



Appeal Decision

Site visit made on 29 July 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/M5450/W/25/3364071

The Rectory, Rectory Lane, Stanmore HA7 4AQ

- 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 Renaiss Health (Stanmore) Limited against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/0390/23.
 - The development proposed is described as: 'demolition of existing building and erection of a three storey building (plus basement/lower ground floor) to accommodate a residential - physiotherapy led - rehabilitation facility (Use Class C2) along with landscaping, boundary treatments, car and cycle parking, refuse storage, vehicular and pedestrian access and associated works'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site lies on the opposite side of the road and to the south of a churchyard containing two Grade II* listed buildings. These are the *Church of St John*¹ and the *Old Stanmore Church*². The churchyard also contains a number of Grade II listed monuments. These are referred to on the National Heritage List for England as: *The Tomb of Betty Jellicoe St Johns Churchyard*³; *Grave of W S Gilbert To South West Of Church Of St John*⁴; *Chest Tomb Adjacent To North East Corner Of Old Stanmore Church*⁵; *Urn Tomb To Mary Wood North Of East End Of Old Stanmore Church*⁶; *Monument To Philip Jackson In Churchyard Of Old Stanmore Church Between East End And Road To North*⁷; *War Memorial*⁸.
3. Also, at the north western extent of the churchyard is the Grade II listed Lodge⁹.

Planning Obligation

4. A signed section 106 legal agreement (S106), dated 10 July, has been received.
5. Schedule 2 relates to the provision and compliance with a Travel Plan. This would be in accordance with Policies T2 and T4 of The London Plan (2021) (the LP), Policy CS1 R of the Harrow Core Strategy (2012) (the HCS), and policies DM 42 and DM 43 of the Harrow Development Management Policies (2013) (the HDMP).

¹ List Entry Number: 1193096.

² List Entry Number: 1079747.

³ List Entry Number: 1096146.

⁴ List Entry Number: 1193140.

⁵ List Entry Number: 1193135.

⁶ List Entry Number: 1358617.

⁷ List Entry Number: 1079748.

⁸ List Entry Number: 1096148.

⁹ List Entry Number: 1096147.

6. Schedule 2 also relates to the provision of financial contributions towards street trees. This would offset the loss of the trees that would be removed as part of the development in accordance with Policy G1 of the LP.
7. This schedule also requires the provision of a minimum on-site carbon dioxide reduction of at least 35% beyond Building Regulations, a carbon offsetting payment and a further carbon offsetting top up payment where required standards are not achieved. This is in accordance with the requirements of Policy SI2 of the LP.
8. Additionally, Schedule 2 seeks to secure off-site and on-site Biodiversity Net Gain (BNG) in accordance with policies G6 and G7 of The LP and Policies DM 20 and DM 22 of the HDMP.
9. Schedule 3 relates to the provision of a training and employment plan and local procurement strategy that will be agreed between the Council and the developer prior to starting on site. This would ensure local people are employed and trained as part of the proposal. This would represent a social and economic public benefit of the scheme to be considered against any harm set out in my reasoning below.
10. I consider the above obligations set out in the S106 are necessary to make the development acceptable with regard to the biodiversity, energy and sustainability, transport and the effect on green infrastructure. I am also satisfied that they are directly related to the development and are fairly and reasonably related in scale and kind. As such they meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the National Planning Policy Framework (the Framework). There would also be compliance with LP Policy DF1 and DM50 of the HDMP which, together, require planning obligations to be sought for new development where relevant.

Main Issues

11. The main issues are:

- the effect of the proposed development on heritage assets including the whether the development would preserve or enhance the character of appearance of the Old Church Lane Conservation Area and the effect on the special interest of the aforementioned listed buildings, including their setting, and
- whether the loss of garden land would accord with the development plan policies and the spatial strategy.

Reasons

Heritage Assets

Conservation Area - Special Interest and Significance

12. The Old Church Lane Conservation Area (the CA) is a reasonably small conservation area primarily focussed along the roads of Old Church Lane and Rectory Lane, close to the centre of Stanmore. The CA reflects the historic village character of Old Stanmore through the surviving historic built form of considerable age, the open building grain and extensive areas of green space with mature trees, contrasting with the more densely built twentieth century suburban development on the fringes of the CA which form part of the expansion of Stanmore at this time.

