

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 September 2023 at Lavenham Village Hall, Church Street, Lavenham.

Public Attendance

Members of the public and press are welcome to attend. At item 5 the public will be invited to give their views/question the Parish Council on issues on the agenda, or raise issues for consideration of inclusion at future meetings. This item will generally be limited to 15 mins. duration.

AGENDA

- 1. Apologies and approval of absences**
- 2. Declarations of Interest**
- 3. To consider requests for dispensations**
- 4. To approve as accurate minutes of the 3rd and 8th August 2023 meetings of the Council**
- 5. Public participation session (15 minutes)**
- 6. Local Authority Councillors' Reports**
- 7. Chairman's Announcements**
- 8. Clerk/RFO Report**
 - 8.a To receive an update on Public Realm improvements.**
 - 8.b Motion: to approve Accounts for the month ended 31 July 2023.**
 - 8.c Motion: to approve the Reforecast for the year ended 31 March 2024.**
 - 8.d.Motion to approve Receipts and Payments for the month ended 31 July 2023.**
 - 8.e Motion: to acknowledge and to publish the External Auditors Report for the year ended 31 March 2023**

9. Planning

9.a To receive an update on Planning Decisions received in August 2023.

9.b To receive a report and recommendations from the Planning Group.

10. Capital Development

10.a Kissing Gate: Motion: to approve the revised Quotation B.

10.b Green Willows Footpath: to receive a progress report.


10.c Telephone Box renovation: Motion: to approve Quotation B.

10.d Transport Working Party External Study: Motion: to appoint a Provider.

11. Lavenham Neighbourhood Plan 2

To receive a report from the Chair.

12. Date of next meeting – Thursday 5th October 2023



Andrew Smith
Clerk to the Council
Parish Office
Church St
Lavenham

Date: 1st September 2023

PARISH COUNCIL MEETING

Held on Thursday 3rd August 2023, commencing 7.30 pm. in the Village Hall.

Full reports and supporting documents can be found on the Parish Council website under Meetings, August 2023 Meeting Pack. Paper copies are also available.

Present:

Chair: Cllr Irene Mitchell.

Cllrs Alison Bourne, Frank Domoney, Iain Lamont, Mary Morrey and Jane Ranzetta.

Babergh District Cllr Paul Clover.

Ten members of the public.

1. Apologies and approval of absences

Apologies received from Cllrs Chick, Falconer and Muckian.

The Clerk reported that all absences had been explained.

2. Declarations of Interest

No declarations of interest had been received.

3. Requests for Dispensation

The Clerk reported that no further dispensation requests had been received and that all dispensation grants, as reported in the minutes of the Council meeting on 6th July 2023, remained valid.

4. To approve as accurate minutes of the 6th July 2023 meeting of the Council

Motion: to approve as accurate the minutes of 6th July 2023 meeting of Council.

Proposed: Cllr Bourne

Seconded: Cllr Lamont

Decision: the minutes of the 6th July 2023 meeting of the Council were approved as accurate.

5. Public participation session

A Member of the Public asked what action the Council is going to take to provide Allotments. The Chair responded that she would fully respond within 28 days but that Allotments were on the Agenda for later in this meeting.

A Member of the Public asked why there had been no progress on the Harwood Place Playground. The Chair explained that the land is Babergh DC owned, notwithstanding this the Parish Council had been prepared to financially support the development of the site as a playground. However, Babergh DC had refused the Parish Council's application for CIL funds explaining that the site's proximity to dwellings meant that a play area would not comply with District Council noise and disturbance protocols, that the area would only be able to provide 2-3 pieces of play equipment which would need to be targeted towards young children and the groundworks that would be required to the site would be expensive for what equipment could be provided.

A Member of the Public asked why the cost of the 20mph scheme had changed as compared to that previously published. The Chair suggested that it could be because the scheme has expanded in scope and will ask Cllr Lamont to respond in full in due course.

A Member of the Public asked what the Parish Council is intending to do to get a footpath built between Green Willows and the rest of the village. The Chair explained that she had approached Anglian Water for an easement over their land but that this had been declined. She had also spoken with District Cllr Clover as Babergh DC own a smaller piece of land in this area. When permissions are obtained the Parish Council will prepare a CIL bid.

A Member of the Public asked about the significant distances between the street lights near Green Willows with one gap being 247 metres. The Clerk explained that he would be taking this up with Suffolk CC.

A Member of the Public asked if and when the signage will be reinstated on Water St. The Chair replied that the traffic survey had been done and that the Parish Council now has the video footage and the conflicts data. Council will now review the footage to get a clear understanding of the source of the conflicts. No decision will be made without bringing a report to Council. The Chair added that the unlawful use of the road by lorries is a major issue.

A Member of the Public thanked the clerk for the full responses given to him following a letter he had sent to Council.

A Member of the Public invited the Chair, in connection with land ownership in Green Willows and the proposed footpath, to meet with him to view his Property Deeds.

6. Local Authority Councillors' Reports

Received:

An oral report from District Councillor Clover reporting that the first full meeting of Babergh DC had taken place and that two motions had been passed:

- a) To put the climate, housing and local communities at the heart of its priorities and to continue the drive to be carbon neutral by 2030. At present the programme is behind target. The motion highlighted a desire to promote public transport, walking and cycling above motor vehicle use, reduce outdoor lighting and protect bio-diversity.
- b) To create a strategic energy infrastructure via off-shore supply co-ordinated with an in-shore network and in opposition to proposed pylon line.

Cllr Clover emphasised the support available to residents from Babergh Council and the CAB, drew Councillors attention to the Warm Home Suffolk Scheme, Summer Activities for Children, the recently started Household Survey (seeking to shape future priorities and improve services) and explained that the Council will be publicising the new EV chargers to raise awareness of the bays with residents.

7. Chairman's Announcements

The Chairman reported:

- A) Mr Heeks has refurbished two cast iron litter bins, She thanked him for his much-appreciated voluntary service adding that the refurbished bins will be placed soon, after speedy consultation with local authorities about sites.
- B) That she had received a response from the Chief Executive of Babergh Council in response to her letter expressing disappointment with Officer's actions concerning the recent Cadent works. Mr Charvonia had apologised and acknowledged that matters could have been handled better.
- C) She had replied to the questions raised by a Member of the Public at the July meeting about not including land on Park Road in the Assessment of Local Landscape Sensitivity accompanying the draft revised Neighbourhood Plan.
- D) Council is in discussions with a Member of the Public and District Councillors about refurbishment of the play area in Meadow Close.
- E) A Councillor had asked what the Neighbourhood Plan referendum question would be. She had researched and the format of the question is set out in the 'The Neighbourhood Planning Referendums Regulations 2012 and is 'Do you want Babergh District Council to use the Neighbourhood Plan for Lavenham to help it decide Planning Applications in the neighbourhood area?'
- F) That Babergh District Council had approved the Planning Application at 'Carramore' which had been the subject of much discussion at the July 6th meeting of Council.
- G) That Babergh District Council had approved a Planning Application for the placement of solar panels in the Conservation Area. The Council will consider this decision at an Extraordinary Meeting on Tuesday 8th August details of which are on the front page of the Council's website.

8. Development Plan as far as April 2027**Received**

The report prepared by the Clerk.

Noted from the Report:

- a) That the planning and delivery of infrastructure can take many years from conception to completion and is commonly a fluid process
- b) Each project gives rise to a different benefit, the Development Plan seeks to describe and rank those benefits.
- c) The delivery of infrastructure requires funding and managerial resources. The Development Plan seeks to ensure that these constraints are fully considered.
- d) The Plan divides Projects into three categories, major, minor and routine maintenance
- e) The Development Plan should be considered as a 'live' document.

Discussion:

The Chair explained that all cost estimates were just that and that these would change as further information became available and assumptions were revised.

The Clerk explained that never before had Councillors opinions on which Projects should be prioritised been explicitly requested and he asked Councillors to rank the major projects with 6 being the highest score:

Project	Cllr Domoney	Cllr Morrey	Cllr Ranzetta	Cllr Bourne	Cllr Lamont	Cllr Mitchell	Total Score
Lorry Management A1141 incl Lorry Signage £30,000	4	5	5	3	6	6	29
Water Street buildouts est £120,000	3	4	3	2	2	2	16
20 mph est £25,000 to £50,000	2	1	2	1	5	5	16
Allotments est £100,000	5	3	4	5	3	3	23
Green Willows footpath. Cost Unknown	6	6	6	6	4	4	32
Tree Planting	1	2	1	4	1	1	10

Cllr Ranzetta explained that she had scored the Green Willows footpath as the highest priority as the lack of it raises public safety issues. She also highlighted the damage lorries have the potential to do to buildings, pedestrians and air quality. Allotments she considered to have many mental health and well-being benefits and all can get involved eg school children. The 20mph zone she said was maybe not the answer, speed cameras were an alternative.

Cllr Bourne echoed these points highlighting the need to increase the number of trees in an area which scored poorly for tree cover.

Cllr Lamont spoke of public safety leading his thinking, Cllr Mitchell concurred explaining that her thinking had been led by public safety, the likelihood of funding, the level of wide-spread interest and the legal duties of Council.

Cllr Morrey asked about a plan for routine maintenance. The Chair asked Cllr Morrey and the Clerk to work together to develop one.

Cllr Lamont asked whether this replaced the PIIP. The Chair explained that the PIIP was more a guide to external funders to demonstrate what had been done and our search for other sources of funding. The Development Plan does not replace the PIIP but will be embedded into it with the PIIP updated

Cllr Ranzetta asked about Harwood Place and why it was not on the list. The Chair explained that that land is Babergh owned and that Babergh had said 'no' to a community playground but that the role of the Council is to serve the community and that she was looking forward to Members of the Public coming forward to support efforts to persuade Babergh DC of the need to refurbish the Harwood Close play area and the Meadow Close playground

Cllr Domoney said that he was, in his role within the Allotments Society, preparing a design for a pollinator garden and allotment at Harwood Place for the Harwood Place Community to consider.

