

Mr Rob Tulloch  
Planning and Build Environment  
Camden Council

Peter and Rosalba Moores  
Kemplay road  
London NW3

October 14<sup>th</sup> 2015

**APPLICATION REF: 2015/4373/P - OBJECTION:**

**Please refuse application ref: 2015/4373/P for the demolishing of and rebuilding of a new detached 4 storey house, which includes a new basement and new driveway:**

We live directly opposite the proposed development. We have not sought to incorporate the legal bases for the objection which are comprehensively covered in the objections mentioned below but fully concur with those objections:

1. Heath & Hampstead Society dated September 11<sup>th</sup>, 2015
2. Willoughby to Pilgrim's Lane Association dated September 30<sup>th</sup>, 2015
3. Hollins Planning dated September 30<sup>th</sup>, 2015

They should be deemed incorporated by reference.

**We object to this planning application for the following reasons and therefore request that the application is refused (please see more detail rationale for the objection in the following pages):**

Impact on the character of terrace and the conservation area (CS14 (Heritage), DP24 (design), DP25 (Conserving heritage):

1. Impact on the setting of Rosslyn Hill Chapel (CS14 (Heritage), DP24 (design), DP25 (Conserving heritage))
2. Neighbourhood amenity (DP26 (Impact on neighbours))
3. Parking, new dropped curb and new crossover (DP18 (Parking))
4. Basement Impact Assessment (DP 23 (Water), DP24 (Design), DP 26 (Impact), CPG4 (basements/light wells))
5. Trees (DP24 (Design))
6. Construction Management Report

Our understanding is that any demolition within a Conservation area needs to go to Committee. Is that correct and if so, please advise us of the proposed dates?

Our comments provide additional considerations below are meant to supplement and minimize any repetition with the above mentioned objections.

## Objections

### **1. Impact on the character of terrace and the conservation area (CS14 (Heritage), DP24 (design), DP25 (Conserving heritage)):**

The existing 730 sqft terraced house will be demolished and replaced with a new 2,739 sqft detached 4 storey house (basement plus three storeys above ground) and a new driveway.

Its detachment from the existing terrace by approx. 1m is disruptive to the character of Kemplay Road, seeking to set it apart from the present modest terrace, with contrasting form, details and material colours. It also narrows the view of the Chapel from Kemplay road and looks cramped. We think it should be refused on those grounds. If the developer (Kemplay road Ltd.) wishes to demolish and rebuild the building, they should ideally redevelop it within the existing footprint of the building and certainly not be permitted to detach the new development from the existing terrace.

Leaving it attached to the terrace will widen the view of the Chapel from Kemplay road by 1m without compromising the size of the development. Detaching the terrace coupled with widening the second floor reduces the view of the Chapel by 2.7m.

The current terraced houses have a stepped ridge line so any new property should reflect the gradient of Kemplay road. Gradient should be used as an opportunity to reduce the of the building i.e. drop down versus as excuse to build a taller builder than the existing one.

#### **Pre-App Advice:**

The Design & Access Statements p.8 refers to a consultation Ref: 2014/7433/NEW where e.g. “It was agreed that the ridge and eaves lines of the new building are to correspond with ridge and eaves lines of the adjacent building”. Is our understanding correct that any pre-app advice is not binding so that nothing could have been “agreed” so it is still open for consultation.

In the event permission is granted for the house but not the ugly and inadequately subordinate side extension, we would like a restrictive covenant in the deed in the event the property is resold to ensure that no side extension can be built on at any point in the future. If permission is granted for a side extension (no matter the size), we would like to ensure that a restrictive covenant is put in place to ensure that no in-fill extension can be built on the 1<sup>st</sup> & 2<sup>nd</sup> floor. This would reduce the harm to the setting of the Grade II listed Chapel at a future date.

The proposed plans do not contribute to the character of the Conservation Area. The development significantly impacts and does harm to the setting of the Chapel and impacts the views from Kemplay road.

### **2. Impact on the setting of Rosslyn Hill Chapel (CS14 (Heritage), DP24 (design), DP25 (Conserving heritage))**

We believe the consequences of this development place the “developer’s interest” ahead of the “public’s interest” by allowing them to increase footprint, width and mass of house which will harm the setting of the Grade II listed Rosslyn Hill Chapel:

- Footprint:
  - More than doubles from 40.7sqm to 86.6sqm reducing significant green space.
- Street frontage:
  - Ground floor: gone from 5.2m to 10.97m wide including the extension (+5.8m)
  - 1<sup>st</sup> floor and loft is approximately 7m wide up from 5.2m wide (+1.8m)
- Depth:
  - Increased to a depth from 7.64m to 9.945m (+2.3m)

- Corridor/Side Alley:
  - Approximately 1m wide (+1m)
- Outcome: It competes with and setting of the Chapel and obstructs the view of the Chapel by 2.7m from Kemplay road which is not in the public's interest.

