

STATEMENT OF CASE
OF THE LONDON BOROUGH OF HARROW

Under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007

**THE LONDON BOROUGH OF HARROW (GRANGE FARM ESTATE
REGENERATION PHASES 2 AND 3)
COMPULSORY PURCHASE ORDER 2020**

Section 226(1)(a) of the Town and Country Planning Act 1990

The Acquisition of Land Act 1981

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1. INTRODUCTION

- 1.1 This Statement of Case (“Statement”) is submitted by the London Borough of Harrow (“the Council”) in its capacity as acquiring authority under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007. References to the prefix **[CD]** followed by a capital letter and a number (by way of example **[CDX.01]**) in this Statement represents a document’s reference in the Core Documents prepared by the Council. A list of the Core Documents is at Appendix 1 of this Statement.
- 1.2 On 17 September 2020 the Council made the London Borough of Harrow (Grange Farm Estate Regeneration Phases 2 and 3) Compulsory Purchase Order 2020 (“the Order”) **[CDC.1]** pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (“the 1990 Act”) **[CDA.1]** and the Acquisition of Land Act 1981.
- 1.3 If confirmed, the Order will enable the Council to acquire compulsorily the properties and interests listed in the Schedule to the Order (“the Order Land”) and shown coloured pink on the map submitted with the Order (“the Order Map”) **[CDC.2]** in order to facilitate the carrying out of development, redevelopment or improvement of Grange Farm Estate. The scheme underlying the acquisition – part of which has already commenced on land that is not subject to the CPO – will provide 574 dwellings, a new community centre, new public open spaces and an on-site energy centre (“the Regeneration Scheme”) as more fully described in section 4 of this Statement **[CDC.4]**. The Regeneration Scheme will lead to the improvement of the economic, social and environmental well-being of the Grange Farm Estate and the Council’s wider area.
- 1.4 The Council submitted the Order to the Secretary of State for Housing, Communities and Local Government on 29 September 2020 with the request that the Order be confirmed. On 25 January 2021 the Planning Casework Unit confirmed to the Council that it had received a number of objections to the Order being confirmed and the Inspector (appointed by the Secretary of State) has decided to hold a public local inquiry to begin on 29 June 2021 to hear the objections and the Council’s case for making the Order.
- 1.5 This Statement builds on the matters contained within the Council’s non-statutory Statement of Reasons **[CDC.4]** which accompanied the making of the Order in setting out why the CPO is necessary and also sets out the Council’s responses to the objections to confirmation of the Order.

- 1.6 The Council has carefully considered the Ministry of Housing, Communities & Local Government “Guidance on Compulsory Purchase Process and the Crichel Down Rules” issued in July 2019 (“the CPO Guidance”) **[CDA.3]** and recognises that 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 Order Land.
- 1.7 The Council considers that there is a compelling case in the public interest for confirmation of the Order and the purpose of this Statement is to provide the justification for making the Order and to explain the Council’s proposals for the Regeneration Scheme. The CPO will enable the delivery of Phases 2 and 3 of the Grange Farm Regeneration in order to improve the housing stock in South Harrow. Work on Phase 1 of the Regeneration Scheme is already well underway. The existing estate has been in need of major capital investment for a long time. The dwellings within the existing estate were predominantly built in the 1960s of a “Resiform” which now shows significant problems with cold bridging and poor thermal insulation. The dwellings are difficult and expensive for residents to heat and provide substandard living accommodation for residents. The physical form of the buildings makes improvement complex and expensive and over time, these inherent flaws, combined with ageing of the premises, continues to increase management and maintenance costs. The Council has undertaken extensive investigations and surveys to ascertain the potential for refurbishment but has concluded that the properties would continue to present challenges as well as failing to deliver a housing type to meet demand. Moreover, the design and layout of the estate has contributed to increasing incidents of anti-social behaviour and crime and the new estate has been designed to meet the requirements of the Secured By Design “Gold” standard.
- 1.8 The Order Land forms part of the Grange Farm Estate (“the Estate”). The Estate is identified in the Council’s Core Strategy Policy CS3(J) **[CDB.9]** of the Harrow Core Strategy (February 2012) as a site where opportunities for estate renewal will be supported.
- 1.9 The Council has undertaken a thorough referencing exercise of the Order Land to ensure that all interests and rights that may be acquired are incorporated within the Order Land and the Council has used reasonable endeavours to notify those persons whose interests may be acquired of the making of the Order.

- 1.10 A hybrid planning permission under reference P/3524/16 **[CDB.1]** for the Regeneration Scheme was approved by the Council on 29 March 2019 and comprises the following elements:
- (i) Detailed Planning Application for Phase 1 (Plot 2) comprising: demolition of existing dwellings; erection of buildings C, D and E ranging from three to seven storeys in height to provide 89 dwellings; realignment of public highway; landscaping of public realm; associated parking and cycle parking spaces.
 - (ii) Outline Application for access only and subject to Design Code (December 2017) in respect of Phases 2 and 3 comprising: demolition of existing buildings; erection of buildings on Plots 1 and 3 of up to max 93.70metres in height above ordnance survey to provide 485 dwellings; Community Centre (up to 1,350sqm) for D1/D2 uses within Plot 9; Community Facility (up to 282sqm) for D1 use within Plot 7.
- 1.11 The intention of the Council is that the Regeneration Scheme will be delivered in three phases; supported by and in line with its current decant strategy. Phase 1 of the Regeneration Scheme (the detailed element of the scheme) is being delivered by the Council and is entirely affordable housing comprising 89 dwellings made up of 68 replacement social rent housing and 21 shared ownership units.
- 1.12 All proposed dates and timeframes in this Statement are expressed by the Council in its best knowledge at the date of this Statement but are subject to alteration where intervening events and circumstances related to coronavirus (where “coronavirus” has the same meaning as defined in s.1 of the Coronavirus Act 2020) require such alteration.
- 1.13 The Council awarded a contract for the design and build of Phase 1 to Higgins, a construction company, which is highly experienced in the delivery of regeneration projects. Work on Phase 1 is well advanced with handovers currently anticipated to be in 2022.
- 1.14 A compulsory purchase order was not required for Phase 1 of the Regeneration Scheme as the Council obtained vacant possession of the properties required for the delivery of that phase.

- 1.15 Phases 2 and 3 of the Regeneration Scheme (the outline element) will provide the remaining 485 dwellings comprising 300 units for private sale and 185 affordable housing units along with a replacement community facility.
- 1.16 Phases 2 and 3 of the Regeneration Scheme will be delivered by the Council working with a development partner. The procurement process to select the development partner is currently anticipated to commence in 2021 and is envisaged to take a period of not less than 12 months to complete. The procurement process will conclude when a suitable developer partner is identified who will deliver as an absolute minimum 300 new dwellings for market sale and 185 affordable dwellings. It is anticipated that the development partner will be selected in September 2022 and the contract will be entered into prior to March 2023. The Council will work with its delivery partner on the outline element in order to address all reserved matters prior to commencing works. As such, the programme for demolition may be later than the contract date and is shown as such. However, vacant possession of all existing dwellings on the phases 2 and 3 land will need to be delivered prior to entering into the contract as both phases will be, in all likelihood, incorporated within a single contract.
- 1.17 The Order Land is required for the delivery of Phases 2 and 3 of the Regeneration Scheme. It is intended to deliver these through a phased programme of demolition and redevelopment as follows:

Phase No.	Properties to be demolished	Indicative Phase Start Date
Phase 2	<ul style="list-style-type: none"> • 46-90 Grange Farm Close (Blocks I, J, K, L and M) • 19-27 Osmond Close (Block D) • 1-63 Wesley Close (Blocks N, O, P, Q, R, S and T) • 28-39 Osmond Close (Blocks 1 – 2) 	March 2023
Phase 3	<ul style="list-style-type: none"> • 40-51 Osmond Close (Blocks 3-4) • Bungalows (Osmond Close) • 66-75 Osmond Close • 64-108 Wesley Close (Blocks U, V, W, X and Y) • 109-118 Wesley Close • Community Centre 	March 2023

Note: “start date” means the contract date

- 1.18 The Council's aim is to purchase all interests in the Order Land by private treaty. To this end, the Council is in negotiations with the owners of the interests in the Order Land, with a view to purchasing their interests by private treaty.
- 1.19 To date, the Council has been unable to acquire all of the interests in the Order Land by private treaty but continue to try to do so.
- 1.20 The Council has also sought to secure the interests of the properties on the estate which are currently owned by Notting Hill Genesis ("NHG"). These comprise 20 no. dwellings 66, 67, 74, 75 and Flats 68-73 Osmond Close, Harrow, Middlesex, HA2 0DD and 109, 110, 117, 118 and Flats 111-116 Wesley Close, Harrow, Middlesex, HA2 0SD but at this time has not succeeded in agreeing terms.
- 1.21 The Order is being sought in respect of the Order Land as a contingency measure to ensure the timely delivery of Phases 2 and 3 of the Regeneration Scheme if attempts to acquire all the necessary interests and rights by negotiation prove unsuccessful. The promotion of compulsory purchase orders whilst continuing to negotiate with those whose interests may be acquired is entirely consistent with the CPO Guidance **[CDA.3]**.
- 1.22 As demonstrated later in this Statement, such is the poor quality of the existing accommodation and environment in the Estate, and such are the benefits that the Regeneration Scheme would deliver, that there is a compelling case in the public interest in support of confirmation of the Order.
- 1.23 In finding that there is such a compelling case, the Council has had regard to the human rights of those whose interests it proposes to compulsorily acquire.
- 1.24 The Council has undertaken extensive consultation with the residents, leaseholders and freeholders of the Estate (including those with interests in the Order Land) in formulating the proposals for regeneration of the Estate and the decanting, acquisition and compensation packages for the residents, leaseholders and freeholders of the Estate.

2 BACKGROUND

- 2.1 The Estate, of which the Order Land forms a part, was used as farmland with associated buildings until the mid-20th Century at which point it was surrounded by expanding suburban London.

- 2.2 The present Estate consists mainly of a series of buildings constructed in the 1960s **[CDB.5]** to address the lack of suitable housing in the area, with the simple landscaping seemingly left as an afterthought without proper attention or design as a setting to the development but not laid out in a manner to provide a useable amenity/recreation area for residents.
- 2.3 The majority of the existing buildings on the Estate were constructed using the Resiform method of construction **[CDB.5, p20-21]** which is a non-traditional form of construction comprising a timber frame system with an outer skin of plastic panels constructed of polyester resin reinforced with glass fibre, backed with fibrous asbestos and lined with thermal quilting.
- 2.4 In structural terms, the existing buildings have passed their ideal useful life and are therefore proving difficult and expensive for the Council to maintain. The fibreglass cladding on the external walls combined with the limited insulation make the buildings difficult to keep warm and for residents to heat.
- 2.5 The vast majority of existing buildings on the Estate no longer conform to Building Regulations. They provide sub-standard living accommodation for residents and the initial estimate to retrofit measures to bring the buildings up to modern standards is £11m. This is not considered to be good value for money in the long term as the basic building fabric will not be renewed. In addition, the Council has limited resources to refurbish the buildings to the required standard. Other estates of similar construction both in Harrow and elsewhere, have already been demolished and rebuilt.
- 2.6 The evolution of the surrounding area has further left the Estate relatively secluded and segregated from the wider area, leading to problems of isolation, antisocial behaviour and crime. The redevelopment of the Estate has therefore long been an ambition of the Council.
- 2.7 On 20th June 2013, the Council's Cabinet resolved that detailed feasibility studies be undertaken on some existing housing estates in order to establish the potential for a realistic redevelopment and regeneration of the identified estates. Grange Farm estate was added to the list in September 2013.
- 2.8 In November 2013, the Council appointed PRP architects to carry out the detailed feasibility studies on the identified estates including identifying options for redevelopment of each of the estates and an assessment of the costs and funding options.

