

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. Report of the Head of Development Management and Building Control**Address:** 15 RUSHDENE ROAD EASTCOTE**Development:** Erection of rear canopy past the rear extension.**LBH Ref Nos:** 63838/APP/2025/1660**Drawing Nos:** RR PP 02 REV B
RR PP 04 REV C
RR PP 03 REV B**Date Plans received:** 16-06-25**Date(s) of Amendments(s):****Date Application valid** 18-07-25**1. CONSIDERATIONS****1.1 Site and Locality**

The application property comprises a two-storey semi-detached dwelling located on the eastern side of Rushdene Road in Pinner. The property has a loft conversion, which includes a hip to gable extension and rear dormer.

The site is a two-storey, semi-detached property within a residential neighbourhood comprising a mix of detached and semi-detached, single and two storey dwellings dating largely from the early to mid-part of the last century. Along with its attached neighbour at No 13, the property comprises a mix of red brick and render and is a typical example of its time with a prominent front two-storey bow window and gable feature.

The site lies within the area covered by Tree Preservation Order (TPO) 614, however, there are no protected trees at this address.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a canopy to the rear attached to the existing single storey rear extension

The development described within the planning application is subject to a Planning Enforcement Notice served on 1 October 2024, which required the demolition of both the front and rear canopy structures. The Notice was due to be complied with on 12 February 2025.

1.3 Relevant Planning History

63838/APP/2025/44

15 RUSHDENE ROAD EASTCOTE

	Retention of existing front canopy (Retrospective application)
Decision: 28-02-2025	Refused
63838/APP/2024/3283	15 RUSHDENE ROAD EASTCOTE
	Erection of canopy to the rear (Retrospective application)
Decision: 28-02-2025	Refused
63838/APP/2022/2559	15 RUSHDENE ROAD EASTCOTE
	Erection of single storey extension to the side and rear and installation of front canopy roof, rear canopy (retrospective application)
Decision: 08-04-2024	Refused
63838/APP/2022/926	15 RUSHDENE ROAD EASTCOTE
	Non-material amendment to planning permission ref. 63838/APP/2021/480, dated 29/03/2021 (Single storey side/rear extension) to erect front canopy, air conditioning unit on the side wall and installation of side windows
Decision: 11-04-2022	Refused
63838/APP/2021/480	15 RUSHDENE ROAD EASTCOTE
	Single storey side/rear extension
Decision: 30-03-2021	Approved
63838/APP/2012/1251	15 RUSHDENE ROAD EASTCOTE
	construction of a two storey side and part rear and single storey rear extension.
Decision: 21-06-2012	No Further Action(P)
63838/APP/2012/406	DAYSRING 15 RUSHDENE ROAD EASTCOTE
	Application for a new planning permission to replace extant planning permission ref.63838/APP/2008/714 dated 25-03-2009: Erection of a two storey side and part single storey/part two storey rear extension (involving demolition of garage and rear conservatory)
Decision: 16-03-2021	No Further Action(P)
63838/APP/2008/714	15 RUSHDENE ROAD EASTCOTE
	ERECTION OF A TWO STOREY SIDE AND PART SINGLE STOREY/PART TWO STOREY REAR EXTENSION (INVOLVING DEMOLITION OF GARAGE AND REAR CONSERVATORY)
Decision: 25-03-2009	Approved
63838/APP/2007/3363	15 RUSHDENE ROAD EASTCOTE
	ROOF CONVERSION FROM HIP END TO GABLE END INCORPORATING REAR DORMER (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)
Decision: 31-12-2007	General Perm.Devt.

Comment on Planning History

63838/APP/2025/44 - Allowed -11-06-2025 - For the retention of existing front canopy (Retrospective application) was allowed by Inspectors

63838/APP/2021/480 - Single storey side/rear extension - Approved 03-04-21

63838/APP/2022/2559 - Part Allowed - Retrospective application for erection of single storey extension to the side and rear and installation of front canopy and rear canopy was refused on 08-04-2024. The applicant appealed the decision (ref: APP/R5510/D/24/3347323) and the appeal was allowed and planning permission granted, subject to conditions, insofar as it related to the side and rear extensions. The appeal was dismissed insofar related to the front and rear canopies.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: Not applicable

2.2 Site Notice Expiry Date: Not applicable

3. Comments on Public Consultations

Seven neighbouring properties, the London Borough of Harrow and Eastcote Residents Association were consulted on 124-07-25. Consultation expired on 14-08-25.

Two representation were received who commented:

- The proposed structure would significantly reduce light and warmth to the garden and patio, leaving half in shade for most of the day.
- A previous overextended canopy (refused planning permission) already showed the harmful impact of such depth, making the patio unusable for family space and garden lighting.
- The new extension would cause intrusive glare from the roof pitch into the rear bedroom, forcing blinds to be closed for much of the day.
- Its size and position would be overbearing, creating a sense of enclosure and harming the character and appearance of adjoining properties.
- The proposal would worsen existing surface water flooding issues by reducing natural drainage from soil and grass.

