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PARISH COUNCIL MEETING

Held on Thursday 7th September 2023, commencing 7.30 pm. in the Village Hall.

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

Present:

Chair: Cllr Irene Mitchell.

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

County Councillor: Robert Lindsay

Babergh District Cllr: Paul Clover.

Eleven members of the public.

1. Apologies and approval of absences

Apologies received from Cllr Falconer.

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. a) To approve as accurate minutes of the 3rd August 2023 meeting of the Council

Motion: to approve as accurate the minutes of 3rd August 2023 meeting of Council.

Proposed: Cllr Bourne

Seconded: Cllr Morrey

Decision: Cllr Muckian abstained reporting that she had not been present at the meeting. The minutes of the 3rd August 2023 meeting of the Council were approved as accurate with no votes against.

b) To approve as accurate minutes of the 8th August 2023 meeting of the Council

The Chair informed Councillors that a report had been received, from a Member of the Public who was present at the meeting, concerning the accuracy of the draft minutes, consequentially those minutes were being re-checked.

5. Public participation session

The Chair opened the Public Participation session reminding Members of the Public present that they could ask one question, or make a statement, for maximum of three minutes and that only matters relevant to the business of the Council could be raised.

The Chair asked who would like to speak and two Members of the Public raised their hands.

The first Member of the Public began by expressing his opposition to the Planning Application for a Wellness Centre at 2nd Meadow explaining that, in his opinion, this is a development in a flood zone which, as designed, will lead to increased flooding elsewhere.

He added that, in his opinion, the proposed development will exceed the capacity of the electricity transformer, duplicate business services already provided in this location and does not contain sufficient parking provision and so will lead to parking on Brent Eleigh Rd.

The Member of the Public highlighted that there is no pavement between the site and Lavenham and is outside the 30mph zone and expressed his concerns that there had not been an ecological survey saying that, contrary to the application, there are water voles present.

The second Member of the Public detailed that the application is for a swimming pool, gym, café and community space and the aim has been to develop a scheme which will be community focussed and sympathetic to the environment.

She reported that a plan to resolve the access issues is being developed working with Suffolk CC Highways and will be presented in due course adding that there are discussions taking place to reduce the flooding issues emphasising that she recognised that these issues needed resolving.

The Member of the Public reported that she had received a very positive email from the local MP, had welcomed the site visit by Babergh DC and has, contrary to suggestions from objectors to the proposal, no intention to convert this development into anything else.

The Member of the Public began to conclude by thanking all those who had commented on the application whether supporting it or opposing it. The three minutes had elapsed, the Chair asked the Member of the Public to return to her seat.

6. Local Authority Councillors' Reports

Received:

An oral report from District Councillor Clover following up on the written report which had been received too late to be included in the Briefing Papers but had been put up on the Parish website.

The significant matters Cllr Clover reported include:

- a) He will respond further when he has more news on a schedule to remove the Meadow Close Electrical Transformer.
- b) Capital Grant Applications of up to £10k are being accepted from constituted community groups, facilities and sports clubs for improvements or repairs to such infrastructures as village halls, play areas, sports facilities or open spaces. Deadline is 1st October 2023.
- c) Work to transform Babergh building services continues to progress with the early ending of the contract delivered by Aaron Services following review. The existing contract will be separated into two: one for heating and one for electrical. These will be handled by Baileys Heating Company and Signix respectively, both of whom have significant experience in this sector. The new procurement process is anticipated to take 12 months.
- d) The way local policing is delivered in Suffolk is changing, a new county policing model goes live in December 2023. As detailed in his report, in advance of the changes, the Police and Crime Commissioner Tim Passmore and Chief Constable Rachel Kearton are hosting a series of meetings to discuss the plans with local communities & answer any questions they may have.

Cllr Clover concluded with an update, very recently received, from the Babergh Officer responsible for HRA (Housing Revenue Account) play areas:

'The Meadow Close play area is a HRA site therefore the funding for improvement will come from their budget. We are currently working on a huge project to improve the HRA play areas in Sudbury as Nick mentioned. This will take approx. 2 years to complete. We will look at improving Meadow Close after that depending where it falls as a priority with the other HRA play area sites and the funding available. You will be aware that there has been very little funding for many years for BDC HRA play areas, as a result they are nearly all in need of updating.

In the meantime, I will arrange for the play equipment to be cleaned with our new pressure wash/ steam cleaning equipment which will improve its appearance a great deal.

To reassure you and those that use this play area we do carry out weekly safety inspections, with very detailed quarterly and annual inspections carried out by an independent inspection company. Any safety issues are dealt with urgently'.



