

Dike, Darlene

From: Janet [REDACTED]
Sent: 23 January 2018 11:57
To: McClue, Jonathan
Cc: Planning
Subject: Ref: 2017/6884/P 100 Avenue Road

Dear Mr McCLue

I am writing to object to a serious breach of planning control. Developers Essential Living have recently carried out a partial demolition on the 100 Avenue Road building by removing the steps and disabled ramp from the southern entrance of the building with out permission from Camden and are now applying for a certificate for retrospective approval that will implement full planning permission.

There can be no justification for Camden to grant this application because the [Construction Management Plan](#) has not yet been approved by Camden. The Construction Management Plan is a legal obligation, applied by the Secretary of State, which clearly states: **“Not to Implement or permit Implementation of the Development until such time as the Council has approved the Construction Management Plan as demonstrated by written notice to that effect.”** [3.5.2].

According to the Construction Management Plan, 'Controlled Demolition' must first be carried out, including asbestos removal and 'Soft Strip' from inside the building [\[Appendix-M\]](#). Because the building is divided in the middle it is essential that there is safe access for all construction workers from both entrances before 'Structural Demolition' commences.

Essential Living have given no explanation as to why they could not apply for planning permission in the proper way. It is important that no one, including wealthy developers, are above the law.

For these reasons, I strongly object to this application.

Janet St. John-Austen

Dike, Darlene

From: [REDACTED]
Sent: 24 January 2018 12:43
To: McClue, Jonathan
Cc: Planning
Subject: Unauthorized Demolition - App. ref: 2017/6884/P

Dear Mr. McClue,

I strongly object that Essential Living (ES), the developers of 100 Avenue Road have breached the terms of the Construction Management Plan by demolishing the ramp and southern entrance to the building before the CMP is officially approved.

ES should conduct their business in a straightforward and proper way instead of this completely underhanded attempt to get retrospective planning permission.

Please do not grant this retrospective permission until all conditions of the CMP are met.

Kind regards,

Kitty Balint-Kurti
40 Eton Court,
NW33HJ

Dike, Darlene

From: McClue, Jonathan
Sent: 24 January 2018 13:28
To: Planning
Subject: FW: Unauthorised Demolition ref: 2017/6884/P 100 Avenue Road

-----Original Message-----

From: SandC [REDACTED]
Sent: 24 January 2018 11:17
To: McClue, Jonathan <Jonathan.McClue@camden.gov.uk>
Cc: [REDACTED]
Subject: Unauthorised Demolition ref: 2017/6884/P 100 Avenue Road

Dear Mr McClue

We are writing to object to a serious violation of planning control.

In December 2017, developers Essential Living partially demolished the 100 Avenue Road building by removing the steps and disabled ramp from the southern entrance of the building. Camden had not given permission and EL is now applying for a certificate for retrospective approval that will implement full planning permission.

Camden has not yet approved the Construction Management Plan so there is no justification for granting this application. The CMP is a legal obligation, applied by the Secretary of State and it clearly states: "Not to Implement or permit Implementation of the Development until such time as the Council has approved the Construction Management Plan as demonstrated by written notice to that effect." [3.5.2].

Again, the CMP states that 'Controlled Demolition' must first be carried out, including asbestos removal and 'Soft Strip' from inside the building [Appendix-M]. Because the building is divided in the middle it is essential that there is safe access for all construction workers from both entrances before 'Structural Demolition' commences.

Essential Living has given no explanation as to why they did not apply for planning permission in the proper way. The council must surely insist and demonstrate that no one, including wealthy developers, is above the law.

For these reasons, we object most strongly to this application being authorised.

Yours sincerely,
Sarah Courtin and Chuck Despins

Dike, Darlene

From: peter symonds [REDACTED]
Sent: 24 January 2018 14:17
To: McClue, Jonathan; Planning
Subject: Ref 2017/6884/P 100 Avenue Road

Essential Living's retrospective application for approval of their having, without prior permission, demolished the front steps and the disabled access ramp at the southern entrance to the existing building at 100 Avenue Road is yet a further demonstration of this developers' unethical tactics, its contempt for the concerns and objections of the local community, and its complete disregard of Camden's planning processes.

EL claim merely to have implemented planning, when in fact the CMP is a bilateral requirement of a Section 106 legal agreement, applied by the Secretary of State, which clearly states: "*Not to implement or permit Implementation of the Development until such time as the Council has approved the Construction Management Plan as demonstrated by written notice to that effect*".

According to the Construction Management Plan, 'Controlled Demolition', including asbestos removal and 'Soft Strip' from inside the building, must be carried out first. Because the building is divided in the middle, it is essential that, until the council has approved the CMP and demolition proper is permitted, there should be safe access for all construction workers from both entrances. By removing a disabled ramp before permission has been given by Council, Essential Living is surely guilty of human rights violations under the Equality Act 2010 which states "*If a physical feature within the workplace creates a disadvantage for a disabled employee, steps must be taken to amend or remove the obstruction. Physical adjustments can include changes such as: The addition of a ramp rather than steps to access buildings.*"

Furthermore, Camden requires that no demolition works are carried out until a full consultation of a Construction Management Plan has been conducted with the local community and other affected parties, and that Camden is satisfied that this is so. In neither instance is this the case. First, this version of the CMP was only submitted to Camden on 5th December 2017, after a deliberately inadequate consultation, engineered by EL to ensure that the objections of the many residents who will be adversely affected would not be included. Secondly, this draft of the CMP has yet to be reviewed by Camden and has, therefore, still to be approved.