Cllr Ranzetta highlighted that the Co-Op are very good at funding Community issues and responding to public requests.

9. Small Heritage Fundraising Scheme

Received:

A report from the Clerk setting out Scheme rules:

- a) Projects will be chosen by Council in Public Meetings
- b) Council will determine to what extent it will match Donations.
- c) Council will use best endeavours to complete projects but if this proves not possible funds will be rolled over to the next project.
- d) Donations may be refused.

Parish Councillors Discussion:

Cllr Morrey asked whether the ways of donating had been fully thought through. The Clerk responded that this was the next stage, Cllr Bourne asked about QR codes. The Chair welcomed the idea of this cautioning that the Public were now aware of fraudulent QR codes and asked Cllr Bourne and the Clerk to consider the use of QR codes and other ways of making donations.

Motion: to approve the Scheme Rules for a Small Heritage Fund.

Proposed: Cllr Morrey

Seconded: Cllr Bourne

Decision: Approved with no votes against and no abstentions.

10. Kissing Gate Quotations

Received:

A report from Cllr Morrey detailing the quotations received and that she had spoken with the two preferred contractors and agreed an additional retention fee of 2.5% withheld until any post-completion rectifications have been satisfactorily completed,

Motion: to accept the preferred quotation B

Proposed: Cllr Lamont

Seconded: Cllr Ranzetta

Decision: Approved with no votes against and no abstentions.

11. Proposal to renovate the two listed telephone boxes

Received:

A report from the Clerk which explained why the repair of the Grade 2 listed telephone boxes would require removal of these from their sites and would be costly. Lead based paint a particular issue.

Parish Councillors Discussion:

The Chair described the poor state of the boxes explaining that she had spoken with the contractors who had explained the complexities of the work and that each had long waiting lists. Cllr Ranzetta wondered whether Members of the Public might be interested in contributing.

The Clerk explained that the decision on whether to repair them, dispose of them or to do nothing was best made when the cost of repair was known and would be brought back to Council.

Motion: To issue invitations to quote for the renovation

Proposed: Cllr Morrey

Seconded: Cllr Ranzetta

Decision: Approved with no votes against and no abstentions.

12. Planning

Received: A report and recommendations from the Planning Group.

a) DC/23/02224 – APPLICATION FOR PLANNING PERMISSION

Land North East of Briarside, Bridge Street.

Erection of a detached two storey dwelling and ancillary outbuilding utilising existing vehicular access. Located in place of the old, demolished, Police station.

Planning application B-93-00763 gave planning permission on the same site for a larger building, access is already formed and a gateway is in place

Materials & features of the properties are Red Brick Victorian Style to complement the local street scene/properties. Building is set well back from the road. No objection from any of the Consultees or Neighbours, within the Built-Up Area boundary and outside the Conservation Area and in- keeping with Policy H1 of the 2016 Neighbourhood Plan.

Recommend Approval

b) DC/23/03012 – APPLICATION FOR PLANNING PERMISSION

1 Green Willows, Lavenham

Erection of a garage/storage building (amendment to the refused DC/23/00424 'the proposed development, by virtue of its unacceptable size, scale and positioning on the site is considered to appear overly dominant and detrimentally impact the appearance of the site and surrounding area.

The proposal would be contrary to policy CN01 of the Babergh Local Plan 2006 and paragraphs 8, 126 and 130 of the National Planning Policy Framework 2022, and policy D1 of the Lavenham Neighbourhood Plan 2016.

The revised proposal is in accordance with the Permitted Development Rights :

- eaves height to 2.5 metres or less
- and the overall height cannot be more than 4 metres for a dual pitched roof

Recommend Approval as it is Permitted Development

c) DC/23/03091 - APPLICATION FOR WORKS TO TREE(S) IN A CONSERVATION AREA

River Cottage, Lower Road, Lavenham

Reduce north east section of the crown of 1No. Beech (T 1) by up to 3m. Reduce 1 No Birch (T2) to previous pruning point or slightly beyond if decay is discovered, overall reduction of 1-2m width and height all round

Recommend Approval as is routine maintenance of trees

d) DC/23/03085 - APPLICATION FOR PLANNING PERMISSION

68 Church Street, Lavenham

Erection of garden room and shed (following demolition of garage)

Garden room replaces concrete prefabricated garage thereby improving the garden.

Not visible from the road or adjacent properties.

Shed is permitted development and out of site behind a wall & the new garden room.

Recommend approval

e) DC/23/03330 - APPLICATION FOR WORKS TO TREE(S) IN A CONSERVATION AREA

Arundel House, Shilling Street, Lavenham

Notification of Works to Trees in a Conservation Area - Thin Crown and reduce Crown of 1 No.

Cherry (T1) by 30%, Fell 1 No. Yew (T2), Reduce Crown of 1 No. Oak (T3) by up to 30%. Reduce Crown of 1 No. Silver Birch (T4) by up to 30%, Reduce Crown of 1 No. Oak (T5) by up to 30% and Reshape and reduce 1 No. Bay (T6) by up to 30%

This is routine maintenance of trees T1, T3, T4, T5, T6 and we would **recommend approval**.

There is no justification in the application for felling the T2 Yew tree, we recommend pruning.
recommend refusal

F) DC/23/03467 | APPLICATION FOR WORKS TO A TREE IN A CONSERVATION AREA

The Guildhall Of Corpus Christi Market Place Lavenham

Works to 1No Hazel tree in the south east corner of the gardens, cut back large branches to the main trunk just above where there is plenty of fresh epicormic growth and bring the weight back over the main stem and encourage the new growth

Recommend Approval as is routine maintenance of trees

G) DC/23/03074 | APPLICATION FOR LISTED BUILDING CONSENT

Pie Cottage 9 High Street Lavenham

Removal of existing modern timber window and secondary glazing and replace with a new double-glazed side hung double opening casement window to match the detail of the adjacent window.

Proposed design is an improvement to the existing building and is constructed of hardwood with appearance similar to other windows in the property.

Recommend Approval

Motion: to approve recommendation of the Planning Group

Proposed: Cllr Ranzetta

Seconded: Cllr Morrey

Decision: The recommendations of the Planning Group were approved with no votes against or abstentions.

13 Progress update of Management Matters

There are two vacancies on the Council. As these arise from there being insufficient candidates at the May election these are not Casual Vacancies and so the Council is free to co-opt. The Clerk will advertise the vacancies and if there are more candidates than vacancies candidates will be voted on at a subsequent Council meeting.

The Clerk and the Chair had met with the Street Cleaning and Grounds Maintenance Contractor. The meeting had been extremely helpful, a weekly update of cleaning activity will be prepared by the Contractor and published by Council. The Contractor's responsibility for weed management (road gutter weeds are the responsibility of Suffolk CC) has been clarified on the Parish website. The Contractor is responsible for the pavement. The Contractor has been asked to maintain more regularly the weeds in the Water St Car Park and to cut down the whole re-wilding area in 1st Meadow to allow the recently planted trees to flourish and be maintained.

Fire prevention information, in a village with so many timbered houses will be put on the Parish Council website and notices prohibiting the use of barbeques will be put on Parish Council owned grassland. The Chair asked the Clerk to suggest to the Community Council that they do the same with respect to the Recreation Ground.

A complaint had been received from a Member of the Public; the Clerk will report when this complaint has been completely resolved.

13.a Draft Accounts for the month ended 30 June 2023.

Received:

The Clerk displayed and explained the Income and Expenditure Account, Balance Sheet and Reserves position commenting that there were no significant variances to expenditure and that the significant variances to Income, likely to total some £20,000 for the year, were:

- a) the receipt of the variable and unbudgeted Car Parking//Toilets donations.
- b) Interest receivable which had become more significant as interest rates have risen

Parish Councillors Discussion:

Cllr Lamont asked if Car Parking//Toilets donations had risen to pre-covid levels. The Clerk replied that they had at face value, but considering inflation donation levels remain slightly reduced as compared to 2019/20.

Motion: to approve Draft Accounts for the month ended 30 June 2023.

Proposed: Cllr Ranzetta

Seconded: Cllr Morrey

Decision: Approved with no votes against and no abstentions.

13.b Receipts and Payments for the month ended 30 June 2023.

Received: A report listing the receipts of £6,829.03 and payments £8,776.50 in the month

Motion: To approve Receipts and Payments for the month ended 30 June 2023.

Proposed: Cllr Bourne

Seconded: Cllr Ranzetta

Decision: Approved with no votes against and no abstentions.

16. Part 2 Closed Session of the Council

Motion: To require the Public to leave the meeting.

Proposed: Cllr Ranzetta

Seconded: Cllr Bourne

Decision: That the public be required to leave the meeting, approved with no votes against and no abstentions.

17. Performance Appraisal of the Clerk to the Council

Received:

A paper detailing the Clerks performance against the 3 key objectives set when he joined Council. These objectives covered:

- a) Financial Management and Reporting
- b) Reviewing the Operational procedures of the Council such as the Standing Orders and Complaints policies
- c) Improving the Councils use of IT, it's website and social media.

Cllr Morrey explained that she and the Chair had together assessed the Clerks performance against these objectives. Most tasks had been completed to a very satisfactory level. The Chair noted that some tasks remain incomplete due to mitigating factors and that in addition to the agreed management objectives, the Council was experiencing an exceptionally busy period, involving an enhanced level of administration. Cllrs Morrey and Mitchell recommended to Council that the Clerk be informed that he had passed his probationary period.

Motion: To confirm to the Clerk that he had passed his probationary period and his appointment is now permanent.

Proposed: Cllr Mitchell

Seconded: Cllr Morrey

Decision: Approved with no votes against and no abstentions.

The meeting closed at 9.50pm.

