

Mr Rob Tulloch
Planning and Build Environment
Camden Council

29th November 2017

Dear Mr. Tulloch,

Town and Country Planning Act 1990
Site at 13 Kemplay Road, London.
Application ref: 2015/4373/P.

I was pleased that members decided to defer the application at the planning committee meeting on 14th September 2017. Reading the minutes, members felt the proposed single storey side element caused less than substantial harm to the designated heritage asset and as there were no public benefits arising from the development then it should be deleted from the application.

This is welcome, but as highlighted in the paragraph 7.17 of the case officers report, residents have also raised the issue of a secondary gable. I note paragraph 7.16 of the report also mentions this and states that this part of the chapel would not be obscured as the architectural elevations suggest.

Residents have sent me a photo, taken in March 2014 (see overleaf) when the trees at the side of the application property are not in leaf. The photo shows a clear view across the application site to the main body of the chapel and the original side annex. The annex with its stained-glass window complements the form and setting of the principle gable. It is clearly visible from the street.

I appreciate I have not had to opportunity to visit the site and I can see in the photo the chapel is sited at a slight angle, if compared to the siting of application property. The photos has also been taken from a slightly elevated position and from the opposite side of the street. However, neither this photo, or the latest street view are so skewed that they misrepresent the degree to which the proposed dwelling would obscure the view of the chapel. I note that none of the photos or google street view, screen grabs that accompanied the committee report were taken from this direct viewpoint.

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The Listing description notes that the chapel incorporates *'a good range of 19th Century stained glass, in geometrical tracery, by Morris and Co to cartoons by Burne Jones, Henry Holiday, Clayton & Bell, Wilson & Hammond, Lavers & Westlake and Mayer & Co of Munich'*.

Up until October the application drawings had failed to show the full extent of the chapel and the annex. I don't think this was deliberate. After all, the heritage statement failed to acknowledge that the chapel was listed. However, now this matter has come to light it is a material consideration.

It is important to compare the superseded street scene drawing with the latest street scene drawings (see below). The superseded, proposed street elevation clearly shows no interference with any part of the chapel. The committee report for the April planning committee meeting, mentions views across the garden of No. 13, but it does not mention this side annex, instead it focuses upon the impact of the proposed dwelling on the main gable and the spire.

Superseded proposed street elevation



Existing street elevation (amended)



200

A

Proposed street elevation as amended



1

This does not necessarily mean that the assessment failed to take this part of the chapel into account. However, it would be reasonable to assert that any recommendation would also be guided by the submitted plan drawings, including the superseded street elevation, which shows a comfortable gap between the new building and the chapel. Now there is no longer a gap, it is evident the view of the chapel will be obscured by the building.

If officers had been supplied with an accurate street scene drawing back in 2015 then they might have come to a different conclusion?

It is understood officer's feel there is still no harm to the setting, although they have acknowledged that the proposed development would impact on view. Defining the setting of a heritage asset is not solely based upon a loss of view so in this respect officers are entitled to this opinion.

Historic England have produced a Guide relating to the Setting of a Heritage Asset in (Advice note 3) (2015). This document provides a detailed checklist for practitioners to help them define the setting of a particular heritage asset. This includes topography, the relationship with other heritage assets, design, land use and how the asset is experienced. However, it also includes views and this plays a significant part in the definition of the setting of a Listed building. For instance, paragraph 5 of the guide states:

'The contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, including a variety of views of, across, or including that asset, and views of the surroundings from or through the asset'.

I would assert that in this case the loss of view is important. The annex has a slight setback from the principle gable so the attached photo accurately depicts what is the last remaining view where the full extent of the chapel can be appreciated from the street. It will be blocked by the proposed dwelling.

The development will not create substantial harm as defined by the relevant paragraphs of the NPPF, but it will create less than substantial harm. This is irrefutable. As members have agreed there are no public benefits arising from the development. The default position must therefore be a refusal.

Suggested reason for refusal.

The proposed development because of its siting height and proximity to the Grade 2 Listed Rosslyn Chapel would because of its siting, scale and design would detract from the setting and architectural significance of this historic building. The application is therefore contrary to the Council's Core Strategy Policy CS14 (Promoting high Quality Places and conserving our Heritage) and Development Management Policies DP24 (Securing High Quality design) and DP25 (Conserving Camden's Heritage).

Andrew Hollins
Consultant Chartered Planner
MA MRTPI November 2017.