

SUBURB NEWS



The Newspaper of the Hampstead Garden Suburb Residents Association

AUTUMN '89

NAUTILUS MUST GO

Following years of protest by residents living in Market Place, Ossulton Way and Maurice Walk, the misery and problems caused by the activities of the Nautilus Fitness Club may soon be at an end. This has come about as a result of a recent decision by the Planning Inspector to uphold the Enforcement Notice served on the Nautilus by the London Borough of Barnet.

Ever since 1983, when Mr Philip Davis was given planning permission to use the first floor of the old Woolworths building as a fitness studio, there have been continuing complaints about parking and noise in the area. The restricted hours of opening imposed on the Club, as part of the original planning permission, were never adhered to and from the start it was obvious that Mr Davis had no respect for the Planning Laws, the nearby residents or the Conservation Area.

During 1988 Mr Davis moved the fitness studio from the first floor of the building to the ground floor and converted the upper floors to flats for multi-occupancy by homeless individuals. No prior planning permission was either sort or given for this change and the problems in the area grew the greater intensification of use of the premises. As a result the Council served an Enforcement Notice requiring the operations of the Club to terminate. As on previous occasions, Mr Davis lodged an appeal against the

Notice, thereby gaining time. However a public inquiry was eventually announced to be held in July of this year and this presented the residents in the area, the Residents Association and the Trust the opportunity to convey to the appointed planning inspector their views on Mr Davis and his Club in no uncertain way.

Following an emergency decision by the RA, a firm of solicitors was appointed to represent the RA, The Trust and local residents (legal costs were shared); over 50 letters were sent to the Inspector from residents in support of the Enforcement Notice with much detail concerning the nuisance being suffered. The Inquiry itself was a fairly low-key affair but three local residents gave evidence - Mr Davis himself chose not to appear but relied on his legal representative and a planning expert to argue his somewhat precarious case.

It is interesting to note some of the written comments made by the Inspector in dismissing the

appeal: "A substantial intensification of the use of the building for fitness studio purposes is a real possibility and such a change would bring substantial harm to the surrounding area if only because of parking problems . . . any permission in respect of the ground floor would need to incorporate an 'hours of operation' condition . . . however it is clear that such a condition would not and could not be complied with". The RA solicitor has advised us that the original Enforcement Notice takes immediate effect and that if current operations do not cease by October 20th, then there is an offence under the Town and Country Planning Act and Barnet will be in a position to start criminal proceedings.

Unfortunately it is still likely to be some time before Mr Davis's fleet of offensive advertising cars which litter the whole of north-west London, are a thing of the past, since on past performance, he will use every loophole he can find to prolong, what are now, illegal operations. We can therefore expect a possible appeal to the High Court, imposition of fines in the magistrate's court (let's hope they are sufficiently punitive) or even a reversion to the use of the upper floors of the building where, regrettably, planning permission for use is still in force. However whatever Mr Davis decides to do, his abuse of the planning laws generally and this conservation area in particular will not remain unopposed and we shall continue with our campaign until the very last of his hideous "Courtesy Cars" comes under the crushers jaws in the scrap yard.

N.S.

YOUTH CLUB RESPONSE

Thanks to all the young people and adults who responded to the questionnaire in the last issue of Suburb News. We received 30 replies from 9-14 year-olds which, in addition to our existing membership, shows an encouraging level of support.

The replies indicated interest in a good range of activities - meeting friends, sport, music, acting and debating. Some junior residents also expressed strong individual opinions: "I need a break from homework" and "I hate discos"! There were some requests for the Club to run activities at weekends and during holidays, this will not be possible initially, as we have no available location or volunteers to supervise during these times. Monday nights were acceptable to the majority of respondents.

We are currently advertising for a paid, experienced youth leader for the weekly session, if we are able to find the right person for the job we will re-open the Club after half-term. Anyone qualified and interested is welcome to call 458-6100 for details.

One event which is certain is the Seasonal Disco (well you can't please everybody!) The ever-popular Trevor and his Giants Disco will be at the Free Church Hall, Northway on Saturday December 9th from 6.30-9.00. Tickets will be £1.00 at the door and all 9-15 year olds are welcome. GT



Phew what a scorcher! The long hot summer has been a boon for fete organisers even when, as in the case of the Henrietta Barnett Fete the event took place on the hottest day of the year. Here Christopher, David and Anna Dupuis keep cool browsing at the bookstall.

MASSIVE EXTENSION APPROVED

Before Stanley and Edna Black left their Linnel Close home for a holiday in June they had noticed some building work in the garden of their neighbours in Linnel Drive and assumed that a small pool for the children was being dug.

On returning they were faced with a two storey development overlooking their garden.

Passed by Barnet and the Trust as a one storey extension the building was clearly intended to

be two storeys with a linking first floor corridor from the main house.



The view from the Blacks bedroom.

CHESS OPEN DAY

The Residents Association invites all Suburb Chess Players to an Open Day on Saturday 18th November 1989 at Fellowship House, Willifield Way, between 2.00 pm-5.00 pm. Players of all ages and ability are welcome to drop in for a friendly game of chess. Please bring your own chess board and pieces. The Chess Club Committee looks forward to meeting you. If you have any queries please phone any of the numbers p2 col. 4.

The building was later found to be three feet longer than the passed plans showed and to have a roof pitch of 75° not 55° as planned, allowing more space for the upper storey.

Mr & Mrs Black claim to have received no notification from the Trust or Barnet and are extremely unlikely to have overlooked such a notice had they received one.

Councillor Davies in a letter to Mr Caller, Barnet's Chief Executive said "Having visited the site I find that the new building is an absolute

monstrosity and I am appalled that planning permission could ever have been given. In my view if any planning officer had stopped to examine the impact which this development would have upon the occupier of No. 8. Linnel Close there is no way in which they could have recommended that permission be granted".

Councillor Davies attempted to have the planning permission overturned but the vote on planning committee went against him.

WHAT WENT WRONG?

The case of the Linnel Drive extension and the way it slipped through all the planning safety nets is extremely disturbing.

Why did the Trust give approval? Why was it passed by Barnet? How did it get through the CAAC (Conservation Area Advisory Council)? and why was the Residents Association Consam Committee not alerted to query this application?

The fact that no-one made any formal objections to the plan does not seem sufficient reason for plans to go through on the nod.

As in the case of the Willifield Way garage things might have been handled differently if, as the RA has urged in the past, applicants' plans had to show the position of houses and trees likely to be affected.

EXECUTIVE HOMES

....The agents who care

458 8644

1109 Finchley Road, London NW11 7HB



**BUYING
SELLING
RENTING**