15. Date of next meetings

Thursday 7th September 7.30 pm in the Village Hall.

EXTRAORDINARY PARISH COUNCIL MEETING

Held on Tuesday 8th August 2023, commencing 7.30 pm. in the Village Hall.

Full reports and supporting documents can be found on the Parish Council website under Meetings, August 2023 Meeting Pack. Paper copies are also available.

Present:

Chair: Cllr Irene Mitchell.

Cllrs: Alison Bourne, Matt Chick, Frank Domoney, Lizzie Falconer, Iain Lamont, Mary Morrey and Jane Ranzetta.

Thirty members of the public.

Opening Statement by the Chair:

The Chair began by welcoming and thanking the Members of the Public for joining the Meeting on a very rainy night.

The Chair explained that the need for this Extraordinary Meeting was:

- a) Lavenham residents have to be made aware of the impact of a Planning Authority decision
- b) The Council needs to consider whether to accept the planning decision or challenge it

Both of those issues can only be addressed by an Extraordinary Meeting of the Council because of the non-negotiable timescales the Council has to work within.

The matter concerns a conditional decision to allow solar panels within the Conservation Area. In this particular case, the panels cannot be erected to a Listed Building application without consent. An application for Listed Building consent has now been lodged. This may or may not be approved by the Planning Authority.

The issue for the Parish Council, on behalf of all its residents, is that the conditional decision by the Planning Authority may now be applied to other properties in the Conservation Area where similar circumstances apply. The Conservation Area has been so designated for many decades and was reviewed in 2010.

The Chair reminded Council that in 2016, the community voted for its first Neighbourhood Plan. Within this plan, there are two policies concerned with this application.

- a) Policy D1 which states:
'All development proposals must be sympathetic to the setting of any individual heritage asset as well as the historic core of the village itself'.
- b) Policy ENV2 which states:
'Proposals to erect solar panels... will be supported provided they do not have an adverse impact on the historic setting of Lavenham and the character and appearance of the Conservation Area'.

It is some years since the Neighbourhood Plan was made and decades since the Conservation Area was drawn up. Since then, the initial emergence of climate change has developed into a climate emergency as declared by higher authorities as well as this Council. This has inevitably led to a tension between preserving the historic setting of the village as it has been known for the decades and centuries before and the momentum to delay the damage to our planet.

The revision of the draft Neighbourhood Plan is stronger than LNP1 and makes reference to solar panels not being located in the Conservation Area where they can be viewed from the street. This draft plan was not referenced by the Parish Council in its objection to the application dated 7th April. The draft Plan was submitted to Babergh DC on 28th April. The decision of the Planning Authority does not reference the draft Neighbourhood Plan.

Having set the context of this matter the Chair turned to specific issues relating to Lavenham-made planning policy, that is the 2016 plan.

In determining the application, the Planning Authority states that:

- a) the Panels would not easily seen from the street and is considered to be of no harm to the character and appearance of the conservation area and
- b) there is a slight departure from LNP Policy D1

Free of charge legal advice sought by the Council advises that as the Planning Officer found a slight departure from policy some harm must have been found. Yet the Planning Officer concludes no harm. This is inconsistent. It is for us to consider how important this inconsistency is.

The key issues for Council to consider are:

- a) the harm that this decision may cause to the attractiveness of the village and if this would in turn, impact upon its economic well-being and
- b) whether the harm identified is sufficiently low, that it is offset by the benefits of supporting renewable energy and addressing the climate change emergency and
- c) whether, breaching however slight, the planning restrictions placed upon a Conservation Area, encapsulated in our Neighbourhood Plan 2016 policies D1 and ENV2, is of detriment of the village
- d) the costs of pursuing a legal challenge to the planning decisions and whether this is appropriate

The Chair asked the Clerk how any properties within the Conservation Area had similar possible positions for the siting of solar panels, the Clerk replied that there are approximately thirty in area with some 600 residents.

The routine procedures for any Parish Council meeting were then taken.

1. Apologies and approval of absences

Apologies received from Cllr Muckian. The Clerk reported that the absence had been explained.

2. Declarations of Interest

No declarations of interest had been received.

3. Requests for Dispensation

The Clerk reported that no further dispensation requests had been received and that all dispensation grants, as reported in the minutes of the Council meeting on 6th July 2023, remained valid.

4. Public participation session

A Member of the Public asked whether there a fully costed risk assessment had been completed saying that in his opinion the estimate of cost could be under-stated considering the £250,000 costs incurred by East Bergholt Parish Council with respect to its Judicial Review case. The Chair responded that no money would be spent until a full risk assessment had been completed

A Member of the Public asked who the KC was so that the accuracy of the advice could be considered and that in his opinion precedent is not relevant as each planning case is assessed on its merits. The Chair responded that the KC is Paul Stinchcombe of 39 Essex Chambers. This Chambers had been recommended by the former Heritage Officer for Babergh DC.

A Member of the Public stated that in his opinion there are three key questions. Firstly, what permissions are possible in a Conservation Area, secondly whether the project met Planning Standards and thirdly did the decision meet current planning law concluding that in his opinion a design such as this sensitive to its situation deserved support.

A Member of the Public commented that her next-door neighbours within the Conservation Area had put up solar panels without seeking Planning Permission. The Chair responded that she would not answer that question now but would later.

A Member of the Public said that in his opinion it was difficult to support the idea of a climate emergency without supporting these.

A Member of the Public spoke of the 'visible from the road test' saying that these panels are only slightly visible.

A Member of the Public asked whether advice with respect to Public Relations had been obtained and costed explaining that there would be a need to carefully manage Social Media and safeguard Councillors. The Chair answered that such matters would be considered in due course.

5. Receive Report from the Chair and the Clerk concerning Planning Application DC/23/01044

Received:

The Clerk displayed the Report.

Parish Councillors Discussion:

Cllr Ranzetta explained that the Council was not against solar panels expressing her frustration that on too many occasions the Neighbourhood Plan, the wishes of the village community and the Planning recommendations made by the Parish Council had been ignored by Babergh DC.

This application she said needs to be considered in the context of those frustrations and so she had discussed this particular application with the former Babergh DC Conservation Officer, who had explained that this particular issue was a common one in communities such as Lavenham and had referred her to the KC whose advice in respect of the legal position has been tabled. The big question she said was how do we as a village move forward.

Cllr Morrey agreed with Cllr Ranzetta commenting that she had researched how places such as Venice are dealing with this issue and the new, less visually intrusive, solar panels becoming available. In her opinion bodies such as Heritage England had been slow in coming forward with guidance and policies and so unhelpful adding that notwithstanding that difficulty this Council needs a new policy.

Cllr Chick agreed that this Council had been let down by the authorities and expressed his concern in respect of the amount of money that might be involved in pursuing legal action. He said that he feared the Council was in danger of conflating broader frustrations about Babergh DC planning decisions with this decision and that perhaps the money could be better spent on other things.

Cllr Domoney reported that he was fortunate to live in a Council House with Council installed solar panels which saved him a lot of money. He detailed the proposed changes to legislation being considered by the Royal Borough of Kensington and Chelsea, the various new types of solar panels being developed and the construction of solar farms such as one by Cambridgeshire County Council at the Babraham Rd Park and Ride. He concluded by saying that in his opinion there are other things the Council should be doing before taking legal action such as this.

Cllr Bourne said that she represented the people here and that it was clear that the people here do not want to take legal action in this matter.

Cllr Falconer commented that solar panels are not as 'Green' as people sometimes think and the reason these panels should have been turned down is that they can be seen from the road. She concluded by acknowledging the views expressed in Public Participation concerning proposals for obliquely visible solar panels.

Cllr Lamont explained that he was very conscious of the appearance of the village reporting his anxiety in respect of the loss of long-term heritage views (from within and from outside the village) should solar panels become more common on the roofscape. Cllr Lamont added that in his opinion solar panels are the right thing to do acknowledging the benefits they bring to householders.

The Chair said that whilst it was her custom, as Chair, not to vote or express opinions that she was permitted to do both. She felt that this was such an occasion to give her view. She shared that that in a previous residence she had enjoyed solar panels. She explained that in her opinion the community had to consider the desire to leave a better planet for those to come whilst considering the interests of those who are here now and that the driver of this village's prosperity is tourism and as solar panels increase in number they have a deleterious effect.

The Chair invited Mr Hodges (the applicant) to speak. He showed a photograph of the building concerned explaining that the application had been turned down in 2014 and that he had been advised that an application for solar panels within the curtilage of a listed building was unlikely to succeed. He had been surprised when permission was given. He concluded by saying that each application should be assessed on its merits, suggesting that the grant was possibly a sign of changing times and highlighting the number of Velux windows which had been allowed within the Conservation Area.

In drawing the discussion to a close the Chair emphasised that she was not suggesting that there would be a 'flood' of applications for the siting of these on or near listed buildings but that the precedent would be set for similar sites. Inviting all other Councillors to speak again, Cllr Domoney commented that he was concerned by the potential costs of legal action.

Motion: Lavenham Parish Council notes with regret the decision of the local Planning Authority to approve application DC/23/01044 and after careful consideration resolves to take no further action.

Proposed: Cllr Bourne

Seconded: Cllr Falconer

Decision: Approved with six votes, no votes against and one (Cllr Lamont) abstention.

The meeting closed at 8.45pm.

15. Date of next meeting

Thursday 7th September, 7.30 pm in the Village Hall.

Agenda Item 8

Report to Council 7th September 2023

a) Public Realm

Achievements:

Toilets: Three of the Church St toilets have been out of order at some point and have had significant items replaced under warranty by the Contractors, all are now working satisfactorily. Sanitary bins have been installed in the Prentice St toilets. Performance of the cleaning contractor is monitored and is generally satisfactory. Many visitors comment that they are the cleanest public toilets they have ever seen.

First Meadow Play Equipment: The regular external report commissioned by PC identified minor but not insignificant repair needs of about £3,000, these will be actioned in the next few weeks.

