

Our Ref: 3161/JF/LT20220726

27th July 2022

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Dear Sofie,

13 KEMPLAY ROAD – 2022/1337/P

I am writing with respect of the above application for the ‘*erection of a replacement two storey dwelling with basement following demolition of existing*’ at 13 Kemplay Road. An objection has been submitted by Hollins Planning on behalf of neighbours (dated 15th June 2022). This letter therefore provides a response to the matters raised within the objection. The same headings are utilised for consistency.

Scale, Design and Heritage

It is asserted that the current proposal is similar to one previously rejected by the Council. The current proposal in fact draws upon elements that were approved as part of the previous application (application ref. 2015/4373/P) and includes additional elements, such as the single storey side element, to provide a modern family space but with appropriate justification to confirm why such elements are acceptable.

The scheme has also evolved following that presented at the pre-application stage, which was much larger and incorporated a much more modern design. The current proposal has thus been carefully considered so that it retains elements of the previously approved scheme but also includes elements which are considered to be acceptable and which respect the site’s location within the Conservation Area and adjacent to the Grade II listed Chapel.

The objection raises concern in particular with the proposed flank elevation, the proposed fenestration, the rear elevation and the single storey side element. These matters are considered in turn.

With respect of the flank elevation, due to the location of no. 13 and its position relative to Rosslyn Hill Chapel and the existing landscaping and trees in this location, the proposed flank would not be readily viewed from the street scene and any limited views would be obscured. The design is however considered appropriate, enabling the inclusion of additional floorspace, to provide a family dwelling, without this manifesting as additional bulk. This ensures that the proposal preserves the character and appearance of the Conservation Area.

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Comments are also made with respect of the proposed fenestration. It is asserted that the proposed fenestration relates poorly to the existing terrace. It is noted however that the previously approved scheme did not propose identical fenestration to no. 15, its immediate neighbour, whilst no. 17 also includes contrasting fenestration to the rest of the terrace. The terrace is identified in the Conservation Area Appraisal as making a neutral contribution to the Conservation Area. With this in mind, the proposed fenestration is considered to be appropriate particularly bearing in mind the Council acknowledged in the Committee Report for the previous application that “*the modern design is an improvement on the utilitarian design of the existing building*”.

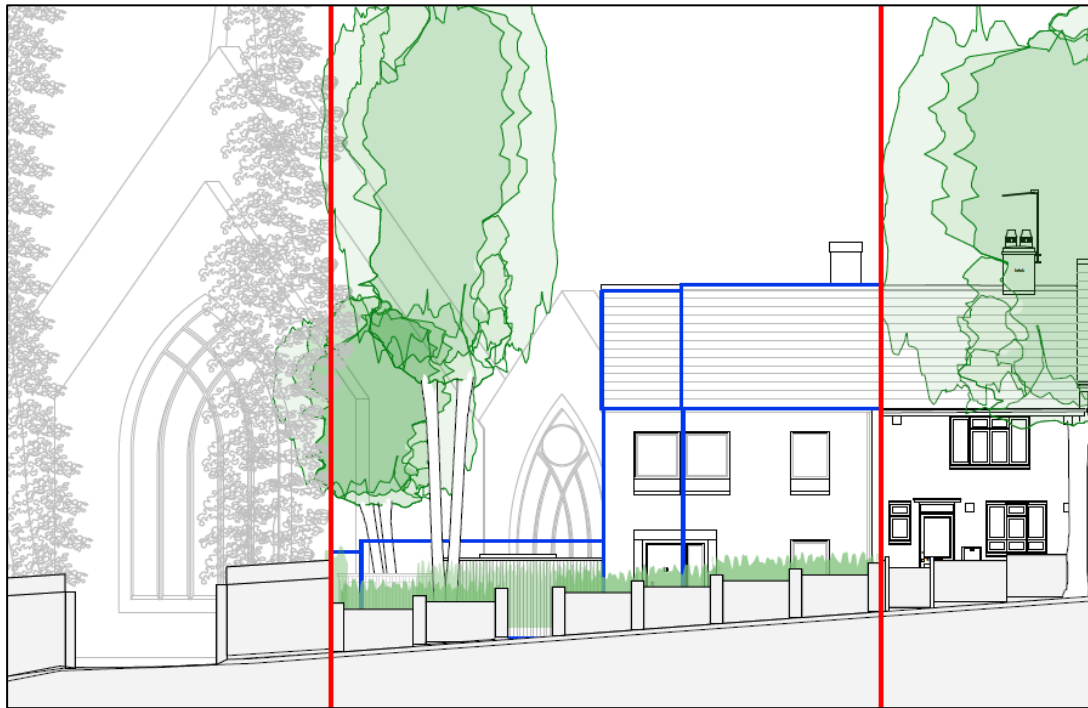
In terms of the rear elevation, whilst this comprises a slightly different design approach to the front, this is at the rear of the property and would partly be set at a lower level to Rosslyn Hill Chapel due to the levels across the site, whilst the two are separated by landscaping which would obscure any direct views. It is not considered that the proposal would lead to an over-dominant feature within the setting of the listed building.