London Borough of Harrow:

Harrow Council raises no objection to the proposals set out in this application.

Officer Response:

- The impact on private amenity - the structure is evidently an airy structure without walls and is standing on stilts. Given this the feeling of enclosure and overshadowing is limited. The structure is also made from 'perspex sheets' which are translucent and allow sunlight to penetrate. Given this and the size of the garden, there is enough space of Number 13 Rushdene Road to enjoy adequate levels of sunlight and daylight. Some additional shadowing may occur, the depth and height of the proposed extension are considered typical for residential development and not excessive to the extent of causing an unacceptable loss of daylight or sunlight to the neighbouring property.
- Use of garden and patio: The proposal would not prevent the neighbour from continuing to use their garden and patio; a degree of change in outlook is expected in a built-up residential context.
- Glare from roof pitch: Reflections from roofing materials are not usually considered significant amenity issues in planning terms, and such impacts are temporary depending on the sun's position.
- Overbearing impact / sense of enclosure: The scale and massing are considered proportionate to the host property, and the proposal does not extend to a depth or height that would result in undue

overbearing impact.

- Character and appearance: This is discussed in the main section of the report. .
- Flooding and drainage: Surface water concerns can be addressed through the use of permeable materials and/or drainage conditions, ensuring no unacceptable impact arises. The property is not located in a flood risk area and the scheme does not propose hardstanding and is therefore not an issue.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D3 (2021) Optimising site capacity through the design-led approach

NPPF12 -24 NPPF12 2024 - Achieving well-designed places

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property and surrounding area and the impact upon the amenities of adjoining occupiers.

CHARACTER AND APPEARANCE

Policy BE1 of the Hillingdon Local Plan: Part One (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area and accessible.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020)

requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers. With regard to rear extensions, Policy DMHD1 requires:

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;

A rear canopy would be erected and attached to the approved single-storey rear extension. The submitted plans demonstrate that the canopy is 2.25m deep and approximately 2.5m high, which matches the height of the approved single-storey rear extension, when measured from the lowest part of the eaves. The canopy is constructed of timber posts along the side and a plastic/perspex-style translucent roof with a flat roof.

A previous retrospective application was also submitted to the LPA whereby it was refused due to neighbourhood amenity impacts. The previous scheme outlined the canopy of 4.75m deep and approximately 3.84m high, which matched the height of the approved single-storey rear extension. The canopy was constructed of low-lying bricks along the side and a plastic/perspex-style translucent roof with a pitched roof.

Another previous retrospective application for the erection of the rear canopy was also previously considered under appeal decision reference APP/R5510/D/24/3347323 and was dismissed by reason that the polycarbonate material is not high quality, the height of the canopy is large, and the depth of the canopy is overly long, and that overall the canopy would be detrimental to the existing building and the character and appearance of the locality.

The difference between this scheme and the previous scheme is that the pitched roof element has been omitted and the scheme now proposes a flat roof just below the eaves of the existing extension. The depth of both the extension and the canopy would amount to approximately 6m which is over and above the allowance within the Development Management Policies which allows rear projections of 3.6m. The use of a plastic translucent style roof and timber posts would add to the discordant nature of the development. It would appear at complete odds with the main materials of the dwelling house and would lead to a detrimental visual impact on both the main house and the wider local character.

Whilst it is acknowledged that the structure is not readily visible from the street scene, it nonetheless appears as a highly conspicuous form of development when viewed from the rear gardens of neighbouring properties and is not supported. The overall depth, scale and poor design would lead to a discordant addition to the rear of the properties.

This is further supported in the Appeal whereby the Inspector explicitly states: 'The polycarbonate as proposed is not a high quality material, it does not stand the test of time and becomes more opaque and degrades with age particularly when exposed to the sun. This roofing material will not age well and could not be considered of high quality. Despite this, the height of the canopy is the same height as the rear extension, and that the entire length of the rear extension would exceed the suggested depth of 3.6 metres as per Policy DMHB1. Given the close knit residential environment, the depth combined with the height of the canopy is large and whilst I appreciate

comments from the Appellant that the openness of the structure reduces visual bulk, this does not mitigate the overall presence of the structure to an appropriate extent. The canopy is experienced together with the rear extension and would be overly long when experienced against the existing dwelling and comparing to other examples of rear extensions in the locality.'

