

THE LONDON BOROUGH OF SOUTHWARK

**TOWN AND COUNTRY PLANNING ACT 1990
AND ACQUISITION OF LAND ACT 1981**

Revised Inquiry into

**THE LONDON BOROUGH OF SOUTHWARK
(AYLESBURY ESTATE SITES 1B-1C)**

COMPULSORY PURCHASE ORDER 2014

PINS REFERENCE: NPCU/CPO/A5840/74092

**Proof of Evidence of
Anna Minton - MA Oxon
For the Aylesbury Leaseholders Group**

1st December 2017

1. Introduction

I am a writer, journalist and academic. Since September 2013 I have been Reader in Architecture at the University of East London where I am Programme Leader on the post graduate MRes in Architecture. I am the author of *Ground Control: Fear and happiness in the 21st century city*, published by Penguin in 2009 and *Big Capital: Who is London for*, published by Penguin in 2017. Between 2011-14, I was the Royal Commission for the Great Exhibition of 1851 Fellow in the Built Environment. In my capacity as a writer and academic I have been asked to give evidence to the Greater London Authority Regeneration Committee, Haringey Council's Scrutiny Panel and Urban Design London. I appear regularly on television and radio and I am Chair of Trustees of mental health charity, Lambeth & Southwark MIND. I have more than 20 years experience of writing about housing, planning and urban policy and am a regular contributor to the Guardian and former staffer on the Financial Times, where I covered the housebuilding industry. After a decade in journalism, I turned my attention to more in depth research for policy organisations, including the Joseph Rowntree Foundation, Shelter, Demos and the Royal Institution for Chartered Surveyors (RICS).

In my evidence I am going to speak to the following three items of the inspector's pre-inquiry meeting (PIM) list of 'Tests to be applied to the Compulsory Purchase Order':

- *Whether there is a compelling case for acquisition in the public interest*
- *Whether the purposes of the order justify interfering with human rights of those with an interest in the land*
- *Whether the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.*

My evidence is contained in this main proof and a separate volume of appendices comprising:

- AM1; Knock it Down or Do it Up? The challenge of estate regeneration. London Assembly 2015
- AM2: Screenshot of Elephant Park properties advertised on Rightmove, 7.12.17

- AM3; Faulty Towers: Understanding the impact of overseas corruption on the London property market. Transparency International 2017
- AM4; Displacement maps, produced by Southwark Notes, 35 per cent campaign, Just Space, University of Leicester and reproduced in Big Capital: Who is London for? (Penguin 2017)
- AM5: Screenshot from property website Zoopla, December 5th 2017
- AM6: Tenure diagram for site 7 planning consent (12/AP/2332)

2. Human Rights

2.1 My research for Big Capital investigated the experience of residents of the Heygate Estate, which was demolished in 2014. It has been replaced by Elephant Park, a development by Lendlease, the Australian developer, which now stands on the site. I looked at the Heygate/Elephant Park site, because it is further forward than many estate regeneration schemes currently in the pipeline in London and as such sheds light on what might be expected for areas which undergo estate regeneration.

2.2 Estate regeneration tends to involve large scale demolition of former council estates, replaced by developments of private apartments, with a percentage of affordable housing; it must be noted that the government definition of 'affordable housing' has been changed to mean up to 80 per cent of market rent or market value and starter homes for up to £450,000. While more homes are built overall, the new developments include significantly decreased amounts of social housing. There is widespread evidence that the leaseholders on estates subject to demolition, who purchased their own properties as a consequence of the policy of Right to Buy, have received substantially below market value compensation for their properties. The reduced numbers of homes for people on lower incomes on developments subject to estate regeneration is borne out by a report published by the London Assembly, entitled 'Knock it Down or Do it Up? The Challenge of Estate Regeneration', which found that between 2005-15 around 30,000 homes were subject to estate regeneration schemes which almost doubled the number of homes and increased the number of private homes tenfold but entailed a net loss of 8,000 social homes. (Appendix One)

2.3 The Heygate originally housed more than 3,000 people in 1,214 homes. Of the 2,704 new homes at Elephant Park, only 82 are for social rent and initial promises to rehouse 500 Heygate households on the redeveloped site were not honoured. In December 2017 a two bedroom property at Elephant Park ranged in price between £890,000 to over £1 million (Appendix Two); given the current definition of affordable housing this places the properties out of reach not only to those on lower but middle incomes. In the first phase 100 % of properties in an entire block were sold to foreign investors, according to a report by Transparency International. (**AM3**)

