here when I was 7.

I believe I have the ability to become a good Councillor through my willingness to represent the Council and the Community I live in.

I truly believe I have good interpersonal skills and have the ability and willingness to work with the Council in all matters orally and in writing.

I would work closely with the other Councillors to maintain good working relationships with all members.

I have always loved the village and now being retired I have the time and energy to help the village in all it stands for.

I will become an active member of the Council to the best of my ability.

PARISH COUNCIL MEETING

Held on Thursday 3rd October 2024, commencing at 7.30 pm. in the Village Hall.

Full reports and supporting documents can be found on the Parish Council website under Meetings, October 2024 Meeting Pack. Paper copies are also available.

Present:

Chair: Cllr Janice Muckian. Cllrs: Alison Bourne, Frank Domoney, Iain Lamont, Irene Mitchell, Mary Morrey, Jane Ranzetta, Chris Robinson and Michael Sherman. Six members of the public.

Opening Statement by the Chair:

The Chair began by welcoming everyone and introduced herself explaining to all present that this meeting is being recorded for the purpose of minute taking only and that after the minutes have been approved this recording will be destroyed. The Chair reminded all that this is not a public meeting, but a meeting of the Council held in public. Members of the Public were respectfully asked to maintain silence during the Council's deliberations and not to approach the Councillors. Councillors were requested not to engage with Members of the Public when Council is in session. All were asked to ensure that their mobile phone was on silent and reminded to treat all present with respect.

1. Apologies and approval of Absences

The Clerk explained that all Councillors were present.

2. Co-option of Roy Mawford as Councillor

The Clerk explained that there are two Councillor vacancies and that Babergh Council has advised that both vacancies can be filled by co-option.

He reported that Roy Mawford has come forward and that since he is the only candidate there is no need for Roy to outline his suitability and for this to be compared to other candidates.

He informed Councillors that Roy Mawford has provided evidence of his eligibility, completed the required Register of Interests form, has received a copy of the Code of Conduct and has been directed to the other Parish Council policies published on the Parish Council website.

He told Councillors that Roy Mawford has requested a dispensation 'for the period up to the Council's Annual Meeting in 2025 to speak and vote on matters with respect to Water St unless the matter for decision can be viewed from my Disclosable Pecuniary Interest'.

He informed Councillors that SALC and NALC advice is that when there are the same number or fewer candidates than vacancies then the legal position is that Council shall resolve to co-opt them to Council.

Cllr Domoney asked whether there was going to be a vote and whether any Councillor could object.

The Clerk explained that consequent of the legal position there is no vote but that Council practice, as followed when Cllrs Robinson and Sherman joined, is that the motion to welcome Roy Mawford to Council is proposed and seconded.

Proposal: That the Parish Council welcomes Roy Mawford to the Council and asks Mr Mawford to sign the Acceptance of office with the Clerk instructed to a) inform Babergh District Council and b) lodge with Babergh District Council the 'Register of Members Interests' form.

Proposed: Cllr Muckian

Seconded: Cllr Bourne.

Cllr Domoney left the room at 7.37pm and did not return.

3. Declarations of Interest

No Councillor declared an interest.

4. Requests for Dispensations

The Clerk reported that he had granted the dispensation requested by Roy Mawford as previously detailed and that no other dispensations had been requested not previously detailed to Council.

5. To approve as accurate minutes of the 5th September 2024 meeting of the Council

Motion: to approve as accurate the minutes of the 5th September 2024 meeting of Council.

Proposed: Cllr Bourne **Seconded:** Cllr Sherman

Decision: The minutes of the 5th September 2024 meeting of the Council were unanimously approved as accurate. Cllrs Mawford and Ranzetta abstained having not been at the meeting.

6. Public Participation Session

The Chair reminded Members of the Public of the protocol for this session. Those who wish to ask a question or make a statement have three minutes. Matters raised must concern business on the agenda or local matters. If a question cannot be answered tonight Members of the Public should contact the Clerk with their name and contact details and will receive a written response within 28 days. She explained that the Standing Orders of the Council are clear that this public participation session is for ten minutes and that it is at the discretion of the Chair whether further time is allowed, to ensure that all matters on tonight's agenda are discussed this session will last no more than thirty minutes.

A Member of the Public asked if it was permitted for a husband and wife (Cllrs Mawford and Mitchell) to both be Councillors and whether any adjustments would be required to Council procedures. The Chair replied that there were no barriers to husbands and wives serving together at all levels of central and local government.

A Member of the Public asked about the state of the trees at the bottom of the High St noting that one has fallen over very recently. The Chair said that Council is aware of these trees and others such as those in the Church St car park which have recently grown significantly and is working with the relevant authorities to have these trees inspected and, if required, cut back.

A Member of the Public said that he had read County Cllr Lindsay's newsletter headline 'After many months of pressure from Robert and Lavenham PC, Highways has finally given approval to a legal traffic order that sets up the village 20mph scheme... this is something we know from two village surveys that the majority of Lavenham people want.'. He said this headline is incorrect because there are many controversial issues with the scheme finally proposed by Highways and that secondly the majority to which the Councillor refers is the number of residents who voted in a survey in 2021 being 193 out of an Electoral Roll of 1,635 residents. He asked if Cllr Lindsay would like to correct his statement. The Parish Council, he said, similarly had not been given an opportunity to cast their votes on the Highways scheme and so 1,635 residents have been effectively disenfranchised. He concluded by saying that in April 2024 in the Public Consultation of the fifteen comments received nine were strongly against the scheme. The Chair responded that considering the wide ranging nature of the matters raised by the Member of the Public the Clerk would respond in writing.

7. Chairman's Announcements

Babergh Council has not yet announced the date of the Neighbourhood Plan referendum. A pamphlet summarising the Neighbourhood Plan has been written and it is expected that this will be delivered to every property in Lavenham in mid-October.

A two pronged approach from the Clerk and the local County Cllr Robert Lindsay regarding the collapsed pavement at the bottom of Water street has led to Suffolk Highways informing Cllr Lindsay that 'The local Highways Team are investigating how this historic brick culvert can be repaired in a way which is acceptable to Historic England. That may take some time, but the team have already visited the site and have taken photos and dimensional information, so it is progressing'.

She reported that there is still no word from Suffolk Highways concerning how much the 20mph scheme will cost but Highways has acknowledged receipt of the Parish Councils decision to proceed only with the Lorry sign at the Cockfield Junction and will now prepare a cost estimate for just that sign.

She informed Councillors that Council has received a report after an inspection of the play equipment in 1st Meadow. Refurbishment of the equipment and replacement of the safety surfacing is recommended. The total cost of the suggested works is approximately £13,000. This will be discussed by Council at a future meeting. The Clerk will ask Babergh Council whether Neighbourhood Cil can be used for these works.

She noted that extra poles have been installed for additional Speed Indicator Devices on the Melford road verge. The first additional device will be installed shortly and subject to it working properly a proposal for a second additional Speed Indicator Device will be brought to Council

She gave her thanks to the volunteers who have been working around the village and reported that on Saturday 28th September she had been pleased and honoured to officially open Lavenham Pre School's Forest School a project supported by a grant from the Parish Council. It is, she said, a fantastic facility and extended congratulations to everyone who made this happen.

The Chair concluded by explaining that with the Clerk she had that afternoon met with Suffolk Highways, Cllr Lindsay and the Babergh CIL team. Babergh continue to refuse to fund the upfront £5,000 design costs for the Green Willows footpath agreeing only to go away and 'reflect'.

8. Local Authority Councillors' Reports

County Cllr Lindsay began by expressing his concerns about Babergh's handling of the Green Willows Footpath project informing Cllrs that he would work with the District Cllrs to find a solution.

He reported that the County Council had at its last Cabinet meeting allocated £4.5m from reserves to update its waste depots to handle the food waste, glass and cartons that a new law says must be recycled by 2026 and plastic film by 2027. The County, he said, must also set up a new contract for anaerobic digestion of the food waste, which can be used to generate methane for fuel or electricity and will receive no additional funding from Central Government to meet these legal requirements.

The County Council is predicting a projected overspend of £1 million compared to budget however, the Council's reserves, the 'savings' it holds for a rainy day, are taking another big hit this year and are due to reduce by £22.2 million. He said that this is a rate of spending by the Council which is unsustainable even for a few more years and that like other councils in the same position Suffolk will be hoping for an improved funding settlement from the new Government.

He informed Councillors that the devolution deal which Suffolk Conservatives negotiated with the previous Conservative government has been scrapped by the new Labour government, as has the similar deal for Norfolk. Devolution would have provided the County with extra funding and power to make more decisions locally, for example transport and adult education in return for a directly elected leader of each authority. The mood music, he said, from the Government is that they want to deal with fewer local authority leaders and that Norfolk and Suffolk should therefore agree a single, directly-elected Mayor before they will offer them devolution. He said that he considers agreement unlikely.

Cllr Mitchell asked whether the scrapping of the devolution deal would stop the County Council's attempts to increase its powers in connection with the management of HGVs. Cllr Lindsay replied that he was not aware of any such connection.

Now, he said, is the time for parents and carers of children to apply for places at primary and secondary school next year. He advised that parents and carers should not assume that free transport will be provided to their catchment school. For the last few years, the County has stopped supplying free buses to the catchment school and they are only for the "nearest" school. The nearest and the catchment school may be two different places. There is a 'Nearest School Checker' on the Suffolk County website. Cllr Sherman asked if he was aware of the recent increase in the school bus charges. Cllr Lindsay replied that he was not but would report back.

District Cllr Maybury reported Babergh is considering making changes to the arrangements concerning charges to tenants for damages. She expressed concerns with respect to this adding that resolving tenants issues with the poor maintenance of their homes by Babergh Council is a substantial part of her workload.

She reported that to meet Government legislation it looks likely that there will be a rotating three week schedule in which black bins (ordinary refuse) will be collected week one, recycling bin for glass, tetra pak cartons, aluminium, plastics etc., week two and a separate recycling bin for paper and card, week three. Food waste collection is planned for each week with households being provided with kitchen caddies and large collection bins to be stored outdoors. Producers of food packaging will be required to part fund the cost of recycling.

District Cllr Clover reported that the new First Time Fix project aims to improve speed of repair times alongside delivering a more accountable efficient service for social housing residents. He would be pleased to hear from residents concerning the effectiveness of this.

He informed Councillors that Babergh Council has lodged a formal objection against National Grid's Norwich to Tilbury pylon proposals. No final decision has to be determined following consultation. However, the new Government has resolved to agree this line of pylons.

He reported that the Call for Land Summit which landowners were invited to attend and contact organisations who can help support native wildlife was a sell-out. Should any Landowners like further information he would be happy to speak with them.

Landowners, he said, are now being requested to cut back hedges along footways and public rights of way as the bird nesting season has finished whilst the damage to the roof of the Kingfisher pool is far more extensive than first thought and closure looks like being at least for a 12 week period. Members of the public are able to use the swimming facilities in Bury or Hadleigh in the interim.

Cllr Lamont asked how the District Council was going to publish this request. Cllr Lindsay responded that the local landowners are, in general, very well aware of their responsibilities.

The Chair asked all Councillors to ask Babergh Officers to reconsider their position and also to consider whether they could make any of their locality funds available to help move the Green Willows forward.

9. Planning Applications for Consideration

The Clerk informed Cllrs that no decisions had recently been received from Babergh Council completely contrary to the PC's recommendations. The applications from the owners of Lavenham Hall had been approved without any clauses concerning solar panels. He told Councillors that a new application for the development of a Wellness Centre on Second Meadow had very recently been validated by Babergh Council and would be on the Agenda for the November 7th meeting of Council.

DC/24/00483

57 High Street, Lavenham Sudbury Suffolk CO10 9PY
Discharge of Conditions – Conditions 3 (Build Up) and 4 (Lime Render and Lime Wash)

Cllr Lamont reported that the updated drawing supplied with this application does not address the concerns of the Heritage Officer during application DC/24/00483. Cllr Mitchell noted that the Applicant has challenged this opinion.

Motion: that Application DC/24/00483 not be recommended for approval

Proposed: Cllr Ranzetta

Seconded: Cllr Mitchell

Decision: Approved unanimously.

(Note: subsequent to the Council Meeting the Heritage Officer determined that the paint proposed by the applicant is appropriate and removed the objection)

DC/24/03988

The Grove, 5 Lady St, Lavenham Sudbury Suffolk CO10 9RA

Application for works to a tree in a Conservation Area and protected by Tree Preservation Order WS41/T49 – Reduce an oak tree by up to 2m overall, to thin crown and allow more light.

Cllr Lamont reported that the application is for regular maintenance of this tree advised by the tree surgeon following a routine PISCUS test. Following previous PISCUS tests and routine maintenance this tree remains strong, despite the presence of disease. He commented on the commitment that the applicant is showing to support this protected tree rather than seeking to take more drastic action.

Motion: that Application DC/24/03988 be recommended for approval.

Proposed: Cllr Robinson

Seconded: Cllr Ranzetta

Decision: Approved unanimously.

DC/24/04037

Balsdon Bridge Hall, Bridge St Rd, Lavenham, Sudbury Suffolk CO10 9SJ

Application for Listed Building Consent - Joinery repairs to existing front door frame and canopy. Replacement of front door and bay window including repairs to additional windows.

Cllr Lamont informed Cllrs that these works remove an unattractive conservatory that was fitted to the front of the property and add a bay window with doors in similar proportions and with similar materials to the existing bay window. The windows and doors will be timber utilising Slimlite 12mm thick double-glazing panels to allow for traditional width glazing bars. This will, he said, significantly improve the front elevation of the property and enhance the heritage aspects.

He explained that the removal of the conservatory and replacement by a bay window was approved in previous application DC/22/00587. This application also includes repairs to existing windows and provision of a replacement of a modern front door and frame.

Motion: that Application DC/24/04037 be recommended for approval

Proposed: Cllr Bourne

Seconded: Cllr Ranzetta

Decision: Approved unanimously.

DC/24/03268

Coppers, Sudbury Rd, Lavenham CO10 9QZ

Householder Application - Erection of two storey side/rear and single storey rear extension, including raising existing roof to front and rear projections to north west side of dwelling (following demolition of garage)

Cllr Lamont explained that this application is for changes to a building constructed 30-50 years ago. It is inside the Built Up Area boundary but outside the Conservation area.

He explained that there are no trees on the property covered by a tree preservation order, there is evidence of recent vegetation and shrub clearance but no requirement to replace any of this.

However, LNP 2016 Policy D1 does state: "All development proposals will be expected to retain and enhance vegetated boundaries as much as possible, particularly those intact of hedgerows and trees.any unavoidable loss of trees and hedges must be more than adequately offset by new planting". We would seek that a condition of the application for a landscaping drawing to be included.

He informed Councillors that the current building has an unattractive flat roofed garage to the left of the property. The proposal replaces the garage with a wing similar to the one to the right of the property giving a more pleasing appearance from the road. The roofline of the property is unaffected, although the roof line of the existing wing is raised.

The buildings on this section of the road are all modern and have a range of different styles and finishes. There is no requirement in the LNP 2016 to match any of the adjacent buildings, but to complement them see Policy D1 bullet point 2:

“Outside the Conservation area this means contributing positively to the street scene where choice of materials complements those on buildings nearby and by being of a height and scale that is in keeping with neighbouring buildings.”

The extended roof is to be pantiles to match existing. The external to be painted render to match existing. The new window styles are more modern, matched throughout the property and are similar to adjacent properties.

He displayed a considerable number of photographs of the existing property and drawings detailing the proposed changes and expansion to the size of the floorplan explaining that the Planning Group had visited the site and had not, until the visit, realised the sizeable extent of the width and depth of the site.

Cllr Muckian commented that whilst the maximum height of the roof does not change the height of the roof is increased in a number of places, she asked if there will be any additional overlooking issues. Cllr Lamont explained that there will be no windows in walls where there currently are no windows and that the distances to neighbouring properties are not insubstantial.

Cllr Ranzetta asked if neighbours had commented on the plans. Cllr Lamont said that they had not.

Cllr Mitchell commented that the removal of the vegetation had removed the privacy of a neighbouring property. She added that the growth in the floorplan is most significant. She expressed concerns that the proposed building will dwarf the bungalows on either side of it. She welcomed the bringing back to use of a derelict property.

Cllr Robinson highlighted the significant size of a number of nearby properties. Cllr Sherman agreed.

Cllr Mawford said that he considered the front of the proposed development very acceptable but the extent of the two storey development too great and that should extra interior space be required there should be further development at ground floor level at the rear of the property. He considered the development not compliant with policy LAV38 in the emerging Neighbourhood Plan concerning over-development and overlooking.

Motion: that Application DC/24/03268 be recommended for approval subject to the incorporation of a landscaping plan to include the replacement of green boundaries.

Proposed: Cllr Robinson

Seconded: Cllr Sherman

Decision: Motion carried. Cllrs Bourne, Lamont, Morrey, Robinson and Sherman voted in favour. Cllrs Mawford and Mitchell voted against. Cllr Ranzetta abstained.

10. Clerk/RFO Report

Accounts for August 2024:

The Clerk reported that for the five months ended 31 August 2024 the surplus is £15,873 compared to a budgeted surplus of £2,529, a difference of £13,344. He explained that the main reason for this was the unbudgeted Car Park and Toilet Donations of £7,156. He displayed a graph and the detailed accounts which showed all the reasons behind the surplus.

He then displayed a forecast covering the whole year explaining the reasons behind each of the whole year estimates detailing which costs are still included in the forecast and which costs are not. He highlighted the need to build, in a clear and transparent way, a sinking fund.

He displayed a very preliminary estimate of the budget for 2025/26 explaining that a very preliminary estimate of the rise in Council Tax required to break even was 12%. He advised therefore that ‘next years numbers don’t look good’ and suggested that it might be prudent to not spend the predicted surplus for 2024/25 and use this to reduce the increase in Council Tax required in future years.

He then displayed to Councillors a forecast of the Council's likely financial position as at 31 March 2025 explaining that the likely cash position at end March 2025 is £369,000 representing 8.7 months reserves. Council policy is to hold 8 months reserves. Should Council vote to charge the cost of the First Meadow Bridge and the 2024/25 cost of the telephone box refurbishment to NCIL the surplus would be 11 months. Such a charge would reduce the likelihood of any unspent NCIL having to be refunded to Babergh Council and should also allow the Council to have low annual increases in Council Tax for the next three years or so whilst the sinking fund is built up to about £70,000 which would be a sensible level.

He concluded by saying the big question coming towards Council is whether to go ahead with the 20mph zone which will likely use all the NCIL and make all new projects extremely difficult without increasing Council Tax.

Cllr Lamont commented that Council would still be able to apply for District CIL to fund projects needing only to find 25% of the costs from its own resources. The Clerk agreed with Cllr Lamont but reminded him that District CIL has restrictive rules concerning what it can be used for and must be applied for through an arduous process.

Cllr Mitchell suggested that the outline budget included an amount for interest receivable that was too high adding that this was not a material item. She asked the Clerk what his desired level of sinking fund is. The Clerk replied that this is an excellent question and one which involves considerable judgement. Surveyors reports are not available to assist with this estimation. He highlighted the poor quality construction of Lady St, the age of the Chapel, the complicated nature of the Water St Car Park surface and the ageing of the Playground equipment concluding that £70,000 or so would be a prudent amount.

Cllr Sherman suggested that when the Sinking Fund gets to £60,000 to £70,000 Council could reduce the amount being 'salted away' each year, the Clerk agreed.

Cllr Robinson expressed his thanks to the Clerk for the clarity of the presentation and the work behind it. All other Councillors agreed.

The Clerk explained that at this meeting Councillors are not setting precept and that the motions are the usual monthly ones plus motions to approve a reforecast and use the NCIL

Motion: to approve the accounts for the month ended 31 August 2024.

Proposed: Cllr Sherman

Seconded: Cllr Robinson

Decision: Approved unanimously.

Received: The report prepared by the Clerk listing the August 2024 Receipts and Payments.

Noted from the Report: The Clerk explained the larger amounts and how the report ties up to the Bank Statements. No receipts or payments required further explanation.

Motion: to approve the Receipts and Payments for the month ended 31 August 2024

Proposed: Cllr Bourne

Seconded: Cllr Mawford

Decision: Approved unanimously.

Motion: to approve the reforecast for the year ended 31 March 2025.

Proposed: Cllr Mitchell

Seconded: Cllr Morrey

Decision: Approved unanimously.

Motion: to charge the 2024/25 costs of the telephone box repair and the First Meadow Bridge repair to Neighbourhood Cil.

Proposed: Cllr Morrey

Seconded: Cllr Sherman

Decision: Approved unanimously.

The Clerk gave Councillors a brief update concerning improvements to the Public Realm explaining that the First Meadow Bridge had been completed with a number of very favourable comments received. Two replacement Dog Poo bins have been purchased and installed and two Dog Poo dispenser bag posts have been replaced. The first Melford Rd Speed Indicator Device will very shortly be put up and the telephone boxes will be returned in the next couple of weeks. Nothing had been heard from Suffolk County Council with respect to lorry signage east of the village or from Babergh Council concerning the possibility of more frequent emptying of the street litter bins.

