

Kirkbymoorside Town Council
Information for meeting on 18 September 2017

6. Financial Matters

a. To approve cheque payments according to the list provided

Vchr.	Cheque	Cde.	Name	Description	Amount
102	103175	26	PKF Littlejohn Ltd	External Audit	480.00
112	103176	99	Kirkbymoorside Town Brass Band	Contribution to Kirkbymoorside Town Brass Band for the remembrance day performance	100.00
113	103177	16	Post Office Ltd	PAYE & NIC & ENI	308.46
TOTAL					888.46

7. Cricket & Football Pitch

- a. To consider and agree the cost of £246.00 being the 2017 charge for the annual application of fertiliser and weedkiller to the cricket/football pitch, in accordance with item 4.1 Licensor's obligation as specified in the Cricket and Football Club Pitch Licenses (pursuant to Minute 17019c dated 15 May 2017)**
- b. To receive the proposal submitted by Kirkbymoorside Cricket Club that the Town Council absorb the service costs of the pitch machinery, in lieu of grass cutting, whilst still satisfying item 4.1 Licensor's obligation as specified in the Cricket and Football Club Pitch Licenses (pursuant to minute 17019b dated 15 May 2017)**

Regarding the matter of the lease clause and the council's responsibility for cutting, I have received the quotes for sharpening and servicing the gang-mower [attached]. What we are proposing is that the mower needs sharpening this winter and then will be fine for another three years.

We paid for the mower to be serviced last year and it will be in need of a service again at the end of the cricket season 2018. That service will be sufficient for another three years.

As you can see, one service and one sharpen will effectively see the mower serviceable for 3 years before requiring further attention. This will work out to be considerably cheaper than the cost of a yearly schedule of 14 cuts of the field over the same timescale; and in addition leave the council a contingency fund available should any unexpected repairs arise.

It will also provide the quality of cut necessary to maintain the standard of the field, giving us the playing surface expected of a cricket field.

I hope you find this proposal acceptable and look forward to hearing the council's decision on the matter.

Regards,

Howard Mudd

Kirkbymoorside Cricket Club

- I. To consider and agree to cover the costs of servicing the power unit of the gang mower every 3 years, commencing winter 2018, at an estimated cost of £676.66 + VAT (additional charges incurred if it is necessary to fit additional parts or carry out further work to be charged to the pitch clubs)**
- II. To consider and agree to cover the costs of sharpening the cutting units of the gang mower every 3 years commencing winter 2017, at an estimated cost of £710.00 + VAT (additional charges incurred if it is necessary to fit additional parts or carry out further work to be charged to the pitch clubs)**

8. Street Furniture

c. To note the response from NYCC Highways & Transport with regards to the street furniture licence application for installation of a bus shelter on the A170 eastbound.

Due to the previous shelter getting shelved due to objections from one or more residents, I think it is best if we delay issuing a licence until it can be shown that the residents in the immediate vicinity are content with the proposal.

You will need to demonstrate that you have approval from the half a dozen or so properties directly affected by this proposal. This shelter could become a magnet for groups of youths in poor weather and I think it is only right and fair that we hear what the immediate residents have to say before we grant approval for it.

Thanks

Melanie Farnham
Improvement Manager

North Yorkshire County Council
Area 4 Highways office
Kirby Misperton
North Yorkshire
YO17 6BG

10. To note the response from Ryedale District Council in response to the position statement regarding development sites

Thank you for your email, I am writing this response on behalf of Gary Housden, Head of Planning, to the Town Council:

The Local Planning Authority is unable to place a moratorium on the delivery of new housing (by refusing permission) if sites which have permission do not get built out within a settlement. The reasons for this I set out below, but in summary such an approach would be contrary to national planning policy.

If the Ryedale Plan-Local Plan Strategy is to operate as intended, with the housing supply policy to have full weight, National Planning Policy (NPPF) requires that the Ryedale Plan area has a rolling five year's worth of supply of deliverable sites. These are made up from permissions, and allocations (established in the Development Plan- but still need permission). As it currently stands much of the supply is from permissions, and once the allocations document is adopted, it will be a mixture of both, and will have both deliverable and developable (coming forward later in the Plan period) sites.

