

WANDSWORTH BOROUGH COUNCIL

REGENERATION AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY
COMMITTEE- 8TH JANUARY 2008

EXECUTIVE – 21ST JANUARY 2008

Report by the Economic Development Officer on the regeneration of the centre of
Roehampton

SUMMARY

The Council commissioned a three-stage study to develop proposals to regenerate the centre of Roehampton around Danebury Avenue, close to the junction with Roehampton Lane, SW15 (Roehampton). The sites in the study area comprise the Recreation Centre; Housing Office; Co-op block and surgery, with residential accommodation above; Danebury Avenue shopping parade with residential accommodation above; and Allbrook House, library, car park and grassed area between Danebury Avenue and Roehampton Lane.

Initial development options were the subject of extensive consultation in late 2006. The analysis of the questionnaires shows that there is substantial local support for a regenerated centre for Roehampton. The consultants' study concludes that there is potential support from the private sector, including certain supermarkets, to invest in the centre of Roehampton. The options were further refined and these were the subject of a further round of consultation in autumn 2007.

This report outlines the results of the latest consultation exercise, together with an initial appraisal of the likely development costs and proceeds from sale of each of the options. Progress on this has stalled because of an issue with regard to the possible repayment of housing subsidy to the Government if it is necessary to appropriate the sites concerned for planning purposes. This delay has enabled a critical examination of a number of the redevelopment options with a view to establishing the feasibility of an appropriate mix of options. The analysis has enabled officers to discount some of the options for sites D and E. Options D1 and E3 are no longer considered viable. The remaining options are all potentially viable individually, but need to be further developed in terms of planning design and scale before a final decision can be taken.

The Executive is recommended to not pursue options D1 and E3, and to pursue the remaining options (D2 and D RBF and E1/1, E5 and E RBF). To facilitate this, the report seeks authority to appoint planning consultants to work up outline planning applications for these options, including a detailed traffic study and access study to ensure that transport infrastructure requirements are fully met and to prepare an environmental impact assessment of each of the options.

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GLOSSARY	
CPO	- Compulsory Purchase Order
DGLG	- Department of Communities and Local Government
EH	- English Heritage
HRA	- Housing Revenue Account
PCT	- Primary Care Trust
PPP	- Public Private Partnership
RBF	- Roehampton Business Forum
SNT	- Safer Neighbourhood Team
TfL	- Transport for London

RECOMMENDATIONS

1. The Regeneration and Community Safety Overview and Scrutiny Committee are recommended to support the recommendations in paragraph 3 of this report
2. If the Overview and Scrutiny Committee approves any views, comments or additional recommendations on this report, these will be reported to the Executive for consideration.
3. The Executive is recommended:-
 - (a) to note the results of the further consultation exercise (paragraphs 16 to 19);
 - (b) to instruct the officers to report back on the implications of the possible repayment of housing subsidy to the Department of Communities and Local Government in order to complete the appraisal of the likely development costs and proceeds from the sale of each of the options;
 - (c) to take no further action on options D1 and E3 and to pursue the remaining options for Site B; Site C; Options D2 and D RBF for Site D and Options E1/1, E5 and E RBF for Site E;
 - (d) to instruct the Economic Development Officer to appoint planning consultants to work up outline planning applications for Site B; Site C; options D2 and D RBF for Site D and options E1/1, E5 and E RBF for Site E, including a detailed traffic study and access study to ensure that transport infrastructure requirements are fully met and an environmental impact assessment of each of the options; and
 - (d) to note the progress in finding sites to relocate a number of existing local publicly funded facilities.

INTRODUCTION

4. The Council commissioned a three-stage study to develop proposals to regenerate the centre of Roehampton around Danebury Avenue, close to the junction with Roehampton Lane, SW15 (Roehampton). The sites in the study area comprise the Recreation Centre; Housing Office; Co-op block and surgery, with residential accommodation above; Danebury Avenue shopping parade with residential accommodation above; and Allbrook House, library, car park and grassed area between Danebury Avenue and Roehampton Lane. The Overview and Scrutiny Committee and the Executive have previously approved (Paper Nos. 06-773, 07-234, 07-359, and 07-779) a series of reports on progress made on the regeneration initiative and the results of the first round of consultation. On 30th April 2007 the Executive agreed (Paper No. 07-359) to proceed with the refurbishment of the existing Roehampton Recreation Centre at a cost of £1.785 million. The Centre will reopen in early 2008. The results of the first consultation necessitated a review of the options for Site D (Danebury Avenue block) and Site E (Allbrook House and library). This review of options also needed to take account of a large petition on the Danebury Avenue options and the views of the Roehampton Business Forum (RBF). This resulted in a wider range of options being developed which were the subject of a further, but delayed, round of consultation on the options for Sites D and E during September 2007. This report outlines the results of the recent consultation exercise and describes the initial outcome of an appraisal of the likely development costs and proceeds from sale for each of the options.

