

ROYAL BOROUGH OF KINGSTON UPON THAMES
CAMBRIDGE ROAD ESTATE (PHASES 1 & 2)_
COMPULSORY PURCHASE ORDER 2022

STATEMENT OF REASONS

1 INTRODUCTION

- 1.1 The Royal Borough of Kingston upon Thames (“the Council”) has made the Cambridge Road Estate (Phases 1 & 2) Compulsory Purchase Order 2022 (“the Order”) pursuant to a resolution by the Council of 20 April 2021.
- 1.2 This is the Statement of Reasons of the Council in support of the Order. The Order has been made pursuant to Section 226(1) of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) (“the 1990 Act”). In this Statement of Reasons, the land included within the Order is referred to as “the Order Land”.
- 1.3 This Statement of Reasons has been prepared in accordance with the “Guidance on Compulsory Purchase Process and the Crichel Down Rules for the Disposal of Surplus Land Acquired by, or under the Threat of Compulsion” issued by the Department of Communities and Local Government on 29 October 2015 (as updated in July 2019) (“the CPO Guidance”). It sets out the reasons why the powers of compulsory purchase contained in the Order are considered necessary and confirms the basis on which the Council believes there to be a compelling case in the public interest for the making of the Order.
- 1.4 The Council is satisfied that the proposed acquisition of the Order Land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land. In considering whether to exercise its powers to make the Order, the Council has, as is required, had regard to Section 226(1A) of the 1990 Act and considers that the proposed redevelopment will promote and/or improve the economic, social and environmental well-being of the Council’s administrative area.
- 1.5 The Cambridge Road Estate (“the Estate”) is a large housing estate, predominantly owned by the Council, which is located in the north of the Borough in Norbiton Ward.
- 1.6 The primary purpose of the Order is to facilitate the first two phases of the comprehensive redevelopment and regeneration of the Estate. The Council is confident that the proposed redevelopment will result in social, economic and environmental improvements to the Estate and the Borough. It will secure new private and affordable housing, securing both quantitative and qualitative improvements to the housing available in the Borough.
- 1.7 In this Statement of Reasons the term “the Regeneration” is used to refer to the overall development and regeneration proposals for the Estate and the term “the Scheme” is used to refer to the initial two phases of the Regeneration which are to be delivered on the Order Land.
- 1.8 Following the outcome of a regulated procurement process a 50:50 joint venture has been established between the Council and Countryside Properties (UK) Ltd (known as Cambridge Road (RBK) LLP) to undertake the Regeneration, which is to be delivered over five phases. The basis of the partnership involves the Council investing land and capital as equity, with Countryside bringing matched investment. Both parties are responsible for delivering the Regeneration through a Limited Liability Partnership (LLP). A Community Board has also been established to be the representative body for the community ensuring that their views continue to be taken into account at every opportunity.
- 1.9 The Council is now seeking to secure full control of the Order Land in order to ensure the delivery of the first two phases of the Regeneration.
- 1.10 Across the Estate there is considered to be an urgent need for redevelopment to give residents a much higher quality living environment, to increase the provision of mixed-tenure homes, and deliver comprehensive regeneration. The Order Land comprises Phases 1 and 2 of the

proposed comprehensive regeneration scheme, as shown on the Phasing Plan attached as Appendix 2.

- 1.11 Although the Council owns the freehold interest in the majority of the Order Land, the delivery of Phases 1 and 2 in full requires the acquisition of a number of interests currently owned by third parties.
- 1.12 The acquisition of the Order Land will enable the delivery of Phases 1 and 2 of the Regeneration. This will deliver new homes, community facilities, and environmental improvements in a manner that will improve the economic, social and environmental wellbeing of the area as set out in detail in this Statement of Reasons.
- 1.13 The Council has and will continue to take steps to consult and negotiate with the remaining third party owners within the Order Land to acquire their interests by agreement, but it is clear that compulsory purchase powers are needed to ensure that the Scheme can be delivered in full within a reasonable timeframe.

2 DESCRIPTION OF THE ORDER LAND

- 2.1 The Order Land forms part of the Estate, which is located in Norbiton Ward in The Royal Borough of Kingston. The Estate is 0.7 miles from Kingston Town Centre and fronts onto Cambridge Road to the north and bordered by Bonner Hill Road to the south. Norbiton Station is located 5 minutes north of the Estate and provides direct services to London Waterloo, Richmond and Shepperton.
- 2.2 The Estate is 8.6 hectares, and currently there are 832 homes on the Estate. The Order Land comprises 3.7 hectares with 271 homes.
- 2.3 The Estate was built in the late 1960s and early 1970s and is now in need of major investment in order to provide a more modern layout, up to date heating and insulation for homes, and improvements to the living environment it provides. As currently configured the Estate comprises a mix of high-rise blocks, lower-rise flats and maisonette blocks as well as terraced houses. The existing buildings include four 17-storey high-rises, low rise blocks ranging from 2-storey houses and bungalows to 5-storey maisonettes and flat blocks with elevated walkways and bridges to access upper levels.
- 2.4 The Order Land is predominantly occupied by residential uses in 11 blocks and 37 houses. There are a small number of non-residential buildings comprising a hotel (the Bull and Bush), as well as an existing single storey community building.
- 2.5 There are also a number of car parking spaces, garages, games areas, trees and grassed areas within the Order Land.

3 OWNERSHIP OF THE ORDER LAND

- 3.1 The Council owns the freehold of the majority of the Order Land. Of the 271 residential properties included in the Order Land, as at July 2017 64 were in third party ownership having been acquired by residents through the Right to Buy scheme since its introduction in 1980. The Council started the acquisition programme in July 2017 to support the regeneration proposals and to date 38 of these interests have been acquired by the Council), leaving 26 residential third party interests that need to be acquired across the Order Land.
- 3.2 A breakdown of the properties within the Order Land is set out below grouped between the two phases:

Phase 1

Name (Blocks)	Residential	Remaining 3rd party residential interests to be acquired
Tadlow	16	Nil
1-13 Odds Washington Road Houses	7	1
Willingham Way Houses 2-14	7	3
Grantchester	27	2
Fulbourn	27	Nil
Comberton	18	1
Ely Court	27	Nil

Non-residential
Piper Hall - Council freehold owned community centre. Various groups hire space including youth club, Refugee Action Kingston, Believers Love World Kingston Church, Christ Embassy Kingston.

Phase 2

Name (Blocks)	Residential	Remaining 3rd party residential interests to be acquired
Chesterton Terrace	13	7
Westwick	33	1
Chippenham	15	Nil
Burwell	18	3
Fordham	30	6
Connington	21	2
Caldecote	12	Nil

Non-residential
Bull & Bush - The property is held freehold and is an owner run business (hotel & bar).

3.3 The Council also wishes to acquire all private rights, covenants and other qualifying interests by which the Order Land is burdened, details of which are recorded in the Schedule to the

Order. The CPO will ensure that third party interests can be overridden, thereby ensuring that there are no impediments to the delivery of the Scheme.

- 3.4 Land already owned by the Council will be appropriated to planning purposes prior to development being carried out (appropriation authorised by Corporate & Resources Committee on 13th July 2021) in order to ensure that third party interests in the Council land can be overridden.

4 **NEED FOR CPO**

Kingston's Estate Regeneration Programme

- 4.1 The Council started work on its Estate Regeneration Programme (ERP) in June 2015 following a decision by Residents, Health & Care Services Committee to agree to develop proposals for a Housing Estate Regeneration Programme on behalf of the Council to help deliver growth, improve the quality of Council housing and provide additional new homes and facilities. Estate regeneration is considered essential to provide much needed additional housing and improve the condition of the Council housing estates to make them places where people want to live.

- 4.2 The aims and objectives of the ERP are:

4.2.1 Provide additional housing for the Borough as an important aspect of planning for growth strategy;

4.2.2 Providing more choice of size and type of homes including affordable rented, shared ownership and home ownership;

4.2.3 More efficient use of Housing Revenue Account (HRA) land assets with an increased income stream;

4.2.4 Building sustainable homes and communities where people want to live;

4.2.5 Improving the physical character of the Borough; and

4.2.6 Environmental improvements with more energy efficient homes.

- 4.3 Some of the current Council housing stock does not meet that requirement and will not be able to cope with the growth of population that Kingston will see over the next few decades. The ERP will support Kingston's proposals for growth, maximising the number of homes to be developed on its estates whilst providing all necessary amenities and infrastructure, including open space, and achieving excellent quality design and construction.

The housing challenges in Kingston

- 4.4 The Royal Borough of Kingston, like the rest of London, is growing. By 2035 it is forecast that the Borough population will increase by 37,200 (10%), creating a need for almost 10,000 new homes. The Council believes that this inevitable growth represents an opportunity and is the key to delivering greater prosperity and better outcomes for local people.

- 4.5 63.7% of Kingston households owned their property either outright or with a mortgage as at 2018 (Source: ONS, Annual Population Survey, Nov-2019), slightly lower than England average (65.8%) but higher than average ownership in London (52.7%). Kingston has a smaller than average proportion of social rented properties at 9% compared to England and London averages at 16% and 22% respectively.

- 4.6 Housing is considered to be 'affordable' if costs for rent/mortgage and other service charges/ Council Tax are no more than 35% of net income (although in the current climate, for London, this figure can creep up to just over 40%). The average income of residents in Kingston is around £36,170 (ONSASHE, 2020). On this basis only a one or two bedroom unit shared by 2 working adults is truly affordable in the Borough although this will change depending on location within the Borough.
- 4.7 The average house price in Kingston stands at £492,000 (ONES Oct 2019 - Sept 2020), 44% higher than price levels achieved in January 2013 (Source: HM Land Registry). House price increases outstrip earnings considerably. According to the [Office for National Statistics](#) (based median price paid for residential property to the median workplace-based gross annual earnings for full-time workers) house prices were 13.95 times higher than earnings in Kingston in 2020, and trends suggest they are likely to increase further. While the median earnings of Kingston residents were above the London average, house prices far outstrip earnings. For those on low incomes, these prices are a significant barrier to securing a mortgage and owning a property.
- 4.8 The median rental price for Kingston was £1,350 per month in 2020/21, 53% higher than going rental levels in Q1 2013
- 4.9 Currently only 11.8% of total housing in the Borough is social or affordable housing. The number of households in temporary accommodation has grown and that increase has specifically occurred within nightly paid accommodation.
- 4.10 At the end of September 2020 Kingston had 261 households accommodated in nightly paid temporary accommodation compared to 132 households on the same date in 2019. This represents an increase of just under 98% over the course of the year. The number of households accommodated in longer term temporary accommodation via the Council's Private Leasing Scheme was 449 in September 2020.
- 4.11 Kingston has struggled to deliver its required affordable housing completions in recent years. Whilst 2014/15 saw the completion of 174 affordable units, the highest number of completions in a single year for some time, most recently, the delivery of affordable housing has fallen short of set targets. 2019 saw the completion of just 96 affordable units (Source: GLA Housing Starts and Completions, MHCLG). At present, the only sources of affordable housing have been through Registered Providers and off the back of successful S106 negotiations.
- 4.12 The Council is on average losing 1% of its own stock to Right to Buy every year which equates to approximately 40 homes.
- 4.13 The Estate has the largest concentration of Council housing in the Borough with 653 social rented properties (prior to buybacks commencing). This makes up 14% of all Kingston owned housing. The Scheme will deliver a significant net gain in the number of social rented properties and once completed the Estate will provide a total of 767 social rented properties as well as 174 intermediate properties.
- 4.14 This is not only a quantitative increase because the quality of those 767 properties will also be a vast improvement on the existing social rented properties, ensuring the properties are fit for purpose for today's and future generation residents.