Benches: Most benches have been cleaned and the remainder will shortly be cleaned. A site on Spring St has been identified and approved by Babergh DC for a new memorial bench. We are working with the Environment Agency to try and bring the Lower Rd river site back as a seating area. At PC urging the Spring St Babergh DC owned bench has been very well repaired.

Bins: Two new litter bins and two new dog bins have been purchased and installed. Two bins have been refurbished and will shortly be installed. A programme of cleaning the bins will begin shortly.

Roadway: The Bury Rd and exposed water pipe have been added, at PC urging, to the Suffolk CC repair programme.

Litter and Grounds maintenance: We are introducing regular monitoring of the Contractor; the Water St Car Park weeds have been cleared by the Contractor

Notice Board for opposite the Swan Hotel: New board purchased and will shortly be installed.

Yellow Lines: We are exploring with Suffolk Highways how to have these repainted so that better parking enforcement can take place.

Issues: A number of concerns have been reported to the Parish Council

Road Gutter Weeds: A number of letters have been received suggesting that the Parish Council has not done enough to control these. Gutter weeds are the responsibility of Suffolk CC and are treated only twice per year. We will be monitoring the work they are scheduled to do in September.

Verge cutting: We have received a number of complaints as to the verge on Melford Road and this has been reported to Suffolk CC. Suffolk CC only cut verges on roads graded below B once a year.

LAVENHAM PARISH COUNCIL:

Car Park Maintenance: A number of letters have been received complaining about weeds and dislodged brickwork in the car parks. This is the responsibility of Babergh DC. Weed clearance and brickwork repair were done by Babergh DC at PCC prompting in early summer and we have now asked for this to be repeated

Potholes: We receive a steady flow of letters on this subject. The PC reports the worst ones it comes across and helps all to log their complaints.

Overflowing recycling bins: We have reported these to Babergh DC a number of times and further bins will now be installed as the emptying frequency cannot be improved.

Cemetery Maintenance: Two letters have been received concerning the state of the Chapel and the Cemetery, We will be seeking replacement volunteers for Chapel cleaning and will purchase extra time from the Contractor for weeding and other tidying up.

Churchyard Bushes: We received a number of letters concerning the moth infestation in the Box Bushes. Two quotes have been obtained and we shall purchase a programme of action very shortly.

Street Litter and Pavement weeds: A number of letters have been received complaining about the state of the pavements. Many of these letters were in fact mainly or partly about street gutter weeds. We are introducing regular monitoring of the contractor and are considering buying extra cleaning in the autumn leaf season.

Rewilding: We received a number of letters protesting about areas being left and then about areas being cut. A rewilding policy will be developed for the next growing season.

General:

- a) The reforecast includes funds to deal with all the issues that are PC responsibility
- b) The PC welcomes all correspondence about the village environment and responds to all. The more letters we receive the more issues we will be able to action or work with Babergh DC and Suffolk CC to resolve.
- c) No street is cleaned more often than every week and most streets are cleaned monthly or quarterly. Streets will therefore not be consistently completely clean without community support or the purchase of extra cleaning hours which will have budgetary implications.

LAVENHAM PARISH COUNCIL:

b) July Accounts

Income: Continues to exceed budget with key source unbudgeted Car Parking and Toilet donations. No changes to matters previously reported. Surplus is £12k cumulative of which Car Parking Revenue is nearly £8k, Burial Revenue nearly £3k and Interest received is £1k.

Expenses: July expenses were below the levels of previous months as no one-off or irregular costs were incurred. Saving £2k cumulative.

	April Actual Mth	May Actual Mth	Jun Actual Mth	Jul Actual Mth	Jul Actual YTD	Jul Budget YTD	Favourable /(Adverse)
Precept	9,175.00	9,175.00	9,175.00	9,175.00	36,700.00	36,700.00	0.00
Babergh Cleansing Grant	891.67	891.66	1,061.33	948.22	3,792.88	3,566.67	226.21
Fixed Income	10,066.67	10,066.66	10,236.33	10,123.22	40,492.88	40,266.67	226.21
Burial Fees	70.00	3,300.00	870.00	682.00	4,922.00	2,000.00	2,922.00
Car Park and Toilet Donations	1,974.15	1,734.85	1,824.10	1,880.05	7,413.15	0.00	7,413.15
Other Donations	0.00	407.63	0.00	0.00	407.63	0.00	407.63
EV Charging Income	100.00	100.00	50.00	49.54	299.54	400.00	-100.46
Interest Received	0.00	748.23	250.00	250.00	1,248.23	0.00	1,248.23
Variable Income	2,144.15	6,290.71	2,994.10	2,861.59	14,290.55	2,400.00	11,890.55
Total Income	12,210.82	16,357.37	13,230.43	12,984.81	54,783.43	42,666.67	12,116.76
Management Costs	5,186.03	4,375.79	3,751.40	3,154.40	16,467.62	17,133.33	665.71
Office costs	1,371.74	542.68	1,210.24	411.69	3,536.34	3,700.00	163.66
Costs of Democracy	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Street Cleaning and Green Maintenance	2,311.87	2,493.79	2,601.87	2,579.62	9,987.14	10,585.00	597.86
Public Realm	878.67	853.67	1,573.67	700.37	4,006.39	5,173.33	1,166.94
Toilet Costs	702.94	1,606.19	1,324.35	1,061.63	4,695.11	5,716.67	1,021.56
Misc	389.17	1,437.95	517.05	389.17	2,733.33	333.33	-2,399.99
Community Events	0.00	0.00	0.00	0.00	0.00	500.00	500.00
EV Costs	310.03	77.51	78.08	46.03	511.65	400.00	-111.65
Contingency	0.00	0.00	0.00	0.00	0.00	833.33	833.33
Total Costs	11,150.44	11,387.57	11,056.65	8,342.90	41,937.57	44,375.00	2,437.43
Surplus/(Deficit)	1,060.38	4,969.80	2,173.77	4,641.91	12,845.86	-1,708.33	14,554.19

Motion: to approve Accounts for the month ended 31 July 2023.

LAVENHAM PARISH COUNCIL:

c) Reforecast

Income: Has been reforecast considering the actual income of April to August leading to a £25k increase in expected income for the whole year. £12k of this has been achieved and £13k is expected to be achieved.

Expenses: Have been re-budgeted considering the actual numbers for the first four months and the public realm issues identified. Extra costs of £19k have been forecast.

The key changes are:

£9k extra for Street Cleaning, Arboreal management and Play Equipment maintenance

£2k extra for street furniture maintenance

£5k extra for unbudgeted or underbudgeted business rates

£1k extra for Clerk Cover and £1k extra for LNP Printing and Expert Advice

£5k saving for PWLB interest, only the interest is an expense not the total repayment.

£6k extra for Grants.

Remaining surplus £6k to fund Kissing Gate (which is a Capital item) should the council decide.

	Fav/(Adverse)	
Budget		-120.00
Car Parking Donations	18,313.15	Gradual tail off assumed during winter months
Interest	3,248.23	£750 received Q1
Burials	2,922.00	£500 per month assumed in out months
Other Income Items	585.81	Donations for Parish Clerk leaving do
Income variances	25,069.19	25,069.19
Management Cost	-1,000.00	-1,000.00 Cover for Clerk
LNP Costs	-1,500.00	-1,500.00 Printing and Expert Advice
All Training/Cllr expenses	-1,000.00	-1,000.00 Planning Training
Green Maintenance	-1,000.00	Cemetery Maint £1,000
Tree Maintenance and Care	-2,000.00	Care of Bux Bushes
Street cleansing	-1,300.00	Autumn leaf sweeping
Refuse collection bins & dog bins	-1,100.00	Resiting and maint of bins including £700 in out months forecast
Play equipment	-3,200.00	Play Equipment repairs and 1st Meadow Bridge repairs per quote
Street Cleaning and Green Maint	-8,600.00	-8,599.99
Street furniture	-2,000.00	Bench clean and other minor repairs, £820 in out months forecast
Street Lighting energy	2,000.00	Assume £6000 for year for Street Light Energy and Maint
PWLB interest	5,000.00	Interest is £200 per mth, now excludes capital repayments
Public Realm	5,000.00	5,000.00
Office Business Rates	-1,000.00	Budget contained estimate, revised considering similar buildings
Chapel Business Rates	-1,620.00	Accrual Chapel St Business Rates due to having multiple properties.
Water Street Business Rates	-2,550.00	Accrual Water St Business Rates due to having multiple properties.
Misc	-1,048.78	Cost of leaving do for Parish Clerk offset by Donations
	-6,218.78	-6,218.78
Grants		-6,000.00
Total Cost Variances		-19,318.77
		5,630.42

Motion: to approve the re-forecast for the year ended 31 March 2023

LAVENHAM PARISH COUNCIL:

d) Receipts and Payments for July 2023

<u>Premium Account</u>	
Balance Brought Forward	368,570.99
Transfer to Current Account	-10,000.00
Babergh DC Cleaning Grant	2,844.66
Transfer to Current Account	-10,000.00
Balance Carried Forward	351,415.65
Per Bank Statement	351,415.65
	0.00
<u>Current Account</u>	
Balance Brought Forward	10,519.77
Car Parking Income Cash Donations	195.00
Car Parking Income Card Payments	174.80
Supplier Payment: British Gas	-56.78
Supplier Payment: JPB Landscapes	-2,838.04
Supplier Payment: Infinity Cleaning	-846.37
Andrew Smith June Net Wages	-2,063.95
Supplier Payment: BT	-76.91
Car Parking Income Cash Donations	190.00
Car Parking Income Card Payments	176.70
Supplier Payment: British Gas	-83.35
Burial Income	462.00
Supplier Payment: Glasscubes	-60.00
Supplier Payment: Onsite IT	-449.28
Supplier Payment: Anglia Charging	-253.66
Supplier Payment: Zoom	-15.19
Supplier Payment: Command Pest Control	-174.00
Supplier Payment: SALC	-72.00
Supplier Payment: Village Hall Hire	-40.00
Supplier Payment: SALC	-144.00
HMRC PAYE	-2,364.08
Transfer from Deposit Account	10,000.00
Employer and Employee NEST Pension Contributions	-150.39
Car Parking Income Cash Donations	205.00
Public Works Loan Board Repayment	-3,759.79
Car Parking Income Card Payments	209.95
Supplier Payment: Playquip Leisure	-321.30
Supplier Payment: Seago and Stopps	-594.00
Supplier Payment: Paul Holland	-865.00
Supplier Payment: Paul Holland	-290.00
Lavenham Hub Grant	-3,000.00
Supplier Payment: Total Energies	-11.29
Car Parking Income Cash Donations	260.00
Car Parking Income Card Payments	318.25
Supplier Payment: BT	-7.73
Transfer from Deposit Account	10,000.00
Supplier Payment: Capital Road Safety	-9,932.76
Supplier Payment: Seago and Stopps	-129.60
Car Parking Income Cash Donations	200.00
Supplier Payment: Go Cardless	-43.08
Car Parking Income Card Payments	179.55
Balance Carried Forward	4,448.47
Per Bank Statement	4,448.47
	0.00

Motion to approve Receipts and Payments for the month ended 31 July 2023.

