



Ref: 2017/6638/CMP 100 Avenue Road

Dear Mr. McClue,

We write to object in the strongest possible terms about the proposed Construction Management Plan (CMP) of Essential Living (EL) for the demolition and construction of 100 Avenue Road.

The route proposed for the lorries will greatly impinge on our everyday life and will, in fact, cause havoc for local residents of the area for at least 3-4 years.

EL's plans propose that these huge lorries should pass through the Swiss Cottage Open Space along the side of the current building, then through the small gap between this building and the Hampstead theatre. The CMP then plans for the lorries to traverse the Market Place, which is a totally pedestrian zone.

Besides destroying the market place, this area is our main path for walking to the shops on Finchley Road as well as to the Swiss Cottage tube station and buses. It can place our daily lives in danger and in the very least we will have to compete with these huge lorries every time that we need to pass through the area.

Also, according to EL's plans, their 14 lorries per day will go down Winchester Road, passing directly in front of the Mora Burnet house. How these elderly and frail residents would withstand all this extra traffic with the increased noise and pollution emitted right under their windows is really unimaginable.

One must also consider that to negotiate this difficult, tight corner of Winchester Road and Eton Avenue – if it can be done at all- these lorries will have to do some manoeuvring back and forth. In this process a lot of extra diesel fumes will be emitted as well as very loud beeping when reversing. It is not only most irritating for passers- by but will be completely intolerable for the residents.

The proposed CMP plan is totally unacceptable! Essential Living have admitted in their public consultations that they can accomplish the demolition and construction of 100 Avenue Road using access only from the A41. The Council should insist that this is done.

Yours sincerely,

Gabriel and Kitty Balint-Kurti
40 Eton Court
Eton Avenue
London NW3 3HJ

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Dear Sir/Madam

January 21, 2018

I am taking the time to send in this response to Essential Living's[EL] December CMP on the assumption that Camden will act upon its own guidelines as stated in its CMP Consultation section pro forma and in its *Community liaison guidance: guidance for developers and contractors*:

"In response to the comments received, the CMP should then be amended where appropriate and, where not appropriate, a reason given." [2.3] ... ***where the CMP has not been amended, an explanation of the reasons for not making changes..."*** [4.]

And that the Council, when reaching its decision, will honour its own CMP notes:

"The Council's role in the consideration of a CMP is to assess whether the developer and appointed contractor are carrying out the approved works in such a way that it causes **minimum impacts to the local community**. Only in a very small number of circumstances is the Council able to decide to not approve a CMP. In these circumstances there must be clear evidence that the construction methods proposed would cause avoidable negative impacts..." [Role of the Council; Camden website]

And that EL mean it when they say that their:

"overall aim is to reduce the impact of the works on the neighbours and businesses within the immediate area of the site...". [Key Issue 1: par.7]

On this basis I am going to assume that approval of this CMP is not a foregone conclusion and that what residents say can affect the outcome.

I object to the fact that **Essential Living [EL] has not re-routed its Access plans for demolition/construction of 100 Avenue Road onto the A41 and has not provided adequate explanations for not doing so - despite the fact that it is abundantly clear that not re-routing it will cause entirely avoidable negative impacts.**

Residents have pointed out time and again that all access must go via the A41 for very good reason: if demolition/construction vehicles are allowed to access the site via the Winchester Road they will – unnecessarily - force nearby residents (many of whom are among Camden's most vulnerable) to bear the brunt of the noise, pollution and upheaval of the build and it will – unnecessarily – diminish if not destroy the community's use and enjoyment of the very popular local amenity: the Open Space, the fountains , outdoor markets, flowering walkways, playgrounds, Hampstead Theatre and Central School of Drama forecourts, easy access to the tube station, library and gym. Heavy goods vehicles intruding into the Eton Avenue pedestrian area en route to the demolition/construction site will force the markets into a cramped space that could threaten their survival and will endanger the many children and adults who walk there; heavy goods vehicles will choke the narrow congested streets leading on to the site;

trees will have to be felled –unnecessarily - at both ends of the site to allow the heavy vehicles to enter and then exit along the now-threatened cherry tree-lined path to the A41.

At a recent CWG meeting, EL acknowledged for all to hear that they **could** carry out the entire build from the A41, but that it **might take 2 years longer**. [15.11.17]

Given that they **could** do all the work via the A41 the big question arises as to why EL prefers to foist all this upheaval and devastation onto a busy pedestrian area and wreak havoc with the community amenity for what boils down to **14 truck movements a day for 3 months and 7 truck movements a day for 3 years** – and when these vehicle movements are insignificant compared to the total number of movements planned via the A41.

It does not make sense. But EL explains:

“ An extension of the programme by two years would... have a direct impact on the viability of the scheme...” [par.10]

That is to admit that the whole issue of Access via the Winchester Road rather than access via the A41 issue boils down to EL's need to carry out their demolition/construction program fast enough to protect its profit margins. [!]

Needless to say, the local community is not swayed by this argument and nor should the Council (who are elected to protect the best interests of the community) be swayed by it either.

