

KIRKBY OVERBLOW PARISH COUNCIL
Minutes of the Meeting of the Parish Council
held on Monday 17 July 2023 at All Saints Church, Kirkby Overblow

Present: Councillors D Yeadon, P Perry, J Cross, A Whiteley and S Jacobs

In attendance: NYC Cllr. A Paraskos and Mr M Richards (Clerk)

1. **Apologies for Absence** – Apologies were received and accepted from S Snowden.
2. **Members’ Declaration of Interest**
There were no declarations of interest for the meeting.
3. **To receive and if thought fit, approve the minutes of the two meetings of the Council held on 15 May 2023**
Resolved: That the minutes of the Meetings be approved as a correct record.
Proposed by Cllr Cross, seconded by Cllr Whiteley.
4. **Matters arising from the Minutes of the Annual Meeting of the Parish Council and the Annual Parish Meeting**
Dealt with as part of the agenda, as appropriate.
5. **Questions from the Public**
None.
6. **To report on or consider Planning Applications/TPOs received**
Applications
(a) ZC23/02037/TPO - Crown Reduction (by 6m with final pruning height of c.9m and canopy width of 12m) of 1no. Horse Chestnut Tree (T1) within Tree Preservation Order 19/1997. The Old Rectory, Follifoot Lane.
The Chairman noted that NYC’s arborist recommended no action currently and to review once the tree was out of leaf. The owner had agreed and councillors resolved to submit a “No Objection “ response in accordance with the arborist’s recommendation.
(b) ZC23/02108/FUL - Roof gable to create an ensuite and dressing room and extension of dormer to create a house shower room - Keld Cottage, Follifoot Lane.
Councillors discussed and considered there was no adverse visual impact and agreed a “No Objection response.
(c) ZC23/01941/TPO - Formative prune one medium branch to clear the house to remove one over-extended branch which has rot in old pruning cut maximum pruning cut 250mm to 1 no. Sycamore – Tree Preservation Order 19/1997 T45 syc fell 2 no. Sycamore (T2 and T3) and replanted like for like due to rot in base - Tree Preservation Order 19/1997 T47 syc and 19/1997 T48 syc fell 1 no. Ash and replace with ADB resistant stock (T4) due to ash dieback - Tree Preservation Order 19/1997 T41 ash. York House, Follifoot Lane.
The arborist has responded by recommending refusal of T1, T3 and T4. Councillors agreed with arborist recommendations and to submit a “No Objection” response.
(d) ZC23/01688/FUL - Erection of single storey garden building to front of property. All Saints Meadow Swindon Lane. Response submitted – “No Objections” – following email circulation – to ratify. Councillors confirmed their agreement.
(e) ZC23/02185/TPO - Land Comprising Field at Grid Reference 432397 449421 Walton Head Lane. Removal of Ivy and dead or dying limbs (as identified by arborist) from 5no. Sycamore trees (T1, T2, T3, T4 & T6) and 1no. Oak tree (T5) of Tree

Preservation Order 58/2021. **NB – usual PC notification letter not received.** Arborist had agreed to the removal of ivy and dead limbs over 50mm (overhanging the highway) Councillors again agreed a “No objection” response with the proviso that the arborist specified the dead limbs to be removed.

(f) ZC23/02369/TCON | Fell 1no. Sycamore tree within Kirkby Overblow Conservation Area. Keld Cottage, Follifoot Lane. **NB – usual PC notification letter not received.**

The Chairman observed that there was no TPO in this instance although the tree is in the conservation area. He also considered there was nothing obviously wrong with the tree and the owner’s reasoning of “excessive shading” was not felt to be a powerful argument. He recommended, and councillors agreed, that a “No objection” response be submitted, leaving the arborist to make comment.

Decisions

(g) ZC23/01634/TPO - Fell 1no. Beech tree (T17) within Tree Preservation Order 19/1997. Kirkby House, Swindon Lane – GRANTED. Councillors noted.

(h) Fell 1no. Ash tree (T3) and 1no. Sycamore tree (T7), crown reduction by 3m of 1no. Sycamore tree (T1), crown lift line of trees within G1 to 4m above ground level and pull in leaders that stick out from canopy within Tree Preservation Order 66/2007. Cemetery South of The Old Chapel Follifoot Lane – Felling of Ash tree – GRANTED. Other content – REFUSED. Councillors were pleased to note that the Council’s decision accorded exactly with the PC’s submission.