- 2.9 A key part of developing the feasibility options for the identified estates was to carry out a consultation with the residents of each of the estates. Two rounds of resident consultations were carried out for each of the estates.
- 2.10 In terms of Grange Farm Estate, the first feasibility options consultation was carried out on 31st January 2014 and the second on 24th March 2014. The purpose of the first consultation was to understand the residents' views of their estate and the issues they would like addressed in taking forward any development proposals. The second consultation was to show residents the initial proposals for their estate and to get their feedback.
- 2.11 A summary of the outcome of the feasibility options consultation undertaken in respect of Grange Farm is set out below:

Date of Consultation	Number of Households Invited	Number of Households in Attendance	Consultation Outcomes
31/01/14	254	64	<p><i>Residents liked:</i> good community, good size flats, proximity to amenities, storage space, the area.</p> <p><i>Issues identified:</i> damp, draught & drainage problems, noise, heating, lack of security, parking issues.</p> <p><i>Changes residents would like:</i> communal open space to be secure and more usable for families and children; more/ better parking possibly controlled, size of flats, appearance of the estate, modernisation, soundproofing.</p>
24/03/14	254	46	<p><i>Proposal explored:</i> comprehensive regeneration.</p> <p><i>Residents' feedback:</i> most residents supported the proposals for a comprehensive regeneration of the estate. They understood that this would mean an increase in the number of dwellings on the estate and additional sources of funding would need to be identified before it could proceed.</p>

- 2.12 The feasibility study identified the Estate as a priority for complete regeneration primarily because the opportunity to improve and maintain the quality of the existing dwellings is constrained by its Resiform method of construction.
- 2.13 On 17 July 2014, Cabinet approved the appointment of consultants to work up detailed planning proposals for redevelopment of the Estate and a draft Resident Engagement Plan to be agreed with the residents and stakeholders.
- 2.14 A formal Resident Steering Group (currently made up of 12 volunteer tenants and leaseholders) was set up to work with the Council and its appointed professional team to ensure that the interests of the community are represented, and that their views were carried through to the detailed planning proposals for the Estate.
- 2.15 Following an interview process carried out by the Steering Group in February 2015, an Independent Tenant Advisor (One Enterprise) was appointed to provide independent advice to the Steering Group and to support the group through the regeneration process. The Independent Tenant Adviser is paid for by the Council.
- 2.16 The Steering Group was involved in selecting the architect team to take forward the detailed design and planning application for the redevelopment of the estate. Following the joint selection process between the Council and the Steering Group, Hawkins Brown Architects LLP was appointed on 30 November 2015.
- 2.17 The Steering Group has been working closely with the Council and its appointed consultants in reviewing the plans and comparing them to other developments through site visits organised and funded by the Council both within Harrow and schemes as far away as Cambridge. This ensures that the new Grange Farm will be of the highest standard and meets the needs of local people for many years to come.

Pre-Application Consultation

- 2.18 Consultation has been a critical strand of work undertaken throughout the evolution of the design for the Regeneration Scheme. From May 2015, commencing with the architect selection, the Council and its appointed consultants have held comprehensive and extensive consultation with the community and stakeholders on the development proposals prior to the submission of the planning application.
- 2.19 The aims of the consultation and engagement process were to:

- increase awareness of the development proposals and to ensure a high level of community involvement in the design process;
- allow the community the opportunity to input into the design process and ensure that their needs and concerns were addressed and accommodated in the design; and
- allow the Council and its consultants the opportunity to provide feedback on the evolving design and how concerns raised have been addressed or why they could not be addressed.

2.20 Some twenty-two community engagement events have taken place since May 2015. Issues discussed related to architects' appointment, design, the community centre, housing decant, energy strategy, preparation of the neighbourhood agreement, highways and transport issues, design review, landscaping, play areas, youth engagement, etc.

2.21 The following are a few selected key community engagements that took place:

- formal design development and planning commenced in May 2015 with an event to select the architect, which was attended by 40 residents. Members of the Steering Group were invited to interview the architects.
- 15th August 2015 – a site walkabout with members of the Steering Group to identify key issues and concerns and to review positive aspects of the neighbourhood.
- 5th September 2015 – members of the Steering Group were taken on a bus tour to 3 different regeneration schemes in Enfield, Harlow and Cambridge. Key objective was to explore what works or doesn't work, the use of materials, use of open space, play spaces, etc.
- On the 19th September 2015 an open house attended by approximately 60 – 70 residents was held to review transport routes and linkages in and out of the Estate. A historic exhibition and tour of the Estate also took place.
- 9th to 15th November 2015 – Door knocking and dropping of newsletters to all residents on the Estate.

- 21st January 2016 – a public consultation was held with over 2000 people invited consisting of local residents, local businesses, local schools and religious groups. About 100 people turned up for the event where the architects shared their latest design plans and the public gave feedback on the design, community centre, play provision, open spaces etc.
- 3rd June 2016 – a youth engagement took place where young people were given the opportunity to explore the future designs for Grange Farm in virtual reality and a survey was given out to ask what they would like to be more involved with. Consultation took place over green spaces and play areas and updated designs for the new community centre.
- On the 28th June 2016 a final pre-submission exhibition was held to present the final design proposals to be submitted to the local planning authority.
- Following submission of the planning application and receipt of an objection from the Ministry of Defence (RAF Northolt), the proposed scheme was revised and four further consultation events were subsequently held with the residents and the Steering Group to review the revised design.

2.22 Over the course of the consultation process, the feedback was noted as being generally positive. The following vision for the regeneration of the Estate became clear from the feedback received during the consultations:

- restore an urban pattern of tree-lined streets and spaces, connecting into the wider fabric of South Harrow;
- establish a robust masterplan so that the vision can be implemented over time if all of the land parcels are not available from the outset;
- establish a clear distinction between the public and private realms, with a well-defined amenity space;
- provide residents with front doors and clear street addresses;
- create a new building for the whole community at the heart of the scheme, and provide a community hall and facilities for the local Air Cadets;

- cultivate inclusiveness and community engagement with the new neighbourhood;
- adopt a “fabric first” energy approach, with a robust material palette, establishing a sensible and long term approach to environmental sustainability;
- improving access and egress to the Estate; and
- reducing incidences of antisocial behaviour.

2.23 The above considerations have shaped the design of the Regeneration Scheme by:

- improving linkages to the wider area, i.e. to Northolt Road and to Waitrose;
- developing a hierarchy of open spaces with a range of forms and functions;
- providing sufficient well-located parking and cycle storage;
- providing well located and adequate refuse and recycling areas;
- maintaining and increasing where possible the size of the new dwellings compared to the existing;
- providing options for additional toilets in some dwellings;
- developing a robust materials pallet;
- ensuring natural surveillance, clear and direct pedestrian routes, to address anti-social behaviour;
- providing a mix of unit sizes to accommodate more family-sized dwellings (three bedroom plus); and
- providing all dwellings with balconies or other private outdoor spaces.

2.24 Full details of the community engagement and consultation strategy adopted for the Regeneration Scheme are set out in the Statement of Community Involvement **[CDB.6]** submitted with the planning application and consultation has continued with monthly Resident Steering Group meetings which has brought positive feedback.

3 DESCRIPTION AND LOCATION OF THE ORDER LAND

- 3.1 The Estate, of which the Order Land is a part, covers an area of approximately 4.1 hectares in size and has a domed topography with the peak located at the existing playground at the centre.
- 3.2 The Estate is located in South Harrow and is bounded partly by Shaftsbury Avenue to the north-east, Osmond Close to the south-east, the Northolt Retail Park and associated car park and servicing to the south-west, the rear of residential properties fronting Dudley Road to the north-west and partially bounded by Northolt Road to the east.
- 3.3 The Order Land and the wider regeneration site currently consists of 282 existing dwellings of which 253 are for social rent and 29 are leasehold/freehold. The existing dwellings are provided within a variety of building types namely:
- 25 identical three-storey Resiform clusters, built in the 1960s and comprising one and two bedroom dwellings.
 - the three-storey NHG residential blocks to the west comprising one, two and three bedroom dwellings.
 - a more recent red brick housing development located in the south east consisting of several bungalows and three-storey apartment buildings.
 - a single storey community centre is situated towards the centre of the Estate and a single-storey Territorial Army centre is located at the frontage of Northolt Road.
- 3.4 The older Resiform blocks are recessed from the highway and incorporate rudimentary landscaping to the front and rear and consequently; the buildings do not interact with the surrounding townscape, causing inefficient use of the space and a poorly defined open space. The more recent red brick dwellings are relatively isolated and include pockets of secluded spaces. The NHG accommodation again includes some modern red brick housing that is poorly integrated with the wider Estate.
- 3.5 The Estate and the Order Land are surrounded by a mix of land uses. The north of the Estate is characterised by semi-detached and terraced housing, beyond which is Whitmore High School and playing fields. To the east of the Estate there are various uses such as the Royal British Legion Harrow Club, the Harrow Police Station, a hotel

and other smaller commercial units. The buildings east of the Estate are up to nine storeys in height.

- 3.6 Further to the east of the Estate are a mix of post-war and contemporary housing. There is further semi-detached and terraced housing to the west and the Northolt Road Retail Park and South Harrow Industrial Estate to the south.
- 3.7 Vehicular access to the Estate is via Wesley Close and Osmond Close. There is a single pedestrian-only access point via Osmond Close to the south-east of the Estate, leading onto Northolt Road.
- 3.8 South Harrow Underground Station is approximately 380m to the south and there are a number of bus routes along Northolt Road and Eastcote Lane.
- 3.9 The Estate is located within flood zone 1 and is therefore at a low risk of flooding.
- 3.10 The Estate itself is not within a conservation area but there are a number to the east, the nearest being Roxeth Hill Conservation Area which is approximately 163 metres from the Estate. There is also a Grade II listed building, namely 29-37 Horn Buckle Close to the east, approximately 180 metres from the Estate.
- 3.11 The existing buildings on the Estate require major improvements and the Council has limited resources to make those necessary improvements. Estimates provided by consultants appointed by the Council suggest that upgrading the existing building stock would require considerable investment.
- 3.12 Moreover, upgrading the existing buildings would not deliver a mix and typology of dwellings which aligns with current housing needs.
- 3.13 Regeneration is therefore seen as the only feasible solution to address these problems. Through regeneration, the Council can obtain investments and improvements for the estate and surrounding areas and it provides an opportunity to build high quality, sustainable dwellings and create a vibrant place for residents to live.
- 3.14 The detailed boundary of the Order Land is shown on the Order Map appended to this Statement.
- 3.15 The Council owns the freehold of the Order Land. Details of other parties with an interest in the Order Land are set out in the Order Schedule **[CDC.1]**.