Further evidence of Essential Living's underhand tactics is borne out by the fact that this retrospective application was registered on the 18th December, 2017, in the last few working days before Christmas when, clearly, they gambled no one would be paying attention.

It is to be hoped that Camden, who have given written assurances that Essential Living's CMP would be examined in detail and only allowed to proceed if, and when, all the necessary conditions have been satisfied, will see the developer's latest action for what it is - a pre-emptive strike which enables them to claim, whatever hold-ups may occur in Camden's planning process, that work was started on site before the three-year time limit of their permission runs out in February 2019. There can no other explanation for why these developers are now applying for permission retrospectively, rather than in the proper way before the works were undertaken.

It was the unity of residents' opposition and the depth of local animosity to EL's plans which persuaded Camden Councillors to ignore their planning officer's recommendation and refuse permission for this reviled development, when it was first considered by the DCC in 2014. It was only an appeal to the Planning Inspectorate and the intervention of the then Secretary of State,

which permitted the scheme to go ahead. Despite the integrity of Camden's original decision, however, there lurks a deep distrust among the local community of our council's motives in its dealings with Essential Living. The current perception is that Camden, cautious of the expense of having yet again to go to appeal, is now merely paying lip-service to the idea of an even-handed and fair consideration of EL's CMP, and that it will, in this matter of the CLEUD - as it has with too many of EL's subsequent applications - take the line of least resistance. The direct result of such unwise decisions in the recent past, is that Essential Living have merely been emboldened to repeatedly override or ignore the proper planning processes incumbent on every other developer. It is understandable that public opinion now remains distrustful of Camden and implacably opposed to Essential Living, their plans for the area and their utter contempt for the concerns of the local community.

Only by finally standing up to Essential Living, making ethical and honest decisions based on the facts – even if such decisions risk a further appeal – and demanding that the proper processes are observed and adhered to, will Camden gain the confidence and full support of its residents.

It is now time Camden demonstrated that they alone make the decisions, that developers like Essential Living will no longer be allowed to impose their will on councils like ours or ride roughshod over the objections and concerns of an entire local community.

For these reasons, CRASH strongly objects to this application and respectfully asks you to refuse it

Yours truly

Peter Symonds
Chair
The Combined Residents Associations of South Hampstead
48 Canfield Gardens
NW6 3EB



TULIP SIDDIQ MP



David Joyce
Director Regeneration and Planning
Camden Council
Camden Town Hall
Judd Street
London
WC1H 9JE

HOUSE OF COMMONS
LONDON
SW1A 0AA

26th January 2018

Dear Mr Joyce,

I am writing on behalf of a number of residents who have contacted me about the Construction Management Plan (CMP) for the development of 100 Avenue Road recently put forward by Essential Living (EL). My constituents have complained about a general lack of consultation and a plan that many feel has left several important questions unanswered.

I have been informed that lots of local residents and business owners who will be affected by the construction works were not made aware of the consultation held by EL. Specifically, I understand that those unaware of the consultation included residents of Winchester Road, Eton Avenue, Adamson Road, and Fellows Road, stall-holders at the Farmers' Market, and visitors to the Swiss Cottage Green Space. I also understand that local residents' groups – including CRASH and Cresta House residents association – were not informed of the meeting despite having been in communication with EL from the start of the planning process.

Consequently, many stakeholders feel that Essential Living have failed to hold the requisite consultation with the local community before submitting their CMP to the local authority. I am very concerned that those who stand to be most affected by the construction do not seem to have been aware of the consultation process.

In addition, I understand that the documentation regarding the frequency of vehicle movements into the park via the Eton Avenue pedestrian area was not available until the consultation came to an end. This is an integral aspect of the CMP and vital for the local community to understand the implications of the construction plan – without its inclusion, I worry that my constituents will have been unable to properly respond to the CMP.

Beyond the issue of consultation, local residents also explain that they are increasingly worried about the disruption that would ensue on surrounding roads with the CMP as it currently stands. I understand that Winchester Road and the pedestrian area of Eton Avenue are of particular concern - already experiencing congestion without the additional weight of traffic that would be brought with the commencement of construction on 100 Avenue Road. Many residents are worried about the way in which construction vehicles will conflict with, for example, the regular ambulance visits to Mora Burnet House Care Home.

Constituents have also raised safety concerns about the use of the pedestrian area by vehicles to access the park; construction vehicle access directly into the park from Eton Avenue is of great concern to the community and visitors that use the Open Space. Local residents have therefore suggested that construction vehicles should be limited to the A41 only.

Member of Parliament for Hampstead and Kilburn

In addition to this, there are worries about the potential clash between the development of 100 Avenue Road and other nearby construction currently ongoing or due to start soon. For example, there is ongoing work to the Taplow building on the Chalcots Estate that I understand is expected to continue for another 18 months. Residents feel that this has not been adequately considered in conjunction with the added volume of traffic the CMP would bring. Constituents also feel that without assurances from HS2 to EL that HS2 works will not have a detrimental impact on the 100 Avenue Road development, demolition works should not begin.

As I understand it, implementation of planning permissions should not be allowed until all section 106 pre-commencement legal obligations have been met. I was therefore very disappointed to hear that EL had started demolition with the unauthorized removal of the disabled ramp and steps from 100 Avenue Road.

Lots of constituents feel that, without the above points having been clearly addressed by the CMP, the plans remain unsatisfactory and are very worried that EL are not following due process. I share the concerns that my constituents have raised regarding the CMP and I would appreciate it if you would consider the above objections and update me as to the outcome your decision.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Tulip". The signature is written in a cursive style with a horizontal line underneath the name.

Tulip Siddiq MP
Member of Parliament for Hampstead and Kilburn