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The Chair asked Cllr Clover to request copies of the weekly inspections. Cllr Clover agreed to request these.

Received:

An oral report from County Councillor Lindsay following up on the written report which had been received too late to be included in the Briefing Papers but had been put up on the Parish website.

- a) Footpath Green Willows: Cllr Lindsay looks forward to meeting with the Chair and others next week to discuss the potential creation of a much-needed footway connecting Green Willows with the rest of Lavenham. In advance of this he has asked Suffolk CC if a footway on the verge would be supported and they have said yes, subject to a few provisos. Suffolk CC will not provide the costs for construction or design and their contractor must be used. The permission of Babergh Council is required because it will have to go over a strip of their land.
- b) Suffolk CC predicts a £30 million deficit for the current financial year. The latest prediction, based on the first quarter of the year is for a 4% deficit on the £688m budget the council set itself in February. This is not unexpected but the council has chosen to press release this now and state that their current answer of seeking more cuts and dipping into reserves to finance shortfalls is not sustainable. All the cost pressures, inflation and interest rates were known about when the council set its budget in February and raised council tax by 4% rather than the full 5% allowed, as the Green and LibDem opposition had proposed. Their amendment was voted down by the Conservatives. The overspend comes largely in costs for children in care with complex needs and for taxi transport to special needs schools, also growing costs of elderly care.
- c) Hadleigh High School, East Bergholt High School, Hadleigh High School, Claydon High School and Farlingaye High School in Woodbridge have been identified as containing RAAC.

The Chair asked how much the further 1% increase in Council Tax would have generated. Cllr Lindsay replied approximately £3million.

Cllr Ranzetta commented that yet again Special Needs children are being blamed for budget over-spends and that if so many special needs schools had not been closed then the taxi costs would not be incurred.

Cllr Lindsay concluded with reporting that Suffolk Police have objected to the scope of the proposed 20 mph zone, this will be followed up.

7. Chairman's Announcements

The Chair reported:

- a) She had responded, in writing, to a Member of the Public's question at the Council Meeting of August 3 2023 on what action the Council is going to take to provide Allotments.
- b) Councillors have now had their first meeting with Mark Russell Senior Planner Babergh District Council. It is intended that such meetings will be held quarterly going forward. The purpose of these meetings is not to discuss individual planning applications but to be an on-going learning exercise for both parties to be aware of each other's emerging challenges
- c) As most will be aware the Council decided in June 2022 to withdraw from Grant giving due to an in-year review of the budget which was aligned to the precept set in January 2022. The Council may be in a position to re-instate grant giving later this year. On the advice of the Responsible Financial Officer, any future grants will be subject to a fair and transparent process which he will bring forward for the October meeting. This will also include criteria for the Council to consider in respect of spending Neighbourhood CIL.
- d) She had attended the Local Committee of the Guildhall this week and was pleased to report that visitor numbers to the Guildhall are improving.
- e) The Clerk and Chair had met with a representative of the Environment Agency to explore the possibility re-opening the east bank of the River Brett for a bench. This was closed some time ago to enable water voles, a highly endangered species to re-populate. She was now pleased to report that the Environment Agency have agreed that a 3-metre area adjacent to the public footpath can now be cut-back and a seat re-installed.



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- f) The Council has two vacancies and advertisements have been posted this week.
- g) Gigaclear, the organisation which has approval to provide Fibre to the Premises has reached out to the Council. The Clerk and Chair have had telephone conversation this week with their Public Engagement Officer, and James Anslow, a resident of Lavenham has been invited to join in that conversation. My thanks go to James for stepping forward and agreeing to support the Council with future discussions. The outline plan is for work to start during 2024. This is good news for Lavenham.
- h) She had met a resident today who was litter-picking in Church Street. On behalf of the Council she had extended our thanks to Gary Sullivan from Green Willows for his un-invited and thoughtful voluntary service to his community. She was aware of other volunteers who also undertake similar effort and our thanks also go to them.

8. Clerk RFO Report

a) Public Realm improvements

Received:

The report prepared by the Clerk detailing the issues with respect to the Public Realm in Lavenham, what had been done to improve this and what was planned.

