

BY hand

Marie Rosenthal
Interim Asst. Director of Law & Governance
& Monitoring Officer
Kingston Council
Gridhall.

205 Park Road
Kingston
KT2 5JY

2nd July 2019

Dear Ms Rosenthal

Re. Call in of Decision One to approve Housing Delivery Test Action Plan by Strategic Housing and Planning Committee on 19 June 2019

Please find attached a call-in petition of the above decision, signed by around 150 residents of the Royal Borough of Kingston upon Thames.

Please confirm receipt of the petition and notify me of its acceptance.

Yours sincerely



Caroline Shah

Canbury Ward resident

Accepted as valid
MT Brief
3 July 2019

Call in Panel to be
covered with 15 working days
Thank you

Call in of the Housing Delivery Test Action Plan

SUMMARY

100 signatures are needed by Tuesday in order to challenge the council's decision

The Government has introduced a Housing Delivery Test (HDT) to determine whether local areas are building enough homes to meet housing needs.

Kingston Council states that its Housing Delivery Test Action Plan ("HDTAP")¹ analyses current housing delivery in the borough and identifies *measures to address the shortfall in delivery over the last three years*

However, the HDTAP is also being used to speed up the planning process for Kingston's future development programme

The future development programme envisages the building of 55,000 new homes in 22 years, a far cry from the 1,381 that was our target over the last three years.

The HDTAP says nothing about how the council will protect existing homes across the Borough or about the effect of an accelerated large-scale development on existing communities, neighbourhoods or the environment; nor does it say how officers' new delegated powers to buy properties with a value of less than £1 million across the Borough will be used to facilitate land assembly for accelerated housing delivery, or what constitutes "exceptional circumstances" for the use of Compulsory Purchase Orders.

I believe that the council has failed to 'robustly challenge' the housing targets agreed by the previous administration with the Mayor of London, and is moving forward fast with unsound and undemocratically-agreed plans. It is now up to us, as local residents, to make sure what happens in Kingston is in the interests of the residents who have chosen the Borough as their home and is not pushed through in hidden and confused agendas. We must act now to bring these plans back to a scrutiny panel for proper investigation."

¹ <https://moderngov.kingston.gov.uk/ieListDocuments.aspx?MIId=8695>

Call in of the Housing Delivery Test Action Plan

The call-in

The Strategic Housing and Planning Committee of Kingston Council approved the Borough's Housing Delivery Test Action Plan on 19th June 2019 as Decision One.

We, the undersigned, call in Decision One of the Strategic Housing and Planning Committee on 19 June 2019 to approve the basis of the Housing Delivery Test Action Plan for publication by August 2019 for the following reasons:

1. The HDTAP does not simply address how the Council will address the shortfall in delivery over the last three years. It suggests measures to speed up the planning process for what will be a development programme that is many times bigger than the target we were set over the last three years
2. The HDTAP does not give clear and complete information about the Borough's future housing targets for the delivery of which the proposed Action Plan will apply. The actual housing targets for Kingston until 2041 are set out in the London Plan and the Strategic Housing Land Availability Assessment ("SHLAA") as 55,317¹. It does not explain why Kingston is expected to deliver housing to accommodate four times its forecast population growth. Population growth in the Borough is forecast to be 34,000² as of May 2019. This is an increase from 23,000 from November 2019³
3. In paragraph 2.13, the report to council confuses the unaffordable prices of homes which are vacant and available in Kingston with the need to create more supply for local people: "Even if population projections drop, there is now such a backlog of need (such as young adults unable to move into their own home) we still need to significantly increase housing numbers."
4. Having previously stated that they are against the London Plan's small sites targets, the Council now appear actively to support them by giving: "appropriate support to development partners in the progression of small sites within the borough in line with latest London Plan aspirations and associated accelerated housing targets"
5. The HDTAP and the accompanying report confuses the need to meet old housing targets with the need or desire to meet grossly inflated future housing targets that may well compromise quality and have a detrimental effect on existing communities. The HDTAP and accompanying report do not explain how the Borough can accommodate or support delivery of 55,000 new homes in 22 years when it has only delivered 75% of its existing housing target of 1,381 homes over the last three years⁴, nor does it relate the scale of development planned in any way with any desire or need to minimise the impact of development on existing communities or on the environment.

