

London Borough of Merton
(High Path No 1)
Compulsory Purchase Order 2022

STATEMENT OF REASONS

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THE LONDON BOROUGH OF MERTON

(HIGH PATH NO. 1) COMPULSORY PURCHASE ORDER 2022

STATEMENT OF REASONS FOR THE MAKING OF THE ORDER

1 Introduction and Background

- 1.1 This document is the Statement of Reasons prepared by the London Borough of Merton (the **Council**) which sets out the background to, and reasons for, the making of the London Borough of Merton (High Path No.1) Compulsory Purchase Order 2022 (the **Order**) which is to be submitted to the Secretary of State for Levelling Up, Housing and Communities for confirmation.
- 1.2 The Council has made the Order pursuant to Section 226 (1)(a) of the Town and Country Planning Act 1990 (the **1990 Act**), Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, Section 203 of the Housing and Planning Act 2016 and the Acquisition of Land Act 1981. This Statement of Reasons is provided in compliance with paragraph 186 of the Department for Levelling Up, Housing and Communities "Guidance on Compulsory Purchase Process and The Crichele Down Rules" July 2019 (the **CPO Guidance**).
- 1.3 The Council's purpose in making the Order, and seeking its confirmation by the Secretary of State for Levelling Up, Housing and Communities, is to enable the Council to acquire compulsorily the land and the new rights over land included in the Order to facilitate the regeneration- and construction of the High Path Estate Phases 2 and 3.
- 1.4 The High Path Estate regeneration forms part of the wider Estates Regeneration Programme (the **Scheme**) proposed by the Council in the borough. The Scheme seeks to deliver the regeneration of three residential housing estates in the London Borough of Merton, those being the Ravensbury Estate, the High Path Estate and the Eastfields Estate (together to be known as **the Estates** for the purpose of this document).
- 1.5 In order to secure the delivery of the Scheme, the Council intends to make a number of Compulsory Purchase Orders (**CPOs**) for the acquisition of third party

property and rights on the Estates. The CPOs will be phased to reflect the Developer's proposed construction programme for the Scheme from 2022–2034.

- 1.6 In conjunction with this Order, the Council is also bringing forward the London Borough of Merton (Ravensbury No.1) Compulsory Purchase Order 2022 (the **Ravensbury Order**) and The London Borough of Merton (Eastfields No.1) Compulsory Purchase Order 2022 (the **Eastfields Order**) (together with this Order, the **2022 CPOs**) as part of the next phase of redevelopment across the three Estates.

The Developer

- 1.7 The Scheme will be delivered and financed by Clarion Housing Group (the **Developer**). Although the term 'Developer' is used at all times in this Statement of Reasons, many of the actions attributed to Clarion/the Developer will in practice have been undertaken by former manifestations of the organisation which is now known as Clarion, in particular Merton Priory Homes or Circle Housing Merton Priory.
- 1.8 Merton Priory Homes (also known as Circle Housing Merton Priory) was formed in 2010 as a result of the transfer of the Council's social housing stock to Merton Priory Homes, which became a subsidiary within the Circle Housing Group. In November 2016, the Circle Housing Group (the parent company of Merton Priory Homes) merged with the Affinity Sutton Group to form a new parent company, Clarion Housing Group Ltd (this is a charitable housing association). Clarion Housing Group is comprised of various companies, which together form the largest housing group in the country, holding over 125,000 homes.

Evolution of the Scheme

- 1.9 Pursuant to an agreement dated 22 March 2010, the Council's social housing stock was transferred to the Developer (the **Stock Transfer Agreement**). The Stock Transfer Agreement between the Council and the Developer included a legal obligation requiring the Developer to undertake a programme of property improvements known as Decent Homes; these are well underway across the transferred housing stock.

- 1.10 Whilst considering the programme of improvement that needed to be undertaken, stock condition surveys undertaken on behalf of the Developer gave rise to concerns as to whether refurbishment was actually a viable option or whether, in some circumstances it might be more beneficial and sustainable to replace homes in the poorest condition with new properties. In 2013 the Developer began exploring regeneration-based alternatives for the housing stock on the Estates.
- 1.11 Since 2014, the Council has been exploring the regeneration of the Estates in consultation with residents, the Mayor of London's office, Transport for London and other interested parties as well as with the Developer. The Developer has also been actively consulting and engaging with residents and homeowners on the Estates about the possibility of regeneration. As well as active engagement, the Council have analysed the evidence provided by the Developer to support the case for regeneration. The Council and the Developer signed the 10 Commitments in September 2014 (Appendix 2) which have provided the backbone of the project to ensure that residents remain at the heart of decision-making.
- 1.12 In order to take the Scheme forward, the Council took the in-principle decision to explore the production of an 'Estates Local Plan'. In January 2016, the Council resolved to consult on the draft Estates Local Plan and also resolved to finalise a revised delivery timetable for the implementation of the Decent Homes Programme on the Estates with the Developer. The Council then undertook to prepare and consult on the Estates Local Plan to guide and support the regeneration of the Estates. The Estates Local Plan was formally adopted by the Council as part of the Development Plan in February 2018.

The Scheme

- 1.13 The Scheme is an ambitious regeneration project that is supported by the Council. It represents a significant long-term investment which sees the existing residents being at the heart of the regeneration project. The Scheme will provide sustainable communities through the creation of new, well designed high quality neighbourhoods aimed at fundamentally improving the quality of life and life-chances for existing and future generations living in the Estates. The Council

believes that the Scheme will provide significant social, economic and environmental improvements for existing residents.

1.14 The Scheme envisages the provision of up to 2,704 new homes. The breakdown of these new homes is as follows:

- High Path Phase 1 (Kickstart): 134 homes;
- High Path Phases 2 –7: up to 1,570 homes;
- Ravensbury Phase 1 (Kickstart) 21 homes;
- Ravensbury Phases 2-4: up to 179 homes; and
- Eastfields Phases 1-4 up to 800 homes.

1.15 Phase 1 of Ravensbury has already been carried out, and no compulsory purchase order was required. Reserved matters for Ravensbury Phases 2-4 and the current detailed design plans for 179 new homes in Phases 2-4 were approved on 9 December 2019. Phase 2 is already being carried out and so far as Phase 2 itself is concerned, the Ravensbury Order is only required in respect of a parcel of unregistered land. Phases 2-4 are the subject of the Ravensbury Order being progressed in tandem.

1.16 Reserved matters were also approved on 3 October 2019 for the majority of High Path Phase 2, to which the Order relates, for the construction of 113 new homes. Reserved matters for the Nelson Grove Road Garages, which will form part of a separate construction Phase 2A required to deliver this sub-Phase and were approved on 31 March 2022 (ref: 22/P0085).

1.17 In respect of High Path Phase 3, revised outline planning permission for this element of the Scheme was obtained on 21 January 2022 and reserved matters are due to be submitted in the Summer of 2022.

1.18 Reserved matters for Eastfields Phase 1, to which the Eastfields Order relates was granted on 29 April 2022 (reference: 21/P4430).

1.19 Throughout the Scheme there will be no loss of social/affordable housing, indeed, the number of social/affordable bed-spaces provided will increase as the

Developer addresses historic overcrowding in the three Estates, when rehousing the existing social/affordable tenants.

- 1.20 All of the Developer's existing social/affordable tenure tenants and resident homeowners have been given the opportunity to stay in new homes in the newly regenerated Estates. This is the case on all three Estates. This 'offer' is consistent with the Developer's Residents' Offer published in May 2015 and updated in 2018, a copy of which is attached at Appendix 3.
- 1.21 The Council supports the Scheme and is convinced that it will contribute significantly to improving the economic, social and environmental well-being of the area.
- 1.22 The Developer is in discussions with residents and the Council about amending the Scheme in respect of Phases 4-7 of High Path. However, the Developer has confirmed its commitment to delivering redevelopment pursuant to the 2022 CPOs and delivery of such is not contingent on any new or revised planning permission being granted for Phases 4-7.

The Order

- 1.23 The Order forms part of the first CPOs brought forward in respect of the Scheme, in conjunction with the Ravensbury Order and Eastfields Order, and relates to land comprising part of the High Path Estate and includes the land shown shaded pink, edged red or shaded blue on the Order Map attached at Appendix 1 (the **Order Land**). As noted above, the Order Land comprises Phases 2 and 3 of the High Path Estate - see the Order Map at Appendix 1 and the indicative Phasing Plan at Appendix 4. The Order Land includes all of the new homes being proposed as part of Phase 2 and 3, together with the replacement ball-court and recreational facility agreement required pursuant to the section 106 agreement entered into in respect of the outline planning permissions.
- 1.24 In addition to the land interests that need to be acquired within the relevant phases, there are properties within the wider High Path Estate and around the perimeter of the High Path Estate which may have rights over the Order Land which may need to be acquired and/or over which new rights are required to undertake the development.

- 1.25 The Council supports the Order; the acquisition of the Order Land will facilitate delivery of new and significantly improved housing for existing tenants and homeowners on part of the High Path Estate, and will also allow enable regeneration of other parts of the High Path Estate to come forward, since the homes provided on the Order Land will enable the relocation of existing residents in subsequent phases of the High Path Estate regeneration.
- 1.26 Phase 1 (the Kickstart Site) did not require a CPO and has already commenced, see later in this Statement of Reasons.
- 1.27 Phase 2 of which the Order Land forms part, will facilitate delivery of 113 new homes on the High Path Estate of which 95 (84%) new homes will be affordable rented/social rented and 18 new homes will be private homes to replace existing private homes for resident homeowners. All of these homes are part of the Order Land.
- 1.28 Phase 3 of which the Order Land also forms part, will facilitate delivery of 369 new market homes on the High Path Estate, the proceeds from which shall be used to help support the financial viability of Phase 2 of High Path and also Eastfields Phase 1 and Ravensbury Phases 2 to 4 which shall be delivered as part of the next phase of redevelopment across all three estates.
- 1.29 The overall break down of Phases in the High Path Estate (based on the consented Scheme) is:
- Phase 1: 134 Homes
 - Phase 2: 113 Homes;
 - Phase 3 369 proposed Homes;
 - Phase 4 to 7 to be determined
- 1.30 There are currently two ball courts existing on the High Path Estate; one is located within Phase 3 and the other within Phase 5. The section 106 agreement for the outline planning permission, requires the provision of new permanent or temporary facilities prior to closure of these facilities. As noted above, Phase 3 shall also comprise the replacement ball court and a recreational facility pursuant to the section 106 agreement on land to the west of Pincott Road.

1.31 On 15 January 2018, the Council's Cabinet resolved 'in-principle' for the Council to use its compulsory purchase powers, if necessary, to bring forward the Scheme. This resolution was ratified by full council on 7 February 2018, although full Council subsequently acknowledged on 2 February 2022, that their further ratification was not required in order to make future orders to carry out the Scheme in line with the statutory framework governing the making of CPOs under S.226 of the Town and Country Planning Act 1990 and the Council's constitution. The Cabinet then passed a resolution on 21 March 2022 for the Council to make the Order as described in this Statement in respect of the Order Land specifically.

2 High Path Estate – Existing and Proposed Regeneration

The Estate – Existing

- 2.1 The High Path Estate covers a total area of 6.91 hectares and is located in the Abbey ward. The perimeter of the High Path Estate is bound by Merton High Street (A238) to the north, Abbey Road to the east, High Path to the south and Morden Road (A219) to the west. The High Path Estate is in close proximity to the A24 Merantun Way, which forms part of the Transport for London Road Network (TLRN) and is a 'Red Route'. Access to/from the site via Merantun Way is via High Path to the south.
- 2.2 The Estate is located within an area characterised by a mix of uses, with Merton High Street predominantly formed of commercial/retail ground floor uses with residential above to the north, and terraced housing to the north and east.
- 2.3 To the south of the Estate on the opposite side of High Path is Merton Abbey Primary School and Harris Academy Wimbledon; further south is Merton Industrial Park with warehouse and industrial buildings predominantly two storeys in height and to the east of the site is a Sainsbury's superstore and retail park.
- 2.4 No part of the High Path Estate comprises a Conservation Area although it falls within an Archaeological Priority Zone and the Wandle Valley Regional Park 400m Buffer. There are no statutory or locally listed buildings falling within the High Path Estate, although there are listed buildings within the vicinity.
- 2.5 Prior to Kick Start Phase 1, the High Path Estate, as a whole, consisted of 608 residential units. with a mix of tenures including approximately 93 private ownership units and 343 social rented units. The High Path Estate was constructed between 1950s and 1980s with no defined urban strategy and using different construction methods. The High Path Estate is in residential use with the exception of a local convenience store on the corner of Pincott Road and Nelson Grove Road, the St John's the Divine Church Hall along High Path, an accountancy office and space used by the South Wimbledon Community Association.

- 2.6 The typologies of housing are varied with a mix of tower blocks (up to 12 storeys in height), maisonettes, terraced houses and other blocks of flats predominantly all constructed of brick and concrete. No significant structural alterations have been carried since the original construction of the properties on the Estate. Decorative and maintenance works have been carried out. All properties owned by the Developer have double glazed windows and some have had replacement kitchens and bathrooms. Maintenance works have also been carried out to ensure that properties on the Estate meet fire and health and safety regulations, such works have included replacement of central heating systems, replacement of communal fire doors and front doors to individual properties.
- 2.7 There are nine vehicular access points to the High Path Estate from all surrounding roads on the perimeter of the Estate (one on Merton High Street, one on Morden Road (A219), five on High Path and two on Abbey Road) and more pedestrian access routes from these roads. There are also a number of existing internal roads including Hayward Close and Pincott Road which run in parallel to one another from Merton High Street to the north and High Path to the South (although there is no vehicular access on the junction of Haward Close and Merton High Street).
- 2.8 The High Path Estate is located adjacent to South Wimbledon London Underground station, a 650m walk from Colliers Wood London Underground Station and a 1.4km walk from Wimbledon station. These stations are served by the Northern and District Line respectively. The nearest mainline rail station to the site is Haydons Road, which is located approximately a 1.4km walk north of the High Path Estate. The Public Transport Accessibility Level (PTAL) rating varies across the Estate between “4” and “6a” indicating between a ‘Good’ and ‘Excellent’ level of public transport accessibility.

Proposed Regeneration

- 2.9 Redevelopment of the High Path Estate has already commenced pursuant a planning permission granted on 5 October 2017 (ref: 16/P3738) which provides for delivery of Phase 1 of the High Path Estate regeneration programme (the **High Path Kickstart Phase**).

- 2.10 The High Path Kickstart Phase involves the demolition of Old Lamp Works, 74 garages and a play area on land to the north and east of Marsh Court, Pincott Road, Nelson Grove Road and Rodney Place (together the **Kickstart Area**). The redevelopment of the Kickstart Area will provide 134 new residential units (80 affordable) with associated vehicular access, parking, cycle and refuse storage and landscaping. The objective of the High Path Kickstart Phase is to provide housing for residents from the existing High Path Estate as later phases of the Estate's redevelopment take place ensuring that, so far as possible, no resident has to move twice. The High Path Kick Start Phase has been commenced and is due to be completed in April 2022.
- 2.11 The remaining Phases (2-7) of the High Path Estate were granted outline planning permission on 29 April 2019 (ref: 17/P1721) varied on 21 January 2022 (ref: 21/P2806), along with the remaining Phases of the Ravensbury Estate (ref: 17/P1718) and the whole of the Eastfields Estate (ref 17/P1717) varied on 15 March 2022 (ref: 21/P4078). The planning position is set out in more detail at section 5 to this Statement.
- 2.12 All of the 608 dwellings existing prior to the commencement of the Scheme on the High Path Estate are proposed to be demolished, with 78 units demolished as part of Phase 2 and 88 units as part of Phase 3.
- 2.13 The core elements of the High Path Estate's regeneration are as follows:
- 2.13.1 Demolition of all buildings within the red line boundary of the outline planning application site, which equates to the demolition of 608 existing homes. Homes to be demolished as part of the remainder of the outline proposal yet to be implemented include 343 affordable and 93 private homes;
 - 2.13.2 Construction of 134 new homes in Phase 1 (the Kickstart Site) 80 of which are required by the relevant section 106 agreement to be affordable;
 - 2.13.3 Construction of a 5 to 10 storey building with 187 sqm of commercial floorspace (use classes A1, A2, A3, B1 or D1) with 105 residential dwellings and construction of 8 three storey houses in

Phases 2 all of which will be on the Order Land; 95 of the dwellings will be delivered as affordable housing pursuant to the relevant reserved matters consent;

- 2.13.4 In addition to High Path Kickstart Phase and Phase 2, a minimum of 184 affordable units are to be delivered in phases 3-7 as required by the S106 agreement related to the Outline Planning Permission;
- 2.13.5 A new neighbourhood park will be provided along with other amenity space and a children's play area;
- 2.13.6 Provision of up to 9,900 sqm of commercial and community floorspace (including replacement and new floorspace);
- 2.13.7 The creation of new public open space and communal amenity spaces including children's play space and replacement of existing recreational facilities;
- 2.13.8 The creation of new public realm space along with landscaping works and lighting;
- 2.13.9 Car parking spaces including within ground level podiums;
- 2.13.10 Cycle parking spaces for all land uses, including visitor cycle parking; and
- 2.13.11 Associated highways and utilities works.

2.14 The redevelopment of the High Path Estate will come forward in seven phases. The Phases have been designed to ensure minimum disruption to existing residents. The construction phasing proposed pursuant to the existing permission is currently as follows:

- | | | |
|--------|----------|------------------|
| 2.14.1 | Phase 1 | 2018 - 2021/2022 |
| 2.14.2 | Phase 2 | 2023 - 2025 |
| 2.14.3 | Phase 3 | 2023 – 2027 |
| 2.14.4 | Phases 4 | 2027 – 2029 |
| 2.14.5 | Phase 5 | 2028 - 2031 |

2.14.6 Phase 6 2032 – 2035

2.14.7 Phase 7 2034 - 2036

2.15 An indicative Phasing Plan in respect of the High Path Estate is appended at Appendix 4 to this Statement.

3 **Order Land and Rights to be acquired**

3.1 The interests identified below remain outstanding and need to be acquired by the Council to facilitate the delivery of Phase 2 and Phase 3 of the High Path Estate regeneration. The Developer has successfully negotiated the purchase of all other interests in the Order Land to facilitate the delivery of Phase 2 and Phase 3. Full details of the owners and their outstanding interests, together with the new rights that need to be acquired, are contained in the Schedule to the Order and shown on the Order Map.

Land and Rights to be acquired

3.2 The land proposed to be acquired is shown edged black and coloured pink on the Order Map. Existing rights over the land edged red on the Order Map are also proposed to be purchased compulsorily. Details of these interests are contained in Table 1 of the Schedule to the Order. It should be noted that in respect of those properties listed within the Schedule where only a potential right is to be acquired over the Order Land, it is not proposed to acquire the freehold or leasehold titles of those properties.

3.3 The land to be acquired edged black and shaded pink includes small areas of unregistered land. The Council has been unable to trace the owners despite making diligent enquiries. None of the unregistered land is occupied by any residents or businesses.

New Rights

3.4 The land over which new rights are sought as part of the regeneration of the High Path Estate are shown edged black and coloured blue on the Order Map (the **Blue Land**). Details of the interests in the Blue Land to be compulsory acquired are contained in Table 2 of the Schedule to the Order.

3.5 The rights in respect of the Blue Land are proposed to be acquired to allow cranes to over sail that land during the construction process. The affected properties in respect of any new rights will not be redeveloped pursuant to the Order and there is no need to acquire the freehold or leasehold titles of the Blue Land. As with the property acquisitions, negotiations to secure these rights by

private treaty agreement are ongoing and will continue in parallel with the formal CPO process.

The Order Map

- 3.6 The Order Map identifies the Order Land, which includes the land shaded pink, edged in red and the Blue Land. Individual plot boundaries and numbers on the CPO Map correspond with the Schedule in respect of the land shaded pink and the Blue Land. In addition, the Schedule lists other parties who may have a qualifying interest in the Order Land where known after reasonable enquiry. The Schedule has been based on information gathered through site inspections and enquiries, responses to notices issued under section 16 of the 1976 Act and inspection of Land Registry documents. There has been an extensive enquiry to identify land interests, but it is recognised that currently unknown interests may emerge in the course of proceeding with the compulsory purchase process.

4 The Need for Development and Regeneration

4.1 There is a real and present need for new housing, both in London generally and also specifically in the London Borough of Merton. Indeed, the Estates Local Plan expressly recognises the position in the following terms (at Paragraph 1.20):

*'There is a **substantial demand** for new homes in London and the south east. Increasing the supply of new homes to meet housing needs is a longstanding and well documented policy driver for successive governments'* (emphasis added).

4.2 It is against this backdrop that the Council has resolved to pursue the Scheme, with the intention being that the Estates Local Plan 'will help deliver new homes for existing and future residents, helping Merton to meet its share of London's new homes of all types, sizes and tenures' (Paragraph 1.20).

4.3 In this regard the London Plan identifies a level of housing need of 52,300 new homes per annum across London, with a need of 918 homes per annum within Merton.

4.4 As such, it is evident that the need for more and better housing in Merton is pressing.

4.5 Both the Scheme more generally, and the regeneration of the High Path Estate specifically, will increase housing provision and so materially contribute towards meeting this housing need.

Condition of Estates

4.6 As already noted earlier in this Statement, when the Developer acquired responsibility for all of the Council's housing stock, they committed to improve the accommodation as well as the quality of life for residents. However, as explained, in working towards this goal, stock condition surveys undertaken identified that significant refurbishment and maintenance was required. The Developer therefore began a comprehensive review across all the various housing estates for which it was responsible which included the three Estates, to determine whether refurbishment was viable or whether it might be more

beneficial and sustainable to replace homes in the poorest condition with new properties.