(i) ZC23/01601/FUL - Proposed removal of existing extension to the northern side of the property and construct new two storey extension. Walton Head House, Walton Head Lane. REFUSED. Again, councillors were pleased to note that the decision was in line with the Parish Council’s submission.

(j) ZC23/01178/FUL - Infill of rear lower ground floor entrance area. Penny Gate, Swindon Lane. GRANTED. Noted.

Notifications

(k) Land Comprising Field At Grid Reference 432397 449421 Walton Head Lane. ALLEGED BREACH: Alleged felling of tree potentially within Tree Preservation Order 58/2021. PLANNING REF: ZC23/02185/TPO Further to a report received advising of a possible breach of planning control at the above location, an investigation has been carried out. The outcome of the investigation is as follows: - Report of tree removed from Conservation Area and/or TPO. Met owner on site. Claim unfounded. Not CA. Unprotected Elm removed from field boundary with Walton Head Lane. No action required.

Other

(l) ZC23/02428/PDAS - The Fold, Barrowby Lane. Addition of one storey. The Chairman explained the background to this application, stating that (unfortunately!) it was entirely in accordance with planning regulations and the only individuals who had a formal right to comment or object, were those whose property fell within the overall boundary of the property in question. Other properties, such as those opposite, were excluded from the consultation process. Councillors were perplexed and unhappy with this situation, particularly as it falls within the planning description of “prior approval for permitted development”. The Chairman had drafted a PC response, setting out the obvious and legitimate objections to the application, which the clerk had circulated to councillors and he referred to other objections from residents already recorded on the planning portal. Those councillors directly or

indirectly affected by the application, agreed to submit objections from a personal standpoint.

7. Finance

(a) Approval of Receipts & Payments since 15 May meeting and bank reconciliation. Councillors noted the bank reconciliation and approved the 11 payments below, totalling £3701.74

HMRC - PAYE £ 50.40

M Richards May Salary £ 219.58

M Richards June Salary £ 219.58

YLCA subscription £ 216.00

Village News - donation (2 yrs) £ 400.00

Hesselden grasscutting £ 2,116.74

HBC tennis court rental £ 49.00

R Chambers - audit fee £ 50.00

Zurich insurance £ 345.44

KO PCC – Church Hire £ 25.00

Bank charges £ 10.00

8. K.O. Village Matters

(a) Star and Garter update. No further developments.

(b) Parish Boundary Stones. The clerk had circulated a communication from the NYC Conservation Officer which reported that two of the Parish “Boundary Stones” had been damaged and were in need of repair/replacement. The question posed was whether the Parish Council considered the stones a parish responsibility or should the responsibility fall on NYC Highways? The clerk asserted that the stones were not included in the Parish Asset Register, and councillors agreed to consider what would be the best option.

(c) D-Day 2024 celebration. The clerk had circulated a notification of the proposals for celebrating the 80th anniversary of this momentous event. Councillors did not feel able to come to a decision at this early stage, as to whether any celebration events should take place but agreed to keep the matter in view for a decision later in the year.

9. Dunkeswick Matters

No new issues to report although the clerk reported that he had raised the issue of potential reduced charges for grasscutting (as more residents are now cutting their own verges) with the contractor, but his response was that as a significant part of his costs was for machinery and transport, there was little scope for any reduction.

10. School Activities

Cllr Whiteley updated councillors on her previous report:

- The grant for the Learning Resource Centre had been increased to £40,000 and donations from the Bed Race totalled £2,000.
- September intake is for 13 new starters and all school clubs are thriving.

She was pleased to report that the Christmas Lunch was being reinstated and a date of 15 December had been fixed. The working group (of which she is a member) has been established. Donations are being sought to fund the project and councillors then agreed to donate £100, with the possibility of a further £150 from KOSAF. Cllr Paraskos further agreed to provide £300 from his Locality Budget – this total will be sufficient to meet all costs. Cllr Whiteley expressed her thanks to all.

13. Village Events

(a) Cllr Whiteley reported that it had been proposed to establish a WI group in the village and a meeting is to be held shortly to commence the procedures necessary for setup.

(b) The clerk reported that he had been informed of an apparent leak of sewage, on the road outside the Church entrance. He had reported to Yorkshire Water (as had a local resident) and prompt action had been promised. He will monitor the situation and follow up as necessary.

There being no other business, **the meeting closed at 9.25 pm**

Date of the next meeting - Monday 18 September 2023, 8.00pm at All Saints Church.