

19/02906/FP: Change of Use of Annexe to 1 Bedroom Dwelling 1 Coronation Row, Crow Lane, Reed

Reed Parish Council argues that this application should be refused.

The circumstances leading to refusal by the Planning Authority of a near identical application in 2016 have not significantly changed. Nothing in this application alters the validity of the determinations made by the Inspector in dismissing the applicant's appeal in 2017 (Ref.: APP/X1925/W/17/3180296). Moreover, the current status of the dwelling concerned - as an annexe offering semi independent accommodation linked to a two bedroom property - is a more socially beneficial enhancement of housing supply in Reed, as a Category A village in the emergent North Hertfordshire Local Plan, than the proposed use.

1. An Unsustainable Development In A constrained, Inappropriate Location
This, like the 2016 application, is a 'back garden development'. It is not a sustainable development. Its proposal for turning garden area over to parking, combined with the meagreness of the retained amenity space, makes this a clear case of over-development on a narrow and constrained residential site in the Reed Conservation Area. Development which increases residential density in this small, hemmed in area, is inappropriate in the Reed Conservation Area. It will have negative impact on neighbours in Coronation Row (as recorded in the two written submissions from neighbours to the previous application); it will offer restricted, inhibited outlook for future occupants of the proposed dwelling, along with a paucity of "*usable external amenity space*", as noted by the Inspector in 2017; and the substitution in 2019 of some planting for fencing does not ameliorate the problem identified by the Inspector in 2017 after her site visit, and which still applies in the present application: "*the parking spaces and the additional paraphernalia associated with the separate residential unit would result in a cluttered juxtaposition of 2 significantly smaller plots ...*". This would adversely effect living conditions for residents and also be detrimental to the character and appearance of this part of the Reed Conservation Area, contrary to the assertion made in para. 9 of the applicant's supporting statement. As the Inspector determined in her 2017 report, though "*the harm to the Reed conservation area would be less than substantial*" there would nevertheless be "*important*" harm to the designated heritage asset. That remains the case with the current application.
2. The NPPF and The Balancing of Harm and Public Benefit
Such harm can only be justified by a countervailing "public benefit", as defined in paragraph 134 of the NPPF. The updating of the NPPF in July 2018 and February 2019 may have added a housing delivery argument into the Framework's presumption in favour of sustainable development, but the significant qualification of the 'presumption', relevant here, is still retained: the 'presumption' applies only unless "*the application of policies in this Framework that protect areas or assets of of particular importance provides clear reason for*

refusing the proposed application.” A cardinal point here is that the balancing exercise required by the NPPF - measuring harm against public benefit - has already been undertaken by the Inspector in 2017 and her conclusions remain valid and equally applicable to the current application, providing “*clear reason*” for refusing it: “*I attribute only modest weight to the economic, social and environmental benefits this proposal would make to the local economy and housing stock. This would be insufficient to outweigh the harm identified to the significance of the Reed conservation area.*” In paragraph 15 of the supporting statement, the applicant refers to advice in the NPPF that the local authority be able to demonstrate a 5 year supply of housing land. The purport of this reference seems to be that this commends the present application, because it contributes a 1 bedroom dwelling to the District’s housing supply. This is a very thin argument, one the Inspector addresses and despatches in paragraphs 24 and 25 of her 2017 appeal judgement. The NPPF does not enjoin or licence development which is inappropriate or unsustainable. A back-garden development of this nature requires exceptional conditions to justify it. It should be noted that when the applicant made their first application to convert their double garage into a residential annexe, Reed Parish Council registered no objection to the annexe application, over-coming wariness that an annexe might become a speculative means to acquiring a separate, saleable dwelling. Councillors were reluctant to oppose a resident apparently making provision of supported, independent living space in an existing home in the village. The Council also took reassurance from the fact that when the Planning Authority granted the application for the garage/annexe conversion they stipulated that its residential use had to be linked to the main house, 1 Coronation Row. As such the annexe can be argued to be a social and communal benefit, providing housing stock of a kind otherwise unavailable in Reed. There is no such public, social benefit associated with the current application, which is to create a separate dwelling for sale at market value. It does not contribute to another need in Reed, which is for affordable housing. Were it a new-build proposal, not an annexe conversion, it would be patently unsustainable and unacceptable - not least because it would set a precedent for back garden development on sites, much less constrained than the present one, in Reed. This would harm the character and environment of Reed as a conservation village and be at odds with the policies of the NPPF relating to heritage assets. The Inspector again, in a comment that applies equally, we argue, to the present application: “*the proposed development would not meet the aims of the framework as it would fail to sustain the significance of the designated heritage asset, the Reed Conservation Area, where the public benefits would not outweigh the harm.*”

3. Housing and Reed As a Category A Village in the Emergent Local Plan

The applicant in their supporting statement make a point about Reed being a Category A village in the NHDC emergent Local Plan. This status allows for limited development in Reed, mostly on agreed, identified sites. Reed Parish Council has been happy to cooperate with the Planning Authority in agreeing a

settlement boundary for Reed, incorporating sites which could produce graduated housing growth in the village. This was consonant with needs established by the Reed Parish Plan in 2011 and with Reed making an appropriate and proportionate contribution to meeting housing needs in the District. As the Applicant notes, development has been completed on one of the two identified sites in Reed, The Kilns in Brickyard Lane, where twelve market-value houses, of varying sizes, have been built. This development was supported by the Parish Council. The council also supports possible future development at the other large site identified in the emergent Local Plan (the Tierney Trust land North of Blacksmith's Lane). It does so because the site offers the prospect of supplying units of affordable housing which the village needs. All this is clear evidence that Reed Parish Council are not given to reflex, unconsidered opposition to housing development in the village. We do object to applications for inappropriate and unsustainable housing. For this reason the Parish Council opposed the recent successful application by Settle (also cited by the applicant) for a single 4 bedroom detached house on Hobbs Hays. It did so because the plot concerned was a missed opportunity for Settle to meet the need for more affordable housing in Reed. The present applicant's argument that being allowed to establish a 1 bedroom dwelling in the back garden of 1 Coronation Row will be a public benefit, because it will be cheaper to buy than other recently built houses in Reed, does not have merit. This argument for allowing the conversion is inadequate to balance the deficiencies of the application with regard to the NPPF (referred to in 2 above). The converted dwelling will be a housing unit sold at market value. It does not meet un-supplied housing need in Reed, which is for affordable, not market value housing. Indeed the dwelling's current status as an annexe is, arguably, some enhancement of housing provision in the village, which the present application is not. Evidence that there is a more than ample supply of market value housing in Reed is the fact that after a year half of the 12 houses on the Kilns development are still unsold. From all this, we argue that that the Category A status of Reed in the emergent plan is irrelevant to this application and that the application should be refused because it is for an un-required dwelling in an unsuitable location. It is therefore unsustainable.

To sum up, Reed Parish Council argues this application should be refused.

- It is an inappropriate dwelling in an unsuitable location. This is the case before weight is given to the fact that the location is in the conservation area and granting the application would damage the heritage asset. It is unsustainable development.
- The conversion's current status as an annexe is a more beneficial addition to housing stock in Reed than would be a 1 bedroom separate dwelling.
- Granting the application would be contrary to the NPPF. What was articulated by the Inspector in 2017 still applies in full to this application: *"Given that I have found that the Framework's policies relating to heritage assets indicate that development should be restricted, the presumption in favour of sustainable development does not apply to this appeal."*