

Lucy Haile,
Conservation Officer,
London Borough of Harrow,
Civic Centre,
PO Box 2
Station Road,
Harrow,
HA1 2UH,



The Lodge,
Capel Gardens,
Pinner,
Middlesex,
HA5 5RG,

12th. December 2016

Dear Lucy,

RE: The Lodge, Capel Gardens. Review of the Pinner Road Conservation Area.

Thank you for your email dated 9 November 2016. We note its contents.

We have had an opportunity to assess your opinions and comments in your Draft Report to the Council.

We have a large number of valid and strong objections to your opinions, and there are also numerous errors and many true facts have been omitted.

We submit the following points which need to be presented to the Council in our request to have the Conservation Area Boundary very slightly re-defined, so as to exclude our property.

We will be grateful if you do not edit our response at all, nor withhold any of the facts, which we set out below, and thus ensure that our full response is reported to The Councillors, as this has not been the case previously.

- 1) Our House is not part of the Flats, as confirmed by your Manager, Mr David Hughes in his response to us dated 19th. January 2016. He wrote and we quote " I consider there is no link between your Property and the Flats..."
- 2) We are concerned that there is no such Architectural Definition of "Clean lines", a phrase that you repeatedly attempt to use to link our House with the Flats. Of course this is 100% meaningless, as all the Houses up the Hill, can be equally described as having "clean lines".
- 3) We seem to need to repeat to you that our House is NOT modernistic or modernistic inspired. Neither our Deeds nor House Plans describe it as this peculiar description, favoured only by you.
- 4) The well-respected and very highly qualified Pinner Chartered Surveyor, Mr. Andrew Pearce FRICS IRRV (Hons.) has written a detailed Report stressing that our Property is NOT modernistic. Mr Pearce is a Fellow of the Royal Institution of Chartered Surveyors and additionally has approx. 40 years of experience. He knows what he is talking about- and what he says is accurate and correct.
- 5) In addition, Mr Andrew Pearce has spelled out that in his Professional opinion, " your House has virtually no affinity with the Flats due to many reasons including the huge design differences (even when built) and the differences nowadays are patently obvious" We 100% agree with his Professional opinion and firmly trust his qualifications and un-equivocal statement of fact.
- 6) Also in his Report he states " it seems the Conservation Officer is trying to Conserve something that that has long since gone and no longer exists" How

true and correct he is. To ignore the simple truths are a discredit to The Council.

- 7) Our Neighbours cannot comprehend why you have singled-out our House, when as Andrew Pearce writes " Any affinity there may have been, clearly ended when the house was sold off approximately 36 or 37 years ago, and the significant alterations and modernisations have markedly reinforced this.
- 8) You have failed to tell the Councillors that your March 2015 report was flawed as you had wrongly and incorrectly looked up our property on an outdated Google earth map, which even today, still shows the 6 years old former roof. Our newer orange Terra Cotta roof vastly transforms our House appearance and as we intended, matches all the other Houses going up the hill. We are simply just the first house on the right hand side going up the hill and we have worked very hard and spent much money so as to match all the other houses and bungalows up the hill, for example, we have ripped out all the old -fashioned draughty, warped and rusting green steel Crittall windows and replaced them all with smart white UPVC double Glazing, We have removed a flank window opening (facing the Street) and fitted white sliding Patio doors to differentiate us from the Flats We have had a modern white UPVC Conservatory fitted to the side/ rear of our house.
- 9) You have also failed to tell the Councillors that you were unaware of our rear Conservatory. As you did not properly survey the site but merely looked at an Ordnance Survey plan from your Office. Yet the Council was aware of our Conservatory and approved it in 1989 as we have a letter dated 24 October 1989 from David Ball in the Estates Department, and he had the drawing prior to approving our request. Clearly, yet another example of you not having consulted us, or done your research properly.

Harrow

Department of Law & Administration

Director: Keith Gowling LLB Solicitor

Assistant Director: (Borough Valuer)

G M Easton BSc ARICS

Estates & Valuation Division

P.O. Box 2, Civic Centre, Station Road, Harrow. HA1 2UH.

Fax: 01-427 8496

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Telephone: 01-863 5611 ext2877



Mr G Darvall
The Lodge
Cape1 Gardens
Pinner
Middlesex
HA5 5RG

FIRST CLASS

our reference BV/DB/409/138/3 your reference

date 24 October 1989

Dear Mr Darvall

Re: Land adjacent to 72b Cape1 Gardens

I refer to your letter of 20 October and sincerely apologise for the delay in dealing with your previous requests, which has arisen due to staff shortages and pressure of work from other cases.

