

APPENDIX C

Objections to Notice given under
S123(2A) of Local Government Act 1972

C1 - Summary sheet

C2 - Objections (x32)

C3 - Supplementary documents and links

SUMMARY OF OBJECTION TOPICS		Officer comments
DISPOSAL CONFLICTING WITH OTHER POLICY, EVIDENCE & GUIDANCE		
1	Babergh and Mid Suffolk Open Space Assessment for Joint Local Plan (2019) Note: this Study provides an evidence base for planning policy, and is not a strategy document	The Council is entitled to dispose of its assets including open space, subject to requirements. Cabinet's consideration is to balance loss of land including open space with purpose and wider benefit of disposal.
2	National Planning Policy Framework (NPPF) - paras 96-101 specifically refer to Open Space and Recreation	Some public recreation uses already reprovided. No bids received propose to lose the house. Planning process will consult and address some concerns including policy. There is no universal definition of open/green space, in respect of size, quality or description. In the 2019 report significant areas of greenspace were not included in the scope of the report but are still 'open' for public recreation. The Council is growing town amenity through creation of new park entrance, cafe and toilets and also kerbside public realm. Report content also refers to decision-making.
3	Council policies including Infrastructure Delivery Plan, Communities Strategy, Biodiversity, EU State Aid	
4	Planning likelihood/deliverability given the Open Space and locally listed house issues. Also traffic congestion evidence	
5	Pool site should be considered open space, and whole area park/house/gardens/pool	
6	Wider loss of town amenities or not catering for housing growth (Chilton Woods etc)	
MARKETING DEFICIENCIES		
7	Too short and during holidays/pandemic/Brexit meaning not meeting best consideration/price	
8	Too limited advertising not reaching wide enough to secure best consideration	Council has conducted an 8-week open and 'subject to planning' marketing period inviting bids via informal tender. The disposal notice process has been observed. The level of response and interest has proven no barrier to any party accessing the marketing or objection period. All bid proposals have incorporated the house in some capacity so there was no demolition presumption and enquirers have been advised to engage early with planning. Report content also refers
9	Implies demolition of house without considering split or community benefit uses. Greener to retain and refurbish	
10	Marketing is pushing residential and not seeking to control/pre-condition uses - harmful to setting/open space/design/visitor economy	
GOVERNANCE		
11	Council has neglected whole site (including CL) contrary to open space obligations and S123 securing best consideration	The S123(2A) requirement is for Council to consider objections before a disposal is finalised. Open space loss issues will be balanced as part of decision-making. Council is empowered by legislation to sell its own land or assets, subject to considerations already covered in the report. The priorities and options considered are also stated in the report, and Council is looking to recycle capital receipt for benefit of the park. 2013 decision was to sell the site. Council has not pre-determined any of these matters and has run an open marketing process and clearly stated of these clarified the position on process and marketing including to the town council.
12	2013 disposal decision was flawed as not considering S123 objections, open space deficit or correctly inferring surplus asset	
13	Running S123(2A) with marketing (and costs) implies Council will not fully/fairly consider objections	
14	Council inherited property left for town use and no (moral/legal) right to sell it	
15	Lack of community/town council engagement over future use	
16	Council looking at financial return only not public benefit uses or Covid recovery (wellbeing etc.)	
17	S123(2A) processes and timing limited objections	
18	Allegations Council already working with a 'preferred bidder' or use	
19	Current marketing period not transparently authorised by Cabinet	

APPENDIX C2

NOTICE GIVEN UNDER S123(2A) LOCAL GOVERNMENT ACT 1972

OBJECTIONS RECEIVED (Please also refer to links and appended documents sheets)

NUMBER: 01 INDIVIDUAL

Sent on: Thursday, December 17, 2020 8:06:05 PM

Subject: Bellevue

I strongly object to any hotel being built on the beautiful bell vue park grounds. I don't understand what more you as a council can take from the people of Sudbury. Gone are peoples park that was bequeathed to the people of Sudbury. But the council in the quest of greed n money took that away and allowed homes to be built. Walnutree hospital a historically place near n dear to most subrarians now flats.

Weavers cottages/ Gregory street/ slowly you have taken away our hometown that we loved. Now you want the park, the pool, and Bellevue

Why can't we the people decide what we want. We elected you to look out for our interests, but like snakes you have wriggled your way into tall grass and not caring about us the voters.

I'm concerned because it seems that babergh is NOT at all thinking of the town of Sudbury. Maybe you will get a conscience for Xmas and do as we the people have advocated for.

DO NOT BUILD A HOTEL AT BELLEVUE

NUMBER: 02 INDIVIDUAL

Sent on: Thursday, December 17, 2020 3:22:39 PM

Subject: Re:S123 notice Period.

I wish to object to the plan to build a hotel and car park on the Belle Vue site
In Sudbury.

Belle Vue is an Open space designated for Community use and should remain so.

NUMBER: 03 INDIVIDUAL

Sent: 21 December 2020 22:29

Subject: Re: S123 (1) (2A) Notices of Intent of Disposal of Belle Vue Open Space Sites -

Objection to Sale or Disposal.

Importance: High

Re: Section 123 (1) (2A) Notices of Intent of Disposal of Belle Vue Open Space sites - Notice of Objection.

I am writing to lodge notice of my objection for the disposal, sale or 'redevelopment repurposing' of the above mentioned sites within Belle Vue Park on the below grounds I have listed below over 4 key areas of major concerns. I am a local Sudbury community resident and have greatly enjoyed all the community facilities sited within Belle Vue Park over the decades, as have my family, and in more recent years my grandchildren. The timing however of the public announcement of the intended Section 123 Notices of Disposal of these particularly highly contentious sites' disposal within my public community area, especially during an increasingly restrictive national public health pandemic and so close to the Christmas holiday period for council personnel involved, regrettably paints a particularly poor reflection on the part of Babergh District Council. It is widely being regarded by the public, and certainly by myself, to be deliberately prohibitive against any fair or reasonable public community rights of response time or interaction with the council at such short notice against the backdrop of these constraints. It leads me to question why please? This just adds to my unease and mistrust towards the council's motivation, in particular with regard to the areas of critical concern, and which to date, have never been adequately addressed or well evidenced regarding these particular sites as I am listing below.

1. The whole of the park comprising Belle Vue Park, Belle Vue House and the Old Swimming Pool Site within the park, are and have always been dearly loved public community facilities and spaces over many decades, serving not just the local community within Sudbury, but encompassing all the multiple surrounding villages and visitors who have visited them. The Old Swimming Pool Site in particular was a highly subscribed and valued public community recreational facility and falls for the same reason as the remaining squeezed park land within the legal boundaries and recreational public space purposes of Belle Vue Park land as a whole.

For some considerable time over the past 2 - 3 years, Babergh District Council have increasingly elected to try to disassociate the Old Swimming Pool site away from the rest of Belle Vue park land, it would appear for the intent to reclassify it as a "separate" Open Space falling outside of the legal boundaries or the public community recreational open space purposes of Belle Vue Park. To this end they are insisting still, that the parts of the park land up for sale are derelict and therefore that somehow means they are no longer a part of the oboverall park. This is wholly false and has been proven to be false under several FOI requests to the council regarding their status, official classification and the park land boundaries - with subsequent responses and provisions of information.

They are actually public community Open Spaces as defined by the Open Space Act of 1906. Most notably, the two sites within Belle Vue Park which the council are deeming to be their right to sell the ownership and rights to, have also been publically declared as public Open Spaces by Babergh District Council on their very own legal Notices of Intent for their Disposal, so in this regard they are committed and agreed.(as per the attached document provided on their website).

When Babergh were handed the park in 1974 as part of a local government shake-up they were duty bound by the Open Spaces Act to maintain the park and retain it as an area of public recreation to be used by the public community on a free basis. They have not done this for many years now and have consistently neglected their responsibilities in this respect, and so by sheer default of this neglect alone, they have been allowed to become derelict sites. The public local community, including myself, have frequently raised grave concerns

over the matter of their ongoing neglect and sorry demise, only to be largely informed the funding provisions for their reasonable maintenance were not justified or warranted as significant enough in the overall scheme of things.

This leads me to believe Babergh District Council will also be equally likely to neglect to declare the future responsibilities and constraints for any future prospective custodians of these particular park land Open Spaces within Belle Vue Park. This is evident from the attached information of proposed prospective uses for these sites, as stated on the council's own website regarding their intended disposal/sale/redevelopment.

BDC are compelled by the law to maintain a good and decent state of the whole park, including the old swimming pool site, and as an area of recreation open space land for public use which is how the space was classified and intended for purpose. Therefore, so would any future custodian, as they remain, as they always have been, park land public community Open Spaces within Belle Vue Park. The Council act as the trustees, guardians and custodians of these parkland community Open Spaces and not as they elect to believe, purely land asset owners to dispose with at will selective sections of land in respect of these particular sites within Belle Vue Park, and certainly not simply on the basis they allowed them to fall into derelict disrepair.

I would urge both your good self and Babergh District Council to accept their Open Space responsibilities in this respect and the impact it would have on any future prospective custodians. In fact the classification of these sites on their own Notices of Intent to Dispose of them, should have made absolutely clear, the forward constraints and responsibilities which go along with Open Spaces within Belle Vue Park lands as a whole. I refer you to study below just some clarifications in this respect, should there be any doubt going forward.

<https://publications.parliament.uk/pa/cm199899/cmselect/cmenvtra/477/477mem23.htm>

2. Babergh and Mid Suffolk have just agreed an Environmental Biodiversity Action Plan with collective funding of just under £300,000. One of the main aims actively promoted by the council to the local communities is to plant more trees in Babergh/Mid Suffolk.

Any commercial developer who buys the Belle Vue Open Space sites will undoubtedly be seeking to demolish and fell existing large and well established trees and most likely be adding more concrete and hard surfaces or car parking to the shared public community park spaces.

This will deliberately remove rather than add biodiversity to Sudbury, and in practice completely undermines Babergh District Council's commitments about their own biodiversity and green space improvements policy, of which there is already a proven considerable shortfall within Sudbury. Does this mean their proposals regarding the sale of these particular park land open spaces mean that Babergh District Council is merely promoting a box-ticking exercise or PR lip service in name only regarding this important policy commitment, whilst directly acting in the exact opposite interest of them?

3. A recent report commissioned by Babergh/Mid Suffolk revealed that Sudbury has a significant shortfall in green spaces and park land, as above mentioned. The same report actually recommended using Council held CIL funds to further increase more green open and park space in the town. Babergh's CIL purse is estimated to currently stand at £2 million. Yet the council claims it does not have the money to even landscape the former swimming pool site. The council have allowed this area to fall into an abandoned and deliberately neglected space of poor disrepair and have, for many years since 2015, claimed they never had enough money to maintain a decent level of public Open Space on the Old Swimming Pool site within Belle Vue Park, or to improve it for the betterment of the

community and all the thousands of public visitors who come to utilise all the facilities and spaces at Belle Vue Park.

The deliberate neglect and demise of this site should not and does not mean therefore, that this now somehow grants Babergh District Council the right to wilfully dispose of the site on the open market for the direct purposes of external private commercial ownership and commercial development to further negate their previous lack of due diligence and responsibility to maintain or improve it for the betterment of the public community.

4. Belle Vue Junction is by far the busiest in central Sudbury. Any major building works and the subsequent increase in cars and delivery vehicles etc entering and exiting the park will clog up traffic in Sudbury for years and possibly forever. The old tax offices directly opposite Belle Vue Park road entrance have also been recently sold and converted into 19 flats, along with the recent sale and redevelopment of the old St Leonard's Hospital site situated directly behind. With the inevitable attendant rise in residents' cars, traffic flow at BV Junction is set to greatly increase anyway.

Central Sudbury is already frequently gridlocked due to the convergences of traffic right at the point of this central junction area with much of the traffic having to narrow down in order to flow through onto the Sudbury Town One Way central traffic system . Any further commercial redevelopment can only stand to seriously impede the traffic flow at this central junction and bring with it unnecessary increases in air and traffic pollution. Both these factors should be causes for great concern, however I very much doubt any consideration has been given towards the air quality or air pollution levels, or the dangers of long term traffic congestion, or any future site vehicular access in and out of these sites in Belle Vue Park to join onto the through flow of traffic trying to get into, through and out again of the centre of Sudbury town. It also raises a concern that should there be any future development plans on the old swimming pool public community Open Space in particular for residential living purposes, if the above issues would even render them safe or fit for residential living purposes.

The above listed, together with attachments and inclusions, are the main issues and concerns to my objections to the sale, disposal or onward development of these public community open spaces at the Belle Vue sites listed on the open market.

I can only hope that Babergh District Council consider the matter as seriously as I do, and as indeed a large number of others in the Sudbury and surrounding communities. They will only continue to be raised as areas of major concern and objection more formally should Babergh District & Mid Suffolk Council continue to ignore raised objections and proceed with their proposals irrespective of them, rather than seeking acceptable solutions already previously proposed.

NUMBER: 04 INDIVIDUAL

Sent: 15 December 2020 16:18

Subject: Belle Vue

It has been publicised that you're intending to "dispose" of belle vue park by sale.

Please do not do this!!! This park is an asset to this town where it has lost everything else. It has been a beautiful recreational area for many generations of families from Sudbury. It needs to remain this way.

As a child my mother spent many days in the swimming pool here along with her 6 siblings, then as a child I spend a lot of time as a park and even though, not as a swimming pool but the roundabout and putting green were brilliant. Today I have a small child, I have spent many afternoons in this park with him with the ability to socially distance while still enjoying the space. As a child I can remember going into the house with my grandparents “to our their poll tax” (don’t think it was even called that then!!).

The only reason why I think anyone would want to “dispose” of this land is because they have never visited Sudbury and seen how little it has to offer and have not appreciated how beautiful this area is. Even in the derelict state that it has become it is still beautiful.

If all at Babergh are being selfish to the people of Sudbury and losing this please sell it to someone who wants to keep it as it is, and a community area not some consortium who will build more and more apartments which are astronomically priced.

NUMBER: 05 INDIVIDUAL

Date: 22 December 2020 at 19:39:37 GMT

Subject: Bell Vue House etc

I write to inform Babergh know that I do not want them to sell (part of) Sudbury's only park. It is a place for children to play and others to take some time out in a safe green environment. The swimming pool space is derelict now but it could be a wonderful new landscaped area of the park with more space for play and relaxation not less. The house is an important icon in Sudbury's history and there is no reason to demolish it.