4 THE PLANNING POSITION AND DEVELOPMENT PROPOSALS

4.1 The Council granted hybrid planning permission (ref: P/3524/16) **[CDB.1]** for the redevelopment of the Estate (including the Order Land) on 29 March 2019. The planning permission comprises the following elements:

- (i) full planning permission for Phase 1 (Plot 2) involving demolition of existing dwellings; erection of buildings C, D and E ranging from three to seven storeys in height to provide 89 dwellings; realignment of public highway; landscaping of public realm; associated parking and cycle parking spaces.
- (ii) outline planning permission for Phases 2 and 3 involving demolition of existing buildings; erection of buildings on Plots 1 and 3 of up to max 93.70 metres in height above ordnance survey to provide 485 dwellings; Community Centre (up to 1,350sqm) for D1/D2 uses within Plot 9; Community Facility (up to 282sqm) for D1 use within Plot 7.

4.2 The design rationale for the Regeneration Scheme is to ensure that the development stitches into the existing urban fabric. The development therefore needed to tie in with the traditional Metroland character located to the north and west of the Estate and then the more densely urban character along Northolt Road to the east.

4.3 Consequently, the Design Code submitted and approved as part of the hybrid permission sets three distinct characters across the application site, namely Metroland to the north/west of the site, before changing to medium-scale buildings identified as courtyard blocks. Along the southern and eastern boundary are larger scale blocks known as “Mansion blocks” which are more akin to the urban fabric adjoining this part of the site. Across the application site, the Design Code has identified expressive corners to buildings, which provide an opportunity for architectural licence to achieve details of interest where they would be prominent within the public realm

Phase 1 - Full Planning Permission

4.4 The full planning permission for Phase 1 (Plot 2) of the Regeneration Scheme will provide a 100% affordable housing units (89 dwellings in total) made up of 68 social rented units and 21 shared ownership units along with provision of 26 car parking spaces and 151 cycle spaces.

4.5 Phase 1 will comprise three buildings (Blocks C, D and E) **[CDB.2.2 , para 2.4]** ranging from three to seven storeys. Block C would be an L shape building in the north-western

corner of the site, accessed from Shaftesbury Avenue. It would be 36m in length along the main access in the site, with a depth of 13.5m at the northern end. Where this meets Block D, it has a roof height of 25m before decreasing down to the corner, and a height of 19.5m. From the junction with the main access from Shaftesbury Avenue with the first secondary road, it would have a length of 59m, with a maximum depth of 12m. From the corner roof height of 19m, it would increase to a height of 25m, before decreasing down to an eaves height of 17m nearer the point it becomes adjacent with Block B.

- 4.6 The element fronting the secondary road would provide accommodation which would be arranged as dwellings split over two levels, each with private accesses. The remaining units would be flats. Block C would provide 60 units, all of which would be social rent. Four of the units would be designated as wheelchair units. Internal refuse and cycle storage would be provided.
- 4.7 Block D would be located on the western side of the primary access into the site from Shaftesbury Avenue. It would run in a more north to south orientation, and be located on the eastern end of proposed Block E. Where it connects with Block C, it would be 20m in length, with a depth of 12m. It would have five floors of accommodation at the northern end with a roof height of 18.2m, before increasing to 6 floors, with a height of 25m.
- 4.8 Block D would provide 21 units, all of which would be shared ownership. Amenity space would be provided by way of projecting balconies and internal cycle and refuse storage would be provided.
- 4.9 Block E would be located in the north western corner of the site, fronting Shaftesbury Avenue and located between the existing dwellings to the east and proposed Block D. It would be 44m in length where it joins Block D, with a depth of 10m. It would have an eaves height of 6.8m and a maximum height of 11.8m. It would provide eight two-storey dwellings, with accommodation and amenity space within the roof space. Each of the rear gardens would have two secure cycle spaces. Off-street parking would be provided directly from Shaftesbury Avenue, along with secure bin stores.
- 4.10 The existing highway network within the Estate does not allow for vehicle permeability within the Estate. Therefore, the full planning permission proposes a realignment of the highway network which would result in a primary road accessed from Shaftesbury Avenue and would travel south west for approximately 150m. It would then change

direction 90 degrees to travel 225m to provide access to Dudley Road. This would provide the primary thoroughfare through the development. A stopping up order for the existing highway has been made to facilitate the implementation of the planning permission and allows for the new highway to be adopted by the local highway authority. The intention is that not all of the new highway will be adopted.

- 4.11 Two secondary highways are also proposed as part of Phase 1 of the Regeneration Scheme, each of them looping off the primary road before linking back to it. Each of these roads would be shared surfaced to enable a more pedestrian-dominated area.
- 4.12 The primary pedestrian access to the site will be to the south-east from Northolt Road. On the southern boundary between the eastern flank elevation of Plot P and the western flank elevation of Plot Q, a public walkway would enter into the Waitrose car park.
- 4.13 As previously indicated, the Council awarded a contract for the design and build of Phase 1 to Higgins and work to deliver Phase 1 is well underway.

Phases 2 & 3 - Outline Planning Permission

- 4.14 Phases 2 and 3 of the Regeneration Scheme make up the outline element of the planning permission and for which the Order Land is required.
- 4.15 Phases 2 and 3 will involve the erection of Blocks A, B, F, G, H, I, J, K, L, M, N, O, P, Q, R and S [**CDB.2.2 , para 2.4**] and will provide 485 dwellings in total comprising 148 social rent units, 4 shared ownership units and 333 private sale units along with 234 car parking spaces and 792 cycle spaces.
- 4.16 Other than the access, all other matters for Phases 2 and 3 are reserved for future consideration. However, the parameter plans submitted with the outline application sets out the maximum building envelopes and heights of the buildings to be provided within Phases 2 and 3. In addition, the approved Design Code sets out the fundamental parameters for the outline elements of the masterplan and would assist in ensuring the delivery of a coherent, high quality and successful residential neighbourhood.
- 4.17 A new, larger, more modern and more functional and flexible community facility is to be provided as part of Phase 3 (Plot 9, Block S) to replace the existing small community centre located on the Estate. This new larger community centre will allow the co-location of existing community resources and provision of new resources accessible both to the residents of Grange Farm and the wider area.

- 4.18 The design rationale for the proposed community facility comes from the historic former barn that was located on the site. The Design Code provides details on how the design is to follow the barn-like features, resulting in a standalone building with a steeply pitched roof and requires hard wearing materials of a more rural flavour to be utilised within the finishing of the structure to ensure that the building provides a nod to the historic use of the site.
- 4.19 The Design Code also provides a breakdown of the uses that the new community centre must provide and sets a minimum amount of floorspace to be divided up into the varying uses.
- 4.20 The current open spaces across the Estate are of a poor quality. As a result of the poor quality and relationship of the open spaces to the housing stock on the Estate, there is a lack of definition and ownership of the open spaces. As such, the existing open space set aside for amenity space is underutilised. Further, a one “one size fits all” play space is provided for the entire Estate and this is also of poor quality with dated equipment that is not suitable for all age groups of children presently on the Estate. Moreover, the poor design and layout has created areas which have become prone to anti-social and criminal activity. This has been addressed in the design of the new scheme, which incorporates design elements developed to reflect local crime prevention input.
- 4.21 The approved Regeneration Scheme seeks to create clearly defined, usable open spaces for both public and communal use, to maximise the functionality of the open space and provide a wide variety of relaxation, recreation and social opportunities. The open space strategy will foster community interaction through the use of productive gardens and play spaces including a Multi-Use Games Area.
- 4.22 When completed, the Regeneration Scheme will deliver a new lifetime neighbourhood that naturally connects with the wider borough and breaks down the barriers between the Estate and the surrounding areas.

Section 106 Agreement

- 4.23 As the planning application was submitted by the Council and the Council cannot enter a section 106 agreement with itself, a “shadow” Section 106 agreement [**CDB.4.1-4.4**] has been drafted to sit alongside the planning permission. The conditions attached to the planning permission and the “shadow” Section 106 agreement) secure the following matters :

- (i) the developer to provide 282sqm of floor space for the relocation of the Ministry of Defence's Air Cadets facility (and to ensure their relocation at the earliest practical timing;
- (ii) the developer undertakes to set out a strategy for ensuring that the quality of the architecture and finish are preserved through all phases of development including delivery on site by way of compliance with the approved Design Code;
- (iii) a minimum of 241 dwellings (15,709sqm social rent and 1,611sqm shared ownership) on the site to be provided as affordable dwellings in accordance with a schedule of accommodation (to include details of tenure and mix) to be approved in writing by the Council prior to commencement of the development;
- (iv) a review mechanism (to be agreed) to enable the financial viability of the development to be re-appraised at an appropriate time point (or points) during the course of the development to enable any additional affordable dwellings to be provided on site, in the first instance, otherwise as a cash in lieu sum for offsite provision;
- (v) 10% of affordable dwellings to be constructed as wheelchair dwellings and ready immediately upon completion for occupation by a wheelchair user;
- (vi) the developer to use all reasonable endeavours to secure the effective implementation, monitoring and management of the residential and non-residential travel plans for the site;
- (vii) the highways within the development are to be constructed to an adoptable standard, to the satisfaction of the Highways Authority, to allow the internal highway network to be formally adopted by the Council;
- (viii) the developer to make practical space available on the site (or on any adjacent land that comes within the control of the developer) or otherwise on the public highway within the vicinity of the site to accommodate a parking space for a car club vehicle. The developer to make reasonable endeavours throughout the life of the development to secure a car-club operator to provide a vehicle for that space;
- (ix) the developer to pay a total of £40,000.00 to the Highways Authority at the practical completion of the development to undertake the relevant Controlled Parking Zone assessment (£10,000.00). In the event that the aforementioned

assessment determines that a Controlled Parking Assessment is required within the development, the remaining £30,000.00 would be required to implement the Controlled Parking Zone;

- (x) the Developer to undertake and submit to and have agreed in writing a comprehensive site wide Management/Maintenance Plan for the open space; landscaping (both private and public communal areas); green roofs; blue infrastructure (swales etc) for the development. The Management/Maintenance Plan thereby agreed shall be retained and implemented thereafter;
- (xi) the developer to undertake a Biodiversity / Ecological Value Assessment of the existing site, and then another of the proposed development with proposed biodiversity enhancements. In the event that there is no net enhancement shown between the two assessments, the developer shall agree to offset this with a financial contribution, to be used for biodiversity / ecological improvements off site;
- (xii) the developer to ensure that the on-site arrangements (including the provision of suitable collection containers) for the disposal of general waste and recyclable materials to be operative prior to first occupation of the development. The developer to take all reasonable steps to secure twice weekly collections of waste and recycling over the lifetime of the development;
- (xiii) an employment and training plan that will be agreed between the Council and the developer prior to start on site
- (xiv) financial contribution towards the management and delivery of the construction training programme (Construction Employment Initiative (CEI)) based on the construction value of the development. This is calculated using the formula: £2,500 per £1,000,000 build cost
- (xv) the developer to use all reasonable endeavours to ensure that the on-site energy centre is laid out with sufficient space to allow expansion and technical feasibility of CHP scheme to also serve any future redevelopment to the site access with Shaftesbury Road
- (xvi) in the event of any future district decentralised energy network, the developer to use all reasonable endeavours to agree terms pursuant to a connection between the site-wide CHP system and the decentralised energy network and

- (xvii) a financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring the planning permission.

5 DELIVERY PROGRAMME

- 5.1 As previously indicated, the delivery of Phases 2 and 3 of the Regeneration Scheme will be through a phased programme of demolition and redevelopment.
- 5.2 It is anticipated that the Council will enter into contract with a preferred development partner in April-May 2022. In order to minimise risk to the delivery of the programme, vacant possession of the dwellings will be required by that date.
- 5.3 The anticipated programme for demolition works is as follows:

Phase No.	Properties to be demolished	Indicative Phase demolitions
Phase 2	<ul style="list-style-type: none"> • 46-90 Grange Farm Close (Blocks I, J, K, L and M) • 19-27 Osmond Close (Block D) • 1-63 Wesley Close (Blocks N, O, P, Q, R, S and T) • 28-39 Osmond Close (Blocks 1 – 2) 	November 2023
Phase 3	<ul style="list-style-type: none"> • 40-51 Osmond Close (Blocks 3-4) • Bungalows (Osmond Close) • 66-75 Osmond Close • 64-108 Wesley Close (Blocks U, V, W, X and Y) • 109-118 Wesley Close • Community Centre 	September 2024

- 5.4 Phases 2 & 3 – the current programme envisages the development partner being selected in from July 2021- July 2022. This will be followed by detailed pre-contract negotiations and the reserved planning matters.
- 5.5 Vacant possession of dwellings in the Phase 2 land will commence late 2021 and will need to be complete prior to entering into legal agreement or contract for the delivery of Phase 2, anticipated to be by March 2023.
- 5.6 Decanting of dwellings in the Phase 3 land will commence in late 2021.
- 5.7 Secure tenants in the Phase 2 land will be offered dwellings in Phase 1 when complete. This is anticipated to be in August 2022. Temporary Accommodation residents will be supported by the Council in line with its statutory duties.
- 5.8 Secure tenants in the Phase 3 land will be offered dwellings in Phase 2 when complete or off-site with a right to return, if the Phase 2 dwellings are not available prior to the Phase 3 works commencing.
- 5.9 Resident leaseholders have been offered one of the new dwellings when complete on a shared equity basis as an alternative to selling back to the Council and moving permanently off site. As they are not eligible for the shared equity offer, non-resident leaseholders have been offered a consideration to secure the leasehold interest of their property.

6 PLANNING POLICY CONSIDERATIONS

- 6.1 The Regeneration Scheme was designed having regard to the relevant prevailing planning policies of the National Planning Policy Framework **[CDB.7]** and the Council's development plan which comprised the London Plan 2016 **[CDB.10]**, the Harrow Core Strategy 2012 **[CDB.9]**, Harrow and Wealdstone Area Action Plan 2013 **[CDB.13]**, the Development Management Policies Local Plan 2013 **[CDB.8]** and the Site Allocations Local Plan 2013 **[CDB.12]**.
- 6.2 The Draft London Plan 2017 had been published by the Mayor of London at the time the planning application was determined by the Council's Planning Committee. However, as the emerging plan was still in its initial stages, it was given only limited weight in the determination of the planning application in line with the guidance in the National Planning Policy Framework.

- 6.3 The Regeneration Scheme was considered by the Council's Planning Committee to be in accordance with the development plan in the round and, where departures from policy were necessary, these were fully justified and were not deemed to be significant to warrant a refusal of the planning application.
- 6.4 The following paragraphs provide a summary of the key planning policy objectives against which the Regeneration Scheme was assessed. A detailed assessment of the application against the relevant policies are set out in the officer's report to planning committee.

Principle of Development

National Planning Policy Framework

- 6.5 The National Planning Policy Framework ("NPPF") **[CDB.7]** was first published in March 2012 (and updated in February 2019) and it sets out the Government's economic, environmental and social planning policies for England to support sustainable development and how these are expected to be applied. The NPPF is a material consideration in the determination of planning applications.
- 6.6 At the heart of the NPPF is a presumption in favour of "*sustainable development*" which is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets out three objectives of sustainable development namely an economic, social and environmental role.
- 6.7 Local authorities are encouraged to apply the presumption in favour of sustainable development in both plan-making and decision taking. For decision taking, this means "*approving development proposals that accord with an up-to-date development plan without delay.*" (para 11(c), NPPF)

London Plan 2016

- 6.8 The London Plan 2016 **[CDB.10]** sets out the overarching spatial policy objectives for London. It sets a fully-integrated economic, environmental, transport and social framework for the development of the capital to 2036. A key aim of the London Plan is to plan for continued growth and this means in practical terms planning for a growing population and ensuring that London has the required dwellings, jobs, services and opportunities that a growing population need.

- 6.9 Policy 3.3 (Increasing Housing Supply) sets out one of the Mayor's key objectives which is to ensure that London meets the challenges of population growth through the provision of sufficient new high quality dwellings. It targets an annual average of 42,389 new dwellings across London, with the target for the Council being 593 new dwellings per annum.
- 6.10 Policy 3.4 (Optimising Housing Potential) seeks to optimise the density of development with consideration for local context and public transport capacity.

Harrow Core Strategy 2012

- 6.11 The Harrow Core Strategy **[CDB.9]** was adopted in 2012 and sets out the vision and key objectives for the borough. The Core Strategy seeks to achieve a minimum of 6,050 net additional dwellings between 2009 and 2026.
- 6.12 Policy CSIA (Overarching Principles) directs growth to town centres and strategic, previously developed sites
- 6.13 Policy CS3(J) in particular provides that “*The Council will support proposals which achieve physical renewal and estate regeneration objectives at Grange Farm.*” The Estate is located within the Core Strategy Policy Sub Area: Harrow on the Hill & Sudbury Hill. Area Objective 10 for that Sub Area is to “Support the residential development of identified, previously-developed sites and opportunities for the renewal of the Grange Farm Estate.”
- 6.14 The principle of the redevelopment of the Grange Farm Estate is, therefore, well established in planning policy terms. At a national level, the NPPF places a strong emphasis on the presumption in favour of sustainable development, with one of its core principles being the reuse of brownfield land. At a regional level, the London Plan identified the pressing need to deliver dwellings in the capital, with an annual target of 42,000 units per year. At a local level, CS3(J) has specifically earmarked the Estate for renewal.
- 6.15 The Regeneration Scheme is reusing a brownfield site and providing sustainable, residential-led, development which will make a significant contribution towards housing supply and quality in London.

Design

- 6.16 The Government's commitment to good design remains a key component of the NPPF. Design is considered a key aspect of sustainable development and should be a key consideration in the planning process.
- 6.17 In particular, paragraph 128 of the NPPF **[CDB.7]** states:
- “Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”*
- 6.18 Policy 3.5 (Quality and Design of Housing Development) of the London Plan 2016 **[CDB.10]** requires developments to be of the highest design quality, both internally and externally, taking into account local character density, tenure, and land use mix. Subsidiary to this policy is the Mayor's Housing SPG, which provides greater detail as to the standards of dwellings.
- 6.19 Policy 3.7 of the London Plan 2016 (Large Residential Developments) requires developments that can accommodate over 500 dwellings to explore the possibility of including higher densities and coordinate the development of further infrastructure, creating neighbourhoods of distinctive character and sense of place.
- 6.20 Policy 5.3 of the London Plan 2016 (Sustainable Design and Construction) requires the highest standards of sustainable design and construction to be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 6.21 London Plan 2016 Policy 7.1 (Lifetime Neighbourhoods) states that people should have a good quality environment in active and supportive local community base on lifetime neighbourhood principles. Developments should be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure and enable people to live healthy and active lives. The design of developments should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.
- 6.22 Policy 7.2 (An Inclusive Environment) provides that the Mayor will require all new developments in London to achieve the highest standards of accessible and inclusive design and supports the principles of inclusive design.

- 6.23 Policy 7.4 (Local Character) states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.
- 6.24 The Council's Core Strategy Policy CS1(K) **[CDB.9]** requires a high standard of design and layout across all tenures within a development.
- 6.25 Policy DM1 (Achieving a High Standard of Development) of the Council's Development Management Policies Local Plan (2013) ("DMP") **[CDB.8]** requires all development to achieve a high standard of design, layout, privacy and amenity and sets out a range of design criteria which development proposals should have regard to. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.
- 6.26 Similarly, DMP Policy DM 2 (Lifetime Neighbourhoods) **[CDB.8]** requires developments to contribute to the creation of lifetime neighbourhoods through the design and layout of the development and any associated improvements to the public realm, transport and other infrastructure.
- 6.27 The design of the Regeneration Scheme meets national, regional and local policies. In its current form, the Estate lacks a coherent identity, predominately due to the dilapidated state of the older housing blocks and their position recessed from the highway; this is exacerbated by rudimentary landscaping to the front and rear. Moreover, the layout of the current estate facilitates antisocial behaviour due to the number of concealed areas and access points that fail to provide appropriate passive surveillance.
- 6.28 The design of the proposed development seeks to correct these defects, helping to rejuvenate the Estate and the wider area by providing high quality, prominent buildings that will engage at street level and create an attractive environment for residents.
- 6.29 The layout of the development proposals derives from the fundamental principle of realigning streets to create a consistent hierarchy of accommodation, public realm and open space to improve the function and legibility of the Estate and linkages both within the site and further afield.

- 6.30 A hierarchy of streets, footpaths, squares and gardens are proposed across the site to create a choice in moving into and through the site. The main “arteries” provide wide streets and footpaths, large trees and generous landscaping, whilst lesser routes will also benefit from trees and perennial landscaping proposals.
- 6.31 The Village Green has been positioned towards the centre of the site, adjacent to the replacement Community Centre in order to create a “community heart” to the Estate. The communal gardens will be located in the centre of the proposed residential blocks to enhance community cohesion and enable passive surveillance. The other blocks are spread throughout the site, all of which front onto other various gardens and landscaped areas.
- 6.32 The design of the proposals has been developed to reinforce local distinctiveness, in particular Harrow on the Hill, whilst integrating with the surrounding area. A fine grain approach has been adopted to increase permeability and legibility through the Estate, aspiring to emulate the most successful parts of South Harrow and London.
- 6.33 In order to establish a strong sense of place and local distinctiveness, the new Estate avoids the use of uniform type buildings that currently characterise parts of the site and instead, opts for buildings of varying scale, from traditional townhouses in the north to high density mansion blocks in the south. Inspiration has been taken from the nearby Harrow-on-the-Hill, utilising the distinct architectural vernacular of the area and applying a contemporary interpretation to the buildings and spaces on the Estate. Indeed, the buildings not only deliver a range of accommodation consistent with London Plan 2016 policy but also facilitates frequent shifts in architectural design, all of which are connected through differing roofscapes, facades and materials.
- 6.34 The scale of the proposals has sought to maximise density in the most appropriate and feasible places on the site and respect the height constraints imposed by the site’s location under the RAF Northolt flight path whilst sensitively considering the existing dwellings surrounding the Estate. This has been achieved through the gradual increase in density from the two-storey townhouses in the north to the eleven-storey mansion blocks in the south west, reflecting the surrounding scale in South Harrow, whilst minimising the daylight and sunlight impacts on existing dwellings.
- 6.35 The Design Code submitted with the planning application established a number of mandatory design principles which must be adhered to at the reserved matters stage and acts as an aesthetic benchmark.

Housing Provision

- 6.36 The Government's objective, as set out in the NPPF **[CDB.7]**, is to significantly boost the supply of housing. To this end, the NPPF advises that local planning authorities should plan for a mix of housing, based on demographic and market trends, and the needs of different groups, and that they should identify the size, type, tenure and range of housing that is required in particular locations.
- 6.37 In support of the Government's objective to boost the supply of housing, London Plan 2016 Policy 3.3 (Increasing Housing Supply) **[CDB.10]** seeks to ensure that London meets the challenges of population growth through the provision of sufficient new high quality dwellings. It targets an annual average of 42,389 new dwellings across London, with a target of 593 new dwellings per annum for the Council. The London Plan 2016 has been replaced by the recently adopted London Plan 2021 **[CDB.11]**. While the planning application for the Regeneration Scheme was assessed against the London Plan 2016 the new plan identifies an increased housing need for 66,000 additional homes per year across London (**[CDB.11, para 4.1.1, (p 158) Chapter 4 – Housing]**) and sets a ten year target for the London Borough of Harrow of 8,020 net housing completions over the period 2019/20 – 2028/29 **[CDB.11, Table 4.1, p 163]**.
- 6.38 Policy 3.8 (Housing Choice) of the London Plan 2016 requires new developments to offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these.
- 6.39 London Plan 2016 Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) states that the maximum reasonable amount of affordable housing should be sought from individual schemes and that negotiations should take account of the circumstances of the scheme including development viability. The policy also establishes a clear expectation that affordable housing should be provided on-site. Cash in lieu contributions should only be accepted where this would demonstrably further the Plan's affordable housing and other policies.
- 6.40 The London Plan 2016 housing policies are supplemented by the Mayor's Housing SPG (2016). The SPG further emphasises the need for affordable housing policies to be applied in a manner that maximises output and, having regard to viability, to encourage not restrain housing development.

- 6.41 In terms of tenure split, the London Plan Policy 3.11 (Affordable Housing Targets) calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent. In terms of dwelling mix, London Plan Policies 3.11 and 3.12 both make reference to the priority that should be accorded to the provision of affordable family housing.
- 6.42 The Council's Core Strategy Policy CS1(J) **[CDB.9]** sets a borough wide target of 40% of all dwellings delivered over the plan period to be affordable and calls for the maximum reasonable amount to be provided on individual development sites taking into account a number of factors including availability of subsidy, site circumstances and scheme requirements, development viability, etc.
- 6.43 DMP Policy DM 24 (Housing Mix) **[CDB.8]** seeks to ensure an appropriate housing mix, having regard to the overall borough targets and taking into account the location, character and need to optimise housing on previously developed land.
- 6.44 The Regeneration Scheme will deliver 574 new dwellings to replace the existing 282 dwellings. Of these, 300 dwellings will be for private sale and 274 will be affordable housing, representing 48% by number and 50% by habitable room, delivering different unit types and sizes that will make a significant contribution to the provision of new housing and help meet the Council's annual housing target.
- 6.45 The scheme will provide a varied mix of dwellings comprising flats, duplexes and townhouses, ranging between one and four bedrooms in size.
- 6.46 All the affordable housing will be provided on site in accordance with the London Plan 2016 and local plan policies. Additionally, 10% of the social rented dwellings will be provided to fully adapted (rather than adaptable) wheelchair standard to meet the needs of both existing residents with mobility needs as well as demand reflected in the Council's Housing Register. None of the existing dwellings are capable of being adapted to full wheelchair standard.
- 6.47 It is therefore considered that the residential mix meets the requirements of both current and future residents of the Estate and accords with Policy 3.8 of the London Plan 2016 and DMP Policy DM24 **[CDB.8]**.
- 6.48 Further details on the type, mix, tenure and sizes of the dwellings being provided are set out in the Planning Statement and the Affordable Housing Statement **[CDB.12]** submitted with the planning application and the officer report to planning committee.

Community Facility

- 6.49 London Plan 2016 Policy 3.16 (Protection and Enhancement of Social Infrastructure Facilities) seeks the protection and enhancement of social infrastructure. It identifies that London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. It goes on to state that development proposals should be accessible to all sections of the community (including disabled and older people) and be located within easy reach by walking, cycling and public transport. Wherever possible, the multiple use of premises should be encouraged.
- 6.50 DMP Policy DM46 (New Community, Sport and Educational Facilities) **[CDB.8]** supports the provision of new community facilities in areas of good transport accessibility.
- 6.51 The Regeneration Scheme will provide a replacement community centre for the one that is currently located on site. The existing community facility on the Estate is small in footprint and has an awkward layout which prevents it being used as efficiently and effectively as it could be.
- 6.52 The proposed replacement community facility would be a multi-functional building. It will be positioned towards the centre of the site and at the heart of the community, adjacent to the proposed Village Green and will be three storeys in height. It will be designed to be flexible and accommodate a range of uses but will have regular use by community groups, nursery, estate and wider residents.

Play Space

- 6.53 Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities) of the London Plan 2016 states that all children and young people should have “*safe access to good quality, well designed, secure and stimulating play and informal recreation provision.*” The policy notes that new development should make provision for play based on the expected child population created by the development and makes further reference to the Mayor's “Providing for Children and Young People's Play and Informal Recreation” SPG's recommendations and calculations.
- 6.54 DMP Policy DM 28 (Children and Young People's Play Facilities) **[CDB.8]** sets out the requirement to provide sufficient child play space on site for those developments that result in a net increase in child yield.

- 6.55 The existing designated play space on the Estate consists of dated equipment that is not designed to cater for all age groups. The Regeneration Scheme would address this by providing play space quantum and quality that is better suited to the needs of the occupiers, and also to better accord with the play standards at a local level and also at a London-wide level.
- 6.56 Applying the child yields, it is calculated that the development would yield a total of 153 0 – 4 years old, and 131 other age groups. The Council requires 4sqm per child; consequently, based on the above yields, a total of 1,136sqm play space is required to be provided. By contrast, when calculated against the London Plan 2016 policies, the child yield for the Regeneration Scheme would be 120 0 – 5 year olds and 114 other ages groups which would require a total play space of 2,340sqm.
- 6.57 The proposed Regeneration Scheme provides a total of 2,675sqm of dedicated play space across the site, which is a vast improvement on the existing quantum of 385sqm and exceeds both the requirements of the GLA and the Council. The scheme also includes a Multi-Use Games Area (MUGA), which would be located at the western end of the open space identified as the Village Green. Adjacent to this would be an area set outside to have children's play space.
- 6.58 The submitted site-wide play space strategy is considered to be acceptable and conditions have been attached to the planning permission to ensure that the detailed design of the play spaces including suitable landscaping, climbable objects, fixed equipment, facilities for younger and older children and facilities suitable disabled children and carers are delivered.

Open Space

- 6.59 Policy 7.18 (Protecting Open Space and Addressing Deficiency) of the London Plan 2016 **[CDB.10]** seeks to resist the loss of open space unless equivalent or better quality provision is made within the local catchment area.
- 6.60 Policy CS1.F of the Core Strategy **[CDB.9]** seeks among other things to protect the quantity and quality of open spaces from being eroded by inappropriate uses or insensitive development.
- 6.61 DMP Policy DM 18 (Protection of Open Space) **[CDB.8]** applies to a broad range of open space irrespective of ownership or accessibility (see paragraph 5.23 of the

supporting text). It applied to the existing amenity space for the residents of the estate. The policy sets out a presumption against the release of open space for development. However, the policy allows for the reconfiguration of open space if:

- the reconfiguration is part of a comprehensive, deliverable scheme
- there would be no net loss of open space
- the reconfiguration would achieve enhancements to address identified deficiencies in the capacity, quality and accessibility of open space, and it would secure a viable future for the open space
- the reconfiguration would not be detrimental to any environmental function performed by the existing open space

6.62 DMP Policy DM 19 (Provision of New Open Space) **[CDB.8]** states that proposals for major new residential development will be supported where they make provision for new open space, or enhancements to existing open space, which meets the needs of the occupiers of the development and contributes to the mitigation of identified deficiencies in the quantity, quality and accessibility of open space. Regard will be had to the Council's local recommended standards of provision for all relevant typologies of open space.

6.63 Parts of the application site comprise open space for the residents of the Estate which is designated under DM 19. However, the existing open space is of a very poor quality and the open space that is located around the existing dwellings does not provide a satisfactory level of usability and functionality for the existing occupiers.

6.64 The Regeneration Scheme results in a reconfiguration of the site with an overall net loss of open space. Currently, the Estate has an overall area of 14,829sqm, which is made up of 14,444sqm of amenity space and 385sqm of play space. However, the open space across the site which is available for amenity space is of a poor quality and due to its relationship to the housing stock, there is a lack of definition and ownership of the open space. As such, the existing open space set aside for amenity space is underutilised.

6.65 Whilst it is acknowledged that there would be a loss in the overall quantum of open space across the site, which is resisted by the London Plan 2016 **[CDB.10]**, the Core Strategy (2012) **[CDB.9]** and Policy DM18 (Protection of Open Space) of the DMP

[CDB.8], it is considered that the qualitative benefits of providing multifunctional and attractive open space far outweighs the loss. Further, the reduction in the quantum of public open space being provided reflects reutilisation of these areas to create private amenity space. This is provided throughout the scheme in the form of private and communal gardens.

- 6.66 Lastly, the comprehensive landscape strategy proposed for the Regeneration Scheme would ensure the viable future of the open space which will be a vast difference from the non-descript and undefined open space currently on site.
- 6.67 The above planning policy considerations provide an overview of how the Regeneration Scheme accords with key national, regional and local policy objectives.
- 6.68 A full assessment of the Regeneration Scheme against all the relevant planning policies can be found in the officer report **[CDB.2.1-2.2]** to planning committee and the planning documents submitted with the planning application.