13. Densities within the CA are low with larger buildings typically occupying large plots, and groups of smaller buildings clustered together. Buildings are typically set away from boundaries which often feature mature trees and vegetation. The area comprises of a mix of very old buildings, the majority of which are listed, and more recent, predominantly 1930s development which attempts to mimic those older properties, contributing to an Old World and, somewhat rural, feel. The special interest and significance of the CA, insofar as it relates to this appeal, derives from this Old World character, the high concentration of buildings of considerable age and their intact historic fabric, and the extensive areas of open space and mature trees around them.
14. Buildings of high importance within the CA include Old Stanmore Church and the Church of St John the Evangelist, set within an open churchyard comprising numerous historic monuments, viewed against a backdrop of mature trees.
15. The appeal site comprises of a single dwelling dating to the 1960s, the construction of which followed the demolition of the eighteenth century rectory on this site. The dwelling is comparatively small to the size of the plot, and is set back from Rectory Lane, away from plot boundaries, which are lined with extensive areas of trees. These complement the mature trees that lie just outside of the appeal site, including those within the churchyard and, together, form much of the wooded backdrop to the buildings within the churchyard. Being otherwise screened by extensive vegetation, the existing dwelling can be glimpsed set behind its driveway from the access onto Rectory Lane.
16. The appeal site as a whole is large, however, its overall scale is not evident in public views owing to the extensive vegetation lining the boundaries. The access into the site lies roughly opposite the pedestrian access to the churchyard. To the east, the appeal site is bounded by the rear gardens of properties fronting Church Lane. To the west, is Wolstenholme, a sheltered housing development comprising of a large, former dwelling that fronts Rectory Lane, with a substantial two storey rear wing of linear form running adjacent to the boundary of the appeal site that was added in the 1970s. Suburban housing on Rectory Close lies to the south.
17. The appeal building has been identified within the Old Church Lane Conservation Area Appraisal and Management Strategy (2013) (the CAA) as being a 'positive unlisted building'. The building itself, as set out above, is not a prominent feature of the CA and its architecture and age does not reflect that of the wider CA. The Conservation Officer argues that this designation is partly due to its scale being small and its association with the church. In my view, this is primarily likely to be due to the extensive area of open space and the high number of mature trees that the site contains which are visible for some distance and form a verdant backdrop to the churchyard.
18. This is reinforced by the CAA which sets out that the hedge and tree screen on the boundaries to The Rectory and Wolstenholme not only act as an important setting to the two churches, but also create an attractive 'green tunnel' over Rectory Lane. The CAA sets out the view along Rectory Lane is one of the key views within the area. It also identifies the Rectory site as 'important open space'. As such, whilst the dwelling contributes little to the CA, the extensive, open and wooded nature of the appeal site and its location adjacent to the churchyard reinforce and contribute positively to the special interest and significance of the CA.

