

**THE ROYAL BOROUGH OF GREENWICH**

**SECTIONS 226 (1)(a) AND 226(3)(a) OF THE TOWN AND COUNTRY PLANNING ACT 1990**

**AND**

**SECTION 13 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

**AND**

**THE ACQUISITION OF LAND ACT 1981**

**THE ROYAL BOROUGH OF GREENWICH (WOOLWICH EXCHANGE) COMPULSORY  
PURCHASE ORDER 2022**

**STATEMENT OF CASE**

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## 1 INTRODUCTION

- 1.1 On 22 April 2022 the Royal Borough of Greenwich (“**the Council / the Acquiring Authority**”) made the Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022 (“**the Order**”) pursuant to sections 226(1)(a) and 226(3)(a) of the Town and Country Planning Act 1990 (“**the 1990 Act**”), the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981. The Order was made subsequent to the Council’s Cabinet resolving to make the Order on 23 March 2022.
- 1.2 The Order has been submitted to the Secretary of State for Levelling Up, Housing and Communities (“**the Secretary of State**”) for confirmation.
- 1.3 This document is the Statement of Case for the Order, the purpose of which is to justify and clearly set out the reasons for making the Order, and to respond to the objections made to the Order (“**the Objections**”). This Statement of Case has been prepared in compliance with the Ministry of Levelling Up, Housing and Communities’ Guidance on Compulsory Purchase Process and The Crichel Down Rules (July 2019) as updated by the Coronavirus (COVID-19): compulsory purchase guidance (July 2021) (“**the CPO Guidance**”).
- 1.4 This Statement of Case is a statement under Rule 7 of the Compulsory Purchase by Non-ministerial Acquiring Authorities (Inquiries Procedure) Rules 2007 and the Acquiring Authority reserves the right to alter or expand it as necessary for the purposes of Rule 7.
- 1.5 In this document the land included within the Order is referred to as “**the Order Land**”.
- 1.6 Woolwich has long been identified as an area in need of improvement and regeneration. Its potential for this is recognised in the London Plan, which has identified it as an opportunity area since 2011 and a future Metropolitan Centre, and in the Local Development Framework (comprising the Core Strategy (adopted 30 July 2014, Site Allocations Development Plan Document Regulation 19 Submission 2021, Woolwich Town Centre Masterplan Supplementary Planning Document 2012 and the Spray Street Quarter Supplementary Planning Guidance January 2015). The importance of the growth of this area is underscored by its exceptional public transport connections situated as it is between national rail, Docklands Light Railway (DLR) and Elizabeth Line (Crossrail) stations in close proximity. Woolwich is also served by an extensive TfL Bus Network and the Thames Clipper service.
- 1.7 The Council has had the redevelopment of the Order Land as a planning policy objective for many years expressed through the Local Development Framework, the Woolwich Town Centre Masterplan (2012) and the Spray Street SPD (2015).
- 1.8 The Order Land is complex with a diverse range of land uses and numerous, ever changing land ownerships, interests and occupiers. The buildings are generally of poor architectural merit

and in a run-down state of repair presenting an unattractive appearance and creating a poor gateway to the town centre.

- 1.9 The Council has made the Order to ensure that an important scheme which will redevelop this part of Woolwich town centre can be delivered in the public interest. The scheme which the Order will facilitate will deliver a mixed-use development comprising flexible commercial accommodation (retail, business space, food and beverage uses), residential, leisure and community accommodation, together with a new urban public realm and environmental improvement works (“**the Scheme**”). Planning permission for a development which delivers the Scheme's objectives was granted on 23 December 2021. The acquisition of the land, interests and associated rights included within the Order is necessary to deliver the Scheme which cannot and will not come forward if the Order is not confirmed.
- 1.10 For the reasons set out in this Statement of Case, the Council considers that there is a compelling case in the public interest for making the Order. Securing the outstanding land and property interests will enable the Council to deliver its comprehensive regeneration plan for the Order Land which could not and would not otherwise be delivered. The confirmation of the Order is the only means to deliver the longstanding planning policy objectives for this area of Woolwich Town Centre. If the Order is not confirmed then there is no realistic prospect of the planning policy objectives for this area set out in the London Plan and in the Local Development Framework ever being realised.
- 1.11 This Statement of Case explains the reasons for making the Order. The considerations that are to be taken into account by the Secretary of State in deciding whether or not to confirm a compulsory purchase order are addressed using the following structure:
- (i) Power under which the Order has been made
  - (ii) The Order Land & interests to be acquired
  - (iii) The need for regeneration
  - (iv) The proposals for the development
  - (v) The purpose for making the Order
  - (vi) The Planning Policy in respect of the Order Land
  - (vii) Justification for the use of Compulsory Purchase powers
    - (a) Consistency with the planning framework for the area
    - (b) Well-being benefits
    - (c) Financial viability/funding

- (d) Alternatives
- (e) No impediments to delivery
- (f) Reasonable steps to acquire land by agreement
- (g) Compelling case in the public interest
- (viii) Negotiations with those owning interests in the Order Land
- (ix) Legal and other regards
  - (a) Human rights
  - (b) Consultation
  - (c) Related Orders
  - (d) Conservation Areas and Listed Buildings
  - (e) Public Sector Equality Duty
- (x) Conclusions

1.12 In addition, this Statement of Case sets out at Section 11 and Appendix 2 an outline of the Acquiring Authority's responses to the Objections.

## **2 ENABLING POWERS**

2.1 The Council has made the Order pursuant to its powers under sections 226(1)(a) and 226(3)(a) of the Town and Country Planning Act 1990 to acquire compulsorily (i) land for "development and other planning purposes" on the basis that the acquisition of land will facilitate the carrying out of development, re-development or improvement on or in relation to that land, and (ii) land adjacent to that land which is required for the purpose of executing works for facilitating the development. The Council in exercising its power under section 226(1) has had regard to section 226(1A) which provides that this power must not be exercised unless the Council think that the development, re-development or improvements are likely to contribute to the achievement of the promotion or improvement of the economic, social and/or environmental well-being of its area.

2.2 The Council considers that the use of section 226(1)(a) is appropriate having regard to the aims sought to be achieved by the redevelopment of the Order Land. The Council is satisfied that the use of the powers contained in section 226(1)(a) will contribute to the development, redevelopment or improvement of the Order Land. The Council is further satisfied that the redevelopment of the Order Land will contribute to the improvement of the economic and social well-being of its area through an enhanced residential, retail and leisure offering, and additional

employment opportunities. The redevelopment of the Order Land will also contribute to the environmental and social wellbeing of the area as a consequence of the public realm improvements facilitated by the redevelopment of the Order Land. Full details of the benefits of the redevelopment of the Order Land for the Council's area are at Section 8 below.

- 2.3 Under section 13 of the Local Government (Miscellaneous Provisions) Act 1976 the Council has the power to compulsorily acquire new rights over land. The rights which are sought are specified in the Schedule to the Order and detailed in Section 3 below.

### **3 DESCRIPTION OF ORDER LAND**

#### **3.1 Extent and Nature of Rights**

- 3.1.1 The Order Map shows the area of land to be acquired compulsorily. The Order Map has been carefully delineated to ensure the area of land and rights to be acquired are appropriate and necessary to enable the delivery of the Scheme.

- 3.1.2 At the time of making this Statement, the Council's principal ownership in respect of the land and rights in land required to deliver the Scheme extends to the Former Woolwich Covered Market. The balance of the land and rights in land required for the Scheme is in multiple fragmented ownership and comprising of land, buildings and part of the existing public highway within and surrounding the existing site identified for redevelopment. The properties included within this Order include all interests that are outside of the Council's ownership within the following areas which are principally situate between Spray Street, Burrage Road, Woolwich New Road and Plumstead Road, Woolwich:

- (i) 1-26 Plumstead Road (inclusive)
- (ii) 1-16 Parry Place (inclusive);
- (iii) Land at Ashley Day Centre and east of Parry Place;
- (iv) 1-41 Spray Street (odds) (inclusive);
- (v) 1-13 Woolwich New Road (odds) (inclusive);
- (vi) 16-18 Burrage Road; and
- (vii) Car parking area at Scotts Passage.

- 3.1.3 The Order Land comprises approximately 2.3 hectares and includes 52 freehold interests and approximately 160 leasehold/occupational interests which are all outside of the Council's ownership<sup>1</sup>.
- 3.1.4 The properties within the Order Land comprise a mix of current uses which are held in multiple fragmented ownership. The properties include the Woolwich Covered Public Market building (Grade II listed). A significant proportion of the Order Land is operated with retail frontage (mostly comprising of small floorplate shops, food stores, cafes, hot food takeaways and health and beauty services). The units on Plumstead Road and Woolwich New Road comprise retail units on the ground floor and a mix of ancillary, office or residential accommodation at upper floors. The northern side of Spray Street comprises a mix of retail, office, light industrial and community/religious accommodation, with Parry Place providing light industrial accommodation (some of which is used for retail purposes) and undeveloped sites on the eastern side of the road at its southern end. 16-18 Burrage Road is a two storey detached building with associated car parking which was originally a working men's club but has been used more recently as a private hire community facility. Scotts Passage forms an open area of land utilised as private car parking and a service access for the Former Woolwich Covered Market. Immediately to the east of Scotts Passage is a former industrial property utilised as a place of religious worship. Other buildings are also in use as places of worship and there are areas of vacant/unused land. The Officer's Report on the application (20/3385/F) to the Council's Planning Board (para 12.40) identifies that "*The Council records indicates there are seven churches which operate within the site boundary and of these only two are lawful. The remaining churches appear to have been converted from employment uses to church uses without planning permission.*"
- 3.1.5 Full details of the Order Land appear in the Schedule to the Order. The Order Map identifies the land in which all permanent interests are to be acquired (coloured pink).
- 3.1.6 New rights only are proposed to enable the oversail of cranes during the construction of the Scheme where land is not otherwise required to be acquired for the Scheme. These new rights are being sought pursuant to section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the affected parts of the Order Land are shown coloured blue on the Order Map.
- 3.1.7 The Council is seeking to secure such access to air rights for crane over-sail by agreement, where possible, secured under licence to minimise the need to secure permanent rights in land. The new rights are described in greater detail in the Schedule of Rights within the Order.
- 3.1.8 The individual plot boundaries and numbers shown on the Order Map correspond with relevant entries within the Schedule to the Order. This Schedule has been prepared engaging a land

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<sup>1</sup> The Order Land accords with the area identified in the adopted Spray Street Masterplan SPD January 2015 and also includes other land surrounding the identified site to include areas of existing public highway to be stopped up as part of redevelopment and public realm improvements and rights in land for the purpose of over-sailing cranes to facilitate the construction of the Scheme.

referencing methodology for the Scheme which includes information gathered through Land Registry title documents, site inspections, enquiries of and information provided by persons identified as holding an interest in the Order Land and the responses to formal notices issued to such persons under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

3.1.9 In addition to the acquisition of freehold and leasehold interests in the Order Land, the Scheme requires interference with existing adverse rights in the Order Land, notably:

- (a) interests held by third parties with prospective rights to light; and
- (b) interests of statutory undertakers in (utility) apparatus serving or passing under or over the Order Land.

#### *Rights to Light*

3.1.10 An assessment of the potential for the Scheme to impinge upon existing rights to light enjoyed by land adjoining the Order Land has been carried out on behalf of the Council. This assessment identified a number of potential injuries in land interests held by surrounding owners of commercial and residential buildings – the properties and interests that are potentially affected are included in Table 2 of the Schedule to the Order.

3.1.11 All identified parties potentially affected have been served with notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 as part of the wider land-referencing work resulting in identification of parties in Table 2 of the Schedule to the CPO.

#### *Statutory Undertakers*

3.1.12 Statutory undertakers have interests in the Order Land. The approach to such interests is addressed below in Section 9.

#### *Planning and Heritage Designations*

3.1.13 The Order Land lies within the Woolwich Opportunity Area identified in the London Plan (Policy SD1) which is expected to deliver a minimum of 5,000 new homes and 2,500 new jobs by capitalising on existing and proposed transport infrastructure. Woolwich town centre is currently a major town centre but the London Plan identifies that it should seek to become a Metropolitan town centre in the future.

3.1.14 The Order Land is located within the Woolwich Strategic Development Location identified by the Greenwich Core Strategy (paras 3.3.2-3.3.9) where it is recognised that Woolwich “*will see significant growth over the plan period, particularly within the Town Centre, and by 2028 will be established in its role as a Metropolitan Town Centre.*” (para. 3.3.2).



3.1.15 The Woolwich Town Centre Masterplan Supplementary Planning Document (April 2012) (“**the WTCSPD**”) sets out the vision for Woolwich and a framework that will facilitate regeneration. The Order Land is allocated as Site 4 for:

*“A mixed-use refurbishment and redevelopment scheme should be brought forward and could include new retail, a supermarket and residential development for this important but underutilised area. An assessment of important historic buildings on the site should be undertaken and a fine grain approach promoted. This will be a very prominent site, located opposite the Crossrail station, forming a first impression of the town. There is therefore an opportunity to significantly intensify the use of this site.”* (page 30).

3.1.16 The Spray Street Masterplan SPD (January 2015) (“**the SSMSPD**”) sets out the Council’s vision for the allocation identifying seven key objectives for the Order Land’s redevelopment:

- (i) Contribute to Woolwich’s growth into a Metropolitan Town Centre;
- (ii) Create a landmark high-quality mixed-use development, which helps integrate the Royal Arsenal and Crossrail station into the town centre;
- (iii) Increase and diversify housing development;
- (iv) Improve the built environmental quality and create a gateway to the town centre;
- (v) Expand and improve the cultural and leisure offer to create a destination;
- (vi) Increase permeability and connections to the town centre; and
- (vii) Attract and retain people within Woolwich Town Centre.

3.1.17 Whilst the relevant planning policy context is considered in more detail below, it can be seen that there is a long-standing policy aspiration for the redevelopment of this part of Woolwich Town Centre in order to improve the quality of the Centre commercially, environmentally and culturally and to deliver growth in order to meet needs in a highly sustainable location.

3.1.18 These longstanding policy objectives are also pursued in the emerging SADPD (Proposed Submission Version, November 2021) (see Paragraph 7.7.1 below) where the Order Land is identified under Allocation W11 for *“mixed use development appropriate to the town centre, including enhancement of the Grade II listed market building, a cinema and complementary food/beverage uses, retail/service, B1 workspace, community uses and residential.”*

3.1.19 The Order Land is partly located within the Woolwich Conservation Area including 1a-13 Woolwich New Road (odds, including 13a and 13c Spray Street).

3.1.20 The Order Land includes the following designated and non-designated heritage assets:

- (a) Statutory listed buildings
  - (i) Former Woolwich Covered Market (Grade II listed)
- (b) Locally listed buildings
  - (i) 1a-1c Woolwich New Road
  - (ii) 3 Woolwich New Road
  - (iii) 2 Plumstead Road
- (c) Identified non-designated heritage assets
  - (i) 5 Woolwich New Road
  - (ii) 7-9 Woolwich New Road
  - (iii) 11 Woolwich New Road
  - (iv) 13 Woolwich New Road (including 13a and 13c Spray Street to rear)
  - (v) 9 Plumstead Road
  - (vi) 20 Plumstead Road
  - (vii) Employment Exchange

#### **4 THE NEED FOR REGENERATION**

- 4.1 This Section sets out the background to the need for intervention and the basis for the regeneration of the site. It also touches on the contribution this site makes to the wider regeneration of Woolwich Town centre. Specifically, it describes the current condition of the site and identifies the key considerations which are addressed in the SSMSPD. It also identifies SSQLLP's (the Council's developer partner) objectives for the redevelopment which were presented during public consultation on the planning application and endorsed by the Council through the Planning Board resolution to grant planning permission. Taken together, the objectives set out within planning policy and within the planning application submission form the objectives of the Scheme.
- 4.2 The policy approach contained within the NPPF is that needs should be identified and met (see paragraphs 11 and 60 NPPF).
- 4.3 The London Plan 2021 identifies that London is facing a significant wave of growth, the likes of which have not been seen for a century. The population is projected to increase by 70,000 every year, reaching 10.8 million in 2041. This means that just to meet demand, there is a need to

build tens of thousands of new homes – along with space for new jobs – every single year. The London Plan 2021 explains that dealing with such a level of growth is undoubtedly one of the biggest challenges of our times, putting pressure on land, housing, infrastructure and the environment.

- 4.4 The London Plan 2021 identifies Woolwich as an Opportunity Area (being a principal opportunity for accommodating large scale development to providing housing and employment with good public transport accessibility) and a Strategic Area for Regeneration. The Council has actively sought implementation of these regeneration policy ambitions. For example, it has implemented the multi-million pound “Woolwich Works” cultural destination as part of the Royal Arsenal development, it has advanced proposals for a new £100m leisure centre adjacent to General Gordon Square as well as the associated 500+ new homes (some of which will be in the Council’s tenure), worked in partnership with Lovell to regenerate 1600+ homes on former Council estates to rebalance housing tenure and improve stock quality within Woolwich, has invested £5m in a former Tramshed as a community art and theatre venue and has been successful in securing Government and Historic England funding of around £20m for Woolwich Town Centre. The Council continues to support its developer partners such as Berkeley Homes (Royal Arsenal), Lovell (Trinity Walk), Hill (Vincent Road) and British Land (Powis Street) in bringing forward high quality development. The partnership with SSQLLP to regenerate Woolwich Exchange is another key piece of the jigsaw which will see Woolwich thriving as a 21<sup>st</sup> Century multi-purpose and functional town centre that services local business and residents and reduces the need to go elsewhere to spend their time and money.
- 4.5 Within this national and spatial planning context, the Council has actively promoted the redevelopment of the site alongside others set out above since 2012 when it was addressed in the WTCSPD. The particular importance placed on the Order Land is that it is at the fulcrum of the centre of Woolwich between the regenerated Woolwich Arsenal and the town centre (north – south), as well as acting to link the linear east – west main shopping street (Powis Street), through the Beresford Square market and on to Woolwich Exchange in a seamless multi-use town centre.
- 4.6 Further detailed policy was provided via the adoption of the SSMSPD. This promoted the comprehensive redevelopment of the Order Land to deliver significant new residential development, together with complimentary retail and leisure uses. Landowners and businesses were consulted on the development of this SPD.

## **Background to the need for Redevelopment**

### *Physical characteristics and location*

- 4.7 Within Woolwich Town Centre, the Order Land lies in a key location, located between various key modes of public transport such as the Elizabeth Line (Crossrail) station, the Docklands Light

Railway (DLR), Network Rail connections and extensive bus intersections. However, at present it is used in a manner which is not suitably dense or diverse: existing commercial floorspace is of low quality, and the site contains only few residential units (of low quality), where this could be much higher. Public realm within the Order Land is also poor, presenting only unattractive opportunities and in some cases intimidating spaces, most of which only allow passage around the perimeter and do not permeate through the site which in itself reduces the potential available commercial frontage. Consultation with local residents and businesses as part of the planning application for the permission necessary to deliver the Scheme, and as noted in the Officer's report to the Council's Planning Board, reveals a view of the site as being "littered, derelict and unsafe", highlighting the appetite locally for regeneration. The poor public realm currently provided by the site links to the limited accessibility and permeability between it, the town centre and the adjacent Royal Arsenal Riverside Development. In addition, existing residential areas in the vicinity of the Order Land particularly stretching eastwards to Plumstead are in much need of heightened community, retail and leisure opportunities, which are currently limited. Again this is an area in which the Order Land presents an opportunity not currently being realised. When taken together with the other regeneration, transport, cultural and educational improvements in Woolwich, it becomes apparent that not only for the sake of Woolwich but surrounding areas such as Abbey Wood, Thamesmead and Plumstead the mix of uses to be delivered by the Scheme will serve a catchment beyond the town centre itself and help reduce the amount of 'leakage' of spend from within the east of the Borough to out of Borough.

4.8 The key existing features of the Order Land can be summarised as follows:

- (a) Low numbers of housing stock;
- (b) Low quality commercial floorspace;
- (c) Non-conforming uses of land;
- (d) Low quality public realm; and
- (e) Limited cultural and leisure offer.

#### **Objectives of the Scheme**

4.9 Given the compelling need for growth in London generally and as identified for Woolwich specifically, the Order Land is identified as having significant potential for delivering a much higher density of development.

4.10 The seven objectives identified by the SSMSPD (Section 2.1) are reflected in the objectives of the Scheme. Each of the seven SSMSPD objectives are considered in further detail below and expanded upon in the remainder of this Statement of Case.

4.11 The SSMSPD objectives which are taken forward and will be supported by the Scheme are as follows:

- (a) To contribute to Woolwich's growth into a Metropolitan Town Centre;
- (b) To create a landmark high quality mixed use development, which will help integrate the Royal Arsenal and Crossrail station into the town centre;
- (c) To increase and diversify housing development;
- (d) To improve the built and environmental quality and create a gateway to the town centre;
- (e) To expand and improve the cultural and leisure offer to create a destination;
- (f) To increase permeability and connections to the town centre; and
- (g) To attract and retain people within Woolwich Town Centre.

4.12 Additionally the Scheme also aims to reduce inequality and deprivation by providing new homes, of varying tenure and size, to high environmental and build standards, a proportion of which are designed to be wheelchair accessible. Moreover, by providing improved public realm (including preservation and enhancement of historic buildings) that facilitates permeability through the site it enables more people to experience great architecture and design, experience new leisure and retail opportunities and places to invest and work. The economic benefits that can be derived from the initial investment in the form of new jobs and trading opportunities aim to target amongst others poor and marginalised groups.

*Contribute to Woolwich's growth into a Metropolitan Town Centre*

4.13 As set out in more detail at Paragraph 7.3.7 below, the London Plan identifies Woolwich as a future potential Metropolitan Town Centre. As highlighted by the SSMSPD, achieving this will necessitate expansion and regeneration of the existing town centre – the Order Land (with its multiple transport links) represents a key underutilised site in this regard. As set out at Paragraph 8.7.4 below, in order to become a Metropolitan Town Centre, Woolwich will need to expand its cultural and leisure offer (a process it has been undertaking with the creation of Woolwich Works, renovation of the Tramshed Theatre and plans and planned investment commitment to a new town centre Leisure Centre as well as the cinema here at Woolwich Exchange), create opportunities for town centre living (Royal Arsenal Riverside, Trinity Walk, Powis Street residential over shops, Woolwich Exchange etc.), strengthen its retail offer (Royal Arsenal, Woolwich Exchange), and increase its provision of office space (Royal Arsenal Riverside, Wellington Street, Woolwich Exchange). By harnessing the potential of the Order Land, the Scheme will make a considerable contribution to this transition, and to boosting some of the shortcomings of the site and wider area identified at Paragraph 4.7 above. Paragraphs 8.7.5 and 8.7.6 in particular set out in more detail the specific elements of the Scheme which

will help contribute to Woolwich achieving this status. In addition the residential element of the Scheme will significantly increase the density of the resident population which should in turn increase spend within the town centre.

*Create a landmark high quality mixed use development, which will help integrate the Royal Arsenal and Crossrail station into the town centre*

- 4.14 The Order Land sits in a key location between the new Elizabeth Line (Crossrail) Station to the north-west and the town centre to the south-west.
- 4.15 The SSMSPD identifies the site of the Scheme as uniquely placed to create a landmark development bridging the gap between the existing town centre and the various transport nodes in the town centre. The two areas are considered to be both geographically and socio-economically disjointed (see Paragraph 5.11 below for further details) and alongside the Woolwich Exchange development interventions through the Heritage Action Zone and Future High Street Fund initiatives are designed to improve legibility, safety and business opportunities across the town centre.
- 4.16 The development envisaged by the Scheme (as promoted by the Developer and secured as part of consented Scheme (under the Planning Permission and Listed Building Consent (defined below)) will deliver high quality building architecture and landscape design, with a focus on place-making and presenting a viable and deliverable commercial offer. This will build on and significantly enhance the positive changes already brought about by recent nearby and adjacent redevelopment in Woolwich. The anticipated quality of the development can also be measured by the legacy and reputation of the developer partnership behind the scheme, as set out in more detail at Paragraphs 8.9.8 and 8.9.9.
- 4.17 The Scheme will create a gateway to the town centre with the height and massing complementing the Royal Arsenal Riverside development to the north and improving legibility for those entering Woolwich Town Centre from the east.
- 4.18 The Scheme will significantly enhance pedestrian and cycle access to and through the site, thus ensuring better integration of both the transport links servicing the area (new and existing), the town centre and the Royal Arsenal Riverside development. This is in addition to the car and cycle parking provision to be provided commensurate with the London Plan's standards for accessibility.

*Increase and diversify housing development*

- 4.19 As referred to at Paragraph 4.7 above, the present arrangement of the Order Land supports low numbers of housing stock which is of poor quality. The present arrangement does little to contribute to meeting housing needs and not take advantage of its sustainable location in close proximity to the town centre and excellent transport links. As such the site is underutilised in

terms of its potential to host housing accommodation. The Development (as defined below) will deliver 801 new homes, equating to nearly 30% of the Council's annual London Plan target. As set out in more detail at Paragraphs 5.18 and 5.19 below, the dwellings will comprise a range of sizes, incorporating provision of 20% affordable housing by unit (corresponding to 25% by habitable room). This reflects a policy-compliant tenure split between 71% London Affordable Rent and 29% Shared Ownership Homes. The Scheme will include 124 family sized homes (3 bed+) which equates to 16% by unit or 24% by habitable room and over 3,000 sqm of podium level amenity space. The Scheme thus meets the needs of the existing community and will also attract new residents, thereby encouraging the creation of mixed communities. As such the Scheme will make a significant contribution to increasing the quantum and diversification of the current residential offering in Woolwich Town Centre by introducing more market housing into a Ward where only around 20% of properties are owner occupied. It will materially assist in meeting the targets and policy objectives set by the London Plan (see Paragraph 8.8.3). The delivery of housing will be complemented by the creation of 219 (net direct full time equivalent) permanent jobs on completion of the development and the provision of new retail shops, restaurants and cafes, workspace, a gym, food and beverage uses, community uses and a new nursery.

