



Ministry of Housing and Local Government
Whitehall London SW1

Telephone 01-839 8020 ext 779

9674

Messrs Druces and Attlee
82 King William Street
LONDON EC4.

Please reply to The Secretary

Your reference
JAC/AG/AA

Our reference
PL/MN/6

Date
29 August 1969

Gentlemen

RECEIVED
29 AUG 1969

LEASEHOLD REFORM ACT 1967: SECTION 19
APPLICATION BY THE ESTATES GOVERNORS OF
ALLEYN'S COLLEGE OF GOD'S GIFT AT DULWICH

I am directed by the Minister of Housing and Local Government to refer to the application dated 9 January 1968, made by the Estates Governors of Alleyn's College of God's Gift for a certificate under section 19(1) of the Leasehold Reform Act 1967.

The Minister, having considered the application and the representations made for and against it, considered that there was among the persons making representations substantial opposition to the application, and accordingly he afforded to the applicant and those in favour of and opposing the application an opportunity to appear before and be heard by one of his Inspectors, Mr F H Carr, CBE, MPFI, Dip TP, appointed for the purpose.

A copy of the Inspector's report is enclosed. The Inspector's conclusions were:-

1. Although the estate is not a homogeneous unit and its boundaries are not clearly visible on the ground, it is more than a mere collection of dwellings; it has special distinguishing features for example, the village centre, the attractive modern development and the large areas of open space. Homogeneous unity would be difficult to achieve on an estate where development has taken place over a long period of time.
2. The fragmentation of the estate caused by the alien freeholds is not apparent on the ground. Dulwich Park, Dulwich College and its grounds, the schools and their playing fields, and the picture gallery make an important contribution to the character and amenities of the estate and, as seen, form part of it. The local authority housing estates accord with the residential usage in the area.
3. The Governors powers in the covenants of the leases seem adequate to maintain satisfactory standards of appearance and amenity. Particularly since the end of the last war, the Governors' policy has been positive and forward looking in the redevelopment of the areas where leases have fallen in.
4. The standard of appearance and maintenance of the fringe areas, (the cause of many complaints) is generally adequate and the difference in standard between these areas and those of similar development outside the estate is marginal. There is a deterioration of standards in some of the fringe areas (for example, Farquhar Road and Jasper Road) when leases are coming to an end and where it would be unreasonable to enforce covenants strictly, due to the prospect of redevelopment.

5. The estate has an historical background but little significance from the point of view of formal town planning. The modern development of necessity has taken place piecemeal when and where leases have fallen in and not on comprehensive lines for the estate as a whole. The eighteenth century buildings in Dulwich Village are fine examples of that period of architectural history and make a significant contribution to the amenities of the estate. The fringe areas have no features of interest in terms of town planning or architecture.

6. The Governors' fear that enfranchisement without management will lead to a deterioration in standards may be exaggerated. In the fringe areas it is likely that enfranchised freeholders who remain in occupation will maintain their property in as good or in better condition than at present. The planning acts and other legislation should be effective as a means to control multiple occupation and other changes of use. Nevertheless, a management scheme would reinforce planning control and be a deterrent against undesirable speculators; it would be desirable as a means to maintain the communal features of the estate, although many of the technical matters mentioned at the hearing can be dealt with in other ways.

7. Taking into account their past record, a management scheme operated by the Governors will ensure that the redevelopment of the estate is carried out in the best possible way, particularly in the fringe areas where, had events taken another course a programme of rebuilding would have followed the attractive development which has already taken place.

8. Even assuming that all the potential freeholders eventually exercise their rights to enfranchise, the estate will remain in being because the Governors will continue to own property throughout the area. To exclude the fringe areas from a certificate will lead to greater fragmentation than exists and the boundary of a reduced area on the lines of the proposals put forward by the objectors will be no better than the present one.

9. I do not accept the objectors' claim that the amenities provided by the estate are of no direct benefit to the fringe areas. The enjoyment of amenities is a matter of degree and dependent to some extent on geography but the qualities of space and openness so apparent in Dulwich affect the whole area. Although not an issue, the kind of management scheme put forward at the Hearing should not impose a too heavy burden on the new freeholders.

10. Accordingly, it seems desirable in the general interest and on planning and environmental grounds that the estate should remain in its present form and that a certificate be granted for the area covered by the application. This opinion is shared by the majority of the residents who replied to the various questionnaires."

The Inspector recommended that a certificate be granted in accordance with the application.

The evidence given at the hearing and the Inspector's findings of fact and conclusion have been considered. The Minister agrees with the Inspector's conclusions and accepts his recommendation.

Accordingly the Minister is of the opinion that, in order to maintain adequate standards of appearance and amenity and regulate redevelopment in that area described as the Dulwich College Estates and delineated in the plan accompanying the application, in the event of tenants acquiring their landlord's interest in their house and premises under Part I of the Act, it is likely to be in the general interest that the

certifies that the Governors of Alleyn's College of God's Gift at Dulwich should retain powers of management in respect of houses and premises and have rights against houses and premises in respect of the benefits arising from the exercise elsewhere of their powers of management and the Minister hereby certifies accordingly.

I am Gentlemen
Your obedient Servant

Leonard Mann

LEONARD MANN

Authorised by the Minister
to sign in that behalf