LAVENHAM PARISH COUNCIL:

e) External Auditors Report year ended 31 March 2023

Section 3 – External Auditor’s Report and Certificate 2022/23

In respect of **LAVENHAM PARISH COUNCIL – SF0238**

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2023; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor’s limited assurance opinion 2022/23

Except for the matters reported below, on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with *Proper Practices* and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The smaller authority has disclosed that it made proper appointment of an independent internal auditor to review the internal controls and give their conclusion during the year 2022/23 by answering ‘Yes’ to Section 1, Assertion 6. However, as was reported last year, we are aware that it failed to do this. The internal audit associated with this year’s AGAR is dated during 2023/24 and therefore the smaller authority should have answered ‘No’ to Assertion 6.

Other matters not affecting our opinion which we draw to the attention of the authority:

The smaller authority has confirmed that it has not complied with the governance Assertion in Section 1, Box 5, but it has provided the appointed auditor with an adequate explanation for non-compliance and details of the actions necessary to address weaknesses identified.

Motion: to acknowledge and to publish the External Auditors Report for the year ended 31 March 2023

Other matters:

A letter has been received from the Lavenham allotments association notifying the parish council that they:

‘have carried out a thorough evaluation of the proposed allotment site at Lavenham Walk/Norman Way.... arrived at the conclusion that that site is unsuitable on Health and Safety and Environmental Health grounds’.

9A PLANNING DECISIONS

Decisions Received August:

			Babergh DC	LPC
03085	68 Church St	Garden Room and Shed	Approved	Approval
03091	River Cottage, Lower Rd	Trees	Approved	Approval
03467	The Guildhall	Pune 1 Hazel Tree	Approved	Approval
03012	1 Green Willows	Garage, revision of 00424	Approved	Approval
01344	Land West of Bury Rd	6 Houses	Refusal	Refusal
02224	Briarside, Bridge St Rd	New House	Approved	Approval

Planning Register:

			Babergh DC	LPC
Jan				
00458	Pegtile Ct	Trees	Approved	Recommend refusal, there does not appear to be any justification for the need to fell this tree. No comment re Neighbourhood Plan.
00426	8 The Paddocks	Trees	Approved	Conditional: replacement trees. Trees all poor quality Hawthorn with many small trunks. No reference to Neighbourhood Plan.
00424	1 Green Willows	Garage	Refused	Refusal. Building footprint out of proportion compared to other garages and properties. Contrary to Neighbourhood Plan Policy D1.
00441	4 Parmenter Walk	Extension	Approved	Approval. No reference to Neighbourhood Plan.
Feb				
00774	Island House	Trees	Approved	Conditional: replacement Oak, No reference to Neighbourhood Plan.
00545	8 Ropers Court	French Doors	Approved	Refusal, modern plastic/metal type windows and doors. No reference to Neighbourhood Plan.
00529	16 Prentice St	Trees	Approved	Conditional: replacement trees. No reference to Neighbourhood Plan.
Mar				
01344	Land West of Bury Rd	6 Houses	Refusal	Refusal. Contrary to D1 and CS11 of LNP, and contrary to CR08 Babergh Local Plan, CS15 Babergh Core Strategy and LP01 and SP03 of the emerging Babergh and Mid
01094	32 Spring St	Extension	Approved	Approval, extension is outside Conservation area. No reference to Neighbourhood Plan.
01036	2 Granary Cottages	Extension	Approved	Approval, extension modest and not visible from the street. No reference to Neighbourhood Plan.
01044	Pegtile Court	Solar Panels	Approved	Refusal, Conservation area D1 and Solar Panels etc Policy ENV1.
Apr				
01821	Caustons, Bolton St	Trees	Approved	Approval
01688	46 Church St	Repairs	Approved	Approval
01753	Little Beeches	Trees	Approved	Approval
May				
02208	Tudor Cottage, 92 Church St	Trees	Approved	Approval
02214	The Old Rectory, Church St	Trees	Approved	Arborterial Inspection by Babergh DC
22/06052	25 Prentice St	Cartlodge Discharge of Conditions	Approved	Approval
22/06053	25 Prentice St	Conservatory Discharge of Conditions	Approved	Approval
02258	72 High St	Secondary glazing to 3 first floor windows	No consent required	Approval with Condition not visible from street
02259	Lower Rd	Removal of 2 conifers	Approved	Determine if 'designated parking', replacement indigenous trees.
02363	5 Lady St	Tree: 1 Hornbeam	Approved	Approval
02493	The Bays, Bears Lane	Remodel Bungalow	Approved	Approval
02450	Carramore, Sudbury Rd	First Floor Side Extension	Approved	Refusal
02303	45 and 46 High St	Trees	Approved	Approval subject to planting, nearby, of two indigenous trees
June				
02594	The Old Rectory, Church St	Trees	Approved Subject to replanting	Refusal, felling a last resort, only after a period of observation
02828	Little House, Lady St	Trees	Approved	Approval
02224	Briarside, Bridge St Rd	New House	Approved	Approval
03012	1 Green Willows	Garage, revision of 00424	Approved	Approval
July				
03085	68 Church St	Garden Room and Shed	Approved	Approval
03091	River Cottage, Lower Rd	Trees	Approved	Approval
03330	Arundell Hose, Shilling St	Fell and prune trees	Ongoing	Partial Approval
03467	The Guildhall	Pune 1 Hazel Tree	Approved	Approval
03074	Pie Cottage, 9 High St	Window Replacement	Ongoing	Approval
03523	3 Pegtile Ct	Listed Building Consent	Ongoing	Comments deadline Sep 8
August				
03637	21 Shilling St	Extension	Ongoing	Comments deadline Sep 8
03638	21 Shilling St	Extension	Ongoing	Comments deadline Sep 8
03713	Old Saddlery 93 High St	Trees	Ongoing	Comments deadline Sep 8
03803	Garden Cottage, 16 High St	Trees	Ongoing	Comments deadline Sep 8
03819	The Pound, 2 Park Rd	Extension	Ongoing	Comments deadline Sep 8
02659	Second Meadow Stables	Erection of new buildings, demolition of old	Ongoing	Comments deadline Sep 8
04089	Little Hall, The Market Place	Fell two trees	Ongoing	Comments deadline Sep 21, extension requested
Enforcement				
EN/23/00265	4 Ropers Court	UPVC windows & UPVC Patio Doors Front Balcony	Further investigation has shown these to be wooden.	
EN/23/00219	8 Ropers Court	UPVC Front Door	Now more than 10 years old. No enforcement action possible.	
EN/23/00212	25 Church St	Solar Panels	Babergh says not on wall fronting a highway so is permitted.	

Lavenham Parish Council Planning Group.

Planning Applications for consideration at LPC meeting on 7th September 2023

Item DC/23/03523 APPLICATION FOR LISTED BUILDING CONSENT

The Studio Apartment Annexe, Pegtile Court, 3 Church Street, Lavenham Sudbury, Suffolk
Application for Listed Building Consent - Installation of 12 Solar Panels to the roof pitch of existing detached annexe

Comments by 17th August – Extension granted

Style of this report

Script in italics are direct quotes from the decision on DC/23/01044. Regular script relates to comments on this application DC/23/03523

1. In the officer's report for the previous application DC-23-0144 the following comments are noted:

"The solar panels are positioned on a modern building within the site offering limited historic interest. The proposal is set back from the highway and positioned to the southern roof slope. Views of the solar panels from the highway (located to the west) and the surrounding area are therefore considered to be limited. Furthermore, there are existing buildings and structures close to the site and surroundings further limiting the wider views of the site."

OFFICER REPORT: Page 5

As such, whilst there is a slight departure from policy D1, the solar panels are not considered to result in any adverse impact to the historic setting of Lavenham, character or appearance of the conservation area or setting of listed buildings nor defined views, meeting the criteria of policy ENV2. On balance, it is therefore considered in line with the aforementioned policies that the proposal is acceptable.

