

ANTHONY H. KAY LLB.  
SOLICITOR  
Non-practicing

26 Crossfield Road  
Hampstead  
London NW3 4NT

BY POST & EMAIL

7 June 2016

Zenab Haji-Ismail  
Regeneration & Planning Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 8ND

Dear Sirs,

**100 Avenue Road NW3 3HF  
Planning Application ref 2016/2803/P**

Thank you for your letter of the 26th May advising me of a new application to amend planning conditions on which I previously commented.

This is now the third occasion on which Essential Living have attempted to amend in particular Planning Condition 31 to make an early start with demolition of the existing buildings. This has been refused before on the grounds that early demolition “would result in the risk of significant harm to visual amenity and the amenities of neighbouring occupiers”. Nothing seems to have changed in the meantime, so I believe this latest attempt by Essential Living should continue to be refused.

The prior condition that rigorous and detailed plans for the foundations must first be submitted and approved is especially important for this site being sited on top of the Jubilee line, and on London clay with a tendency for subsidence. Also it is important that all planning conditions are strictly adhered to, prior to Essential Living being allowed to start any development such as the demolition of the existing buildings, which should not be allowed until it is clear that Essential Living will in fact be able to fulfil all the planning conditions. Accordingly they should not be allowed to make a start with demolition while it is still unsure whether they will be able to comply with all the planning conditions, and piece meal applications for amendments should be refused.

Yours faithfully,





*94 Heath Street  
Hampstead  
London N.W.3.*

7<sup>th</sup> June 2016

Zenab Haji-Ismail  
Regeneration and Planning  
Development Management  
L.B. Camden, Town Hall  
Judd Street WC1H 9JE

Dear Ms. Haji-Ismail,

**App 2016/2803/P-100 100 Avenue Road, Swiss Cottage, NW3**

We wish to record strong objection to the re-application with “minor” material amendment by Essential Living to demolish 100 Avenue Road before full approval of plans by TFL because the proposed construction could be very precarious at its location above Swiss Cottage tube’s southbound tunnel. In the present circumstances, and while awaiting TFL’s approval (or objections) to the plans, the disruption and pollution to the surrounding amenity and to the community who use it constantly and continuously would be appalling. The noise, dust and subsequent reduction to a building site/mud bath would be unbearable and as it is likely that it will be some time before full plans are approved, we who use the area and amenities would be faced with an eyesore over a period of what could be 2-3 years.

Camden will surely not allow this gross encroachment over years onto a lovely green space, which gives exercise and fresh air to so many of the community - there are always large numbers of children out playing in all weathers and using the “outdoor gym”. They would probably be barred from continuing to use the space, either by the builders, or by their parents for health and safety reasons.

The developers seem to have the whip hand when it comes to huge, life changing alteration to our environment. Please consider very carefully before allowing them to proceed in this case.

Yours sincerely,

Antony and Colette Hayes



I write to object to variation of condition 31.

A demolition site in the heart of Swiss Cottage for an indefinite period CANNOT be considered a 'minor' change. There would still be an enormous hole in our green space and pollution from the gyratory for goodness knows how long.

It could take some time to approve these plans, given the precarious location of a 24 storey tower above Swiss Cottage tube's southbound tunnel. For this reason it is possible that it might ultimately not be feasible to construct the planned development at all.

