

STATEMENT OF REASONS

TOWN & COUNTRY PLANNING ACT 1990

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

ACQUISITION OF LAND ACT 1981

LONDON BOROUGH OF RICHMOND UPON THAMES

(HAM CLOSE) COMPULSORY PURCHASE ORDER 2023

Contents

1	Introduction	1
2	The Order Land	3
3	The Council's Power to Acquire Land Compulsorily	5
4	The Scheme	5
5	Justification for the use of Compulsory Purchase Powers	13
6	Planning Policy Relevant to the Scheme	19
7	Housing Policy	25
8	Consultation and Engagement	26
9	Efforts to Acquire by Agreement and the 'Customer Offer'	28
10	Other Consents Required for the Scheme	31
11	Special Considerations and Special Category Land	32
12	Human Rights Considerations	34
13	The Public Sector Equality Duty	35
14	Conclusion	36
15	Additional Information	37
16	List of Documents	37

1 Introduction

- 1.1 This document is the Statement of Reasons of the London Borough of Richmond Upon Thames (the **Council**) for making a compulsory purchase order (**CPO**) entitled the London Borough of Richmond Upon Thames (Ham Close) Compulsory Purchase Order 2023 (the **Order**). The land included within the Order is referred to as the **Order Land** which is shown coloured pink (land to be acquired compulsorily) and blue (land over which new rights are being sought) on the plan at Appendix 1 to this Statement (the **Order Map**).
- 1.2 This Statement of Reasons (the **Statement**) has been prepared in compliance with the Department for Levelling Up, Housing and Communities (**DLUHC**) Guidance on Compulsory Purchase and the Crichel Down Rules (the **Guidance**). It explains why the CPO powers contained in the Order are necessary and why there is a compelling case in the public interest for making the Order, taking into account the Guidance.
- 1.3 On 21 September 2023 the Council's Finance, Policy and Resources Committee resolved to make the Order for the acquisition of all freehold and leasehold interests (and any other interests and rights as may be required) in the land and buildings at the housing estate in Richmond known as **Ham Close**, as well as any other necessary land interests within the area. The Council has submitted the Order to the Secretary of State for Levelling Up Housing and Communities (the **Secretary of State**) for confirmation. If confirmed by the Secretary of State, the Order will enable the Council to acquire the Order Land to undertake the comprehensive regeneration of Ham Close in accordance with adopted planning policy and a planning permission. The proposed regeneration of Ham Close is also referred to in this Statement as the **Scheme**.
- 1.4 The Council has made the Order pursuant to sections 226(1)(a) of the Town and Country Planning Act 1990 (the **1990 Act**) and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (the **1976 Act**). The Council is the local planning authority and local highway authority for the Order Land.
- 1.5 Richmond Housing Partnership (**RHP**) is the registered proprietor of part of the Order Land (parts comprising the residential buildings, external landscaped areas and parking areas) and intends to carry out the Scheme in conjunction with a development partner, Hill Residential Limited (**Hill**). RHP is a not-for-profit housing association that aims to provide decent quality, affordable homes and housing related services to people unable to rent or buy in the private housing market.
- 1.6 The Council considers that the proposals for the Scheme are supported by planning policy at national, regional, and local level. The Council's aims and objectives for the Scheme are consistent with policy objectives of the National Planning Policy Framework (the **NPPF**), the London Plan (2021), the Council's Local Plan (adopted in July 2018 and re-adopted in March 2020) and the Ham and Petersham Neighbourhood Plan (2018). The Scheme is to be developed on a site that is identified within the Local Plan for comprehensive regeneration and presents an opportunity for redevelopment to create a landmark scheme, creating a sense of identity, providing modern homes and community facilities. The various relevant policies, and the extent to which the Scheme complies with them are set out in more detail in sections 6 and 7 of this Statement of Reasons.
- 1.7 The regeneration of Ham Close has been the priority for the Council for many years. The Council and RHP have been looking to bring forward the Scheme since 2013 and the evolution of the Scheme is detailed in section 4 below.

- 1.8 The Council and RHP have consulted widely on the Scheme and have undertaken an extensive engagement exercise with existing residents of Ham Close, as well as other stakeholders. Further detail as to the consultation and engagement is set out at section 8 below.
- 1.9 Hill, as delivery partner for RHP, submitted a planning application for the Scheme on 29 April 2022 (the **Planning Application**). The Planning Application was determined by the Planning Applications Committee on 14 December 2022 where the committee unanimously resolved to grant planning permission for the Scheme subject to a referral to the Mayor of London and completion of a section 106 agreement. Following a Stage 2 referral to the Greater London Authority and their subsequent approval and completion of a section 106 agreement planning permission was subsequently granted on 22 March 2023 (the **Planning Permission**). The Scheme aligns with relevant planning policy and delivers the objectives of the London Plan, Local Plan and Ham and Petersham Neighbourhood Plan, further details of which are set out in section 6 below.
- 1.10 The Council recognises that, in line with the Guidance, a compulsory purchase order can only be made if there is a compelling case in the public interest which justifies the overriding of any private rights in the land sought to be acquired (paragraph 2 of the Guidance). It is considered that a compelling case exists here and the justification for the use of compulsory purchase powers is set out at section 5 below.
- 1.11 The Council and RHP have sought to acquire the Order Land by negotiation. Despite the efforts and progress made by RHP in seeking to acquire all interests by agreement, it is clear that in order to deliver the Scheme within a reasonable timescale, the Council's compulsory purchase powers must be used. Information as to the efforts and negotiations that have taken place with a view to acquiring the required land and rights, as well as details on RHP's 'Customer offer' are set out at sections 8 and 9 below. Discussions will continue with the leaseholders of the Order Land with a view to limiting the number of interests which need to be acquired compulsorily. This approach is in accordance with the advice contained within paragraph 2 of the Guidance and ensures that valuable time is not lost progressing the Scheme whilst continuing efforts are made to reach agreement with landowners.
- 1.12 In deciding to make the Order, the Council has had full regard to the requirements of the Human Rights Act 1998. The Council has carefully considered the balance to be struck between individual rights and the wider public interest and has also had regard to whether there are any alternative means of securing the redevelopment of the Order Land and the associated regeneration of the area. The Council has concluded that the interference with the rights caused by the Order is proportionate when weighed against the significant benefits which will be delivered by the Scheme as set out in this Statement of Reasons.
- 1.13 The Council has also carefully considered the potential impacts of the Order on those with protected characteristics, in the context of the public sector equality duty and has concluded that on balance the public benefits of delivering the scheme significantly outweigh any negative impacts, which have been assessed to be minor and relate to the construction period only.
- 1.14 On confirmation of the Order by the Secretary of State, the Council intends to execute a General Vesting Declaration (or Declarations), in order to secure unencumbered title to the Order Land and notices in order to enter the relevant parts of the Order Land to use the new rights.

- 1.15 There is an associated stopping up order application under section 247 of the 1990 Act in respect of the current eastern and western branches of the roads called Ham Close, which run between Ashburnham Road and Woodville Road. Should a Public Inquiry take place, the Council will request that this is conjoined with any Public Inquiry for the Order. Further details on the extent and effect of the stopping up order are set out in section 10.
- 1.16 The Council supports the Scheme and wishes it to be brought forward in accordance with planning and housing policies for the London Borough of Richmond upon Thames.
- 2 **The Order Land**
- 2.1 The Order Land is required to facilitate the redevelopment and regeneration of Ham Close. The Order is needed to secure the necessary land assembly, within a reasonable timescale.
- 2.2 The Council has given careful consideration to the need for the land and rights within the Order Land and is satisfied that all of the land and rights included within the Order are necessary and justifiable, as detailed below.
- 2.3 The Order Land forms part of Ham Close, which is a housing estate in the Ham, Petersham and Richmond Riverside ward of the Council's administrative area. Ham Close covers a total area of approximately 4.1 hectares and is bounded by Woodville Road to the north, Ashburnham Road to the south, Wiggins Lane and Ham Street to the east and the Woodville Centre and St Richards Church of England School to the west. The Order Land, in respect of new rights only, also includes some areas surrounding Ham Close.
- 2.4 Ham Close consists of fourteen blocks of flats (Hatch House, Benson House, Bentinck House, Bowes-Lyon House, Cavendish House, Clarke House, Edwards House, Field House, Greig House, Hawkins House, Hornby House, Leyland House, Newman House and Secrett House), along with three garage blocks and associated parking and grassed areas. The residential element of Ham Close comprises 192 flats. These blocks were constructed in the early 1960s. Associated with the blocks of flats are eleven outbuildings containing 108 sheds.
- 2.5 Ham Close also has a community centre (known as the Ham Close Youth Centre) located adjacent to Ham Village Green, offering a range of after school activities for local teenagers including arts, sport, music, ICT and cooking.
- 2.6 On the western side of Ham Close is Little Ham House, which contains Richmond Makerlabs (the **MakerLabs**). The MakerLabs (occupied by the tenant Ham United Group) is understood to be the only facility of its kind in south-west London, for people with an interest in DIY and craft to learn, repair and create items. Members of the community come to work on their own projects and seek guidance and knowledge from other members. There is a wide array of activities that are provided including woodwork, repairs, model-making, electronics.
- 2.7 Ham Close includes two highways maintainable at public expense, both called Ham Close. It is proposed that these highways will be stopped up to help deliver the Scheme (see section 10 below).
- 2.8 The Order Land comprises a total of 81 plots over which the Council is seeking to exercise its powers of compulsory acquisition and the compulsory creation of new rights.

- 2.9 Those plots which are coloured pink on the Order Map will be acquired. A description of each plot is set out in the Order Schedule and is more generally described as follows:
- 2.9.1 26 flats owned on a long leasehold originally acquired through statutory right to buy;
 - 2.9.2 two electricity substations (see section 11); and
 - 2.9.3 unregistered land comprising hardstanding and access road leading from the car park adjacent to Ham Village Green to Ashburnham Road.
- 2.10 **New Rights**
- 2.11 In addition to the acquisition of land included in the Order new rights are required over other land to undertake the works and allow for future maintenance. The land over which new rights are sought is shown coloured blue on the Order Map.
- 2.12 The new rights relate to:
- 2.12.1 areas required for crane oversailing during the construction period;
 - 2.12.2 access on to adjacent land, erection of scaffolding/scaffolding fans/hoarding and work to party walls during the construction period; and
 - 2.12.3 rights to lay, repair, use and maintain new and existing services.
- 2.13 The proposed new rights affect:
- 2.13.1 Ham Clinic and the Perfect Smile dental surgery (in respect of crane oversailing and overhanging scaffolding fans during the construction period);
 - 2.13.2 garages/shops/maisonettes located at the corner of Ham Street and Ashburnham Road and subsoil beneath highway (in respect of crane oversailing during phase 1 of the construction period);
 - 2.13.3 unregistered land forming part of Ham Village Green (in respect of scaffolding and services); and
 - 2.13.4 garages along Back Lane, to the rear of Ashburnham Road shops (to provide access, areas for scaffolding/scaffolding fans/hoarding and work to party walls during the construction period).
- 2.14 The proposed new rights are required for the construction period only and impact from these rights will be temporary, save in relation to the right to inspect maintain and repair existing or new services (comprising a diverted sewer) beneath Ham Village Green.
- 2.15 The existing uses of Ham Clinic, the Perfect Smile dental surgery and the garages to the rear of Ashburnham Road shops will be unaffected by the works and access will be maintained at all times during construction of the Scheme.

3 The Council's Power to Acquire Land Compulsorily

- 3.1 Section 226 (1) (a) of the 1990 Act enables the Council to acquire land compulsorily if it is of the view that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to land in its area. Section 226 (1) (a) is subject to sub-section (1A) which provides that the Council must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic and/or social and/or environmental well-being of its area.
- 3.2 Acquisition of the Order Land is necessary in order to deliver the Scheme. The Scheme will make a significant contribution to the environmental, social and economic well-being of the Ham and Petersham area, as well as the borough generally, meeting the objects of Section 226 (1A) of the 1990 Act. This is discussed in detail in section 5 below.
- 3.3 Section 13 of the 1976 Act enables the Council to acquire any such new rights over the land as are specified in the Order. New rights are required to allow the use of cranes during the construction period, to lay, repair and maintain new services and to access and erect scaffolding on adjacent land during construction.
- 3.4 Paragraph 95 of the Guidance explains that the Section 226 powers in the 1990 Act are intended to provide a positive tool to help acquiring authorities with planning powers assemble land where this is necessary to implement proposals in their Local Plan. In the case of the Scheme, the relevant Council's Local Plan is strongly supportive of the regeneration.
- 3.5 The Guidance states the powers under Section 226 of the 1990 Act is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed mean that no other single specific compulsory purchase power would be appropriate.
- 3.6 The Guidance provides recommendations to acquiring authorities on the use of compulsory purchase powers and the Council has taken full account of this Guidance in making this Order. In particular the Council has considered whether powers under the Housing Act 1985 would be more appropriate. In the case of the Scheme, the proposal is housing led but incorporates various other uses such as community centre and open space. As such the regeneration powers under Section 226 of the 1990 Act are deemed the most suitable.
- 3.7 However, in accordance with the Guidance at paragraph 149, as land is being assembled under planning powers for a predominantly housing-led development, the Secretary of State will have regard to the policies set out in Section 6 of the Guidance, which is addressed in section 7 of this Statement of Reasons (below).
- 3.8 Having regard to the nature of the proposals and the advice set out in the Guidance, the Council is satisfied that the use of its compulsory purchase powers under Section 226(1)(a) is justified in order to achieve its objectives.

4 The Scheme

4.1 Background to the Scheme

- 4.2 The Scheme is the redevelopment and regeneration of Ham Close.

- 4.3 A significant part of Ham Close is already in the ownership of RHP, with some small areas owned by the Council (that are subject to an agreement to transfer to RHP). RHP has been successful in acquiring a substantial part of the third party land within Ham Close by agreement (as well as other land forming part of the Scheme). This includes an agreement to acquire various parcels of land from the Council. RHP has reached voluntary agreement with other parties and is continuing in its attempts to acquire the remaining interests by agreement (explained in section 8 and 9). In order to deliver the Scheme, it is essential that all of the remaining third party land interests, including any unknown interests, are brought into single ownership and all necessary rights are secured.
- 4.4 However, it will not be practicable to agree terms for the acquisition of all of the remaining interests in the Order Land to ensure land assembly and enable delivery of the Scheme within a reasonable timeframe.
- 4.5 **Evolution of the Scheme and the role of RHP**
- 4.6 In July 2000, the Council transferred ownership of all council homes including the properties at Ham Close to RHP.
- 4.7 RHP is a not-for-profit housing association that aims to provide quality, affordable homes and housing related services to people unable to rent or buy in the private housing market.
- 4.8 Ham Close remains owned and managed by RHP, subject to some land retained by the Council (such as highways and the community centre) and a number of individual properties which were acquired by individual leaseholders via statutory rights to buy.
- 4.9 The homes at Ham Close are of poor construction, with inadequate insulation by today's standards. Many have condensation and damp issues. The flats are also undersized compared to modern space standards and none benefit from any private amenity space. In addition, there are no lifts, leaving a number of flats inaccessible to people with disabilities and incapable of being adapted for wheelchair users due to their restricted size. It is clear that there was a need for some form of intervention to address the issues described above. All evidence pointed to the fact that substantial building works will need to be undertaken to extend the life of the original buildings.
- 4.10 Due to these issues, the Council and RHP have worked in partnership since 2013 to consider the future of Ham Close and how best to resolve these problems.
- 4.11 In 2013 a report was commissioned by the Council and RHP from the Prince's Foundation for Building Communities following an initial consultation with residents and stakeholders on the future of the estate. That report considered options for making the improvement of living standards at Ham Close and highlighted five key objectives on which the future vision for the estate should be based:
1. Remaining in the Community: Any resident of Ham Close wishing to remain in the community, should be able to do so.
 2. Retain and enhance green space: Green space is a key asset to the area, and improvements should be made to enhance its setting and character, and to reduce the perception of anti-social behaviour.

3. Create a heart to Ham Close and Ham, retain and support a village feel: Community Members value the village setting of Ham Close, but many feel it lacks a centre or 'heart'. Redevelopment could provide a centre for Ham Close and Ham, as well as help retain and improve its village feel.
4. Better integrate Ham Close: The buildings in Ham Close are seen as disconnected from Ham's village setting. An improved layout could better integrate the estate into the wider community.
5. Improve community facilities: Community facilities could be improved, for instance by co-locating the youth centre, clinic and library.

4.12 Since that time the Council and RHP have been working together to explore the feasibility of regeneration options, based on the above objectives.

4.13 Ham Close residents supported the principle of redevelopment and helped inform key elements of the regeneration. The feedback would later be incorporated into a formal design brief for further consideration. In April 2015, BPTW architects were appointed to carry out an options appraisal (titled the Uplift Regeneration Study). This included both refurbishment and redevelopment options.