The Heritage Statement fails to mention the fact that the Rosslyn Hill Chapel is Grade II listed which is deeply concerning. There will be considerable harm to the view of the Chapel from Kemplay road yet there is no mention of the public benefit of the development to help justify restricting the view.

### **3. Neighbourhood amenity (DP26 (Impact on neighbours))**

The depth of the proposed dwelling will increase from 7.64m to 9.945m which will include a two storey flank wall jutting out into garden which will create effectively a corridor which will dramatically impact the amenity of number 15. No proper light survey has been conducted.

### **4. Basement Impact Assessment (DP 23 (Water), DP24 (Design), DP 26 (Impact), CPG4 (basements/light wells))**

This makes no reference to potential damage to adjoining properties, particularly no. 15 Kemplay Road. It should do. Camden should ensure that the resident in number 15 needs are considered carefully before permission is given to this extensive development. BIA also needs to be a proper survey including the drilling of proper boreholes.

- a. The footprint appears to be bigger below ground than above ground which seem excessive and should be refused.
- b. A new front light well is 4.1m wide (80% of the width of the current house) and 1.8m deep. It uses up a significant amount of green garden space and is out of keeping with the rest of the terrace and Kemplay road which should be refused.
- c. Inadequate BIA i.e. desk based review and no bore holes.
- d. Inadequate consideration of the impact on the residents of No. 15 and No. 17 Kemplay road. I hope someone from Camden is assisting and/or explaining this development to them.
- e. Impact on the roots of the trees (Root Protection Zone (RPZ)) immediately in front of the house and on the Chapel grounds so should be refused.

We strongly oppose permission for the basement on Kemplay road.

### **5. Parking, new dropped curb and new crossover (DP18 (Parking))**

We strongly object to the creation of a new off-street car parking space and crossover. There would be two crossovers very close to one another (Chapel and No. 13) which would be a particular concern given the proximity of the Academy school on the Chapel grounds. This would not only add an ugly car to the streetscape, but also sterilise front garden area and green space. Additionally it would be contrary to Camden policies on carbon reduction; there is no reason why this could be retained as a car-free site. I would like Camden to explore putting in a restrictive covenant that this should be a car free development i.e. no access to a CA-H parking permit.

- a. Loss of street parking in an area that is already stressed
- b. Loss of tree to make way for a new driveway when tree should be replaced with a substantial specimen

### **6. Trees (DP24 (Design))**

Plans do not appear to accurately reflect the current development i.e. absence of trees.

The plans should accurately the current situation and there should be an Arboriculturists report which can help us understand the impact of the development on the trees in front of 13 Kemplay road as well as those on the Chapel grounds directly adjacent to the property. The Arboriculturists report should clarify whether the trees are dead or dying and whether they need to be felled in the first other than for the convenience of the developer i.e. for the new driveway. Although current plans involve felling both trees, one of which will make way for the proposed driveway, my view is that if it turns out to be necessary to fell the trees versus waiting until they die, they should be both replaced with substantial trees.

### **7. Construction Management Report:**

Construction Management Report says that the “site is situated within a residential community. The Contractors have considerable experience on working in similar ‘live’ residential environments.” The plan does not acknowledge the fact that the site is situated directly in front of The Academy school, on the former grounds of a Grade II listed Rosslyn Hill Chapel and does not mention their experience in that regard. There will be significant disruption (noise) to the residents of Kemplay road, the Grade II listed Rosslyn Hill Chapel and the Academy school. There will be extensive excavation and removal of earth necessary given the size of the proposed basement.

The resident in No.15 will be significantly impacted by the basement excavation so sincerely hope someone from Camden Council is providing the appropriate level of support.

### **8. Observation on planning notices and notification:**

We were surprised, given the type and scale of this development, that we initially only heard about this development from a resident on an adjacent road versus from Camden Council. In addition to not being notified by Camden Council, there were issues with respect to how the only planning notice was displayed i.e. initially missing and then a restricted view for a substantial period of the extended consultation period. The fact that our neighbours (other than directly adjacent) and ourselves were not consulted on this development despite the type and scale of development is deeply concerning. We believe the type and scale of this development is significant because it involves demolition of a house, substantial basement, loss of trees, harm to view of a Grade II listed Chapel, new driveway/crossover and loss of parking space.

We were fortunate to have been alerted to this development otherwise we may never have known.

**Based on all the above mentioned reasons please refuse permission for this development.**

Thank you and best regards

Peter and Rosalba Moores