Noted from the Report:

- a) Church St Toilets: Some ongoing maintenance issues, many visitors to Lavenham comment that these are the cleanest public toilets that they have ever seen.
- b) 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.
- c) Roadway: The condition of part of the Bury Rd and in particular the exposed water pipe have been added, at PC urging, to the Suffolk CC repair programme.
- d) Litter and Grounds maintenance: We are introducing regular monitoring of the Contractor; the Water St Car Park weeds have been cleared by the Contractor.
- e) Yellow Lines: We are exploring with Suffolk Highways how to have these repainted so that better parking enforcement can take place.
- f) Road Gutter Weeds: 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.
- g) Verge cutting: We have received complaints about 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.
- h) 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.
- i) 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.
- j) 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.
- k) 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.
- l) Churchyard Bushes: We have 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.
- m) 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.
- n) 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.



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Discussion:

Cllr Lamont asked whether now was a sensible time, from an arboreal point of view, to prune the box bushes in the churchyard. The Clerk responded that the advice of the skilled maintenance contractors would be followed. The Chair explained that the Council is responsible for the churchyard it having been handed over by the Church, as the law empowers the Church to do, many years ago.

Cllr Ranzetta deplored the number and size of potholes. Cllr Lamont explained that he measures the potholes he reports enabling him to assert that they meet the Suffolk Highways criteria for urgent repair.

The Chair expressed her opinion that the Council needs to improve its communications to encourage prompt and full reporting of issues to the PC and the other relevant bodies on defects including the provision of easy to access materials and the area of responsibility for each Council.

b) Accounts for the month ended 31 July 2023**Received:**

The report prepared by the Clerk containing and explaining the July 2023 financial position.

Noted from the Report:

The Clerk emphasised that the themes concerning the Council's financial position remain unchanged from previous months. Income continues to exceed budget with the key source being un-budgeted Car Parking and Toilet donations. The Income surplus is £12k July YTD of which Car Parking Revenue is nearly £8k, Burial Revenue nearly £3k and Interest received is £1k. July expenses were below the levels of previous months as no one-off or irregular costs were incurred. Saving £2k July YTD.

The Clerk presented the July Income and Expenditure Statement highlighting the key variances.

	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 the Accounts for the month ended 31 July 2023

Proposed: Cllr Ranzetta

Seconded: Cllr Chick

Decision: Approved with no votes against and no abstentions.

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c) Reforecast for the year ended 31 March 2024**Received:**

The report prepared by the Clerk of the likely financial result for the year and proposed changes to the expenditure plan.

Noted from the Report:

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. The main reason for the change is the unbudgeted Car Parking and Toilet donations which have been carefully re-forecast for the remainder of the year considering the coming Winter season.

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.

	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	<u>25,069.19</u>	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	<u>-8,600.00</u>	-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	<u>5,000.00</u>	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
	<u>-6,218.78</u>	-6,218.78
Grants		-6,000.00
Total Cost Variances		<u><u>-19,318.77</u></u>
		<u><u>5,630.42</u></u>

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The key changes recommended by the Clerk 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.

Discussion:

Cllr Ranzetta asked whether funds could be made available for replacement street signs, Cllr Lamont responded that these are a Suffolk Highways responsibility.

Cllr Lamont asked whether the repainting of plant troughs had been included within the re-forecast. The Clerk replied that it has.

Motion: to approve the re-forecast for the year ended 31 March 2024.

Proposed: Cllr Chick

Seconded: Cllr Muckian

Decision: Approved with no votes against and no abstentions

d) Receipts and Payments for the month ended 31 July 2023

Received:

The report prepared by the Clerk listing the Receipts and Payments for the month ended 31 July 2023.

Noted from the Report:

There had been no substantial receipts in the month, the next substantial receipt, the Babergh DC second and final instalment of the annual precept, is due in September.

There were no payments which required explanation.

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

Proposed: Cllr Bourne

Seconded: Cllr Morrey

Decision: Approved with no votes against and no abstentions

e) External Auditors report for the year ended 31 March 2023

Received:

The External Auditors report for the year ended 31 March 2023.

Noted from the Report:

The auditor had qualified their opinion on the basis of the previously disclosed failure in 22/23 to appoint an internal auditor for the year ended 21/22, that failure had not been repeated.

The auditor had drawn attention to the previously disclosed failure to review the Risk Register in 22/23. It had been reviewed in April 2023.

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

Proposed: Cllr Ranzetta

Seconded: Cllr Morrey

Decision: Approved with no votes against and no abstentions



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f) Other Matters

The Clerk reported that the Lavenham Allotments Association has notified the PC 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'.

Discussion:

In response to a question from Councillor Ranzetta the Chair commented that the Developer could try and identify another Allotments Association as the Local Planning Authority had put this condition on the Planning Permission. She further noted that Babergh DC would now likely decline any bid from the Council for Community Infrastructure (CIL) funds to purchase land for allotments. No correspondence had been received from the developers of the site, Hartog Hutton, concerning progress with respect to the allotments or any hand over of the site.