4.14 In summer 2015, following the July budget, the Government introduced the need for all housing associations to reduce their rents over a four-year period from 2016 to 2020. This had a significant impact on RHP's long term finances and in turn limited its ability to deliver certain asset management projects and meant that consideration had to be given to the refurbishment and infill options that were originally proposed as part of the uplift programme. As a result of these considerations RHP and the Council no longer considered refurbishment and infill as an option for Ham Close due to the significant costs of refurbishing the original buildings to a decent standard, meaning this was not feasible or viable. Further, it would not meet objectives two to five for the improvement of Ham Close set out above. Therefore, comprehensive regeneration of the existing estate was considered to be the only viable option for improving living standards, whilst also providing wider benefits such as additional housing, new communities facilities and addressing poor integration with the wider Ham area.

4.15 Following the options appraisal, a public consultation was held on the future of Ham Close in 2016. BMG, an independent research company, administered the survey and undertook the analysis. 61% of RHP tenants and homeowners from Ham Close completed the survey and there was net agreement (more people agreed than disagreed) that a redevelopment of the Close would benefit them / their household as well as others living on Ham Close and the wider community.

4.16 BPTW developed the masterplan principles for RHP in association with the Council, which were consulted upon in 2016. This established 17 key principles which the Scheme should meet. Those principles are:

1. Quantum of homes and affordable housing provision: The proposed scheme should be of no more than 452 residential homes.
2. Design: High quality design that complements the surrounding neighbourhood. Develop a detailed design based on the conceptual masterplan presented in October 2016, and revised in February 2018 and January 2019.

3. Green link: The proposal should provide a strong green link running through the centre of the site. The existing estate layout is characterised by open spaces, views and open routes across the site which should be incorporated into the proposal.
4. Building height: The development should use a variety of building heights with taller buildings being located towards the centre of Ham Close.
5. Parking requirements: The development should provide parking solutions that allow for green open spaces.
6. Resident Engagement: Maximise the opportunities to engage with existing residents and the positive impact on the neighbourhood through local resident consultation and stakeholder engagement.
7. The proposal will seek to provide an open grain, avoiding continuous blocks ensuring regular gaps between buildings.
8. Relocation of Existing Residents: Residents of the estate will have the opportunity to stay on the estate.
9. Trees and habitats: the proposal should seek to retain the maximum number of existing trees and create new habitats for wildlife.
10. Tenure: the masterplan should ensure the delivery of tenure blind affordable homes.
11. The village green will be brought into Ham Close.
12. The master plan should be deliverable in 3 phases to minimise its impact. Build and demolition must facilitate a single move for all residents where possible.
13. The proposal will seek to provide new walking and cycling routes through Ham Close.
14. New Community Facilities: Provision on the property of new community facilities and MakerLabs workshop.
15. The masterplan will seek to deliver landscaped gaps and play spaces between buildings.
16. A welcoming aesthetic with high quality architecture is desired for the development.
17. The development will begin as soon as practicable following the grant of planning permission.

4.17 These 17 principles remain important to the Scheme and each was considered a key development requirement in designing the Planning Application.

4.18 On 22 February 2018 the Council's Cabinet approved a report which provided an update on the proposed development of Ham Close and set out the proposed delivery approach and collaboration arrangements with RHP, including a land ownership strategy. The February

2018 Cabinet agreed that the Council should enter into contract with RHP and set out a number of development principles including LBRuT duties which included-

“[LBRuT to] Use its Compulsory Purchase powers if necessary, to support the project and to exercise such powers in a timely manner to assist with achieving vacant possession and land assembly in accordance with the development programme.”

- 4.19 A further report was submitted and approved on 15 November 2018 providing an update on the development and approving delegated authority to the Director of Environment and Community Services to enter into any other legal agreements necessary to support the delivery of a collaboration agreement and land transfer with RHP including, if necessary, a potential variation to the agreement. The report also noted and supported previous approvals made by the Council at the Cabinet meeting of 22 February 2018.
- 4.20 On 21 September 2021, the Council's Finance, Policy and Resources Committee resolved that it was willing in-principle to use compulsory purchase powers, if necessary, across the entire Ham Close area in order to secure the delivery of the Scheme.
- 4.21 On 26 September 2022, the Council's Finance, Policy and Resources Committee resolved to use compulsory purchase powers, by way of the Order in order to secure the delivery of the Scheme. On 21 September 2023, the Council's Finance, Policy and Resources Committee resolved again to use compulsory purchase powers, by way of the Order in order to secure the delivery of the Scheme. This second resolution provided authority to include some additional interests in the Order Land.
- 4.22 **Planning Permission for the Scheme**
- 4.23 The full extent of the Ham Close regeneration area subject to the Planning Application is identified on the plan at Appendix 2.
- 4.24 RHP aims to regenerate Ham Close over a period of approximately eight years. The Council's adopted planning policy supports the comprehensive regeneration of Ham Close.
- 4.25 The Planning Application for the Scheme was submitted by Hill in April 2022 (Ref: 22/1442/FUL) for the demolition of existing buildings on-site and change of use of land within Ham Close, the Woodville Day Centre and St Richards Church of England Primary School and the existing recycling and parking area to the east of Ham Village Green for a phased mixed-use redevelopment comprising:
- (a) 452 residential homes (Class C3) up to 6 storeys (with plant above)
 - (b) Community/Leisure Facility (Class F2) of up to 3 storeys in height (with plant above)
 - (c) Maker labs (sui generis) of up to 2 storeys
 - (d) Basement car park
 - (e) Provision of on-site cycle, vehicle and servicing parking
 - (f) Provision of amenity space and playspace

- (g) Site wide landscaping and alterations to Ham Village Green, and
- (h) New pedestrian, vehicle and cycle accesses and internal routes and associated highways works.

4.26 On 14 December 2022 the Council's planning committee considered an officer report which recommended that the Planning Application be approved (the **Officer Report**) and the Planning Permission was subsequently granted subject to:

- (a) an agreement under section 106 of the 1990 Act dated 16 March 2023 (the **S106 Agreement**) key details of which are summarised in paragraph 4.27 below; and
- (b) conditions as listed in the Planning Permission.

4.27 Key details of Scheme as set out in the Planning Application and approved by the Planning Permission includes:

- 4.27.1 The provision of 452 new homes. The Officer Report (paragraph 11.7) notes that the "delivery of housing is a significant benefit of the scheme" contributing towards the Council's housing targets and "providing the appropriate mix, wheelchair housing, and affordable housing in line with policy requirements in both tenure and mix".
- 4.27.2 No loss of social/affordable housing, with all existing social/affordable housing re-provided. The development includes 221 Affordable Homes in total, which represents 49% affordable housing on a unit basis. This includes the re-provision of 143 affordable rent homes based on current affordable housing needs at Ham Close. There will also be 78 additional affordable housing units provided in addition to the re-provision of the existing. The additional affordable homes include a further 21 affordable rent, 10 London Living Rent and 47 shared ownership homes. The Officer Report (paragraph 11.7) states the Scheme assists in meeting the Council's "*acute need for affordable housing*". The S1-06 Agreement secures the affordable housing.
- 4.27.3 90% of homes are designed to comply with Building Regulations Approved Document Part M Category 2 (Accessible and Adaptable Dwellings) and 10% of homes are designed to comply with Category 3 (Wheelchair User Dwellings) meeting London Plan requirements. Each new residential block will have lifts, as will the new community facilities. The landscaping, community centre and MakerLabs have also been designed for wheelchair use. Accessibility at Ham Close is currently poor, for example none of the existing blocks include lifts and access is reliant on a single stair core. The new development is an opportunity for improvements to be made thus providing great accessibility for disabled residents and users.
- 4.27.4 83% of all homes proposed are dual or triple aspect. There are no single aspect north facing homes. Each home will have a positive outlook and good access to daylight and sunlight. All homes meet or exceed Nationally Described Space Standards (March 2015). This represents a notable improvement on the existing areas within the current homes at Ham Close, which pre-date, and so do not accord with, modern space standards. For example, Nationally Described Space

Standards require 2 bed (4 person) homes to be 70m², with current units at Ham Close on average only 64.2m² compared to the new units which will on average be 71.9m².

- 4.27.5 Each home will have access to dedicated private amenity space in the form of balconies, terraces or private gardens in line with the London Plan policy. Where homes are being provided with a terrace or balcony such terrace or balcony will be at a minimum of 5m² for 1-2 person homes, increasing by 1m² for every additional occupant. All private external spaces will have a minimum depth and width of 1.5m. None of the current homes have access to a balcony or private amenity space.
- 4.27.6 The proposals include 14,675m² of public open space. This includes 2,772m² of communal space for residents and 6,568m² of private residential amenity space. A new Linear Park provides the key green infrastructure running through the heart of the site, linking the development to Ham Village Green (meeting one of the 17 principles). Measuring 5,335m² the substantial open space is a safe pedestrian environment devoid of cars, providing amenity space but also connectivity through Ham Close. The S106 Agreement includes obligations securing the provision and future maintenance of the new areas of open space.
- 4.27.7 Currently there is no children's play space within the Ham Close estate. Instead, children are reliant on the adventure playground located on Ham Village Green. Children's play space is incorporated throughout the Scheme, providing a total of 1,744m² for children aged 0-11 years within the new open space, in addition to existing play equipment on Ham Village Green and other local facilities including Riverside Drive, Ham Playing Fields and King George's Field.
- 4.27.8 The proposals include a new MakerLabs. The replacement building is both larger in area and more functional in layout. The current building is unprepossessing. The absence of any features or prominent signage explains why many local respondents in the community were unaware of the facility on site. The current MakerLabs space in the former caretaker's store is too small for the equipment needed and demand from the community. The existing building is known locally as 'The Little House' due to its shape, but essentially comprises a large garage with pitched roof. MakerLabs have retrofitted their services into the building as best they could, but the space was not designed for this type of use. Offers of donations of tools must currently be refused as there is no space to keep them. Opportunities to repair equipment over more than one session must be refused due to lack of storage space for work in progress despite there being demand. The Scheme provides an opportunity to provide a new, fit for purposes location for this important social facility.
- 4.27.9 The design of the new community centre has been subject to significant design iterations as the proposals have been finessed through the pre-application process. The new community centre will be larger and contain modern, functional facilities and spaces, contrasting with the existing community centre which cannot be hired out flexibly due its layout This will ensure that those services provided by the current community centre can continue to be provided but on an improved and more flexible basis while also securing the opportunity for additional new services to be provided to the local community. For example, the

new community centre provides a specially adapted changing spaces facility and sensory room which can be used for groups dedicated to children and young people with additional physical and educational requirements. Following resident feedback, it was decided early on in the resident consultation that a replacement community centre would be better relocated “by the shops”. Such a position has a number of benefits. Logistically, it can be built immediately and does not require the demolition of any existing homes or facilities. This allows continuity for users with no interim loss of facilities. The more prominent location also provides greater accessibility for the wider community, such as for pupils of the local Grey Court School, by virtue of being closer to two bus stops on Ashburnham Road. There are also synergies between the recreational use of Ham Village Green and the community centre. Finally, the existing hard standing represents under-utilised land used for occasional parking. By situating the community centre in this location, it enables a better optimisation of residential homes at Ham Close.

- 4.27.10 The Scheme has in-built energy and sustainability measures including: energy efficient building fabrics; the use of renewable technologies providing energy in the form of air source heat pumps and solar panels; fully electrified for heating, cooling and hot water generation systems; and all new dwellings designed to meet a maximum water consumption rate of 105 litres per person per day. The Officer Report (paragraph 11.9) notes that "development achieves, and in some instances exceeds, the required energy credentials" and achieves air quality neutral. The S106 Agreement secures monitoring measures in relation to energy performance of the development.
- 4.27.11 The S106 Agreement secures various obligations including obligations requiring the carrying out of highway improvements; securing continuous provision of community centre and Makerlabs; requiring provision and maintenance of new areas of open space; and circa £950,000 in financial contribution towards various measures including improvement to local healthcare infrastructure, carbon off-setting measures, off-site gym and play equipment, replacement tree planting and improvements to Ham Village Green.
- 4.28 The Officer Report (paragraph 11.11) states that there are "*clear benefits the scheme will deliver; including the delivery of an estate regeneration scheme where as a whole the residential units would be of a good quality standard that not only contributes greatly to the Boroughs housing stock, but provides much improvements on the existing offer; the scheme enhances the provision of community facilities over and above the existing providing purpose built accommodation with more opportunities for use by the wider community; an uplift in quality and quantity of open space, of which is deemed to meet the criteria of OOLTI in the form of a multifunctional linear park which will be of greater value than existing*".
- 4.29 A plan showing the proposed site layout of Ham Close after completion of the Scheme is attached as Appendix 3.
- 4.30 The Scheme will be developed in three phases and those phases are indicated on the plan attached at Appendix 4. The Phases comprise:
 - 4.30.1 Phase 1: residential blocks A, B, D and W (70 units), the MakerLabs and Community Centre;

4.30.2 Phase 2: residential blocks M, N, O T, U and V (160 units) and the first half of basement car park; and

4.30.3 Phase 3: residential Blocks C, E, F, G, H, I, J, K, L, P, Q, R, S (222 units) and the second half of basement car park.

4.31 As is set out in detail below in section 8 and 9, all of RHP's existing social/affordable tenure tenants and resident and non-resident homeowners will be given the opportunity to stay in new homes in the newly regenerated Ham Close. The phasing of the Scheme has been designed to facilitate, so far as possible, a 'one-move' solution for those existing residents and means that the majority of existing residents who choose to remain at Ham Close will only need to move once. The exception to this is the existing occupants of Hatch House which is part of Phase 1. There is one leaseholder in Hatch House who has reached agreement with RHP and is currently going through the conveyancing process to sell their interest to RHP and completion of the conveyancing process is expected imminently. There are nine RHP tenanted households at Hatch House of which four have been temporarily rehoused at Ham Close during the construction of Phase 1 and so these households would have to move twice (to move from Hatch House to another existing block on the estate prior to development, and then a second time into their final home in the completed development). The remaining five households have been temporarily rehoused off-site, beyond Ham Close. These five households have a "Right to Return" if they choose to return to Ham Close once built out. Therefore, a minimum of four and a maximum of nine households would be subject to two moves as a result of the Scheme (3-9% of the proportion of households). This is necessary as construction of Phase 1 requires the existing homes on Phase 1 to be vacated and demolished before any new homes can be delivered.

4.32 In addition to the one-move solution, there is a requirement to build the scheme in a maximum of three phases. This is to minimise disruption to existing residents on the estate.

4.33 The approximate sequencing and construction timeline for the Scheme is as follows:

4.33.1 Phase 1 – November 2023 to April 2025;

4.33.2 Phase 2 – August 2025 to February 2028; and

4.33.3 Phase 3 – May 2028 to April 2031.

4.34 **Conclusion on the Scheme**

4.35 The Scheme is an ambitious regeneration project that is supported by the Council. It represents a significant long-term investment which sees the existing residents being at the heart of the regeneration project. The Scheme will provide sustainable communities through the creation of a new, well designed and high-quality estate aimed at fundamentally improving the quality of life for those living and working at Ham Close. The Council believes that the Scheme will provide significant social, economic and environmental improvements for existing residents.

5 **Justification for the use of Compulsory Purchase Powers**

5.1 By way of brief background, RHP is working towards delivery of the Scheme by 2031. Work is due to commence on the first construction Phase in late 2023.

- 5.2 The need for the Scheme is explained at section 4 above.
- 5.3 The development of the Scheme will contribute to the achievement of the objectives specified in Section 226(1A) of the 1990 Act as explained in section 3 above.
- 5.4 The proposals for the Scheme comply with existing and emerging local planning policy, the London Plan and the NPPF, as explained in section 6 below.
- 5.5 The Scheme will be carried out by Hill, as development partner for RHP. The Council does not consider that the purpose of the Order could be achieved more effectively by any alternative means.
- 5.6 Paragraph 106 of the Guidance identifies four factors of particular relevance to compulsory purchase orders under section 226 of the 1990 Act which will be taken into account by the Secretary of State when deciding if the powers should be confirmed. Each of these is considered below.
- 5.7 **Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area**
- 5.8 The proposed Order is to enable the Scheme to be constructed to facilitate the regeneration of Ham Close in accordance with the planning framework described in section 6 of this Statement of Reasons.
- 5.9 Planning Permission has been granted for the Scheme and the Officer Report (paragraph 11.13) relating to the Planning Application concluded that subject to mitigation secured by conditions and a section 106 agreement, the "*development proposed accords with the Development Plan as a whole*".
- 5.10 The Council is therefore satisfied that the Scheme is in accordance with the strategic objectives of national, London and local policies set out in the adopted Local Plan and other emerging planning policy documents.
- 5.11 **Contribution to the social, economic and environmental well-being of the area**
- 5.12 The Scheme will contribute to the *economic well-being* of the Council's area. The main economic benefits will be:
- 5.12.1 apprenticeships, work experience and employment opportunities will be offered to local residents;
 - 5.12.2 increased economic activity by reason of increased employment and expenditure during the construction phase of the Scheme including around 78 construction jobs in the economy during the construction period, along with a commitment to local labour and training;
 - 5.12.3 increased economic activity by reason of increased employment and expenditure during the operational phase of the Scheme and the introduction of expanded residential uses and improved provision for MakerLabs and other community facilities;
 - 5.12.4 Community Infrastructure Levy payment estimated to exceed £7million to be used towards infrastructure needs of the local area.