The Estate – need for regeneration

- 4.15 The Estate comprises 832 homes on a site of approximately 8.6 hectares with a mix of high-rise (seventeen storey) blocks, lower-rise flats and maisonette blocks and two storey terraced

houses. At the beginning of the programme 179 were privately owned dwellings with the remaining homes being a mixture of secure tenants and temporary accommodation residents.

- 4.16 The Estate is home to a stable and cohesive community including many households who have lived here for a number of years and are established in the area. However, despite being a relatively popular place to live, the existing housing stock suffers from a number of problems ranging from the size, type and quality as well as the accessibility of the accommodation relative to modern housing needs. The Estate suffers from significant condition issues but also fundamental design flaws that would make it impossible to deliver modern day 'secure by design' (including designing out crime and improving accessibility standards) through refurbishment due to layout and changes of levels across the site. The new housing to be provided will allow tenants and leaseholders to benefit from higher standards in terms of better insulated homes, increased accessibility and connectivity.
- 4.17 A survey conducted in 2017 by the Council found that the top five concerns that residents wanted the regeneration programme to address were:
- 4.17.1 A safer Estate for residents to live on;
 - 4.17.2 Better play facilities;
 - 4.17.3 Effective solutions to deal with current parking problems;
 - 4.17.4 Better housing; and
 - 4.17.5 No more tower blocks.
- 4.18 The open space within the Estate is generally of low quality with poor separation between different users e.g. dog walkers and children, and few facilities, though there are several games and play areas for younger residents of varying quality.
- 4.19 Natural surveillance is limited, with garages on the ground floor maisonette blocks facing into the Estate and a lack of active uses on the ground floor of the tall buildings. There are many secluded ground level alleyways and high level link walkways and block entrances to the maisonette blocks are not secured.
- 4.20 Whilst many residents have fond memories of growing up and living on the Estate, the reality is that due to the condition of homes and layout of the Estate, outcomes for citizens are the worst in the Borough.
- 4.21 The Cambridge Road Estate is in the 20% most deprived nationally (<https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>). This regeneration programme is fundamental to closing the inequality gap and increasing the healthy life expectancy of residents living on the estate. The link between poor housing and poor health is a basic social policy reality.
- 4.22 The layout of the Estate makes it easier for criminals to 'ply their trade'. Dark stairwells, alleyways and obscure hotspots mean the area is difficult to police. The Estate suffers from the highest rates of crime in the Borough. Tackling crime is a top priority for residents - through regeneration there is an opportunity to design out crime as the layout of the scheme will be open and accessible, thus reducing the opportunity for crime to be as prevalent as it is today.
- 4.23 The Estate is ranked the most deprived area in Kingston in Lower Super Output Area (LSOA) data.

- 4.24 The Estate is in the Norbiton ward and there are six LSOA that make up this ward:
- 4.24.1 Cambridge Road Estate;
 - 4.24.2 Norbiton Estate;
 - 4.24.3 Tiffin School to Bonner Hill Road area;
 - 4.24.4 Birkenhead Avenue to Hawks Road area;
 - 4.24.5 King Henry's Road / Dickerage Lane / Kingston Road area; and
 - 4.24.6 Cambridge Gardens.
- 4.25 The Cambridge Road Estate area is the most deprived LSOA in Kingston with an Index of Multiple Deprivation (IMD) rank of 4,000 on the IMD 2019 down from 4,711 on the IMD 2015 which is in the 20% most deprived in England (the fall of 711 places in rank reflects an increase in relative deprivation since the publication of IMD 2015). Although the IMD is an overall relative measure of deprivation, the lower the rank the more deprived the area. The LSOA with a rank of 1 is the most deprived and the LSOA with a rank of 32,844 is the least deprived in England.
- 4.26 In four domains (Income deprivation, Employment deprivation, Education, Skills and Training deprivation, Barriers to housing Services) of the seven distinct domains that make up the Index of Multiple Deprivation, the Cambridge Road Estate LSOA ranks in the bottom 20% nationally and is the most deprived LSOA in the borough.
- 4.27 Due to the relatively low density of the Estate and its proximity to transport routes and amenities, redevelopment of the Estate is an opportunity to build a significant number of new homes including additional Council homes. This is an important factor as the Council is committed to providing much needed new housing and wants to significantly increase housing of all tenures within the Borough.

Evolution of the Estate regeneration proposals for CRE

- 4.28 The initial work done by the Council was to look at the options available for the regeneration of the Estate. The option assessment criteria were set by the Council in 2015 as follows:
- 4.28.1 Additional number of homes - reflecting the Council's planning for growth strategy;
 - 4.28.2 Viability - reflecting the need for the programme to be affordable and sustainable;
 - 4.28.3 Quality of homes - reflecting the need to improve the condition of the Council's estates and build sustainable and more energy efficient homes;
 - 4.28.4 Quality of environment - reflecting the need for the environmental improvements and to build sustainable homes and communities where people want to live;
 - 4.28.5 Impact on the wider area - reflecting the need to improve the physical character of the Borough.
- 4.29 Fourteen development options were initially assessed as part of the Estate design feasibility study. These scenarios ranged from the retention of all blocks with infill development to the redevelopment of the entire Estate.

- 4.30 Nine scenarios were subsequently assessed in more detail to look at the viability of each. The outcome of this work (BDP Feasibility Study) identified three options as viable or very nearly viable. These were:
- 4.30.1 Refurbishment of all four towers only plus redevelopment of all other properties;
 - 4.30.2 Refurbishment of two towers only (Madingley and Brinkley) plus redevelopment of all other properties;
 - 4.30.3 Complete redevelopment of the Estate.
- 4.31 In March 2017, the preferred option identified by residents on the Estate was for full redevelopment and a 'clean' master planning process that would maximise the quality of the environment and best practice in urban design principles. This option also allowed for the design to optimise capacity, especially for affordable housing.
- 4.32 The Council agreed in March 2017 to progress the regeneration of the Estate by way of a 50:50 joint venture with a development partner. This was the recommended route as it had the advantages of allowing the Council equal control over the Regeneration going forward and an appropriate balance of risk and reward. It also enabled the Council to access skills and experience in regeneration that it did not have in-house.
- 4.33 The Council was awarded Housing Zone (HZ) and Building Council Homes for Londoners (BCHfL) grant funding from the Greater London Authority (GLA) for the project on the basis that a significant number of social rented properties together with a number of shared equity/ownership units would be delivered. The funding arrangements are subject to requirements to meet specific milestones such as dates for start on site and completions.
- 4.34 An Initial Demolition Notice was served by the Council on the entire Estate in July 2017 preventing further disposals under the Right to Buy legislation.
- 4.35 In preparation for the JV partner procurement exercise the Council drafted a Strategic Development Brief (July 2017, revised version April 2018) in consultation with the Council's Urban Design Officer, external architectural advisors, housing team members and the CRE Residents' Steering Group. Initial capacity work was also undertaken on the potential for redevelopment which concluded that around 2000 homes could be accommodated on the redeveloped Estate.
- 4.36 In July 2017 the Council authorised officers to start a process of buying back leasehold and freehold properties, funded by the grant funding that had been secured. It also approved in principle the use of compulsory purchase powers to secure vacant possession if necessary. Throughout this period the Council carried out a rigorous procurement process which took place over 18 months and culminated in the selection of Countryside Properties (UK) Ltd ("Countryside") as their partner for the redevelopment of the Estate in November 2018.
- 4.37 In March 2018 the Council approved decant policies for both Council tenants and leaseholders/freeholders. A further policy for Housing Association tenants was approved in November 2019. These policies formalised the Council's commitment to a right to return for current Council secure tenants and to financial support for owner occupiers to purchase a new property on the regenerated Estate or elsewhere if preferred through shared equity/ownership arrangements.
- 4.38 In May 2018 the Council's new political administration wanted to ensure that residents would be at the heart of decision-making for the Estate, rather than on the sidelines observing and believing their voice is not heard. Before proceeding with the redevelopment proposals the Council therefore carried out its own residents ballot. Whilst the Council had already secured

GLA funding and was not legally required to carry out a ballot in order to secure that funding, the Council resolved to carry out a ballot in order to enable residents to determine whether the proposed regeneration should proceed.

- 4.39 In March 2020 residents of the Estate voted overwhelmingly in favour of Council's plans to regenerate the Estate. On a turnout of 86%, 73% of eligible residents backed the plans. The ballot was run independently and was open to all eligible residents of the Estate using the GLA criteria.
- 4.40 Following the ballot result the Limited Liability Partnership (LLP) was formally set up as the body taking forward the Regeneration. The Council along with Countryside entered into an LLP Agreement to govern their relationship as members of Cambridge Road (RBK) LLP. The agreement, amongst other things, provides a framework for decision making and funding, with the details contained within the business plan. The LLP agreement additionally provides a mechanism for transfer of member interests, default and termination processes and procedures. Alongside the LLP Agreement there are further agreements which govern the obligations of the LLP in carrying out the development, the conditions precedent which need to be satisfied for each phase, and the detailed arrangements for the drawdown of the land for each phase by the LLP. There is also a CPO Indemnity Agreement under which the LLP indemnifies the Council for the costs of acquiring third party interests once the GLA loan funding has been expended.
- 4.41 Extensive consultation was carried out with residents and other stakeholders including a design review panel on the proposals for the Estate by the LLP culminating in the submission of the hybrid planning application to the Council in November 2020.