THE REGENERATION OPTIONS

5. The regeneration proposals cover four main sites. In previous reports, these have been detailed as Sites B, C, D and E. The existing uses are summarised below together with the potential regeneration options. Please note all flat sizes are approximate based on using a standard square metreage per flat.
6. **Site B – Boys’ Club, Housing and Police Office.** Redevelopment of the Roehampton Boys’ Club, Metropolitan Police Office and Housing Office for residential use, with office use at ground floor. This would result in a total of 34 new residential units, (19 – 1 bed; 9 – 2 bed; 6 – 3 bed), 410 square metres (m²) of office space and 64 car parking spaces.
7. **Site C – Co-op Block.** Refurbishment and extension of the Co-op and surgery block and residential accommodation above. This would give a total of 34 additional new residential units, (17 – 1 bed; 10 - 2 bed; 7 – 3 bed), 10 refurbished residential units, 565 m² of new commercial space and 320 m² of refurbished commercial space and 20 car parking spaces.
8. **Site D – Danebury Avenue. Option D1.** Refurbish the existing Danebury Avenue shops, flats and maisonettes, and the addition of a level of residential accommodation above. This would give a total of 16 additional residential units,

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- (5 – 1 bed; 6 – 2 bed; 5 – 3 bed), 37 refurbished residential units including 5 ground floor flats and some 400 m² of office space on the ground floor and 1,400 m² of refurbished commercial retail space.
9. **Site D – Danebury Avenue. Option D2.** Total demolition of the existing shops and residential accommodation and rebuilding to provide residential and retail accommodation with or without an underground car park. There would be 127 new residential units (70 – 1 bed; 25 – 2 bed; 32 – 3 bed), 2,597 m² of commercial space (including a supermarket) and 141 parking spaces. The consultant confirms that delivery vehicles should be able to access the new supermarket via Laverstoke Gardens, but this would in effect turn this part of Laverstoke Gardens into a service yard, rather part of the adopted highways. This would not be an ideal solution.
 10. **Site D – Danebury Avenue. Option D RBF.** Total demolition of the existing shops and residential accommodation and rebuilding to provide 100 new residential units (50 – 1 bed; 34 - 2 bed; 16 – 3 bed), 1,325 m² retail space and no parking spaces. This would also involve the widening of Holybourne Avenue between Danebury Avenue and Laverstoke Gardens (not shown on attached drawings). Since there would be no new supermarket provided as part of this option, the rear access arrangements would not result in Laverstoke Gardens becoming a rear service yard.
 11. **Site E - Allbrook House, library, car park and grass area. Option E1/1.** Refurbishment of the existing residential accommodation and provision of extra facilities, including 64 new residential units, (38 – 1 bed; 10 – 2 bed; 16– 3 bed); 1,490 m² commercial space, 1,180 m² of leisure space (library) and 144 parking spaces.
 12. **Site E - Allbrook House, library, car park and grass area. Option E3.** Total redevelopment of the site and rebuilding to provide 239 new residential units (131 – 1 bed; 48 – 2 bed; 60 – 3 bed), a supermarket and other retailing of 2,235 m², a library and other community facilities of 1,775 m² and an underground car park with 295 spaces.
 13. **Site E - Allbrook House, library, car park and grass area. Option E5.** Refurbishment of the existing accommodation and provision of extra facilities, including 64 residential units; (32 – 1 bed; 20 – 2 bed; 12 – 3 bed), 500m² of commercial space, 1,000 m² of office space and an underground car park with 132 spaces.
 14. **Site E - Allbrook House, library, car park and grass area. Option E RBF.** Total redevelopment of the site is proposed to give two new blocks to include 143 new residential units (100 – 1 bed; 16 – 2 bed; 27 – 3 bed), 5,009 m² of commercial retail space, including a supermarket, 730 m² leisure, and 224 car parking spaces.