- 4.7 The Developer has undertaken technical surveys and financial planning work, which concluded that not only significant refurbishment, but also significant ongoing maintenance work and financial investment would be needed to raise – and keep – the housing stock to the required standard. Whilst incremental refurbishment works would improve the internal housing quality in the short to medium term, comprehensive regeneration and redevelopment was determined to be the most effective way of delivering long term sustainable Decent Homes.
- 4.8 As already noted, on 7 February 2018, the Council adopted the Estates Local Plan, which now forms part of the Council's Local Plan alongside its Core Planning Strategy and Sites and Policies Plan. The Estates Local Plan was adopted with the intention that it would guide redevelopment proposals for the Estates that come forward in the next 10-15 years, in order to ensure that development proposals create well designed, high quality neighbourhoods aimed at fundamentally improving the quality of life for existing and future generations living in the area. At the heart of the Estates Local Plan is an acknowledgment that the existing housing stock on the Estates is largely sub-standard and that regeneration is the most viable option for delivering housing to Decent Homes Standards.

Case for regeneration at the High Path Estate

- 4.9 As already noted, the High Path Estate was constructed between 1950s and 1980s and comprised 608 residential dwellings prior to the commencement of the Scheme. The life span of much of the existing building stock on the High Path Estate is limited. Continual repair and upgrade work is required to meet habitable standards of living. Specific housing stock issues include the following:

- 4.9.1 A report prepared by Ellis and Moore Consulting Engineers Ltd (November 2010) stated that whilst the majority of properties were in reasonable structural condition, there were still defects which required remedying, including: repairs to the concrete upstanding and render on tower blocks (including March Court); repairs on

mansion blocks (including Gilbert and Becket Closes) to repair cracking and concrete edge beams and deck access slabs; repairs to concrete edge beams and lintels on blocks constructed in the 1960s; repairs and replacement of brickwork, including repointing and repair and replacements of beams, slabs and finishes of the blocks constructed in the 1970s; repointing of brickworks on blocks constructed in the 1980s; and, internally, the survey highlighted problems in a number of properties relating to damp, condensation, and rust;

4.9.2 Baily Garner LLP conducted internal dwelling conditions surveys in 2015 which identified that: 18% of kitchens and 29% of bathrooms were deemed old and in poor condition; 6% of heating installations and 23% of electrical installations were also identified as old and in poor condition. The general observations found damp and mould issues were present across many blocks, which indicates that units are potentially affected by inherent 'cold bridging' issues related to the fabric of the buildings. Residents also noted issues relating to the sound performance of the buildings, both from external sources and transfer between properties.

4.9.3 It also identified:

- (a) Roofs - The asphalt flat roof on Marsh Court is approaching the end of its life and will require replacement in the short to medium term. The thermal performance of this roof is considered to be low. The majority of the pitched roofs, based on typical lifespans, will need to be replaced in the medium term.
- (b) External doors and windows - Whilst the majority of properties on the Estate appear to have received major project works to replace windows at some point in the last 10 years, it is likely that they will require a major overhaul / replacement in the

next 15 to 20 years. UPVC doors and screens are likely to need replacement in the next 10 to 15 years.

- (c) Internal common areas - Regular redecoration is required on a circa 5 to 7 year cycle.
- (d) Kitchens - Significant variation across the Estate.
- (e) Bathrooms - Again, quality and condition of bathrooms and their associated fixtures and fittings varies significantly across the Estate.

4.9.4 A 2015 Housing Needs Study found that 357 household within the High Path Estate lived within unsuitable housing, primarily because of overcrowding. There are a number of overcrowded households in Phases 2 and 3 at High Path. In Phase 2 thirteen households are overcrowded and need one additional bedroom, two further households need two additional bedrooms. These housing needs have been taken into account in planning the replacement homes and those households will move into a new home that is the right size for them. In Phase 3 six households will move into a new home that has one more bedroom. There are four households who will be rehoused in phase three who will be rehoused in two separate new homes thus allowing the Developer to deal with 'hidden households' and rehouse adult non-dependants separately;

4.9.5 The affordable housing mix and tenures on the Estate also do not meet housing needs, with 1 and 2 bed units comprising 78.3% of the affordable dwellings and there being no intermediate tenures;

4.9.6 Property Performance Services reported within their Dwelling Condition Assessment (November 2014) that, from their experience of similar buildings, it is likely that some asbestos bearing products may have been used in the construction of the some of the properties;

- 4.9.7 An accessibility audit and appraisal in October 2014, evaluated how well the existing properties on the Estate performed in terms of access and ease of use by a wide range of potential users, in particular but not limited to disabled people. Whilst parking provision was generally considered adequate, the design of the car parking and approaches did not meet the required level, with uneven access and a lack of basic features such as handrails and tactile paving. Many main entrances to blocks have heavy doors that lack assistance for opening and closing. Level access is only available on the tower blocks and to one single bungalow. In addition, only three of the tall tower blocks have lifts, and the low rise brick buildings have very small kitchens and bathrooms, poor circulation spaces and are not accessible to those with mobility problems – meaning they cannot achieve lifetime homes standards;
- 4.9.8 The majority of existing dwellings are below the Nationally Described Space Standards for new dwellings; and
- 4.9.9 Existing amenity space also falls short of policy. High Path has a large amount of green space but little of it is used or useable by residents. It consists largely of fenced grassed areas, mowing strips and some poor quality shrub beds adjacent to the blocks. Much of the open space is used as hardstanding and parking space.
- 4.10 A 2015 urban design review study noted issues relating to the layout of the High Path Estate. The study found that the geometry of the layout was prejudicial to pedestrian movement with maze-like routes with few good connections to the wider strategic network. The existing layout of the Estate was also found to lack consistency and does not exhibit a similar form to surrounding development. Whilst the Estate contains relatively high levels of open space, the lack of distinction between public and private space is unclear resulting in an inefficient use of land. The vast majority of properties on the Estate also have passive or

dead frontages, which has a negative impact on safety and the social environment of the Estate and the quality of the external environment.

Alternatives Considered

4.11 In deciding on a full regeneration of the High Path Estate, two alternative options were considered:

4.11.1 Option 1 – Refurbishment to Decent Homes (Merton Standard) which would comprise predominantly internal works, such as new kitchens, bathrooms, plumbing, electrics and insulation to improve the quality of the existing accommodation; and

4.11.2 Option 2 – Refurbishment to an Enhanced Standard which would comprise the refurbishment of all existing properties owned and managed by the Developer to a standard above Decent Homes. This would involve a programme of works both internal improvements (such as new kitchens and bathrooms) and external works (such as new building cladding and roofs to improve thermal performance).

4.12 No consideration was given to a "do nothing" approach.

4.13 Partial regeneration was not considered to be a reasonable alternative because:

4.13.1 as a result of construction of the estate over four decades, the arrangement of buildings makes any partial regeneration scheme proposing demolition of selected blocks very challenging logistically and would cause significant disruption to residents living elsewhere on the Estate from being in close proximity to noise, dust and the general disturbance of demolition and construction works;

4.13.2 the poor layout and urban design of the existing High Path Estate as identified could not be addressed through partial regeneration, which could not deliver a comprehensive well thought through high

quality residential development that optimises the potential of the land within the Estate; and

4.13.3 partial regeneration would create a fragmentation of the Estate in terms of design and would not realise the significant place making potential that exists with a comprehensive redevelopment of this significant site within the local area.

4.14 Neither Option 1 nor 2 were considered to be a reasonable alternative:

4.14.1 They would not deliver significant increases in the quality and quantity of residential accommodation, or diversification of the housing mix, type and size of dwelling, or improvements to the general environment of the High Path Estate in accordance with key policy objectives at national, regional and local levels;

4.14.2 The jobs created by refurbishment of the High Path Estate, while having a positive impact on residents in the local area, predominantly in trades and services, would be of shorter duration than those created if the Estate is fully regenerated and so the benefits are much more significant and wide-ranging;

4.14.3 Neither option would include the creation of any new non-residential land uses such as the introduction of any community space, nor would they present any ability to alter the layout and urban design;

4.14.4 Neither option offers significant opportunities to improve the integration and connectivity of pedestrian routes to the wider area through good redesign of the internal spatial structure and the creation of stronger connections from the Estate; and

4.14.5 There is limited or no potential for increasing the sustainability of the Estate through the introduction of sustainable drainage systems, green and brown roofs and ecological enhancements. Further, while Options 1 and 2 would both offer energy performance benefits, financial analysis demonstrates that the

upgrades required would have significant payback periods, making these options less attractive.

- 4.15 Therefore, the positive benefits do not outweigh the potential drawbacks of both options in the long term, particularly in comparison with a full regeneration of the High Path Estate.
- 4.16 Refurbishment was also discounted due to the significantly high cost, estimated to be over £99,662,006 as detailed in a Condition Survey Report & Life Cycle Cost Analysis Jan 2016 by Bailey Garner. Whilst refurbishment would improve the quality of the existing stock, the longevity of the improvements would be limited before the condition began to decline again (so that significant further investment would be required). Refurbishment works alone offer very limited potential to optimise the housing potential of the High Path Estate as a whole.
- 4.17 The Developer has decided that full regeneration is the most cost effective way of delivering longer term sustainable Decent Homes through the provision of new, well designed, energy-efficient homes that will meet the needs of residents now and in the future.
- 4.18 An assessment carried out for the Developer by Savills dated October 2016 concluded that full regeneration of the High Path Estate was considered to be the most appropriate in terms of delivering key planning policy objectives at national, regional and local levels as it is the only option that is able to deliver significant increases in the quality and quantity of residential accommodation, as well as improvements to the general environment of the High Path Estate.

Improvements delivered by the High Path Estate Regeneration

- 4.19 The High Path Estate regeneration is consistent with the Estates Local Plan. The Estates Local Plan sets out that regeneration will be expected to provide a range of choices and benefits including:
- 4.19.1 high quality well designed neighbourhoods;
 - 4.19.2 wider housing mix;
 - 4.19.3 private outdoor space for all residents;

- 4.19.4 better quality green spaces and community facilities; and
 - 4.19.5 job creation opportunities.
- 4.20 The proposed redevelopment will also be an opportunity to provide much needed new homes by making more efficient use of brownfield land, improving the quantity, quality and mix of new homes on the High Path Estate.
- 4.21 The High Path regeneration:
- 4.21.1 optimises the housing potential of the High Path Estate and ensures that this large brownfield site is used effectively, delivering a net uplift of up to 764 homes (and no net loss of affordable housing), helping to meet the increased housing need in Merton, and London as a whole;
 - 4.21.2 has a high quality design, with the overall proposed scale, massing and design of the proposed development being fully supported by the Council's Urban Design team. The proposal was also presented to the 'Design Review Panel' on in July 2016 and July 2017. A summary of the review revealed that the High Path Estate masterplan performed well against the 'Build For Life' 12 questions, which offers a tool kit aimed at assessing residential quality for new developments;
 - 4.21.3 includes improvements in terms of access that will ensure improvements to pedestrian routes across the High Path Estate and to nearby parks, bus and tram stops, with routes being linked into the proposed and existing street networks;
 - 4.21.4 provides a good level of community space and open space; and
 - 4.21.5 includes a Design Code which sets key principles and design parameters that inform and control the design for future reference in the Reserved Matters applications and the detailed design of future phases. These include; landscape and public realm, built form, architectural quality and materials and building typologies.

4.22 The Estates Local Plan also makes it clear that any regeneration proposals that come forward should include a commitment to keeping the existing community together in each neighbourhood, as well as for existing residents to have a guaranteed right to return to a new home in their regenerated neighbourhood. The High Path Estate regeneration provides for precisely such a commitment.

5 **Planning considerations**

- 5.1 In making the Order, the Council has had regard to its statutory development plan and other relevant local policy and guidance, together with other material considerations as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the 1990 Act. A comprehensive appraisal of the Scheme and all relevant planning policy is set out in the Officer's report to the Council's Planning Committee on 8 March 2018.
- 5.2 Planning permission was granted for the Scheme through three outline planning permissions References 17/P1717, 17/P1718 and 17/P1721 on 29 April 2019. Two Kickstart planning permissions were granted for the Kickstart Area at Ravensbury and the High Path Phase 1 site on 9 May 2017 and 5 October 2017 respectively.
- 5.3 Furthermore, reserved matters in respect of outline consent 17/P1721 relating to High Path Phase 2, which relates to part of the Order Land, were approved on 03 October 2019 with Reference 19/P1852. Phase 2 therefore benefits from detailed planning consent.
- 5.4 In respect of High Path Phase 3, revised outline planning permission for this element of the Scheme was obtained on 21 January 2022 and reserved matters are due to be submitted in the summer of 2022.
- 5.5 All outline planning permissions for the three Estates are linked with one overarching Section 106 agreement which was completed on 26 April 2019. The effect of the joint Section 106 Agreement is to link the regeneration of the Estates in viability terms, which in-turn helps to ensure that the redevelopment of all three Estates can be delivered through the Scheme.
- 5.6 Section 106 agreements were also entered into separately in relation to the Kickstart Area at Ravensbury and the High Path Phase 1.
- 5.7 Given that outline planning permission has been granted for the Scheme, and that reserved matters have also been approved for the development that underpins the Order on the Order Land in particular, the following paragraphs

do not address planning issues at length, but instead summarise briefly the key planning policy objectives.

Estates Local Plan

- 5.8 The Estates Local Plan forms part of the Council's Local Plan and sits alongside its Core Planning Strategy, Sites and Policies Plan and the South London Waste Plan.
- 5.9 The Estates Local Plan primarily guides how new homes will be delivered via a coordinated strategy considering the social, economic and environmental opportunities and provides the framework for sustainable development of these areas. The regeneration of the Estates as a single comprehensive programme has been presented to the Council as the basis of being able to deliver regeneration.
- 5.10 The Estates Local Plan sets out the overarching vision that underpins the whole Estates regeneration.
- 5.11 The Estates Local Plan also sets out an overarching "Case for regeneration" of the Estates, which makes it clear that the existing housing stock faces a multitude of shortcomings.
- 5.12 The Estates Local Plan goes on to identify a vision for each Estate and in particular with reference to the High Path Estate (Policy OEP1 (b) (ii) page 28) states:

High Path will be a New London Vernacular The creation of a new neighbourhood with traditional streets and improved links to its surroundings, that supports the existing local economy while drawing on the surrounding area's diverse heritage and strong sense of community. Buildings will be of a high quality internally and externally, have a consistency in design with a strongly urban form and character, optimising the most efficient use of land that makes the most of the excellent public transport services, and has access to quality amenity space.

National Planning Policy Framework (NPPF)

- 5.13 The revised NPPF was published in July 2021. As national policy, the document aims for sustainable development to strengthen and support the economy, communities and the environment (paragraphs 7 and 8).
- 5.14 Paragraph 8 of the NPPF defines the three over-arching objectives of the planning system to deliver sustainable development:
- 5.14.1 Economic – helping to build a strong economy by ensuring that enough of the right type of land is available in the right places;
 - 5.14.2 Social – supporting communities by ensuring that a sufficient number and range of homes can be provided and fostering a well-designed and safe built environment; and
 - 5.14.3 Environmental – protecting and enhancing the environment by making effective use of land, helping to improve biodiversity, using natural resources prudently and minimising waste and pollution.
- 5.15 The Scheme is consistent with sustainable development principles of the NPPF.

London Plan

- 5.16 The Mayor of London's new London Plan was formally adopted in March 2021. It provides a strategic spatial strategy within Greater London and forms part of the Council's development plan. The London Plan sets out a number of objectives:
- 5.16.1 building strong and inclusive communities;
 - 5.16.2 making the best use of land;
 - 5.16.3 creating a healthy city;
 - 5.16.4 delivering the homes Londoners need;
 - 5.16.5 growing a good economy; and
 - 5.16.6 increasing efficiency and resilience.

- 5.17 The Scheme will play a key role in achieving the objectives under new London Plan.

Core Planning Strategy

- 5.18 The Core Planning Strategy forms part of the Council's Local Plan and sets out the spatial strategy for the borough and the key elements of the planning framework.

- 5.19 Strategic Objective 3 of the Core Planning Strategy is:

"To provide new homes and infrastructure within Merton's town centres and residential areas, through physical regeneration and effective use of space. This will be achieved by a range of actions including through the delivery of higher density new homes that respect and enhance the local character of the area."

- 5.20 The Scheme is not only consistent with Strategic Objective 3 but it is also supported by key Core Planning Strategy policies such as CS9 (Housing Provision), CS8 (Housing Choice) and DMH2 (Housing Mix).

- 5.21 Also of relevance to the Scheme is the Council's draft Local Plan which was submitted to the Secretary of State on 2 December 2021. The Examination in Public will take place in 2022.

- 5.22 The key strategic housing policies which support the Scheme in the draft Local Plan include H11.1 (Housing Choice) and H11.2 (Housing Provision). Once adopted, these strategic policies will replace the Council's Core Planning Strategy. The draft Local Plan will not supersede any policies in the Estates Local Plan.

Other Relevant Policy and Guidance

- 5.23 The Mayor of London's Housing Supplementary Planning Guidance (March 2016, updated August 2017) includes the guidance relevant to estate regeneration. The guidance states the overarching objectives for any estate regeneration scheme will usually be to:

5.23.1 deliver safe and better quality homes for local people;

5.23.2 increase the overall supply of new and affordable homes; and

5.23.3 improve the quality of the local environment through a better public realm and provision of social infrastructure (e.g. schools, parks, or community centres).

5.24 The Scheme and the High Path Estate regeneration comply with these objectives.

Conclusions

5.25 The Scheme, the proposed regeneration of the High Path Estate, and the regeneration of the Order Land (part of Phase 2 and Phase 3 of the High Path Estate) in particular benefit from strong policy support at national, regional and local level. The development plan and other relevant local policy and guidance all support the High Path Estate regeneration as proposed and the Council is satisfied there is no viable alternative to deliver its benefits.

6 **Explanation of the use of the enabling powers**

6.1 Section 226 of the 1990 Act confers power on a local authority to acquire land compulsorily for development and other planning purposes.

6.2 Section 226(1)(a) of the 1990 Act allows a local authority to acquire compulsorily any land within its area if the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to that land.

6.3 The power to acquire land compulsorily conferred by Section 226(1)(a) of the 1990 Act is subject to subsection (1A), which provides that the acquiring authority must not exercise the power unless 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:

6.3.1 the promotion or improvement of the economic well-being of its area;

6.3.2 the promotion or improvement of the social well-being of its area;

6.3.3 the promotion or improvement of the environmental well-being of its area.

6.4 The CPO Guidance states that a compulsory purchase order should only be made where there is a compelling case in the public interest.

6.5 The CPO Guidance provides recommendations to acquiring authorities on the use of compulsory purchase powers and the Council has taken full account of this guidance in making this Order.

7 **Justification for the use of CPO powers**

7.1 The purpose of the Order is to secure the acquisition of all relevant interests in the Order Land to facilitate the vital redevelopment of the High Path Estate.

7.2 If the relevant interests are not able to be acquired the redevelopment of the Phase 2 element of the Scheme would be severely compromised as all of the units to be acquired lie within the main redevelopment area of this part of the High Path Estate. Seeking to construct new development around these few outstanding interests would not only compromise the construction process but it would also compromise the Council's aims to deliver the wider regeneration benefits of the comprehensive redevelopment of the Estate. It would severely impact on the place-making benefits, the wider social benefits, the delivery of affordable housing and the delivery of higher quality homes.

7.3 The Council is convinced that there is a compelling case in the public interest for the making of the Order and that, if confirmed, the Order would strike an appropriate balance between public and private interests in that the development will make a positive contribution to the promotion or achievement of the economic, social and environmental well-being of its area. For those private interests that will be the subject of the CPO, the Council is satisfied that the Residents' Offer and the Developer's 10 Commitments (Appendix 2) adequately addresses the loss of those interests.

7.4 The overarching consideration for the Secretary of State in deciding whether an Order should be confirmed is set out in paragraph 12 of the CPO Guidance:

7.4.1 *"A compulsory purchase order should only be made where there is a compelling case in the public interest.*

7.4.2 *An acquiring authority should be sure 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. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention."*

7.5 In the context of that overarching consideration, having regard to Paragraph 106 of the CPO Guidance, the following issues should be considered:

7.5.1 whether the purpose for which the land is being acquired fits with the adopted planning framework for the area;

7.5.2 the extent to which the proposed redevelopment of the High Path Estate would contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or environmental well-being of the Council's area;

7.5.3 the potential financial viability of the proposal to redevelop the High Path Estate, general funding intentions and the timing of available funding;

7.5.4 impediments to implementation of the proposed regeneration and whether that regeneration has a reasonable prospect of going ahead; and

7.5.5 whether the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe.

7.6 The issues summarised above are addressed below.

Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area

7.7 The Order will help deliver the Council's vision for the regeneration of the High Path Estate. That regeneration is supported in a variety of policy documents, namely the London Plan, the Estates Local Plan, the Core Planning Strategy, and the National Planning Policy Framework, as well as relevant guidance documents. The planning framework is set out in more detail in Section 5 of this Statement.

7.8 Once adopted, the regeneration of the High Path Estate will also be supported by the Council's draft Local Plan which was submitted to the Secretary of State in December 2021.

- 7.9 The Council is therefore satisfied that the promotion of the Order is in accordance with the strategic objectives of the adopted planning framework.

Contribution to the social, economic and environmental well-being of the area

- 7.10 Section 226(1)(a) of the Act directs that an acquiring authority may not exercise the powers under this section unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to the economic, social or environmental well-being of the area for which the Authority has administrative responsibility.

- 7.11 As set out in section 4, the High Path Estate – and indeed the Estates in general – face a number of major shortcomings. As detailed above, the Council has undertaken a comprehensive investigation of the options for the repair and/or redevelopment of the Estates and it has determined that regeneration is the most viable means to achieve the Estates Local Plan objectives. The High Path Estate regeneration, as part of this wider Scheme, will make a very material contribution to the economic, social and environmental well-being of the area.

The Scheme Generally

- 7.12 Promotion or improvement of *economic well-being* will occur through the increased vitality and viability of the Estates. The main economic benefits previously identified for the Scheme as a whole will be:

7.12.1 A total investment of c.£1 billion in the Estates and wider Merton area;

7.12.2 The creation of approximately 4,584 gross temporary construction jobs (equating to 459 permanent construction jobs);

7.12.3 Increased economic activity by reason of increased employment and expenditure during each Phase of the Scheme; and

7.12.4 Increased economic activity by reason of increased employment and expenditure during the operational phase of the Scheme and the introduction of expanded residential uses.