In terms of the single storey side element and bike and bin store, the use of lighter shading on the drawings was used to identify these elements as being set back from the front building line. The side element is set approximately 3m back from the front of the property. Bearing in mind the set back and distance from the street (approximately 7m) it is considered that the result is comparable to that of the 1.8m close boarded fence approved as part of the previous application. This element is therefore neither harmful or unacceptable.

Appendix 3 and 4 of the Planning and Heritage Statement provides comparative drawings providing an overlay of the scheme as originally proposed as part of the previous application and that approved as part of the previous application with that now proposed. Extracts of these drawings are reproduced below for reference. From these drawings it can be seen that the current proposed side element is considerably smaller than that originally proposed with the previous application, whilst the height of the side element within the current proposal is also lower than the fence approved as part of the previous application.



Comparison Elevation – App 2015/4373/P originally proposed scheme shown outlined in blue



Comparison Elevation – App 2015/4373/P final scheme as consented shown
outlined in blue

The design of the side element, including its material finish is considered to be appropriate and complements the main part of the replacement dwelling. Unlike the approved basement kitchen, with a small lightwell space outside and steep steps up to ground level with poor accessibility, the proposed side element provides for a high quality family kitchen which has level access to the rear garden, whilst preserving and enhancing views to the listed Chapel. The Council and its members did not have the opportunity to assess the more considered response of this current proposal when determining the previous application.

The objection asserts that the current proposal seeks to reintroduce elements that were previously considered to be unacceptable i.e. the side element. However, as set out above, the current proposal introduces a side element which is approximately 1.5m lower than the side element initially proposed as part of the previous application. That element was considered to cause less than substantial harm to the listed building. The submitted Heritage Statement demonstrates however that the current proposal would not cause any harm to the listed building through the submission of views of the Chapel, directly in front of no. 13. These views are reproduced below for reference.

The existing view demonstrates that due to the nature of the site and the existing vegetation, which is largely overgrown, views of the Chapel aisle are extremely limited. The proposed view demonstrates that, with the proposed finish and design of the proposal, particularly that of the side element, it will not adversely impact views of the Chapel.

It is considered that with the overall improvements to the site and landscaping, the development will enhance the view, compared to the existing situation. The proposal would not therefore result in any harm to the listed building.



Existing View



Proposed View

In terms of the Conservation Area, it is considered that the proposed replacement dwelling offers a high quality design, drawing on the previous approval and which is of an appropriate scale and finish at the end of the terrace. As a minimum, it therefore preserves the character and appearance of the Conservation Area.

Amenity

The objection identifies the possible impact of the proposal on the outlook of no. 15, identifying that it could have an overbearing impact. To confirm, the current proposal is not proposing to extend any further at the rear than the previously approved scheme, which is an important material consideration in the determination of this application. The Committee Report for that application notes that the distance of the projection at the rear would be equivalent to a modest ground floor extension and thus it was considered to be acceptable. It is not considered that a differing approach should be taken with respect of the current proposal.

Basement

The Basement Impact Assessment (BIA) is currently being reviewed by Campbell Reith and their Initial Audit was issued on 12th July. The matters raised within the Audit are being considered and a response is being prepared which will address those matters identified. This will then be reviewed by Campbell Reith before they issue their Final Audit. The BIA will thus be subject to proper scrutiny.

Determination

The objection seeks to persuade the Council to refuse the application without any engagement with the applicant. Whilst we consider the application to be acceptable and thus that planning permission granted, such an approach would however be contrary to Paragraph 38 of the NPPF which states that local planning authorities should approach decisions in a "*positive and creative way*" and to "*work proactively with applicants*".

We look forward therefore to discussing the application with you and trust the above assists in your review of the proposal.

Yours Sincerely,



Jessica Ferguson

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