The Planning Inspectorate

Appeal Decision

Site visit made on 16 December 2020

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th January 2021

Appeal Ref: APP/W4705/W/20/3260471
Flat 5, 11 Laisteridge Lane, Bradford BD7 1RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
- The appeal is made by Mr Zakar Farooq against the decision of City of Bradford Metropolitan District Council.
- The application Ref 20/02813/FUL, dated 13 July 2020, was refused by notice dated 18 September 2020.
- The development proposed is the conversion of a basement into one flat, forming new steps and access into new flat at 11 Laisteridge Lane, Bradford BD7 1RD and 2 Sherborne Road, Bradford BD7 1RB.

Decision

1. The appeal is allowed and planning permission is granted for the development of the conversion of a basement into a single flat together with new steps and access at 11 Laisteridge Lane / 2 Sherborne Road, Bradford BD7 1RB in accordance with the terms of the application 20/02813/FUL dated 13 July 2020, subject to the conditions set out in the attached schedule.

Procedural Matter

2. Two separate addresses are given in the description of the development in the application form. For the purposes of clarification, 11 Laisteridge Lane, Bradford BD7 1RB contains Flat 1 whilst 2 Sherborne Road, Bradford BD7 1RD contains Flat 2 and Flat 3. All three flats are within the same building.

Main Issues

3. The main issues are the effect of the proposed development on:

    - the living conditions of the future occupants of the basement flat with regard to natural light and outlook;
    - the living conditions of the occupants of neighbouring flats with regard to outdoor garden space and bin storage; and
    - the character and appearance of the host building and the surrounding area with regard to the external staircase.

Reasons

Living Conditions – Light and Outlook

4. The appeal site comprises a large, 3-storey end terraced dwelling in Bradford. It is divided into 3 separate flats. The property fronts onto Sherborne Road but the main entrance is from Laisteridge Lane via a short garden path. The mainly lawned garden wraps around the front, side and rear of the dwelling. At the rear of the dwelling is an unnamed lane which provides service access to the back entrances of the terrace.

5. The proposed development would comprise the conversion of an existing basement accommodating 2 separate rooms into a self-contained flat with a bedroom and a lounge / dining / kitchen (LDK). The LDK would be accessed through a new door which would lead to the front garden of the dwelling via a new external stairway. There would also be 3 new window openings and a glass panelled floor to ceiling window to the side of the new door.

6. The window openings would extend about 15-30cm above the external ground level and about 1 metre below it. They would be positioned in lightwells to provide for borrowed daylight. The floor to ceiling height of the proposed basement flat would be around 2.2 metres (see Appellant's Drawing No. PL(0)1 July 2020).

7. The proposed bedroom to the rear of the dwelling would have one window which would face south. The LDK would have two windows and a door and there would also be a small window giving light to the shower room / WC.

8. It is not clear whether the basement rooms are currently being used for living accommodation as part of the ground floor flat. However, several other dwellings in the area appear to contain separate basement flats which rely largely upon borrowed and artificial light.

9. The windows in the LDK would face west and north, and the door would face north. Notwithstanding its northern orientation the glass panelled window adjacent to the door would ensure that the LDK received quite large amounts of natural light throughout the day and throughout the year. This could be supplemented when necessary by artificial lighting which is inevitably often required in basement flats.

10. There would be some outlook onto the front and side garden from the LDK through the windows and the lightwells. When stood reasonably close to the windows there would probably be a view of the buildings on the other side of Laisteridge Lane and Sherborne Road.

11. For the reasons given above the proposed development would provide for the satisfactory living conditions of the future occupants in regard to natural light and outlook. Consequently, it would accord with Policies DS5(F) and HO9 (A) and (E) of the Local Plan for Bradford District: Core Strategy Development Plan Document 2017 (CS) which seek to ensure that new dwellings provide for the satisfactory living conditions of prospective occupants, provide high quality design and adequate levels of daylight.

12. Furthermore, it would accord with Principle 3.4 of the Council's Homes and Neighbourhoods: A Guide to Designing in Bradford 2020 (HNG) which advises that new dwellings should be dual aspect, have generous floor to ceiling

heights, optimise natural light and provide for direct sunlight into the LDK. Since this document has been published very recently, and accords with the CS, considerable weight is attached to it.

Living Conditions – Outdoor Garden Space and Refuse Storage

13. Future occupants of the proposed development would have access to the front, side and rear garden areas which they would share with the residents of the 3 other flats in the building. Laisteridge Lane is quite busy but Sherborne Road is generally quiet. The garden is enclosed by a tall, thick hedge providing a high degree of privacy and seclusion.

14. The garden is quite large. In the absence of any space standards it is considered that there is sufficient space for several groups of residents to sit outside in comfort.

15. Furthermore, it is understood that the flats are occupied mainly by students. Whilst they are entitled to the same level of outdoor space provision as other residents it is important to acknowledge that they would be less likely to be in occupation during the height of summer when garden usage is likely to be greatest.

16. Currently, refuse bins are stored just to the rear of the building and close to a free-standing garage. Each flat has 2 separate bins. The development proposal would generate a requirement for a further 2 bins. The area in which the bins are stored would be large enough for 2 additional bins without causing any harm to other occupants or neighbours.

17. Thus, the development proposal would not harm the living conditions of current and future occupants in regard to the provision of outdoor garden space or space for the storage of refuse bins. Consequently, the proposal would accord with Policies DS5(E) and (F) and HO9(D) and (F) of the CS which seek to ensure that new dwellings provide adequate outdoor garden space and storage facilities for bins.

18. Furthermore, it would accord with Principles 2.16 and 3.5 of the HNG which advise that new dwellings should include well designed, easy to use bin storage facilities and direct access to appropriately sized, private outdoor space that has potential for planting, storage and seating.

Character and Appearance

19. The proposed exterior staircase to the front of the dwelling would be positioned immediately below an attractive bay window. It would incorporate a 90-degree turn. Earth would have to be excavated to accommodate the staircase.

20. Tall, dense hedging currently screens the front elevation of the property from Sherborne Road and from Laisteridge Lane. This would prevent passers by being able to see the proposed exterior staircase. Furthermore, even if the hedge were to be removed the proposed staircase would, in any event, be largely invisible with only the top of the entrance door being potentially in view.

21. A similar entrance at the adjacent property, notwithstanding that it might not have planning permission, is hardly visible despite it only being a very short distance from the pavement with no boundary screening.

22. Other basement flats within the row do not have entrances to the front of the property, using either an entrance at the rear or an internal staircase. Planning permission was granted for a basement flat at 1 Sherborne Road opposite but, unlike the appeal proposal, the exterior entrance would be on the side elevation.

23. Thus, for the foregoing reasons, the proposed development would not harm the character or the appearance of the row of terraced dwellings along Sherborne Road or other neighbouring streets. Consequently, the proposal would accord with Policies DS1(A) and (B) and DS3(B) of the CS which seek to ensure that new development places priority on the place, demonstrates a good understanding of the site and its surroundings and retains built features.

Conditions and Conclusion

24. In addition to the standard 3-year implementation condition I have imposed a condition requiring that the development be implemented in accordance with the approved plans. This is in the interests of protecting the living conditions of current and future occupants and to protect the character and the appearance of the area.

25. For the reasons set out above the appeal is allowed and planning permission is granted for the proposed development.

William Walton

INSPECTOR

SCHEDULE OF CONDITIONS

1. The approved development shall be implemented within 3 years of the date of this Decision Letter.

2. The approved development shall be implemented in accordance with the following approved plans:

   DRWG NO. PL(0)3 – Dated July 2020

   DRWG NO. PL(0)4 – Dated July 2020

   DRWG NO. PL(0)5 – Dated July 2020

   END