*Improve the built and environmental quality and create a gateway to the town centre*

- 4.20 The SSMSPD identifies the Order Land as situated at an important fulcrum and arrival point within Woolwich, close to the new Elizabeth Line station and is a gateway to the town centre meaning that high quality public realm improvements linking the town centre is a key component of realising the improved linkage (in accordance with London Policy D8). The Officer's Report to the Council Planning Board when it considered whether to grant planning permission confirmed that the Development as promoted by the Developer is considered to be compliant with London Plan Policy D4 (delivering good design) and that it will make a positive contribution to improved linkages with the town centre as part of significant public realm improvements secured as part of the Planning Permission for the Scheme. There is a varied material palette including brickwork of different colours (and textures), pre-cast elements and metal accent features which respond to the character of existing heritage assets within the site and nearby, while still achieving continuity and linkage across buildings. As set out at Paragraph 4.7, the quality of existing public realm has been identified as a key aspect supporting regeneration. The mix of retail and leisure uses envisaged on the Order Land as part of the consented Scheme is also designed to draw visitors from surrounding areas – exploiting the Site's excellent accessibility – and in turn increase footfall, dwell time and spend across the Town Centre, as the leisure and retail opportunities available will contribute to the overall length of the trading day. This is in addition to the increased footfall that is anticipated to arise from the residential offering to be provided by the Scheme.

*Expand and improve the cultural and leisure offer to create a destination*

4.21 The advent of the Elizabeth Line Station to the north of the Order Land (and the increased footfall that it has the potential to deliver) provides an additional impetus to capitalise on and optimise the use of the Site for its own commercial sake, but also as a gateway to the wider mix of uses in Woolwich Town Centre. The SSMSPD identifies a need to expand and diversify the existing cultural and leisure offer of Woolwich. The Order Land's existing potential for contributing to the cultural and leisure offer is limited as a result of the present arrangement and fragmented ownership of buildings and uses within the Order Land. The Development will contribute to this through the delivery of over 14,500sqm of new town centre commercial floor space, including the restoration and repurposing of the listed Former Woolwich Covered Market to provide a new five-screen cinema along with a diverse range of food and beverage uses at mezzanine level which will be the focal point of the development, alongside additional shops, cafes/restaurants, workspaces, drinking establishments, a gym and a nursery.

4.22 The new central square provided by this development will play a part in creating a sequence of planned spaces for formal and informal use within Woolwich: from Maribor Park adjacent to the Thames, through Dial Arch Square, to Beresford Square (for a new reimagined and invigorated street market) and General Gordon Square (for larger events and as an informal meeting space and (in due course) the new leisure centre square). The selection of units and floorplates available will provide a range of opportunities for local businesses to in turn serve a wide variety of local and non-local needs. The Development will additionally preserve or enhance heritage assets within and adjacent to the Order Land (see Paragraph 10.5 below) notably, ensuring the restoration and repurposing of the former Woolwich Covered Market to be enjoyed by present and future generations. This rejuvenation of the Order Land, combined with its excellent transport links, will transform it into a true destination, retaining and capturing local spending potential as well as attracting visitors from beyond the local area. The development will work alongside other interventions to address a local deficit in opportunity currently within Woolwich. This is consistent with the London Plan's Policy HC6 and the designation of Woolwich as an area with a night-time economy of greater than local significance (NT3). The Scheme will help Woolwich to compete with destinations such as Greenwich and other areas of growth such as Deptford and Lewisham – enabling it to be recognised across London as a location of quality presenting a diverse and attractive offer.

*Increase permeability and connections to the town centre*

4.23 A further key requirement of the SSMSPD (and London Plan policy D8) is the requirement to increase permeability through the Order Land as part of forming greater and more inviting linkages and dwelling spaces between town centre, transport links and the wider environs. The present layout of the Order Land is such that there are only limited, and often unappealing, opportunities to pass through the site or places to congregate or dwell with no attractive open spaces: in short it is about 'perimeter not permeability'. As set out at Paragraph 4.20 above, the Order Land represents a key opportunity to transform Woolwich into a cohesive town with high



quality public realm and a natural flow between a series of connected spaces. The Scheme will establish a finer urban grain and new opportunities for pedestrians to move between blocks, including by reopening elements of original street pattern and facilitating connections to/from other development sites within the area, notably between the TfL site to the north-east and the Town Centre. Acting as a point of arrival into Woolwich, with cycle provision, improvements to existing footways and newly pedestrianised roads (see Paragraph 5.13 below), the Scheme aims to promote sustainable patterns of movement and encourage healthy lifestyles for both residents of and visitors to Woolwich by enhancing connections from DLR, National Rail and Crossrail stations and bus hubs on Plumstead Road and General Gordon Square. At the heart of the Scheme is a new public square, designed to create a vibrant addition to the site with activity on all sides. It will link to the Scheme's connecting streets and create a natural flow-through point, extending the reach of the town centre and being easily accessible from transport links as well as increasing the resident population, thereby improving associated activity and natural surveillance. In summary, the Scheme not only addresses the urban design issues of movement and permeability but in material and landscape specification it signals safety, vibrancy, diversity, quality and a beauty that affirms the aspirations of a modern inclusive Woolwich. It will function and feel like a place to invest time and money.

*Attract and retain people within Woolwich Town Centre*

- 4.24 The Scheme will assist in enabling Woolwich to serve a growing, diverse, local population and compete with other popular destinations and achieve London-wide recognition as a high quality location. The residential element of the Scheme, along with the creation of jobs (654 net direct full time equivalent per annum during construction, and 219 FTE permanent jobs) and associated necessary social infrastructure (such as a nursery, gym and workspaces) will attract new long-term residents in addition to serving the needs of the existing community. The 14,500 sqm of cultural, leisure and retail offering promoted by the Scheme will provide both the critical mass and the distinctive, attractive and high quality environment needed to retain those people locally within Woolwich as an alternative to trips to other cultural and leisure destinations (such as the West End). This will secure more spending and wider investment within the local area, notably the Town Centre. In addition, the Order Land's potential as a highly accessible gateway to Woolwich reflects the Scheme's ability to provide an impressive first impression of Woolwich that will encourage regular visitors from the wider area. The range of uses delivered by the Scheme will create a versatile site offering day- and night-time activities.

*Reducing inequality and deprivation*

- 4.25 It is acknowledged that ethnic minority groups are disproportionately represented within the Order Land. The Council and the Developer are alive to how the existing features of the Order Land (identified at Paragraph 4.8 above) and the Scheme itself may impact on such groups, as well as others with protected characteristics (as defined in the Equality Act 2010). As set out in further detail at Paragraph 10.1 below, AECOM produced an updated Equality Impact

Assessment which considers how the Scheme will impact on groups with protected characteristics and in turn assesses the extent to which the Scheme is able to deliver on its objective of reducing inequality and deprivation. The report acknowledges that the Scheme will deliver a considerable quantity of affordable housing (as referred to at Paragraph 4.19 above), thus increasing the availability of family and adaptable housing within the Order Land, to the potential benefit of various minority groups. The report further identifies that the Scheme will assist in making the Order Land safer and more accessible for all through the delivery of enhanced public realm and children's playspace. It is noted that in various cases where displaced parties are being assisted in securing alternative accommodation, replacement premises identified have the potential to offer improved facilities as compared to those parties' existing premises. Furthermore where equalities impacts have been identified, the Scheme is able to demonstrate both embedded mitigation and further actioned or upcoming mitigation, for example the various obligations secured by the s106/111 agreement (see Paragraph 5.9 below).

## 5 THE SCHEME PROPOSALS

5.1 In December 2014 the Council decided to take an active role in the delivery of the redevelopment of the Order Land, utilising its position as owner of the Former Woolwich Covered Market to secure a developer to deliver a comprehensive scheme for the Spray Street Quarter area via a Conditional Land Sale Agreement. A number of potential developers advanced proposals. The Council selected a joint bid by St Modwen and Notting Hill Housing which subsequently became the Spray Street Quarter Limited Liability Partnership ("**the Developer**"), a joint venture between St. Modwen Properties Ltd and Notting Hill Commercial Properties Ltd (part of Notting Hill Genesis) in May 2016. Since this date the Developer has been undertaking design and planning work relating to the Scheme.

### *Planning Permission, Listed Building Consent and planning benefits*

5.2 The Developer originally submitted a planning application (ref: 18/0126/F) in January 2018 for a scheme:

*"Demolition of existing buildings and the construction of a comprehensive mixed use development comprising 742 residential dwellings (Class C3), 6,000sqm of Retail floorspace (Classes A1/A2/A3), 3,500sqm of Leisure including a Cinema (Class D2), 650sqm of a Nursery (Class D1), 1,650sqm of Business floorspace (Class B1), new public square and new public realm with hard and soft landscaping, highways works, parking, access and servicing arrangements, plant, infrastructure and associated works."*

5.3 This application was paused following the Grade II listing of the Former Woolwich Covered Market building in October 2018. In addition the Council subsequently designated the Woolwich Conservation Area in May 2019, which includes 1a – 13 Woolwich New Road and the structures

to their rears, including 13a and 13c Spray Street (all of which are situated within the Order Land and the red line planning application boundary for the 2018 development proposals).

5.4 The Former Woolwich Covered Market and 1a – 13 Woolwich New Road were proposed to be demolished in the 2018 proposals but the identification of these buildings as heritage assets prompted a review of the development proposals, with the Developer taking the opportunity to consider how best to respond. This led to the incorporation of the Former Woolwich Covered Market into the development through its restoration and repurposing as well as the retention of a number of buildings on Woolwich New Road that fall within the Woolwich Conservation Area.

5.5 Following design work and engagement with Heritage England and the Council, an improved scheme was developed (which now comprises the Scheme) and in November 2020 an application for full planning permission (ref: 20/3385/F) was sought for:

*“Demolition of existing buildings (excluding the Grade II listed Former Woolwich Covered Market and elements of 1a-c to 11 Woolwich New Road (odds)) and the construction of a mixed use development comprising residential dwellings (Class C3), commercial, business and service uses (Class E), community use (within Class E, Class F1(f) and/or F2(b)), drinking establishment(s) (sui generis) and a cinema (sui generis), new public square and new public realm with hard and soft landscaping, highways works, parking, access and servicing arrangements, plant, infrastructure and associated works. Internal and external alterations to the Former Woolwich Covered Market.”*

5.6 At the same time an application for listed building consent (ref: 20/3386/L) was made for:

*“Internal and external alterations, repair and refurbishment works to the Grade II listed Former Woolwich Covered Market to facilitate the change of use of the building to a cinema (sui generis), together with food and beverage and retail uses (class E/sui generis) at the ground floor and mezzanine levels.”*

5.7 Planning permission was granted on 23 December 2021 under ref: 20/3385/F subject to conditions and following the execution of a planning obligation agreement ("**the Planning Permission**") alongside grant of listed building consent under ref: 20/3386/L ("**the Listed Building Consent**").

5.8 The consented development ("**the Development**") provides for the construction of:

- (i) 801 residential dwellings;
- (ii) Up to 9,015 sq. m. (GIA) of flexible Class E(a), E(b), E(c)(i), E(c)(ii), E(c)(iii), E(d), E(e), E(f) and E(g)(i) accommodation – provided that up to 500sqm for community use falling within Class E, Class F1(f) and/or Class F2(b) may be provided within the development in place of the equivalent provision of shops,

financial or professional services or restaurant/ cafes or gym within Class E floorspace;

- (iii) Up to 1,466 sq. m. (GIA) of Drinking Establishments (Sui Generis);
- (iv) A five-screen cinema located within the listed Former Woolwich Covered Market, measuring approximately 4,124 sq. m (GIA); and
- (v) A new central square measuring approximately 1,180 sq. m. in addition to public open space provision and enhancements along Plumstead Road, Parry Place and the use of green corridors between buildings. In total new or improved public open space provision totalling approximately 6,567 sq. m. is delivered.

5.9 The planning obligation secures (amongst other things) the following planning benefits:

- (a) *Affordable Housing* – subject to detailed early stage and late stage viability review, the Scheme will deliver 20% affordable housing in accordance with the agreed mix and tenure split as set out elsewhere in this Statement of Case (see Paragraph 5.19);
- (b) *Relocation Strategy* – implementation of a Relocation Strategy which is to be based on the Framework Relocation Strategy (approved under the Planning Permission) (see Paragraph 8.8.12 onwards), which includes measures for the provision of relocation assistance to all existing residential and commercial tenants within the Order Land;
- (c) *Community Space* – delivery of an area of not less than 500 sqm GIA to be used as community space. An approved Community Space Strategy must detail how the community space is to be provided, details of the marketing strategy to be used (and how this will have regard to the Framework Relocation Strategy) and the process by which the operator of the community space will be selected in consultation with the Council. This is anticipated to provide a measure by which opportunities will be available for existing places of worship within the Order Land to utilise space within the redeveloped Scheme;
- (d) *Open Space* – an Open Space Management Plan must set out the way in which the Scheme's open space will be managed and maintained in order to keep it open for public pedestrian access throughout the year. This is a key component to realising the objectives of the Scheme to improve permeability and linkage (footfall) between the site, Woolwich Town Centre and nearby transport links;
- (e) *Small Retail* – part of the development is to provide opportunities for an element of replacement small retail units – for which the Developer will be subject to an agreed marketing and management strategy and (subject to demand) will be provided in accordance with that strategy for a period of not less than 15 years. This will provide

an opportunity for parties displaced by the Scheme who wish to consider relocation within the redeveloped Scheme;

- (f) *Employment* – a contribution of £500,000 towards the Greenwich Local Labour and Business Service to assist in mitigating any temporary or permanent loss of employment brought about by the closure or relocation of affected businesses. A Construction Employment Plan must be submitted which will set out how the Scheme will support the local supply chain, and reasonable endeavours to promote and recruit employees contractors and sub-contractors from the area of the Borough required for and during the construction of the Development. This includes a commitment that each sub-contractor's work forces contain at least 5% apprentices on-site at any one time throughout construction;
- (g) *Healthcare* – an option for a healthcare facility to be housed within the Scheme, failing which a commuted sum of £1,332,499 towards the funding of additional health facilities in the local area must be paid to the Council by the Developer;
- (h) *Education* – a financial contribution of £1,312,500 towards the funding of additional school places within the local area;
- (i) *Cycle use and wayfinding* – a financial contribution of £170,000 towards extending the cycle network from the Woolwich Ferry Roundabout towards Woolwich town centre as well as £16,020 towards training and £10,000 towards the Legible London Signage and Wayfinding initiative; and
- (j) *Offsite play space* – a financial contribution of £196,955 towards play provision for children of 12+ years within the vicinity of the site.

#### *Benefits of the Scheme*

5.10 The Scheme responds to the objectives of the SSMSPD by:

- Regenerating an under-utilised and unprepossessing part of Woolwich Town Centre;
- Making more efficient use of land in a key location significantly increasing the quantum and the quality of development in this location;
- Being clearly identifiable as 'Woolwich', being reflective of its heritage but also forward looking;
- Creating opportunities for local people;
- Stimulating and adding to the local economy, providing work leisure and retail space for existing and new businesses;

- Creating a new place which is the focus for a new night-time / leisure destination in Woolwich; and
- Delivering new and affordable homes designed to the highest of standards.

- 5.11 The Scheme will extend and enhance Woolwich town centre, making the most of the opportunities presented by the existing (DLR and National Rail) and forthcoming (Crossrail/Elizabeth Line) infrastructure. The Scheme maximises the opportunity presented by the sustainable location of Order Land through a dense development which optimises the potential of the site and realises the objectives of the SSMSPD. Since the closure of the Arsenal factory the area has more recently been positioned on the eastern fringe of the town centre, sitting adjacent to the town centre squares and the walls of the Woolwich Arsenal, the delivery of the DLR and Crossrail Stations together with the redevelopment of the Royal Arsenal Riverside places the Order Land in a key position within the town centre. By virtue of this position, the Scheme will not only link the historic town centre and the redevelopment of the Woolwich Arsenal (now Royal Arsenal Riverside) by Berkeley Homes, but will also significantly add to the town centre's residential, retail and leisure. This will contribute significantly to the objective of ensuring that Woolwich functions as a Metropolitan town centre.
- 5.12 The design of the Scheme not only delivers the mixture of land uses sought by planning policy but to also provides a scheme which promotes connectivity and permeability. The Scheme forms an intrinsic part of the new, broader town centre thorough the delivery of a landmark, high quality development with a focus on place-making, which includes a viable and deliverable commercial offer as part of a sustainable mixed use scheme.
- 5.13 The Scheme comprises of six residential blocks which are divided across two development plots, spilt by Parry Place. The ground and first floor of the new blocks will be utilised for town centre uses with residential units provided above. The six blocks have been designed around a permeable public realm which promotes pedestrian and cycle access across the site both in a north-south and east-west direction. The design of the environment around these blocks also improves access routes around the site.
- 5.14 Condition 5 of the Planning Permission provides that *"no development shall take place until a detailed phasing plan showing how the development will be implemented in a comprehensive manner has been submitted and approved in writing by the Local Planning Authority."* This detailed phasing plan has not yet been submitted by the Developer. However, the Developer has provided the following indicative timetable which sets out its current thinking regarding the phasing of the development, although this remains subject to change as the Scheme moves towards delivery:

Block	Start	Period
<b>Western Phase</b>		
Enabling works & Demolition	Month 0	13 months
Market & cinema	Month 14	27 Months
Block A	Month 12	36 Months
Block B	Month 20	37 Months
Block C	Month 50	24 Months
Block D	Month 60	14 Months
<b>Eastern Phase</b>		
Enabling Works & Demolition	Month 0	7 Months
Block E & F	Month 8	36 Months

5.15 The Scheme positively responds to the heritage context of existing buildings within the Order Land. A focal point of the Scheme is the Grade II listed Former Woolwich Covered Market. The Former Woolwich Covered Market's heritage significance relates to its roof structure (a Lamella construction) and this structure is to be retained, restored and re-purposed as a leisure destination, with a five-screen cinema which is proposed to be operated by Picturehouse cinema located on two levels below the existing market hall. Above the cinema, within the covered market structure, the general public will be able to visit cafes, bars and restaurants as well as public space free of charge. Historic England supported the proposals for the Covered Market explaining:

*“the reuse of this extraordinary and unique historic building as an entertainment venue will be an asset to the on-going regeneration of Woolwich and contribute greatly to its vitality and identity.”*

5.16 Condition 5 also provides that *“no part of the development may be occupied until the phase or phases associated with the refurbishment of the Former Woolwich Covered Market have been commenced.”* The Planning Permission therefore ensures that the works to the Grade II listed market will come forward as part of the first phase of development.

5.17 The Scheme also responds to the inclusion of 1a-c to 13 Woolwich New Road (odds) and 13a and 13c Spray Street within the Woolwich Conservation Area. Following engagement with

Historic England, the Scheme retains elements of 1a-c to 11 Woolwich New Road through refurbishing and altering the buildings. The rear elements of these buildings will be demolished but the front elements and roof forms of the buildings will be retained and improved, with additional storeys of development set back so the parapets of the buildings are broadly preserved. This improvement includes adding traditionally detailed shop frontages and replacing the windows of the upper floors. This response ensures that the buildings will maintain the appearance of the existing buildings in the street scene and continue to contribute to the character formed by the existing buildings adjacent to Beresford Square, including the Grade II listed Gateway Arch and the locally-listed Ordnance Arms block.

- 5.18 The 801 residential dwellings proposed will provide a range of apartment sizes, with 16% of the units delivered being family-sized homes (3-bed or larger). Nearly all of the new homes (789 of the 801 units) will benefit from private outdoor space, either as a balcony or terrace. All of the properties will have access to the roof gardens. The northern parts of the site, fronting Plumstead Road are populated by larger residential blocks, going up to 23 storeys in height with the Development scaling down significantly to its southern, western and eastern boundaries to reflect the lower building heights of the town centre, the Former Woolwich Covered Market, properties in the Woolwich Conservation Area and the development on the eastern side of Burrage Road. The proposed 801 dwellings is equivalent to 28.3% of the borough's annual housing target set out in Policy H1 of the London Plan (2021), as well representing 16% of the total target for the Woolwich Opportunity Area. It is considered that the housing provision would represent a significant contribution toward housing delivery.
- 5.19 The Scheme delivers a significant provision of affordable housing with 20% (158) of the residential units delivered being affordable (amounting to 25% on a habitable room basis). The affordable housing is proposed to be split between shared ownership housing (46 units; 29% on a unit basis; 24% on a habitable room basis) and London Affordable rent (112 units; 71% on a unit basis; 76% on a habitable room basis) with the distribution of the rented units being focused towards two, three and four bedroom accommodation, subject to early stage and late stage viability reviews. All of the residential units will meet the minimum space standards of the London Plan and the scheme has been designed to maximise the number of dual or triple aspect units (64%, with only 7 units (1%) being north facing single aspect units) and maintain minimum distances to reduce overlooking. 10% of the residential units have been designed to be wheelchair accessible and features such as energy efficient LED lighting, a communal heating system, photovoltaic panels on the roof and sedum green roofs have been introduced to maximise the energy efficiency of the buildings.
- 5.20 In respect of the commercial accommodation, the Scheme will deliver an offer that is presently absent in the town centre. The focus of the commercial accommodation is a new five screen cinema situated within the Former Woolwich Covered Market with complimentary retail uses (restaurants, cafes and bars) located above which creates a 'film and dining offer', thereby



diversifying the town centre's offer and helping to increase activity, attract and retain people within the Town Centre. This commercial element is seen as a key contribution to Woolwich's growth towards Metropolitan Town Centre status, and in particular reflects the Greenwich Core Strategy (for more detail on which see Section 7) to create a "vibrant" town centre which is able to "claw back" trade and thus warrant reclassification in line with the London Plan's ambitions for Woolwich. It is also consistent with objectives of the SSMSPD which is to realise the Site as a cultural and leisure attraction and to facilitate a night time economy which draws on the excellent transportation links to the site and Town Centre. As set out at Paragraph 4.7 above, lack of existing cultural and leisure offer has been identified as an important component of the case for regeneration of the Order Land.

- 5.21 The Scheme also proposes to deliver workspace (Class E(g)) and a 614 sq. m. nursery. The business space will be designed to be flexible so to facilitate occupation by small and medium sized businesses depending on emerging demand and business requirements and aims to enhance the Town Centre's economic offer. 200 sq. m. of this accommodation will be delivered as affordable workspace. This provides an opportunity for parties dispossessed by the Order and otherwise in the area to take up modern and affordable business accommodation. The nursery (to be provided on site if a provider is secured) will provide a modern facility in a highly accessible location and will incorporate directly accessible outdoor play space for children. This will serve an important social and community role, meeting existing community needs in addition to catering to the needs of new residents of the dwellings to be delivered as part of the Scheme. As set out at Paragraph 5.19, the residential element of the Scheme will focus on two, three and four bedroom dwellings, including a significant proportion of affordable housing, so is therefore intended to cater to working families.
- 5.22 The ground floor accommodation will provide new flexible commercial floorspace (Use Class E) creating active ground floor uses so to stimulate footfall throughout the Scheme. 500 sq. m. of this accommodation will be small retail space with unit sizes no greater than 80 sq. m. so to provide opportunities for micro, small and medium-sized enterprises some of which may already be located locally and looking for new and improved spaces and vary the retail mix and offer of the Scheme while not competing with existing lock up shops/ accommodation elsewhere in the Town Centre. This will provide an opportunity for parties displaced by the Scheme who wish to consider relocation within the redeveloped Scheme.
- 5.23 The Scheme also provides up to 500 sq. m. of multi-use community floor space within Class F1(f) – places of public worship, and Class F2(b) – Halls or meeting places for the principal use of the local community. As explained in Paragraph 5.9 above, the Developer is required to market this space which will afford an opportunity for persons in the local area, including places of worship displaced by the Order, to locate or relocate within the Scheme.
- 5.24 Reflecting the Order Land's high public transport accessibility level (PTAL 6b) the Scheme will essentially be a car-free development, with the only provision relating to 68 designated disabled

persons parking spaces, these being a requirement of building regulation M4(3). 48 of these spaces will be delivered within the basement of the western phase of the Scheme, with the other 20 situated on the ground floor of the eastern phase. A total of 1,628 residential cycle spaces are to be provided within dedicated storage areas accessible from the residential block building cores for the units which they will serve.

## **6 THE PURPOSE FOR MAKING THE ORDER**

6.1 As already explained, the Order is necessary to ensure the delivery of the Scheme. The Order will enable the acquisition of all interests in Order Land not in the Council's ownership, where agreement cannot be reached. The Order will also create new rights which are also necessary to deliver the Scheme. If these interests and rights are not obtained then the Scheme will not be delivered and there is no realistic prospect of the Scheme's benefits in the public interest coming forward.

6.2 As outlined in the CPO Guidance, acquiring authorities should seek to acquire the interests of property and land owners by agreement, relying on compulsory purchase as last resort. Negotiations have been pursued with those affected by the Order. Some parties have elected not to engage in negotiations or are seeking sums which have not allowed an agreement to be reached. In addition, as explained at Paragraph 9.4.2, the Council and the Developer consider it necessary in the circumstances to proceed on the basis of option agreements, rather than offers of outright purchases. Some landowners would prefer not to engage on this basis which has again prevented agreement being reached in some cases at this stage in the process. All reasonable efforts have been and continue to be made by the Council and Developer to acquire property through negotiation and agreement (see Paragraph 9.4 below for further details of the efforts taken to date and 8.8.12 onwards for a summary of the Framework Relocation Strategy being employed). Nevertheless, it is clear that an Order is required to ensure that there is sufficient certainty that regeneration can come forward and in a reasonable timescale, as envisioned by the Council, the Developer, the local community and key stakeholders.

6.3 By confirming the Order, the Scheme can be delivered as intended and will contribute to achieving a number of planning objectives at the national, regional and local level as is outlined in this Statement of Case.

## **7 THE PLANNING POLICY IN RESPECT OF THE ORDER LAND**

7.1 For the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004, the statutory Development Plan covering the Order Land comprises:

- The London Plan (March 2021); and
- The Royal Borough of Greenwich Local Plan: Core Strategy with Detailed Policies (July 2014).

7.2 Relevant material considerations include the WTCSPD (April 2012), the SSMSPD (January 2015) and the National Planning Policy Framework (“**the NPPF**”) (2021).