I could almost rest my case here, but as this is a technical exercise I will now turn to EL's responses to the concerns raised by residents in Responses Key Issue 1: Construction traffic/access/parking:

EL acknowledges that the key issue and number one priority for residents is that:

“ Heavy construction vehicles should not use Winchester Road and Eton Avenue. Vehicles should be rerouted via Avenue Road exclusively.” [par.1]

But with the exception of their viability justification for refusing to re-route all traffic via the A41, [above; par.10] the remainder of their responses offer a non-technical mixed bag of lame excuses, useless mitigations, unsubstantiated claims and self-serving judgments that provide no substantial reasons for continuing access to the site via Winchester Road:

Paragraph 2: ***“efforts have been undertaken specifically to try and mitigate the impacts on Winchester Road/Eton Avenue through the use of the A41 Avenue Road...”***

Paragraph 5: ***“on balance using a section of the Swiss Cottage Open Space to avoid significantly increased vehicle movements in residential streets is a better solution”.***

“an extended demolition and construction process resulting from exclusive use of the A41 could compromise an agreement with TfL”

- which is contradicted by what they say a few paragraphs later in Paragraph 15:

“Analysis of the amount of traffic movements related to the redevelopment of the site reveals that it is an insignificant proportion of the overall traffic movements along the A41 and will not cause unacceptable impacts.”

If demolition/construction would add so insignificantly to the overall traffic on the A41 why does EL assume TfL would be concerned by an insignificant amount more? And more to the point: if it is such an insignificant proportion of all traffic what is the problem of re routing **all** vehicle movements via the A41? An ‘insignificant proportion’ of traffic will have almost no impact on the the A41 but would have a huge detrimental impact on the Winchester Road/Eton Avenue Access.

Paragraph 6: ***“EL intends to use Avenue Road as much as possible and seek to minimise vehicle movements along the Winchester Road/Eton Avenue route.”***

When EL says it intends to use Avenue Road ‘as much as possible’ what they are saying is they intend to use Avenue Road ‘as much as is viable’ for their profit margins. What else can they be referring to?

“EL and its team has also reviewed site logistics but ...it is not practical to serve the whole site from the pit lane.”

For ‘not practical’ read ‘less profitable’: if it takes longer it will cost more.

Paragraph 7: ***“EL feels that this extension of time would cause more impact on the neighbours”***

Paragraph 8: ***“...EL believes that an extended demolition and construction period rather than any use of Winchester Road/Eton Avenue ... would not be beneficial overall to the community around the site.”*** [par.8]

In the rare instance where EL appear to be making a reasonable point, it turns out they are not:

Paragraph 4: ***“Various options for access and egress off the A41 were considered... EL tested other access points but these were discounted on grounds of significant risk to London Underground Limited (LUL) infrastructure and/or road safety concerns related to vehicle movements in areas of high pedestrian activity”***

EL has already established access points off the A41 which they are planning to use. In that case, why are they looking for “other access points” when they could just use the access points they already plan to use but over a longer period of time – unless of course their only concern is their profits?

The final paragraph’s thinly veiled threat to withhold community benefits funding affords an interesting insight:

“ An extension of the programme by two years would also have a direct impact ... potentially [on] the community benefits that could be provided.” [par.10]

In summary, it is obvious that EL has not been able to offer convincing explanations for refusing to **re-route** access to the site away from Winchester Road and on to the A41. Instead they have regurgitated the same old excuses they offered at previous meetings:

- ∞ to access the site solely by the A41 would take longer
- ∞ TfL would never allow it
- ∞ to prolong the build would impact the viability of the scheme.

To which our response is:

- ∞ residents do not care if the build takes longer so long as it spares the unnecessary degradation of the local amenity
- ∞ Residents have repeatedly asked EL to provide proof that they have held discussions with TfL on the possibility of a longer build via the A41 and proof that TfL has confirmed that they would not allow it. Nothing has been provided in this CMP.
- ∞ a community that is going to be so shattered by the demolition and construction of the build can hardly be expected to care if the developers don't make the huge profits they had originally envisaged.

If EL really mean it when they say that their overall aim is to reduce the impact of the works on the neighbours and businesses within the immediate area of the site...the way forward is simple: re-route all access to the build via the A41.

For Camden to *approve* this CMP it has to reach the conclusion that the demolition and construction program proposed by EL would clearly **not** cause **avoidable** negative impacts on the local community.

Or, put the other way: for Camden to *refuse* this CMP it has to reach the conclusion that the demolition and construction program proposed by EL would clearly cause avoidable negative impacts on the local community.

I believe the community has more than made the case that it is surely preferable to **not** blight the entire amenity than for EL to lose some of its profits.

Let us fervently hope that Camden will be able to put aside the understandable lure of Section 106 payments from EL and its realistic fear [EL have already let it be known that they will go to appeal] of expensive legal/court costs if EL is thwarted.

Camden can know that it will have the respect and gratitude of the community and as much help as we can muster, should it take the bold step to refuse this CMP.

Kind regards

Eddie Raff
Chair, Cresta House Residents Association
Former chair Save Swiss Cottage