

From: David Reed [REDACTED]
Sent: 25 July 2016 14:17
To: Haji-Ismail, Zenab; Planning; PlanningCommittee
Cc: PlanningCommittee; Johnson, Heather (Councillor); Freeman, Roger (Councillor); Beales, Danny (Councillor); Cotton, Richard (Councillor); Gimson, Sally (Councillor); Harrison, Adam (Councillor); Jones, Phil (Councillor); Marshall, Andrew (Councillor); Olszewski, Richard (Councillor); Pietragnoli, Lazzaro (Councillor); Rea, Flick (Councillor); Rosenberg, Phil (Councillor); Stark, Stephen (Councillor); Vincent, Sue (Councillor); Wood, Abi (Councillor); Yarde, James (Councillor)
Subject: 100 AVENUE ROAD, LONDON, NW3 3HF, Application No: 2016/2803/P
Importance: High

For the attention of Camden Planning Department, Development Control and Planning Committee Councillors,

Re: 100 AVENUE ROAD, LONDON, NW3 3HF, Application No: 2016/2803/P

Please find below **TWO MAJOR COMMENTS** relating to the above development.

ITEM 1

Meeting: Thursday 28 July, 2016

Agenda Item: 7(4) 100 AVENUE ROAD, LONDON, NW3 3HF

Application No: 2016/2803/P

Officer: Zenab Haji-Ismail

Proposal: Variation of condition 31 of planning permission 2014/1617/P dated 18/02/16 for demolition of existing building and redevelopment for a 24 storey building comprising a total of 184 residential units and flexible commercial and community use with associated works namely to change the point at which technical details relating to ground floor and underground structures are submitted.

RECOMMENDATION: Grant variation of condition subject to a Section 106 Deed of Variation

THIS IS WRONG! We trust you will oppose this proposal to abandon one of the key conditions placed by the Planning Inspector on the above development.

If granted, it would allow the developers demolish the existing building BEFORE they have confirmed that their proposed monstrous 24-storey tower can be safely built!

Given that this skyscraper will require substantial foundations right on top of Swiss Cottage Tube Station and all the associated tunnels, this could create a major problem if, after demolishing the building, they find they cannot build their awful complex. This could leave a demolition site for years, exposing the green space and all local residents to the stench, noise and pollution from the Swiss Cottage Gyrotory.

Just one further point, although it claims to have 184 residential units almost all of these are for short leases at high rents, NOT HOMES FOR LOCAL PEOPLE.

ITEM 2

ALSO, we have found another MAJOR DEFICIENCY in planning procedures for this massive development, as presented below.

Subject: Protection of Bats is required BY LAW

Dear Planning Committee Members,

There have been sightings of bats at the open space in Swiss Cottage, flying around the library, Hampstead Theatre, local houses and the other buildings there, including the office block at 100 Avenue Road.

As there are strict legal protection policies for these rare and delicate creatures – The Natural Environment and Rural Communities (NERC) Act 2006) – Camden Council must make sure that the Developers have provided the Council with all the information on the presence of protected species on site before any decision is made on the planning permission presently under consideration for the 100 Avenue Road building.

Camden's Planning Department should contact Essential Living (Swiss Cottage) Ltd URGENTLY to demand that this happens before any further steps are allowed.

To confirm the presence of bats and to ensure their safety, a full survey is essential, as detailed here:

These actions are required **BY LAW** when undertaking building or development work where bats may be present:

1. Contract an ecological consultant;
2. Undertake a bat survey (at the appropriate time of year);
3. If bats are present, compile a mitigation plan/method statement to be shared with architects and/or building contractors;
4. Incorporate the bat survey report and mitigation plan/method statement into planning application;
5. Apply for planning permission;
6. Apply for an EPS license (if needed);
7. If granted, carry out works with ecologist supervision;
8. Compliance check to ensure that mitigation is being properly implemented;
9. Monitor the site to check response of the bat population to the mitigation.

SPECIFIC REQUIREMENTS INCLUDE:

• The authority should request that the developers commission an appropriate survey to determine the potential for bats on site, and/or the presence of bats.

• If a bat survey demonstrates that development is likely to affect bat foraging and/or commuting habitat: Linear features such as tree lines should be retained, and compensatory planting should be considered wherever possible.

• If a bat survey demonstrates that bats and/or a known roost are likely to be affected by the proposed development and planning permission is to be granted: **A condition should be placed on the decision notice requiring the developer to apply for, and obtain a European Protected Species Licence BEFORE any work commences.**

We trust that you will enforce these legal requirements at the earliest possible opportunity.

Bats are common right across London and in all local areas, as detailed by the Bat Protection Group (PDF), with over 500 sightings in the last decade in many nearby places including;

London Zoo (Regent's Park); Avenue Road NW8; Constantine Road NW3; St John's Wood; South Hill Park, Hampstead; Wadham Gardens, Hampstead; Froggnal Way NW3; Goldhurst Terrace NW6; Finchley Road NW3; Constantine Road, NW3; Boundary Road NW8.

And, of course, Hampstead Heath supports a wide variety of bats so that, given that the Swiss Cottage open space is only a few hundred metres from these locations, their presence here is not surprising.

In addition, since the 100 Avenue Road building has now been empty and unused for almost three years, there is a distinct likelihood of bats roosting in the undergrowth around the building or even in the roof areas of the building.

Accordingly, now that you are aware of this situation, we presume that you will instigate the necessary investigations well before any works are allowed or commenced in or near the 100 Avenue Road property.

We await your urgent reassurance on this matter.

Monica Caro, Chair, and **David Reed**, Treasurer
Save Swiss Cottage Action Group

David Reed, Flat 2, 56 Eton Avenue, London NW3 3HN, UK

