

[Redacted]

From: [Redacted]
Sent: Thursday, 29 September 2022 10:16
To: [Redacted]
Subject: FW: London Borough Of Merton (High Path No. 1) Compulsory Purchase Order 2022

This email originated from outside the firm

Please see below a further objection.

[Redacted]
Senior Planning Manager

Tel: [Redacted]
Email: [Redacted]

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: 31 August 2022 17:30
To: [Redacted]
Subject: London Borough Of Merton (High Path No. 1) Compulsory Purchase Order 2022

[Redacted]

[Redacted]

31st August 2022

With Reference to The London Borough Of Merton (High Path No.1) Compulsory Order 2022.

I note that I have only received notification of this from the signs on the lampposts in the area and one letter referring the details of where I should make response to recently received, having had no previous invitation to respond to the process.

I am not sure why I have received such notification, as it says it does not involve the purchase of the property/land/buildings I live in and am Joint Tenant in ownership of the relevant lease thereof, granted originally by the London Borough Of Merton, however I would make the following points specific to a number of residential properties mentioned in the various schedules, and generally to the extent that at present the quiet enjoyment of my property is affected , along with some general issues.

Firstly

in respect of financial compensation for loss of rights – which would appear to be oversailing (not specific to my property as far as I can see) , and loss of light – which I have suffered already and would expect to suffer more if building works continue - I assume there is a standard schedule of rates of compensation and I therefore claim this for loss of light , for both the present block constructed to the South Of [REDACTED] and the East of [REDACTED], its height mass and colour has denied spring and autumn light into my kitchen and other west elevation windows, resulting in a need for additional electric lighting as the sunlight no longer clearly passes through the gap in rooflines between the present day [REDACTED] on the North of [REDACTED] and [REDACTED] on the West of [REDACTED]. Additionally though the morning and midday sun is reflected off a stainless steel chimney pipe into my eyesight through the kitchen window in a direct and blinding way. I request that either the chimney is replaced with a less reflective galvanized finish or additional compensation for disturbance paid.

Secondly

The General Level of Compensation payable to owners of Land in the schedules, while I would assume the confirmation of the order would be irrespective of the value of land (open market + capped 10percent or development value – whichever is the higher) in its present day condition neutral to any development scheme proposed or executed to date (such value to confirmed to be determined by an independent valuer in accordance with the law, including the principles in the Human Rights Act of a person not to be deprived unfairly of their interest in land). It does appear that the houses (in [REDACTED] and [REDACTED]) are being undervalued for both their location, compared with other nearby properties in [REDACTED], and as to their footprint , being of substantial three / four bedroom sizes.

This also , and more so , applies to the dwelling houses in [REDACTED], which while replacements have been indicated to be available the layout of such replacement again is not acceptable, and the existing dwellings with additional storage garages built under agreed planning permission do not have the rear access that the present properties have for ease of access to rear gardens.

Thirdly

Replacement dwellings proposed do not in all cases have such size and layout of accommodation including storage and circulating areas, and separated areas such as kitchens , which the likes of Covid-19 have shown that safe separation within family houses and unnecessary mixing in households and interruptions arising enabling working from home or study at home less practical to carry out. This observation also applies to many of the flat units in [REDACTED] and others. Additionally replacement flats not only are of an inappropriate and undersized layout, but have been built to a means that the likes of storage cupboards or shelves cannot be affixed to walls in reasonable locations.

Fourthly

The Acquiring Authority may make a case that replacement properties are more energy efficient than those existing, but no figures as to heat loss through walls or windows as comparatives have ever been provided other than a mention that existing over window lintels are of a design that does not have an insulation sandwich that modern regulations demand – potentially leading to cold bridging – not something that I have noted in the properties fitted with double glazing to be significant problem itself in terms of damp or major additional demand for thermal heating. It should be noted that existing properties are generally double glazed, or easy so to do , with at owners desire, loft insulation and all were built with brick and block cavity construction with later infill of insulation materials or for flats of a cast in situ concrete with brick sandwich externals (which is the same construction

method as replacement flats have generally been made of.

Fifthly

The Acquiring Authority may present a case as to the development enhancement of an area for demolition of houses that are only 40 years old built of substantial brick (and the photographic evidence submitted was deliberately misleading showing "missing" downpipes to building fronts, without noting that the gutters were seen draining into one downpipe and rainwater gully per two properties although design feature brickwork meant each front had over fronted brickwork with vertical channel behind for aesthetic symmetry) The development enhancement of itself can be questioned particularly with the insistence of public transport – which still in terms of work outside the area would depend either on an overcrowded tube line toward central London (which we know from COVID and similar contagious diseases with uncertain long term effects, is no longer a good idea, or bus services which are slow to get to other destinations, and of course are inappropriate for the number of workers in the area whom use vans for their building / plumbing / electrical and waste transfer businesses or taxi and vehicle recovery owner businesses that are at present accommodated in the houses sought to be acquired. In any event it must be made clear that present proposals to acquire family (or multiple occupationable) housing units for a replacement with large flat studio/ 1 bed blocks does give rise to the development authority getting a substantial development gain, which my understanding of the compensation system must be fairly and equitably shared with the existing holders of rights of occupation in the land, and this should be made specific in any decision you may come to. Though it should be noted that present plans appear to be overbearing in height mass and scale along with loss of mature public realm and private garden trees, and also reduce significantly winter light to residential elements of properties on the North of [REDACTED], which are not addressed or mentioned in the Compulsory order sought. Overall the properties sought to be acquired are either to provide buildings for private profit, or as new build for other residents, such new buildings themselves being smaller than the internal sizes such residents enjoy at the present time.

Sixthly

I understand that where a development project is approved and a land owner considers they will suffer from unnecessary disturbance or other loss of rights as to light or other enjoyment of the property they own, that they may force the development authority to so compulsorily purchase, under same general legislation and regulations thereunder, that property. Without prejudice I would ask you to consider which properties so affected by the general development plans may so be covered by such considerations

Seventhly

In other statements made to residents by the former leader of the Acquiring Authority as part of election hustings (and I have on audio record) it was indicated that the council was disinclined to carry out compulsory purchase orders against owners of buildings stating that he saw persons rights to run their properties how they so wished to be a key thing, so I am confused as to why the London Borough Of Merton should so make these orders for acquisition of land.

Finally I notice that the notices displayed on the lampposts have an incorrect email address printed on them, namely [REDACTED], this error would make the notice null and void and therefore (presumably copy is submitted to yourselves), you should reject the application from the London Borough of Merton until such correct notice is displayed for the correct unambiguous period of time.

Yours Faithfully

[REDACTED]

Please note I saw the date of 31st August 2022 and took that to be the final date for submissions as being 2359 of that date as final time.