Listed Buildings – Special Interest and Significance

19. Dating to 1632, Old Stanmore Church is a rare example of early Caroline Classicism showing the impact of Inigo Jones. It is constructed of red brick with Portland stone dressings and has a rectangular plan with a west three-stage tower. The church building was left in situ following the removal of its roof and construction of the Church of St John. Today it is a highly picturesque brick ruin lying within the churchyard. Its special interest and significance derive, in part, from its substantial architectural and historic interest as a rare example of a Caroline Classical brick church that has been left as ruin.
20. Located alongside the Old Stanmore Church, closer to the boundary of the churchyard with Church Lane, The Church of St John is an attractive and substantial building that is constructed of Kentish Rag and Bath Stone. It was constructed in the Decorated Gothic style in 1850. Its battlemented tower is an imposing feature of the local built form and its pale stonework stands out against the dark red brick of other buildings in the area. Its distinctive stair tower and prominent buttresses are also notable features of the building. Its special interest and significance derive, in part, from its architectural and historic interest as a prominent and imposing Early Victorian parish church. Key contributors in these regards are its Decorated Gothic architecture, and its prominent and distinctive stone tower.
21. There is an important view of the Church of St John from the entrance to Rectory Lane, close to the junction with Old Church Lane. In this view, the prominent five light window of the listed building set within the eastern gable is a highly visible and dominating element of the streetscene, viewed across an open part of the churchyard, set away from trees, and adjacent to the War Memorial. The lack of modern development around the building here enhances the appreciation of these two listed buildings in these views and contributes to the Old World and almost rural feel referred to above. In that regard, the lack of prominent development and the wooded nature of the appeal site, seen immediately opposite the church in this view, serves to enhance the prominence of the church and reinforces its special interest and significance.
22. The churchyard contains a number of Grade II listed tombs and monuments as well as the War Memorial, all of which are set out above. Their special interest and significance, pertinent to the appeal, derives from their age, their insight into the social history of eighteenth, nineteenth and early twentieth centuries and their historic association with famous individuals from the time.
23. The Grade II listed The Lodge is an attractive Victorian churchyard lodge building located to the far north western corner of the churchyard and dating to 1881. It is a compact, single storey structure with exposed timber framing and a decorative tiled roof in an arts and crafts style. Constructed as a memorial to Robert Hollond MP and as housing for the Parish Clerk, its special interest and significance, in part, derives from this historic association and its arts and crafts architecture.
24. Contained within the churchyard and lying within each other's settings, the special interest and significance of The Old Stanmore Church, The Church of St John, the monuments within the churchyard and The Lodge stems notably from their value as a group, including their historic, physical, visual and functional relationships with each other and their shared location within an open, undeveloped Old World setting

with a wooded backdrop and rural character. On this basis, the settings of these listed buildings also make a considerable contribution to their special interest and significance.

25. The appeal site, lying across Rectory Lane, immediately opposite the churchyard forms part of the immediate setting of the Church of St John, Old Stanmore Church and the War Memorial. Located slightly further away, it lies within the wider setting of the Lodge and the other Grade II listed monuments.
26. The extensive vegetation located within the appeal site, ensures that the site appears outwardly undeveloped in the majority of views. Viewed from the churchyard and along Rectory Lane, the high numbers of mature trees growing within the appeal site, seen alongside the trees growing along the churchyard boundary makes a substantial contribution to the way in which all of these assets are experienced. The effect of this is that the churchyard and the assets within it, appear detached from the busy Stanmore centre located a short walk away. Moreover, the lack of visible development within the appeal site enhances the prominence of the Church of St John as an important and imposing building in the locality, particularly in views from Church Lane, at the entrance to Rectory Lane.

Non-Designated Heritage Asset – Old Stanmore Churchyard- Significance

27. Owing to its importance within the CA, containing numerous listed buildings, the Old Stanmore Church churchyard is also locally listed as a non-designated heritage asset. Its significance in that regard derives, in part, from its age, being in use as a churchyard since the construction of the Old Stanmore Church in 1632, its high concentration of monuments associated with famous persons, and its strong group value consisting of the interrelationship of historic buildings that is considered in detail above.
28. Located immediately opposite the churchyard, the appeal site forms its immediate setting. The mature trees located within the appeal site are visible throughout the churchyard and make a substantial contribution to its setting. In the majority of these views the appeal site appears undeveloped which enhances the Old World feel of the churchyard, in particular, an element which is considered in detail above.

Proposals and Effects – Conservation Areas

29. The proposed development comprises of a new physiotherapy led rehabilitation facility, falling within Use Class C2. The building's footprint would be roughly that of a T shape comprising of a linear wing located parallel with Rectory Lane and a sizeable rear wing projecting to the rear of the site. The building would be three storeys in height with lowered eaves and dormer windows to the upper floors. The roofs would be pitched with gables. The materials of red brick, with detailed panels, chimneys and clay roof tiles would contribute to a high-quality appearance, whilst the provision of a linear wing facing onto Rectory Lane with gables to either end, would help to reduce the massing of the building. Incorporating the red brick, chimneys and clay roof tiles that are present in the surrounding buildings would ensure it would be well-related to this location. In these regards, the proposal would have a high quality design and appearance.
30. As is evident from my above assessment, this is a highly sensitive location for new development. In an attempt to demonstrate that the building can be successfully accommodated into such a location, the appellant has provided a Views Analysis

which comprises of a red outline indicating the position of the building drawn over verified views. From many of the views, it is clear that the proposed building would not be prominent, either through being set well into the site, or through being screened by existing buildings, boundary features or trees.