### 7.3 **The London Plan (2021)**

7.3.1 The London Plan ascribes various designations to Woolwich and the Order Land which support the planning policy case for the Scheme.

#### **Woolwich Opportunity Area**

7.3.2 The Order Land sits within an Opportunity Area. Opportunity Areas are defined as principal opportunities for accommodating large scale development to provide substantial numbers of new employment and housing, each typically more than 5,000 jobs and/or 2,500 homes, with a mixed and intensive use of land and assisted by good public transport accessibility. In respect of Woolwich specifically, the London Plan confirms that there is potential to fulfil these employment and residential targets by 2031 through building on existing and proposed transport infrastructure (including Crossrail). It also acknowledges that development is occurring within the Woolwich Opportunity Area at a fast pace. As set out elsewhere in this Statement of Case, the Scheme will exploit the Order Land's proximity to transport links in the delivery of 219 (net direct FTE) permanent jobs and 801 homes.

7.3.3 Policy SD1 provides that the Mayor will provide support and leadership to realise the growth and regeneration potential of Opportunity Areas, whether that be through establishing planning frameworks, ensuring that agencies work together, and helping to bring together the range of investment and intervention needed to deliver the vision and ambition for the area. The requirement for land assembly is also recognised, with the London Plan referencing the London Housing Strategy and highlighting that the Mayor will both directly assemble land for development and support boroughs, Housing Associations and other homebuilders to do so, whether this be through direct investment or through supporting compulsory purchase.

7.3.4 The London Plan sets out that Opportunity Areas should seek to promote inclusive growth that increases opportunity for all Londoners, maximising the provision of affordable housing.

#### **Strategic Area for Regeneration**

7.3.5 Policy SD10 of the London Plan states that the Mayor will provide leadership and support for regeneration through the London Plan and his other strategies and programmes. Policy SD10 advises that boroughs should identify Strategic Areas for Regeneration, and develop policies that are based on a thorough understanding of the demographics of communities and their needs. The policy says communities should be engaged with at an early stage of the development process with development proposals contributing to regeneration by tackling inequalities and the environmental, economic and social barriers that affect the lives of people in the area. The policy provides that boroughs and other stakeholders should develop locally-

sensitive policies and initiatives and support development proposals that contribute to the renewal of town centres.

7.3.6 The London Plan identifies Woolwich as a Strategic Area for Regeneration. Strategic Areas for Regeneration are described as areas where the impacts of inequality and causes of deprivation are particularly concentrated. The London Plan states that regeneration will typically involve a range of projects and initiatives, such as providing affordable workspace, creating more accessible and welcoming public realm, or investing in training and employment opportunities for local residents. See Paragraphs 4.13 to 4.24 for details of how the Scheme will provide the types of regeneration schemes envisaged by the London Plan.

#### **Future Metropolitan Town Centre**

7.3.7 Paragraph 4.13 above summarises the aims of the Scheme in relation to supporting Woolwich's growth towards Metropolitan Town Centre status. In recognising Woolwich's potential in this regard, the London Plan additionally categorises Woolwich as having high potential for residential growth and medium potential for growth in commercial floorspace and employment provision. It further identifies Woolwich as an area having a night-time economy of more than local significance. In granting Planning Permission for the Scheme, the Council considers that the varied mix of uses proposed by the Scheme would help strength the role of Woolwich as a potential Metropolitan Town Centre, including by attracting visitors to support the night-time economy in accordance with Policy HC6.

7.3.8 The London Plan does not provide specific policy in respect of Woolwich as a town centre, but includes a framework of policies that all London boroughs should consider when producing their own development plans.

7.3.9 More generally, the London Plan is underpinned by the concept of “Good Growth” – growth that is socially and economically inclusive and environmentally sustainable. Each of the policy areas in the London Plan (design, housing, social infrastructure, economy, etc.) is informed by six Good Growth objectives:

- GG1 Building strong and inclusive communities;
- GG2 Making the best use of land;
- GG3 Creating a healthy city;
- GG4 Delivering the homes Londoners need;
- GG5 Growing a good economy;
- GG6 Increasing efficiency and resilience.

7.3.10 The London Plan recognises that delivering good quality, affordable homes, better public transport connectivity, accessible and welcoming public space, a range of workspaces in accessible locations, built forms that work with local heritage and identity, and social, physical and environmental infrastructure that meets London's diverse needs is essential if London is to maintain and develop strong and inclusive communities.

7.3.11 To accommodate growth while protecting the green belt, and for this growth to happen in way that improves the lives of existing and new Londoners, the London Plan proposes more efficient uses of the city's land. It states that the key to achieving this will be creating places of higher density in appropriate locations to get more out of limited land, encouraging a mix of land uses, and co-locating different uses to provide communities with a wider range of services and amenities. Intensification of existing places, including in outer London, is recognised as an important route to achieving this ambition.

7.3.12 Policy GG2: Making the best use of land states:

To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must:

- A. enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites;
- B. prioritise sites which are well-connected by existing or planned public transport;
- C. proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling;
- D. apply a design-led approach to determine the optimum development capacity of sites;
- E. understand what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London's distinct and varied character;
- F. protect and enhance London's open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening, including aiming to secure net biodiversity gains where possible;
- G. plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth; and

H. maximise opportunities to use infrastructure assets for more than one purpose, to make the best use of land and support efficient maintenance.

7.3.1 The supporting text (para 1.2.3) adds that “*the benefits of this [a higher density in appropriate locations approach] are wide ranging going well beyond the simple ability to provide more homes and jobs. High-density, mixed-use places support the clustering effect of businesses known as ‘agglomeration’, maximising job opportunities. They provide a critical mass of people to support the investment required to build the schools, health services, public transport and other infrastructure that neighbourhoods need to work. They are places where local amenities are within walking and cycling distance, and public transport options are available for longer trips, supporting good health, allowing strong communities to develop, and boosting the success of local businesses.*”

7.3.2 The London Plan (para 1.4.3) reports that London needs 66,000 new homes each year, for at least twenty years, and evidence suggests that 43,000 of them should be genuinely affordable if the needs of Londoners are to be met. Policy H2 seeks to increase housing supply across the capital through the optimisation of suitable and available brownfield sites, Ten-year housing targets have been established for every borough at Table 4.1 of the London Plan, with the Royal Borough of Greenwich having a target of 28,240 new homes meaning it is one of the largest growth areas in the city behind only Tower Hamlets and Newham.

7.3.3 Chapter 2 of the London Plan sets out the spatial strategy for London, establishing a number of strategic designations to identify areas for more accelerated levels of change in order to deliver London’s objectively assessed development needs. As set out above, this includes designation of Woolwich as an Opportunity Area.

7.3.4 Policy SD6 ‘Town Centres and High Streets’ states that the vitality and viability of London’s varied town centres should be promoted and enhanced by:

- (1) encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses;
- (2) identifying locations for mixed-use or housing-led intensification to optimise residential growth potential, securing a high-quality environment and complementing local character and heritage assets;
- (3) delivering sustainable access to a competitive range of services and activities by walking, cycling and public transport;
- (4) strengthening the role of town centres as a main focus for Londoners’ sense of place and local identity in the capital;

- (5) ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy; and
- (6) supporting the role of town centres in building sustainable, healthy and walkable neighbourhoods with the Healthy Streets Approach embedded in their development and management.
- 7.3.5 Policy SD6 advances that the potential for new housing within and on the edges of town centres should be realised through mixed-use or residential development that makes best use of land, capitalising on the availability of services within walking and cycling distance, and their current and future accessibility by public transport. Policy SD6 recognises the need for daytime, evening and night-time activities to be promoted to enhance town centre vitality and viability, and for the development of cultural uses and activity to be supported. It also recognises that the provision of social infrastructure should be enhanced, with town centres being a barrier-free and inclusive environment that meets the needs of all Londoners.
- 7.3.6 The supporting text also acknowledges that it is important to ensure an adequate supply of affordable floorspace for community uses and smaller enterprises and that, subject to viability considerations, these should be promoted so to maintain and enhance the social and economic offer of town centres (para 2.72G).
- 7.3.7 Policy HC6 seeks to ensure that **the Night-Time Economy** is supported and promoted particular in town centres with good public transport access. The London Plan identifies Woolwich Town Centre as an “NT3” area i.e. one of more than local importance to the night-time economy. The Scheme via its cultural and leisure proposals delivers the objectives of the London Plan in this respect.
- 7.3.8 With regard to **Affordable Housing**, Policies H4 and H5 seek to maximise the delivery of affordable housing and set a strategic target of 50% across London. The Affordable Housing and Viability SPG (August 2017) sets out the preferred approach to the delivery of affordable housing. London Plan (2021) policy H5(C) set out the ‘threshold approach’ to planning applications whereby schemes that meet the specific threshold of affordable housing by habitable room without public subsidy, and which meet the preferred tenure mix, are eligible to follow the Fast-Track Route whereby viability information is not required and a late stage review would not be sought. If the proposal does not meet the relevant threshold, requires public subsidy, or has a discordant tenure split, the proposal will be assessed using the viability-tested approach.
- 7.3.9 The preferred tenure mix is outlined in Policy H6 as at least 30% low cost rent (social rent or London Affordable Rent), at least 30% intermediate (London Living Rent or Shared Ownership) and the remaining 40% as determined by the Local Planning Authority.

- 7.3.10 With regard to **Housing Mix**, Policy H10 encourage a full range of housing choice, with affordable family housing noted as a strategic priority. The policy further outlines that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This is supported by the Housing SPG (March 2016), which seeks to secure family accommodation within residential schemes, particularly within the affordable rented sector.
- 7.3.11 In terms of **Heritage**, Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.3.12 In terms of **Transport**, Policy T2 state that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking and cycling. Policies T6 and T6.1 set maximum car parking requirements and Policy T5 sets minimum cycle parking requirements. Policy T7 address requirements for deliveries, servicing and construction.
- 7.3.13 With regard to **Energy**, Policy SI2 requires major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the Be Lean, Be Clean, Be Green and Be Seen energy hierarchy.
- 7.3.14 In relation to **Design**, Policy D9 states that tall buildings should only be developed in locations that are identified as suitable in development plans. The Council has identified that tall buildings are appropriate on the Woolwich Exchange development site through the WTCSPD, SSMSPD as well as in submission version of the Greenwich Site Allocations Development Plan Document.
- 7.3.15 Policy D3 encourages new developments to adopt a design-led approach to the optimisation of sites output by taking location, local context and character into account. They contemplate a range of housing typologies to address this objective. Policy D4 sets out the requirements for delivering good design, including the use of design and access statements to demonstrate compliance with the London Plan's design requirements and maintaining design quality by providing maximum levels of appropriate detail at design stage. The Council's Planning Board recommended, in reporting to and accepted by its members of the Planning Committee, that the Scheme's design is considered to be one of high-quality architecture which is supported by Policy D4. Policy D8 highlights the importance of delivery of well-designed, accessible, attractive, well-connected public realm. See for example Paragraph 5.13 for details of the Scheme's proposals in this regard.



## 7.4 The Core Strategy

7.4.1 The Royal Borough of Greenwich Local Plan Core Strategy with Detailed Policies (April 2014) ("**CS**") sets out the Council's strategy, vision, objectives and core policies for development within Royal Greenwich up until 2028, and is the foundation local plan document within the Royal Greenwich Local Plan. As well as these strategic policies, the CS also sets out more detailed policies to guide development.

7.4.2 The CS envisions that Woolwich will become a Metropolitan Centre by 2028 (para 2.1.4), moving up the hierarchy in the London Plan Town Centre Network from its current classification as a Major Centre. The town is expected to see significant development over the plan period, building on its DLR connection and the Crossrail station being delivered enabling greater accessibility to Central London and beyond (para 3.3.3).

7.4.3 The Council's Policies Map indicates that the Order Land sits within (on the south-east boundary of) the Town Centre. The CS details the ambition for Woolwich Town Centre: that it will be revitalised through additional retail floorspace, new office, leisure and entertainment facilities, a new civic centre, as well as new culture and tourism uses (para 3.3.5). Policy TC2 Woolwich Town Centre states that:

*"Woolwich Town Centre will re-assert itself as a Major Centre in South East London, improving the quality and quantity of its retail offer and clawing back trade that has previously been lost to other centres. The Royal Borough will be supportive of development that contributes to the eventual reclassification of Woolwich as a Metropolitan Centre. Woolwich will accommodate the majority of additional town centre development in Royal Greenwich over the plan period, including:*

- *Additional and improved comparison retail floorspace;*
- *Office development;*
- *Leisure, cultural and tourism uses that contribute towards the evening vitality of the Centre and increase economic benefits; and*
- *Improved links and enhanced connectivity between the Town Centre, Woolwich Common, the Royal Arsenal and the River Thames, thereby making better use of Woolwich's historic and cultural assets and helping to attract more visitors to the Centre."*

7.4.4 With Woolwich lacking facilities that have the potential to extend the opening hours of the Town Centre (which would support the growth anticipated by the London Plan's classification of Woolwich as having strategic night-time function of more than local significance), the supporting text details the need for new development to focus on comparison retail and complementary town centre uses that contribute to evening activity (para 4.3.11). The CS recognises that the

Royal Arsenal Riverside development, a mixed-use scheme comprising residential units, retail and community uses, cafes and restaurants, provides an opportunity to improve the Town Centre as a whole and increase the range of facilities on offer to residents and visitors, but acknowledges the need for a clear linkage between the town centre and the Royal Arsenal Riverside development for these benefits to be maximised (para 4.3.12). Reference is made to the Woolwich Town Centre masterplan SPD for more detailed guidance.

7.4.5 The CS Policy H3 states that developments of 10 or more homes or residential sites of 0.5 hectares or more will be required to provide at least 35% affordable housing. Accompanying guidance to this policy seeks 70% social/affordable rented and 30% intermediate housing (para. 4.1.14), but also recognises that the exact mix will vary in different locations (para. 4.1.15).

## 7.5 **The WTCSPD (April 2012)**

7.5.1 The WTCSPD (April 2012) sets out the Council's vision and objectives with regard to the future of Woolwich Town Centre.

7.5.2 Through the delivery of major new transport infrastructure in the form of the Docklands Light Railway extension into Woolwich Arsenal (opened in 2009) and Crossrail (now anticipated to be opened in 2022), the Woolwich Town Centre Masterplan identifies the Town Centre as being one that is poised for major change which is forecast to evolve Woolwich into a Metropolitan Town Centre. The Masterplan seeks to guide the release of the Town Centre's potential to deliver an expanded retail, cultural, leisure and residential offer through the intensification of underused blocks and areas.

7.5.3 The main objective of the Masterplan is to provide a flexible framework that will facilitate the regeneration of Woolwich Town Centre, one that is capable of adapting to changing market conditions and able to respond to opportunities that arise from the completion of Crossrail.

7.5.4 The principle objectives relevant to the Scheme are:

- To expand the offer of the town to grow into a metropolitan centre;
- Improve links to the riverside from the town centre;
- Identify areas for leisure, community and cultural uses within the town centre;
- Identify opportunities to improve links and accessibility to the surrounding residential areas, particularly across the A206 and A205;
- Establish development sites that can deliver further retail within the town centre;
- Identify sites for residential use within the town centre; and

- Protect and enhance this historic core of the town centre and maintain its fine grain urbanism.

7.5.5 The Masterplan identifies that there will be a focus on mixed-use, residential-led development within the core of the town centre, and that there will be a shift away from retail at the Town Centre's eastern end, towards a strong leisure and community function, widening the attraction of this part of the Town Centre and helping to increase activity onto General Gordon Square.

7.5.6 The Woolwich Exchange site is identified as 'Site 4' and is described as a underused site which could be intensified through the bringing forward of mixed-use redevelopment and refurbishment, which could include new retail, a supermarket and residential development. Site 4 is identified as one that, following the completion of Crossrail, will be a very prominent site which forms a first impression of the Town. The Masterplan envisions the site being brought forward over the second and third phases of development within the Town Centre. The majority of the envisioned Phase 1 is now already completed including the Tesco development at Love Lane, the Royal Arsenal Riverside and enhancements to General Gordon Square.

## 7.6 The SSMSPD (January 2015)

7.6.1 The SSMSPD focusses solely on the development site opportunity and was prepared to provide a framework for the enhancement and redevelopment of the site. For the avoidance of doubt this is the Order Land. The site is identified as a strategic site which the Council would like to see redeveloped in the short to medium term as a mixed-use development. The site's sustainable location creates the potential for the site to accommodate a significant portion of residential development with the opportunity to also deliver retail and complementary leisure uses:

*"The site's sustainable location, in close proximity to high quality transport connections and employment opportunities, creates the potential for the site to accommodate a significant proportion of residential development. In addition, the site offers the potential for retail floorspace, benefiting from its location adjacent to Woolwich's retail core, particularly comparison retail, which is currently under-represented in the town centre. There is also an opportunity to supplement this retail offer with complementary leisure uses, such as cafes, restaurants, flexible event/activity/market space and a cinema, enhancing both the day time and evening economies."*

7.6.2 The SSMSPD advises that *"the Royal Borough of Greenwich supports a comprehensive approach to the redevelopment of the site through the submission of a single planning application"*. Whilst the Masterplan is illustrative rather than prescriptive, this relates to *"how an appropriate mix of retail, leisure, cultural and residential uses can be accommodated on the sites as part of a comprehensive redevelopment scheme to promote this part of the town centre."*

*Other forms of development will be considered where it can be demonstrated that they satisfy the Vision, Objectives and Design Principles set out in this SPD.”*

7.6.3 The SSMSPD identifies seven key objectives for the Order Land’s redevelopment which are set out and addressed in Section 4 of this Statement of Case.

7.6.4 The fragmented land ownership of the Order Land is recognised by the SSMSPD, but this does not deter the need for comprehensive development to be achieved:

*“The site is characterised by a multitude of typically small sized plots with sub interests; together with some larger interests. Delivering an attractive, well designed and cohesive scheme for the area on a plot by plot basis would be unrealistic. Therefore a comprehensive approach to redevelopment of Spray Street is sought.”*

**7.7 Site Allocations Development Plan Document Proposed Submission (Nov 2021) (Reg 19 Consultation)**

7.7.1 The Council is currently in the process of preparing the Site Allocations Development Plan Document (“**SADPD**”) which once adopted will form part of the Development Plan. Consultation on the Issues and Options stage of the SALP took place between 15<sup>th</sup> February 2016 and 29<sup>th</sup> March 2016, the Preferred Approach Consultation (Regulation 18) stage between 16<sup>th</sup> August 2019 – 11<sup>th</sup> October 2019 and the Proposed Submission Consultation (Regulation 19) stage between 8<sup>th</sup> November 2021 – 20<sup>th</sup> December 2021.

7.7.2 The SADPD identifies the Order Land as site ‘W11 Spray Street’ in which the proposed allocation is for *“Mixed use development appropriate to the town centre, including a cinema and complementary retail/leisure/cultural uses, workspace suitable for SMEs, appropriate community uses and residential”*.

7.7.3 The site requirements are listed as:

1. Mixed use development, including a cinema with surrounding retail and food and drink uses that support the cinema and the emerging food and drink cluster in this part of the town centre.
2. Flexible workspace and community uses at ground and potentially first floor to support introduction of residential uses at upper floors.
3. Provision of a new public open space within the site and a public route between Spray Street/ Woolwich New Road and Plumstead Road to improve the permeability of the area.
4. Proposals should preserve or enhance the Grade II listed Public Market building and its setting and the locally-listed buildings at 1a-1c and 3 Woolwich New Road and 2 Plumstead Road and should preserve or enhance the settings of the Grade I listed Royal Brass

Foundry, the surrounding Grade II listed buildings and the Woolwich and Royal Arsenal Conservation Areas.

7.7.4 The key Development Guidelines for the development site are:

1. Due to the variable local context and sensitive heritage assets within/in proximity to the site, piecemeal development based on land ownerships will not be acceptable. The optimal capacity of the site will only be achieved through an integrated, coordinated and comprehensive approach to site planning. Any proposals brought forward must satisfy the objectives set out in this allocation and demonstrably support realisation of the full potential of the site.
2. The site should support the expansion of Woolwich's evening economy given its location between the existing railway and DLR station and the future Crossrail station, as well as its adjacency to Beresford Square and the Royal Arsenal redevelopment with the future Woolwich Creative Quarter. The site has been allocated for a cinema in order to establish an anchor use to attract visitors to the area in the evenings. This should be supplemented by related uses, such as food and drink (A3-A4), in the area surrounding the cinema.
3. Flexible workspace suitable for SMEs should be provided on the site at ground and/or first floor level. Workspace at first floor level would be particularly suitable on Plumstead Road, where first floor dwellings might be inappropriate due to the impacts on privacy from the frequent buses, and around the new public open space, where evening uses could impact the amenity of residents living above. Workspace could also be provided at ground level on parts of the site where low footfall would not support retail/food and drink uses and where residential dwellings would be inappropriate.
4. Community uses would be expected on the eastern part of the site to serve the future residents of the site and the residents of the neighbourhood to the east. This area would be suitable for a nursery and/or other community uses.
5. The development should preserve or enhance the Grade II listed existing covered market and should take the opportunity to integrate it into a comprehensive development. The through route between Plumstead Road and Spray Street should be a minimum of four metres in width in order to appear welcoming and public, open to the sky outside of the market and include a mixture of hard and soft landscaping. It must meet the public footway at grade at either end and should be fully accessible.
6. A new public open space must also be provided. This space should be located on the public through route and should have visual and physical connections to the public realm outside the site including, potentially, a connection to Beresford Square. This space should be integrated with the market building and cinema to create a hub for the evening economy uses. In order to accommodate these types of uses, the space should be predominantly

hard-landscaped, but should include some soft landscaping features. It should be designed to take advantage of direct sunlight.

7. The site sits within the setting of the Grade I listed Royal Brass Foundry and several Grade II listed buildings. The need to ensure that the settings of these buildings are preserved or enhanced should guide the design and layout of the development. The shop buildings on either side of Woolwich New Road have a consistent character formed of predominantly three-storey Victorian buildings, and 1a-1c and 3 Woolwich New Road are local heritage assets. Development on this part of the site should retain these buildings and maintain the grain and massing of the existing blocks in order to contribute to the character formed by the blocks enclosing Beresford Square, including the Grade II listed Gateway Arch and the locally-listed Ordnance Arms block.
8. The frontage along Plumstead Road provides an opportunity to improve the urban fabric. It is a very wide street and the site opposite has been developed with buildings up to 21 storeys, setting a context that a development on this site could respond to, provided the height of the buildings maintains sunlight and daylight to surrounding residents and occupiers and supports a high level of amenity for future occupiers of the site.
9. Towards the south-east part of the site, the development should step down in both height and density to provide a transition towards the neighbourhood to the east where the predominant built form is blocks and houses of 3-4 storeys. There is potential for development in the south-eastern part of the site to exceed these heights due to the width of Burrage Road and the separation distance between the edge of the site and the nearest adjacent buildings; however buildings on this part of the site should still respond to the adjacent neighbourhood in terms of scale, allowing for heights up to 6 storeys at the street frontage. This part of the site might be appropriate for ground floor residential units provided a sufficient defensible space is provided to clearly demarcate the private areas of the site from the public realm.
10. Residential use on the ground floor elsewhere on the site is unlikely to be acceptable. Residential units should be dual aspect (north facing single aspect units are not acceptable) and provide access to suitable private and communal amenity space. As a town centre site, both balconies and communal amenity space should be provided. Communal amenity space may be provided above ground level in the form of roof gardens and should be designed to receive direct sunlight.
11. Where residential units are to be located above evening uses, the layout should be designed to ensure that the uses do not have a negative impact on residents in terms of noise. Where there is a high concentration of evening uses, for example around the market and cinema, residential blocks could be set back behind a second- or third-floor podium garden, providing communal amenity space and mitigating noise pollution.

12. As with most of the Town Centre, the predominant material in the existing buildings on-site and in the surrounding neighbourhoods is brick. The detailing and materiality of any development will be particularly important at the western end of the site where it will be within the setting of the Grade I listed Royal Brass Foundry and the settings of several Grade II listed buildings, and should contribute to the townscape of Beresford Square.
13. The site is considered suitable for car free development and proposals should provide the minimum level of car parking necessary. Space for servicing should be unobtrusive and not disrupt any active frontages.
14. Thames Water has indicated that upgrades to the water supply and wastewater network infrastructure are likely to be required to support the demand anticipated from the site. Strategic drainage infrastructure is likely to be required. Early liaison with Thames Water on these issues is required.
- 7.7.5 The Council intends to have a final round of public consultation in early 2022, prior to submitting it to the Secretary of State for Examination in Public.
- 7.7.6 The Scheme as proposed will deliver the ambitions of the emerging SADPD.
- 7.8 **NPPF (2021)**
- 7.8.1 The NPPF provides guidance on planning at a national level and is a material consideration for planning decision making purposes. Paragraph 8 states that:
- “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
- a) ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
  - b) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
  - c) ***an environmental objective*** – *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

7.9 The policy approach contained within the NPPF provides that needs should be identified and met (see paragraphs 11 and 60).

7.9.1 The NPPF promotes the role of town centres, stating that town centres should be recognised as the heart of their communities. Local authorities are required to pursue policies to support the viability and vitality of town centres. This includes promoting competitive town centres that can grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allow a suitable mix of uses (including housing) and reflects their distinctive characters. In particular, the NPPF promotes the preference for main town centre uses to be located in town centres.

7.9.2 The Planning Practice Guidance supports the strengthening and promotion of town centres, it states:

*"What role can planning authorities play in supporting the management, adaptation and growth of town centres? For planning purposes, town centres as defined in the National Planning Policy Framework comprise a range of locations where main town centre uses are concentrated, including city and town centres, district and local centres (and so includes places that are often referred to as high streets). Local planning authorities can take a leading role in promoting a positive vision for these areas, bringing together stakeholders and supporting sustainable economic and employment growth. They need to consider structural changes in the economy, in particular changes in shopping and leisure patterns and formats, the impact these are likely to have on individual town centres, and how the planning tools available to them can support necessary adaptation and change.*

*A wide range of complementary uses can, if suitably located, help to support the vitality of town centres, including residential, employment, office, commercial, leisure/entertainment, healthcare and educational development. The same is true of temporary activities such as 'pop ups', which will often benefit from permitted development rights. Residential development in particular can play an important role in ensuring the vitality of town centres, giving communities easier access to a range of services. Given their close proximity to transport networks and local shops and services, local authorities may wish to consider locating specialist housing for different groups including older people within town centres or edge of centre locations.*

*Evening and night time activities have the potential to increase economic activity within town centres and provide additional employment opportunities. They can allow town centres to diversify and help develop their unique brand and offer services beyond retail. In fostering such activities, local authorities will also need to consider and address any wider impacts in relation to crime, noise and security." (Paragraph 001)*

7.9.3 National planning guidance therefore encourages development of town centres and recognises that a wide range of complementary uses can, if suitably located, help to support the vitality of



town centres. This includes evening and night time activities have the potential to increase economic activity within town centres and provide additional employment opportunities. They can allow town centres to diversify and help develop their unique brand and offer services beyond retail.