5 ENABLING POWERS

- 5.1 The Council is the local planning authority for the Order Land.
- 5.2 Section 226 of the 1990 Act enables a local authority to acquire land compulsorily for planning purposes. Specifically, Section 226(1) (a) of the 1990 Act authorises a local authority to exercise its compulsory purchase powers if it thinks that acquiring the land in question will facilitate the carrying out of the development, redevelopment, or improvement on, or in relation to, the land being acquired.
- 5.3 Section 226(1A) of the 1990 Act prevents a local authority from exercising its powers under Section 226(1) unless the local authority thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects: the promotion or improvement of the economic, social or environmental well-being of its area.
- 5.4 The Council is satisfied that the proposed use of compulsory purchase powers will result in the redevelopment of the Order Land in a manner which will bring about social, economic and environmental improvements through the provision of new residential dwellings and ancillary development. It will secure new market and affordable housing, securing both quantitative and qualitative improvements to the housing stock within the Borough.
- 5.5 The Acquisition of Land Act 1981 (as amended by the Planning and Compulsory Purchase Act 2004) sets out the process for compulsory purchase and therefore applies to the Order. The acquiring authority is the Council.
- 5.6 The CPO Guidance recognises (Tier 2 para 95) that the power in Section 226 of the 1990 Act provides a positive tool to help local authorities with planning powers to assemble land and

implement proposals in their local plan or where strong planning justifications for the use of the power exist.

- 5.7 The CPO Guidance provides general policy guidance on the matters that will be taken into account by the Secretary of State when assessing the merits of a CPO.
- 5.8 In addition to the general parts of the CPO Guidance, Tier 2 para 106 of the CPO Guidance sets out the factors the Secretary of State can be expected to consider in deciding whether or not to confirm an order under Section 226 (1)(a) as follows:
- a) Whether the purpose for which the land is acquired fits in with the adopted planning framework for the area – See Section 10;
 - b) The extent to which the purpose for which the land is being acquired will contribute to the promotion or improvement of the economic, social or environmental well-being of the area – see Section 11;
 - c) Whether the purpose for which the Acquiring Authority is proposing to acquire the land could be achieved by any other means – see Sections 4 and 9; and
 - d) The potential financial viability of the scheme – see Section 12.

6 THE REGENERATION AND THE SCHEME

- 6.1 The Council is seeking to acquire the Order Land to deliver Phases 1 & 2 of the redevelopment of the Estate. As set out above the redevelopment of the Estate overall is referred to as “the Regeneration” and the proposals for the Order Land which form part of the Regeneration are referred to as “the Scheme”. A planning application has been submitted for the Regeneration which is described in Section 10 below and it is intended to deliver the Scheme through the implementation of the planning permission to be granted pursuant to that planning application (“the Planning Permission”). The confirmation of the Order will enable the delivery of the Scheme comprising Phases 1 and 2 with the remainder of the Regeneration to be delivered over a further three phases.

The Regeneration

- 6.2 The Regeneration provides a once in a generation opportunity to deliver new modern homes for the current residents as well as deliver much needed additional homes. The Regeneration will also deliver new community facilities, office floorspace, retail/commercial floorspace, improved public spaces and accessibility, and will maximise opportunities for social connections to reduce isolation and promote inclusion. The Regeneration also seeks to design out crime, improve health outcomes, and uses an environmentally sustainable approach to development.
- 6.3 The Regeneration has been the subject of extensive consultation with residents. The initial consultation in 2015-2017 helped establish the overarching brief (Strategic Development Brief) and the subsequent extensive consultation has helped shape the masterplan underpinning the planning application.
- 6.4 The Regeneration has been sensitively designed in response to a detailed analysis of the site and local context taking into account the character of the area and the Council’s objective of delivering a high-quality development. It will transform the 1960s Estate and make a major and very visible improvement to the architecture and landscape of the Estate and its relationship with the surrounding area, reinstating a traditional street pattern, community spaces and gardens.

- 6.5 The Regeneration will deliver highly sustainable dwellings which will substantially reduce heating costs for residents. The new dwellings will also improve long term maintenance and management of building services as well as substantial environmental benefits.
- 6.6 The delivery of the Regeneration is anticipated to take place over approximately 12 years with the first new homes to be completed in the autumn of 2023 and an average of 300 new homes per year delivered thereafter, with overall completion by 2033.
- 6.7 Overall the Planning Permission (all phases) will deliver the following:
- 6.7.1 Demolition of the existing low and high rise blocks (and some houses);
 - 6.7.2 Creation of 2,170 new or replacement homes (net increase of 1,338 homes);
 - 6.7.3 A mix of social rented, intermediate and private units designed to meet current housing needs and space standards (including single decant for the majority of existing tenants);
 - 6.7.4 767 social rented homes (139 of them being 3 bed plus) and 174 new intermediate homes which equates to 43.36% affordable provision on a unit basis or 45% on a habitable room basis;
 - 6.7.5 1,229 new homes for open market sale;
 - 6.7.6 1,250 sqm of replacement community facilities;
 - 6.7.7 Up to 290 sqm office floorspace;
 - 6.7.8 Up to 1,395 sqm retail/commercial floorspace;
 - 6.7.9 Landscaped open and amenity spaces to support the Regeneration and contribute towards the creation of a high-quality environment, including 22,402sqm of soft landscaping;
 - 6.7.10 Over 250 new trees planted in streets, gardens and open spaces (almost doubling the current number of trees in the existing Estate) to diversify the range of species and habitats;
 - 6.7.11 Brown roofs and green roofs to support biodiversity;
 - 6.7.12 868 parking spaces;
 - 6.7.13 Approximately 4,026 cycle parking spaces; and
 - 6.7.14 Transport improvements including new signage to improve way-finding, pedestrian, cycling and environmental improvements in the area.

The Scheme

- 6.8 As described above the Scheme comprises Phases 1 and 2 of the Regeneration, and it is intended to deliver the Scheme through the Planning Permission, the detailed components of which are set out in this section.
- 6.9 Phase 1 will comprise: 452 residential units, 1,250sqm community floorspace, 290 sqm of flexible office floorspace and 395 sqm of flexible retail/commercial floorspace. Phase 1 will also

provide publicly accessible open space and associated landscaping works, beginning the process of the wider regeneration of the estate.

- 6.10 In addition to the new homes Phase 1 also delivers a new purpose built community centre which will become a focal point for the coming together of the new community. The space is being designed with the input of the residents and stakeholders so that the end product is one that is best suited to meet their needs and aspirations. The early delivery of the centre provides the opportunity for existing, new and rehoused residents to establish a welcoming and inclusive community hub.
- 6.11 Within Phase 1 are Plots B, C and E. The Phase is divided across two parts of the masterplan, with Plot C situated at the north of the Site next to the Hawks Road and Cambridge Road Junction. Plots B and E form the south western part of the Site next to the Rowells Road and Piper Road. In detail:
- 6.11.1 Plot B proposes to deliver a total of 44 new homes which will consist of social rented and shared equity homes. Plot B comprises a 6-storey building with a top floor element that is set back.
- 6.11.2 Plot C proposes to deliver a total of 202 new homes which are likely to consist of a mix of tenures (social rented, shared equity and open market sale). As the gateway building into the Site, Plot C is defined as a 'special' Townscape Marker building within the masterplan that assists with way-finding and placemaking. The building would have a 13-storey part on the north western corner (Block C1), with a 12 storey part (Block C2) to the east and a 10 storey part (Block C3) to the south. The layout of Plot C enables part of the Washington Piper Green Route to be delivered to the west of the Plot and for this public realm improvement to merge with the enhanced setting to the north of Plot C between the building and Hawks Road/ Cambridge Road.
- 6.11.3 Plot E proposes to deliver a total of 206 new homes which are likely to consist of a mix of tenures (social rented, shared equity and open market sale). Plot E comprises a podium Plot, with a shared landscaped amenity space within the middle of the building at first floor level. Blocks E1 and E2 sit at the north of the building and are 12 storeys in height, with 3 x 4 storey townhouses between. This arrangement is replicated at the southern end of the building with an 11 storey Block (E3) and 8 storey Block (E4) with 3 x 4 storey townhouses between.
- 6.12 As well as the delivery of 452 new homes, Phase 1 also delivers the benefit of non-residential uses to the masterplan in the form of a community centre, flexible office space and retail/commercial space within Plot C. Through including these uses in Phase 1, the economic and community benefits of the regeneration can be delivered early to new and existing residents of the estate.
- 6.13 Detailed Phase 2 proposals will be brought forward as part of a later Reserved Matters Application, however the illustrative masterplan envisages that Phase 2 will deliver 395 new homes across three plots - A, D and P:
- 6.13.1 Plot A – 118 new homes;
- 6.13.2 Plot D – 222 new homes; and
- 6.13.3 Plot P – 55 new homes.
- 6.14 Phase 2 is anticipated to provide new housing typologies, with some lower density blocks and houses that integrate with the residential areas to the west of the estate.

