

**Representation by Dartmouth Park Cohousing in the Appeal** 

**Who are we?**
We are Dartmouth Park Coho, an unincorporated membership organisation, made up of existing homeowners seeking to build a small cohousing development for older people, including ourselves and others, about half of whom would be nominated or referred to our group by Camden Council for an affordable home. We are group members of the UK Cohousing Network, the national promotional body for cohousing.

**Why are we submitting representations to this appeal?**We have put together our own planning application proposal for the appeal site, in the form of a Pre-App submitted to Camden Council in June 2015, but on which we have yet to receive our formal letter of response. This application was prepared with the knowledge of the site owners, and after a series of consultation events with the community and a week-long public exhibition prior to the Pre-App submission.

We think our Pre-app documentation and the council’s response (and non-response) to our application are relevant to the inspector’s consideration of the appeal.

**What documents are we submitting to this appeal?**One of our members submitted a consultation response to the Generator application, in the name of Joanna Haward on 04.05.2015 at 22:52:27, to which the inspector will already have access.

The inspector will not have seen our Pre-App documentation, and maybe not our two key source documents. The documents attached are numbered and referenced in the text below as follows:

1. Coho Pre-app pdf containing a scheme description and illustrative diagrams (June 2015)
2. Coho Pre-app live Excel files with Viability Appraisal calculations (June 2015)
3. Coho Pre-app Word file Follow-up questions to the council for reopening the Pre-app process, following the refusal of Generator’s planning application (Feb 2016)
4. Source Document 1- Camden Council’s Informative note on page 6 of the Refusal Notice to the ‘first’ Generator application (July 2013)
5. Source Document 2- Camden Council’s first Pre-app letter regarding the ‘second’ Generator application (Dec 2013)

The following sections set out the relevance and context for each document

**What is cohousing and why on the appeal site?**Cohousing involves the formation of group to develop an intentional community. All homes are self-contained for affordable, intermediate or market rent, shared or full ownership, with additional shared communal facilities to encourage the development of community and mutual support, especially for older residents, and more sustainable ways of living, in both urban and rural settings. Still, in its infancy in the UK, there are 18 established communities with about 70 other groups at various stages of development. This compares with over 800 in Germany, 600 in Denmark and 400 in the Netherlands etc, where supporting cohousing delivery is also part of mainstream public policy on housing and adult social care for older people, with learning difficulties etc.

In the UK, one of the main drivers for growth in demand for cohousing comes from older people, like us, looking for a housing and care choice not available from the state or the market. We live in or close to the Highgate ward, where this development is located. We have participated in the Dartmouth Park Neighbourhood Plan, from which we are aware that Camden LBC has the highest % of old people in London, and that Highgate Ward has the % in the borough, covering all forms of tenure. The appeal site is the only development site available in the neighbourhood for such a use to meet local needs.

See <http://www.cohousing.org.uk> for further information on cohousing and what is happening in the UK. There are currently 4 cohousing projects for older people in London, of which the [Older Women’s Cohousing project in Barnet](http://www.owch.org.uk/)  is on the point of completion and already the subject of much press and public interest.

**Why is our proposal relevant to the appeal?**
Our base representation is that our proposal is fully compliant with the policy line for the development of the appeal site adopted by the council in response to Generator’s first planning application, as set out in Documents 4 and 5. Our Pre-App submission can be used as evidence to counter the proposition made by Generator in their second application that the enabling development approach was not viable: a proposition later accepted and endorsed by the council, very surprisingly and without any explanation of the change of policy, in the officer’s recommendation to grant the permission.

Documents 4 and 5 proposed that an ‘enabling development’ would be permitted which maximised the amount of the site retained for community and leisure uses, and minimised the quantum of enabling housing development needed for that purpose.

Coho’s Pre-app submission offered a scheme that was compliant with this principle (Document 1) and demonstrated that with a comprehensive viability appraisal (Document 2).