2. The Parish Council has taken advice and this comment "*there is a slight departure from policy D1*" does not align up with the argument in the decision that there is No Harm. Any departure from policy D1 is not acceptable. The setting of Pegtile Court & 4 Church street are definitely affected. The Solar panels will be visible from the street, even if it is an oblique angle.
3. This objection to this application is not against solar panels as such. Nor is it in conflict with the need to take proactive steps towards eliminating the production of electricity from non-renewable sources, which the Climate Emergency requires us to do. But the planet we are trying to protect includes historic cultural features which are worthy of preservation. And we must find ways of mitigating climate change without degrading the things we wish to protect.
4. This application seeks Listed Building Consent for works which have already been granted Planning Permission. So, it is necessary to explain why the Parish Council does not agree with the Officer's conclusions when permission was granted for application DC/23/01044. The relevant text (**some of which has been highlighted in bold**) of DC/23/01044 is set out below:

*4.1 Following consultation with the BMSDC Heritage Team and following the receipt of additional information, **the application demonstrates that the proposed solar panels would not be easily visible from the Listed Buildings, nor from the street, and as such would not intrude upon the traditional context of these assets. Accordingly, the application in its present form is considered to [be of] no harm to the significance and setting of a designated heritage asset or to the character and appearance of a conservation area. Therefore, the proposal meets the requirements of the NPPF and accords with Local Plan Policies CN06 and CN08.***

Policy D1 of the Lavenham Neighbourhood Plan states, inter alia:

“All development proposals will be expected to preserve and enhance Lavenham’s distinctive character.

- In the Conservation area this means recognising and reinforcing Lavenham’s vernacular architectural heritage (as described in the supporting text to this policy) through choice of materials, height, scale, spacing, layout, orientation and design.*
- All development proposals must be sympathetic to the setting of any individual heritage asset as well as the historic core of the village itself.”*

Policy ENV2 of the Lavenham Neighbourhood Plan states:

“Proposals to erect solar panels, satellite dishes and aerials within the Conservation Area will be supported provided they do not have an adverse impact on:

- the historic setting of Lavenham;*
- the character or appearance of the conservation area, including the setting of nearby listed buildings; or*
- the Defined Views into and out of the village.”*

*Solar panels as a ‘modern feature’ are not strictly prominent within conservation areas as they can appear incongruous within the historic environment. Specifically in this instance, **given the site’s location within the prominent historic core of Lavenham Village, it is imperative that the proposal does not adversely impact the character and appearance of the conservation area.***

As acknowledged, solar panels are not typically sensitive to the historic environment. Their implantation therefore within this historic core of Lavenham would, naturally, result in a conflict with policy D1. With that said, policy ENV2 does allow some flexibility with regard to the erection of solar panels within the conservation area.

The solar panels are positioned on a modern building within the site offering limited historic interest. The proposal is set back from the highway and positioned to the southern roof slope. Views of the solar panels from the highway (located to the west) and the surrounding area are therefore considered to be limited. Furthermore, there are existing buildings and structures close to the site and surroundings further limiting the wider views of the site.

*4.2 As such, whilst **there is a slight departure from policy D1, the solar panels are not considered to result in any adverse impact to the historic setting of Lavenham, character or appearance of the conservation area or setting of listed buildings nor defined views, meeting the criteria of policy ENV2.** On balance, it is therefore considered in line with the aforementioned policies that the proposal is acceptable.*

5. Comments relating to the Officers report in application DC/23/01044 [see quotes in italicised bold] in connection with this application DC/23/03523 are as follows:

- **“The application demonstrates that the proposed solar panels would not be easily visible from the Listed Buildings, nor from the street.”***
WE DISAGREE – The application included photographs showing that the panels would be easily visible from the street, albeit at an oblique angle. The panels would also be clearly visible from two listed buildings: numbers 4 and 91 Church Street.
- **“No harm to the significance and setting of a designated heritage asset or to the character and appearance of a conservation area.”***
WE DISAGREE– The visible panels would have an adverse impact on the appearance of the conservation area, including the setting of nearby listed buildings.
- **“There is a slight departure from policy D1, the solar panels are not considered to result in any adverse impact to the historic setting of Lavenham, character or appearance of the conservation area or setting of listed buildings.”***

WE DISAGREE– There would be a full departure from Policy D1, and the solar panels would adversely impact on the historic setting of Lavenham, including the character and appearance of the conservation area, and the setting of some listed buildings. This adverse impact would also result in a full departure from policy ENV2, which states that proposals would be supported providing they do not have an adverse impact.

- ***“Given the site’s location within the prominent historic core of Lavenham Village, it is imperative that the proposal does not adversely impact the character and appearance of the conservation area.”***

WE AGREE– The adverse impact might not be considered to constitute substantial harm. However, the site’s central location within the conservation area should be recognised, as evidenced in paragraph 6.5 below. This indicates that if approved, the proposal would be very likely to cause significant harm.

6. In determining applications for works to a listed building, bearing in mind their significance and the impact of the proposal on that significance, Historic England (Advice Note 16) advises that local planning authorities must take account of:
 - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses, consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.

6.1 The development proposed would clearly not make a positive contribution to local character and distinctiveness. But the works are likely to improve the modern-day functioning of a building, and thereby contribute to the continuation of Lavenham as a sustainable community. They could also have a positive or negative impact on Lavenham’s economic vitality.

6.2 Historic England also advises that, when ‘considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given (by the local planning authority) to the asset’s conservation (and the more important the asset, the greater the weight should be)’.

6.3 Historic England advises as well that, where works are proposed which would lead to harm, local planning authorities should follow the NPPF; any harm or loss of significance would require clear and convincing justification. The NPPF points out that ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (in this case a listed building in a conservation area), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’. These benefits are defined in the Planning Policy Guidance (PPG) as ‘anything that delivers economic, social or environmental objectives as described in the NPPF’, and which are ‘of a nature or scale to benefit the public at large and not just be a private benefit’ (see PPG, paragraph 020). Solar panels applied to this property will principally be of benefit to an individual property owner only. The public benefit of this application would be the increase (albeit marginal) in the proportion of electricity generated by renewable energy. Although it must be recognised that energy (which may have been generated from non-renewable sources) is consumed in the manufacture of solar panels, and that further energy would be consumed in their delivery and installation. The public disbenefit would be the significant harm described above.

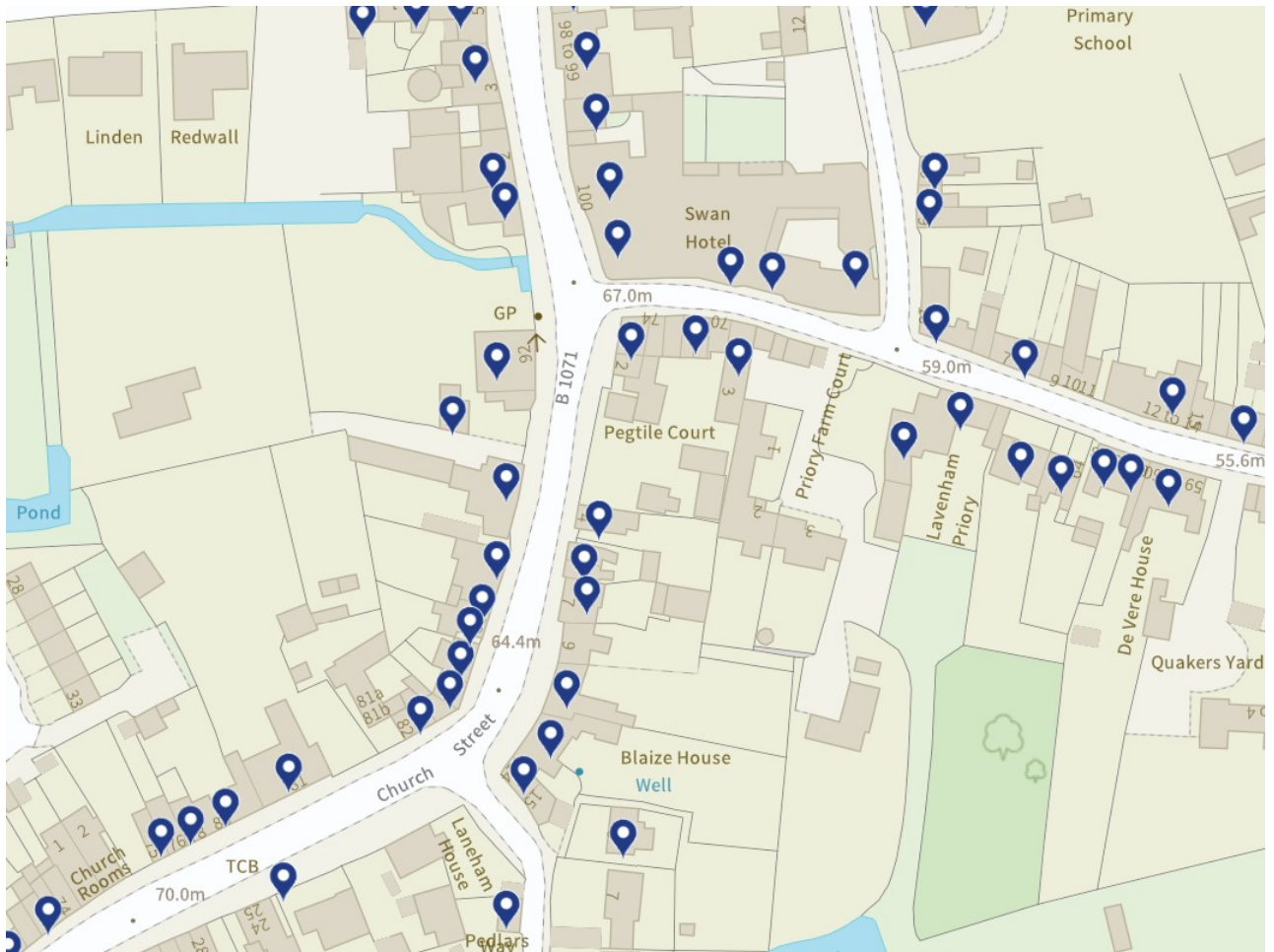
6.4 There are over 200 listed buildings in the village. Lavenham’s economy is driven by local, national and international tourism. There is no hard evidence to confirm why Lavenham receives visitors in significant numbers, but it is reasonable to assume that the presentation of the village is a principal draw. In turn visitors spend in local shops, hospitality and services. Although slightly historical, Babergh DC research produced in 2017, indicates visitors contribute upwards of £7m to the local economy. Babergh DC published strategy, CULTURE,

HERITAGE & VISITOR ECONOMY STRATEGY FOR BABERGH & MID SUFFOLK DISTRICTS 2023-28 displays a Lavenham street scene on its front cover. This indicates the importance of the heritage-built form of Lavenham to the 21st century economy. If, through breaches of long held policy on additions to heritage buildings, the look of Lavenham were to change and the degree of change became significant, its economy may be placed at some risk.