- 6.15 Crucially, Phase 2 is anticipated to deliver approximately 106 new affordable homes, offering decant homes for estate residents in later phases of development and unlocking land for further redevelopment of the wider estate. Delivery of these plots will complete the western side of the Estate redevelopment, creating a new sense of place and connectivity from Hawks Road through to Piper Road.
- 6.16 Delivery of the Phase 2 plots will stitch together the two Phase 1 parcels of land to create a feeling of cohesion and deliver a key, continuous route from Hawks Road to Piper Road. Though the delivery of Phases 3-5 will complete the masterplan vision, the delivery of Phases 1 and 2 will bring regeneration for a significant part of the estate and deliver on early wider placemaking and design objectives. In addition to the benefit of completing the western side of the Estate redevelopment, the first two Phases will deliver approximately 950 new homes, making significant progress towards the housing delivery targets of the masterplan.
- 6.17 Construction works will begin with Plot B in the south west of the Regeneration and will then move onto Plot C, approximately 8 months later. The construction of Block C will allow early establishment of new community facilities and the creation of a clear and visible intent for the Scheme. The phasing strategy will ensure that disruption is minimised to both the residents and users of the community facilities. The Council is keen to ensure that as much open space as is practicable is retained, in particular remaining open for use to the public throughout construction and an enhanced landscape is released back to the community as soon as possible.
- 6.18 Overall the Scheme will deliver the following through the implementation of the Planning Permission:
- 6.18.1 847 new high quality mixed tenure homes;
 - 6.18.2 Those homes will be zero carbon homes (achieved via connection to the district energy network, PV Panels, energy efficient measures and offset payments) as well as commitment to ongoing 'be seen' monitoring;
 - 6.18.3 1,250 sqm of replacement community facilities;
 - 6.18.4 A Multi Use Games Area (MUGA) will be provided in Madingley Gardens, prominently located next to the community centre;
 - 6.18.5 Creation of the Washington Piper north to south green link;
 - 6.18.6 290 sqm of office space;
 - 6.18.7 395 sqm of retail/commercial space;
 - 6.18.8 Landscaped open and amenity spaces to support the Scheme and contribute towards the creation of a high-quality environment;
 - 6.18.9 Retention of existing prominent trees;
 - 6.18.10 Brown roofs and green roofs to support biodiversity and an increase in the number of trees;
 - 6.18.11 Minimum 4,709.50sqm of play space provision for all ages distributed across the podium areas, public realms and new open spaces;
 - 6.18.12 A new energy centre, which will then serve subsequent developments as they come online;

6.18.13 253 car parking spaces; and

6.18.14 Transport improvements including new signage to improve way-finding, pedestrian, cycling and environmental improvements.

6.19 Completion of the Scheme will conclude works to the west of the Estate. Whilst greater benefits will clearly be achieved through the delivery of the entire Regeneration the Scheme itself will present a clear and complete transformation of this area with the key achievements being the delivery of 847 new homes including 244 social rented units, the Madingley Garden open space including the MUGA, the Washington:Piper north to south green public route and a new 1,250sqm community facility.

7 CONSULTATION WITH STAKEHOLDERS AND THE LOCAL COMMUNITY

7.1 Since September 2015, the following resident engagement and consultation has been undertaken to inform and shape the Estate regeneration plans.

7.2 From September 2015 to August 2016, consultation and informal monthly drop-in sessions were held to look at the potential options for the Estate. Formal consultation on three short-listed options took place in September and October 2016. This included a survey circulated to all stakeholders; a door knocking exercise and fifteen consultation events. The results were presented through two feedback sessions and in the Regen newsletters and the dedicated web pages. A public meeting was held on the Estate in November 2016.

7.3 Formal consultation with residents and other stakeholders took place from April - August 2017 on the decant policies for secure tenants and leaseholders & freeholders. This resulted in a number of revisions and changes to the policies and the inclusion of an appeal process. During 2017, three workshops also took place with residents to shape the Strategic Development Brief for the Estate and initial master planning process. A Resident Steering Group (RSG) was formed from those workshops which has now become the Community Board.

7.4 Since September 2017 to date the RSG (now the Community Board) has met regularly with the Council to help shape, influence and challenge the following:

- the procurement process
- Strategic Development Brief
- ITHA tender and procurement
- Landlord offer
- Consultation strategies
- Engagement activities
- Rehousing policy
- Leaseholder and Freeholder booklet
- Communications (e.g. letters and surveys)

7.5 RSG members were part of the JV partner procurement evaluation team and were involved in dialogue, evaluation and moderation sessions.

7.6 The Council has met regularly with the residents association (CRERA), and the two community groups, CREst and One Norbiton to discuss the regeneration issues on the Estate. Newman Francis Limited was appointed as the Independent Tenants & Homeowners Advisor (ITHA) in October 2017. The ITHA provided independent advice and support for all residents on the Estate. This has included drop ins, workshops, home visits and one-to-one sessions and a programme of outreach work to engage vulnerable and previously unengaged residents.

- 7.7 All residents were invited to the 'Meet the Shortlisted (3) Bidders Day' on 20th June 2018 at Piper Hall and Tadlow office on the Estate. Over 140 residents attended and completed feedback on the bids, which were fed back to the participants. A resident site visit was made to the Packington Estate in Islington to see how regeneration can be implemented and during summer 2018 the RSG and members of the procurement panel visited ongoing developments being built by the three bidders.
- 7.8 Following Countryside's appointment a number of large scale exhibitions gave residents the opportunity to look at the masterplan and speak to the Council, Countryside, Patel Taylor (architects), and BNP Paribas (surveyors) representatives. This provided an opportunity for questions about the regeneration project to be posed and for residents to share their views on the design of the new homes, community facilities and public and open spaces. In addition there were activities, programmes and design workshops held with residents.
- 7.9 A showroom was opened to the public in September 2019 which consists of a bathroom, kitchen and utility cupboard set up as they will be in a typical new dwelling for the public to view and a screen monitor has been set up in the showroom which allows residents an interactive experience of viewing Countryside's estate regeneration project at Acton Gardens.
- 7.10 During 2019 members of the CRE Regeneration team made contact with local schools and places of worship and delivered talks informing the audiences of the regeneration plans. In addition a Youth panel of children who live on the Estate was set up which consisted of 18 young people. The aim of the panel was to seek the views and input from the attendees into all aspects of the regeneration programme. The result of the panel was a Youth Report which was made public in October 2019.
- 7.11 In the run up to the ballot in March 2020 sessions were held for residents throughout 2019 and early 2020 to find out about the Landlord Offer and door knocking exercises were carried out to inform residents of the latest plans and to answer any questions they may have.
- 7.12 Extensive consultation has also been carried out during 2020/2021 in relation to the planning application.

8 RELOCATION / RE-HOUSING POLICY

Residential

- 8.1 In support of the Estate regeneration project the Council adopted a number of 'decant' policies which set out how the Council would approach the needs of the different types of households across the Estate.
- 8.2 A key policy for existing residents is the right to return to the redeveloped Estate. The CRE Local Lettings Plan (Rehousing Policy) has been developed following consultation with residents and was approved by the Council in September 2020. This Plan considers how the additional demand for accommodation, both temporary and permanent, will be met throughout the course of the development programme within the context of the local housing supply. It also sets out how the Council proposes to manage the allocation of properties fairly and transparently. The plan builds on the CRE decant policies and the Council's Landlord Offer.
- 8.3 Following its approval, a user-friendly version of the Rehousing Policy was designed, printed and distributed to all residents within scope of the programme. Easy read and accessible screen-reader compatible versions of the policy were also developed and made available on the CRE website in December 2020.

- 8.4 Publication of the policy was accompanied by a communications and engagement plan to ensure that all residents and agencies working with them were supported to access and understand the information. This included provision of interpreting services and proactive contact with residents identified as potentially needing additional support to access the information.

Leaseholders / Freeholders

- 8.5 In 2017 first contact was made with all leaseholders / freeholders in Phases 1 & 2 via a letter containing the following information:
- Background to the acquisition;
 - Details of the Council's Decant Policy;
 - Name of the BNP Paribas Real Estate ("BNPPRE") contact, phone and email;
 - Council Contact – Housing / Project.
- 8.6 Since 2017, the Council have been in contact with leaseholders/freeholders on a periodic basis regarding timescales, state of play updates of the proposed regeneration and provided key contact information of those at BNPPRE and at the Council to assist in individual decision making. Owners have been reminded of the opportunity to have their property valued by BNPPRE with a view to coming to an agreement and thus avoid the need for a CPO. During this period, there has been a steady stream of interaction with owners, valuations carried out and ultimately properties acquired by the Council on the above basis.
- 8.7 At the beginning of 2020 a further letter was sent out to all resident leaseholders / freeholders across the whole Estate (at the time 119 properties) offering them an opportunity to meet with the Council to discuss their individual circumstances. 34 responses were received from owners who took up the opportunity to meet with Council and BNPPRE representatives.
- 8.8 In March 2021 leaseholders and freeholders in the Order Land received a Homeowners Guidance brochure which is a user friendly guide detailing the options available to resident homeowners living on the estate and the property valuation and CPO process.
- 8.9 Inevitably not all owners have responded. Where owners have not been willing to enter into negotiations we have provided written offers based on "desktop" valuations (a valuation carried out without a physical inspection of the property) including estimated timescales for possession to all remaining third party properties within the Order Land. These were originally issued in March 2021. The total number of these written offers issued was 20. The Council received responses from five owners and have completed on one purchase of the five to date. In September 2021 the Council made further contact with the owners of the remaining properties in Phase 1 which have not been physically inspected. Within the offer letter is an updated preliminary estimate of the property's market value, background to the acquisition, indicative dates and legal rights of the owner/sources of information. The letters were sent to six resident homeowners and eight non-resident homeowners. Two non-resident owners (owning a total of three properties) responded with interest in having a valuation carried out which have subsequently been undertaken by BNPPRE.
- 8.10 To date 42 properties have been acquired successfully through negotiation across the whole Estate, 38 of which are within the Order Land. The majority have been on an outright purchase basis but 4 have been on the basis of a move to an off-site shared equity property.

Resident leaseholders/freeholders

- 8.11 In acknowledgement that the new homes on the Estate will be more expensive than the current homes, the Council is offering shared equity and shared ownership options (either on the

regenerated Estate or off-site) to owner occupiers. If a resident owner does not have the required equity or enough funds to buy a new home outright, the Council provide help through shared equity or shared ownership (depending on circumstances). This allows resident owners to have an option to buy a new property in the regenerated neighbourhood.

Non-Resident Leaseholders

- 8.12 There are 14 non-resident leaseholders and freeholders in Phases 1 and 2. Out of the 38 leasehold/ freehold acquisitions (in phases 1 & 2) to date, 17 have been non-resident owners.

Housing Association properties

- 8.13 There is one house currently occupied and held on a shared ownership basis. Wandle Housing Association are the freeholders and the tenants hold a long lease on shared ownership terms. There is also one property owned by L&Q.
- 8.14 The Council is seeking to acquire these properties from the housing associations, which could be acquired prior to the shared owner/tenant moving or simultaneously. Compensation will be paid to the shared owner/tenant in line with the Compensation Code.

Private Tenants

- 8.15 There are 14 non-resident leaseholder/freeholder properties in the Order Land. 13 of these are currently being rented out privately and the remaining one is being rented out through the Council's private sector leasing scheme.
- 8.16 Assistance will be provided to secure appropriate alternative accommodation for these tenants.