To say that I'm angry are that Babergh want to sell part of Belle Vue Park (which they did not buy and have not cared for) . I have lived in Sudbury since 1963, and never have I felt the BDC do not represent my feelings and belief for what IS BEST for Sudbury and it's growth or biodiversity.

NUMBER: 06 GROUP: SUDBURY SOCIETY

Received: 24 December 2020

OBJECTION TO THE PROPOSED DISPOSAL OF LAND AND BUILDINGS AT BELLE VUE SUDBURY

This objection is lodged under Section 123(1),(2A) of the local government act 1972.

The area of land included in this proposal raises several concerns to the Sudbury Society. We are not opposed to the sale of the property in principle but strongly opposed to the method and timing the Council has chosen to adopt

1. EXTENT OF THE SITE. The extent of the site in relation to the existing Belle Vue House means that the possibility of retaining the house for an alternative use is almost impossible because of the disposal boundaries that have been drawn. The proposed area to be sold will sterilise the southern area of the park alongside Cornard Road including the proposed site of the new café and facilities. They will require vehicular access for deliveries etc from Cornard Road, which we believe will be impractical and unsafe.

2. RETENTION OF THE HOUSE. We would prefer to see the original section of Belle Vue House retained. It is a locally listed heritage asset and every effort should be made to restore it. Just to the north of this site at St Leonards Hospital is a perfect exemplar of this type of refurbishment which has recently

won a Sudbury Society Architectural award. The scheme for the Hospital development was negotiated by the Health Authority with Babergh Council as the belief was that a demolition of the whole site would be rejected. The buildings that were retained on that site had just the same level of protection as exist at Belle Vue House. Likewise the Walnut Tree Hospital site is another glowing example of what enhancement/refurbishment rather than demolition can bring to Sudbury's town centre, suffering as it is from serious decline in the retail and hospitality sectors. We accept that it may sometimes be more expensive but it is always a greener solution to retain and convert an existing building rather than demolish and construct a new one. However the present disposal plans make no mention of the need to encourage retention and will in effect rule this out from any developer's bid.

3. TIMING. The site has been a burden on the Council for many years. We do not understand the need for such a curtailed consultation period as stated in the sale notice. As the Council has to take preliminary steps to ensure it has full rights to sell the site, the advertised closing date for bids of 22 January 2021 is unrealistic. It will only encourage bidders to submit the most financially advantageous proposal, namely wholesale demolition, without giving time for alternative schemes involving retention to be devised.

NUMBER: 07 SUDBURY TOWN COUNCIL (MOTION)

Via Motion carried 21 December 2020 at Extraordinary Town Council Meeting:

“That Sudbury Town Council objects to the proposal to sell the land at Belle Vue as shown in the Section 123 order published on 11th December 2020 and asks that no decision be made before the end of February 2021. The grounds for objection are:

- There has been no consultation with Sudbury Town Council on this plan, either through the Steering Group or directly, and the timing of the notice could be seen as an attempt to clear this through over the Christmas period when people are occupied elsewhere. “

Further:

“That Sudbury Town Council formulate their response to this proposal so that it can be agreed by the full Council meeting on the 12th February 2021. To achieve this a small working party will be set up to consult with all Councillors to draw together opinions into a report that will be considered at the Leisure and Environment Committee on the 26th January 2021 before being presented to full Council in February.”

RESOLVED

That this motion be carried. That a working party of Councillors R Spivey (Chair), Mrs S Ayres, Mr O Forder and Ms E Murphy be formed to prepare the report. The working party would also consult Community Interest Groups and the Sudbury Society.

NUMBER: 08 GROUP: BELLE VUE COMMUNITY BID

From: BELLE VUE COMMUNITY GROUP

Sent: 03 January 2021 17:15

As the Belle Vue Community Group there are a number of issues surrounding the sale of

Belle Vue House and part of the ex-swimming pool site with which we have major concerns about.

These are listed below:

Open Space

We are concerned that some of the Babergh cabinet and councillors are unaware that the old swimming pool site is 'open space' and the implications thereof. Please can you confirm that you have advised all members of the legal position after advice was sought?

██████████ has requested as part of the JLP consultation, that this land is correctly added to the local plan as open space. We are aware that recently you advised STC that the reference point for open space was the 2006 local plan which only included a small proportion of the site for sale as open space. We would like to know why the reference was made to the 14 year old local plan rather than the updated categorisation of the whole site as open space.

We also struggle to understand how Babergh could have determined the use of the old swimming pool as being surplus space given that prior to the 2019 open space assessment (detailed below) Babergh had an existing open space, sport and recreation strategy which was introduced in September 2010 to run to 2031 which provided evidence base strategy which formed part of Babergh's development strategy 2008-2018.

PPG 17, now superceded but adhered to within section 8 of the NPPF, advises that local needs should be assessed by undertaking an audit of all open space sport and recreation facilities. The key requirements of PPG17 were reiterated in Babergh's open space, sport and recreation policy. It's also noted that since 2010 there has been much growth in the Sudbury area, particularly with small developments. The assessment was to provide information on existing provision at the time and advise on deficiencies in quality, quantity and accessibility. The results were to be used to underpin Babergh's development strategy 2008-2018.

Babergh's strategy objectives were to:

- Provide an up-to-date evidence base for open space, sport and recreation facilities;
- **Identify open space, sport and recreation facilities which are important to the communities which they serve and seek to protect them from alternative uses or from development;**
- Establish minimum local standards of provision for key types of open space, sport and recreation as benchmark targets. These standards are to reflect quantity, quality and accessibility requirements;
- Identify deficiencies in provision and quality to provide a clear evidence base for securing financial contributions from planning permissions for residential development in areas where a need is evident;

- To improve the quality of existing facilities where qualitative issues are identified to maximise the opportunity for use of the facilities;
- **To enable priorities to be set for improvements to open space, sport and recreation provision throughout the district, within catchment areas and Parishes;**
- Define catchment areas for key facilities based on the function of the type of facility to ensure a hierarchy of open space, sport and recreation facilities are reasonably accessible to everyone;
- To inform policy formulation for the planning and operation of open space, sport and recreation facilities in the future, in particular, the policy context for enhanced provision through the Babergh Development Framework;
- To provide and support a network of open spaces which contribute to local biodiversity and nature conservation value;
- **To ensure an adequate provision of green infrastructure is provided throughout the district and beyond to provide recreation and nature conservation opportunities;**
- To ensure the opportunities for participation in a range of recreation and sport activities are accessible to all to promote healthy lifestyles;
- **To ensure that provision for open space, sport and recreation is commensurate with future housing growth throughout the district.**

Babergh actively committed to ***'Identify open space, sport and recreation facilities which are important to the communities which they serve and seek to protect them from alternative uses or from development'***

Babergh have clearly not followed this policy when considering their development strategy over a number of years. The space at the old swimming pool site is 'open space' as determined under s.10 of the Open Space Act 1906. And yet you have now stated that this land was declared surplus in 2013, a mere three years after Babergh's open space strategy was launched. At this point why was the land not evidenced as open space per Babergh's strategy? Up to 2013, it had been used as recreational space by the community since Babergh acquired the assets in 1974.

There has been continual opposition from the Sudbury community every time Babergh puts this land up for development sale. This is because this space is and always has been important to the local community who purchased this land to keep it in Sudbury's hands prior to the compulsory acquisition on 1 April 1974 due to the local government reorganisation. This site has for many years been for recreational use and is 'open space' even though Babergh hasn't until recently recognised it as such. Babergh should have identified this land prior to now and provided upkeep and protected the land against sale as per Babergh's own core policies.

In addition, the entrance and area to the left included small animals and attracted lots of people to the park until fairly recently but was vandalised and the decision was taken not to maintain this or the bird aviaries, a much loved area of the park.

The open space assessment that was carried by Babergh in 2019 (referred to above) forms part of the infrastructure delivery plan agreed and adopted by current Babergh councillors in September 2020.

These reports take the vision further and the NPPF guidance provides that overarching roles that the planning system ought to play, include a set of core land-use planning principles which should underpin both plan-making and decision-taking. In addition and importantly the NPPF states the following :

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

The infrastructure delivery plan that was agreed to be implemented by Babergh councillors for officers to follow when considering strategy and development include up to date assessments of needs in the Babergh area.

We have attached the policy documents but please see attached for reference the assessments showing the **significant deficit** of amenity green space and parks and recreation's space in Sudbury. The fact that there is a deficit of certain types of space is obvious if you live here. We are surrounded by water meadows but they are exactly that. They are regularly flooded and inaccessible frequently throughout the year. There are also cows on the main water meadows with no public facilities close to these spaces.

With the housing supply further increasing in Sudbury (in particular Chilton woods which is being built over space currently used by people as amenity green space) there should be more open space provision in Sudbury rather than less. If the old swimming pool site is sold then this creates a further deficit.

We also don't think that the planning implications should be put aside at the outset. Over a number of years Babergh has wasted time on these sites when offers have come forward for the house and these have been rejected because they didn't meet Babergh's objectives for the whole site and as such these offers have been lost. The highway issues alone on any development proposal would be difficult to overcome bearing in mind Babergh regularly highlights the issue with the Belle Vue/Newton Road junction. Its own infrastructure policy suggests bringing in methods of calming traffic in that specific area with the latest reference to this in the car parking review issued this week.

Annual business rates continue to be paid by taxpayers for Belle Vue house. Only around 30% of this sum is retained by Babergh which means that £11,200 (70% of £16K annual business rates) is currently being spent each year. As per above there's surely a requirement to consider the overarching planning policies and issues as part of development plans. Failure to do so increases further wasted taxpayer costs at Belle Vue.

When it comes to open space Sudbury has a limited supply and ultimately Babergh have had a legal duty and a duty within their own policies to identify and review this provision and to keep this land in a good and decent state. With all these points considered please can you advise how Babergh has applied these policies to decisions made as we cannot see how the old swimming pool site is able to be considered for alternative development without Babergh going against all of their own key policies. If officers are taking decisions against these key policies then should this also not be flagged to Babergh councillors for them to make a decision?

Regeneration

Another consideration includes the regeneration for Sudbury. Babergh's leader, John Ward, spent a significant amount of time last year arguing that the hotel was about regeneration.

Opening up the whole park so that over time it can be improved further is genuinely and clearly about regeneration and providing opportunity. Why then is this option not being considered at all? Conversely if the land is sold off for housing/retirement flats then this is clearly not regeneration.

Why can the house not be sold as a separate asset? As before there is no reason not to offer it as open use. In terms of planning purposes many opportunities could arise given the size of the house plot, the parking area and the land to the side, whether for private developers, residential care home or a community bid with the options coming before cabinet for consideration in the usual manner. There are further benefits and increased value for that house site if it is surrounded by landscaped park. It had plenty of interest when it was marketed as just the house before so there can't be an argument that it would not generate interest.

Legal requirement to obtain best price

The council is legally bound to sell the land for not less than best price under s.123 Local Government Act 1972. If a best practice process (there is much Govt guidance and case law on this) is not followed then a legal challenge can be brought against the council and many councils have been challenged.

The sale for the site has already been listed without listening to objections made (end date 8 January 2021) which is a requirement under s.123 of Local Government Act 1972. Additionally offers are to be made to Babergh within just over a month of advertising, over a Christmas period, in the height of a pandemic with Tier 4 restrictions for any unnecessary travel with an anticipated worst recession looming. Anyone reading the financial outlooks regularly can see that this is far from the best time to market the site or for the right amount of time to get best price offers.

Please advise how Babergh are meeting the requirement to obtain best price on disposal of assets.

Concluding remarks

In conclusion everyone wants to see delivery of a plan, but surely this has to be the right plan at the right time.

The Sudbury Vision that has been an aim since at least 2012 of opening up the full front of the park has had community support as well as from local groups demonstrated through engagement events held. It has STC support and was supported by the steering group. This was further backed up by the Carter Jonas 2015 town centre study that suggested a solution as opening the front as a gateway to town to encourage footfall through the King street and Borehamgate /Hamilton Road area (owned by Babergh).

Offering the house for sale as a separate site will obviously generate a capital receipt and avoid further costs on an asset where the renovation costs would be too burdensome on the taxpayers funds.

As you had advised there is an application that has been made to the land release fund for £550K and the CIL pot of approximately £10 Million for Babergh is available for infrastructure purposes. There are funding sources to provide and deliver a project to open up the front of the park with the suggested cafe and toilet block. This plan would meet Babergh's environmental objectives and would be supported by Babergh's Development, Strategy and Biodiversity policies. Sudbury would get behind and support Babergh to deliver benefitting the whole of the Sudbury community and the nearby villages, whilst creating further opportunities for future regeneration in the leisure and tourism sector for Babergh.

We have again attached the roadmap document that we had sent under separate cover.

We look forward to your response.

Belle Vue Community Group

NUMBER: 09 INDIVIDUAL

Sent: 01 January 2021 21:16

Subject: S123(1) (2a) Notices of intent of disposal of Belle Vue Open Space Sites-objection to sale or disposal.

I am emailing to object to the proposed sale of the land and house at Belle Vue , Sudbury.

I do not believe the towns best interests are at heart in the planned sale and demolition of the house at Belle Vue. Nor do I believe that it will benefit the town as much as other uses for it could.

There are fewer and fewer places for the community to come together and use as spaces for activities which could enrich and aid many different lives across Sudbury. Young people have no youth clubs to visit, older people are more isolated than ever and also don't benefit from any social spaces. Belle Vue house could be regenerated and used for these things.

The remainder of outdoor space could be used as in Bury st.Edmunds to create a pump track area, where young people can use bikes, scooters and skateboards. Yes there is and area in the park for this but it is already overcrowded and over used and bikes are not accounted for. A flat piece of concrete space does not really encourage skill development or allow proper use for cycles.

I believe there are many better uses for the house and space that the community should have say on.

NUMBER: 10 INDIVIDUAL

Sent: 02 January 2021 12:37

Subject: FW: S123 (1) (2A) notices of intent of disposal of Belle Vue open spaces sites - objection to sale or disposal

As a Sudbury resident and user of Belle Vue Park, I am writing to express my dismay at the proposed sale of Belle Vue House and the old swimming pool site.

My objections are as follows:

The park, in its entirety, should be kept for public recreational and community use and not be regarded as a problem to be disposed of for private residential development

The timing of the sale notice is unfair (over Christmas) and insufficient time (6 weeks) has been allowed for potential local, community-facing bids to be mounted.

