



Appeal Decisions

Site visit made on 4 December 2025

by **Diane Lewis BA(Hons) MCD MA LLM MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal A Ref: APP/R5510/C/24/3346324

Land at Glebe Farm, West End Road, Ruislip, HA4 6QX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Car Giant Ltd against an enforcement notice issued by the Council of the London Borough of Hillingdon.
- The notice was issued on 16 May 2024.
- The breach of planning control as alleged in the notice is: Without planning permission the Installation of six pole mounted lights.
- The requirements of the notice are:
 - i. Remove in their entirety the lighting columns along the northern boundary of the site as shown in the approximate location marked on drawing HS1117_102 Rev A dated 29.6.23 (as submitted with retrospective planning application reference 14607/APP/2023/1912) and as shown on the images marked Appendix A.
 - ii. Remove from the land all debris, items, building materials resulting from compliance with point (i) above.
- The period for compliance with the requirements is one (1) calendar month after the Notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(e), (f) and (g) of the Town and Country Planning Act 1990 (as amended).

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld with a variation in the terms set out below in the Formal Decision.

Appeal B Ref: APP/R5510/W/24/3346230

386 Glebe Farm, West End Road, Hillingdon, Ruislip HA4 6QX

- 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 Car Giant Ltd against the decision of the Council of the London Borough of Hillingdon.
- The application is dated 30 June 2023 and the Ref is 14607/APP/2023/1912.
- The development proposed is: Retrospective permission for the installation of six pole mounted lights sited six metres above ground level.

Summary of Decision: The appeal is dismissed.

Appeal C Ref: APP/R5510/W/24/3349506

386 Glebe Farm, West End Road, Hillingdon, Ruislip HA4 6QX

- 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 Car Giant Ltd against the decision of the Council of the London Borough of Hillingdon.
- The application is dated 14 May 2024 and the Ref is 14607/APP/2024/1283.
- The development proposed is: Retrospective permission for the retention of six lighting columns and replacement of the six existing floodlights with six alternative floodlights, sited six metres above ground level.

Summary of Decision: The appeal is allowed.

APPEAL A

Appeal on ground (e)

1. The issue is whether copies of the enforcement notice were served as required by section 172 of the Act and if not whether substantial prejudice has occurred by the failure to do so.
2. Section 172 requires a copy of the enforcement notice to be served (a) on the owner and on the occupier of the land to which it relates; and (b) on any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by the notice.
3. The appellant's case is the tenant of the land was sent a generic letter addressed to the owner / occupier and not a letter addressed to the named tenant.
4. The Council confirmed a land registry search was carried out at the time of preparing the enforcement notice. The Notice was served on the address contained within the land register and named Directors listed on Companies House. Further copies were hand delivered on the Owner/Occupier and Car Giant Limited at Glebe Farm.
5. This procedure complies with section 329 of the Act, service of notices, which allows for a copy of the notice to be addressed to the occupier of the premises.
6. My conclusion is that statutory procedures were followed by the Council in serving the enforcement notice. The appeal on ground (e) fails.

Appeal on ground (f)

7. The issue is whether the requirements are excessive, having regard to the purpose of the enforcement notice.
8. The purpose of the notice is to remedy the breach of planning control, namely the installation of six pole mounted lights. In view of the wording of section 173(3) and (4) of the Act, it is not open to the appellant in a ground (f) appeal to argue the notice should have a different purpose, such as to remedy any injury to amenity. The requirements go no further than securing the removal of the unauthorised development and are not excessive. The reasons for erecting the lighting poles are matters that would be appropriately considered under a ground (a) appeal, the deemed planning application, or in this case the appeals under section 78 against the refusals of planning permission.
9. The appeal on ground (f) fails.

Appeal on ground (g)

10. The issue is whether the period for compliance is reasonable. The appellant has requested a period of 6 months.
11. The Framework confirms effective enforcement is important to maintain public confidence in the planning system. The compliance period should take account of what the recipient of the notice will have to do in practice to carry out the required remedial steps and consequently how much time it is reasonable to permit for that purpose.

12. The development is small scale and the planning application forms indicate the work took one day. The removal of the six lighting columns would not be unusually onerous or require specific weather conditions. Arrangements would need to be made to secure people with the necessary skills in electrical and lighting installations and, probably of more significance to the time scale, consideration given to the operational, safety and security implications of the usage of the storage yard. Balanced against these considerations are the amenity reasons for issuing the notice.
13. My conclusion is the compliance period should be extended to three months. The appeal on ground (g) succeeds to this extent.

Conclusions

14. The enforcement notice was served as required by section 172 of the Act, the requirements are not excessive and a reasonable period for compliance would be three months. The enforcement notice will be upheld as varied in the terms set out in the Formal Decision below.

APPEALS B and C

Preliminary Matters

15. In Appeal B planning permission is being sought under section 73A of the 1990 Act for development that was carried out before the date of the planning application in June 2023.
16. Appeal C is similar so far as permission is being sought for the existing lighting columns. The essential difference to the Appeal B scheme is the proposed replacement of the six existing floodlamps with six alternative floodlamps, which the appellant submitted would offer additional controlled illumination and lower luminescence. In the event the appeal is successful permission would be granted for the operational development and hence the word 'retention' in the description is not necessary.
17. The appellant and the Council were invited to update their statements of case to take account of the changes to national planning policy in December 2024 and any relevant changes in fact. The appellant's updated statement was made in relation to the second retrospective application (Appeal C), given events had moved on since the submission of the first retrospective application/appeal and the improved control of the floodlamps and benefits.
18. I made an unaccompanied appeal site during the hours of darkness when the floodlamps were illuminated. The appellant confirmed the lighting columns and floodlamps in place at the time of my site visit were in accordance with the details submitted for Appeal B.

Main Issues and Planning Policy

19. The main issues for Appeal B and Appeal C are the effects of the lighting installation on the Metropolitan Green Belt, the character and appearance of the surrounding area and the amenity of the nearby residential properties.

20. The applicable development plan policies are in The London Plan 2021 and in the London Borough of Hillingdon Local Plan Part 2 Development Management Policies adopted in January 2020 (the DMP).
21. After the Council determined the planning applications the National Planning Policy Framework December 2024 (the Framework) replaced the previous version published in December 2023. The policy document was subject to amendment in February 2025. The updated statements of the appellant and the Council responded to the changes to national policy, particularly in respect of the Green Belt. The Framework at paragraph 198 also requires decisions to ensure new development is appropriate for its location and limits the impact of light pollution from artificial light on local amenity, taking into account the likely effects on health and living conditions.
22. In my assessments of the main issues I will consider whether development could be made acceptable by the use of conditions. The Framework states planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
23. Much of the reasoning on the main issues is common to both lighting schemes. To avoid unnecessary repetition, Appeals B and C will be assessed together, making any necessary distinctions in respect of the effects of the different floodlights. Nevertheless, each Appeal will be determined on their planning merits and it is not for me to choose one scheme or the other.

Reasons

Green Belt

24. National and development plan policy protects the Green Belt from inappropriate development. The London Plan states the Framework provides clear direction for the management of development within the Green Belt.
25. Development in the Green Belt is inappropriate unless one of the exceptions stated in paragraph 154 of the Framework applies. The installation of six floodlights on a lawful storage site does not fall within any of the exceptions set out in paragraph 154 a) to h). Paragraph 155 states that development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate provided the development would utilise grey belt land and meet all the other stated criteria.
26. The lighting installation has taken place on a site that has a lawful use for storage and ancillary purposes and is previously developed land. Grey belt includes previously developed land that does not contribute strongly to any of the purposes (a), (b) or (d) of including land in Green Belt. Planning Practice Guidance identifies illustrative features to assess the contribution of land to these purposes, to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns merging into one another and to preserve the setting and special character of historic towns.
27. Glebe Farm contains existing development and is located close to the A40, physical infrastructure that could restrict and contain development. The land is partially enclosed by existing built-up areas and does not contribute to visual

separation between urban areas. The site does not relate to a historic town. I conclude the site does not contribute strongly to any of the purposes (a), (b) or (d) and is grey belt land.

28. The second consideration is whether there is a demonstrable need for the type of development proposed. The development at issue is the installation of a lighting scheme, not a material change to the lawful use of the land. Before the development took place the external lighting included columns and fixtures more than 20 years old. A strong case has been made by the appellant for a replacement lighting scheme that is engineered to modern specifications and efficient energy usage. The current occupier of the premises reasonably requires a safe and secure operational storage area. I am satisfied a need has been demonstrated.
29. Criterion (c) requires the development to be in a sustainable location with particular reference to paragraphs 110 and 115 of the Framework. I consider the site is well located to the strategic road network and has a safe and suitable access for the large vehicles servicing the storage use. There is a bus stop outside the site and South Ruislip station, with mainline and underground services, is within easy walking distance along well-lit footways. Notwithstanding the site's PTAL rating of 1b, the second lowest, the sustainability criterion is met. The Golden Rules requirements, relevant to major development proposals are not applicable.
30. My conclusion is the lighting installation is not inappropriate development and therefore very special circumstances do not have to exist to justify the development.

Character and appearance

31. The site is located on the edge of the urban area. The surroundings have a mix of uses, including the residential streets to the north and north west, retail parades, leisure and educational facilities. Northolt Aerodrome lies to the west. The area is well-lit by street lighting along West End Road and at the interchange with the A40 just to the south. Floodlighting is found on various premises, including the car park to the Club on the opposite side of West End Road. High mast lighting at the Aerodrome is visible for some distance around. The Council advised that the planning permission for 6 x 12m high floodlights to a nearby training pitch imposes a planning condition that restricts their use after 2100 hours, hence there is not the 24 hour illumination present at the appeal site.
32. On the appeal premises are several warehouse buildings and the yards are largely used for storing containers and parking large vehicles. In places, lighting fixtures are mounted on buildings and the land is enclosed by palisade fencing and boundary vegetation. Overall the site has a functional, commercial appearance. The scheme is to position the six lighting columns along the northern boundary of the storage yard. The slender columns supporting the floodlamps are 6 metres(m) in height. The lighting columns are slightly higher than the containers and are regularly spaced along one boundary. They do not stand out against the mass of containers. The lights are directed over and focused on the storage and circulation spaces within the developed site and have less of a visual impact than some of the external lights on the buildings. I noted the brightest and most intrusive light was on a building within the centre of the site.

33. The Council in the reasons for refusal of the two applications identified “the excessive height” of the columns as a cause of significant visual intrusion and a highly conspicuous form of development. The appellant has indicated acceptance of a planning condition requiring a reduction in the height of the columns to 5m. In my view this amendment would not be necessary. The height of the columns is not out of keeping with the street lighting both on the main roads and the residential streets. The columns themselves are slender, small in number and spaced out. The illumination engages the eye, not the column. There is a visual benefit from the columns being slightly above the height of the storage containers and large parked vehicles. Furthermore, the technical assessments on the two schemes have been based on the current proposals and do not show the effects of a reduction in height.
34. In conclusion the lighting scheme, including the height of the columns, is not intrusive or out of keeping with the character and appearance of the surrounding area.
35. On a specific heritage matter, the Grade II* listed Polish Air Force War Memorial is at the junction of West End Road and the A40, adjacent to the southern boundary of the appellant's wider land ownership at Glebe Farm. I confirmed on the site visit the lighting scheme in Appeal B does not intrude into the setting of the War Memorial and has no adverse effect on the significance of the designated heritage asset. This is because of the separation distance of around 85m, the intervening buildings and structures and the general level of illumination in the area. The same conclusion applies to the proposed scheme in Appeal C.

Residential amenity

36. The northern boundary of the site partly adjoins the car parking area and outdoor space to Wordsworth Court, a small block of residential flats with access off West End Road. The windows to the side elevation of Wordsworth Court do not appear to be principal windows. The neighbouring Chaucer Court faces onto Glebe Avenue. Open land separates the western area of the site from the semi-detached dwellings on Glebe Avenue.
37. In response to first application residents objected to the existing bright light and the disturbance caused by lights switching on and off. When notified of the second application three residents objected to light flooding their garden and being kept awake at night by the intrusive light. The Council was concerned the lighting assessment for Appeal B showed only horizontal illuminance, not vertical and so did not address the impact on the side windows of the flats. The diagrams indicated light spillage over the northern boundary.
38. Considering the existing lighting installation (Appeal B) on the appeal site visit I found the light was directed over the storage yard. The yard appeared illuminated, in contrast to the nearby residential spaces and buildings, which did not appear affected by any significant light spill. This finding is consistent with the technical evidence, where the contour maps in the Lighting Reality assessment showed no penetration of floodlighting into homes and a barely noticeable level of light affecting gardens. The lighting on the northern boundary illuminated the storage areas, not the residential environment. However, the appellant confirmed the floodlamps are symmetrical, which cast light in a linear intensity and are liable to result in unwanted light pollution due to the lack of optic control. This factor may

account for the apparent constant vertical light level, giving a greater overall level of illuminance that would be seen from homes.

39. In Appeal C the revised lighting scheme aims to provide more conservative lighting by replacing the modern LED lights with more technical asymmetric lights to further minimise light spillage. Asymmetric lights are designed to reduce upward light and unwanted light pollution and focus light on the intended area. Asymmetric light beams provide non-linear intensity and special optics help manage the light beams. The Edmundson Lighting assessment, based on the alternative light fitting, finds a barely perceptible light level on the northern boundary, and an absence of reflection on residential buildings and any habitable rooms that may be present on the nearest elevations to the site. Whilst the existing floodlamps marginally exceed the CIBSE¹ Guidelines, the alternative scheme would be compliant. The Council was concerned the alternative scheme would be more harmful because of a significantly higher power output. The appellant disputed this, referring to the Edmundson Lighting Assessment and the enhanced control on direction, light spillage and glare.
40. The site is operational 24 hours a day and no planning conditions exist to control the hours of the lawful storage use. Adequate control on the existing lighting is operated through motion light sensors, which reduces the extent of illumination and the possibility of harmful light pollution. On the other hand, a constant level of illumination would rule out the possibility of disturbance to neighbours from lights going on and off. On balance, the use of motion light sensors would be preferable and could be secured by planning condition.
41. On the balance of the evidence the Appeal C asymmetrical floodlamps would provide a higher quality of lighting installation, offering greater control on upward light and minimising light pollution. The living conditions and amenity of the nearby residential properties would be safeguarded. The disadvantage of the Appeal B floodlamps is the linear intensity of light and the reduced ability to control upward light. The amount of light illuminating the site, as seen from the nearby dwellings, is likely to be greater and disturbing to residential amenity.

Conclusions

Appeal B

42. To grant planning permission for the lighting scheme would not conflict with DMP Policy DME1 4 and Policy G2 of the London Plan because inappropriate development is not involved. Green Belt land would be protected in accordance with policy in the Framework. However, the scheme adversely impacts on the amenity of adjacent residential properties and so does not fully comply with DMP Policy DMHB 11 and Policy BE1. In so far as London Plan Policy D3 applies (optimising site capacity), the lighting development contributes to achieving a safe and secure environment but does not adequately deliver appropriate amenity. Referring to the Framework the scheme is not of a sufficiently high quality to limit the impact of light pollution from artificial light on local amenity.
43. The balance of the development plan and the Framework is against the development. The appeal should be dismissed.

¹ Chartered Institute of Building Services Engineers

Appeal C

44. The proposed lighting installation is not inappropriate development in the Green Belt. Very special circumstances do not have to be demonstrated and there is no conflict with national policy in the Framework or development plan policies DMP Policy DME1 4 and Policy G2 of the London Plan. The proposal, located on a lawful commercial storage site, would improve site safety and security whilst not harming the living conditions of nearby residents or the character and appearance of the area. Compliance is achieved with DMP Policies DMHB 11 and BE1 and London Plan Policy D3. The scheme as controlled by planning conditions, would appropriately limit the impact of light pollution from artificial light on local amenity, in accordance with paragraph 198 of the Framework.
45. The development complies with the development plan and there are no other considerations to indicate the determination should be other than in accordance with the plan. For the reasons given above the appeal should be allowed.
46. Planning conditions will be necessary to ensure the development complies with DMP Policies DMHB 11 and BE1 and London Plan Policy D3. Conditions will require the development is carried out and maintained in accordance with the submitted plans and details of the lighting scheme. A three month timescale would be reasonable for the replacement of the existing floodlamps with the specified Aztec Asymmetrical Floodlight. The use of a light sensor system is necessary to reduce overall illumination, whilst providing safe working areas.
47. No time limit for commencement of development will be imposed because the lighting columns have been erected. I concluded the 6m columns are visually acceptable and so a condition to secure a reduction in the height of the columns is not necessary or reasonable.
48. The enforcement notice has been upheld but section 180 of the 1990 Act will come into play to override the notice, so far as that is inconsistent with the planning permission that will be granted.

DECISIONS

Appeal A Ref: APP/R5510/C/24/3346324

49. It is directed the enforcement notice is varied in section 6 by the substitution of Three (3) months as the period for compliance.
50. Subject to the variation, the appeal is dismissed and the enforcement notice is upheld.

Appeal B Ref: APP/R5510/W/24/3346230

51. The appeal is dismissed.

Appeal C Ref: APP/R5510/W/24/3349506

52. The appeal is allowed and planning permission is granted for installation of six lighting columns and replacement of the six existing floodlights with six alternative floodlights, sited six metres above ground level at 386 Glebe Farm, West End Road, Hillingdon HA4 6QX in accordance with the terms of the application, Ref 14607/APP/2024/1283, subject to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with the submitted plans and details: Site Location Plan HS1117_101A, Lighting Column Plan HS1117_10 Rev A, General Arrangement of Forest Column S-FR2506T01-01, Aztec Asymmetrical Floodlight 100W, Ansell Lighting as assessed in the Lighting Design Report by Edmundson Lighting Consultancy 10 April 2024. Thereafter the lighting installation shall be maintained in the accordance with these approved details.
- 2) Within three months of the date of this Decision, all existing floodlamps on the six lighting columns shall be replaced with the Aztec Asymmetric floodlamps specified within the Edmundson Lighting Consultancy Design Report 10 April 2024. The specified Aztec Asymmetric floodlamps shall be retained in place thereafter.
- 3) Between the hours of 2100 to 0500 daily, the floodlamps shall be switched to the movement sensor-based setting.

Diane Lewis

INSPECTOR