I write to confirm that the Council as landowner raises no objection to the erection of a conservatory approximately 6'5" x 16' in size to be constructed in the position edged red on the attached plan ES 6054/1 Issue H. I understand the proposed conservatory is to be ROMA Model RP 812 and should be grateful if you would confirm the same.

As you were aware when you purchased the land, some cables may be present and there is a requirement that these should not be built over or obstructed. Therefore in so far as there are any cables pipes sewers drains and channels under the land over which you propose to build the conservatory then you do so at your own risk. If for any reason the Council needs to carry out excavation works then you will be liable for any extra expenses incurred by the Council resulting from having to remove any structures obstructing access to the cables, pipes, sewers, drains or channels as lie under the land.

Please note this approval is given without any compromise of the restrictions and covenants contained in the transfer deed dated 1 September 1987 and made between the Council and yourself.

Further it is given without prejudice to any consent statutory or otherwise which may be required.

continued..../2

London Borough of Harrow

**SHOWING LETTER DATED 24 October 1989, FROM MR. DAVID BALL
(at the Harrow Civic Centre), APPROVING THE INSTALLATION OF
OUR CONSERVATORY**

NOTES/REVISIONS

No. _____

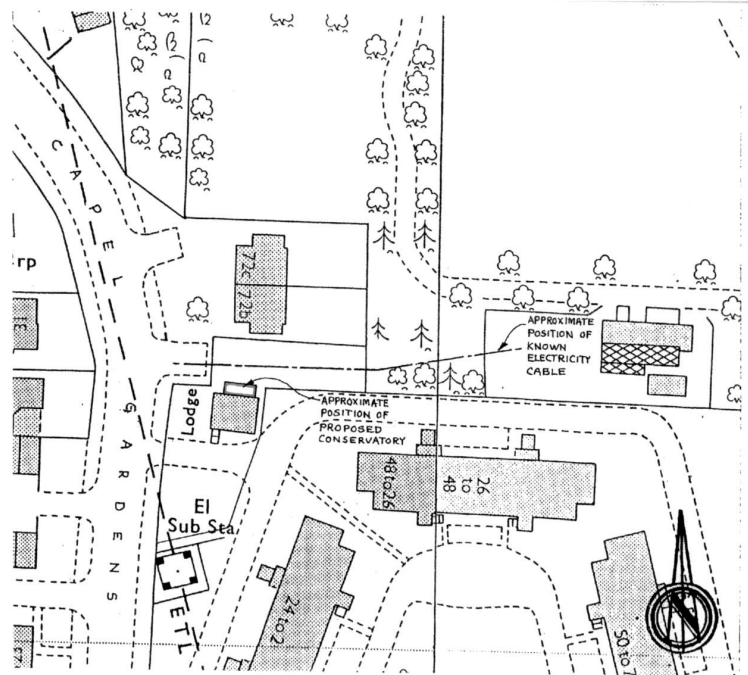
Reproduced from the Ordnance Survey's 1:500 map with the permission of the Controller of Her Majesty's Stationery Office, Crown Copyright reserved.

Harrow
 Department of Law & Administration
 Borough Valuer
 Estates & Valuation Division
 P.O. Box 2, City Centre Station Road, Harrow, HA1 2UH
 Telephone: 0181 861 2411

PL476/E41

TITLE
 PINNER NEW CEMETERY
 LAND ADJOINING
 72B CAPEL GARDENS

DRAWN	ED/D.B.	FILE No.	4-09/138/3
SCALE	1:500	DATE	24-10-88
DRG. No.	6054/1	ISSUE	H



SHOWING THE LOCATION OF OUR CONSERVATORY, AT THE REAR OF OUR HOUSE

10) This has resulted in the utterly farcical and ludicrous situation where the Boundary line cuts our Conservatory in half. So under your Conservation Area Scheme, we can demolish half of the Conservatory, should we wish to, but not

the other half???? Absolute nonsense and just one of the many compelling reasons why we are requesting the Boundary to be redefined.



SHOWING THE CONSERVATION AREA BOUNDARY LINE CUTTING OUR 1989 CONSERVATORY IN HALF.

- 11) Although you claimed to have visited the area on several occasions, prior to compiling your March 2015 Report, it beggars belief how you “missed “ seeing our orange roof or our modern Conservatory if you had looked thoroughly.
- 12) Your Manager has noted in writing, that also our House is a different colour to the Flats,(which are stark white)- this is of course unsurprising as we have no desire or need to match them. Instead we have opted for a pale yellow, cream colour, specifically to match numerous other premises up the Road, including The Brambles, a couple of House up from us. As we have previously also pointed out, half of our rear/ side wall, within the Conservatory is a bright blue

colour.



SHOWING OUR CONSERVATORY, REAR/ SIDE WALL, WHICH HAS BEEN PAINTED BRIGHT BLUE SINCE 1988.

- 13) We re-iterate that we have no link, or affinity or cohesion whatsoever with the Flats.
- 14) As we have made crystal clear, yes, when the Property was lived in by George The Porter,(who changed light bulbs, took in parcels etc) it was called logically, The Porters Lodge. However, when George retired and he was not replaced, the Flats took a deliberate decision to sell off The House and it's South Garden, as they needed the money the sale realised.
- 15) From that moment, in 1979, the House became just The Lodge. You need to recognise that at that moment, any previous link with the Flats entirely ceased. We have previously advised you of this fact.
- 16) It is highly regrettable that you did not fully or accurately brief the Councillors in March 2015, as you did not give Councillors a copy of the 10th. November 1994 Report from the then Head of Planning, Mt Keith Hubbard, which stresses our House had been significantly altered and modernised and just like all the other Houses up the Hill, was neither listed or locally listed, for these reasons. Neither did you show the Councillors our letter from Colin Forrest dated 1 November 1995 on behalf of the Head of Planning, fully approving our change of roof tiles pattern and colour to Terra Cotta .

LONDON BOROUGH OF HARROW
PLANNING APPLICATIONS SUB-COMMITTEE
THURSDAY 1ST NOVEMBER 1994
REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT

PART I
AGENDA ITEM 9

TITLE: APPEAL AGAINST NON-DETERMINATION: THE LODGE, CAPEL GARDENS
TWO STOREY SIDE EXTENSION WITH SINGLE STOREY LINK
REFERENCE: WEST/408/94/FUL

1.0 Introduction

- 1.1 The purpose of this report is to remedy an error in the Officer's report to the Sub-Committee on 6 October 1994 which considered the above proposals which are subject to an appeal against non-determination.
- 1.2 A copy of the report is attached as Appendix 1.
- 1.3 In the third line of the "site description", The Lodge was identified as being locally listed, along with the rest of the Capel Gardens Estate.
- 1.4 This reference was a drafting error, and the building known as the Lodge is not part of the locally listed estate, although a part of the southern side garden is.
- 1.5 The Lodge, was specifically excluded from the local listing because it has been significantly altered in the past. A part of the side garden, however, has been included within the area of the local listing, as this was historically a part of the Estate, and also continues to provide "setting - space" for the Estate development.
- 1.6 A plan showing the extent of the locally listed estate is attached at Appendix 2.
- 1.7 Based upon this information, the first of the report's suggested reasons for refusal stated that:

"The proposed development, by reason of its excessive size and bulk, would be visually obtrusive, would be out of character and scale with the existing lodge which is a locally listed building, and would be detrimental to the appearance of the locally listed buildings within the estate."

- 1.8 Clearly, due to the error in the Site Description, this suggested reason for refusal would not be wholly appropriate. Nonetheless, it is not considered that the basic reason for refusal should change, as the main thrust of the reasoning would still apply. Reference, however, to The Lodge being locally listed should be deleted.

- 1.9 It is therefore recommended that the suggested reason for refusal be amended to read:

"The proposed development, by reason of its excessive size and bulk, would be visually obtrusive, would be out of character and scale within the existing lodge, and would be detrimental to local visual amenity and to the appearance of the locally listed buildings within the Capel Gardens estate."

HARROW
DEVELOPMENT SERVICES

Director of Development Services: GARETH PRYCE MRTPH RIBA
Head of Planning & Transportation: KEITH HUBBARD DIP.TP MRTPH MBIM

P.O. Box 37, Civic Centre, Harrow, Middlesex, HA1 2UY
Tel: 0181 863 5611 ext: 2469 Fax: 0181 424 1551
C.Forrest



Mr G. A. Darvall
The Lodge
Capel Gardens
Pinner
HA5 5RG.

Our ref: PE/D/156/95/CF.

Date: 1 November 1995.

Dear Sir,

**Re: Proposed development at the Lodge, Capel Gardens, Pinner-Town and
Country Planning Act 1990.**

I refer to your letter dated 25 October concerning the above mentioned property.

It is my opinion given the information supplied by you that the retiling of the roof at the Lodge, Capel Gardens, would be development permitted by the provisions of Schedule 2 Part 1 Class C of the Town and Country Planning (General Permitted Development) Order 1995.

Notwithstanding even if the Council were in a position to exercise control, the materials as described by you would, in any event be acceptable to the Council.

This opinion is not a Certificate of Lawful Proposed Development for the purpose of Section 192 of the Town and Country Planning Act 1990.

I trust you find this information satisfactory.