- 5.13 Promotion or improvement of *social well-being* will be achieved by:
- 5.13.1 meeting the 5 key objectives and 17 masterplan principles of the regeneration (specified at paragraphs 4.11 and 4.16 above);
 - 5.13.2 replacement of poor quality, and in some cases defective housing stock with modern homes that meet high standards of accommodation in accordance with planning policy;
 - 5.13.3 provision of 452 new homes (an uplift of 260 homes on the existing estate);
 - 5.13.4 setting up of a £2m social value fund (£250,000 a year for 8 years) for monies towards local projects;
 - 5.13.5 the provision of 49% affordable housing comprising 143 replacement homes (with no net loss of affordable housing floor space) and an uplift of 78 new affordable homes compared to the existing estate;
 - 5.13.6 a full right of return or remain for existing social tenants and leaseholders of RHP properties (detailed in the Customer Offer – see section 9 below);
 - 5.13.7 protection and integration of existing open space at Ham Village Green into the Scheme, with the addition of new open space in the form of a Linear Park providing connectivity through Ham Close, as well as new facilities and children's play areas (see paragraphs 4.26.5 and 4.26.6 above);
 - 5.13.8 replacement of existing community facilities with new modern community facilities and community gardening spaces running throughout the site; and
 - 5.13.9 improved pedestrian, cycle and vehicular access links to improve permeability and to foster the creation of a healthy and safe community.
- 5.14 Promotion or improvement of *environmental well-being* will occur through enhancement of the townscape through the replacement of outdated buildings with a contemporary and well-designed residential development. The public realm will be improved within the Scheme. The main environmental benefits are:
- 5.14.1 redevelopment of a brownfield site;
 - 5.14.2 all homes to benefit from spacious layouts with private outside spaces (balcony, patio or garden);
 - 5.14.3 increased housing density appropriate to the transport connectivity of the area consistent with the London Plan and NPPF targets for optimising density;
 - 5.14.4 new energy efficient housing, putting into action some of the targets set out in the Council's Climate Change and Sustainability Strategy (see paragraph 4.25.10 above);
 - 5.14.5 new green infrastructure within the development including achieving an Urban Greening Factor of 0.48, exceeding the 0.4 requirements of the London Plan. Furthermore, the Scheme will also achieve a biodiversity net-gain of 23.2% (exceeding London Plan requirements), and a net increase of 83 trees;

- 5.14.6 improving the cycling and pedestrian environment and accessibility through Ham Close, linking to the Council's Cycling Strategy and Active Travel Strategy. This includes a minimum of 809 cycle spaces (compared to the 12 currently on-site) and the Scheme being designed to 'Healthy Streets' principles to "*increase the balance of space given to people to dwell, walk and cycle*"; and
- 5.14.7 provision of efficient layouts and high quality public open space, community and recreational facilities.
- 5.15 For the above reasons, the well-being tests set out in Section 226(1A) are fully satisfied in respect of the Order as made and submitted for confirmation.
- 5.16 **Whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.**
- 5.17 RHP has undertaken a comprehensive investigation of the options for the Scheme and it has determined the design of the Scheme proposed is the only viable means to achieve the planning policy objectives. Following studies and consultations carried out (referred to in section 4 above) it was clear that only a comprehensive regeneration of the estate would be sufficient to address the existing issues with the homes at Ham Close, i.e. poor quality and defective housing, whilst remaining viable for RHP to fund.
- 5.18 Without acquisition of the remaining leasehold interests the Council cannot be certain the entirety of the Scheme could be brought forward within a reasonable timescale. RHP's efforts to acquire the remaining leasehold interest by agreement (detailed in section 9) demonstrate that obtaining voluntary agreement with such a large number of parties, including non-resident leaseholders, can be very difficult and take an extended period of time.
- 5.19 **Funding and delivery**
- 5.20 The compensation payable as a result of the Order will be met by RHP. RHP will also meet all costs, fees and professional costs in connection with promoting and implementing the Order. The Council, having considered advice about the estimated liability for the compensation, is satisfied RHP has the resources to pay all compensation arising out of the Order.
- 5.21 With regard to the costs of constructing the Scheme, this will be funded by Hill. The acquisition by RHP of replacement leaseholder homes and the acquisition of 221 Affordable homes will be funded from a combination of RHP's own funds, supplemented by Greater London Authority grant funding. The Council is satisfied that RHP and Hill have sufficient funding available for the construction of the Scheme subject to this Order.
- 5.22 RHP operate from Richmond and are a local landlord, owning or managing approximately 10,000 good quality, affordable homes to meet the needs of people who cannot otherwise afford to live locally across west London. These include homes for social rent and shared ownership.
- 5.23 RHP is also proposing to build 750 more homes by 2027.
- 5.24 RHP is undertaking the Scheme with Hill as a development partner. This followed a competitive two-stage process which commenced in March 2020 to select a developer to

deliver the scheme. The Council was involved in the selection process, as were residents of Ham Close hearing presentations from the shortlisted developers in November 2020. In June 2021 Hill was selected, followed in October 2021 with their signing of an Agreement for Lease and Development (which has been subsequently varied on 21 October 2021, 28 October 2022). A further variation is being negotiated by RHP and Hill and will be entered into imminently. At the same time, RHP and the Council signed both a Collaboration Agreement and Agreement for Sale and Purchase (relating to Council owned land within Ham Close). Hill will also enter into a Deed of Adherence relating to the RHP and Council agreements. Hill are committed to delivering the scheme and the Agreement for Lease and Development will require Hill to undertake the development of Phase 1 of the Scheme subject to the following conditions:

- 5.24.1 Hill achieving a planning permission free from any judicial review following the expiry of the statutory challenge period (six weeks from the grant of planning permission). The Planning Permission was granted on 22 March 2023 and as no challenge was before 3 May 2023 this condition is satisfied;
 - 5.24.2 RHP achieving vacant possession of the land required for Phase 1. RHP has reached agreement with the leaseholder living in Phase 1 and all RHP tenants in Phase 1 have vacated their properties. Following completion of the transfer of the leasehold flat to RHP vacant possession of Phase 1 will be achieved and RHP is confident this will be imminent as agreement has been reached and the conveyancing process is advanced; and
 - 5.24.3 RHP acquiring the land required for Phase 1 from the Council pursuant to the and Agreement for Sale and Purchase between RHP and the Council. Under the terms of the Land Sale Agreement this will take place after planning permission is granted where RHP is satisfied development of the Scheme will be financially viable. RHP is committed to acquiring the relevant parcels of land from the Council in accordance with the Land Sale Agreement to allow works to commence in accordance with the programme stated above at paragraph 4.33. As such this condition was satisfied shortly after the expiry of the six week challenge period following grant of the Planning Permission.
- 5.25 The Council is satisfied that that the conditions precedent in the Agreement for Lease and Development either have been or will be satisfied and following that Hill's contract to deliver Phase 1 will be unconditional and as such provides certainty that the Phase 1 will be delivered.
- 5.26 There are similar conditions for Phases 2 and 3 and the Council has no reason to consider that those conditions will not also be satisfied, assuming the Order is granted to allow vacant possession of Phases 2 and 3.
- 5.27 **Hill as Delivery Partner**
- 5.28 Since being selected, Hill has appointed a design team with specialist consultants to deliver the Planning Application submission for Ham Close and subsequently secure the Planning Permission.
- 5.29 Hill is a leading housebuilder, with over twenty-three years developing housing led developments in London and the south east, with approximately 20,000 homes built to date. Hill has won a number of awards for its work in recent years including, Medium Housebuilder

of the Year at the Housebuilder Awards 2020, Housebuilder of the Year at the 2020 WhatHouse? Awards and Best Large Development at the Evening Standard New Homes Awards 2020, as well as being and was highly commended for Best Regeneration, Best Medium Housebuilder and Best Design at the Housebuilder Awards 2021, Best Sustainable Development and Best Medium housebuilder (silver) at the Whathouse? Awards 2021 and the Housing Design Award 2021.

5.30 Hill has significant experience of regeneration in London, many of which are working in partnership with registered providers of social housing or local authorities. Some examples of this includes:

5.30.1 234 Ealing Road, Alperton – 441 new homes in partnership with Network Homes (completed in 2015);

5.30.2 Blackwall reach, Poplar- 242 new homes in partnership with Swan Housing (completed in 2019);

5.30.3 Rectory Park, Northolt - 449 new homes in partnership with Network Homes (completed in 2020);

5.30.4 Fish Island Village, Hackney Wick – 580 new homes in partnership with Peabody Trust (completed in 2020);

5.30.5 Motion, Lea Bridge Road, Waltham Forest – 300 new homes in partnership with Peabody (completed 2020);

5.30.6 Stonebridge Estate, Harlesden – 287 new homes in partnership with Hyde Housing Association (completed in 2022);

5.30.7 High Path, Wimbledon – 134 new homes in partnership with Clarion (completed in 2022);

5.30.8 New Union Wharf Estate, Isle of Dogs – 399 new homes in partnership with L&Q (completed in 2022);

5.30.9 Agar Grove Estate – 220 new homes in partnership with Camden Council (Phase 1a and 1b completed, phase 1c to complete in 2024);

5.30.10 Aylesbury Estate, Southwark (numerous phases) – at least 581 new homes in partnership with Notting Hill Genesis (completed 29 March 2019)

5.30.11 Westthorpe Gardens and Mills Grove Estate Phase 1, Hendon – 251 new homes in partnership with Metropolitan Thames Valley (completed 30 July 2020)

5.31 Hill has also started on site on other major regeneration scheme in London: the Douglas Bader estate in Colindale (753 homes in partnership with Home Group), Copley Close, Hanwell (201 new homes in partnership with Ealing Council); Upper & Lower Fosters Estate, Hendon (200 new homes in partnership with Barnet Homes); Lampton Parkside, Hounslow (780 new homes in partnership with Notting Hill genesis) and the former Citroen Site in Brentford (441 new homes in partnership with L&Q).

5.32 Hill has a proven track record of delivering developments of this scale and complexity in London. As such the Council has confidence that RHP, along with its partner Hill has the expertise and resources to deliver the scheme.

6 **Planning Policy Relevant to the Scheme**

6.1 The Scheme is supported by national, regional and local planning policies.

6.2 **National Planning Policy Framework**

6.3 The National Planning Policy Framework (**NPPF**) (July 2021) sets out the Government's policies on planning and how these are expected to be applied. The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental and that planning authorities should seek opportunities to achieve the promotion of these dimensions. The NPPF encourages the use of sustainable and non-car modes of travel. RHP's proposals for Ham Close are in accordance with the NPPF in terms of the emphasis on urban regeneration and the efficient re-use of brownfield land in order to create sustainable development in line with economic, social and environmental objectives to improve people's quality of life. The emphasis on community involvement; creating a sustainable community in a high quality, safe and healthy local environment where people want to live; contributing to the promotion of urban renaissance and improvement of quality of life and access to jobs; building a socially inclusive community with a mix of housing; and improving the link between land use and transport are all in line with the NPPF aim of sustainable development. The proposals secure net gains across the economic, social and environmental objectives of sustainable development enshrined in the NPPF.

6.4 Within the NPPF the following chapters have particular relevance to the delivery of the Scheme:

6.4.1 Chapter 5 'Delivering a Sufficient Supply of Homes' confirms that the Government is committed to boosting the supply of homes to meet local needs;

6.4.2 Chapter 8 'Promoting Healthy and Safe Communities' states that planning decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environment;

6.4.3 Chapter 11 'Making Effective Use of Land' relates to making effective use of the land. Paragraph 124 confirms that local authorities should support development that makes effective use of land;

6.4.4 Chapter 12 'Achieving Well-Designed Spaces' states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

6.5 The Scheme is considered sustainable a development and accords with the principles set out in the NPPF.

6.6 **London Plan (2021)**

6.7 The Mayor of London's revised London Plan was formally adopted in March 2016 and was updated in March 2021. It provides a strategic spatial strategy within Greater London and forms part of the Council's development plan. The Plan sets out a number of objectives to: optimise the potential of development sites; make the most sustainable and efficient use of land, particularly in areas of good public transport; improve the quality of life; deliver high quality new homes; mitigate and adapt to climate change; and secure a more attractive, well designed green city.

6.8 The London Plan looks to increase housing delivery targets to 66,000 additional homes per annum. A significant number of homes are needed in Richmond over the coming years in order to meet current and future need. The London Plan Policy H1 sets a ten year housing target for each local planning authority which must be included in the respective authority's development plan documents. The target set by the London Plan for the Council is 4,110 net housing completions between 2020 to 2028/29, with Ham Close playing an important role in delivering this objective. The London Plan also seeks to optimise the potential for housing delivery on all suitable and available brownfield sites.

6.9 London Plan policy H4 relates to the delivery of affordable housing and sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable. Whilst the London Plan provides affordable housing requirements, additional requirements apply to estate regeneration schemes on public sector land, which are set out in Policy H8 'Loss of existing housing and estate redevelopment'. Nonetheless it is notable that the Scheme provides just under the strategic target for affordable housing, with 49% of the homes in the development being secured as affordable.

6.10 The London Plan Policy H8 specifically applies to estate regeneration and states that:

Loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace.

Before considering the demolition and replacement of affordable homes, boroughs, housing associations and their partners should always consider alternative options first. They should balance the potential benefits of demolition and rebuilding of homes against the wider social and environmental impacts and consider the availability of Mayoral funding and any conditions attached to that funding.

Demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Affordable housing that is replacing social rent housing must be provided as social rent housing where it is facilitating a right of return for existing tenants. Where affordable housing that is replacing social rent housing is not facilitating a right of return, it may be provided as either social rent or London Affordable Rent housing. Replacement affordable housing should be integrated into the development to ensure mixed and inclusive communities.

6.11 As set out in the Officer Report the Scheme is in broad compliance with London Plan Policies H1, H4, H6 and H8.

6.12 Other notable London Plan policies includes: Policy G5 (urban greening); Policy G6 (biodiversity); Policy SI1 (improving air quality); Policy SI2 (minimising greenhouse gas emissions); Policy T2 (healthy streets); and Policy T5 (cycling).

6.13 The Scheme fully complies with these policies and the London Plan more generally. It will provide an equivalent amount of replacement affordable housing floorspace and provides a net uplift of 78 affordable homes compared with the existing estate. As set out above, the Council and RHP have undertaken a significant exercise to understand the best approach to resolving the issues at Ham Close, concluding that comprehensive regeneration is the only viable option. A right to remain has been secured for existing RHP tenants and leaseholders and this is detailed in section 8 and 9 below.

6.14 **Local Policies**

6.15 The Council's adopted and emerging planning policy is supportive of the Scheme, which is also consistent with regional and national policies.

6.16 **The Local Plan**

6.17 The Council's Local Plan (adopted in July 2018 and re-adopted in March 2020) is part of the Council's statutory development plan. It sets out the spatial planning framework for the long-term development of the borough for the Local Plan period (up to 2033).

6.18 The Local Plan identifies Ham Close as a key development site located outside one of the borough's five main centres. Policy SA 15 specifically relates to the regeneration of Ham Close. It states:

The Council supports the regeneration of Ham Close and will work in cooperation with Richmond Housing Partnership in order to rejuvenate Ham Close and its surrounding area.

A comprehensive redevelopment of this site, including demolition of the existing buildings and new build re-provision of all residential and non-residential buildings, plus the provision of additional new residential accommodation, will be supported.

6.19 The supporting text of Policy SA 15 sets out the following:

6.19.1 The flats are generally of poor construction, with poor insulation by modern standards, and many have condensation and damp issues. The blocks of flats do not have lifts, thus leaving a number of flats inaccessible to people with disabilities.

6.19.2 Any redevelopment proposal has to respond positively to the unique and distinctive character of Ham Close and Ham, including the setting of the adjacent Ham House Conservation Area and the many listed buildings and Victorian properties that line the frontage.

6.19.3 There is a need to retain, and where possible enhance, the landscape and existing green spaces, including Ham Village Green, which is designated Public Open Space and Other Open Land of Townscape Importance, as well as trees wherever possible.