Secure Council Tenants

- 8.17 Secure council tenants have a 'right to return' to a new home in the redevelopment. Alternatively if tenants prefer to leave the Estate they will have the option to move to a Council home elsewhere in the Borough if one is available that meets the needs of their household.
- 8.18 Secure tenants are also entitled to a statutory home loss payment and will be reimbursed for all reasonable moving costs. Households will receive a home loss payment when they are first required to move and a disturbance payment for any further move they are required to make. In addition, they will be provided with assistance for the move itself, with additional support offered to any residents who need it. This will be identified at the housing needs assessment stage.
- 8.19 The underlying principle is to allow, as far as possible, a single decant for tenants from their existing property to their newly built replacement home on the site and to minimise the level of disruption across the Estate.
- 8.20 The Council will make secure tenants an offer of a suitable new permanent or temporary (for some residents in Phase 1) decant home before their current home is required for redevelopment. The Local Lettings Plan sets out how this will be achieved. Secure tenants who currently live on the Estate and who choose to remain on the Estate following the regeneration, will pay an equivalent rent to their current rent for their new property (of an equivalent size).
- 8.21 Residents who are under occupying their current homes on CRE will have the choice of moving to a new property size which matches their assessed need (according to the Council's housing Allocation Scheme) or this need plus 1 bedroom, if this is their preference. This 'Needs plus 1'

offer is being made in recognition that a number of households would otherwise be required to downsize due to the regeneration.

Temporary Accommodation Residents

- 8.22 There are currently 38 properties within the Order Land which are in Council ownership and occupied as temporary accommodation. These homes have been provided where the Council has accepted a duty to provide housing under the Housing Act 1996 Part VII.
- 8.23 Temporary accommodation residents who were on the Housing Register for 12 months or more and lived on the Estate at the time of the Landlord Offer (February 2020), were eligible to vote in the ballot. As a result of the 'yes' vote, residents in this category will be placed in Band 1 (high-priority) on the Housing Register for 6 months before they are required to move out of their home (on a phased basis). Therefore, residents are more likely to secure a permanent new home in the 6 month period.
- 8.24 If any resident does not secure a new permanent home by the time they are required to leave their home on the Estate, the Council will provide alternative temporary housing in Kingston Borough. These residents will be returned to Band 3 when they move to an alternative temporary home. They will then remain on the Housing Register awaiting a permanent home. The resident will receive a home loss payment when the Council first needs them to move out and their moving expenses.

9 NON-RESIDENTIAL PROPERTIES

Piper Hall

- 9.1 Piper Hall comprises a single storey community building located opposite Tadlow House and includes a large and small hall, two kitchens, storage and a small office and WC facilities. Piper Hall, pre-covid, was used throughout the working week during day and evening periods and at weekends, by a variety of users and for various activities including a youth club, provision of meals for homeless groups, worship and faith groups, sports activities, refugee support and private hire. A temporary, meanwhile community facility will be provided prior to the demolition of Piper Hall to ensure continuity of provision. The new replacement Community Centre will be provided in Phase 1 of the Regeneration.

Bull & Bush Hotel

- 9.2 Discussions have taken place with the owner and an offer has been made. Discussions are continuing but no agreement has been reached as yet.

10 PLANNING POSITION IN RESPECT OF THE ORDER LAND

Planning permission for the Scheme and the Regeneration

- 10.1 The proposals for the Order Land are referred to as "the Scheme" and are described in detail in paragraphs 6.8 to 6.19 above.
- 10.2 A hybrid planning application ("the Application") was submitted in November 2020 (reference 20/02942/FUL) for an outline masterplan (up to 2,170 homes across 5 phases) with all details submitted for Phase 1 (452 homes).
- 10.3 Reserved matters applications will follow for Phases 2-5. The current anticipated programme for these applications is:

Phase 2 – Q3 2022

Phase 3 – Q2 2024

Phase 4 – Q4 2026

Phase 5 – Q2 2028

- 10.4 The Application was considered by the Council's Planning Committee on 21 December 2021 and members resolved to approve the Application subject to referral to the Mayor of London and completion of a legal agreement to secure a number of planning benefits. It is anticipated that the legal agreement will be completed in the early part of 2022.

Planning Policy Context

- 10.5 In making the Order the Council has had regard to national policy, the Development Plan and other relevant local policy and guidance.

- 10.6 The relevant parts of the Development Plan are:

10.6.1 The London Plan (March 2021); and

10.6.2 RBKT Core Strategy Development Plan Document (adopted April 2012).

- 10.7 The following are also relevant and have been taken into account:

10.7.1 The National Planning Policy Framework (2019);

10.7.2 National Planning Policy Guidance (web based resource);

10.7.3 Direction of Travel for the Royal Borough of Kingston Upon Thames (October 2016);

10.7.4 The Mayor of London's Estate Regeneration Good Practice Guidance (February 2018);

10.7.5 The Mayor of London, Housing SPG (March 2016);

10.7.6 The Mayor of London, Homes for Londoners Affordable Housing and Viability SPG 2017 (August 2017);

10.7.7 The Mayor of London's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012);

10.7.8 The Mayor of London's Draft Good Quality Homes for All Londoners SPG (October 2020);

10.7.9 Cambridge Road Estate Strategic Development Brief (April 2018);

10.7.10 RBK Financial Viability in Planning (SPD) 2016;

10.7.11 RBK Affordable Housing (SPD) 2013;

10.7.12 RBK Residential Design (SPD) 2013;

10.7.13 RBK Sustainable Transport (SPD) 2013;

10.7.14 RBK Access for All (SPD) 2005;

10.7.15 RBK Borough Character Assessment;

10.7.16 Historic England – Advice Notes.

- 10.8 The redevelopment of the Order Land is considered to fully accord with all relevant strands of national, regional and local planning policy and guidance aimed at promoting sustainable development. The Development Plan identifies Kingston as an Opportunity Area, with the Cambridge Road Estate recognised as an area where there is significant scope for change (London Plan, 2021) and promotes the regeneration of the Estate (Core Strategy, 2012). The principle of the Scheme is therefore in accordance with the Development Plan.

- 10.9 The following part of the Statement of Reasons sets out the main national, regional and local policy consideration relevant to the Scheme and the Order Land (as well as to the wider Regeneration).

The London Plan (2021)

- 10.10 The Regeneration sits within the designated Opportunity Area as defined within Policy SD1 in the London Plan and is an area that has been identified for significant change. Following extensive consultation, Examination in Public and review by the Planning Inspectorate, the New

London Plan was published on 2 March 2021. A target of 9,640 new homes is set for RBK between 2019/20 and 2028/29, resulting in an annual monitoring target of 964 new units per annum.

- 10.11 Policy H4 and H5 relate to affordable housing and set a strategic target of 50% affordable housing provision across London. They also set out the threshold approach and that major development proposals delivering less than 35% affordable housing provision should be supported by a robust viability appraisal. Policy H8 explicitly relates to estate regeneration and states that all proposals involving the demolition and replacement of existing affordable housing should be viability tested. It also states that the loss of existing housing is generally only acceptable where the housing is replaced at existing or higher densities with at least the equivalent level of overall floorspace. The Plan states that the aims of estate regeneration typically fall into three categories: maintaining good quality homes; maintaining safe homes and improving the social, economic and physical environment in which homes are located.
- 10.12 Policies D3 and D4 encourage development proposals to make the most efficient use of land and be developed at the optimum density, taking into account the site context, connectivity and accessibility, and capacity of surrounding infrastructure. The use of design codes, masterplans and design scrutiny by design review panels is encouraged to bring forward the highest quality development and place-making. Policy D4 seeks to avoid single aspect dwellings being provided where possible and is supported by Policy D6 which describes housing standards including internal and external private space. In relation to site layout, Policy D4 and D6 require projects to:
- form a coherent, legible and navigable pattern of streets and blocks;
 - engender street based activity and provide a sense of safety;
 - maximise active frontages onto public facing sides of a development, where appropriate wrapping around inactive frontages;
 - provide privacy and adequate daylight for residents;
 - be orientated to optimise opportunities for visual interest through a range of immediate and longer range views, with the views from individual dwellings considered at an early design stage;
 - provide clear and convenient routes with a feeling of safety;
 - help reduce noise from common areas to individual dwellings; and
 - help meet the challenges of a changing climate by ensuring homes are suitable for warmer summers and wetter winters.
- 10.13 Policies D5 and D7 provide guidance on inclusive design and accessible housing and specifically requires 10% of new dwellings to be 'wheelchair user dwellings' in accordance with Building Regulation requirement M4(3).
- 10.14 Policy D9 in the London Plan sets out the Mayor's position in relation to tall buildings and states that boroughs should determine locations where tall buildings may be acceptable. The Policy highlights the need to fully take of the potential visual impact, functional impact, environmental impact and cumulative impact of tall buildings in the decision making process.
- 10.15 Policy H10 (Housing Size Mix) states that schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, the policy further states that applicants should have regard to the nature and location of the site, the aim to optimise housing potential and the role of one and two bedroom units in freeing up family housing.
- 10.16 Policy T6 states that car-free development should be starting point for all development proposals in places that are well-connected by public transport. 20% of all car parking spaces should have active Electric Vehicle Charing Points (EVCP), and 80% of all spaces will have passive EVCP, thus future proofing developments for the expected switch to electric cars. The

London Plan also requires accessible parking to be provided at 3% of total capacity initially, with the potential for this to be increased to 7% of total capacity in future, subject to demand.

- 10.17 Policy S4 seeks to ensure that all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation space. 10sqm of playspace should be provided per child.
- 10.18 Policy G1 requires green infrastructure to be fully integrated into new developments and Policy G5 recommends an urban greening factor score of 0.4 for developments that are predominantly residential.
- 10.19 Policy SI2 (Minimising greenhouse gas emissions) stipulates that in meeting the zero-carbon target, a minimum onsite reduction of at least 35% beyond Building Regulations is expected. Residential development should aim to achieve 10 per cent, and non-residential development should aim to achieve 15 per cent through energy efficiency measures. London Plan policy also requires that all major residential developments are subject to an additional offset payment to meet a 100% reduction in Regulated CO2 emissions to achieve the standard of Zero Carbon. This payment is made to the local borough's Carbon Offsetting Fund and is expected to be allocated to carbon reduction savings elsewhere in the borough.
- 10.20 Policy SI7 requires schemes referable to the Mayor of London to provide a Circular Economy Statement to demonstrate how circular economy principles have been accommodated throughout a project.