7 DELIVERY STRUCTURE AND FUNDING

- 7.1 The redevelopment is to be funded through a combination of public subsidy and private funding to be realised through the sale of private housing.
- 7.2 The Council has been successfully awarded £10 million direct Housing Infrastructure Funding (HIF) by way of a HIF funding agreement between the GLA and London Borough of Harrow dated 30th August 2019.
- 7.3 This includes a number of milestones which need to be met and are currently set as follows (this is subject to renegotiation due to delays arising from additional works and Covid-19):
- 7.3.1 Phase 1 Start Date January 2020
- 7.3.2 Phase 2 Start Date March 2023
- 7.3.3 Phase 3 Start Date March 2023

Note: The “Start Date” means the date for being in contract and therefore the date by which the Council must have vacant possession of the site. Commencement of works, including demolitions, will fall some time afterwards and may be subject to phasing.

7.4 Other public subsidy totalling £25.18 million is to be applied sourced via Council Housing Revenue Account resources. This funding is to support the delivery of the entire scheme. This summarised below:

	Units	Recycled "one-for-one" RTB receipts and other RTB receipts	Other HRA resources	Receipts or other HRA resources – if not GLA grant	Total subsidy
Phase 1	68 Rented	£4,335,219	£2,464,781		£6,800,000
Phase 1	21 SO		£798,000		£798,000
Phase 2	102 Rented		£10,200,000		£10,200,000
Phase 3	79 Rented			7,900,000	£7,900,000
Phase 3	4 SO			112,000	£112,000
Totals	249 Rented 25 SO	£4,335,219	£13,462,781	8,012,000	£25,810,000

7.5 In discussion with the GLA to finalise the planning application, it was agreed to increase the level of affordable housing provision on the scheme. This resulted in 33 of the dwellings originally intended for market sale being switched to affordable rent.

7.6 Phase 1 comprises 89 affordable dwellings. The Council is in contract with Higgins under a JCT D&B. Phases 2 and 3 will be delivered by the Council working with a development partner and it is envisaged that both phases will be delivered under one contract. The procurement process to select the partner will commence in 2021 and will take at least 12 months to conclude.

8. USE OF THE POWER UNDER SECTION 226(1)(a) OF THE 1990 ACT

- 8.1. Under section 226 of the 1990 Act a local authority has the power to acquire land compulsorily for development and other planning purposes. Section 226(1)(a) of the 1990 Act **[CDA.1]** allows a local authority to acquire compulsorily any land within its area if the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to that land.
- 8.2. The power to acquire land compulsorily under section 226(1)(a) is subject to the restriction under section 226(1A) that the acquiring authority can only exercise the power where it thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objectives:
- (i) the promotion or improvement of the economic wellbeing of its area;
 - (ii) the promotion or improvement of the social wellbeing of its area;
 - (iii) the promotion or improvement of the environmental wellbeing of its area.
- 8.3. Section 9 of this Statement sets out in more detail how the “wellbeing powers” provided under section 226(1A) have been considered in relation to the redevelopment of the Estate.

The CPO Guidance

- 8.4 Government guidance on the use of compulsory purchase powers is provided in the CPO Guidance **[CDA.3]** which states that a compulsory purchase order should only be made where there is a compelling case in the public interest.
- 8.5 Paragraph 12 of the CPO Guidance further requires that an acquiring authority should ensure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Human rights considerations are set out in section 10 of this Statement.
- 8.6 Paragraphs 94 to 106 (inclusive) of the CPO Guidance provide specific guidance on the making of orders under section 226(1)(a) of the 1990 Act which include that:
- 8.6.1 the power is intended to provide a positive tool to help acquiring authorities with planning powers to implement proposals in their local plan and the power is expressed in wide terms and can therefore be used to assemble land for regeneration where the range of activities or purposes proposed mean that no

other single specific compulsory purchase power would be appropriate (para 95);

8.6.2 the acquiring authority can use the power if it thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land being acquired and it is not certain the acquiring authority will be able to acquire it by agreement (para 97);

8.6.3 the benefit to be derived from exercising the power is not restricted to the area subject to the compulsory purchase order as the concept of “well-being” is applied to the whole (or any part) of the acquiring authority’s area (para 103); and

8.6.4 in terms of justification for an order, the programme for land assembly needs to be set within a clear strategic framework and that framework will need to be founded on an appropriate evidence base and have been subjected to consultation processes to include those whose property is directly affected (para 104).

8.7 While the Council considers section 226(1)(a) of the 1990 Act to be the most appropriate enabling power to acquire the land the Council considers that the policy tests related to exercise of the power to acquire land under section 17 of the HA 1985, as set out in paras 146 to 154 (inclusive) of the CPO Guidance, are also satisfied, namely:

8.7.1 that acquisition must achieve a quantitative and qualitative housing gain (para 146);

8.7.2 the authority should include in its statement of reasons information regarding provision of further housing accommodation in its area which should, in turn, include -

- the total number of dwellings in the district. In April 2018, the total number of dwellings in the LB Harrow was 90,680
- the total number of substandard dwellings (i.e. the quantity of housing with Category 1 hazards as defined in section 2 of the Housing Act 2004). On 31 March 2019 (being the most recent year-end information submissions to government, there were no dwellings within the LB Harrow with Category 1 hazards

- the total number of households and the number for which, in the authority's view, provision needs to be made. On 1 April 2019 there were 2,012 households in the LB Harrow awaiting local authority housing
- details of the authority's housing stock by type, particularly where the case for compulsory purchase turns on need to provide housing of particular type. Home ownership in Harrow has declined to 60% approx. from 66% at the 2011 census and the private rental sector has increased from 22% to 30% approx. over the same period while 10% of the LB Harrow's households live in social housing with 4,762 being Council-owned properties and 4,327 being housing association properties
- where a compulsory purchase order is made with a view to meeting special housing needs, e.g., of the elderly, specific information about those needs
- where the authority proposes to dispose of the land or property concerned, details of the prospective purchaser, their proposals for the provision of housing accommodation and when this will materialise, and details of any other statutory consents required
- where it is not possible to identify a prospective purchaser at the time a compulsory purchase order is made, details of the authority's proposals to dispose of the land or property, its grounds for considering that this will achieve the provision of housing accommodation and when the provision will materialise
- where the authority has alternative proposals, it will need to demonstrate that each alternative is preferable to any proposals advanced by the existing owner (para 147)

8.8 The Council has taken into account the guidance in of the CPO Guidance in making the Order. The Council is utilising the powers under section 226(1)(a) of the 1990 Act because the Regeneration Scheme for the Estate will facilitate the redevelopment of this rundown post war Council estate and the regeneration will contribute to achieving the improvement of the economic, social and environmental wellbeing of the Estate area and the wider London Borough of Harrow area.

9 JUSTIFICATION FOR THE USE OF COMPULSORY PURCHASE POWERS

- 9.1 The Council is committed to securing the regeneration of the Estate of which the Order Land forms a part. The need for the physical renewal and comprehensive redevelopment of the Estate is identified within the Harrow Core Strategy Core Policy CS3(J) **[CDB.9]**.
- 9.2 The Regeneration Scheme is part of the Council's ambition for "Building a Better Harrow" which is increasing the supply of housing in the borough. This includes looking at building new dwellings on council estates where there is suitable land and redeveloping some estates to provide more and better quality dwellings.
- 9.3 The existing housing stock on the Estate is an experimental "Resiform" type of housing that has gone well past its anticipated life of circa 30 years. The building stock is of a poor quality and the poor layout of the internal highway network fails to provide a satisfactory level of permeability through the site, either for vehicle movement or pedestrian.
- 9.4 The comprehensive regeneration of the Order Land and the Estate would deliver the aspirations of the Council and include the following key regeneration benefits:
- demolition of the existing, unsatisfactory Resiform flats that provide a poor quality and not fit for purpose substandard accommodation for existing residents and their replacement with 574 modern high quality dwellings;
 - an increase in affordable tenure floorspace across the Estate of a much higher quality which strengthens and reinvigorates the surrounding area;
 - provision of a net gain in housing stock of 292 units, contributing towards the borough's wider housing needs;
 - provision of a better mix of affordable housing units and 300 private units for sale while providing a significant boost to the economy and local environment of South Harrow;
 - provision of a better quality of residential amenity for residents whilst not unacceptably harming the amenity of neighbouring occupiers;
 - demolition of the poor quality community centre currently located on the Estate and its replacement with a larger, modern, multi-purpose facility that serves the needs of residents of the Estate and the wider community;

- creation of clearly-defined, usable and high-quality open spaces for both public and communal use; and
- creation of apprenticeships, jobs and training opportunities to help those most in need, especially the young.

9.5 The Council has followed a transparent and objective decision-making process leading up to the decision to exercise its compulsory purchase powers to ensure delivery of the Regeneration Scheme.

9.6 Careful consideration has been given to the inclusion of each parcel of land within the Order Land, and the Council is satisfied that all of the Order Land is required to enable the completion of Phases 2 and 3 of the Regeneration Scheme.

Summary comparison of accommodation existing and proposed:

GRANGE FARM EXISTING AND PROPOSED ACCOMMODATION ALL PHASES					
	Existing Estate	Affordable - breakdown		Proposed Affordable Total (Rent + S.O.)	Proposed Private Total (Market sale)
Total No. of Homes	253 (282-29 leaseholders)	216 + 33 = 249 (Rented)	25 (S.O.)	274	300
Total No. of Bed spaces	822	758 + 118 = 876 (Rented)	74 (S.O)	950	971
Total NIA	15,672 sqm	18,215 sqm	1,514 sqm	19,729 sqm	2,1552 sqm

10 HUMAN RIGHTS AND EQUALITY CONSIDERATIONS

Human Rights

10.1 The Human Rights Act 1998 incorporated into the UK domestic law the European Convention for the Protection of Human Rights and Fundamental Freedoms (“**the Convention**”). Section 6 of the Act makes it unlawful for a public authority to act in a manner which is incompatible with a Convention right.

10.2 The Convention rights engaged in the context of a CPO are Article 1 of the First Protocol of the Convention and Article 8 of the Convention.

10.3 Article 1 of the First Protocol of the Convention provides:

“(1) Everyone has the right to respect for his private and family life, his home and his correspondence.

(2) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interest of ...the economic wellbeing of the country...”

- 10.4 The courts have recognised, in the context of Article 1 of the First Protocol of the Convention, that regard must be had to the fair balance which has to be struck between the competing interests of those whose rights are affected and the community as a whole.
- 10.5 Similarly, any interference with Article 8 (right to respect for private and family life) Convention rights must be in accordance with the law and must be necessary and proportionate.
- 10.6 The Council has taken into account the impact of the Order on the Convention rights of those whose interests will be affected by the Order. In view of the facts as set out in this Statement, the Council considers that the exercise of compulsory purchase powers in this case is justified by the reason that it is in the public interest, authorised by law and necessary and proportionate towards meeting the Council’s objectives of securing the redevelopment of the Estate.
- 10.7 The Council carried out extensive consultation with residents on the Estate and the wider area before embarking on the regeneration project. The majority of the residents on the Estate are in support of the redevelopment proposals.
- 10.8 Further, compulsory acquisition of any of the interests on the Order Schedule will be a last resort in the event that the Council is unable to acquire any interests within the timescales required to deliver the scheme. Efforts to acquire the relevant interests are ongoing. All secure tenants will be offered a dwelling of the same or greater size while the option to downsize is also available. Further, all those whose interests are compulsorily acquired will be entitled to fair compensation, to be determined independently by the Upper Tribunal (Lands Chamber) if it cannot be agreed.
- 10.9 The Council therefore believes that a fair balance has been struck between the interests of those whose Convention rights will be affected and the community as a

whole. There is an overriding public interest in the CPO and hence a justification for interfering with the relevant Convention Rights.

public sector equality duty

10.10 Section 149 of the Equality Act 2010 (“EA 2010”) places a statutory duty on public sector bodies in the exercise of their functions to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the EA 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

10.11 The protected characteristics under the EA 2010 are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.12 The Council completed an Equalities Impact Assessment (“EQIA”) on 13 May 2016 **[CDD.5]**.