7.9.4 Regarding housing delivery, the NPPF emphasises that *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”* (paragraph 60).

## 7.10 The Council's Assessment of the Scheme Against Planning Policy

7.10.1 The Officer’s report to the Council’s Planning Board in relation to the application for planning permission for the Scheme provides a full a detailed assessment of the planning merits of the Scheme. The concluding paragraph(s) relating to the principal considerations from each section of this report are set out below.

7.10.2 **Principle of Development (para 12.46):** *“Overall the proposed residential-led scheme would make very effective use of this brownfield site, maximising regeneration potential that would deliver increased mixed-tenure housing supply. The proposal would deliver on a number of the key development plan objectives for the area consistent with the site allocation (W11) and would provide significant new retail and employment, leisure in the form of a new multi-screen cinema (within a renovated Woolwich Covered Market), nursery and up 500 m2 of community floor space. It has also been demonstrated that in terms of impacts on the existing commercial uses and social infrastructure uses that the proposal is supported by a relocation strategy to help relocate existing businesses, residents and community facilities which are going to be displaced from the site. Overall it is considered that the varied mix of uses proposed would be consistent with the development plan, site allocation and the SPD vision for the opportunity area and would help to strengthen the role of Woolwich as a major town centre to Metropolitan Town Centre.”*

7.10.3 **Equalities Impact (paras 13.15-13.17):** *“Overall, the proposed development could have resulted in adverse equality impacts in relation to the protected characteristics as a result of the loss of the existing businesses and churches, and displacement of residents on the site if it were not for a secured relocation strategy. Further measures, including providing opportunity for businesses to return to the site with affordable workspace, specific community use relocation strategy, and additional employment mitigation measures are welcomed. While it is not proposed that there would be an automatic right of return for existing businesses operating at the site, it is considered that the mitigation proposed would be sufficient and reasonable. All existing independent businesses would be able to access Retail Revival support and the database of relocation opportunities. Some businesses will also be eligible to apply for financial support as result of the compulsory purchase. In terms of benefits, these include employment*

*and construction jobs, jobs within the completed development and specific measures are required to ensure that those sharing protected characteristics can fully engage with these opportunities. Officers are satisfied that equality implications have been carefully considered and as such, it is considered that the proposals would safeguard and promote the objectives of Section 149 of the Equality Act 2010 and London Plan (2021) policy GG1 as far as reasonably possible and ensuring that Good growth is inclusive growth with this regeneration proposal.”*

- 7.10.4 **Density (para 14.7):** *“Overall, it is considered that the proposed density is acceptable in the context of the location of the site and the quality of the design of the proposed scheme. It is considered that it complies with London Plan (2021) and Core Strategy density policies which aim to optimise housing output.”*
- 7.10.5 **Design Quality (para 15.34):** *“Overall, the scheme though both phases is considered to be one of high quality architecture and is therefore supported by relevant policy, in particular policy D4 of the London Plan (2021). However, it is recommended that any planning permission be subject to a number of conditions to protect the design quality, such as requiring the submission of material samples for approval prior to development of the relevant phases commencing to ensure all approved features and detailing on the elevations are maintained at the post-approval stage. As mentioned previously, a planning obligation has been secured to retain architect involvement.”*
- 7.10.6 **Townscape (para 15.57):** *“Taken together with the other planning considerations, the application scheme represents an example of increasing site capacity in line with the development site consistent with policy SD1, D1, D3, D9, HC1, HC3 and HC4 of the London Plan (2021) and Site Allocations Development Plan Document – Preferred Approach (2019) (Site Ref: W11). Overall it is not considered that the proposal would result in a detrimental impact on local character or result in unacceptable townscape harm or visual impact and is considered on balance to be acceptable.”*
- 7.10.7 **Impact on Heritage Assets (para 16.73):** *“Overall, Council officers have taken a balanced view that the proposal would ensure that the character and appearance, and in particular the setting of the Grade II Covered Market would be enhanced or at least preserved. However, it is acknowledged that [whilst] the scheme itself would in some instances cause less than substantial harm (all at the lower end of the scale) there are considerable benefits which would weigh against this. When taking all the recognised benefits into account, in a balanced judgement, they would clearly outweigh any harm identified to the heritage assets and this view has been supported by Council’s Conservation Officer and the GLA. As such the proposal is consistent with paragraphs 192, 193, 194, 196 and 197 of the NPPF (2019), s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies SD1, D1, D3, D9, HC1, HC3 and HC4 of the London Plan (2021), policies DH1, DH2, DH3, DH4, DH(g), DH(h), DH(i), DH(j), DH(l) and DH(m) of the Core Strategy (2014) and the relevant supplementary planning documents and guidance that support these policies.”*

**7.10.8 Impact on the Amenity of Nearby Properties (paras 17.178-17.179):** *“Overall, whilst some properties would experience a degree of loss of sunlight and daylight, based upon the existing context of the application site and the existing surrounding built environment, the proposed development would have impacts that would be expected for a major development within an Opportunity Area and Site Allocation. It is considered that the retained levels of daylight and sunlight would be adequate and comparable with the setting and as detailed above there would be minimal adverse losses of outlook and increases in overlooking. Therefore, it is not considered that there are any other properties that would be adversely affected in regard to residential amenity that would warrant refusal of the proposed development, particularly when considered against the proposed regeneration benefits of the scheme outlined in detail elsewhere in this report in line with policy D6 and D9 of the London Plan (2021) and policy DH(b) of the Greenwich Council’s Core Strategy.*

*In considering the public benefits of the scheme as outlined in paragraph 16.71, it is considered that, on balance, in this case the harm is outweighed by these benefits.”*

**7.10.9 Affordable Housing (including Financial Viability Assessment) (paras 18.20-18.21):** *“While the application does not meet the Council’s affordable housing requirements in terms of proposed quantum, the application will deliver 20% affordable housing, (split 71% London Affordable Rent and 29% London Shared Ownership, with the affordability levels set out above). Given the deficit of £44,502,871 (as determined by the GLA) the proposed affordable housing offer would consistent with the approach to viability as detailed within the London Plan (2021) Policies GG4, H5, H6 and H7; the Affordable Housing and Viability SPG (August 2017) and Greenwich Council Core Strategy policy H3. On balance, that the proposals are acceptable and is the maximum reasonable amount of affordable housing that could be provided on-site as assessed through the Viability Tested Route. The proposal would make a significant contribution towards to the delivery of additional housing including affordable housing within Greenwich and the regeneration of Woolwich Town Centre.”*

**7.10.10 Residential Mix and Tenure (para 19.6):** *“Overall, the scheme provides an appropriate mix of housing tenures, types and unit sizes considering the location and characteristics of the site (being an opportunity area), and the density and form of development. In line with London Plan (2021) planning policy the exact mix on each site varies according to the location of the development and the character of the surrounding area. In this case the high proportion of 1 and 2 bedroom units is considered wholly appropriate for the urban location, given the high PTAL of the application site, and its role in the regeneration of the Woolwich Town Centre (given it is both within an opportunity area and site allocation) in line with policy H10 and SD1 of the London Plan (2021), policy H2 of the Greenwich Council’s Core Strategy H5.”*

**7.10.11 Quality of the Residential Environment (paras 20.73-20.75):** *“A detailed review of all aspects relating to the quality of the residential environment for the proposed residential accommodation has been undertaken. Whilst all units would comply with minimum internal and external space*

and floor to ceiling height standards, some shortfalls from other recommended standards have been identified across the development. The shortfalls would be of varying degrees of significance. The shortfalls relate to the number of single aspect units (both north facing and overall), the number of units accessed from the cores, the 12 units within Block A which do not provide private amenity space, the extent of overshadowing of some communal amenity spaces and the other minor levels of non-compliance in terms of daylight and sunlight and the lack of onsite playspace. In considering the level of shortfalls, officers have measured this against the wider urban-design principles and regeneration benefits of the scheme which responds to the site's context and capacity for growth, as well as the wider benefits. On balance, it is considered that the standard of accommodation proposed, both internally and externally, is appropriate given the high density nature of the scheme, but also being within an opportunity area and site allocation."

**7.10.12 Environmental Pollution – Noise and Vibration (paras 21.15 – 21.16):** *"The Council's Environmental Health Officer has reviewed the submitted information and not raised any concerns in regard to future residents' noise environment or the impact of the development on the noise environment in general, subject to the approval of further details. Conditions have been included in Appendix 2 to secure submission of these details. Further conditions secure a noise impact assessment to consider operational impacts from non-residential uses; and a detailed scheme of noise insulation measures for all divisions (walls and/or floors). Through good acoustic design, sound insulation and noise mitigation measures, the residual noise levels within internal residential units; and external private, communal and public amenity spaces; are expected to provide an acceptable noise environment. Subject to the above provisions being secured by condition, the application complies with the requirements of the NPPF, policies D3 and D14 of the London Plan (2021), Greenwich Core Strategy policy H5 and the Housing SPG (March 2016)."*

**7.10.13 Environmental Pollution – Air Quality (paras 21.25 – 21.26):** *"The Council's Environmental Health Officer has reviewed the application and in addition to the conditions above, recommends a condition relating to Mechanical ventilation and Odour assessment. This has been secured as detailed within Appendix 2. In summary, subject to the mitigation proposed, the overall construction and operational air quality impacts of the development would be not significant. The application complies with the requirements of the NPPF, policies D3 and SI 1 of the London Plan (2021), Greenwich Core Strategy Policies H5 and E(e), and the Housing SPG (March 2016)."*

**7.10.14 Environmental Pollution – Contamination (para 21.40):** *"Overall, a number of conditions as detailed within Appendix 2 have been included to secure these matters. Therefore, subject to recommended conditions securing the findings of these documents, it is considered that the development is acceptable in this regard and accords with London Plan (2021) policy SD 1, and Policy E(e) of the Council's Core Strategy."*

- 7.10.15 Transport and Access (para 22.62):** *“The proposals for a high-density residential-led mixed use scheme, in what will become a very accessible location (with the opening of the Crossrail station), broadly accords with London Plan (2021) transport policies, which encourage such developments in locations that minimise the need to travel, particularly by car. The development itself and associated transport infrastructure will encourage and accommodate the expected pedestrian and cycle demand and will promote sustainable travel. Council Highway’s Officer and TfL considers that the proposal is acceptable in transport terms subject to securing mitigation measures through planning conditions and obligations. Subject to securing the proposed mitigation, the application accords with London Plan (2021) policies D1A, D1B, T1, T2, T3, T4, T5, T6, T6.2, T6.3, T6.4, and T6.5, policy IM4 of Greenwich Council’s Core Strategy and the Transport Strategy (March 2018).”*
- 7.10.16 Socio-Economics (para 23.28):** *“The proposals would deliver significant new employment including 656 jobs at the operational phase, through the provision of a cinema, nursery, retail and leisure uses. The development would also secure the provision of 801 new dwellings. Subject to securing mitigation for early years education through the provision of a nursery within Block C, and mitigation for primary education, healthcare and playspace through s106 financial contributions, it is considered that future residents of the development would benefit from adequate on and off-site social infrastructure. Therefore, the proposed development would align with the aims of the NPPF (2019), Policies DF1, S1, S2 and S3 of the London Plan (2021) and Policies CH1 and IM1 of the Core Strategy (2014).”*
- 7.10.17 Biodiversity and Ecology (para 25.15):** *“Following implementation of the identified mitigation measures it is not considered that there would be adverse ecological impacts from the proposed development in line with policy G5 and G6 of the London Plan (2021).”*
- 7.10.18 Urban Greening Factor (para 25.20):** *“Overall, the principles for the landscaping of the scheme include a range of elements, which together have significantly increased the extent of soft landscaping on the site delivering a significant biodiversity enhancement, when compared to the existing situation. While it is regrettable that the development has not met the Urban Greening Factor, the proposal would result in net gain for biodiversity (19%) consistent with London Plan (2021) policies G5 and G6.”*
- 7.10.19 Trees and Landscaping (para 25.27):** *“Taken together, while a number of trees are to be removed, this is considered to be appropriately off-set (and improved) through the ecological and biodiversity enhancements and landscaping as proposed. The proposal has been reviewed by the Council’s tree officer and they raise no objection subject to appropriate conditions including securing the mitigation tree planting within the site. As such, the proposal would be in accordance with policy G7 of the London Plan (2021) and Policy OS(f) of the Core Strategy (2014).”*

7.10.20 **Sustainability and Energy (para 25.52):** *“The energy strategy proposed does not fully accord with London Plan policies SI2, SI3 and SI4. Further information regarding energy and carbon reduction, energy efficiency measures, overheating, the site wide heat network, connection to offsite heat network and renewable energy is required. There are areas of improvement and measures that the applicant should consider for the development and a number of conditions and Head of Terms are proposed to ascertain that the applicant will commit to investigate them before and during the construction of the development. Any carbon shortfall will be addressed through a carbon offsetting contribution paid to the Council’s Carbon Offsetting Fund.”*

7.10.21 **Water Resources, Drainage and Flood Risk (para 26.17):** *“Overall, the impacts of the proposals on Water Resources, Drainage and Flood Risk have been considered to be in line with London Plan (2021) policies SI 5, SI 12 and SI 13 with no objection raised from either Thames Water, the Environment Agency, the GLA or Council’s Flood Officer.”*

7.10.22 **Wind Microclimate (para 27.14):** *“Subject to securing appropriate mitigation, all areas of the development would be suitable for their intended use with regards to wind impacts in compliance with relevant adopted and emerging planning policies.”*

7.10.23 **Waste and Recycling Storage Collection (para 28.6):** *“The Council’s waste services, and highways officers have each reviewed the delivery and servicing details and raise no objections. While the principles of the service strategy for the site have been agreed, as noted in the transport section of the report delivery and servicing plan will be secured by way of a condition. This would need to set out a detailed strategy for waste collections and other servicing activities on site, measures to ensure freight consolidation and reduce the number of servicing trips. Overall, the proposals are supported in line with London Plan (2021) Policies D6, SI 7 and T7 and Greenwich Council Core Strategy Policy H5.”*

7.10.24 **Aviation Safety (para 29.5):** *“On the basis of the above assessment, subject to conditions recommended by London City Airport, it is considered the proposal is consistent with London Plan (2021) Policies T8 and Greenwich Council Core Strategy Policy IM(d) in relation to aviation safety.”*

## **8 JUSTIFICATION FOR THE USE OF THE COMPULSORY PURCHASE POWERS**

8.1 As explained above, the purpose of the Order is to acquire all relevant interests in the Order Land and to create relevant rights necessary to enable to Scheme to come forward.

8.2 The Council considers that there is a compelling case in the public interest for the making of the Order. The Scheme will achieve long-standing planning policy objectives for Woolwich Town Centre. It is supported by planning policy at a national, regional and local level. It is considered that there are no planning or viability impediments to the implementation of the Scheme. The Council considers the Scheme will make a significant positive contribution to the promotion of

achievement of the economic, social and environmental wellbeing of the area for the reasons set out below.

- 8.3 Ownership and control of the Order Land is required to enable the Scheme to proceed. If the land included in the Order is not compulsorily acquired then the Scheme will not be delivered. This would mean that the long-standing intentions of the policies for the site and for Woolwich Town Centre would not be realised and there would be a subsequent loss of direct and indirect investment.
- 8.4 The Council is satisfied that it has made reasonable attempts to put appropriate arrangements in place to acquire interests and rights in the Order Land by private agreement. The Council has attempted, and will continue to attempt, to purchase the outstanding interests and rights by private agreement. However, ownership of the Order Land is significantly fragmented. Given the number of third party interests identified in the Schedule to the Order, including land of unknown ownership, the Council considers it unlikely that it will be able to acquire all of these interests by agreement within a time period that can be considered reasonable to secure investment certainty and to local people affected by the Order. The exercise of compulsory purchase powers will enable redevelopment to take place and will also enable such redevelopment to come forward at an earlier date by providing certainty in respect of site assembly. Absent the Order, there is no realistic prospect that the Order Land can be assembled by private treaty at any time in the foreseeable future.
- 8.5 The Council has carefully considered the need to include each parcel of land and each new right in the Order Land and is satisfied that these interests are required for the delivery of the Scheme.
- 8.6 The overarching considerations for the Secretary of State in deciding when an Order should be confirmed, and which is of equal relevance to the Council in reaching its decision, are set out in paragraphs 13, 15 and 106 of the CPO Guidance which identifies the following issues be considered:
- (a) whether the purpose for which the land is being acquired fits with the adopted Local Plan for the area;
  - (b) the extent to which the Scheme would contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or improvement of environmental well-being of the Council's area;
  - (c) the potential financial viability of the Scheme, general funding intentions and the timing of available funding and that there is a reasonable prospect of the Scheme going ahead; and
  - (d) whether the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means.

8.7 ***(a) Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area***

8.7.1 The principle of a mixed-use, residential-led development of the Order Land has clear policy support at national, strategic and local level. From the London Plan (Policy SD1), Core Strategy (paras 3.3.2-3.3.9), the supporting WTCSPD, SSMSPD and the Emerging SADPD, the Order Land has been consistently identified as a key opportunity to revitalise a significant element of the Town Centre or is otherwise consistent with key objectives of those policy documents as outlined in Sections 4 and 5 above.

8.7.2 Detail as to the planning policy framework relating to the Order Land is provided in Section 7 with the key elements summarised below:

- **London Plan (2021)** – The Order Land lies within the Woolwich Opportunity Area identified by the London Plan (Policy SD1). Opportunity Areas are defined as principal opportunities for accommodating large scale development to provide substantial numbers of new employment and housing, each typically more than 5,000 jobs and/or 2,500 homes (also being the specific targets identified for Woolwich at Annex 1, Table A1.1), with a mixed and intensive use of land and assisted by good public transport accessibility. Woolwich is additionally categorised as a strategic area for regeneration and as a potential future Metropolitan Centre, having high residential growth potential and a strategic night-time function of more than local significance.
- **Greenwich Core Strategy (2014)** – The Order Land is located within the Woolwich Strategic Development Location (paras 3.3.2-3.3.9) where it is recognised that Woolwich “*will see significant growth over the plan period, particularly within the Town Centre, and by 2028 will be established in its role as a Metropolitan Town Centre.*” (para. 3.3.2).
- **Woolwich Town Centre Masterplan SPD (2012)** - Sets out the vision for Woolwich and sets out a framework that will facilitate the regeneration. The Order Land is allocated as Site 4 for:  
  

*“A mixed-use refurbishment and redevelopment scheme should be brought forward and could include new retail, a supermarket and residential development for this important but underutilised area. An assessment of important historic buildings on the site should be undertaken and a fine grain approach promoted. This will be a very prominent site, located opposite the Crossrail station, forming a first impression of the town. There is therefore an opportunity to significantly intensify the use of this site.”* (page 30).
- **Spray Street Masterplan SPD (2015)** – This document sets out the Council’s vision for the allocation identifying seven key objectives for the Order Land’s redevelopment (Section 4 sets out an overview of how the scheme seeks to further these objectives):



- (i) Contribute to Woolwich's growth into a Metropolitan Town Centre;
  - (ii) Create a landmark high-quality mixed-use development, which helps integrate the Royal Arsenal and Crossrail station into the town centre;
  - (iii) Increase and diversify housing development;
  - (iv) Improve the built environmental quality and create a gateway to the town centre;
  - (v) Expand and improve the cultural and leisure offer to create a destination;
  - (vi) Increase permeability and connections to the town centre; and
  - (vii) Attract and retain people within Woolwich Town Centre.
- **Emerging Site Allocations DPD (Proposed Submission— 2021** – The Order Land is identified under Allocation W11 for mixed use development appropriate to the town centre, including enhancement of the Grade II listed market building, a cinema and complementary food/beverage uses, retail/service, B1 workspace, community uses and residential.

8.7.3 The Scheme underlying the Order meets all of the objectives set out in such policy.

8.7.4 In order for Woolwich Town Centre to grow and be reclassified as a Metropolitan Town Centre so as to realise the ambitions of the London Plan and Core Strategy, it will need to expand its cultural and leisure offer, create opportunities for town centre living, strengthen its retail offer, and increase its provision of office space. It is recognised that the Order Land in isolation will be unable to provide all of these requirements but the Scheme will make a significant contribution towards meeting them.

8.7.5 The Scheme will provide 801 residential units whilst the existing housing provision on the site is minimal. These new dwellings will be a mixture of one, two, three and four bedroom properties, of which 25% by habitable room (20% by unit) would be 'affordable' divided between 46 intermediate / shared ownership units and 112 London Affordable Rented units. The Scheme would therefore satisfy the Council's objective of increasing and diversifying the housing provision within the Town Centre as well as making a significant contribution to affordable housing.

8.7.6 The policy aspiration is to diversify the current low value retail offer to a greater retail, leisure and cultural offer within a high quality environment. This is best advocated in the WTCMSPD which supports "*a shift away from retail at the eastern end of the town centre, towards a strong leisure and community function, widening the attraction of this part of the town centre and helping to increase activity onto General Gordon Square*". The Masterplan aspiration is to see the cultural and leisure offer with the town centre expanded and improved, encouraging a 'café culture', supporting the day time and evening economies, and enhancing the attraction of the

Town Centre for residents and as a destination for visitors. The Scheme will contribute to this requirement with the provision of a new cinema together with a mix of cafes, restaurants, bars and shops, which will be located within and around the repurposed Former Woolwich Covered Market.

- 8.7.7 The proposed use of the Grade II listed Former Woolwich Covered Market, together with the retention of 1a-c – 11 Woolwich New Road, which falls within the Woolwich Conservation Area, addresses the Woolwich Town Centre Masterplan’s requirement for development to respect the historic buildings on site and adopt a fine grain approach to development. The work to the Former Woolwich Covered Market will create a high-quality, landmark building and attraction, both improving the quality of the built environment and helping to knit the newer elements of the town centre (the Royal Arsenal Riverside development and the Crossrail/Elizabeth Line station) with the existing focal points of Beresford Square, General Gordon Square, Powis Street and the Woolwich Town Centre through the development layout and associated pedestrian routes/connections.
- 8.7.8 The provision of a new public square and pedestrianised streets will integrate into the existing streets surrounding the site, providing for increased permeability and strengthening existing connections with the Town Centre, particularly with regard to the DLR and new Crossrail/Elizabeth Line stations.
- 8.7.9 The Scheme is a high quality mixed use development which through its mix of uses will attract and retain people within Woolwich Town Centre, fully fulfilling the aspirations of the planning policy framework.
- 8.7.10 Accordingly, the Council considers that the purposes for which the land is being acquired fits with the adopted planning framework for the area and, indeed, those purposes will not realistically be delivered if the Order is not confirmed.
- 8.8 ***(b) The extent to which the Scheme would contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or improvement of environmental well-being of the Council's area***
- 8.8.1 The Scheme will contribute significantly to the economic, social and environmental improvement and well-being of the Council’s area (and beyond) at a range of spatial scales, from site-specific environmental improvements through to enhancements which will benefit the wider Town Centre and new homes which will contribute to meeting the housing needs of the Borough as a whole. The Scheme will also contribute to relevant London-wide strategic planning objectives for sustainable development, as set out in the London Plan including the preservation and enhancement of historic assets.

8.8.2 Specifically, the Scheme is a mixed-use development of substantial size and scope which will deliver numerous economic, social and environmental wellbeing improvements to the local area and population which can be summarised as follows:

### **Economic Benefits**

- (i) A significant capital investment in Woolwich to support the Town's growth towards achieving Metropolitan Town Centre status;
- (ii) Supporting the Town Centre's vitality and viability through the provision of a new mixed-use quarter providing a cinema, shops, restaurants, leisure and nursery facilities which will enhance day, evening and night-time economies, complimenting the existing and proposed future local offer;
- (iii) The delivery of housing as part of the Scheme will increase footfall within the Town Centre and boost demand to support Woolwich's growth from a Major Town Centre to a Metropolitan Town Centre, in accordance with its Opportunity Area location (with an enhanced night time economy) and which is expected to lead to retention of spend in the locality reducing leakage and thereby encouraging further investment in the Town Centre;
- (iv) Supporting growth and innovation through the introduction of a new five-screen cinema within the former Woolwich Covered Market which will act as an anchor and a catalyst for night-time activities and help promote new town centre uses and businesses;
- (v) The Scheme will provide a mix of employment and retail accommodation and affordable workspace, enhancing the accommodation offer of Woolwich, improving its sphere of influence and helping it attract new businesses and employment opportunities;
- (vi) Approximately 654 net direct FTE new jobs per annum during the construction period and approximately 219 (net direct FTE) permanent jobs on operation following completion with measures to target these job opportunities to local people;
- (vii) An estimated £260m in construction investment, generated £65m Gross Value Added per annum during the construction period and £10m new additional expenditure per annum on operation; and
- (viii) An estimated £5.33m contribution towards local infrastructure from CIL and s.106 contributions, support the viability of public transport as well as significant new revenue to the Council through business rates and council tax receipts

which help to underpin the self-sufficiency (i.e. reduce central government support) of local public services.

### **Social Benefits**

- (ix) Delivering 801 new homes to help meet current and future housing needs;
- (x) Delivering 158 affordable homes and, in a mix of tenures (71% rented; 29% intermediate) and sizes;
- (xi) Meeting the community's needs and wellbeing, by providing a new 'film and dining' quarter as a place to meet, socialise and relax, as well as leisure facilities and a nursery, so as to create an environment promoting a range of activities throughout the day and evening (all year) and to expand and improve the offer, whilst complementing existing and emerging facilities in Woolwich Town Centre;
- (xii) Opening up this currently largely inaccessible site by creating new routes and providing an active and vibrant new public open spaces, thereby complementing existing and emerging infrastructure in Woolwich Town Centre and better linking the new Elizabeth Line Station to the Town Centre;
- (xiii) Delivering a nurse's office to meet the needs of new residents and those living in the surrounding area; and
- (xiv) Investment in improved health care to benefit the residents of the new development and the local area.

