



Dear Sir

I am emailing you with my objections regarding the planning application concerning 100 Avenue Road, Swiss Cottage.

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 their own definition, cause 'harm' to the community and amenity and so be considered a 'major'-material alteration to the original plan and not a 'minor' one. No new condition to ensure that the approved building is immediately erected following demolition can change this. Permission to vary condition 31 must therefore be refused.

Yours sincerely

John Veale  
Flat B  
1 Adamson Road  
NW3 3HX



Dear Ms Haji-Ismail

I have recently learnt that the developers are seeking permission to demolish the existing property, before detailed plans for the foundation works have been submitted and approved.

I am deeply concerned about this, as a local resident and as a regular user of Swiss Cottage tube station. There has recently been much coverage of a residential property in Kensington and Chelsea where the existing property was demolished ten years ago and the development not completed, leaving a massive hole in the ground - <http://www.dailymail.co.uk/news/article-3627528/Neighbours-reveal-nightmare-ten-year-battle-four-storey-mega-basement-28million-Kensington-mansion-left-overlooking-unfinished-vast-chasm-building-site.html>.

The proposed 100 Avenue Road development is on a significantly larger scale so the potential for it to cause a nightmare for our community is that much greater.

Because it is not yet known when, or even if the 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 so be considered a "major" material alteration to the original plan and not a "minor" one. No new condition to ensure that the approved building is immediately erected following demolition can change this.

**Permission to vary condition 31 much therefore be refused.**

Yours sincerely  
Surekha Aggarwal  
Flat 6, 43 Eton Avenue, London NW3 3EP

**To:** LB Camden - Regeneration and Planning, Development Management  
**For the attention of:** Zenab Hafi-Ismail, Planning Officer  
**From:** Richard Ferraro BA(Hons) DipArch ARB RIBA FRSA  
28 Palgrave House, Fleet Road, London NW3 2QJ

**Subject: 100 Avenue Road - Minor Material Amendment - Planning Application  
2016/2803/P**  
**2nd Letter of Objection from Richard Ferraro**

*Note: When I refer to Condition 1 and Condition 31, I refer to the Conditions of the Planning Permission for the main development at 100 Avenue Road, as set out in the Secretary of State's decision letter dated 18 February 2016, Ref: APP/X5210/W/14/300616.*

Dear Sir/Madam,

I wish to add to my previous letter of objection, sent to LB Camden on 11.06.2016. (My previous objections in that letter still stand.)

I hear that the Council may be minded to grant the wishes of the Applicant, ie to re-draft Condition 31, and thereby permit the change of sequence of events concerning the process of approval of important engineering matters (ref: the effects of the development on the Jubilee Line). If that is correct, I object to that outcome.

I also understand that, at the same time, the Council is considering the possibility of adding one or more **new Conditions** to the original Planning Approval for the main development, in an attempt to link the demolition of the existing building to the construction of the new building. I assume that, by such means, the Council wishes to reduce the time between completion of demolition and the construction of the new development.

In my view, when LB Camden is considering Planning Application 2016/2803/P, it is essential that the Council does not reduce the level of protection already provided in Conditions 1 and 31, ie already in place for the protection of the local and wider community regarding loss of amenity that would arise from a protracted delay between demolition and construction. (*NB: See my other letter of objection on this.*) It is also essential for the Council not to reduce the incentive as it already exists (under the requirements of Conditions 1 and 31 as currently drafted) for the Applicant to obtain approval to all the necessary engineering details as quickly as possible.

However, if the Council is proposing to protect the local community in a different way, by imposing one or more new Conditions that say something along the lines of **"begin the construction immediately after demolition"** or **"have a contractor in place ready to begin construction"**... then in my view the Council is wasting everyone's time and scoring an own goal. That's because phrases like that in Conditions are pretty well useless. They do NOT require the building to be built; at best they require the construction process to **"begin"**.

LB Camden should know from UK Case Law and local examples (**including** examples involving LB Camden in the past) that this type of Condition to **"begin the construction"** can be satisfied in law by doing only a very small amount of construction work, and then stopping again.

*In one example involving LB Camden in the past, the developer in such a situation dug a couple of foundation trenches and poured some concrete into the trenches, and then stopped the process of construction for several years. In that example, LB Camden chose not to prevent the construction of the development after expiry of the (then) 5 year period during which the construction was supposed to begin, even though at that stage neither the Council nor local residents wanted the development built. (The example referred to was a block of flats on the northern edge of Hampstead Heath.)*

All of this underlines the fact that Conditions 1 and 31 as now drafted in the Planning Approval (from the Appeal and as approved by the Secretary of State) provide the best possible level of protection to the local and wider community. Therefore, in my view, Conditions 1 and 31 should not be changed or diluted in any way.

**I therefore request strongly (again) that the Council refuses Planning Application 2016/2803/P.**

Yours sincerely,  
Richard Ferraro  
(Contact details as above)



Camden Planning

I am writing to **object** to the proposed demolition of 100 Avenue Road before foundations have been agreed.

It seems very clear to me that until it is 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, within an unknown outcome ( whilst awaiting approval of foundation plans) would by its 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 faithfully  
Michael Farthing

5 Maxwell Court  
67, Eton Avenue, London NW3 3EY



Dear Zainab Haji-Ismail,

We refer to the proposed demolition of the existing building at 100 Avenue Road, London NW3 to make way for the proposed new 24 storey building.

As you are aware, this 24 storey building has been roundly demonstrated against from the outset by a huge number of local residents. I would like to reiterate the feelings of the people of NW3 that this tall building is totally out of context to the surroundings and is an abomination and will impact seriously on the existing user-friendly, non-high-rise local area. Local people should be listened to.

I do not know if this 24-storey building was approved during the time that Boris Johnson was Mayor of London so I am therefore sending a copy of this letter to the present Mayor, Sadiq Khan, with a request to see if this Planning Approval could be re-evaluated.

As it is not yet known when or if the 100 Avenue road development can go ahead as planned, Camden Council should conclude that a demolition site for an indeterminate period would be totally unacceptable to the local residents. The position clearly is that of an unknown outcome while approval approval of the contentious foundation plans is awaited.

This undefined delay would cause 'harm' to the community and would have a disastrous effect on the local amenities in this important position.

It should be therefore be considered as a 'major' material alteration to the original plan and not as a 'minor' one. Any new condition to ensure that the approved building is immediately erected following demolition will not change this position.

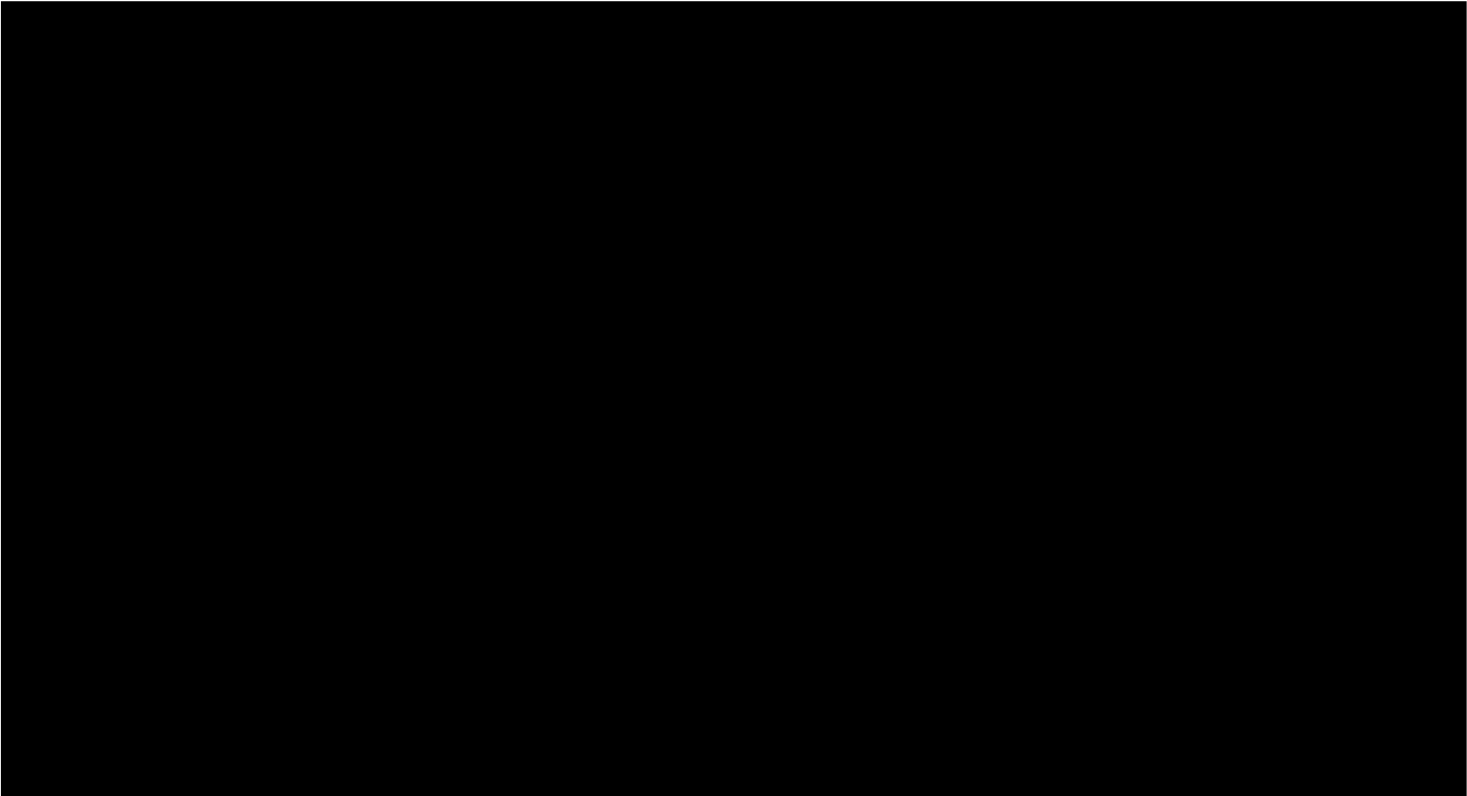
We therefore propose that Permission to vary Condition 31 must therefore be refused.

Regards

Ingrid (& Yusuf Ismail, RIBA, AADip, FRAIA)

50 Eton Avenue

London NW3 3HN



Ref: 2016/2803/P-100 Avenue Road

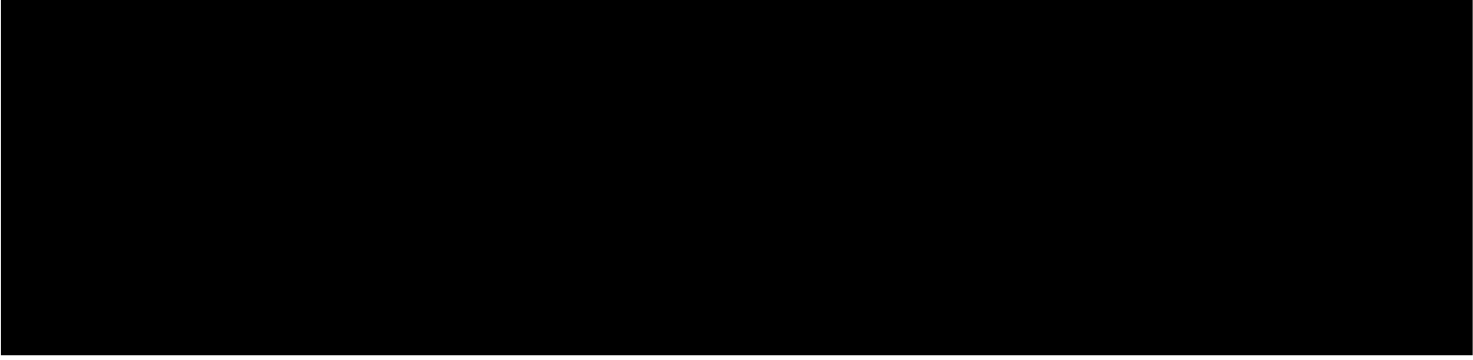
Dear Madam,

It is with some concern that I understand the developers are moving to demolish the property at 100 Avenue Road. I wish to register my objection to the intention of the developers to subvert the process of appeal and vary condition 31 which must be steadfastly refused.

Yours sincerely,

Harold Lorenzelli





Dear Mr. Haji-Ismail,


We are writing in support of the motion to deny variation to condition 31 of the planning permission to erect 100 Avenue Road.

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 their own definition, cause 'harm' to the community and amenity and so be considered a 'major'-material alteration to the original plan and not a 'minor' one. No new condition to ensure that the approved building is immediately erected following demolition can change this. Permission to vary condition 31 must therefore be refused.

Many thanks in advance for your consideration.

Kind regards,

Lev and Natalia Mikheev,  
30 Crossfield Rd.  
London, NW3 4NT

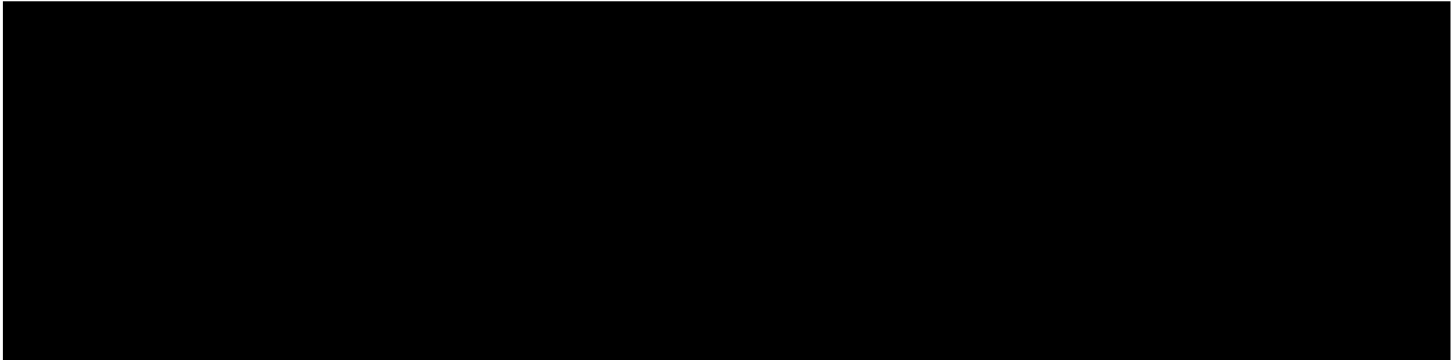


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As its unclear when the 100 Av. Rd development is going ahead. We don't want a huge empty messy site of destruction with lots of uncertainty for an indefinite period of time.

Its such a lovely green zone with swings, fountain area and lovely gardens. And having a disruptive building site for an extended time there is VERY UNDESIRABLE.

sue Carlin - Elsworthy Terrace.

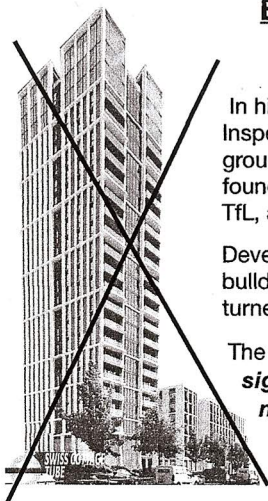


As a resident and tax payer from Swiss Cottage I would like to bring to your attention the decision mentioned below and ask it to be maintained. The whole project is an abomination. It makes nonsense of any respect for communal welfare and wishes.

Thank you.  
Genie Lee

## STOP 100 AVENUE ROAD BEING DEMOLISHED BEFORE FOUNDATIONS AGREED

### SAVE SWISS COTTAGE



In his decision to approve the 24 storey tower for 100 Avenue Road, the Inspector made a condition [No.31] that no demolition or above or below ground development can commence until full detailed plans for the foundation works have been submitted by Essential Living, agreed by TfL, and approved by Camden Council.

Developers Essential Living are now making their third attempt to bulldoze 100 Avenue Road earlier than allowed, having already been turned down twice by Camden.

The last refusal was that early demolition ***"would result in the risk of significant harm to visual amenity and the amenities of neighbouring occupiers"*** [Decision Notice [04/05/16].

They are now reapplying under a "minor"-material amendment instead of a "non"-material one.

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**. It is possible that it might ultimately not be viable 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 more easily vary their original scheme without submitting a new planning application, and gain significant commercial benefit.

A PUBLIC CONSULTATION IS OPEN UNTIL 25TH JUNE.

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 their own definition, cause 'harm' to the community and amenity and so be considered a 'major'-material alteration to the original plan and not a 'minor' one. No new condition to ensure that the approved building is immediately erected following demolition can change this. Permission to vary condition 31 must therefore be refused.

**PLEASE SEND YOUR OBJECTIONS ASAP –**

ref: [2016/2803/P -100 Avenue Road] to :

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

Email: zenab.haji-ismail@camden.gov.uk and Cc: planning@camden.gov.uk

**PLEASE PASS THIS ON** - to as many as possible. The more who object the better!

N.B. It will be enough to just write the last paragraph.

**LAST  
CHANGE**



**Dear Zenab Haji-Ismail,**

Ref: 2016/2803/P-100 Avenue Road, NW3 3HF

I am sorry to see yet another piecemeal attempt by Essential Living (Swiss Cottage) Ltd to circumvent the proper planning process at 100 Avenue Road, by asking you to approve Condition 31 **BEFORE** they have made all the detailed plans needed to show this massive tower can be safely erected on this site, directly above the tunnels of the Jubilee Line as well as local water and gas pipelines.

**This Condition was specified by the Planning Inspector after the Public Inquiry in July last year and is absolutely clear:**

31. Before development commences detailed design and assessment reports and outline method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning authority, such reports shall:

- provide details on all structures over and adjacent to LU assets
  - accommodate the location of the existing London Underground structures and tunnels
  - accommodate ground movement arising from the construction thereof
  - mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels and mitigate against any EMC (Electromagnetic Compatibility) issues arising from the construction of the new plant.
- The development shall thereafter be carried out in all respects in accordance with the approved design and assessment report, method statements and subject to an agreed monitoring strategy, and all structures and works comprised within the development which are required by the approved

**NOTHING should be allowed to be done to the existing building or the 100 Avenue Road site before the faulty**

**procedures allowing their awful plans have been properly evaluated and, we hope, rejected.**

The existing building at 100 Avenue Road **MUST NOT, UNDER ANY CIRCUMSTANCES** be demolished before the foundation plans for the proposed skyscraper have been properly evaluated.

Camden's Planning Department should have **NEVER** have accepted the concept of locating a massive 24-storey tower directly above the major tunnels of the Jubilee Line at Swiss Cottage, close to major gas and water pipelines, and on uncertain London clay. Accordingly, until proper surveys of the problems in this inherently difficult location are completed **NO CHANGES TO THE EXISTING BUILDING SHOULD BE ALLOWED.**

As a further point, the present building **SHIELDS** the Green and local residential housing, much of it lived in by vulnerable people and, as concerns rise over pollution and the deaths and ill health it causes, **YOU** must do all you can to stop these plans.

**It is appalling that Camden's planners failed to take this into account during the years they were involved in planning this awful development, the changes will cause serious harm to these residents and all those who visit The Green.**

Yours sincerely,

Mahesh