15. All of the above options for Site E would require widening of the road access to the site currently shared with Harbridge Avenue or alternative means of access as yet not identified.

CONSULTATION EXERCISE SEPTEMBER 2007

16. This consultation comprised a questionnaire, newsletter and exhibition. The following analysis is based on the 345 questionnaires returned. It should be noted that whilst most respondents stated preferences for both Sites D and E, some only gave a preference for one site. The profile of the people returning questionnaires appears to be broadly representative of the population of Roehampton as a whole.

17. The preferences for the options for Site D were as follows:-

Site D Danebury Avenue Options	Preferences Sept 07	Preferences for nearest option 2006
Option D1 (Para 8)	112 (33%)	828 (68%)
Option D2 (Para 9)	80 (23%)	N/A
Option D RBF (Para 10)	152 (44%)	N/A

18. Preferences for Site E. The preferences for the options for Site E were as follows:-

Site E Allbrook House Options	Preferences Sept 07	Preferences for nearest option 2006
Option E1/1 (Para 11)	70 (20%)	427 (35%)
Option E3 (Para 12)	70 (20%)	604 (50%)
Option E5 (Para 13)	70 (20%)	N/A
Option E RBF. (Para 14)	134 (39%)	N/A

19. The ‘first past the post’ preferences during the second round of consultation are the two RBF options for Allbrook House and Danebury Avenue, which would both involve demolition. The 2007 response rate was much lower than for 2006, when a higher than anticipated response was received. There may be a number of reasons for the lower response, including the shorter time available for people to respond; some people may have taken the view that they had already given their views last year; and that the length of time being taken to decide what to do may have been interpreted by some to mean that the Council may not be fully committed to carrying out major improvements.

CURRENT PROGRESS ON STUDY OF VIABILITY

20. The Council’s valuation contractor, NAI Erinaceous, has undertaken an initial appraisal of the likely development costs and proceeds from sale of each of the above options. However, progress on this has stalled because of an issue with regard to the possible repayment of housing subsidy to the Department of Communities and Local Government (DCLG) if, as seems likely, it proves necessary to appropriate the sites concerned for planning purposes. These costs

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could be significant. Counsel has advocated appropriation for planning purposes as part of the overall redevelopment strategy (see Borough Solicitor's comments). In addition, the Council's external valuers have advised that any private sector development partner or lender would be likely to require the degree of reassurance which would result from an appropriation for planning purposes. Discussions are continuing with the DCLG on the subsidy issue with a view to minimising the potential impact on the Council.

21. However, this delay has enabled officers to critically examine a number of the redevelopment options with a view to establishing the feasibility in planning terms of the mix of options, in particular the bed room size mix on each site, as well as the mix and scale of the outline proposals on each site. In doing so, it has also enabled officers to discount some of the options for sites D and E. Option D1 and E3 are no longer considered viable. Option D1 (refurbishment) is not viable either economically or environmentally, as it is the basic layout of this block which is problematic. E3 has been rejected because of the size of the proposed new block on the green area which may well lead to difficulties in planning terms. The consultation exercise also indicated that local opinion is in favour of retaining this green space.
22. The remaining options are all potentially viable individually, but need to be further developed in terms of design and scale, as well as ensuring that there is an effective mix of dwelling units. In order to undertake this work, following a procurement exercise, it is proposed to appoint planning consultants to work up outline planning applications for all four sites. The planning consultants brief will also include a detailed traffic and access study to ensure that transport infrastructure requirements are fully met. The planning consultants will also be required to examine the environmental impact of each of the options. The cost of this can be met from previously set aside provisions within the renewals fund. It is envisaged that the report from the consultant will be available during the summer.

RELATED DEVELOPMENTS

23. Notwithstanding the Council's long-term proposals, the current leaseholders of the shops in Danebury Avenue are taking a degree of interest in developing the facilities they currently occupy. The Co-op has recently spent over £200,000 refurbishing their store. The Economic Development Officer has approved a request from the leaseholder of units 53-57 Danebury Avenue, for Town Centre Improvement Scheme grant and loan totaling £30,000 towards overall costs of £275,000 to create a 280 m² supermarket and a grant and loan totaling £30,000 towards improvements and the installation of a much-needed Automated Telling Machine at the Post Office at 31a Danebury Avenue, SW15 (Roehampton). In addition, the refurbished Roehampton Recreation Centre will re-open in early 2008.
24. In addition to the developments on the ground, the Council is also undertaking essential survey work and work on clarifying land ownership boundaries as well as

commencing discussions on lease variations with residents and businesses as previously approved by the Executive.