31. The view AVR4 shows the appeal site viewed from a position slightly north of the junction of Church Lane with Rectory Lane. Although located off the edge of the photograph, this includes the prominent view of the east facing gable of the Church of St John, set alongside the War Memorial, referred to in my above assessment. Here, the entrance to the 'green tunnel' referenced in the CAA is seen centrally and the access into the appeal site is to the left. This view is also shown in winter and appears in the Arboricultural Statement with the trees that are proposed to be removed shown highlighted.
32. The drawing on AVR4 is relatively basic, comprising of a simple outline of the building, shown without any depth. However, on the basis of the drawing and my assessment on site, I cannot be certain that the proposed building would not appear significantly imposing in this view. Moreover, on this evidence, it appears that, particularly once the trees are removed, a relatively large portion of the frontage and side elevation of the building would be visible here. I am also mindful that the proposed building would be set slightly further forward than that of the existing building, with the proposed building aligned with the forward projection of the single storey garage building rather than that of the main body of the dwelling. Whilst trees would remain, owing to the siting of the proposal and its scale, the appeal site would appear substantially developed in these views, at odds with its existing character and that of its immediate surroundings.
33. Moving onto Rectory Lane and viewing the building from the Church of St John, the proposed building would be seen alongside the dwelling of Temple Lodge, and the outbuilding that lies adjacent to the boundary with the appeal site. Seen alongside these much lower buildings would emphasise the height and, to a lesser degree, the massing of the proposal in these views.
34. The introduction of a large area of built development significantly taller and set further forward than the existing building would represent a significant incursion into the view from the entrance to Rectory Lane, cited as a key view in the CAA. Whilst it is clear from the drawing entitled Section AA that the building would be lower in height than the church, it would nonetheless be a sizeable structure, that would be notably taller than other buildings nearby. Seen alongside the Church of St John, it would compete visually with the primacy of the Church, diminishing its prominence in these views to the detriment of its contribution to the character and appearance of the CA.
35. On the basis of my above assessment, the proposal would diminish the Old World and rural qualities of Rectory Lane as seen from a point close to Church Lane, to the detriment of the character and appearance of the CA.

Proposals and Effects - Listed Buildings

36. Through the introduction of a substantial building within its immediate setting, the proposal would visually compete with the primacy of the Church of St John in the view along Rectory Lane, diminishing its prominence here and adversely affecting its special interest and significance as a result.

37. Owing to the extent of built form that would likely be visible in the view from the entrance to Rectory Lane, the proposal would also erode the undeveloped and wooded character of the setting of the church, to the detriment of its special interest and significance.
38. Similarly, the development would intrude into the undeveloped and wooded setting of the adjacent War Memorial, negatively affecting how it is appreciated, to the detriment of its special interest and significance, albeit to a lesser extent.
39. I have had regard to the retained boundary trees of the appeal site and their contribution to the setting of the Grade II* listed Old Stanmore Church, the monuments within it and the churchyard. The view of these trees seen directly across Rectory Lane, would be maintained, which would help to maintain this aspect of their setting.
40. However, the erosion of the undeveloped and verdant setting to the Church of St John and the War Memorial and the resulting harm to their special interest and significance would have the effect of diminishing their value to the building group as a whole. This would impact negatively on the group value of the churchyard building group and adversely affect how they are experienced within the churchyard. On this basis, albeit to a lesser degree, the proposal would also fail to preserve the settings of the adjacent listed buildings of the Old Stanmore Church, the Grade II listed monuments and The Lodge to the detriment of their special interest and significance.
41. Whilst I have had regard to the submitted VU City Massing Study, this does not persuade me that the proposal would not adversely affect the setting of the Church of St John, the War Memorial or the adjacent listed buildings. This is due to the proposal being viewed from above with no views of the proposal taken from street level.
42. *Proposals and Effects – Non-Designated Heritage Asset – Old Stanmore Churchyard*
43. The harm to the Church of St John and to the War Memorial would impact negatively on their contribution to the significance of the non-designated heritage asset of the churchyard. The introduction of the proposal in a location in such close proximity to the edges of the churchyard would erode its Old World feel. For the reasons set out above, the proposal would adversely affect the significance of the Old Stanmore Churchyard as a non-designated heritage asset.

