

Mr Rob Tulloch  
Planning and Build Environment  
Camden Council

Peter Moores  
20 Kemplay road

**APPLICATION REF: 2015/4373/P - Site at 13 Kemplay Road, London.**

**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.**

I was pleased that members decided to defer the application at the planning committee meeting on 14th September 2017 to negotiate the removal of the single side story and then that Camden decided to open up this application to a full consultation again.

I have not sought to incorporate the legal/planning regulations related bases for the objection which are comprehensively covered in previous objections and those mentioned below but fully concur with those objections:

1. Heritage Impact Assessment – Andrew Derrick dated Dec 2017
2. Hollins Planning dated – dated Nov 2017

**Background:**

The existing 730 sqft terraced house will be demolished and replaced with a new 2,739 sqft (although documents such as the Design & Access Statement have not been updated to reflect removal of the single side storey extension so exact square footage unclear) should be detached 4 storey house (basement plus three storeys above ground).

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 and encroaches on the view and therefore the setting of the Grade II listed Rosslyn Hill Chapel from Kemplay road and looks cramped. I 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.

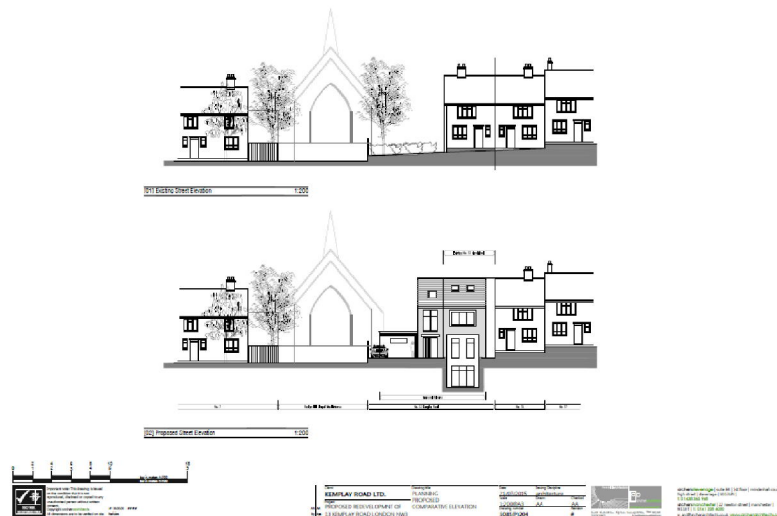
Leaving it attached to the terrace will widen the view of the Chapel from Kemplay road by 1m without compromising the size of the development. Detaching the terrace coupled with widening the house reduces the view of the Chapel by 2.7m.

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 height of the building i.e. drop down versus as excuse to build a taller builder than the existing one.

**Harm or *less than substantial harm to the designated heritage asset***

Reading the minutes from the planning committee meeting, 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. The difficulty here is that the councillors were presented with inaccurate drawings (missing secondary gable/aisle) (image 1) on the evening of September 14<sup>th</sup> 2017 which can be seen below:

**Image 1:**



Even based on this inaccurate drawing the councillors felt the proposed single storey side element caused ***less than substantial harm to the designated heritage asset*** but may have taken a very different view of the entire development had they been presented with an accurate set of elevations. No less than six different versions have been presented during the course of the application with three being submitted alone in October and November 2017. Up until October the application drawings had failed to show the full extent of the chapel and the annex. 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.

The final set of elevations dated Nov 2017 (image 2) look very different to the original drawings in the Design & Access statement (image 3) i.e. clear blue sky instead of the secondary gable/aisle incorporating a stain glass window (image 4) and those presented to the planning committee in September 2014. How are experienced planning councillors let alone residents supposed to navigate all these different drawings without the support of an updated Heritage Statement and Design & Access statement? Andrew Derrick's Heritage Impact Assessment attempts close this gap.

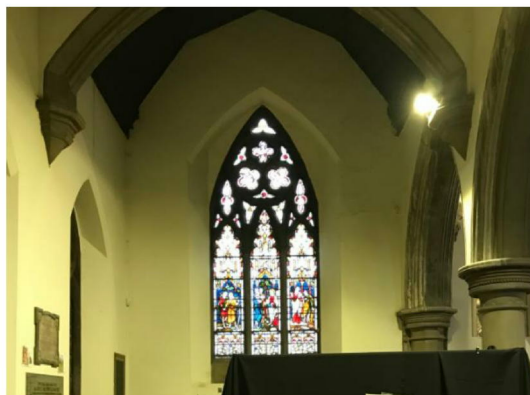
**Image 2:**



**Image 3:**



Image 4:



The National Planning Policy Framework (NPPF) states at paragraph 128 that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance [...]'.

