

MINUTES OF THE FULL PARISH COUNCIL MEETING OF LOWER PENN PARISH COUNCIL HELD AT VICTORY HALL, LOWER PENN HELD ON THURSDAY 3rd OCTOBER 2024

Councillors: Ms H Fuller – Chair, K Crane, S McEwen

Also in attendance: Mrs J Cree (Clerk), County Cllr Mrs V Wilson, SSDC Cllr R Reade, PCSO Paula Wilkes and 5 members of the public.

138/24. Apologies for Absence

Apologies of absence were received from Cllrs Mrs K Brazenell – Vice Chair and Mrs C Taylor.

139/24. To fill vacant seats via co-option

We have not had any names put forward for the 4 vacant seats.

140/24. Approval of Minutes of Council Meeting held on 5th September 2024 to be agreed and signed

The minutes of the meeting held on the above date were approved and signed as a true record of that meeting. It was proposed by Cllr K Crane seconded by Cllr Mrs H Fuller.

141/24. Declaration of Interests

SSDC Cllr R Reade declared an interest in any new planning applications (including discussions on BESS) and would take no part in the discussions.

142/24. County and District Councillors Report

District Councillor R Reade reported that:-

- Matters of Enforcement have been sent through to the Clerk.
- New leader of the District Council is Cllr Cath Perry, she has appointed her new councillors into their various roles.

County Councillor Mrs V Wilson reported that:-

- She has been working on enquiries from residents re the road closures and access for council vehicles over the past month.

- A Highway representative will be attending next month to discuss issues on this matters. Concern was expressed re Heavy goods vehicles going through the village when they don't need to. Vehicles should be reported to their organisations or the Police. A list of concerns to be forwarded to the Clerk to be passed to the Highways Officer so she is forewarned of the Council's concerns.

The Clerk to contact the operators re the road closures, to see if there is a possibility to open the road sooner.

Action: Clerk

The Clerk to contact Wolverhampton City Council re a request for the weight limit sign on SpringHill Lane at the Round about not at the bottom as once they turn into the road it's too late to turn back.

Action: Clerk

143/24. Public Participation – 15 minutes for members of the public to address the Council Standing orders were raised to enable members of the public to speak.

Members of the public raised the flooding on Greyhound Lane / Dene Road / Springhill Road and the heavy goods vehicles. Debris from vehicles and mud/gravel in the road. Speed from vehicles is also an issue whilst walking. Market Lane is also an issue. You cannot report more than once an issue or add new photos to the report it. County Cllr Mrs V Wilson will look into this.

When the drains have been cleansed, a member of the public noted that they are leaving debris by the side of the drain, this may be a resident clearing them rather than a Council truck.

There was silt on the crossroads, this was reported and has been removed by SSDC.

PCSO Paula Wilkes was in attendance, there has been a dramatic increase in transit vans being stolen, in Wombourne, Enville etc. To help people should use removable bollards on driveways, CCTV, video door locks, outside lights, signal blocker bags, use anti snap locks, a pac lock for patio sliding doors and for the vehicle steering wheel locks. She also said that they do not have the staff power to monitor traffic movements.

Speed watch teams could record large vehicles when they are operating in the Parish.

Standing orders were re-instated.

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144/24. Planning Matters to be discussed

a) Current

Application Number: 24/00479/FUL

Proposed: Change of use of outbuilding to form a residential annexe. **No Objection**

24/00692/LUE Trescott

No Objection subject to this dwelling sits in the greenbelt and LPPC would ask that all relevant greenbelt policies are followed. As this application relates to a building developed 10 years ago we believe evidence to confirm this has to be shown by way of a design and access statement or similar.

24/00656/FUL Stables Springhill Lane

Recommend Refusal on the grounds that:-

1. The visibility splay for the access to this driveway was approved in the application 16/01078/FUL. This splay has not been built in accordance with the approved plans as specified in the 2016 application. To comply with these approved plans some of the wall owned by Springhill Cottage would have to be knocked down. Although Springhill cottage was within the ownership of this applicant at the time it has now been sold on and we are sure the new owners wouldn't be happy to knock down part of their wall. This raises safety issues pulling on and off this driveway as it sits on the brow of a hill and a blind bend. Allowing more people to use this driveway would cause a hazard and could lead to crashes at a fast point on the road. Staffordshire Highways have still not signed off this access 8 years later and the applicant still owes money to Highways.
2. The new build property 58A Springhill Lane was granted permission at appeal app18/00022/FUL. The new build has not been carried out in accordance with the approved drawings. This has been somewhat out of the control of the new owners because the original owner, this applicant, decided to retain the ownership of the driveway. Although shown as access road on the plans it is still only approved as a driveway to 58a by both the council, the inspectorate and a court of law. It has access to the two properties only. To open up this driveway as an access road will be detrimental to local householders and impact on the openness of the greenbelt.
3. The stables are located too close to neighbouring residential dwellings so could be harmful to peoples health, diseases etc. The 50 metre distance from residential dwellings is there for this reason. The applicant admits in their supporting statement that the stables are not far enough away from other dwellings. No where at the top of this plot will the stables be deemed a suitable distance from residential dwellings. To the bottom of the plot of land it would detract from the openness of the greenbelt. If there are only 2 horses to be stabled a much smaller stables could be constructed than this bungalow sized structure but the aim is not to house

horses but thwart the planning laws by obtaining planning for a building that can be converted into a bungalow.

