

Little Waldingfield Parish Council

Acting Clerk: Chris White, Walnut Lodge, Haymarket Little Waldingfield CO10 0SY.
Tel: 07541 133535. Email: clerk.littlewaldingfieldpc@hotmail.co.uk

Approved Minutes of the Council Meeting held on 24th April 2023 in the Parish Room.

Present: Cllr Chris White (Chair), Cllr Tim Sheppard (Vice Chair), Cllr Robert Wheeler, Cllr Tina Impett, Cllr Matt Foster.

Attending: BDC Cllr Clive Arthey (from 8:20pm) and 10 members of the Public.

1. Apologies and approval of absences.

None

2. Declarations of Interests by Members and Requests for Dispensations.

None declared.

3. Approval of Minutes of the Previous Meeting held on 14th March 2023.

The Minutes were approved by members and signed by the Vice Chair.

4. Public Forum.

A number of members of the public raised their concerns regarding aspects of the Planning Application for Brookwood Manor (Item 5a below) and, due to the significance of the proposed development, the Chair exercised his discretion to allow full unrestricted discussions to take place on all points raised.

Although the development was broadly welcomed in principle, it was felt that the Planning Application did not satisfactorily address a number of significant issues. These included the access road and its entrance onto the main Lavenham Road being of insufficient width, the management of hotel services traffic, and the potential environmental noise impact; there was also the suggestion that the proposed annex should be a separate planning application.

5. Planning Matters.

- a. DC/23/00918/FUL - Change of use of Care Home (C2) to Hotel and Restaurant (C1/A3) with kitchen and orangery extensions and new carpark area. Erection of detached building to provide additional accommodation, erection of new storage building and associated landscaping, Brookwood Manor Residential Care Home, Holbrook Hall Park – BDC Consultation deadline 30th April 2023.

Councillors discussed in detail the proposed application including the issues raised earlier by local residents. It was agreed that the proposed development would have widespread benefits to the local area however there were serious issues that would need to be addressed in order for the development to take place.

The Council therefore resolved unanimously to object to the Application on specific grounds which are detailed in the Council's response in Annex A.

9 members of the public left the meeting at 9:20pm.

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- b. Applicants appeal (Reference APP/D3505/W/22/3313690) to the Secretary of State against the decision of Babergh District Council to refuse permission for Application DC/22/01614: Erection of 2 dwellings. Location: Land To The Rear Of The Grange , The Street, Little Waldingfield, Suffolk CO10 0SG:

The appeal document was discussed in detail by the Council who considered it both significantly undermined the adopted Neighbourhood Plan, and was contrary to the Babergh Development Plan and National Planning Framework.

Councillors resolved unanimously to submit representations against the appeal which are detailed in Annex B.

6. Finances.

Review and Approval of Payments Presented & Online Authorisations.

Payments were presented, reviewed and approved for online authorisation:

- I. K Elliott - £197.38 - Clerk Salary, Allowances & Expenses March 2023.
- II. K Elliott - £501.89 - Clerk final salary, Holiday Pay, Allowances & Expenses April 2023.
- III. AS Blasting & Coatings - £120.00 – Village Sign restoration.
- IV. Suffolk Association of Local Councils - £205.81 – Annual Membership fee 2023-24.
- V. Wayne Tanswell Signwriter - £380.00– Village Sign restoration.
- VI. Parish Room - £56.00 – Venue Hire April 2023.

7. Footpaths.

Cllr Wheeler reported that the FPWG have been working on an up-to-date walks and footpaths map for the village and presented an initial example to the Council for endorsement. Following suggestions for a few minor amendments and possible improvements, the Council agreed to fully endorse it and thanked the members of the FPWG for their work.

8. Coronation Celebrations

The Chair updated Councillors on the village arrangements for celebrating the Coronation. These included a family picnic on the Playing Field with various entertainment for both adults and children, an Afternoon Tea in the Parish Room and the installation of the newly restored village sign.

9. Questions to the Chair.

Cllr Impett requested the Council investigate the possibility of providing a disabled parking bay on Grove Avenue. It was agreed to discuss the matter at the next meeting.

10. Date of Next Meeting.

The date of the next meeting was set for Tuesday 16 May 2023 at 7:30pm.

There being no further business the meeting closed at 10:20pm.

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Annex A to Draft Minutes 24 April 2023

Submitted Comments – Planning Application DC/23/00918/FUL - Brookwood Manor

The Little Waldingfield Parish Council ('LWPC') welcomes the principle of restoring this significant building, and the additional facilities and business the proposed development will bring to the area, including through employment generation. The use of the site as a hotel is not opposed. There are, however, serious issues which remain to be addressed and therefore the LWPC must OBJECT to the Application in its current form, for the following reasons:

1. Highway Access and Egress - Access road and exit onto Lavenham Road (B1071).

The existing access road is single track with inadequate passing space for even 2 moderate sized vehicles. The current exit onto the B 1071 Lavenham Road (unrestricted 60 mph speed limit) is only wide enough for a single vehicle and visibility is severely restricted by hedgerows. If more than one vehicle seeks to enter or exit the site at the same time, the second vehicle is forced to reverse over a long period, or to go out on the Lavenham Road with the serious risk of collision that entails.

The proposed development will lead to a material increase in vehicular movements into and out of the site. It is also noted that planning permission was recently granted for improved access into the farm property opposite to ensure user safety.

The current application does not contain sufficient detail on how the impact of the proposed development on user safety, and the serious highway issues which exist at present, will be addressed to ensure user safety of both local residents and future customers of the hotel. Indeed, the Highways reports appear to be confused.

A detailed plan of proposed improvements/modifications to both the access road and exit onto the main road to ensure user safety, should be submitted, and in due course agreed with the Highway Authority before the development is allowed to go ahead.

2. Impact on Residential Amenity – Impact of Hotel traffic, including deliveries and customer parking; waste disposal and emissions from the Hotel, and noise generated by the Hotel use on the private residents/residential areas of Holbrook Hall Park.

The current scheme lacks detail and provides no guarantee that the residents will not be adversely affected by vehicle movements; noise and emissions from the new development. A detailed scheme is required to demonstrate how residential amenity will be protected, which should in due course be the subject of agreement with the Local Planning authority before the development is allowed to go ahead.

Furthermore, the current noise assessment (in respect of plant machinery noise) is insufficient. The noise assessment should be extended to encompass the noise impact of the operation of the hotel in general, including on the internal and external environment of the residents of Holbrook Hall Park and adjacent businesses, to ensure that the noise impact of the development is acceptable.

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Annex B to Draft Minutes 24 April 2023.

In the Matter of an Appeal by Way of Written Representations in Respect of Appeal Reference: APP/D3505/W/22/3313690

REPRESENTATIONS AGAINST THE APPEAL BY THE LITTLE WALDINGFIELD PARISH COUNCIL

1. The Little Waldingfield Parish Council ('LWPC') submits that the Appeal should be dismissed for the reasons given by the LPA in the refusal notice it issued in respect of the application for planning permission, dated 22 June 2022, which should be read in conjunction with this Response. To assist the reader, those reasons are as follows:

(i) Whilst the development is adjacent to a cluster of dwellings, it would extend the built form without forming a logical natural extension of the existing cluster resulting in development that is not well integrated and does not positively contribute to the character of the local area. The development would, by virtue of its backland location, outside the built-up area boundary, be detrimental to the landscape, environmental and heritage characteristics of the area, contrary to Policy CN01 of the Babergh Local Plan 2006, Policy CS2, CS11 and CS15 of the Core Strategy 2014, Policy LWD1 of the Little Waldingfield Neighbourhood Plan and the National Planning Policy Framework 2021.

(ii) The development would cause harm to the significance of the nearby Grade II listed property by urbanising a mostly unaltered and agricultural setting, which positively contributes to the significance of the designated heritage asset, contrary to policy CN06 of the Babergh Local Plan 2006 and the National Planning Policy Framework 2021. The provision of two dwellings would result in very little public benefit.

(iii) The application failed to provide the required ecological information with regards to Protected Species (Great Crested Newts, Bats and Reptiles) and Priority Habitat to determine the application having regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended).

(iv) The development would result in the unlawful relocation of a Suffolk County Council Public Right of Way, which is an offence under the Road Traffic Act 1988.

2. In addition, the LWPC submits that the appeal should be dismissed for the reasons it set out in the Consultee Comments it put forward in objection to the to the proposed development, dated on or around May 2022, which should be read in conjunction with this Response. To assist the reader, those reasons are as follows:

(i) The proposed development should be refused as it is contrary to the following policies of the recently adopted Little Waldingfield Neighbourhood Plan ('LWNP'), which carry the great weight in the development control process due to the fact they are to totally up-to-date:

- Policy LWD 1 Spatial Strategy: the proposed development is not located within the Settlement Boundary defined in the Policies Map and, is neither supported by national and District level policies, nor is it in compliance with Policy LWD 4.

- Policy LWD 2 Housing Development: the proposed development is neither:

- (a) brought forward as part of a site allocation, nor

- (b) on a small brownfield development site, or an infill plot, within the Settlement Boundary. It is also noted that the application is based on a misreading/misunderstanding of the LWNP, which provides for around 10 additional dwellings over the LWNP period not as suggested a minimum of 16 new homes [Design and Access Statement, page 11].

- Policy LWD 5 Housing Mix: the proposed development provides for a 4 or more bedroom home and it has not been demonstrated by the applicant that there is a need for a dwelling of that size in the LWNP area and, in fact, the AECOM Housing Needs Assessment indicates the opposite.

- Policy LWD 14 Design Considerations: the planning application does not demonstrate how the proposal satisfies the Development Design Checklist of the LWNP, or how account has been taken of the AECOM Design Guidelines for the LWNP.

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(ii) In addition, and contrary to Policy LWD 14, the proposed development does not:

- (a) recognise and address the landscape/building character, local distinctiveness and special qualities of the area;
- (b) maintain or create the Villages sense of place and/or local character;
- (c) involves the loss of gardens, open, green or landscaped areas which make a significant contribution to the character and appearance of that part of the Village;
- (d) does not respect the scale and density of the locality;
- (e) does not face an existing road.

(iii) The LWPC broadly agrees with points regarding the impact on the local public footpath and ecology raised by other consultee responses in respect of the application for planning permission. Regarding the proposed new footpath route, it is considered that the proposal of a 2 metre wide footpath with high fences and 2 x right-angle bends would more resemble an alleyway and raise personal safety concerns, particularly for elderly residents.

(iv) In addition to the foregoing reasons for refusal, a recent Planning Application for a residential development outside the Settlement Boundary at Enniskillen Lodge, The Street was refused, and consistency in planning decision-making dictates that this application should also be refused.

3. Furthermore, the arguments set out in the Statement of Appeal submitted on behalf of the Appellant/Applicant on or around December 2022, are irrelevant and/or flawed for the following reasons:

(i) The personal statement at section 3 carries no weight in planning terms and should be discounted as part of the determination of the Appeal.

(ii) The contention at section 4, page 4, that the Babergh and Mid Suffolk Joint Local Plan 2018-2037 ('JLP') should not be given any weight is wrong. Part 1 of the JLP is at an advanced stage 5 as the Proposed Modifications have been published and are being consulted upon. It clearly carries weight. Of particular note is the amendment to Policy SP03, which provides that: Settlement boundaries are defined on the Policies Map. These boundaries were established in earlier Local Plans and Core Strategies and have not been reviewed as part of the Plan but are carried forward without change at the present time. The principle of development is established within settlement boundaries in accordance with the relevant policies of this Plan. Outside of the settlement boundaries, development will normally only be permitted where the site is allocated for development, or in a made Neighbourhood Plan, or is specifically permitted by other relevant policies of this Plan, or it is in accordance with paragraph 80 of the NPPF (2021).

(iii) In respect of paragraph 4.3, on page 4, the Appellant fails to mention the important fact that the LWNP forms part of the applicable Development Plan and the LWNP was recently examined; found to meet the Basic Conditions, including having regard to the NPPF. The applicable policies of the LWNP, including Policy LWD 1, should accordingly be given great weight in the determination of the Appeal.

(iv) The arguments put forward at paragraph 5.4.1, on page 6, are flawed because settlement boundaries do not follow land ownership but the built and natural form. The proposed development should be refused because it is located outside the settlement boundary and accordingly does not accord with Policy LWD 1.

(v) In addition, contrary to the argument put forward towards the end of paragraph 5.4.1 but also at paragraph 5.4.3, in the absence of any evidence of a formal change of use, the land is to be considered agricultural land.

(vi) When measured against the most up to date development plan policies of relevance, namely, those of the LWNP, and the fact there is no need for additional housing, let alone housing of the type proposed in the Village, the proposed development provides minimal public benefits, and certainly any public benefits do not outweigh the harm caused to the significance of The Grange. The Appeal can and should be dismissed for this reason alone.

(vii) In relation to Section 9, paragraph 9.1 (1), the LPA's Reason 1 for refusal is clear and precise and accords with the requirements of the DMPO. In relation to Section 9, paragraph 9.1 (3) and (5), the development is

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clearly not of an exceptional design. In relation to Section 9, paragraph 9.1 (7), the development with its associated high fences would adversely affect the character of that part of the Village.

(viii) For the foregoing reasons, and in any event, it is clear the conclusions reached at Section 9 are self-serving and flawed in planning terms.

4. The LWNP was developed over a number of years in full consultation with residents of the Village and with the input of AECOM, which provided specialist planning and related expert assistance in the preparation of the LWNP. The LWNP is up to date and should be given great weight in the determination of this Appeal. The Appellant/Applicant had ample opportunity to engage in the plan-making process but did not. He now chooses to criticise the LWNP in an entirely self-serving manner. If the development is permitted, it would undermine the LWNP, recently after its adoption, with the negative impact that would have for planning-decision making in the Village in the future.

5. In light of all the foregoing reasons, it is clear the Appeal should be dismissed. The Inspector is respectfully invited to reach the same conclusion.

For and on behalf of the LWPC. Dated: 26 April 2023.

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Date: