

Appendix 3 - Officer comments on representation from the owners of The Lodge, Capel Gardens

Number	Representation (summary) ¹	Officer comment
1	Our house is not part of the Flats	<p>The flats referred to are the adjoining locally listed flats known as ‘Capel Gardens’. The Lodge was originally part of this development, but is not included as part of the local listing. The approved plans for the Lodge (dated 16 September 1938, reference ‘6685’) indicate that the ‘external walls to be rendered and finished to match main building’ (i.e. the adjoining flats) and the roof tiling was to be ‘green glazed interlocking pan tiles’ (i.e. to reflect those used on the flats). The plan itself is entitled ‘Porter’s Lodge’, indicating its functional relationship with the adjoining flats, including access to the front door of the property being off the original Service Road to the adjoining flats. Whilst this service road no longer exists, it is evident from the Title Plan of the adjoining flats that the Lodge was part of the original parcel of land containing the flats. The fact that it has been excised from the original property and sold the current owners of the Lodge / their predecessors is not considered relevant to whether the Lodge makes a contribution to the architectural and historic interest of the area included within the Pinner Road Conservation Area.</p> <p>The quote from the Council letter dated 19 January 2016 that ‘there is no link between your property and the flats’ was a typo, which is evidence when read on the context of the rest of the paragraph: ‘it is accepted that the visual link to the flats has been diminished as a result of the modernisations overtime and plantings along the common boundary, but a visual link (by virtue of the remaining common elements), as well as a historic link, do remain’.</p>
2	No architectural definition of ‘Clean lines’ and this term could apply to all of the houses up the Hill (i.e. further up Capel Gardens).	<p>There are discernible differences in the architectural styles and materials used in the dwellings and bungalows further up Capel Gardens and that of the Lodge / locally listed flats. The Lodge cannot be considered ‘just another house in Capel Gardens’. The 27 remaining houses and bungalows in Capel Gardens are considered to be sufficiently distinct from the buildings within the conservation area and are of insufficient architectural or historic interest to be included within a conservation area. The distinctly different character between the flats / Lodge and the houses and bungalows are reflected in the Harrow Characterisation Study 2011, which identifies these dwellings as having a different character area to the flats / Lodge,</p>

¹ See Appendix 2 for full representation

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		noting that they are '1930/40s detached houses and bungalows in brick and render; variety of house types but all in styles typical of the era. Some later semi-detached infill development to south'
3	The Lodge is not modernistic or modernistic inspired. Neither our Deeds nor House Plans describe it as this	Deeds nor House Plans would not be expected to describe the architectural style.
4	Chartered Surveyor has provided a report stressing that the Lodge is not 'modernistic'	Modernist / Art Deco is a commonly accepted description of an architectural style that is reflected in the statutory listed Pinner Court, locally listed Capel Gardens and The Lodge.
5	The Lodge 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.	It is accepted that there are a number of differences between the design of the Lodge and the adjoining flats, as noted in the representation and correspondence from Mr Pearce. However, in the context of the criteria for designating a conservation area, it is the overall architectural and historic merit of an area that is of interest, not whether or not there is complete consistency between the design of individual buildings within the area. It is considered that there are sufficient similar design features between the Lodge and the adjoining flats to warrant the inclusion of the Lodge within the broader conservation area. The more modest design features of the Lodge is largely a reflection of its role as the 'Porters' Lodge' to the flats i.e. subservient to the larger, grander blocks of flats. Additionally, design features of the flats such as external stairs and balconies are not typical of a single, detached dwelling.
6	Try to conserve something that has long since gone and no longer exists	It is accepted that a number of modernisations to the Lodge have created differences between the Lodge and the adjoining flats. However, as noted above, it is considered that there are sufficient original design, material and visual elements of the Lodge that means it can be visually identified to have been part of the adjoining flats when constructed.
7	Neighbours cannot comprehend why the Council has singled-out the Lodge.	The Lodge, Capel Gardens historically formed part of the adjoining flats and is considered to maintain sufficient architectural / visual links with the flats to be included within a Conservation Area covering these and other buildings of architectural or historic interest in the area. As noted above, the Lodge cannot be considered 'just another house in Capel Gardens'. The 27 remaining houses and bungalows in Capel Gardens are considered to be sufficiently distinct from the buildings within the conservation area and are of insufficient architectural or historic interest to be included within a conservation area.

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8	Outdated Google Earth / Streetview map. Are 'simply just the first house on the right hand side going up the hill and have worked very hard and spent much money so as to match all the other houses and bungalows up the hill.	The sequence of events stated in the representation is incorrect, as Google Street View was not used to justify the Conservation Area boundary in the March 2015 Cabinet report as a full survey was undertaken. Use of Google Street View was a quick review in August 2015 was in preparation for an informal meeting with the owners of The Lodge arranged at short notice on 19th August 2015. However, the fact that it is terracotta in colour rather than the original green does not on its own mean that The Lodge should be excluded from the conservation area.
9	Presence of the rear Conservatory not being reflected in documentation and that this suggests research not done properly.	Correspondence from Mr Pearce identifies that the boundary of the Conservation Area passes through the rear conservatory / foundation slab. The boundary was drawn based on the original property boundary of the flats / the Lodge in recognition of the historical link between the two (i.e. both originally part of one property). The subsequent purchase of the land to the north has provided space for the conservatory to be built over what was the original boundary. Whilst it is not unheard of for such a situation to arise when conservation area boundaries are based on historic property boundaries, it is accepted that such a situation can also be perceived as anomalous. It is therefore recommended that the boundary of the Conservation Area is amended to include the full extent of the current ownership of the Lodge in order to address this situation.
10	'Utterly farcical and ludicrous situation where the Boundary line cuts our Conservatory in half.	See response to 9 above.
11	Missed seeing the orange roof or modern Conservatory.	As noted above, it is accepted that the Lodge has undergone extensive modernisation overtime, including new windows, roofing, conservatory and the removal of the former coal bin. However, it is considered that notwithstanding these changes, there remain sufficient original design, material and visual elements of the Lodge that means it can be visually identified to have been part of the adjoining flats when constructed.
12	The Lodge is different colour to the adjoining locally listed flats.	Notwithstanding recent painting of The Lodge, there remains sufficient original design, material and visual elements of the Lodge that means it can be visually identified to have been part of the adjoining flats when constructed.
13	No link, or affinity or cohesion whatsoever with the Flats	There is a clear historic and architectural link with the adjoining flats and whilst the property has been sold and is no longer on the same title as the flats, there is an historic association. Similarly, there remains sufficient architectural elements such as the smooth render finish, the

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		<p>clean, straight lines of the house and the raised geometrical render banding detail that matches the flats, provides positive common elements of design between the Art Deco/Modernist flats and the Lodge.</p> <p>The local criteria for inclusion of buildings within a conservation area recognise that not all buildings will be unaltered. For example, criterion 4 indicates 'Areas built post 1920 that are innovative in planning or architectural detail, and where a <i>large proportion remain unaltered</i>'. The large proportion in this case is the locally listed flats, with the Lodge being a small proportion of the original development and having undergone a greater degree of alterations</p>
14 / 15	The Lodge was sold-off by the adjoining flats.	As noted above, the fact The Lodge was sold off from the Capel Gardens flats is not relevant in determining whether or not it should be included within the Pinner Road Conservation Area. The criteria for inclusion within a Conservation Area relate to architectural and historic significance, not current ownership.
16	Correspondence from the then Head of Planning (1994) indicating that The Lodge is significantly altered and modernised and therefore not listed or locally listed. Change of roof tiles pattern and colour to Terra Cotta approved by the Council.	The letter from Head of Planning and Development on 21 November 1994 was simply clarifying the extent of the locally listed building (of the adjoining flats), noting that the line drawn to indicate the extent and immediate setting of the buildings had caused confusion as to which buildings were actually locally listed (compared to those which were part of the setting of the locally listed buildings). Similarly, the report to the Planning Sub-Committee dated 1 November 1994 also notes that the Lodge does not form part of the local listing of the adjoining flats, but recognises the Lodge / gardens were historically part of the Estate and continues to provide setting space to it.
17	The flats planted a 4 metre screen so they would not see The Lodge as they did not want it to be seen as part of the Flats.	The still remains a visual link between The Lodge and the Capel Gardens flats. As noted above, sufficient visual and historic links exist between The Lodge and the flats to warrant its inclusion within the broader Conservation Area.
18	The 'above problems' could have been avoided if the owners of The Lodge had been consulted prior to the designation of the Conservation Area on 19 March 2015.	As noted above, the failure to consult the owners of The Lodge was an administrative error. This report provides an opportunity for their representations to be considered by Cabinet.
19	Failure to consult 'designed us the right and opportunity to object and to	As noted previously, there is no statutory requirement for a local authority to consult prior to designating a conservation area. The accidental omission to do so however goes against the

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	give all the true facts and Documents’.	approach normally taken by the Council to consult. The recent consultation on the draft Conservation Area Appraisal and Management Strategy (CAAMS) and this report provides the owners an opportunity for their representations to be considered by Cabinet.
20	Significant modernisation and alterations to the building	Previous responses above address this.
21	The Council has included a ‘fully altered and modern House built in 1939, within the Conservation area, which otherwise comprises of older and virtually un-altered buildings’.	<p>A conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. Conservation areas are different to statutory (nationally) or locally listed buildings in that they relate to the architectural or historic interest of an area rather than individual buildings. A building does not need to be statutory or locally listed to be included in a Conservation Area. Consequently, the fact that the Lodge is not locally listed does automatically preclude it from being included within a conservation area.</p> <p>It is accepted that there are a number of differences between the design of the Lodge and the adjoining flats. However, in the context of the criteria for designating a conservation area, it is the overall architectural and historic merit of an area that is of interest, not whether or not there is complete consistency between the design of individual buildings within the area. It is considered that there are sufficient similar design features remaining between the Lodge and the adjoining flats to warrant the inclusion of the Lodge within the broader conservation area. The more modest design features of the Lodge is largely a reflection of its role as the ‘Porters’ Lodge’ to the flats i.e. subservient to the larger, grander blocks of flats.</p>
22	They will do ‘anything necessary to ensure that Councillors are provided with all appropriate facts’.	Noted; the full representation is included in Appendix 2.
23	Reasonably and logically asking for a very slight re-defining of the Conservation Area boundary to restore the credibility to the Pinner Road Conservation Area Scheme.	Pinner Road Conservation Area is considered to meet two or more of the criteria for inclusion within a Conservation Area, in that it is an area of high architectural and historic merit, includes a high concentration (but not exclusively) of listed and locally listed buildings, and also includes a high concentration of buildings built post 1920 that are innovative in planning or architectural detail, and where a large proportion remain unaltered. The area also has historic and social merit, including the cemetery, fire station, and flats (including the associated Lodge). Additionally, the area has special quality due to the site layout and landscaping being of exceptionally high quality and contains historic open space, as well as

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		having a distinct physical identify and cohesiveness provided by the uniform high quality, good condition and largely unaltered quality of architecture and materials. Whilst there has been alterations to The Lodge, there remains sufficient historic and architectural linkages with the adjoining flats.
24/25	The Modern white plastic double glazed widows exactly match the qualities considered by the Council to be unacceptable potential replacements for the Crittall windows at the adjoining flats.	A building does not have to have its original windows to be included within a Conservation Area.