RBKT Core Strategy (April 2012)

- 10.21 The Order Land is not allocated or designated for any use. However, the Core Strategy explicitly states that in terms of the majority of new housing in the borough, outside of Kingston Town Centre, the Council will first promote the regeneration of the Cambridge Road Estate. Specific reference in the Core Strategy to the Estate is in:
 - 10.21.1 The Vision for the Plan;
 - 10.21.2 Policy KT1 Kingston Town Neighbourhood; and
 - 10.21.3 Policy HV1 Hogsmill Valley Key Area of Change.
- 10.22 As highlighted above, land to the south of the Estate is allocated as the Hogsmill Valley Key Area of Change. The Core Strategy highlights the Council's aspirations to explore opportunities for a Combined Cooling and Heat Plant and setting up a District Heat Network in this area with connections to surrounding sites, including into the Cambridge Road Estate.
- 10.23 As well as place specific policies, the Core Strategy also outlines a number of thematic policies. The key policies in relation to the Order Land are set out below.
- 10.24 CS Policy CS10 states that the Council will seek to ensure that a broad mix of accommodation options are available to residents and that a range of local housing needs are met. Policy DM13 requires proposals for new residential development to incorporate a mix of unit sizes and types and provide a minimum of 30% of dwellings as three or more bedroom units, unless it can be robustly demonstrated that this would be unsuitable or unviable. Furthermore, 10% of units should be wheelchair accessible.
- 10.25 Policy DM15 encourages applications for 100% affordable housing schemes, but will expect sites of 10 or more units to provide at least 50% of the units as affordable housing, with a tenure split of 70:30 between Social/ Affordable Rent and Intermediate Provision.
- 10.26 Policy CS8 seeks to protect the primarily suburban character of the Borough. The Council will require good design and will seek to ensure that new development recognises distinctive local features and character; has regard to the historic and natural environment; helps enhance locally distinctive places of high architectural and urban design quality; accords with

neighbourhood 'strategies for delivery' set out under 'character design and heritage'; and relates well and connects to its surroundings.

- 10.27 Tall buildings may be appropriate in the Borough's town centres; however, some parts of these areas will be inappropriate or too sensitive for such buildings. Policy DM11 states new development should be supported by a contextual statement that demonstrates a clear understanding and analysis of the local character of the area.
- 10.28 The Policy does state that the Council will adopt a more flexible approach to new development where the existing development lacks any identifiable or cohesive character and/or is located in a lower quality environment. CS Policy DM10 seeks to safeguard residential amenities in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbances.
- 10.29 With regards to the local economy, the Council will encourage the provision of local employment opportunities suitable for all residents, especially in the vicinity of the Cambridge Road Estate. Cambridge Road Estate is identified as a Local Centre that should provide everyday goods and services (retail, community and business) that are easily accessible to local residents and reduce the need to travel.
- 10.30 In relation to the existing community centre on the site, Policy DM24 states that the Council will resist the loss of existing community facilities, unless there is evidence to suggest the facility is no longer needed, it has been vacant and marketed for community use without success or it can be re-provided elsewhere or in a different way. Any proposal for new retail floorspace would need to satisfy Policy DM20 which seeks to co-locate retail and community facilities and ensure they are of an appropriate scale that complements the residential development.

National Planning Policy Framework

- 10.31 The NPPF (2021) articulates the Government's vision for sustainable development and highlights that it is a "golden thread running through plan-making and decision-taking" which is characterised by three overarching objectives which are interdependent and need to be pursued in mutually supportive ways:
- 10.31.1 An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure.
- 10.31.2 A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- 10.31.3 An environmental objective – to contribute to protecting and enhancing our natural built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.
- 10.32 The NPPF sets out a presumption in favour of sustainable development and states that "to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".
- 10.33 The Council does not have a five year supply of housing land as required by the NPPF, and therefore, the tests set out in paragraph 11d within the NPPF (the presumption in favour of sustainable development) are to be applied. In such circumstances, footnote 7 of the NPPF

establishes that the policies of the development plan which are most important for determining the application are out-of-date.

- 10.34 Achieving well designed places is a fundamental aspect of the NPPF and underpins the objective of creating better places in which to live and work.
- 10.35 It is considered that the Scheme meets the objectives of the NPPF by delivering high quality and sustainable homes of a range of tenures to meet local housing need and the CPO will support the delivery of new homes without unnecessary delay.

Better Homes for Local People - The Mayor's Good Practice Guide to Estate Regeneration, February 2018

- 10.36 The Mayor also published his Good Practice Guide to Estate Regeneration which was consulted on between December 2016 and March 2017.
- 10.37 The fundamental approach underlying the process should always be to engage early and meaningfully with existing residents. As the primary stakeholders, residents of an estate must be given sufficient opportunity to engage with and shape any proposals that will affect their homes, and they should be pro-actively supported to do so.
- 10.38 The Mayor believes that, where demolition and rebuilding is chosen as part of an estate regeneration, this should only happen where it does not result in a loss of social housing, or where all other options have been exhausted.
- 10.39 From 18 July 2018, the Mayor required any landlord seeking GLA funding for estate regeneration projects which involve the demolition of existing affordable or leasehold homes to demonstrate that they have secured resident support for their proposals through a ballot, subject to certain specified exemptions and transitional arrangements.

Direction of Travel for the Royal Borough of Kingston Upon Thames (October 2016)

- 10.40 This document set out areas of opportunity in the Borough where new homes, jobs and investment could be achieved. The Cambridge Road Estate is identified as one of the immediate opportunities for growth and where new mixed tenure housing should be located.

The Mayor of London, Housing SPG (March 2016) and The Mayor of London's Draft Good Quality Homes for All Londoners SPG (October 2020)

- 10.41 The current SPG and the emerging replacement SPG provide guidance on the quality of new communities, housing and the standards that should be achieved. It seeks to ensure that the highest quality homes and places to live are delivered across London.

The Mayor of London, Homes for Londoners Affordable Housing and Viability SPG 2017 (August 2017)

- 10.42 The SPG supports policy H4 in the London Plan. The Mayor's Affordable Housing and Viability SPG sets a strategic target for 50% of all new homes delivered across London to be affordable. Policy H8 in the London Plan (2019) and the Mayor's Affordable Housing and Viability SPG requires estate regeneration schemes to follow the viability tested route.
- 10.43 To maximise affordable housing delivery in the longer term and acknowledging the potential for significant changes in values in the housing market, the SPG encourages the use of early, mid and late-stage review mechanisms on larger longer term developments.

The Mayor of London's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012)

- 10.44 Formal play provision should normally be made on-site and provide at least 10sqm per child to address child occupancy and play space requirements generated by a development proposal.

The SPG provides guidance on the application of this benchmark and other matters such as the design, location and accessibility of different types of play space within a neighbourhood.

The Mayor of London's Public London Charter (October 2021)

- 10.45 The Public London Charter sets out principles for the management and maintenance of public space to help ensure new public spaces are inclusive places, offering the highest level of public access, and ensuring any rules or restrictions are only those that are essential for the safe management of the space.

The Mayor of London's Draft Circular Economy Statement (October 2020)

- 10.46 The draft guidance supports Policy S17 in the London Plan and seeks to promote resource efficiency and addressing the challenges of the climate emergency. A transition to circular economy is also important in London becoming 100% net self-sufficient in managing its own waste. Circular economy principles include:

- conserving resources, increasing resource efficiency and sustainable sourcing;
- designing to eliminate waste and for ease of maintenance;
- managing waste sustainably and at the highest value.

The Mayor of London's Draft Whole Life Carbon Assessments (October 2020)

- 10.47 The draft guidance supports Policy SI2 in the London Plan. A Whole Life Carbon Assessment (WLC) is an assessment of the carbon emissions resulting from the materials, construction and the use of a building over its entire life, including its demolition and disposal. The draft guidance explains how to prepare a WLC on all schemes that are referable back to the Mayor of London.

The Mayor of London's "Be Seen" Energy Monitoring Guidance (September 2021)

- 10.48 The guidance supports Policy SI2 in the London Plan and sets out the requirements for all major development proposals to monitor and report on their actual operational energy performance for at least five years post construction. The 'be seen' policy is a key part of the feedback loop that will help the Mayor to understand building design and actual energy use better, thereby helping to deliver net zero carbon buildings.

The Mayor of London Draft Fire Safety and Evacuation Lift Guidance (March 2021)

- 10.49 Policy D12 in the London Plan requires all major development proposals to be accompanied by a Fire Statement prepared by a suitably qualified expert. Policy D5(B5) requires development proposals to be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The draft guidance published by the Mayor of London supports these policy expectations.

Cambridge Road Estate Strategic Development Brief (2018)

- 10.50 The Strategic Development Brief was prepared by the Council in consultation with local residents to provide a synopsis of the development context for the Estate, and a set of principles and qualitative standards to ensure a successful redevelopment of the Estate as an exemplar scheme. The principles and capacity expected were tested using a broad range of assumptions in order to interrogate whether a deliverable masterplan was possible with the preconditions set in the Brief. The document does not form part of the Development Plan and does not constitute planning guidance but does constitute a material planning consideration of limited weight. The Estate is identified as an opportunity for housing led regeneration where an uplift in market and affordable housing should be delivered, with mixed tenure homes distributed across the new development.

10.51 The Brief sets a clear vision for the redevelopment of the Estate, which consists of the following points:

- Put the community at the heart of the regeneration;
- Provide a new model of family living;
- Deliver a public realm led, high quality living environment;
- Promote sustainable forms of travel and healthy living; and
- Transform the neighbourhood with high quality architecture and urban design.

10.52 Specifically in relation to the Order Land, the following points within the Strategic Development Brief should be noted:

- Tall buildings are identified as being suitable for the Site adjoining next to Cambridge Road/Hawks Road;
- A secondary north to south route is identified;
- The Madingley Green and Piper Hall open spaces are identified as valued landscapes that should be integrated into design proposals, including existing trees such as the Willow Tree adjacent to Piper Hall;
- Retail and commercial facilities should be provided to meet the needs of residents;
- Existing community spaces should be reprovided; and
- A wide spectrum of play space should be provided for children of all ages.

Emerging Local Planning Policy

10.53 The Council consulted on their Early Engagement on the Local Plan May-June 2019 (Reg 18) and are to be carrying out Further Engagement May-August 2021 (Reg 18). Following this it is intended that the first draft Local Plan, is to be prepared with the intention to consult on this in June/ July 2022.