Suffolk County Council had reacted favourably to suggestions that the PC could move the First Meadow Gate a little along Brent Eleigh Rd so it is not by the corner and instal gate type entrances to the village to slow down road traffic but are not prepared to financially contribute to either.

The Clerk has answered three Freedom of Information requests.

11. The Heritage Standpipes

Cllr Morrey presented her report highlighting that these were last repaired in 2010 when David Deacon was Chair of the Council and that he has been most helpful explaining what had been done at that time. Two are damaged, the steps have broken off.

Council contacted a local iron craftsman who wrote 'My suggestion would be to remake a replica step in mild steel as it will be more resilient to kids jumping on it and won't snap like cast. Ball park to make, paint black (possibly green if you supply paint, or paint code) and fit is £395 each, assuming both are done at same time. Also assumes the 3 mounting bolts all release without shearing or stripping threads - if they do, additional labour charges would apply. Look forward to hearing from you'.

In parallel Council has engaged a local handyman to repaint the standpipes funded from the public realm maintenance budget.

Councillor Mitchell asked if this was destroying the heritage status of the items. Cllr Morrey replied that they were not listed. Cllr Robinson suggested keeping the original plates in store. Cllr Morrey agreed.

Motion: Council engage local iron craftsman at a cost of £790 plus £210 contingency, total £1,000 to make and fit two replica steps to the heritage standpipes. Power to spend money for the encouragement of Tourism is granted to the PC in the Local Government Act 1972, section 144.

Proposed: Cllr Bourne

Seconded: Cllr Sherman

Decision: Approved unanimously.

12. Box Bushes

Cllr Morrey reported that she happened to be in the Churchyard when the pruning was done. The Contractors report the bushes to be in a much better state. Cllr Lamont agreed commenting that the bushes are much thicker. She added that the Clerk will contact the Contractor to obtain his advice and costs for the 2025/26 maintenance work and this will form part of the budgeting discussion for 2025/26.

Motion: To ask the Contractor to feed the bushes in March 2025 at a cost of £380. PC has the power and sometimes the duty to maintain closed churchyards under the Local Government Act 1972 s215.

Proposed: Cllr Mitchell

Seconded: Cllr Ranzetta

Decision: Approved unanimously.

13. Play Equipment and item 14. 20 mph zone

The reports were noted

Date of next meeting

Thursday 7th November 2024 7.30 pm in the Village Hall.
The meeting closed at 10.03pm.

October:

03988	The Grove, 5 Lady St	Reduce Oak Tree protected by TPO	Approval	Approval
04270	19D Shilling St	Fell Tree	Approval	No decision
03400	The Guildhall	Fire Protection	Approval	Approval
01661	Mole Cottage 32 Prentice St	Part demolition wall and provision of off-street parking	Refusal	Approval
01662	Mole Cottage 32 Prentice St	Part demolition wall and provision of off-street parking	Refusal	Approval

Open items:

03337	Mill Cottage, Bears Lane	Erection of timber fence following removal of hedge	Ongoing	Approval	
04037	Balsdon Hall, Bridge St Rd	Listed Building Consent: Repairs and replacements	Ongoing	Approval	
03268	Coppers, Sudbury Rd	Side and Rear extensions and demolition of garage	Ongoing	Approval	
04224	Second Meadow	Wellness Centre	Ongoing	Ongoing	08-Nov
04672	Mole Cottage, 32 Prentice St	Reduce Tree	Ongoing	Ongoing	11-Nov
04664	5 White Gates	Fell 3 Silver Birch	Ongoing	Ongoing	11-Nov
04658	Crooked House, 7 High St	Planning Permission: Rear extension	Ongoing	Ongoing	13-Nov
04659	Crooked House, 7 High St	Listed Building Consent: Rear extension	Ongoing	Ongoing	13-Nov
04787	22 The Glebe	Prune Maple	Ongoing	Ongoing	20-Nov

1. REASON FOR REFUSAL - HERITAGE HARM

The proposed development, by way of the part-demolition of the existing historic brick wall, would result in harm to the significance of the setting of the Grade II listed, Mole Cottage, the wall itself, and to the character and appearance of the Lavenham conservation area. No public benefits have been demonstrated that outweigh the harm identified to the heritage assets.

The proposal is therefore contrary to policies SP09 and LP19 of the Babergh and Mid Suffolk Joint Local Plan (2023), policy D1 of the Lavenham Neighbourhood Plan (2016) and the aims of paragraphs, 200, 205 and 208 of the National Planning Policy Framework (2023).

Lavenham Parish Council Planning Group.

Planning Applications for consideration at LPC meeting on 7th November 2024 – Planning Group Recommendations

[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

Application. No: DC/24/04224 | Received: Mon 23 Sep 2024 | Validated: Wed 25 Sep 2024
| Status: Awaiting decision

The previous application DC/23/02659 was refused. There were three reasons for refusal:

REASON(S) FOR REFUSAL: CONTRARY TO POLICY SP03 JOINT LOCAL PLAN (2023)

The proposal is not located within a settlement boundary and fails to meet any other exceptions that allow development outside of the settlement boundary. The principle of development is not established under policy SP03. The proposal is therefore contrary to policy SP03 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 8, 96, 108, 115, 116, 135 and 139 of the NPPF (2023).

REASON(S) FOR REFUSAL: ACCESSIBILITY

The proposal fails to provide a safe and suitable access for all due to the lack of connectivity to the surrounding area and accessibility into the site. The site's unsustainable location outside of the settlement boundary, and lack of suitable footpath link or alternative travel options, means that visitors and staff would be reliant on motor vehicles to access the site. The proposal is therefore contrary to policies SP07 SP10, LP09, LP12, LP24, LP27, LP28 and LP29 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 8, 108, 114 and 116 of the NPPF (2023).

REASON(S) FOR REFUSAL: FLOOD RISK

The site is located within Flood Zones 2 and 3 and is at high risk of surface water flooding. The sequential test has failed to satisfactorily demonstrate that there are no suitable alternative sites available. The proposal is therefore contrary to policies SP10 and LP27 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 165, 167 and 168 of the NPPF (2023).

Whilst it is important to acknowledge previous planning decisions, it is **imperative** that this application is considered as a stand-alone separate proposal.

The application is for Outline Planning Permission with all matters reserved at this stage.

'Matters' in this context means Access, Appearance, Landscaping, Layout and Scale of building which will likely be the subject of a further application should Outline Planning be granted. In effect the only issue to be considered at this time is the location of this site and its relationship to the current recognised and emerging development boundaries.

However, as the application includes a detailed planning statement concerning 'Matters', the Parish Council takes the opportunity to consider those which are most pertinent to deciding upon the central issue of location.

Considerations

This application includes modification to the previous proposal with a new entry point for vehicle parking. The current proposal is for a large 20m x 30m main building containing a swimming pool and wellness centre, a separate circular cafe and treatment rooms located in place of the stable block.

Relevant Local and Neighbourhood Plans have been examined in the review of this application.

These Plans are:

- a) Joint Local Plan: SP03, SP07, LP12(2)
- b) Lavenham Neighbourhood Plan 2016: H1
- c) Lavenham Draft Neighbourhood Plan 2023: LAV 6, LAV 7, LAV 13, LAV 34, LAV 40, LAV 41.

The desk research of Need in the Planning Statement is noted.

In terms of demand for this facility by village residents, the Business Model assumes a potential market in the Lavenham Electoral Ward of 31% of 18-64 year olds and 44% of those between 65 and 74 totalling 1,221 gym members (see section 11 Nupremis report).

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.

It is understood that the proposed facility would be privately run and would be a not be a public facility.

1. LOCATION

Joint Local Plan 2023: Policy SP03 - The sustainable location of new development

Policy SP03 is clear that development outside the settlement boundary will only be permitted where:

- a) *The site is allocated for development, or*
- b) *It is in accordance with a made Neighbourhood Plan, or*
- c) *It is in accordance with one of the policies of this Plan (the JLP) listed in Table 5 or*
- d) *It is in accordance with paragraph NPPF 2023 para 84*

The site is not allocated for development in the Joint Local Plan and is not in accordance with paragraph 80 (now paragraph 84) of NPPF. Therefore, the proposal does not benefit from the exceptions provided for in categories a or d. Category c is applicable.

Examining (c) from Table 5, the JLP notes that SP07 and LP12(2) would apply as shown below:

SP07 – Tourism

1) New sustainable tourism development that supports the tourism role of the settlements across Babergh and Mid Suffolk will be encouraged, where appropriate to the scale, character and nature of their locality.

2) Historic, recreational and landscape-based tourism proposals that demonstrate protection of the historic and natural environment will be supported.

The issues here are the scale, character and nature of the site in which the proposed Wellness Centre is to be placed. Located significantly beyond the recognised boundary of Lavenham the footprint of the proposed suite of buildings is large, especially when set in a very rural location.

Extract from LP12

“In addition to the criteria above, proposals outside settlement boundaries may be supported where the proposal:

- a) Increases access, enjoyment and interpretation of the countryside, appropriately, sensitively and sustainably;*
- b) Improves accessibility for existing places, which are not well served by public transport; and*
- c) Is of an appropriate scale for their context.”*

The intent of this Local policy is that developments outside settlement boundaries would need to demonstrate **improved access, enjoyment and interpretation of the countryside**.

‘Access’ in this context is interpreted in (a) as the opportunity to participate and enjoy the countryside. The activities proposed within the Wellness Centre need not be delivered in a countryside setting.

(b) is addressed in Section 2.

(c) The scale of the proposed development is significant and would materially alter the landscape from the riverbank and from the ridges to the east and west of Brent Eleigh Road.

The location of the proposed development is contrary to policy SP03. This is detailed in the report prepared by Planning Consultancy Nupremis paragraphs 85 and 86 of this report.

Paragraph 14.10 of the JLP states:

“Reference also needs to be made to the Councils’ most recent Landscape Guidance and/or other relevant landscape guidance supporting Neighbourhood Plans.”

Lavenham Neighbourhood Plan 2016

The Parish Council acknowledges the reference in the Planning Statement that little is said in the made Neighbourhood Plan about commercial development. However, Policy H1 applies **to all development**.

Policy H1 specifically notes:

“A landscape and visual impact statement (LVIS) will be required for all development proposals outside the existing settlement unless they are located in an area of low landscape and visual sensitivity as shown in the Landscape Character Assessment”

We note from the Planning Statement that the Planning Authority do not appear to require an LVIS at this time.

The site is within the Special Landscape Area of the Babergh Local Plan 2006 and the 2016 Neighbourhood Plan. The 2006 Local Plan was superceded by the Joint Local Plan Part 1 in

2023. In preparation for the Joint Local Plan, Babergh commissioned a Heritage and Sensitivity Assessment which notes *“Certain assets, particularly the Church are also currently visible in long key views and these assets are susceptible to development which intrudes upon or severs these long views.”*

Draft Revised Neighbourhood Plan (LNP2)

Policy LAV 13 – A Spatial Strategy for Lavenham

This cornerstone policy includes the following:

“Outside the Settlement Boundary, development will be restricted to:

- a. Rural exception sites that are well connected to the settlement and key services and community-led developments adjacent to the settlement, where such a scheme accords with Policy LAV 17 of this Plan.*
- b. Development for agriculture, horticulture, outdoor recreation, essential education infrastructure and other uses that need to be located in the countryside.*
- c. Replacement dwellings or residential extensions or annexes or conversions allowed for in the Local Plan.*
- d. Uses appropriate to supporting a rural economy (rural employment uses) where such uses need to be located in the countryside and where they comply with other provisions in the development plan.”*
- e. Residential development that complies with one or more of the exceptional circumstances set out in paragraph 84 of the NPPF 2023*

This application is not for a community-led development and it does not accord with LAV 17. It does not fit the purposes stated in (b) above and in (d) a Wellness Centre need not be in the countryside.

Policy LAV 34 Protecting and enhancing Landscape character applies.

This notes particularly, that proposals must fit with the recommendations in the Lavenham Landscape Character and Sensitivity Assessment 2023 derived from the preparation for the revised Babergh Joint Local Plan.

The LCSA places this site within Rural Character Area LR7. The LCSA and therefore LNP2 states that:

*“any changes in LR7 **must** protect the valley meadowland feel of the character area and **prevent** further development on the valley floor.”*

2 ACCESSIBILITY

There are no proposals in the current application to provide alternative pedestrian access to a Public Footpath which crosses First Meadow and runs alongside the River Brett on rough and uneven ground inside the flood plain with a consequent high risk of flooding.

Pedestrian access to the site along the A1141 would involve walking along an unlit section of the road, with no verge and signposted as a National Speed Limit (60mph).

Joint Local Plan 2023 - Policy LP12(2) b applies. The application provides additional accessibility for vehicular traffic to the site through the provision of off-road parking but this in itself, is likely to add traffic movement within the already recognised congested village centre.

Section 85. Of the Nupremis report notes: *“ In respect of reason 2, the applicant comments that they would ‘collaborate’ with the council to upgrade and maintain the public footpath. However, no details are put forward which can be assessed here. 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.”*

Section 86. Of the Nupremis report notes *“The Parish Council can of course give positive consideration and weight to the proposition that the Wellness Centre car park could provide overspill parking for village events.”*

Given that the use of overspill parking would require good safe pedestrian access for events in all weather conditions this site would not be acceptable for this use.

Draft Revised Neighbourhood Plan (LNP2)

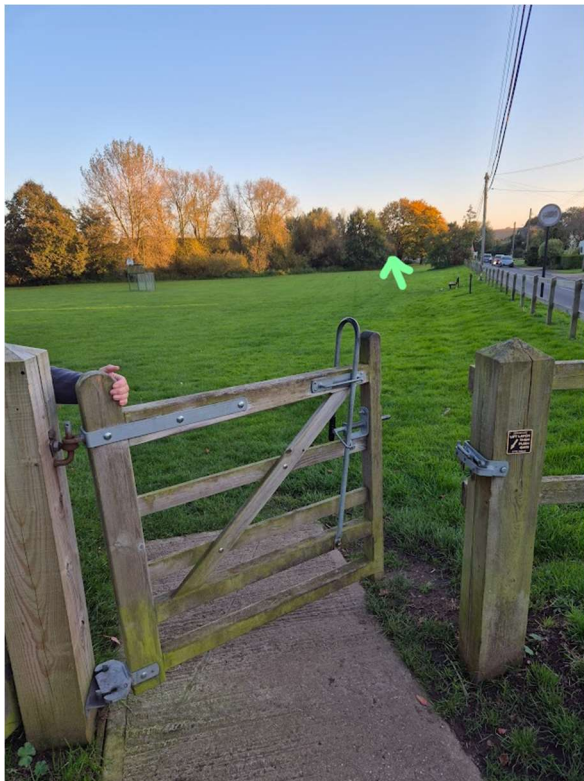
Policy LAV 41

The current public footpath does not meet the requirements of this emerging policy - Planning for Active Travel, which requires *“Provision of safe and attractive paths and routes within the development site suitable for those pushing a pushchair, in a wheelchair, walking with a stick or walking frame or using a mobility scooter.”*

Pictures of the Public footpath route can be seen below. Members of the Planning Group have walked this path. Waterproof footwear was essential as one Councillor discovered, and boots were heavily covered in mud after walking the path.

The Parish Council does not consider there is any acceptable pedestrian access identified in this application that would overturn the Policy objection in the previous application **DC/23/02659**

The footpath enters the gate at First Meadow and crosses diagonally to the far corner across roughcut grass.



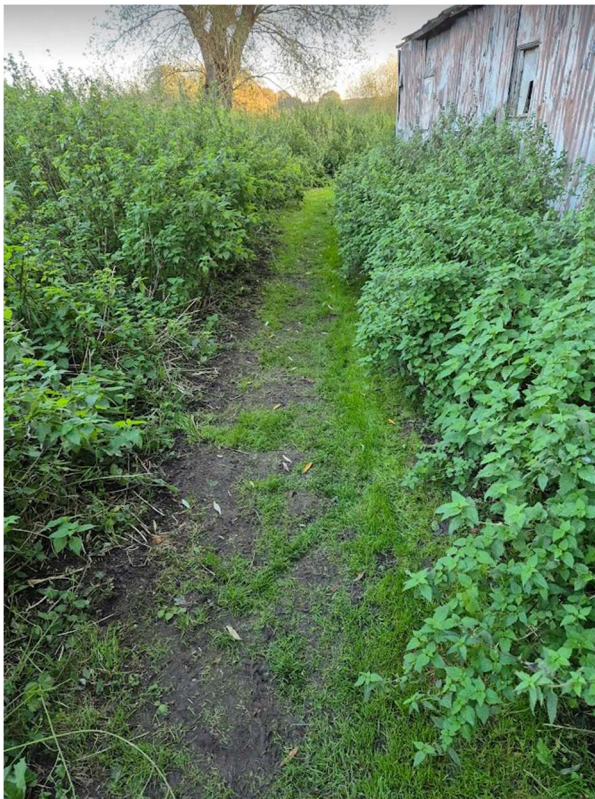
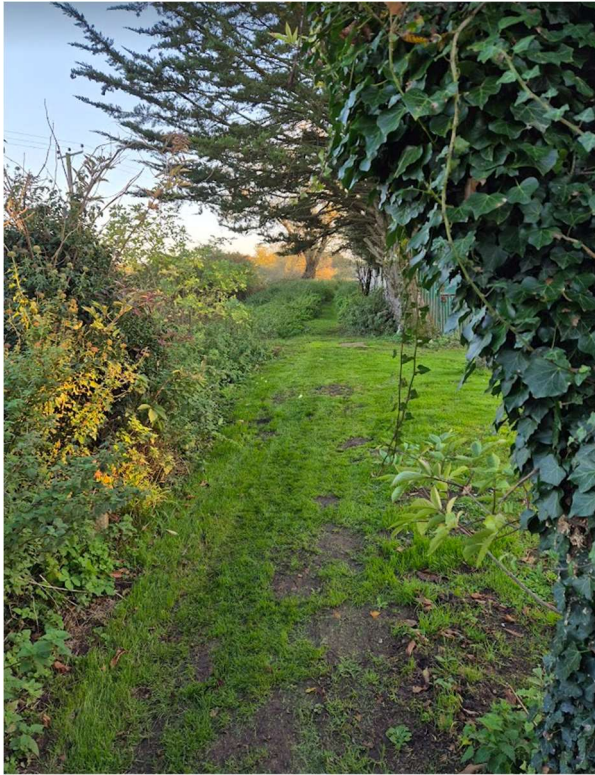
Turn left at the far end of the meadow down to the River Brett

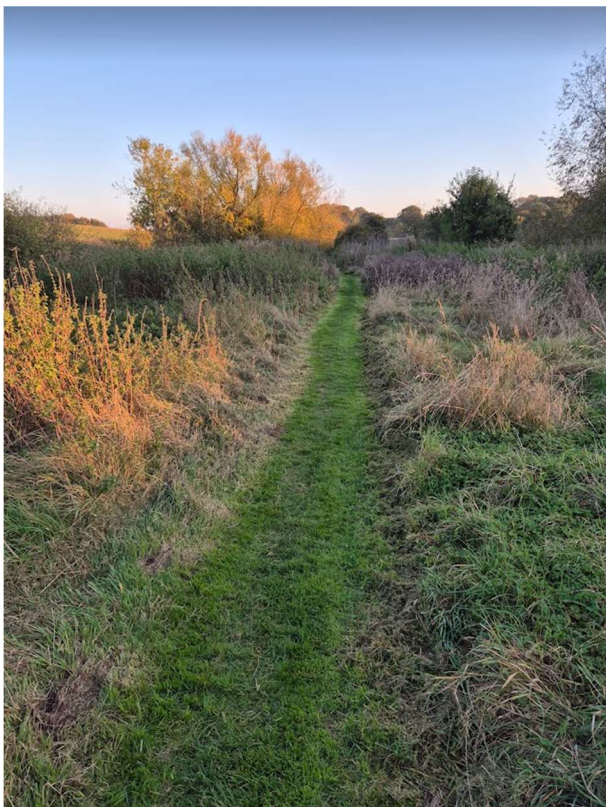


Down to the River Brett. Frequent walkers of this route will know it is not normally cut. It was observed to have been freshly cut prior to the Planning Group visit Thursday 24th October

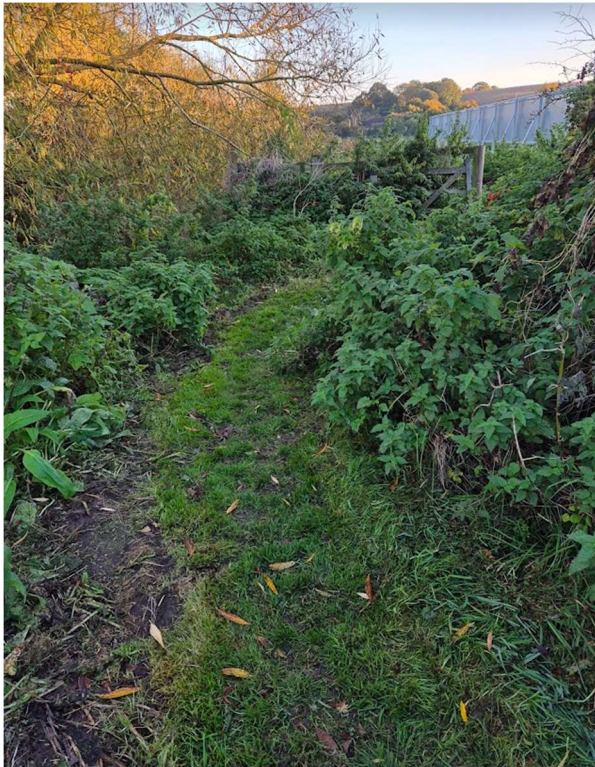


Path narrows next to River Brett and is overgrown

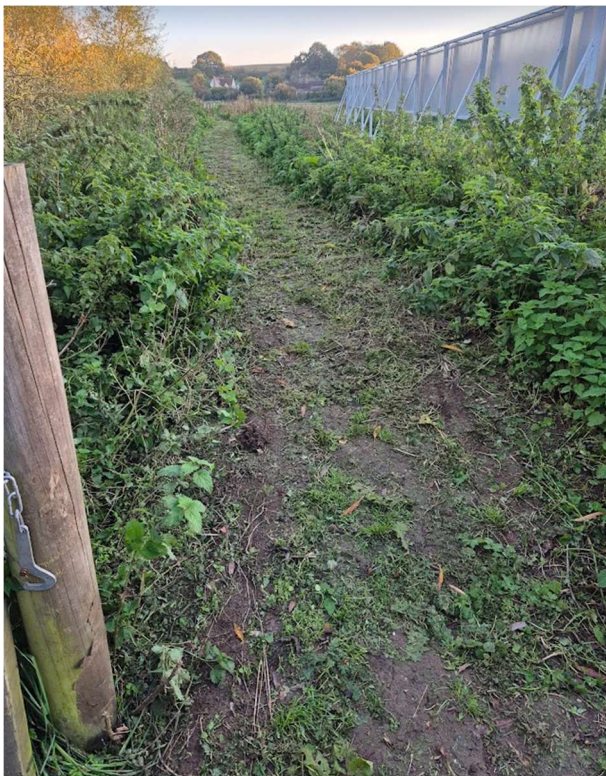




Approaching the rear of the site. The Metal Fence to the right is on the boundary of the development site.