- 6.19.4 Optimising the use of the land by providing high quality living spaces for both existing as well as new residents of Ham Close.
 - 6.19.5 Servicing, car and cycle parking should be provided as part of the regeneration of the area and any development should enhance the quality of the local townscape, thereby creating a more cohesive sense of place.
 - 6.19.6 Development must take account of the emerging Ham and Petersham Neighbourhood Plan, which may set out further guidance on the design and appearance of any development proposal
- 6.20 The Scheme is clearly strongly supported in principle by the Local Plan. The specific design of the Scheme accords with the requirements of Policy SA 15.
- 6.21 More generally the Scheme complies with other policies in the Local Plan:
- 6.21.1 Strategic Objectives: Meeting People's Needs:
 - Ensure there is adequate provision of facilities for community and social infrastructure that are important for the quality of life of residents and which support the growing population, by protecting existing and, where required, securing new facilities and services that meet people's needs.*
 - Ensure there is a suitable stock and mix of high quality housing that reflects local needs by providing a choice of housing types and sizes, with higher density development located in more sustainable locations, such as the borough's centres and areas better served by public transport.*
 - Pursue all opportunities to maximise affordable housing across the borough through a range of measures, including providing more choice in the different types of affordable housing and different levels of affordability.*
 - 6.21.2 Policy LP 34 New Housing which sets the Borough's target of 3,150 homes for the period 2015-2025, of which 1000-1500 are within the Richmond Area of the borough (within which Ham Close is located). It states that proposals should optimise the potential of sites. The majority of housing delivery in the borough is expected to be on previously developed land. The Scheme will clearly play an important role in helping the Council meeting its housing targets.
 - 6.21.3 Policy LP 35 prescribes housing mix and standards for new residential properties including accommodation size and amenity space standards. The Scheme has been designed to accord with these.
 - 6.21.4 Policy LP36 (Affordable Housing) states that the Council expects; “50% of all housing units will be affordable housing, this 50% will comprise a mix of 40% of the affordable housing for rent and 10% of the affordable housing for affordable intermediate housing“. The scheme provides 49% affordable housing, marginally below the Local Plan target and the tenure split deviates slightly from the breakdown specified but ensures that nearly three quarters of affordable homes are rented. In line with National and London Plan Policies, it is recognised that this target is subject to viability. Part C of the policy explains that regard will be had to economic viability, site costs, public subsidy, overall mix and other

planning benefits when negotiating the maximum reasonable amount of affordable housing. The Planning Application was supported by a viability appraisal by DS2 in accordance with Policy LP36 and a Planning Statement, providing detailed justification for the affordable housing offer.

6.22 The Officer Report (paragraph 8.76) states that the scheme is in broad compliance with Local Plan Policies SA15, LP35, and LP36.

6.23 **Emerging Local Plan**

6.24 The Council emerging Local Plan from December 2021 is at the 'Pre-Publication' or 'Regulation 18' stage. A consultation on this emerging plan ran until 31 January 2022. Whilst at this early stage of its development it has limited weight in planning terms, it demonstrates the Council's continuing commitment to the Scheme.

6.25 This first draft of the Plan sets out a strategic vision, objectives and spatial strategy, with place-based strategies and thematic policies and guidance to manage growth and guide development across the borough over a 15-year period. The Plan states that the regeneration proposed for Ham Close (Site Allocation 22, Neighbourhood Plan Policy O3) *"is an opportunity for redevelopment to create a landmark scheme, creating a sense of identity, providing modern homes and community facilities in the identified mid-rise zone in accordance with Policy45 Tall and Mid-Rise Building Zones"*.

6.26 Site Allocation 22 supports the regeneration of Ham Close and the Council will work in cooperation with RHP in order to rejuvenate Ham Close and its surrounding area. A comprehensive redevelopment of this site, including demolition of the existing buildings and new build re-provision of all the residential and non-residential buildings, plus the provision of additional new residential accommodation with affordable housing at policy compliant levels, will be supported.

6.27 **Ham and Petersham Neighbourhood Plan (the Neighbourhood Plan)**

6.28 The Neighbourhood Plan identifies Ham Close as a Key Opportunity Site.

6.29 Policy O3 - Ham Close states that:

A. Any scheme for the redevelopment of all or part of Ham Close must have regard to the character of the surrounding area set out in the Ham Close Neighbourhood Character Study.

B. Any scheme which includes the redevelopment of existing community facilities forming part of a Ham Close must make provision for their equivalent replacement.

6.30 The policy justification further notes:

A key objective of the Neighbourhood Plan is to ensure all development enhances the character and appearance of the area and is designed to integrate with the existing architecture and green spaces. New development should respect the scale and character of the surrounding area without being obliged to ape its design.

If the redevelopment scheme includes the existing community facilities then provision must be made for their replacement without reducing the capacity. These should be grouped together to form a cluster of uses rather than being dispersed across the site and should be located on the Ashburnham Road side of the site, to maintain and enhance the vitality and viability of the local shopping centres which can be achieved through the synergy arising by grouping activities around them.

6.31 The Scheme and Planning Application have been designed to accord with the Neighbourhood Plan. In particular the design has taken into account the Ham Close Neighbourhood Character Study and there is a reprovision of the community centre, which is positioned next to the commercial uses on Ashburnham Road.

6.32 **Supplementary Planning Guidance**

6.33 The Scheme has taken into account and accords with so far as relevant the following supplementary planning guidance/documents:

6.33.1 Supplementary Planning Guidance's (**SPG**) adopted by the Mayor of London: Accessible London (2011); Planning for Equality & Diversity SPG (2007); Character and Context SPG (2014); Housing SPG (2016); Play & Informal Recreation SPG (2012); Social Infrastructure SPG (2015); and The Control of Dust and Emissions SPG (2014);

6.33.2 Additional London Planning Guidance (**LPG**) adopted (or issued in draft form where indicated by *) by the Mayor of London: Fire Safety (2022)*; Characterisation and Growth Strategy LPG (2022); Housing Design Standards LPG (2022)*; Optimising Site Capacity: A design-led approach LPG (2022)*; Urban Greening Factor LPG (2021)*; Whole Life Carbon LPG (2022); Air Quality Neutral LPG (2022)*; Air Quality Positive LPG (2021)*; Be Seen Energy Monitoring LPG (2021); Circular Economy Statements LPG (2022); and Sustainable Transport: Walking & Cycling LPG (2021); and

6.33.3 Supplementary Planning Document's adopted by the Council: Air Quality (2020); Affordable Housing (2014 with 2021 Update); Buildings of Townscape Merit (2015); Design Quality (2006); Noise Generating & Sensitive Development (2018); Planning Obligations (2020); Refuse & Recycling Storage Requirements (2015); Residential Development Standards (2010); Sustainable Construction Checklist (2016); and Transport (2020).

6.34 **Better Homes for Local People: The Mayors Good Practice Guide to Estate Regeneration**

6.35 In February 2018, the Mayor of London published "Better Homes for Local People: The Mayors Good Practice Guide to Estate Regeneration" (the **Good Practice Guide**). Although not a planning policy document, the Good Practice Guide sets out what makes successful estate regeneration and is therefore relevant to the Scheme. The Good Practice Guide states in respect of estate regeneration schemes:

"When undertaken successfully, estate regeneration can bring genuine benefits to Londoners, with better homes for local people living on the estate, more homes

of all tenures, improvements to neighbourhoods, new opportunities for training and employment, and new community facilities.”

6.36 In addition to re-affirming the need for full and transparent consultation and involvement with residents, the Good Practice Guide also sets out three key principles for estate regeneration; i) an increase in affordable housing. ii) full rights to return or remain for social tenants and iii) a fair deal for leaseholders and freeholders. The Scheme addresses these issues and has taken full account of this Good Practice Guide.

7 **Housing Policy**

7.1 The Council is committed to meeting the needs of Richmond residents, seeking to increase the delivery of affordable housing, and supporting needs of vulnerable residents. However, the borough faces challenges when it comes to affordable housing delivery and affordability with high land values and very limited land capacity

7.2 The Council's Housing and Homeless Strategy 2021 – 2026 identified four key themes:

7.2.1 addressing housing market pressures, preventing homelessness, and increasing housing options;

7.2.2 delivering affordable homes, new supply, and redevelopment of existing housing stock;

7.2.3 ensuring good quality homes, providing choice, standards, and quality for renters; and

7.2.4 supporting the needs of residents, working with care and support services to provide good quality housing options.

7.3 The Council has carried out a comprehensive annual assessment of housing need in the Borough the latest being the Strategic Housing Market Assessment 2016 (**SHMA**) which informed the Local Plan. This assessment was drawn from a number of local, regional, and national data sources and is considered to provide a reliable picture of housing need. The SHMA considered the unconstrained demographic need for housing for the borough is for around 1,047 dwellings per annum in the 2014 -2033 period. This is at the bottom of the range identified by the demographic projections but is consistent with past trends in population growth.

7.4 In the period 2014 -2033 a net deficit of 964 affordable homes per annum is identified in the SHMA, demonstrating the need for affordable housing remains substantial. As at 31 March 2021, there were 4,893 households on the Council's waiting list and across all types of temporary accommodation (including homeless from home).

7.5 The London Plan (March 2021) sets targets based on London's housing requirements for the next five years (March 2026) with a new London Borough of Richmond target of 411 homes per annum, with an expectation of 234 homes per annum to be delivered on smaller sites. The target is a minimum which should be exceeded.

7.6 RHP was created out of the original stock transfer of housing from the Council, and therefore the Council is reliant on organisations such as RHP, with land assets such as Ham Close, to make significant contributions towards meeting the identified housing targets

- 7.7 The London Plan includes a number of key housing policies which apply when considering whether to grant planning permission for a new development. London Plan Policy H5 is clear that there should be a minimum of 35% of homes provided as affordable on major sites with a requirement for 50% of homes as affordable on public sector and industrial land with a policy compliant tenure profile. London Plan Policy H6 sets out the tenure split which should be applied to residential development as a minimum, of 30% low-cost rented, 30% intermediate and 40% to be determined by the Borough.
- 7.8 A Local Housing Needs Assessment (**LHNA**) was carried out by the Council in 2021. The LHNA states the total number of dwellings in Richmond is 81,853 dwellings (as of 2019). Of these, 88% are in the private sector (which includes both owner-occupied and private rented properties) and 12% owned by public sector organisations. The Council does not own any housing stock whereas the London average sits at 11% and national average at 7%, therefore within Richmond all public sector stock is owned by registered providers operating within the Borough, such as RHP. The LHNA estimates that there are 4,539 households living in unsuitable conditions in Richmond.
- 7.9 The LHNA confirmed the need for increased housing delivery in line with London Plan targets to meet projected demand and population changes. The LHNA also estimates that there is a net need for 1,123 affordable rented homes per annum to be provided and a net need of 552 new homes per annum of affordable homeownership products.
- 7.10 The Scheme's proposed housing provision responds to the housing challenges facing the Council identified in the SMHA, LHNA and Housing and Homeless Strategy and addresses planning policy requirements.
- 7.11 As set out at paragraphs 3.5 to 3.8 above the Council also has powers of compulsory acquisition under section 17 of the Housing Act 1985 and as such when deciding whether to confirm the Order the Secretary of State will have regard to policies which would have been relevant if the Order was made under that power. The relevant policy is that acquisition must achieve "a quantitative or qualitative housing gain".
- 7.12 There will clearly be a quantitative housing gain delivered through the Scheme through the delivery of 452 new residential dwellings planning (a quantitative gain of 260 homes), of which 221 will be for affordable housing (being a net uplift of 78 affordable homes from the existing estate). The Council also considers that there will be a significant qualitative housing gain in that the accommodation to be provided will be of a high quality, built to modern design standards, each with private amenity spaces, along with improved accessibility and safety standards. Details of the qualitative improvements are set out in sections 4 and 5 above. As such the Council considers that the redevelopment of Ham Close pursuant to the Scheme satisfies the relevant policy which would apply were the Order to be made under section 17 of the Housing Act 1985.

8 **Consultation and Engagement**

- 8.1 The Council and RHP remain committed to consulting with and engaging with residents and stakeholders. In line with the Council's Corporate Plan (published September 2018) priority to make sure residents have a real say over issues that affect them, the Scheme has been subject to extensive consultation including:

8.1.1 initial consultation on the future of Ham Close in 2013;

- 8.1.2 consultation in 2015 based on an Uplift Regeneration Study and using feedback from earlier consultation;
- 8.1.3 consultation on the proposed masterplan in October 2016;
- 8.1.4 publication of the Customer Offer in Autumn 2016;
- 8.1.5 resident workshops and feedback events held in June/July 2016, Spring 2017 and October 2017;
- 8.1.6 resident guided tours of RHP's Cave Road development providing an opportunity to see a completed development that is high quality and available for rent in October 2016;
- 8.1.7 resident drop-in sessions on the future of Ham Close in January 2017;
- 8.1.8 the process for selection of the developer to deliver the scheme was commenced in March 2020. This selection process included involvement from the Council and local residents;
- 8.1.9 the first resident engagement panel meeting was held in September 2020;
- 8.1.10 resident regeneration update meeting held in November 2020; and
- 8.1.11 following the developer selection process Hill was appointed as the Scheme developer in June 2021;
- 8.1.12 consultation launched by RHP and Hill on 22 July 2021 along with a series of consultation events on the proposals for the redevelopment which have continued on throughout the development of the Planning Application until February 2022. This has included:
 - (a) public consultation events at Ham Village Green, Ham Fair and St. Richard's Church in July 2021, September 2021 and February 2022 respectively;
 - (b) online and in person meetings of the Ham Close Resident Engagement Panel on 5 July 2021, 5 and 26 August 2021, 23 September 2021, 17 November 2021, 31 January 2022, 21 February 2022, 5 April 2022, 11 October 2022 and 8 December 2022;
 - (c) online meetings of the Ham Close Stakeholder Reference Group on 11 August 2021, 12 October 2021 and 23 February 2022;
 - (d) online meeting with Achieving for Children and Richmond MakerLabs on 19 July 2021 and an in-person workshop with Achieving for Children on 10 August 2021 and 24 September 2021;
 - (e) online Meeting with Ham & Petersham Neighbourhood Forum on 20 July 2021, 19 October 2021;
 - (f) a workshop with Ham Close residents on 2 October 2021; and

- (g) 1-2-1 office or home meetings (includes meeting in person) with Ham Close residents since November 2021.

8.2 In addition, RHP has been engaging with residents of Ham Close on the project consistently since 2015 to ensure they are kept fully up to date with the proposals and progress. For example, there are dedicated websites (<https://www.hamclose.co.uk/> and www.hamcloseconsultation.co.uk) which provides updates and details on the proposals and consultations. RHP has also published between two - four newsletters per year since 2015 and a series of FAQs have been created answering resident questions. There is also an office situated on the Ham Close estate which is staffed by members of RHP's regeneration team to providing greater accessibility to RHP for local residents.

8.3 A Stakeholder Reference Group was also established to provide residents and stakeholders with a forum to confirm any concerns which they may have and identify specific information which they require to fully understand the regeneration proposal. The steps taken so far achieve the aims of the Good Practice Guide, in giving local people full and transparent consultation and engagement.

8.4 A Resident Engagement Panel (funded by RHP and overseen by TPAS on behalf of residents) was established in August 2020 to hold RHP to account in respect of the regeneration. All tenants and leaseholders of Ham Close are able to become members of the Panel. The Resident Engagement Panel provides the residents of Ham Close with a specific forum where they can have their voices clearly heard and any questions or topics they wanted discussed as well as providing them a chance to put forward questions they want answered. At a number of meetings and workshops the design team have met with the Resident Engagement Panel and residents. During the meetings, the team present updates to the design of the project. Discussion evolve around the existing conditions at Ham Close and how the regeneration project can improve homes for residents. Meeting both physically and online, residents have the chance to voice their opinions and express their wishes for the design of their future homes. There has also been specific engagement with children and young people, and associated group on the design of the new community facility.

8.5 The allocation of Ham Close as a site for comprehensive redevelopment by the Council's Local Plan was subject to statutory consultation and examination by an inspector. Statutory consultation was carried out by the Council as local planning authority as part of the Planning Application which subsequently resulted in the grant of the Planning Permission.

9 **Efforts to Acquire by Agreement and the 'Customer Offer'**

9.1 The Council is exercising its powers under section 226(1)(a) of the 1990 Act because it has not been possible for RHP to acquire by agreement all land and interests that are required to deliver the scheme, and it is not certain that RHP will be able to acquire the remaining land by agreement.

9.2 RHP has made significant efforts to acquire all interests by voluntary agreement. An extensive and generous Customer Offer has been made to all existing residents of RHP's properties in Ham Close, including to tenants, resident and non-resident leaseholders. RHP's Customer Offer was published in October 2016 and has been subject to clarifications in 'Frequently Asked Questions' documents in 2016, 2017 and 2021. Through the Customer Offer all of RHP's existing social/affordable tenure tenants and resident and non-resident

homeowners will be given the opportunity to stay in new homes in the newly regenerated Ham Close.