The traffic bottleneck at Belle Vue Junction is already dreadful and this will be further adversely affected.

Trees in the park will be felled to allow for building on this site and Babergh are committed to planting more trees.

Belle Vue House is important to the people of Sudbury and should be retained.

The park and house were given to Babergh and the council has allowed the house to fall into disrepair. The council has an ethical responsibility to find creative and entrepreneurial ways of restoring the property as a community amenity.

NUMBER: 11 INDIVIDUAL

Sent: 02 January 2021 16:46

Subject: FW 123 (1) (2A) Notices of Intent of Disposal of Belle Vue Open Spaces Sites - Objection to Sale or Disposal

I have seen many changes in Sudbury over the last 50 years many have not been welcome but considered necessary by the people we voted for in the hope that they were acting in the townspeople's best interests. Not so with the sale or disposal of Belle Vue. The park, the gardens and the house are part of many residents childhood. We played in this park as children and we are now taking our grandchildren there. The gardens were enjoyed by our parents and grandparents.

Belle Vue was handed over to Babergh in 1974 and they had a moral and ethical duty to maintain this open space for the benefit of not only Sudbury residents but the general public. Belle Vue Park is an Open Space as defined by the Open Space Act of 1906. They have failed abysmally. The reverse has happened, they have allowed the park and house to deteriorate. A recent report commissioned by Babergh revealed Sudbury has significant shortfall in park lands, and yet Babergh is ignoring its recommendation by disposing of a significant portion of the park. More tax payers money wasted.

Belle Vue is an inappropriate site for a residential building. The Belle Vue junction is probably one of the worst in town and will not be improved by the housing currently being built on the tax office site opposite. Babergh should be looking to ease traffic congestion in town not increase it.

In addition to the my other objections to the sale or disposal of Belle Vue Park, I am strongly opposed to the destruction of the beautiful and ancient trees that are grown on the site earmarked for disposal.

NUMBER: 12 INDIVIDUAL

Sent: 03 January 2021 12:11

Subject: S123 (1) (2A) notices of intent of disposal of Belle Vue open spaces sites - objection to sale or disposal

RE: S123 (1) (2A) notices of intent of disposal of Belle Vue open spaces sites - objection to sale or disposal

I would like to protest the proposed sale of Belle Vue House and the old swimming pool site for private development, for the following reasons;

1. The house & park should be kept for public recreational use, not private residential development
2. The traffic at Belle Vue Junction is the worst in town and will be adversely affected
3. Trees in the park will be felled to allow for building on this site, and Babergh are committed to planting more trees
4. Belle Vue House is important to the people of Sudbury and should be retained

The park was given to Babergh, and the council has allowed the house to fall into disrepair. The council has an ethical responsibility to restore the property as a community amenity, particularly as we come out of this time of social isolation, where a central, safe & welcoming meeting place for community support will be so desperately needed.

Finally, I would like to say that the timing of the sale notice is unfair (over Christmas) and there is scarcely 6 weeks for any proposals to be made.

I would appreciate acknowledgement of my email (& not just via automated response.)

NUMBER: 13 INDIVIDUAL

Sent: 04 January 2021 16:44

Subject: Belle Vue

The proposed sale of BVH on the open market is something which I want to record my strong objection to.

Several years ago a small group of us submitted a community right to bid and stalled a rushed sale so that we could investigate the options for the house and site. We made a presentation to the estates team but they dismissed our proposals without any justification. The main agitator at the time, Simon Barratt, was pushing for a hotel at that time despite being told by numerous people in the business that hotels in Sudbury were a really difficult use to justify on economic grounds, and clearly the withdrawal of Premier Inn shows that to have been the case.

You have now packaged up the site for sale on the open market in a way which brings with it a number of fundamental problems:

1. The boundary to the south of the house is drawn so close that the retention of the house and its conversion to another use would require a special agreement with Babergh on what is called unprotected areas under Building Regs. I hope you are aware of this issue. Essentially, any application for a change of use would shine a spotlight on the large areas of glazing on the south side and the potential for fire spread from the house to the park.

2. I hope that you are aware of the Suffolk wide and recently declared climate emergency. Buildings are going to have to do a significant proportion of the heavy lifting when it comes to emissions reductions. These reductions relate both to emissions in use and embodied carbon. Work currently being undertaken by the Green Building Council, the London Energy Transformation Initiative, UCL, RIBA, RICS and others is showing very clearly that retention and retrofit of existing buildings is by far the least energy intensive option and on this basis BVH MUST be retained and converted. This then flags up the problem highlighted in 1 above which MUST be resolved prior to any agreement, or option, to pass the site on to a developer, or even a community group, which would be our preferred option.

3. The WSP concept plan for a retained and improved park is commendable BUT their proposal places the entrance out of sight of the main vista from the town down King Street. These vistas are really critical to the success of parks and without them many people will continue to ask 'where is Belle Vue Park'. The entrance must be clearly visible from King Street with a well designed landscape solution for getting from the roundabout level up to the park level. Any public conveniences should be near the entrance but should not dominate it. Certainly the proposal by WSP for public loos is pedestrian to say the least, and a throw back to the 1960s. You should not be suggesting this as a model of the sort of high quality architecture Babergh aspires to.

4. The roundabout in front of the park must be redesigned so that traffic can exit up Newton Road and not be forced around the south and east of the site. Many studies have been done to show that this can work but traffic engineers are not necessarily the ones with the vision to make this happen. A shared space solution for the roundabout would also facilitate a strong pedestrian link from King Street into the park and especially at a time when the whole future of the private car must be in question after your climate emergency declaration.

The issues I list above present challenges which I believe are not remotely addressed in the sale particulars. It cannot be acceptable to offer the site for sale with no preconditions. In fact, unless you have been working in secret with a preferred bidder, there can be no way that a developer will be able to assess the potential for the site within the time frame you have allocated. This leaves us feeling that something is going on behind the scenes which officers are hiding. We must therefore put you on notice that we will be submitting an FOI to flush this out. Babergh has not got a good track record when it comes to Judicial Reviews and this may have to be the next step for us if you ignore the public requests for a rethink.

NUMBER: 14 INDIVIDUAL

Received by post: 05 January 2021

Re: objection to the sale of Bell Vue Park site.

I am writing to object to the sale of the above site. This park was given to the town for its residents, NOT just as an 'asset' to be sold off, to 'balance' Councils books.

The park is well used, and although the water meadows are available for leisure, the regular flooding of the meadows limits usage, as does the uneven paths which make it hard for people with disabilities or balance issues. Bel Vue Park is centrally located and ideal for leisure purposes, and the only 'open space' the town has, to accommodate events that are organised throughout the year. What has happened to the idea of opening up the entrance to the town? and having a cafe/restaurant and performance' space? That could encourage people into the town centre, and maybe make them stay longer, helping in turn, town centre shops, but also giving a 'meeting place destination" for people. Why are the council intent on selling the park off? Why has so much land been included in the site of Bel Vue House? It is a huge part of the park, that needs to be retained not sold off to the highest bidder. Sudbury is a growing town, there should be more parks, not less, especially given the numbers of flats that have been built, or are being built, in close proximity to the town and that have very little, if any, outdoor space. It seems the Council is willing to OK large housing developments with no regard to developing a 'community', where the people can come together and take a pride in the town.

I have enclosed a couple of news clippings which show what can be done with a bit of political will, and there is no reason to think some of these ideas would not work in Sudbury. The alternative that Babergh seem to be keen to promote, is allowing the selling off as much as possible, without considering the effect they have of encouraging people to just use Supermarkets, with their free parking and being able to buy everything they need, which makes them even less likely to come into a Town Centre with no heart.

Finally, I am concerned about the timing of this consultation one of so many, when I think people of Sudbury have made it very clear to the council they wish to retain the park as a park, for the benefit of the town and its residents. Why cannot Sudbury choose to innovate a model of a town centre, to show what could be done, instead of driving people to ignore the town centre and all it could offer.

NUMBER: 15 INDIVIDUAL

Sent: 05 January 2021 15:33

Subject: RE: S123 Notice period for sale of Belle Vue House and (part of) former swimming pool site

I am writing to you to formally object to the putting up for sale of Belle Vue House and the former swimming pool site. My grounds for objecting are listed below:

Timing

I have grave concerns about the length of the notice period. Firstly those wanting to object have a brief period of 4 weeks, over Christmas and the New Year holidays, to

send in their objections. Additionally the official newspaper notice only supplies a postal address, thus adding to the time pressure. Secondly any interested buyer is given 6 weeks to submit a tender which is completely unreasonable and unfair if said buyer had no advance warning of this site being put up for sale.

Legal implications

I am concerned that the swimming pool site is classified as open space under the Open Spaces Act of 1906 and that the correct protocols regarding open space are not being followed. Additionally S123 of the local government act (under which the sale notice was published) states that all objections must be listened to before the site is listed for sale. In this case the sale was announced at the same time as objections were invited - if the law is broken on this then a legal challenge may be brought forward.

Process

I am unhappy about the way this process has been handled for the following reasons: 1) The size of the site was wrongly listed initially and had to be corrected; 2) An email address for objections was not published with the newspaper notice and had to be formally requested; 3) The decision to put the site up for sale was apparently made in a Cabinet briefing and not a minuted public meeting so that we do not know who was present or when. This goes against government guidelines on fairness and transparency and is grounds for a formal complaint to the local government ombudsman.

Ethics

Babergh acquired Belle Vue in 1974 as part of a local government shake-up. It did not pay for the site which means that it is morally wrong for the council to attempt to sell it as a prime town centre site for the best price possible. The park was designed to offer public recreational space for free to the people of Sudbury and should remain as such, particularly at a time when all authorities and individuals have acknowledged the benefits of open green space.

Biodiversity

Babergh and Mid Suffolk are committed to a new biodiversity initiative which promotes the planting of trees among other green strategies. A buyer who wants to build on Belle Vue park will undoubtedly be felling large old trees. Additionally Babergh's own 2019 assessment of open space notes the lack of amenity green space in Sudbury with a 12% shortfall. BDC should be increasing open space in Sudbury and is ignoring its own stated strategy by putting Belle Vue House and the former swimming pool site up for sale.

No demonstrated shortfall

There are 19 new flats across the road from Belle Vue Park and a smaller number at the nearby site of the Great Eastern pub. Babergh has not demonstrated that Sudbury needs new housing in this central area and indeed with this brand-new

provision this is highly unlikely. Yet the site is being marketed in flexible terms so that the buyer might well be a developer interested in building residential units.

Traffic issues

Belle Vue Junction is the busiest in Sudbury as has been noted by numerous Suffolk CC highways reports. Any development at this site will hugely increase traffic flow in Sudbury and could gridlock the town while building works take place and beyond. This ought to be a serious material consideration when selling the site but (see above) no limitations have been put on future uses for the site.

I hope that you consider the above carefully and also take into account the antipathy towards this sale by the majority of Sudbury residents whose park it is after all.

NUMBER: 16 INDIVIDUAL

Sent: 05 January 2021 19:33

Subject: S123[1] [2A] Notification of intent of disposal of Belle Vue House and Open space sites - Objection to sale and disposal of:

I am writing to you today because of the news of an intended sale and/or disposal of Belle Vue House and its surrounding open spaces. Let me begin by saying that I understand that Babergh Council are in the business of trying, especially in these testing times, to raise capital for other ideas, services and endeavours that they see as beneficial to the area.

However, I think it is shortsighted and short - termism to be putting the building and parts of the park up for sale/auction for any 'Tom, Dick or Harry' developer to tear down an historic building [it **is** historic, even if some councillors declare it isn't], and build a 'square yellow block' similar to the eyesore currently going up opposite. This is not to say I do not see the need for progress and homes for people to live in, but there are smart, innovative ways to go about this; and to demolish a beautiful building, that as it stands already has a local buyer willing to purchase and 'gift back' to the locale, would be a dereliction of duty on Babergh Councils part. We should count ourselves lucky to have this offer. A chunk of money from a local businessman who wants nothing in return. Its a no-brainer!

We are now in a third lockdown, with no immediate lifting of restrictions on the horizon, and it is extremely important for people to feel that they have somewhere, like a park, that they can use with their family for some fresh air and exercise. And with that, the park - when we finally do get back to some kind of normality - will be a hive of activity and opportunity for business, art and other great things Sudbury has to offer, and yes, to generate income and jobs!

We have a generous offer, with a steering group [which I am not a part of] full of generative ideas for the park and house that could help Sudbury thrive and attract - another yellow block of flats will not do that.

We are facing a mental health crises, and Belle Vue House and gardens could be a fantastic hub for local people needing some solace from the pandemic. It would be a terrible shame to brush aside an amazing opportunity for the council to make a real, tangible difference to peoples lives after the dust has somewhat settled, instead of trying to make a profit and balance books.

Please. listen to the people of the town, and not to the outdated ideas of perpetual growth, from those who do not live here and certainly seem not to care.

NUMBER: 17 INDIVIDUAL

Sent: 06 January 2021 11:12

Subject: Objection Belle Vue House and land sale concerns

Objection

Belle Vue House (BVH) is now for sale on the open market. I do not object to this as such. What does concern me very much is that there are no constraints on what the purchaser can do with the site including demolishing Belle Vue House. There are three options shown in the above document, two of which show the house demolished which obviously gives the green light for this to any prospective purchasers.

BVH is, however, on Babergh District Council's Local List of important and significant buildings in Sudbury. i.e. those that contribute to the town's character and sense of place. Allowing demolition of BVH sets a precedent which puts at risk every other building on the Local List. Babergh DC appears to be saying "Do as we say, not as we do". This undermines public confidence and trust.

History

Set in its own grounds and park BVH is the largest Victorian house in Sudbury. It was built 150 years ago as a family residence for Henry Crabb Canham, a solicitor and holder of various public offices, by London architects, Henry Spalding and Samuel Knight, many of whose buildings are Grade II Listed in London and elsewhere.

BVH has made a significant contribution to the town's history, particularly as a hospital during the First World War and later serving the town as its Council Offices. The Sudbury Ephemera Archive (housed in the Town Hall) has documents relating to BVH's time as a hospital. BVH deserves to be retained because of its many roles, especially this one, and warrants a 'Blue Plaque' noting this fact. BVH is mentioned in every book and guide to the town. Good examples of old building to new use

Demolishing BVH in favour of a car park or modern flats does nothing for Sudbury's architectural heritage. Examples of excellent adaptation are St Leonard's on Newton Road, the Mattingley Building on Friars Street after the fire and the former

workhouse/Walnuttree Hospital, and even the Great Eastern on Station Road façade has been retained.

