
Statement of Case: Appeal Against Refusal of Planning Permission

26 Mount Pleasant, Ruislip HA4 9HG

LPA Ref: 58370/APP/2025/649

Appellant: Ms Lucy Dunn

Prepared by: Ms Lucy Dunn

Date: 26 May 2025

1. INTRODUCTION

This statement of case is submitted on behalf of Ms Lucy Dunn in support of an appeal against the refusal of planning permission for the conversion of roof space to habitable use, including a rear dormer, installation of two front rooflights, conversion of the roof from hip to gable ends, and amendments to fenestration at 26 Mount Pleasant, Ruislip.

The application was refused by the London Borough of Hillingdon under delegated powers for two reasons:

1. Harm to the character and appearance of the host property and streetscene due to excessive bulk and visual incongruity (Policy D3 of the London Plan, Policies BE1, DMHB 11 and DMHD 1 of the Local Plan).
2. Substandard living conditions due to lack of direct outlook from a new bedroom (Policies D3 and D6 of the London Plan, DMHB 16 of the Local Plan).

No objections were received from neighbours or local interest groups.

This statement of case will address each reason for refusal, refer to applicable planning policy and case law, respond to key points of the officer's report, and identify appropriate means for evidence testing at appeal.

2. SITE CONTEXT & PROPOSAL OVERVIEW

The appeal site comprises a two-storey detached dwelling located within a residential area on the western side of Mount Pleasant. The street is characterised by dwellings of varying forms, including substantial roof-level alterations such as hip-to-gable extensions and large rear dormers, particularly at:

- **28 Mount Pleasant (adjoining)** – full hip-to-gable roof and rear dormer.
- **16, 25, 29, 36, 40, 42, 55 Mount Pleasant** – similarly extended dwellings (see original Supporting Statement for photographic evidence).

- **79 Mount Pleasant** – two-storey flat-roofed rear extension (see photographic evidence below).

The proposal sought to mirror neighbouring developments with hip-to-gable conversions and a rear dormer, remove the pitched roof over the existing rear extension, and convert the loft into usable living space, improving the functionality of the home.

3. STATEMENT ON REASONS FOR REFUSAL

3.1 Refusal Reason 1: Character and Appearance

LPA Reason: The Council contends that the combination of the hip-to-gable conversions, a full-width rear dormer, and the introduction of a flat roof to the existing rear extension results in excessive bulk, appearing dominant and out of keeping with the surrounding area.

Appellant Response:

1. **Established Character:**

As illustrated in our Supporting Statement and photographic evidence, hip-to-gable conversions and full-width rear dormers are commonplace in Mount Pleasant. Notably:

- No. 28 (adjoining) has the **same form of development** under permitted development rights. Whilst the Officers Report refers our scheme not being possible under Permitted Development, we do not agree and dispute that.
- No. 79 demonstrates precedent for flat-roofed two-storey extensions. As does No.55 (see original Supporting Statement). The Officer's Report states No. 55 pre-dates digital planning records. This is irrelevant as that fact has no impact on the streetscape.
- Nos. 16, 25, 29, 36, 40, and 42 have large dormers and roof alterations.

The surrounding streetscape has **visually accepted this form of alteration**, which the appeal proposal aligns with. In addition, it is within the original character of these homes to have second story flat roofs; many have one running along the side of the building (eg No. 29/ 25 and 44 photos in original Supporting Statement), including a number of homes visible from the site in question.

2. **Visual Integration:**

The design of the proposed dormer is **set below the ridge**, spans less than two-thirds of the original roof width, and retains a proportion of the rear slope.

Matching tile cladding will ensure it blends with the existing roof.

3. Policy Interpretation:

The Council relies on a rigid application of Policy DMHD 1 without acknowledging the **material change in the local context** due to the cumulative alterations along the street.

In *South Lakeland DC v Secretary of State for the Environment* [1992] 2 AC 141, the court held that "preserving" character includes allowing changes that maintain overall character rather than requiring a frozen status quo.

4. Flat Roof Argument:

The Officer criticises the flat roof over the two-storey rear extension as incongruous. However, **flat roofs are the dominant roof form** of all rear dormers and many single/two-storey extensions in the area. Nos. 55 (see original Supporting Statement) and 79 (photos below), specifically referenced here, have second-storey flat-roof extensions visible from the street. Others are likely to exist which are not visible from the street / footpath running behind a small section of the street, as I've easily found two examples and the rear of most of the street isn't accessible.





Our home faces square on to the street and the flat roof would not be visible from the street.

The **visual impact of the flat roof is negligible**, given it is at the rear and not readily visible from the public realm. This aligns with *R (Mid Bedfordshire DC) v Secretary of State [2004] EWHC 1450 (Admin)* where visibility from public views was found to be key in determining character harm.

5. Policy Compliance:

- **Policy D3 (London Plan)** encourages optimal site capacity and good design. This proposal enhances the residential offer and respects contextual design.
- **DMHB 11 & DMHD 1** require extensions to respect character; given the extent of similar developments nearby, the proposal satisfies this test.