Within the Plan making process- the Plan must ensure that the housing requirements known as 'Objectively Assessed Needs' are met in full. It is expected that the Local Planning Authority, in the treatment of larger sites (over 10 units) with planning permission, will acknowledge them in the Development Plan as 'Commitments', thereby acknowledging their planning status. Otherwise it would need to allocate much more land than the Plan requires.

In respect of planning applications, it should be noted that since Ryedale does have more than 5 year's worth of housing land supply, and the policies of the Plan have full weight. The proposal would be assessed on its merits, in accordance with the Development Plan. To refuse a site on the presence of undelivered sites within the settlement would not be a material reason for refusal, because firstly it does not relate to the site for which the permission is sought, and secondly, in the operation of the planning system, if sites are

permitted and do not come forward, then more sites are expected to come forward in order to ensure that the housing requirement in the plan is delivered within the plan period, as set out above.

Where a permission has commenced, such as that at Wainds Field, that permission then remains in perpetuity (known as extant) providing it can be carried out in accordance with the permission and any conditions attached to that permission. The remaining part of the Barratt David Wilson site (the Tesco site) could continue to be built out as all the conditions were applied for and discharged. They built 21 and there remains full planning permission for 24 units, and it is expected that both sites could reasonably be built out within the next 5 years (as identified in the SHLAA- see below). Only in very specific reasons can the Local Planning Authority intervene and force a development to occur, and it has to be because there is a significant public benefit, and expedient to take action. It can however, take action on non-compliance with conditions.

The Manor Vale site is different to the others mentioned in that it does not have an extant permission, nor indeed any new permission. The site has particular sensitivities and, based on the consideration of previous applications and through the site assessment process for allocations, is not a site which is considered suitable for residential development.

If a permission is not started within the relevant period as granted by the permission, and the permission lapses, permission must be re-applied for within the context of the Development Plan and any material consideration at that time. The fact that the original permission has lapsed might be material consideration due to viability considerations for that subsequent application, but as above, the presence of other sites which remain undeveloped is not a material consideration.

Following is a link to a document known as the Strategic Housing Land Availability Assessment (SHLAA), this gives you information about the sites with planning permission and their likely delivery timescale.
http://www.ryedaleplan.org.uk/attachments/article/132/Strategic_Housing_Availability_Assessment_2017_Final.pdf

I appreciate that the contents of this email will not be welcomed by the Town Council, but I hope it can be seen that by taking such an approach as proposed in the email of the 15th August, the Local Planning Authority would be actively ignoring established national policy, with reputational risk to the Council, and would still leave the communities of Ryedale vulnerable to speculative applications being granted on appeal.

The presence of unimplemented, or part implemented, permissions is a general frustration experienced within the planning system, colloquially known as 'land banking'. That being said, in the case of the sites at Kirkbymoorside, including that of the land at Westfields, those sites are not land banked sites; there have been specific reasons why the sites have not progressed/ been completed to date. In response to 'land banking' the Government has now removed (in 2014) the ability for planning permissions to be indefinitely extended (that is unless it is commenced), and thus requiring the submission of a fresh application. The Council, as Local Planning Authority, believes that timely progress on the Local Plan Sites Document and the identification of the allocations, will go a significant way to ensuring that the development needs for Ryedale are being met for the foreseeable future, and thus creating an environment where speculative applications will be much less likely to come forward.

If you wish to have further clarification prior to the meeting, please contact me.

Kind regards,

Mrs. Rachael Balmer BSc (Hons) MTP MRTPI
Senior Specialist: Place (Planning)

Ryedale District Council operates a Community Infrastructure Levy (CIL) charge. For information about CIL please go to

<http://www.ryedaleplan.org.uk/community-infrastructure-levy>
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Our web site for Forward Planning is: www.ryedaleplan.org.uk