

Appeal at 11 Swakeleys Road, Ickenham UB10 8DF (APP/R5510/W/25/3368336)

Response to LPA's Appeal Statement

1. This document has been prepared by Nexus Planning on behalf of our client Swakeleys Ltd. ("the Appellant") in response to the London Borough of Hillingdon's ("the LPA") Appeal Statement in relation to the above planning appeal. Accordingly, please see our responses set out below.
2. The Appellant maintains that the proposed development represents a sustainable and appropriate form of residential intensification within a designated Local Centre, consistent with the objectives of the Hillingdon Local Plan and the London Plan.

Response to the London Borough of Hillingdon's Appeal Statement

RfR1 – Neighbouring Amenity

3. The LPA focuses heavily on the impact on Flat 2 at 13–15 Swakeleys Road, citing reductions of over 20% in Vertical Sky Component. While this is factually correct, the BRE Guidelines themselves confirm that the 20% figure is not an absolute ceiling and must be applied with flexibility, particularly in constrained urban contexts.
4. The Appellant's Statement of Case (paragraphs 5.11–5.20) and the supporting Daylight and Sunlight Report prepared by Point 2 explains that the affected kitchen window should not be classed as a habitable room under policy definitions, and therefore should not carry significant weight. As for the secondary bedroom, the reduction identified is modest in the context of a Local Centre, and the retained daylight levels are well within the range considered reasonable for urban settings. Importantly, the principal living spaces of the flat retain good levels of light and outlook, and thus the overall quality of accommodation is not materially diminished.
5. The LPA places undue weight on the amenity of a single neighbouring unit, ignoring the wider policy framework which requires planning decisions to balance such impacts against the need to make efficient use of land. Paragraph 130 of the NPPF (2024) explicitly directs authorities to take a flexible approach to daylight and sunlight where strict adherence would impact on the delivery of homes. London Plan Policy D3 reinforces this by requiring a design-led approach that optimises site capacity.
6. In short, the effect identified is localised, minor, and consistent with the type of change to be expected in a Local Centre location. It does not constitute undue harm, and it certainly does not justify withholding permission for a sustainable residential scheme.

RfR2 – Character and Appearance

7. The LPA alleges in their Appeal Statement that the proposal undermines the architectural rhythm of the area and results in excessive bulk at the rear. This argument is overstated and not supported by evidence.
8. The Appellant's Statement of Case (paragraphs 5.26–5.37) and the supporting Conservation and Heritage Appeal Statement demonstrates that the extension is largely screened from public views and that the design integrates high-quality detailing and materials to ensure continuity with the existing building. The LPA's own Conservation Officer agreed that *"the proposals would not cause harm to the significance of the conservation area"*. The Delegated Officer's contrary conclusion that the extension creates *"less than substantial harm"* is poorly reasoned and fails to reflect the professional advice of the heritage consultee.
9. The LPA's suggestion at paragraphs 2.7 and 2.8 of their Appeal Statement that rear elevations are definitive features of local character is unconvincing. The Ickenham Local Centre already displays a diverse range of roof forms and extensions,

including flat roofs and rear projections of varying scale. Within this context, the proposed addition does not appear anomalous but instead sits comfortably within the mixed built form that characterises the area.

10. The LPA's description of the proposal as introducing "*substantial bulk to the rear*" (paragraphs 2.8, 2.9 and 2.11) fails to acknowledge its true scale. The scheme comprises a modest, single-storey upward extension at second-floor level, positioned within the established footprint of the building. This is not an overbearing addition but a proportionate and measured intervention that respects the massing of the existing building. The increase is carefully designed to read as a natural continuation of the existing form rather than as dominant and incongruous in the streetscape.
11. Crucially, London Plan Policy D3 expressly supports upward extensions as a sustainable means of optimising site capacity, provided they are design-led and respectful of local character. The proposal aligns with this policy approach by delivering additional housing in a discreet and contextually appropriate manner. The Appellant therefore submits that the LPA's criticism of "bulk" is overstated and fails to reflect both the scale of the proposal and the clear strategic policy support for sensitively designed upward extensions.
12. Even if the Inspector were to conclude that some degree of less than substantial harm arises, national policy requires that such harm be weighed against the public benefits. In this case, the delivery of five new homes in a sustainable location, the retention and support of a community public house, and the reinvestment into an under-utilised Local Centre site constitute benefits of clear and substantial weight.