**PLEASE REFUSE BECAUSE: the applicant has not submitted an adequate Heritage assessment as is required under The National Planning Policy Framework (NPPF) states at paragraph 128**

The Heritage Statement, as Andrew Derrick pointed out, accompanying the current application contains no description of the designated heritage assets whose setting is affected by the current proposals, no assessment of their significance, no assessment of the contribution made by their setting, and no assessment of impact. In fact it is not a Heritage Statement at all, but rather a design statement. The introductory section refers almost exclusively to the requirements of a design and access statement, part 2 to national design guidance, part 4 to design considerations. The only discussion on heritage matters comes in part 5, but again this is devoted to design considerations. While design is of course important, such considerations more properly belong in a Design and Access Statement.

The Heritage Statement. The NPPF states that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The submitted Heritage statement fails to mention the fact that the Rosslyn Chapel which is next to the site is a Grade 2 Listed Building. This is a glaring omission.

As such it fails to meet the requirements for submissions, as set out in NPPF paragraph 128, and in Andrew Derrick's opinion, which I fully agree with, ought not to have been accepted when the application was registered. Given the legal requirement for decision makers to have special regard to the desirability of preserving listed buildings and their setting, and to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area, the absence of an adequate Heritage Statement is a matter of concern, since any scheme or decision based upon it is likely to be Flawed

I 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

**PLEASE REFUSE DUE TO: Less than Substantial Harm/Public Benefit.**

The committee report refers to paragraph 134 of the NPPF, which states that where a proposal leads to less than substantial harm it is necessary to weigh this against the public benefits of the proposal. The applicant has not identified any public benefits that would arise from the development so the application should be refused.

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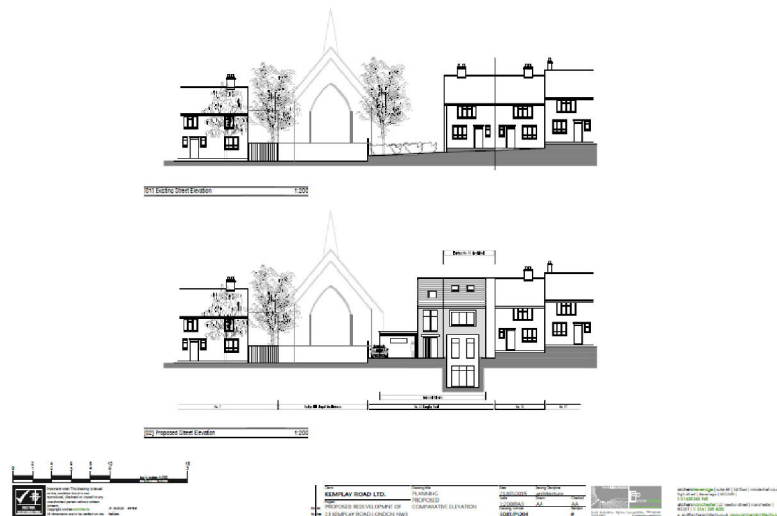
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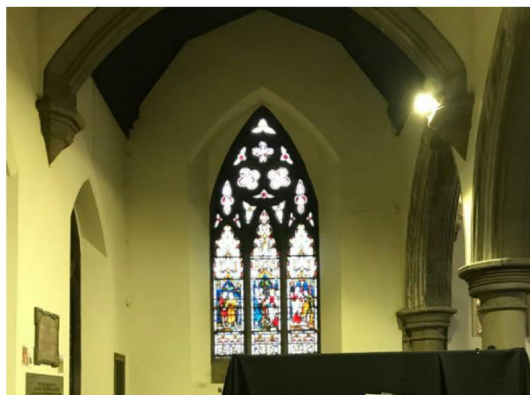


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**Summary Refusal Reasons:**

1. Harm or Less than Substantial Harm to the Grade II listed heritage asset- As per the minutes from the planning committee meeting, 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. The difficulty here is that the councillors were presented with inaccurate drawings (missing secondary gable/aisle) on the evening of September 14<sup>th</sup> 2017 and may have refused the entire development had they been given accurate elevations i.e. if the sixth version (Nov 17) had been made available earlier.
2. The applicant has not submitted an adequate Heritage assessment as is required under The 128 of the National Planning Policy Framework (NPPF). Detaching the house by 1m will add to the Less than Substantial Harm to the setting of the Grade II listed heritage asset.
3. No Public Benefit identified or explained by the applicant proposed. The committee report refers to paragraph 134 of the NPPF, which states that where a proposal leads to less than substantial harm it is necessary to weigh this against the public benefits of the proposal. The applicant has not identified any public benefits that would arise from the development
4. Repetitive inaccurate drawings submitted by the applicant which gave false comfort to the residents and council committee with respect to the impact on the setting of the Grade II listed Chapel not to mention other issues such as a list of unexplained historical circumstances with regard to this application from missing planning notices, undelivered notices to objectors and omission of meeting planning meeting dates on the Camden website.