6.5 Babergh District Council's, Heritage Team Standing Advice for minor development in Conservation Areas and within the grounds of Listed Buildings 2021 states on page 8:

'Alternative schemes – perhaps involving outbuildings positioned further forward in the plot or along frontages – would need to be carefully scrutinised to ensure that the development does not compromise the character of the area or the setting of listed buildings.'

The above advice from the Heritage Team does not appear to have been taken on board. Within a short distance of 3 Pegtile Court, which can be viewed from the street, there are at least 18 listed buildings comprising multiple addresses and only 2 appear not to be listed. Those numbers include 3 properties on the south side of Water Street and 15 in Church Street. A map is shown below.



Reference: Historic England

- 7 The decided upon application DC/23/01044 does not appear to have taken into account the Heritage Team's own standing advice. This is deeply regrettable. The decision does not demonstrate alternative, less harmful solar options were explored, meaning conflict between the conservation of heritage assets and the proposal has neither been minimised nor avoided. These options could have included:
 - Siting solar panels where they would genuinely not be visible to the road or to nearby listed buildings, in particular 4 Church Street.

- Solar devices that are not 'traditional' panels but are disguised to blend into their setting.

And if, in the applicant's opinion, these options are not available or not acceptable, the reasons why have also not been explained. Hence, the identified harm that the proposal would cause has not been properly justified.

8 For the reasons explained above and on balance, this application should be rejected.

Recommend refusal as the proposal is not compliant with D1, as commented by the officer in the previous application DC-23-0144.

Item DC/23/03637 APPLICATION FOR PLANNING PERMISSION

21 Shilling Street, Lavenham, Sudbury, Suffolk CO10 9RH

Householder Application - Erection single storey rear extension and relocation of side entrance garden gate.

Comments by 24th August – Extension granted

This application is for a modest extension to an existing kitchen extension, utilising the existing windows and doors on the current kitchen extension. Visually it makes the existing extension longer. It is entirely behind the property and considered a sympathetic addition to the historic parts of the building.

Recommend approval

Item DC/23/03638 APPLICATION FOR LISTED BUILDING CONSENT

21 Shilling Street, Lavenham, Sudbury, Suffolk CO10 9RH

Erection of single storey rear extension and relocation of side entrance garden gate entrance garden gate.

Comments by 24th August – Extension granted

This application is for a modest extension to an existing kitchen extension, utilising the existing windows and doors on the current kitchen extension. Visually it makes the existing extension longer. It is entirely behind the property and considered a sympathetic addition to the historic parts of the building.

Recommend approval

Item DC/23/03713 APPLICATION FOR WORKS TO TREE(S) IN A CONSERVATION AREA

The Old Saddlery, 93 High Street, Lavenham, Sudbury Suffolk CO10 9PZ

Notification of Works to Trees in a Conservation Area -Fell 1 No. Cherry (T1), Raise crown of 1 No. Cherry (T2) by 1-1.5m and reduce x1 branch by 1.5m

Comments by 28th August – Extension granted

The application involves regular maintenance of Cherry Tree T2 which is acceptable. The felling of a self-set dying Cherry Tree very close to an old wall is acceptable as there is no space for it to grow and it will damage the listed boundary wall.

Recommend approval

Item DC/23/03819 APPLICATION FOR PLANNING PERMISSION

The Pound 2 Park Road Lavenham Sudbury Suffolk CO10 9TX

Householder Application - Erection of single storey rear linked extension.

Comments by 8th September

This extension is at the rear of this modern property, linking the existing house to the Garage & providing a garden room, study & utility room. It cannot be viewed from the road and does not affect adjacent properties. It is not in the conservation area.

Recommend approval

Item DC/23/03803 APPLICATION FOR WORKS TO A TREE IN A CONSERVATION AREA

Garden Cottage 16 High Street Lavenham Sudbury Suffolk CO10 9PT

Reduce 1 No Silver Birch (Betula Pendula) on north side by up to 2m to maintain clearance over parking bays.

Comments by 8th September

The location of the property or tree is not clear from the documents submitted. A poor quality photograph of a computer screen is not acceptable.

Recommend refusal pending a site plan/sketch of the tree and the precise location

Item DC/23/02659 APPLICATION FOR OUTLINE PLANNING PERMISSION

Second Meadow Stables Brent Eleigh Road Lavenham Suffolk

(Access to be considered) Erection of wellness centre (Sui Generis Use). Removal of existing structures.

Comment by 8th September

There has not been any pre-application consultation with either the Parish Council or Lavenham Community Council which provide from its facilities at the Village Hall and Lavenham Sports Fields, a range of sports, exercise and well-being services, offered by both local and visiting practitioners. There may be a need for a wider range of complementary quality leisure opportunities to serve Lavenham Ward and availability of such, would be welcomed, provided it would not conflict with well-established community provided services and place them in jeopardy.

The location of the proposal presents significant challenges that would need to be overcome before any serious consideration is given to this application.

Issues of concern

1. In relation to policy CS11 - Pedestrian access is not available. The current public footpath by the River Brett is prone to flooding, is overgrown and not maintained. This issue was also cited as a reason for refusal of Application DC-21-00961. The applicant is citing this as easy pedestrian access. It is not.
2. The roadway (the A1141) is narrow and there is no footway for approx. 0.25 miles in the area of the national speed limit. The only practical pedestrian arrangement acceptable is a new footway on the east side of the A1141 to meet with the existing footway on the west side of Brent Eleigh Road.
3. The public transport links cited in the report are inaccurate, there is no public bus travelling Brent Eleigh Road. The nearest regular bus stop is approximately 0.6 miles away on the High street.
4. The proposal will attract significant additional traffic in Water Street which is already a significant pressure point. The other access route through the village from the north on Lower Road is narrow and further traffic movements are considered not advisable. Traffic from the south using the A1141 would have no impact. Additional vehicles using the B1071 from the south would adversely impact on Water Street.
5. The second meadow is in the Zone3 flood plain – a high risk of flooding, Pluvial or Fluvial as detailed in the Flood Risk Assessment. Parts of the site such as the swimming pool and common room/café would flood.
6. This does not meet with policy CS1 & CS22. The development is located outside the Built-Up Area boundary and inside the Special Landscape area. As described in the 2016 Neighbourhood plan and on the Mid Suffolk interactive map. It needs to be noted that it is not a residential application but a large business development which will have a great visual impact.

Smaller developments on this site have been previously rejected on this site for this reason such as DC-21-00961

7. Copied from the previous application decision DC-21-00961 the officer's report makes the following comment:

"Policy CS15 is a long, wide-ranging, criteria-based policy, setting out how the Council will seek to implement sustainable development, including to minimise the need to travel by car using alternative means and improving air quality. Whilst the main settlement of Lavenham is well connected with the surrounding settlements via the local highway and bus network. The site itself, as outlined above, has poor links to the services within the village itself. Although a footpath is located adjacent to the north of the site, the footpath is not well lit, and is not considered a viable or practical linkage to the services of Lavenham. Therefore residents will be reliant on the private motor vehicle, in order to access opportunities for employment, recreation and leisure."

This application will create additional vehicular traffic from those living within the village for reasons stated in 1 and 2 above. The developments would also create additional vehicular movements originating from further afield.

8. This application does not provide a landscape and visual impact assessment as required by the Lavenham Neighbourhood Plan 2016 Policy H1. Copied from the previous application decision DC-21-00961 the officer's report notes:

"Policy H1 of the Lavenham Neighbourhood Plan expressly states; "A landscape and visual impact appraisal 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. In all areas outside the settlement, development proposals would have to demonstrate due regard to the particular sensitivities identified in the Landscape Character Assessment and seek ways to effectively mitigate against potential harm. In areas with higher sensitivity, where there is low capacity for development, this is particularly critical". The site sits within LAV7 and therefore requires a Landscape Visual Impact Assessment / Appraisal, however the application fails to include such documentation, thus landscape harm (through the tests of the NP) cannot be ruled out. In the absence of such assessment / appraisal, harm cannot be materially discounted, therefore the scheme fails the test of H1."

9. The application does not take into account that the emerging revision of the Lavenham Neighbourhood Plan 2016 places this site in the ALLS(Areas of Local Landscape Sensitivity). This means that any building on the site would have to be creatively and sensitively constructed to minimise or negate harms to the ALLS.
10. The aspiration referred to by the applicant as a social enterprise is viewed as positive. However, there is no detail from the applicant to demonstrate this intention or support this assertion.
11. Lavenham Parish Council appreciates that some 12 residents of Lavenham have provided written support for the application but the majority of those in favour of it, are from other communities and may not have an appreciation of the site.

Recommend Refusal as the site is not suitable for the reasons stated in 1-10 above.

Agenda Item 10a

Report to Council 7th September 2023

Kissing Gate Quotation

- 1 At the Council meeting of 3rd August 2023 Council approved a quote from Contractor B of £4,388.
- 2 Unfortunately this quotation had been misinterpreted, the amount quoted by the supplier was treated as being VAT inclusive and was divided by 1.2 (as the Council can we recover VAT) when the quote was actually VAT exclusive. The motion should therefore have been £5,266.
3. Additionally the quote has now expired and consequent of raw material increases, including the 2.5% retention, the quote is now £5,678.