RfR3 – Living Conditions

13. The LPA argues that several units provide substandard outlook or amenity, pointing to flank windows, small or absent terraces, and reliance on obscure glazing.
14. The revised plans and updated daylight analysis demonstrate that all dwellings achieve adequate levels of light, ventilation, and internal space. In urban retrofit schemes such as this, reliance on flank windows is not unusual and is expressly permitted where design ensures privacy and daylight standards are met. In this case, acoustic and fenestration measures guarantee that privacy and amenity are protected.
15. The absence of private outdoor space for some units must also be considered in context. London Plan Policy D6 and Table 5.3 of the Hillingdon Local Plan: Part 2 (2020) requires appropriate amenity space but recognises that in highly accessible urban areas, proximity to public open spaces and facilities can compensate for shortfalls. The appeal site is within close proximity to local shops, services, and open spaces, which provide high-quality amenity opportunities for future residents. To suggest that occupiers of Local Centres must enjoy the same private amenity as suburban dwellers is contrary to the design-led optimisation principles of Policy D3. It is noted that a Class E to Class C3 change of use application was approved in October 2024 within the London Borough of Hillingdon, which permitted three new units each with no external amenity space (reference 3317/APP/2024/2048). The Appeal Decision is enclosed with this response.
16. Further, the LPA claims that the proposed flats would provide "minimal external outlook" because some habitable rooms would face towards a service road or external amenity space (LPA Appeal Statement, paragraphs 2.13–2.14). It argues that this outlook is unacceptable. This criticism is not justified when considered against the policy framework and the design evidence.
17. All dwellings are served by windows with a direct and dual-aspect external aspect, ensuring natural daylight, ventilation, and a meaningful visual connection to the outside environment. The separation distance of over 4 metres across a service lane is not unfamiliar in a Local Centre context, where tighter urban grain and closer building relationships are the norm. This is evident within the existing conditions of the Appeal site, where the existing first floor flat has an outlook over the same service road. Outlook should not be assessed by whether occupiers enjoy expansive suburban views, but rather by whether windows provide adequate light and awareness of the external environment, which they do in this case. London Plan Policy D6 requires "suitable" outlook but does not prescribe minimum distances, while Policy D3 explicitly supports design-led optimisation of constrained urban sites where tighter building relationships are to be expected. In this context, the outlook provided is reasonable and proportionate, and future residents will also benefit from the high level of amenity offered by living in the heart of Ickenham Local Centre with immediate access to shops, services, and public spaces.

18. On 14 May 2025, an appeal decision was issued for a development at 122–124 High Street, Ruislip HA4 8LS (reference APP/R5510/W/25/3362220). Although that appeal was ultimately dismissed on other grounds, the Inspector specifically considered the issue of residential outlook at paragraph 22, following similar concerns raised by the same Council. The Inspector observed that while *“the outlook from the rooms facing this direction is unlikely to offer a particularly inspiring view, there would be a reasonable outlook with opportunity for natural ventilation. Although these windows face north, these flats are set on a corner, therefore other outlooks would be available to the occupants. Accordingly, I find that these flats would afford the future occupants an acceptable standard of living conditions.”* This recent decision demonstrates that a view need not be expansive or attractive to provide an acceptable outlook, and it lends considerable weight to the case that the appeal scheme before the Inspector would also deliver suitable and policy-compliant living conditions. The Appeal Decision is enclosed with this response.
19. The suggestion that this scheme delivers an “unacceptable living environment” is therefore unfounded. On the contrary, the evidence shows it delivers good quality homes in line with London-wide and local standards.