9.3 Specifically, the Customer Offer provides:

9.3.1 new homes will be compliant with the design standards that apply to housing in London. The standards are regarded as generous and create good sized homes that work well. All new homes will have private gardens or balconies. The London Housing Design Guide states a minimum of 5 sq m of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq m should be provided for each additional occupant;

9.3.2 one-to-one support will be available to help residents understand what the Scheme and Customer Offer might mean for them. RHP commit to keeping residents up-to-date on how they can access this support;

9.3.3 tenants (individuals who rent directly from RHP) will be offered a new home on the same rent structure, a home loss payment for each household (in line with the prescribed payments under the Land Compensation Act 1973), disturbance payment to assist with the costs of moving such as removals redirecting post, disconnecting and reconnecting appliances, new curtains and carpets or the re-fitting or altering of carpets and curtains up to a maximum of £5,000;

9.3.4 that homeowners (an individual who owns an RHP home and lives there as their main residence) are offered:

(a) market value of their property, a home loss payment (equivalent to 10% of market value and reasonable disturbance payments (to cover costs of moving home, such as removals, solicitors' fees and stamp duty land tax); or

(b) a new home in the redeveloped Ham Close with a new 125 year lease at no extra cost, along with a home loss payment (equivalent to 10% of market value), reasonable disturbance payments to cover costs of moving home, solicitors fees and stamp duty land tax;

(c) The offer of a new home includes a shared equity scheme to allow for a new home to be provided on a like-for-like basis even where the new home is worth more than the existing home (meaning homeowners will not need to use any savings in order to stay living at Ham Close and rent will not be payable on any remaining share owned by RHP). Further the Customer Offer provides flexible options if homeowners cannot arrange a new mortgage that matches their existing one;

(d) that homeowners have the opportunity to downsize and own more equity or the whole property if smaller property meets their needs, or to buy a bigger property at full market value.

9.3.5 that non-resident homeowners (who own an RHP property but does not live there and rents it out to their own tenants) are offered

- (a) market value of their property and a home loss payment (equivalent to 10% of market value in excess of the statutory 7.5%); or
- (b) the opportunity to buy a new home in the redeveloped Ham Close with a new 125 year lease at no extra cost, along with a home loss payment (equivalent to 10% of market value in excess of the statutory 7.5%). The offer includes a shared equity scheme with no rent payable on RHP's owned equity;

- 9.4 The Customer Offer was shaped by previous engagement with residents. The majority of the existing homeowners have made it very clear that they wish to remain living in Ham Close. RHP listened to this and made a firm commitment to keeping the existing community together as much as possible. In response to resident queries on the Customer Offer, RHP has subsequently published 'Frequently Asked Questions' documents in 2016, 2017 and 2020 to provide further clarity and certainty. These documents are published on the Ham Close website (see section 8 above).
- 9.5 This Customer Offer was subject to a review by TPAS (a non-for-profit tenant participation engagement organisation) in September 2017 which found that the Customer Offer met or exceeded all legal requirements and policy standards for such resident offers. The Customer Offer also meets the requirements of the Good Practice Guide. RHP has been engaging with residents extensively and is continuing to do so. The Guidance expects that those efforts will continue, and detailed evidence of those further efforts will be available to inform any Public Inquiry.
- 9.6 Following the recent grant of the Planning Permission RHP intends to publish an updated Customer Offer. This updated Customer Offer will aim to retain all previous commitments in the Customer Offer. The updated Customer Offer, supported by Tenant and Leaseholder strategies will be able to provide more specific guidance on how replacement homes will be offered and allocated, as it has not been possible to provide this detail in advance of planning permission being received (and the design of the Scheme being fixed). TPAS has been appointed to undertake the Customer Offer review along with oversight on the Tenant and Leaseholder strategies and Customer Charter. RHP intends to formally consult on these documents in Autumn / Winter 2023.
- 9.7 In December 2019 RHP wrote to all leaseholders offering the Customer Offer to start buying homes from homeowners who may wish to sell now. This offer, for full market value plus an additional 10% plus disbursements and leaseholders have been continuously reminded about this offer through newsletters, directly mailed letters to leaseholders and resident engagement events.
- 9.8 Although the owners of the interests have been approached on a number of occasions by RHP with a view to purchasing their interests, agreement for purchase has not been reached, however, efforts to acquire these interests by negotiated agreement are ongoing.
- 9.9 Single ownership and control of the Order Land is necessary to enable the Scheme to proceed. The Council cannot be certain that RHP will be able to acquire all the necessary interests by agreement within a reasonable period to deliver the scheme. The Council is therefore satisfied that the use of compulsory purchase powers is necessary and justifiable in the public interest.

- 9.10 As of September 2023, RHP has acquired 23 long leases across Ham Close area through voluntary sales under the terms of the 2016 Customer Offer.
- 9.11 In total across there are 26 long leases across Ham Close yet to be acquired. RHP is currently in discussion with a further 7 leaseholders and considers there is a realistic possibility that these leases could be acquired in coming months without the need for the Order.
- 9.12 The Council and RHP will continue to negotiate to acquire all necessary third party land and rights in parallel with the progression of the Order process.
- 9.13 The Ham Close regeneration cannot be completed in full unless the outstanding interests in the Order Land and the new rights are acquired, as acquisition of these leases is required in order to demolish the existing buildings and in turn to provide the new development. The Council is satisfied that the use of its compulsory purchase powers to acquire these interests is necessary and will facilitate the proposed regeneration, which will lead to the redevelopment and will contribute to economic, social and environmental improvements to the area.
- 9.14 In making its assessment of the justification for the Order, the Council has taken into account the rights of third parties protected by the European Convention on Human Rights (the **Convention**) which may be affected by the Order (as referred to in section 12 of this Statement). In addition, the Council has had full regard to its public sector equality duty under section 149 of the Equality Act 2010 (as referred to in section 13 of this Statement).

10 **Other Consents Required for the Scheme**

Stopping Up Order

- 10.1 In order to deliver the Scheme there is a requirement for sections of adopted highway to be stopped up. To facilitate the Scheme, Hill and/or RHP will apply for a stopping up order pursuant to section 247 of the 1990 Act.
- 10.2 Section 247 states that "The council of a London borough may by order authorise the stopping up or diversion of any highway within the borough... if it is satisfied that it is necessary to do so in order to enable development to be carried out: (a) in accordance with planning permission granted under Part III...".
- 10.3 A stopping up order made under Section 247 has progressed in parallel with the Planning Application for the Scheme with statutory consultation undertaken, which ran until 15 December 2022.
- 10.4 Two roads called Ham Close that run approximately parallel to each other north to south between Woodville Road and Ashburnham Road are highways that are within the Scheme (although not within the Order Land) and which are subject to the stopping up order application. The extent of the highway being stopped up and the principle of the stopping up has been considered in the context of the Planning Application and the Officer Report (paragraph 8.460) notes that the stopping up on these highways is required. The Council considers that it will be able to demonstrate a strong case for the confirmation of the stopping up order.

10.5 Only two objections have been received to these stopping up, one of which was withdrawn. The remaining objection is from Cadent Gas Limited. Hill is in discussions with Cadent on the objection which will be withdrawn on payment of a fee and granting of an easement to Cadent. It is expected the easement will be entered into imminently.

10.6 If the stopping up order has not been confirmed in advance of any CPO inquiry, a request will be made for a conjoined Inquiry, such that the Order and the stopping up order can be considered together. Given the anticipated programme for the making of the stopping up order and the absence of any substantial reasons why such an order should not be made, it is not considered an impediment to the Scheme proceeding.

10.7 **Highways Agreement**

10.8 An agreement or agreements with the Council as highway authority are likely to be required under section 278 of the Highways Act 1980, relating to highway improvements resulting from the Planning Application. These works will be carried out in existing highway or on land owned by RHP or the Council. These have been agreed in principle with the highway authority during the course of the Planning Application. Such agreements are often entered into in the ordinary course of developments and are not considered to be an impediment to the delivery of the Scheme.

10.9 The Council is therefore satisfied that there are no legal or physical impediments to the Scheme progressing.

11 **Special Considerations and Special Category Land**

11.1 The Scheme will not involve the demolition/alteration/extension of:

11.1.1 any buildings listed under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990;

11.1.2 any buildings which are the subject of a building preservation notice. demolition/alteration/extension of any buildings which may qualify for inclusion in the statutory list;

11.1.3 any buildings which are included in a conservation area designated under section 69 or section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and which require planning permission for demolition;

11.1.4 any monuments which are scheduled under section 1 of the Ancient Monuments and Archaeological Areas Act 1979; or

11.1.5 any parks/gardens/historic battlefields which are registered under section 8C of the Historic Buildings and Ancient Monuments Act 1953.

11.2 **Open Space**

11.3 Within the Order Land are areas of open space within the definition set out in section 19 and schedule 3, Paragraph 6 of the 1981 Act which comprise part of the Ham Village Green (plot numbers: 32, 33 and 52 comprising 217 m², 32 m² and 4 m² respectively). New rights are required over the plots comprising:

- 11.3.1 In respect of plot 32, the right to (i) right to lay, use, repair, inspect and maintain new and existing services and (ii) access to undertake works on adjoining land;
- 11.3.2 In respect of plot 33 the right to (i) right to lay, use, repair, inspect and maintain new and existing services (ii) erect scaffolding, scaffolding fans and hoarding in connection with works on adjoining land and (iii) access to undertake works on adjoining land; and
- 11.3.3 In respect of plot 52 the right to (i) right to lay, use, repair, inspect and maintain new and existing services and (ii) access to undertake works on adjoining land.
- 11.4 A separate application has been made to the Secretary of State alongside submission of the Order under Schedule 3 of the 1981 Act to certify that Plots 32, 33 and 52 when burdened with new rights will be no less advantageous to the persons in whom it is vested and to the public than it was before (Schedule 3, Paragraph 6(1)(a) of the 1981 Act) (the **Open Space Application**).
- 11.5 The land subject to this application is unregistered and ownership cannot be traced although the Council believes itself to be the owner and is making enquiries of the Land registry in an attempt to obtain registration of this land. As plots 32, 33 and 52 are unregistered with untraceable ownership, there are no ownership rights impacted by the Order. Plots 32, 33 and 52, like the remainder of Ham Village Green are maintained and managed by the Council's Parks and Open Spaces team.
- 11.6 The Open Space Application relates to the acquisition of new rights to lay, relocate, use, maintain and repair service media, services and apparatus (in respect of plots 32, 33 and 52) A foul water sewer will be diverted as part of the Scheme underneath Ham Village Green, which is detailed in the Planning Application Utilities Assessment. In respect of plot 33 only, some existing services will be diverted around the new community centre, in addition to erecting scaffolding and hoarding in connection with construction works on the new community centre.
- 11.7 Most of Ham Village Green is within the ownership of the Council, as such no additional land or rights are required for the diversion of the sewer or scaffolding on other parts of Ham Village Green. However, plots 32, 33 and 52 are unregistered land, so new rights are required to allow works to be undertaken on these areas.
- 11.8 These works have been the subject of extensive discussions with the Council in its role as owner and manager Ham Village Green, to ensure that the continued use and enjoyment of the land by the public is preserved. The Council has also assessed the Planning Application in its role as local planning authority and subsequently granted the Planning Permission.
- 11.9 The acquisition of land and rights by the Council will not impact the continued use of Ham Village Green for recreation and all purposes for which the land is currently and ordinarily used. Public rights currently exercised are the use of Ham Village Green for recreation, sport, walking and dog walking.
- 11.10 All existing activities and uses of Ham Village Green will be unaffected by the Order. The sewer will be underground, as such will not impact on the use of Ham Village Green. Ham Village Green already has utility services beneath it, so the principle of laying services beneath it is already established. The construction of the works and scaffolding may require a temporary closure of part of the Ham Village Green but only for the period of the works

and only to the extent required for relocation of the sewer, and a small area close to the community centre. Most of Ham Village Green will remain open and unaffected by the temporary works.

11.11 The new rights over plots 32, 33 and 52 do not affect or impact the continued use of Ham Village Green for all purposes. In addition, the open space, public realm and accessibility improvements mean that the Scheme will increase the opportunities for the public to use and enjoy the open space in and around Ham Close, including Ham Village Green. Ham Village Green will benefit from direct connection through the new Linear Park, with its associated recreational areas and facilities. As such the open space when burdened with new rights will be no less advantageous to the persons in whom it is vested and to the public than it was before.

11.12 Save in relation to plots 32, 33 and 52, the Order Land does not include any other 'open space' within the meaning of section 19 of the 1981 Act, as it is confined to buildings and built form only. The Planning Application boundary and wider Scheme does include open space in the form of Ham Village Green, and part of the western edge of Ham Close, further there are a number of grassed areas around Ham Close which could be considered as 'open space' although not formally designated. However, these are not part of the Order Land and therefore no certificate is required nor sought under section 19 of the 1981 Act.

11.13 **Utilities**

11.14 The Order Land includes land interests owned by statutory undertakers, as described in the Schedule to the Order. These comprise plots 2, 27 and 51 which are electricity substations owned by South Eastern Power Networks Plc (**SEPN**).

11.15 In relation to plots 2 and 27 Hill on behalf of RHP has reached agreement with SEPN for the relocation of these two substations. SEPN has provided their design requirements for substations and these details have been incorporated into the Planning Application. The Council is therefore hopeful that use of powers under the Order to acquire the substations will not be necessary.

11.16 In relation to plot 51, the new rights to be acquired (to erect scaffolding and access to the land) will not impact the ongoing use or operation of the existing substation and access will be maintained to the substation at all times. The new rights relate to the construction period only.

11.17 Negotiations will continue between the relevant parties so that the interest can be acquired.

12 **Human Rights Considerations**

12.1 The Human Rights Act 1998 (the **HRA**) incorporated into domestic law the Convention.

12.2 Section 6 of the HRA prohibits public authorities from acting in a way which is incompatible with the Convention. Articles 6 and 8 and Article 1 of the First Protocol of the Convention are considered to be relevant by the Council.

12.3 The Council has duly considered the rights of property owners under Article 1 of the First Protocol of the Convention, which provides for the peaceful enjoyment of possessions. Article 1 further provides that no one shall be deprived of possessions except as provided for by law or where it is in the public interest. It is considered that the Order will strike a fair

balance between the private loss of property and the public interest in securing the implementation of the Scheme.

12.4 Article 6 of the Convention provides that everyone is entitled to a fair and public hearing in the determination of their civil rights and obligations. It is considered that the statutory procedures, which give the right to object and provide for judicial review, are sufficient to satisfy the requirements of this Article.

12.5 The Council has also considered the rights contained in Article 8 of the Convention. This provides that everyone has the right to respect for their private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. It is considered that any interference caused by the Order will fall within these exceptions having regard to the public benefit which will accrue from the Scheme.

12.6 The Council have been conscious of the need to strike a balance between the rights of the individual and the interest of the public. It has considered the effect of the Articles and decided that in light of the significant public benefit that would arise from the Scheme and the nature of the Order Land, it is in the interest of the wider community to make the Order over and above the interests of any individuals affected. Any interference with the Convention rights is considered to be strongly justified in order to secure the economic, social, physical and environmental regeneration that the Scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions.

13 **The Public Sector Equality Duty**

13.1 The Public Sector Equality Duty (the **PSED**) was introduced by the Equality Act 2010 (the **EA 2010**) as part of the government's aim to protect people from discrimination in the workplace and in wider society. The PSED came into force on 5 April 2011 and means that public bodies have to consider all individuals when carrying out their day-to-day work including when shaping policy and delivering services.

13.2 Section 149 of the EA 2010 established the general equality duty which is that all public authorities are required in the exercise of their functions to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Advancing equality of opportunity means, in particular, having due regard to the need to remove or minimise disadvantages suffered by people due to their protected characteristics; take steps to meet the needs of people with certain protected characteristics where these are different from the needs of others; and encourage people with certain protected characteristics to participate in public life where their participation is disproportionately low.

13.3 The legislation is not prescriptive about the approach that a public authority should take in order to comply with the PSED. However, principles from case law suggest that each public authority should keep in mind, amongst other things, that the duty must be complied with before and at the time a particular policy is under consideration, as well as when a decision is taken; and that a public authority must consciously think about the need to do the things set out in the PSED as an integral part of the decision-making process, exercising the duty in substance, with rigour and with an open mind.

- 13.4 In light of this, RHP commissioned an Equalities Impact Assessment (**EqIA**) from Greengage in August 2022. The EqIA assessed the impact of the Scheme as well as the potential impact of the use of compulsory purchase powers. The EqIA found that the overall impact of the Scheme is considered to be 'minor beneficial' to 'moderate beneficial', due to the improved accessibility and safety aspects of the Scheme, as well as the improvement in housing and living standards.
- 13.5 However, during demolition and construction the EqIA states there would be minor adverse impacts on people with the following protected characteristics: age, disability, ethnicity and pregnancy/maternity. The EqIA proposes a number of measures to mitigate the impact of the development, in particular the minor adverse issues during construction. RHP and Hill have committed to implementing these measures.
- 13.6 Key mitigation measures, include the Customer Offer, which provides a commitment to keeping the community together as much as possible (by allowing existing RHP residents to remain living at Ham Close) and providing a fair deal to residents. In addition, the design of the Scheme (detailed above) will bring a large number of benefits compared to the existing estate, in terms of accessibility, sustainability quality of accommodation and new facilities.
- 13.7 In relation to temporary impacts, there will be controls over construction issues through planning conditions, as well as implementation of measures such as introducing temporary signage, ensuring routes remain unobstructed, ensuring seating and shelter is maintained, communication through multiple methods (and including interpretation).
- 13.8 The Council has had due regard to those impacts raised in the EqIA, but notes they would be minor and temporary, limited to the construction period. The overall impact of the Scheme on those with protected characteristics will be beneficial. As such those benefits along with the benefits of the Scheme strongly outweigh the transient minor impacts. As such the Council considers that it has complied with the PSED in the process of developing the Scheme.
- 14 **Conclusion**
- 14.1 The Order Land forms a critical part of the land upon which the Scheme will be delivered and is in critical need of regeneration and redevelopment for the benefit of the wider area and to meet the Council's regeneration objectives within this area of the Borough. Further, redevelopment of the scale anticipated by the Scheme is supported in policy terms at national, regional and local level. In order to achieve the redevelopment of Ham Close, action is required to facilitate the acquisition of the interests necessary for the provision of a high-quality residential led development as envisaged by the Scheme. The completion of the Scheme can only sensibly be achieved within a reasonable timescale through the use of the Council's powers of compulsory acquisition.
- 14.2 Having considered the relevant statutory tests, policy and guidance the Council is satisfied that there is a compelling need in the public interest for compulsory powers to be sought in order to secure the redevelopment and improvement of the Order Land through the Scheme to deliver economic, social and environmental improvements to this area of the Borough.
- 14.3 The Council has therefore made the Order and would ask the Secretary of State to confirm the Order.

