



Appeal Decision

Site visit made on 8 October 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 January 2026

Appeal Ref: APP/M5450/W/25/3366424

18 Paines Close, Harrow, London, HA5 3BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Akshay Patel against the Council of the London Borough of Harrow.
 - The application Ref is PL/0431/25.
 - The development proposed is proposed first floor side extension, 2 rear dormers, rooflights to side and front roof slopes.
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Decision

1. The appeal is dismissed and planning permission for proposed first floor side extension, two rear dormers, rooflights to side and front roof slopes is refused.

Preliminary Matters

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a statement for the purposes of this appeal highlighting that it would have recommended that the application for planning permission be refused. The Council's main concerns are that due to its scale, bulk and design the proposal would result in an overly dominant extension which would cause harm to the character and appearance of the host dwelling and the wider area and would fail to preserve the settings of the nearby conservation area, locally listed park and garden and Grade II* listed Church. I have had regard to the Council's statement in framing the main issue.
3. As required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the nearby listed building or its setting or any features of special architectural or historic interest which it possesses.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the host dwelling and the local area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby listed building, the Grade II* listed Church of St John the Baptist¹, the setting of the locally listed park and garden of St John the Baptist Pinner and the setting of the Pinner High Street Conservation Area (CA).

¹ National Heritage List for England Number: 1286312

Reasons

Character and appearance

5. The appeal property is a two-storey semi-detached dwelling located within a residential area. The property was originally constructed as a detached dwelling but has been previously extended and a separate attached property, No. 105 Paines Lane, was created.
6. The appeal property is notably larger than many others within the street. The properties either side of No. 18 visually appear to be single storey dwellings and, though specific forms and designs vary, the area is generally characterised by properties of a similar scale. Whilst some two-storey properties of a greater size are present along Paines Close these are interspersed amongst far smaller, more modest dwellings. Plot sizes are relatively large and gaps between properties, particularly at first-floor level, provide important visual breaks and create a sense of spaciousness.
7. The proposal is for a first-floor side extension with two rear dormers and additional roof lights. The proposed first-floor extension would sit above an existing side projection and would infill the gap at first-floor level between No 18 and the neighbouring property. The erosion of the visual break would reduce the sense of spaciousness in the area and would create a perception of enclosure, negatively altering the established spacing pattern within the street.
8. The proposed extension would have a crown roof which would sit slightly below the roof line of the host dwelling. Due to its flat-roofed element, bulk and massing the proposed crown roof would appear excessively large and would sit awkwardly alongside the existing roof form. The proposal would fail to assimilate well with the host dwelling and would create a visually heavy and architecturally clumsy roof form across the property as a whole. The proposed dormer windows would add further bulk and visual clutter to the roof slope.
9. When considered in the wider context the proposal would, in combination with the existing large crown roof, result in a dwelling which would appear visually dominant and overly large within the street scene.
10. Though I understand the appellant's reasons for proposing a crown roof and dormer windows rather than a hip-to gable extension, overall, the building extended as proposed would be of a scale, massing and bulk which would fail to reflect or respect the more modest character and appearance of neighbouring dwellings.
11. I note that the proposed extension would be finished using matching materials this, however, would not be sufficient to mitigate the harm I have identified above. For these reasons, the proposed development would cause harm to the character and appearance of the host dwelling and the wider area.
12. The appellant suggests that other properties within the area have been changed in a similar fashion. However, each case must be determined on its own merits based on the specific circumstances at each site. The specific sites identified by the appellant are situated in different locations, many along Paines Lane which has a notably different character and appearance to Paines Close. The circumstances at alternative sites will rarely, if ever, be identical. Furthermore, in

my view, some of these other examples serve to illustrate that changes of this type can indeed cause harm to the character and appearance of the area.