Planning Balance and Public Benefits

44. Having regard to my above assessment, it has not been demonstrated that the proposal would preserve the settings of the Church of St John, the World War 1 Memorial, the Old Stanmore Church, the Grade II listed monuments, or The Lodge. In that regard the proposal would be harmful to their special interest. The proposal would also fail to preserve the character or appearance of the CA. Overall, the proposal would be contrary to the clear expectations of sections 66(1) and 72(1) of the Act¹⁰ and the provisions within the Framework which seek to conserve and enhance heritage assets. For the same reasons the proposal would cause harm to the significance of these designated heritage assets.

¹⁰ Planning (Listed Buildings and Conservation Areas) Act 1990.

45. When considering the impact of a proposed development on the significance of a designated heritage asset, the Framework sets out that great weight should be given to the asset's conservation. It makes clear that the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
46. Through impacting negatively on its setting, I have found that the proposal would result in harm to the significance of the Grade II* listed Church of St John, an asset of the highest significance, as set out in the Framework. I have also found harm to the significance of the CA, and, to a lesser degree, to that of the War Memorial, The Grade II* listed Old Stanmore Church, and the Grade II listed monuments and The Lodge. Having regard to my above reasoning, collectively I consider this harm to be towards the higher end of 'less than substantial' harm as set out in the Framework. Paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.
47. In that regard, the proposal would result in improved access to private healthcare in the locality, which is a key public benefit of the scheme. The proposal could also result in cost savings to the NHS, as estimated by the appellant.
48. The appellant sets out in detail that benefits would also include a variety of job creation for local residents during construction and operation, including highly skilled jobs in health care and physiotherapy. There would be apprentice schemes and the procurement of local businesses to support local residents into work which would in part be secured through the S106. There would also be support to local businesses through partnerships with mobile service providers and clinical practitioners. This would be in addition to wider economic benefits through spend in the area.
49. I also acknowledge that there could be productivity benefits to employers through reduced absenteeism as a result of workers receiving care provided at the rehabilitation centre. There would also be improvements to patients' quality of life as a result of improved recovery. However, these are general benefits of any healthcare and are not limited to the proposed facility, nor would they be limited to those resident in the local area.
50. The provision of a well-designed building could constitute a public benefit. However, it is my view that a key component of high-quality design is being appropriate in its context, which the appeal scheme, for the reasons set out above is not. I am not convinced that the site's regeneration alone represents a meaningful public benefit, given its positive contribution to the surrounding area at present.
51. Additionally, there would be sustainability benefits arising from the development targeting BREEAM excellent certification. Some benefits would also occur through the delivery of off-site and on-site BNG secured through the S106. Financial contributions toward street trees through the S106 could also be considered to be public benefits. These are, nevertheless, requirements to mitigate the effects of the proposed development and comply with policies in the development plan, as set out above. They therefore carry limited weight.
52. Repairs to the historic boundary wall could constitute a heritage benefit, although such repairs are not dependent upon the precise nature of the appeal scheme.