### **Environmental Benefits**

- (xv) Significantly improving the quality of the built environment, which currently largely appears tired and not fitting of Woolwich's aspirations, through high quality building architecture and landscape design and the decontamination of the land and premises within the site, for example asbestos removal;
- (xvi) The Scheme will promote a low carbon economy through the use of heat pumps and PV arrays to provide for heating and cooling and allow for heat recovery and load sharing between residents to reduce the operational cost of energy;
- (xvii) Through the restoration and repurposing of the vacant Grade II listed Former Woolwich Covered Market building and the refurbishment of the key historic elements of 1a-c – 11 Woolwich New Road, the Scheme will both integrate and better reveal historic assets within the Order Land, promoting the heritage value of these buildings and their contribution to the conservation area;

- (xviii) Enhancing the public realm and natural environment with high quality sustainable hard and soft landscaping and the introduction of 11,853sq. m. of greening in the form of green roofs, tree-planting, flower and hedge planting, water features and permeable paving; and
- (xix) Opening up the largely impermeable site through the introduction of a new public square and attractive pedestrian routes to provide visual and physical connections through the Order Land and to the rest of the Town Centre.

Benefits: in more detail

- 8.8.3 In terms of housing delivery, the Scheme will deliver 801 residential units, of which 158 will be affordable. The current London Plan housing target for the Royal Borough of Greenwich is 28,240 new dwellings between 2019-2029, equating to an additional 2,824 units per year, a 5% increase on the previous London Plan annual requirement. In the last period, the total number of new dwellings constructed within the borough's administrative boundary has fallen below this threshold (2016/17: 1,979 completions; 2017/18: 1,670 completions; 2018/19: 1,514 completions). The delivery of 801 new homes will make a significant contribution to the Council's housing delivery targets being equivalent to 30% of the London Plan's housing requirement for Woolwich (2019-2029) and 16% of the London Plan's target of 5,000 new homes within the Woolwich Opportunity Area. The Scheme therefore provides a valuable contribution to the borough-wide and strategic housing objectives, in addition to addressing the identified shortfall in existing housing stock within the Order Land specifically.
- 8.8.4 The new residents of these units will bring additional revenue into the Town Centre through increased local spending. Net additional expenditure is forecast at £10m per annum on completion of the development with 654 (net direct) Full Time Equivalent ("FTE") new jobs (annual) created during the construction and 219 net direct FTE) permanent jobs created on operation following completion.
- 8.8.5 Woolwich currently has no operating cinema, with the two original cinemas in the Town – the Odeon and the Granada – having closed and occupied as places of religious worship in 2000 and 2011 respectively. The closest operating cinemas are currently located within Greenwich, Greenwich Peninsula, Eltham, Sidcup and Bexleyheath town centres, each several miles distant, resulting in those who would utilise the town centre for this and related leisure activities going elsewhere. This demonstrates the leakage of spend the proposal is seeking to reverse. The new five-screen cinema within the vacant Grade II listed Former Woolwich Covered Market building, along with a diverse range of food and beverage uses at mezzanine level and around the central square, will enhance the attractiveness of Woolwich Town Centre for residents, local workers and visitors, helping to provide transitional activities between its day, evening and night-time economies.

- 8.8.6 The Scheme enhances key historic assets within the Order Land: revitalising and re-purposing the Grade II listed Former Woolwich Covered Market so the architectural qualities of the Lamella roof design can be fully appreciated by future generations. The Woolwich Conservation Area is also respected, with the development providing for the retention and upgrading of the frontages to 1a-c – 11 Woolwich New Road, maintaining their townscape value and contribution to the character and appearance of the conservation area.
- 8.8.7 The design of the new buildings promotes social wellbeing with the vast majority having private outdoor space, either by way of a balcony or roof terrace. There are environmental gains through the introduction of heat pump systems and PV arrays resulting in a 44% saving in carbon dioxide emissions below Part L Building Regulations. The workspace and cinema will achieve an 'Excellent' rating with the other commercial elements achieving 'High Very Good', given they will be fitted to Shell only. Furthermore, the delivery of new public realm and its integration with the wider street network will also serve to improve the well-being of the residents within the new development as well as those from the wider locality.
- 8.8.8 It is recognised that the Scheme will result in the demolition of existing floorspace which is utilised by existing local businesses. The table below summarises the existing accommodation within the Order Land and those proposed by the Scheme:

<b>Residential Uses</b>			
<b>Use Class</b>	<b>Uses</b>	<b>No. of dwellings Existing</b>	<b>No. of dwellings Proposed</b>
Class C3	Residential	24	801
<b>Non-Residential Uses</b>			
<b>Use Class</b>	<b>Uses</b>	<b>Gross Internal Area (sq. m.) Existing</b>	<b>Gross Internal Area (sq. m.) Proposed</b>
Class E	Retail, financial and professional services, restaurants and cafés, workspace, dental practice, light industrial	7,002	8,515*
Class E	Vacant Covered Market	1,365	0
Class B8	Industrial Storage / Warehouse	799	0
Class F1/F2	Churches / Community Floor Space	2,698	500*
Sui Generis	Takeaways	1,015	0

Sui Generis	Drinking Establishments	113	1,446
Sui Generis	Unknown	83	0
Sui Generis	Cinema	0	4,124
<b>Total</b>		<b>13,075</b>	<b>14,585</b>

\*On the basis that 500 sqm GIA of floorspace for community use falling within Class E, Class F1(f) and/or Class F2(b) may be provided within the Development in place of the equivalent provision of shops, financial or professional services or restaurants/cafes or gym within Class E floorspace.

8.8.9 The Scheme, through the delivery of the Development, will deliver a significant increase in the residential and non-residential accommodation within the Order Land. Making the best use of urban land such as this reduces the pressure for development on more environmentally sensitive land. The proposed quantum of new retail floorspace is comparable to the Order Land's existing retail floorspace and will provide a diversity of unit sizes and wider range of uses and support the wider regeneration objectives of the planning policy. However, there will be a qualitative improvement in the nature of the retail space catering to a range of local community needs and realising the objectives of the SSMSPD. The leisure offer addresses an absence in the area that will provide an attraction. This is in addition to accompanying improvements to the public realm to create a more pleasant environment in which to enjoy the mix of uses to be delivered. The increased provision will bring with it, and be supported by, employment opportunities for the local community and/or newcomers:

8.8.10 The Scheme will provide flexible and affordable business space. Included within the new non-residential accommodation:

1. A total of 1,923 sq. m. of employment workspace will be delivered, with 200 sq. m. of this accommodation required under the section 111/106 agreement to be delivered as affordable workspace with the ambition of providing business space to start-up or establishing local, independent SMEs and creative industries to grow their businesses from;
2. A 614 sq. m. nursery will be delivered, providing new and existing residents with childcare services in a convenient town centre location, close to transport links;
3. A commitment to deliver 500 sq. m. of on-site small retail space of unit sizes no greater than 80 sq. m (again as prescribed by the section 111/106 agreement). This is intended to provide opportunities for local micro, small and medium-sized enterprises to establish and contribute to the success of Woolwich;

4. The provision of up to 500 sq. m. (secured by the section 111/106 agreement) of multi-use community floor space within Class F1(f) - places of public worship, and Class F2(b) - Halls or meeting places for the principal use of the local community; and
5. The provision of open space that provides opportunities for people to dwell and encourages linkages through the site and connects the development between the town centre and nearby transport links.

8.8.11 It is recognised that in order to deliver the changes sought by planning policy and the realisation of the Order Land's full potential, a number of existing residential and business occupiers and religious groups will be unavoidably displaced. Given the extensive nature of site works, including below ground works which are needed to facilitate the Development, the construction method requires vacant possession of all of the site and does not allow for existing business occupiers to remain on-site. Approximately 160 existing businesses will be displaced. The new Development and affordable workspace provision will provide opportunities for existing businesses to relocate within the Scheme once the Development is complete. It is recognised that this is generally not practicable for most businesses but it may be an option for some.

8.8.12 To mitigate the impact on existing businesses the Council and Developer has developed a Framework Relocation Strategy ("**FRS**"). This strategy is secured as a s111/106 planning obligation and will be subject to ongoing monitoring.

8.8.13 The FRS sets out how residential, business and religious groups occupying accommodation within the Order Land have been and will continue to be assisted. The measures which are detailed within the FRS include:

- (i) Independent business relocation support and planning to be provided through Retail Revival (including group and one-to-one meetings with affected business owners, and group sessions);
- (ii) Provision of a register of potentially suitable commercial and community properties will be kept and made available. The register will include properties both in and outside of the Council's ownership and detail the address of the property, relevant letting details (rent, property size, etc.) and the contact details of local agents so to ensure that occupiers know who they can approach to register their accommodation requirements and for assistance;
- (iii) Where a business or community occupier has provided their accommodation requirements, they will be notified when a potentially suitable relocation property is identified and would be available to businesses;
- (iv) The provision of suitably sized units at appropriate rental levels for those existing occupiers who are interested in relocating within the Scheme. Those



businesses who express an interest in moving to the Scheme will be assisted by Retail Revival to establish the viability of doing so;

- (v) Where a business occupier has a compensable interest the Council will seek to engage to agree a fixed compensation sum so to provide certainty. Additional financial assistance may be available to occupiers through the release of option fees or via early acquisitions and where possible, through providing opportunities for businesses to continue occupying their existing property for a period of time during which their business is established in its new premises;
- (vi) The payment of professional fees paid so business owners can obtain advice on the compulsory purchase process and compensation;
- (vii) The opportunity for sustainable businesses who are interested in moving into the new Development;
- (viii) Commitments on providing regular communication and to provide as much time as possible for businesses to effect a relocation through maximising notice periods;
- (ix) A commitment from the Developer to explore with the operator of the cinema the potential to utilise the auditorium space for religious and/or community activities; and
- (x) The review of the FRS on a six monthly basis to ensure the strategy is being implemented in a manner which meets the needs of occupiers and considers their feedback.

8.8.14 In respect of religious groups, there are twelve churches which operate within the site boundary. Of these only two are considered to presently occupy buildings within the site lawfully for the purpose of planning control – a number of buildings appear to have been converted from employment uses to church uses without planning permission. Notwithstanding the lawfulness of their status, the FRS caters for all interests. Measures within the relocation strategy include:

- Provision of a register of suitable properties in the area that have an existing Class F1(f) use and of those which have the potential for securing this use;
- Initial independent planning advice to occupiers as to the process that needs to be followed for securing a lawful change of use;
- Details of accommodation which will be available to uses on short term hires, such as school buildings and other community facilities which can be rented for periods of time in evenings and weekends for uses that do not require dedicated spaces;

- the Development delivers 500 sq. m. of multi-use community floor space which can be used as a place of public worship and as a hall / meeting place for local community groups subject to such parties or a third party supplier reaching agreement with and taking this space from the Developer; and
- Subject to agreement with operators, there may be opportunities for auditoriums, cinemas and theatres to be used by church groups in early mornings and it is expected that a similar opportunity will exist within the five-screen Cinema being delivered within the Development.

8.8.15 It is acknowledged that the FRS cannot guarantee a successful relocation of all existing businesses and churches, but it is considered that the strategies being implemented by the Council and the Developer are a proportionate and reasonable response that will give affected businesses and community/religious groups the opportunity to successfully relocate through the identification of potentially suitable premises and guidance/support in the process of securing and moving to alternative premises, thereby helping to reduce the impact of the displacement of businesses.

8.8.16 The FRS has been reviewed by both the Local Planning Authority and the GLA in reviewing the planning application and both support its implementation as a way of mitigating the impact on existing residents, businesses and religious groups. It is recognised that achieving the ambitions of the development plan and maximising the Order Land's regeneration potential will generate unavoidable disruption to existing occupiers, but the FRS provides a strong charter for addressing this impact.

8.8.17 To conclude, the Council considers that for these reasons the Scheme would contribute significantly to the achievement of the promotion and improvement of the economic, social, and environmental well-being of the Council's area.

8.9 ***(c) The potential financial viability of the Scheme, general funding intentions and the timing of available funding and that there is a reasonable prospect of the Scheme going ahead***

8.9.1 If the Order is confirmed the Scheme would be delivered by Developer, SSQLLP, a joint venture between St Modwen Properties Ltd and Notting Hill Commercial Properties Ltd (part of Notting Hill Genesis).

8.9.2 Following a marketing and shortlisting exercise in which potential bidders were asked to detail not only their financial offer for the Former Woolwich Covered Market, but designs for the redevelopment of the Order Land, the Council selected the Developer as their preferred bidder.

8.9.3 The Council has entered into a Conditional Land Sale Agreement ("**CLSA**") and CPO Indemnity Agreement ("**CPOIA**") with the Developer. The CLSA provides that the Council will transfer to the Developer its land holdings within the Order Land, whether already owned by the Council,

purchased by agreement or acquired through a Compulsory Purchase Order, on the satisfaction of a number of conditions, briefly summarised below:

- (a) Planning Condition – that the Developer is to fund, prepare and use reasonable endeavours to secure an implementable planning permission for the redevelopment, such application to be approved by the Council as landowner in advance. This Condition is now satisfied by the grant of the Planning Permission and the Listed Building Consent;
- (b) Initial Ground Survey Condition – that the Developer is required to undertake surveys to establish the existence of any contamination, an activity that has now been completed;
- (c) Site Assembly Condition – that the Developer is to seek to purchase third party interests in land through negotiations, with the Council purchasing the property and holding it on trust where agreement is reached (such costs to be covered under the CPOIA). Following the securing of Planning Permission and establishment of a deliverable scheme, the Council commenced the CPO process;
- (d) Infrastructure Condition – that the Developer will secure any necessary agreements relating to the Planning Permission and the development of the Order Land;
- (e) Pre-Let Condition – that the Developer has pre-let the Cinema and 50% of the commercial units prior to the Order Land being transferred to it;
- (f) Funding Condition – prior to satisfying the Viability Condition (on which see below) the Developer is to serve notice on the Council as to whether it will use third party finance for the phase or whole development as applicable. If the Developer decides to use third party finance for a phase or the Development as a whole the condition is satisfied when the Council confirms in writing to the Developer that it is satisfied (acting reasonably) that the finance identified is sufficient (with or without the Developer's other resources) to meet and pay the Relevant Costs (being a reasonable estimate of the cost of the Development) and that sufficient funds have been allocated to the Development or the Phases as appropriate. Alternatively the condition is satisfied when the Developer serves notice confirming it is not using third party finance; and
- (g) Viability Condition – once all the conditions, save for the Viability Condition, have been satisfied, the Developer is to prepare an appraisal to determine whether or not the Viability Condition is satisfied. The Appraisal is to show the achievement of the Developer's required return (at least 20% of GDV) for the whole Development. Sufficient information is to be supplied to the Council to substantiate the Developer's decision as to whether the Viability Condition has been satisfied. The condition is satisfied on service of a notice by the Developer that the Viability Condition is satisfied on the Viability Test Date (being the date on which the last of the conditions

is satisfied for each phase). The Viability Condition can be waived if the Developer demonstrates to the reasonable satisfaction of the Council that the relevant phase will produce in excess of 5% of GDV.

- 8.9.4 All of the conditions can be waived by the Developer except for the Planning Condition, the Funding Condition and the Viability Condition. This is to enable the Council to be satisfied that there are no material impediments to the realisation of the Scheme before the Developer is authorised to take the Order Land assembled by the Council's powers under CPO. The Council considers that neither the Funding Condition nor the Viability Condition represent any impediment to the delivery of the Scheme. They are reasonable and sensible contractual provisions that provide protection for both the Council and the Developer in the context of a major regeneration scheme with significant development costs and which will come forward over a relatively long-time period.
- 8.9.5 The Funding Condition provides the Council with comfort that in the event that the Developer intends to utilise debt finance from a third party in order to fund the development, the Council will be given the opportunity to approve the identity of the third party funder and the amount and terms of the funding.
- 8.9.6 The Viability Condition provides the Council and the Developer with comfort that the Development will only proceed if it is viable for it to do so. The Developer is required to provide the Council with a detailed appraisal demonstrating that it will achieve an agreed level of return, with any dispute capable of being referred to an independent expert to resolve. The Viability Condition needs to be viewed in the context of the viability of the Development having already been subject to robust and transparent scrutiny as part of the planning determination process. That process demonstrated that the Development is viable and so the Council has no reason to believe that the Viability Condition will not be fully satisfied in due course. The Viability condition is only included then to address the remote possibility that market conditions change suddenly and significantly.
- 8.9.7 The CLSA is not a development agreement, and the Council cannot positively oblige the Developer to undertake work streams or to commence the Development as there is no contractual obligation to do so. However, the Council considers that the CLSA provides the necessary foundation for the advancement of the redevelopment of the Order Land, having required the Developer to secure planning consent and have a deliverable scheme prior to the land being transferred. The Developer has demonstrated their commitment to the Scheme in the form of both the management and the current significant financial investment and resource they have dedicated to the Scheme, specifically in respect of planning and design costs. The Council is confident that once land assembly is complete, there is at a minimum a reasonable prospect that the Scheme development will be delivered. In the event of non-delivery, the Council has the ability under the CLSA to buyback any undeveloped land thus providing the Council with a safeguard that delivery will be brought forward within a reasonable time.

8.9.8 The Developer, is a partnership between St Modwen and Notting Hill Genesis, formed to bring forward the redevelopment and regeneration of the Order Land:

- (a) St Modwen is an expert property developer. It has a 30+ year heritage with a strong track record of delivering high quality regeneration from complex and challenging sites and manages a £1.4 billion national portfolio which includes various mixed use developments.
- (b) Notting Hill Genesis is one of London's leading housing associations. Founded in 1963, it now manages more than 65,000 properties across the capital and is currently developing a wide variety of sites delivering c.1,400 new homes per annum.

8.9.9 Both St Modwen and Notting Hill Genesis have significant experience in urban regeneration and housing provision. Both are the architects of the Development, guiding its delivery from its inception and committing significant funds in the pursuit of delivery of the Scheme, including the securing of the Planning Permission and Listed Building Consent. There is strong demand for the residential aspects of the Scheme and the proposed commercial accommodation. The Developer is committed to the delivery of the Scheme and there is no funding impediment to its delivery.

8.9.10 The Council is satisfied that there are no insurmountable impediments to bring forward the Scheme within a reasonable timescale. The only material impediment is the assembly of the relevant interests in the Order Land and the creation of the rights necessary to be able to deliver the Scheme.

8.10 ***(d) 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***

8.10.1 The SSMSPD recognises the one-off opportunity that is presented by the Order Land in terms of its location and ability to diversify the offer of Woolwich Town Centre:

*“The Spray Street site is uniquely positioned to contribute to enhancing Woolwich’s cultural and leisure offer, creating an environment which promotes a range of activities throughout the day and evening, and at all times of the year, in order to make the town centre a more vibrant and attractive destination.”*

8.10.2 The SSMSPD is clear that the Order Land needs to be redeveloped comprehensively to ensure maximum benefit and the realisation of policy objectives through the submission of a single planning application so to ensure that the potential of the site is realised.

8.10.3 In light of the multiple fragmented ownerships on site, it is considered that the only realistic way of securing development within a reasonable time and in accordance with the relevant policies, is for the Order to be made and confirmed. This approach is supported by the planning policy

framework of the area, the potential to deliver the regeneration well-being benefits, and the fact that alternatives that are not comprehensive would not deliver the range of regeneration benefits that are required. Moreover, a piecemeal, partial development would have negative commercial impacts (or certainly heavily reduce investment potential) to a degree that would disincentivise private sector investment.

- 8.10.4 Having been through a competitive tender process, the Council is satisfied that the Developer's approach to bringing forward the Scheme through the planning process, coupled with its track record of delivery and investment amounts to a realistic prospect of delivery of the Scheme.
- 8.10.5 The only realistic alternative means of delivery would require the Council to enter into a similar arrangement with a different developer partner for the delivery of the objectives of the SSMSPD and which would necessitate the promotion of a new development proposal, with the requirement for a new planning permission, and would otherwise lead to further delays in the realisation of the identified benefits. However, this way forward would still require the Council to assemble the land using its CPO powers and would simply result in further and considerable delay to the achievement of the Scheme objectives.
- 8.10.6 The Council and Developer have been negotiating with the owners of the third party interests for their acquisition by agreement, but the vast majority of interests within the Order Land are not under the control of the Council – details of the approach and status of landowner engagement is set out in Section 9 below.
- 8.10.7 Single ownership and control of the Order Land is necessary to enable the Scheme to proceed to achieve the intended policy outcomes (including preservation and enhancement of historic buildings) and commercial viability. Given the number of third party interests identified in the Schedule to the Order there is no realistic prospect that the Council and/or the Developer will be able to acquire all of the necessary interests by agreement within a reasonable timescale.
- 8.10.8 In essence, if the CPO is not confirmed, there is no realistic prospect of the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe.
- 8.10.9 The Council has therefore made the Order to ensure that the significant benefits of the Scheme can be brought forward in a reasonable timescale. Whilst the Council's approach is to negotiate all interests wherever possible, given the fragmented nature of the Order Land, confirmation of the Order is required in order to use compulsory purchase powers where necessary.
- 8.10.10 As regards the identified rights to light impacts, the Council has carried out a cutback assessment which concludes that over 35% of the Scheme's total floorspace would need to be removed from the identified Scheme in order to eliminate any impact on those properties which suffer a *de minimis* change in light. The conclusion is that any such injuries could not be removed or materially reduced without a significant reduction in the quantum of development

proposed as part of the Scheme. Such reduction would result in a significant risk to the delivery of a comprehensive redevelopment of the Order Land and/or to delivery of the transformative benefits required to deliver the objectives of the Scheme. Moreover, it would compromise the design and placemaking potential of the site and the Town Centre.

8.10.11 In the context of consideration of alternatives, it is relevant to note that the Scheme which now benefits from planning permission has itself been through a significant design development process including via public and stakeholder consultation and independent design review.

8.10.12 As detailed within Section 2 of the approved Design and Access Statement to the Planning Permission, the design evolution for the Scheme on the Order Land commenced in 2015 with the Council's preparation of the SSMSPD and has iteratively advanced through to the approved development pursuant to the Planning Permission (ref. 20/3385/F).

8.10.13 The design development has included two separate full planning applications for mixed-use development for the Order land; the first application was submitted in January 2018 and subsequently withdrawn on 15 December 2020 (ref. 18/0126/F) and a revised scheme submitted in November 2020 (ref. 20/3385/F).

8.10.14 The 2018 application was for a comprehensive led mixed use redevelopment that was informed by extensive pre-application consultation with the Council, GLA, the local community and all other stakeholders. The description of development comprised:

*“Demolition of existing buildings and the construction of a comprehensive mixed use development comprising 742 residential dwellings (Class C3), 6,000sqm of Retail floorspace Classes A1/A2/A3), 3,500sqm of Leisure including a Cinema (Class D2), 650sqm of a Nursery(Class D1), 1,650sqm of Business (Class B1), new public square and new public realm with hard and soft landscaping, highways works, parking, access and servicing arrangements, plant, infrastructure and associated works.”*

8.10.15 As detailed at Section 4 of this Statement of Case, the 2018 application was 'paused' following the Grade II listing of the FWCM building on 16 October 2018 for the Applicant to consider how best to respond to the listing and incorporate this structure within the development. In May 2019, the Council designated the Woolwich Conservation Area and taken together with the listing it became clear that the proposal in the original application to demolish the listed building and other buildings in the Conservation Area was out of step with thinking about the significance of heritage preservation, and the application was subsequently withdrawn on 15 December 2020.

8.10.16 Given the extent of the changes proposed (including the retention of the Covered Market and the substantial retention of buildings on Woolwich New Road within the Woolwich Conservation Area), the Developer engaged with the Council and Historic England on the most appropriate procedural route, in addition to the substance of the revised proposal including an optimisation and redistribution of height elsewhere within the Scheme (consultation took place on 28

November and 19 December 2019 and 8 April, 14 May and 19 August 2020). Accordingly, the Developer decided to submit a new full planning application and listed building consent application, accompanied by a new Environmental Statement. Full details of the pre-application engagement are set out at paragraphs 2.11-2.15 of the approved Planning Statement.

8.10.17 In summary, the Council has been unable to identify any alternative means of securing the benefits that would be delivered by the Scheme by any alternative means which is achievable on a comparable timeframe.

8.10.18 For the reasons explained above, the Council therefore considers there to be a compelling case in the public interest to proceed with Order.

## **9 NEGOTIATIONS WITH THOSE OWNING INTERESTS IN THE ORDER LAND**

9.1 As set out above, ownership of the Order Land is extremely fragmented. In total there are 52 freehold interests within the site and approximately 160 leasehold/occupational interests in third party ownership. A summary of the progress made on engagement to date can be found at Appendix 1. In summary, to date 92% of freeholders and 53% of leaseholders have engaged with the Council's appointed consultants (Newsteer) communications – see below for more details.

9.2 The Council and the Developer have actively sought to secure the property interests outside of their control through agreement, with the Council appointing a specialist CPO and Land Assembly adviser, GL Hearn (now Newsteer) in January 2018 to lead discussions with affected parties to secure agreement for the purchase of land. The schedule below summarises the correspondence which has been issued to affected parties as part of the engagement process:

<b>Date</b>	<b>Summary</b>
19/12/17	Council letter to all affected parties (freehold, leasehold and occupier) providing an update on progress with the proposed Scheme. The letter advised that SSQLLP had been selected to bring forward the Scheme and that following public consultation events, a planning application would be shortly be submitted. Advised that land assembly exercise needed to be completed and a number of steps were being advanced including the appointment of a land referencing company, CPO surveyors, Equalities Impact Assessors and Business Advisers. Contact details of surveyors provided as point of reference for negotiations. Copy of Cabinet report dated 15/11/2017 appended which covered the need to assemble land, the potential use of compulsory purchase powers and the implementation of a relocation strategy to support businesses.



