

FARNHILL PARISH COUNCIL

Telephone 01535 634942
Email: suehardinghill@tiscali.co.uk

Susan Harding Hill
Clerk
1 North Place
Sutton In Craven
Keighley, West Yorkshire
BD20 7PH

MINUTES OF AN EXTRAORDINARY REMOTE MEETING OF FARNHILL PARISH COUNCIL HELD ON THE 29TH DECEMBER 2020 AT 7.30PM

PRESENT Councs. D Atkinson (Chairman), Councs, J Waring , S Wood, J McFarlane, CDC Representative
Counc A Brown & Clerk S Harding-Hill .

168/20 **PUBLIC PARTICIPATION**

No members of the public present

169/20 **COUNCILLORS APOLOGIES FOR ABSENCE.**

Councs. D Akrigg, S Nelson

170/20 **DISCLOSURE OF INTERESTS**

Councs J Waring & J McFarlane disclosed an interest in Minute No 171/20a

171/20 **UPDATE FROM CDC DISTRICT REPRESENTATIVE COUNC A BROWN**

CDC Representative Counc A Brown has looked at the draft document for the response to the Planning Inspectorate for Fairmount and thought it was a good strong response and thought it would work well. He thought the appeal may be determined by the line of terraces and how they sit in the Conservation Area and how the design of the current application clashes with the lower and upper streetscape line and the strong village objection.

172/20 **PLANNING**

a. **Appeal to Secretary of State**

Re Appeal to Secretary of State against the Council's refusal of permission for:-

Demolition of bungalow and the construction of two houses with associated parking areas (resubmission of application referenced 2018/19738/FUL)

Site Address: Fairmount, Starkey Lane, Farnhill

Original Application Ref: 2020/21468/FUL

Appellant's Name Mr Elliot Exley

Appeal Reference: APP/C270/W/20/3262085

Appeal Start Date: 7th December 2020

The Parish Council considered the draft observations which had been prepared by Counc D Atkinson after consulting with Councillors and then had been previously circulated to all Councillors and the Council resolved to send the observations to the Planning Inspectorate. (See Appendix 1)

b. **Application No:** 2020/22349/LBC

Proposal: Retrospective application for the installation of security lights and cameras.

Location: Farnhill Hall, Main Street, Farnhill

The Parish Council made the following observations:

We note that this is a retrospective application. If the application is to support the lighting which has already been installed, without any changes and without any of our previous objections being addressed, we would continue to object to the approval of the application as per our initial objections.

However, if the installation is modified as per the documentation and reports attached to the new application, and meets the requirements in the Local Plan and Dark Sky policies, we have no objections.

c.Application No: 2020/22233/HH
Proposal: Single Storey Extensions
Location: 1 Hall Gardens, Kildwick, Keighley, BD20 9AF

The Parish Council had no objections to the above proposal.

173/20 **ITEMS FOR AGENDA NEXT MONTH**

Election of Vice Chairman
Parish Council Vacancy
Bank Mandate.

Appendix 1

Please find below an objection to this appeal from Farnhill Parish Council with a request that the appeal be dismissed.

This appeal (**APP/C2708/W/20/3262085**) follows a succession of planning applications and appeals for this site by this developer, all of which have been refused or dismissed by either the Craven District Council Planning Authority or by The Planning Inspectorate.

It must be stated at the very outset that the Parish Council is not opposed to development of this site, per se, but is strongly of the opinion that any development should be proportionate to the size of the plot, sympathetic to the streetscape and the Conservation Area in which it lies, and non - detrimental to the privacy and wellbeing of the current residents.

This initial application (**2018/19738/FUL**) created a ground swell of objection in our small community because it was:

1. Overbearing overdevelopment,
2. detrimental to the character of the Conservation area in which it sits,
3. intrusive to immediate neighbours
4. unsafe in relation to access and egress and the ability to turn into the road in one manoeuvre
5. detrimental to the already extremely difficult parking facilities within the village

The Planning Committee visited the site to assess the first application for themselves and voted unanimously (one abstention) that the scheme should be rejected on the following grounds:

“the proposed development is considered to represent an overdevelopment of the site which will have an adverse impact on the privacy and amenity of neighbouring dwellings and would cause demonstrable harm to Farnhill Conservation Area. As such the proposal is contrary to guidance contained in the National Policy Planning Framework”.

In considering an appeal against that decision, (**APP/C2708/W/19/3229554**) the Planning Inspector visited the site before making his judgement to dismiss the appeal. He too was of the opinion that the proposal was overdevelopment of the site (see para 25 of the Inspector’s Appeal Decision document dated 12 September 2019: *“I acknowledge the dwellings per hectare figure presented by the appellant, but due to my findings on the main issue, I find that collectively they indicate that the proposal represents overdevelopment of the site in this instance”*

A second application (**2020/21468/FUL**) was submitted, which, although for a very different design proposal, was in principle, no different to the original.

1. The footprint of the second development is roughly the same as the previous application
2. The ridge heights are similar
3. Access and egress onto the extremely narrow Starkey Lane is still problematic and unsafe
4. The issue of intrusion, particularly No 12 Mary Street, Folsmoor House (No 48) and Nos. 33 and 37 Starkey Lane has not been solved but merely changed
5. The proposed development still constitutes overdevelopment
6. The proposed development is still detrimental to the Conservation Area.

7. The proposed development is still detrimental to the streetscape of Starkey Lane – which is identified as a significant view within the Conservation Area Appraisal

This second application was refused by the Craven District Planning Authority on the basis that:

“the proposed development is considered to represent an overdevelopment of the site which will have an adverse effect on the privacy and amenity on neighbouring dwellings and would cause demonstrable harm to the Farnhill Conservation Area. The proposal would be contrary to policies ENV2(a), ENV3(a) and ENV3(e) of the Craven Local Plan and the guidance within the National Policy Planning Framework”

Despite attempts by residents to engage with the developer and reach a compromise, after the first appeal was dismissed, this developer still seems intent to push the site beyond its limits and to pay scant regard to the opinions of others and the impact on a caring and cohesive community.

The Parish Council agrees with the decision of the Local Planning Authority and will argue and submit:

1. that the second proposal which is the subject of this appeal:
 - a. continues to represent overdevelopment
 - b. fails the key tests of causing harm to the character of the surrounding Conservation Area and streetscape, and of causing harm to the privacy and amenity of the neighbouring occupiers.
 - c. fails to respect the form of existing buildings in terms of density, scale and height and is unsympathetic to local character and history.
2. that the report from Rural Solutions gives too much weight to the assumption that this second application (and appeal) for this site, distinctly different in design to the first, should be upheld simply because it addresses the issues identified by the Planning Inspectorate in their dismissal of the first application and that it gives too little weight to the implications of the new design.

Overdevelopment and density:

The proposed properties still constitute overdevelopment. Two smaller houses is the absolute maximum which this plot could support, as under SP3 the notional calculated number of dwellings for this site is 1.455. These two houses with their integral garages are simply too big and overbearing.

The footprint is roughly the same as the previous application although it is difficult to be certain whether it is larger or smaller. There is a conflict between the dimensions in the Rural Solutions report and those provided to the Planning Committee. Although local residents have repeatedly requested precise dimensions, none have been forthcoming. The developers state that the ridge height is said to have dropped by between 0.5 and 0.9 metres but we believe that the differences are calculated from the height of the original THREE storey houses and the TWO storey houses which were submitted for planning approval but refused.

Development proposal 1 was considered to be overdevelopment by both the planning Authority and the Inspectorate. Development proposal 2, although different in design and number of dwellings, is substantially the same height and footprint as development Proposal 1 and also constitutes overdevelopment. No amount of tweaking at the edges, reducing 50 centimetres here and there or reducing the area by a few square metres can alter the basic fact that this proposed development is too large for the site and constitutes overdevelopment, as all parties except the developer have agreed.

In any event, within the Craven Local Plan SP1, the village has already achieved the housing stock proposed for the duration of the plan (to 2034). A net increase of one dwelling over and above the plan proposal may have a negligible effect on the plan but it will have a significant impact on local residents, the village and the Conservation Area. And why spend millions creating plans if the recommendations within them are not followed?

The report from Rural Solutions gives too much weight to the assumption that this second distinctly different application for this site should be upheld simply because it addresses the issues identified by the Planning Inspectorate in their dismissal of the first application and it gives too little weight to the implications of the new design:

The report from Rural Solutions seeks to justify the second application largely on the basis that the second application now addresses the reasons for refusal of the first application.

What it fails to recognise is that the second application is materially very different from the first and should, therefore, not be judged solely against comments relating to the first. It should be judged as a separate application with a very different design.

The first application relates to a terrace of three houses, which incidentally, the Inspector at the appeal noted, in principle, was acceptable. This application refers to a pair of large semi-detached properties which may or may not have been acceptable to the Inspector in the first application but which it should not be assumed were. Certainly, as far as the Parish Council and a number of local residents are concerned they are not.