13. The proposal would, therefore, fail to comply with Policy DM 1 of the Harrow Council Development Management Policies, July 2013 (LP). Amongst other things, this policy sets out that all development proposals must achieve a high standard of design, paying attention to the massing, bulk and scale in relation to the location and surroundings, the appearance of proposed buildings, the context provided by neighbouring buildings and the local character and pattern of development - including the provision of appropriate space around buildings.
14. The requirements of Policy CS 1 of the Harrow Core Strategy, 2012 (CS) for all development to respond positively to the local and historic context in terms of design, siting, density and spacing and for extensions to respect their host buildings would also fail to be met.
15. The appeal scheme would also conflict with Policy D3 (D1 and D11) of the London Plan, March 2021 (The London Plan) which state that development proposals should respond to the existing character of a place and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
16. The proposal would also fail to accord with guidance contained within the Council's Supplementary Planning Document Residential Design Guide, 2010 (SPD). This guidance states that an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or the surrounding streetscape.
17. Furthermore, the development would also fall short of the expectations of The National Planning Policy Framework (the Framework) which promotes high standards of design and states that developments should be visually attractive and sympathetic to the character of the area.

Heritage Assets

Special interest and significance

18. The proposal is in close proximity to the Grade II* listed Church of St John the Baptist a designated heritage asset of high significance. The listed Church largely dates from the 14th Century and was consecrated in 1321 but some parts of the building are considered to possibly date from the 13th Century. The Church is a notable feature within the area and can be seen in a number of key views. The listed building, in part, draws its special interest and significance from its attractive architectural detailing, its historic significance as a Church and from its visual dominance within the area. The setting of the Church comprises two elements; the immediate setting of the building within the Churchyard itself and the wider setting. The appeal site is within the wider setting of the Church whereby the spaces between buildings, which allow views through to the Church, contribute to the significance of the asset by enabling its importance as a landmark building and a place of worship to be understood.
19. The evidence before me indicates that the site abuts the boundary of the Pinner High Street Conservation Area (CA). The dwelling itself is, however, not within the

CA. The Pinner High Street Conservation Area Appraisal and Management Strategy, 2009 (CAA) states that the significance of the CA is derived, in part, from its fine array of timber framed buildings, a number of which are statutorily listed, and states that the significance of religion in the area is evident and emphasised by two churches (including St John the Baptist). Pinner High Street steadily rises to meet the Church of St John the Baptist which affords striking views and provides clues to the CA's medieval ancestry. The value of the setting of the CA in respect of the asset itself stems, in part, from its role in facilitating views into the CA and towards the designated heritage assets contained within its boundaries. Key views identified within the CAA include those towards the tower of St John the Baptist from various points within, and just outside of, the CA.

20. The rear of the appeal site also abuts the locally listed park and garden of St John the Baptist Pinner (a non-designated heritage asset). The local list description for the park and garden states that the landscape's special interest is derived, in part, because it was formed before 1750 and has associations with significant persons and other heritage assets, namely those outlined above. In my view, due to the nature of the garden and its significance as an asset the setting of the locally listed park and garden is somewhat more confined in nature. Views through to the garden from the appeal site and vice versa are limited by the topography of the area. This moderates the contribution that its setting, including the appeal site, makes to the significance of this heritage asset.

Effects of the proposal

21. As set out above, the appeal scheme would result in the closure of the gap between No. 18 and the neighbouring property. This gap allows views through from Paines Close towards the tower of the Grade II* listed Church of St John the Baptist. The proposal would reduce the visual primacy of the Church from this location, affect the ability to appreciate the heritage merits of the Church and diminish the contribution the setting of the building makes towards its significance. Though views towards the Church from some points along the road would remain, in my view, based on my observations on site and the evidence before me, the sightlines towards the Church would be irretrievably damaged by the proposal from a number of viewing angles.
22. I accept that intervening foliage obstructs views from some locations. However, trees are of a somewhat permeable nature and change over time thus allowing glimpse views through. To my mind, the fact that views in the area are already somewhat compromised at times highlights the importance of maintaining those key views which do exist. As such, the proposal would undermine and fail to preserve the setting of the listed building and harm its significance.
23. Furthermore, the CAA identifies the view from Paines Close, through the existing gap between the properties, as a key view towards the spire of St John the Baptist and into the CA. In detrimentally affecting this key view the proposal would also cause harm to the setting and, consequently, to the significance of the CA as a heritage asset in its own right.
24. Though the proposal would be in close proximity to the locally listed garden of St John the Baptist Pinner, the intervisibility between the asset and the appeal site is limited and the proposal would be substantially screened in views from the garden by existing mature trees and vegetation and would be sufficiently distant so as not