10.13 The EQIA concluded that, whilst there is a risk that the regeneration of the Estate could, potentially, have a disproportionate adverse impact on those existing residents who share the protected characteristics of age and disability (and no others), the evidence shows that the greater likelihood is that the impact on these characteristics will be positive for the following reasons:

- (i) Age: there will be better mix of affordable rented dwellings than currently exist including one, two, three and four bedroom units which can meet a wide range of needs. All existing secure tenants will be offered the option of a new home or, if they prefer, to move to a suitable dwelling elsewhere in the borough.
- (ii) Disability: existing tenants will be offered a new purpose-built home to meet their needs for adapted or wheelchair housing. [Note: none of the existing dwellings on the Estate meet current “Lifetime Homes” (including wheelchair) standards.] Additional assistance will be provided to vulnerable households to facilitate a move into a new dwelling.

- 10.14 Through an “improvement action plan” (arising from the EQIA) the Council intends to further mitigate any potential adverse impact on the protected characteristics of age and disability through its decant policy providing for removal and support service standards to be monitored by the Residents Steering Group. In addition, feedback from consultation events shall be acted upon on an ongoing basis. The Council intends to mitigate any potential adverse impact from the fact that some parts of the Estate community have been difficult to reach due to language issues by seeking to ensure that the Residents Steering Group reflects the diversity of the community.
- 10.15 In summary, the outcome of the EQIA was that any potential minor adverse impact on existing residents of the Estate have been identified and shall be addressed, on an ongoing basis, in the resultant improvement action plan.

11 ACQUISITION AND RELOCATION STRATEGY

- 11.1 The Council and its consultants undertook extensive consultation with residents on the Estate to agree a decanting and acquisition strategy for the Regeneration Scheme. In addition, a detailed Affordable Housing Assessment **[CDD.6]** has been undertaken with all residents to determine their current household requirements.
- 11.2 The Council has also put in a place the Grange Farm Residents Charter **[CDD.5]** which clearly sets out the process for decanting and the rights and options available to secure tenants and the leaseholders/freeholders including the support available.
- 11.3 In addition, the Council has appointed a full time Decant and Rehousing Officer to support tenants through the relocation process.
- 11.4 All secure tenants have the option to move into a new home on the Estate once the redevelopment is completed or to move permanently away from the Estate to another rented property elsewhere. Tenants will be offered accommodation that meets the size requirements of their current households and in line with the Council’s Housing Allocation Policy.
- 11.5 As the Regeneration Scheme is to be carried out in three phases, a number of secure tenants in Phase 1 have been temporarily rehoused to allow construction of Phase 1 of the scheme. The affected tenants have been rehoused temporarily either in void properties within the areas falling within Phases 2 and 3 or offsite if their housing needs cannot be met on the Estate and it is their preference. Tenants re-housed offsite have

the option to either remain as secure tenants in their offsite home or the right to return to a new home on Grange Farm. Where tenants have moved offsite they have been given a property to meet their current housing needs which may have been larger than the home they occupied on the Grange Farm estate.

- 11.6 The intention of the Council is that on completion of Phase 1, the secure tenants in the Phase 2 area who wish to take up a new home on the Estate will be moved directly from their current dwellings into a new home within the completed Phase 1. This will provide vacant possession of the Phase 2 area allowing for it to be redeveloped.
- 11.7 Similarly, the secure tenants whose dwellings are currently within the Phase 3 area will be rehoused directly into completed units within Phase 2 to allow for the final phase of construction and the re-housing of those tenants who have been temporarily rehoused offsite and who wish to return.
- 11.8 The proposed phasing and decant strategy will result in the majority of secure tenants only having to move once.
- 11.9 All secure tenants will be entitled to receive statutory Home Loss and Disturbance payments for the disruption caused by the regeneration. Further, secure tenants who move to a smaller home within the redeveloped Estate or off-site will be paid a “down-sizing” grant.
- 11.10 For temporary accommodation (“TA”) residents, the Council continues to keep them informed of their housing options by regular newsletters and has a designated contact telephone number for their housing officer. Drop-in sessions have been held on the estate exclusively for TA tenants to discuss housing options and advice has also been made available at weekly surgeries (attended by Council officers) on the estate although both the drop-in sessions and the weekly surgeries have been suspended in response to the social distancing requirement arising from the Covid-19 crisis. In response to these suspensions, the Council has continued communicating with residents through newsletters and telephone/electronic/written communiqués.
- 11.11 Every TA tenant will be offered a rent deposit and/or insurance and rent in advance if they secure their own private rented accommodation. Their housing officer will support them to secure any affordable property they find.
- 11.12 The Council will also offer advice on options around social housing via newsletters/in person/ via telephone should more information be required.

- 11.13 If TA tenants are unable to secure their own accommodation and need to be moved, the Council will offer them suitable accommodation under its existing homelessness duty to the household. The location and nature of that accommodation will be determined on a case-by-case basis and will depend on resources available at that time.
- 11.14 New dwellings on the estate that are not required for existing residents will be let to households in the highest priority need on the Council's Housing Register which may include temporary residents already housed on the Grange Farm estate.
- 11.15 Upon taking ownership of the Notting Hill Genesis dwellings, the tenants of the occupied dwellings will become secure tenants of the Council and they will have the same rights as other secure tenants on the estate.
- 11.16 The Council is committed to acquiring the leasehold and freehold interests in the Order Land by voluntary agreement without recourse to use of CPO powers if possible. To this end, the Council has offered the leaseholders/freeholders the option to buy-back their properties and is currently in negotiations with NHG for the acquisition of their 20 dwellings on the Estate.
- 11.17 The buy-back scheme is a voluntary re-purchase option which guarantees that all leaseholders and freeholders will receive full market value for their dwellings together with a disturbance payment and a home loss payment of either 7.5% (for non-resident leaseholders/freeholders) or 10% (for resident leaseholders/freeholders) of the sale value of their property. This is the same compensation that would be awarded under a compulsory purchase order.
- 11.18 Other options that are available to resident and non-resident leaseholders and freeholders are as follows:
- (i) resident leaseholders/freeholders only - a shared equity option for those who meet the qualification criteria to purchase a new property either elsewhere or on the redeveloped estate with the assistance of a loan from the Council. The leaseholder/freeholder would pay no rent or interest on the Council's share of the equity
 - (ii) resident leaseholders/freeholders only - the option to purchase a shared ownership unit on the new Estate

- (iii) resident leaseholders/freeholders only - assistance with helping to find alternative suitable accommodation
- (iv) all resident and non-resident leaseholders and freeholders - eligible to have an independent surveyor carry out a valuation of their property to be paid for by the Council
- (v) all resident and non-resident leaseholders and freeholders - have first refusal to purchase a new private sale home at full market value
- (vi) private tenants of non-resident landlords - supported by the Council in finding alternative accommodation according to their needs, the Council's Allocation Policy **[CDD.1]** and its statutory duties

11.19 Further details of the Council's decant and acquisition strategy are set out in the Grange Farm Residents' Charter. The support given to residents will ensure that the impacts of the CPO on the residents and community are suitably mitigated.

12 SPECIAL KINDS OF LAND

12.1 None of the Estate land within the CPO is public open space within section 19 of the Acquisition of Land Act 1981 and section 336 of the 1990 Act.

13 HIGHWAYS

13.1 It will be necessary to stop up the highways within the Estate, namely Grange Farm Close, Wesley Close and Osmond Close in order to enable the Regeneration Scheme to be carried out. A stopping up order will be sought in due course and there are no impediments to securing it.

14 COUNCIL'S RESPONSE TO THE OBJECTIONS

14.1 The Planning Casework Unit confirmed receipt of four (4) "qualifying objections".

14.2 Mr Manoj Rajah, 109 Wesley Close set out his objection to the Order in his letter dated 30 October 2020 **[CDC.5.1]** which can be summarised as follows:

- (i) his property complies with Building Regulations and is in good condition having been built only 25 years ago and, therefore, the proposed demolition of his property would be disproportionate and is not justified.
- (ii) the Council's stated intention to create a "lifetime neighbourhood" is contradictory given that he and his neighbours will be displaced and requiring

almost 20 social housing household to lose their properties so that the Council can provide 185 new units of affordable housing is senseless.

- (iii) his mother is in a fragile condition because of her ailing health and personal reasons and the uncertainty disruption caused by the planned regeneration is having a detrimental effect on her health and well-being. The relocation would detrimentally impact his mother's quality of life, independence and general well-being. The Council should be able to carry out the regeneration of the Estate without acquiring his property and infringing his and his mother's human rights to a private and family life.
- (iv) the Council cites anti-social behaviour as a reason for regenerating the Estate but this issue only became prevalent after the Council began relocating longstanding households only to replace them with temporary tenants. the Inspector is asked to refuse confirmation of the CPO or, as an alternative, vary the CPO to remove his property.

14.3 The Council's response to Mr Rajah's objection is as follows:

- (i) While the Council appreciates that the property is not in the same poor condition (both structurally and state of disrepair) as the Resiform properties on the Estate, the new property which will be offered to Mr Rajah's mother will be a considerable improvement on the current property in all aspects.
- (ii) The Council is committed to maintaining the strong sense of community which exists on the Estate and has engaged with residents throughout the process. This is why the Council has promised that all secure tenants who wish to stay on the Estate, following its regeneration, will be able to do so.
- (iii) The Council fully understands and acknowledges that Mr Rajah and his mother would like to stay in their home and community. The properties on offer to Mr Rajah's mother will be no smaller than her current home. Upon transfer of the NHG (Mr Rajah's mother's current landlord) properties to the Council, Mr Rajah's mother will be become a secure tenant of the Council (as local housing authority) which is an important benefit. Where possible, the Council will accommodate the wishes of those want to be near their friends and family on

the Estate. The Council will be able to offer Mr Rajah's mother a package of support measures to facilitate his mother's move safely and conveniently.

- (iv) The causes of anti-social behaviour are wide and the Council does not accept that the anti-social behaviour on the Estate is wholly due to the relocation of temporary tenants. At the forefront of the Council's intentions for the improvement of the Estate is to create not only modern, sustainable and fit-for-purpose housing stock for the residents but also an enhanced and safe public realm and improved community facilities. To do so on the Estate requires a comprehensive whole-site approach and would not be possible by omitting certain properties. The Council considers that the benefits, taken as a whole, to the residents from the Estate's regeneration justifies the whole-site approach taken.
- (v) There is an ongoing dialogue between the Council and Mr Rajah which is proving constructive and the Council hopes to be able to address, as best it can, the concerns raised by Mr Rajah by agreement.