RELOCATION OPTIONS FOR COUNCIL FACILITIES

25. Whichever options are chosen, the Council will need to decide what happens to a number of existing local Council provided facilities. The Council currently has the following facilities located in the Danebury Avenue regeneration area:-
- (a) Housing office with Safer Neighbourhood Team (SNT) Police office adjoining at 39 Holybourne Avenue;
 - (b) Finance Department rent office in single shop unit;
 - (c) youth facility to the rear of 39 Holybourne Avenue;
 - (d) Roehampton Library; and
 - (e) Base youth facility in Danebury Avenue in two shop units.
26. It is assumed that all facilities will be replaced as part of the regeneration scheme. The service departments' preferred options are described below.
27. Housing office. The current footprint of the area, including the SNT office, is 393 m² of which about 90 m² is used by the Police. The Director of Housing has expressed a preference for being relocated into the wider Danebury Avenue area, including Portswood Place, SW15 (Roehampton). The Director of Housing has indicated that a new office area should amount to 475 m². This facility could include the rent office. The Police have indicated their wish to remain in a central location.
28. Youth facility. The youth facility at the rear of 39 Holybourne Avenue amounts to 491 m², including the area currently occupied by the supporters club, together with an external ball games area. The Director of Children's Services advises that it is not essential to replace the latter and that this facility and the Base youth facility should be kept separate. The estimated area required for any replacement facility would be 500 m², which would include the soon to be re-located Alton Youth Club. Ideally, the view of the Director of Children's Services is that both youth facilities should be within the regeneration area. However, there is unlikely to be enough space for this if the RBF option is selected. A location at Portswood Place/Minstead Gardens has been considered, but this is felt to be too far away.
29. Library. The Library currently occupies 537 m². The Director of Leisure and Amenity Services' preference is for the Library to be located within the regeneration area. However, co-location with the Base could be considered. The future space requirement amounts to 650 m² for a new library.
30. If the RBF options proceed, the Library could be located in the area identified on Site E. If the requirements of the Housing office can be reduced by 65 m² then they could be located at the base of the new development proposed for Site B (i.e. their current located) leaving no identified site for the youth facility. Alternately, if the

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Housing office were located elsewhere then the vacated space may be available for a youth facility but there has to be a significant question mark about the appropriateness of having such a facility, or the Housing office for that matter, at the base of a new block of residential accommodation.

31. If the D2 and E1 or E5 options are chosen, then the options with regard to the Housing office are as shown for the RBF option, whilst the Library and youth facility could be located within the area designated for leisure in Site E.
32. It is proposed that, as part of the planning consultancy work referred to in paragraph 22, the options for re-siting the Council facilities are given further consideration. This will involve full consultation with the departments concerned.
33. Primary care centre. In addition, the Primary Care Trust (PCT) has indicated its preference for the regeneration scheme to include a new primary care centre, as part replacement for the existing surgery which would need to be acquired for the Site C development option. The PCT and a local GP have been shown the Council-owned site at 190 Roehampton Lane which is immediately adjacent to Site E (Allbrook House). This site is potentially surplus to the Council's operational needs and would be of interest to the PCT. A more detailed specification and costs are being worked up, although where the funds come from is, as yet, uncertain. Depending on their space requirements, this site might also be large enough to accommodate other services displaced from the centre of Roehampton.
34. The Roehampton regeneration initiative impacts upon a wide range of Council services and the views of service directors, as well as the planning, property and legal professionals have been sought. Their comments are as included below.

COMMENTS OF DIRECTOR OF HOUSING

35. The report indicates that there are effectively five choices of scheme open to the Council. However, two of these options, refurbishment of the existing blocks or taking no positive action, appear less viable.
36. Refurbishment along the lines of what has been achieved, for example on the Arndale Estate, SW18 (Southfields) or St James's Grove, SW11 (Latchmere) would be likely to include window renewal, over cladding and roof renewal. However, there are no works of this nature currently programmed or believed to be necessary on purely technical grounds as the blocks are in a good condition of repair. The windows to the shop blocks were last renewed/double glazed in 1988 and have been maintained since that date, the last significant maintenance having been carried out in 2002 as part of an external decoration and repair contract. In respect of Allbrook House, the rear windows were replaced in 1988 and again were maintained as part of an external decorations contract in 2002, although the front windows to the block were not renewed as they are all on protected balconies and in good condition. A further cycle of external decorations is not proposed until 2015/16.