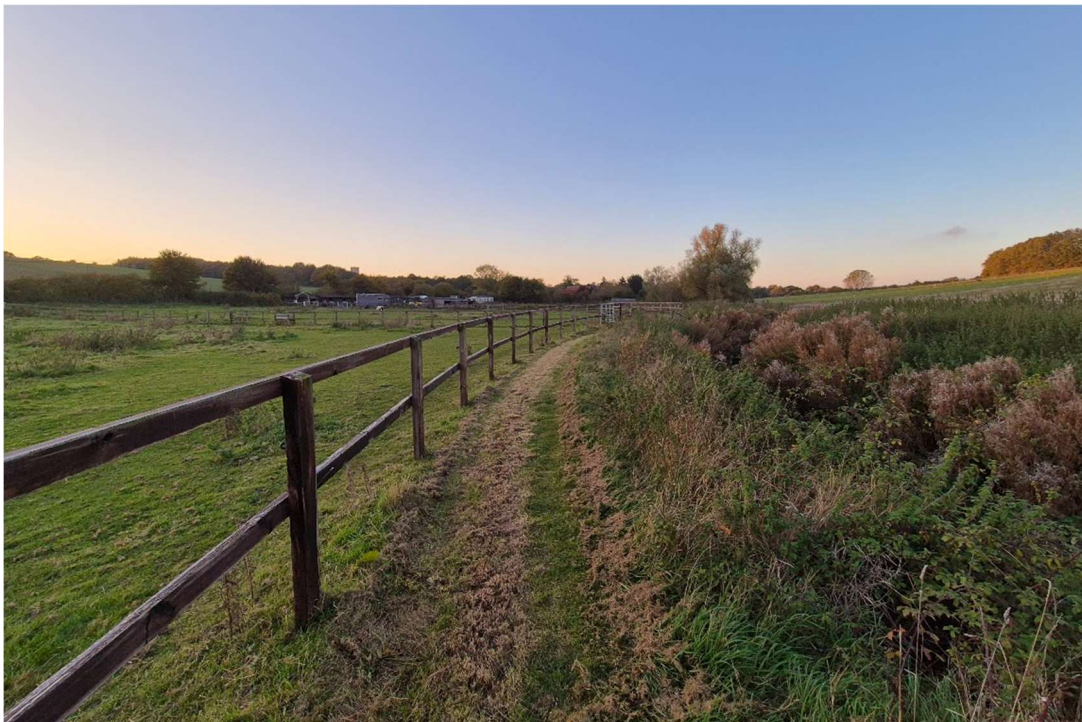
Footpath behind the site overgrown path recently cut back.



View of site from Public Footpath with Lavenham Church in the Background. New 20m x 30m (65.6ft x 98.4ft) swimming pool and Wellness Centre building to be located on the left of this picture



Further down the Public footpath away from the Village with countryside views, distant view of the Church and the site. Located in Landscape area LR7.



1. FLOOD RISK

Draft Revised Neighbourhood Plan (LNP2)

Policy LAV 6 notes that proposals in all locations involving new build must demonstrate all surface water run-off will be accommodated on-site.

The Parish Council recognises that the applicant mentions possible flood reduction measures on adjacent land, but there is no evidence that this will have an effect on the flood risk assessment and reduce it from High Risk.

Policy LAV 7, the Parish Council acknowledges the aspiration in the application to include green roofs and appropriate planting on the site.

Nevertheless, this site still has a high risk of flooding. The land drainage has been improved as documented in the comprehensive SUDS's. Noted the SUDS recommends that the floor levels need to be 0.5m above ground level. However, it is also noted in the 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.



Rose Wolton
Babergh District Council
Development Control
Endeavour House Russell Road
Ipswich
Suffolk
IP1 2BX

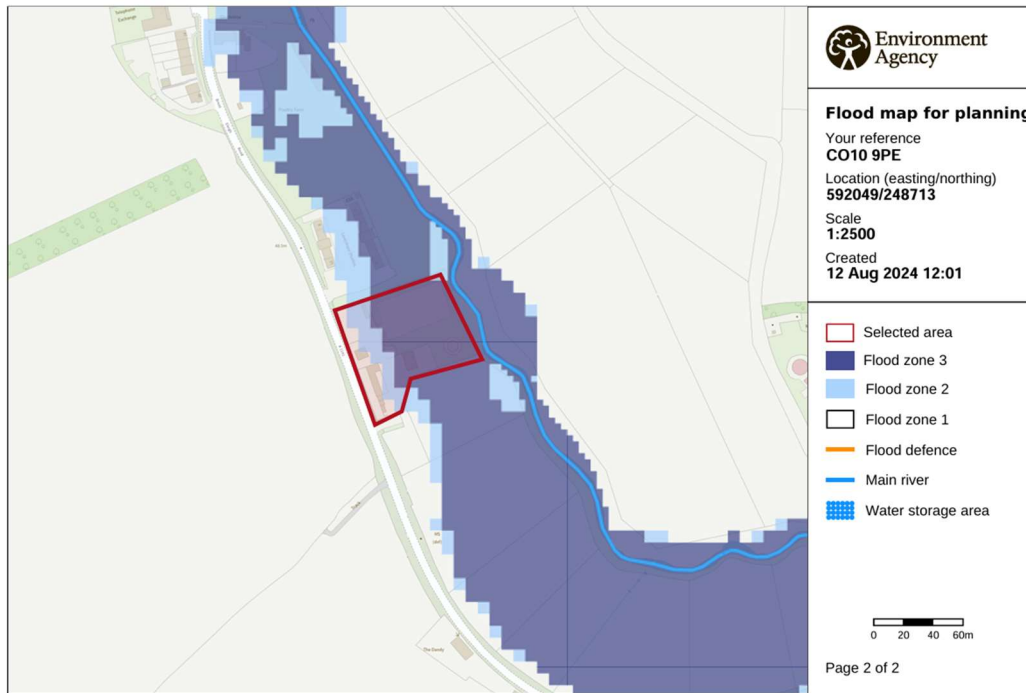
Our ref: AE/2024/129881/01-L01
Your ref: DC/24/04224
Date: 16 October 2024

Dear Rose

APPLICATION FOR OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED. ERECTION OF WELLNESS CENTRE (SUI GENERIS USE). REMOVAL OF EXISTING STRUCTURES NPA - SECOND MEADOW STABLES BRENT ELEIGH ROAD, LAVENHAM, CO10 9PE.

Thank you for referring the above application which was received on 25th September 2024.

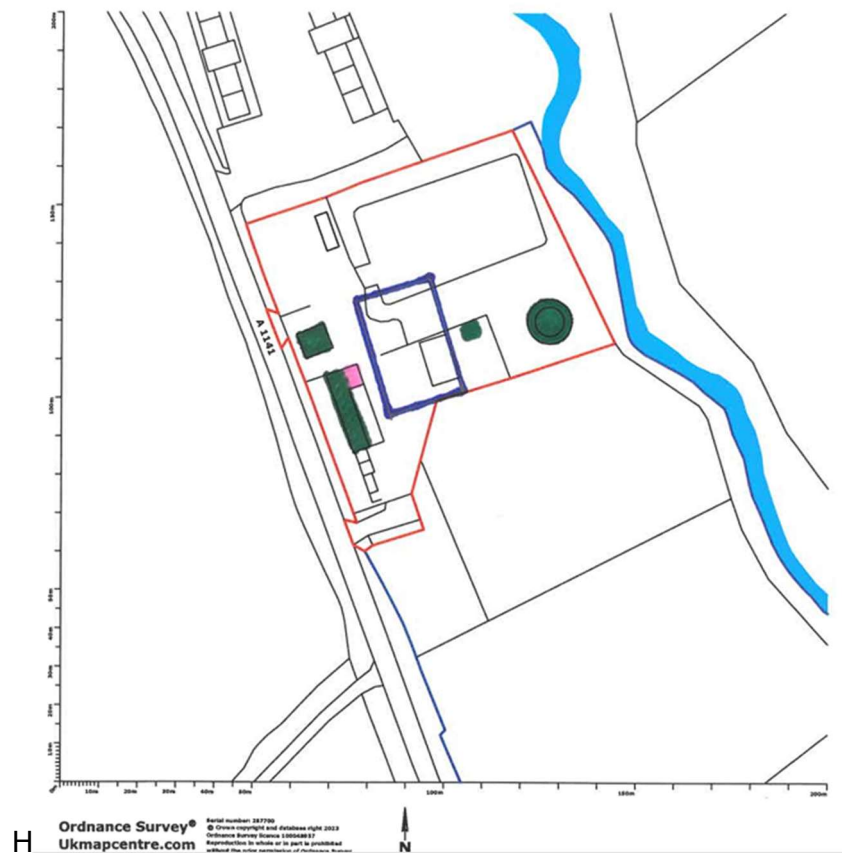
In the absence of an acceptable Flood Risk Assessment we object to this application and recommend that planning permission is refused.



Second Meadows Stables, Brent Eleigh Road, Lavenham, Suffolk, CO10 9PE

~~EXISTING~~ *Proposed*

- RETAINED BUILDING
- DENOLITION OF BUILDING
- NEW (20x30m) BUILDING



We do however note that the Lead Local Flood Authority of Suffolk County Council reported on the 29th October on the Babergh Planning Portal that they recommend approval of the Surface Water Drainage Scheme, subject to conditions:

This is conflict with the Environment Agency Recommendation above.

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 29 October 2024 11:59
To: BMSDC Planning Area Team Green <planninggreen@baberghmidsuffolk.gov.uk>
Cc: Rose Wolton <Rose.Wolton@baberghmidsuffolk.gov.uk>
Subject: 2024-10-29 JS Reply Second Meadow Stables, Brent Eleigh Road, Lavenham, CO10 9PE Ref DC/24/04224 - OUT

Dear Rose Wolton,

Subject: Second Meadow Stables, Brent Eleigh Road, Lavenham, CO10 9PE Ref DC/24/04224 - OUT

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/24/04224.

The following submitted documents have/has been reviewed and the LLFA recommends **approval subject to conditions**:

- Level 2 Scoping Study Flood Risk Assessment Report: IE23/056
- Level 1 FRA & Drainage Strategy Report: IE24/060/DS 10 October 2024 Rev. B

We propose the following condition in relation to surface water drainage for this application.

1. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

Other Consultee Responses

We note the adjacent Brent Eleigh Parish Council Consultee Response dated 10th October 2024 is to recommend refusal.

CONCLUSION

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

The Parish Council does not consider there are material considerations that would outweigh the Policy objections submitted in the previous application **DC/23/02659 for the following reasons**:

The land parcel proposed for the development of a Wellness Centre has not moved. It is still beyond the built-up area boundary defined in the Neighbourhood Plan 2016 and is not adjacent to it. It is beyond the proposed settlement boundary set out in the draft revised Neighbourhood Plan 2023 (LNP2).

No overwhelming community need for a Wellness Centre in this location has been identified.

Pedestrian access on a routine and year round basis has not been identified. The proposal is contrary to policies LAV 13 and LAV 41 of LNP2.

The Parish Council is aware that the Brett River as it passes through the village is prone to flooding. In this regard the site is assessed as High risk. The Environment Agency has declined to support the application. The Lead Local Flood Authority has however recommended approval of the Site Drainage Scheme.

Recommend Refusal

APPENDIX A - Planning Application Expert Report commissioned by Lavenham Parish Council from Planning Consultancy NUPREMIS

See “Planning Application Wellness Centre Lavenham - client report 23rd October 2024.pdf”

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WELLNESS CENTRE

LAND AT SECOND MEADOW STABLES,
BRENT ELEIGH ROAD, LAVENHAM,
APP REF: DC/24/04224

PLANNING REPORT FOR LAVENHAM
PARISH COUNCIL

23RD OCTOBER 2024



1.1 INTRODUCTION

1. Lavenham Parish Council are invited to respond to a planning application for land at Second Meadow Stables, Brent Eleigh Road, Lavenham. The application for outline planning permission (with all matters reserved) proposes the erection of wellness centre (Sui Generis Use) and the removal of existing structures. The relevant application reference is DC/24/04224. The reports which accompany the application detail the demolition of some of the existing hard standing, livery and stable buildings and the construction of a wellness centre, including swimming pool, café, rain garden and 'grass – crete' car park. Two of the existing buildings are to be retained and converted into treatment rooms.

2. The Parish Council seeks an independent view on the extent to which the planning application addresses Babergh District Council's previous reasons for refusal for a Wellness Centre at Brent Eleigh Road (planning reference DC/23/02659). Babergh District Council's planning refusal notice is dated 12th January 2024.

3. The Parish Council will need to consider the planning policy context provided in the adopted Babergh and Mid Suffolk Joint Local Plan (Joint Local Plan), the adopted Lavenham Neighbourhood Plan (LNP1), the emerging revision to the Lavenham Neighbourhood Plan (LNP2), national policy, the evidence submitted with the application and of course representations made by local residents and businesses.

4. The planning application is accompanied by technical reports and assessments, including those that were not submitted or available to decision makers at the time of the previous application. Where appropriate, I have included extracts of the reports for reference. However, it will be important for the Parish Council to fully review and consider the evidence submitted by the applicant.

5. This report sets out the extent to which, in the consultant's view, the planning application has sought to address the three reasons for refusal, and presents the relevant issues the Parish Council should consider in reaching its own conclusions on the proposal. The report is a desk based report only using publicly available evidence.

6. This report is required to be submitted no later than 25th October, 2024, firstly for consideration by Lavenham Parish Council's Planning Group. Subsequently the Parish Council will determine its response to the application on 7th November 2024. Babergh District Council requires a response to the application from the Parish Council by 8th November 2024.

2.1 DEVELOPMENT PROPOSAL

7. The outline planning application proposes the erection of Wellness Centre (Sui Generis Use) at Second Meadows, Brent Eleigh Road, Lavenham. The site has a total area of 5.04 ha and is located to the south of the village. The existing use of the site is described as a stable and menage. The application is for outline planning permission and all matters are reserved (will be subject to later planning applications). However, the application includes details of the development:

- A 20 x 30m swimming pool and wellness centre
- A kiosk erected on the site of dilapidated stables

- Café erected on the site of the horse walker
- Two existing barns will be retained as treatment rooms
- All 4 buildings will have green roofs
- 60 car parking spaces including 3 disabled parking bays, electric vehicle charging points and secure cycle parking. The car park will be surfaced with Grass crete. The car park could be used for overspill parking for Lavenham events subject to agreement between the applicant and the Parish Council.
- Private garden, hedgerows and rain garden
- A swale for drainage purposes (other drainage proposals are set out in the applicant's drainage strategy)
- Access provided to Suffolk County Council's (SCC) Highways DM04 template (industrial and farm access)

8. The development will support jobs and employment associated with the construction period. The wellness centre will support 5 full time employees and 2 part time employees; a full time equivalent of 6 employees.

9. The site is located adjacent to Lavenham Studios which includes a physiotherapy centre, acupuncture clinic and personal training facility.

2.2 BUSINESS PLAN AND STRATEGY

10. The applicant has submitted a Planning Statement which includes details of the applicant's Strategy and Business Model. The applicant states that the 'business plan has been put together to support the planning application process and to hopefully provide assurance that the application is a genuine business proposition'. Through 'Lavenham Wellness' the applicant states 'we want to be able to support the local community by offering affordable access to equipment and facilities to enhance individual's feeling of wellbeing'. Additionally, the statement comments, 'Because of the unique character of Lavenham it is our commitment that the service is designed sympathetically to enhance the special landscape area' and 'the design will be of exceptional quality'. The strategy highlights the importance of wellbeing to all, noting Babergh's Wellbeing Strategy 2021-2027. The Business Plan sets out its vision, mission and values.

11. The Business Plan highlights that in 2013, 40% of respondents (as part of the development of LNP1) identified the need for more sports / exercise facilities. The Business Model assumes a potential market in the Lavenham Electoral Ward of 31% of 18-64 year olds and 44% of those between 65 and 74 totalling 1,221 gym members.¹ In addition, visitors are expected to be offered packages and discounts.

12. The Business Plan states, 'The benefit to customer's wellbeing by having access to well equipped, conveniently located, well maintained, safe and secure shared use facility are considerable, and this merit is close to impossible for most customers to achieve this at home or any other way'.

¹ The Electoral Ward is a wider geographic area than Lavenham Parish and includes villages and hamlets such as Cross Green and Great Green in the north of the Ward and Great and Little Walsingham to the south of the Ward together with some residents on the edge of Sudbury.

13. The Business Plan states ‘we must acknowledge that tourism plays a significant role in the local economy and because of this we will ensure that our service will work within the sustainable tourism envelope’. The report notes Babergh and Mid Suffolk Councils’ Open for Business Strategy which supports the growth of tourism.

1.4 NEEDS ASSESSMENT

14. The applicant has submitted a report to establish whether there is an unmet need for the facility in the location proposed. In order to explore this properly, regard has been had to:

- *‘Specifics of the proposed use, including its range of facilities, membership options, location and opening hours*
- *Level of existing provision in the area, by reference to a range of sources including online maps, Local Authority reports/audits and local websites*
- *Key differences between the proposal and existing similar facilities in the area*
- *Extent of unmet need in Lavenham and assessment of the likely social, economic and environmental benefits that would be delivered to the local community as a result of the proposal, by reference to the Neighbourhood Plan, census data and other supporting reports and surveys.’*

15. The assessment concludes that there is ‘a theoretical oversupply of swimming pool space in Babergh’. However, it notes ‘a large proportion of the existing supply of pool space is located on school sites with limited public access’. The report also concludes ‘The total supply of sport halls in Babergh is sufficient to meet current and future estimated demand’ although noting ‘a key challenge for sports hall provision in the District is that all of these are on education sites, limiting access during the day and providing the District Council with limited control in how they are managed in terms of community use’. In addition, the report notes that ‘age and quality of a number of sports halls is an issue.... oversupply could quickly shift to an undersupply if facilities reach the end of their economic life, are withdrawn from public use or deteriorate in quality to such extent as to significantly impact upon their ability to meet the needs of users’.

16. A range of sources are used to assess similar facilities within a reasonable distance of Lavenham. Three are considered by the report to be similar and within a reasonable distance of Lavenham:

- Tye Farm Leisure - 5km/8 mins
- Kingfisher Leisure Centre - 11km/15 mins
- Cornard Leisure Centre - 12km/15 mins.

17. The report notes ‘Kingfisher and Cornard Leisure Centres are both large leisure centres that offer something quite different to the current, small-scale proposal. Tye Farm Leisure is most similar in its offering and yet still differs from the current proposal in some important respects’.

‘The Lavenham proposal, would consist of a private sector facility, and would contribute to the provision of swimming pool facilities in the district. As the nearest existing facilities to Lavenham generally consist of large and busy leisure centres, the proposal will also aim to attract customers who prefer or require a quieter and more relaxed environment.’