Conclusion: The proposal harmonises with the altered character of the street, restores visual symmetry with No. 28, and uses materials and scale that do not dominate or harm the host dwelling.

3.2 Refusal Reason 2: Substandard Living Conditions

LPA Reason: Bedroom 2 in the loft conversion lacks direct outlook, relying only on rooflights, leading to poor living conditions.

Appellant Response:

1. Use of Rooflights:

Rooflights are a **standard solution in loft conversions** and have been widely accepted as providing suitable daylight and ventilation for habitable rooms. Numerous loft conversions in Hillingdon and Mount Pleasant function with similar layouts.

2. Natural Light and Outlook:

The rooflights will provide **ample daylight** and upward views. While not providing horizontal outlook, this is **not a disqualifying factor** for bedrooms under current guidance, especially given the shortfall is minor.

3. Policy D6 (London Plan) outlines qualitative design principles but does not mandate windows with horizontal outlook for all rooms. A functional, usable bedroom with rooflights can be considered compliant.

4. Appeal Precedent:

In *APP/Z3825/D/20/3254350 (Horsham, 2020)*, the Inspector accepted a rooflight-lit loft bedroom as suitable, stating:

“Outlook is limited but not unusual for loft bedrooms. The space is not oppressive or inadequate.”

Conclusion: The proposed bedroom meets acceptable standards of amenity, as per numerous precedents and policy intent. However, we are **willing to amend the plan to outcome this objection by having only one bedroom in the loft, giving it a horizontal outlook**. Amended Plan provided.

4. OTHER MATTERS RAISED

No objections were received from neighbours or the South Ruislip Residents Association. No further concerns were raised during consultation.

There are no heritage assets, ecological designations, or protected views affected. The development is within a Critical Drainage Area, but as noted in the Officer's report, **no additional impermeable surfaces** are proposed.

5. POLICY SUPPORT & ADDITIONAL MATERIAL CONSIDERATIONS

While the Council cited several policies, the following additional policies and material considerations support the appeal:

1. NPPF (2024)

- Para 39: Authorities should work positively with applicants to secure sustainable development.
- Para 124(d): Encourage development of under-utilised land.
- Para 135: Developments must “function well”, be “visually attractive”, and “sympathetic to local character”.

2. Permitted Development Context

While not part of the application route, many similar developments fall within PD rights. Their presence **materially alters local character**, a fact the Council failed to appropriately consider.

3. Residential Need

The proposal facilitates better family accommodation without increasing the occupancy or footprint – a modest, proportionate improvement that contributes to housing quality without harm. We have medical reasons for requiring the additional space and were discouraged by the Officer from adding evidence of this into the application on the basis that it was only relevant where a Plan was proposing something the Council wouldn't otherwise permit. However, the decision taken suggests that this evidence would have indeed been relevant.

I note the proposed changes to Planning legislation to facilitate exactly this type of scheme.

6. SUMMARY OF CASE

- The appeal proposal is well-designed, proportionate, and responds to the local character of Mount Pleasant, which features numerous similar developments.
- The development aligns with planning policy and provides an improved residential layout with no detrimental amenity impacts.
- Flat-roofed elements are already present at nearby dwellings.
- The refusal overstates the visual impact of modest, rear-facing elements, and misjudges the current architectural context.
- An alternative scheme would result in an significantly less attractive mis-matched dormers which isn't in keeping with neighbouring properties.

7. DOCUMENTS REFERENCED

- **Officer's Report (Hillingdon)**
- **Original Supporting Statement – Just Planning Ltd (March 2025)**
- **Plans and Elevations submitted with the application**
- **Amended Plan to address objection re: horizontal outlook**
- **London Plan (2021), Hillingdon Local Plan (Parts 1 and 2)**
- **NPPF (2024)**
- **Case Law:**
 - *South Lakeland DC v Secretary of State for the Environment* [1992] 2 AC 141
 - *Mid Bedfordshire DC v Secretary of State* [2004] EWHC 1450 (Admin)
 - *APP/Z3825/D/20/3254350* (PINS)

8. EVIDENCE & PROCEDURE RECOMMENDATIONS

Topic	Evidence Type	Rationale
Character and appearance	Written statements + Site visit	Best assessed visually; supported by photographic and precedent analysis

Topic	Evidence Type	Rationale
Living conditions	Written statements	Widely accepted policy interpretation; no cross-examination needed
Policy application	Written statements	Legal and policy-based assessment

Cross-examination: Not required. Matters can be fairly and effectively tested through written representations.

9. ONGOING DISCUSSIONS

No active discussions with the Council are underway at present, but the appellant remains open to dialogue, particularly in relation to minor design amendments or revised window arrangements to resolve outstanding concerns.

10. CONCLUSION

The proposal at 26 Mount Pleasant is a proportionate, well-designed residential extension in keeping with the street's character and consistent with policy aims. The reasons for refusal overstate visual and amenity impacts and disregard both precedent and contextual changes to the local character.

We respectfully request that the Planning Inspector allows this appeal and grants planning permission.

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