37. The option of doing nothing is not one that the Director of Housing would support. This stage in the process has been reached because it is clear that the area needs to be substantially improved. The Director of Housing remains of the view that the successful regeneration of the area is most likely to be achieved through measures that comprehensively address the residential and commercial arrangements in Danebury Avenue which are managed in a way that does not inadvertently disenfranchise the local community and instead increases employment and training opportunities for residents living in the locality.

COMMENTS OF DIRECTOR OF CHILDREN'S SERVICES

38. Following the review of Wandsworth Youth Services, the Executive agreed on 22nd January 2007 to rationalise provision on the Alton Estate by merging the Alton youth club with the Roehampton Boys' Club. The resulting mix will become the main youth centre alongside the Base. The junior and senior Youth Inclusion Projects will also operate from the same building. It is planned to close Alton Youth Club, which serves only a discrete part of the Alton Estate, and move some of its youth provision into the Roehampton Boys' Club which is more conveniently situated in a local high street i.e., Danebury Avenue. In relocating the Roehampton Boys' Club, a similar high street location would be desirable. The Connexions Base would be required as a separate facility within the regeneration area.
39. Some of the options involve the provision of significant amounts of additional accommodation. If these new housing units were occupied with families with children of school age there could be a need for additional school places in the area. Depending on the amount of new family accommodation provided in the selected option. These costs would need to be included in any financial appraisal.

COMMENTS OF DIRECTOR OF LEISURE AND AMENITY SERVICES

40. The Director of Leisure and Amenity Services comments that the Roehampton regeneration proposals provide an opportunity to develop a new library and learning centre in the area. The proposals for the development of a new library in its current location, Site E, are in line with what is considered to be an essential criterion, i.e. that any new library should be in a central location. It is also considered desirable that any new library is co-located with shops and other community facilities to encourage use by the whole community. The new library should included a social space for local meetings, activities and events as well as providing the traditional range of services such as books, information, computers and learning. The space requirement for a neighbourhood library accommodating this range of services would be in the order of 650 m2.

COMMENTS OF DIRECTOR OF TECHNICAL SERVICES

41. The proposed replacement of existing buildings with new residential accommodation and new shopping, library and community facilities is broadly

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consistent with planning policy. The principle of regenerating Roehampton local centre through the development of these sites has been included as emerging policy in the draft Core Strategy of the Local Development Framework. This will need to be fleshed out further before submission of the Core Strategy to the Secretary of State in Summer 2008.

42. Planning policy protects existing retail uses and community premises. The Danebury Avenue shops are a protected retail core frontage, and it would be necessary to demonstrate that the proposals represent an overall enhancement of the facilities, services and retail opportunities within the local centre. It is assumed that the overall package would enable the library and existing community uses to be satisfactorily relocated.
43. New housing should meet Unitary Development Plan standards and will be considered in the context of the density matrix in the London Plan. Amenity space provision will be particularly important for family sized units but a lower standard may be possible for non-family units. Care will be necessary to ensure that the proposed new buildings will not have a harmful impact on the amenities of existing residents. In particular, special attention will need to be paid to the height, bulk and arrangement of buildings on Site E in order to respect the amenities of properties in Harbridge Avenue, Kingsclere Close and Danebury Avenue. Similar care will also be required in respect of new buildings or additions on Site D and their impact on property in Laverstoke Gardens.
44. None of the buildings are listed or within a conservation area. Nevertheless, the impact of development on the character and appearance of the adjoining Alton and Roehampton Village Conservation Areas will be a consideration. This is likely to be less of a problem for the smaller sites (B, C and D) but could be more difficult for the larger redevelopment of Site E, where significant changes are proposed along with the development of a high, landmark building. English Heritage (EH) would need to be consulted on this aspect. Any high building would need to meet EH and Commission for Architecture and the Built Environment guidance and the architectural design would be expected to be of a high standard.
45. Parking provision will be an issue since Roehampton is not an area well served by public transport. Off street parking should be provided for new residential units, although some reduction in provision could be considered if a green travel plan can be devised. There should be a management plan for car parking associated with supermarket proposals, where this is also expected to meet residents' needs as well.
46. The indicative drawings so far produced for these sites suggest a number of issues that will need to be resolved, including the standards of residential amenity that can be achieved (including outdoor space), the impact of development on neighbouring sites (particularly proposals for the Allbrook House site), the quality of public spaces that would be provided, whether the amount of car parking proposed is adequate given the relatively low public transport accessibility of the area, management of the parking and its allocation between residents, shoppers and other