Date	Summary
06/02/18	GL Hearn letter to all affected parties introducing GL Hearn, explaining the requirement for land assembly, providing a 'FAQ' sheet on the acquisition and CPO process, advising that there is no intention to displace occupiers within the next 18 months, and seeking the opportunity to meet to discuss the matter in more detail. The letter also advised that a questionnaire would be issued by the Council's land referencing agent and the background to this.
08/03/18	Following collation of responses to the land referencing questionnaires, parties not previously identified were sent the GL Hearn letter of 06/02/2018.
14/03/18	Owners and Occupiers Drop-In Event held at Artfix, Powis Street. The purpose of the drop-in session was to advise owners and business occupiers of the development process, including planning and CPO. One-to-one meetings held with attendees.
20/03/18	GL Hearn letter sent to all parties who have not responded to letter of 06/02/2018 or 08/03/2018.
30/04/18	Introductory letter (as per letter of 06/02/2018) including CPO FAQ sheet issued to newly identified parties through the land referencing process.
06/07/18	Letter from Council to all parties introducing independent business advisor, Tree Shepherd, who were instructed to provide support to affected businesses.
12/07/18	Introductory Workshop for Businesses in the Spray Street Quarter area held by Tree Shepherd. GL Hearn also attended to answer any questions regarding the CPO process.
20/07/18	GL Hearn letter sent to all affected parties advising that GL Hearn were instructed to lead discussions with affected parties and welcoming the opportunity to meet to discuss the project and the requirement for the property. Tree Shepherd also introduced, with their role explained and contact details provided.
13/09/18	Business Support Workshop – all business occupiers within the development site were invited to a workshop in which the CPO process and compensation regime were explained by GL Hearn. The workshop presentation also provided advice on the securing of a relocation property, the key components of a business tenancy and best practice guidance.
21/06/19	GL Hearn letter to all affected parties advising that the former Woolwich Covered Market was Grade II listed in October 2018 and that as a consequence of this alternative designs for the Scheme were being considered. An updated planning application was being prepared and this would take c.12-18 months, with public

Date	Summary
	consultation events happening before this. All owners and occupiers advised that, via GL Hearn, the Council and Developer want to continue to engage to discuss acquisition of property interests and business relocation requirements.
03/10/19	Letter sent to all parties advising that Newsteer would be dealing with land assembly and CPO matters on behalf of the Council and the Developer. Explained that the same personnel would be working on the project despite the change in company and updated contact details provided. An updated programme was also provided in which parties were advised that the CPO process would begin in Q1 2021 with the commencement of development expected in Q3 2022.
17/11/20	Newsteer letter sent to all parties advising that planning application had been submitted, providing an updated FAQ sheet, and an anticipated programme in which the CPO was forecast to be made in June 2021 and vacant possession required from March 2023. Parties encouraged to engage with Newsteer with contact details provided. The role of Retail Revival was also explained and the latest Woolwich Exchange Newsletter also provided.
10/09/21	Updated letter sent to all parties, advising planning committee had resolved to grant permission and providing updated programme for CPO process. Letter sought to engage with all parties for the acquisition of their interest and to discuss their business relocation requirements. Details of the framework relocation strategy and commitments made also provided.
30/11/21	<p>Following initial results of the land referencing exercise letters were sent to:</p> <ol style="list-style-type: none"> <li>1. all identified owners and occupiers;</li> <li>2. all parties which owned or occupied a property over which crane over-sailing rights are proposed; and</li> <li>3. all parties who own a property which may have an impact on their Rights to Light.</li> </ol> <p>The letters advised that the Mayor of London's review of the planning application had been positively concluded and that planning permission was expected to be granted shortly. The letters explained why the recipient had been contacted, how their property was affected by the Woolwich Exchange development, and provided contact details for those who wanted to understand more about the project and to progress discussions. Property occupiers were also given details of the Council's relocation strategy, including contact details for Retail Revival and the Council's website.</p>

Date	Summary
07/12/21	Newsteer visited each property within the site to introduce themselves to commercial property occupiers, obtain contact details (phone number and email address) and to check that correspondence had been received. Any immediate queries were answered with all occupiers advised that Newsteer would be in contact in the New Year with the offer of a one-to-one meeting to answer any questions about the project.
21/12/21	Email sent to all occupiers who provided their email address on site visit (07/12/2021) advising that Newsteer would be on site and available for face-to-face meetings on 11th, 18th, 25th and 27th January 2022 and providing contact details to arrange a meeting.
29/12/21	Letter sent to all residential occupiers requesting that they complete an enclosed questionnaire. The letter explained that the purpose of the questionnaire was to understand the impacts on residents of the proposed CPO and establish if assistance could be provided.
06/01/22	Follow up email sent to all occupiers for which an email address is held, advising Newsteer would be on site and available for face-to-face meetings on 11th, 18th, 25th and 27th January 2022 and providing contact details to arrange a meeting.
13/01/22	Follow up letter sent to residential occupiers who were sent letter dated 29/01/2022 and had not responded.
18/01/22	Letter sent to all owners and occupiers of properties to be acquired under the proposed CPO advising that planning permission has been formally granted. The letters explained why the recipient had been contacted, how their property was affected by the Woolwich Exchange development, and provided contact details for those who wanted to understand more about the project and to progress discussions. Property occupiers were also given details of the Council's relocation strategy, including contact details for Retail Revival and the Council's website.
27/01/22	Follow up letter sent to all property owners and occupiers who may suffer an interference with their right to light or own/occupy a property over which crane oversailing rights are proposed to be acquired.
09/05/22	CPO Notices served on all affected parties with cover letter explaining that CPO being progressed but that the Council would like to agree the acquisition of all required interests by agreement and inviting owners and occupiers to contact Newsteer to progress discussions.

9.3 Reflecting the greater certainty of the scheme being delivered derived from the Council planning board's resolution to grant planning permission (May 2021) and the Mayor of London's review (November 2021) supporting the Scheme, there has been a more frequent level of engagement with affected parties since September 2021. The ambition has been to engage with as many parties as possible and in addition to the Newsteer correspondence listed above:

9.3.1 Gateley Hamer (on behalf of the Council) contacted all owners and occupiers as part of their land referencing exercise (which included providing copies of Newsteer's letter dated 9<sup>th</sup> September 2021);

9.3.2 Newsteer went on site (7<sup>th</sup> December 2021) to visit commercial property occupiers in order to confirm their contact details, confirm that they have been receiving correspondence and advise that they would be pleased to meet with occupiers individually in the new year to answer any questions. Subsequent to this an email was sent to occupiers advising of several dates in January 2022 that Newsteer would be in Woolwich and available to meet; and

9.3.3 In December 2021 all of the churches were directly contacted to offer a one-to-one meeting to discuss the development proposals, how they would be affected and their future relocation requirements.

9.4 Newsteer has adopted a consistent and transparent approach to engagement with each person affected by the Scheme. Details of the engagement strategy is summarised below:

*Freeholders and long leaseholders*

9.4.1 If a freeholder/long leaseholder engages with Newsteer:

- (a) Newsteer seek to arrange an inspection of the property;
- (b) If this is agreed with the landowner, Newsteer inspect and measure the property, and produce a valuation report. That valuation report is made available on request (and is sent to any surveyor appointed by the landowner in advance of them undertaking their own valuation);
- (c) Based on the figure contained in this report, Newsteer issue an offer letter to the landowner;
- (d) The offer is for an option agreement, with the total amount payable being in line with the compulsory purchase compensation code;

- (e) The offer letter sets out that the owner is entitled to obtain their own valuation advice and sets out that a fee undertaking of £3,000 + VAT<sup>2</sup> will be provided to obtain this advice; and
- (f) The letter also sets out that on receipt of the valuation report from the appointed surveyor, Newsteer will review, engage and establish whether an agreement is likely. A meeting / telephone call is held with the surveyor to discuss the valuation of the property and if there is clear scope for an agreement to be reached, a further undertaking is provided to the landowner.

9.4.2 Option agreements are being promoted reflecting the significant land assembly exercise required to deliver the Scheme: unless all of the Order Land is acquired the Scheme cannot be delivered and therefore the Council and Developer need to be judicious in the use of their financial resources reflecting the risk profile of the land assembly exercise. The option agreements provide for a fixed price to be paid for the interest in a property, with this price established in accordance with the compensation code. A fee is paid to the vendor for entering into the option (only deductible if the option is exercised).

*Occupational leaseholders and occupiers*

9.4.3 Where a response is received from an occupier, Newsteer offers to meet with them to discuss their business, its accommodation requirements and any compensation which may be payable. In advance of this meeting tenants are asked to provide copies of their tenancy agreement in order to establish the nature of their occupation and assess their rights to compensation.

9.5 Discussions have been advanced with all owners and known occupiers who have engaged with Newsteer. As mentioned above, a summary of the progress made to date is set out at Appendix 1. More detailed engagement logs, on an individual property basis, have also been kept by Newsteer. In summary, to date 49 (94%) of freeholders have responded to initial engagement. Of those, following an inspection and valuation process, offers have been made to 33. Of the leaseholders, 82 (52%) have responded, for which 65 have had a business survey completed.

9.6 In some cases negotiations are approaching successful agreement: heads of terms are in advanced stages in respect of 16 Burrage Road and land at Ashley Day Centre (collectively known as the Peabody site).

9.7 Where: either (i) no response has been received, (ii) new occupiers or owners have been identified through the land referencing process, or (iii) where new correspondence details have

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<sup>2</sup> If the owner does not wish to engage on the basis of an option agreement, a reduced fee undertaking is provided so they can obtain advice from a surveyor specialising in compulsory purchase.

been made available, Newsteer has written to owners and occupiers to prompt discussions. Correspondence was issued to all owners and occupiers, including those who were newly identified through the land referencing exercise, in November 2021 providing an update on the Scheme and seeking to engage in respect of the acquisition of their interest. Follow up letters have also subsequently been issued to those who have not responded.

#### *Other third parties affected by the Scheme*

- 9.8 A rights to light assessment was undertaken to identify those property owners who are expected to suffer a reduction in the level of natural light entering their property as a result of the Scheme. Those parties which suffer a potential actionable interference have been contacted. Whilst there is a planning permission in place for the Scheme, without a confirmed CPO, there is no ability to deliver the Development. The Council has therefore advised affected parties that it will enter into discussions as to the level of compensation for the interferences with rights to light once the CPO is confirmed and there is confidence that the Development can proceed. Parties who have engaged on rights to light matters have to date acknowledged this as a sensible way forward.

#### *Crane Oversailing*

- 9.9 On establishing the crane positions within the construction site and the rotation/slew radius of the jib of the cranes, overlays have been produced to establish over which nearby properties the developer will require crane oversailing rights. These property owners were contacted by Newsteer in November 2021 advising of the need for crane oversailing rights and offering to enter into a licence agreement. Property owners and occupiers have been advised that cranes will not carry loads over their properties and that slew restrictors will be put in place to prevent this occurring. However, in inclement weather, the jibs of the crane need to be allowed to rotate freely and this may result in the crane jib oversailing nearby properties.

#### *Unknown Owners*

- 9.10 With the exception of highway land surrounding the development site, there are four relatively small parcels of unregistered land (plots 18, 23, 27 and 32). As part of the land referencing process the property owners adjacent to these plots have been written to in order to establish whether they have, or believe they have, ownership of the unregistered parcel of land. Where an adjacent owner has advised that they own the land, Newsteer has worked with the owner to establish the basis for this ownership, and on being satisfied that the unregistered land is within their ownership, or is capable of being registered by the reputed owner, progressed discussions.

#### *Utilities/Statutory Undertakers*

- 9.11 Information on statutory undertakers and apparatus within the Order Land has been gathered through the land referencing process, utilities searches, ground penetrating radar survey and discussions with utility providers – see Land Referencing Methodology.
- 9.12 There are a number of utility networks in and around the Order Land, as would be expected for an urban development site with a large number of buildings on site. However, there are no significant main networks passing through the development site.
- 9.13 The Scheme will require various works in relation to existing services, including removal, diversion and reinforcement works.
- 9.14 London Power Networks plc operates a sub-station (serial number 70003) within the Order Land, in plots 16 and 17, and owns the freehold interest in the land on which the sub-station sits. The Developer has engaged with London Power Networks plc in relation to the sub-station, and it has been confirmed that it will need to be retained and relocated within the site as part of the Scheme. London Power Networks plc has indicated that the works required will likely comprise provision of a temporary sub-station (allowing removal of the existing one), and re-provision of a new permanent sub-station. The latter is anticipated to be in Block A of the Scheme, although the detailed design of all of the sub-station works (to be completed prior to construction works commencing) will confirm this.
- 9.15 The Developer is engaging with London Power Networks plc and seeking to put an agreement in place in the form of an asset protection agreement which will regulate the provision of the temporary and new permanent sub-stations, the acquisition of London Power Networks plc's freehold interest in the Order Land, and the required lease and associated rights of access and for laying of conduits relating to the new permanent sub-station. In the event that it is necessary, the Council will, following the confirmation of a CPO, issue a direction under its powers in section 236 of the Town and Country Planning Act 1990 that the powers under the CPO do not apply to relevant interests of London Power Networks plc.
- 9.16 There are other statutory undertakers and utility providers with assets within the Order Land, including for the provision of water, sewerage, telecommunications and gas services.
- 9.17 Apparatus around the edge of the site – within the surrounding highways – has been assessed and discussed with the relevant utility providers. At the detailed design stage the Developer will conduct a comprehensive review of the apparatus to assess which parts can remain in situ (with appropriate protection during the works as necessary) and any parts which need to be diverted or replaced. Any such terminations, diversions and/or replaced apparatus will be carried out with the agreement of the affected statutory undertakers wherever possible and will be re-provided for within the Development or moved/placed in the public highways surrounding the site under the Street Works Code.

9.18 A large element of existing apparatus within the Order Land services the existing buildings on the site that will be demolished and redeveloped. As such this apparatus will no longer be required, and will be removed as part of the early works on site. New apparatus to service the Scheme will be put in place as each block is built.

*Summary of approach*

9.19 In making compensation offers to affected parties, the Council has applied a consistent approach which exemplifies the general principles of the compulsory purchase 'Compensation Code' and the principle of equivalence. Affected parties have been offered the Market Value of their interest together with the additional relevant payments to which they would be entitled if the property was acquired under a confirmed Compulsory Purchase Order. This is in line with paragraph 2 of the CPO Guidance.

9.20 The Council recognises the importance of retaining local businesses in the area and has been working with them to identify suitable relocation opportunities. Tree Shepherd were initially appointed to provide businesses and community/religious groups with relocation assistance and business support which included one-on-one meetings, surgeries and presentations with question and answer sessions. Following the project pause created by the listing of the Former Woolwich Covered Market, Retail Revival were instructed to undertake the role of independent support advisor reflecting their local knowledge gained from undertaking a similar role for a project in Plumstead. As detailed in Section 8, a Framework Relocation Strategy has been adopted which commits the Council and the Developer to working with occupiers within the Order Land to provide them with assistance in the relocation process.

9.21 The Council and Developer remain committed to acquiring outstanding interests, wherever practicable, by way of agreement. Both the Council and the Developer continue their attempts to negotiate purchases of the outstanding land interests by private treaty agreement, but there is no guarantee that these attempts will be successful and accordingly, without the Order, there is no certain prospect of the Scheme proceeding.

9.22 The Council considers that the use of its compulsory purchase powers to acquire all outstanding interests in the Order Land and the new rights is required as it has not been possible to achieve this by agreement and it is highly unlikely that it would be able to do so within an acceptable timescale without the Order. The Scheme cannot proceed unless these interests are acquired.

## **10 OTHER MATTERS**

### **10.1 Public Sector Equality Duty**

10.1.1 In formulating and promoting the Order, the Council has had regard to its statutory duties and obligations under the Equality Act 2010 and in particular its obligations under sections 149 and



150 of the Act in taking into account the differential impact the Order will have on various groups of persons with different characteristics.

10.1.2 In 2018 an Equality Impact Assessment was undertaken by AECOM at the instruction of the Council. That report made a number of recommendations and identified the following groups sharing protected characteristic as being impacted upon:

- Children and young people (0-24 years).
- Those with a disability and or long-term limiting illness.
- Black and Minority Ethnic (BAME) communities including Africa, Middle Eastern and Asian communities.
- Muslim and Hindu communities.

10.1.3 AECOM were subsequently instructed to prepare an updated report in 2021 to reflect further surveys undertaken at the end of 2021 and design changes as reflected in the planning permission for the Scheme. That report ("**the EQIA**") makes various recommendations as summarised below. However, it is noted that inevitably the process of seeking information for the purposes of the EQIA has not resulted in a complete picture of the nature and circumstances of everyone in occupation within the Order Land, principally because not all occupiers contacted by AECOM have chosen to come forward with information.

10.1.4 Nonetheless it is usual for further information relevant to the application of the public sector equality duty and/or human rights to emerge after the making of a CPO. Accordingly it is intended that the EQIA should be regarded as a "living document" with the principles it establishes, namely being aware, actively working to minimise negative impacts and updating approaches to reflect any new additional information received, which continues to be taken into account in consideration of the Objections and through the confirmation process. This may result in formal updates both to assessment of the impacts and to the recommendations relating to the mitigation to adopt identified in the EQIA.

10.1.5 At present it is noted that the EQIA makes similar recommendations to those originally put forward by the 2018 report, and asserts that the Council has demonstrated due regard to the Public Sector Equality Duty through a number of targeted actions. It also acknowledges the extent to which various measures taken to date (including the planning obligations to be secured pursuant to the s111/106 agreement – for more details of which see Paragraph 5.9 above) have positively contributed to the mitigation of identified equalities impacts as follows:

### **Housing**

10.1.6 It is estimated that there are 69 residents currently living within the Order Land. The EQIA identifies the risk of the loss of assured short-hold tenancy housing (affecting a range of different

ethnicity households living in private rental accommodation within the Order Land) and identifies the embedded mitigation of new affordable and social renting housing be provided as part of the Scheme. 20% affordable housing (25% by habitable room) will be delivered, comprising 71% London Affordable Rent and 29% Shared Ownership Homes. This is secured by the s106/111 agreement. In addition the FRS (see Paragraph 8.8.12 onwards), which must be implemented under the terms of the s106/111, requires relocation assistance (including the identification of alternative accommodation and the planning of their relocation) to be provided to all residential tenants. This is irrespective of whether an occupier resides in a property on a short term arrangement or a long term lease. Eligible parties will also receive compensation payments under the CPO Compensation Code.

10.1.7 In addition the EQIA notes a net increase of 788 residential properties on-site, including an increase in family housing, shared ownership housing, housing for social rent and wheelchair accessible housing within the Order Land. As set out at Paragraph 5.19, the design for the Scheme incorporates a significant proportion of three and four bedroom housing. This amounts to 16% of the 801 homes to be delivered.

10.1.8 Nonetheless it is recognised that affordability barriers may make it harder for certain groups, including low-income BAME households, children living in low-income households and (mainly female-headed) single parent households to share in this benefit. Assessments will be made by the Council into the current residents to establish if the Council has any statutory duty to rehouse them and if so to assist accordingly. Where the Council doesn't have a statutory duty it will continue to work with affected tenants and advise them of the sources of assistance available.

### **Business and Employment**

10.1.9 It is recognised that the Scheme may result in the closure and/or non-viability of businesses as a result of the permanent loss of existing business units within the Order Land. Those affected by this will be provided with relocation assistance pursuant to the FRS (see Paragraph 8.8.12 onwards for further details). This is in accordance with the 2018 report's recommendation that relocation support be provided by way of mitigation. In addition, the EQIA recognises that affected parties have since January 2020 had access to independent advisor Retail Revival, who have been engaging with businesses to help business owners understand the implications of the Scheme and in turn to gain an appreciation of their business accommodation requirements (to feed into implementation of the FRS). The Scheme will also deliver new business and community accommodation which will potentially allow existing occupiers to return.

10.1.10 The closure or relocation of businesses currently operating within the Order Land will result in loss of employment (in particular employers and employees in the Black African community). It is estimated that 432 direct jobs are currently provided within the Order Land. As set out at Paragraph 5.9, the s106/111 agreement secures a contribution of £500,000 towards the

Greenwich Local Labour and Business Service. This reflects the mitigation recommended by the 2018 report. In addition the s106/111 requires the Scheme to support the local supply chain under the terms of a Construction Employment Plan to be prepared.

10.1.11 In addition it is noted that the Scheme will create new employment opportunities during its construction and operation phases. The Scheme will provide 654 (net direct full time equivalent) jobs per annum during construction and 219 permanent jobs thereafter. The s106/111 agreement obligates the Developer to use reasonable endeavours to promote and recruit employees, contractors and sub-contractors from the local area, and requires a return to be filed every six months recording the level of local employment. This is identified as a potential positive effect of the Scheme,

### **Community**

10.1.12 The EQIA identifies that a number of healthcare facilities will be lost as part of the CPO process. As detailed at Paragraph 5.9, the s106/111 agreement incorporates an option for the provision of a new healthcare facility within the Scheme. Should agreement not be reached on this facility a financial contribution of £1,332,499 will be provided in lieu in the vicinity of the Development. This is in accordance with the 2018 report's recommendation that healthcare services be provided either as part of the Scheme or in the local area. In addition Newsteer and the Council have been working actively with Woolwich Dental Practice to secure its relocation, and potentially suitable accommodation has been identified. It is recognised that any replacement accommodation ultimately secured may represent an improvement on the Practice's existing premises, thus giving rise to a positive effect.

10.1.13 The loss of places of worship resulting from the closure of various churches operating within the Order Land, and associated loss of cultural connections amongst specific members of the community with a shared racial identity, will be mitigated in part by the provision of community space as part of the Scheme. The delivery of this element will be guided by the Community Space Strategy to be prepared pursuant to the section 106/111 agreement (see Paragraph 5.9). In addition the FRS provides that, regardless of whether a church group occupies a building lawfully consented for religious use, assistance will be provided in finding alternative accommodation, including planning advice. Again this reflects implementation of the mitigation recommended by the 2018 report, and once more it is noted that new accommodation may bring improved facilities.

10.1.14 The FRS has been developed to mitigate the impact on all existing community groups, businesses and residents. The implementation of this strategy is an essential element of ensuring that the Development mitigates or minimises the potential for equality impacts to those with protected characteristics. It is appreciated that the FRS cannot guarantee a successful relocation, but the assistance which has and will continue to be provided to affected occupiers will give affected businesses the best opportunity to successfully relocate through the

identification of potentially suitable premises and guidance/support in the process of securing and moving to alternative premises, thereby helping to reduce the impact of the displacement of businesses. In order to ensure relocating parties are supported and as part of the Council's ongoing equalities duties, the FRS will (as recommended by the EQIA) provide ongoing monitoring to ensure that the measures are sufficient.

10.1.15 The EQIA recognises that the Scheme may experience difficulties in ensuring effective consultation and community engagement. It is acknowledged that all written communications have been translated into owner and occupiers' first languages on request. The EQIA also identifies the mitigation secured by the appointment of Retail Revival, whose contact with affected parties will continue throughout the CPO process. Retail Revival's support is especially important in respect of the loss (and relocation) of businesses providing culturally specific services and goods, in relation to which Retail Revival are providing marketing support to ensure new and existing customers are made aware of relocations. The EQIA further recommends that Retail Revival's support be provided throughout the first year of businesses' operations post-relocation.

10.1.16 In addition it is noted that the Scheme will deliver new leisure, recreational and shopping facilities which have potential positive effects for all groups considered by the EQIA. The EQIA notes that, in accordance with recommendations in 2018, a public consultation was undertaken as part of the planning application for the Development to obtain input from the local community as to the uses they wished to see delivered. Furthermore the Scheme will result in improved public realm and children's playspace, benefitting the elderly, mothers and children, as well as other groups aided by improved accessibility, safety and connectivity to public transport nodes. The s106/111 agreement requires the Developer to provide an Open Space Management Plan, which will set out how the Development will ensure that Open Space provided remains accessible to the whole community into perpetuity.

10.1.17 The EQIA is a predictive assessment and considers the effects of the CPO on groups of people rather than on individuals. The recommendations outlined are therefore suggested to minimise effect on recognised groups with protected characteristics living, working and visiting the area at the time of the assessment.

10.1.18 This EQIA should be considered as a living document which will be updated and acted upon throughout the CPO process, with a formal update being prepared as required. This may result in updates both to assessment of the impacts and to the recommendations relating to the proposed mitigation measures.

### **Welfare of Children**

10.1.19 The Council has also had regard to its duty under section 11 of Children Act 2004 that requires the Council to discharge their functions having regard to the need to safeguard and promote the

welfare of children. The crucial factors for consideration is the health and education of children affected (displaced) by the Scheme. The Council has sought (and will continue to seek) to identify whether the CPO has the potential to affect the welfare of children and undertake an assessment of need for safeguarding – the EQIA has identified/made assumptions as to the number of potential children currently residing within the Order Lands (noting that Newsteer has not been able to make direct contact with residential occupiers notwithstanding reasonable attempts). The Scheme provides for increased provision of health and education facilities within the area (as requirements of the section 111/106 agreement to the Planning Permission):

- (a) The provision on an on-site health facility or financial contribution towards off-site provision by the Council elsewhere in the area; and
- (b) The provision of a financial contribution towards the funding of additional school and nurse places by the Council within the local area.

10.1.20 There is also expected to be sufficient and adequate opportunity for any children displaced by the Scheme to relocate elsewhere within the Woolwich area and/or to reside within the new Development once constructed, for which part of the new Scheme will be at affordable rents.

## 10.2 **Human rights**

10.2.1 The Human Rights Act 1998 came into force on the 2 October 2000. This incorporated the European Convention on Human Rights into English Law. Human Rights must be considered by acquiring authorities when considering utilising compulsory purchase powers. As outlined in the Human Rights Act, public authorities are prohibited from acting in a way which is incompatible with the European Convention on Human Rights.

10.2.2 The Council has duly considered the rights of property owners under Article 1 of the First Protocol of the Convention, which provides for the peaceful enjoyment of possessions. Article 1 further provides that no one shall be deprived of possessions except as provided for by law or where it is in the public interest. It is considered that the Order will strike a fair balance between the private loss of property and the public interest in securing the implementation of the Scheme.