Yours faithfully,

C. Forrest
On behalf of the
Head of Planning & Transportation.

- 17) Also, you did not tell the Councillors that the Flats planted a very tall 4 Metre high, Leylandii Screen so they would not see The Lodge, as they did not want it to be seen as part of the Flats, now that it was just an ordinary private dwelling, e.g. just one of the houses going up the Hill?



SHOWING THE 4 METRES HIGH LEYLANDII SCREEN, IN THE FLATS , WHICH THEY PLANTED TO SCREEN US, AND OUR 3 SHEDS, OFF.

- 18) All of the above problems could have been avoided if you had consulted with us prior to your Report of March 2015. as we would have ensured Councillors were provided with all pertinent facts, documents and history,
- 19) You have admitted that your failure to consult with us was due to “an administrative error”. This denied us the right and opportunity to object and to give all the true facts and Documents.
- 20) When we moved into The Lodge in December 1985, we gutted the property and over the next few years totally modernised and significantly altered it. We immediately removed all the Green Crittall windows, the old front door, the wooden soffit and fascia boards, a chimney stack, the old coal bunker, we had new white sliding patio doors fitted facing the street and at the same time opened up the flank wall to accommodate these. We also had a new back door opening created and then had 2 dark mahogany doors fitted. We also had all

the green painted down pipes and guttering replaced with conventional black/white so as to match all the other Houses up the Hill.



A 1985 POLAROID PHOTO SHOWING OUR ORIGINAL LEAN-TO AND A WHITE PAINTED CRITTALL WINDOW (ALL THE CRITTALL WINDOWS WERE REMOVED THE SAME YEAR).

- 21) What you have done is to include a fully altered and modern House built in 1939, within the Conservation area, which otherwise comprises of older and virtually un-altered buildings. This totally detracts from the visual concept and from the philosophy of only having Buildings, which fit within and enhance the Scheme. We can confirm, that our House does not fit in or enhance the Conservation area scheme whatsoever. It completely detracts from and spoils the Conservation Area.
- 22) We attended The Cabinet meeting on 15th September 2016, where we spoke and started to appraise Councillors of the numerous problems and issues with including our House in the Conservation area, and we will do anything necessary to ensure that Councillors are provided with all appropriate facts, before the March Cabinet meeting.
- 23) All we are reasonably and logically asking for, is a very slight re-defining of the Boundary line, so as to exclude our Property and if agreed, this would restore credibility to the Pinner Road Conservation Area Scheme.
- 24) On page 26 of your Draft Report, you refer to the Flats 2016 request to replace their Crittall windows with modern Double glazed windows. We note that you are heavily critical of such modern windows and you have set out 4 reasons why the Flats were not allowed to carry out their requested replacements. We quote you:

: "It was considered these proposed units would have been unsympathetic with the light and delicate appearance of the existing frames and glazing bars and their warm painted finish because the:

1)

Double-glazing would give a much thicker profile than the original glazing and the glass would be much closer to the front of the frame.

2)

The proposed new frames and glazing bars having a much flatter shape than the existing moulding details.

3)

Use of simulated glazing bars, which along with the above would give the new units a much greater sense of solidity and a somewhat 'flat' appearance.

4)

a powder coated finish

This would have broken up the important cohesive and uniform architectural qualities of the flats."

25) May we draw your attention, (and that of the Councillors) to the simple fact that our Modern white plastic double glazed windows exactly match the qualities which you find so totally unacceptable to the Flats Conservation area, "much thicker profile glazing bars, simulated glazing bars, actual glass much nearer the front of the frames, a wholly flat profile and a stark white glossy appearance"- most definitely NOT a warm painted finish., **again confirming what we have constantly maintained, that our House, "sticks out like a sore thumb", it hugely detracts from the Conservation Area, both visually and because it does not "fit" with the un-altered ethos of the other buildings , the Pinner New Cemetery Chapel, grounds and the Boulevarde Gardens, which front the Pinner Road. It really should not be within the Scheme.**



**SHOWING OUR MODERN UPVC PLASTIC DOUBLE GLAZED
WINDOWS, OF THE TYPE NOT ALLOWED AS REPLACEMENTS IN
THE FLATS.**

26) As long-term residents of Capel Gardens, we strongly object to The Lodge, Capel Gardens being included within the Scheme- as it thoroughly spoils the concept and entire Scheme. It really does "stick out like a sore thumb" However, this can be easily remedied, with a slight re-defining of the Boundary.

Your Manager, Mr David Hughes has written to us concerning "The way forward" which shows there is one, and we do hope that this Consultation exercise, and any meeting etc, will result in the situation being resolved, thereby restoring the credibility of the Pinner Road Conservation Area Scheme

Many Thanks,

Yours Sincerely,

G.A. Darvall

Mr & Mrs G. Darvall

Contact details: 020 8429 3101 or gdarvall@hotmail.com