visitors as well as the possible introduction of a controlled parking zone in the surrounding area, the cumulative effect of traffic associated with each site and highway improvements that may be necessary to accommodate the developments and/or to address existing congestion in the immediate area. These considerations may reduce the number of dwellings or floorspace that can be achieved.

47. An outline planning application(s) for these sites would need to include details of the quantum of development, layout, height and massing of buildings, and access, and would need to be accompanied by a Design and Access Statement. Traffic and, probably, retail impact studies would also be needed. Proposals for the sites will need to be considered together because of the cumulative impact on traffic and other infrastructure and the local environment.
48. The current thresholds for referral of planning applications to the Mayor include 500 dwellings, 15,000 m² of non-residential or mixed development, 200 car parking spaces in association with non-residential development, and buildings over 30 metres in height. Applications which are considered to form part of a more substantial development on adjoining land are also referable. The threshold is expected to be reduced to 150 dwellings with effect from 6th April 2008, at which time the Mayor would gain the power to “call in” referable applications to determine himself. Transport for London (TfL) will need to be consulted in view of the potential traffic impact on the junction with Roehampton Lane. Any highway or traffic improvements at the junction of Roehampton Lane and Danebury Avenue will need to be agreed with TfL and funded by the development.
49. The involvement of the Mayor introduces a significant degree of uncertainty with regard to the amount of affordable housing, dwelling sizes and tenure. While there is clearly a regeneration case for introducing more home ownership into the area, the Mayor may well insist on a large element of rented family sized accommodation. The highest standards of sustainable construction will also be required, with incorporation of renewable energy.
50. Regarding vehicular access, since Danebury Avenue is effectively a cul de sac, officers have undertaken a feasibility study to determine the effect of opening the barrier located in Danebury Avenue outside The Alton School. The barrier was installed in 1987, in conjunction with a similar barrier in Highcliffe Drive, in response to concerns regarding rat-running traffic through the Estate. Considerations will include ‘peak’ hour ‘NO ENTRY’ restrictions to vehicles enforced by Closed Circuit Television.
51. If the conclusion of the feasibility study were to permit traffic flow by removing this barrier then a statutory and public consultation exercise would be necessary to confirm the required amendments to the existing traffic order for the barrier.

COMMENTS OF BOROUGH VALUER AND ESTATES SURVEYOR

52. For Site C, terms have been agreed, subject to contract, for the renewal of the lease to the Co-operative Group (CWS) Ltd. of 1-9 Danebury Avenue for a term expiring on 24th March 2015. A provision of the proposed lease is that the tenant will within six months of the lease being granted spend at least £200,000 on refitting the store.
53. Opportunity costs. Values of the following groups of real estate assets owned by the Council have not been reflected in the assessments of viability to a developer that are referred to in paragraphs 21 and 22 of this report:-
- (a) the Council's residential properties that are currently let but for which the Council would have obtained vacant possession prior to selling them on to a selected developer for demolition;
 - (b) the Council's reversionary interests in commercial premises that are let, assessed by capitalising the rental income; and
 - (c) any Council's operational property that it is not proposed to be replaced assessed on the basis of market value with vacant possession.
54. The total value of these assets as at November 2007 is estimated as follows:-

Site	Value £	Details
B	Minimal	Supporters' club
C	1,930,000	Flats & shop that are currently let
D	5,630,000	Rent office and flats & shops that are currently let
E	6,720,000	Flats that are currently let

55. Short-term dereliction. If existing properties were to be redeveloped, the Council (or its nominated developer) would have to acquire various subsidiary property interests. In view of the number of these interests, a compulsory purchase order (CPO) would be necessary to ensure that all relevant interests could be acquired. However, efforts should be made by the Council and/or developer to buy as many of these interests as possible by negotiation prior to confirmation of a CPO. The question arises about the interim management of the properties that are acquired in advance of securing compulsory purchaser powers. There is in practice little prospect of short-term letting of non-residential units prior to demolition; so piecemeal acquisitions by agreement would be followed by a period of random boarding-up and a growing sense of dereliction.
56. Procurement. Erinaceous advise that they consider it appropriate for a developer or developers to be selected using the Public Private Partnership (PPP). This may or may not be the case depending on which options the Council selects for redevelopment. If the Council agrees to more modest proposals then the PPP may not be as appropriate as a land sale coupled with a development agreement. The latter method of procurement is being successfully used to develop the infill sites at

St. James's Grove and is proposed for the Woking Close, SW15 (Roehampton) retirement homes project.

57. All the financial appraisals depend on the extent and accuracy of the underlying market evidence then available. There are likely to be significant unpredictable movements in the market during a lengthy development process. There is risk for the Council in as far as it invests in preparatory work and property acquisition without an indemnity from a developer of good covenant.

COMMENTS OF THE BOROUGH SOLICITOR

58. Title reports have been produced in respect of each of the option sites, together with official register copies and title plans from the Land Registry. As expected, these reports show the presence of a considerable number of leasehold interests, restrictive covenants and other encumbrances affecting each of the sites. Following the necessary exercise to enable a comparison of the documentary title with the actual proposals and what is "on the ground", it may prove possible effectively to discount some of the encumbrances. However, in relation to those encumbrances which cannot be discounted, in order to proceed with the regeneration proposals and to the extent that appropriation for planning purposes is not possible or effective (see below), it will be necessary to address and, where applicable, acquire or extinguish third party rights and encumbrances, including, amongst other things, leases, easements and various covenants; for example by agreement, or application to the Lands Tribunal, or compulsory purchase; in some cases it may be necessary to effect restrictive covenant indemnity insurance. Topographical site surveys are being commissioned by the Borough Valuer and Estates Surveyor; and composite title/development plans for each of the option sites are to be prepared to enable the comparison mentioned above and to identify any undocumented legal rights or encumbrances (e.g. prescriptive or "Section 62" easements). The Head of Engineering Services has also identified a number of highways (principally unadopted footpaths) which pass over the option sites; these would require stopping-up or diversion orders to be made/obtained, insofar as these highways would be obstructed (e.g. "built on") by the regeneration scheme.
59. Since the last report on this issue, Counsel's opinion has been received concerning overall strategy and, in particular, legal issues concerning appropriation for planning purposes and compulsory purchase. Set out below is a summary of Counsel's recommendations, in terms of the main steps which, at this stage, he considers should be taken in order to progress the redevelopment scheme effectively and lawfully:-
- (a) a detailed planning scheme should be drawn up for the various sites to be redeveloped;
 - (b) the Council should seek to negotiate the acquisition of relevant leasehold interests, on a voluntary basis (also any other third party rights and encumbrances, as necessary, including restrictive covenants, freehold easements, etc.);

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- (c) the Council should seek to negotiate necessary variations to the “non-derogation” residential leases (“leaseholders’ rights”);
 - (d) following the grant of planning permission, the Council should consider and, if properly justifiable on the statutory grounds and subject to (e) and (f) below, appropriate the option sites for planning purposes (by resolution of the Executive);
 - (e) the Council’s intention to appropriate the option sites should be advertised and any objections considered (because parts of the sites may consist of “open space” land within the statutory definition);
 - (f) the Council should apply to the Secretary of State for consent to appropriate the option sites out of housing purposes (required in respect of any housing land over which leaseholders’ or other similar rights exist);
 - (g) if unable voluntarily to acquire the leasehold interests as mentioned in (b) above, the Council should consider promoting a compulsory purchase order under Town and Country Planning powers; and
 - (h) if, pending a promised change in the law concerning appropriation (essentially to make it more effective, following certain problematic case law) the Council is unable to secure an agreement with a suitable private sector partner, the Council should consider delaying any appropriation for planning purposes until after a change in the law has been enacted; or consider seeking a declaration of the High Court as to the legal effect of appropriation in this particular case, based on the present unamended law.
60. As noted in previous committee reports, subject to certain limitations and the satisfaction of certain conditions, appropriation for planning purposes authorises interference with some categories of legal rights (principally rights of way, to roam, use facilities, to park and other legal easements) subject to a requirement for the Council to pay compensation in line with the compulsory purchase code. The main significance of this is that someone whose rights were interfered with (e.g. a leaseholder) would be able to claim limited compensation but would not, for example, be able to obtain an injunction to stop the development from proceeding. Especially in light of the eventual final position taken by the DCLG (see paragraph 20 above and the comments of the Director of Finance) issues around appropriation can be considered further, including obtaining any necessary further advice from Counsel.