4. Application 18/00311/FUL was a planning application for a bungalow in this very location. It was refused by the Council and by the Inspectorate at appeal. The reason given was: "the proposed development is considered to be inappropriate development as set out in policy GB1 of the adopted core strategy. The development is therefore harmful to the greenbelt". Nothing has changed in law and this new stables/ bungalow should still be considered inappropriate development. The very special circumstances that will be provided i.e that outdoor recreation is an exemption under the greenbelt rules is disingenuous. Stabling two horses can hardly be seen as recreation in its true definition. The harm to the green belt and the mental health of nearby residents would surely outweigh this tenuous in this case exemption.
5. Located adjacent to a large Nursery where there is already a documented noise problem as confirmed by environmental health on a consultee comment on app 24/00042/VAR.... "I acknowledge that previous comments may not have requested a noise assessment. However, over the years things change. Had a noise assessment been carried out I suspect, as with this one, it would state that only minimal annoyance will be created. Again, minimal annoyance does not mean that there is none. An impact has been introduced and is having an effect here. Again I stand by my comments that just because a noise is already there, this is not a reason to add to that noise and increase the impact. There are clearly a number of residents that have pointed out the noise impact of this site and I think it is very simplistic to suggest that all of the objectors are overly sensitive. Complaints may not have been made to the council previously due to an amount of give and take by the local residents and whilst a certain amount of interference has been accepted, again, further increasing the interference is not something that should just be accepted." LPPC feel it is unacceptable to add further disruption to this area with the noise made by the comings and goings of people and delivery drivers visiting the stables.
6. There are known to be drainage issues at this site.
7. The supporting statement suggests the council under strategy EV7 allow stables if they are close proximity to other rural buildings. This is not the case here. There are no other rural buildings. The idea that any hedge/ tree screening will be strengthened is laughable given this developers past history on ripping out protected hedgerows and trees. The nearby nursery has yet to see any planting scheme as agreed in its planning approval. The size of the bungalow/stables is wholly inappropriate for the stabling of two horses. We see that sheep are also mentioned in this statement. Are they in with the horses then?
8. We are sceptical that this applicant will achieve any type of biodiversity net gain bearing in mind that their other site, the nursery, still does not hold an acceptable BREEAM certification some six years post build. The planning authority needs to take great care in agreeing to planning proposals when the applicant is well known for not adhering to planning conditions.
9. The adjacent properties on Foxhills Road will be severely affected by the height of the stables bearing in mind that they sit lower down the hill and their back gardens rise up to the brow of the hill so the 3.4 metre height will be looming over them.

This will be called in by the District Councillor Mrs V Wilson if the officers are minded to approve the application after they have looked at the relevant policies and objections / comments received.

b) Decisions

No decisions have been made.

c) Enforcement

Updates were received on the outstanding issues as detailed below:-

22/00007/UNDEV 20 Springhill Park - Appeal lodged by the owner against the Enforcement Notice. Awaiting a start date from PINS (this may take up to 12 months due to a backlog of appeal with PINS).

22/00132/BOC Sandhill Day Nursery Breach of Conditions 4 and 9 of 19/00048/FUL- the council anticipates a decision on the BREEAM by December 2024.

22/00333/BOC Alleged breach of 18/00022/FUL- unauthorised Velux window, rear balcony and garage being built larger than approved- Outbuilding is being reduced in height in accordance with grant of planning permission 24/00659/FULHH and fence is being reduced in height.

23/00125/UNDEV Three Ridings, Radford Lane- unauthorised wall and pillars at front of property. Retrospective planning application refused. Appeal lodged with PINS.

23/00176/UNDEV Three Ridings, Radford Lane- unauthorised garage to front of dwellinghouse. Appeal lodged against Enforcement Notice served.

24/00111/BOC The Lindens, Penstone Lane- temporary permission for static caravan expired. Caravan is to be removed from site. Case Officer to review on 4 October.

24/00163/BOC 86 Springhill Lane- The side facing windows have been amended to comply with permitted development. The owner is in the process of submitting a planning application for the unauthorised front gate and fence structure.