All contribute to the streetscape – all these have been sympathetically converted and adapted – and BVH could be too in the right hands. The townscape would be much the poorer had these been demolished and replaced with some nondescript modern building that could be absolutely anywhere. That it is rundown and a mess now is no indication that it could not be restored to its former self.

Carbon emissions

There is much research now to show that retaining old buildings creates less carbon emission than demolishing and building anew, even if that new building is built to low carbon standards. It is no doubt cheaper to hire a bulldozer than an architect skilled in converting old buildings. And no VAT on new building is a big incentive to demolish, yet Babergh's aim is to reduce carbon emissions and for buildings to be zero carbon by 2030. If Babergh really is committed to its zero carbon aims this opportunity to retain and renovate BVH will confirm that commitment.

Flexibility for new use

The fact that BVH is not nationally Listed means it is more adaptable to changes both inside and out which makes it more flexible to change of use. The options for the site show a café to be built on the edge of Belle Vue Park – why not scrap that (saving even more carbon emissions and money) and put the café in BVH overlooking the gardens and park and have the remainder converted to two or three flats? Or adapted for community use, e.g. housing the collections of the Sudbury Ephemera Archive?

I hope that you will take into account my plea that any purchaser/developer must retain BVH and ensure that it is sympathetically restored and adapted to a new use and that it is NOT demolished even if it means Babergh makes less money from the sale that it would do if demolition was allowed. I do realise that Babergh has to account to its council tax payers as to why it (perhaps) did not accept the highest bid – the above provides a few reasons that override solely financial concerns.

For a place that promotes itself as a historic market town to allow demolition of such a landmark building from Sudbury's Victorian legacy shows total disregard for heritage assets and is not acceptable.

This may not be the right time for my plea but I did not want to miss the opportunity of stating my concerns.

I was greatly dismayed to learn that there was no 'No Demolition' clause in the Conditions of Sale leaving Belle Vue House totally at the mercy of the purchaser/developer. Belle Vue House looks dreadful at the moment – and people can be swayed by that - but it is not an excuse for demolishing it. A good example of what can be done with old buildings is just across the road from Belle Vue House – St Leonard's former hospital.

Very many people who live in Sudbury have happy memories of time spent in Belle Vue Park with the house as a backdrop. Others value it for his history and its status as the largest Victorian house in Sudbury. There is much emotional attachment to Belle Vue House – please do not underestimate this. Of course, Belle Vue House means very little to people in other parts of Suffolk and further afield which could either be construed as objectivity – or a lack of empathy for people and place.

I hope very much that you will look kindly upon the old house and allow it to thrive again in its gardens and park by preventing its demolition by a purchaser/developer.

NUMBER: 18 INDIVIDUAL

Sent: 15 December 2020 11:46

Subject: Land and Buildings (old Pool Site and House) on the Belle Vue site in Sudbury

I am very distressed to learn you are putting the above up for sale. I find this so disappointing given the public support for this land to be redeveloped for community use, including the offer by ██████████ to fund such renovations (at his own expense) to make the building fit for purpose.

The current climate has shown how important our recreational spaces are for Mental Health and Physical wellbeing. It is such a shame that whilst we have the space available it has been left to rot, by underfunding and neglect, at the hands of our local council. Please don't sell off this land. It belongs to the community. I have every faith that we can raise the funds to have this land brought back to life and to be of benefit to local people again.

Given that the meadows are used by cattle and dog walkers and are subject to flooding, the park really is the only 'clean' grass environment we have locally, and it already feels too small. We need to open it up and let the children have more space to play and exercise. Surely this is common sense?

This leads me to ask why does the council need to sell this land – why do you need the money? Is it because so much money has been wasted on private consultants for redevelopment plans for Sudbury that never come to be, as they are either not viable, unfit for purpose or the ideas just plain unpopular?

The sneaky timing and tiniest of notifications in the press to make your announcement also comes across as underhand, as the majority of people will be preoccupied with pandemic worries and Christmas. I hope that someone at Babergh will get to read this and see that we, the community, really do want to save Belle Vue, all of it! Please give the people what they want, green safe space for all of us to enjoy.

There is no going back if you sell it off to be 'developed'. I have already heard so many complaints about traffic pollution in that particular part of town, would it not be a good idea to plant more trees on that site? Surely that would be a better idea and more in keeping with the Governments plans for a greener future? If you are going to sell it, sell it to ██████████ so we can safeguard our community spaces....

NUMBER: 19 INDIVIDUAL

Sent: 07 January 2021 13:41

Subject: Proposed Sale of Belle Vue House in Sudbury

I am writing to object to the proposed sale of Belle Vue House. My objections are:

- The fact that the sale of the house has come to light over the Christmas period, with a deadline for objections so close to New Year, seems somewhat furtive. Sadly, this appears to be the way the council now works, when they are trying to get something unpalatable passed the residents of the town.
- As the property that was given to the town for community use, and has been used for such since WW2, I would like Babergh District Council to explain how they have acquired the right to sell it.
- If the house is sold, it may have a potentially detrimental effect on the remaining park and surroundings, depending on how it is developed.
- The old swimming pool area, has been allowed to deteriorate badly since the closure of the old open-air pool nearly 40 years ago.
- The same applies to the house, only I believe the lack of maintenance to the fabric of the building was what led to its closure, and since then it has been allowed to deteriorate to an unsightly state.
- In both cases the lack of care to the site has been the excuse Babergh DC has used for trying to dispose of the site.
- Any sale of the house will obviously generate money - there are no guarantees in your plan to use this to provide a replacement central community hub for events, classes, etc, or to hand it to the town for them to decide what to do with the money.
- The house could be renovated to provide useful community spaces for the enormous number of groups trying to hire spaces for their activities. There is a real shortage of space and the council seems totally oblivious of it.

NUMBER: 20 INDIVIDUAL

Sent: 07 January 2021 15:42

Subject: Belle Vue

As a resident of sudbury for 16 years, I urge you to reconsider the sale of the Belle Vue land. I know that many in the community would like to see it converted into an asset to the town (eg community centre), rather than simply sold off.

NUMBER: 21 INDIVIDUAL

Sent: 07 January 2021 20:08

I am writing to object to Babergh's intention to sell part of Belle Vue Park and Belle Vue House.

Belle Vue Park is Sudbury's only park and is a place for people to visit, relax and enjoy. The Pandemic has shown how valuable safe, green space is for health and wellbeing and how lucky we are to have a park.

I am angry that Babergh want to sell part of Belle Vue Park, which they did not buy and have not cared for. The swimming pool which I used as a child was closed and turned into a skate park, also closed, and now left in a derelict state. The derelict state of the pool site is due to lack of care and attention from Babergh.

My understanding is that the "derelict" area is actually open space as defined by the Open Space Act of 1906 and that Babergh were duty bound to maintain the park and retain it as an area of public recreation to be used by the public on a free basis. Public recreational space is for the enjoyment of all and shouldn't be sold or leased on the open market for the council to profit financially. The park was gifted to Babergh so surely it is unethical to sell it, especially for private residential building.

Babergh District Council are compelled by the law to maintain a good and decent state of the whole park including the old swimming pool site as an area of recreation land for public use. Why have they not done this?

My understanding is that Babergh and Mid Suffolk have just agreed a Biodiversity Action Plan with collective funding of just under £300,000. One of the aims is to plant more trees in Babergh/Mid Suffolk but development at Belle Vue will surely involve tree felling and more concrete.

The traffic at Belle Vue junction is the worst in the town and will be increased.

The timing of the sale notice is unfair, being over the Christmas period and in the middle of a pandemic. Such an important sale should not be going ahead at this time.

NUMBER: 22 INDIVIDUAL

Sent: 07 January 2021 22:26

I would like to express my objections to the sale of Belle Vue House for the purposes of re development into housing or office/hotel space.

Belle Vue Park along with Belle Vue House and old swimming pool site has been a key part of Sudbury for many decades and over the years has been left to deteriorate. As a sixth generation Sudbury family, when I was young I spent a huge amount of my childhood playing in the park and seeing the animals that were kept in the grounds of Belle Vue House.

It is very sad that now I have children of my own, they do not get to appreciate the park and the house for what it really could and should be. I would therefore like to formally object to the sale of Belle Vue House and the old swimming pool site for the purposes of re development into houses, offices or a hotel.

I would like to recommend that the house and old swimming pool site be sold to a trust for the benefit of the people of Sudbury to enjoy for many years to come, and allow it to become the community hub that it was many years ago once again.

There is a local interest in purchasing the site from Babergh Council and carrying out the necessary renovation to the house and old swimming pool site and placing it all in trust for the local community. I firmly believe that this is the best way to make use of this site particularly with the current pandemic and the lack of community space that is now available.

I would be grateful if you would confirm safe receipt of this email, and confirm that it will go forward to the relevant department handling this matter for consideration.

NUMBER: 23 INDIVIDUAL

Ref S123 Notice of intent of disposal of Belle Vue Open Space Sites

Objection to Sale or Disposal

I am writing to voice my objection to the sale or disposal of Belle Vue House and the old swimming pool site.

I have visited the park over the years and compared to somewhere like Abbey Gardens, Castle Park in Colchester, or Eaton Park in Norwich, Belle Vue Park has sadly been left to deteriorate by the Council.

I have been a resident of Sudbury since 1971. Belle Vue House was in its prime then, and it had beautiful cultivated flower beds. It is so sad to have seen the whole site decline and be left to become derelict.

When I was a child my siblings and I used the open- air swimming pool regularly and also enjoyed visiting the park. We used to enjoy seeing the flowers and animals and following the winding path to the entrance of the park where the playground was.

There is a lot that could be done to make the park and Belle Vue House lovely again and used and enjoyed once again by local residents, and also to attract visitors to Sudbury.

A large number of Sudbury residents would like to see the House and park restored and be put to full use. Suggestions have been for Belle Vue House to be used as a public venue such as a wedding venue, or conference centre; even a registry office. There are not many public buildings in Sudbury that can be used in this way. The gardens, if cultivated once again would make a lovely backdrop for wedding or party photographs.

The park and gardens could be cultivated and well-maintained, with a coffee shop, splash park, mini golf or pitch & putt; clean, new toilets, including disabled toilet, with a warden to maintain them, wildlife nature areas.

Volunteers could be utilised to help maintain the gardens, Mental health or well-being organisations could use the park to run gardening courses and programmes, Children could be encouraged to learn about nature in the wildlife area in school holidays. There could be nature trails, adult outside gym. The park could have gates/railings around so that the green beauty of the park (once restored) could be seen from the town and adjoining roads.

It would also be good to allow dogs in the park (on a lead) as more people would walk through with their dogs and children. (The children's play area could be fenced off and be out of bounds for dogs)

We do have the water meadows on which to walk dogs, however when the meadows are water-logged it is not possible to take dogs there.

This year it has been more important than ever to have green spaces for people to exercise in and help them maintain good mental health.

I am a support worker for adults with learning disabilities based in the Bury St Edmunds area. This year during the lockdowns, the only places to take clients have been parks and gardens. Those around Bury St Edmunds have been very well maintained such as Nowton

Park, West Stow country Park, Abbey Gardens. Abbey Gardens has been a lovely place to visit with its small café, tables and chairs, cultivated gardens, wildlife, spaces to walk and sit, children's play area, and well-maintained toilets with a warden to make sure they are kept clean.

Having a lovely park in Sudbury to take clients to would be a real asset as support workers will travel to find suitable places which will benefit their clients. I'm sure this would also be the case for residents in Care homes where they could be taken to enjoy the beauty of a park or gardens. Also, parents with their children, people working in the town could go and sit there during their lunchtime, the list is endless.

There is so much potential beyond just disposal as a quick a money- making exercise, and I sincerely hope that Babergh District Council will consider carefully about plans for Belle Vue House and the surrounding site and listen to what the people of Sudbury are saying about what would be good for the town. After all we are the people who live here and care deeply about the town and its people.

NUMBER: 24 INDIVIDUAL

Sent: 08 January 2021 04:56

Subject: Re- S123 notice period

It's a beautiful house that in my opinion has been deliberately left to decay ! It has always had a use & then in the councils wisdom they removed TheCitizens Advice Bureau, council hub for payment etc & The Day centre for senior citizens . It has remained empty since then & now boarded up , even the park lacks maintenance & some equipment has removed . It looks an absolute mess . Such a shame our council leaders can't see what a gem it is . I thought it would make a wonderful craft centre , even renting out rooms for small business use . You have to wonder !!!

The legal & planning department s could serve an article 4 direction preventing its demolition. Like they did with The Highbury Barn in great Cornard , there was also importance placed onThe Tarantella which had provided apartments . It has strong local history & could be an asset to Sudbury .

NUMBER: 25 INDIVIDUAL

Sent: 08 January 2021 07:38

Subject: Belle Vue House & Land Re: S123 Notice period

I am writing to object to the sale of Belle Vue House and the land at the site of the old Swimming Pool in Sudbury.

I feel that compared to the amount of publicity the area had when BDC had its hotel plans in the pipeline, this sale has been quietly rushed through within the six weeks over the Christmas and New Year period when people are preoccupied (not least with Christmas - there is also the Covid pandemic and Brexit). It has been so low-key that I have struggled to find the correct email address/subject lines to use - please excuse me if I have not got these quite right.

Before the hotel plan, the House was subject to a great deal of public consultation and gained much interest including two community bids. Surely BDC gives priority to the community? I understand that Belle Vue House was gifted to the people of Sudbury, so they should have first say in its use (or disposal). I also understand that Sudbury Town Council was not consulted over this sale, which is rather shocking.

Added to that there is the offer by [REDACTED] to buy the house from BDC and return it for public use - for example as a wedding venue. In my opinion this would be very much preferable to seeing the building demolished and replaced by yet more flats; however, whatever becomes of the building it should be decided by a more democratic process.

As for the Swimming Pool land, I believe it is an Open Space (as defined by the Open Spaces Act of 1906), and therefore BDC should have maintained it in 'a good and decent state' for the enjoyment of the public. Instead it has been closed off for many years and allowed to fall into a state of dilapidation.

It would not cost very much public money to bring this land back to life with an orchard of fruiting trees, vegetable gardens and a water feature or two, say. This would go some way towards fulfilling Sudbury's shortfall of Amenity Green Space (-6.61) or Allotments (-3.43, according to Babergh & Mid Suffolk DC's own Open Space Study of May 2019).

