

Should the Trust oppose the demolition of 24 Ingram Avenue? Two sides of the argument



A tale of two Suburbs

Number 24 Ingram Avenue sits on a double plot and the owners have received planning permission from Barnet to demolish the existing house and replace it with two new ones in a similar style to other houses in the road. However, the Trust is objecting to both the demolition of the existing house and the building of a new one on the vacant plot and on 21 February it wrote to every household on the Suburb asking residents to write in and support its decision to refuse application. Having been refused by the Trust, the owners are now appealing to the Lands Tribunal to get the decision overturned. This is a lengthy and expensive procedure and if the owners are successful, the costs to the Trust would be substantial. These would be passed on to freeholders and could add more than £40 to the management charge.

The owners of the property, which is a commercial organisation, took advice from leading Counsel before launching their appeal. The risks facing the Trust in fighting this case are far greater than the owners, who have nothing to lose since the value of their investment continues to appreciate. For the Trust there are serious financial implications and especially since the current level of the management charge is already being challenged at the Leasehold Valuation Tribunal.

During the Trust's 33 years existence a number of new houses have been built on vacant plots including 73 and 73a Hampstead Way, 41 Holne Chase, 9 Middleway, 39 Northway and 53 Kingsley Way. Similarly both the Trust and Barnet have approved demolitions and the building of new houses. Examples include Spaniards Field, Wildwood Rise, 52 Norrice Lea, 7

and 14 Holne Chase and 15, 21, 25, 57 and 87 Winnington Road. Among the houses demolished there was at least one designed by John Soutar. The letter sent out by the Trust on 21 February was misleading. The house at 24 Ingram Avenue has been empty for over 10 years and is in poor condition. There was no photograph of the rear showing ugly extensions to the kitchen and garage. When Barnet and the Trust originally notified residents about the application, there were no objections from anyone living in Ingram Avenue. There was no mention in the letter that the original application to Barnet was subject to a public enquiry at which Mervyn Miller gave evidence on behalf of the Trust. The Inspector concluded that the house had little architectural merit and could be demolished.

The following sentences appear in the penultimate paragraph of the Trust's letter: 'Permitting this development proposal would create a serious precedent for future applications concerning infill development throughout the Suburb. It could lead to the gradual erosion of the Suburb's character and amenity.' Since there is only one remaining unbuilt double plot (3 Winnington Road), granting permission for a new house at 24 Ingram Avenue would not set a precedent. The real infill precedent was created by the Trust last year in allowing the demolition of a garage block behind The Pantiles on the Finchley Road and its replacement by two new houses despite objections from residents in Willifield Way and Child's Way. When seen from the back gardens of these properties, the impact of this development is overbearing and the rear outlook for residents living in these houses has been spoilt. The Trust was specifically created to stop this kind of backland development. In terms of precedent, there are over ten blocks of flats on the Suburb with rear garages which could be subject to similar applications. This is a far more dangerous precedent than Ingram Avenue. The decisions on The Pantiles and 24 Ingram Avenue give the impression that the Trust has one set of rules for the residents living in the wealthy part of the Suburb and another for those living in the artisan quarter.

CHRISTOPHER KELLERMAN

A tale of one Suburb

The facts are that Vertical Properties applied to the Trust to demolish the existing house at 24 Ingram Avenue and replace it with two substantial new houses, one on the site of the present garden of no 24, which currently provides the view of Turner's Wood. There are specific restrictive covenants on the property limiting its use to a single house and garden.

The Trust consulted widely (though far from the whole Suburb) and received 240 letters of objection and only 5 in favour of demolition.

After careful consideration the Trust has refused consent for the proposals on the grounds that its guidelines for permitting demolition have not been met; 24 Ingram Avenue is a good house and should be retained. No proceedings were ever issued by Vertical Properties to attempt to challenge the reasonableness of the Trust's decision.

To enable Vertical Properties to redevelop the site, their solicitors have now issued an Application to the Lands Tribunal seeking modification of the restrictive covenants on the property and modification of the Scheme of Management in so far as it relates to 24 Ingram Avenue. Since publication, residents have lodged Notices of Objection which further demonstrate that there is considerable concern over the Application which is not confined to the Trust Council. The Trust has also lodged Notices of Objection.

The financial cost of this legal case is great, but it is essential to protect against development which has a contrary effect on the Suburb's character and amenity. Moreover, if the objections are sustained, those costs will be recovered.

The Trust has been advised by Leading Counsel that it has a very strong legal case. All residents who care about the Suburb should support the Trust in resisting the legal action brought by the developers. It is an investment in all our futures.

The Trust has powers and duties granted by the High Court as a result of an Act of Parliament. Its primary task is to protect the character and amenity of the Suburb as an outstanding achievement of English architecture and landscape design. That involves preserving the full range of

Suburb buildings, from pre World War I cottages to the elegant mansions of the 1930's. The Scheme of Management which the Trust operates covers the whole Suburb, not just parts of it. This is because on the Suburb the whole is much greater than the sum of the parts. Individual houses are part of a harmonious townscape; their generally modest facades are designed to be seen as a group set amongst hedges and gardens with views of trees and the landscape beyond.

The Suburb is far more than a well cared for residential estate. Its original fabric demonstrates the skill, ingenuity and talent of the best architects of their time from Parker and Unwin in the earliest days to Soutar (the architect of 24 Ingram Avenue and many other Suburb buildings) up to the 1950's. The modest, well mannered style of Soutar's classical houses should not be swept away and replaced by modern pastiche, no matter how expensively built. What is here,

throughout the Suburb, is the real thing "touched by the kindly hand of time". Once the precedent for replacing it with modern imitations has been set, there is no knowing where demolition and redevelopment will end.

The Trust defends all aspects of the Suburb. It is just as interested in the undoubted problems of back-land garage sites as in leafy avenues and is just as committed to preserving the cottages of the artisan's quarter as the elegant mansions built for the wealthy. The Trust does occasionally give consent to demolish, but only where the property does not make a positive contribution to the character of the area. That does not apply to 24 Ingram Avenue, its lovely garden and the view of the ancient oak trees in Turner's Wood beyond.

The Trust does not intend to comment any further as the matter is currently before the Lands Tribunal for adjudication.

JANE BLACKBURN



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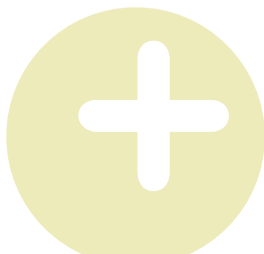
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