10.2.3 Article 6 of the Convention provides that everyone is entitled to a fair and public hearing in the determination of their civil rights and obligations. It is considered that the statutory procedures, which give the right to object, give evidence to a public inquiry and provide for judicial review, are sufficient to satisfy the requirements of this Article.

10.2.4 The Council has also considered the rights contained in Article 8 of the Convention, in relation to both residents of and businesses operating within the site. This provides that everyone has the right to respect for their private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. It is considered that

any interference caused by the Order will fall within these exceptions having regard to the public benefit which will accrue from the Scheme.

10.2.5 The Council has been conscious of the need to strike a balance between the rights of the individual and the interest of the public. The Council acknowledges that the effect of the Order will be to dispossess persons of their rights in the Order Land, but the Council has concluded that there is a wider compelling case in the public interest for the acquisition of the land which could not be achieved by agreement or without the exercise of compulsory purchase order making powers.

10.2.6 In considering Human Rights the Council has decided that in light of the significant public interest benefit that would arise from the Scheme and the nature of the Order Land, it is in the interest of the wider community to make the Order over and above the interests of any individuals affected. Any interference with the Convention rights is considered to be justified in order to secure the economic, social, and environmental benefits that the Scheme will deliver and which cannot realistically be delivered in any other way. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions.

10.2.7 This compulsory purchase order follows existing legislative provision in respect of the making and confirming of Compulsory Purchase Order and the payment of compensation and, as such the Council considers these to be compatible with the convention.

### 10.3 **Consultation**

10.3.1 In addition to landowner discussions that have taken place, the Developer has been committed to public engagement from the outset of the planning and design process and as summarised below a significant level of engagement has been undertaken:

- In September and November 2019, property owners and occupiers within the Order Land were contacted in correspondence. At that time, local community groups were also approached including the Royal Greenwich Heritage Trust, the South-East London Chamber of Commerce, and the Greenwich Conservation Group. Interviews were held with two local community group leaders (Woolwich and District Antiquarian Society and Royal Greenwich Heritage Trust) and two workshops were held with school children from Heronsgate Primary School;
- The Developer attended the Council's Winter Warner Event in December 2019 whereby the newly imagined Woolwich Exchange development was introduced to the community with a focus on the principles of the Development. At this time the Woolwich Exchange website was launched and e-newsletters were issued;
- A two-day formal pre-planning application consultation event was held on 28<sup>th</sup> and 29<sup>th</sup> February 2020 with the consultation period concluding on the 22<sup>nd</sup> March 2020. All known

property owners and occupiers within the Order Land were directly notified of the consultation event and a flyer was distributed to 11,926 local properties. Press releases and advertisements in local newspapers and at the Woolwich DLR were also published to advertise the consultation event. The event was well attended, with 650 adult attendees and 160 pieces of feedback received with feedback forms showing strong public support for the proposals; and

- Reflecting the limitations placed on social engagement by the Covid-19 pandemic, the project successfully used digital and social media channels to open and maintain dialogue with the local community and key stakeholders. The website has been regularly updated and further e-newsletters have been issued with the aim of maintaining dialogue throughout the planning and development process.

#### 10.4 **Related Orders**

10.4.1 A stopping up order (by way of an application under section 247 of the TCPA 1990) has been promoted by the Developer pursuant to the Development ("**the SUO**"). The SUO is required to stop up parts of the existing footways within and around the perimeter of the Order Land in order to enable the construction of the Development, specifically to accommodate the proposed extended building lines into the existing footways on the public highway. The Development has been considered by the Council's highway officers as part of determination of the Planning Permission and any existing utility apparatus (of statutory undertakers) in these parts of the footway are expected to be relocated in the residual footways around the site to the extent that they need to be retained. The proposed SUO has been advertised by the Council (as highway authority) and the period for objections expired on 6 July 2022. There are no subsisting objections to the SUO. The expectation is that the SUO will be confirmed (made) by the Council shortly and in advance of the public inquiry into the Order.

10.4.2 Other parts of existing public highway (including Parry Place and footways around the site) and other parts of the site are to be improved to create new, more accessible and high quality public realm. Those parts of the public realm to be maintained by the Council as part of the public highway will necessitate the Developer entering into a section 38/278 highways agreement, to coincide with the programmed construction activity. The Council's highway officers have considered the proposals as part of the Planning Application and the Local Planning Authority has captured the requirements for the public realm as part of the grant of Planning Permission making its delivery a condition of implementation of the development. It is not envisaged that the design for such improvements, or any corresponding section 38/278 agreement, will be progressed before the CPO is confirmed. However, the nature and extent of the required works is not considered to give rise to any unusual or onerous impediment and will be carried out in the ordinary course of the construction activity as part of the Development.

10.4.3 One or more temporary traffic regulation orders will be required during the construction phase in order to enable the Development to take place. Similarly, the nature and extent of such works are not expected to give rise to exceptional or insurmountable impediment and will be secured as part of the construction activity. The Developer stated as part of its planning application that it may wish to promote a change to Parry Place to regulate vehicular traffic from two-way to one-way. This will require a permanent traffic regulation order to be promoted. This was not made a requirement of the grant of Planning Permission by the Local Planning Authority and is a matter of Developer election. It is not therefore considered to be an impediment to the delivery of the Development.

10.4.4 There are no further related orders, applications or appeals that need to be considered.

## 10.5 **Conservation Area and Listed Buildings**

10.5.1 The Order Land includes a number of heritage assets, specifically:

- (i) Former Woolwich Covered Market (Grade II Listed)
- (ii) Woolwich Conservation Area (covering the Woolwich New Road frontage)
- (iii) 1a-c Woolwich New Road (locally listed)
- (iv) 3 Woolwich New Road (locally listed)
- (v) 2 Plumstead Road (locally listed)
- (vi) 5 – 13 Woolwich New Road (odds) (Non-designated Heritage Asset)
- (vii) 9 Plumstead Road (Non-designated Heritage Asset)
- (viii) 20 Plumstead Road (Non-designated Heritage Asset)
- (ix) Former Employment Exchange, 15 Spray Street (Non-designated Heritage Asset)

### **Nationally Listed Buildings**

10.5.2 The Former Woolwich Covered Market is Grade II listed and is being retained in the Scheme. The significance of the asset relates to its Lamella roof which is being retained. The Council's conservation officer reported that the development proposal for the Market has been carefully considered and the sensitive design and use of high quality materials will preserve and enhance the significance and special interest of the asset. The Development provides for the refurbishment of the Lamella roof structure and tie rods, the retention of the 1932 door surrounds, refurbishment of the Plumstead Road façade and the glazed tympanums at the east and west elevations. The cinema, which will be positioned underneath the Covered Market, will



be constructed with the market structure left in situ so to minimise the risk to the structure and the complications associated with dismantling and reconstructing the roof.

### **Conservation Area**

10.5.3 Part of the Order Land is situated within the Woolwich Conservation Area. Individually, 1a-1c Woolwich New Road, 3 Woolwich New Road and 5 – 13 Woolwich New Road (odds) are considered to be of low to very low value within limited architectural and historic significance. However, they are of medium value as a group due to their townscape merit which contributes to the character and appearance of Woolwich Conservation Area. The key parts of these buildings are the frontage elements which will be retained, with many elements improved with sensitive replacements. The Development will also include the demolition of the rears of these buildings which are considered to be of no particular heritage significance within the Conservation Area. New development will be added at roof level, but the Council's conservation officer considered that these are sensitive additions and changes which would have a limited impact on the character of the Conservation Area. Therefore, the key elements of the heritage significance of Nos.1a-c – 11 and their contribution to Woolwich Conservation Area (and also any unknown heritage aspects) is preserved.

10.5.4 In determining the Planning Application, the Council recognised the loss of heritage assets as regrettable but considered the impact on the Conservation Area to be less than substantial. It is recognised that the proposed height of the buildings would change the setting of the Woolwich New Road frontage within the Woolwich Conservation Area. The Council's conservation officer considered that this would cause some harm to their setting, but that this harm is likely to be in the realm of low (less than substantial) harm to the settings of the Woolwich Conservation Area in accordance with paragraphs 206 and 207 of the NPPF.

### **Locally Listed Buildings**

10.5.5 There are three locally listed buildings within the Order Land: 1a-c Woolwich New Road, 3 Woolwich New Road and 2 Plumstead Road. The frontage element and front roof section of 1a-c Woolwich New Road and 3 Woolwich New Road are being retained within the development. 2 Plumstead Road is being demolished.

10.5.6 2 Plumstead Road has been heavily altered and comprises little architectural or group value. The elements which contributed to its listing are no longer present (such as the chimney stack) which has impacted its significance. Consequently, the loss of this building was considered by the Council's conservation officer to be 'less than substantial harm'.

### **Non-Designated Heritage Assets**

10.5.7 The Order Land includes a number of agreed non-designated heritage assets: 5 – 13 Woolwich New Road including their rears which incorporates 13a and 13c Spray Street; 9 Plumstead

Road, 20 Plumstead Road, and the former Employment Exchange on Spray Street. The frontage and front roof of 5 – 11 Woolwich New Road are being retained within the new development. The other buildings are being demolished.

10.5.8 In respect of 13 Woolwich New Road, the only building being demolished which falls within the Conservation Area, the Council's conservation officer considered the property to be of particularly low value due to its limited historic interest and a neutral contribution to the appearance of Conservation Area. Council officers considered that the replacement of this building with a high-quality design and scale would be sympathetic to the remaining heritage assets on Woolwich New Road and its loss could be justified.

10.5.9 In respect of the other buildings, it has been considered that the significance of the heritage assets is very low (or low to very low for the Former Employment Exchange) due to their low architectural and historic interest and modified form.

10.5.10 9 Plumstead Road and 20 Plumstead Road are both attractive buildings, but are considered to have limited architectural value on their own. The significance of these two buildings have been undermined and diminished by unsympathetic alterations.

10.5.11 The Employment Exchange is a standard utilitarian inter-war style building located opposite a similar style building (the Telephone Exchange). It is considered that this building has limited contribution to historic development of the area, and given this, the building is considered to have a low to very low value.

10.5.12 While the loss of the existing locally listed building would result in some harm, the Council's conservation officer considers this to be "less than substantial" harm. It is considered that a combination of heritage benefits (restoration and better revealing the heritage significance of the Former Woolwich Covered Market, reinstatement of Woolwich New Road shop frontages and facades and an improved corner building to Spray Street as well as high quality design of the wider scheme) justify and outweigh the loss of these low value heritage assets. In addition, when including the wider public benefits of the Development within the planning balance, it was considered that the loss of these non-designated heritage assets can be justified (taking a balanced judgment of the scale of any harm or loss and the significance of the heritage asset), in accordance with paragraph 203 of the NPPF.

10.5.13 As above, the Listed Building Consent has been granted.

10.5.14 There are also 35 statutory listed buildings within 500m of the Order Land, the most significant being:

1. Royal Arsenal Brass Foundry (Grade I)
2. Royal Arsenal Dial Square Entrance Range (Grade II\*)

3. Main Entrance to Royal Arsenal (Beresford Gate) (Grade II)
4. Equitable House (Grade II)
5. Public House, 18-19 Greens End (Grade II)

10.5.15 The Development is not considered to undermine the setting of these heritage assets and where there is some impact, this is considered to cause less than substantial harm in accordance with NPPF paragraphs 199, 200 and 202.

## **11 OBJECTIONS**

- 11.1 A summary of the Objections, along with details of the Council's response to each, is set out at Appendix 2.
- 11.2 As summarised at Appendix 2, the Objections broadly fall into four categories. A headline response in respect of each category is set out below:

### **Lack of engagement**

- 11.2.1 As set out at Section 9 of this Statement of Case, the Council and the Developer have been committed to frequent engagement with affected parties over the last four years. Every party who has made an Objection has previously and regularly been contacted by Newsteer with offers to progress engagement or negotiation as appropriate – in some cases no response has been received, and in others there is dissatisfaction with the terms of the offer provided by Newsteer. All those who have made an Objection have been re-approached by Newsteer since their respective Objections were received in an attempt to reach agreement and in the majority of cases discussions are ongoing.

### **Relocation concerns**

- 11.2.2 As described in more detail at Paragraphs 8.8.12-8.8.17, the FRS provides a comprehensive framework for the relocation assistance currently being and to be provided by the Council and the Developer as the Order and the Scheme progress. Although it is recognised that the FRS will not ensure satisfactory relocation of every displaced party, it has been tested through the planning process (subject to scrutiny by both the LPA and the GLA) and is secured by the s106/111 agreement. To date all affected parties have been made aware of the schedule of available relocation properties and offered guidance and support. The Council and the Developer remain committed to offering all reasonable support to affected parties to help minimise the impact of the Scheme so far as possible.

### **Equalities impacts**

11.2.3 The Council has had regard to its Public Sector Equality Duty throughout the CPO process and commissioned the EQIA to ensure that all equalities impacts of the Scheme were fully assessed and as far as possible mitigated. A summary of the findings of the EQIA and appropriate mitigation is set out at Paragraphs 10.1.1-10.1.18. The EQIA contains details of various mitigation measures that have and will be employed as the Scheme progresses, in particular those secured by the s106/111 agreement – as such it is acknowledged that this is a long-term and ongoing process, to ensure the impact on those with protected characteristics is minimised. The Council and the Developer will continue to monitor and respond/adapt to any fresh equalities concerns that come to light throughout implementation of the Order.

### **Statutory undertakers**

11.2.4 The Scheme's approach to affected utilities and statutory undertakers is set out at Paragraphs 9.11-9.18. The specifics of each Objection received from a statutory undertaker are contained within Appendix 2 and the Council and Developer are confident that all such objections can be satisfactorily resolved. In summary, the Council does not consider that the Objections raise matters that give rise to material or serious detriment to any of the undertakings of the objecting undertakers, and is of the view that the public benefits to be delivered by the Scheme outweigh any harm identified in these Objections.

## **12 CONCLUSIONS**

12.1 The Order Land forms a large town centre site of particular significance given its position between the central Town Centre area and the new Crossrail station. The site provides a unique opportunity within Woolwich for regeneration, resulting in the delivery of 801 residential units whilst also introducing town centre uses such as retail, leisure and office accommodation which will deliver a mix of accommodation benefiting both Woolwich Town Centre and local residents. The Order Land has long been recognised as being in need of regeneration. The redevelopment of the site will deliver the objectives of the SSMSPD and provide high quality residential and commercial accommodation which is supported in policy terms at national, regional and local level. The Scheme will deliver significant public interest benefits.

12.2 In order to achieve the redevelopment of the Order Land, action is required to facilitate the acquisition of the interests necessary to deliver a comprehensive development. The redevelopment of the Order Land can only realistically be achieved within a reasonable timescale through the use of the Council's powers of compulsory acquisition. If the Order is not confirmed then there is no realistic prospect that the public interest benefits and the Scheme objectives will be realised.

12.3 Having considered the relevant policy and CPO Guidance the Council is satisfied that there is a compelling need in the public interest for the compulsory acquisition of the Order Land. The Scheme will deliver regeneration in the public interest with concomitant economic, social and

environmental improvements. The Council has considered the objections received following making of the Order and does not consider them to raise any material impediment to the Scheme.

- 12.4 The Council has therefore made the Order and would ask the Secretary of State to confirm the Order.

### **13 ADDITIONAL INFORMATION**

#### **Council Contacts**

- 13.1 Anyone who considers that they are affected by the Order can contact:

David Conboy, CPO & Regeneration Director, Newsteer  
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#### **The Order, Order Map and Statement of Case**

- 13.2 A copy of the Order, Order Map and this Statement of Case can be inspected at The Woolwich Centre Library, The Woolwich Centre, 35 Wellington Street, Woolwich, London SE18 6HQ and may be seen at the following hours:

Monday:	9:00am – 7:00pm
Tuesday:	9:00am – 5:30pm
Wednesday:	9:00am – 5:30pm
Thursday:	9:00am – 7:00pm
Friday:	9:00am – 5:30pm
Saturday:	9:00am – 5:00pm
Sunday:	12:00pm – 4:00pm

- 13.3 Further supporting material, plans and documents will be put in evidence. A list of these, together with the addresses at which they can be inspected, will be notified to the public in accordance with the relevant Rules.

## 14 RELEVANT DOCUMENTS FOR THE INQUIRY

The Council reserves the right to add to these documents in order to address matters required to be addressed in evidence at the Inquiry and/or to respond to matters raised by objectors in their evidence.

<b>Number of document</b>	<b>Title of Document</b>
1.	Department for Communities and Local Government Guidance on Compulsory Purchase and The Crichel Down Rules (July 2019)
2.	Cabinet Resolution to make CPO
3.	Town and Country Planning Act 1990, Section 226
4.	The London Plan (2021)
5.	National Planning Policy Framework (2021)
6.	Royal Borough of Greenwich Core Strategy Development Plan Document (2014)
7.	Royal Borough of Greenwich Woolwich Town Centre SPD (2012)
8.	Royal Borough of Greenwich Spray Street Quarter Masterplan SPD (2015)
9.	Royal Borough of Greenwich Site Allocations Development Plan Document Preferred Approach (Aug 2019) (Reg 18 Consultation)
10.	Mayor of London Town Centres SPG (July 2014)
11.	Planning Permission Decision Notice and relevant corresponding planning application documents and approved drawings/documents
12.	Listed Building Consent Decision Notice and relevant corresponding planning application documents and approved drawings/documents
13.	Framework Relocation Strategy
14.	Engagement Strategy
15.	Section 111/106 Agreement

Number of document	Title of Document
16.	Summary of Landowner interests (Freehold and Leasehold) within the Order Land
17.	Planning Permission and Listed Building Consent Officers Reports, Addendums and Minutes
18.	GLA Stage 2 report
19.	Coronavirus (COVID-19): compulsory purchase guidance (May 2020 and updated July 2021)
20.	Equalities Impact Assessment

## 15 LIST OF APPENDICES

15.1 Appendix 1 – Engagement Summary

15.2 Appendix 2 – Schedule of Objections

## APPENDIX 1 – ENGAGEMENT SUMMARY



# Woolwich Exchange

Project Dashboard – Land Assembly

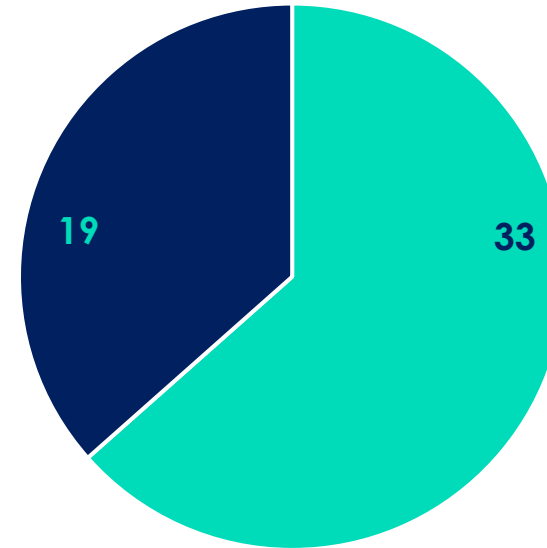
5<sup>th</sup> October 2022

# Freeholders

**Freeholder Engagement**  
Current No. Previous No. (SoR)



**Notable Engagement in Last 3 months**



■ Yes ■ No

## Key Points Since Statement of Reasons (11<sup>th</sup> April 2022)

- Inspections: **7** – 3 Plumstead Road, 3B Plumstead Road, Land r/o 3B Plumstead Road, 12 Plumstead Road, 18 Plumstead Road, 31A Spray Street, 31 Spray Street
- Valuations: **6** – 11 Woolwich New Road, 9 Plumstead Road, 18 Plumstead Road, 20 Plumstead Road, 2-12 Parry Place, 14 Parry Place
- Offers made: **7** – 11 Woolwich New Road, 9 Plumstead Road, 15 Plumstead Road, 18 Plumstead Road, 20 Plumstead Road, 2-12 Parry Place, 14 Parry Place

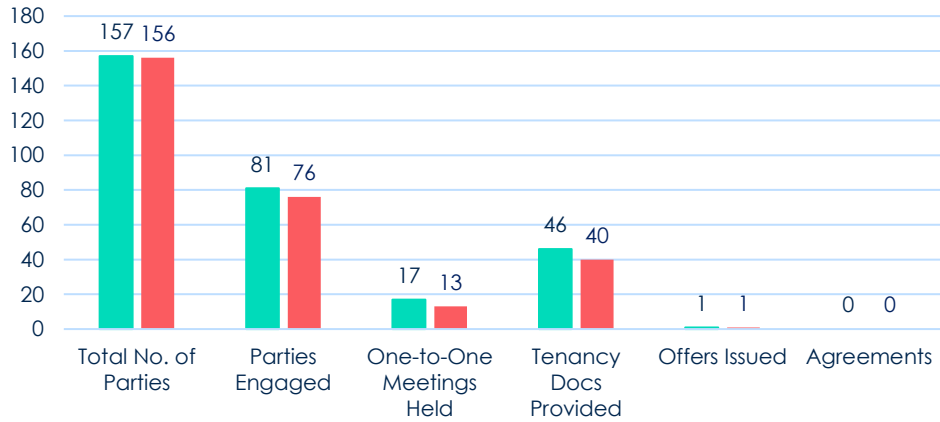
There is a lag between Inspections completed and valuations undertaken as tenancy details are awaited on 8 properties so to allow a valuation to be prepared.

Negotiations are being actively progressed with the representatives of a number of owners. Some parties have advised that they will not agree to sell and don't wish to be contacted.

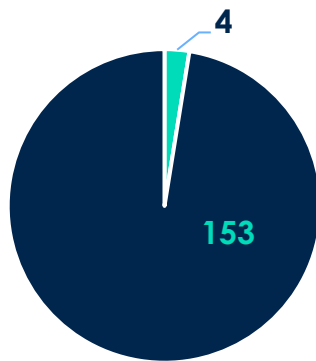


# Occupiers

**Occupier Engagement**  
Current No. Previous No. (SoR)

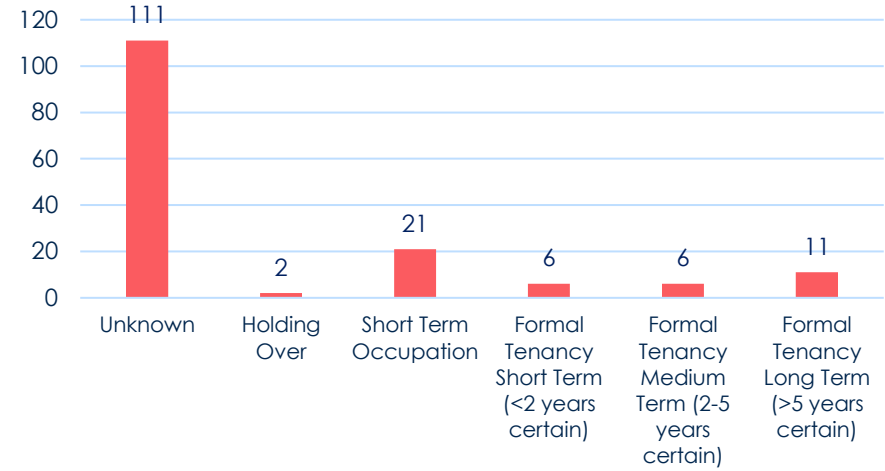


**Notable Engagement in Last 3 months**

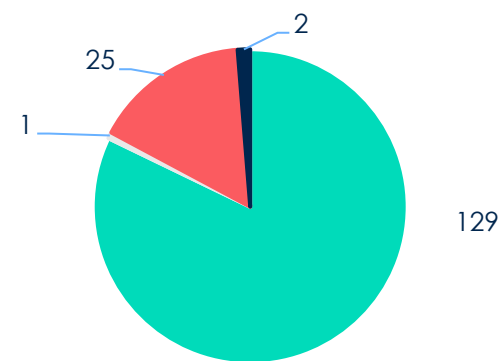


■ Yes ■ No

**Occupational Arrangements**



**Relocation vs Extinguishment**



■ Unknown ■ N/A ■ Relocation ■ Extinguishment



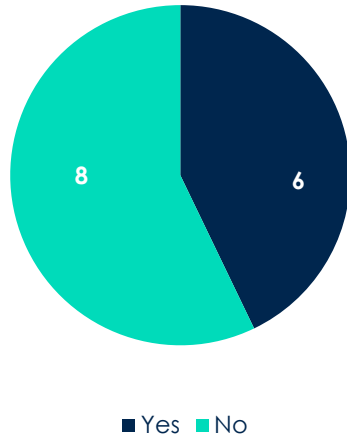
# Occupiers

## **Key Points Since Statement of Reasons** (11<sup>th</sup> April 2022)

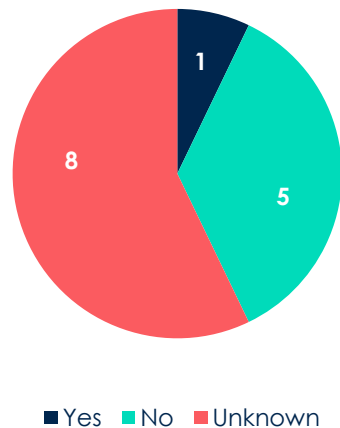
- Engagement from occupiers continues to be very limited. Where there is initial engagement, this quickly subsides after initial contact.
- In accordance with Framework Relocation Strategy a schedule of suitable relocation properties has been maintained and is published on the Council's website.
- Business Relocation Group has been established in which Greenwich Local Labour and Business team are involved to ensure support is provided to businesses.
- Update letter issued to all parties on 04/10/2022 seeking to engage and detailing support on offer.