9 Planning

Received: A report from the Clerk detailing that no Planning Decisions made in August by Babergh DC were contrary to the recommendations of the Parish Council

Received: A report and recommendations from the Planning Group.

Item DC/23/03523 APPLICATION FOR LISTED BUILDING CONSENT

The Studio Apartment Annexe, Pegtile Court, 3 Church Street, Lavenham
Installation of 12 Solar Panels to the roof pitch of existing detached annexe
Comments by 17th August – Extension granted.

The Chair of the Planning Group explained at length the views of the Planning Group and the detailed proposed response to the Application. That proposed response is included, in full, in the Briefing papers and was sent to Councillors in advance of the Meeting.

Key points in the response include:

- a) The Parish Council has taken advice and this comment in the Officer Report on the related case DC/23/01044 "there is a slight departure from policy D1" does not align with the argument in the decision that there is No Harm. Any departure from policy D1 is not acceptable. The settings 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.
- b) 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.
- c) The Officers Report re application DC/23/01044 says:
 - 1) '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.
 - 2) '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.

- 3) '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.
- 4) 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 recognized.
- 5) 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) 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.
- 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.

The Chair thanked Cllr Lamont for his detailed explanations and commented that the map of listed buildings sent to her by Babergh DC had omitted all Grade 2* Listed buildings. This has now been corrected by Babergh DC. The Senior Planner has been advised of the correct number of Grade 2* buildings in the vicinity of this application.

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

Proposed: Cllr Ranzetta

Seconded: Cllr Morrey

Decision: Motion agreed with no votes against and no abstentions



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Item DC/23/03637 APPLICATION FOR PLANNING PERMISSION

21 Shilling Street, Lavenham.

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.

Erection of 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/23/03713 APPLICATION FOR WORKS TO TREE(S) IN A CONSERVATION AREA

The Old Saddlery, 93 High Street, Lavenham.

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.

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

Motion: to recommend approval of applications 03637, 03638, 03713 and 03819

Proposed: Cllr Ranzetta

Seconded: Cllr Bourne

Decision: Motion agreed with no votes against and no abstentions

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

Garden Cottage, 16 High Street, Lavenham.

Reduce 1No 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

Motion: to recommend refusal of application 03803.

Proposed: Cllr Chick

Seconded: Cllr Ranzetta

Decision: Motion agreed with no votes against and no abstentions



09 (1) 23 77

Item DC/23/02659 APPLICATION FOR OUTLINE PLANNING PERMISSION

Second Meadow Stables, Brent Eleigh Road, Lavenham.

(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 Zone 3 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.



09 (1) 23 78

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.

Discussion:

The Chair commented that the number of comments had increased a little since the Planning Group report was written and noted the large number of favourable comments. The Chair added that guidance from the Local Planning Authority is that local comments are given more weight.

The Chair noted the applicant's acknowledgement that the site does flood. She further noted that others had made the same observation. She also emphasised that the land is within the ALLS (Areas of Local Landscape Sensitivity). She drew attention to the fact that the applicant has been clear that she is working with the Planners to resolve issues and that this is only an Outline Plan and that many changes may be made along the way.

Cllr Domoney questioned whether the proposal is consistent with net zero and whether the site is connected to mains Gas.

Cllr Ranzetta raised her concerns that an archaeological survey did not appear to have been completed and that Roman remains had been found near Osier View. Specialist archaeologists should be consulted.

Motion: to recommend refusal of application 02659.

Proposed: Cllr Bourne

Seconded: Cllr Lamont

Decision: Motion agreed with no votes against and no abstentions

10a. Kissing Gate Quotation

Received:

A report from Mary Morrey explaining that a) VAT exclusive prices had been incorrectly considered VAT inclusive and that the price of raw materials has increased.



09 (1) 23 79

Discussion:

Cllr Lamont asked if all quotes had the same issues. The Clerk replied that one of the quotes had been ruled out for technical reasons and the other quote had the same issue and so the errors did not affect the rankings of the quotes.

Cllr Domoney asked about the Project Management resource which would be required and whether this had been considered.

The Chair replied that this is only a gate and no critical project path is indicated. A purchase order will be placed by the Clerk. The Chair incited Cllr Morrey to confirm that she would be taking a keen interest. Cllr Morrey so confirmed.