Many thanks for considering refusal of this application,

Rosalba Moores

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**Camden Council Customer feedback and enquiries**  
**Comments on a current Planning Application - Ref. 21104290**

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**Planning Application Details**

Year 2015  
Number 4373  
Letter P  
Planning application address 13 Kemplay Road

Title Dr.  
Your First Name Constantinos  
Initial  
Last Name Missouri

Organisation  
Comment Type Object

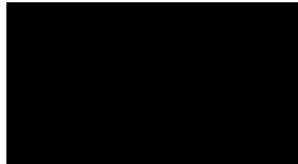
Postcode NW3 1TA  
Address line 1 23 Kemplay Rd  
Address line 2  
Address line 3

Postcode NW3 1TA

E-mail

Confirm e-mail

Contact number



Your comments on the planning application

The original objections have not brm satisfied in full.  
I strongly object to the compromise of the church view  
From the street in prefetence to a new dwelling.

**If you wish to upload a file containing your comments then use the link below**

No files attached

**Camden Council Customer feedback and enquiries**  
**Comments on a current Planning Application - Ref. 21104290**

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**About this form**

Issued by	Camden Council Customer feedback and enquiries Camden Town Hall Judd Street London WC1H 9JE
Form reference	21104290

[REDACTED]

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**From:** Tulloch, Rob  
**Sent:** 04 December 2017 11:19  
**To:** Planning  
**Subject:** FW: Objection to revised plans, 2015/4373/P, 13 Kemplay Road

Hi guys,

An objection to register.

thanks

Rob Tulloch  
Senior Planning Officer  
Planning Solutions Team  
Regeneration and Planning  
Supporting Communities  
London Borough of Camden

Telephone: 020 7974 2516  
Fax: 020 7974 1680  
Web: [camden.gov.uk](http://camden.gov.uk)

2nd Floor  
5 Pancras Square  
London N1C 4AG

Please consider the environment before printing this email.

**From:** Janine Griffis [REDACTED]  
**Sent:** 04 December 2017 10:58  
**To:** Tulloch, Rob <Rob.Tulloch@camden.gov.uk>  
**Subject:** Objection to revised plans, 2015/4373/P, 13 Kemplay Road

Dear Mr Tulloch,

I am objecting to the proposed revised plans for 13 Kemplay Road on behalf of the Pilgrim's to Willoughby Residents Association.

It is clear from the revised drawings that the proposal will cause harm to the setting of the Rosslyn Hill Unitarian Chapel and is therefore contrary to the NPPF paragraphs 132-4, the Local Plan D2 and the Hampstead Conservation Area Statement. While the harm to the setting of the chapel may be less than substantial, there is no public benefit of the proposal to outweigh the damage that it would inflict.

The proposal is also contrary to the emerging Hampstead Neighbourhood Plan, DH2, 3.12: "Harm to a designated or non-designated heritage asset would include development that through its height, mass, profile or quality, obstructs or degrades that asset or its setting."

Since its construction in 1862, the setting of the Chapel has been increasingly damaged by encroachment, most seriously in the 1950's when the Council purchased what had been tennis courts northwest of the chapel on Kemplay Road to develop seven houses. At that time, the approach from Pilgrim's Lane was also blocked off by new development.

Most recently, the view of the chapel from Willoughby Road has been completely obscured by an infill development in front of the church hall, which pre-dates even the church.

Even in the 1950's, however, a gap was left in the development of the houses on Kemplay Road, with the result that the full width of the church can be appreciated only from Kemplay Road.

The revised proposal would obscure the west aisle of the church, allowing the full width of the church to be seen from only a narrow viewpoint. It clearly does not preserve or enhance the setting of the chapel or the conservation area and for these reasons should be rejected.

Sincerely,

Janine Griffis  
Chair, Pilgrim's to Willoughby Residents Association  
14 Denning Road, NW3 1SU