# Churches

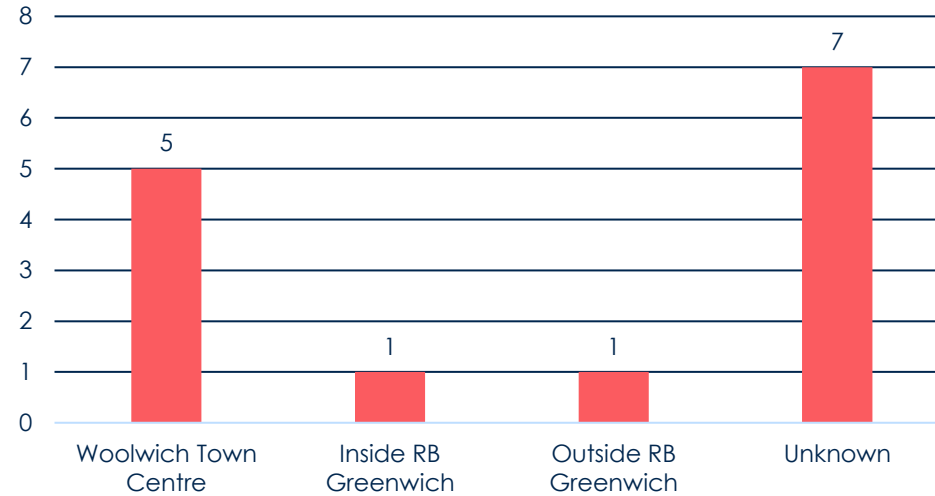
### One-to-One Meeting Held



### Community Centre Option - Preference



### Relocation Preference



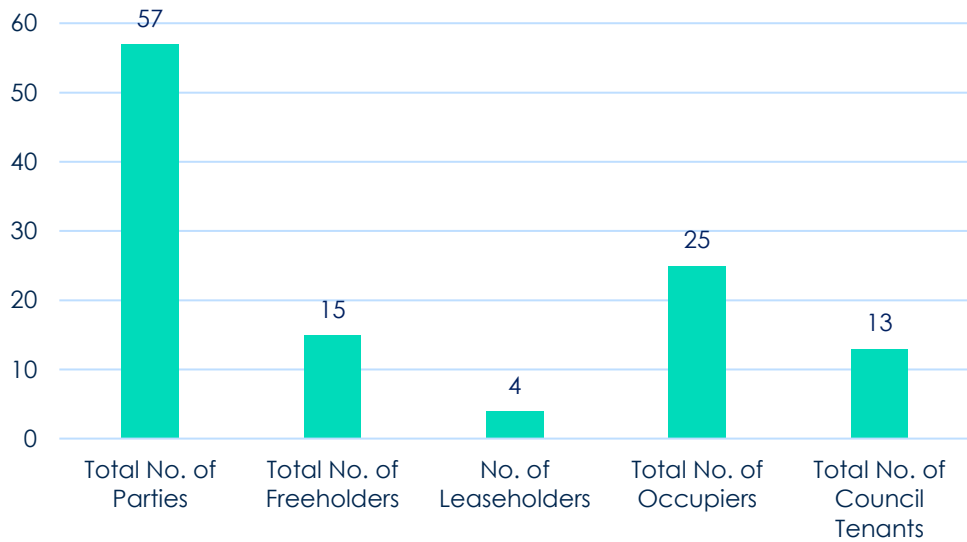
## Key Points

- One-to-One Meetings held with Restoration Church (2-12 Parry Place), Body of Christ Mission Solution Ground (1C Woolwich New Road), Refiner's Place Church (14 Parry Place), RCCG Power of Jehovah (7A Plumstead Road), Celestial Church of Christ Beulah Wonderful Parish 2 (16A Parry Place) and BLW UK Zone 1 (15 Spray Street)
- Contact made with Christ Kingdom (1C Woolwich New Rd) but declined a one-to-one meeting.
- Actively engaged with surveyor for Victory Bible Church (33-35 Spray St)
- 3 churches do not appear to be operating from site
- 2 others share hold a service in another church paying a license fee to do so.

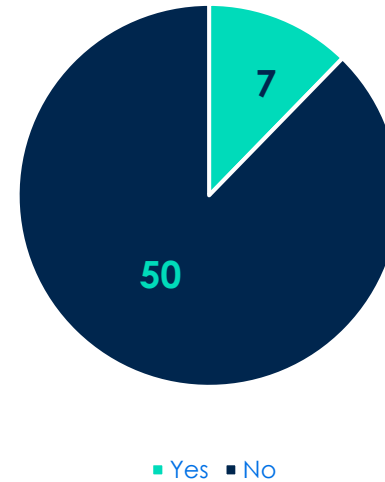


# RoL/Oversailing

### Breakdown of Affected Parties



### Contact Made with Affected Parties



## Key Points

- Principle engagement from Network Rail and TfL in respect of crane oversailing. Agreements / Undertakings being progressed.
- Letter issued to affected parties on 04/10/2022 providing update.

## APPENDIX 2 – SCHEDULE OF OBJECTIONS

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
1.	Rashid Karimi (KSN Foods Ltd)	Leaseholder (13 Woolwich New Road)	Relocation concerns  Equalities impacts	<p>The Council understands based on discussions between Newsteer (acting on behalf of the Council) and the leaseholder that this leaseholder sub-lets the accommodation within the property to five different businesses, and as such does not directly trade from the premises. The Council has to date attempted to engage with Mr Karimi to offer assistance in trying to find a suitable relocation property, and has shared the schedule prepared by Newsteer of local available properties.</p> <p>Separately, the EQIA acknowledges that the Order Land includes specialist food shops serving the Black African community and identifies actioned mitigation, including the appointment of Retail Revival to assist businesses' transitions and the relocation support being provided through the Framework Relocation Strategy (FRS). See Paragraphs 8.8.12-8.8.16 and 10.1.1-10.1.18 of the Statement of Case for further details.</p> <p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties, and the Council will pay to eligible parties compensation in accordance with the statutory compensation code based on the best information available to the Council's advisors. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement.</p>
2.	Network Rail	Statutory undertaker (various mines and minerals interests)	Statutory undertaker	<p>Network Rail's interest extends to mines and minerals in land to the south of Spray Street (plots 72, 73, 83, 111 and 119), in relation to which only crane oversailing rights are sought. Newsteer has responded to this objection on the Council's behalf explaining that no operational assets of Network Rail will be affected. The Council has offered to provide an undertaking confirming that it will: (i) not interfere with or extinguish any rights existing over the relevant plots under the CPO, and (ii) that it will not seek to acquire the mines and minerals owned by Network Rail in the relevant plots under the CPO for the purposes of the Scheme. A draft undertaking has been circulated for comment.</p>



## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>Network Rail has also objected to its own Minister, the Secretary of State for Transport on the basis that the Order gives rise to serious detriment. No rationale for this claim is provided as part of the objection. The Council considers that no serious detriment is capable of being caused to Network Rail's assets and/or operations associated with the exercise of the Order powers, particularly noting that there are no air right interferences, no risk of damage to Network Rail assets and no risk of interruption to its operations. The Council expects that appropriate assurances can be provided to Network Rail and that this objection is capable of being resolved before any public inquiry.</p>
3.	Southern Gas Networks	Statutory undertaker	Statutory undertaker	<p>Details of the Scheme's general approach in respect of affected statutory undertakers is set out at Paragraphs 9.11-9.18 and 10.4.1.</p> <p>This objection is "protective" in that it seeks to ensure the Order will not have any detrimental impact on SGN's conduits, etc. SWECO, who are dealing with utility provider engagement on behalf of the Developer, has been asked to liaise with SGN to agree a technical solution as part of construction methodology. The Council expects that appropriate assurances can be provided to Southern Gas Networks and that this objection is capable of being resolved prior to inquiry.</p>
4.	Manjula Karia  (Note: two separate objections sent with equivalent content)	Freeholder (7-9 Woolwich New Road)	Lack of engagement	<p>An offer was made to this owner by Newsteer (for the Council) for a purchase of her property on 21 May 2018. This was not accepted and subsequently discussions between Newsteer and the owner's surveyor resulted in revised informal offer being made on 30 April 2020. Newsteer met with the owner in January 2022 and made further contact in February 2022, at which point further details of the tenancy arrangements at the property were requested in order to inform an updated valuation. There has been a delay in these being provided by the owner due to a bereavement, but once provided an updated valuation will be undertaken.</p>

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties, and the Council is satisfied that offers have been made that at least meet the owner's entitlement to statutory compensation based on the best information available to the Council's advisors. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement.</p>
5.	<p>Pastor Georgine Obi – BLW UK Zone 1</p> <p>(Note: two separate objections sent with equivalent content)</p>	<p>Occupier (church at 13-15 Spray Street)</p>	<p>Equalities impacts</p>	<p>This objection does not identify a specific reason why the Order should not be confirmed. This occupier's view that the Council is failing to provide suitable social support to local residents and that it should support churches further. The Council rejects this assertion but in any event it does not speak to the CPO case for the Scheme.</p> <p>The Council is aware that this church group occupies a property that has no planning permission for religious use. See Paragraphs 8.8.12-8.8.16 and in particular 8.8.14 of the Statement of Case for further details on how the Council and the Developer will nonetheless continue to appropriately support the prospects of relocation through application of the FRS. See also, paragraph 10.1.13 of the Statement of Case sets out the mitigation secured by (i) the s106/111 agreement (secured as part of the Planning Permission) requiring details of a detailed relocation strategy to be submitted and approved by the Council and to be applied by the Developer and (ii) identified by the Equalities Impact Assessment (EQIA), the recommendations from which the Council continues to take forward. Newsteer met with the landowner in August 2018 and in September 2022 and has explained to the church the support which can be provided under the FRS.</p> <p>The objection also raises the loss of the Former Covered Market. The Statement of Case explains the Council's requirement for the retention and refurbishing of the Former Covered Market (see for example, Paragraphs 5.4-5.8, 5.15 and 7.7.4) as an integral</p>

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>and important aspect of the redevelopment of the site. The use of the asset will change as part of the redeveloped scheme but its value as a heritage asset will be secured and better revealed, capable of being enjoyed by the public as part of new leisure space. This was a key consideration as part of the planning permission determined and supported by the Council as part of its determination of the planning application.</p>
6.	Anilkumar Patel & Jayesh Patel	Freeholder / occupier (11 Woolwich New Road)	Lack of engagement	<p>Three offers have been made to these owners for the purchase of this property, on 20 June 2018, in April 2020 and on 15 June 2022. No offers have been accepted. Newsteer (for the Council) continues to endeavour to progress negotiations.</p> <p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties, and the Council is satisfied that offers have been made that at least meet the owner's entitlement to statutory compensation based on the best information available to the Council's advisors. Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS). See also Section 9 for a detailed overview of the Council's approach to engagement.</p>
7.	Cyril Emuh  (Note: two separate objections sent with similar content)	Freeholder (14 Parry Place)	Lack of engagement  Property has independent development potential	<p>Newsteer has been in contact with the landowner since 2018 with the aim of reaching agreement for the purchase of the property. Offers have been made for a purchase of this property on 27 July 2018 and 8 June 2022. No response has been received following the submission of the last offer, albeit Dr Emuh has engaged a surveyor to provide valuation advice.</p> <p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties, and the Council is satisfied that offers have been made that at least meet the owner's entitlement to statutory compensation based on the</p>

**The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022**

**Statement of Case – Appendix 2: Objections Schedule**

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>best information available to the Council's advisors. Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS). Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement.</p> <p>In respect of the property's independent development potential, the Council's position is that piecemeal development of the wider site is not supported by planning policy (see Paragraph 7.6 of the Statement of Case) and the Council is not aware of any viable scheme for the independent redevelopment of this portion of this site having been advanced to date by any party. No detail as to why the landowner disagrees with this position has been provided.</p> <p>Dr Emuh has been asked to clarify the basis for the claim that procedural rules have not been correctly followed in the making of the Order. Until such time as further clarification is provided, the Council is unable to provide a full response. The Council is not aware of any failure to comply with procedural requirements, as is confirmed in the General Certificate supporting submission of the Order for confirmation.</p>
8.	Phu Tai Tuong & Hoc Huy Tuong	Freeholder / occupier (24 & 25 Plumstead Road)	Lack of engagement  Relocation concerns  Equalities impacts	An offer was made for the freehold of this property on 4 August 2021. A fee undertaking was provided to the owners to facilitate a landowner valuation which was provided to Newsteer (for the Council). A meeting was held between Newsteer and the owners' surveyor on 22 March 2022 to discuss the property's market value and disturbance compensation. That meeting concluded on the Council's understanding that the owners' surveyor would speak to the owners to discuss a potential disturbance claim for business occupation. Since that time there has been no further engagement from the owners' surveyor.

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties, and the Council is satisfied that offers have been made that at least meet the owners' entitlement to statutory compensation based on the best information available to the Council's advisors. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. All affected parties will also receive relocation support – see Paragraphs 8.8.12-8.8.16 for a summary of the content and operation of the FRS.</p> <p>The impact of the Scheme on the elderly is considered in the EQIA which the Council has had regard to in deciding to make the Order. Paragraphs 10.1.1-10.1.18 set out a summary of the EQIA's findings, including identified mitigation.</p>
9.	Eltham Welding Supplies Limited (2-12 Parry Place)	Freeholder (2-12 Parry Place)	Lack of engagement Equalities impacts Property has independent development potential	<p>The Council acknowledges the in-principle development potential of this property forming part of the site for which redevelopment is proposed as part of the Scheme. The realisation of this potential requires a significant land assembly exercise given the support in planning policy for comprehensive (rather than piecemeal) development of the wider site to ensure that the requirements in policy are secured (see for example Paragraph 7.6 of the Statement of Case). This was a key consideration as part of the Council's determination of the planning application for the Scheme, and forms the basis of the Council's decision to promote the Order to assemble the wider site for comprehensive redevelopment, in the absence of realistic prospects of existing owners being able to realise the benefits of the Scheme if promoted in isolation.</p> <p>An offer was made by Newsteer (for the Council) to the owner for the purchase of the property on 29 May 2018. This was not accepted. Further discussions on the property's value have been undertaken but no agreement has so far been reached. In September 2019, the owner entered into an option agreement for a sale of the property subject to</p>

**The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022**

**Statement of Case – Appendix 2: Objections Schedule**

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>the grant of planning permission. The Council understands that the option period was 18 months, with a further 18-month extension available to the purchaser. With the option agreement live and the parties not having reached agreement as to the property's value, it was agreed that attempting to advance further negotiations would not be likely to lead to an agreement at that stage.</p> <p>In November 2021, with the option agreement having lapsed, further discussions took place between Newsteer and the owner, and a further fee undertaking was provided in December 2021 to allow the owner's surveyor to review an updated valuation. Queries from Newsteer relating to tenancy arrangements at the property were settled in April 2022 and an updated offer was issued on 8 June 2022.</p> <p>The Council is aware that this property is presently being used for retail and religious uses which do not have the benefit of planning permission. Paragraphs 8.8.12-8.8.16 (in particular 8.8.14) of the Statement of Case set out details of the relocation support to nonetheless be provided by the Council and the Developer through implementation of the FRS.</p> <p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties, and the Council is satisfied that offers have been made that at least meet the owners' entitlement to statutory compensation based on the best information available to the Council's advisors. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement.</p> <p>The compelling case in the public interest supporting the Order is set out throughout the Statement of Case. See for example Section 8, which sets out the justification for the</p>

**The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022**

**Statement of Case – Appendix 2: Objections Schedule**

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>use of CPO powers, and in particular Paragraph 8.8.2 for a summary of the key benefits to be delivered.</p> <p>The objection asserts that the affordable housing proposed by the Scheme is insufficient in policy terms. The level of affordable housing being delivered has been subject to a Financial Viability Assessment and determined with reference to that assessment, in accordance with the approach to viability set out in the London Plan (see Paragraph 7.10.9 of the Statement of Case for details of how this matter was addressed by the Council's planning officers).</p> <p>Finally, the objection makes reference to equalities concerns in respect of the owners' protected characteristics. The Council's understanding is that the owners no longer occupy the property. However, the impact of the Scheme on the elderly is considered in the EQIA. Paragraphs 10.1.1-10.1.18 set out a summary of the EQIA's findings, including identified mitigation. In addition, the reasoning behind the Council's policy of advancing option agreements in lieu of outright purchases at this stage is set out at Paragraph 9.4.2 of the Statement of Case.</p>
10.	Sibel Suleyman	Tenant / occupier (2 Plumstead Road)	Lack of engagement  Relocation concerns  Equalities impacts	<p>Newsteer (on the Council's behalf) has attempted to engage with this occupier through correspondence and direct approaches. To date no substantive response has been received.</p> <p>The Council considers that all reasonable endeavours have been and continue to be made to engage with affected parties. See Section 9 of the Statement of Case, which provides a detailed overview of the Council's approach to engagement. Further engagement has been attempted since this objection was received and the Council is hopeful that matters can now be progressed.</p>

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>The objection refers to difficulties experienced by customers, potentially giving rise to equalities concerns. The matters raised are not material to determination of the CPO – however, any equalities impacts of the Order have been thoroughly assessed through the EQIA: see Paragraphs 10.1.3-10.1.18 of the Statement of Case.</p>
11.	Patricia Ramsey	Freeholder (15 Plumstead Road)	Lack of engagement	<p>An offer was made by Newsteer (for the Council) for the freehold purchase of this property on 20 June 2018. This offer was not accepted. Newsteer subsequently engaged with the owner in 2021 and early 2022, as part of which it encouraged the owner to seek professional advice.</p> <p>On 1 July 2002 an updated offer was made to the owner. The owner advised Newsteer that she did not accept the offer and was appointing a surveyor to prepare a valuation. A fee undertaking has been provided and a valuation awaited.</p>
12.	Almas Mustafa (3b Plumstead Road) Ghulam Mustafa (3, 7 & rear of 3b Plumstead Road)	Freeholder / occupier (3, 3b & 7 Plumstead Road)	Lack of engagement Relocation concerns	<p>Newsteer inspected the property in June 2022 for the purposes of preparing a valuation following a response from the owner to correspondence issued. Newsteer is presently awaiting receipt of tenancy documentation to allow the valuation to be progressed and an offer presented.</p> <p>Affected parties have been engaged with, and the Council considers that all reasonable endeavours have been and continue to be made in this regard. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS).</p>



**The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022**

**Statement of Case – Appendix 2: Objections Schedule**

No.	Owner / occupier	Nature of interest	Category/ies	Response
13.	B.B Patel and H Patel (ground floor and upper parts at 13 Woolwich New Road)	Freeholder (ground floor and upper parts at 13 Woolwich New Road)	Lack of engagement  Relocation concerns	<p>Newsteer has sought to engage with the owner’s appointed surveyors since 2018 but it has only been since March 2022 that there has been a level of constructive engagement. To date it has not been able to inspect the property or provide a valuation due to access not being provided but this is presently being progressed.</p> <p>Affected parties have been engaged with, and the Council considers that all reasonable endeavours have been and continue to be made in this regard. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS).</p>
14.	Nicki On and Tien On	Freeholder / occupier (36 Spray Street)	Lack of engagement	<p>This objection focuses specifically on (i) the scope of the Order (in respect of the even numbered properties on Spray Street) and (ii) the owner's entitlement to compensation in respect of a rights to light infringement.</p> <p>In respect of (i), the Order Map and the Statement of Case clearly record that 36 Spray Street (and other even properties on Spray Street) is not to be acquired under the Order (see for example Paragraph 3.1.2). Only crane oversail rights are sought.</p> <p>In relation to (ii), as set out at Paragraph 9.8 of the Statement of Case, the Council has proposed that discussions in respect of rights to light compensation payable are to be advanced once the Order is confirmed and there is certainty that the Development can be delivered. The Council will endeavour to engage with this owner at that stage.</p>

**The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022**

**Statement of Case – Appendix 2: Objections Schedule**

No.	Owner / occupier	Nature of interest	Category/ies	Response
15.	Victory Bible Church	Freeholder / occupier (33-35 Spray Street)	Lack of engagement  Relocation concerns  Equalities impacts	<p>Affected parties have been engaged with, and the Council considers that all reasonable endeavours have been and continue to be made in this regard. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. Paragraph 9.3.3 sets out details of engagement targeted at affected church groups specifically. The landowner has been regularly contacted by the Council and Newsteer since December 2017 but it was not until June 2022 that a response was received. A number of queries were raised by the landowner's surveyor on 5<sup>th</sup> July 2022 and a comprehensive response was issued on 25<sup>th</sup> August 2022.</p> <p>Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS). See also Paragraph 10.1.13, which sets out the mitigation secured by the s106/111 agreement and identified by the EQIA. This addresses the assertions made by this owner in respect of relocation support, the Public Sector Equality Duty and Human Rights concerns (in respect of which see also Paragraph 10.2).</p> <p>This objection makes various assertions regarding the case for CPO and compliance with requirements of applicable statute and the CPO Guidance. The case for the Order is articulated in detail in the Statement of Case: see for example Section 4, Paragraph 7.10 and Section 8 (in particular Paragraph 8.8.2). The Statement of Case also sets out its compliance with CPO Guidance at for example Paragraph 6.2, 9.19 and 12.3. The owner has not provided any further information in respect of the suggestion that the CPO Guidance has not been followed. Until such time as further clarification is provided, the Council is unable to provide a full response.</p>

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
				<p>Finally, the objection indicates that the Council has failed to demonstrate that the Scheme is viable and free from impediments. Viability and the nature of any impediments are addressed in detail at Paragraph 8.9.</p>
16.	TfL / DLR	Freeholder (Woolwich Arsenal DLR Station and car park / operational land on Plumstead Road)	Statutory undertaker	<p>The Council understands through discussions between TfL that the Order affects formerly operational tram ducts which are now utilised by TfL for running cables. The Council is satisfied that the proposals will not interrupt TfL's assets. TfL has also raised queries regarding the need for crane oversailing over a car park and depot. An explanation as to the need for crane oversailing rights has been provided. The Council expects that appropriate assurances can be provided to TfL if necessary and that this objection is capable of being resolved prior to inquiry</p>
17.	Shahid Basharat Ahmad, Tariq Ahmad, Zubaida Ahmad and Zulfiqar Ahmed (Sam's Chicken)	Leaseholder / occupier (9 Plumstead Road)	Relocation concerns	<p>Newsteer received a response to its correspondence in January 2022, following which an inspection was undertaken and a valuation prepared. An offer was issued on 21 September 2022 (the delay between inspection and offer was on account of tenancy information and information on building works being received in July 2022). A response is awaited.</p> <p>Affected parties have been engaged with, and the Council considers that all reasonable endeavours have been and continue to be made in this regard. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS).</p>

## The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022

### Statement of Case – Appendix 2: Objections Schedule

No.	Owner / occupier	Nature of interest	Category/ies	Response
18.	Khoa Dinh Le (Nails Did)  (Note: received electronically and in hardcopy.)	Occupier (20 Plumstead Road)	Lack of engagement  Relocation concerns	<p>This occupier was first met with on behalf of the Council in 2018. At that time, the occupier was advised that relocation assistance would be provided, but that the nature of the occupier's short-term occupation was such that it could be terminated by the landlord at any time.</p> <p>Newsteer now understands that the occupier has the benefit of a recently granted 3-year lease, but has been unable to engage further with the occupier. Information on how to access the Council's schedule of available relocation properties has been provided as well as a list of surveyors who may be able to provide professional advice.</p> <p>The Council considers that all reasonable endeavours have been and continue to be made in this regard. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS).</p>
19.	Ayse Richardson, Ahmet Herguner and Zelha Herguner	Freeholder (37-39 Spray Street)	Relocation concerns	<p>An offer was made on the Council's behalf for the purchase of this property on 20 June 2018. This was not accepted. Newsteer has continued to endeavour to progress negotiations since that time, requesting updated tenancy information in February 2022 so an updated valuation could be prepared. This information is presently awaited.</p> <p>In respect of the relocation concerns raised by this owner, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS).</p>

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**Statement of Case – Appendix 2: Objections Schedule**

No.	Owner / occupier	Nature of interest	Category/ies	Response
				Further engagement has been attempted since this objection was received and the Council is hopeful that matters can now be progressed.
20.	The Redeemed Christian Church of God Power of Jehovah	Leaseholder (7A Plumstead Road)	Lack of engagement Relocation concerns Equalities impacts	<p>Newsteer met with the landowner on 11 January 2022 following the exchange of correspondence in November 2011. Within the meeting the work of the church was together with their ambition to relocate in the Woolwich area, and the CPO process. Following this meeting, a CPO FAQ sheet was shared, along with a schedule of properties which had been prepared to assist those searching for relocation premises. An updated relocation schedule was provided in April 2022. Following the appointment of a surveyor, Newsteer has continued to engage to discuss relocation support and matters of compensation.</p> <p>As demonstrated by the above the landowner has been engaged with, and the Council considers that all reasonable endeavours have been and continue to be made in this regard. Section 9 of the Statement of Case provides a detailed overview of the Council's approach to engagement. Paragraph 9.3.3 sets out details of engagement targeted at affected church groups specifically.</p> <p>Additionally, relocation support is available and is being provided by the Council in accordance with the FRS (see Paragraphs 8.8.12-8.8.16 of the Statement of Case for a summary of the content and operation of the FRS). See also Paragraph 10.1.13, which sets out the mitigation secured by the s106/111 agreement and identified by the EQIA. This addresses the assertions made by this owner in respect of relocation support, the Public Sector Equality Duty and Human Rights concerns (in respect of which see also Paragraph 10.2).</p>

**The Royal Borough of Greenwich (Woolwich Exchange) Compulsory Purchase Order 2022**

**Statement of Case – Appendix 2: Objections Schedule**

**Summary & categorisation**

<b>Category</b>	<b>Number of objections</b>	<b>Relevant objections (no. and name)</b>
Lack of engagement	13	4 (Karia), 6 (Patel), 7 (Emuh), 8 (Tuong), 9 (Eltham Welding), 10 (Suleyman), 11 (Ramsey), 12 (Mustafa), 13 (Patel), 14 (On), 15 (VBC), 18 (Nails Did), 20 (RCCG Power of Jehovah)
Relocation concerns	10	1 (Karimi), 8 (Tuong), 10 (Suleyman), 12 (Mustafa), 13 (Patel), 15 (VBC), 17 (Sam's Chicken), 18 (Nails Did), 19 (Richardson & Herguner), 20 (RCCG Power of Jehovah)
Equalities impacts	7	1 (Karimi), 5 (BLW UK), 8 (Tuong), 9 (Eltham Welding), 10 (Suleyman), 15 (VBC), 20 (RCCG Power of Jehovah)
Property has independent development potential	2	7 (Emuh), 9 (Eltham Welding)
Statutory undertakers	3	2 (Network Rail), 3 (SGN), 16 (TfL/DLR)