RfR4 – Cycle Parking

20. The LPA's objection to cycle storage being located at first-floor level (LPA Appeal Statement, paragraphs 2.22–2.25) is disproportionate. The storage provided is secure, sheltered, and meets the London Plan requirements while exceeding the Local Plan requirements. The appeal application also delivers cycle parking for the existing residential unit, which currently has no provision. Importantly, the Council's Highway Authority considered the first-floor location to be *“satisfactory in principle”*, recognising that it meets the operational needs of the development. This point is noted explicitly in the Appellant's Statement of Case at paragraph 5.87.
21. The need for a single flight of stairs reflects the constraints of a retrofit scheme within an existing building, and there is no evidence to suggest that this modest inconvenience would deter cycling. Similar circumstances were approved within the London Borough of Hillingdon in October 2024, where cycle parking for three new residential units was accommodated within the respective apartments on the first-floor level (reference 3317/APP/2024/2048). This Appeal Decision is enclosed with this response.
22. The London Plan recognises that retrofit and conversion schemes often require a degree of flexibility in meeting design standards. The key consideration is that cycle parking is safe, secure, and practical for residents' use — and the proposed provision fully meets these requirements.

RfR5 - Refuse

23. The LPA maintains that refuse storage is inconvenient and unsafe (LPA Appeal Statement, paragraphs 2.26–2.28). However, the Appellant has confirmed that storage is appropriately located and accessible, with carry distances within acceptable limits (Transport Appeal Statement, paragraph 5.3).
24. The LPA argues that the refuse store is inconvenient because residents would need to exit the building and walk what it describes as “a significant distance” to access it (LPA Appeal Statement, paragraph 2.27). This assertion is overstated and not supported by technical guidance.
25. It is not unusual for residents, particularly in urban developments, to exit their building in order to access communal refuse and recycling facilities. This arrangement is commonplace in both purpose-built flats and conversion schemes across London and beyond.
26. Contrary to the Council's suggestion, a 30-metre detour route cannot reasonably be described as “significant.” It is a short, practical distance that would not deter residents from using the facility as intended. Furthermore, the route is direct, safe, and easily navigable, ensuring that the store is convenient for day-to-day use.
27. Concerns expressed about security or surveillance are speculative and capable of being addressed through a refuse management plan, which the Appellant is willing to accept as a condition. This would ensure that refuse is managed efficiently and without adverse impacts on amenity.

28. Accordingly, the Council's objection on this point is without merit. The refuse provision is appropriate, policy-compliant, and typical of urban residential development.

RfR6 – Water Efficiency

29. The LPA accepts that the Water Efficiency Statement demonstrates compliance with Policy DMEI 10 (LPA Appeal Statement, paragraph 2.29). This matter is resolved and can be secured by condition.

RfR7 – Agent of Change for the Public House

30. The LPA contends that the loss of ancillary floorspace at first-floor level would undermine the long-term viability of the public house.
31. As set out in the Appellant's Statement of Case at paragraph 5.126, all essential ancillary functions required for the day-to-day operation of the pub — including WCs, cellar storage, refuse storage, and the pub kitchen — can be re-provided at ground-floor level with only minimal reconfiguration. These adjustments are efficient and have negligible impact on the amount of trading space available. The repurposing of the first floor allows for the removal of the unnecessarily wide 'front of house' staircase and the redundant 'back of house' lift, both of which currently consume valuable floorspace. Once removed, this space is released back into the ground-floor layout, largely offsetting the modest reduction of ancillary areas and ensuring that the pub continues to operate effectively.
32. It is therefore inaccurate to suggest that the scheme deprives the pub of necessary support space. The proposal simply rationalises the building layout, consolidating all necessary facilities on one level in a manner consistent with modern pub operations. This reconfiguration will not only secure the viability of the pub but will also enhance operational efficiency by keeping all ancillary functions close to the trading area. Many public houses across London operate successfully without ancillary uses on the upper floors, and the Council has not produced any evidence to support its claim to the contrary.
33. As explained in the Appellant's Commercial Statement, the proposed residential conversion is intended to bring investment into the building, which in turn strengthens the long-term sustainability of the pub as a business and as a community asset.
34. The LPA also raises concern about the relocation of plant equipment to the roof, suggesting this introduces "materially different evidence" not forming part of the description of development (LPA Appeal Statement, paragraph 2.31). This objection is misplaced. Plant relocation is a typical and expected part of the detailed design process and can be fully addressed through the imposition of standard planning conditions, particularly those relating to noise and visual screening. Should the Council wish to consult with the Acoustic Officer or with neighbours on this matter, they will be able to do so when an application is submitted for condition discharge. The description of development does not need to list every technical adjustment; what matters is that the scheme as proposed retains the public house use at ground floor level and provides residential accommodation above. The precise location of plant equipment is a minor detail capable of being resolved at condition stage and does not alter the fundamental nature of the development. Notwithstanding this, the proposed location of the plant equipment is indicated on the Supplementary Drawing 753 020 D, which demonstrates that the equipment is positioned in an inconspicuous location that will not impact neighbours.
35. For these reasons, the Council's concerns about pub viability and plant relocation are not substantiated. The evidence shows that the reconfiguration secures the ongoing operation of the public house, aligns with modern operational models, and is consistent with London Plan Policy HC7 (Protecting Public Houses) and Policy D13 (Agent of Change).

RfR8 – Noise

36. The LPA argues that the introduction of residential units above and adjacent to the public house would give rise to unacceptable noise impacts and an increased likelihood of complaints from future occupiers, potentially constraining the pub's operation.

37. The planning application was accompanied by a Noise Assessment Report (October 2024), which established baseline sound conditions, modelled pub-related activity, and set out mitigation recommendations including high-performance glazing. At appeal stage, further internal measurements were submitted to supplement this analysis at the request of the Council's Noise Officer. These additional measurements simply reinforced the original findings, which was that with mitigation in place, internal sound levels will fall comfortably within the thresholds recommended by BS8233:2014 and WHO guidelines. The Council has not demonstrated otherwise, nor provided any counter-assessment to contradict these technical conclusions.
38. The LPA's argument that there is "a clear risk" that residents of the proposed flats would be exposed to unacceptable noise levels (LPA Appeal Statement, paragraph 2.37) is speculative. The Council's own Noise Officer confirmed that the proposed mitigation measures, secured by condition, would be sufficient to protect residential amenity while allowing the pub to continue operating. The decision to disregard this professional advice is unreasonable and indicates that a balanced assessment has not been applied.
39. It is also important to note that London Plan Policy D13 (Agent of Change) does not prevent residential accommodation being introduced in proximity to noise-generating uses; rather, it places responsibility on the incoming development to mitigate impacts. That principle has been fully satisfied here. Policy D14 (Noise) further requires that new dwellings achieve acceptable internal noise environments — a requirement demonstrably met through the Appellant's acoustic strategy.

The proposed dwellings will offer a satisfactory standard of amenity, and the continued operation of the public house will not be prejudiced. The appeal scheme therefore complies with both Policies D13 and D14 of the London Plan, as well as the Agent of Change principle more generally.

Planning Balance

40. The proposal delivers five new residential dwellings in a highly sustainable Local Centre location, optimises use of brownfield land, safeguards a public house, and enhances the building fabric. These public benefits are substantial and accord with national, London, and local planning policies.
41. The harms alleged by the LPA are either overstated, unsubstantiated, or capable of being addressed by condition. Even if limited harm were identified, this would be outweighed by the benefits of the appeal scheme which are set out throughout the planning application and appeal application, including at Paragraph 1.2 of the Appellant's submitted Planning Statement.