24/00240/BOC Land off Langley Road, Castlecroft- Area outside of red line boundary is temp construction compound. The temporary compound is allowed under permitted development while development is taking place at the site. Temporary compound to be removed on completion of the development.

d) To note response sent re the NPPF

The response from Lower Penn Parish Council has been sent , a copy is available on the website. Members thanked Cllr Mrs K Brazenell for reading and preparing response which was submitted. MP Mike Wood attended a surgery at Lower Penn a letter of thanks be sent to him for attending.

Action:- Clerk

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145/24. Items outstanding from Previous minutes

a) BESS Fact sheet update (SM)

Cllr S McEwen is Preparing a fact sheet (No 1) has been circulated on social media, fact sheet 2 is being prepared (with assistance from the Fire Officer Mark Wetherall) and should be published by the 30th October.

Staffordshire Community Risk Management Plan – if a comment on BESS sites and does not allow for comments to be made of this nature. This would be better responded to by letter. Cllr S McEwan will prepare a response in conjunction with Cllr Mrs H Fuller and bring this forward to the Council to approve.

Action:- Cllr S McEwan

b) Community Speed-watch update on sessions undertaken in the last month

The Community Speed-watch Group will record when they undertake their sessions, large vehicles going through the Parish.

c) Speed Indicator Devices (CLERK)

The Clerk has spoken to Andy Aston at SSDC, and the SID signs are not allowed on concrete or wooden posts. So we believe that new locations for new posts need to be agreed. The Clerk to reconfirm and what we need to do to agree the posts.

Action:- Clerk

d) Community Activities

There have been 2 bulb planting sessions have taken place, more bulbs are required so they will be sorted.

£750 was raised from the MacMillan Coffee Morning from the day and donations received as well.

Community events in the Parish can be posted on the Lower Penn Parish Facebook page by any organisation.

e) Victory Hall Update

No updates. The Parish Council are Trustees of the Hall, and the Chair attends meetings as required. They do not meet on a regular basis. There may funding from SSDC in the future to assist with improving the facility.

f) Notice Boards (KC)

Cllr K Crane reported that he will be looking at this shortly.

146/24. Clerks report

Police Matters – A letter was sent to the Police with concerns over the lack of Police presence at meetings and the quality and content on the new ¼ report.

SCC Councillor candidate days 4th and 26th November

Parish Summit 14/11/2024

The Village Centre Improvement Fund

147/24. To discuss and agree changing to .gov.uk emails and updating the website

There has been a lot in the press and through Councils to encourage them to move to having a set .gov.uk email address for local councillors and their website.

Information from NALC on this link:-

[The importance of secure email systems and GOV.UK domains for local councils - News \(nal.gov.uk\)](https://www.nalc.gov.uk/news/the-importance-of-secure-email-systems-and-gov.uk-domains-for-local-councils)

This is based on increased security and protection for members. The Clerk sets up a new councillor email address and should they leave the council then this email address is shut down immediately so they cannot carry on using their council email address indefinitely. In addition, the website is quite dated and using old versions of word press and quite cumbersome to use. Therefore the Clerk has asked the company that provide the specific .gov.uk domain to quote to update this at the same time. This is a specialist service provider.

We as a Council are entitled to a grant of £100 from the government to move to the new platform.

This is bespoke work and only a few companies are allowed to access and set up the .gov.uk addresses. This company have been tried and tested and there work is very quick, the company are incredibly helpful in setting up everyone's address directly to your computer / phone. The backup and support has been second to none. The cost is £495, for preparing a new website and setting up the new Cllr emails using .gov.uk ext, as this cost is less than £500 and a specialist services 3 quotes are not required.

It was proposed by Cllr Mrs H Fuller and seconded by Cllr K Crane to take out a new website and .gov.uk email address. On a vote this was agreed.

148/24. Accounts for payment

The accounts for payment are detailed below:-

DBS	Calculating Clerks wages	£36.00
Administration	October	£666.66
ICO		£40.00
J R K – New laptop		£718.80
Mobile Telephone and Microsoft	per month	£23.07
Recoded – New website		£594.00
Total		£2078.53

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It was proposed by Cllr Mrs H Fuller and seconded by Cllr S McEwan to accept the accounts listed above. On a vote these were agreed.

A quarterly report on budget will be prepared by the Clerk for future meetings as per the Financial regulations.

149/24. Items for future agendas to be with the Clerk by the 30th October – Highways Officer, Defib renewal, budget comparison – Nov, Dec – Victory Hall update and precept and budget for 2025-26.

150/24. Date of next meeting – 7th November 2024 – Apologies from Cllr Mrs V Wilson, Cllrs K Crane and S McEwan.

Meeting closed at 9.00pm.