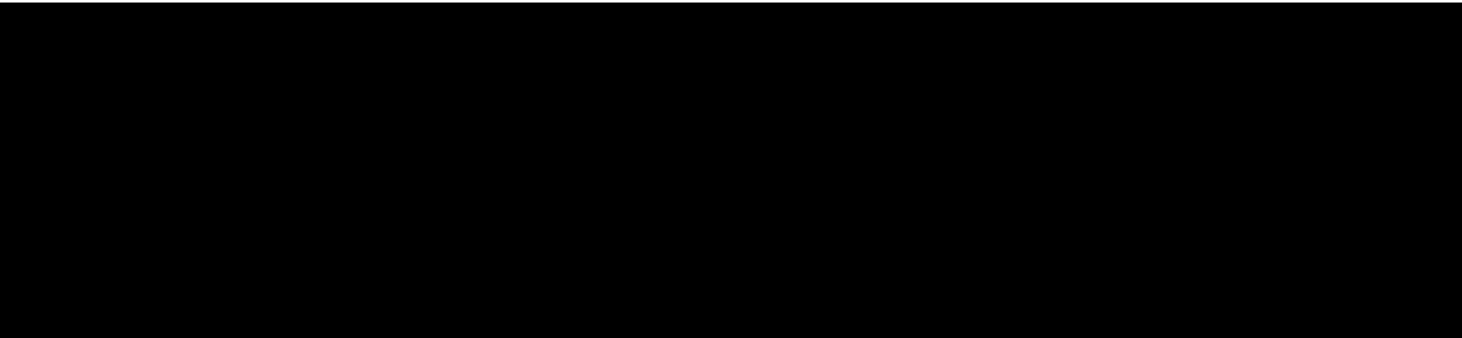
If Essential Living demolishes before the full plans are approved, "planning permissions" would be triggered which would automatically cancel the three-year time limit within which development must commence. Thus they could then vary their original scheme without submitting a new planning application.

\*Since it is not currently known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by their own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one.

Therefore permission to vary condition 31 must be refused.

Judith Nasatyr

7 Akenside Court  
26 Belsize Crescent  
London NW3 5QT



To Zenab Haji-Ismael

**Re App/2016/2803/P – 100 Avenue Road London NW3 3HF**

PLEASE CONSIDER MY OBJECTIONS TO THE ABOVE PLANNING APPLICATION.

I do not consider a demolition site in the heart of Swiss Cottage for an indefinite period a 'minor' change. There would still be an enormous hole in our green space and pollution from the gyratory for goodness knows how long.

It could take some time to approve these plans, given the precarious location of a 24 storey tower above Swiss Cottage tube's southbound tunnel. For this reason it is possible that it might ultimately not be feasible to construct the planned development at all.

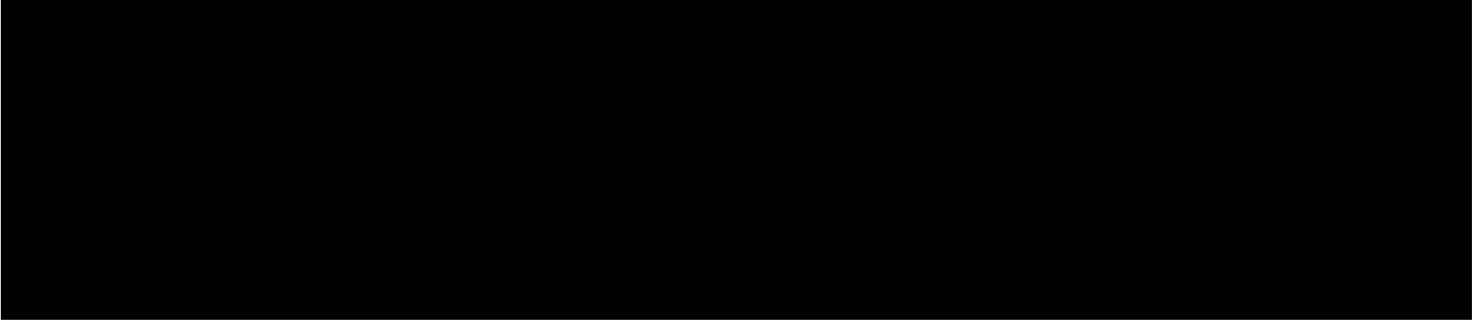
If Essential Living demolishes before the full plans are approved, "planning permissions" would be triggered which would automatically cancel the three-year time limit within which development must commence. Thus they could then vary their original scheme without submitting a new planning application.

Because it is not yet known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause 'harm' to the community and amenity and in any case be considered a 'major-material alteration' to the original plan and not a 'minor' one.

Permission to vary condition 31 must therefore be refused.

Thank you.

Diane Heinen



Dear Mr. Haji-Ismail,


I am writing in response to the above application for 100 Avenue Road.

As it is not yet known when, or even if the 100 Avenue road development can go ahead as planned, it would be appropriate for Camden Council to conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one.

I am writing to request that you therefore refuse permission to vary condition 31.

Yours sincerely,

**Caroline Brandtner-Shea**  
**31 Cresta House**  
**133 Finchley Rd**  
**NW36HT**




Zenab Haji-Ismail

Regeneration and Planning, Development Management,  
London Borough of Camden, Town Hall, Judd Street, London, WC1H 9JE.

Since it is not currently known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome, would, by their own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one. Therefore permission to vary condition 31 must be refused.

Yours sincerely  
Lesley Cohen

Prof Lesley Cohen  
Professor of Solid State Physics  
Blackett Laboratory  
Imperial College London  
Desk phone: 0207 431 6761  
Mobile: 07872 850156  
Web: <https://www.imperial.ac.uk/people/l.cohen>



Dear Sir/Madam,

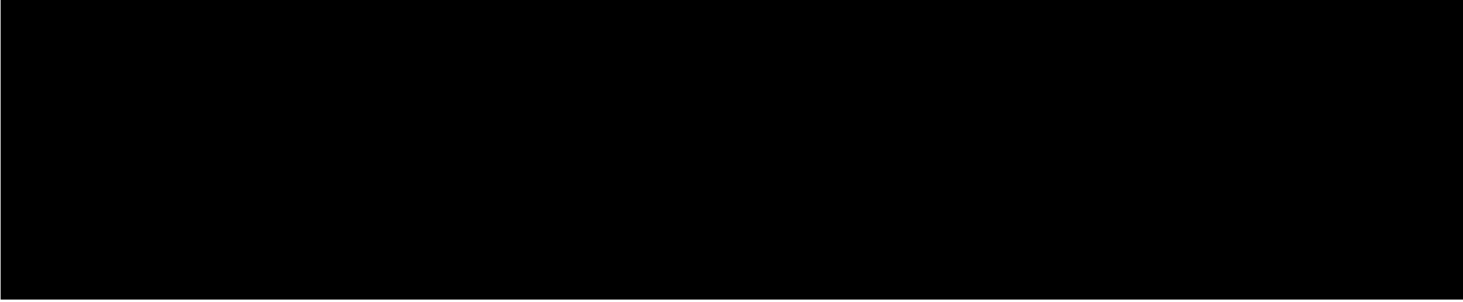
Because it is not yet known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one.

Permission to vary condition 31 must therefore be refused.

Yours sincerely,

Madhvi Chanrai (local resident)





To Zenab Haji-Ismail

**Re App/2016/2803/P – 100 Avenue Road London NW3 3HF**

PLEASE CONSIDER MY OBJECTIONS TO THE ABOVE PLANNING APPLICATION.

I do not consider a demolition site in the heart of Swiss Cottage for an indefinite period a ‘minor’ change. There would still be an enormous hole in our green space and pollution from the gyratory for goodness knows how long.

It could take some time to approve these plans, given the precarious location of a 24 storey tower above Swiss Cottage tube’s southbound tunnel. For this reason it is possible that it might ultimately not be feasible to construct the planned development at all.

If Essential Living demolishes before the full plans are approved, “planning permissions” would be triggered which would automatically cancel the three-year time limit within which development must commence. Thus they could then vary their original scheme without submitting a new planning application.

Because it is not yet known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause ‘harm’ to the community and amenity and in any case be considered a 'major-material alteration’ to the original plan and not a 'minor' one.

Permission to vary condition 31 must therefore be refused.

Thank you.

*Martha de Sant'Anna / 94 Hawtrey Rd, NW3 3SS*



Zenab,

Because it is not yet known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one.

Permission to vary condition 31 must therefore be refused.

Many thanks,  
Kristin



Dear Zenab Haji-Ismail,

I have received the planning consultation letter today.

As it is not known if the 100 Avenue road development is going ahead as planned, I suggest that Camden Council must conclude that a demolition site for an indeterminate period, whilst awaiting approval of foundation plans would cause 'harm' to the community and amenity and in any case be considered a major material alteration to the original plan.

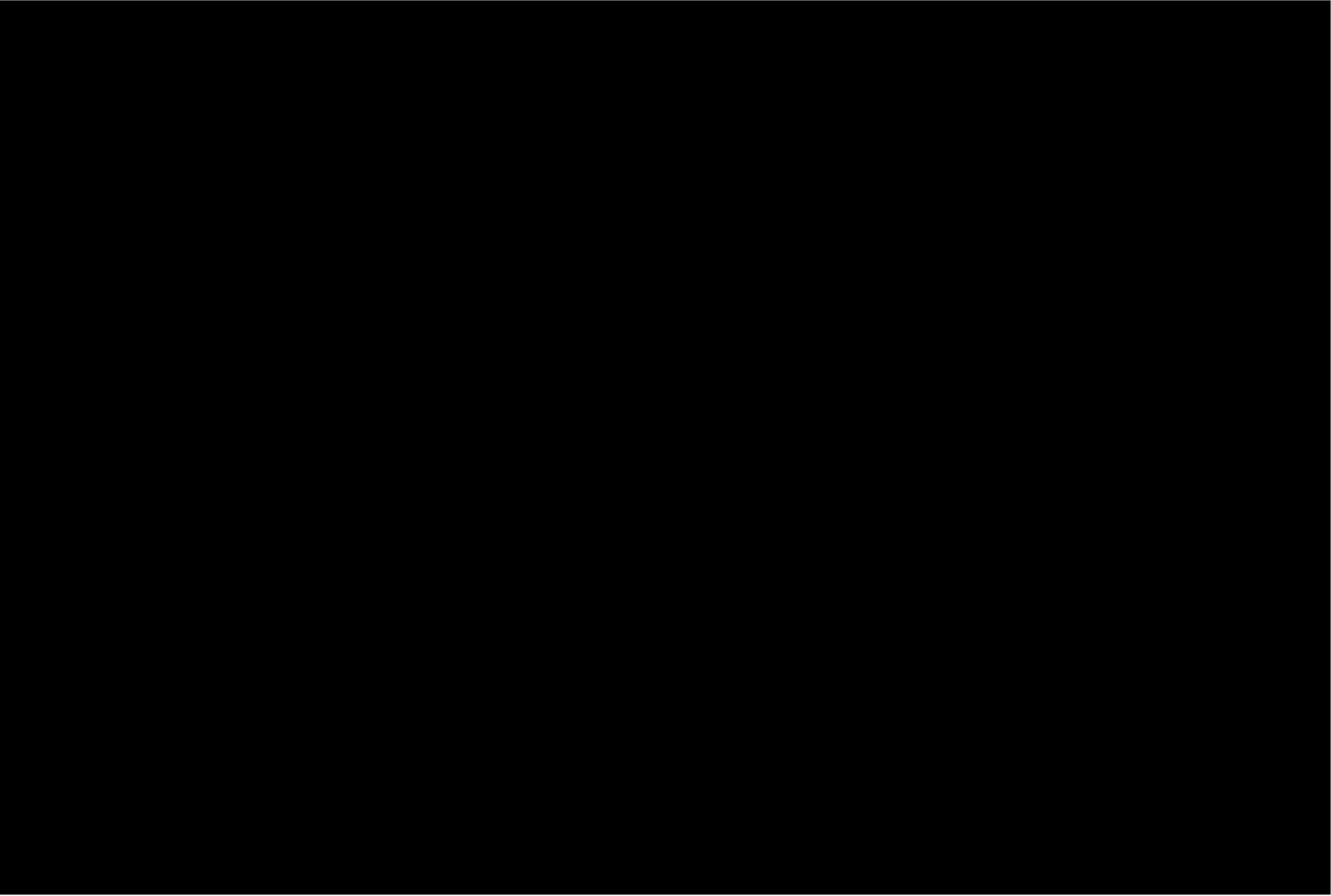
I therefore say that permission to vary condition 31 should be refused.

Best regards,

David Percy

---


David S Percy  
1 Belsize Avenue  
London NW3 4BL UK



Objection to ref 2016/2803/P - 100 Avenue Road NW3

"Because it is not yet known when, or even if the 100 Avenue road development can go ahead as planned, Camden Council must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one.

Permission to vary condition 31 must therefore be refused".



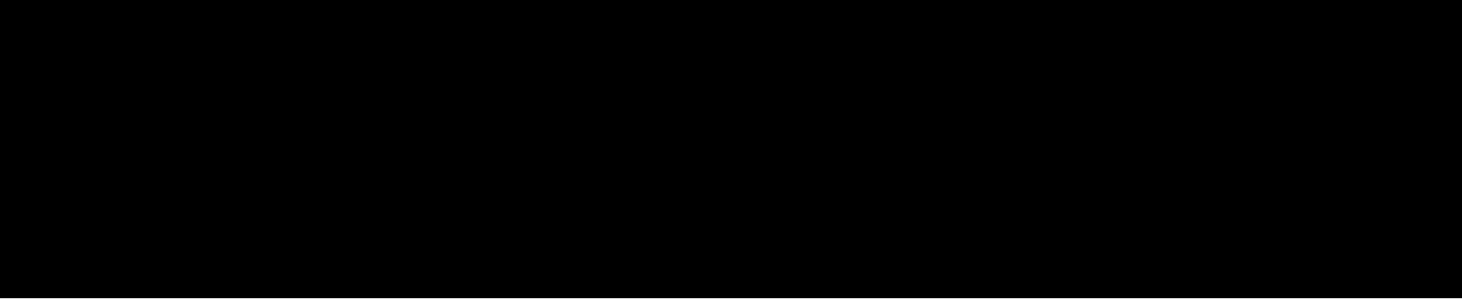
Dear Zenab

As a local resident I would like to object to the planned demolition of 100 Avenue Road NW3 3HF. Like to object to the application under reminder amendment instead of a nonmaterial one for the demolition as I believe it would cause considerable risk of significant harm to visual amenity and the amenities.

Yours Sincerely

Adam Huxley

Sent from my iPhone



Please planning officials at Camden Council think many times over before you even consider giving this dastardly project permission for early demolition. Why ? Just to please some greedy overseas developer. It is already densely populated, where we are living, we don't need it. Think of all the voters who live and work right by it. No ! no! no !.

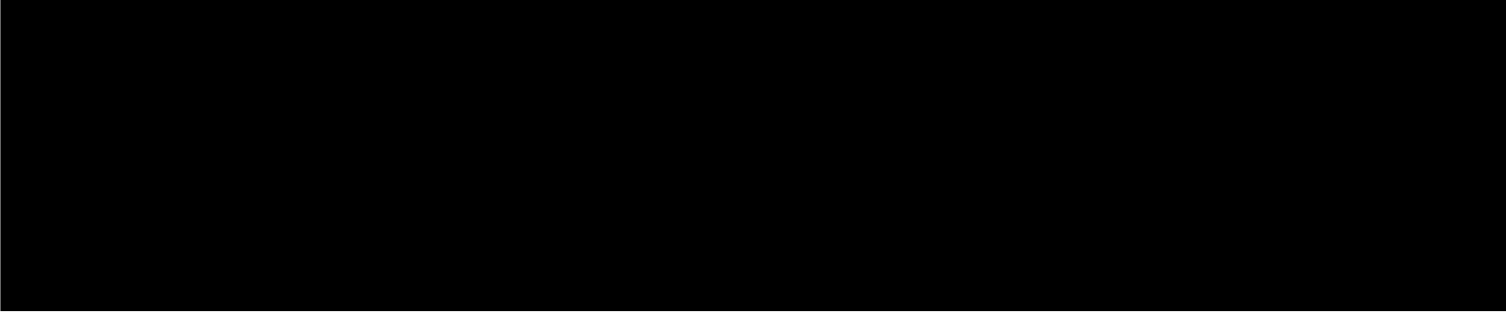
What is it going to look like with a great gap there? Consider the area, the library, which is so well used, the park a delightful green space for all the children and their mothers who live nearby. The elderly people to whom it is a real boon to come and sit in and enjoy, and it is the **ONLY GREEN SPACE** around. If Essential Living demolishes before the full plans are approved, "planning permissions" would be triggered which would automatically cancel the three-year time limit within which development must commence. Thus they could then vary their original scheme without submitting a new planning application. If Essential Living demolishes before the full plans are approved"planning permissions" would be triggered which would automatically cancel the three year time limit in which the development

What about the works for the demolition which will be right by the Swiss Cottage Gyrotory system, one of the busiest in London, just think how that will be disrupted, and above all what is it going to do to our **VITAL** underground system, there will be more than just disruption there for all the regular commuters who have to get to work all over London.

Yours sincerely

Esme Solnick

67 Eton Avenue



Dear sirs,

I have been made aware that the developers of 100 avenue Road are trying to demolish the site earlier than expected, by classifying it as a minor amendment.

I have never heard that such a big demolition could be considered as minor nor I have seen a demolition plan without having full approval on the foundations.

This seems again a way to go around what has been approved before, with only reason being their own interest and not the interest of the public.

It is clear that this decision of advancing the demolition could lead to chaos, an undetermined period where a vast area will be left abandoned before plans are approved. It could also create a zone which is more favorable to crime, less secure for families living around. This process of approving foundations just above the tube tunnel could take very long considering the height of the building envisaged and this situation could last for very long.

It leaves also the opportunity to alter initial plans without necessitating consent.

Also, considering the potential for disruptions due to HS2 and the cycling way in Finchley Road, this could cause even further disruption to the area.

I strongly believe that all this uncertainty will cause harm to the community and could not be considered minor in any case.

Therefore permission to vary condition 31 must be refused at all cost.

Thanks for your time and understanding,  
Eric Bensoussan, an Eton Avenue resident



Dear Zenab,

I am writing to object to this planning application as it is inconceivable that a demolition site in the heart of Swiss Cottage for an indefinite period can be considered a minor change. My flat backs directly onto the green space and the increase in noise, pollution from the gyratory system along with the fact that there would be a huge hole in our green space and view is unacceptable.

The amount of time it could take to have these plans approved is unknown especially considering the fact that there are many potential dangers of loading a 24 storey tower on top of a tube line. This undetermined time frame would also mean that following the demolition, "planning permissions" would be triggered which would automatically cancel the three-year time limit within which development must commence, potentially resulting in a complete variation to the original plans without having to seek further planning permission.

I would therefore not expect Camden to grant permission to vary condition 31 as surely you must conclude that a demolition site for an indeterminate period, with an unknown outcome - whilst awaiting approval of foundation plans - would, by Camden's own definition, cause 'harm' to the community and amenity and in any case be considered a 'major'-material alteration to the original plan and not a 'minor' one.

I believe that permission to vary condition 31 must therefore be refused.

Yours Sincerely,

Siobhan Perth  
Flat F,  
33 Winchester Road,  
London NW3 3NR