- 7.13 Promotion or improvement of *social well-being* will be delivered by:
- 7.13.1 provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future;
 - 7.13.2 up to 2,704 new homes across all three Estates. With 1,175 existing homes being demolished across all three Estates, this results in a net uplift of up to 1,530 new homes;
 - 7.13.3 the provision of c. 29% affordable housing overall across the Estates on a habitable rooms basis which includes no net loss of affordable housing;
 - 7.13.4 an improved housing mix better suited to meet the needs of existing affordable housing tenants on the estates having regard to the Housing Needs studies undertaken for each estate; and
 - 7.13.5 improved pedestrian, cycle and vehicular access links to improve permeability and to foster the creation of a healthy and safe community.
- 7.14 Promotion or improvement of *environmental well-being* will occur through the following main environmental benefits:
- 7.14.1 redevelopment of a brownfield site;
 - 7.14.2 provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future;
 - 7.14.3 enhancement of the townscape through the replacement of outdated buildings with a contemporary and well-designed residential development. The public realm will be improved and heritage assets appropriately and respectfully treated within the Scheme;
 - 7.14.4 increased housing density appropriate to the suburban locations of the Estates and to national and local planning policy;

7.14.5 provision of efficient layouts and high quality public open space, community and recreational facilities; and

7.14.6 replacement of poorly insulated properties by new, energy efficient homes.

High Path Estate and the Order Land

7.15 In respect of the Order Land, the proposed regeneration will improve the social, economic and physical environment of the High Path Estate specifically by developing a new mixed tenure neighbourhood where all homes are built to a high quality with their own outside space with well-designed and maintained public open space.

7.16 The High Path Estate regeneration will help to address the socio-economic inequalities of the area. High Path has a distinct socio-economic profile compared to the borough as a whole and generally contrasts with the socio-economic conditions of the borough as a whole. Specifically, the following characteristics have been identified as worsening in respect of High Path Phases 2 and 3 without redevelopment:

7.16.1 The projected increase in the child population, alongside low levels of income and high unemployment in the area will heighten concerns over child poverty;

7.16.2 High levels of youth unemployment constrain the skills and occupational profile of the local population which will impede access to higher value employment opportunities. This constrains the spending power of residents, contributes to further inequalities in skills in the Borough and local area, reducing residents' economic prosperity and social well-being; and

7.16.3 The poor quality living environment, limited housing opportunities and affordability issues will also adversely affect economic and social prospects contributing to poor levels of health; higher levels of deprivation; further health risks associated with overcrowded dwellings; an unattractive living environment; and reduce social cohesion.

- 7.17 The economic consequences of the ongoing COVID-19 pandemic have not yet been fully captured by local statistics but it is likely that this will exacerbate the existing issues faced by the local community.
- 7.18 Promotion or improvement of *economic well-being* will occur in respect of High Path Phases 2 and 3 through:
- 7.18.1 The creation of 130 construction jobs annually over a three-year construction period;
 - 7.18.2 The construction will provide a one off boost the economy of £42.5 million gross added value, £10.2 million of which is likely to be retained in the local area;
 - 7.18.3 Once operational, it is estimated that the mixed use elements of Phase 3 will support 115 jobs, generating £5.3 million in gross value every year, of which £800,000 is likely to be retained in the local area;
 - 7.18.4 The estimated increase of 805 people living within High Path Phases 2 and 3, which would unlock an additional:
 - (a) £880,000 in additional council tax revenue per annum once fully occupied; and
 - (b) An estimated net expenditure increase in the local area of £7.5 million annually;
 - 7.18.5 There is potential for on-site training in construction which could develop local skills which in turn will benefit the local economy;
 - 7.18.6 The development will be liable to Community Infrastructure Levy (CIL) payments, and these monies can be utilised by the Council to fund improvements in social infrastructure, including to education, healthcare and community facilities, leisure and open space; and
 - 7.18.7 The New Homes Bonus will enable the Council to retain a greater proportion of the Council tax revenue to be made available to spend in the borough.
- 7.19 Promotion or improvement of *social well-being* will be delivered by:

- 7.19.1 477 new homes, with a net uplift of 311 homes;
 - 7.19.2 The redevelopment of Phases 2-3 of the High Path Estate providing 93 affordable homes (all within Phase 2). This is in addition to the 80 affordable homes delivered in Kick Start Phase 1;
 - 7.19.3 The proposed housing development reinforcing the attractiveness of High Path as a vibrant and balanced community; and
 - 7.19.4 The proposal increasing the supply of high quality housing, creating an attractive living environment in the area and providing better quality affordable housing.
- 7.20 Promotion of environmental *well-being* will occur through:
- 7.20.1 The redevelopment of a brownfield site;
 - 7.20.2 The provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future;
 - 7.20.3 The enhancement of the townscape through the replacement of outdated buildings with a contemporary and well-designed residential development;
 - 7.20.4 Public realm improvements;
 - 7.20.5 Provision of an efficient layout and a high quality public open space;
 - 7.20.6 Provision of community, recreational and gym facilities; and
 - 7.20.7 Replacement of poorly insulated properties by new, energy efficient homes.
- 7.21 These benefits should be looked upon in tandem with the benefits of the regeneration of Eastfields Phase 1 and Ravensbury Phase 2 to 4.

7.22 For the above reasons, the Council considers that the well-being tests set out in Section 226 are fully satisfied in respect of the Order as made and submitted for confirmation.

Viability of the regeneration and general indication of funding intentions

7.23 The Developer has considerable experience and resources. It manages over 125,000 homes across 176 local authorities. It is the largest housing association in the UK and is one of the country's leading housebuilders, set to build a high volume of high quality homes of all tenures during the next ten years.

7.24 The Developer has an impressive track record of working on large regeneration schemes across the UK.

7.25 To support the Scheme as a whole, which as things stand is not viable, the Council and the Developer varied the existing Stock Transfer Agreement dated 22 March 2010, in particular the Development and Disposals Clawback Agreement also dated 22 March 2010, to suspend clawback payments unless the Scheme achieves a surplus.

7.26 The Developer has shared with the Council details of projected costs and revenues and its financial strategy for delivery of the High Path Estate regeneration pursuant to the planning permissions. The Developer has confirmed they have sufficient resources to carry out the development and do not anticipate requiring external, development-specific, funding. The Developer's Board resolved on 30 September 2021 to reaffirm its commitment to delivering the Scheme even though there is anticipated still to be a deficit between the costs of the Scheme and the income generated by the sale of the private units.

7.27 The Council does not consider there to be any funding impediment to acquiring the Order Land and the delivery of this element of the High Path Estate regeneration. The Developer is fully committed to delivering this element of the Estate's regeneration, (and indeed the wider regeneration of the Estate), having expended considerable resources to date on acquiring relevant interests, negotiating to acquire further interests by agreement, and in obtaining the main planning approvals required to authorise and deliver it.

- 7.28 The Developer has entered into an indemnity agreement with the Council dated 7 February 2019 which fully indemnifies and provides protection for the Council in relation to all costs associated and arising in the preparation and making of the Order, acquisition of Order Land and the payment of compensation arising from such acquisition.
- 7.29 The Council is satisfied, having regard to the Developer's resources, its standing as the UK's largest housing association, its reaffirmed commitment to the Scheme and the requirements of the CPO Guidance, that the 2022 CPOs are deliverable and that, having regard to national guidance, there is sufficient probability that that they will proceed.

Reasonable prospect of Scheme proceeding: Implementation of the Scheme

- 7.30 The Council is confident that there is no impediment to the successful delivery of the regeneration of High Path Estate.
- 7.31 As set out above, the Council has granted outline planning permission for the regeneration of each of the Estates. The Council envisages that the related orders can successfully be obtained.
- 7.32 Stopping Up orders will be required in respect of later Phases 4, 5 and 6 of the redevelopment of the High Path Estate. All of these areas are shown on the Stopping Up plan at Appendix 5 to this Statement.
- 7.33 The Council's investigations have revealed no other legal, financial or physical impediment and the Council is confident that there is a more than reasonable prospect of the Scheme proceeding.

Whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.

- 7.34 As discussed above in section 4, other options to meet the obligation to provide housing stock to Decent Homes standards were discounted as not being cost effective or delivering the significant benefits of the Scheme.

- 7.35 As regards the High Path Estate, in order to deliver its regeneration the Developer requires unencumbered ownership with vacant possession of all the property interests which will form part of the new development.
- 7.36 The Council and the Developer have made considerable efforts to acquire all land interests on the High Path Estate by agreement but the prospects of acquisition of all interests in the Order Land by agreement within a reasonable timescale are unlikely.

Conclusions regarding the need for the Order at this time

- 7.37 In pursuing the Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the Order Land. Interference with rights under the European Convention on Human Rights (as further set out in section 10 of this Statement of Reasons) is considered by the Council to be justified, in order to secure the economic regeneration and environmental and public benefits which the proposed regeneration will bring.
- 7.38 The Council is satisfied that the redevelopment of the Order Land will have a positive impact on the social, environmental and economic well-being of the area, as the redevelopment will provide an overall improvement in the quality of life for local residents. Compulsory acquisition of individuals' property situated within the Order Land is necessary to allow this comprehensive redevelopment to proceed, and for these benefits to be delivered.
- 7.39 Due to the substantial public benefit which would arise from the regeneration of the High Path Estate, it is considered that the use of compulsory purchase powers is both necessary and proportionate, and that there is a compelling case in the public interest for the making and confirmation of the Order. It is considered that the Order does not constitute any unlawful interference with individual property rights. The compulsory purchase process enables objections to be submitted and a Public Inquiry to be held to consider those objections. The parties directly affected by the Order will be entitled to compensation in accordance with the statutory compensation code.

7.40 All of the Order Land is required to deliver the comprehensive redevelopment of Phases 2 and 3 of the Estate's regeneration. There is no certainty that the necessary land and interests can be assembled by agreement within a reasonable period and as such the Order is necessary, although efforts to acquire all interests by negotiation will continue in parallel.

8 Consultation and Engagement

8.1 The Council and the Developer have been firmly committed to understanding the aspirations of residents of the Estates and their views have helped shaped masterplan proposals. The Developer has engaged in a comprehensive consultation process with local residents and statutory consultees across each of the Estates, details of which are set out below:

8.1.1 The Developer started consultation with residents about the future of the Estates in the summer of 2013.

8.1.2 In 2013 feasibility studies and summer consultation events encouraged residents to join the conversation about the future of their homes and introduced the idea of replacing homes in the three neighbourhoods.

8.1.3 In winter 2013 the decision to explore regeneration was taken based on feedback from consultation events. The (then) Merton Priory Homes Board decided that regeneration would be the best way of delivering long-term improvements in the three neighbourhoods.

8.1.4 2014 - Design stage. Architects were selected to support the proposed regeneration of the three Estates.

8.1.5 In summer 2014 a series of consultation events were held including coffee mornings, drop-in events, design workshops, community events and one-to-one meetings. These events were held locally and focussed on:

- (a) Getting to know the architects and what their role would be;
- (b) Walkabouts so the architects could get a better understanding of the neighbourhood from the residents' point of view;
- (c) Visits to other regeneration schemes in London; and

- (d) Gathering and presenting feedback from residents on the design ideas.
- 8.1.6 Landlords, homeowners and tenants were provided with specific information about what regeneration would mean for them and the choices available to them.
- 8.1.7 September 2014 – Ten Commitments. The Council and the Developer signed up to Ten Commitments to the residents of the three neighbourhoods (discussed in detail below).
- 8.1.8 October 2014 - draft master plans were presented. Residents were shown potential layout for neighbourhoods and homes. Over 400 people attended these events to view the plans and look at the wide variety of housing types proposed. Three drop in events were held on each Estate (Saturdays and weekday evenings) and there were home visits to the elderly and vulnerable.
- 8.1.9 May 2015 - Master plans and Residents Offer. Revised master plans were presented to residents. The Residents' Offer (discussed below) was published setting out the guaranteed package of financial support that residents would be entitled to if regeneration were to go ahead. Three consultation events were held for residents of each Estate. Support was also provided by a dedicated member of staff from the Citizens Advice Bureau to provide residents with free, impartial and confidential advice.
- 8.1.10 June 2015 - Independent residents' survey. An independent survey was carried out by Membership Engagement Services. There was a 52.5% response rate achieved with the views of 634 residents collected. Overall 50.5% of respondents agreed that regeneration would be the best for their household and 58.4% agreed that the regeneration would be the best for their neighbourhood overall. The Developer's decision to retain some of the homes and replace others was a consequence of its consultation with residents.

- 8.1.11 October 2015 - decision to proceed with initial planning applications. The Developer's Management board gave its approval for the submission of initial planning applications.
- 8.1.12 January 2016 - consultation on draft designs for first new homes. Residents of High Path and Ravensbury were invited to a series of events throughout January to view proposals for the first new homes on their neighbourhoods.
- 8.1.13 May 2016 – consultation on revised designs for first new homes. Residents of High Path were invited to a series of consultation events to view revised proposals for the first new homes.
- 8.1.14 July/August 2016 – scaled models of some of the proposed typologies as well as exhibition boards and 1:1 model of a 1 bedroom flat were displayed at a series of events.
- 8.1.15 October to December 2016 – master plan consultation. Consultation events in each Estate were held to discuss the latest master plan proposals. These included designs for the neighbourhoods, house types and phasing plans, ahead of outline planning applications being submitted.
- 8.1.16 October 2017- revised indicative phasing consultation was undertaken on High Path.
- 8.1.17 October 2018 – consultation event on High Path Phase 2 proposals.
- 8.1.18 February 2019 – further consultation event on detailed design High Path Phase 2 proposals.
- 8.1.19 June 2019 – consultation events held on the design and layout of High Path Phase 2.
- 8.1.20 Summer 2020 – High Path regeneration newsletter was sent to residents to update them on Kickstart Phase and Phase 2.

- 8.1.21 January 2022 - Notices served under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 with online sessions held for residents.
- 8.1.22 In addition, statutory consultation has been carried out as part of the Estates Local Plan process and each outline and reserved matters planning application in accordance with the legislative requirements.
- 8.2 In addition, the Developer has broadened its level of community engagement by sending a quarterly newsletter to all existing residents, informing residents of the latest updates on the regeneration proposal.
- 8.3 The Developer has also been in consultation with the Council as local planning authority throughout the planning application process as well as with statutory consultees. Feedback from this consultation has informed the planning applications.
- 8.4 Throughout the consultation exercise, all responses received have been thoroughly reviewed and considered and amendments to the proposals have been incorporated on an iterative basis. The result of this detailed exercise was the submission of three significant outline planning applications together with two Kickstart planning applications that ensured residents would only need to move once. All applications received very significant support and were the subject of a positive recommendations by the Council to grant planning permission. All three Estates now have outline planning permission granted with reserved matters applications having been granted for the Ravensbury Estate Phases 2-4 and High Path Phase 2.

High Path Estate

- 8.5 Public consultation events were held between July 2013 and November 2016. The design team consulted with existing residents, the local community and key stakeholders including the following groups:
 - 8.5.1 Existing residents of High Path;
 - 8.5.2 Neighbouring residents and businesses;

- 8.5.3 Local amenity groups, including: Merton Abbey Primary School; Battles Area Housing Association; South Wimbledon Community Association; Wimbledon Society; Uptown Youth Club; Merton Abbey Primary School; High Path Community Association; The Parish of St John the Divine & Merton Evangelical Baptist Church; and Polka Theatre; and
- 8.5.4 The local MP and local councillors.

9 **Efforts to acquire by agreement and residents' offer**

- 9.1 The Council is exercising its powers under section 226(1)(a) and section 226(3)(a) because it has not been possible for the Developer to acquire by agreement all interests that are required to deliver Phase 2 and Phase 3 of the High Path Estate regeneration, and it is not certain that the Developer will be able to acquire the remaining land by agreement. Although the owners of the interests have been approached on a number of occasions by the Developer with a view to purchasing their interests, agreement for purchase has not been reached because the owners have either not yet decided which of the options available to them they wish to exercise or they are waiting for as long as possible before selling their interests to the Developer.
- 9.2 Single ownership and control of the Order Land is necessary to enable the High Path Estate regeneration to proceed. It is possible that the Developer will be able to acquire all the necessary interests by agreement within a reasonable period. The Council is therefore satisfied that the use of compulsory purchase powers is necessary and justifiable in the public interest.
- 9.3 As of the end of February 2022, the Developer has acquired 229 freeholds and long leases across the Scheme area through voluntary sales under the terms of the 2015 residents offer. Of these 130 freehold and leasehold interests are at High Path, 88 at Eastfields and 11 at Ravensbury.
- 9.4 In order for the 2022 Scheme to be delivered, as at the end of February 2022 the following interests will need to be acquired:
- 9.4.1 Within Eastfields Phase 1, 33 freeholds and 14 long leases will need to be acquired;
 - 9.4.2 Within High Path Phases 2 and 3, 18 freeholds and 29 long leases have yet to be acquired;
 - 9.4.3 Within Ravensbury Phases 2 to 4, 3 freeholds and 1 long leases have yet to be acquired.
- 9.5 The Council considers that the use of its CPO powers to acquire both the outstanding interests in the Order Land and the new rights is necessary, since the Developer has not been able to achieve this by agreement and it is unlikely

that it would be able to do so within an acceptable timescale without the Order. The High Path Estate regeneration cannot proceed unless these interests are acquired. The Council is satisfied that the acquisition of these interests will facilitate the proposed regeneration, which will lead to the redevelopment and will contribute to economic, social and environmental improvements to the area.

- 9.6 In making its assessment of the justification for the Order, the Council has taken into account the rights of third parties protected by the European Convention on Human Rights which may be affected by the Order (as referred to in section 10 of this Statement). In addition, the Council has had full regard to its public sector equality duty under section 149 of the Equality Act 2010 (as referred to in section 11 of this Statement).

Commitments to Residents and Residents Offer

- 9.7 The Council acknowledges that when proposing large scale regeneration, there are considerable uncertainties and challenges for residents. The Council and Developer have undertaken significant consultation with residents. The consultations undertaken are detailed fully in section 8 of this Statement. To support the Scheme and to ensure fairness for residents, the Council and Developer agreed a series of promises to residents, known as the Ten Commitments (Appendix 2) which are:

- 9.7.1 the Developer will consult with residents, consider their interests at all times, and address concerns fairly.
- 9.7.2 Current homeowners will be entitled to at least the market value of their home should they wish to take the option to sell their home to the Developer.
- 9.7.3 Existing tenants will keep all their rights, including tenancy conditions and the associated rent level, in the new neighbourhood as they do now.
- 9.7.4 Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in their household.

- 9.7.5 All new properties will be more energy efficient and easier to heat than existing properties, helping to keep down residents' fuel bills.
 - 9.7.6 the Developer will keep disruption to a minimum, and will do all it can to ensure residents only move once if it is necessary to house them temporarily while their new home is being built
 - 9.7.7 the Developer will offer extra help and support for older people and / or disabled residents throughout the regeneration works.
 - 9.7.8 the Developer will continue to maintain the homes of residents across the three neighbourhoods throughout the planning process until regeneration starts, including ensuring a high quality responsive repairs service.
 - 9.7.9 Any growth in the number of homes will be consistent with the Council's Development Plan so that it is considered, responsible and suitable for the area.
 - 9.7.10 As a not for profit organisation, the Developer will not profit from any regeneration and will use any surplus to provide more housing or improve existing neighbourhoods.
- 9.8 The Developer has made a detailed Residents' Offer (Appendix 3). They have also made a series of commitments on repairs and maintenance. These service elements, while not directly relevant to the Scheme, are of considerable importance to residents.
- 9.9 The Residents Offer details the Replacement Home Option which is offered to those resident homeowners who were living on one of the three Estates on the 27 May 2015 (when the Residents Offer was published). The Replacement Home Option confirms:
- 9.9.1 If you are currently a freeholder you will be offered a freehold on your new property.
 - 9.9.2 If you are a leaseholder you will be offered a new long lease on your new property.

- 9.9.3 The Replacement Home will be at least as large as the home it replaces, unless you choose to move to a smaller home.
- 9.9.4 Every Replacement Home will have private outdoor space (i.e. a garden, balcony or roof terrace) irrespective of whether the original home had this or not.
- 9.9.5 If you live in a house you will be offered a house, if a flat a new flat and a maisonette a new maisonette.
- 9.9.6 The new home will have the same number of bedrooms as the existing home had when it was first built.
- 9.9.7 There will be a Replacement Home for every resident homeowner who chooses to stay.
- 9.9.8 They will be entitled to a £3,000 disturbance allowance.
- 9.10 The Developer has committed, where possible, to moving resident homeowners straight into their new Replacement Home, i.e. without the need to be temporarily housed. The phasing plans for all three Estates' regenerations have been designed to accommodate this approach. For a small number of existing resident homeowners this may not be possible, for example as a consequence of their choice of location and its position in the phasing plan. The Developer may be able to offer a temporary home in their Estate or another part of Merton.
- 9.11 A disturbance payment of £3,000 will be available. Resident homeowners won't be charged rent in their temporary home as long as they agree to the terms set out in the Residents Offer regarding accepting the market value plus 10 per cent for their existing home, the value of the new home and the licence agreement for the temporary home.
- 9.12 The Council is satisfied that a strong Residents' Offer has been made that treats residents fairly and ensures communities within the Estates can remain consistent and cohesive after the regenerations.

10 **Human rights considerations**

- 10.1 Section 6 of the Human Rights Act 1998 prohibits a public authority from acting in a way which is incompatible with the rights and fundamental freedoms set out in specified provisions of the European Convention on Human Rights (the **Human Rights**).
- 10.2 The Human Rights likely to be engaged in the process of considering, making, confirming and implementing a compulsory purchase order include those under Article 6 (right to a fair and public hearing to determine a person's civil rights), Article 1 of the First Protocol (right to peaceful enjoyment of possessions) and Article 8 (right to respect for private and family life including a person's home).
- 10.3 Any interference with a Human Right must be necessary and proportionate. Compulsory purchase and overriding private rights must be justified by sufficiently compelling reasons in the public interest and must be a proportionate means of achieving the objectives of the Order. Similarly, any interference with rights under Article 8 (right to home life) must be "necessary in a democratic society" and proportionate. The requirements under the Convention are reflected in paragraphs 17 and 18 of the CPO Guidance:

"17. A compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure 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. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.

18. The confirming Minister has to be able to take a balanced view between the intentions of the acquiring authority and the concerns of those whose interest in land it is proposed to acquire compulsorily. The more comprehensive the justification which the acquiring authority can present, the stronger its case is likely to be. But each case has to be considered on its own merits and the advice in this Part is not intended to imply that the confirming Minister will require any particular degree of justification for any specific order. Nor will a confirming

Minister make any general presumption that, in order to show that there is a compelling case in the public interest, an acquiring authority must be able to demonstrate that the land is required immediately in order to secure the purpose for which it is to be acquired."

- 10.4 If a compelling case in the public interest can be demonstrated as the Council considers here, then this will meet the requirements of the Convention. In making this Order, the Council has carefully considered the balance to be struck between individual rights and the wider public interest. Having regard to the matters set out above a compelling case in the public interest exists for the making and confirmation of the Order. Interference with Human Rights, to the extent that there is any, is considered to be justified in order to secure the economic, social and environmental benefits which the Scheme will bring, namely the creation of new, well designed, high quality neighbourhoods aimed at fundamentally improving the quality of life for existing and future generations living in the area. This coupled with the significant level of public consultation, and a robust, fair offer to residents in the Estates means the Scheme minimises the interference with the rights of those affected.
- 10.5 Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions.
- 10.6 In relation to the requirements of Article 6 (right to a fair and public hearing), these are satisfied by the statutory procedures which include rights to object and to be heard at any public inquiry and by the right to statutory challenge under the Acquisition of Land Act 1981.

11 Public Sector Equality Duty

11.1 In discharging its functions, the Council has a statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to:

11.1.1 eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

11.1.2 advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

11.1.3 foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2 The "relevant protected characteristics" are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

11.3 A full Equality Impact Assessment (**EqIA**) was undertaken as part of the Estates Local Plan. EqIAs (dated March 2022) have also been undertaken to re-examine the equalities impacts of the Scheme as a whole, with specific assessments carried out for each Estate.

11.4 The EqIAs have considered the impact upon protected groups whose lives may be affected by the acquisition of land and rights, by the construction of the Scheme and/or by the completed Scheme. The categories that could potentially be affected are: age, disability and race/belief.

11.5 However, the EqIA concludes broadly that the impacts of the Scheme will be positive through:

11.5.1 opportunity to reduce overcrowding amongst its tenanted households. Overcrowding is proportionately more likely to affect households from the BAME community and so the regeneration provides an opportunity to address inequality in this area. Significant amenity and size improvements will be provided for

residents, with all new homes built to current space standards with private outdoor space.

11.5.2 the regeneration is an opportunity to provide new lifetime homes for all tenants, this will enable older tenants (and homeowners) to remain independent in their own homes for longer. New homes can be adapted to meet the specific needs of disabled residents, 10% of all new homes will be fully accessible and adaptable for wheelchair users.

11.6 Steps are being taken to ensure that the acquisition and relocation processes are applied in a fair and non-discriminatory way. However, it is acknowledged that the process of redeveloping the Estates itself is likely to have a negative impact on older, disabled and vulnerable residents, due to the requirements to move house, potentially more than once, if temporary accommodation is necessary during the construction period. The greatest impact on equalities will be the mechanics of the Estates' regeneration including: the residents' offer; moving existing residents into new homes; addressing overcrowding; and minimising disruption during this extensive process.

11.7 The Developer has committed to designing the Phases to minimise the need to "double decant" and where at all possible older, vulnerable or disabled tenants will only be asked to move once, straight in to a new home. Help will be provided to assist with such moves.

11.8 In promoting the Order and delivering Phase 2 and Phase 3 of the High Path Estate Scheme the Council and the Developer will seek to keep the existing community together with existing residents having a guaranteed right to return to a new home in their regeneration neighbourhood. The Ten Commitments and Residents Offer (discussed in section 9 above) provide a strong mechanism to achieve this.

11.9 The EqIA will continue to be monitored and reviewed throughout the progression of the proposals in order to ensure that any future impact can be measured and mitigated against as necessary.

11.10 To conclude, steps are being taken to ensure that the acquisition and relocation processes are applied in a fair and non-discriminatory manner. Steps will also be taken to minimise the adverse effects on protected groups during construction and any such effects suffered by surrounding ethnic minority businesses. The proposals will bring a range of benefits to disabled and other protected groups including in relation to enhanced access, housing provision, lifetime homes.

12 **Related Orders and Applications**

Road Closure Orders

- 12.1 As stated above, the Order is being made in parallel with the Eastfields Order and the Ravensbury Order.
- 12.2 The Council envisages Stopping Up Orders will be required to successfully deliver Phases 2 and 3 of the High Path Estate regeneration.
- 12.3 Stopping Up orders will also be required in respect of later Phases 4, 5 and 6 of the redevelopment of the High Path Estate. An indicative plan showing the areas to be stopped-up is attached at Appendix 5 to this Statement.

Further Information

- 12.4 Those parties affected by the Order who wish to discuss matters with a representative of the Council and/or the Developer should contact:

12.4.1 For the Council – Louise Round at mertoncpo@merton.gov.uk;
and

12.4.2 For the Developer – Iona McConnell at
Iona.McConnell@clarionhg.com.

Inspection of the Order and Order Documents

- 12.5 A copy of the Order, the Order Map, the Appendices to this Statement of Reasons and other documents may be viewed at:

London Borough of Merton
Civic Centre
London Road
Morden
SM4 5DX

13 **List of documents**

13.1 In the event that it becomes necessary to hold a public inquiry into the Order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order:

- The Order, Order Schedule and Order Map;
- Cabinet report and minutes authorising the making of the Order;
- National Planning Policy Framework 2021;
- The London Plan 2021;
- The Core Planning Strategy;
- The Estates' Local Plan;
- The emerging Merton Local Plan;
- Any planning permissions granted at the date of the Inquiry which relate to the 2022 CPOs or the Scheme as a whole, including any related plans or documents submitted and/or approved as part of any permission; and
- Guidance on Compulsory Purchase Process and The Crichel Down Rules July 2019.

Definitions used in this Statement of Reasons

1976 Act: Local Government (Miscellaneous Provisions) Act 1976;

1990 Act: Town & Country Planning Act 1990 (as amended);

2022 CPOs: the Order, the Eastfields Order and the Ravensbury Order;

CPO Guidance: Guidance on Compulsory Purchase and the Crichel Down Rules for the Disposal of Land acquired by, or under the threat of, Compulsion published in July 2019 by the Department for Levelling Up, Housing and Communities;

Council: the London Borough of Merton;

Developer: Clarion Housing Group, formerly Circle Merton Priory Homes and Merton Priory Homes;

Eastfields Estate: the Eastfields Estate, Mitcham as shown outlined in red on the Estates' Plan marked "Eastfields Estate";

Eastfields Order: the London Borough of Merton (Eastfields No.1) Compulsory Purchase Order 2022;

Estates: the Eastfields Estate, the High Path Estate and the Ravensbury Estate;

Estates' Plan: the plans showing all three Estates at Appendix 6;

High Path Estate: the High Path Estate, South Wimbledon as shown outlined in red on the Estates' Plan marked "High Path Estate";

NPPF: the National Planning Policy Framework, July 2021;

Order: the London Borough of Merton (High Path No 1) Compulsory Purchase Order 2022;

Order Land: the land included within the Order and is shown on the plans appended to this Statement at Appendix 1;

Phase 1: the first Phase of the High Path Estate being the land subject to planning permission granted on 5 October 2017 (ref: 16/P3738);

Phase 2: the second Phase of the High Path Estate shown indicatively shaded blue on the Phasing Plan;

Phase 3: the third Phase of the High Path Estate shown indicatively shaded pink on the Phasing Plan;

Phase 4: the fourth Phase of the High Path Estate shown indicatively shaded green on the Phasing Plan;

Phase 5: the fifth Phase of the High Path Estate shown indicatively shaded yellow on the Phasing Plan;

Phase 6: the sixth Phase of the High Path Estate shown indicatively shaded orange on the Phasing Plan;

Phase 7: the seventh Phase of the High Path Estate shown indicatively shaded purple on the Phasing Plan;

Ravensbury Estate: the Ravensbury Estate, Morden as shown outlined in red on the Estates' Plan marked "Ravensbury Estate";

Ravensbury Order: the London Borough of Merton (Ravensbury No.1) Compulsory Purchase Order 2022; and

Scheme: the Developer's proposals for regeneration of the Estates.

15 **Appendices**

Appendix 1 – Order Map;

Appendix 2 - 10 Commitments in September 2014;

Appendix 3 - Developer's Residents' Offer published in May 2015;

Appendix 4 - Phasing Plan in respect of the High Path Estate;

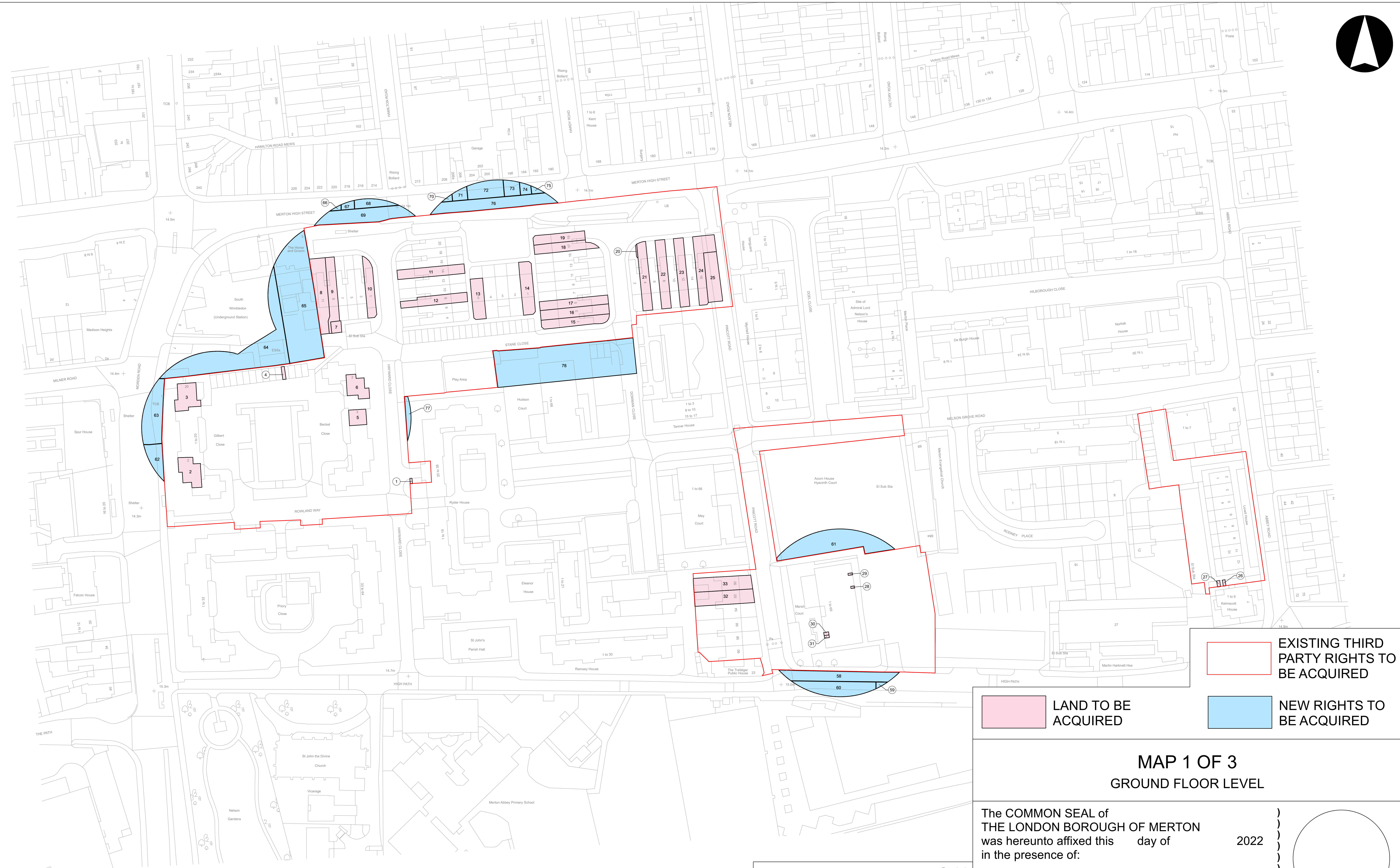
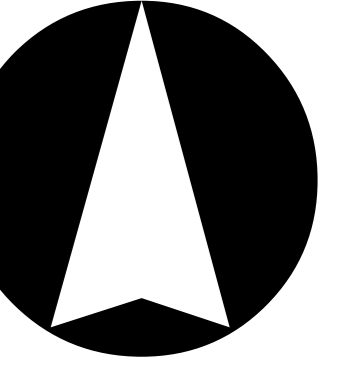
Appendix 5 - Stopping Up plan; and

Appendix 6 – Estates' location plans.

Appendix 1

Order Map

MAP REFERRED TO IN THE LONDON BOROUGH OF MERTON (HIGH PATH NO.1) COMPULSORY PURCHASE ORDER 2022

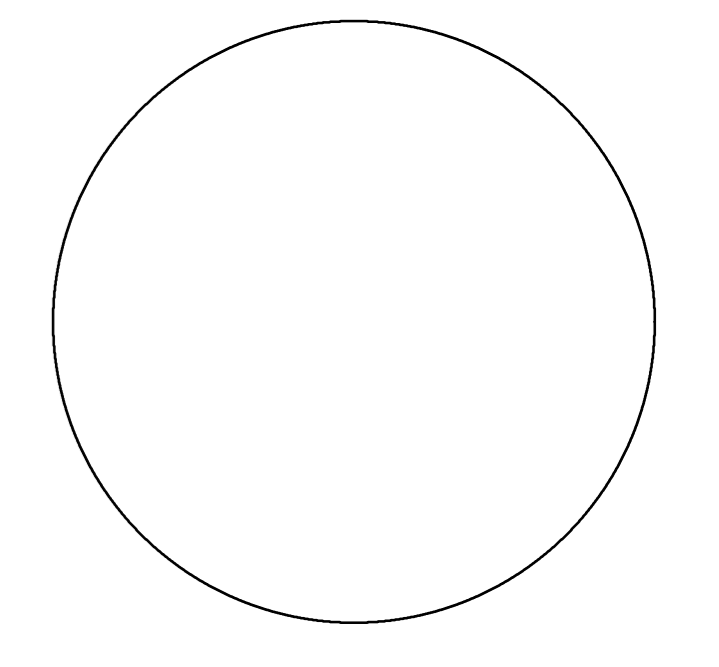


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- LAND TO BE ACQUIRED
- NEW RIGHTS TO BE ACQUIRED

MAP 1 OF 3
GROUND FLOOR LEVEL

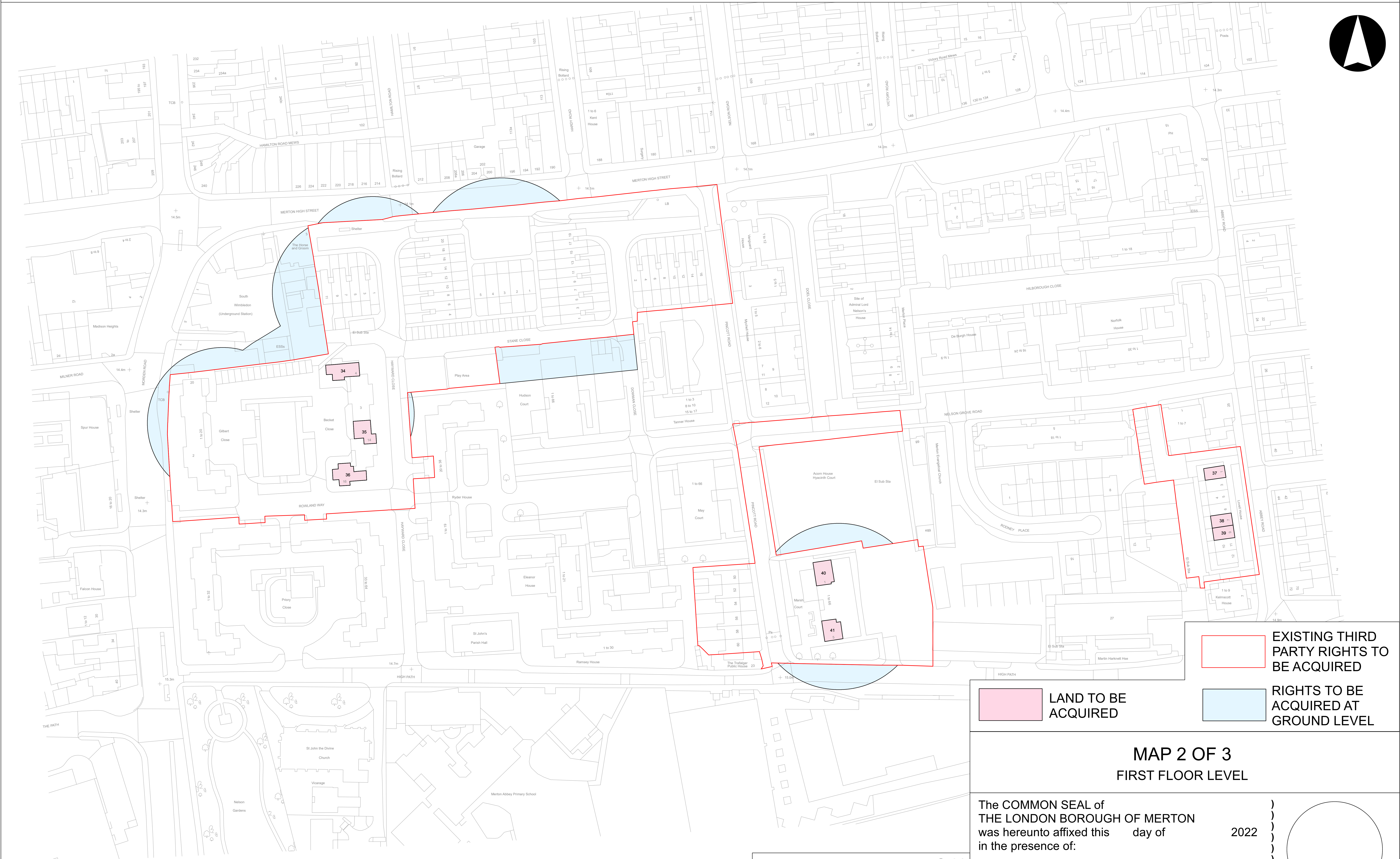
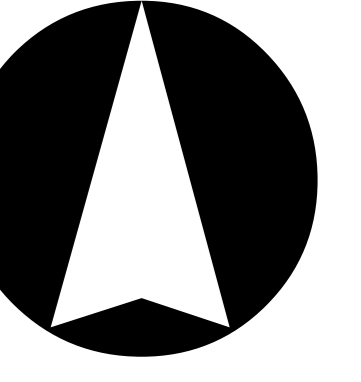
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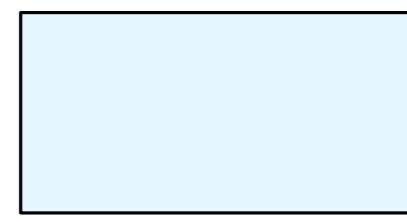
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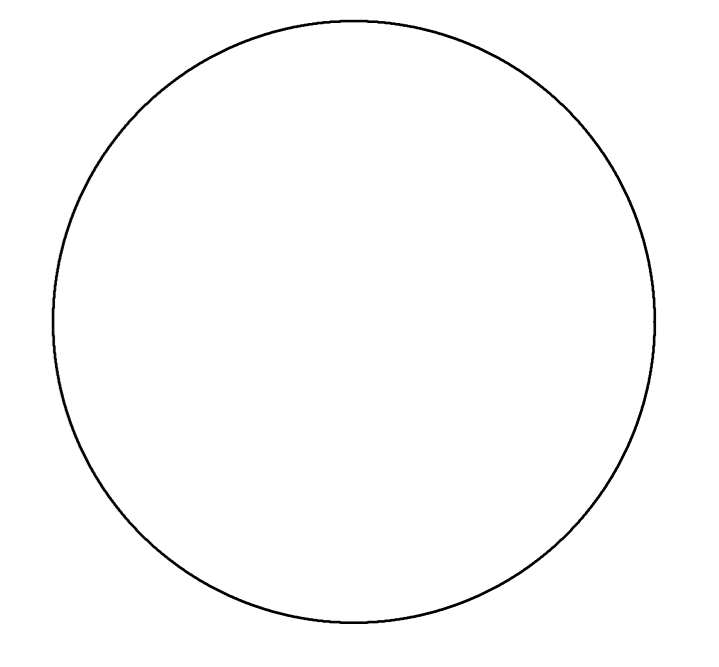
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-  EXISTING THIRD PARTY RIGHTS TO BE ACQUIRED
-  LAND TO BE ACQUIRED
-  RIGHTS TO BE ACQUIRED AT GROUND LEVEL

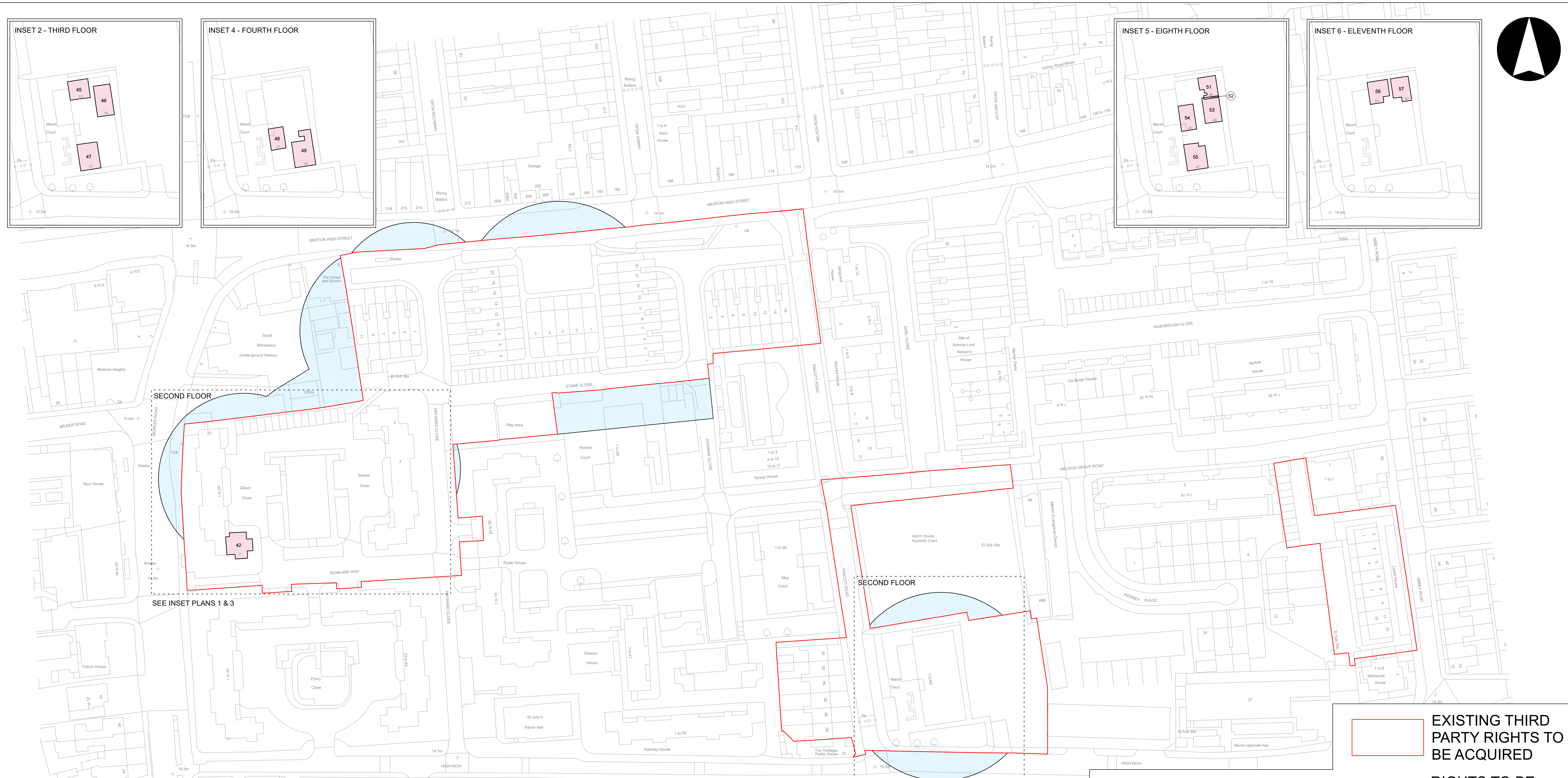
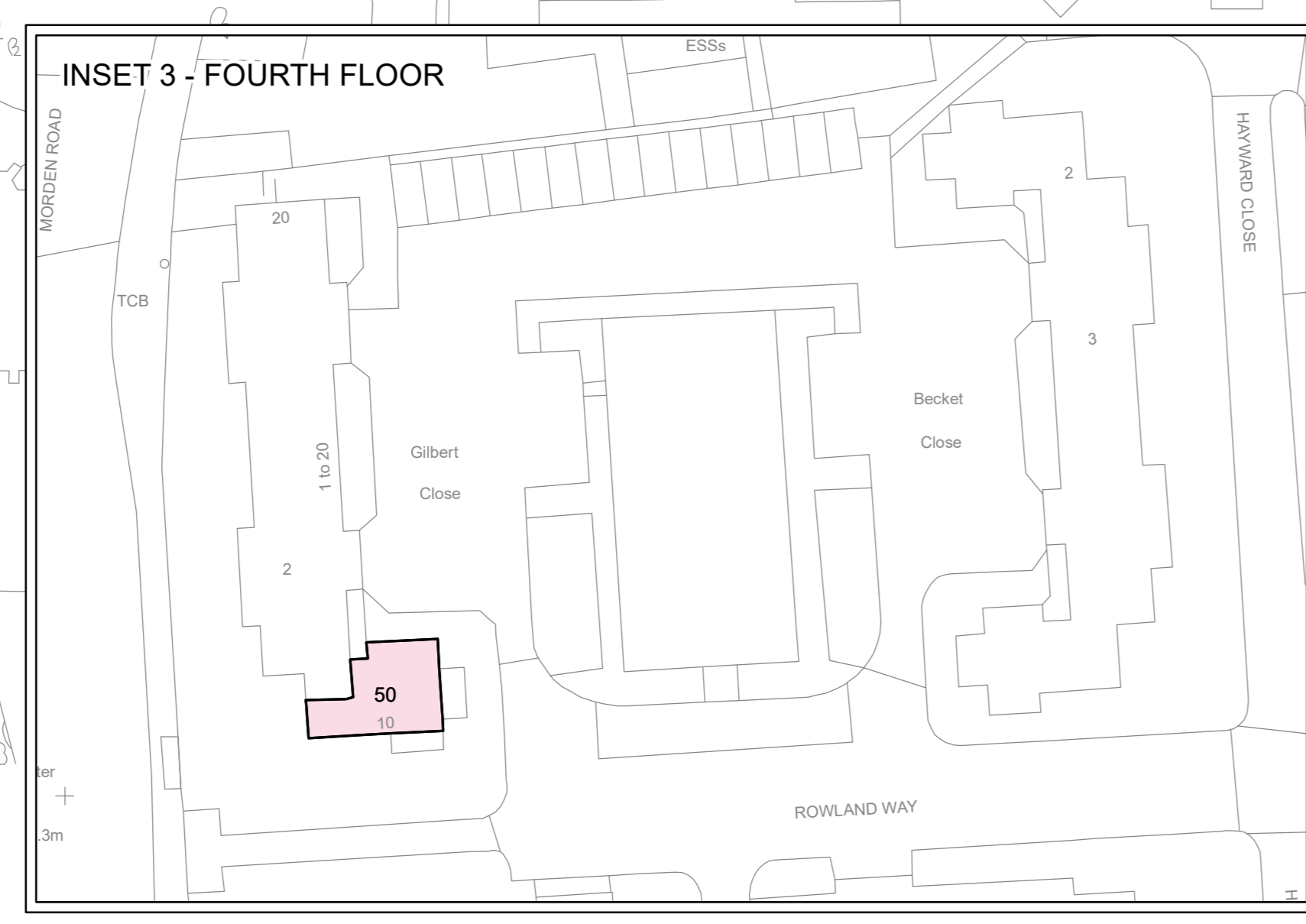
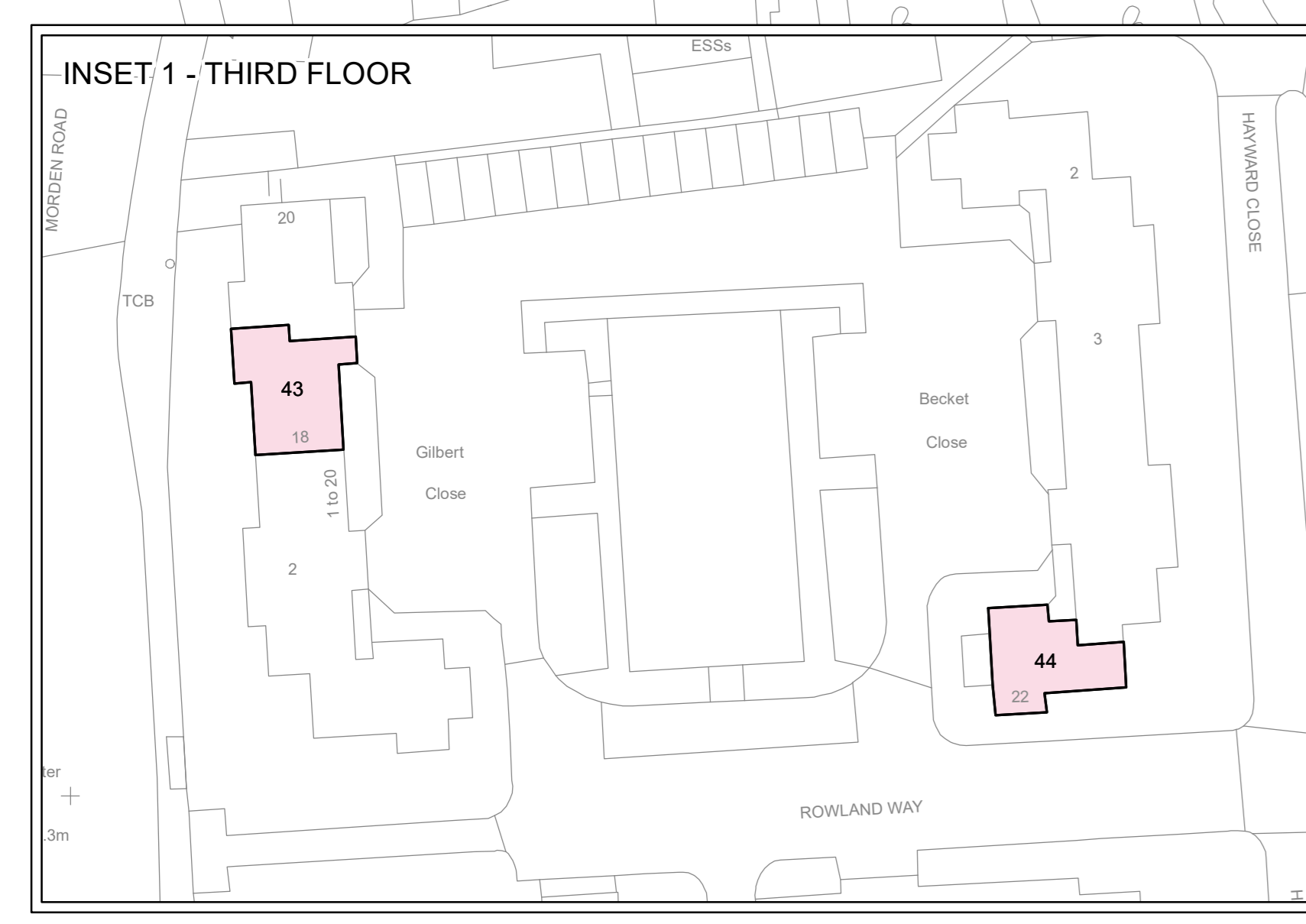
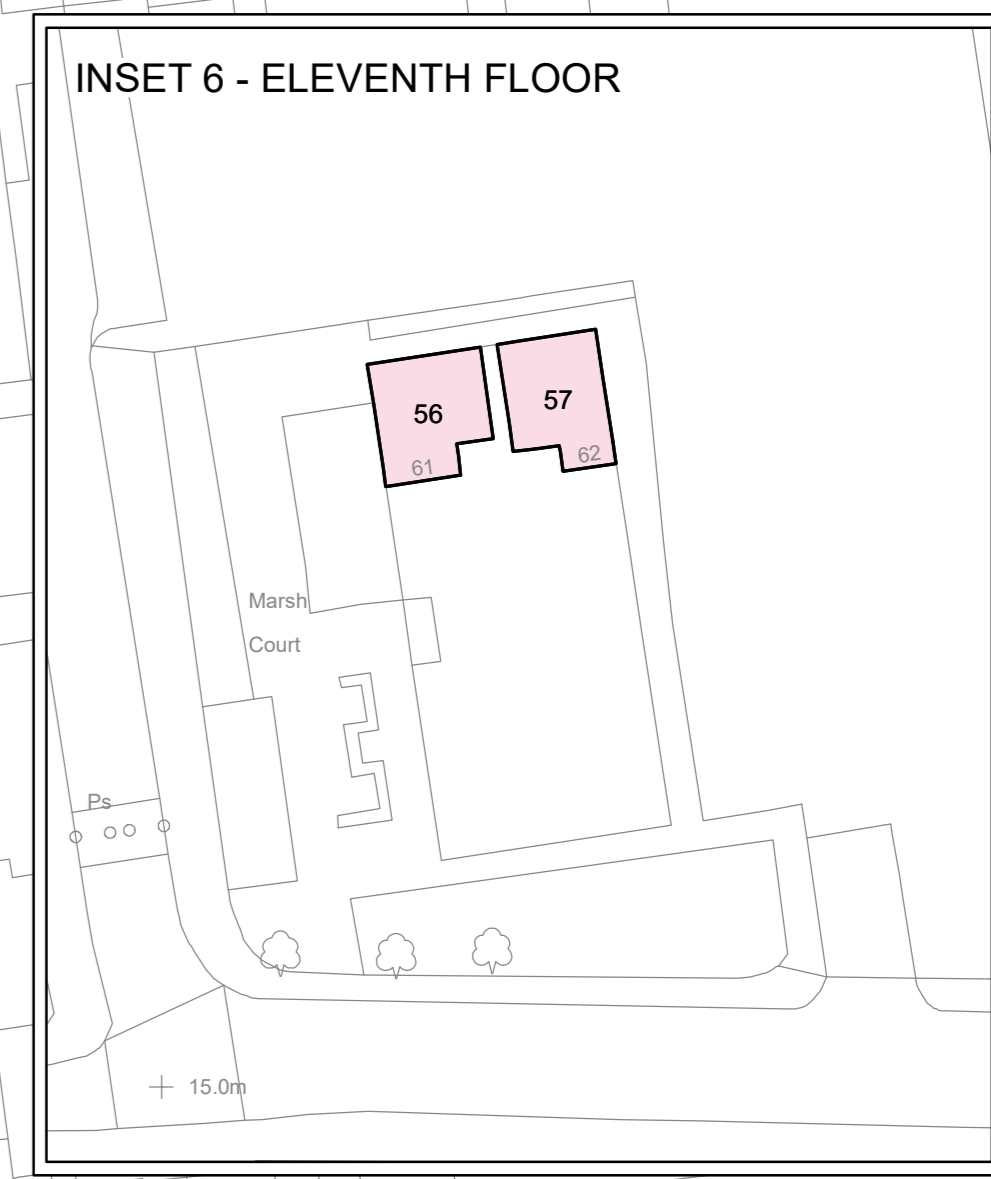
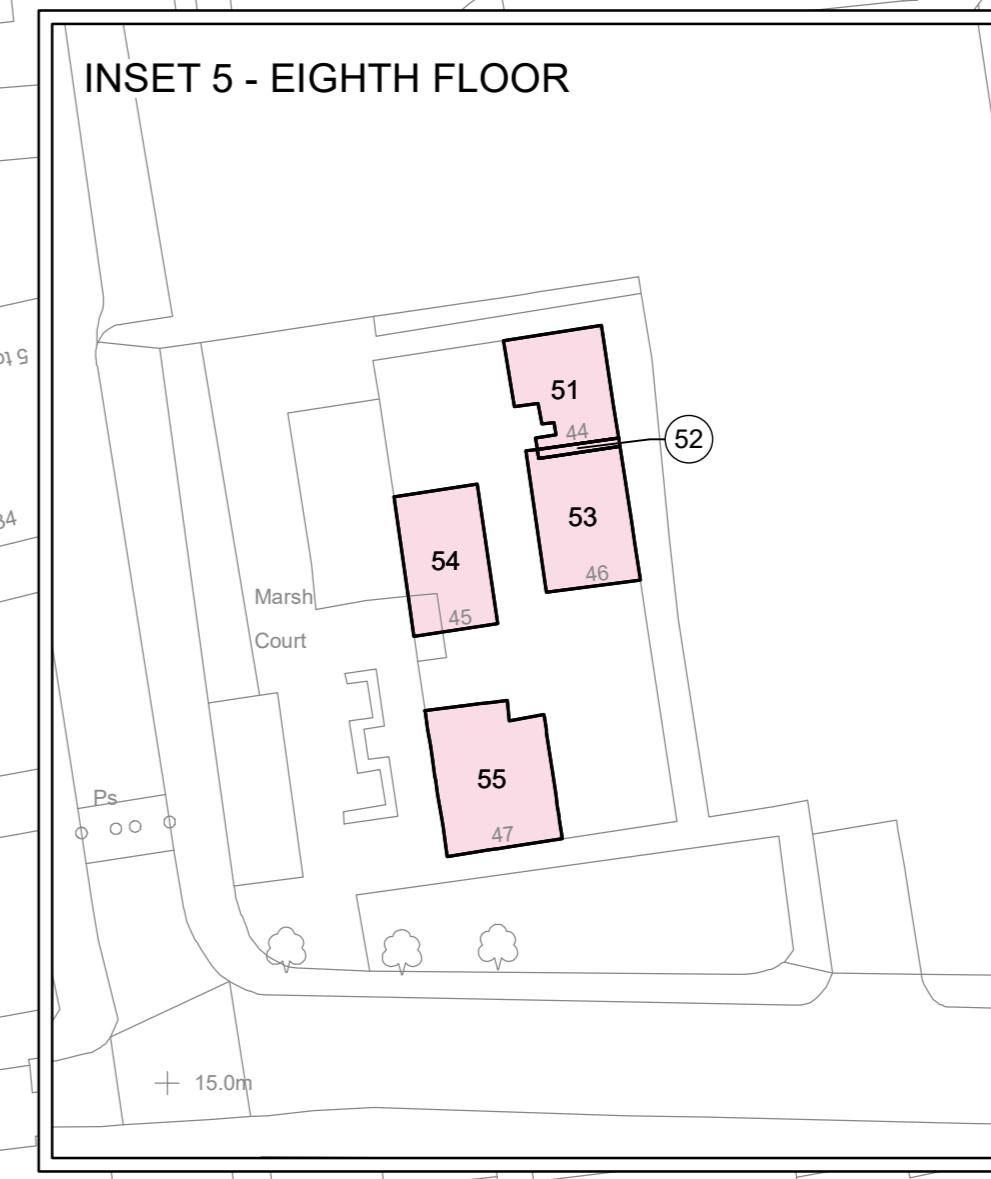
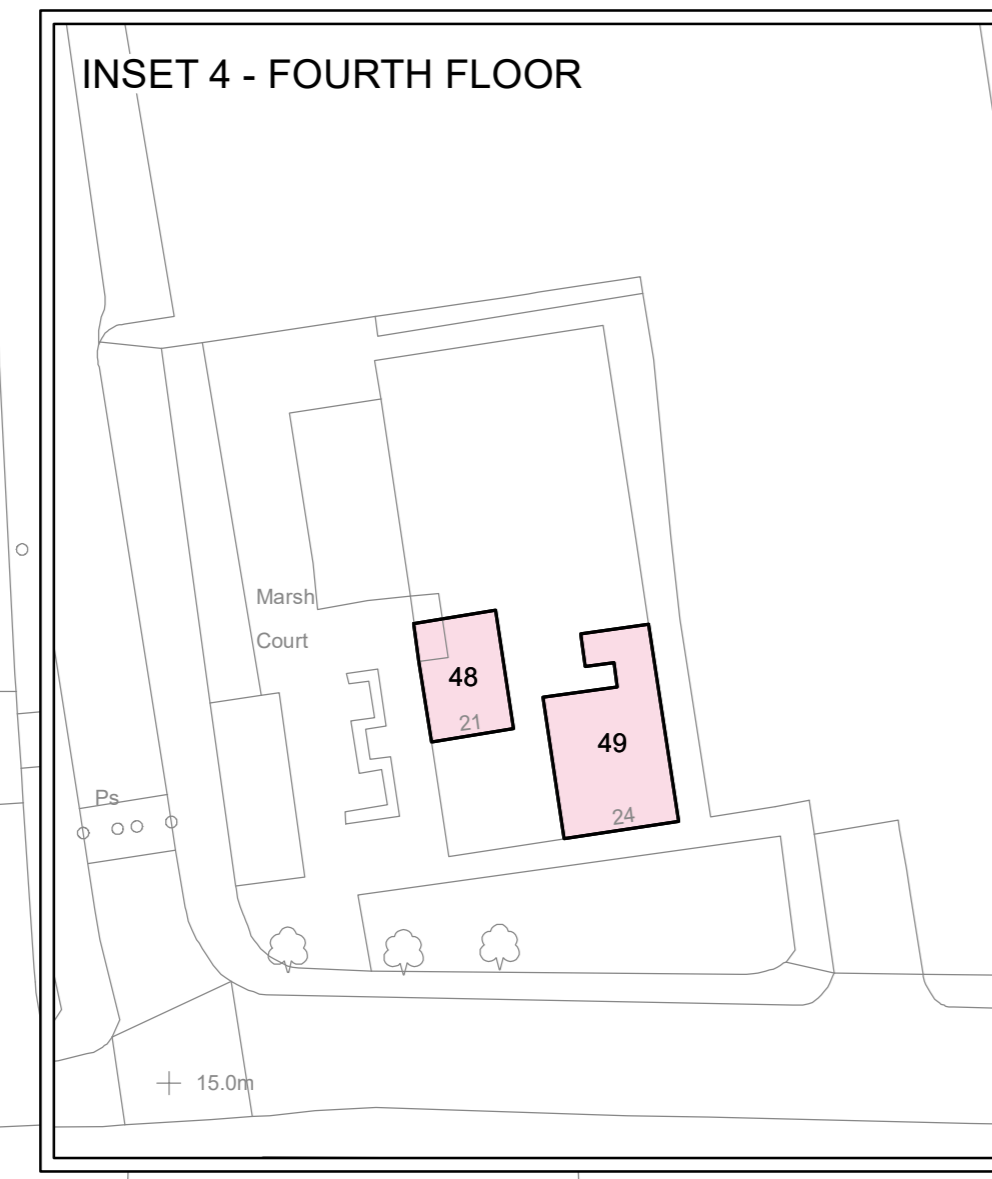
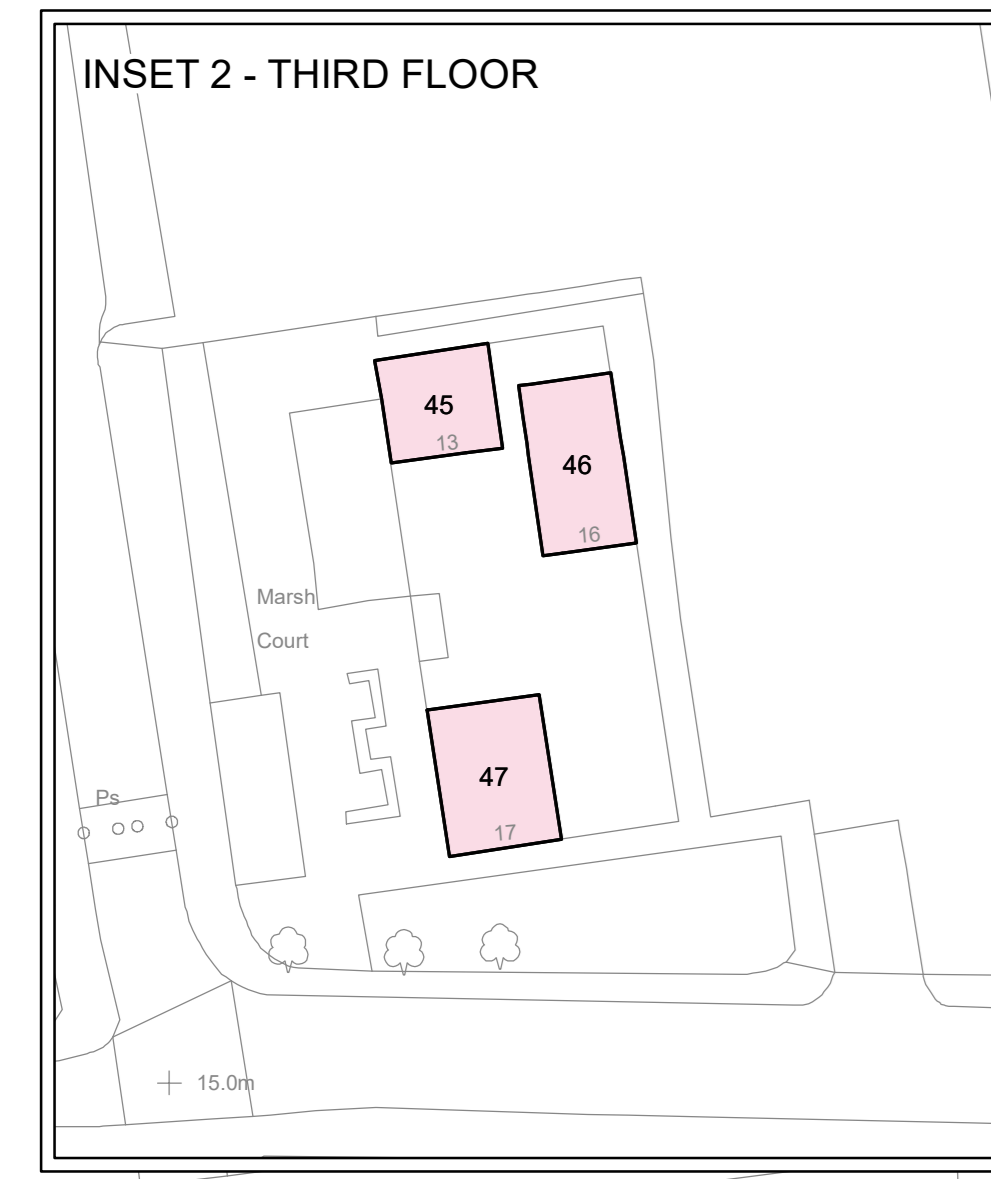
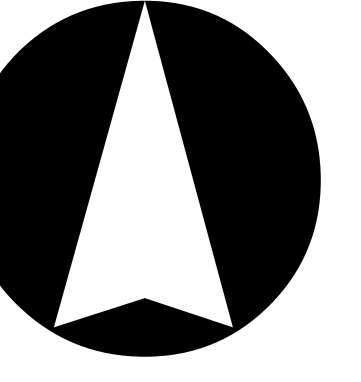
MAP 2 OF 3
FIRST FLOOR LEVEL

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THE LONDON BOROUGH OF MERTON
was hereunto affixed this day of 2022
in the presence of:)
.....)
a duly authorised officer)



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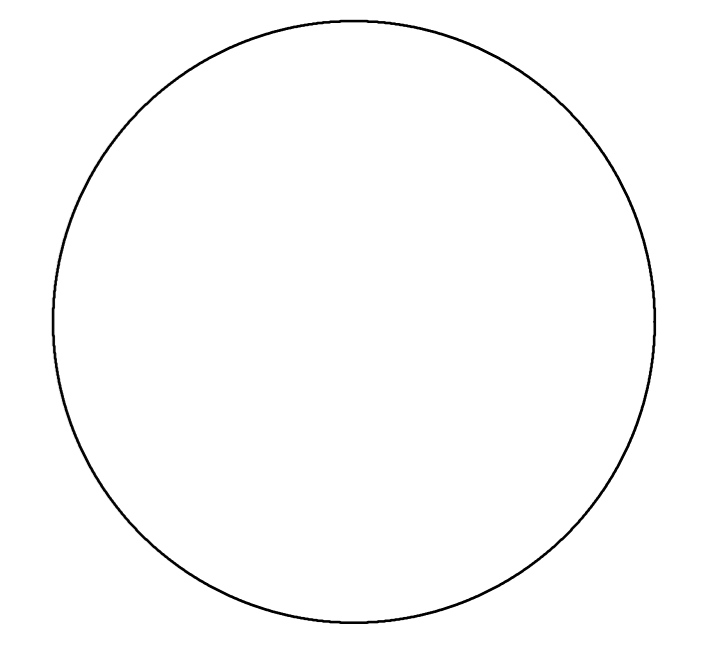


- EXISTING THIRD PARTY RIGHTS TO BE ACQUIRED
- RIGHTS TO BE ACQUIRED AT GROUND LEVEL

LAND TO BE ACQUIRED

MAP 3 OF 3 SECOND FLOOR LEVEL AND ABOVE

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was hereunto affixed this day of 2022
in the presence of:



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24/05/2022

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a duly authorised officer

Appendix 2

10 Commitments in September 2014

our 10 commitments



- 1 Circle Housing Merton Priory will consult with residents, consider their interests at all times, and address concerns fairly
- 2 Current homeowners will be entitled to at least the market value of their home should they wish to take the option to sell their home to Circle Housing Merton Priory
- 3 Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in the household
- 4 Existing Circle Housing Merton Priory tenants will keep all their rights and have the same tenancy agreement, including rent levels, in the new neighbourhood as they do now
- 5 All new properties will be more energy efficient and easier to heat than existing properties, helping to keep down residents' fuel bills
- 6 Circle Housing Merton Priory will keep disruption to a minimum, and will do all it can to ensure residents only move once if it is necessary to house them temporarily while their new home is being built
- 7 Circle Housing Merton Priory will offer extra help and support for older people and/or disabled residents throughout the regeneration works
- 8 Circle Housing Merton Priory will continue to maintain the homes of residents across the three neighbourhoods throughout the planning process until regeneration starts, including ensuring a high quality responsive repairs service
- 9 Any growth in the number of homes will be in accordance with the council's Development Plan so that it is considered, responsible and suitable for the area
- 10 As a not for profit organisation, Circle Housing Merton Priory will not profit from any regeneration and will use any surplus to provide more housing or improve existing neighbourhoods

Appendix 3

Developer's Residents' Offer published in May 2015



CLARION
HOUSING

Offer to Clarion Housing tenants

**Housing options
Compensation
Support**

*Regenerating your
neighbourhood*

1

At a glance

We believe that our Offer is fair and gives everyone the opportunity to stay in their neighbourhood.

Regeneration is going ahead. This means we will be knocking down and rebuilding Eastfields, High Path and parts of Ravensbury in phases over the coming years.

For existing Clarion Housing tenants¹ we promise the following:



a new home according to your needs



free, professional packing and removals



keep the same tenancy rights you have now



free handyperson service to help older and vulnerable tenants



disturbance payment of £3,000 per household to cover the cost of moving home



help if you need to move temporarily because of regeneration



relocation payment of £6,300² per household



new energy-efficient fridge freezer, washing machine, cooker and dishwasher.

¹ Our Offer is for affordable or assured tenants of Clarion Housing (not assured shorthold tenants).

² This figure is based on the Ministry for Housing, Communities and Local Government's Compensation to Residential Owners and Occupiers booklet. It is subject to an annual review. Visit www.gov.uk for the most up to date information.

This document tells you about the housing options, compensation and support you're entitled to.

The Residents Offer is designed to:

1. Keep the community together

Every Clarion Housing tenant¹ has a guaranteed right to move into a new home in their new neighbourhood.

2. Provide improved community and green spaces

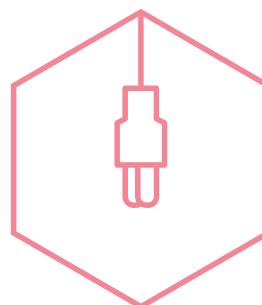
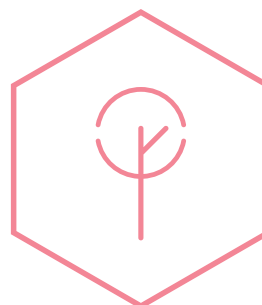
Regeneration will mean improved community and green spaces.

3. Provide new energy-efficient homes

The new homes will be energy-efficient, well-designed, safe and adaptable. All new homes will be the same size or larger than the homes they replace. Every home will have a private garden, balcony or terrace.

4. Provide adaptable and accessible homes

All homes will be built to Lifetime Homes Standards, meaning they can be adapted to meet your changing needs. At least 10% will be fully wheelchair adaptable.



Please contact the Merton Regeneration Team on **020 3784 5951** or **mertonregen@clarionhg.com** to get more information and advice.

¹ Our Offer is for affordable or assured tenants of Clarion Housing (not assured shorthold tenants).

Contents

5	The Residents Offer
6	The benefits of regeneration
7	For Clarion Housing tenants
12	Contact us

The Residents Offer

Our Offer is for affordable or assured tenants of Clarion Housing.

The Residents Offer does not apply to assured shorthold tenants who are living in temporary accommodation on Eastfields, High Path and Ravensbury, or to tenants of other landlords in the three neighbourhoods.

The following pages give you the details of which housing options, support and compensation Clarion Housing will give to its affordable and assured tenants depending on your circumstances.

Please get in contact with us if you are unsure about which tenancy you have.

The benefits of regeneration

We're committed to providing good quality homes in all the neighbourhoods we manage. In this case it's more cost effective in the longer term to replace the homes.

Regeneration is going ahead

In February 2018 the London Borough of Merton agreed that they will use their Compulsory Purchase powers to support regeneration.

In March 2018 the London Borough of Merton granted planning permission for the Eastfields, High Path and Ravensbury master plans.

Regeneration is an opportunity to build on and enhance the qualities of your neighbourhood, including the strong sense of community.

Regeneration will provide:

- new high-quality, energy-efficient homes
- larger homes for families who are overcrowded
- new community spaces, play areas and better access to local transport links
- well-connected, safe and attractive streets
- new jobs, training and employment opportunities for local people.



For Clarion Housing tenants

If you're an existing Clarion Housing tenant¹ you'll get a new home in your neighbourhood. Your tenancy rights will not change because of regeneration and we'll offer you compensation and help with moving.

Your right to stay in your neighbourhood

Existing Clarion Housing tenants will have a guaranteed right to move into a new home in the regenerated neighbourhood.

Assessing your needs

We'll make sure that Clarion Housing tenants are offered suitable homes based on your housing need. We will give you plenty of notice before you need to move.

If you or someone in your household needs an adapted home then your needs will be assessed by an independent occupational therapist.

We'll meet with you and give you clear information about what you can expect at least a year before you need to move.

Keep all your tenancy rights

You'll keep the same tenancy rights that you have now. For example, if you have the Right to Buy now, you'll keep that right in your new home.

Rent

Regeneration does not affect how your rent is set. It will be set in the same way it is now.

If you move into a home with more or fewer bedrooms, you'll pay the appropriate rent for your new home.

A new home

We'll assess your housing needs and offer you a new home of the right size.

The table overleaf shows you how many bedrooms you'll be entitled to in your new home.

These rules are set out in full in Merton Council's nominations policy. For full details see www.merton.gov.uk/assets/Documents/housing_register_and_nominations_policy-august_2012.pdf

¹ Our Offer is for affordable or assured tenants of Clarion Housing (not assured shorthold tenants)

A new home to meet your needs

	Single person	1	One bedroom
	Couple with no children	1	One bedroom
	One or two adults, with one child aged under one year	1	One bedroom
	One or two adults, with one child aged over one year	2	Two bedrooms
	One or two adults, with two children of the same gender	2	Two bedrooms
	One or two adults, with two children of different genders and one child aged over five	3	Three bedrooms
	One or two adults, with three children	3	Three bedrooms
	One or two adults, with four children (two of each gender)	3	Three bedrooms
	One or two adults, with four children (one of one gender and three of the other gender)	4	Four bedrooms
	One or two adults, with five or more children	4	Four bedrooms

Any other immediate family members aged 18 or over will be entitled to their own bedroom provided they are:

- not living as husband and wife
- not living as a partner, including partners of the same gender.

Needs plus one

If your current home has more bedrooms than you need (see page 8), for example if your children have grown up and moved away. We'll offer you a new home with one bedroom more than your housing need. We call this 'needs plus one.'

For example:

- if you currently live in a two bedroom home and need one bedroom we will offer you a new two bedroom home
- if you currently live on your own or as a couple in a three bedroom home, we'll offer you a new two bedroom home.

Your current and future housing needs

If you still have more bedrooms than you need and wish to downsize, we will offer a payment for each extra bedroom that you permanently give up. We would offer you:



£5,000 for one bedroom



£3,000 for second and further bedrooms

Confirming your offer

When we confirm the offer of a suitable new home we will give you an offer pack.

This will include a detailed offer letter with written confirmation of the transfer of your existing tenancy. This offer letter will be signed by you and Clarion Housing. You will have a copy to keep.

We'll work with you to identify the best available home that is suitable for you.

If you do not accept an offer of a suitable home we may apply to the court to end your tenancy.

You'll be able to see the new homes while they're being built. You'll move into your new home once it's ready.

If things change

If your circumstances change after you've received the offer pack but before you move into your new home (for example; because of illness, disability or a change in family size), we'll make sure the offer meets your needs.

If you think the home we offer you does not meet your needs you can appeal on the grounds listed in your offer pack.

Practical help and support

We'll help you to arrange and prepare for your move. We'll pay for removals including packing materials and a packing service if you need it.

For older and vulnerable residents, we'll offer help with things like re-hanging curtains and fitting lightbulbs. If you have any extra needs connected with your move, we can offer support or refer you to specialist services.

Extra help could include:

- help with claiming benefits at your new address
- help with changing utility suppliers
- advice about home aids and adaptations.

New kitchen appliances

To help you settle into your new home we'll give you new kitchen appliances when you move in. Each home will come with a new cooker, energy efficient fridge freezer, washing machine and dishwasher. There will be no charge for this.



Pets welcome

The rules on keeping pets in your home will not change because of the regeneration plans. If you already have a pet, you can keep it.

Service charge

The service charge will continue to be set in line with the terms of your tenancy agreement.

You will move into a different type of home with new facilities, green spaces and improved communal areas.

The additional homes mean there will also be more people to contribute to service charges.





Compensation

Disturbance payment

We'll offer you £3,000 to cover the costs of:

- redirecting mail
- altering or replacing carpets and curtains
- disconnecting and reconnecting appliances.

Relocation payment

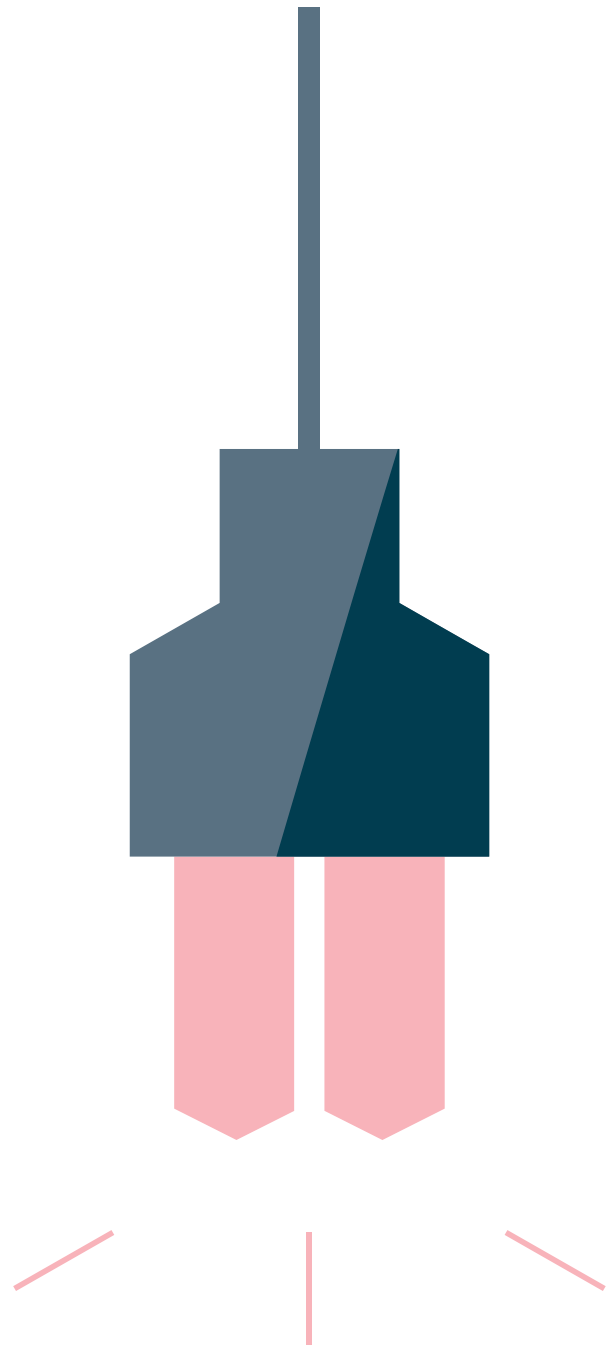
We'll give you a payment of £6,300¹ once you have moved because of regeneration. This is to compensate for the loss of your existing home.

If you owe rent or other money to Clarion Housing, we'll deduct this from your £6,300 relocation payment.

Temporary move

We'll make every effort for you to move straight into your new home. If you have to move to a temporary home and are there for one year or longer, we'll give you one additional £3,000 disturbance payment.

You will get this additional payment to help with moving costs when you move in to your new permanent home on the regenerated neighbourhood.



¹ This figure is based on the Ministry for Housing, Communities and Local Government's Compensation to Residential Owners and Occupiers booklet. It is subject to an annual review.

Visit www.gov.uk for the most up to date information.

Contact us

We're here to help. Please contact the Merton Regeneration Team on **020 3784 5951** or **mertonregen@clarionhg.com**.

For the latest news about the regeneration plans, please see **www.mertonregen.org.uk**

Alternative formats

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For Text Relay calls from a textphone, please dial **18001** followed by the number you wish to contact.



CLARION
HOUSING



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HOUSING

Offer to Resident Homeowners

**Housing options
Compensation
Support**

*Regenerating your
neighbourhood*




2

At a glance

We believe that our Residents Offer is fair and gives everyone the opportunity to stay in their neighbourhood.

Regeneration is going ahead. This means we will be knocking down and rebuilding Eastfields, High Path and parts of Ravensbury in phases over the coming years.

If you are a resident homeowner¹ we promise you the following three options

-  a new replacement home if you choose to stay, or
-  to buy your home at open market value plus 10% if you prefer to leave, or
-  a shared equity option

Plus:

-  a disturbance payment of £3,000 per household to cover the cost of moving home
-  a free and independent home valuation and up to £750² towards your own independent valuation
-  legal fees and disbursements³
-  payment towards Stamp Duty Land Tax
-  help if you need to move temporarily because of regeneration
-  new energy-efficient fridge freezer, washing machine, cooker and dishwasher if you choose to stay

¹ Our Offer depends on you being a resident homeowner. This refers to leaseholders and freeholders who were the legal owners living in the properties as their main and principal home on 27 May 2015

² This figure is subject to an annual review every April

³ Disbursements include Land Registry searches and the cost of money transfers

This document tells you about the housing options, compensation and support you're entitled to.

The Residents Offer is designed to:

1. Keep the community together

Every resident homeowner will have the right to move into a new home in their neighbourhood.

2. Improve community and green spaces

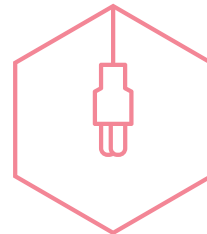
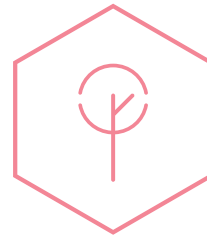
Regeneration will mean improved community and green spaces.

3. Provide new energy-efficient homes

Every resident homeowner who wants one will have the right to an energy-efficient, well-designed, safe and adaptable new home. All new homes will be the same size or larger than the homes they replace. Every home will have a private garden, balcony or terrace.

4. Provide adaptable and accessible homes

All homes will be built to Lifetime Homes Standards, meaning they can be adapted to meet your changing needs. At least 10% of the new homes will be fully wheelchair accessible.



Please contact the Merton Regeneration Team on **020 3784 5951** or **mertonregen@clarionhg.com** to get more information and advice.

Contents

5	The Residents Offer
6	The benefits of regeneration
7	Three options
8	Selling and moving
9	Replacement home
11	Shared equity
12	If you need to move temporarily
13	Valuations and compensation
14	Compulsory purchase
16	Contact us

The Residents Offer

This Offer to you depends upon you being a resident homeowner¹. You must have been a resident homeowner on 27 May 2015 when the Offer was first published.

This Offer does not apply to landlords in the three neighbourhoods. They should refer to the Offer to non-resident homeowners to see what they are entitled to.

This Offer gives you the details of what housing options, support and compensation we will give to homeowners depending on your circumstances.

¹ This refers to leaseholders and freeholders who were the legal owners living in the properties as their main and principal home on 27 May 2015

The benefits of regeneration

We're committed to upgrading all the homes and neighbourhoods we manage. In this case it's more cost effective in the longer term to replace the homes.

Regeneration is going ahead

In February 2018 the London Borough of Merton agreed that they will use their Compulsory Purchase powers to support the regeneration of High Path, Eastfields and Ravensbury.

In March 2018 the London Borough of Merton granted planning permission for the Eastfields, High Path and Ravensbury master plans.