14.4 Reserve Forces' Cadets' Association for Greater London ("RFCA") submitted a notice of objection dated 19 November 2020 [CDC.5.2]. The objection stated that the RFCA has Crown status and, therefore, the Order should not be confirmed because it does not exclude the interests held by the RFCA in the parcels of land numbered 75, 76 and 96 (Table 1) as well as the rights for the benefit of parcels 69 and 96 and all rights for the benefit of parcels 75 and 76 (Table 2). The objection also pointed out that the interest held by the Secretary of State for Defence (having Crown status) in the parcel of land numbered 96 was, in contrast to parcels 75 and 76) not expressly excluded.

The Council's response to the objection by RFCA

14.5 There has been an ongoing exchange of correspondence between the RFCA and the Council since the Order was made. The Council has confirmed to the RFCA that it accepts that the RFCA has Crown status and, as such, has agreed to amend the Order to exclude all interests held by and rights for the benefit of the RFCA. In addition, the Council agreed to expressly exclude the interest held by the Secretary of State for Defence in the parcel of land numbered 96.

- 14.6 Specifically, the Council has agreed to remove the parcel numbered 75 from Table 1 of the Order schedule given that the interests in this parcel of land, namely those of the Secretary of State and the RFCA, will be expressly excluded. The Council has also agreed to specifically exclude the interest held by the RFCA in the parcel of land numbered 76 in Table 1. Notwithstanding the exclusions, the Council considers that it is prudent and reasonable to retain reference to the parcel numbered 76 in Table 1 given that the Order schedule references an “unknown” interest. The land in the parcel numbered 76 is unregistered land and while the RFCA has provided a certificate under section 8(1) of the Military Lands Act 1892 as evidence that the land is vested in the Secretary of State our view is that it is not beyond a reasonable possibility that another interest may exist. The Council’s view is that the interests of the RFCA are not prejudiced by retention of the parcel numbered 76 in Table 1.
- 14.7 The RFCA “stipulates” that the Council amend the Order map to take parcels 75 and 76 outside the red line. The Council does not agree that parcel 76 should be removed outside the Order land for the reasons given above in para 14.6. In respect of parcel 75, an “unknown” interest is referenced in Table 2 which refers to an entry in the charges register of the Land Registry office copies of the freehold title **[CDC.6.1]** which references the possibility of the land being subject to restrictive covenant(s) which may still subsist. The Council considered, therefore, that it is entirely prudent and reasonable to retain the reference to the “unknown” right in Table 2 and, accordingly, the Order map red line should remain as drawn.
- 14.8 Eastern Power Networks plc submitted their objection by a notice dated 19 October 2020 **[CDC.5.3]**. The company objects to the relocation/extinguishment of their rights and apparatus within the Order Land because such relocation would be detrimental to the carrying on of its undertaking and no alternative land, rights and apparatus have been provided by the Council. The company’s notice of objection states that its objection will be deemed withdrawn upon the Council and the company entering into a legal agreement (being a deed) securing protections for the company’s rights and apparatus.

The Council's response to the objection by Eastern Power Networks plc

- 14.9 Negotiations to conclude a deed in the form of asset protection agreement between the Council and the company are at an advanced stage and it is expected that the company's objection will be withdrawn prior to the Inquiry date.
- 14.10 Cadent Gas Limited submitted their holding objection by a notice dated 2 November 2020 [CDC.5.4]. The company objects to the relocation/extinguishment of their rights and apparatus within the Order Land because such relocation would be detrimental to the carrying on of its undertaking and no alternative land, rights and apparatus have been provided by the Council. The company has confirmed to the Council that its holding objection will be withdrawn upon the Council and the company entering into an asset protection agreement securing protections for the company's rights and apparatus.

The Council's response to the objection by Cadent Gas Limited

- 14.11 Negotiations to conclude a deed in the form of asset protection agreement between the Council and the company are at an advanced stage and it is expected that the company's objection will be withdrawn prior to the Inquiry date.
- 14.12 In addition, the Planning Casework Unit confirmed receipt of one (1) "non-qualifying objections".
- 14.13 Emmeline Gordon-Reid, 39 Shaftesbury Avenue submitted emails to the Secretary of State on 1 and 2 November 2020 [CDC.5.5.1-CDC.5.5.2] objecting to the Order on the basis:
- (i) that the Order, if confirmed, will remove a right of access to the rear of her property which her property has enjoyed for many years.
 - (ii) this right of access is necessary so that maintenance work, e.g. to solar panels installed on her property, can be carried out and the loss of the right of access would mean that such maintenance work could only be carried out via Shaftesbury Avenue (to the front of her property) and obstructing part of that busy highway including blocking a bus stop.

- (iii) this would create danger and, as a result, may lead to maintenance work not being carried out.

The Council's response to the objection by Emmeline Gordon-Reid, 39 Shaftesbury Avenue

- 14.14 Ms Gordon-Reid's claimed right of access was not initially included in Table 2 of the Order Schedule because it was not apparent that any such right existed. The Council has confirmed to Ms Gordon-Reid that it will amend the entries in respect of the parcel of land numbered 17 in Table 2 of the Order Schedule to include a reference to a right of access appurtenant to 39 Shaftesbury Avenue. This amendment is made without prejudice to the Council's request that Ms Gordon-Reid proves that the right of access is established. The Council notes that the property is set back from Shaftesbury Avenue and that there is a hardstanding for off-street parking and, therefore, the Council does not accept that maintenance work cannot be carried out safely at the front of the property.

15 CONCLUSION

- 15.1 In conclusion, the overall objective and vision for the regeneration of the Estate is to create a lifetime neighbourhood that reconnects with the wider Borough, re-orienting streets and spaces in order to restore a sense of place to the Estate. The Regeneration Scheme achieves this and more.
- 15.2 Phase 1 of the regeneration is already underway. The implementation of Phases 2 and 3 of the Regeneration Scheme will result in the continued transformation of the Estate and the wider area by the removal of poor quality, not fit for purpose Resiform flats and its replacement with high quality private and affordable dwellings which will create a balanced, mixed and inclusive community.
- 15.3 The Regeneration Scheme will deliver a comprehensive residential development with an improved mix of affordable housing including family housing. It will also bring improvements to the quality of private amenity space, open space and the public realm.
- 15.4 The compulsory acquisition of interests in the Order Land is required in order to achieve the delivery of Phases 2 and 3 of the Regeneration Scheme in the event that

the Council is unable to acquire such interests by private treaty within a reasonable timescale to deliver those phases.

15.5 The Council is satisfied that there is a compelling case in the public interest for the Order to be confirmed so as to secure the delivery of Phases 2 and 3 of the Regeneration Scheme and that there are no overriding impediments to delivering the Regeneration Scheme.

15.6 The Council, therefore, respectfully requests the Inspector to confirm the Order.

16 OTHER INFORMATION OF INTEREST TO PERSONS AFFECTED BY THE ORDER

16.1 Parties affected by the Order who wish to discuss matters with a representative of the Council should contact: Gail Sargvon or Salome Irungu by telephone on 020 84247654 or by email to grangefarmregen@harrow.gov.uk

17 DOCUMENTS TO BE REFERRED TO AT THE INQUIRY

17.1 A list of the Core Documents which the Council will be referring to at the Inquiry is attached at Appendix 1 to this Statement. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order. Copies of the Core Documents referred to in this Statement can be viewed on the Council's website at <https://www.harrow.gov.uk/grangefarm>

Harrow Council

14 May 2021

Appendix 1

THE LONDON BOROUGH OF HARROW (GRANGE FARM ESTATE REGENERATION PHASES 2 AND 3) COMPULSORY PURCHASE ORDER 2020

CORE DOCUMENTS LIST

Link to documents <https://www.harrow.gov.uk/grangefarm>

CDA	LEGISLATION AND GOVERNMENT GUIDANCE
CDA.1	Town and Country Planning Act 1990 (Part IX)
CDA.2	Planning and Compulsory Purchase Act 2004 (Part 8)
CDA.3	Guidance on Compulsory Purchase and Crichel Down Rules (2019)

CDB	PLANNING AND POLICY DOCUMENTS
CDB.1	Planning permission ref. P/3524/16 dated 29 March 2019
CDB.2	Officer report for P/3524/16 to Planning Committee on 21 March 2018:
CDB.2.1	Officer report
CDB.2.2	Addendum to Officer Report
CDB.3	Planning application ref. P/3524/16 documents – Link Civica Town - Search applications (harrow.gov.uk) then search for P/3524/16
CDB.4	Shadow section 106 pursuant to planning permission P/3524/6:
CDB.4.1	Shadow section 106 pursuant to planning permission P/3524/6:
CDB.4.2	Schedule 1 - site plan to shadow s106
CDB.4.3	Schedule 4- Nomination Agreement Template to shadow s106
CDB.4.4	Schedule 5 - Registered Providers Aug 2018 to shadow s106
CDB.5	Design and Access Statement (December 2017) Link https://planningsearch.harrow.gov.uk/planning/search-applications#DOC?DocNo=10360142

CDB.6	Statement of Community Involvement (November 2017)
CDB.7	National Planning Policy Framework 2012 (revised February 2019)
CDB.8	Harrow Council Development Management Policies (July 2013)
CDB.9	Harrow Council Core Strategy (February 2012)
CDB.10	London Plan 2016
CDB.11	London Plan 2021 https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf
CDB.12	Harrow Council Site Allocations 2013
CDB.13	Harrow and Wealdstone Area Action Plan 2013

CDC	COMPULSORY PURCHASE ORDER DOCUMENTS
CDC.1	Compulsory Purchase Order (CPO) made 17 September 2020
CDC.2	CPO map (unsealed copy)
CDC.3	Statement of Reason
CDC.4	Statement of Case
CDC.5	Objections:
CDC.5.1	Manoj Rajah, 109 Wesley Close
CDC.5.2	Reserve Forces' Cadets' Association for Greater London (RFCA)
CDC.5.3	Eastern Power Network plc
CDC.5.4	Cadent Gas Ltd
CDC.5.5	E Gordon-Reid, 39 Shaftesbury Avenue:
CDC.5.5.1	Email dated 1 November 2020
CDC.5.5.2	Email dated 2 November 2020
CDC.6	Land Registry title MX259129
CDC.6.1	Official Copy (Register)
CDC.6.2	Official Copy (Title Plan)

CDD	SCHEME AND OTHER DOCUMENTS
CDD.1	Grange Farm Allocation Process
CDD.2	LB Harrow Home Loss and Disturbance policy
CDD.3	LB Harrow Housing Allocations scheme
CDD.4	Equalities Impact Assessment 13 May 2016
CDD.5	Grange Farm Residents Charter June 2019
CDD.6	Affordable Housing Statement 2017
CDD	