18. The report concludes that there is a lack of similar facilities within or within walking distance of Lavenham.

'The proposal would fill this current gap in local provision and, in so doing, support the settlement's relative self-sufficiency, improve its sustainability, reduce residents' reliance on private car use and both complement and enhance Lavenham's already very good range of services and facilities'.

19. The Needs Assessment anticipates that there will be approximately 400-600 members in the first three years of its operation with the vast majority from Lavenham, focussing on Lavenham's older population. The assessment notes an annual fitness report by 'Puregym' in 2023/24 which finds that 16% of people in the UK are currently members of a gym. 'If that figure applies to Lavenham ward, this equates to 840 people'. For reference, the population of Lavenham Parish at 2021 is 1,922. Using the same assumption of 16% gym membership, this would equate to 308 people.

1.5 PLANNING SUBMISSIONS

20. The Planning Statement advises that in order to address the reasons for refusal and improve overall the application a number of exercises have been conducted:

- 1) A sequential test. The council has accepted that as long as the sequential test is passed no exception test is required;
- 2) A flood risk / drainage strategy;
- 3) A new layout better utilising existing built form and the approved new access;
- 4) Biodiversity Net Gain improvements / an initial Landscape Plan;
- 5) Liaison with the Parish Council;
- 6) Liaison with SCC Public Right of Ways; and
- 7) Liaison with the Environment Agency

21. The application is supported by reports which the Parish Council should consider in full.

- Site, Location Plans and Topographical Survey
- Planning Statement
- Landscape Plan
- Preliminary Ecological Assessment
- Bat Roost Assessment and Emergence Survey
- Biodiversity Net Gain Plan
- Phase 1 Contamination Land Assessment
- Level 1 Flood Risk Assessment and Drainage Strategy Report – Revision B
- Level 2 Scoping Study Flood Risk Assessment
- Sequential Test Assessment
- Needs Assessment

2.1 ADDRESSING THE REASONS FOR REFUSAL

22. The District Council's reasons for refusal are set out in its notice dated 12th January 2024 and includes 3 reasons for refusal:

1. REASON(S) FOR REFUSAL: CONTRARY TO POLICY SP03

The proposal is not located within a settlement boundary and fails to meet any other exceptions that allow development outside of the settlement boundary. The principle of development is not established under policy SP03.

The proposal is therefore contrary to policy SP03 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 8, 96, 108, 115, 116, 135 and 139 of the NPPF (2023).

2. REASON(S) FOR REFUSAL: ACCESSIBILITY

The proposal fails to provide a safe and suitable access for all due to the lack of connectivity to the surrounding area and accessibility into the site. The site's unsustainable location outside of the settlement boundary, and lack of suitable footpath link or alternative travel options, means that visitors and staff would be reliant on motor vehicles to access the site.

The proposal is therefore contrary to policies SP07 SP10, LP09, LP12, LP24, LP27, LP28 and LP29 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 8, 108, 114 and 116 of the NPPF (2023).

3. REASON(S) FOR REFUSAL: FLOOD RISK

The site is located within Flood Zones 2 and 3 and is at high risk of surface water flooding. The sequential test has failed to satisfactorily demonstrate that there are no suitable alternative sites available.

The proposal is therefore contrary to policies SP10 and LP27 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 165, 167 and 168 of the NPPF (2023).

2.2 REASON(S) FOR REFUSAL: CONTRARY TO POLICY SP03

23. There is no dispute that the site lies outside the settlement boundary of Lavenham, which is identified in the Join Local Plan, LNP1 and updated in the emerging LNP2. The refusal reason makes specific reference to Joint Local Plan Policy SP03 which sets out the principles for the sustainable location of new development in the district. Policy SP03 is clear that development outside the settlement boundary will only be permitted where:

- a) The site is allocated for development, or*
- b) It is in accordance with a made Neighbourhood Plan, or*
- c) It is in accordance with one of the policies of this Plan listed in Table 5 or*
- d) It is in accordance with paragraph 80 of the NPPF (note this is now paragraph 84 in the 2023 NPPF)*

24. The site is not allocated for development in the Joint Local Plan and is not in accordance with paragraph 80 (now paragraph 84) of NPPF. Therefore, the proposal does not benefit from the exceptions provided for in categories a or d.

25. Category c is applicable. Table 5 in the Joint Local Plan is described as 'Policies permitting development outside settlement boundaries, subject to the development's accordance with the other relevant policies of the Plan'. The relevant Joint Local Plan policies noted in Table 5 are SP07 – Tourism and Policy LP12 Tourism and Leisure Development.

26. Policy SP07 – Tourism supports new sustainable tourism development where it is appropriate to the scale, character and nature of the locality. The policy was noted and included within the Planning Officer's consideration of the proposal. The Planning Officer notes that the site is not sustainably located.

27. Policy LP12 – Tourism and Leisure Development supports development outside the settlement boundary subject to a series of these criteria. The Planning Officer's report assesses the application against the criteria as follows:

'The proposal would meet a number of this criteria including attracting visitors, increasing local employment opportunities, improving the range and quality of facilities available whilst respecting the overarching landscape character of the area. The proposal would also likely improve the enjoyment and interpretation of the countryside with the surrounding landscape and views. With that said, the issue of lack of accessibility is again apparent with the lack of genuine connectivity to Lavenham Village and wider transport options which the proposal fails to improve.'

28. Part b of Joint Local Plan Policy SP03 permits development where it is in accordance with a made Neighbourhood Plan. LNP1 Policy H1: Scale and location of new development states 'Where proposals are being put forward outside the existing built up area boundary of Lavenham, they will be permitted where they have regard to the findings and recommendations set out in the Lavenham Landscape Character Assessment.' This policy has to some extent been superseded by both the Joint Local Plan and will be updated by the emerging LNP2. The review of Lavenham Neighbourhood Plan (LNP2) has reached an advanced stage. The Examination Report into the Neighbourhood Plan review has been published and a referendum is imminent. Therefore, although LNP2 is not yet formally adopted as part of the development plan, it can be given significant weight in the decision making process.

29. LNP2 policy LAV 13 – A spatial strategy for Lavenham identifies a settlement boundary for Lavenham, which represents an up to date picture of the settlement's main built form. LNP2 policy LAV 13 states that development outside the settlement boundary will be restricted to a series of specific development types. The extract below reflects the policy, as amended by the Examiner's report and is subject to the outcome of the referendum:

2. *Outside the Settlement Boundary, development will be restricted to:*
 - a. *Rural exception sites that are well connected to the settlement and key services and community-led developments adjacent to the settlement, where such a scheme accords with Policy LAV 17 of this Plan.*
 - b. *Development for agriculture, horticulture, outdoor recreation, essential education infrastructure and other uses that need to be located in the countryside.*
 - c. *Replacement dwellings or residential extensions or annexes or conversions, allowed for in the Local Plan.*

d. Uses appropriate to supporting a rural economy (rural employment uses) where such uses need to be located in the countryside and where they comply with other provisions in the development plan.

e. Residential development that complies with one or more of the exceptional circumstances set out in paragraph 84 of the National Planning Policy Framework (NPPF) 2023 (see glossary).

30. In principle, a Wellness Centre does not align with the development uses identified in criteria a to e above.

31. However, the Parish Council should give weight in their consideration to policies in LNP1 and objectives and policies in the emerging LNP2 which support the local economy, including tourism and community facilities as follows. Notably, LNP2 includes objectives and policies which were not considered as part of the Planning Officer's decision, specifically:

Objective 12 – Local Economy and Employment: To encourage local employment, in tourism and other sectors, and working from home. Through this objective, we seek to:

- 1. Continue to help tourism to thrive, and to provide local employment. It is recognised that Theme Three in the next policy chapter is a key part of this.*
- 2. Adopt a positive stance towards local jobs in other sectors.*
- 3. Support proposals for residents to work from home or close to home*

32. Policy LNP1 policy C1 Community Facilities seeks to enhance the viability of any community facility and encourages proposals which provide additional recreational and community facilities. The policy is rehearsed in LNP2 at policy LAV 25 Community Facilities which seeks to protect existing community facilities and encourages the provision of additional facilities.

33. Policy LNP2 LAV 30 supports and encourages proposals which maintain and enhance the visitor experience in the parish, subject to complying with other policies in the Plan. Policy LAV 32: Support for small business development and home-based workers states proposals that encourage small/micro businesses will be supported consistent with other policies in the Plan.

COMMENTS

34. The site is outside the settlement boundary as defined in the Joint Local Plan, LNP1 and updated in LNP2. As such development would only normally be permitted where it accords with the policies set out in SP 03 and the associated Table 5 or the made Neighbourhood Plan. Significant weight can also be given to LNP2 policy LAV 13, LAV 25 and LAV 30.

35. Notably, the Joint Local Plan, the made Lavenham Neighbourhood Plan and the emerging Neighbourhood Plan support and encourage the provision of community facilities and proposals which enhance the visitor experience.

36. It is recognised that the proposal has the opportunity to support Lavenham's tourism offer by providing a facility for both residents and visitors. However, it is separated from the village, outside of the settlement boundary. The Planning Officer has considered this issue in his report and concludes that the site is 'not sustainably located and physically disconnected from the main Village'.

37. The Town and Country Planning Act 1990 requires application to be determined in accordance with the statutory Development Plan, when read as a whole, unless material considerations indicate otherwise. The Planning Officer, in his report, acknowledges some of the material considerations, including the recognised benefits outlined in the applicant's submissions. However, on balance the

Planning Officer considers the site to be in an unsustainable location. For this reason, the application was refused as being contrary to Joint Local Plan policy SP03.

38. The applicant has identified clear economic and social benefits of a Wellness Centre in the Planning Statement, Business Plan and Strategy and the Needs Assessment. Additionally, the recognised and acknowledged benefits of the scheme are articulated in the petitions submitted to the District Council and the Parish Council below:

We believe that such a facility would provide a wide range of benefits including but not limited to:

Physical and mental health support: A Wellness centre would provide access to fitness programmes and treatments that promote healthy lifestyles and contribute to the emotional well-being of our community members.

Social connection: a wellness centre would foster by providing spaces for group activities and events designed to improve overall well-being.

Economic impact: the establishment of such a facility would generate local jobs, attract visitors, and contribute positively to the local economy.

Environmental considerations: a thoughtfully designed centre would, potentially serving as a model for future developments in our area.

We believe that the development of this centre will greatly enhance the quality of life for all residents. By signing this petition we demonstrate our collective support for this project I urge the authorities to prioritise its approval and implementation.

39. These benefits are material considerations that the Parish Council should consider in reaching conclusions on the proposal. In simple terms, in their view, do the benefits of the scheme outweigh the settlement policies which would normally resist development in this location, outside the settlement boundary and in the Planning Officer's view, a site that is in an unsustainable location.

2.3 REASON(S) FOR REFUSAL: ACCESSIBILITY

40. The site is within 800m of the village centre (10 minute walk), a Public Right of Way (Lavenham Footpath 001) connects the site to the southern edge of the village and a Bus Stop at The Swan (0.6 miles) provides access to an hourly bus service between Bury St Edmunds and Sudbury. Cyclists would access the site via Brent Eleigh Road, which includes a section of road within a 60mph speed limit.

41. The site will provide for cycle, motor bike and 60 car parking spaces for visitors which will include designated disabled parking. The development will also be providing electric vehicle charging points and could be made available as an overspill parking for village events. An appropriate vehicle access to the site has been negotiated with the Local Highways Authority.

42. The Planning Statement provides information on the proximity of the site to the village, the consideration of footpaths, cycleways and vehicle access. It notes that a site within 800m of the village centre is within a reasonable walking distance (using Sustrans guidance and LNP1 Map 7.4 –

walking times to the village centre). In respect of the public footpath the planning statement comments that the site:

‘can be accessed by the public footpath that runs up to the area and we intend to collaborate with the council to improve lighting and maintenance of this path. The public footpath will meet the site path and will provide access to the building through the wildflower meadow garden’.

43. The Public Rights of Way Team do not object to the proposal and has provided a list of comments and informative points to take into account.

44. LNP1 forms part of the development plan and as discussed above, although LNP2 is not yet formally adopted as part of the development plan, it can be given significant weight in the decision making process.

45. LNP1 policy C3 seeks to protect the footpaths shown on map C3 to maintain Lavenham’s close links with the countryside. The policy also expects development proposals to utilise opportunities to link into the wider footpath and bridleway network where applicable. The policy is also brought forward in LNP2 policy LAV 23. The Wellness Centre seeks to utilise Lavenham Footpath no 001 to access the village centre (shown on Map C.3 of LNP1).

46. LNP2 policy LAV 41: Planning for active travel states development proposals will be expected to enable and facilitate active travel. The relevant criteria are:

a. Provision of safe and attractive paths and routes within the development site suitable for those pushing a pushchair, in a wheelchair, walking with a stick or walking frame or using a mobility scooter. These should be designed to link up easily with existing pedestrian networks outside the development site, and to follow desire lines where practically possible in terms of accessing the village centre and other key services (such as schools, community centres and medical facilities).

b. Provision of safe and attractive routes for cyclists (including electric bike users) linking up, where practical to do so, with any existing cycle network within the village.

Comments

47. In reaching conclusions on the previous application, the Planning Officer’s delegated report noted:

‘By virtue of the site’s location outside of the settlement boundary, the site is not considered to be sustainably located. Whilst it is acknowledged Lavenham Village benefits from a good range of transport options, the site itself is physically disconnected from the main Village. There is no footpath located along the Brent Eleigh Road (A1141) which links the site to Lavenham Village. Although it is acknowledged there is a footpath linking the site with Lavenham, the footpath is not lit and crosses undulating terrain and therefore is not considered suitable. The Planning Inspectorate agreed with this judgement as per APP/D3505/W/21/3277936. As a result of this, visitors and staff would be reliant on motor vehicles to access the site and the services and facilities of the proposed development.’

48. The comments by the Planning Inspector in determining an appeal for permanent living accommodation at Second Meadows is relevant. The Planning Inspector commented that the proposals for upgrading the footpath were not available to him and it is unlikely that lighting would

be acceptable. The Planning Inspector considered it unlikely that future residents would regularly use the footpath to access services and facilities. Although the applicant comments that they would 'collaborate' with the council to upgrade and maintain the public footpath, no funding details, land ownership, surfacing and lighting proposals etc. are put forward which can be assessed here.

49. The Parish Council can of course give positive consideration and weight to the proposition that the Wellness Centre car park could provide overspill parking for village events. However, in my view, the application in respect of accessibility, has not materially changed since the previous planning decision. The concerns raised by the Planning Officer remain relevant, as do the planning policies that are referenced in the reason for refusal. The Planning Officer should also give material weight to the LNP2 Policy LAV 41 - Planning for Active Travel.

2.4 REASON(S) FOR REFUSAL: FLOOD RISK

50. A Level 2 Scoping Study – Flood Risk Assessment (FRA), dated 11th August 2023, is resubmitted with the planning application. The application also includes a Level 1 Flood Risk Assessment and Drainage Strategy Report, dated 21st August 2024 (DSR). Revision B to the report has been submitted in response to comments by the Local Lead Flood Authority. The objectives of the report are:

- *'to identify the potential sources of and risk of flooding;*
- *to explore potential methods of sustainably managing surface water;*
- *to propose above ground SuDs where appropriate;*
- *to provide evidence of an effective; compliant SuDS system and to adopt local policies relating to the management of surface water'.*

51. The reports state that have taken on board advice contained within the Babergh and Mid Suffolk District Council – Level 1 Strategic Flood Risk Assessment, the Suffolk Local Flood Risk Management Strategy and the Local Design Guide. The Planning application is also supported by a Sequential Test Report.

FLUVIAL FLOOD RISK

52. The Environment Agency's on line map shows that the site is located across Flood Zones 2 and 3. The planning application submission considers the risk of fluvial flooding to the proposed buildings to be moderate (para 4.06.9 FRA Drainage and Strategy Report and summary in the Flood Risk Assessment).

53. The Environment Agency has reiterated their previous objections (letter dated 16th October 2024). It states, *'the site lies within fluvial flood zone 3A having a high probability of flooding, which regardless of mitigation measures proposed, the risk of life and property upstream and downstream location from fluvial inundation would be unacceptable if the development were to be allowed'*. The Environment Agency confirms that the use is classed as 'less vulnerable' and in their view the application must pass both the Sequential Test and Exceptions Test. It also comments:

'The site lies within the 1% (1 in 100) annual probability with climate change flood extent and the submitted flood risk assessment (FRA) referenced IE23/056 and dated August 2023, fails to show that the proposed development will not result in a net loss in floodplain storage. As a result, the proposed development will reduce flood storage capacity, thereby increasing the risk of flooding elsewhere'.

'The proposed development involves an increase in built footprint within the design flood extent with climate change. Built development within the floodplain can sometimes be compensated for on a volume-for-volume and level-for-level basis, although this process requires an available area of land on the edge of the floodplain to be viable. The submitted FRA mentions that compensatory storage will be required however has failed to demonstrate details that adequate flood storage compensation can be provided on site'.

54. The DSR notes that the Environment Agency's Flood Zone maps do not take account of the possible impacts of climate change and consequent changes in the future probability of flooding. (para 3.01.2 FRA and Drainage and Strategy Report).

SURFACE WATER FLOOD RISK

55. The site is located within a surface water catchment zone (principal Acquirer) together with a source protection zone Source III. The DSR reports that the risk of flooding from surface water on site is considered to be high. (Flood Risk Assessment and para 4.06.13 FRA Drainage and Strategy Report).

56. The DSR has used a number of modelled scenarios to understand the risk and impact of surface water flooding events. During the Medium risk scenario for surface water (1% - 3.3% % Annual Exceedance Probability or AEP), the maximum depth of flooding on-site is expected to be between 0.30m and 0.60m. Depths are expected to reach over 1.2m along the eastern boundary within the adjacent watercourse (DSR para 4.06.12). The DSR comments that in designing the surface water drainage strategy the design has allowed for a 45% increase in rainfall due to climate change.

57. The DSR states that *'To appropriately address surface water flood risk, a drainage design has been developed based on the strategy contained in the DSR'*. The DSR concludes that drawings presented within the appendices show details of sufficient storage capacity being provided within the surface water system. The key recommendations of the DSR drainage strategy are:

- *The green roofs together with the attenuation basin and permeable paving will provide treatment prior to discharge.*
- *A detailed schedule of routine maintenance and vegetation clearance should be established to ensure that the permeable paving continue to provide adequate storage and discharge characteristics. A preliminary draft is presented within the appendices, this can be updated and finalised once the strategy is approved.*
- *Long term management and maintenance of all surface water & foul drainage will be the responsibility of the Landowner.*
- *A Section 106 Agreement will need to be in place for the foul water connection.*
- *An Environmental Permit will be required in connection with the surface water discharge to the local watercourse, due to the requirement to install a new headwall and for all works within 8.0m of the riverbank.*

58. In response to the current planning application and submissions, SCC as the Local Lead Flood Authority (LLFA) has recommended a temporary holding objection (email 1st October 2024) because *'the proposed development is in a high predicted flood risk area (fluvial & pluvial) and is therefore contrary to national and local policy/guidance and insufficient detail has been submitted in relation to the surface water drainage strategy'*. To note, the LLFA require the applicant to:

1. *Demonstrate how the points raised in the email have been addressed (paras 165 to 168 of NPPF and Local Plan policy LP27) which requires the proposal to demonstrate that*

development can be made safe for its lifetime without increasing flooding elsewhere. This included the sequential test, an exception test where necessary and a site specific flood risk assessment.

2. Demonstrate that the surface water drainage features can be positioned outside of flood zone 3.

3. Submit further information/evidence as set out in the email.

59. The applicant has submitted an updated FRA and DSR report dated 8th October 2024 to address the LLFA comments. At the time of writing the report, the LLFA has not responded to the updated DSR.

SEQUENTIAL TEST

60. As required by national policy, the application is accompanied by a Sequential Test Assessment. The aim of the sequential test process is to steer new development to areas with the lowest risk of flooding within a defined search area. National Policy states that development should not be permitted if there are 'reasonably available sites' appropriate for the proposed development in areas with a lower risk of flooding. In broad terms, the assessment needs to demonstrate that there are no other reasonably available sites in a suitable location for a wellness centre that have a lower risk of flooding.

61. A site is only considered to be reasonably available if it is both 'deliverable' and 'developable' as defined by national policy. Reasonably available sites should be available now or are likely to become available for development within a reasonable period of time. To be suitable there should be no insurmountable policy restrictions or physical limitations.

62. The District Council has advised the applicant that the search for 'reasonably alternative sites' should apply to the whole district.

63. An online search was completed by the applicants which identified 27 alternative sites across and beyond the district boundary. The Sequential Test Report assesses whether each of the sites are deliverable, developable, available now or have known issues. 2 possible 'reasonably alternative sites' were identified:

- Land East side of Vicarage Lane, Bramford, Ipswich, Suffolk, IP8 4AE
- Lower Road, Lavenham, Sudbury, Suffolk, CO10

64. However, both sites are discounted by the applicant as they are within flood zone 3. No further details of the extent of the flood zone or any other flood risks are identified.

65. The applicant has consulted the District Council on the search for potential sites and the assessment. Babergh District Council and Mid Suffolk Council's District Council's Economic Development Officer (EDO) detailed potential commercial sites that are not included in the Sequential Report but which were not currently considered available or suitable. The email notes sites at:

- *'Warehouse and office at Pebmarsh Village with a site area of 0.3 ha*
- *Delphi – not currently advertised*
- *Chilton Woods – not currently advertised*
- *Churchfield Road – not currently advertised and no JLP designation*
- *Lower Road, Lavenham is thought to be sold*

- *Vanners – site under offer with the remaining portion being too small*
- *Surprised that the site at Old School Stratford St Mary was discounted although it is now under offer.*
- *A large number of housing sites that have planning permission and would necessarily be suitable for a commercial use’.*

66. The EDO confirmed in an email (Appendix C to the sequential report) that there are no alternative sites currently and reasonably available within the district.

COMMENTS

67. The previous refusal reason notes that the site is located within Flood Zones 2 and 3 and is at high risk of surface water flooding. The refusal reason sets out policies within the Joint Local Plan and national policy which, amongst other issues, seek to direct development away from areas at highest risk of flooding.

68. There are two LNP2 policies that are relevant to this application which are not included within the earlier reason for refusal and which should be given ‘weight’ by the Parish Council. LNP2 Policy LAV 6: Managing surface water flood risk in Lavenham seeks to address surface water flood risk in the parish and includes criteria against which planning proposals should be assessed. Proposals are required to demonstrate that surface water run-off will be accommodated within the site. Amongst other criteria requires the submission of a site specific flood risk assessment and a Surface Water Drainage Strategy. The policy supports green roofs and rainwater harvesting and proposals should be designed to reduce the overall level of surface water flood risk to the use of the site and elsewhere when compared to the current use.

69. Additionally, LNP2 Policy LAV 7: Essential Infrastructure for managing and mitigating extreme weather events is relevant. The policy gives recognition to the role Lavenham Brook has in the management and mitigation of extreme weather events in the parish. Lavenham Brook runs from Cockfield down to Lavenham, along the eastern edge of the village (adjacent to Lower Road), through the Recreation Ground and then follows the direction of the Brent Eleigh Road (A1141) towards Monks Eleigh. The policy is clear that proposals will not be supported if they would result in weakening the climate change resilience of the village as a whole due to the harm to these assets (note ‘assets’ is amended to ‘tributaries’ by the LNP2 Examiner).

70. Both the Flood Risk Assessment and the Surface Water Drainage Strategy highlight the flood risks on the site and in the applicant’s view, the mitigation that is needed to address the flood risk. The information that the Parish Council needs to determine whether the reasons for refusal have been addressed and an appropriate flood risk strategy and Surface Water drainage strategy have been submitted relies on technical information and professional hydrology expertise. I would recommend that the Parish Council acknowledge the details in the flood risk assessment and proposals set out in the Surface Water Drainage Strategy; notes both the fluvial and surface water flood risk on site identified in the Flood Risk Assessment; and defers any decision on whether sufficient detail has been provided to overcome the flood risk objection to the Environment Agency and LLFA. The locally distinctive advice contained within LNP2 policies LAV 6 and LAV 7 should be highlighted to the District Council.

71. The second part of the refusal reason states that the sequential test has failed to satisfactorily demonstrate that there are no suitable alternative sites available. The applicant has completed a search for ‘reasonably alternative sites’ across the area agreed with the District Council. This search has resulted in 27 sites which have been discounted because they were either not suitable,

deliverable or developable or because the sites were also in Flood Zone 3. The EDO detailed additional sites in the district but which were not taken forward into the Sequential report. There are two issues to note.

72. Firstly, the EDO comments - 'Surprised that the site at Old School Stratford St Mary was discounted although it is now under offer'. Notably, a site at Old School Stratford St Mary remains on the Rightmove website marketed by Savills. No site plans are included in the sequential test report nor the EDO email and therefore I may not be comparing like with like. However, given the EDO's comments that the site at Stratford St Mary site was 'surprisingly' discounted, it will be important to update the sequential report to comment on whether this site marketed on Rightmove is still not 'reasonably available'. Secondly, for transparency, the sequential test should include a written statement explaining why the alternative sites are not reasonably available. Currently, the justification is generally limited to 'Inappropriate existing planning permission type'. The sequential test assessment would normally include a detailed description of issues affecting the site and the flood risks so that the conclusions are transparent.

73. If it is not possible to locate development in an area with a lower risk of flooding, national policy may require an exception test. The test would demonstrate that the wider sustainability benefits to the community would outweigh the flood risk and that it would be safe for its lifetime. The need for the exception test depends on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out national policy. As the proposal is within a lower classification of risk, it is my view that no exception test is required.

3.1 OTHER CONSIDERATIONS

74. The review of Lavenham Neighbourhood Plan (LNP2) has reached an advanced stage. As noted above, the Examination Report has been published and a referendum is imminent. Therefore, although LNP2 is not yet formally adopted as part of the development plan it can be given significant weight in the decision making process. The applicant's planning statement acknowledges that LNP2 is a material consideration and lists policies which, in their view support the development. I have considered the comments made by the applicant and deal with each policy in turn.

75. No further comment is made here on policies which are discussed above:

LAV 6: Managing surface water flood risk in Lavenham

LAV 7: Essential infrastructure for managing and mitigating extreme weather events

LAV 23: Public Rights of Way network

LAV 30: Visitor facilities

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

76. The proposal is in outline and includes proposals to increase the Biodiversity Net Gain on the site by 13%. Subject to testing the robustness of the Biodiversity Net Gain calculations, the proposal would be in accordance with LNP2 policy LAV 9 Lavenham Sites of Biodiversity Value, LNP2 policy LAV 10 Mitigation Hierarchy and Delivering Biodiversity Net Gain in Lavenham and Joint Local Plan policy SP 09.

77. LNP2 policy LAV 11: Sustainable Life and Work Patterns in Lavenham seeks to facilitate low carbon living by parish residents and workers. The proposal seeks to address this policy by ensuring vehicle charging points and cycle storage will be provided on site and supports 6 Full Time Equivalent Jobs. However, the Planning Officer's view is that the site is in an unsustainable location.

78. LNP2 policy LAV 20: Other Open Spaces of Value and Informal Green Amenity Spaces seeks to resist the loss or erosion of open spaces of value or informal green amenity space. LAV 21: New open space provision seeks to secure new open space provision alongside new development. The proposal will deliver open space to support the Wellness Centre.

79. LNP2 policy LAV 37: Protecting and Strengthening Settlement and Landscape Character of Lavenham's Village Gateways. It identifies principles that should be adhered to. One principle states: *that due to its contribution in providing a rural interface with the historic village edge, keep intact the rural back drop provided by the valley side to the west of Brent Eleigh Road.* The application is in outline only, however, if the application is approved it will be important for the design to take on board the principles set out in this policy.

80. Importantly, the site lies within The Common (LR7) area identified in the Landscape and Sensitivity Assessment 2023 which was submitted alongside the Neighbourhood Plan review. The Common is described as having a high landscape value with moderate visual sensitivity. A key recommendation in the Assessment is to protect the valley meadowland feel of the character area and prevent further development on the valley floor. In addition, it seeks opportunities to improve the condition of the river corridor. The Landscape and Sensitivity Assessment is not detailed in the Planning Officer's Report and I would recommend that it is highlighted in any response by the Parish Council.

81. LNP2 policy LAV 42: Development and parking for motorised vehicles seeks to ensure developments provide adequate off street parking including electric vehicle charging in line with Suffolk's Guidance for Parking. It is assumed that 60 parking spaces, disabled bays and electric charging facilities will meet the appropriate standards and be secured through the reserved matters application.

82. LNP2 policies carry significant weight in the decision making process and as detailed above, in my view, the proposal demonstrates that it is in accordance with Policy LAV 9: Lavenham Sites of Biodiversity Value and LNP2 policy LAV 10: Mitigation Hierarchy and Delivering Biodiversity Net Gain in Lavenham; policy LAV 11: Sustainable Life and Work Patterns in Lavenham as far as it seeks to secure dedicated facilities for electric vehicle charging and secure cycle storage; LNP2 policy LAV 20: Other Open Spaces of Value and Informal Green Amenity Spaces; and LNP2 policy LAV 42: Development and parking for motorised vehicles. However, it is important to note that in reaching conclusions on the proposal, the Parish Council should consider the relevant development plan as a whole including those detailed elsewhere in this report.

4.1 CONCLUSIONS

83. This report sets out the extent to which, in the consultant's view, the current planning application (Ref DC/24/02/4224) for the erection of Wellness Centre (Sui Generis Use) and the removal of existing structures has sought to address Babergh District Council's previous reasons for refusal for a Wellness Centre at Brent Eleigh Road. The report has presented the relevant issues the Parish Council should consider in reaching its conclusions on the proposal.

84. The three reasons for refusal (Planning Decision by Babergh District Council dated 12th January 2024 on planning application Ref DC/23/02659) are:

1. REASON(S) FOR REFUSAL: CONTRARY TO POLICY SP03

The proposal is not located within a settlement boundary and fails to meet any other exceptions that allow development outside of the settlement boundary. The principle of development is not established under policy SP03.

The proposal is therefore contrary to policy SP03 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 8, 96, 108, 115, 116, 135 and 139 of the NPPF (2023).

2. REASON(S) FOR REFUSAL: ACCESSIBILITY

The proposal fails to provide a safe and suitable access for all due to the lack of connectivity to the surrounding area and accessibility into the site. The site's unsustainable location outside of the settlement boundary, and lack of suitable footpath link or alternative travel options, means that visitors and staff would be reliant on motor vehicles to access the site.

The proposal is therefore contrary to policies SP07 SP10, LP09, LP12, LP24, LP27, LP28 and LP29 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 8, 108, 114 and 116 of the NPPF (2023).

3. REASON(S) FOR REFUSAL: FLOOD RISK

The site is located within Flood Zones 2 and 3 and is at high risk of surface water flooding. The sequential test has failed to satisfactorily demonstrate that there are no suitable alternative sites available.

The proposal is therefore contrary to policies SP10 and LP27 of the Babergh Mid Suffolk Joint Local Plan (2023) as well as paragraphs 165, 167 and 168 of the NPPF (2023).

85. There is no dispute that the site lies outside the settlement boundary of Lavenham, which is identified in the Joint Local Plan, LNP1 and updated in the emerging LNP2. As such development would only normally be permitted where it accords with the policies set out in Joint Local Plan policy SP 03 and the associated Table 5 or the made Neighbourhood Plan. Additionally, LNP2 policy LAV 13 – A spatial Strategy for Lavenham carries significant weight in the decision making process. Policy LAV 13 states that development outside the settlement boundary will be restricted to a series of specific development types. A Wellness Centre does not benefit from any of the development types identified in LAV 13. The policy objections here remain up to date and valid.

86. In reaching conclusions on the proposal, Babergh District Council considered policies that support and encourage the provision of community facilities and proposals which enhance the tourism offer and visitor experience. The Planning Officer has also considered the benefits of the development in his report but, on balance, concludes that the site is 'not sustainably located and physically disconnected from the main Village'. The Parish Council has the opportunity to also consider whether there are material considerations which outweigh the policy objection which normally resists development outside settlement boundaries.

87. In respect of reason 2, the applicant comments that they would 'collaborate' with the council to upgrade and maintain the public footpath. However, no details are put forward which can be assessed here. 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.

88. The Parish Council can of course give positive consideration and weight to the proposition that the Wellness Centre car park could provide overspill parking for village events. However, in my view, the application in respect of accessibility, has not materially changed since the previous planning decision. The concerns raised by the Planning Officer remain relevant, as do the planning policies that are referenced in the reason for refusal. The Parish Council should also give material weight to the LNP2 Policy LAV 41 - Planning for Active Travel.

89. The previous refusal reason 3 notes that the site is located within Flood Zones 2 and 3 and is at high risk of surface water flooding. The refusal reason sets out policies within the Joint Local Plan and national policy which, amongst other issues, seek to direct development away from areas at highest risk of flooding. A Level 2 Scoping Study – Flood Risk Assessment (FRA), dated 11th August 2023, is resubmitted with the planning application. The application also includes a Level 1 Flood Risk Assessment and Drainage Strategy Report, dated 21st August 2024 (DSR). Revision B to the report has been submitted in response to comments by the Local Lead Flood Authority.

90. There are two LNP2 policies that are relevant to this application which are not included within the earlier reason for refusal and should be given weight by the Parish Council. LNP2 Policy LAV 6: Managing surface water flood risk in Lavenham seeks to address surface water flood risk in the parish and includes criteria against which planning proposals should be assessed. LNP2 Policy LAV 7: Essential Infrastructure for managing and mitigating extreme weather events is relevant. The policy gives recognition to the role Lavenham Brook has in the management and mitigation of extreme weather events in the parish.

91. The information that the Parish Council needs to determine whether the reasons for refusal have been addressed and an appropriate flood risk strategy and surface water drainage strategy have been submitted relies on technical information and professional hydrology expertise. I would recommend that the Parish Council acknowledge the details in the flood risk assessment and proposals set out in the Surface Water Drainage Strategy; notes both the fluvial and surface water flood risk on site identified in the Flood Risk Assessment; details the locally distinctive policies set out in LNP2 LAV 6 and LNP2 LAV 7; and defers any decision on whether the sufficient detail has been provided to overcome the flood risk objection to the Environment Agency and LLFA.

92. Finally, the Town and Country Planning Act 1990 requires applications to be determined in accordance with the statutory Development Plan, when read as a whole, unless material considerations indicate otherwise. The Planning Officer, in his report, acknowledges the positive benefits of the scheme, including the recognised benefits outlined in the applicant's submissions. The applicant has identified economic, social and environmental benefits of a Wellness Centre in the new submission documents including the Planning Statement, Business Plan and Strategy and the Needs Assessment. The Parish Council has received submissions on behalf of local residents and business. The applicant's statement and this report has also identified where the proposal would support LNP 2 policies. The Parish Council are required to consider whether there are material considerations, including the identified benefits of the scheme, which outweigh the policies which would normally resist developments in this location.

Natalie Blaken

Nupremis Cambridge Limited


23rd October 2024

Lavenham Parish Council Planning Group.


Planning Applications for consideration at LPC meeting on 7th November 2024 – Planning Group Recommendations

The Crooked House 7 High Street Lavenham Sudbury Suffolk CO10 9PR

Application. No: DC/24/04658 | Received: Mon 21 Oct 2024 | Validated: Tue 22 Oct 2024 | Status: Awaiting decision

Householder Application - Erection of single storey rear extension (following demolition of existing single storey rear extension); Replacement of render on rear elevation with lime render; Installation of external boiler; Construction of garden room. 

Application. No: DC/24/04659 | Received: Mon 21 Oct 2024 | Validated: Tue 22 Oct 2024 | Status: Awaiting decision

Application for Listed Building Consent - Erection of single storey rear extension (following demolition of existing single storey rear extension); Replacement of render on rear elevation with lime render; Repair of ground floor leaded light windows on rear elevations 

The applications for Planning Permissions and Listed Building consent were considered together.

To any visitor to Lavenham this crooked house is a landmark historic building.

The rear of the house is covered with cement render and the rear extension is a single skinned modern brick building. The cement render is totally inappropriate for a timber framed building as it traps moisture and causes the timbers underneath to be damp and prone to rot.

This application removes damaging concrete render from the back and side walls of The Crooked House and restores and re-renders these sections with traditional lime plaster.

This application demolishes a poorly built 20th century extension and replaces this with a new, timber frame extension and additionally constructs a single-room traditional-style outbuilding as a home office

Both the extension and garden room are to be clad with timber weatherboard, painted black. Slate roofed. The extension has Conservation rooflights and the Garden room has solar panels on the west facing roof, the solar panels not visible from the Crooked house.

Note the PROPOSED_ROOF_PLAN_08-8676655.pdf shows Sandtoft Concrete roof tiles on the extension and garden room, whilst the elevations show slate roof tiles. Concrete tiles are not considered suitable for a heritage location in the curtilage of a listed building.

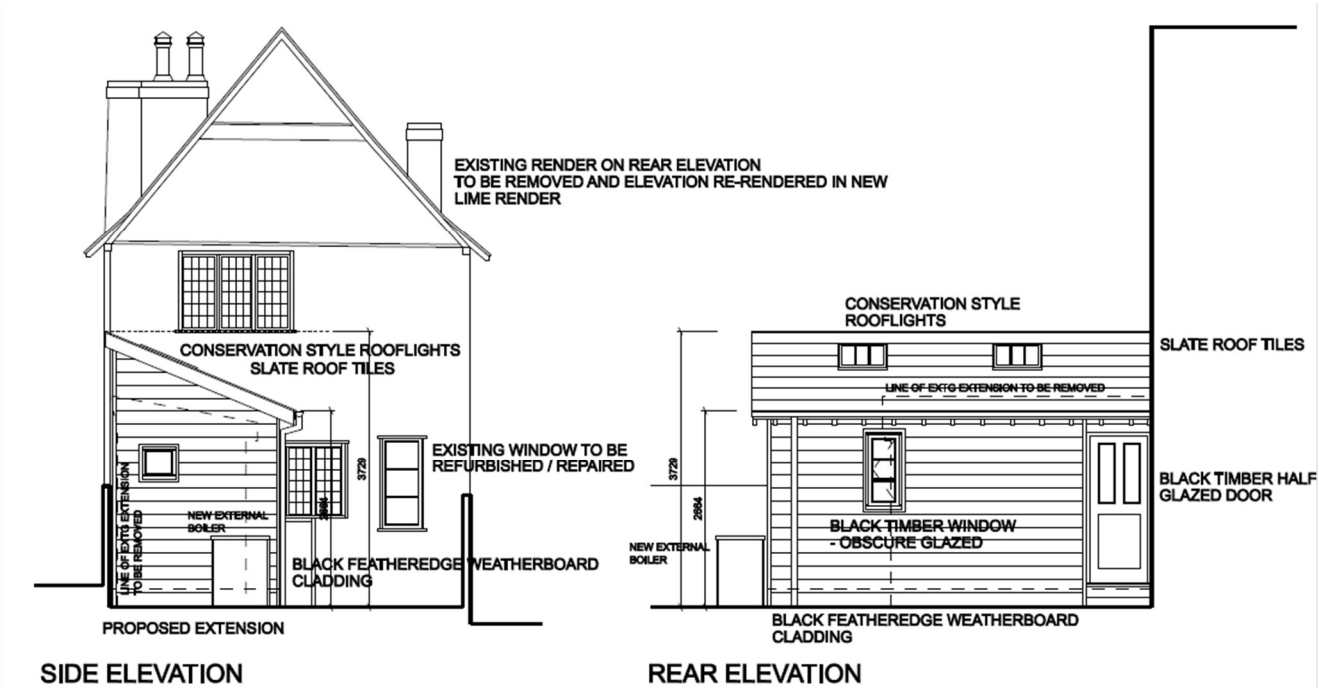
The new buildings will not be visible from the high street and are sympathetic to the surrounding buildings. The proposal complies with Policy D1 of LNP 2016.