4. Proposal

That the Parish Council is asked to accept the preferred revised quotation B

Proposed: Councillor Mary Morrey

Green Willows Footpath and Additional Street Lighting

1. Pedestrian access to Green Willows is only possible by using the carriageway on Melford Road. A footpath to link Green Willows to Harwood has been 'on the table' for some years. There was an expectation that a footpath would be developed at the conclusion of the Peek Close development. A drawing shown at Appendix 1 was prepared showing two Options A and B. Option A was preferred. This would require an easement over land owned by Anglian Water, tapering to join land shown in yellow, stated as belonging to Babergh. Anglian Water have refused an easement for the 2nd time.
2. Ownership of the path running alongside 59 Green Willows is now in doubt. The owners of 59 Green Willows have kindly shared the deeds to their property. Although these have not been examined in detail and Babergh Property Services have not yet been approached for their opinion, it appears that the path is in the ownership of 59 Green Willows. The owners were prepared to allow public access over this footpath to link to a bridge over the ditch, if that was the only way the public can safely walk from Green Willows to link with footpaths in Harwood. However, this will not work for a number of reasons.
 - a. The path does not measure 1.8m in width for its whole length (a measurement apparently approved by SCC as noted on the drawing).
 - b. It would mean hedging belonging to No 59 would be reduced or lost and understandably, the owners are not happy with that outcome.
 - c. It would lead again to requiring an easement from Anglian Water which has been refused twice.
 - d. Where the path ends at the eastern edge it would have to go over a bridge to cross the ditch. The ownership of that land is not yet known but believed to be SCC.
 - e. Option A, once it has emerged from Green Willows, is not directly opposite the Harwood Place footpath so no link is possible. It would mean having to cross a road diagonally.
3. The above has led to the conclusion that Option B is the only possibility. This has its attractions and its obvious drawbacks. In favour of it:
 - a. Is simplicity. It links neatly with existing paths in Green Willows, can be positioned almost directly opposite the existing Harwood footpath.
 - b. Would avoid multiple land negotiations.
 - c. Would avoid the owners of 59 Green Willows having pedestrian traffic on their boundary.
4. Residents have requested streetlighting is extended from Harwood to the entrance of an existing footpath within the Green Willows. This must be considered in the interests of public safety. The Parish Council placed a footpath for Green Willows at the top of its preferences for infrastructure development at its meeting on 3rd August 2023. Design of a footpath would likely mandate lighting, therefore the schemes should be linked. During September 2023, The Clerk and Chair along with local authority Councillors aim to meet with residents who have raised this issue, with the aim of preparing a proposal for Council's consideration.

Council is asked to note this report

Clerk to the Council

Agenda Item 10 c

Report to Council 7th September 2023

Telephone Box Quotations:

- a) Three Suppliers were asked to quote for the refurbishment of the telephone boxes.
- b) Contractor A estimated: £6,915
Contractor B estimated: £12,400
Contractor C estimated: £9,715.
- c) Contractor A, a one-person organisation, is unable to commence work until Summer 2024, the other contractors are able to start work on payment of deposit.
- d) Only Contractor B has offered a guarantee as to their work.
- e) The quotations submitted by Contractors A and C do not include the full removal and reinstallation of the telephone boxes. These quotes cover only the refurbishment of the boxes and the transfer of the boxes to and from site and do not include the breaking up of the concrete plinth, the immediate (so as to avoid accidents in the High St) repair of the concrete plinth when the telephone box is lifted away and the attachment of the new telephone box to the new plinth.
- f) Contractors A and C have made it completely clear that they are not interested in the construction work.
- g) Contractor B is the only supplier who has quoted for a turnkey service, accepting any quote other than Contractor B would involve the PC finding and engaging a builder and Project Managing their interactions.
- h) Accepting either Quote A or Quote C is beyond the capacity of the Council at this time and would add both financial and operational risk to the project.
- i) All suppliers require the PC to disconnect and reconnect the electricity.

Proposal:

The Parish Council is asked to accept the preferred quotation B with a contingency added of £1,600, total cost £14,000 to cover minor variations consequent of the final detailed discussions with the supplier and any costs of making good nearby private property.

Proposed: Cllr Morrey

LAVENHAM PARISH COUNCIL:



Invitation to Tender for the Restoration of Two Telephone Boxes, Lavenham, Suffolk

Lavenham Parish Council invites proposals to fully renovate two Grade 2 listed K6 Telephone Boxes. The village of Lavenham is a nationally renowned heritage settlement of mediaeval and other historic buildings and characteristics.

The intention is that both phone boxes when restored, will serve as focal points of interest for residents and visitors. Their purpose will be to display information about historical figures who had association with Lavenham. The transoms will display their names with a brief story board attached to the non-glazed panel. These details will be confirmed at the point of Contract.

Box 1 – Outside New House, Church Street, Lavenham CO10 9QT7

This K6 Elizabeth Crown box appears in very poor condition located on a pavement, within around 20cms distance from a wall fronting a private property. Placement date is not known. Electrical supply has been disconnected. The door is open. Full replacement glazing is required.

The pavement is a busy pedestrian walkway. Parking can be arranged on the highway which is the B1071.



LAVENHAM PARISH COUNCIL:



Box 2 – High Street, near Co-op Lavenham CO10 9PT

This K6 Georgian Crown box is located on the pavement at a distance of around 60cms from the wall of a private property. There is also a fixed litter bin placed within 50cms. Date of manufacturer and placement is not known. The door is currently padlocked but arrangements are in hand to have this opened. If electrical supply remains this will be disconnected prior to Contract. Full replacement glazing is required.

The pavement is a busy pedestrian walkway. Parking can be arranged on the highway which is the B1071.



LAVENHAM PARISH COUNCIL:

Tenders must include:

1. Details of proposals to fully renovate and finish with BS538 paint and safety glass to standard BS 6262
2. Preparation measures that the Council would need to fulfil, prior to removal for renovation off-site
3. Timescales for completion of the renovation and re-installation
4. Testimonials from previous clients from which the Parish Council will select to contact for references
5. The duration of the price quoted
6. Details of deposits required and arrangements for return of the same in the event of business failure or Council cancellation
7. Guarantees for the completed work
8. The Council is not obliged to enter into a Contract for Service following receipt of prices. Depending on costs, **the Council may choose to have this work phased.**
9. **Please supply pricing arrangements as follows:**

For Box 1

- Collection and delivery
- Full renovation
- Transom naming
- Optional additional costs for display board

For Box 2

- Collection and delivery
- Full renovation
- Transom naming
- Optional additional costs for display board

For both boxes simultaneously

- Collection and delivery
- Full renovation
- Transom naming
- Optional additional costs for display boards

10. Closing Date

Proposals including full costs and timescales to completion should be submitted by **5pm Thursday 31st August 2023** to:

Andrew Smith, Parish Clerk
Lavenham Parish Council
Church Street
Lavenham
Suffolk CO10 9QT
Email: Andrew.Smith@lavenham-pc.gov.uk

11. Tenders may be submitted by email but MUST include the following in the subject

LAVENHAM PARISH COUNCIL:

reference:

TENDER

12. Any questions concerning the location, condition of the telephone boxes or any other matter of clarification may be referred to Irene Mitchell at irene.mitchell.lpc@gmail.com or telephone 07990 595091

Response to Invitations for a Quotation for Traffic Study

1. Council agreed on 6th July to issue invitations to provide a quotation. This was sent to 3 providers, on 21st August with a return date of 6th September.
2. Two providers were invited for the first occasion and a third for an up-to-date quote.
3. All quotes have been invited on the basis of Section 5 of the report from the Traffic Working Party approved by Council on 6th July 2023 which sets out the Council's expectation of the outputs from this study.
4. The quotes should have been invited in the days following the July decision, but due to holiday absence and administration pressures, this was unavoidably delayed. It is important that the selected provider visits Lavenham during the summer to enable a view to be formed of traffic in Lavenham during a busier period.
5. In order to give providers a reasonable timescale in which to respond, quotations are not available to publish in advance. However, at the time of writing we have confirmation from all providers that quotes are in preparation and the deadline will be met. By exception therefore, the outcome will be verbally reported at Council.
6. Arrangements have been made for the quotes to be opened on 6th September by the Clerk, in the presence of District Councillor Maybury Chair of the Traffic Working Party, a Parish Councillor and members of the Traffic Working Party, following which those persons will conduct an evaluation of the quotes and reach a recommendation for Council.
7. The Clerk will orally report the outcome of the evaluation and the recommendation on 6th September.

Motion: Council is recommended to appoint Provider [to be inserted]

Andrew Smith
Clerk to the Council

Lavenham Neighbourhood Plan Review (LNP2)

1. The purpose of this report is to set out the next steps in the process of the Lavenham Neighbourhood Plan Review.
2. The Regulation 16 consultation on LNP2 has now closed. Babergh received some 30 representations. Those can be seen by the public on the Babergh District Council website.
3. The Council, as the Qualifying Body (QB), will examine the representations made by the public to Babergh **and respond to those representations only**. The QB will continue to be supported by the LNP Review Group and external planning experts as required during this period.
4. An Extraordinary meeting of the Council will be called for 28th September 2023 to consider the representations and the QB response.
5. Following submission of responses to representations, Regulation 17 will commence which is an examination of the draft plan by an external Independent Examiner. This key part of the process will likely pose questions to the QB. This may be in written form or by hearings.
6. At the conclusion of Regulation 17, the Independent Examiner may put forward amendments to the draft plan in the form of a Regulation 18 Decision Statement. Both the QB and Babergh District Council will have to accept Examiner modifications or the draft plan will not proceed.
7. If Regulation 18 concludes with a final draft plan, which will be put to a public referendum of the Lavenham electorate at a date to be announced.
8. If supported in the referendum, by more than 50% of those voting, the final draft plan will be adopted and will replace the Neighbourhood Plan 2016.

Council is asked to note this report.

**Irene Mitchell
Chair**