Causing harm to the character of the surrounding Conservation Area and streetscape and failing to respect the form of existing buildings in terms of density, scale and height and is unsympathetic to local character and history:

The overall design, appearance and height of the proposed houses would cause significant harm to the character and appearance of the Conservation area. The design is more suited to an urban environment. The houses, as designed, do not fit with the 18/19 century terraced cottages below either in terms of height or position (they are not in line with the terrace) or in terms of character. There is no other pair of semi-detached houses with integral garages in the village. Neither are there houses with only roof lights at the rear at first floor level. The ridge heights (using the developer's figures) are only marginally lower than the original three storey development proposed and are considerably higher than the existing terrace. The Parish Council, knowing the village and listening to its residents as it does, is strongly of the opinion that these properties do not fit sympathetically with the terrace below or the streetscape in general, and will most certainly create harm to the Conservation Area in which they sit.

Causing harm to the privacy and amenity of neighbouring properties:

In attempting to make the second proposal meet the criticisms of the first, the developer has shifted the newly designed second development. In doing so he has reduced the distances between the new proposed development and the houses overlooked on Mary Street and the houses overlooked on Starkey Lane.

1. The rear of the new proposed development will be 10 metres away from the conservatory of Number 12, Mary Street (It was previously 12 metres) (figures based on the indicative figures in the plan in the report by Rural Solutions, drawn without the inclusion of the conservatory at number 12). Rural Solutions assert in their diagrammatic representation in their report that the average 6 foot tall person will not be able to see out of the Velux windows towards no 12. We and the owners at no 12 remain unconvinced.
2. The front of the proposed new development will be much closer to Folsmoor House on Starkey Lane (No 48) and will present 12 number overpowering windows to overlook the property at a maximum distance of 15 metres when currently there are none. The minimum recommended distance from neighbouring properties is 20 – 21 metres.
3. The gable end of the new development appears to tower 3 metres above the cottage which is number 33 Starkey Lane. That gable end stands just 1 metre from the cottage's boundary. It may be true that there will be no overshadowing because of the direction of the sun, but this wall will hem in and be overbearing on the only outside space for this cottage. That cannot be acceptable.
4. Number 37, Starkey Lane has a balcony which faces directly into the gable of the new development. Currently, this balcony has the benefit of sunlight from the South and good views across the valley below. If the new development is allowed to proceed the same balcony will lose its sunlight and face the huge gable end of a new semi- detached house a mere 5 metres away.

For all these reasons this development fails the test of not causing significant harm to the privacy and amenity of neighbouring properties.

Although not cited in either the refusal by the Local Planning Authority or the dismissal of the first appeal by the Inspector, the Parish Council have grave concerns about the effect of an extra 4 to 6 vehicles on the safety of the very steep and narrow Starkey Lane and on an already immense parking problem within the village. This development comprises 1 x 3 bedroomed house and 1 x 4 bedroomed house so it will be highly probable that each house will have a minimum of two cars. Any visitors or deliveries will need to park on the already congested Starkey Lane, exacerbating an already large number of problems and disputes. It should be noted that the road at this point in Starkey Lane has only one pavement and that parking entirely on the road creates a blockage of the carriageway. We do not wish to see more vehicles parked partly on the footpath and partly on the road creating yet more risk and hazard for pedestrians and drivers alike on this very steep, very narrow street.

Furthermore, as Starkey Lane is only 4 metres wide access to the parking spaces and garages cannot be accomplished in one manoeuvre. This will make access and egress very difficult and impossible in snowy or icy conditions.

As you will see from Fig 7(1) in the report from Rural Solutions, Starkey Lane is not only very steep but it is also very narrow and has poor sight lines. If this appeal is to be held by written representation and you are not able to see for yourself the situation of this development, I urge you to consider the photograph particularly in relation to the points above. **This development, as proposed, will create hazards and risks to pedestrians and to drivers of vehicles within this village.** The Parish Council ask that you take these risks and hazards into account in reaching your judgement.

The developer, through his agent, Rural Solutions, contends that his appeal against a refusal of the second application should be upheld.

We, Farnhill Parish Council, challenge that contention and argue, as above, that the proposed development does in fact represent an overdevelopment of the site which will have an adverse effect on the privacy and amenity on neighbouring dwellings and will cause demonstrable harm to the Farnhill Conservation Area.

We respectfully ask that you dismiss the appeal.

DATE OF NEXT MEETING

THURSDAY 28TH JANUARY 2021

All members of the village are welcome to attend remotely