to cause harm to the tranquillity or significance of this particular heritage asset. A lack of harm in this regard is a neutral consideration and weighs neither for nor against the appeal.

25. In finding harm to the significance of a designated heritage asset the Framework requires the category of harm to be identified. The Planning Practice Guidance (PPG) expands upon this by requiring the extent of harm within that category to be clearly articulated. In this instance, given the limited extent and nature of the proposed development, the harm to the significance of each of the affected heritage assets would be at the lower end of less than substantial. Notwithstanding this, the identified harm is of considerable importance and weight.
26. The approach set out in paragraph 215 of the Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, as in this case, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Public benefits and heritage balance

27. It is reasonable to conclude that the proposal would lead to economic, social and environmental benefits. Amongst other things, these would stem from engaging local professionals, trades and suppliers and the enhancement of the family home.
28. Whilst a number of these benefits would be private, they would also be such that they could be considered to be of broader benefit to the public. These benefits are, however, limited by the small scale of the proposal and must be considered in that context.
29. Conversely, on the other side of the balance, I have found that the proposal would cause harm to the character and appearance of the area and would fail to preserve the setting and thus harm the significance of the Grade II* listed building. The Framework indicates that great weight should be given to the conservation of such heritage assets. The proposal would also cause harm to the significance of the nearby Conservation Area. Consequently, the public benefits of the scheme do not outweigh the harm identified.
30. The proposal would, therefore, conflict with the statutory presumptions of s.66(1) of the Act. The proposal would also fail to accord with Policy CS 1 of the CS which requires all development to respond positively to the local and historic context and states that proposals that would harm the significance of heritage assets or their setting will be resisted. The development would also conflict with Policy DM 7 of the LP which encourages proposals that secure the preservation, conservation or enhancement of a heritage asset and its setting, or which secure opportunities for sustainable enjoyment of the historic environment and sets out that, where a building is listed, the Council will pay special attention to the building's character and any features of special architectural or historic interest which it possesses, and the role of the building's setting in these regards.
31. The aims of Policy HC1 of the London Plan which says that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings would also fail to be met.

32. The development would also fall short of the expectations of The Framework which sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Other Matters

33. The evidence before me indicates that Historic England were not notified as should have been the case. However, given my conclusions that the appeal should be dismissed, little would be gained by delaying the decision to undertake that notification. However, had my conclusions been otherwise, I would have provided an opportunity for the notification to take place.
34. I note that the appellant has made changes to the scheme with the aim of reducing visual bulk and impact. However, in my view, the revised scheme would, nevertheless, cause harm to the character and appearance of the area and to the significance of nearby designated heritage assets from development within their settings.
35. The appeal site is also close to the Grade II listed Haywood House² and the Grade II listed Monument to William and Agnes Loudon in the Churchyard to the Church of St John the Baptist on south side³. The special interest and significance of these assets are mainly due to their historic and/or architectural interests; but are also derived in part from their domestic and churchyard settings. However, due to the nature of the proposal and the ground levels and screening within the area I consider that the proposal would not have an adverse impact on these assets and would preserve their settings and not harm their significance.
36. I have noted a number of other issues raised including the potential effect on the living conditions of nearby residents; however, as this proposal is to be dismissed for other reasons and the other concerns expressed do not have a direct bearing on the main issue, it is not necessary for these to be explored further as part of this appeal.

Conclusion

37. For the reasons set out above the appeal is dismissed.

L J O'Brien

INSPECTOR

² National Heritage List for England Number: 1079706

³ National Heritage List for England Number: 1079745