53. Overall, whilst I acknowledge that some of these prescribed benefits would be difficult to enforce, collectively, I consider that the proposal generates moderate public benefits. I recognise that the appellant has worked with the Council to gain pre-application advice, alongside the seeking of additional design reviews, and that the scheme has evolved over time. However, it has not been demonstrated that such benefits are limited to this particular scheme, particularly having regard to the effect on views at the entrance to Rectory Lane and the impact on the setting of the Church of St John.
54. The Framework requires me to give great weight to the conservation of heritage assets. Mindful of the status of the Church of St John in particular, an asset of the highest significance, the Framework is clear that the more important the asset, the greater the weight should be. Moreover, any harm to the significance of designated heritage assets should require clear and convincing justification, which, despite the extent of public benefits as evidenced, I find not to be the case in the appeal scheme before me.
55. As such, whilst the public benefits carry moderate weight in favour of the proposal, this is not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
56. The proposal would fail to preserve the settings of the Grade II* listed buildings of the Church of St John and the Old Stanmore Church, the Grade II listed monuments and the Grade II listed The Lodge. In that regard, the proposal would be harmful to their special interest. The proposal would also fail to preserve the character or appearance of the CA. This would be contrary to the requirements of sections 66(1) 72(1) of the Act. Harm would also occur to the significance of the non-designated heritage asset of the Old Stanmore Churchyard.
57. The harmful impact would conflict with LP Policy HC1, Policies CS1 B and D of the HCS and Policy DM7 of the HDMP which, amongst other things, together, seek to preserve heritage assets. There would also be conflict with the provisions within the Framework which seek to conserve and enhance heritage assets.

Garden Land

58. HCS Policy CS1 A requires growth in the Borough to be managed in accordance with the spatial strategy, including directing growth to the Harrow and Wealdstone Opportunity Area, town centres and, in suburban areas, to strategic previously developed sites. In managing growth on other sites outside of these areas, HCS Policy CS1 B resists proposals that constitute garden development. The Policy is supplemented by the Harrow Garden Land Development Supplementary Planning Document (2013) (the SPD). The SPD sets out that there is a presumption against garden development. At Paragraph 3.5 it sets out that for the purposes of implementing Policy CS1 B, garden land development means any development on garden land that results in the formation of one or more dwellings.
59. Both parties agree the proposal is not for housing. I therefore do not find there to be any presumption against the proposal arising from this aspect of the policy. Nevertheless, the policy also seeks to resist proposals that would harm the character of suburban areas. In that regard it sets out that all development is required to respond positively to the local historic context in terms of design, siting, density and spacing, reinforce positive aspects of local distinctiveness, whilst promoting innovative design and/or enhancing areas of poor design.

60. Whilst I have set out above that the proposed development would be well-designed, taking cues from the local area, I have also found that it would result in harm to designated heritage assets including the Grade II* Church of St John, an asset of the highest significance, and the CA. This is, in part, owing to the height and siting of the proposal resulting in the provision of a dominant feature as viewed from the entrance to Rectory Lane, that would compete with the primacy of the church and erode the rural Old World character of the CA. On this basis, the proposal would not respond positively to the local and historic context and therefore would result in harm to the suburban character of the area. There would therefore be conflict with HCS Policy CS1 B.
61. There would also be conflict with paragraph 135 of the Framework which requires planning decisions to ensure new developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, and the guidance contained within the SPD, insofar as it seeks to ensure proposals avoid harm to suburban character.

Other Matters

62. Both parties refer to a previous grant of planning permission at the appeal site and adjacent Wolstenholme site that has now expired. This application was made under different circumstances, comprising of affordable housing contributing to an identified shortfall. This does not represent a realistic fallback and carries no weight in my reasoning.

Planning Balance and Conclusion

63. Moderate public benefits would arise from the proposal, as set out above. Collectively these would include improved access to private healthcare in the locality, potential NHS cost savings, employment benefits during construction and operation including through apprentice schemes, and potential for partnerships with local businesses.
64. Productivity benefits and quality of life improvements would be general benefits of any healthcare. There would be some sustainability benefits through the provision of a development with a BRE AAM excellent certification albeit that there is no policy imperative to develop the site. Benefits from the provision of BNG, and street trees, being required to mitigate the effects of the development, would be limited. Heritage benefits would arise from repairs to the boundary wall, albeit that they would not be dependent upon the development of the site for the appeal scheme.
65. However, together, the benefits arising from the proposed development do not outweigh the harm I have identified above in relation to heritage assets and the loss of garden land.
66. The proposed development would conflict with the Act, the development plan and the Framework. There are no material considerations of sufficient weight that would lead me to conclude otherwise. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR