
Appeal Decision

Site visit made on 24 March 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 April 2025

Appeal Ref: APP/N4720/W/25/3358951

10 Norman Terrace, Roundhay, Leeds LS8 2AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Penny Sun against the decision of Leeds City Council.
 - The application Ref is 24/06052/FU.
 - The development proposed is conversion of basement into separate self contained unit.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst the application form confirms that the development had been started, I was able to see during my site visit that the conversion of the basement had been completed as per the drawings and also furnished, however I saw no evidence of occupation. I have determined the appeal on this basis.

Main Issues

3. The main issues in this appeal are the effect of the development on:
 - the living conditions of future occupiers, with particular reference to privacy, outlook, light, and access to outdoor space; and
 - highway safety, and the living conditions of surrounding occupiers, having regard to parking demand.

Reasons

Living conditions

4. The appeal site is in a small area of high density terrace rows. Back Norman Place provides access to the back of the terraces on Norman Terrace and Norman Place. Throughout Back Norman Place, on the appeal property's side, there are separate lower doorways to cellars. The ground and first floor spaces in the appeal dwelling are divided into 2 flats, with their entrances taken from the front of the property.
5. The basement has been converted to provide the proposed one bedroomed, self-contained flat. It is accessed from the rear yard down a flight of steps. The décor of the flat is white paint, with pale coloured flooring and bright ceiling lights. Each room is served by a window.
6. In the proposed lounge natural light levels are reduced. However, as the window

and door are glazed, this is not to a significantly harmful degree, when considered as a single factor. However, the proposed window and door are also entirely obscure-glazed, with multi-paned glazing bars, such that outlook is poor. The reduced light and outlook, within a room in which the occupier would spend much of their time (for example, for reading, watching television, or other leisure activities), is such that the living conditions of the occupier would be harmed. This harm would be particularly acute during winter months when more time is spent indoors.

7. The proposed bedroom window provides muted natural light and is obscure glazed. However, as the window is of a good size, that light reaches the entire room, the space is also white painted and is served by a reasonably sized lightwell. The kitchen workspace area requires lights to be switched on when in use. However, this room has bright décor, good lighting, and a small window. Taking account of these factors, and the fact that the occupier would spend more of their time in the main living space, neither of these rooms feels unduly oppressive in relation to light levels and outlook.
8. The privacy of the occupier would be safeguarded, as the proposed windows are obscure-glazed, and there is no access to the upper floor flats from the rear yard, so comings and goings would be limited.
9. In respect of outdoor space provision, the appeal property has a rear yard and front hard-surfaced garden, which could be used for sitting out and taking fresh air. I am satisfied that communal use could be dealt with via a suitably worded planning condition. Although this matter could be overcome in this way, and my findings that the kitchen and bedroom spaces provide acceptable living conditions, this does not outweigh the harm I have found in relation to light and outlook within the main lounge.
10. Whilst I have found that the development provides acceptable living conditions with regards to privacy, and outdoor space provision, I conclude that the proposal harms the living conditions of future occupiers having regard to light and outlook in the main living space. As such, the development conflicts with Policies H6 and P10 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019) (the CS), and saved Policy GP5 of the Development Department, Leeds Unitary Development Plan (Review 2006), Volume 1: Written Statement, Leeds UDP Review (the UDP). These policies require development to provide satisfactory living accommodation, amongst other things.

Parking demand

11. The Leeds City Council Transport SPD, (2023) (SPD) expects one car parking space per one bedroomed dwelling in this location. However, the SPD also includes a caveat that the parking guidelines are a starting point, with actual provision being greater or less, depending on location and circumstance.
12. The appeal site is in an accessible location with a frequent bus service, shops, cafés, fitness opportunities, and the high quality open space of Roundhay Park, a short walk from the appeal site. In addition, the Outer Ring Road provides good access to cycling opportunities. The quality of the local area, therefore, incentivises car-free living.

13. Moreover, I observed during my site visit that most nearby streets were relatively lightly parked, there were few parking restrictions that might have indicated long-term parking pressures, and cars were not parked in a manner that would impede pedestrians from using the full extent of pavements. Whilst my observations are only a snapshot in time, my findings, together with the nearby facilities, indicate to me that capacity for on-road parking is available, taking account of the presence of the two pre-existing flats.
14. Indeed, the Highway Authority, in assessing the details of the proposed development, considered that the impact would not be severe. Whilst the Council considers that this consultee misinterpreted the proposal, there is little evidence before me to demonstrate that to be the case.
15. I acknowledge that the Council and a third party contend that the locality already suffers from parking problems and that the increase would disrupt the free flow of vehicular traffic and pedestrian movements on nearby roads. However, there is little evidence presented to me to demonstrate that the small increase in car ownership that the proposed 1 bedroomed flat represents, would increase the severity of local parking pressure to a harmful extent or harm the living conditions of surrounding occupiers in this location.
16. Furthermore, whilst the Council has directed me towards an example of another planning decision elsewhere (Council ref. 24/02057/FU), I do not have sufficient detail before me to be able to make a direct comparison with the appeal site's context.
17. Taking account of the above, and without sufficient evidence to the contrary, I conclude that I have no reason to dismiss the appeal on the basis of a harmful effect on highway safety and living conditions of surrounding occupiers, having regard to parking demand. As such the development accords with the aims of Policies T2, H6 and P10 of the CS, and Policy GP5 of the UDP, that require sufficient and appropriately located car parking in accordance with current guidelines, amongst other things.

Other Matters

18. The appeal proposal would contribute to housing delivery in an accessible location, and as such support is found within the National Planning Policy Framework (the Framework). However, the Framework is also clear that high standards of amenity are key aspects of sustainable development. Accordingly, whilst I have attributed positive weight to the benefit of housing delivery, this does not outweigh the harm that the dwelling would cause to the occupier's living conditions.

Conclusion

19. Whilst I have found in favour of the second main issue, this does not outweigh the harm I have found on the first main issue. Accordingly, for the reasons given above the appeal should be dismissed.

E Heron

INSPECTOR