Cllr Muckian moved an amendment to the motion so that it would read 'That the Parish Council is asked to accept the preferred revised quotation B and proceeds to order this work utilising reserves or NCIL at the discretion of the Responsible Financial Officer and that any donated funds raised through Small Fundraising re-imburses the original source of funds'

Decision 1: The amendment was seconded by Cllr Chick and approved with no votes against and no abstentions

Decision 2: Motion as amended was agreed with no votes against and no abstentions

10b. Green Willows Footpath and Additional Lighting

Received:

A report from the Clerk detailing the issue, the proposed solutions, why Option B is recommended and highlighted that the Parish Council placed a footpath at Green Willows at the top of its preferences for infrastructure development as its meeting on August 3 2023.

Discussion:

The Chair explained that she would be seeking, in due course, a volunteer to project manage this scheme.

10c. Telephone Box Quotations

Received:

A report from Mary Morrey. The Clerk detailed the costs contained in each of the three tenders and explained that only Tender B is prepared to offer a full turnkey service including removal and installation. Accepting either Tender A or Tender C would lead to a project management need which the Parish Council cannot, at this time, supply.

Discussion:

Cllr Lamont asked whether electricity disconnection and reconnection had been considered, The Clerk responded that BT were prepared to disconnect for free but that UKPN had quoted approaching £2,000 per box for reconnection and so the boxes will not be reconnected which would also, at night, not lead to the boxes being lighted and mistaken for working boxes.

Cllr Domoney add that the boxes were in a very poor state.

The Chair explained that she was working with local historians to develop a display for inside the box about the less well-known history of the village such as rope making and a cosmetic factory.

Cllr Muckian moved an amendment so that it reads '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 and proceeds to order this work utilising reserves or NCIL at the discretion of the Responsible Financial Officer'.

Decision 1: The motion was seconded by Cllr Bourne and approved with no votes against and no abstentions.

Decision 2: Motion as amended was agreed with no votes against and no abstentions

10d. Response to Invitations for a Quotation for Traffic Study

Received:

The Clerk reported that three members of the Lavenham TWP plus one Councillor and the Clerk attended the opening of the Tenders on Sep 6 at 5pm. Margaret Maybury (Chair of the TWP), John Hooper and Linda Farmer (members of the TWP) and Cllr Mary Morrey.

All three tenders were examined and the following comments are made:

1. Two tenders are very significantly over-budget. The third tender is recommended by majority of the TWP members.
2. The rationale for the recommendation of Tender A is:
 - a. The cost variance on the number of days is because pro bono work has already been undertaken and that work forms a basis for further study.
 - b. The cost variance on the daily rate is because Tender A is from a smaller business rather than a larger, corporate, entity.
 - c. Tender A whilst cheaper is professionally written and addresses the tender specification including using a third-party specialist.
 - d. Tender A during his pro bono work showed considerable knowledge and gave practical examples of similar studies and solutions.
 - e. Tenders B and C did not widen the scope of work.
 - f. There is a point of clarification on the proposed Tender A as to the final outputs of the study.

The Clerk explained that essentially two quotes were for five days work at £2,000 per day whereas Tender A is for three days work at £1,000 per day.

The TWP recommends that Tender A at a cost of £2,700 plus expenses is accepted with final negotiations not to increase the cost above £3,500.

Discussion:

The Chair reported that she had to search quite hard to get two additional quotes.

Motion: to recommend the acceptance of Tender A

Proposed: Cllr Morrey

Seconded: Cllr Ranzetta

Decision: Approved with no votes against and no abstentions.

11. Lavenham Neighbourhood Plan (LNP2)

Received:

A report from the Chair as to the next steps in the progress of the Lavenham Neighbourhood Plan review with the key points being:

- a) 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.
- b) 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.
- c) An Extraordinary meeting of the Council will be called for 28th September 2023 to consider the representations and the QB response.
- d) Following submission of responses to representations, Regulation 17 will commence which is an examination of the draft plan by an external Independent Examiner.
- e) 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.
- f) If Regulation 18 concludes with a final draft plan, this will be put to a public referendum of the Lavenham electorate at a date to be announced and 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.

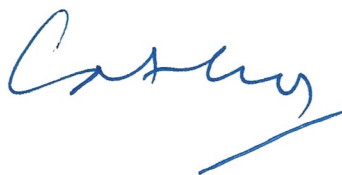
Discussion:

Clr Domoney commented that he considered there to be three major ^{omissions} submissions in the ~~TWP~~ LNP document and that he would be detailing these at some point in the future.

The meeting closed at 9.50pm.

15. Date of next meeting

Thursday 5th October 7.30 pm in the Village Hall.



S110/2023.