

29b Doynton Street, London N19 5BX

Planning Application Ref: 2022/4331/P

Appeal against Camden Council Planning Refusal dated 20th December 2022

1. Summary

I am Rosa De Guero, the tenant residing at No. 29b Doynton Street, and I have decided to represent myself, with professional support, in appealing against the decision of the Camden Council to refuse approval for a roof terrace at the rear of my flat. My submission will present:

- 1.1 My personal circumstances, which are relevant to the reason and to the manner in which the development was undertaken.
- 1.2 The assessment of my planning application by Camden Council, which contains material errors, is negligent, unprofessional and misleading.
- 1.3 The true impact on the local community and conservation needs, supported by local testimonials and expressions of support.
- 1.4 Evidence of my medical conditions.

2. Background to the development of my roof terrace

- 2.1 I suffer from a number of medical conditions which are a major factor in my decision to create a roof terrace. I have included selected copies of confidential medical documents in Appendix A.
- 2.2 I suffered extreme physical, psychological and sexual abuse throughout my childhood at the hands of my mother, while my father was periodically working away from home until, aged 14, I escaped by running away.
- 2.3 My life-long physical and mental health conditions are medically linked to my childhood trauma, as documented in my medical records.
- 2.4 My symptoms of post-traumatic stress disorder (PTSD) are debilitating and have a significant impact on my day-to-day life. I struggle with severe anxiety and I experience night terrors and

flashbacks, which often leave me feeling overwhelmed and unsafe to leave my home. The chronic pain and fatigue I suffer as a result of my Fibromyalgia condition are incapacitating and, at times I can be confined to my home for weeks on end.

- 2.5 I am in need of fresh air and access to an outside space, and of some level of privacy, without being overlooked, so as to lie down and be able to deal with my chronic fatigue symptoms.
- 2.6 My flat has a very small balcony at first floor level, at the rear of the building, large enough for a small table and chair but not for me to lie down. It is also overlooked by neighbours from adjoining buildings and from buildings opposite.
- 2.7 My only realistic solution was to create a secluded terrace at roof level, an outdoor space which I could enjoy and gain some quality of life from, without leaving my home and without being overlooked.
- 2.8 I accept that I should have known that my roof terrace required prior planning approval but I had not been made aware of conservation area restrictions and I was anxious to improve my ability to manage chronic fatigue episodes and to create a calm environment which would help my mental and emotional wellbeing.
- 2.9 As a result of my medical conditions, I am unable to carry out regular work. My alternative, which has assisted my recovery, was to start voluntary work within the community, in order to support and help protect children and young people. In 2019 I founded “Survivors Can Shine”, a small non-profit organisation which is run by local volunteers with lived experience. Our work is valued and has been receiving financial support from the “Young Camden Foundation”, from “Camden Giving”, and lately from “BBC Children in Need”. Please follow the link below, to see the work we are doing in the community: <https://youtube/H32FjWnEtwk>
- 2.10 My roof terrace has already made a difference to my wellbeing and to the work I do. In turn, “Survivors Can Shine” is continuing to make a difference to my local community.

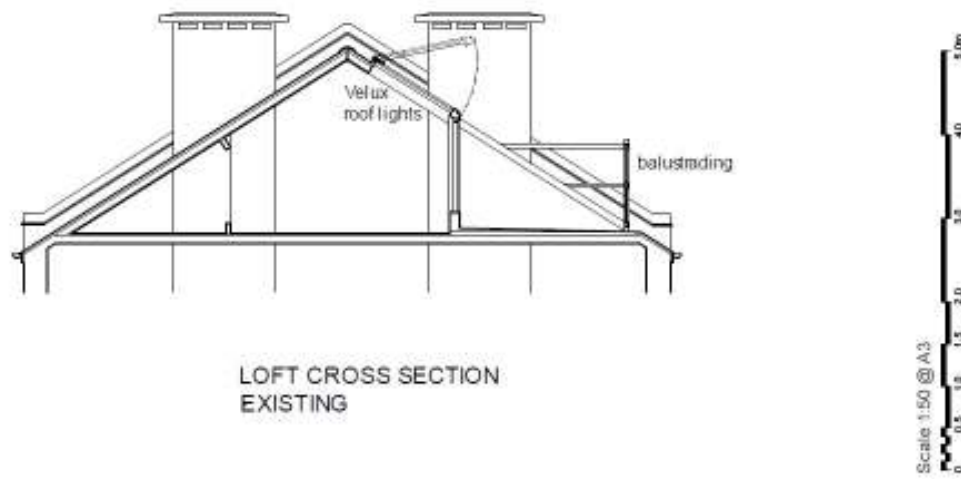
3. My planning application

- 3.1 I was first contacted by Camden Council following a neighbour's complaint about building noise from work on my terrace, resulting in an assessment visit and eventual planning enforcement notice.
- 3.2 I immediately sought advice on regularising my unintended planning breach and I was offered help by Angela Ryan, a principal planning officer with Camden Council, who had been made aware of my medical conditions and of my struggle to improve my emotional health and wellbeing. Ms Ryan advised that I should apply for retrospective planning approval. She also suggested that I should:
- (i) indicate clearly on drawings the distance between my roof terrace and nearest windows of adjoining properties;
 - (ii) plan to fit obscured glass panels to the terrace balustrading and privacy screens, to minimise overlooking of my neighbours;
 - (iii) ensure that the rear roof space, adjacent the new terrace, would not be used as a habitable space.
- 3.3 Documents submitted fulfil all above requirements and were further amended at the request of one of the Council's Building Control officers, to demonstrate that the rear loft space would be used for storage only, a function unchanged from that of the original roof space.
- 3.4 The drawings submitted to the Planning Department indicate, inter alia, a finished height of the balustrading surrounding the roof terrace of 1.1m, compliant with current Building Regulations and the finish for the steel framing as black paint, in keeping with the tradition of Victorian wrought and cast ironwork, or matching slate grey.