Conclusion

10.54 The Scheme which is intended to be delivered through the implementation of the Planning Permission will deliver 847 new high quality homes (including an uplift in affordable homes) that comply with Mayor's Design Standards, are energy efficient and connected to the site wide district energy network. A carbon offset payment would ensure that all new homes are zero carbon. The taller buildings are located toward the north of the Site. Each core within the scheme will contain an evacuation lift and 10% of the homes will be wheelchair accessible in accordance with Building Regulations M4(3).

10.55 The Scheme will be 'car lite' and provided with cycle parking in accordance with the most recent standards.

10.56 A new replacement 1,250sqm community space is proposed, in conjunction with 290sqm of office floorspace and 395sqm of the retail/commercial floorspace.

10.57 With regards to the public realm, the Madingley Garden open space including the MUGA, the Washington:Piper north to south green public route, retention of prominent trees and provision of 4,556sqm of play space will all be delivered.

10.58 Completion of the Scheme will conclude works to the west of the Estate and present a clear and complete transformation of this area that accords with all relevant national and local planning policies. In view of this, it is considered that the implementation of the Scheme which underpins the CPO will comply with relevant planning policies.

10.59 The Council is satisfied that the redevelopment of the Order land will result in an improvement to the economic, social and environmental wellbeing of its area, as explained in Section 11 below, and that each parcel of land is required in order to deliver these benefits.

11 **PURPOSE AND JUSTIFICATION FOR THE USE OF COMPULSORY PURCHASE POWERS**

- 11.1 The Council (supported by residents through the ballot) considers that the construction of new homes for existing residents of the Estate coupled with creating an environment that is attractive to people who want to buy new homes, many at affordable prices, will broaden the economic and social mix of the Estate and of this part of the Borough. The Council seeks to preserve the existing community, keep people in the area and improve living conditions.
- 11.2 As part of the redevelopment plan the Estate will be demolished in phases and a new neighbourhood created, increasing the number of social housing units from 653 to 767 across the Estate with 150 Council homes being delivered in Phase 1 and a further proportionate number in Phase 2. Rents for these properties will remain the same on a like for like basis for existing secure tenants and there will also be shared equity/ownership homes provided for the leaseholders/freeholders who wish to remain on the Estate. Additional homes will be built for private sale to meet the growing demand for housing in the Borough.
- 11.3 Homes built will be sustainable and on a greener footprint than the current scheme, which will help close the existing and persistent health inequalities gap.
- 11.4 There will be a brand new purpose built community centre as part of Phase 1 which is intended to become a focal point for the coming together of the new community. The space is being designed with the input of the residents so that the end product is one that is best suited to meet their needs and aspirations. The early delivery of the centre provides the opportunity for existing, new and rehomed residents to establish a welcoming and inclusive community hub.
- 11.5 In economic terms, the Scheme will deliver a substantial mix of high quality new homes for outright sale, Council homes and shared equity / ownership. The Council is committed to ensuring that all secure tenants have the right to remain on the Estate. In addition the shared ownership opportunities offered should enable existing tenants to become homeowners. Shared Equity / Ownership homes will allow existing leaseholders / freeholders who purchased their current properties under the Right to Buy (or via subsequent sale) to acquire a new home and remain living on the Estate, should they wish to do so, without suffering any financial disadvantage.
- 11.6 The construction of the Scheme will offer a number of local employment benefits from apprenticeships to work experience placements. The local employment targets will be embedded in the construction contract to ensure the developer provides these much needed local employment opportunities. In addition a number of commercial units are proposed which will provide employment opportunities for local people, as well as a new community facility which can be used by the wider community.
- 11.7 In social terms, the new development will be vastly improved design compared to the existing Estate and deliver a truly mixed and sustainable community. The detailed building designs for the new development will incorporate the knowledge and understanding gained in urban design over the last 30 years to deliver much better housing, which is safe and secure, and which recognises the need for privacy and defensible space. Buildings will be integrated into the streetscape and safer, more accessible open areas, incorporating play and amenity for all age groups, will be provided.
- 11.8 In environmental terms, the new development will provide a much more effective use of the Order Land than is currently the case. It will deliver high quality, sustainable new housing, using sustainably sourced materials and with a carefully designed public realm which will replace the existing, poor quality homes. Whilst the new development will be of a higher density than at present, it provides an opportunity to improve the quality of the Estate environment through tree planting, improved landscaping and substantial cycle parking, all of which will increase the biodiversity of the Estate, creating environmental improvements alongside the social and economic benefits described above. The energy strategy for the regeneration follows the

principles of the London Plan and the Be Lean, Be Clean, Be Green hierarchy. It is proposed that energy to provide the heating and hot water demands of the new homes is delivered via a centralised energy centre and distribution network. The energy centre is located in Block E within the Phase 1 area. Provision will be made to connect all of the future phases to the energy centre. Early delivery of the energy centre provides the most efficient way of delivery on the targets set by the energy strategy.

- 11.9 The Council has given careful consideration to the need for each parcel of land included in the Order Land. All of the land included in the Order is required to deliver the scheme. Without ownership and control of the entire Order Land is not possible to deliver the regeneration as proposed and permitted.
- 11.10 The Order is therefore needed to ensure the Scheme can be delivered in a timely fashion in the event that voluntary purchases cannot be agreed to enable the redevelopment to take place in accordance with a managed programme of decanting, demolition and construction. At the same time the Council will continue to negotiate vacant possession on a voluntary basis in order that the use of the CPO powers can be avoided if possible and remain a last resort. Uncertainty as to this timescale would hinder the regeneration plans.
- 11.11 For the reasons set out above the Council's view is that there is a compelling case in the public interest to acquire all of the remaining third party interests in the Order Land.

12 SCHEME VIABILITY AND DELIVERY

- 12.1 As part of the Mayor's Housing Strategy thirty Housing Zones have been designated across London, in partnership with London boroughs and their development partners.
- 12.2 A total of £600 million in funding has been made available for the construction of 75,000 new homes. Kingston has been designated in the London Plan as an Opportunity benefitting from Housing Zone funding and Cambridge Road Estate identified as an area for significant change. The Estate regeneration programme has been given GLA funding allocation of £46.2m and Housing Zone status which will help to accelerate the delivery of housing on the site.
- 12.3 In order to deliver the Scheme and the Regeneration, following a regulated public procurement process, Countryside were selected to establish a 50:50 joint venture with the Council to undertake delivery of the Estate regeneration. Countryside's proposals were deemed to meet, and in some instances, exceed, the Council's requirements to be able to deliver at pace whilst still engaging residents, mitigating the impact of construction and producing deliverable local apprenticeship and employment.
- 12.4 Countryside is a leading UK developer specialising in building communities. With over 60 years' experience they have a reputation for high quality design and build, sound governance and good management practices. Their expertise has been recognised with numerous awards, including Large Housebuilder of the year (2017) at the Housebuilder awards.
- 12.5 In the last 30 years Countryside have successfully collaborated on more than 45 regeneration schemes including Acton Gardens in London and New Broughton Village, Greater Manchester.
- 12.6 In 2016, Countryside was listed on the London Stock Exchange. The organisation's robust balance sheet enables it to continue investing in its systems and people to support the business growth plans. For the year ended 30 September 2019, Countryside completed 5,733 homes with revenues of £1,422.8m. For the year ended 30 September 2020, Countryside completed 4,053 homes with revenues of £988.8m.
- 12.7 A Limited Liability Partnership (LLP) with Countryside has been established to bring forward the regeneration of the Estate. The LLP Members Agreement is the formal contract setting out

the relationship between the Council and Countryside. In that document the objectives of the LLP are set out as follows:

- 12.7.1 A comprehensive regeneration of the Estate that prioritises the needs of the local community
 - 12.7.2 A transformed neighbourhood with a public realm led, high quality living environment and high quality architecture and urban design
 - 12.7.3 New homes for all the Estate secure tenants and residents leaseholders / freeholders (and housing association tenants and shared owners) who wish to remain living in the neighbourhood.
 - 12.7.4 A guaranteed minimum of 767 Social Rented homes assuming full delivery of the Development with an aspiration to achieve 900 social homes.
 - 12.7.5 Appropriate returns to the LLP members as set out in the LLP Business Plan
- 12.8 The Regeneration will be funded and approved by the Joint Venture phase by phase on a 50:50 basis. The Council will transfer the relevant land (by way of a lease) into the LLP. The value of the land will be matched by Countryside with an equivalent cash facility which will be drawn down by the LLP as required. The 'equity' investment from the Council and Countryside will be supplemented by the GLA loan and grant (see below) and debt financing which can come from either the Council, Countryside or a third party funder.
- 12.9 As part of its Housing Zone programme the GLA has provided a £26.6m loan to the Council to facilitate the buy back of leasehold / freehold properties on the Estate and a further allocation of c£20m towards the construction of new Council homes.
- 12.10 In addition, the GLA has allocated £67.8m of Building Council Homes for Londoners (BCHfL) grant funding to Kingston to use to build new social rented homes across the Borough. Part of this fund may therefore be used to facilitate more Council social rented homes as part of the Estate regeneration plans.
- 12.11 The Council will buy back the newly built social rented homes from the LLP, funded by the Housing Revenue Account (HRA). The financial case for the Estate regeneration (i.e. 767 new social rented homes) has been modelled against the most recent HRA 30 year Business Plan, dated January 2019. This demonstrates that the Regeneration proposal including the Scheme is affordable.
- 12.12 The Council has worked with the property advisers Savills as well as with Countryside to 'stress test' the assumptions within the joint venture financial model to ensure that the current 'margin' of residual land value and profit after paying for the social homes is sufficiently robust to withstand potential changes.
- 12.13 The Council is satisfied that the necessary resources are or will be available to acquire the Order Land within the implementation period for the Order and to deliver the regeneration of the Order Land. There are no financial impediments to the Scheme proceeding.

13 HUMAN RIGHTS

- 13.1 The CPO Guidance states that "a Compulsory Purchase Order should only be made where there is a compelling case in the public interest. In addition, the Acquiring Authority should be sure that the purposes for which the Compulsory Purchase Order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should

be given to the provision of Article 1 of the First Protocol to the European Convention on Human Rights, and in the case of a dwelling, Article 8 of the Convention."