I hope there is some chance postponing any sale until the people of Sudbury have had another chance to salvage the house and/or the land for purposes that will benefit the community.

NUMBER: 26 INDIVIDUAL

Sent: 08 January 2021 09:23

Subject: Re: Belle Vue and old Swimming Pool site

I'm not formally objecting to it being sold for community use.

I am concerned that it has been run down to such a state of disrepair that the only option left is to demolish it. This would be a travesty.

Surely Belle Vue and gardens would provide a wonderful venue for an Arts & Crafts Centre, Cafe and Gallery - with a lively listing of workshops, lectures and learning opportunities for all age-groups? We have nothing like this in Sudbury - the Quay Theatre and Gainsborough House being the only 'cultural' centres for miles and somewhat limited in what they offer. I'm thinking of examples such as the Minories in Colchester, Kettles Yard in Cambridge, and Arts Centre in Norwich. Sudbury so needs something of cultural and creative importance - and there is so much potential for our diverse community to benefit.

NUMBER: 27 INDIVIDUAL

Sent: 08 January 2021 21:41

Subject: Re s.123 Local Government Act 1972 notice period

I refer to the s.123 LGA 1972 notice referencing the 1.06 acres (0.43 hectares) proposed disposal filed by Babergh District Council (BDC) and have carefully reviewed the marketing documentation provided by Studley Capital Limited and I strongly object and oppose the proposed sale and marketing of the Belle Vue site and provide the grounds for objection below:

Surplus land requirement

I would like to highlight again that this land that Fiona Duhamel advised was determined to be surplus in 2013 is not surplus. There is a significant deficit of open space in Sudbury and the deficit is going to grow larger as more developments are built. I have attached the reference to the assessments that were undertaken by BDC for open space and recreation. BDC's assessments show a significant deficit of amenity green space and park and recreation land in Sudbury.

The NPPF states the following:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.*

or

- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of **quantity and quality** in a suitable location.*

or

- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Fiona Duhamel advised in separate correspondence that the land was declared surplus in 2013 and it appears to be on that basis that BDC are proceeding. The assessments carried out in 2019 quite clearly show the opposite and being marked as not just a general deficit but not even reaching the minimum requirement for Sudbury marked against national averages for area size and residents.

BDC are actively ignoring the NPPF and in addition appear to be not referring to BDC's own policies:

BDC are encouraging small developments within the town to reduce car use and parking provision as advised in their recently adopted Infrastructure delivery policy (IDP) but are reducing in percentage terms the available open space, again this goes against the IDP and the open space assessment and policies CS14 and CS15 in the core strategy that BDC is supposed to take lead from where it undoubtedly states the following:

- 'i) to respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;*
- ii) make a positive contribution to the local character, shape and scale of the area'*

The site ad is strongly encouraging residential development on this site and sites CS18 from the core strategy policy stating:

'The Council's Policy CS18 focuses on the need for residential development to provide for the needs of the District's population, particularly older people'.

There is no mention of the site being 'open space' or the CS14 and CS15 strategy requirements. Yet, in the core strategy document at 3.4.4.12 it highlights the importance of CS15 over other policies stating that:

'All proposals for development should comply with other policies in the Core Strategy and Policies document, particularly Policy CS15, and other subsequent documents as appropriate.'

The open space and recreation policy 2008-2018 was written to support the JLP and to provide strategy around open space and recreation.

The strategy sets out a number of key areas all which have not been taken into account, but key strategies include:

- *Identify open space, sport and recreation facilities which are important to the communities which they serve and seek to protect them from alternative uses or from development.*
- *To enable priorities to be set for improvements to open space, sport and recreation provision throughout the district, within catchment areas and Parishes;*
- *To inform policy formulation for the planning and operation of open space, sport and recreation facilities in the future, in particular, the policy context for enhanced provision through the Babergh Development Framework;*
- *To provide and support a network of open spaces which contribute to local biodiversity and nature conservation value;*
- *To ensure an adequate provision of green infrastructure is provided throughout the district and beyond to provide recreation and nature conservation opportunities;*
- *To ensure the opportunities for participation in a range of recreation and sport activities are accessible to all to promote healthy lifestyles;*
- *To ensure that provision for open space, sport and recreation is commensurate with future housing growth throughout the district.*

There has been continual opposition from the Sudbury community every time BDC puts this land up for development sale. This is because this space is and always has been important to the local community who purchased this land to keep it in Sudbury's hands prior to the compulsory acquisition on 1 April 1974 due to the local government reorganisation. This site has for many years had recreational use and is 'open space' to be maintained for the enjoyment of the public even though BDC have not until recently recognised it as such. BDC should have identified this land prior to now and provided upkeep and protected the land against sale as per their legal requirements under s.10 Open Space Act, the NPPF and BDC's many core policies that advise it to do so.

S.10 Open Space Act 1906:

Maintenance of open spaces and burial grounds by local authority.

A local authority who have acquired any estate or interest in or control over any open space or burial ground under this Act shall, subject to any conditions under which the estate, interest, or control was so acquired—

(a) hold and administer the open space or burial ground in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act and under proper control and regulation and for no other purpose: and

(b) maintain and keep the open space or burial ground in a good and decent state.

and may inclose it or keep it inclosed with proper railings and gates, and may drain, level, lay out, turf, plant, ornament, light, provide with seats, and otherwise improve it, and do all such works and things and employ such officers and servants as may be requisite for the purposes aforesaid or any of them.

In my personal view, BDC have failed to consider or implement their legal requirements or policy in relation to the Belle Vue Site sale.

The Local Development Documents must, taken as a whole, set out the authority's policies relating to the development and use of land in their area. (Planning and Compulsory Purchase Act 2004 S 17(3)). BDC appear to be in contravention of the NPPF and their own key strategies and policies by offering up this particular site area for sale.

BDC Officers have taken the decision to sell Belle Vue and they have confirmed the site area and made the decision to market the site all without council approval and actively breaching their own policies but more importantly principled government guidance, NPPF. The decision to sell does not appear to have been validly taken.

Additionally, BDC have a statutory duty to prepare a Sustainable Community Strategy and have an associated duty to consult (Local Government Act 2000 Section 4(1) and 4 (3)). BDC have prepared a Community Strategy with their vision and strategy and this document highlights some of the issues around interaction with the community and includes some of the following:

*'We need to ensure that we are accessible and move our communication from what are often one-off consultations to a more meaningful real-time dialogue. This will take effort and commitment on all sides and it must be founded on a relationship developed through mutual trust and respect. We recognise that it is much easier to write a strategy than to implement one, **but we are committed to ensuring this strategy has impact by embedding it across all our services.** Our vision is simple, we want "all our communities to thrive"'*

'It is important that we always seek to represent local views, encouraging local people to make their opinions known. It is vital therefore that we direct our effort, avoid duplication and that we target our resources to achieve the right outcomes.'

'Our strategy will develop how our needs-based approach can be delivered using the following key principles:

- An agreement of common interest: where there is a commitment within a community to explore greater opportunities for joint working and to engage the whole community in doing so.*

- *The Prevention Test: where there is evidence that activity will reduce the demand on services or be used to address an issue that creates demand, for instance poor health or isolation.*
- *The Asset Test: where the assessment of the community “deficits” is developed alongside the community assets.*
- *The Legacy Test: the lasting contribution of the activity or project and its positive impact within the community. This could be an increase in volunteering, better use of a community space, an increase in physical activity.’*

BDC have not demonstrated that they have taken a needs based approach and seem to have ignored these set of tests. BDC have a statutory duty not to just write the ‘right’ words but to implement and follow these strategies and a duty to consult. Based on the facts that are publicly available I am concerned that BDC have not followed all their obligations.

I have separately written to request information about how BDC determined the surplus land position and await a response.

Site ad issues

There is no mention of open space and recreation space in either the site ad or information pack. BDC has issued the s.123 LGA 1972 notice so are openly aware of the fact that they choosing to sell open space and have made the decision to market the site for offers before objections have been capable of being made and heard.

I have provided objection to the marketing process further on in this document, but potential buyers are not being made aware from any marketing documentation that this site includes open space which has been used for recreation purposes up to 2015. It would surely be unlawful to mislead prospective purchasers and BDC are aware of the open space legal issues and yet this information is excluded from the marketing documents for prospective purchasers.

Secondly, the site ad is geared towards encouraging a care home sale, by regularly referencing the ageing population including all stats for over 65’s and providing the Sudbury Steering Group’s (A non executive function) drawings and plans as part of the information pack that reference residential care and suggests the property should be demolished using the following wording:

‘Should the development proposal involve the retention of Belle Vue House then the refurbishment of Belle Vue House must be concurrent with the development of the remainder of the site.’

The wording implies that the expectation is that the house is to be demolished which in turn provides an inference that planning would be in general agreement with this and yet it is a locally listed asset and even though BDC have allowed it to become rundown it is treasured by many in Sudbury and considered an important asset to the community, with the Belle Vue interest having been acquired by the Mayor of the Borough of Sudbury for Sudbury people prior to the local reorganisation. This has been echoed throughout engagement and consultation events and BDC are ignoring this and encouraging the demolition and making it harder to bid on the site and retain the house as BDC have attached conditions in terms of the timing of the work to be done ‘if’ the house is to be kept. This is another example of BDC not showing regard for their own policies (CS15).

Additional planning considerations

As referenced above the NPPF provides clear guidance on the procedures to be considered in respect of open space and recreation land. BDC will likely try to argue that planning issues are a matter for the planning committee when an application is formally made but I disagree and strongly believe that BDC have a duty to consider these issues at the outset as the land being marketed is open space which should have been maintained in decent state for the public benefit and they have strategies for land management in the area for development purposes.

Over a number of years BDC has wasted time and taxpayer money on marketing these sites including significant cost out of a regeneration fund funded by local business rates for BDC to build a 54 bedroom Premier Inn and leaseback to Whitbread PLC. This BDC led project had material factors to consider for planning that were weighted against it and the disposal of the swimming pool site for that purpose would not have been for best price for the land as there was no consideration and there is a requirement to receive consideration under s.123 LGA 1972 so would likely have required secretary of state approval to even take it forward.

Hundreds of thousands of taxpayer's money has been spent trying to meet BDC's objective to have a hotel somewhere on that site despite significant community objection all whilst offers have come forward for the house and these have been rejected because BDC wanted to sell the whole plot and these offers have been lost. In my opinion, BDC appear to have breached many statutory duty's to taxpayers including a best value duty under the Local Government Act 1999 which requires authorities to secure continuous improvement in exercising functions, having regard to a combination of economy, efficiency & effectiveness.

If BDC disregard the NPPF and their own planning policies at the outset as part of taking a decision of what part of the site should be disposed and marketed and what uses could come forward, then in my view this could be a breach of their statutory duty to provide best value having spent years repeating the same actions on this site and ignoring the open space and other key planning issues.

The highway issues alone on any development proposal would be difficult to overcome bearing in mind BDC agreed an application for a multi storey block of 19 flats on the opposite side of the road to the encouraged residential development at Belle Vue of which the building is well underway. BDC engaged WSP at taxpayer cost to do traffic surveys and they have highlighted that the Belle Vue/Newton Road junction is one of the busiest in Sudbury. This is a dangerous junction and difficult to get across on to the park side and will become an even bigger issue with the Chilton Woods developments. BDC regularly highlights the issue with the Belle Vue/Newton Road junction. Its own infrastructure policy suggests bringing in methods of calming traffic in that specific area with the latest reference to this in the car parking review issued this week.

As a resident who lives on Newton Road and often struggle to cross the road due to the volume of traffic, I directly witness the issues that are faced on this road and that junction. Marketing a site to encourage residential development including the SSG's preferred residential care options over two plots and included in the information pack to prospective purchasers (carer's cars/visitors/lorries for food etc) does not consider the serious highways impact that planning would have to take into account and in my opinion is foolhardy and possibly misleading to potential buyers.

There will have been more taxpayer money spent on marketing this site once again and it could have a condition of sale to be to achieve a planning application. This would again defer any progress being made if it cannot be delivered and could fail the best value duty requirement.

I object to the marketing and disposal of this site on the grounds that no planning considerations appear to have been taken as BDC have failed to provide a deliverable plan on this site despite several attempts and in my opinion could be a breach of their statutory duty by failing to improve these functions and inefficiencies which have led to significant lost taxpayer money.

Environment

Babergh and Mid Suffolk District Councils' cabinets unanimously agreed their Biodiversity Action Plan, setting out how they aim to protect and strengthen biodiversity in the districts which was supported by experts. It is the product of biodiversity emergency motions passed by both councils in 2019.

Its approval forms a key step towards achieving the councils' ambitions to protect and enhance the environment, and links to their Joint Carbon Reduction Management Plan.

Headline commitments include:

- *developing a Supplementary Planning Document linked to the Joint Local Plan - to strengthen biodiversity protections and set out the districts' expectations for design, landscaping and open space elements of new developments*

There are obvious environmental concerns including and not limited to the impact on existing trees, the positive impact on people's mental and physical health to have access to well maintained green open space, to encourage new tree planting, the car emissions on a busy junction being further added to and by opening the swimming pool site up for landscaping would allow further space to enhance the cycling and walking opportunities meeting BDC's supposed objectives.

Any new development on the house site would be a new development. Therefore, you would expect the purchaser to add to the open space offering to set off the impact of building more residential places. In this case the land is already open space. BDC offering to re-landscape the right hand side of the park and maintaining it is a duty of the council to maintain the open space and not part of providing additional open space as part of a private development. At the least you would expect offers to come into re-landscape the swimming pool site at the purchasers cost to be made open to the public. If not, BDC are openly profiting from taking away open space that is for public benefit and not ensuring that the developer contributes to further open space or to provide for any recreation land as part of what could be a considerable development.

The NPPF and BDC's latest bio-diversity plan cited above that this must be a consideration. Sudbury Steering Groups chair, Councillor Michael Holt's favoured plans (although this group is not in my view properly representative of Sudbury's view and the group are prohibited to have any decision making powers as per their terms of reference) have been added to the information pack for prospective purchasers which all show building on the swimming pool site inferring preference for that land to be used for residential care and with no comments as to the loss of trees, open space availability and for the site to provide any further improvement to the green infrastructure on this Sudbury site. Again, this is another example of where there's a perceived failure to follow the NPPF and BDC's working strategy and policies, with BDC appearing to focus on only the capital receipt of selling what they have marketed the site as 'Prime Town Centre Site For Sale' (EADT Thus 17 December) and failing to follow any policy.

S.123 notice issues

The impression created is that there have been a number of blatant failures by BDC to follow due care and process including potential breaches of statutory duty required by the council under the following legislation:

- Section 123(2) LGA 1972 - provides that: *'the Council may not dispose of land (other than for a short tenancy) for a consideration less than the best that can reasonably be obtained'*

The council is legally bound to sell the land for not less than best price under s.123 Local Government Act 1972. BDC have in my view based on the facts that I have been presented with not met this condition based on the following points:

- The site has been marketed over Christmas initially for only 6 weeks, during the height of an ongoing pandemic, although an additional 3 weeks have been given due to a national lockdown. The absolute minimum period for marketing using best practice and case law precedent would be 2 months. This is without being in an unprecedented financial climate through the height of a pandemic and lockdown, over Christmas shut down and a forecasted recession. BDC have owned this site since 1974 and previous marketing for that site was for a much longer period of time. I do not believe that the marketing timescale and the timing of the sale is adequate to obtain best price to reach all potential interested parties.
- The site looks like it has been wilfully neglected by BDC even though they have had a legal duty to keep the site in a 'good and decent state of repair' under the terms of s.10 Open Space Act 1906 achieving an undervalue of what the site should be worth.
- The sale ad as attached on their website which advises that the method of sale will be assessed on a quality / price evaluation criteria basis and that the vendor reserves the right not to accept the highest or any offer received.
- After much searching, I cannot see anywhere on any of the local or national websites where this is for sale. Previous marketing with Savills had this on their website under searches and on well known websites selling land for redevelopment. This could also be purchased for private sale yet again it is not marketed anywhere online. How can this method of marketing in the digital age and even more so in a pandemic situation not be available for online marketing sites.
- Disposals by public authorities also need to comply with the European Commission's state aid rules

- a) open and unconditional bidding procedure,
- b) comparable to an auction, accepting the best or only bid; or
- c) an independent evaluation should be carried out by one or more independent asset valuers prior to the sale negotiations in order to establish the market value based on generally accepted market indicators and valuation standards.

I challenge the position that BDC may not be aware and may not be following the EEC requirements when this was marketed.

I also believe there to be a possible breach of a statutory duty based on the information made available. The site sale has been listed for offers to be received now by 12 February at 12pm without listening to objections made (end date 8 January 2021) which is a requirement under s.123 of Local Government Act 1972.

- Section 123(2A) LGA 1972 states: '*A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.*'

The newspaper disposal notices included the incorrect space in the first notice and updated it in the second week so the notices were not the same in the consecutive weeks.

BDC made it initially harder to object by requesting the objections in writing. Given we are in a pandemic and I would want to guarantee that an objection was received it will have forced people to have to go the Post Office. I had to request that they provided an email address as well as they had not provided one and wanted all objections in writing. BDC did acquiesce to this request but this should have been offered as a communication option for objections at the outset as is offered by many councils who have gone through this procedure.

I have requested details of the process for hearing the objections but BDC have made the decision to sell the site before objections have been made and heard relating to the disposal of open space.

Even if objections are now heard, I would have little faith that BDC would take seriously the objections or that the public would trust that proper consideration is being taken as the decision to choose to sell the land has already been made. The council will likely retort that the bids are to come to cabinet in March so that a decision is not final yet, but costs have been incurred in marketing this site, drawing up visions for the Sudbury Steering Group (the non-executive function) so the costs must have been incurred by BDC directly to dispose of this site. This failure to adhere to follow best practice guidance in respect of s.123 (2A) LGA 1972 is unacceptable.

Regeneration

BDC's leader, John Ward, spent a significant amount of time last year arguing that the hotel was about regeneration.

By following SSG's plan for retirement properties on both the house site and the swimming pool site the opportunity for regeneration is lost.

Opening up the front of the park meets all the legal, non statutory guidance and local policy as well as providing for future opportunities to improve the site further to encourage people outside of Sudbury to come to our town. BDC's overarching plan is to improve the area for the recreation and tourism sector to encourage investment into town. Re-landscaping of the whole front of the park with the café and new toilet block, accessibility for those with mobility issues and to encourage footfall to the area of the town that is owned by BDC (i.e. The taxpayer) which BDC are aware that they can fund from the Land Release Fund and CIL would generate other significant other revenues.

The house site could still be sold without the swimming pool site and with an increased value due to the additional park land surrounding it and has been bid on and had offers many times as a separate site but BDC are actively promoting short term capital receipt over medium and long term regeneration and income streams.

BDC have argued that they have invested in Abbeycroft Leisure (the company that manages their leisure centres) and St Peters for cultural events and to Gainsborough House. Many cannot afford gym and pool costs or cannot afford to access the arts or indeed have an interest in it. However, improving an asset owned as custodian by BDC that is supposed to be held for enjoyment of the public (s.10 OSA 1906) where there is no initial cost to them to access would drive more people to come into Sudbury to enjoy the space, would generate option to boost fund raising locally to further improve the park and with increased footfall comes increased spending in Sudbury.

I object to how BDC are openly dismissing any regeneration options on land that is specifically held for the enjoyment of the public that can directly benefit **all** as well as increasing footfall from within the community and tourists to Sudbury.

Concluding remarks

The proposed disposal does not meet the requirements of the public, in my view the disposal of the site and the decision to dispose appears to breach several statutory duties and does not adhere to non statutory guidance such as the NPPF and fails to adequately respect local policy.

BDC appear have neglected this site for many years despite their legal duty to keep it in a decent state and for the enjoyment of the public.

BDC appear to be looking for a short term capital receipt but are not balancing the other needs of the council and the needs of the public. A regeneration opportunity that balances the needs of all and provides a medium and long term revenue generation from increased footfall and tourism is available and BDC were prepared to take on the huge project of borrowing and building a £6.5 million hotel for Whitbread PLC on a 25 year leaseback scheme in the interest of regeneration. BDC can obtain full non repayable grant funding for this project from LRP and CIL and I would urge the council to reconsider their plans for this site and look to make this the regeneration project which also supports the short, medium and long term opportunities that can be created by opening up the whole front of the park as supported by Carter Jonas in their regeneration study commissioned by Babergh in 2015 with the additionally proposed café/toilets.

I reserve all my rights in the event BDC proceed with this ill advised sale in breach of your statutory duties, NPPF guidance and your own policies.

NUMBER: 28 INDIVIDUAL

Sent: 09 January 2021 00:06

Re: s.123 LGA 1972 notice referencing the proposed disposal filed by Babergh District Council (BDC) of land at Belle Vue House and Park.

I'm writing to object to the proposal for section 123 disposal of land referred to as the Old Pool site and House. A brief summary of my reasons and grounds for objection are detailed below:

Site advertising and timing:

The site advertising has been launched in the same month as the section 123 notice, and already strongly suggests the outcome or criteria expected in a successful bid. As well as appearing to pre-emptively preclude the potential other uses that interested parties might put forward, the site also implies that the expectation is that Belle Vue House should not be retained as a preferred option. In fact, the wording of the materials implies the opposite by using the Sudbury Steering Group's diagrams of possible options where the house is demolished.

The site includes open space, and this is not made clear in the marketing materials. There has been statement by some councillors that there is a small amount of open space in the land advertised. However, in addition to this, the open space referred to as the 'Old Pool' site has been used as recreational space up to 2015. The fact that the council now pursuing this sale are the ones that closed this area off to the public surely cannot be grounds for it now to be considered otherwise.

Section 123 notice concerns:

The section 123 process asks the council to only dispose of land for the best price available.

The site is being marketed over Christmas, in the middle of a pandemic, with no mention of the changes for an interested party that they may face when objections from the section 123 notice are made. All this adds up to a process that is almost sure to not fetch the best market price.

The site has been run down by the council and they have also stated they will not necessarily accept the highest offer. This also runs contrary to achieving the best price.

Finally, apart from the adverts in the newspapers, I cannot find any other material relating to advertising site for sale online or outside the local papers. This seems to be something that the former operators of Winch & Blatch and many other property owners in town have done, as I can find their properties. So, it is hard to understand how the best price will be achieved.

Outside of the pricing issue, on a personal note, I can't understand that former interested parties were not formally invited back to develop or submit plans for Belle Vue House. Even if they were not, if the council were interested in the quality of the proposal, that they would have taken steps to attract the best bids by allowing more time and applying wider advertising. All this adds up to my view that BDC are not meeting the conditions of a proper section 123 disposal.

Open space:

There has been reference to a 2013 determination of the site to be surplus. However, there is a shortage of open space in Sudbury. BDC's assessments show a significant deficit of amenity green space and park and recreation land in Sudbury.

The council do not seem to have satisfied the NPPF conditions to prove that this open space can be built upon. Coupled with the lack of space identified in their own assessment, I cannot see how the 'Old Pool' area that was used recreationally up to 2015 can be built upon.

Engagement with community:

There was rightly much fanfare made of the options for Belle Vue House in the expo in January 2020. Amongst these were viable schemes for community use, and residential development for open sale and specifically for over 65's. Since then, there has been little or no interaction with the community about which of these schemes could or should be taken forward.

With the interest of a hotel owner, and the changing rules on use of PWLB as a vehicle investment, the time was right for the council to engage with the community and the previous interest in the neighbouring Belle Vue House site. While there was an invitation to submit plans, there was no proactive engagement from BDC evident in the months that followed. The opportunity to form a community partnered solution, led by the Steering Group was not taken despite the knowledge within BDC that Belle Vue is a cherished site and that a community led and community centred solution were the preference of many, while still delivering an economically sound and sustainable use for the site.

The timing of the disposal, the fast-paced launch of marketing materials for a sale, and the wording of these – together with indicative drawings of a site – all point to a fait accompli. The feeling in STC and from myself as a resident of Sudbury is that the cloak of Christmas and Covid is being used to fast track a short-term fix for primarily financial gain over and above the provision of open space.

The open questions in the process used to make the decisions also does not match the feeling for people that this process is being rushed through. Time needs to be taken to understand the true nature of the open land and arrive at a decision that is transparent and understood by the community.

Conclusion:

So, the proposed disposal does not meet the requirements needed. There appear to be breaches of duties and it does not adhere to the NPPF and other guidance. As such, it would be wise to consider withdrawal and engagement with the groups and community in Sudbury to create a solution that benefits all and not just a short term financial gain.

NUMBER: 29 INDIVIDUAL

Sent: 08 January 2021 23:59
Subject: The Future of Belle Vue House

I would like to add my name to the many other local residents wishing to preserve Belle Vue House and its immediate garden/park from being ignominiously sold off with no regard to its future use or demolition.

After moving to Sudbury's outskirts 19 years ago it took a while to discover the hidden park and grand 150 year old Victorian residence and I was delighted to find that 'my town' had these assets. It was incomprehensible and sad therefore to find that the house was increasingly neglected and the gardener's work discontinued.

Along with others I have been given a tour of the house, been a volunteer gardener, attended a meeting for ideas for future use, joined the protest meeting along with many children in the park, and when Citizens Advice was in place even tried to rent rooms in the house for a Sudbury U3A group to meet in (turned down).

Sudbury has a severe shortage of meeting/activity rooms/spaces for its ever-growing population, especially now the Delphi Social Club has been closed. There is St Peter's (which is hard to book as it is fully used), the Town Council's meeting room, the Stevenson Centre and a few church etc rooms there is no Community Centre - not even up to the standard that several local villages have.

Therefore I make a plea for Belle Vue House to be fully used for diverse activities and public or club meetings. I'm sure there would be lots of public support and full usage of both house and park if given the opportunity.

NUMBER: 30 INDIVIDUAL

Sent: 08 January 2021 23:36

Subject: Disposal of Belle Vue House (BVH) and part of the adjacent land and pool (the Site) at Sudbury

Dear Madam, it is your name for reply which is given in the Public Notice published in local papers of the above proposed disposal of BVH and adjacent land in my home town of Sudbury pursuant to s.123 of the Local Government Act of 1972.

I am pretty sure that I posted a reply to BDC some week or so ago, but I am nearly 82 and a bit shambolic so will try again, for I am deeply opposed to any sale of BVH and Site on grounds which can be summarised as follows:

- a) The property was acquired by the old Borough of Sudbury after the war (when it was used for war purposes), I think by way of gift, but only passed to BDC when it was formed. It is thus a Town property of special historic status.
- b) The uses to which the BVH and Site were used before the Babergh takeover were all for the benefit of the Town and district and included Borough Offices, local Courts (Magistrates, County Court and for Tribunals), Museum space, Citizens Advice Bureau, Weddings, plus Meetings for a multitude of local organisations, and Weddings, plus catering for many of the above at different times. I may say that I have been going to BVH all my life and have experienced its use for all these purposes
- c) BVH is singularly appropriate for the above and other purposes given its impressive design, adaptability and variety of usable space.
- d) the location of BVH is perfect for all these public uses, being centrally sited, with parking at hand, set in the Park which is another invaluable asset, It also has one of the most delightful situations in the Town (and was formerly where a Gainsborough lived.) The adjacent beautifully placed gardens and terrace are ideal for related uses (parties for instance.)

e) As Sudbury inexorably grows, the need for such space for public uses grows in step. The BDC could, with a modicum of imagination, adapt BVH to fulfill those growing needs (just think of the need for meeting facilities.)

BVH could, I accept, make a splendid Hotel, which would have singular public benefit. What, however, is an abject waste of its many potential public benefits is to sell this gem to the highest bidder, allowing him (or more likely it) to do what it liked - invariably to maximise the profit to be made regardless of impact - one could imagine demolition and erection of a block of flats!

Accordingly I plead with the Council not to proceed as planned and to use this jewel for the public benefit for community needs.

NUMBER: 31 INDIVIDUAL

Sent: 09 January 2021 02:12

Subject: Belle Vue Park

I hear today is the last day residents of Sudbury can object to the selling off, and worse, the demolition of our beautiful Victorian Belle Vue House.

I remember Belle View Park and it's big Victorian house well. When I was just 11 years old, me and my homeless brothers and mother, finally were driving down the very long Ballingdon Hill in the back of our slow moving removal van. I was carefully holding onto our goldfish in his bowl trying not to spill any water. Our mother was up front, but the Church in London where my mother had married, had let us all choose an armchair and a bed each from its vestry stacked with old furniture, and we were each sitting on our chosen chairs, peeking out from the tarpaulin at the town we were coming to because a group of official people had said we could come to and make a new home.

My mother had already, bravely visited Sudbury on her own, from London on the train. She had already signed the contract on her new council house Haven for her children, but that was after she fulfilled her obligation to the Council and found a new job in the Stephen Walter's Silk Mills.

There was no one standing along the pavements of Ballingdon Street waving to us, but somehow I felt the spirit of the old buildings welcoming us in. After the trauma of our parent's marriage breakup, and then travelling back to UK without our father and eldest brother, and finding ourselves housed in the foulest of slums on an edge of London between our two sets of grandparents which had felt like the very end of the world, I looked out at Sudbury and felt... still very alone and lost.

First Avenue, Springlands had been made for a bunch of "other's" called the 'London Overspill'. Some families came but did moon light flits because they missed London. To them Sudbury would never be home. But I'm 60 now, with children and grandchildren of my own, who continue to grow and learn to know themselves against both the constancy and changes of Sudbury Town which we all now, to greater and lesser degrees, all call and think of as our home.

Why? Well a local historian, Joanne Plumridge, explained it to me this way. She says that familiarity and a sense of the present is created by connection to the collective memories of the past. She calls it the experience of heritage, and says that this familiarity, and sense of

present that it creates, through the experience of our heritage, plays both a beneficial role and a vital social function. And I agree.

For me, Belle View Park was part of the 'familiarity' and safety me and my brothers needed so we could start to slowly heal our broken hearts and begin to foster the sense of belonging I know we were not alone in needing, in order to start to feel home anywhere. Me and my brothers used to go with my mother to Belle View Park House to queue up and pay the rent. Afterwards we could walk and play in the park, and my mother could sit for a while, not really with the other mothers, or she could leave us there while she went shopping, and on weekends in the summer, when we never had a holiday, we could join all the other families round the open air swimming pool. The big old house sat majestically inviting us to meander respectfully round the hidden pathways as we forgot our troubles and just let ourselves be children, in an environment that welcomed everyone. It was the centre of diversity for our town. Rich and poor played, not really together all the time, because often the park was about families being families, but we were there alongside each other. People spoke to each other, even if it was only politely. It was a place fathers and mother's were off duty. Also single mothers like me, after I eventually grew up and had children of my own. Except, as statistics might like to say they were right, 10 and 11 years old wasn't the only years I was homeless and searched for a place of belonging. After my dad left, it took me a much longer time to grow up emotionally, so Sudbury town didn't just house me once. I've ticked several of Sudbury's boxes of statistics in my growing up process. I know what it's like to walk the streets pushing a pram, not knowing what to do with young children, eventually always thankful to find a welcoming seat in Belle View park with other people whose families didn't look the standard 2.4. My eldest daughter eventually grew up and Chaired the Suffolk branch of British Horse Society. She spent years trying single-handedly to make horse riding a non elite sport, only for the rich. Her vision was every child should have access to horse riding, as for her horses and riding were the essential vehicle to growing up well. And today my youngest daughter is helping to raise 5 children with values she lives by, as she also digs deep into her internal resources every day, to continue to champion her vision of a kinder, safer, and fairer World for all children and families, as she juggles the impossible to continue her Candidacy as a new Green Councillor for Babergh District Council, because she knows that's where politics starts for every family, in local government. She can't turn away from the wider sufferings of our community, and pretend it's okay to stop caring about the real essentials that real diverse families, who don't fit into the standard models, need to raise happy, healthy kids even when you're poor and you're not as well educated because current social, economical, political decisions means that, still, 'the park' is one of the only places a poor family can go to at any age, and feel we belong.

Today, who amongst us call the wreck of our outdoor swimming pool, "the wreck of our outdoor swimming pool" which we all know it is. No one that I know.

Even closed down, buried in concrete, barred up in an ongoing political, economical drama of what it 'was promised to be one day', our old outdoor swimming pool is still affectionately addressed by everyone as, "our old outdoor swimming pool", and as dead as it looks, we all know its just waiting to be breathed back to life by a Council that remembers and cares what it was, and has the vision to see what it can be again.

Why? Because Belle View Park and Belle View House is part of our identity. Even for the kids today who don't remember what it was to the people of this town, especially those who had little money for access to resources we couldn't afford, the barred up, disused outdoor swimming pool somehow reflects an anomaly of a sore and sorry gross mistake made by

someone whose remained invisibly in the ethers, somehow, hopefully waiting to put that mistake right. You see, our old swimming pool remains energetically attached to the park and the old House that we are just allowing to fall into the same rack and ruin. Although a visible scar on our landscape, the old swimming pool and park and our historical Belle View House, are really the heart of our town.

They remain a living edifice the Town Hall can never be, as equally important as Peter's Church, and the necessary counter balance to the Water Meadows and Friars Meadow that combine together to give the diverse peoples of Sudbury both our personal and national identity.

The old man who gave up his grand mansion home to the Red Cross, so our town could have a hospital for our casualties of the war, feels very close to my heart today as our entire nation is forced to find new solutions for our bursting to capacity hospitals, in the face of this COVID disease that has turned not just other parts of our country into a second round of lockdowns, but our town and all of Suffolk.

This disease, to my mind, forces this town and its Counsellors to look ahead now and see a very uncertain future, in which we can only wonder what will happen to the people of this town if, for instance, we do start to find now, our town is not just home to one or two fortunate homeless families like mine was, but home now to many more families than we can begin to imagine through the new social, political, and economical effects that covid is heaping on families forced out of work without the necessary requirements to ensure their family can continue to live the way they were before covid.

These are unprecedented times.

When the very heart of a Community is taken away (and be sure I am speaking about not just our park in its entirety, but the grand old House it rightly belongs to, and the old swimming pool still waiting to be seen and recognised by those with the power to right such wrongs as the one that closed it down), historically a resource for health and well being, given to us from the heart of a man connected historically to our Thomas Gainsborough, yet the people of that community remaining without its heart, continue to be endlessly threatened with not just fear and uncertainty in the face of COVID and Climate Change, but food shortages, floods and droughts, no work, and homelessness, we should look again and think ourselves very lucky that, actually, we haven't quite cut the heart of our town out yet, because, actually, once again, we are still only thinking and talking about selling off and demolishing the very heart of our town that we can never replace, not even with the 4.7 million pound historical attraction Sudbury Town is focused on developing for the purpose of..... What?

My youngest daughter, [REDACTED], volunteers for 2 hours a week at the food bank and she tells me stories of the serious increase in numbers of people attending it these covid days. And she continues to advertise emergency helpline telephone numbers on her Green monthly newsletters because she knows in her heart, our town is going into crisis. Its already in crisis.

Marianne Williamson, a recent Democrat Candidate, standing for 'Democracy' in the face of Mr Trump's despotic rule threatening democracy everywhere on the planet, says often, : "Desperate people do desperate things." Its true. We do. People panic when we feel ourselves losing everything that is familiar to us.

In his book, 'The Past is a Foreign Country', social historian D Lowenthal says about familiarity:

" The surviving past's most essential and pervasive benefit is to render the present familiar. It's traces on the ground and in our minds let us make sense of the present. Without habit and the memory of past experience, no sight or sound would mean anything; we can perceive only what we are accustomed to."

When we think about possibilities for Belle View Park and Belle View House today, not least finally rebuilding the old outdoor swimming pool, and consciously reestablishing the park as the heart of a town that has never needed a shared, collective heart as it does now. To my mind the only thing that makes sense to me, is restoring the grand old house and opening it's doors once more, and offering succour and support to the COVID CASUALTIES, not just a centralised food bank and other essential resources, but a much needed place of community, arguably like Moyses Hall, but arguably, because of its connection to the park and swimming pool, a truly living, accessible museum contained within the history of the building itself. Joanne Plumridge inspired me to see that the significance of is demonstrated by the presentation of its different roles throughout its colourful past, highlighting, Lowenthal's argument that local history, not just one painter, but the people's history, plays an invaluable role in informing a much needed sense of identity to individuals.

Hevsays:

"The ability to recall and identify with our own past gives existence, meaning, purpose, and value. Even traumatically painful memories remain essential emotional history."

Joanne Plumridge uses Moyses Hall to emphasise the point that the historic environment of a building like Belle Vue Park, even when Heritage refuse yet to acknowledge its heritage, evokes a sense of place through its character and its visual aesthetic which also serves to engage visitors with a sense of local identity. Its the building itself that spoke to me when I visited the Citizens Advice Bureau or attended the Adult Education, or watched the elderly gathering together for community lunch, or just walked through the gardens feeling its presence through my different ages, in wonder of the space inside.

Joanne told me the price of such a place like Moyses Hall is reasonably costed to make it accessible, but also to recognise and acknowledge that artistic appreciation should not be a privilege open to those who can afford it.

But she also explained that for Raphael Samuel, a writer on the research of local and oral history, "local history does not write itself." He says like any other historical project, it depends upon the nature of the evidence and the way it is read.

And on natural heritage interpretation, F. Tilden says:

"The chief aim of interpretation is not instruction, but provocation. He says it effectively places a heavy responsibility on the management to interpret a site in a way that relates to 'something within the personality or experience of the visitor'!

The thus far refused official recognition of Belle Vue House's heritage does not mean we, the people of Sudbury don't look at that grand old House and its still kept gardens, and see and feel our heritage. We do. For us it's not just about when and where, but about why we feel so home in this rare, so homely looking and feeling 18th Century, Victorian mansion. We the people of Sudbury are not interested in joining 'the cult of' heritage, but rather just having our heritage treated much more respectfully and kindly right by a clearly disinterested,

removed Council who clearly never felt this building or the lands and resources was home to them.

Joanne Plumridge made another important point to me. She says that at a time when the 16 - 24 year old age group is already the least likely adult age group to visit a heritage venue, it makes it even more important to enable inclusive and participative access for the younger members of the community.

When i say with all respect that in 50 years I've visited Gainsborough House twice, and never before the age of 40, yet visited the grounds of Belle Vue Mansion hundreds of times, always feeling myself welcomed and curious as to the world within, I can't think of a better bridge between a natural heritage site (in the making of), and our young people, than a beautiful, well loved and well frequented park, a fully functioning reinstated outdoor swimming pool, and the open doors of a lovingly restored Belle Vue Mansion.

And Richard Hewison, writing about the heritage industry inside Britain inside a Climate of Decline, says,

"In the arts, value is moral, not monetary, expressive not instrumental, aesthetic, not utilitarian." He is adamant there needs to be a new accountability, not of value for money, but money for value. And i agree.

There is all kinds of artistry that I have witnessed our young people expressing in our park, not least on the skate board ramp where young adults and children spend literally hours and hours perfecting their art, and also with kids singing and practicing their dance steps, aerobatics with kites, and all manner of games that our children increasingly have less space to invent.

Coupled with the argument of restoring Belle View for our heritage, a young business man recently described to me as I was paying for his services, the crippling effects of COVID on his once fit father, my age, a man still unable to work. Also my daughter told me only two days ago that one of her close friends and her entire family are now suffering from covid, but the mother and her 14 year old son have it worse.

Before COVID the 14 year old was swimming and training several times a week at Sudbury Swimming Club with his dear friend, my 14 year old grandson. The Kingfisher leisure pool has effectively been shut down since first lockdown, and the club disbanded because covid safety rules make it impossible to continue. Both boys remained super fit, my grandson one of the lucky ones to have a family who've erected a basketball hoop for him to both channel his energy into and keep a vision alive for himself of a life beyond lockdowns.

But who knows if and when the Kingfisher will ever run again as it did. Maybe in the same way the government encourages people to only meet outside today where possible, maybe outdoor swimming, in clean, purpose created pools, will be the way forward for the whole nation. We don't know yet.

But we do know that to give up the site of the old outdoor swimming pool at this juncture is not just folly, but in my eyes an absolute disaster for the fabric and unity of our town.

I say this because about 3 years ago my business man, son, left Sudbury to start a new life in Norwich after he declared Sudbury is a dying town. As sad as I felt, because a large part of me didn't want to believe he was right, but inside I couldn't deny that, for me, the heart of Sudbury does seem already to have slipped far away.

I realise I'm now 2 hours over the deadline of admission, but I am a key worker, and I ask you please to accept the sincerity of my attempt to write a wholehearted, reasoned argument for keeping and restoring historical Belle View Mansion, and the swimming pool site, and the park together for a community that may soon need all three more than ever in their history, as covid racks our world and we seek out much needed links to our deeper identity and humanity.

NUMBER: 32 INDIVIDUAL

Sent: 06 January 2021 16:19

Subject: ATTN Fiona Duhamel /Re: S123 Notice Period.

I am writing to you to lodge my objection to the sale of Belle View House that was Gifted to the people of Sudbury.

I propose that if belle view house cannot be saved, then the house be demolished and the remaining land be laid to grass and made into public open space.

We need an eco friendly option. The current rate of deforestation is staggering. And ignoring climate change is a fools folly. We need to save our green open spaces now. Before it is too late.

I make it my intention to object to any party seeking planning permission for the development of belle view.

APPENDIX C3

S123 SUMMARY - NOTE: ALL FULL RESPONSES TO BE CONSIDERED IN DECISION MAKING

TOPIC (PR)	OBJECTOR	ISSUE / GROUNDS
HOTEL	1	No hotel in the park
TOWN	1	Loss of other wider town amenities to housing
HOTEL	2	No hotel in the park
CARPARK	2	No carpark in the park
OPEN SPACE	2	Should all remain as designated community space
TIMING	3	Timing of notices not giving people enough time to consider/object/bid
OPEN SPACE	3	Should all remain as designated community space
OPEN SPACE	3	Babergh neglected/not maintained the whole space as open space
BIODIVERSITY	3	Loss of trees and biodiversity - contrary to recent policy
OPEN SPACE	3	Loss of green and open space - contrary to recent JLP evidence report (2019)
OPEN SPACE	3	Lack of use of CIL for upkeep
TRAFFIC	3	Impact on busy Belle Vue Junction on congestion / air quality
OPEN SPACE	4	Do not dispose of park / recreation area
OPEN SPACE	4	Developers will build apartments in community area
OPEN SPACE	5	Do not sell part of Sudbury's only park
OPEN SPACE	5	Swimming pool area could be landscaped / more park area
HOUSE	5	No need to demolish iconic house
MARKETING	SUDBURY SOCIETY	NOT opposed to sale in principle
HOUSE	SUDBURY SOCIETY	Extent of sale area negates retention of house, prefer retention of original section of house
TRAFFIC	SUDBURY SOCIETY	Dangerous vehicular access from Cornard Road for new café at entrance
HOUSE	SUDBURY SOCIETY	House locally listed and should be restored - is 'greener' to retain and convert
TIMING	SUDBURY SOCIETY	Marketing period is curtailed and not giving time for proposals to consider retention of house
TIMING	SUDBURY TOWN COUNCIL	Delay any decision until end of February 2021
TIMING	SUDBURY TOWN COUNCIL	Babergh not consulted STC on the disposal directly or via Steering Group
TIMING	SUDBURY TOWN COUNCIL	Timing of notice over Christmas period attempts to reduce objections
OPEN SPACE	COMMUNITY GROUP	Babergh Councillors unaware the old pool is public open space
OPEN SPACE	COMMUNITY GROUP	Babergh should use the JLP evidence not 2006 Local Plan re open space & deficit
OPEN SPACE	COMMUNITY GROUP	Lack of alignment with strategy - open/recreation space and development/IDP/NPPF PPG17
OPEN SPACE	COMMUNITY GROUP	Declared surplus in 2013 without proper regard to open space requirements - S123 plan admits all is POS
TRAFFIC	COMMUNITY GROUP	Highways issues with congestion at Belle Vue/Newton Road junction
OPEN SPACE	COMMUNITY GROUP	Selling off for housing is not regeneration. Add to the park to support regeneration
HOUSE	COMMUNITY GROUP	Market/sell house as separate asset
TIMING	COMMUNITY GROUP	Best price S123 jeopardised/challengeable by short marketing period
OPEN SPACE	COMMUNITY GROUP	Lack of CIL use for upkeep
HOUSE	9	House could be used for community support - youth/elderly
OPEN SPACE	9	Create better track area for skate/scooter/bikes
TIMING	9	Community should have say on future uses
OPEN SPACE	10	Keep park in entirety for open space and community uses
TIMING	10	Timing for disposal notice and marketing too short for community bids and over holiday period
TRAFFIC	10	Traffic impact at Belle Vue junction
BIODIVERSITY	10	Loss of trees
HOUSE	10	House should be retained and important to Sudbury residents
OPEN SPACE	10	Site given to Babergh who have neglected it. Should be more creative
OPEN SPACE	11	Site handed to Babergh 1974 and failed to maintain open space for public/community use
OPEN SPACE	11	Ignoring recent report showing shortfall of park land
OPEN SPACE	11	Inappropriate site for residential development
TRAFFIC	11	Negative impact on congestion at Belle Vue junction
BIODIVERSITY	11	Loss of trees
OPEN SPACE	12	Keep for public recreation use not private residential
TRAFFIC	12	Negative impact on congestion at Belle Vue junction
BIODIVERSITY	12	Loss of trees
HOUSE	12	House should be retained and important to Sudbury residents
OPEN SPACE	12	Park given to Council and allowed disrepair including house
TIMING	12	Timing of notice unfair over Christmas
HOUSE	13	Boundary issue - house conversion/change of use requires special building control consideration
HOUSE	13	Retain and retrofit house best energy efficiency and carbon option - resolve prior to disposal
OPEN SPACE	13	New entrance out of sight lines and critical of WSP plan including toilet facility
TRAFFIC	13	Roundabout need re-design and given climate impact of private cars
OPEN SPACE	13	Sale particulars not adequately addressing issues or pre-conditions required
GOVERNANCE	13	Alleges Council working with a secret preferred bidder and will FOI / JR
OPEN SPACE	14	Park given to residents not an asset to be sold off. Retain park as a park.
OPEN SPACE	14	Only open/fever space in town centre and that is accessible
OPEN SPACE	14	Too much land proposed for disposal as significant area of site
OPEN SPACE	14	Need more public open space for growing communities
TOWN	14	Comments about wider town centre development to encourage performance, events, café
TIMING	14	Timing of notice when community has fed back on retaining park

TIMING	15	Timing of disposal notice and marketing not enough
OPEN SPACE	15	Open Space legal and process not followed and site declared surplus in 2013 without objections considered
GOVERNANCE	15	Marketing same time as disposal objections invited could break law
GOVERNANCE	15	Notice incorrect first time and no email address
GOVERNANCE	15	Decision to put site up for sale not minuted and cabinet briefing only / not transparent
OPEN SPACE	15	Morally wrong for Council to sell for best price possible a site it inherited without cost in 1974
OPEN SPACE	15	Should be retained as green space freely for use of people of Sudbury
OPEN SPACE	15	Contrary to 2019 open space strategy
BIODIVERSITY	15	Loss of trees and biodiversity - contrary to recent policy
TOWN	15	No demonstrated residential shortfall for central Sudbury
TRAFFIC	15	Negative impact on congestion at Belle Vue junction
OPEN SPACE	15	No limitation been put on future uses of the site
HOUSE	16	House is a historic locally listed building and should be retained
HOUSE	16	Babergh should support bids to purchase and gift back to locale
OPEN SPACE	16	Avoid a square yellow block eyesore
OPEN SPACE	16	Park will aid fresh air and exercise and mental health, important post-Covid
HOUSE	17	Restore house not demolish, and prevent developer from demolishing
HOUSE	18	Babergh should support bids to purchase and gift back to locale ("sell it to Barry")
OPEN SPACE	18	Neglected by Babergh and should support physical and mental wellbeing
GOVERNANCE	18	Council selling purely out of financial situation / funding non viable schemes and consultants
TIMING	18	Curtailed whilst people pre-occupied with Christmas and Covid
TRAFFIC	18	Traffic and pollution impact in that part of town
OPEN SPACE	18	Only usable town centre open space
TIMING	19	Notices over Christmas seen as bypassing resident scrutiny
GOVERNANCE	19	Querying Babergh's right to sell as given to town for community uses
OPEN SPACE	19	New development of sale site may have detrimental impact on park
OPEN SPACE	19	Council has neglected upkeep of house and pool site - an excuse to dispose of site
GOVERNANCE	19	No transparency on what Babergh will do with the capital receipt
HOUSE	19	Renovate house to enable community uses, classes etc, as lack of space
HOUSE	20	Don't sell convert to community asset e.g. community centre
OPEN SPACE	21	Don't sell valuable green space and is Sudbury's only park/important to health & wellbeing
OPEN SPACE	21	Council did not buy or care for it so unethical to sell community recreation space
OPEN SPACE	21	Derelict area is open space and been neglected
BIODIVERSITY	21	Contrary to council approved biodiversity plan if space lost/trees felled
TRAFFIC	21	Negative impacts on congestion at Belle Vue junction
TIMING	21	Sale period is unfair during Christmas and pandemic
OPEN SPACE	22	Objects to office/housing/hotel development
OPEN SPACE	22	Council has allowed deterioration
HOUSE	22	Should be sold to community trust for renovation and use as a hub
OPEN SPACE	23	Council has allowed deterioration in comparison to parks in other towns
OPEN SPACE	23	Park, gardens, house & activities could be wholly restored and volunteer run to benefit community and visitors
HOUSE	23	Could be public use - registry office, weddings, conference centre
OPEN SPACE	23	Need green space for mental health and physical exercise/children's activities/education/adult care
HOUSE	24	House deliberately left to decay when had been community use as day centre, hub and CAB
HOUSE	24	Extent of sale area negates retention of house, prefer retention of original section of house
HOUSE	24	Strong local asset and legal and planning could serve an Article 4 prohibition on demolition
TIMING	25	Rushed through by Council over Christmas period/pandemic/brexit
GOVERNANCE	25	Lack of consultation with community and town council and given gifted to Sudbury
OPEN SPACE	25	Pool should have been maintained as open space but left to dilapidate
OPEN SPACE	25	Contrary to Open Space Study 2019 - deficit of green space and allotments
HOUSE	26	Been allowed to deteriorate and demolition would be travesty - could be art/cultural hub for community
OPEN SPACE	27	Land declared 2013 as surplus is not surplus due to deficit evidence (2019 evidence POS report informing JLP)
OPEN SPACE	27	Contrary to NPPF and BDC's own policies including IDP, Core Strategy, Community Strategy
OPEN SPACE	27	Babergh has not complied with Open Spaces Act 1906 duties and maintenance - wilfully undervaluing for S123
OPEN SPACE	27	Space should be maintained for public as Council acquired as compulsory purchase 1974
GOVERNANCE	27	Council has marketed the site without Council approval/transparent governance
OPEN SPACE	27	Marketing literature has misled prospective purchasers on open space constraints and inferred residential use
HOUSE	27	Marketing infers demolition of locally listed/community significant house
GOVERNANCE	27	Babergh have breached best value obligations to taxpayers in continual marketing/drive for sale of whole plot
TRAFFIC	27	Negative impact on highways and traffic issues/evidence at BV junction
OPEN SPACE	27	Marketing has neglected planning considerations and deliverability, and developer contributions to open space
BIODIVERSITY	27	Contrary to Council Biodiversity and Wellbeing Strategies
GOVERNANCE	27	Council has not complied with a timescale to evidence best consideration for S123 (case law 2 months?)
GOVERNANCE	27	Has not been marketed wide enough or on national or local agent websites
GOVERNANCE	27	Council has not complied with EU State Aid rules on valuation and bid process
GOVERNANCE	27	Breach of statutory duty not listening to objections before marketing/considering bids
GOVERNANCE	27	Notice incorrect first time and no email address
GOVERNANCE	27	No faith in Council considering objections fairly given already marketing and incurring cost
TOWN	27	Regeneration/visitor attraction opportunities lost by allowing retirement living

HOUSE	27	House could be sold without swimming pool and more open space/landscaping generated
GOVERNANCE	28	Council has issued S123 and marketing in same month pre-empting decision - a 'fait accompli'
HOUSE	28	Marketing infers demolition of locally listed/community significant house
OPEN SPACE	28	Marketing makes little/no mention of open space
OPEN SPACE	28	Old Pool should be considered as open space
GOVERNANCE	28	Council has not marketed for S123 best consideration due to timeframe/pandemic etc
GOVERNANCE	28	Council has let the site run-down which conflicts with best price
GOVERNANCE	28	Marketing has been limited advertising conflicting with best consideration
GOVERNANCE	28	Council should have formally invited previous bidders back in to support S123
GOVERNANCE	28	Disposal 'surplus' decision in 2013 was flawed as did not consider open space deficit
OPEN SPACE	28	Disposal does not satisfy NPPF Open Space criteria
GOVERNANCE	28	No community engagement over options since public exhibition 2020
GOVERNANCE	28	Community led/centred house uses have not been explored with the SSG
GOVERNANCE	28	Council putting financial gain over open space priorities
HOUSE	29	Council has neglected the house and garden
HOUSE	29	Sudbury has severe shortage of community/meeting room space - use house for diverse public activities
GOVERNANCE	30	Babergh acquired as consequence of LG re-organisation when for benefit of town / special historic significance
HOUSE	30	Pre-Babergh ownership the house always used for community and civic activities - remains viable for these
HOUSE	30	Use for growing population e.g. meeting space
HOUSE	30	Accepts hotel public benefit use but not selling to highest bidder without control of use
TOWN	31	Attachment of Sudbury residents to the House/park must be considered
OPEN SPACE	31	Resource at heart of for community including children - Covid strengthens need to retain
HOUSE	31	House and pool has been neglected and Council should revitalise including rebuild of outdoor pool/house to museum
HOUSE	32	House was gifted to Sudbury and if demolished land should be laid to grass/open space
HOUSE	32	Will object under planning

APPENDIX C3

ADDITIONAL DOCUMENTATION / LINKS REFERENCED BY OBJECTORS

TO BE READ AND REFERENCED ALONGSIDE OBJECTIONS SUBMITTED

National Planning Policy Framework – including open space and sustainable development references

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

Planning Policy Guidance PPG17 **Note:** On 27 March 2012, PPG 17 was *replaced* by the National Planning Policy Framework

<https://webarchive.nationalarchives.gov.uk/20120920042539/http://www.communities.gov.uk/documents/planningandbuilding/pdf/ppg17.pdf>

Babergh Local Plan 2006 references to open space

<https://www.midsuffolk.gov.uk/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

Babergh Development Plan and Policies

<https://www.midsuffolk.gov.uk/planning/development-management/planning-guidance-and-research/development-plan-and-policies/>

Babergh Open Space, Sport and Recreation Strategy (September 2010)

<https://www.babergh.gov.uk/assets/Strategic-Planning/Historic-Evidence/OpenSpaceSportRecStrategy-Sept-2010.pdf>

Babergh and Mid Suffolk Open Space Assessment (May 2019) The Study responds to national policy requirements and will inform the preparation of the Councils' emerging joint Local Plan, for the period to 2036 <https://www.babergh.gov.uk/planning/planning-policy/evidence-base/current-evidence/open-space-assessment/>

Babergh and Mid Suffolk Infrastructure Delivery Plan (2019 – 2036) July 2019. Specifically referenced pages 137 to 141 of the above regarding open space evidence / deficit

<https://www.babergh.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/BMSDC-IDP-July-2019-.pdf>

Memorandum by The Open Spaces Society (April 1999)

<https://publications.parliament.uk/pa/cm199899/cmselect/cmenvtra/477/477mem23.htm>

Babergh & Mid Suffolk District Councils Communities Strategy (2019-2036)

<https://www.babergh.gov.uk/assets/Communities/Communities-Strategy/Communities-Strategy-2019.pdf>

Section 123(2A) Local Government Act 1972 Notice | Marketing advert and brochure

Both available here <https://www.babergh.gov.uk/business/economic-development/sudbury-vision/>

Open Spaces Act 1906 – specifically Section 10

<https://www.legislation.gov.uk/ukpga/Edw7/6/25/section/10>

Babergh & Mid Suffolk Biodiversity Action Plan (2019)

<https://baberghmidsuffolk.moderngov.co.uk/documents/s20684/Appendix%20A%20-%20Biodiversity%20Action%20Plan.pdf>

Carter Jonas Babergh & Mid Suffolk District Councils: Joint Town Centres & Retail Study (September 2015)

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/29-10-15-BaberghMid-Suffolk-TCRSFinal-Report.Final-Version-29.10.15.pdf>

OBJECTION NO 8 also referenced a 'roadmap' document attached below



Sudbury Town
Council Briefing Docu

OBJECTION NO 27 attached documentary references also accessible via the links above



Belle-Vue-Site-Sale-A
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BMSDC-IDP deficit
reference and policy p



BMSDC-IDP-July-201
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Communities-Strateg
y-2019.pdf



BV Public-Notice.pdf