Appeal Decision: APP/R5510/D/24/3347323

The planning officer notes that the canopy is now lower in height however this does not overcome the appeal concerns. The overall depth and materials used in the finishes remained at the heart of the appeal decision. Whilst the height would slightly reduce the visual impact, the relationship of the flat roof (with its plastic material) partially enclosing the rear extension would remain discordant in design to the detriment of the local character. The proposed materials and additional depth are not supported; the rear canopy would be considered unacceptable on the basis that the scheme although has been reduced significantly, would not be of high calibre and is therefore contrary to Policy DMHD1 and DMHD 11 whereby schemes must be designed to a high quality.

RESIDENTIAL AMENITY:

Policy D3 of the London Plan (2021) requires that development proposals deliver appropriate outlook, privacy, and amenity.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure, amongst other matters, that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

13 and 17 Rushdene Road are the principal properties that need to be considered in terms of residential amenity. While the previous application and the appeal decision reference APP/R5510/D/24/3347323 found that no material detriment would occur to neighbouring properties. This was because:

"In terms of access to light, the site dwelling faces west with the line of the sun creating a shadow which would predominantly be confined to the site and projecting to the north over part of the rear garden of No.17 Rushdene Road. No.17 would still maintain access to a sufficient amount of light, particularly the remainder of the large garden area which would be largely unaffected by the shadow caused by the proposed canopy. Whilst there might be a slight change to light levels together with the openness of the canopy; The officer does not feel that this would be sufficient to cause material detriment to No.17 as a result of loss of light. Given the direction of the sun, it is unlikely that No.13 would be affected by an adverse amount of overshadowing or loss of light to a detrimental extent from the construction of the rear canopy. No.13 also maintains more of a setback from the canopy which would receive a sufficient amount of light to the rear of the property.

Turning to outlook and sense of enclosure, No.17s rear extension comes to the side of the site's rear extension, with the proposed canopy projecting a further 2 metres. The canopy is tall and quite wide, however as is not a solid structure, there are some mitigatory effects in terms of sense of enclosure. The 2 metre projection would cause some enclosure of the rear garden of No.17, however this would not be a tunnelling effect given that the garden is not enclosed on both sides and there being sufficient depth and

length of the garden to alleviate the sense of outlook and enclosure. Whilst there may be some increased sense of enclosure and effect on outlook, Officer not feel that it would be to the extent that would cause adverse detriment to the neighbouring occupants at No.17.

For No.13, these occupier do not have a large rear extension so the projection of the rear extension and canopy would be noticeable to the rear garden space. There is a shed along the boundary at the point of the rear extension, with there being a small setback of the canopy to the boundary as well as the rear/side of No.13 also being setback. Whilst the extension is noticeable and would be different to existing conditions before e the extension, given the width and depth of the rear garden, there would be sufficient outlook to this property.

In conclusion of this matter, whilst the projection of the rear canopy by two metres is noticeable, Officers do not feel that the installation of canopy has caused material detriment to neighbouring occupiers as a result of access to light, and sense of outlook and enclosure. As such the proposed rear canopy would be compliant with Policies DMHB11 and DMHD1."Appeal Decision: APP/R5510/D/24/3347323

Given the above, and the fact that this seeks to propose a 2.25m canopy that has a flat roof rather than pitched roof, it would not the neighbouring properties amenity. As such the impact on the neighbouring properties is considered limited.

The proposal would, therefore, be aligned with to the National Planning Policy Framework (2024), Policy D3 of the London Plan (2021) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

EXTERNAL AMENITY SPACE PROVISION:

The proposed development would retain sufficient rear garden space. This would be in accordance with the minimum private amenity space standards set out in Table 5.3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

The proposal would not undermine the provision of external amenity space for the existing occupiers at the site.

The proposal complies with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

CONCLUSION:

The application is recommended refusal as it would cause harm to the character and appearance of the dwelling and wider surrounding area as well as disrupt the overall pattern of development. The poorly designed structure is also contrary to local policies and allowing such structures sets poor precedence which the LPA do not support.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to character and appearance of the dwelling and area

The proposed rear canopy in conjunction with the single storey rear extension, by reason of its

cumulative size, poor quality design, would result in discordant dominant feature that is incongruous with the prevailing pattern of development, resulting in harm to the existing dwelling house as well as impacting on the character and appearance of the surrounding area. The proposal would, therefore, be contrary to the National Planning Policy Framework (2024) and Policies DMHD 1, DMHB 11, and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1. The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
2. The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMHB Design of New Development
11

DMHB Streets and Public Realm
12

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D3 (2021) Optimising site capacity through the design-led approach

NPPF12 NPPF12 2024 - Achieving well-designed places
-24

Standard Informatives

1. The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
2. The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance..

Part 1 Polices

PT1.BE1 (2012) Built Environment

Part 2 Polices:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D3 (2021) Optimising site capacity through the design-led approach

NPPF12 -24 NPPF12 2024 - Achieving well-designed places

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