

THE BELSIZE SOCIETY

2025/0852/P 100 Avenue Road Objection

We object to this application on four grounds:

- 1) The increased number of housing units
- 2) Unsafe and inappropriate transport access plan and routes for servicing the development
- 3) External brick facing on the tower
- 4) Sales of residential units

1) We object to the increase in number of housing units

The increase of 53 units – a 29% increase - over the approved scheme would place additional strain on the local environment in an already very busy, noisy, polluted and stressful urban locality.

The additional number of residents will place increased pressure on the local utilities and amenities such as transport, parking, doctors' surgeries and schools.

2) We object to the proposals for transport, particularly the servicing of the site across the public realm which we consider dangerous as well as destructive to the local environment and important community amenities.

The *Transport Assessment* states that the site is “highly accessible and sustainable” but this is a general statement and depends absolutely on the routes considered.

The proposed increase in housing units to 237 (likely total population significantly over 500), a 29% increase over the existing consented scheme puts more pressure on the transport requirements, both for the new residents and existing users of the local area.

For instance, the *Proposed Development Multi-Modal Trip Generation* shows an increase of 795 movements each day over the existing scheme, to **a total of 5,483 daily of which 234 each day will involve a motor vehicle** (car, taxi or motorcycle).

We do not believe the vehicular routes planned are safe or sustainable.

As so long has elapsed since the original consent, we believe a total re-think on the access arrangements is required rather than relying on the previous scheme for 29% fewer units.

We note *Appendix A* of the *Transport Assessment* 5.3 supports our belief that the transport routing should be reconsidered to use the A41/ Avenue Road, “The extant permission allows servicing by large vehicles via the pedestrian zone at the west end of Eton

Avenue, an area where the market is located. The applicant is requested to consider exploring servicing the site by larger vehicles from Avenue Road in consultation with TfL.”

The Belsize Society believes this application as it stands, should be refused by meeting the following requirements: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.” (*National Planning Policy Framework (NPPF)* Dec 2024)

We believe 217 c) of the *Transport Plan* cannot be satisfied; to “create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards”

The Site is within the designated Finchley Road / Swiss Cottage Town Centre. The adopted Local Plan designates the site as Site Allocations 30 notes that development will be expected to, among other things:

- Respect the setting of Swiss Cottage public open space
- Provide or contribute to public realm improvements with particular regard to pedestrian safety and junction improvements

The proposals neither ‘respect the setting of the Swiss Cottage open space’ nor ‘provide or contribute to public realm improvements with particular regard to pedestrian safety and junction improvement’, for the following reasons:

a) **Basement transport access for deliveries and services**

We consider the proposal of ‘small van, cars, motorcycles and cargo cycles’ deliveries to the basement via the tunnel under the theatre to be impractical.

- (i) **The has a height restriction of “circa 2m” which make it inaccessible for most van deliveries**; certainly, all the ‘panel vans’ and ‘light vans’ and ‘box vans’ described in the *‘Delivery, Servicing and Waste Management Plan’*.

Deliveries are rarely performed in motor vehicles which would be able to access this tunnel. The 3.5T Panel Van, 4.6t ‘Light van’ described has a height of 2.56m and 2.52m. Given the stated height limit of “circa 2m” even these smaller vehicles will not be able to access this tunnel. This would apply to most deliveries, for instance, food delivery typically use vehicles such as Mercedes Sprinter vans, for instance Ocado and Sainsbury as well as Amazon. These are 2.62m high, with other higher roof varieties being 2.82m. Equivalent vans for Tesco and Morrisons are in a similar range. Waitrose’s new electric Maxus ED9s are 2.75m high. The commonly used medium wheelbase Sprinter is 5.83m, longer vans are often used and these will not be able to turn in the space, even had they been lower.

Many larger SUVs and wheelchair accessible vehicles are approaching 2m, so there may be some problems for disabled residents' vehicles (and they will certainly not be able to use roof-racks).

- (ii) There is **only one service bay provided**. This requires reversing into it in a very tight space which will make it difficult to use and likely impossible if another vehicle is using the area at the same time.

It is likely for a development of this size that several deliveries may need to access this site at any one time, which will lead to queueing or blockages, especially given that deliveries can take some time, particularly for a resident at a distant floor such as a food deliveries or if a signature is required (both of which would require individual action rather than a concierge).

- (iii) It is **unlikely delivery riders using cargo bikes or e-bikes will be willing to leave their transport unattended** in this space whilst making deliveries into the building.
- (iv) Other users such as disabled residents' vehicles and residents' cycles are meant to use the route as well. **Only one vehicle can be in the tunnel at any one time**. A control system will be needed to avoid conflicts as a vehicle entering the curved ramp will not have sight of anything in the tunnel and vice versa. Entry controls, presumably with lights and an electronic gate or barrier will lead to delays and likely backups onto the Eton Road access point with disruption to pedestrian movements and other traffic.
- (v) Waste collection tugs will be **transporting a number of large waste bins for collection at ground floor level**, adding to the potential congestion and hazard for other users.
- (vi) **The tunnel access is via a steep and tightly curved entry ramp** which will make it difficult and unattractive for many vehicles, particularly for any two-wheeled delivery vehicles – motor cycles, bicycle or cargo cycles (esp. when adding a necessary control system or barriers). Deliveries by these quick-drop deliveries are therefore most likely therefore to use the easier option, a ground level delivery across the Eaton Avenue pedestrianised square, contributing to the congestion and safety issues mentioned below.

b) The traffic management plan to the tower base and shops services:

The Eton Avenue square, through which vehicular access will pass is currently shared between with large numbers of pedestrians both traversing the area and using it for rest and leisure and shopping at the market stalls. It is an important pedestrian route, particularly users of the busy tube station and bus stops, the library, leisure centre and the cinema and shops on the Finchley Road, children playing, over 1,000 students from the Royal Central School of Speech and Drama, combined audiences of just over 400 for the two auditoria of The Hampstead Theatre, the weekday market stalls and larger Wednesday Farmers' market which

occupies almost the whole site and what will be a substantially increased local residential population once the 237 units of this development are filled.

This has become a safe and much-loved space since traffic was excluded and many workers and residents seek relaxation in the shade of the fine plane trees fuelled by a coffee or food from the stalls. Indeed, the development was ironically named 'Theatre Square' by the previous developer, though the proposed scheme will destroy this haven.

- (i) **Delivery and service lorries up to the size of refuse lorries and emergency fire tenders will drive directly over the existing pedestrian square and across the pavement onto the shared pedestrian surface** which forms the route into the service area at the base of the tower and back of the retail and community units. **This shared space, designated 'Park Avenue', is also the main pedestrian route** from Eton Avenue towards the library and leisure centre and into the Swiss Cottage open space.

The Belsize Society considers this mix of frequent commercial vehicles of many sizes and types with pedestrians in this particular design setting unsuitable and hazardous. We do not believe that the design provides "b) safe and suitable access to the site can be achieved for all users" (*National Planning Policy Framework Dec 2024, Chapter 9, para 115*) and "c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards (*para 117 ibid*)."

The proposal with regard to service vehicles puts people in harm's way by sharing the current pedestrian surface between the tower and the theatre ('Park Avenue') with the majority of vehicular services to the development, many of which will be lorries up to the size of refuse trucks. Indeed, there are several benches planned to encourage people to congregate and to use the area for leisure.

- (ii) The Swiss Cottage open space is a heavily used local amenity frequented by **large numbers of children who are currently able to use the space safely with loose, to minimal supervision.** They run around in large numbers, playing ball games, on bikes etc, safely separated from vehicular traffic and using all available surfaces. There is no other similar safe space in the area. Private gardens are at a premium and so this local amenity is of immense value to the mental and physical health and development of the young people. **They use the current path alongside the theatre which, in future, will host lorry and van movements, creating obvious danger.**
- (iii) Similar concerns are attached to people with **mental and physical disabilities and mobility problems** who can currently use the accessible Swiss Cottage open space with impunity.

- (iv) The access path, 'Park Avenue', once reached across the pedestrian square, is one-way entry / exit and require the vehicles to enter and reverse into the one access point and then leave forwards. The *Vehicle Swept Path Analysis Plans* show clearly that **only one vehicle can use the route at a time without conflict. No additional waiting bays are provided.** There will inevitable be congestion with vehicles waiting to enter this single site. There will therefore be back-up and waiting in the already tight space of the Eaton Avenue pedestrian square. There will inevitably be additional casual parking for food deliveries (from supermarkets and take-away), Amazon, DPD etc not able to enter the site, as drivers work to tight schedules and this will cause additional disruption.
- (v) **We cannot agree with the idealised description** in the landscaping 2.19 that 'Park Avenue' will be 'a tranquil extension of the Open Space...'. Without vehicles this would be true.
- (vi) **Vehicular traffic will have to cross the pavement between the theatre and tube station entrance and Finchley Road,** a major pedestrian throughfare. This will require a redesign simply to make pedestrians and drivers aware of each other and establish safe rights of way. Crossing surfaces and signage would be required and other safety measures which appear not to have been considered yet.
- (vii) **We do not see evidence of an adequate risk assessment** being carried out.
- (viii) The development will add to this a café and large commercial space, most likely for a supermarket, further increasing pedestrian footfall (as well as the vehicular movements).
- (ix) The quantity and size-mix of vehicles travelling over the Eton Avenue will also seriously damage the vibrant mixed use community space of Eton Avenue square by **creating a hostile and dangerous environment** and discouraging pedestrian use and use of the square for relaxation. Noise and motor exhaust pollution will increase and what is currently a quiet place a little removed from the noise and bustle of the busy A41 will itself become frenetic and lose its important effect as a haven.
- (x) This pedestrian square, is a narrow funnel with one way in and out, **requiring all vehicles to reverse and turn and this will be potentially hazardous in the vicinity of the many pedestrians and children.** The commercial vehicles used rely on mirrors to perform these manoeuvres and small children and cyclists and scooter and mobility users will be at particular risk.
- (xi) To service 237 residential units, the community centre and the retail units **there will be a large number of vehicle movements each day.** We believe this planning application is minimizing the practical problems and real-life issues that will have to be faced once the scheme is completed.

If, as likely, the large retail unit will be occupied by a supermarket, **deliveries from large lorries will be needed each day and probably daily waste collections also.** We believe the predicted number of vehicle movements to service the site suggested in the '*Proposed Development Delivery Demand Profile*' of 38 deliveries per day to be an underestimate and that there will also be a larger number of large lorries needed (based on observations of the patterns to local shops).

In addition, the '*TRICS Residential Servicing Demand by Vehicles*' predicts 127 vehicle movements each day, though **we think this is likely to be a significant under-estimate** based on the numbers we see currently in our neighbourhood each day. 30% of retail shopping is now online and rising, with up to 30% returns rate which are mostly collected by vehicle, leading to further movements not accounted for. As the local Swiss Cottage post office is closing, even parcel collections from the residential units will increase.¹

There are also seasonal spikes (Christmas, Black Friday and other sales etc) when domestic deliveries will increase substantially, adding to the delivery congestion.

We can foresee major difficulties for delivery and service drivers and stress and potential for conflict and arguments for those involved, as we already see daily in our narrow residential streets.

- (xii) Parcel vans spend 3.5 to 4.5 hours a day parked **whilst their driver delivers the goods to the home on foot.**² **It is not clear where these vehicles may be left if not cluttering the site.** At the present time there are rarely any spaces for parking around the area. Presumably, designated spaces will be needed which will negatively impact existing residents.
- (xiii) **It is unclear how repairers and other contactors such as decorators, small interior works builders and removals will be accommodated,** all requiring long stays in the immediate vicinity. Even if residents' visitor parking day tickets can be procured for essential works, the increased population density of the 237 units will place enormous additional strain on the already over-parked area and it seems this will be a major problem for residents both on this site and those already living in these streets.
- (xiv) **Deliveries requiring acceptance signatures** will add to the delay, particularly if the delivery or resident has to travel to or from the upper parts of the tower.

² Centre for London '*The Active Last Mile: How can we boost out-of-home deliveries?*' Mitchell, Bosetti and Harding

- (xv) Though the scheme states light van deliveries will be via the tunnel, the *Vehicle Swept Path Analysis Plans* shows similar '4.6t Light Vans' accessing the ground floor service area route also (rather than solely via the tunnel). This is **a clear acknowledgement that the developers expect this route to be used by these smaller vans rather than the basement tunnel**. Due to the factors mentioned above, we believe this will surely be the de facto main route for all services and that there needs to be a complete reassessment of the transport routes to reflect the reality.
- (xvi) **Even the proposed increased use of e-bike and cargo bike deliveries present significant risk to pedestrians** as these are often operated at speed, utilising powerful electric motors, often illegally 'clocked', so they cease being cycles in the normal sense and operate as unregulated electric mopeds. Take-away delivery riders in particular are often unlit and darkly dressed at night and notoriously do not follow the highway code.
- (xvii) With multiple delivery services and contractors to multiple occupants, **it seems highly unlikely deliveries can be 'consolidated' or 'co-ordinated'** as suggested.

It is highly unlikely that deliveries can all be accommodated into 'time windows' as suggested. Most deliveries to domestic customers can occur at any time and with constant travel uncertainties in London, even timed deliveries rarely conform. Timed deliveries are usually an additional cost, so will usually not be selected by customers. In any case, the timing 'windows' are often several hours wide, so will not avoid conflicts.

We cannot see how a concierge service can successfully manage such complex operations involving a large number of residents with their own personal arrangements with large numbers of deliveries and services in order to mitigate the risks and harms involved in using the shared spaces in Eton Avenue square and the service path. Even if subject to agreements, we do not understand how this will be carried out practically, by whom, at what cost, whether it can be adequately policed and what sanctions can be imposed for breaches.

- (xviii) **It is unrealistic to expect contractors such as specialist deliveries or removals using HGVs and other large vehicles to operate, as suggested, before 10am or after 5pm.** These times, in any case, include rush hours, when pedestrian and cycle commuters maximally access the tube and cycle route and students arrive and leave the drama academy. At later times, theatre goers will be arriving to Hampstead Theatre and The Embassy Theatre opposite. This again demonstrates the impracticality of using this route for services at any time.

Simply stating "it will be made clear to all residents that should they receive a specialist delivery and/or are moving out and make use of an HGV, these deliveries must be programmed to arrive before 10:00 or after 17:00, to ensure there is no conflict between servicing vehicles and the

market operation" (*Transport Assessment 5.43*) indicates the impracticalities the site residents will face. Most residents will not even know what type of vehicle will be used nor be able to influence the exact time of operations.

- (xix) The market operates 5 days a week and the larger, long-standing, Farmers' Market each Wednesday. **The stall operators require their own service vehicles** to access at setting up and knocking down times and to be located close by. There is not provision for this in the plans and this additional (existing) load will add to congestion in this tight site. The markets are likely to be incompatible in practical terms with free access to the service vehicles on the site.
- (xx) **If the markets are closed** due to the practical and safety issues foreseen, jobs will be lost and residents' access to excellent affordable fresh produce reduced as well as a valuable amenity adding to the quality of life in this area.
- (xxi) Whilst electric delivery vehicles are increasing, a substantial number will remain diesel and petrol for the current time and these will contribute to **pollution and poor air quality and noise** in the vicinity including residential feeder road, to the detriment of the children and adults in the community.
- (xxii) The 'recommended route' to the developments is via Adelaide road to Winchester Road to Eton Avenue. There is no guarantee this route will be followed and as Winchester Road is already congested and fully parked, with other commercial buildings attracting deliveries and loading, this will be a congestion hot spot. There are already frequent blockages and the traffic lights onto Adelaide Road already back up with queues at peak times and this can only increase. The result will be **more traffic movements through local streets** – Adamson Road, Eton Avenue, Crossfield Road, Fellows Road, Buckland Crescent, Primrose Hill Road and so on. Rat runs will develop, especially with routing Apps such as Waze. This will negatively impact local residents and the schools, increase congestion, noise, pollution and risk for the local community, which also accommodates several local schools.

c) Waste Management.

It is highly likely that given the commercial unit (at the base of the tower) will be a food outlet (café) and the large retail unit in the lower block will likely be a supermarket, **probably daily waste collections will be required.**

The waste collection from the basement will have to be transferred to ground level from the bins to the refuse lorry, necessitating use of the public realm (the square)

and so blocking pedestrian routes and also access to the tunnel for other users. It will take time to bring up all the bins by tug and return them to the store.

The numbers of large bins involved and the route they need to follow makes this a complex process.

Due to the steep ramp and long tunnel this will be a hazardous operation and the transfer to the refuse lorry will need to be carried out on level ground which **may block off even more of the square during this operation.**

d) The theatre

There is **no mention of theatre operations in the plans** – loading and unloading of properties and handling the large influx of audience in the management plan.

e) Taxi drop-off

There are **no planned taxi drop-off or collection points** – these will be adding to the traffic movements and congestion across the Eton Avenue pedestrianised square at all times.

As the development is 'car-free', there will likely be significant use of taxis, minicabs and Ubers etc, all of which will involve additional traffic delivered to the service area of the buildings (39.3% of Londoners regularly use Ubers (Uber Newsroom Sept 2019) and this does not account for black cabs, Bolt, Addison Lee, minicabs etc). There is often some waiting time involved, adding to parking congestion in this area. As the area is one-way in/out there will be turning required adding to safety concerns.

f) Protection of trees in the pedestrian square

The large plane trees are recognised to be an important feature of the pedestrian square. **One in particular is likely to obstruct entry of large vehicles to turning into the access point** of the service area of the site and will have to be felled.

Frequent heavy traffic movements are likely to **cause damage to the trees** and compaction of the roots and will be likely to cause degradation and possibly loss of these trees.

- **In order to address all of the issues above, we strongly suggest a complete re-think of the transport access strategy and plan is required before this development can go ahead.**
- **Using A41/ Avenue Road as the access point for deliveries and services would seem the only safe and reasonable option as has already been determined for the Construction Management Plan.**

3) We object to the Tower Façade cladding material

We disagree with the entirely subjective remarks in the *Heritage, Townscape and Visual Statements* that the new building will “contribute positively to the townscape”,

“provide a high-quality backdrop to the open space” , “improve legibility”, “be a beneficial townscape effect” and so on. These are all meaningless developers’ remarks compared the reality for local residents who will have to spend the rest of their lives suffering the harm of its overwhelming impact.

We also disagree strongly that the huge building will “have no impact on the conservation area”. There are in fact 6 local conservation areas which will be subjected to varying degrees of harm. It will hugely damage our local townscape, with a large and looming presence from many viewpoints. In the Belsize Conservation Area specifically, it entirely spoils the Victorian character of some elegant villa-lined roads such as Adamson Road, Daleham Gardens, Eton Avenue and Buckland Crescent. It urbanises the many leafy aspects of this precious Victorian suburban character. It also claustrophobically closes the open perspective southwards on the Finchley Road and down Fitzjohn’s Avenue.

It is visible from many more viewpoints than the developers’ judiciously chosen photographic views, which are highly selective and misrepresent how the buildings would be experienced in real-life.

The delicately drawn outlines on many of the representative views are disingenuous and avoid showing the overbearing massing effects we would be subjected to.

Given that we cannot now affect the size of the tower, we would prefer it to be **as unobtrusive as is possible** given its appalling over-scale prominence from many parts of our conservation area.

Most of the high-rise buildings in the area are light-coloured, so less of a contrast against blue skies or white or grey clouded skies. Facing in red brick would increase the contrast and constantly catch the eye.

We disagree strongly with the developer’s justifications. We cannot see how simply facing this huge building in red brick “respects the local vernacular” or ensures “the proposals feel connected to and integrated within its context” and “the updates create a seamless transition between the conservation area and the Swiss Cottage town centre”. Nodding to the common local building materials with a cladding skin does not in any way mitigate the harms and suggests an inherent weakness in the design akin to the Emperor’s new clothing.

To clothe the tower in red brick appears, instead, has been commented by many residents to be a red middle finger gesture rudely stuck up in their face. Whilst brick is delightful at the domestic scale of local houses it becomes over-bearing on a larger scale as we see with the brick façade of Cresta House opposite the proposed tower which draws excessive attention to the building mass compared to the more neutral grey of the equally massive but visually less eye-catching Centre Heights next to it. The effect is clearly seen in the comparative rendered views 6.5.

- **We would therefore ask for a re-design of the facing materials of the tower to avoid the red brick and attempt to minimise its visual presence and the harm this creates by use of a light and neutral coloured material.**

4) We object to unregulated sale of the market units

We are concerned that by marketing these units, rather than the previous rentals, they will be likely sold to investors rather than home owners – many of whom will be overseas. Regal Homes actively market abroad with offices in Singapore, Dubai, Shanghai and Hong Kong. Sales to investors and absentee landlords can typically lead to **short-term high rent lets and 'buy to leave empty'**. This will do nothing to improve social cohesion and maintaining and improving the local community and does nothing to help the London housing problem.

- **Though we are unable to change the commercial strategy, we would like the council to investigate any mechanism to add conditions to require the properties to be sold or rented to be lived in (ideally with longer rentals) and not left vacant and possible sanctions imposed on empty properties.**
-