15 **Additional Information**

- 15.1 All those owners and occupiers affected by the Order, who wish to speak to RHP's agents regarding the purchase of their interests are requested to contact Graeme Lawes, Senior Director Deloitte LLP, grlawes@deloitte.co.uk or on +44 (0)20 7303 3767.
- 15.2 If any person affected by the Order wishes to discuss it with an officer of the Council, he/she is requested to contact Anna Sadler, Head of the Corporate Project Office, anna.sadler@richmondandwandsworth.gov.uk or on +44 (0)7850 513568 during normal office hours.

16 **List of Documents**

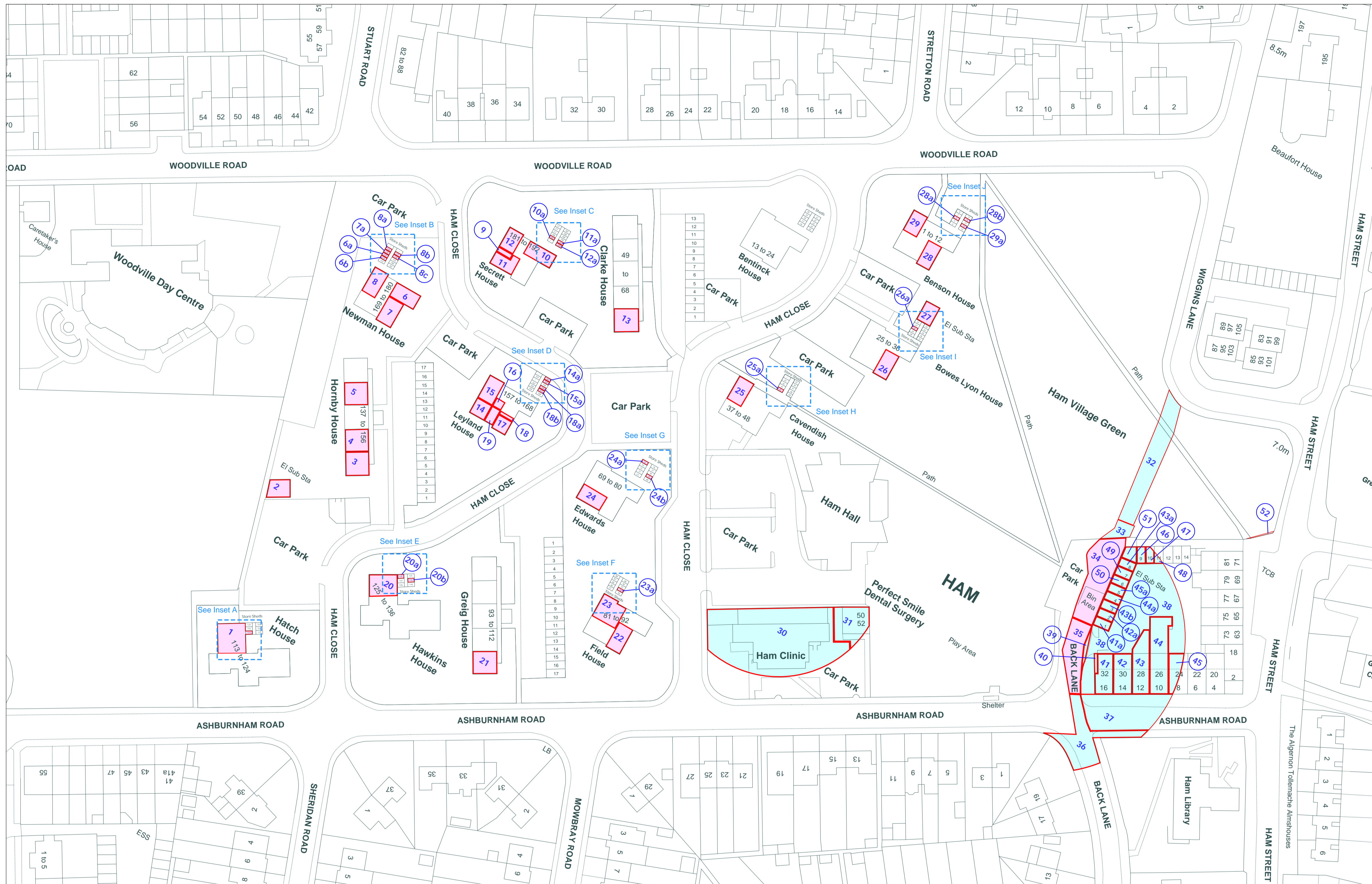
- 16.1 In the event that it becomes necessary to hold a public inquiry into the Order, the Council may refer to the documents listed in Appendix 5. The list is not exhaustive, and the Council may also refer to additional documents in order to address any objections made to the Order.
- 16.2 The Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following locations:

Civic Centre, 44 York Street, Twickenham TW1 3BZ (from 9:00 to 17:00 Monday to Friday); and Ham Library, Ham Street, Ham TW10 7HR (from 9:30 to 18:00 on Mondays and Tuesdays, 10:00 to 19:00 on Wednesdays, 9:30 to 18:00 on Friday and 9:30 to 16:00 on Saturdays) and at <https://www.hamclose.co.uk>

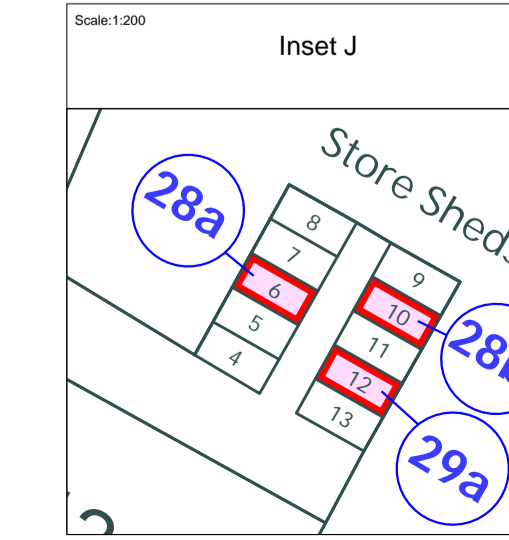
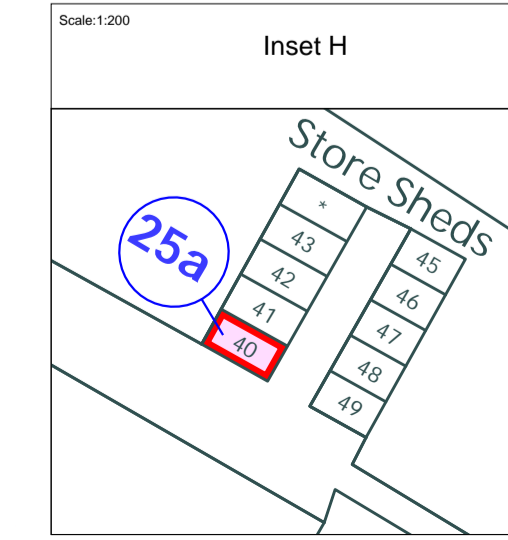
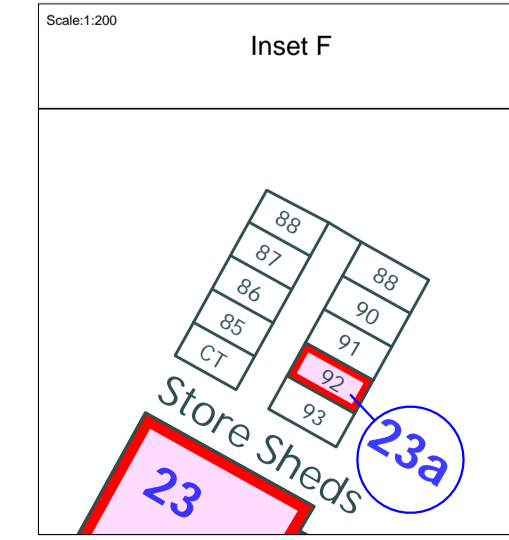
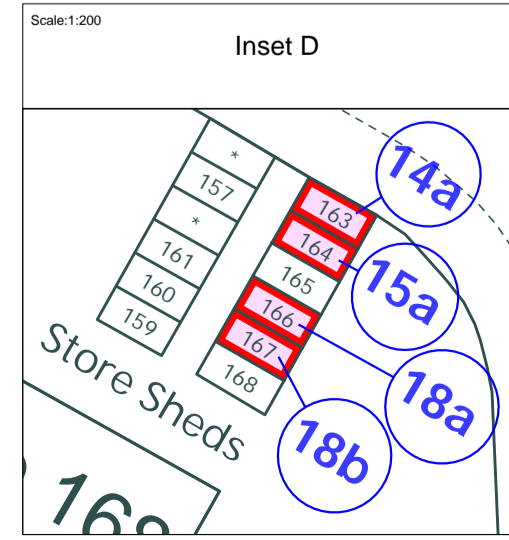
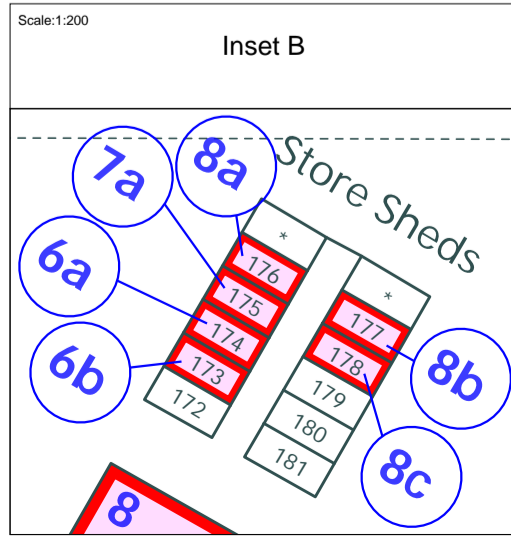
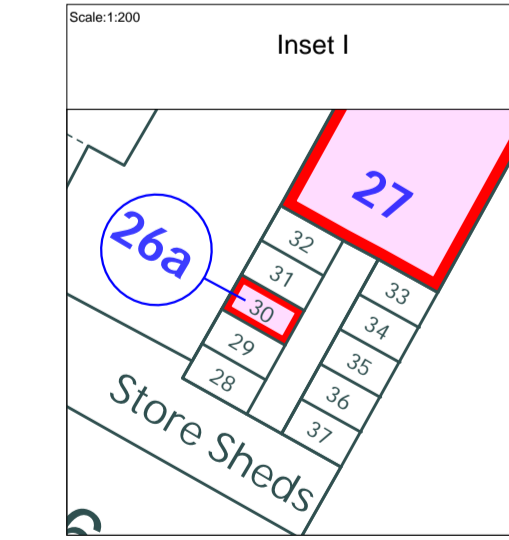
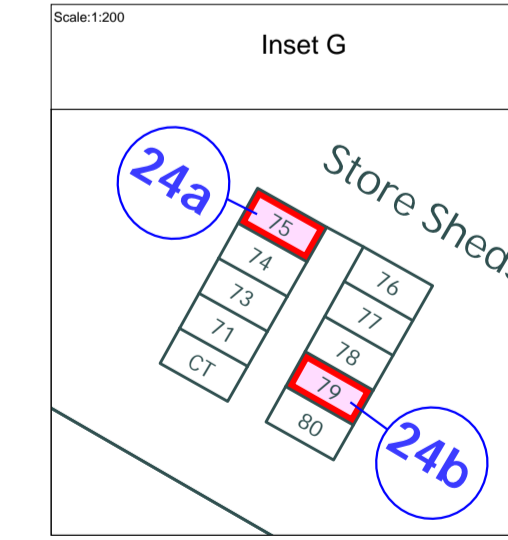
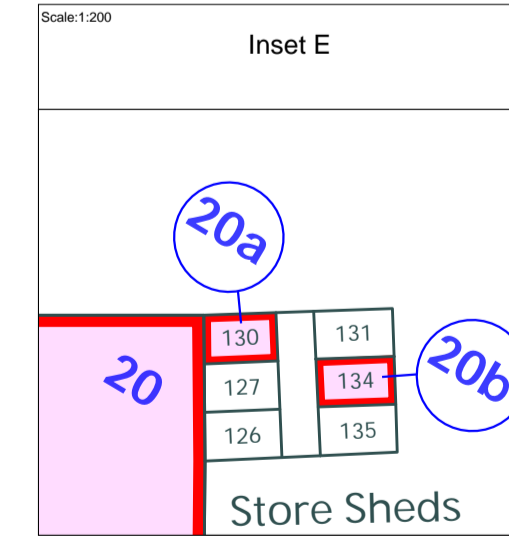
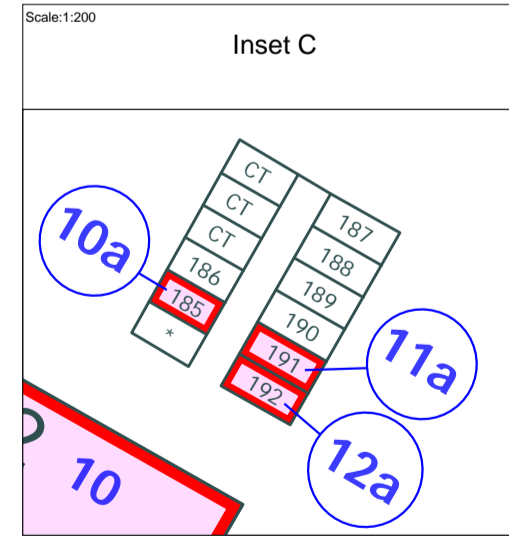
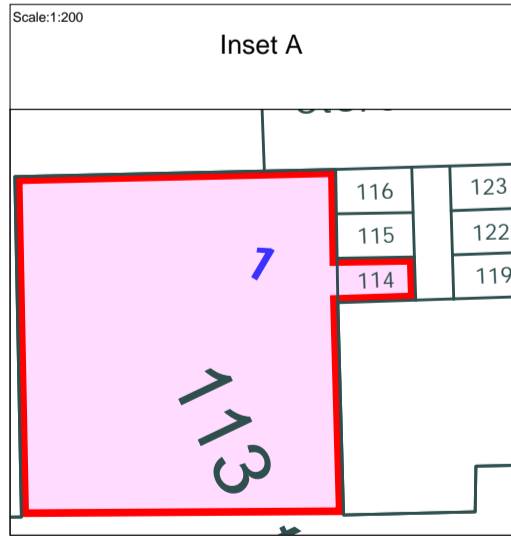
Electronic or hard copies can be provided on request. To request copies please contact Anna Sadler, Programme Manager (Special Projects) anna.sadler@richmondandwandsworth.gov.uk or on +44 (0)7850 513568 during normal office hours.