At Coho’s first Pre-App meeting with council officers in July 2015, we were given the clear impression that this ‘enabling development’ approach was very acceptable in planning policy terms, subject to the resolution of some design issues, primarily the best location of the new homes on the site. They welcomed our plans for community ownership and control of the whole site by a Community Land Trust, and our proposal for the financing of the community benefits on this site, and the voluntary offer of affordable housing, even though the size of the scheme was below the threshold for an affordable housing requirement.

We stated our intention to carry out further consultation with community interests, in a way that would meet the council’s expectations in Document 5, and sought additional advice from the council’s sports service on the content of the community and leisure uses following the councils Pre-app response. The council officers indicated that we had gone further in meeting the letter and spirit of their policy requirements than the Generator scheme.

However, at that point, Generator’s planning application was due to go to committee in the week following our Pre-app meeting in July 2015, and we agreed that it would be sensible to wait on the outcome of that meeting before the council responded to us formally.

That short term deferral was extended by virtue of the long delay that then followed, with the planning application only reaching the committee in early January 2016. No public explanation has been given for this delay or why the applicant did not appeal for non-determination. During this period, the council’s policy positon appeared to have changed significantly for reasons which were not explained or even acknowledged in the officer’s report and recommendation to approve the application.

Following the committee’s refusal, Coho reactivated its Pre-app in February 2016, and requested the council to issue their formal letter of response. In the light of the significant change of policy position, we felt obliged to list a series of additional questions and points of clarification (Document 3) to establish whether we should proceed in line with the policies in Documents 4 and 5, or have regard to a new but not very clear policy position in the officer’s committee report.

There was a significant delay, with regular chasers, after one of which the council finally responded alleging it had not been clear that we had requested the letter. There then followed a very positive meeting with a new case officer for the site, whose response to our proposal was very similar to her colleagues’ at the previous July’s meeting. A letter was promised in a couple of weeks following the meeting.

After another delay, the draft of the letter had still not been agreed with her manager, and then, earlier this week, after further delay still, she claimed our emails had been diverted to her junk folder, and as she had now been moved to a new role, we would need to start again with a new case officer, who is the officer also handling this appeal.

It’s not obvious why this letter should be causing the council so much adminstrative (or political) trouble.

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| **Key points in support of the Council’s refusal of the application** |
| **1.** | **The applicant has only asserted and not demonstrated with any publicly available viability appraisal evidence that the enabling development approach was not viable. Coho’s scheme has less than one third of Generator’s residential floor area, and is demonstrably viable, with a significant margin of comfort.** |
| **2.** | **The applicant’s consultation process was wholly inadequate in terms of meeting the council’s expectations in Document 5, although it was in line with industry norms. The officer’s report did not challenge the statement of community involvement, though the committee was highly critical.** |
| **3.** | **The applicant made no clear or comprehensive proposals for the long term ownership and stewardship of the non-residential parts of the site that would satisfy the council’s expectations in Document 5. This was not challenged by the officer’s report, and neither the applicant nor the council’s presenting officer at the committee were able to give clear answers on this subject to the committee.** |
| **4.** | **If the applicants’ evidence of non-viability had been sufficiently convincing to then justify the change of use for the site, the Council’s Policy DP 15 states that *‘the Council’s preferred new use will be affordable housing.’* No consideration of this option was proposed at any stage during the public consultation, the Council’s Developer’s Forum or the committee report.**  |

**For information: Further actions by Coho**We will be taking further action to secure our Pre-app letter from the council in a timely manner. This may include FOI requests for internal council correspondence relating to our application.

One of the partners in our proposal is the newly established Fleet River Environment Trust, a community land trust, recently recognised by the council’s community rights team to be eligible to bid for the appeal site as an Asset of Community Value, if/when the site comes onto the market. The Trust is also an eligible body for the making of a Community Right to Build Order, and we are currently considering whether to make such a planning application.

***Stephen Hill MRICS and Joanna van Heyningen OBE RIBA, Members of Coho – 25/08/16***