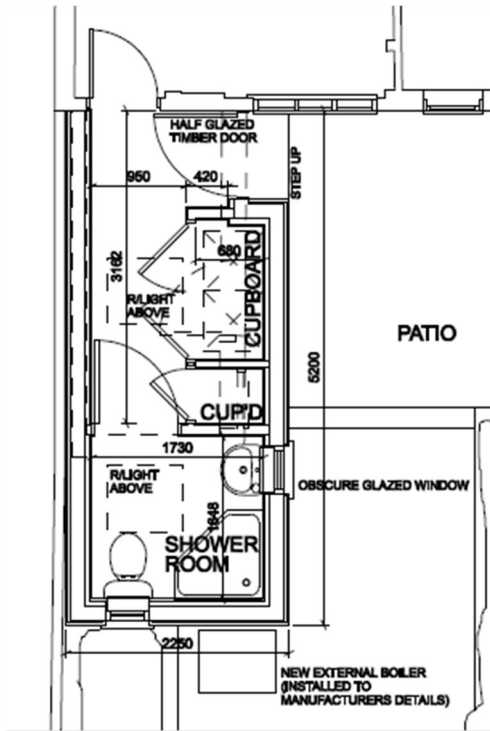
Recommend Approval on the condition that Slate Roof tiles are specified on the extension as indicated on the elevation drawings and Planning Statement

The existing single storey rear extension

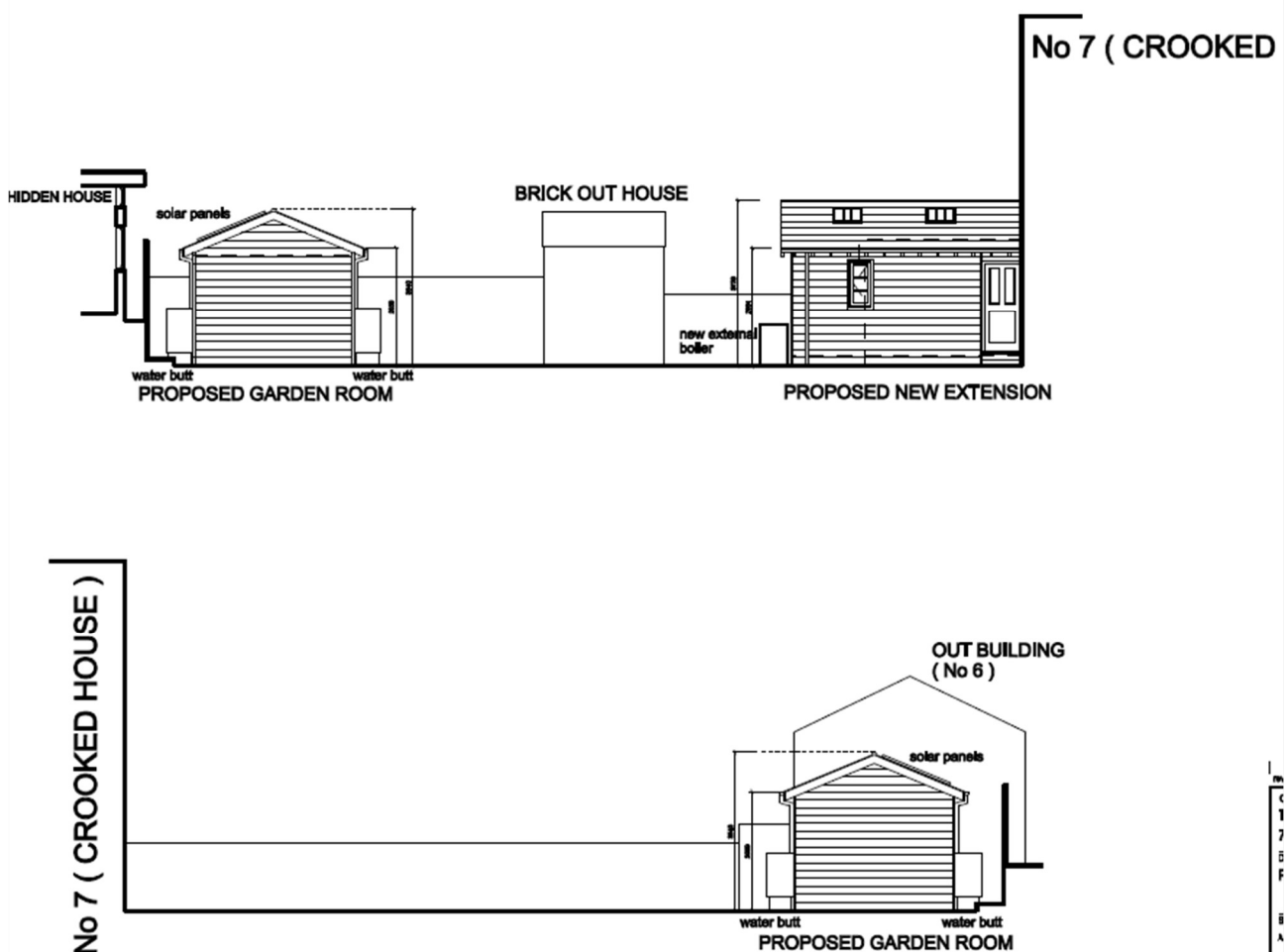


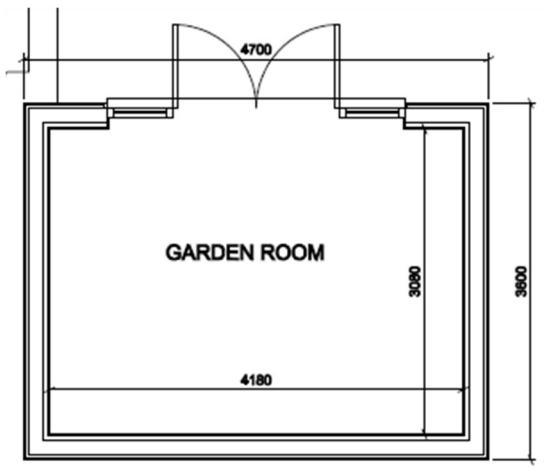
Proposed extension





Garden room





Application for Works to Trees subject to Tree Preservation Order WS41/A1 - Fell 3 No. Silver Birch (T1,T2 and T3)

5 White Gates Lavenham Sudbury Suffolk CO10 9FL

Application. No: DC/24/04664 | Received: Mon 21 Oct 2024 | Validated: Mon 21 Oct 2024 | Status: Awaiting decision

The justification for felling the trees rather than pruning is this. "They currently need reducing again and will probably need doing every 3-4 years which is an ongoing cost" . There is no indication that these trees are diseased.

Note these trees are in an area covered by a Tree Preservation Order – see below.

Recommend Refusal: We recommend that the trees should be pruned rather than felled.



Notification of Works to Trees in a Conservation Area - Reduce 1 No. Goat Willow (T1) by 50% and reduce the overhang over No 30 back to the boundary



Mole Cottage 32 Prentice Street Lavenham Sudbury Suffolk CO10 9RD

Application. No: DC/24/04672 | Received: Mon 21 Oct 2024 | Validated: Mon 21 Oct 2024 | Status: Awaiting decision

This work represents ongoing maintenance of this tree.

Recommend Approval.

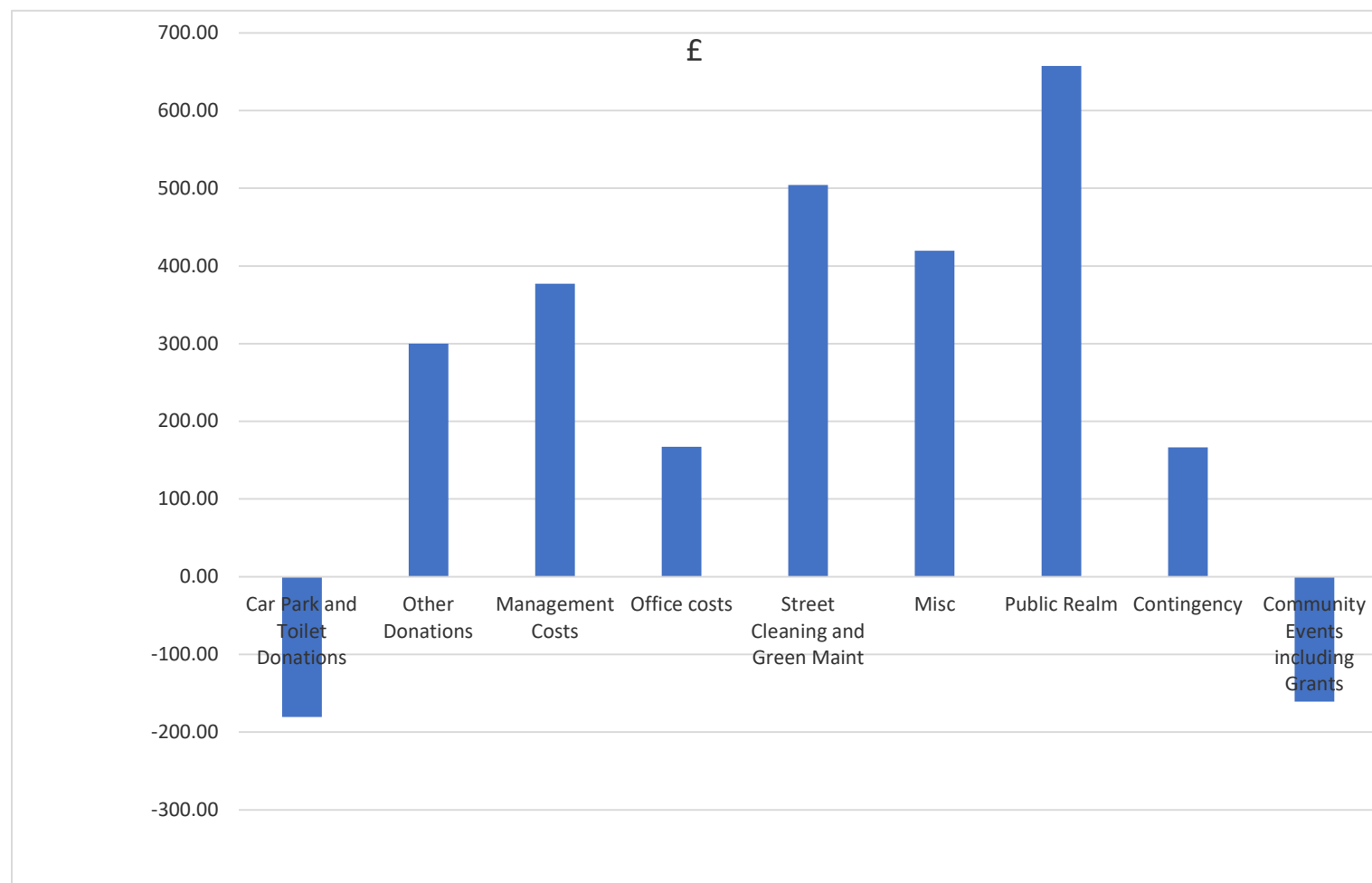
Discharge of Conditions Application for DC/23/05658 - Conditions 3 (External Finishes) and 4 (Biodiversity Enhancement Measures)

Rowan Cottage The Common Lavenham Sudbury Suffolk CO10 9RL

Application. No: DC/24/04591 | Received: Tue 15 Oct 2024 | Validated: Wed 16 Oct 2024 | Status: Awaiting decision

The submitted list of proposed finishes is acceptable.

Recommend approval.



	April Actual Mth	May Actual Mth	Jun Actual Mth	Jul Actual Mth	Aug Actual Mth	Sep Actual Mth	Actual YTD	Forecast YTD	Favourable /(Adverse)	Notes
Precept	9,916.67	9,916.67	9,916.67	9,916.67	9,916.67	9,916.67	59,500.00	59,500.00	0.00	No variance
Babergh Cleansing Grant	1,041.04	1,041.04	1,041.04	1,041.04	1,041.04	1,041.04	6,246.24	6,246.24	0.00	No variance
Fixed Income	10,957.71	10,957.71	10,957.71	10,957.71	10,957.71	10,957.71	65,746.24	65,746.24	0.00	
Burial Fees	753.00	400.00	778.00	0.00	0.00	500.00	2,431.00	2,431.00	0.00	No variance
Car Park and Toilet Donations	1,311.25	1,323.96	1,225.30	1,528.07	1,767.75	1,255.76	8,412.09	8,592.62	-180.53	Running below even reduced expectations
Other Donations	40.00	10.00	30.00	0.00	0.00	300.00	380.00	80.00	300.00	Hire of Lights
EV Charging Income	72.91	81.82	74.48	27.70	23.21	67.96	348.08	320.12	27.96	A little higher than budgeted
Interest Received	400.00	726.04	400.00	400.00	760.87	400.00	3,086.91	3,086.91	0.00	No variance
Variable Income	2,577.16	2,541.82	2,507.78	1,955.77	2,551.83	2,523.72	14,658.08	14,510.65	147.43	
Total Income	13,534.87	13,499.53	13,465.49	12,913.48	13,509.54	13,481.43	80,404.32	80,256.89	147.43	Insignificant
Management Costs	3,459.00	3,539.00	3,576.33	3,473.44	3,554.44	3,554.44	21,156.64	21,533.91	377.27	No consultancy or specialist advice costs incurred.
Office costs	814.98	708.99	613.48	608.93	831.99	657.60	4,235.97	4,403.22	167.24	No Cllr Training Costs incurred
LNP including Costs of Democracy	55.00	55.00	55.00	55.00	505.00	56.25	781.25	1,000.00	218.75	Insignificant further costs incurred
Street Cleaning and Green Maint	3,051.04	2,880.51	2,907.30	2,577.30	3,357.75	5,193.38	19,967.26	20,471.63	504.37	Some progress made but forecast assumed faster progress eg bus stop clearing
Public Realm	686.00	794.00	596.00	591.78	1,343.36	934.32	4,945.47	5,602.93	657.46	Some progress made but forecast assumed faster progress eg pump repainting
Toilet Costs	1,193.69	1,407.15	1,742.79	918.34	1,474.82	1,137.40	7,874.16	8,055.03	180.87	Insignificant, no drainage costs incurred
Water St	351.02	351.02	351.02	-1,755.92	313.08	313.08	-76.70	-76.70	0.00	No variance
Community Events including Grants	0.00	1,128.86	0.00	2,530.80	118.80	260.80	4,039.26	3,878.46	-160.80	Lavenham Airfield Plaques
EV Costs	65.99	23.85	63.83	37.70	41.76	49.55	282.68	274.89	-7.79	Not material
Sinking Fund	0.00	0.00	0.00	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00	No variance
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.00	166.67	166.67	Contingency
Total Costs	9,676.70	10,888.36	9,905.73	9,037.37	11,541.00	13,156.82	64,205.98	66,310.03	2,104.05	
Surplus/(Deficit)	3,858.16	2,611.16	3,559.75	3,876.11	1,968.54	324.61	16,198.34	13,946.86	2,251.48	

	Mar 24	Sep 24	Increase/(decrease)	Notes		
Fixed Assets	150,968.05	146,934.44	-4,033.61	Pump Ct Cancellation		
Trade Debtors	0.00	0.00	0.00	None		
Accrued Income	3,732.86	784.29	-2,948.57	interest and car park donation, in March also Cleaning Grant.		
Prepayments	762.95	6,571.33	5,808.38	Largely Business Rates		
VAT Refunds	2,091.70	3,709.05	1,617.35	Purchase dependent		
	6,587.50	11,064.67	4,477.16			
Cash at Bank	377,684.76	460,532.47				
Bus Prem						
Current Acc	7,223.42	3,857.35				
Petty Cash	0.00	0.00				
	384,908.18	464,389.82	79,481.64	Precept and Cleaning Grant for whole year received		
Trade Creditors	-13,083.74	-19,072.84	5,989.10	Payment of Suffolk Annual Lights bill of £5k offset by 1st Meadow £11k	Closing Cash	464,389.82
Accruals	-15,071.07	-15,452.12	381.04	Little Change	Deferred Income	-65,746.24
Deferred Income	0.00	-65,746.24	65,746.24	Precept and Cleaning Grant for whole year received	Suffolk CC	-129,600.30
Lights Creditor	-133,633.91	-129,600.30	-4,033.61	Pump Ct Cancellation	ncil	-84,989.86
	-161,788.72	-229,871.50	68,082.78		Phone box to be charged to NCIL when invoice received	6,200.00
Loans	-72,452.44	-69,268.65	-3,183.79	Capital Repayments made	Other Funds	-12,565.37
						177,688.05
Net Assets	308,222.57	323,248.78	15,026.21		Less Sinking Fund Cash	-40,995.64
					1st Meadow Bridge and Phone Box	-15,000.00 Unpaid at end Sept
General Funds	159,753.32	178,697.91	18,944.59			121,692.41
Ballot Fund	4,800.00	4,800.00	0.00	No change	Annual Spend incl Loan repays	140,000.00
Public Realm	869.09	0.00	-869.09	Released earmark as now spent	Cover	10.43 Months
Cemetery Clean Up	5,000.00	0.00	-5,000.00	Released Aug 2024		
Telephone Box Maintenance	6,000.00	6,000.00	0.00	No change		
Lavenham Funds in Trust	1,500.00	1,500.00	0.00	No change		
Street Fair Fund	6,265.37	6,265.37	0.00	No change		
Lighting Sinking Fund	36,872.80	40,995.64	4,122.84	In lieu of depreciation and to avoid overstating General Funds		
NCIL	87,161.99	84,989.86	-2,172.13	£10k received, £12k spent (£3k SID, £9k First Meadow Bridge)		
Total Reserves	308,222.57	323,248.78	15,026.21			
Imbalance	0.00	0.00	0.00			

	B/F	Per I and E contains no earmarks	In lieu dep'n lighting earmark	NCIL Cash received	NCIL Cash Spent	Cemetery Release	Public Realm items Purchased (Glasdon)	C/F
General Funds	159,753.32	16,198.34	-3,122.84	0.00	0.00	5,000.00	869.09	178,697.91
Ballot Fund	4,800.00	0.00	0.00	0.00	0.00	0.00	0.00	4,800.00
Public Realm	869.09	0.00	0.00	0.00	0.00	0.00	-869.09	0.00
NCIL	87,161.99	0.00	0.00	10,515.30	-12,687.43	0.00	0.00	84,989.86
Lavenham Funds in Trust	1,500.00	0.00	0.00	0.00	0.00	0.00	0.00	1,500.00
Cemetery Clean Up	5,000.00	0.00	0.00	0.00	0.00	-5,000.00	0.00	0.00
Telephone Box Maintenance	6,000.00	0.00	0.00	0.00	0.00	0.00	0.00	6,000.00
Lighting Sinking Fund	36,872.80	1,000.00	3,122.84	0.00	0.00	0.00	0.00	40,995.64
Street Fair Fund	6,265.37	0.00	0.00	0.00	0.00	0.00	0.00	6,265.37
Total Reserves	308,222.57	17,198.34	0.00	10,515.30	-12,687.43	0.00	0.00	323,248.78

Stocksigns

-3,500.00

-601.58 Glasdon

Playquip

-9,187.43

-77.54 Glasdon

-12,687.43

-265.00 Paul Holland


-944.12

	April Actual Mth	May Actual Mth	Jun Actual Mth	Jul Actual Mth	Aug Actual Mth	Sep Actual Mth	Actual YTD	Forecast YTD	Favourable /(Adverse)
Staff salaries and Other Consultancy Costs	3,403.00	3,403.00	3,440.33	3,415.44	3,415.44	3,415.44	20,492.64	20,869.91	377.27
Audit and Payroll bureau costs	56.00	136.00	136.00	58.00	139.00	139.00	664.00	664.00	0.00
Management Costs	3,459.00	3,539.00	3,576.33	3,473.44	3,554.44	3,554.44	21,156.64	21,533.91	377.27
Telephone & broadband	95.05	82.06	82.06	82.06	82.06	82.06	505.35	505.35	0.00
Website Dev and .gov	59.40	59.40	59.40	59.40	149.40	59.40	446.40	446.40	0.00
Accounting software & computer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Office Materials	9.99	9.99	9.99	27.93	204.99	9.99	272.88	302.89	30.01
Data Protection	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subscriptions & Insurance	211.16	211.16	211.16	211.16	211.16	277.77	1,333.57	1,330.80	-2.77
All Training/Cllr expenses	0.00	140.00	0.00	0.00	0.00	0.00	140.00	240.00	100.00
Room hire PC meetings	105.00	22.00	44.00	44.00	0.00	44.00	259.00	259.00	0.00
Office Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Digital mapping	150.00	0.00	0.00	0.00	0.00	0.00	150.00	150.00	0.00
Parish Office business rates	101.05	101.05	101.05	101.05	101.05	101.05	606.29	606.29	0.00
Parish Office rent	83.33	83.33	83.33	83.33	83.33	83.33	500.00	500.00	0.00
Office Miscellaneous	0.00	0.00	22.49	0.00	0.00	0.00	22.49	62.49	40.00
Office costs	814.98	708.99	613.48	608.93	831.99	657.60	4,235.97	4,403.22	167.24
LNP Costs incl Cost of Democracy	55.00	55.00	55.00	55.00	505.00	56.25	781.25	1,000.00	218.75
Green Maintenance	958.75	1,183.75	958.75	958.75	958.75	958.75	5,977.50	6,477.50	500.00
Tree Maintenance and Care	380.00	0.00	420.00	0.00	760.00	2,300.00	3,860.00	3,860.00	0.00
Street cleansing	1,278.40	1,278.40	1,278.40	1,278.40	1,278.40	1,278.40	7,670.40	7,670.40	0.00
Refuse collection bins & dog bins	298.74	115.00	115.00	115.00	115.00	253.08	1,011.82	873.74	-138.08
Chapel Business Rates	135.15	135.15	135.15	135.15	135.15	135.15	810.88	810.88	0.00
All cemetery management	0.00	168.21	0.00	90.00	110.45	0.00	368.66	479.11	110.45
Play equipment	0.00	0.00	0.00	0.00	0.00	268.00	268.00	300.00	32.00
Street Cleaning and Green Maint	3,051.04	2,880.51	2,907.30	2,577.30	3,357.75	5,193.38	19,967.26	20,471.63	504.37
Street furniture	90.00	198.00	0.00	0.00	751.58	342.54	1,382.12	2,039.58	657.46
Street Lighting energy	500.00	500.00	500.00	500.00	500.00	500.00	3,000.00	3,000.00	0.00
PWLB interest	96.00	96.00	96.00	91.78	91.78	91.78	563.35	563.35	0.00
Public Realm	686.00	794.00	596.00	591.78	1,343.36	934.32	4,945.47	5,602.93	657.46
Church Street energy	116.23	82.97	73.53	66.05	66.21	65.05	470.04	504.99	34.95
Church Street water	0.00	279.82	0.00	0.00	370.73	0.00	650.55	650.55	0.00
Church St Toilets Business Rates	67.37	67.36	67.37	67.37	67.36	67.37	404.19	404.19	0.00
Prentice St Water	0.00	98.55	0.00	0.00	173.69	0.00	272.24	272.24	0.00
Prentice St non EV energy	38.34	36.69	40.22	37.05	37.00	36.93	226.23	229.30	3.07
Donation Points	35.90	35.90	35.90	35.90	35.90	35.90	215.40	215.40	0.00
Washroom Cleaning & Consumables	660.85	660.85	1,200.77	711.97	723.92	932.15	4,890.51	4,758.36	-132.15
Washroom Minor Maintenance	275.00	145.00	325.00	0.00	0.00	0.00	745.00	1,020.00	275.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Toilet Costs	1,193.69	1,407.15	1,742.79	918.34	1,474.82	1,137.40	7,874.16	8,055.03	180.87
Water Street green maintenance	96.85	96.85	96.85	96.85	96.85	96.85	581.10	581.10	0.00
Water Street Business Rates	254.17	254.17	254.17	-1,852.77	216.23	216.23	-657.80	-657.80	0.00
Water St	351.02	351.02	351.02	-1,755.92	313.08	313.08	-76.70	-76.70	0.00
Small Grants (combined)	0.00	500.00	0.00	2,500.00	0.00	0.00	3,000.00	3,000.00	0.00
Christmas trees/lighting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Xmas Eve Community Carols	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1st Meadow summer facilities	0.00	0.00	0.00	30.80	118.80	30.80	180.40	249.60	69.20
Misc	0.00	628.86	0.00	0.00	0.00	230.00	858.86	628.86	-230.00
Bellward Award	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Community Events including Grants	0.00	1,128.86	0.00	2,530.80	118.80	260.80	4,039.26	3,878.46	-160.80
EV Costs	65.99	23.85	63.83	37.70	41.76	49.55	282.68	274.89	-7.79
Sinking Fund						1,000.00	1,000.00	1,000.00	0.00
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.00	166.67	166.67
Total Expenses	9,676.70	10,888.36	9,905.73	9,037.37	11,541.00	13,156.82	64,205.98	66,310.03	2,104.05
Surplus/(deficit)	3,858.16	2,611.16	3,559.75	3,876.11	1,968.54	324.61	16,198.34	13,946.86	2,251.48

