



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Miss Alicia Privett

Proposal:
Change of use of part of the rear of the building and upper floors from Class E (Commercial, Business and Service) to Class C3 (Dwelling-houses) in order to create six residential dwellings alongside associated works.

Appeal Site:
Upper Floors and Rear of 122-124 High Street, Ruislip

1. Introduction

Our Ref: 11894/APP/2024/3030
Your Ref: APP/R5510/W/25/3362220

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant planning application reference 11894/APP/2024/3030, for change of use of part of the rear of the building and upper floors from Class E (Commercial, Business and Service) to Class C3 (Dwelling-houses) in order to create six residential dwellings alongside associated works.
- 1.2 The LPA refused planning permission on 31-01-25 for the following reasons (as stated on the decision notice):
 - 1.2.1 The proposed development would result in loss of privacy to adjoining neighbouring properties given the intensification of the building and the proximity of the private amenity space which would lead to overlooking of neighbouring residents habitable living spaces without adequate screening measures. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2024).
 - 1.2.2 The private amenity space provide is not adequate in terms of quantity and quality and would be overlooked. In addition, due to the use of boundary treatment to demarcate private amenity occupiers of Flat 2 and Flat 3 would experience a loss of outlook and privacy given the proximity to the proposed 1.5m high fence and 300mm trellis. Further, Flat 1 and Flat 4 would not benefit from adequate outlook. Therefore, the development would fail to provide a high quality internal amenity space and external usable amenity space resulting in harm to residential amenity and unsatisfactory living conditions for the occupiers. The development therefore conflicts with Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D3 of the London Plan (2021).
 - 1.2.3 The applicant has failed to secure Section 106 planning obligations required to mitigate the harm and demands created by the proposed development (in respect of air quality). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-58 of the National Planning Policy Framework (2023).
- 1.3 The Council refers to the recent appeal decision at this site (APP/R5510/W/25/3362220, dismissed on 14 August 2025). That decision concerned a larger scheme of nine units including an upward extension. The Inspector concluded that the sole determinative harm related to the additional storey and its effect on the Ruislip Village Conservation Area. On all other issues, including neighbouring amenity and the living conditions of future occupiers, the Inspector found the scheme acceptable.
- 1.4 Furthermore, as part of the current appeal the appellant has now provided a signed Unilateral Undertaking to secure the required air quality contribution.

- 1.5 Accordingly, reasons for refusal 1 (neighbouring amenity) and 3 (air quality mitigation) are not pursued further at this appeal. Within reason for refusal 2, the Council accepts that concerns relating to the quantum and quality of amenity space were addressed by the Inspector's previous conclusions. However, the Council maintains its objection in respect of the quality of outlook afforded to Flats 1 and 4.
- 1.6 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. Appendix 1 contains a list of recommended conditions, should the inspector be minded to allow this appeal.

2. LPA Comments

The LPA's response is set out below.

The quality of outlook for future occupiers of Flats 1 and 4

- 2.1 Flats 1 and 4 are designed as dual-aspect units, with windows facing north-west and south-west. In principle, dual aspect accommodation can deliver enhanced daylight, ventilation and a choice of outlook. However, in this case, all windows including principal habitable room windows are proposed to be obscurely glazed up to 1.7 metres above finished floor level.
- 2.2 The effect of this glazing treatment is that, for an average adult, there would be no meaningful external view when seated or standing. The only outlook available would be through a narrow strip of clear glazing above 1.7 metres, providing little more than views of the sky or upper parts of adjacent buildings at an oblique angle. Such an arrangement fails to provide the visual relief, natural surveillance, or connection to the external environment that is integral to a good standard of residential amenity.
- 2.3 The Inspector in the earlier appeal accepted that the outlook from these units was "not particularly inspiring," but considered it acceptable in that specific context. The Council maintains that the reliance on high-level obscure glazing as the sole means of mitigating overlooking creates accommodation that falls materially short of the "high quality" standard required by policy and cannot reasonably be considered to meet the objectives of the NPPF (2024), the London Plan, or the Hillingdon Local Plan.
- 2.4 The proposal is therefore contrary to paragraph 135(f) of the NPPF (2024), London Plan Policy D6, and Hillingdon Local Plan Policies DMHB 11 and DMHB 16, which require new residential development to secure good quality living conditions, including adequate outlook from habitable rooms.

Planning Benefits

- 2.5 The Council recognises the benefits of the proposal, including the delivery of six residential units in a sustainable town-centre location, the re-use of long-vacant floorspace.
- 2.6 However, these benefits do not outweigh the identified harm to the living conditions of future occupiers of Flats 1 and 4. The provision of new housing must be balanced

with the need to ensure that all dwellings are of a high standard and provide acceptable conditions for future residents.

3. Other Matters

- 3.1 The officers delegated report and copies of the relevant planning policies (referenced in the delegated report) have been sent separately.

4. Conclusion

- 4.1 For the reasons set out in the Officers Delegated report and this statement the Inspector is respectfully requested to dismiss the appeal.
- 4.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 1.

Appendices

Appendix 1 – The LPA's Recommended Conditions