
Appeal Decision

Site visit made on 22 September 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 October 2025

Appeal Ref: APP/W4705/W/25/3369701

4 Wellington Crescent, Shipley, Bradford BD18 3PH

- 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 Mr Adil Rafiq against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 25/00429/FUL.
 - The development proposed is Conversion of existing dwelling to form 4No.apartments.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - the living conditions of neighbouring occupiers, with particular regard to noise and disturbance;
 - the living conditions of future occupiers, with particular regard to outlook, light, ventilation and provision of amenity space; and
 - highway safety with particular regard to car parking.

Reasons

Living conditions of neighbouring occupiers

3. The appeal site is in a residential area characterised by similar two-storey terraced properties. As the site is mid-terraced it shares adjoining walls with neighbouring properties to either side.
4. The existing dwelling has 6 bedrooms arranged over the first floor and attic. The dwelling is capable of accommodating up to 10 people and there would be no control over noise, however the occupants would all be within one household. As such, there would be a degree of cohesion between comings and goings, and day-to-day activities within the house, centred around the lounge and kitchen.
5. The proposal is to divide the building horizontally into separate apartments on every floor. The lower ground floor and attic would accommodate 1 bedrooms, 2

persons. The ground and first floor would accommodate 2 bedrooms, 3 persons. The apartments would be occupied by four separate households. Even if these were single people or couples rather than families, they would all have their separate coming and goings, and normal day-to-day living activities centred around their individual lounge and kitchen areas, on every floor. They would also attract their own vehicle movements, visitors and deliveries at different times of the day and evening.

6. Even with the vetting of renters and a good behaviour policy, the degree of intensification, would result in levels of noise and disturbance that would adversely affect the living conditions of neighbouring occupiers. This would derive from the internal layout, increased occupancy of the building, and increased vehicular and pedestrian movements, rather than from a perception of potentially poor, or noisy behaviour.
7. The appellant states that they would introduce sound deadening flooring to reduce sound transmission. However it is not clear to me that this would effectively reduce noise transmission through the party walls shared with the adjoining terraced properties.
8. The appellant argues that the dwelling could be converted to a small House in Multiple Occupation (HMO) for up to 6 persons, without planning permission. That may be the case, but such a use would equate to less occupancy, including communal spaces rather than entirely separate accommodation on each floor. As such I attribute limited weight to this factor.
9. For these reasons, I conclude that the proposal would harm the living conditions of neighbouring occupiers, with particular regard to noise and disturbance. As such, the proposal would conflict with Policy DS5 of the Local Plan for the Bradford District, Core Strategy Development Plan Document (Core Strategy). This policy requires development proposals to not harm the amenity of existing residents, amongst other things.

Living conditions of future occupiers

10. Studio apartment 1 would be on the lower ground floor, within a semi-basement. The front window, serving the bed area, would be positioned below ground level with an outlook onto the walls of a sunken garden, and restricted views upwards towards the front garden and street level. As a result, the bed area, would have limited, poor quality outlook and restricted daylight.
11. The apartment would be open plan with unrestricted outlook for the rear windows serving the kitchen and lounge areas. However, due to the distance between the front and rear windows, the sleeping area would still be heavily shaded such that secondary lighting would likely be required in daylight hours.
12. I have no evidence before me that apartment 1 would not be well ventilated. The windows to the rear are unobstructed and those to the front would be set behind an enlarged sunken area, and there is nothing to suggest that the window would not be openable. There would also be acceptable living conditions for the occupants of other apartments. However this does not outweigh the harm to the living conditions of the occupants of studio apartment 1.

13. External outdoor space would be provided, albeit the site constraints limit its size. This is due to the parking and refuse storage requirements, and the enlargement of the front lightwell to form a sunken garden. However, I have limited evidence before me to demonstrate that its size would not be proportionate for the occupiers of the four apartments, for example, in the form of a space standard.
14. Whilst I have not found harm in relation to outdoor space and ventilation, I conclude that the proposal would have a harmful effect on the living conditions of future occupiers having regard to outlook and light. As such the proposal would conflict with the relevant provisions of Policies DS5 and HO9 of the Core Strategy. Amongst other things, these policies require development proposals to not harm the amenity of prospective residents, with suitable internal layout and access to adequate daylight.

Parking arrangements

15. The Council states that the proposal for four apartments could require up to four car parking spaces. Two off-road spaces are proposed within the rear yard, and an existing garage would be removed to facilitate this. The rear yard is accessed from Back St Paul's Road, which services the rear of dwellings on either side.
16. The appellant's Highways Appeal Statement demonstrates that the site is within walking distance of a range of bus services, Shipley Railway Station, a supermarket, and Shipley Central Park. The quality of the local area incentivises car free living or a reduced number of vehicle trips, and the proposed secure cycle storage would encourage this further.
17. During my site visit I observed that, whilst there were parking restrictions on road corners and junctions, general parking on the streets within the area was not controlled through time restrictions or permit arrangements, and there is a public car park close by. I also observed that there were a number of properties on Wellington Crescent that have vehicular-width gates accessed from Back St. Paul's Road, and that cars were parked off-road in a number of rear yards.
18. Taking the above factors together, I consider that the reduced level of off-street parking in this case, would not lead directly to a detrimental increase of on-road parking or a harmful impact on highway safety.
19. A number of rear parking spaces and garages are already accessed from Back St Paul's Road, alongside the use of the highway for vehicles, including refuse lorries. Whilst I am mindful of the Highway Authority comments and those of interested parties in respect of vehicle conflict, there is no evidence before me to indicate that issues have arisen in the past on Back St Paul's Road, or that an increase of one or two vehicles would incrementally lead to conflict. There is also a 20 mile per hour speed limit, and it is a through route, such that there is no requirement for vehicle to turn in the road to egress.
20. Moreover, there is nothing before me to indicate that the existing garage on the appeal site could not be re-purposed for the parking of a vehicle, or that conflict has previously arisen due to its use. Its removal would improve visibility and manoeuvrability associated with the existing access.
21. For these reasons, I conclude that the proposal would not have a harmful effect on highways safety with particular regard to car parking. In this regard, it would accord

with the relevant provisions of Policies DS4 and TR2 of the Core Strategy. These policies seek to manage car parking to help manage travel demand and seek a safe and pleasant environment even in parking areas, amongst other things.

Planning Balance and Conclusion

22. I have not found harm in respect of living conditions of future occupiers in respect of ventilation and provision of amenity space, or highway safety in respect of car parking. However, this does not outweigh the harm to the living conditions of neighbouring occupiers with regard to noise and disturbance, or future occupants with regard to outlook and light.
23. In this case, there would be conflict with the development plan overall. There are no other considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

E Heron

INSPECTOR