Current


31/08/2024	Balance Brought Forward	3,044.67
02/09/2024	Car Parking Income Cash Payments	170.00
02/09/2024	Supplier Payment: Anglian Water	-173.69
02/09/2024	Car Parking Income Card Payments	165.30
04/09/2024	Transfer from Deposit Account	20,000.00
05/09/2024	Pension Contributions: NEST	-166.79
06/09/2024	Supplier Payment: Modicum Planning	-450.00
06/09/2024	Andrew Smith: Aug Net Wages	-2,288.13
06/09/2024	Supplier Payment: Infinity Cleaning	-854.36
06/09/2024	Supplier Payment: JPB Landscapes	-2,800.80
06/09/2024	Supplier Payment: Onsite IT	-71.28
06/09/2024	Supplier Payment: Karzees Ltd	-142.56
06/09/2024	Supplier Payment: Bartletts Ltd Tree Surgeons	-912.00
06/09/2024	Supplier Payment: Babergh DC Water St Business Rates	-5,189.60
06/09/2024	Supplier Payment: Stock Signs Speed Indicator Device	-4,200.00
06/09/2024	Supplier Payment: Community Action Suffolk	-108.00
06/09/2024	Supplier Payment: Paul Holland	-90.00
06/09/2024	Supplier Payment: Paul Holland	-150.00
06/09/2024	Supplier Payment: Community Action Suffolk Insurance	-2,630.35
09/09/2024	Car Parking Income Card Payments	186.20
09/09/2024	Supplier Payment: British Gas	-43.84
10/09/2024	Supplier Payment: British Gas	-69.52
11/09/2024	EV Revenue Fuuse	47.02
13/09/2024	Supplier Payment: British Gas	-38.85
13/09/2024	Supplier Payment: Anglian Water	-370.73
16/09/2024	Car Parking Income Cash Payments	400.00
16/09/2024	Car Parking Income Card Payments	147.01
20/09/2024	Supplier Payment: Mutts Butts	-165.70
20/09/2024	Supplier Payment: BT	-83.66
23/09/2024	Car Parking Income Cash Payments	175.00
23/09/2024	Supplier Payment: Playquip	-321.60
23/09/2024	Supplier Payment: Karzees Ltd	-36.96
23/09/2024	Supplier Payment: Command Pest Control	-87.00
23/09/2024	Supplier Payment: Glasscubes	-67.50
23/09/2024	Car Parking Income Card Payments	137.75
24/09/2024	Burial Fees: Deacons	500.00
25/09/2024	Supplier Payment: BT	-14.81
26/09/2024	Donation: Lighting Hire	300.00
30/09/2024	Car Parking Income Card Payments	167.20
30/09/2024	Supplier Payment: HP Inks	-11.99
30/09/2024	Supplier Payment: Paya Go Cardless	-43.08
30/09/2024	Balance Carried Forward	3,857.35
30/09/2024	Per Bank Statement	3,857.35 0.00
Premium		
31/08/2024	Balance Brought Forward	417,747.94
02/09/2024	Interest received	1,560.87
04/09/2024	Transfer to Current Account	-20,000.00
11/09/2024	VAT Refund	1,723.66
16/09/2024	Babergh Precept	59,500.00
30/09/2024	Balance Carried Forward	460,532.47
30/09/2024	Per Bank Statement	460,532.47 0.00

Recent transactions

 COMMUNITY 20-83-50 00567094		£3,947.35 Last night's balance £3,857.35		
Date	Description	Money in	Money out	Balance
Tue, 01 Oct 24	COMMUNITY	+ £90.00		£3,947.35
Mon, 30 Sep 24	GOCARDLESS		-£43.08	£3,857.35
Mon, 30 Sep 24	HPI INSTANT INK UK		-£11.99	£3,900.43
Mon, 30 Sep 24	CHARITIES TRUST	+ £167.20		£3,912.42
Thu, 26 Sep 24	OPUS 14 LIMITED	+ £300.00		£3,745.22
View all transactions				

3,857.35

Recent transactions

 Business Premium ME 20-83-50 20567116		£460,532.47 Last night's balance £460,532.47		
Date	Description	Money in	Money out	Balance
Mon, 16 Sep 24	BABERGH PAYMENTS	+ £59,500.00		£460,532.47
Wed, 11 Sep 24	HMRC VTR	+ £1,723.66		£401,032.47
Wed, 04 Sep 24	208350 00567094		-£20,000.00	£399,308.81
Mon, 02 Sep 24	INTEREST PAID GROSS	+ £1,560.87		£419,308.81
View all transactions				

460,532.47

Local Government Annual Payrise 24/25

Background:

The pay of Local Government Staff is agreed between the Employers and the relevant Trades Unions.

These negotiations are usually protracted and only in the last few weeks has the payrise, effective 1 April 2024, been agreed.

For employees on Spinal Point 42 or less the payrise is £1,290 per annum.

For staff above Spinal Point 42 (above approximately £50,000 per annum) the increase is 2.5%.

The Clerk is on Spinal Point 26 and so a payrise of £1,290 per annum, back dated to 1 April 2024, is due.

Motion:

That Council acknowledges its legal obligations to increase the Clerk's salary to £36,124 backdated to 1 April 2024 and the Chair is instructed to inform the payroll bureau.

Parish Newsletter

Background:

Council has frequently distributed a Christmas Newsletter written by the Chair of the Parish Council, together with a free copy of Lavenham Life, to every household in Lavenham.

The December issue of Lavenham Life will contain the minutes of this meeting.

The newsletter and copies of Lavenham Life are distributed by volunteers.

The cost of purchasing the required 1,600 copies of Lavenham Life will depend on the final size of the Christmas issue but is likely to be between £1,100 and £1,400.

The cost of printing the newsletter is likely to be approximately £200.

Motion:

That Council works with the publishers of Lavenham Life to ensure that every household in Lavenham receives a free copy of Lavenham Life together with a Parish Council newsletter at a maximum cost of £1,700.

Section 142 of the Local Government Act 1972 'Publicity' gives the Parish Council the power to provide information about matters concerning local government.

Lorry Signage

Background:

At the Council meeting held on 5th September 2024 the following motion was passed:

Motion: that the Parish Council notes the advice of the Babergh Heritage Officer and the mitigations suggested by Suffolk Highways but proceeds with the design as detailed in Appendix 2 at a cost of £10,604 plus VAT to be paid for by Neighbourhood CIL funds using Road Traffic Regulation Act 1984, section 72 which permits Parish Councils the 'Power to provide traffic signs and other notices'.

Amendment to the motion: so that it reads 'that the Parish Council ask Suffolk Highways to quote only for the sign on the Bury Rd'.

Proposed: Cllr Robinson **Seconded:** Cllr Sherman

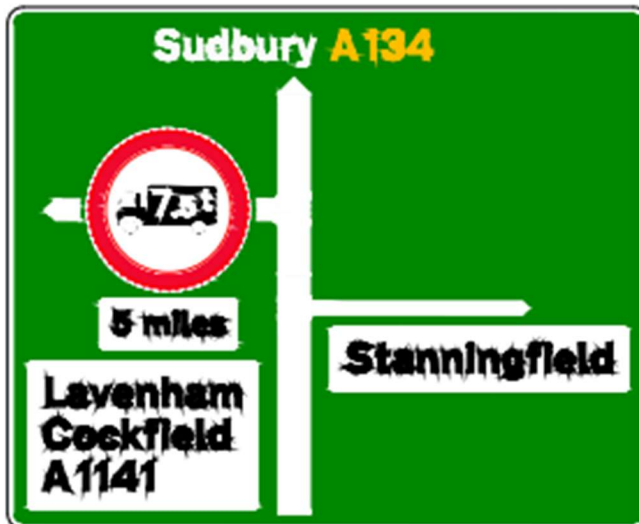
Decision: Approved. Cllr Mitchell abstained.

Subsequent Events:

'Following your recent contact with Suffolk Highways regarding the installation of a new Advanced Directional Sign (ADS) and other related maintenance on the A134, near the A1141 Cross Green junction, our contractor Milestone has prepared a construction quote'

NEW SIGNS TO BE INSTALLED

RS1 - Advance direction sign



Quantity:
1 no. required

Scheme Ref.	Lavenham	
Sign Ref.	RS1	x-height: 100.0
Letter colour	WHITE / BLACK	SIGN FACE
Background	DARK GREEN	Width 3065mm
Border	WHITE	Height 2495mm
Material	Class RA2 (12899-1:2007)	Area 7.65sq.m

To be mounted on 2 no. Mallatite Optimast posts (168 sections) at 1.8m mounting height.
Refer to relevant SignLoad Report for mounting arrangement.
Passively safe posts to be installed in accordance with manufacturers instructions.

LAVENHAM PARISH COUNCIL:

Traffic management = **£1,040.19**

Construction = **£7,757.76**

Subtotal £8,797.95

Our **construction** quote includes for:

- Labour, plant and materials
- Road space booking
- Advanced public notification and communication (where necessary)
- Installation, maintenance and removal of temporary traffic management
- Site supervision
- Reinstatements and 'making good'

Motion: that the Parish Council accepts the quote for a replacement sign at a cost of £8,797.95 plus VAT to be paid for by Neighbourhood CIL funds using Road Traffic Regulation Act 1984, section 72 which permits Parish Councils the 'Power to provide traffic signs and other notices'.

Note: The purchase of this sign will reduce the NCIL Fund as follows:

Balance per September Accounts: £84,990

NCIL received October 2024: £10,452

Phone Box invoice received October 2024 (£6,200)

Accrual for invoices for SID posts and 1st Meadow Bridge Retention: (£1,436)

Balance per October Accounts: £87,807.

Lorry sign in this motion: (£8,798)

Balance: £79,009

Second Melford Rd Speed Indicator Device (SID)

Background:

At the Council meeting held on 6TH June 2024 the following discussion was minuted and motion passed:

'Cllr Robinson asked if discounts could be obtained by explaining to the supplier that it is our intention to ultimately purchase two devices. The Chair agreed that this is a question which should be asked of the preferred supplier.

Cllr Mitchell pointed out that the ability to access the data remotely might make possible putting a SID on the Bury Rd which so far had not been possible because the narrow verge made accessing the SID, per County Council guidance, unacceptably dangerous.

Cllr Sherman asked why two SIDs are required on the Melford Rd and whether SIDs slow down vehicles. The Chair replied that the intention was to slow vehicles in both directions and that the data was that the cameras did have an effect.

Cllr Lamont asked if Neighbourhood CIL will be used to fund this. The Clerk confirmed that it will'.

Motion: that the Clerk order a Messagemaker device at a cost of £3,590 plus VAT.

Proposed: Cllr Mitchell **Seconded:** Cllr Sherman

Decision: Approved unanimously

Subsequent Events:

A small discount was obtained from the supplier on the understanding that a second device will be purchased. The final price was £3,500. The two SID posts were installed by Suffolk County Council and the first SID was purchased and installed. It is operating satisfactorily.

Motion: that the Clerk order a Messagemaker device at a cost of £3,500 plus VAT using the power under Section 274A Highways Act 1980. Neighbourhood CIL will be used to fund this.

Note:

The purchase of this SID will reduce the NCIL Fund as follows:

Balance per September Accounts: £84,990

NCIL received October 2024: £10,452

Phone Box invoice received October 2024 (£6,200)

Accrual for invoices for SID posts and 1st Meadow Bridge Retention: (£1,436)

Balance per October Accounts: £87,807.

Lorry sign in previous motion: (£8,798)

Balance: £79,009

SID in this motion: (£3,500)

Balance £75,509.

First Meadow Playground Equipment

Background:

At the Council meeting held on 3rd October 2024 the Chair within her Announcements:

‘informed Councillors that Council has received a report after an inspection of the play equipment in 1st Meadow. Refurbishment of the equipment and replacement of the safety surfacing is recommended. The total cost of the suggested works is approximately £13,000. This will be discussed by Council at a future meeting. The Clerk will ask Babergh Council whether Neighbourhood Cil can be used for these works’.

The Inspection report was included within the working papers for that meeting.

Subsequent Events:

- a) The Clerk obtained confirmation from Babergh Council that Neighbourhood CIL can be used. See Appendix A.
- b) The Clerk has been in touch with the Playground Inspector.
- c) His opinion is that the repair works to the multi play unit and the swings for £2,366 and £965 totalling £3,331 should be done **immediately** writing:

‘The protective coatings to the equipment would be the best thing to deal with first, there is a lot of rust on the equipment and if possible, it would be good to get it protected **before the winter**’ and

‘in respect to the rust on the equipment, if we descale and treat the rust prior to repainting the equipment, this would protect the items and stop them deteriorating any further, this is definitely worth considering as it would greatly extend the life of the equipment’. Should Council wish the work could be done over winter.

- d) The Playground Inspector considers that the re-surfacing work items of £5,600 and £3,765 totalling £9,365 **could be delayed until Spring 2025**. He says that surfacing materials have improved and a ‘wet pour’ is used rather than the tiles which are damaged by expanding in the summer sun and then contracting in the winter and the winter frosts. Should Council wish the work could be done over winter.

He commented that:

‘Unfortunately, the tiles are beyond repair, the life expectancy of tiles is 10-12 years, these have been down for 21 years, so they have done really well. The issue is they have hardened and shrunk, if we lift the tiles and relay them closing all the gaps, they will continue to shrink, and the gaps would reappear within a short period of time’.

LAVENHAM PARISH COUNCIL:

Motion: that the Clerk instruct the contractor to carry out **both works as soon as possible** at a cost of £12,696 using the powers referred to in Appendix A with Neighbourhood CIL used to fund this.

Motion: that the Clerk instruct the contractor to carry out both works at a cost of £12,696, the repair works to be done as soon as possible and the **resurfacing work in Spring 2025** using the powers referred to in Appendix A with Neighbourhood CIL used to fund this.

Note:

The purchase of these maintenance items will reduce the NCIL Fund as follows:

Balance per September Accounts: £84,990

NCIL received October 2024: £10,452

Phone Box invoice received October 2024 (£6,200)

Accrual for invoices for SID posts and 1st Meadow Bridge Retention: (£1,436)

Balance per October Accounts: £87,807.

Lorry sign in previous motion: (£8,798)

Balance: £79,009

SID in previous motion: (£3,500)

Balance £75,509.

Playground Repairs: (£12,696)

Balance: £62,813.

Appendix A:

Good afternoon Andrew,

Yes if Lavenham wishes to spend their neighbourhood CIL this way it falls within the infrastructure items which can be provided or maintained by Parish Councils (Appendix B to the Parish Support CIL Guidance).

Recreation	Power to acquire land for recreation grounds; public walks; pleasure grounds and open space; and to manage and control them. Power to provide a wide range of recreational facilities Provision of boating pools	Public Health Act 1875 s.164; LGA 1972 sch.14 para27; Public Health Acts Amendments Act 1890 s.44; Open Spaces Act 1906 ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976 s.19 Public health Act 1961 s.54
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Unit 4, Heath Industrial Estate
Cockaynes Lane
Alresford
Essex CO7 8DA
Tel: (01206) 825869
info@playquip.co.uk

Our Ref: Q-LPC-PS-300924

Lavenham Parish Council
Andrew Smith
Clerk to Lavenham Parish Council

By email:
lavenhampc@yahoo.co.uk

30 September 2024

Dear andrew

Following on from our recent emails, I have pleasure in providing our quotation for the equipment refurbishment and replacement surfacing as discussed.

All prices shown are quoted **exclusive** of Value Added Tax.

Unless otherwise agreed to the contrary in writing, this quotation remains firm for 60 days and may be accepted by notice in writing. After this date, we reserve the right to re-estimate for any outstanding work at current rates.

This quotation is subject to Playquip Leisure's standard terms and conditions, a copy of which can be found at: <http://www.playquip.co.uk/terms-conditions/>

We trust our quotation meets with your approval and look forward to receiving your further instructions. Should you require any additional assistance please do not hesitate to contact me.

Yours sincerely
On behalf of **PLAYQUIP LEISURE**

Peter Sander

Peter Sander
peter.sander@playquip.co.uk



Quotation

3 Tower multi-play unit



The equipment protective coatings are worn and in some areas, heavy rust is present.

We propose descaling the equipment and treating the rust with specialist rust inhibitors.

Once all areas are treating the equipment will be repainted in bright colours to match the original coatings.

The paints used will be fast air-dry lead and cadmium free paints suitable for children's play equipment.

During the refurbishment the badly worn rope ladder will be replaced with a new rope ladder and the wooden treads in the arched bridge will also be replaced with new anti-slip pressure treated timbers.

Total cost of above listed work

£2,366.00

Tiled surfacing

The existing tiles have shrunk and hardened over time, there are large gaps between the tiles which constitute a trip hazard, the timber surround to the surface area has also decayed and some sections have been removed.

We propose removing all tiles and cleaning down the sub-base in preparation for new wet pour surfacing, the new surfacing will be rolled into the ground around the perimeter which eliminates the need for timber or concrete edgings, it also creates a far smoother transition between the surfacing and the surround grass areas.

The area of surfacing required is 58m².

To carry out the surfacing work as detailed above £5,600.00

The image consists of two side-by-side photographs of a swing set in a park. The swing set has a red metal frame and two swings. It is situated on a black rubber safety mat. The surrounding area is grassy with trees in the background. In the right photograph, a shadow of the person taking the photo is visible in the foreground.

We propose descaling the equipment and treating the rust with specialist rust inhibitors as before, once all areas are treating the equipment will be repainted in bright colours to match the original coatings.

Total cost of above listed work **£965.00**

Surface area's: Cradle swing 18m^2 , Junior swing 21m^2 .

Page 3 of 3

Green Maintenance and Street Cleaning

Background:

The Council contract for these items expires on 31 March 2025.

Council currently pays:

£9,050 per annum for Green Maintenance

£15,341 per annum for Street Cleaning

£775 per annum for Water St Car Park Maintenance

The total cost is therefore £25,166 per annum

Green Maintenance:

The schedule detailing the work to be done is attached as Appendix A.

In general, the Clerk receives few complaints about the quality of the work done, the complaints that are received tend to be about the length of the first cuts of the First Meadow grass in Spring.

Street Maintenance:

This is complained about much more. The contract says that:

- a) the Contractor will provide suitably qualified operative(s) and hand tools, or modern machinery where appropriate, in order to carry out street sweeping/cleaning for a minimum of 60 hours per month all year round and that:
- b) the tasks to achieve the necessary level of cleanliness will include:
 - Sweeping gutters and pavements up to buildings and frontages to remove loose dirt and weeds
 - Picking up litter and removing dog excrement from pavements
 - Twice-yearly spray weed killer on pavement edges followed, after appropriate period, by removal of dead plant material

The current weekly schedule is attached as Appendix B.

Street Maintenance Complaints:

The complaints received are varied and to some extent contradictory but themes are:

- a) High St is not sufficiently swept around the benches, litter bins and bus stops
- b) The litter picking crews are teams of two who, in many places, finding very little litter to pick up in the end just walk along doing very little.
- c) Sudbury Rd verges are full of litter and detritus from traffic e.g. bits of tyre and wheel trims.
- d) The cleaning is biased towards the centre of the village.