Appendix 1 - Order Map

MAP REFERRED TO IN THE LONDON BOROUGH OF RICHMOND UPON THAMES (HAM CLOSE) COMPULSORY PURCHASE ORDER 2023



Plot No.	LAND / PREMISES / RIGHTS TO BE ACQUIRED
1	Flat 114 Hatch House & store shed 114, Ham Close, Richmond, TW10 7NX
2	Electricity substation situated to the north of Hatch House, Ham Close, Richmond
3	Flat 137 Hornby House, Ham Close, Richmond, TW10 7NU
4	Flat 153 Hornby House, Ham Close, Richmond, TW10 7NU
5	Flat 150 Hornby House, Ham Close, Richmond, TW10 7NU
6	Flat 173 Newman House, Ham Close, Richmond, TW10 7NT
6a	Store shed 174, associated with flat 174 Newman House, Richmond, TW10 7NT
6b	Store shed 173, associated with flat 173 Newman House, Richmond, TW10 7NT
7	Flats 174 & 178 Newman House, Ham Close, Richmond, TW10 7NT
7a	Store shed 175, Ham Close, Richmond, TW10 7NT
8	Flats 176 & 178, Newman House, Ham Close, Richmond, TW10 7NT
8a	Store shed 176, associated with flat 176 Newman House, Richmond, TW10 7NT
8b	Store shed 177 Ham Close, Richmond, TW10 7NT
8c	Store shed 178, associated with flat 178 Newman House, Richmond, TW10 7NT
9	Flats 184, 191 & 192 Secrett House, Ham Close, Richmond, TW10 7PE
10	Flat 185 Secrett House, Ham Close, Richmond, TW10 7PE
10a	Store shed 185, associated with flat 185 Secrett House, Ham Close, Richmond, TW10 7PE
11	Flat 191 Secrett House, Ham Close, Richmond, TW10 7PE
11a	Store shed 191, associated with flat 191 Secrett House, Ham Close, Richmond, TW10 7PE
12	Flats 184, 191 & 192 Secrett House, Ham Close, Richmond, TW10 7PE
12a	Store shed 192, associated with flat 192 Secrett House, Ham Close, Richmond, TW10 7PE
13	Flat 59 Clarke House, Ham Close, Richmond, TW10 7PF
14	Flat 163 Leyland House, Ham Close, Richmond, TW10 7PD
14a	Store shed 163, associated with flat 163 Leyland House, Ham Close, Richmond, TW10 7PD
15	Flat 164 Leyland House, Ham Close, Richmond, TW10 7PD
15a	Store shed 164, associated with flat 164 Leyland House, Ham Close, Richmond, TW10 7PD
16	Flat 167 Leyland House, Ham Close, Richmond, TW10 7PD
17	Flat 167 Leyland House, Ham Close, Richmond, TW10 7PD
18	Flat 167 Leyland House, Ham Close, Richmond, TW10 7PD
18a	Store shed 166, Ham Close, Richmond, TW10 7PD
18b	Store shed 167, associated with flat 167 Leyland House, Ham Close, Richmond, TW10 7PD
19	Flats 163 & 167 Leyland House, Ham Close, Richmond, TW10 7PD
20	Flats 130 & 134 Hawkins House, Ham Close, Richmond, TW10 7NY
20a	Store shed 130, associated with flat 130 Hawkins House, Ham Close, Richmond, TW10 7NY
20b	Store shed 134, associated with flat 134 Hawkins House, Ham Close, Richmond, TW10 7NY
21	Flat 108 Grieg House, Ham Close, Richmond, TW10 7PA
22	Flat 86 Field House, Ham Close, Richmond, TW10 7PN
23	Flat 92 Field House, Ham Close, Richmond, TW10 7PN
23a	Store shed 92, associated with flat 92 Field House, Ham Close, Richmond, TW10 7PN
24	Flats 75 & 79 Edwards House, Ham Close, Richmond, TW10 7PB
24a	Store shed 75, associated with flat 75 Edwards House, Ham Close, Richmond, TW10 7PB
24b	Store shed 79, associated with flat 79 Edwards House, Ham Close, Richmond, TW10 7PB
25	Flat 40 Cavendish House, Ham Close, Richmond, TW10 7PJ
25a	Store shed 40, associated with flat 40 Cavendish House, Ham Close, Richmond, TW10 7PJ
26	Flats 26 & 30 Bowles Lyon House, Ham Close, Richmond, TW10 7PH
26a	Store shed 30, associated with flat 30 Bowles Lyon House, Ham Close, Richmond, TW10 7PH
27	Electricity substation situated to the north of Bowles Lyon House, Ham Close, Richmond
28	Flats 6 & 10 Benson House, Ham Close, Richmond, TW10 7PQ
28a	Store shed 6, associated with flat 6 Benson House, Ham Close, Richmond, TW10 7PQ
28b	Store shed 10, associated with flat 10 Benson House, Ham Close, Richmond, TW10 7PQ
29	Flat 12 Benson House, Ham Close, Richmond, TW10 7PQ
29a	Store shed 12, associated with flat 12 Benson House, Ham Close, Richmond, TW10 7PQ
30	Ham Clinic, Ashburnham Road, Richmond, TW10 7NF
31	50 & 52 Ashburnham Road, Richmond, TW10 7NF
32	Land, pedestrian footway & trees known as Ham Village Green, Richmond
33	Land, fencing, trees & grassed area known as Ham Village Green, Richmond
34	Bin area & car park forming part of adopted highway known as Back Lane, Richmond
35	Adopted highway known as Back Lane, Richmond
36	Adopted highways known as Back Lane & Ashburnham Road, Richmond
37	Adopted highway known as Ashburnham Road, Richmond
38	Land & service yard situated to the rear & in between 16 Ashburnham Road & 71 Ham Street, Richmond
39	Adopted highway known as Back Lane, Richmond
40	Land & stairwell adjoining the west side of 16 & 32 Ashburnham Road, Richmond, TW10 7NF
41	16 Ashburnham Road & maisonette 32, Richmond, TW10 7NF
41a	Garage 1, associated with 16 Ashburnham Road & maisonette 32, Richmond, TW10 7NF
42	14 Ashburnham Road & maisonette 30, Richmond, TW10 7NF
42a	Garage 2, associated with 14 Ashburnham Road & maisonette 30, Richmond, TW10 7NF
43	12 Ashburnham Road & maisonette 28, Richmond, TW10 7NF
43a	Garage 8, associated with 12 Ashburnham Road, Richmond, TW10 7NF
43b	Garage 3, associated with 12 Ashburnham Road, Richmond, TW10 7NF
44	10 Ashburnham Road & maisonette 26, Richmond, TW10 7NF
44a	Garage 4, associated with 10 Ashburnham Road & maisonette 26, Richmond, TW10 7NF
45	8 Ashburnham Road & maisonette 24, Richmond, TW10 7NF
45a	Garage 5, associated with 8 Ashburnham Road, Richmond, TW10 7NF
46	Garage 9, associated with 63 Ham Street, Richmond, TW10 7NF
47	Garage 10, associated with 65 Ham Street & maisonette 75, Richmond, TW10 7NF
48	Garage 11, associated with 4 Ashburnham Road & maisonette 20, Richmond, TW10 7NF
49	Garage 7, associated with maisonette 18 Ashburnham Road, Richmond, TW10 7NF
50	Garage 6, associated with 6 Ashburnham Road, Richmond, TW10 7NF
51	Electricity substation along Back Lane & to the rear of 16 Ashburnham Road, Richmond, TW10 7NF
52	Land and grassed area known as Ham Village Green, Richmond



Key:

- Land to be acquired
- New rights to be acquired

Scale 1:200

Metres

THE COMMON SEAL OF THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES

WAS HERETO AFFIXED IN THE PRESENCE OF:

Authorised Signatory

Dated this day of 2023

Date: 05/10/2023
Version Number: v1.0 Final
Sheet Number 1 of 1
Scale: 1:650 @ A1

LRS
LAND REFERENCING SERVICES

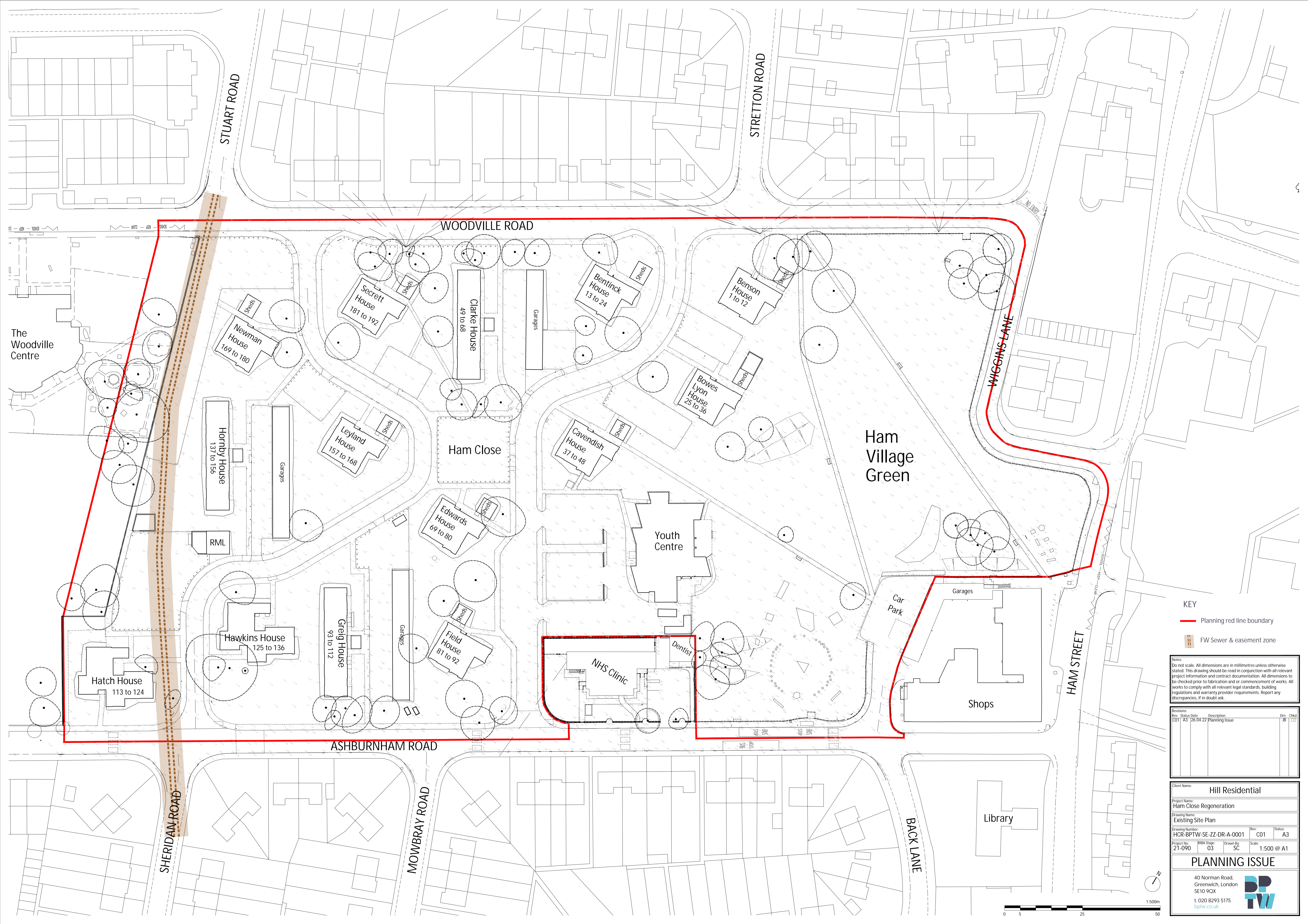
Open Space Plots:
32, 33, 52

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Where applicable the plot boundaries show the general boundary of the registered land, it does not show the exact line of the boundaries. Measurements taken from this plan may not match measurements between the same points on the ground.

www.land-referencing.co.uk

Appendix 2 - Plan of Ham Close Regeneration Area



The Woodville Centre

Ham Village Green

- KEY**
- Planning red line boundary
 - FW Sewer & easement zone

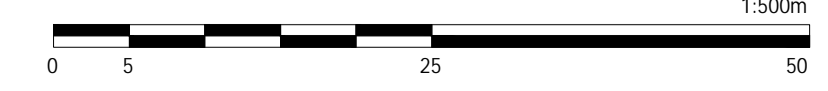
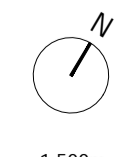
Notes:
Do not scale. All dimensions are in millimetres unless otherwise stated. This drawing should be read in conjunction with all relevant project information and contract documentation. All dimensions to be checked prior to fabrication and/or commencement of works. All works to comply with all relevant legal standards, building regulations and warranty provider requirements. Report any discrepancies, if in doubt ask.

Revisions	Rev	Status	Date	Description	Drn	Chkd
	C01	A3	12.04.22	Planning Issue	JB	C01

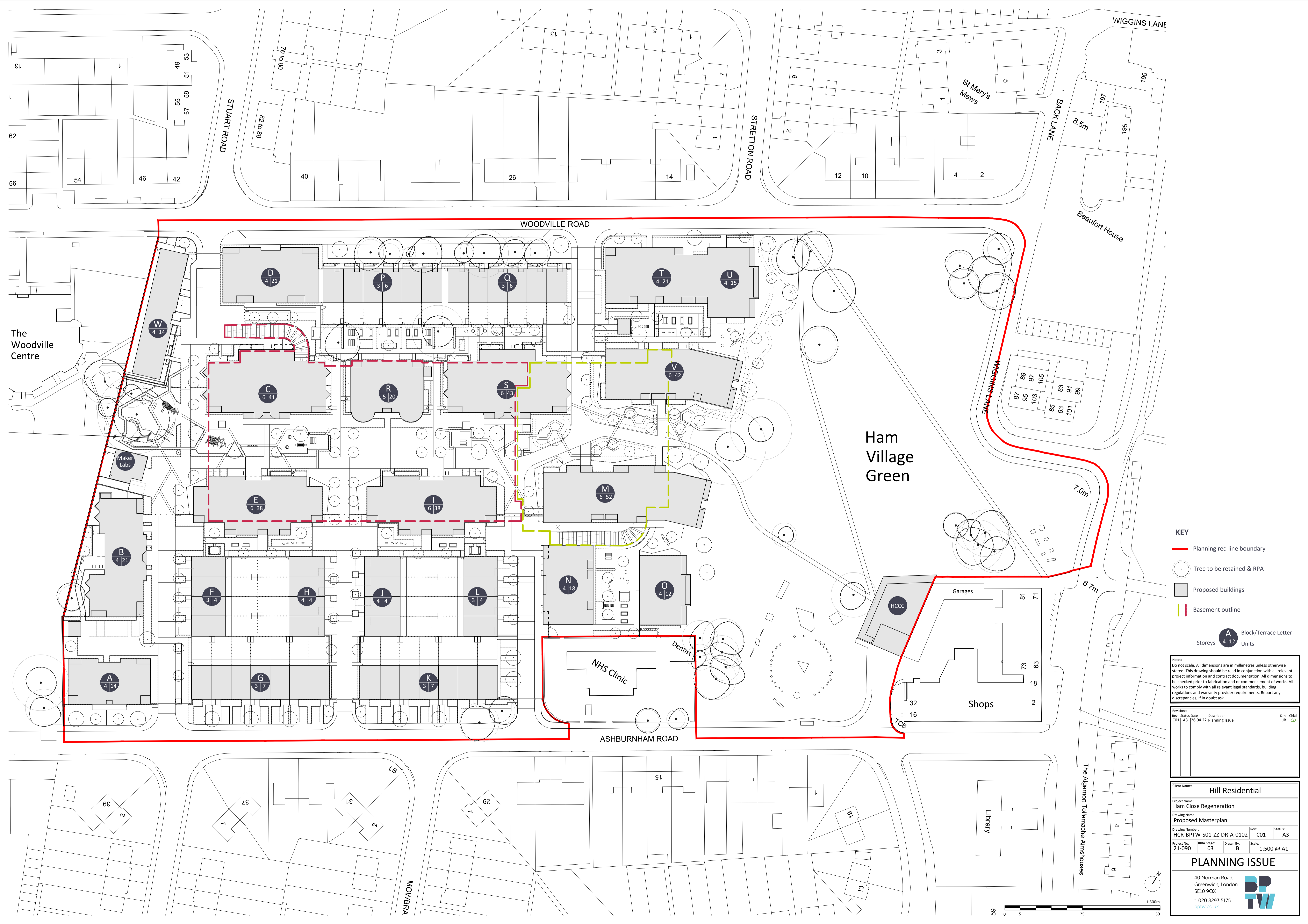
Client Name:		Hill Residential					
Project Name:		Ham Close Regeneration					
Drawing Name:		Existing Site Plan					
Drawing Number:		HCR-BPTW-SE-ZZ-DR-A-0001	Rev:	C01	Status:	A3	
Project No:	21-090	RIBA Stage:	03	Drawn By:	SC	Scale:	1:500 @ A1

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Appendix 3 – Scheme Site Layout



KEY

- Planning red line boundary
- Tree to be retained & RPA
- Proposed buildings
- - - Basement outline
- Block/Terrace Letter
- Storeys
- Units

Notes:
Do not scale. All dimensions are in millimetres unless otherwise stated. This drawing should be read in conjunction with all relevant project information and contract documentation. All dimensions to be checked prior to fabrication and/or commencement of works. All works to comply with all relevant legal standards, building regulations and warranty provider requirements. Report any discrepancies, if in doubt ask.