OVERVIEW

61. Roehampton has not shared the success of the rest of the Borough. Despite expenditure of over £20 million as part of the Roehampton Regeneration Framework over the last five years, Roehampton remains the second most deprived ward in the Borough, after Latchmere. Major investment is required to tackle the deep-seated deprivation in Roehampton. The options for regenerating the centre of Roehampton would contribute towards some aspects of deprivation by providing more housing and a wider housing mix, more jobs in new shops, including a new supermarket, and better recreation and leisure facilities.

Regenerated centre for Roehampton

62. Bringing in a new supermarket is a tried and tested solution to regenerating an area. It would act as a catalyst for regeneration. Although originally opposed by some, a supermarket should form an anchor to the regeneration plans. The trade generated by the supermarket would be helpful in generating increased footfall and attracting and retaining other small traders, although it is recognised that some existing businesses may be adversely affected. A supermarket and new shops on the Site E (Allbrook House) is likely to be more attractive to shoppers from a wider area than just the Estate. A supermarket in Site D (Danebury Avenue) is likely to be less attractive to a wider catchment area and result in Laverstoke Gardens becoming a service yard.
63. A new development on the Site E (Allbrook House) would also be attractive for the sort of leisure and community services that should be part of a 'centre' – e.g. the Library. The development on this site would also be flexible enough to include a much-needed (and well-managed) café/bar/restaurant to stop the downward spiral of such facilities in the area and attract more people to use the centre of Roehampton for a variety of leisure as well as shopping activities.
64. The regeneration of Roehampton depends on a wider range of housing being made available to fill the gap between the many social houses and expensive houses in Roehampton ward. More affordable and middle market housing needs to be provided to create a better balanced community.
65. However, to be successful, the design of the regeneration scheme for all four sites does need to be of a good quality, design out crime, work in terms of access and parking, be acceptable to the residents and businesses in the area, and be compatible with each other. For example, this would tend to suggest that building on the green space should not be pursued (E3); that the plans need to be complemented by other action to ease congestion at the junction of Danebury Avenue and Roehampton Lane (e.g. by allowing limited access through the barrier out of peak hours at the end of Danebury Avenue); and further detailed design is required to work through all the implications. Preparing and submitting an outline planning application would provide answers to these planning, access and design issues.
66. If feasible in planning terms, the remaining rebuild options for Sites D and E are likely to have a greater regenerative benefits, building on the more limited development potential for Sites B and C. The latter sites can be developed earlier and so build on the regenerative momentum created by the new Recreation Centre.
67. The key decisions are in respect of the Danebury Avenue and Allbrook House sites. The Danebury Avenue block represents the site in most need of action, as indicated by the Director of Housing. Allbrook House is the site which offers the greatest potential to attract new investment and uses that would contribute to the regeneration of the wider area. Further detailed work is required on the options before a final decision can be made on these remaining options, but excluding Options D1 and E3.

COMMENTS OF DIRECTOR OF FINANCE

68. The final costs of the regeneration options are at this stage uncertain. The appointment of planning consultants and site survey costs can be met from provisions within the Renewals Fund. When any further information is obtained regarding the appropriation of land for planning purposes after discussions with DCLG, this will be detailed in a later report to this Committee and Executive, as will any further financial implications surrounding the remaining options.

CONCLUSION

69. The issue with regard to the costs of appropriating land should that be required is unfortunate and need to be resolved before any final scheme is decided upon. However, the appointment of planning consultants to work up schemes will minimise any delay whilst the issue is resolved with the DCLG.

The Town Hall,
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MIKE BROOK
Economic Development Officer

21st December 2007

Background Papers

The following background papers were used in the preparation of this report:-

1. Stages 1, 2 and 3 reports prepared by Urban Initiatives, October 2006, January 2007 and November 2007. Available from Mike Brook, telephone 020 8871 6202, email: mbrook@wandsworth.gov.uk.

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executive and the full Council can be viewed on the Council's website (www.wandsworth.gov.uk/moderngov) unless the report was published before May 2001, in which case the Committee Secretary, Mr. M. Newton (020 8871 6006); email: mnewton@wandsworth.gov.uk can supply it if required.