2.4 The displacement of Heygate residents is shown by the two maps in Appendix Four. While many tenants have left the immediate area, they have largely been rehoused within the borough, placing greater pressure on council waiting lists. Leaseholders have been particularly hard hit with many having to move out of London as the compensation home owners received as a result of Compulsory Purchase averaged £107,230 for a two bedroom flat. Former Heygate home owners now live in Orpington, Sevenoaks, Thurrock and Rochester. Big Capital includes an interview I carried out with a retired couple who had lived on the Heygate for 34 years and who purchased their property under Right to Buy. Both have suffered serious mental and physical health problems as a result of their move to Sidcup including severe depression.

2.5 The Heygate/Elephant Park is 12 minutes walk from the Aylesbury Estate and also falls under the jurisdiction of Southwark Council. Leaseholders on the Aylesbury have been offered similar valuations by the Council for their properties to those realized on the Heygate, with Freedom of Information requests revealing that nearly 40 properties on the Aylesbury were purchased by Southwark Council for less than £100,000. Beverley Robinson, one of the witnesses in this Public Inquiry, was offered £110,000 by the council for her two bedroom property in 2010, subsequently revalued at £117,000. In 2014 she received a revised offer of £187,000. By contrast in December 2017 a two bedroom flat in Arments Court, which is part of Aylesbury Phase 1a - the first completed phase of the Aylesbury, had a market value of £602,000 in December 2017 (Appendix Four) according to the property website Zoopla. Every estate regeneration scheme is different and the breakdown of different housing tenures on the newly built phases of the Aylesbury does not correlate exactly with Elephant Park, as there is more social rented housing on Aylesbury phase 1a and the phases planned. Nonetheless, the similarities between the property values offered to Heygate and Aylesbury leaseholders compared to property

prices on the regenerated developments ensure the comparison is relevant. Big Capital cited the importance of Article 8 of the European Convention on Human Rights, which protects a person's 'right to respect for his private and family life'. It is the contention of this witness statement that the human rights of leaseholders on both of these estates are in breach.

3. Well-being

3.1 In their 2016 study, *Housing the Mind*, psychiatrists Dr Ciaran Abbey and Dr T B S Balamuri, emphasise the importance of secure housing to mental health, stating that "the association between the lack of a stable home and mental health is clear." (Appendix five) The report describes how security of tenure feeds into an individual's general sense of security and how rights of tenure or ownership have a positive effect on well-being. The study reveals housing and mental health are so fundamentally linked that housing crises increase suicide rates and psychiatric morbidity.

3.2 In my role as Chair of Trustees of Lameth & Southwark MIND, I am keenly aware of the link between housing insecurity and poor mental health. The evidence of the mental health impacts suffered by residents who have been displaced to other parts of London or out of the city altogether as a result of estate regeneration is largely qualitative and anecdotal as the essential longitudinal studies tracking the fortunes of a cohort of displaced residents do not yet exist. The ESRC funded research project into the impacts of Gentrification, Displacement and Council Estate Renewal led by my fellow witness Loretta Lees is seeking to fill this gap. To date, my qualitative research on the Heygate and on regeneration schemes in other parts of the country shows that the mental health impacts on displacement are overwhelming.

4. Tenure mix/distribution

4.1 The Aylesbury Area Action Plan committed to a 'tenure blind' distribution of tenures across the development. Section 3.3.7 of the Action Plan states that "*to help ensure that the new neighbourhood contributes to community cohesion all*

new homes should be tenure blind – ie. it should not be possible to distinguish between affordable and private homes from their external appearance.”

4.2 The AAAP goes on to require that:

“All developments blocks should seek to provide the tenure mix which is appropriate for the proposals site in which the block is located, as set out in policy BH3, unless it can be demonstrated that this is not possible through an open-book financial appraisal.” (Paragraph 3.3.8)

4.3 This is in keeping with the mixed communities approach promoted by the Department for Communities & Local Government and referred to by my fellow expert witness, Professor Loretta Lees.

4.4 In her evidence Ms Lees also shows how the AAAP requirement for each block to provide the same tenure split that is required for the phase it is in, has not been complied with in respect of phase 1a and the FDS.

4.5 I have discovered that the same failure to comply with the AAAP’s tenure distribution requirements has occurred on site 7 – the most recent phase of the scheme to be completed.

4.6 The tenure diagram (AM6) submitted in conjunction with the planning consent for site 7 (ref:12/AP/2332) shows that only one of the blocks in the whole phase has a mix of tenures; all other blocks are entirely mono-tenure.

4.7 Further, the one block which is mixed tenure (the 7 storey block fronting Thurlow St) has separate entrances for the separate tenures.

4.8 This goes against one of the principal reasons given for the need for the compulsory purchase order; to create a more mixed community.

4.9 A total of 59 family size Aylesbury estate homes were demolished in order to build the new homes on site 7. These 59 homes were a mix of council homes and leaseholders (approx 20%) spread out and evenly pepper potted in the blocks. The replacement blocks are entirely single tenure with not one social rent or intermediate household sharing an entrance with a private tenure household. It follows that the scheme - as it is currently being implemented - is creating a less mixed community.

Conclusion

5.0 The scheme's failure to comply with the AAAP objective of creating a more mixed community, arguably means that the well-being test is not satisfied; i.e. confirmation of the order will not lead to the social and environmental benefits envisaged by the development plan. For this reason and for the human rights reasons outlined above, I submit that the compulsory purchase order should not be confirmed.

Appendices

AM1:

Knock it Down or Do it Up? The challenge of estate regeneration. London Assembly 2015

<http://ouraylesbury.org/cpo/AM1.pdf>

AM2:

Screenshot of Elephant Park properties advertised on Rightmove, 7.12.17

rightmove.co.uk

Buy Rent Find Agent House Prices Commercial Overseas Sign In

Elephant Park, Elephant and Castle. Prices from £750,000

For your opportunity to view please contact our sales team on: 020 3675 9955 or welcomehome@lendlease.com

12 PHOTOS

Wood? Or Orchard? Which would you rather come home to?

West Grove is the second exciting chapter of Elephant Park and comprises suites, one, two and three bedroom homes set around two unique, landscaped courtyards – one a lush, woodland grove, the other, a light, bright, English Orchard.

The stunning new homes will be conveniently located above new high street stores on Walworth Road, and independent, artisan shops on the new central shopping street. West Grove will also be ideally located to enjoy the brand

new park that Lend Lease are creating at the heart of the development.

All homes will benefit from their own private terrace or balcony, with shared amenity space including a play space and grow gardens. Designed to exceed Level 4 of the Code for Sustainable Homes, the homes will showcase the latest sustainable building practices and innovations, including water saving features and will be approximately 30% more energy efficient than current regulations require. They will also feature a strong focus on urban nature with green roofs and green walls as part of a biodiverse landscape.

PROPERTIES ON THE ELEPHANT PARK DEVELOPMENT

Property Type	Leasehold Price	Status
2 bedroom apartment	£890,400	JUST LAUNCHED
2 bedroom apartment	£1,010,000	JUST LAUNCHED
3 bedroom town house	£1,495,000	JUST LAUNCHED

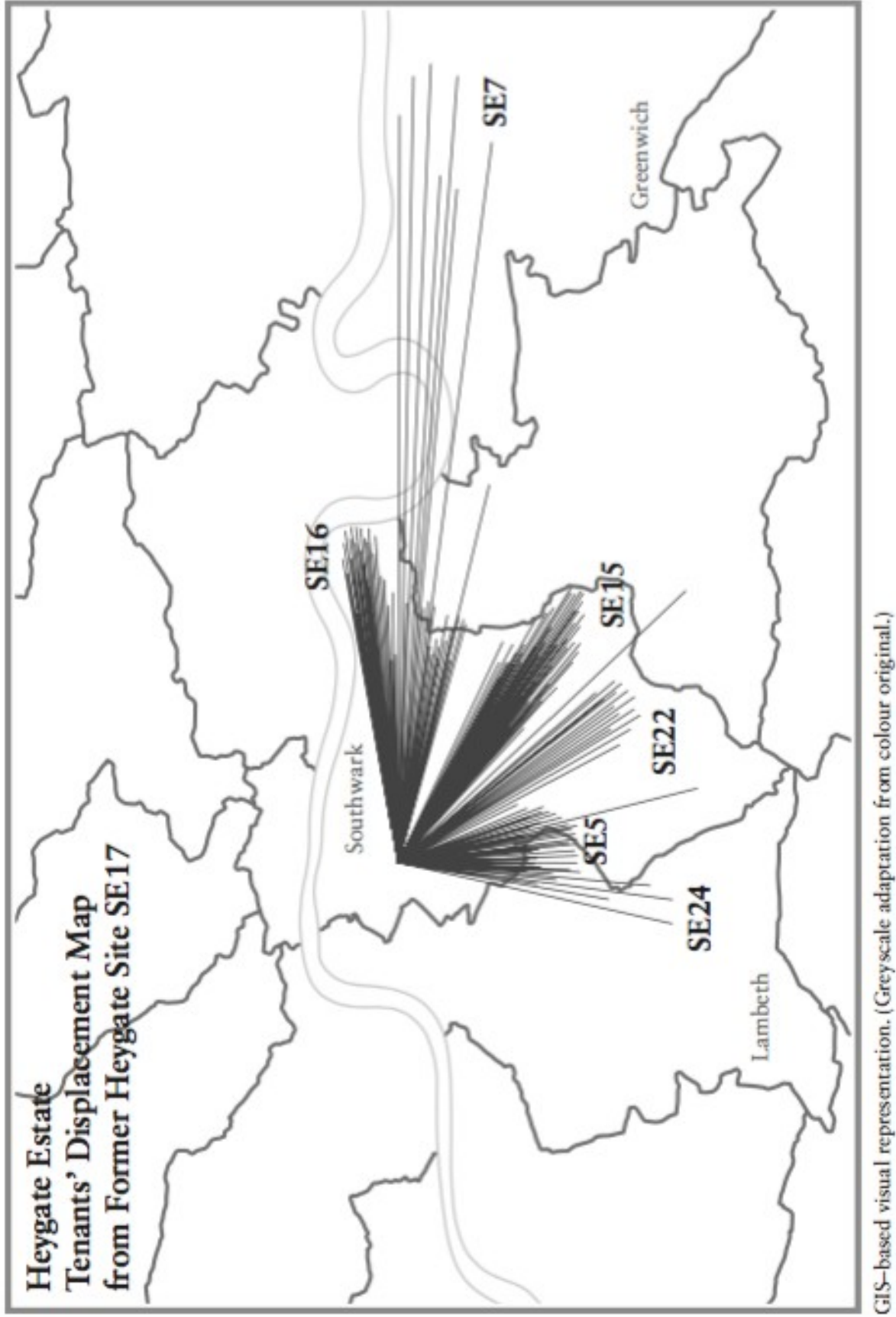
AM3:

Faulty Towers: Understanding the impact of overseas corruption on the London property market. Transparency International 2017

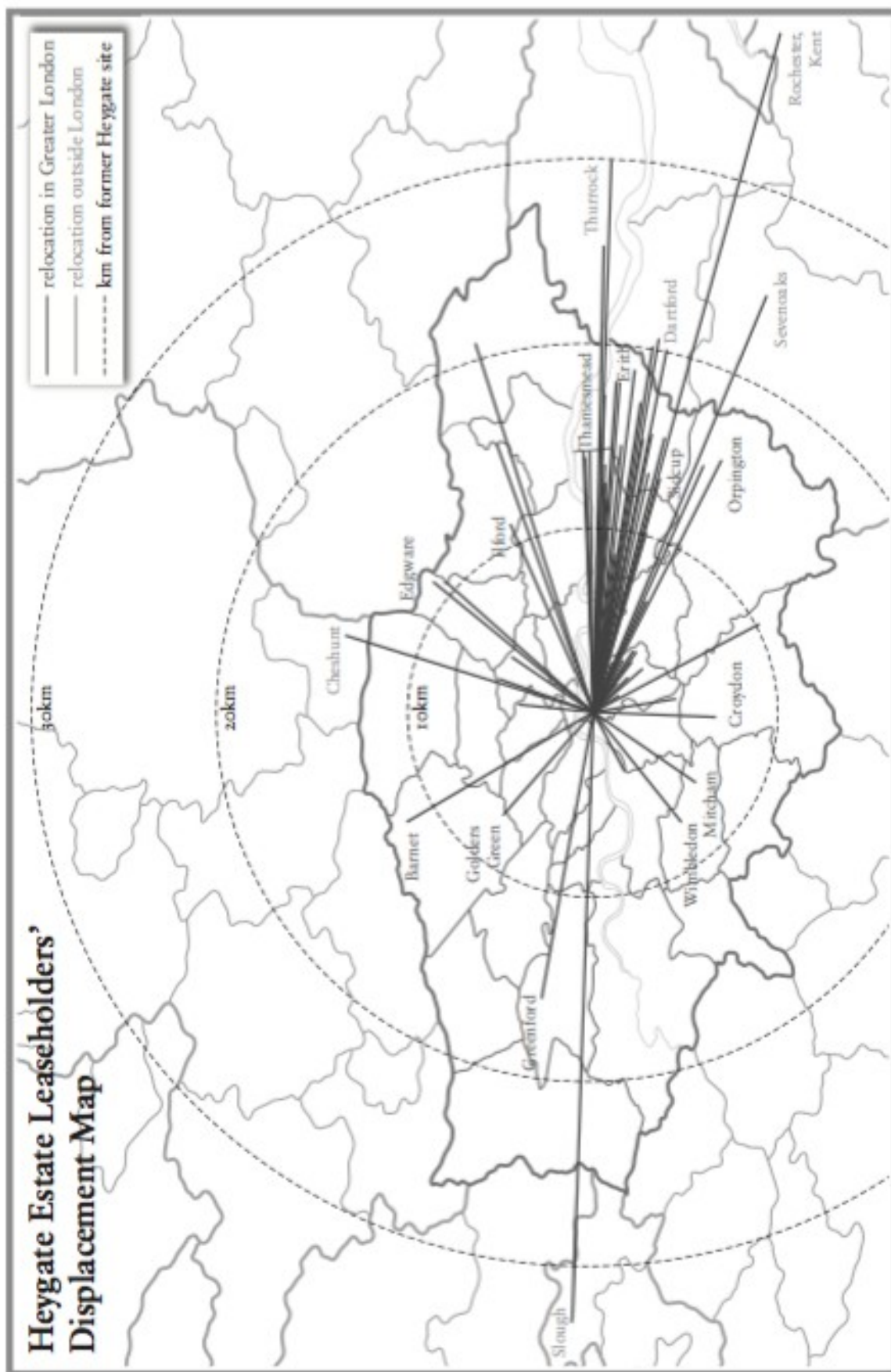
<http://www.transparency.org.uk/publications/faulty-towers-understanding-the-impact-of-overseas-corruption-on-the-london-property-market/#.Wi6R6lKca8U>

AM4:

Displacement maps, produced by Southwark Notes, 35 per cent campaign, Just Space, University of Leicester and reproduced in Big Capital: Who is London for? (Penguin 2017)



Heygate Estate Leaseholders' Displacement Map



GIS-based visual representation. (Greyscale adaptation from colour original.)

AM5:

Screenshot from property website Zoopla, December 5th 2017

Zoopla

[For sale](#)[To rent](#)[House prices](#)[New homes](#)[Commercial](#)[Overseas](#)[Investment](#)

[Zoopla](#) > [House prices](#) > [London](#) > [South London](#) > [Camberwell](#) > [Flat 47, Arments Court, 392 Albany Road house price](#)

Property details for Flat 47, Arments Court, 392 Albany Road, London SE5 0DF

Flat, Leasehold, 2 Beds, 2 Baths, 1 Recep - [Edit](#)

Zoopla Estimate: £602,000 [?](#)

[▶ Check your credit score](#)

Do you own this home? You can edit the property details, enter your own value estimate and check if you could get a cheaper mortgage deal.

Value data/graphs [Estimate feedback](#) [?](#)

Zoopla Estimate [?](#)

£602,000

[▶ Refine estimate](#)

Value change

9,250 (-1.5%)

from [↕](#)

Rental value [?](#)

£2,150 pcm

Confidence level [?](#)

Low Med High

Value range [?](#)

£578,000 - £625,000

Rental range [?](#)

£1,900 - £2,350 pcm

AM6:

Tenure Diagram for site 7 from planning consent (12/AP/2332)

<http://ouraylesbury.org/cpo/AM6.pdf>