Revisions	Rev	Status	Date	Description	Dim	Chkd
	001	A3	12/04/22	Planning Issue		JB

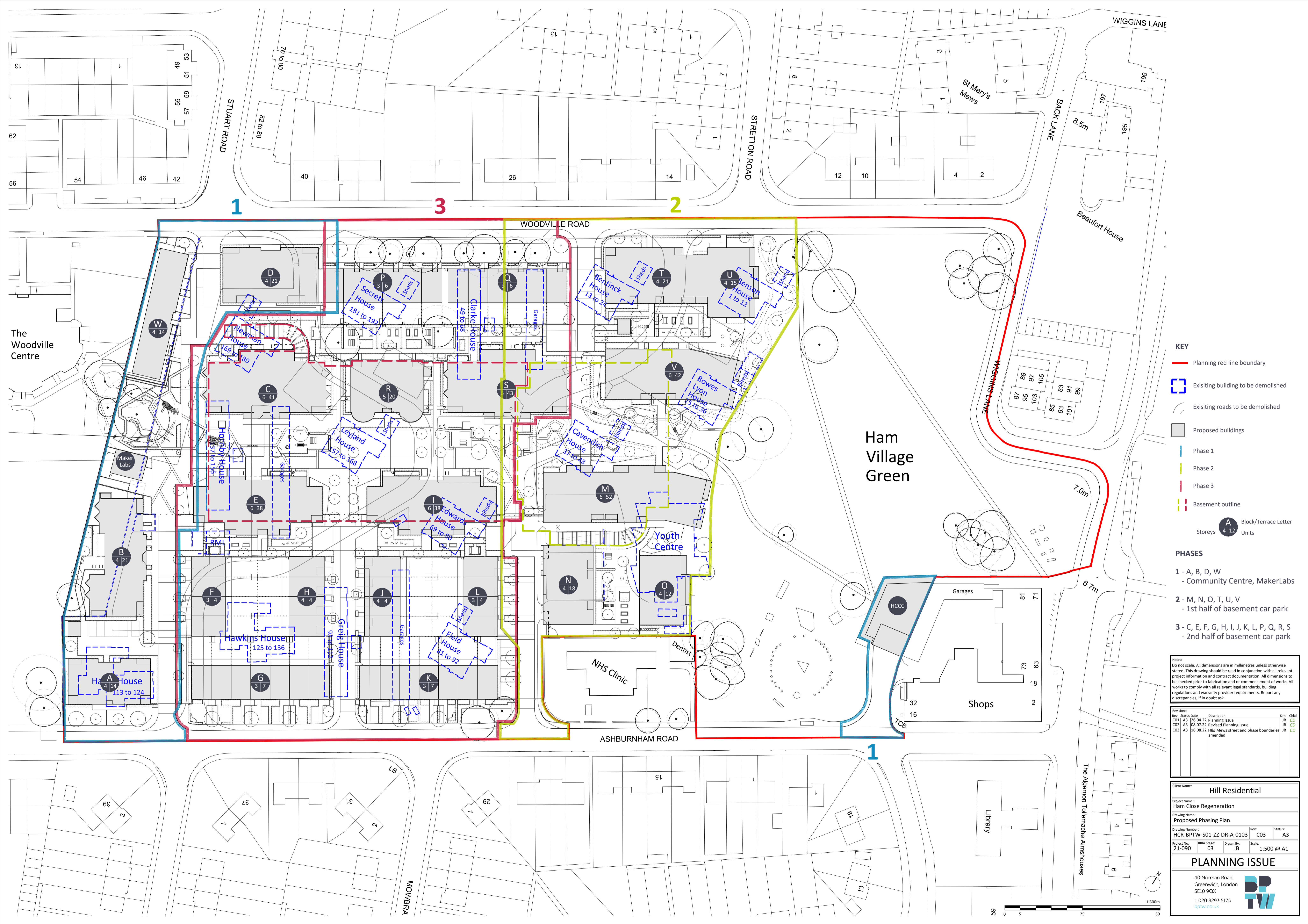
Client Name:		Hill Residential	
Project Name:		Ham Close Regeneration	
Drawing Name:		Proposed Masterplan	
Drawing Number:	HCR-BPTW-S01-ZZ-DR-A-0102	Rev:	CO1
Project No:	21-090	Status:	A3
RBIA Stage:	03	Drawn By:	JB
Scale:	1:500 @ A1		

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Appendix 4 - Phasing Plan



KEY

- Planning red line boundary
- Existing building to be demolished
- Existing roads to be demolished
- Proposed buildings
- Phase 1
- Phase 2
- Phase 3
- Basement outline
- A Block/Terrace Letter
- 12 Units

PHASES

- 1** - A, B, D, W
- Community Centre, MakerLabs
- 2** - M, N, O, T, U, V
- 1st half of basement car park
- 3** - C, E, F, G, H, I, J, K, L, P, Q, R, S
- 2nd half of basement car park

Notes:
Do not scale. All dimensions are in millimetres unless otherwise stated. This drawing should be read in conjunction with all relevant project information and contract documentation. All dimensions to be checked prior to fabrication and/or commencement of works. All works to comply with all relevant legal standards, building regulations and warranty provider requirements. Report any discrepancies, if in doubt ask.

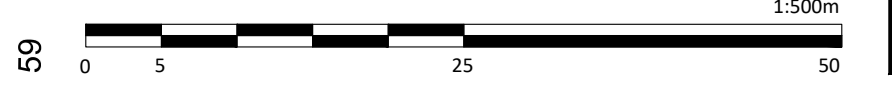
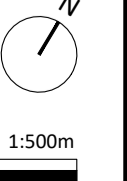
Rev	Status	Date	Description	Dim	Chkd
CD1	A3	17.04.22	Planning Issue	JB	CD
CD2	A3	08.07.22	Revised Planning Issue	JB	CD
CD3	A3	18.08.22	H&J Mews street and phase boundaries amended	JB	CD

Client Name: Hill Residential	
Project Name: Ham Close Regeneration	
Drawing Name: Proposed Phasing Plan	
Drawing Number: HCR-BPTW-S01-ZZ-DR-A-0103	Rev: CD3 Status: A3
Project No: 21-090	RBIA Stage: 03 Drawn By: JB Scale: 1:500 @ A1

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Appendix 5 – List of Documents

	Document	Date
A- Order and Related Documents		
1.	The Order and Schedule	11 October 2023
2.	The Order Map	11 October 2023
3.	Application under Schedule 3 of the Acquisition of Land Act 1981 Act relating to open space and plan	16 October 2023
4.	Open Space plan	04 October 2023
B- Plans and Drawings		
1.	Proposed Layout Drawing of the Scheme – Illustrative Landscape Masterplan (LD-PLN-100)	Undated
2.	Proposed Layout Drawing of the Scheme – Proposed Site Layout (Drawing Number: HCR-BPTW-S01-ZZ-DR-A-0102)	26 April 2022
3.	Ham Close Regeneration Area Drawing – Existing Site Plan (Drawing Number: HRC-BPTW-SE-ZZ-DR-A-001)	26 April 2022
4.	Ham Close Stopping Up Plan (Drawing Ref: 21-102-T-025)	26 October 2022
5.	Ham Close Stopping Up Plan Overlay with Proposed Layout (Drawing Ref: 21-102-T-026)	26 October 2022
6.	Phasing Plan (HCR-BPTW-S01-ZZ-DR-A-0103 Rev C03)	18 August 2022
C- Reports and Authorisations		
1.	Report to Finance, Policy and Resources Committee: In Principle decision to use CPO Powers	20 September 2021
2.	Finance, Policy and Resources Committee – Meeting Minutes	20 September 2021
3.	Report to Finance, Policy and Resources Committee – Resolution to use CPO Powers	26 September 2022 (postponed from 15 September 2022)
4.	Finance, Policy and Resources Committee – Meeting Minutes	26 September 2022 (postponed from 15 September 2022)
D- Planning Policy and Guidance Documents		

1.	National Planning Policy Framework, Ministry of Housing, Communities & Local Government	July 2021
2.	The London Plan	March 2021
3.	Local Plan, London Borough of Richmond Upon Thames	3 July 2018
4.	Ham and Petersham Neighbourhood Plan 2018-2033	January 2019
5.	Richmond Local Plan "The best for our borough" – Draft for Consultation	10 December 2021
E- Other Policy and Guidance Documents		
1.	Guidance on Compulsory purchase process and the Criel Down Rules, Department of Levelling Up, Housing & Communities	July 2019
2.	Good Practice Guide to Estate Regeneration, Mayor of London	February 2018
3.	London Borough of Richmond – Corporate Plan 2018-2022	3 July 2018
4.	Richmond Active Travel Strategy (Updated)	2017
5.	Strategic Housing Market Assessment – GL Hearn	December 2016
6.	Richmond Housing and Homelessness Strategy 2021-2026, London Borough of Richmond upon Thames	12 April 2021
7.	Richmond Housing and Homelessness Strategy Appendices 2021-2026	12 April 2021
8.	London Borough of Richmond Upon Thames – Climate Change and Sustainability Strategy 2019-2024	9 July 2019
F- Planning Permission and Supporting Documents		
1.	Planning permission reference: 22/1442/FUL – Decision Notice	22 March 2023
2.	Section 106 Agreement relating to planning permission reference: 22/1442/FUL	16 March 2023
3.	Planning committee report relating to planning permission reference: 22/1442/FUL	14 December 2022
4.	Planning Statement, Sphere 25	April 2022
5.	Design and Access Statement, BPTW	April 2022
6.	Statement of Community Involvement	March 2022

7.	Energy Strategy	April 2022
8.	Daylight and Sunlight Assessment, Avison Young	April 2022
9.	Open Space Assessment, LUC	April 2022
10.	Utilities Assessment, Hill Residential	April 2022
11.	Flood Risk Assessment, Jubb	April 2022
12.	Transport Assessment, Velocity Transport Planning	April 2022
13.	Viability Assessment, DS2	April 2022
G- Other Scheme-related Documents		
1.	Agreement for Lease and Development between RHP and Hill	8 October 2021
2.	Deed of Variation to Agreement for Lease and Development between RHP and Hill	21 October 2021
3.	Agreement for Sale and Purchase between the Council and RHP	21 October 2021
4.	Collaboration Agreement between the Council and RHP	21 October 2021
5.	Deed of Variation to Agreement for Lease and Development between RHP and Hill	28 October 2022
6.	Full report from The Prince's Foundation	October 2014
7.	Leaseholder Engagement Master	15 July 2021
8.	Ham Close Uplift Regeneration Study	July 2015
9.	Masterplan Consultation Pack	Summer 2016
10.	Design Workshops: All Workshop Feedback	Summer 2016
11.	Design Workshops: Design Approach – Workshop Presentation	July 2016
12.	Design Workshops: Design Approach – Workshop 1 Feedback	July 2016
13.	Design Workshops: Design Approach – Workshop 2 Feedback	July 2016
14.	Design Workshops: Traffic and Transportation – Workshop Presentation	July 2016

15.	Design Workshops: Traffic and Transportation – Workshop Feedback	July 2016
16.	Design Workshops: Open Space and Landscaping – Workshop Presentation	July 2016
17.	Design Workshops: Open Space and Landscaping – Workshop Feedback	July 2016
18.	Design Workshops: Community Facilities and Local Services – Workshop Presentation	July 2016
19.	Design Workshops: Community Facilities and Local Services – Workshop Feedback	July 2016
20.	Design Workshops: Impact of Construction – Workshop Feedback	July 2016
21.	Consultation Document	October 2016
22.	Design Workshops – Summary of Consultation Activity	2017
23.	Ham Close Uplift Programme Homeowner FAQs	January 2017
24.	Research Report - Future of Ham Close, BMG Research	March 2017
25.	Ham Close Uplift Programme Homeowner Updated FAQs	July 2017
26.	TPAS Associate's review of Ham Close Regeneration Offer Document	September 2017
27.	GL Hearn: Ham Close 'Buy Back' Programme FAQs	October 2017
28.	Anthony Collins Solicitors Key Information on the Shared Equity Mortgage	December 2017
29.	Ham Close Q&A Update	January 2017
30.	Ham Close Q&A Update	July 2017
31.	Ham Close Q&A Update	12 November 2020
32.	Leasehold Letter	19 December 2019
33.	Leasehold Letter	5 January 2021
34.	Leasehold Letter	11 March 2021
35.	Leasehold Letter	15 September 2021
36.	Hill Summary	November 2020

37.	Notes of Resident Engagement Panel, 10 September 2020	10 September 2020
38.	Notes of Resident Engagement Panel, 3 November 2020	3 November 2020
39.	Notes of Resident Engagement Panel, 4 March 2021	4 March 2021
40.	Notes of Resident Engagement Panel, 29 April 2021	29 April 2021
41.	Notes of Resident Engagement Panel, 10 June 2021	10 June 2021
42.	Notes of Resident Engagement Panel, 5 August 2021	5 August 2021
43.	Notes of Resident Engagement Panel, 26 August 2021	26 August 2021
44.	Notes of Resident Engagement Panel, 23 September 2021	23 September 2021
45.	TPAS Walkabout	19 May 2021
46.	Developer Press Release	June 2021
47.	Consultation at Ham Close	July 2021
48.	Ham Close Consultation Timeline	August 2021
49.	Ground Survey notice	5 August 2021
50.	Consultation Workshop Invite at Ham Close	October 2021
51.	Ham Fair 2021	September 2021
52.	Public Engagement Update	February 2022
53.	Letter to RHP Customers	9 April 2021
54.	Letter to RHP Customers re site surveys	23 April 2021
55.	Possible CPO letter - survey returned	10 September 2021
56.	Possible CPO Letter with Survey	10 September 2021
57.	Covering Letter Ham Close Regeneration – June 2021 Newsletter and Homeowner Survey	June 2021
58.	Equality Impact Assessment, Brighter Strategies for Greener Projects, Greengage	August 2022
59.	Homeowner Letter	24 June 2022
60.	Possible CPO Letter with October 2022 Update	18 October 2022
61.	RHP Letter January 2014: Ham Close latest to be 'Uplifted'	8 January 2014

62.	Prince's Trust February 2014 Letter: Residents to hear thoughts on potential Ham uplift	11 February 2014
63.	Homeowner December 2014 Letter: Update for Homeowners on potential improvements	December 2014
64.	RHP March 2015 Newsletter	March 2015
65.	RHP April 2015 Newsletter	April 2015
66.	RHP May 2015 Newsletter	May 2015
67.	RHP July 2015 Newsletter	July 2015
68.	RHP August 2015 Newsletter	August 2015
69.	RHP September 2015 Newsletter	September 2015
70.	RHP November 2015 Letter	10 November 2015
71.	RHP December 2015 Customer Offer	December 2015
72.	RHP & LBRuT January 2016 Letter to Residents	20 January 2016
73.	RHP June 2016 Newsletter	June 2016
74.	RHP October 2016 Customer Offer	Autumn 2016
75.	RHP November 2016 Newsletter	November 2016
76.	RHP January 2017 Newsletter	January 2017
77.	RHP March 2017 Newsletter	March 2017
78.	RHP April 2017 Newsletter	April 2017
79.	RHP July 2017 Newsletter	July 2017
80.	RHP August 2017 Newsletter	August 2017
81.	RHP October 2017 Newsletter	October 2017
82.	RHP December 2017 Newsletter	December 2017
83.	RHP May 2018 Newsletter	May 2018
84.	RHP October 2018 Newsletter	October 2018
85.	RHP March 2019 Newsletter	March 2019
86.	RHP May 2019 Newsletter	May 2019

87.	RHP July 2019 Newsletter	July 2019
88.	RHP October 2019 Newsletter	October 2019
89.	RHP December 2019 Newsletter	December 2019
90.	RHP March 2020 Newsletter	March 2020
91.	RHP July 2020 Newsletter	July 2020
92.	RHP October 2020 Newsletter	October 2020
93.	RHP December 2020 Newsletter	December 2020
94.	RHP June 2021 Newsletter	June 2021
95.	RHP December 2021 Newsletter	December 2021
96.	RHP August 2022 Newsletter	August 2022
97.	RHP December 2022 Newsletter	December 2022
98.	RHP Summer Newsletter 2023	Summer 2023
99.	Stakeholder Reference Group (SRG) July 2016 Meeting Minutes	4 July 2016
100.	SRG July 2016 Meeting Minutes	18 July 2016
101.	SRG September 2016 Meeting Minutes	9 September 2016
102.	SRG October 2016 Meeting Minutes	12 October 2016
103.	SRG November 2016 Meeting Minutes	30 November 2016
104.	SRG January 2017 Meeting Minutes	25 January 2017
105.	SRG February 2017 Meeting Minutes	20 February 2017
106.	SRG March 2017 Meeting Minutes	7 March 2017
107.	SRG April 2017 Meeting Minutes	26 April 2017
108.	SRG June 2017 Meeting Minutes	21 June 2017
109.	SRG October 2017 Meeting Minutes	17 October 2017
110.	SRG November 2017 Meeting Minutes	30 November 2017
111.	SRG January 2018 Meeting Minutes	31 January 2018
112.	SRG March 2018 Meeting Minutes	21 March 2018

113.	SRG July 2018 Meeting Minutes	16 July 2018
114.	SRG October 2018 Meeting Minutes	1 October 2018
115.	SRG February 2019 Meeting Minutes	5 February 2019
116.	SRG April 2019 Meeting Minutes	2 April 2019
117.	SRG September 2019 Meeting Minutes	9 September 2019
118.	SRG August 2020 Meeting Minutes	18 August 2020
119.	SRG November 2020 Meeting Minutes	4 November 2020
120.	SRG August 2021 Meeting Minutes	11 August 2021