Regeneration is an opportunity to build on and enhance the qualities of your neighbourhood, including the strong sense of community.

Regeneration will provide:

- new high-quality, energy-efficient homes
- new community spaces, play areas and better access to local transport links
- well-connected, safe and attractive streets
- new jobs, training and employment opportunities for local people.



Three options

Existing resident homeowners are leaseholders and freeholders who were the legal owners living in the property as their main and principal home on 27 May 2015¹.

Housing options

As an existing resident homeowner living in the neighbourhood you have three options:

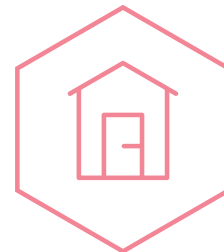


A new replacement home in the regenerated neighbourhood.

To qualify for the replacement home offer you must pay the full value of your existing home and the additional 10% from us into the new home



Sell us your home at market value plus 10% and move away



A shared equity option.

The shared equity option is available if you do not own all of the equity in your existing home to transfer into the replacement home.

¹ If you completed the purchase of your home after 27 May 2015 and live in it as your main and principal home you won't be entitled to a replacement home. You will qualify for a new home on a shared equity basis. See page 14

Selling and moving

Market value plus 10%

If you decide to sell us your existing home and move out of the area, we'll offer you the market value of your home plus an additional 10%. This 10% payment will be up to a maximum of £58,000. For details of how this valuation is calculated, please see page 13.

You can sell us your home when you want to move, without having to wait until we need your home for regeneration.

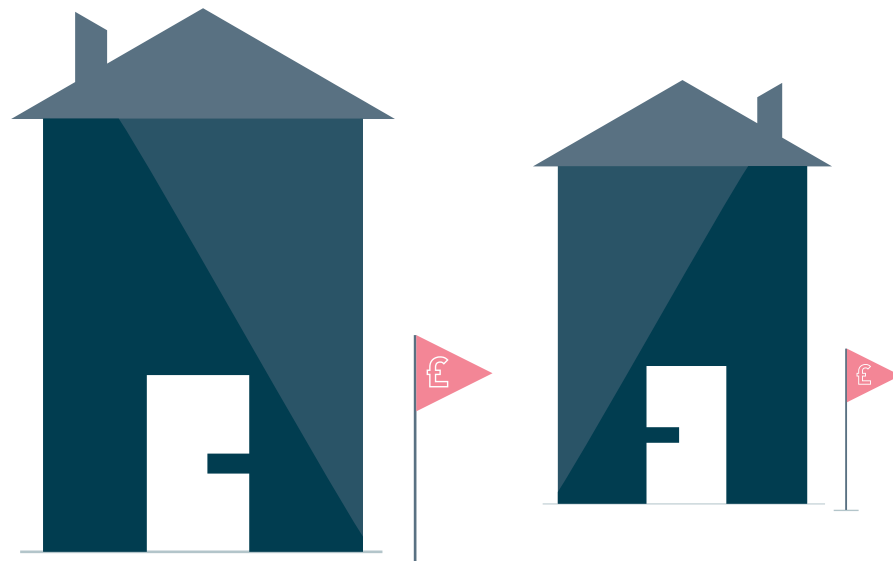
We'll arrange for an independent valuation of your home. Valuations are valid for 90 days from the date that we send it to you. If you do not agree with our valuation you can arrange your own independent valuation (see page 13).

We'll pay up to £750¹ plus VAT for your chosen surveyor to undertake a valuation. They must:

- be RICS registered
- provide an industry standard RICS red-book valuation

If you buy a new home within 12 months of selling your current home to us we'll also reimburse:

- legal conveyancing costs² incurred for buying the new home up to a maximum of £750 plus VAT
- disbursements incurred in buying your new home³
- mortgage arrangement fees
- Stamp Duty Land Tax on your new home up to a maximum of the market value of the home you are selling to us, plus the additional 10%
- survey costs for either a building or mortgage valuation to buy a new home.



¹ This figure is subject to an annual review every April

² The new property must be in the United Kingdom for us to reimburse the legal costs

³ Disbursements include Land Registry searches and the cost to transfer money

A new replacement home

We have a replacement home option for resident homeowners who wish to remain in their neighbourhood.

A new replacement home may be the option for you if:

- you own your home outright
- have a mortgage that you can transfer to the replacement home
- you can obtain a mortgage for the same amount as your existing mortgage.

You'll own your home outright from the start:

- if you are a freeholder you will be offered a new freehold
- if you are a leaseholder you will be offered a new 125 year lease, even if you have less than that on your current lease.

You will be offered a new home with the same number of bedrooms as your current home had when it was first built.

If you sell your replacement home within 11 years of signing the offer contract you'll need to repay some or all of the difference in the value between your existing and your new replacement home.

How the replacement home option works

To qualify for the replacement home option you must pay the value of your existing home and the additional 10% that we pay you into the new home.

We'll arrange for an independent valuation of your existing home and agree a price with you.

We'll offer you market value for your home plus an additional 10% up to a maximum of £58,000. You'll then use all of this to buy a replacement home.

We'll pay legal conveyancing costs and disbursements connected with the purchase.

We will also pay the Stamp Duty Land Tax on your new replacement home.

If you sell your new replacement home

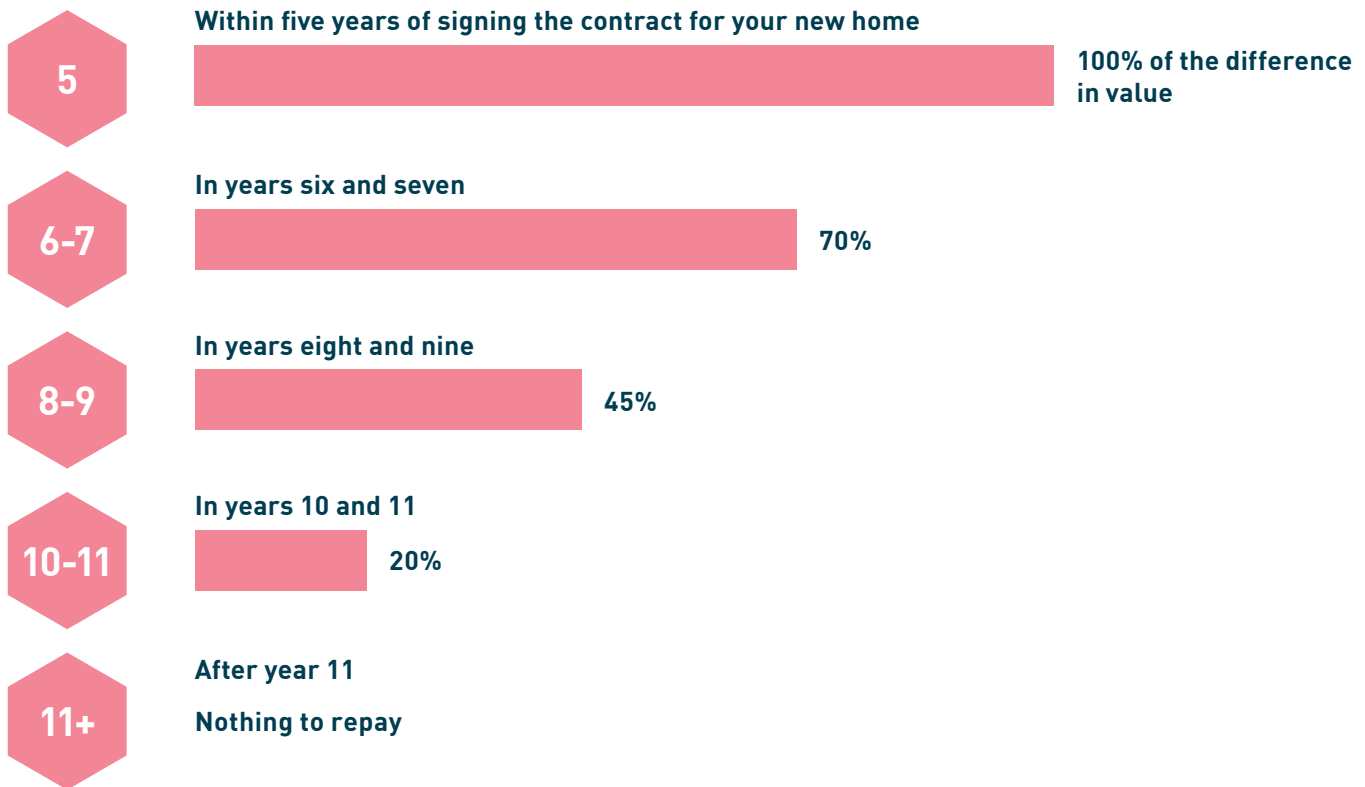
A new replacement home is likely to be worth more than your existing home. If you sell your new home within 11 years of signing the offer contract you'll have to pay us a proportion of the difference between the value of your new replacement home and existing home. This proportion is fixed at the date of contract and reduces over time (see page 10).

You keep your share of any rise or fall in the value of your replacement home during the 11 years.

¹ This figure is based on the Ministry for Housing, Communities and Local Government's Compensation to Residential Owners and Occupiers booklet. It is subject to an annual review. Visit www.gov.uk for the most up to date information.

Selling within 11 years

This table shows the difference you would have to repay between the values of your new replacement home and existing home. This only applies if you sell your replacement home.



A bigger or smaller home

You may be able to move to a replacement home with more or fewer bedrooms than your existing home had when it was first built if one is available.

If you'd like to move to a new replacement home that is smaller than your existing home we'll pay you **£5,000** for each bedroom you give up.

You can also choose a home with more bedrooms than you have now if one is available. For example, if you have a two-bedroom home but want to buy a new three-bedroom home. You'll have to pay the difference in price between the value of a two-bedroom replacement home and the sale price of the larger three-bedroom home upfront. This is not part of the amount that you would need to pay back if you sell within 11 years.

Shared equity

We have a shared equity option for resident homeowners who wish to remain in their neighbourhood.

If you do not have all of the equity in your existing home to transfer into a replacement home you can buy a share in a new home in your neighbourhood. Clarion Housing will own the remaining share.

This may be the case if:

- a share of your home is owned by someone else who does not live there
- you have secured a loan other than a mortgage against your home
- you can't transfer your existing mortgage or obtain a new mortgage for the same amount as your existing mortgage.

If you are unsure about your circumstances please contact your regeneration manager.

How the shared equity option works

Shared equity means buying a share in a new home with all of the equity you do own, plus the 10% we give you. The more equity you own, the greater your share in your new home. We will own the remainder of the equity in the new home.

We will pay all of the Stamp Duty Land Tax on your new home.

We will pay legal conveyancing costs and disbursements¹ connected with the purchase.

You do not have to pay rent or interest on our share. You can increase your ownership in stages by buying more equity if you want to. There is no time limit on this.

If you prefer a smaller new home

A smaller home could mean you're able to afford a larger share of the equity.

If you sell your shared equity home

If you decide to sell your new home, you'll keep your share of the proceeds from the sale and we'll keep our share.

Any increase or decrease in value would be shared between you and Clarion Housing. For example, if you sell a shared equity home where you own 75%, you would keep 75% of the sale price, including 75% of any change in value.

¹ Disbursements include Land Registry searches and the cost to transfer money

If you need to move temporarily

We'll always try to move you straight into your new home. For a small number of existing resident homeowners this might not be possible.

For example, if your existing home has to be demolished before your new replacement home is ready.

We'll help you find a temporary home that's suitable and as close as possible to schools, workplaces, doctor's surgery or hospital if that's what you need.

We won't charge you any rent for this temporary home, as long as you agree to the following:

- the market value of your existing home and 10% additional payment would be paid into a special account on your behalf (this is called an escrow account). The escrow account would not pay you any interest
- the cost of your new home would be fixed at this point, so that the difference in value between your existing home and your new replacement home does not change
- you live in your temporary home as an assured shorthold tenant¹ until your new home is ready.

You'll set up and pay all relevant household bills for living in your temporary home, including Council Tax and service charge.

If you live in your temporary home for one year or longer, you'll be entitled to a further £3,000 disturbance payment to help with your moving costs when you move into your new replacement home.

Changing your mind

If you're in a temporary home but decide not to buy a home in the regenerated neighbourhood, the funds in the escrow account will be released to you when you move out. You can still claim legal fees, disbursements and Stamp Duty Land Tax associated with purchase of a property elsewhere in the UK. This claim must be made within one year of leaving your temporary home.

We'll pay you:

- legal costs incurred in selling the property to us up to a maximum of £750 plus VAT and disbursements
- £750 plus VAT for legal costs incurred in buying a new home
- survey costs for either a building or mortgage valuation to buy a new home
- Stamp Duty Land Tax payable on a reasonable replacement property, up to the agreed value of the home you are selling to us, plus the 10%
- mortgage redemption fees
- mortgage arrangement fees.

¹ You will need to sign an assured shorthold tenancy because you will be in the property on a temporary basis

Valuations and compensation

Valuing your existing home

The market value of your existing home will be assessed by a Member of the Royal Institution of Chartered Surveyors (RICS). The market value of your home takes into account:

- market conditions
- any changes in the value of homes in the surrounding area
- its condition inside
- any improvements made by you or previous owners (for example, new bathrooms and kitchens)
- local amenities (for example, schools, transport links, shops and services).

We'll arrange a professional valuation of your home by a member of RICS. We'll confirm the market value in writing plus the other payments you're entitled to.

If you choose not to accept the valuation prepared by our surveyor, you can instruct a suitably qualified member of the RICS to prepare a valuation for you. If the values are different, the two surveyors will discuss the evidence that their valuations are based on. If we are unable to reach an agreement as a last resort we'll seek to acquire properties through Compulsory Purchase (see page 14).

We'll pay up to £750 plus VAT for your chosen surveyor to undertake a valuation. Please call the RICS helpline on 024 7686 8555 who will put you in contact with a local RICS qualified surveyor.

Disturbance payment

You'll get £3,000 to cover the costs of:

- packing and removals
- redirecting mail
- disconnecting and reconnecting services such as phones and internet
- other costs associated with your move.

Service charge

Service charges will continue to be set in line with the terms of your lease or freehold agreement.

Your new neighbourhood will have new facilities, green spaces and improved communal areas.

The additional homes means there will also be more people to contribute to service charges.

Right to Buy

If you completed the purchase of your home through Right to Buy before 27 May 2015 we'll offer you a new home in the regenerated neighbourhood. Or you can choose to sell your home to us and move away.

If you purchased your home using Right to Buy after 27 May 2015, we'll offer you a new home on a shared equity basis.

When it's time to sell your home you may have to repay a percentage of the Right to Buy discount depending on how long ago you completed the purchase.



New resident homeowners

This applies to resident homeowners¹ who completed the purchase of their home after 27 May 2015, but before regeneration takes place. You have the option to:

- Sell your home to us at its full open market value
- The shared equity option

You won't be entitled to the replacement home option.

We'll pay legal conveyancing costs and disbursements². We'll also pay Stamp Duty Land Tax.

Compulsory Purchase

We'll do all we can to reach an agreement with all resident homeowners to deliver the regeneration.

If we can't reach an agreement with you, as a last resort we'll seek to acquire properties through Compulsory Purchase.

Compulsory Purchase is the legal right to buy a property without the consent of the owner.

Once a Compulsory Purchase Order is in place, the terms of the Residents Offer will be replaced with the statutory framework and your compensation will be assessed in accordance with what is commonly referred to as the Compulsory Purchase "compensation code".³

If we need to acquire your home by Compulsory Purchase, the replacement home and shared equity options will no longer be available to you.

¹ Resident homeowners are leaseholders and freeholders who are the legal owners and living in the property as their main and principal home

² Disbursements include Land Registry searches and the cost to transfer money

³ Details of the compensation code can be found at www.gov.uk

Contact us

We're here to help. Please contact the Merton Regeneration Team on **020 3784 5951** or **mertonregen@clarionhg.com**.

For the latest news about the regeneration plans, please see **www.mertonregen.org.uk**

Alternative formats

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Offer to Non-Resident Homeowners

*Regenerating your
neighbourhood*

3

Offer to Non-Resident Homeowners

A non-resident homeowner¹ is someone who owns a property in the neighbourhood but their main and principal home is elsewhere.

Regeneration is going ahead. This means we will be knocking down and rebuilding Eastfields, High Path and parts of Ravensbury in phases over the coming years.

In February 2018 the London Borough of Merton agreed that they will use their Compulsory Purchase powers to support the regeneration of High Path, Eastfields and Ravensbury.

In March 2018 the London Borough of Merton granted planning permission for the High Path, Eastfields and Ravensbury master plans.

If you're a non-resident homeowner we want to buy your property from you. We'll offer you the open market value of your property (based on an independent valuation) plus a 7.5% additional payment, up to a maximum of £75,000².



¹ This also applies to homeowners who were living away from their neighbourhood on 27 May 2015, but have since returned.

² This figure is based on the Ministry for Housing, Communities and Local Government's Compensation to Residential Owners and Occupiers booklet. It is subject to an annual review. Visit www.gov.uk for the most up to date formation.

The first step is agreeing the market value of your property. We will arrange for a free independent valuation to be carried out by a surveyor who is accredited by the Royal Institution of Chartered Surveyors (RICS).

The market value of your property takes into account:

- market conditions
- any changes in the value of homes in the surrounding area
- its condition inside
- any improvements made by you or previous owners (for example, new bathrooms and kitchens)
- local amenities (for example, schools, transport links, shops and services).

We'll pay you:

- 1** legal conveyancing costs up to a maximum of £750 plus VAT for selling your current property to us
- 2** disbursements³ for selling your current property to us
- 3** Stamp Duty Land Tax of the market value of the home you are selling to us plus the additional 7.5% up to a maximum of £75,000 if you buy a new property

This is the same amount you would be entitled to under a Compulsory Purchase Order.

You have up to 12 months to claim these costs.

Please get independent advice about the possible tax implications and the options open to you.

Compulsory Purchase

We will always seek to reach an agreement with you about selling your home to us. As a last resort we'll seek to acquire properties through Compulsory Purchase.

Compulsory Purchase is the legal right to buy a property without the consent of the owner.

People living in your property

If you rent your property out or have any other person living in it, you'll be responsible for ending the tenancy before you sell the property to us. The property must be empty with no one living there at the point at which you sell it to us.

Clarion Housing has no responsibility to re-house or compensate your tenant.

³ Disbursements include Land Registry searches and the cost to transfer money. You have to claim all costs, disbursements and Stamp Duty Land Tax within 12 months of selling your property to us.

Contact us

We're here to help. Please contact the Merton Regeneration Team on **020 3784 5951** or **mertonregen@clarionhg.com**.

For the latest news about the regeneration plans, please see **www.mertonregen.org.uk**

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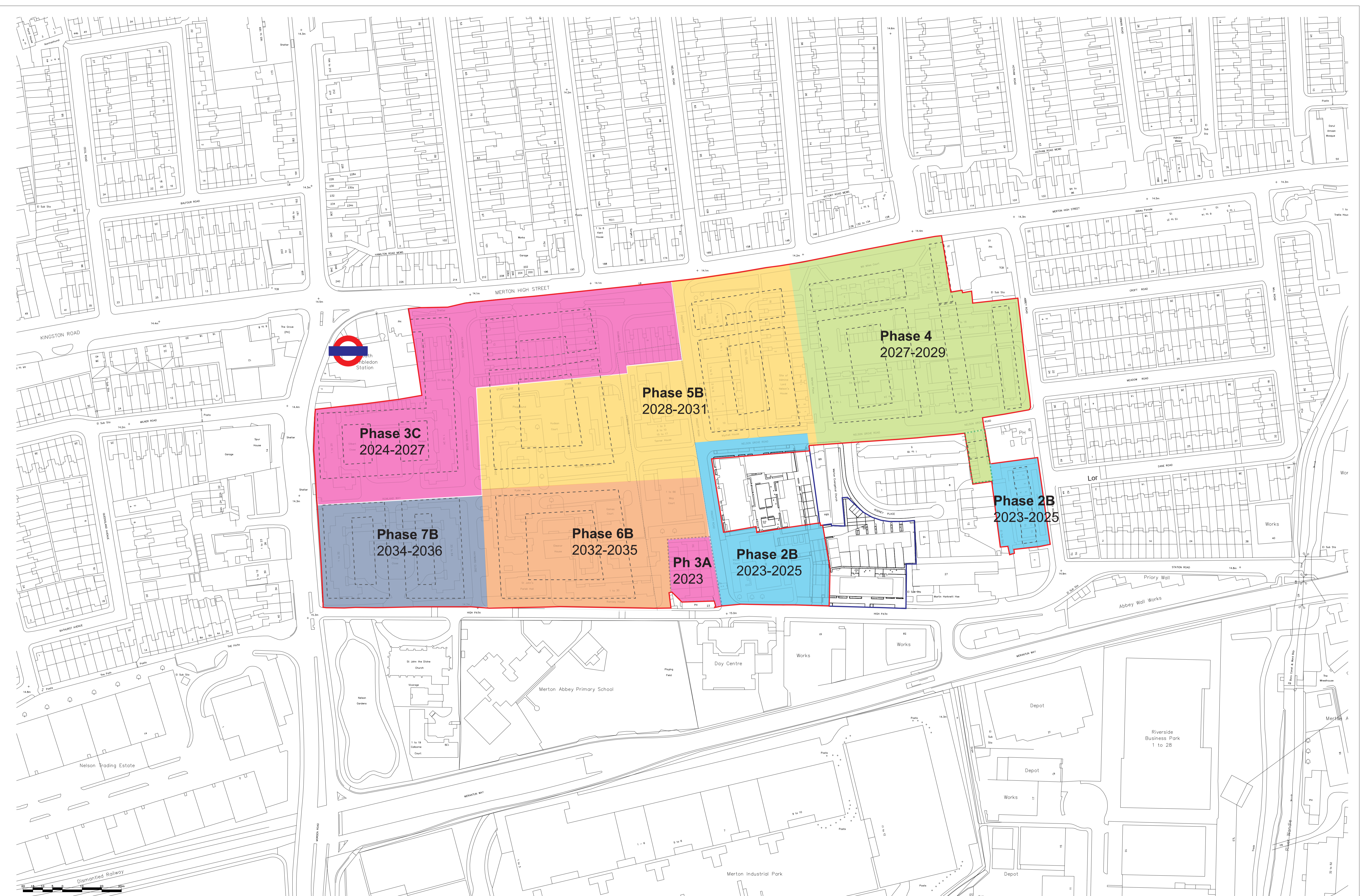
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Appendix 4

Phasing Plan in respect of the High Path Estate



Phase 4
2027-2029

Phase 5B
2028-2031

Phase 3C
2024-2027

Phase 7B
2034-2036

Phase 6B
2032-2035

Ph 3A
2023

Phase 2B
2023-2025

Phase 2B
2023-2025

Key	
	Red line boundary - Outline Permission Boundary
	Blue line boundary - Phase 1 Boundary
	Phase 2B
	Phase 3A
	Phase 3B
	Phase 3C
	Phase 4
	Phase 5B
	Phase 6B
	Phase 7B

Do not scale, unless by agreement with PRP.
Figured dimensions to be worked to in all cases.

CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record. All intellectual property rights reserved.
Designed with reference to the surveys, information and reports listed:
Ordinum Survey Map, Topographical Survey 14804-S1A, Utilities Radar Scan PAS128 25451, Tree Survey 54154-02

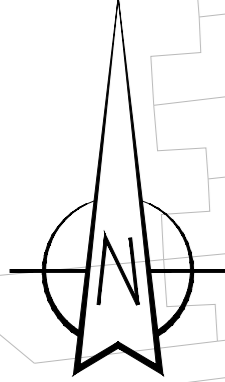
Rev	Date	Description	Dwn Ckd	Drawn	HD
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				Date	MAY 22
				Scale @ A1	1:1000

HIGH PATH MASTERPLAN
PHASING STRATEGY - CONSTRUCTION PHASES

HP3-PRP-03A-ZZ-DR-A-06602
REV -
FOR INFORMATION

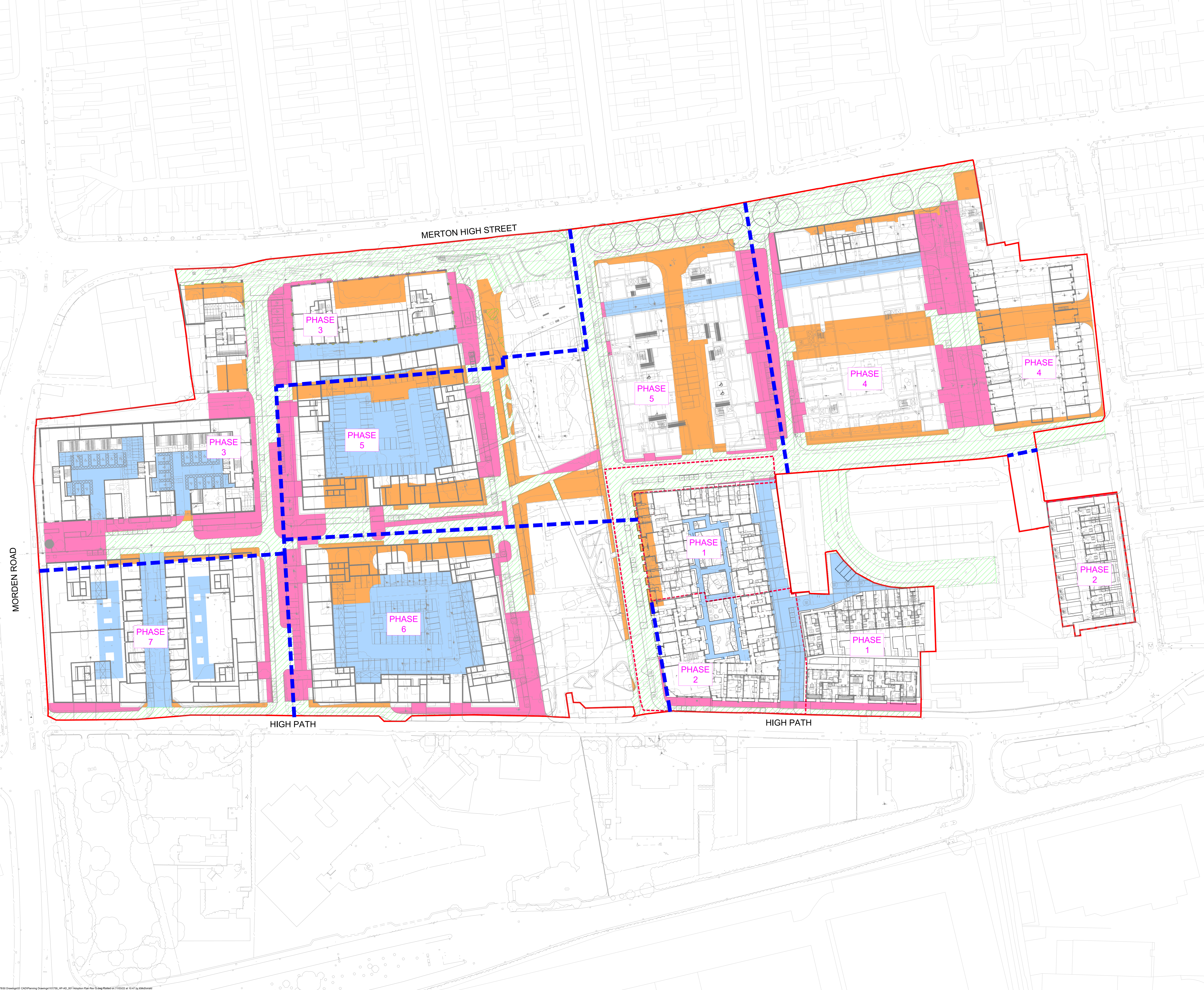
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London
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Appendix 5
Stopping Up Plan



- NOTES:
- WHERE THE CONTRACTOR UNDERTAKES OR ENGAGES A THIRD PARTY TO UNDERTAKE TEMPORARY WORKS DESIGN, OR VARIES THE PELL FRISCHMANN DESIGN IN ANY WAY, THEN THE CONTRACTOR WILL TAKE FULL RESPONSIBILITY AND LIABILITY FOR ALL DESIGN ASPECTS, INCLUDING A DESIGN RISK ASSESSMENT. THE CONTRACTOR SHALL INFORM PELL FRISCHMANN OF ANY PROPOSED VARIANCES TO THE DESIGN.
 - THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER ELECTRICAL, MECHANICAL, PUBLIC HEALTH & ARCHITECTURAL DRAWINGS & THE SPECIFICATION.
 - THE MASTER PLAN LAYOUT IS BASED ON DRAWING AA4886-SK180-N-HIGH PATH MASTER PLAN L01+ AND PHASE 2 LAYOUTS HP2-PRP-022-ZZ-M3-L-0001, APARTMENT BLOCK GA + HP2-PRP-022-ZZ-M3-L-0001 - FLOOR PLAN FROM PRP ARCHITECTS AND PELL FRISCHMANN SHALL NOT BE LIABLE FOR ANY DISCREPANCIES OR INACCURACIES.
 - THE TOPOGRAPHICAL SURVEY IS FROM PJ DUNPHY DRAWING 14804-S1A LAND SURVEY AND PELL FRISCHMANN SHALL NOT BE LIABLE FOR ANY DISCREPANCIES OR INACCURACIES.

- KEY:
- Existing Adopted Highway 13.552m²
 - Existing Unadopted Highway 0m²
 - Existing Adopted Highway to be Stopped Up 5.753m²
 - Proposed Adopted Highway 10.369m²
 - Proposed Unadopted Highway 6.979m²
 - Development Area
 - Phase 2 Site Boundary
 - Phase Site Boundary



G	Latest Phase 3 Layout added	KM	TM	TM	10.03.22
F	Latest Phase 3 Layout added	KM	TM	TM	08.12.21
E	Latest Phase 2 Layout added	KM	TM	TM	23.04.20
D	Site Boundary for phases 1, 3, 4, 5, 6 and 7 added	HL	TM	TM	20.11.19
C	Development boundary and Phase 2 Site Boundary added	ZB	TM	TM	05.03.19
B	Masterplan updated following issue from PRP dated 30.01.19	KM	TM	TM	01.02.19
A	Masterplan updated following issue from PRP dated 23.10.18	KM	TM	TM	24.10.18
REV	DESCRIPTION	DRN	CHK	APP	DATE

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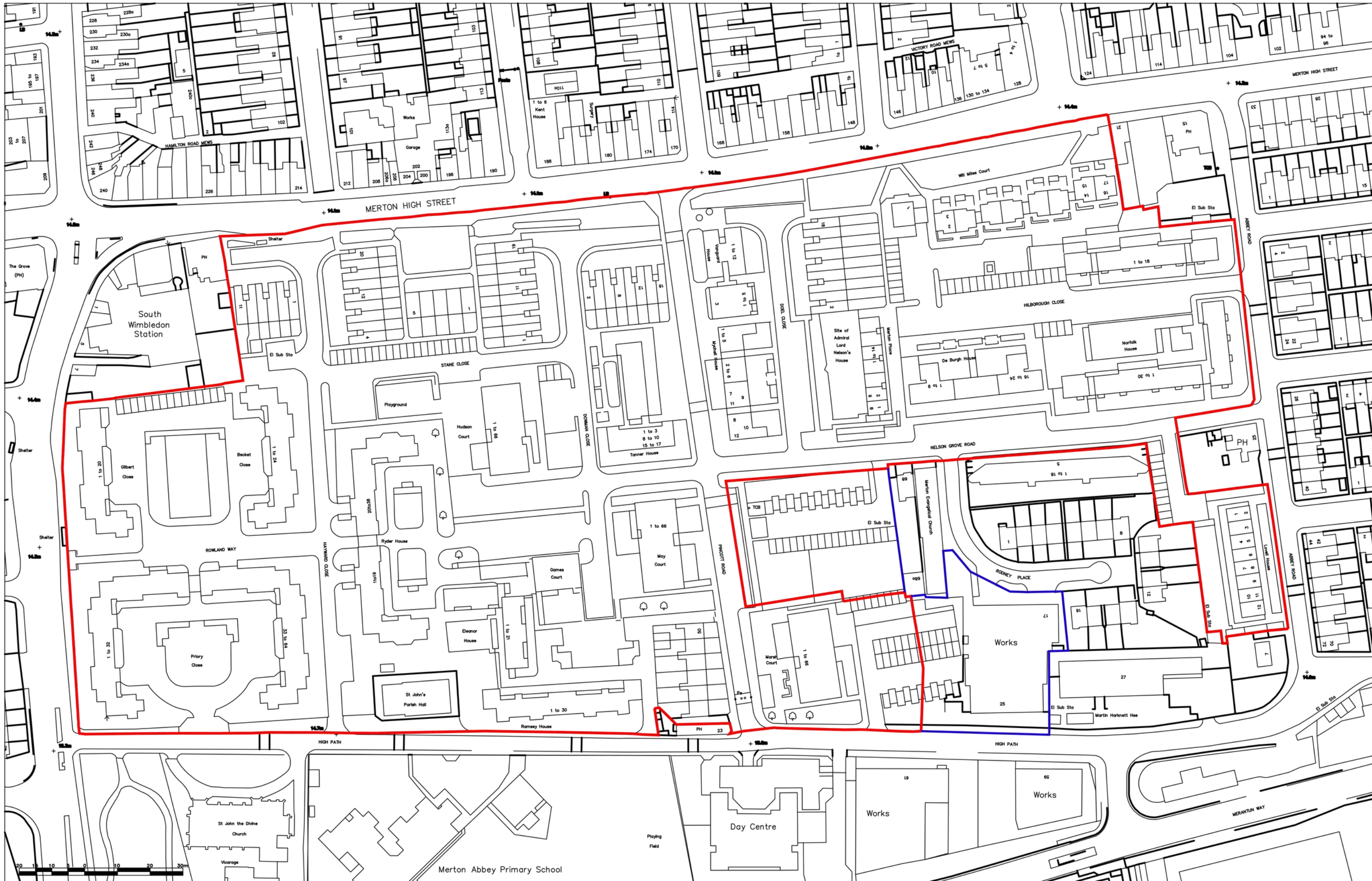
Client
Clarion Housing Group

Project
Merton High Path Development

Drawing Title
Proposed Adoption Plan

Drawn	KM	Aug 2018	Scale	1:500 @ A0
Designed	KM	Aug 2018	File No.	101759_HP_AD_001 Adoption Plan Rev G.dwg
Checked	TM	Aug 2018	Drawing Status	Preliminary
Approved	TM	Aug 2018	Revision	
Drawing No.	101759-HP-AD-001			G

Appendix 6
Estates' Location Plan



Key
 — Application Boundary
 — Blue line boundary - Phase One



Rev	Date	Description
-	04.17	Initial Issue
A	11.17	Updates to application

Dwn	Ckd	Drawn	FC
GW	SK	Checked	SK
FC	SK	Date	NOV 2017
		Scale @ A3	1:1250

HIGH PATH MASTERPLAN
SITE LOCATION PLAN

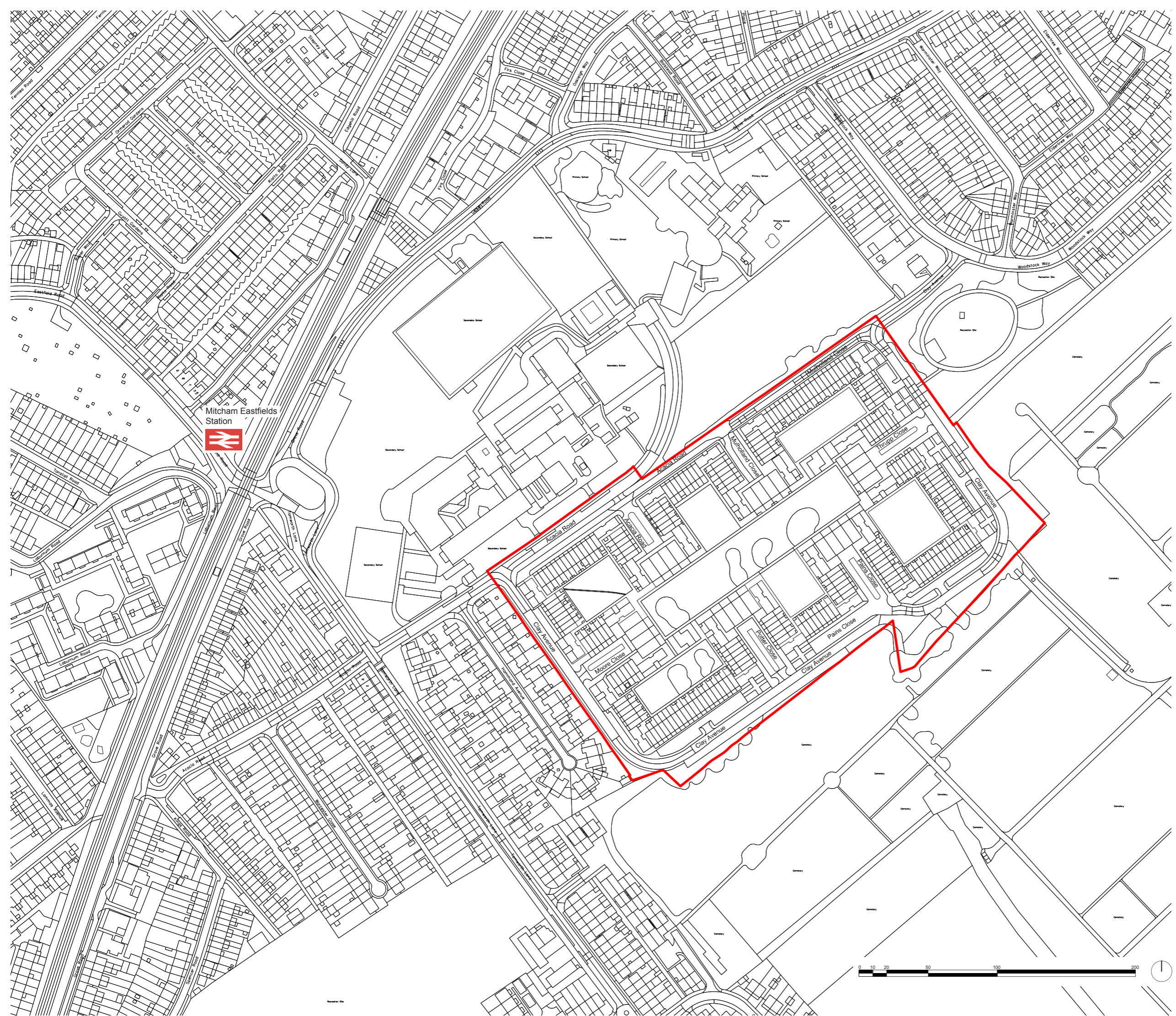
AA4586_2001
REV A
 FOR PLANNING FOR APPROVAL



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Designed with reference to the surveys, information and reports listed:
 Ordnium Survey Map, Topographical Survey 14804-S1A, Utilities Radar Scan PAS128 25451, Tree Survey 54154-02

Figured dimensions to be worked to in all cases.



Standard notes

1. Do not scale this drawing unless by agreement with Levitt Bernstein, Cullinan Studio and Proctor and Matthews Architects.
2. All dimensions must be checked on site and any discrepancies verified with the architect.
3. Unless shown otherwise, all dimensions are to structural surfaces.

This is not a construction drawing, it is unsuitable for the purpose of construction and must on no account be used as such.

Drawing notes

 Site Boundary

Site area: 6.9ha

FOR APPROVAL

**Eastfields Estate
Regeneration**

Outline Planning Application

Client Clarion Housing Group Ltd	Date 21/04/2017
	Author CL

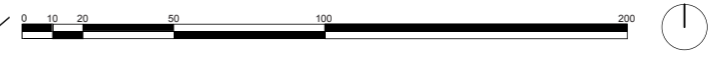
Project address Eastfields Estate	Checked VD
	Drawing Estate Location Plan

Scale 1:2500@A3	Drawing number 001
File Name	Revision A

CULLINAN STUDIO Foundry
5 Baldwin Terrace
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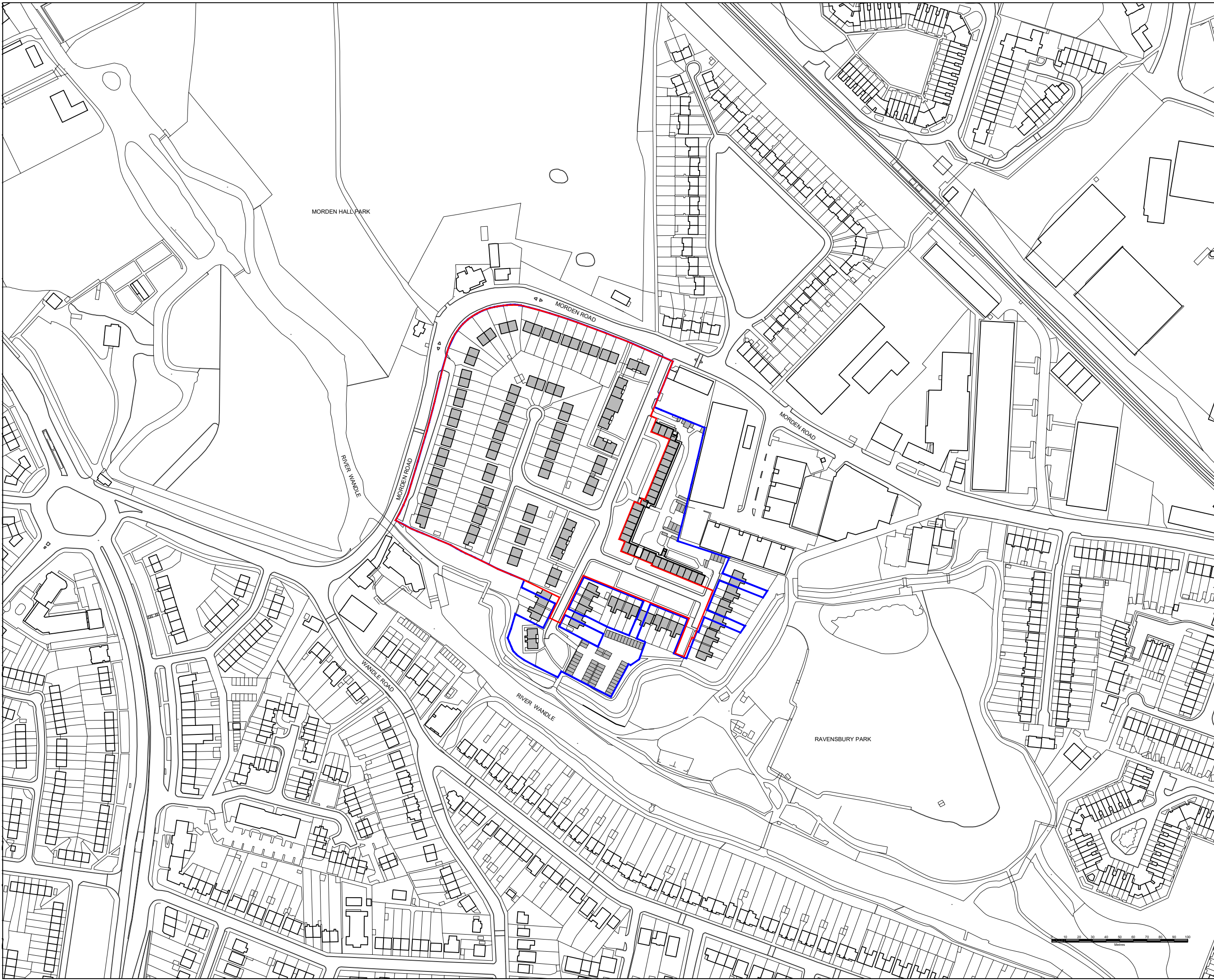
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- Application Site Boundary
- Estate Boundary Under CHMP Ownership



Rev	Date	Drawn	Description
A	19.02.19	KDU	Reserved Matters Planning Submission
-	14.12.19	JCD	Initial Issue

FOR PLANNING
Client / project
Clarion Housing Group Ltd.
Ravensbury Phases 2-4, Merton
Drawing title
Site Location Plan

Drawing number
CAG-REM-200 HTA-A 00 DR 0001 revision **A**
Scale @ A3
1:2500 originated by **JCD** project code **CAG-REM-200**

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