¹ Base 1364x22, plus 16,309 with CR2 or improved infrastructure, plus a minimum 9000 with "opportunity area" status

² Source: Early engagement for the Local Plan, May 2019:

https://www.kingston.gov.uk/info/200157/planning_strategies_and_policies/1353/new_local_plan

³ <https://moderngov.kingston.gov.uk/ieDecisionDetails.aspx?AllId=36198>

⁴ "When measured against the new Housing Delivery Test, Kingston's delivery rate is 75% over the three year period 2015/16 to 2017/18: Kingston delivered a total of 1,042 homes during this period against a target of 1,381 units, resulting in a shortfall of 339 units." Taken from:
<https://moderngov.kingston.gov.uk/documents/g8704/Public%20reports%20pack%20Wednesday%2019-Jun-2019%2019.30%20Strategic%20Housing%20and%20Planning%20Committee.pdf?T=10>

6. The council states that it is working on an Action Plan for Kingston Town Centre but no detail is given of what the consequences or objectives of the plan will be. Also, what about everywhere else in the Borough?
7. The HDTAP does not relate the scale of development planned, especially in so far as it affects the delivery of affordable or social housing, with any desire to retain existing housing. In paragraph 1.11 of Annex One, it obliquely refers to Cambridge Road Estate ("CRE") – "opportunities to update and renew Council-owned stock for a range of local needs" - but does not mention that the majority of the huge number of extra housing units in the planned "redevelopment" of the CRE will be for private sale and may well not be affordable to local people
8. The HDTAP mentions for the first time in any Local Plan evidence documents that the Borough might get "areas of intensification"⁵ as well as "opportunity areas". This would result in even greater development over an even wider area and has never been mentioned before. It is a bit like the Direction of Travel – introducing something in vague terms so residents do not see it coming
9. The document does not mention how new officer powers to purchase any property in the Borough with a value of up to £1 million without scrutiny or explain in detail how Compulsory Purchase Orders will be used in order to help deliver such large housing targets and speed up the planning process
10. The HDTAP does not mention the importance of the scrutiny of viability assessments as a vital aspect of the development management process because of the important implications that viability assessments have on the delivery of affordable housing and other public benefits
11. The document does not address the fact that the delivery of expensive infrastructure and affordable housing contributions affect the viability and deliverability of schemes nor of how this can have a significant effect on the housing that is delivered. This is particularly important given the Council in its LIP3 Borough Transport Strategy and its Strategic Environmental Assessment (which should have been integral to the LIP3 but has only just finished consultation even though the LIP3 has already been approved) appears to offer no alternative to improved transport infrastructure in the Borough to CrossRail 2 apart from additional buses and improvements to existing stations
12. In the section on Improving the Planning Process, the HDTAP talks only of speeding up or streamlining planning application processes, including introducing a fast track system, and never about the need to ensure quality housing is delivered, that existing communities and the environment are protected and that existing housing, especially affordable housing, is retained.
13. In two places, the HDTAP says that the speeding up of housing delivery will have a "significant benefit to the community" but does not give reasons for the statement. Indeed, the primary objective of the document is stated as: "speeding up housing delivery in the borough. This will be a significant benefit to the community since there is a need to see a step change in building more homes in the borough to meet the needs of residents.". This is a circular and therefore meaningless assertion. The document does not lay out any benefits at all to the community of accelerating such a massive development programme
14. The document does not mention any need for public consultation and engagement when it considers the specific approaches it is considering taking to the planning process and to determining planning applications. The only reference to community engagement is that the Council will hold "conversations" with residents and other stakeholders in the short term "regarding the Council's role in housing delivery as part of the borough's wider housing strategy". This is far too vague and does

⁵ "Areas of Intensification" are defined by the GLA: <https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan/london-plan-chapter-two-londons-places/policy-0>

not provide any comfort that residents will have any say in the type and scale of developments that are permitted in the Borough. Many statements do not make sense and are not substantiated, such as “step change in building more homes” will “meet the need of...residents” and the assertion that speeding up housing delivery is “essential to ensure the health and well being of Kingston’s residents and visitors since significant new home building has been identified as a specific requirement”

15. The Risk Assessment of the HDTAP is non-existent. The risks of accelerating delivery of housing on a development programme on the scale planned are massive. This section states that there is a risk of not completing a HDTAP but does not actually state the consequences of non-compliance. Perhaps they are worth bearing in order to avoid the consequences of accelerating a massive development programme on the Borough without due consideration of the effects of so doing?
16. The Equalities Impact Assessment gives no evidence that the HDTAP – in agreeing the accelerated delivery of a massive development programme - meets the requirements of The Equalities Act 2000. In particular, “good relations” is not an Equalities Act requirement. And there is nothing on how the HDTAP will affect people with disabilities for example
17. The Health Implications, Road Network and Environmental and Air Quality Assessments are all inadequate. There is no assessment of the effects of the HDTAP on biodiversity. There is nothing in the HDTAP about a lighting strategy or the protection of public art. Most references are to Kingston Town only.
18. The statement: “The borough also benefits from widespread green spaces and parks” is in complete contradiction to the statement in the Strategic Environmental Assessment for LIP3 that “The Royal Borough is not as green as other Boroughs” with only 7.5% open space”