4. Camden Council's response

- 4.1 The Council's Delegated Report notes that no responses have been received from neighbours, during the consultation process. I am confident that the absence of objections is evidence that we have resolved all the potential planning concerns articulated by Angela Ryan, namely potential overlooking and visual impact of the balustrading, kept to an absolute minimum.
- 4.2 The objection from the Conservation Area Advisory Committee (CACC) refers to the proposed development as a "large dormer" and goes on claim, in emotionally charged terms, that it will damage the "host" building, the neighbourhood and ultimately the whole of the Dartmouth Park Conservation Area.
- 4.3 The CACC seeks to support its views with references to its own policies and to those of Camden Council, which deal primarily with issues relating to inappropriately designed dormers and loft extensions.
- 4.4 Camden Council's Planning Guidance (CPG Home Improvements, Dormers) defines a dormer as "a window that projects out of a sloping roof". My roof terrace does not include a window that projects out of the existing sloping roof, and no dormer was intended or, indeed, created.
- 4.5 The CACC comments indicate quite clearly that they were made in haste and that their author has neither given proper consideration to my proposals, nor viewed my roof terrace.
- 4.6 The Council's Delegated Report relies heavily on the CACC comments and states, similarly, that my roof terrace is incongruous and harms the visual integrity of the roof form. It also notes, incorrectly, that the height of the balustrading, both existing and proposed, is 1.6 m. This would be an absurd height, indeed. Balustrading, both existing and proposed replacement, rises 1.1 m above my roof terrace level. The Council has measured the height of the handrail incorrectly, because the cross section submitted has been ignored, and the depth of the retained roof slope, from the front edge of the terrace, down to the line of the existing gutter, has been added to the height of the balustrading.

The illustration below is part of one of the sections submitted with my planning application:



4.7 General references to policy documents are the bread and butter of planning report routines. The Council planners have failed, however, in common with the CACC, to examine my planning proposals with the necessary degree of care and professionalism and have reached inaccurate conclusions, which are not only biased, but ignore basic facts.

4.8 The CACC's and Council's assertions that my terrace is incongruous and damages the continuity of the rear roofscape of the Doynton Street terrace are gross exaggerations, as is their endeavour to project the presumed damage as having been inflicted on the whole neighbourhood and, further



afield, on the entire Dartmouth Park Conservation Area.

The photograph opposite illustrates the only possible street view of my terrace railings, from the playground on the corner of Doynton Street and Raydon Street (blue arrow points to my terrace railings, under a tarpaulin).

- 4.9 Camden Council has already presided over the wholesale destruction of the Doynton Street terrace historic character and Victorian roofscape: all “host” buildings have had original chimney pots and flaunching removed and the original brickwork of the chimney stacks cut down below corbelled brick courses. Original features have been replaced with incongruous and insensitive sets of precast concrete slabs and airbricks, giving the roofscape of the rear of the whole terrace a semi-industrial appearance.
- 4.10 Neither Camden Council nor CACC have acknowledged that the above changes are the epitome of inappropriate architectural design and unmitigated conservation vandalism; nor have they expressed any intention of reinstating the Doynton Street properties to their original condition.
- 4.11 My terrace is subordinate to the overall roofscape and, to the extent that it is visible against the existing skyline, it contributes a very small note of domesticity to an otherwise barren roofscape.
- 4.12 I must also raise the point that the assertion of the Council’s Chief Planning Officer, Daniel Pope, in his letter of 20th December 2022, that “in dealing with the application, the Council has sought to work with the applicant in a positive and proactive way” is completely false. I was not once contacted, nor was my consultant, between the date of my application and the date of the Council’s refusal. Mr Pope’s reference to “paragraph 38 of the of the National Planning Policy Framework 2021” does no more than quote a specific statutory obligation which the Council has breached with impunity, thus precluding any possibility of engaging in consultations or, if necessary, reaching a compromise.

5. Local community impact

- 5.1 Camden Council has already acknowledged that, in terms of amenity, my roof terrace has no impact on any of my neighbours and is compliant with the Council’s guidance and policies.
- 5.2 I have attached, under Appendix B, letters and emails received since the beginning of this year from neighbours, aware of my planning application or contacted by the Council as part of the consultation process.

- 5.3 They are supportive, without exception, of my roof terrace and of the “impact”, to use Council-favoured terminology, of the work done by “Survivors Can Shine” on the immediate community and, occasionally, beyond the boundaries of the Dartmouth Park Conservation Area.

6. Conclusion

In view of all above facts, I request the Planning Inspectorate to allow my appeal.

Appendix A: personal records – attachments numbered A #1 to A #7

- Change of Name, dated 13th May 2004
- Community Services letter, dated 12th November 1998
- Life Works letter, dated 17th January 2006
- The Oxford Development Centre, letter dated 23rd May 2016
- The Oxford Stress and Trauma Centre, letter dated 5th June 2016
- University College London Hospitals, letter dated 21st September 2021
- Brookfield Park Surgery, letter dated 1st February 2022

Appendix B: correspondence received from members of my local community – attachments numbered B #1 to B #4

- Letter from Lauren Jackling, dated 21st February 2023
- Letter from Marsha Hutton, undated, received 26th February 2023
- Email from Michael Scoones, dated 29th February 2023
- Email from Shirley Moy, dated 27th March 2023