- 13.2 The following articles of the European Convention on Human Rights ("the Convention") are engaged in the process of making a Compulsory Purchase Order:
- 13.2.1 Article 1 of Protocol 1 provides that "every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one should be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties."
- 13.2.2 Article 6 provides that in determining their civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- 13.2.3 Article 8 protects private and family life, home and correspondence. No public authority can interfere with this right except such as is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
- 13.3 These provisions have been enacted into UK law under the Human Rights Act 1998, and that Act also places direct obligations on public bodies (such as the Council) to demonstrate that the use of compulsory purchase powers is in the public interest, and that the use of such powers is proportionate to the ends being pursued.
- 13.4 In this case, any interference with Convention rights is considered to be both justifiably in the public interest and proportionate in order to secure the regeneration of the Order Land.
- 13.5 If the Secretary of State agrees with the Council that there is a compelling case in the public interest, he may confirm the Order. If the Order is confirmed, compensation may be claimed by persons whose interests in the land have been acquired or whose possession of land has been disturbed, in order to compensate them for losses that they incur as a result of the acquisition.
- 13.6 In the circumstances, if the Order is confirmed, it is considered that the compulsory acquisition of the Order Land will not conflict with Article 1 of the First Protocol or Article 8 of the Convention as any interference with the rights will be in accordance with the law, justified and proportionate.
- 13.7 As set out in Section 9, the leaseholders, freeholders, housing association tenants/shared owners and secure tenants who will be impacted by the regeneration of the Order Land are being offered a range of options as regards their relocation and/or rehousing. Working with the Council's Regeneration, Housing Needs, Decant, and Property Services teams, all affected residents will be given the opportunity to move to a new home on the Estate and to remain living as part of the Estate community.
- 13.8 In respect of Article 6, any owner, lessee or occupier of land included in the Order will be notified and will have the opportunity to make representations to the Secretary of State and to be heard at a Public Inquiry before a decision is made whether or not to confirm the Order, and would in any event have legal rights under the Acquisition of Land Act 1981 to challenge any Order made on the relevant statutory grounds.

13.9 The Council is of the view that there is a compelling case in the public interest for the compulsory purchase of the Order Land, because without it, the regeneration and other substantial public benefits associated with the redevelopment of the Order Land will not be delivered. Furthermore, the Council is satisfied that the use of its powers of compulsory purchase is proportionate as without them, there is no real possibility of all the land necessary to deliver the redevelopment being made available, and as a consequence the benefits of the redevelopment, which are in the public interest, would not be realised.

14 **EQUALITY STATEMENT**

14.1 In making the Order, the Council must act in accordance with its Public Sector Equality Duty ("PSED") as laid out in the Equalities Act 2010. The PSED requires that in the exercise of its functions the Council must have due regard to eliminating unlawful discrimination, harassment and victimisation, to advance equality of opportunity between those who have protected characteristics and those who do not, and to foster good relations between persons who share a protected characteristic and those who do not. The protected characteristics covered by the Act are:

14.1.1 age;

14.1.2 disability;

14.1.3 gender reassignment;

14.1.4 pregnancy and maternity;

14.1.5 race;

14.1.6 religion or belief;

14.1.7 sex;

14.1.8 sexual orientation; and

14.1.9 marriage and civil partnership (applicable only to the need to eliminate unlawful discrimination).

14.2 In order to ensure that the Council complies with its PSED, the decision to make the Order has been subjected to an Equality Impact Assessment ("EqIA"). This investigated the impacts of the Order on the different groups of persons affected by it (leaseholders, freeholders, private tenants, secure tenants, temporary accommodation residents, housing association tenants / shared owners and business owners) to assess whether the Order could produce disadvantage or enhance opportunity for any of the groups or anyone with a protected characteristic. The EqIA then set out recommendations for how to remove or reduce disadvantage for those affected and outlines relevant mitigation strategies.

14.3 The EqIA identified the following groups as those where there may be some differences in outcomes if the right measures were not put in place:

14.3.1 Homeowners over the age of 65;

14.3.2 Homeowners who do not speak English as a first language;

14.3.3 All residents affected by COVID-19 restrictions which may be in place during the buying and selling of their property.

14.4 In order to address these the Council have ensured that their decant policies take into account vulnerable residents and those who may be left in financial difficulties, with measures to ensure these groups are offered additional support. Accessible formats and translations are offered for all communications. Video conference, telephone appointments as well as face to face appointments (when allowed) have been offered with these being available outside of weekday working hours when preferred. These measures will be continually assessed through the CPO process to ensure that nobody is left at a disadvantage.

15 **EASEMENTS, RIGHTS ETC.**

15.1 It is intended that a General Vesting Declaration ("GVD") or a number of GVDs will be made by the Council in respect of the Order Land in the event that the Order is confirmed by the Secretary of State. It is also the intention of the Council that all easements, covenants, rights and other interests in the land included in such GVD or GVDs shall be acquired and/or overridden and compensation paid to those who formerly held the benefit of such easements, rights etc.

15.2 Land already owned by the Council will be appropriated to planning purposes prior to development being carried out (appropriation authorised by Corporate & Resources Committee on 13th July 2021) in order to ensure that third party interests in the Council land can be overridden pursuant to s203 of the Housing and Planning Act 2016.

15.3 Any mortgages or rent charges are to be dealt with in accordance with Sections 14 — 17 and Section 18 of the Compulsory Purchase Act 1965.

16 **ANY SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND**

16.1 The Order Land does not include any special category land.

17 **COMPULSORY PURCHASE BY NON-MINISTERIAL ACQUIRING AUTHORITIES (INQUIRIES PROCEDURE) RULES 2007**

17.1 This Statement is not a Statement under Rule 7 of the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 2007 and the Council reserves the right to alter or expand it as necessary for the purposes of Rule 7.

18 **OTHER CONSENTS REQUIRED**

18.1 No additional consents or related orders are required.

18.2 In order to enable the Scheme to be carried out in accordance with the planning permission to be granted (ref: 20/02942/FUL), there are areas of highway within the Order Land which will need to be stopped up or diverted under S247 of the Town and Country Planning Act 1990. Following the grant of planning permission the application will be made to the Secretary of State for the relevant order or orders.

19 **VIEWS OF GOVERNMENT DEPARTMENTS AND OTHER AGENCIES**

19.1 In relation to the Application the following have been received:

19.1.1 Natural England – They have no objections.

19.1.2 Highways England – They have no objections.

19.1.3 Historic England – They have no objections.

- 19.1.4 Environment Agency – They have no objections.
- 19.1.5 GLA (Stage 1) – Supportive of the principle of regenerating the Estate subject to a few detailed comments being resolved.
- 19.1.6 Transport for London – Comments received regarding changes to bus infrastructure have been addressed and are resolved.

20 CONTACT INFORMATION AND DEPOSIT OF DOCUMENTS

- 20.1 A copy of the Order, the Order Map and this Statement of Reasons are available and can be inspected from Monday to Friday between 9.00am and 5.00pm at Guildhall 2, Kingston upon Thames KT1 1EU and Kingston Library, Fairfield, Kingston upon Thames KT1 2PS, Monday, Tuesday, Thursday and Friday between 10am - 6pm. They can also be viewed and downloaded from the Council's web site.
- 20.2 Individuals seeking advice regarding the Order should in the first instance contact the person listed below:

Marc Doman

Royal Borough of Kingston - Cambridge Road Estate Land Assembly Lead

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Samuel Street

London Development Consultancy - Associate Director BNP Paribas

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21 RELEVANT DOCUMENTS FOR THE INQUIRY

- 21.1 Should it be necessary to hold a Public Inquiry regarding the confirmation of the Order, the Council may refer to or put in evidence the following documents. It should be noted however that the Council reserves the right to add or to amend the list as necessary.
 - 21.1.1 National Planning Policy Framework (2021)
 - 21.1.2 The London Plan (March 2021)
 - 21.1.3 Better Homes for Local People: the Mayor's Good Practice Guide to Estate Regeneration, Feb 2018
 - 21.1.4 Royal Borough of Kingston upon Thames Core Strategy (adopted 2012)
 - 21.1.5 Direction of Travel for the Royal Borough of Kingston Upon Thames (October 2016)
 - 21.1.6 The Mayor of London, Housing SPG (March 2016);
 - 21.1.7 The Mayor of London, Homes for Londoners Affordable Housing and Viability SPG 2017 (August 2017);

- 21.1.8 The Mayor of London's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012);
- 21.1.9 The Mayor of London's Draft Good Quality Homes for All Londoners SPG (October 2020);
- 21.1.10 Cambridge Road Estate Strategic Development Brief (April 2018);
- 21.1.11 RBK Financial Viability in Planning (SPD) 2016;
- 21.1.12 RBK Affordable Housing (SPD) 2013;
- 21.1.13 RBK Residential Design (SPD) 2013;
- 21.1.14 RBK Sustainable Transport (SPD) 2013;
- 21.1.15 RBK Access for All (SPD) 2005;
- 21.1.16 RBK Borough Character Assessment;
- 21.1.17 Historic England – Advice Notes.
- 21.1.18 Cambridge Road Estate (CRE) Kingston KT1 - Freeholders and Leaseholders Decant Policy;
- 21.1.19 Secure tenants decant policy
- 21.1.20 Housing Association tenants Decant Policy
- 21.1.21 Local Lettings Policy
- 21.1.22 LLP documents
- 21.1.23 The Landlord Offer, Feb 2020
- 21.1.24 The Civica certificate of the ballot result
- 21.1.25 The Royal Borough of Kingston Corporate Plan 2019-2023
- 21.1.26 Housing Strategy 2015-20
- 21.1.27 CRE Feasibility Report, BDP
- 21.1.28 CRE Stakeholder Feedback, Renaisi (2016)
- 21.1.29 RBK Strategic Housing Market Assessment
- 21.1.30 Committee reports:

- a) Housing Estate Regeneration Programme (Residents, Health and Social Services Committee, June 2015)
- b) CRE Estate Regeneration Procurement and Master-planning Approach (Growth Committee, Mar 2017)
- c) CRE Regeneration - Acquisition Strategy (Growth Committee, Jun 2017)
- d) CRE Redevelopment Joint Venture Contract Award (Finance & Contracts Committee, Mar 19)
- e) CRE Decant policy (SHAP September 2019)
- f) CRE LLP Board Membership (Recovery & Response May 2020)
- g) CRE Business Plans, Board Approvals, Local Lettings Plan (Recovery & Response September 2020)
- h) Cambridge Road Estate Programme Delivery- seek resolution to use CPO powers (Response & Recovery Committee - March 2021)
- i) Cambridge Road Estate – Appropriation (Corporate and Resources Committee July 2021)
- j) Planning Committee – December 2021

21.1.31 Planning application reference 20/02942/FUL