LAVENHAM PARISH COUNCIL:

The Clerks observations are:

- a) Litter is picked up from the main streets each week, the bus stops are not full of discarded items which have been there for weeks.
- b) The quality of sweeping is poor.
- c) The amount of litter on the residential streets is minimal and is very often picked up by local residents. A random inspection on 23rd October found four items of litter on Spring St, two items of litter on Lower Rd, two items on Hall Rd, one item in Weavers Close and an insignificant number of items on Meadow Close. I did not walk entirely around Meadow Close.
- d) Verges on Sudbury Rd and Bury Rd and to a lesser extent Melford Rd contain litter.
- e) It is not reasonable to suggest the contractor manually sweep all streets in Lavenham and the costs of mechanised sweeping cannot be justified.
- f) Weeds and moss are more of an issue.

Weeds and Moss:

Suffolk say that they do twice yearly spraying from a quad bike of the kerbs (the road and the pavement sides) and the back of a footpath where a building or wall is present. They do not treat the weeds if the back of the footway is a verge. The sweeping of the gutters of the roads is a Babergh responsibility.

All of these tasks come in for regular complaint with allegations that Suffolk do not do the work they say they have done. It is acknowledged that the Suffolk weed removal collapsed in 2023 partly due to a change in the weed spray used which has now been reversed.

The 23rd October random inspection showed weeds and moss on Spring St, High St, Bury Rd by the railway bridge and Meadow Close among other locations.

It is suggested that residents are much more likely to pick up a crisp packet etc than find their weed spray, shovel etc to remove weeds.

Suggestion:

- a) No changes to the weekly schedule
- b) Sudbury Rd, Bury Rd, Melford Rd as far as the National Speed Limit signs are picked every other week.
- c) Weed spraying and removal is done four times a year (between April 1 and September 30) on all roads on the list with the Contractor submitting a revised list each week to the Clerk detailing which roads have been done in which weeks.

Pricing Suggestions:

The Contractor must set out their pricing for each item on the Green Maintenance schedule, each item a) to c) on the street cleaning schedule above and for the Water St maintenance to give Council a full understanding of the costs of each item.

Contract Suggestions:

The Contractor gives prices for a three year contract and a one year contract.

Tender Regulations:

Public contracts, with an estimated value (including VAT, since 1 January 2022):

- over £214,904 (previously £213,477) for goods or services, or
- over £5,372,609 (previously £5,336,937) for public works (construction),

must comply with the full requirements of the Public Contracts Regulations 2015 (which will be replaced by the Procurement Act, when it takes effect later in 2024). These include specific tendering methods and timescales, as well as a requirement to advertise on both the [Contracts Finder website](#) and [Find-a-Tender](#) (the UK e-notification service).

Where a contract will run for several years, it is the total (not annual) value that matters.

Where the estimated total value (including VAT) is below these thresholds, but exceeds £30,000 (after 21 December 2022), a council is required to advertise the opportunity on Contracts Finder if they publish an open invitation to quote/tender. If they are inviting specific firms and not opening it up to wider competition, they don't have to advertise the opportunity on Contracts Finder (Public Contracts Regulations 2015, Reg. 110(5)(b)).

Appendix A:

Provide skilled operatives with relevant training, and certification where appropriate, using Contractor's equipment, to carry out and/or inspect for the following duties over the course of the year:

LAVENHAM CEMETERY, Bridge Street Road, CO10 9SJ

Pick litter in all areas

Cut and strim all grassed areas on a fortnightly schedule from March to October

Cut and collect grass in the lawn cemetery area

Blow, sweep, collect all hard-standing areas as and when required

Weed ashes burial area shingle

Treat/spray all hard-standing and paths for weeds and moss and remove all weeds growing after spraying has taken effect

Prune any low branches and remove any fallen branches from site

Twice yearly, lightly trim all hedges, last 6 months growth only,

including low Box hedging around ashes burial area

(collect and remove from site all arisings)

Empty and remove from site all litter in wheelie/rubbish bins and dispose

On edges and verges where there are wildflowers, strim after flowering has ceased

Visit site every two weeks throughout the growing season March to October

Total for the above 18 visits per year

Extras upon request of the Parish Council:

Price per grave, making good/turfing as appropriate

following burial

.. .. . **per grave**

Hourly rate for extra work, if and when it arises,

(minimum 2 hours work) as requested/directed by Parish Council **per hour**

THE CHURCHYARD, Church Street, CO10 9QT

Rear of the Church

Cut grass and leave arisings, includes strimming of the bank (full length, front to rear)

Avoid cutting growing bulbs and wildflowers on the bank

Strim bank after flowering has ceased

Front Churchyard

Cut and collect all grass within 3 m. of paths and walkways,

cut and discharge the centre areas

Visit site every two weeks throughout the growing season March to October

Total for the above 18 visits per year

Routine winter maintenance of Churchyard and Cemetery (4 visits)

Monthly through the off season, November to February

Prune any low branches and remove any fallen branches from site

Lightly trim all hedges (last 6 months growth only)

Collect all leaf litter, remove arisings from site

Report any damage

In Cemetery treat/spray all hard-standing and paths for weeds and moss

- remove all weeds growing after spraying has taken effect

Remove all waste, cuttings and arisings from site (Cemetery wheelie/rubbish bins)

Total for the above 4 visits per year

THE COMMON (Water Street/Lower Road) see Fig. 1, areas outlined in green

Cut all grass marked on the map supplied, throughout the season

Visit site every two weeks throughout the growing season March to October

Total for the above 18 visits per year

FIRST MEADOW, Brent Eleigh Road, CO10 9PE see Fig 2, areas outlined in red

Cut as sports field, including strimming around all obstacles and play equipment

Visit site every two weeks throughout the growing season March to October

Maintain pathway through the site

Allow wildflowers towards back of meadow to fully grow and remove once flowering season has ended

Total for the above 18 visits per year

Strimming of First Meadow

Strim all perimeter fence line to First Meadow, 6 visits (every 3rd cut to main area)

Total for the above 6 visits per year

Although all areas are combined in one contract please quote annual cost per area. All prices quoted should be exclusive of VAT.

Insurance

The Contractor is required to have professional and public liability insurance and a current Certificate of Insurance to this effect must be produced to the Parish Clerk prior to commencement of the contract. The Contractor shall indemnify the Council against any claim or proceedings for any injury or damage to any property or persons or animals as a result of negligence, poor workmanship or failure to notify the Council of any action likely to cause injury or damage to a third party.

Health and Safety

The Contractor shall accept full responsibility for compliance with Health and Safety at Work Act and all other Acts and Regulations in respect of the work comprised in this schedule.

LAVENHAM PARISH COUNCIL – STREET CLEANING SCHEDULE 2022-25

2022-25

The contract will operate on a 4-weekly basis, in 2023/24 Week 1 is week beginning Monday 3rd April.

Some streets require weekly cleaning, others on a 1 in 4 basis and others only 3 times per year. April will be Cycle 1 and March Cycle 13. Week 4 in Cycle 12 is not included in the schedule – assumed to be Christmas/New Year.

Weekly	Week 1	Week 2	Week 3	Week 4 Cycle 1,5,9	Week 4 Cycle 2,6,10	Week 4 Cycle 3,7,11	Week 4 Cycle 4,8,13
Market Place & Market Lane	Prentice Street	Bears Lane	Spring Street/Lane	Green Willows	Lower Road. (Bolton Street to junction Water Street)	Bury Road (continuation of High Street)	Frogs Hall Road to the end of dwellings
High Street	Bolton Street	Meadow Close	Hall Road	Peek Close	Brent Eleigh Road to end of pavement	Old Station Close (was The Halt)	Preston Road to the end of dwellings
Church Street	Barn Street	Tenterpiece	Harwood Place All	Artesian Close		Ropers Court	Trinity Gild
Water Street (High Street to Brent Eleigh Road)	Lady Street	Sudbury Road	Bridge Street Road	The Glebe		Park Road	Weavers Close
	Shilling Street		Melford Road	Butfield			Lower Road (Preston Road to Bolton Street)

Tasks to achieve the necessary level of cleanliness are sweeping pavements, removing dog excrement from pavements, picking up litter and twice-yearly spraying weed killer on pavement edges ie where the pavement meets a house frontage and where the pavement meets the kerb. The Council is not responsible for the cleaning and removal of weeds from the street gutter. That is a Suffolk County Council responsibility.

How the Parish Council assesses Planning Applications

Background:

At the Council meeting held on 14th December 2023 the Council formalised its long standing policy and procedure for assessing Planning Applications.

That policy did not contain any guidance concerning how site visits should be conducted despite Council having long standing rules concerning how these should be done.

Subsequent Events:

This document has been updated to include:

- a) Site visit rules. This is Appendix A in the document.
- b) A section which sets out the legal position and Government Guidance concerning how applications must be considered including explaining what 'Material Planning Considerations' actually are.
- c) Guidance to Councillors concerning interaction with the Public and the issue of pre-determination.

Council's long-standing approach to pre-application engagement has not been changed.

Motion: that the revised Policy and Procedure 'How the Parish Council assesses Planning Applications' is adopted with the Clerk Instructed to add the revised document to the Parish Council website.

LAVENHAM PARISH COUNCIL

The Role of the Parish Council in Planning Matters

1. Introduction

The Parish Council is a Statutory Consultee. As such, it is invited to consider and give an opinion on every planning application. Parish Council recommendations generally carry more weight than public comments. The purpose of this note is to set out exactly what the Parish Council's role is in all planning matters.

2. Considering Planning Applications

Section 70 (2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the statutory Development Plan, when read as a whole, unless material considerations indicate otherwise.

Comments from residents and members of the public can of course be material considerations and can include consideration of economic (inc. local employment), social (inc. health and wellbeing) or environmental impacts and effects. The planning officer, and indeed the Parish Council, will need to review the relevant planning policies and 'balance' all of these considerations and reach a view on whether to support a proposal or not.

Further advice is contained in Government Guidance 'Determining a planning application' last updated on 6th December 2023. It states:

How must elected councillors and other members of the local authority consider planning applications?

Local authority members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when considering planning applications. Where members take decisions on planning applications they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons.

Paragraph: 016 Reference ID: 21b-016-20140306

So those public views that should be taken into account relate to planning reasons - not necessarily just policy reasons.

There is no set list defining material considerations, the Local Planning Authority will decide what is deemed to be 'material'.

'Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking

- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

However, issues such as loss of view, or negative effect on the value of properties are not material considerations.

The Parish Council must recognise the limitations of its technical knowledge. When deemed necessary the Parish Council will obtain expert advice in accordance with the Financial Regulations.

All Parish Councillors, especially those on the Planning Group, are encouraged to take advantage of all available SALC training including Refresher courses.

3. **Planning Hierarchy**

Planning process and decisions are governed by the planning framework which includes:

- The National Planning and Policy Framework which sets Government direction
- Local Planning Authorities plans e.g., BMSDC Joint Local Plan which sets local district planning policy
- Neighbourhood Plans which are tailored to Parish aspirations but must reconcile to Local Plans. Emerging Neighbourhood Plans and current Neighbourhood Plans must be referenced and considered.

4. **Pre-application Engagement and Engagement with the Public**

The Parish Council may be invited to hear of plans from a prospective applicant before a formal planning application for Outline Planning Permission. This is known as a pre-application engagement. This normally arises for larger developments which may have a village wide impact. Applicants sometimes also approach near neighbours to the proposed development to inform them of the plans.

The Parish Council's role in this is **not** to comment or offer opinion **but** to listen.

The Parish Council encourages pre-application engagement, **but this must take place before a formal application is submitted to the Local Planning Authority.**

Councillors and the Clerk need to exercise care when meeting and communicating with any third parties including via social media. For this purpose, third parties include Members of the Public, Councillors and Officials of other authorities, applicants, developers and contractors.

The Babergh Monitoring Officer has advised that Councillors should 'not make any posts on social media, either in their personal or councillor capacity, about **any** potential planning applications that could be interpreted as them supporting / opposing the matter. Whilst they are permitted to show a certain level of general disposition and ask public questions, they are under no circumstances entitled to share their final views on a matter especially if they are one of the decision-makers / involved in the planning process'.

Councillors will meet and communicate with residents in their role as an individual Councillor on many occasions. Input from the public is important to ensure that Councillors understand public views when taking decisions. Nothing in these guidelines should be seen to restrict the openness of Councillors to public input. Councillors should report any concerns eg predetermination to the Clerk who may consider contacting Babergh District Council or Suffolk County Council and other statutory authorities.

5. Applications for Outline Planning Permission

Once a formal planning application for Outline Planning Permission has been submitted, the Parish Council cannot discuss the matter with the Applicant. At the meeting of the Parish Council where the Outline Planning Permission is to be considered, the Applicant (or Agent) may attend and speak in Public Time. The Planning Working Group examines the Outline Planning application and reports its finding to Council. This may include a recommendation to Council to support or reject the application.

6. Listed Building Consent

Lavenham has one of the highest concentrations of listed buildings in the country therefore listed building consent applications are quite common. Alterations to listed buildings almost always require consent. This also applies to non-listed buildings within the curtilage of listed buildings. It is advisable that Listed Building Consent is considered before any Planning Permission Application is made, to ensure a full understanding of the constraints. Generally Listed Building Consent applications are submitted at the same time as the Planning Application and considered by the Parish Council in parallel.

The documents and drawings attached to the Listed Building Consent Applications are similar to those required for planning applications, with additional details provided showing how the existing heritage structure is being affected, what materials are being used, construction methods and preservation techniques etc.

The process for assessing Listed Building Consents follows that for Planning Applications, as shown in Sections 7 and 8. The Lavenham Neighbourhood Plan provides policies protecting Heritage Assets, Protected Views and effect on the Setting of Listed Buildings.

7. Guidance to owners of Listed Buildings

It is advised to first check with the Babergh Conservation Officer whether or not consent will be needed for what the applicant plans to do. The applicant should also get an outline of what might be acceptable and find out whether ideas need to be adapted to make them more likely to succeed. This simple step could save considerable time and money. When the Babergh Case Officer considers whether to grant or to refuse an application, the officer must give

particular attention to the desirability of preserving the building, its setting and those features which make it special. The constraints on changes are dependent on the Grade of the property listing e.g., Grade I listed properties have tighter constraints than Grade II listed properties.

8. Council Processing of Applications for Planning Permission

All planning applications are listed on the BMSDC planning portal which is found here.

<https://planning.baberghmidsuffolk.gov.uk/online-applications/>.

- i. Notification of the application is received by the Parish Council Clerk and circulated to all Councillors simultaneously, to enable each to interrogate the Planning Portal in order that they are aware of the application before the Council meeting.
- ii. Where the application Consultation Expiry Date is prior to the next council meeting, the Clerk requests an extension to give the Parish council time to consider the application. This is usually granted.
- iii. Prior to the Council meeting the Planning Working Group does a detailed assessment on each application. This is done to inform the public attending the Council meeting of the content of each application and to ensure that all relevant matters are considered. A site visit may be considered appropriate. See Appendix A 'Site Visits'.
- iv. The Planning Working Group (see 8 below) prepares a report for Council, on each application with recommendations to Council. This is included in the agenda and associated documents, published before each Council meeting. Applications received after publication of the agenda cannot be considered and are deferred to the next meeting of the full Council.
- v. The full Council considers the applications and the Planning Working Group recommendations, discusses and votes to recommend approval or refusal. This is recorded in the minutes.
- vi. Following the Council decision, the Clerk submits our comments and recommendations to the Planning Portal and the Case Officer. These comments appear on the Babergh Planning Portal, along with all the application documents and all other public comments.

9 Procedure for Planning Working Group

There are three main groups of applications.

9.1 Works to trees

- i. Study the Planning Application form and drawing, explaining location of trees and details of proposed works.
- ii. Check the Babergh Interactive Mapping Service website to see if any affected trees are covered by Tree Preservation Orders.
- iii. Review any comments made by consultants or the public and take those into consideration.
- iv. If the tree/s cannot be viewed clearly from the street, arrange a site visit.
- v. Prepare a report and recommendations for Council for decision to support or object to the application.

Guidance Notes

- Regular Maintenance works on trees is normally considered to not be an issue.
- Trees in the conservation area need special consideration as detailed on the application form.
- Trees covered by Tree Preservation Order are subject to additional consideration.

9.2 Applications for Planning Permission and Listed Building Consent

- i. Review of the application form and associated documents.
- ii. Download application documents and review scope .
- iii. Check the Babergh Interactive Mapping Service website to confirm if the application
 - involves listed buildings,
 - affects trees covered by Tree Preservation Orders,
 - is in the Conservation Area
 - identify the location in relation to the Built-up Area Boundary
- iv. Review the Related Cases and Constraints. Have there been any similar applications that have been refused on the same site. Is this an amendment to a previous application? Have any permitted development rights been removed.
- v. Review any precedents for other similar applications.
- vi. Consider whether a site visit is indicated. Site visits are not always necessary, particularly when there have been previous applications for the same site. Where a visit is indicated, arrangements are made through the Clerk to the Council, for the Planning Working Group to attend the site.
- vii. Review the application proposal against policies in Lavenham Local Neighbour Plan 2016. Assess if the application conflicts with any of these policies. The documents that should be attached to applications would normally include:
 - Site location plan
 - Existing plans and elevations
 - Proposed plans and elevations
 - Proposed site plan
 - Proposed site elevations
- viii. Review the attachments to ensure the appropriate reports have been produced. They may include such documents as
 - Design and access statement
 - Visual impact assessment
 - Land contamination questionnaire
 - Land contamination report
 - Ecology report

Some documents are mandatory - **for example in a conservation area a “Design and access statement “is always required.**

- viii. The planning officer will have requested reports from statutory consultees. These reports are also examined by the Planning Working Group, in particular to see if they support the application or if they object. Typical consultees (Application dependent):
 - BDC - Planning Policy Team. In practice this means reference to the latest plan which is now the Joint Local Plan 2023

- Environmental Health - Land Contamination
- SCC - Archaeological Service
- SCC - Rights of Way Department
- SCC - Fire & Rescue
- Suffolk Preservation Society
- SCC - Rights of Way Department
- SCC – Highways
- SCC - Archaeological Service
- Heritage Team
- Arboricultural Officer
- Ecology - Place Services
- Historic England
- Natural England
- Suffolk Preservation Society

Guidance note: Not all of the above functions or organisations will be consulted on every application.

- ix. Following review of statutory consultees, public comments are considered. Those that carry weight are from residents and contain valid planning policy reasons for supporting or objecting. It is not a case of counting the number of Supports or Objects, but the strength of arguments, particularly those that make direct reference to Neighbourhood Plans or Babergh planning policies.

Once all of the documents have been considered, the Planning Working Group forms a written recommendation for the Parish council to consider. This will include justifications for the recommendations and references to policies to support the arguments.

10. Council Consideration

Councillors will consider the application, the recommendations, and any comments and reports placed on the planning portal up to 5pm on the day of the meeting. Statements offered from the public during the participation part of the meeting, will be listened to and taken into account. The vote will be recorded as a **recommendation to approve or refuse an application**.

Councillor Iain Lamont

Chair
Planning Working Group
7th November 2024

Appendix A Site Visits:

Not every planning issue will require a site visit, however sometimes it is necessary for Councillors to gain further information before submitting a formal response to the Local Planning Authority.

During site visits any contact with applicants or members of the public should be treated with caution so as to avoid lobbying or the perception of lobbying. Councillors must be allowed to view the site and to discuss the application in private whilst on site without the applicant being able to hear or contribute to Councillors conversations.

PRACTICAL ARRANGEMENTS

The Clerk should obtain permission from the site owner for the council to visit the site.

PROCEDURE

- i. The Planning Working Group and the Clerk will have determined the need for a site visit and the names of those Councillors to attend.
- ii. Members of the Planning Group will be notified by the Clerk of the time and place of the site visit, and it is recommended that the Clerk is present.
- iii. The applicant and/or landowner may be present if the site visit takes place on-site.
- iv. Members of the Public should not attend site visits, unless invited to do so by the Planning Group or Clerk.
- v. The Code of Conduct applies: Interests should be declared and Councillors should not attend if they have a disclosable interest.
- vi. The Chair of the Planning Working Group should ensure that the site visit is properly carried out, taking advice from the Clerk.
- vii. Councillors and the Clerk must be aware that the site may be covered by CCTV and other recording devices and so their conversations may be recorded with or without their knowledge.
- viii. There must be no debate, representations from groups or individuals, or decision at the site visit.
- ix. Councillors may ask the Clerk to take notes on the issues raised and the information gained on site.
- x. All points should be objective, relevant and material.
- xi. Councillors must be very careful not to express any opinions about the proposal whilst on the site.
- xii. When the chair of the Planning Working Group deems the site visit closed, all Councillors and Clerk will leave.
- xiii. The site visit will be reported to the Council.
- xiv. The Clerk or the Chair of the Planning Working Group will report to Council on any information-gathering as a result of questions raised at the site visit. The Council will take the report into account when coming to its decision.