

Subject: Planning Matters
Meeting date: 12 September 2017
Report to: Board
Report of: Will McKee, Chair of the Planning Committee
Mick Mulhern, Director of Planning

For Decision

This report will be considered in PUBLIC

1 Summary

- 1.1 This report provides recommendations in relation to;
- 1.1.1 Old Oak Neighbourhood Area and Neighbourhood Forum applications; and
 - 1.1.2 Confirmation of the Article 4 Direction to remove permitted development rights for changes of use from offices and storage and distribution uses to residential.
- 1.2 This report also provides an update on current strategic planning applications, schemes in advanced pre-application discussions and other applications received.

2 Recommendations

The Board is asked to:

- 2.1 Note this report and the associated appendices;**

Old Oak Neighbourhood Area and Forum

- 2.2 Designate the area as shown edged red on the plan in Figure 7 of this report as the Old Oak Neighbourhood Area rather than the full extent of the proposed neighbourhood area applied for shown edged blue;**
- 2.3 Refuse the application for the designation of the Interim Old Oak Neighbourhood Forum, subject to designating the Old Oak Neighbourhood Area set out in paragraph 2.2;**
- 2.4 Delegate a decision to approve the designation of a neighbourhood forum for the designated Old Oak Neighbourhood Area to OPDC's Chief Executive Officer, subject to OPDC officers being in a position to recommend this forum is approved for this area;**

Article 4 Direction

- 2.5 Confirm the direction made on 12 September 2016 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) ("GPDO"), to come into force on 22 September 2017;**
- 2.6 Delegate to the Director of Planning the arrangements for confirming the Article 4 direction including compliance with the notification requirements under the GPDO; and**

Update on planning applications

- 2.7 Note the update on current strategic planning applications, pre-application schemes and other planning applications received.**

3 Old Oak Neighbourhood Forum and Neighbourhood Area applications

Neighbourhood Planning Overview

- 3.1 Neighbourhood planning is a community led process intended to shape and promote development at the neighbourhood (i.e. local) level.**
- 3.2 It was introduced through the Localism Act (2011) to enable communities to define Neighbourhood Areas and establish Neighbourhood Forums to draw up a Neighbourhood Plan and/or Neighbourhood Development Orders. It is guided by a range of legislation and national guidance. Local planning authorities (LPA) are required by law to support the neighbourhood planning process.**

- 3.3 The Harlesden Neighbourhood Forum and Area were the first neighbourhood area and forum to be designated by OPDC in November 2015.
- 3.4 There are 4 key stages in Neighbourhood Planning:
- **Stage 1:** A community group submits applications to OPDC as the LPA to designate a neighbourhood forum and neighbourhood area.
 - **Stage 2:** Public consultation takes place on the applications.
 - **Stage 3:** OPDC Board consider the officers' recommendation and the views of the Planning Committee in taking their decision.
 - **Stage 4:** If the relevant organisation or body is designated as the neighbourhood forum for a neighbourhood area it can start production of a neighbourhood development plan for that area.

Neighbourhood Areas

- 3.5 A neighbourhood area is proposed by a prospective neighbourhood forum and designated by the LPA. This is the boundary for the area over which the neighbourhood forum is responsible. It will also form the boundary of the area in relation to which a neighbourhood development plan can be brought forward. Neighbourhood areas can cover areas across local planning authority boundaries and can be any shape or size. Only one neighbourhood area can cover one location.
- 3.6 As the LPA, OPDC has a statutory duty to determine applications to establish neighbourhood areas. In determining the application for designation, the Town and Country Planning Act 1990 (as amended) ('the Act') requires OPDC to:
- consider whether the area is an appropriate area to be designated as a neighbourhood area; and
 - designate all or part of the proposed area as a neighbourhood area provided at least some of the proposed area has not already been designated as a neighbourhood area.
- 3.7 The Neighbourhood Planning (General) Regulations 2012, require an area and/or forum application to one LPA to be determined in 13 weeks and an application to two or more LPAs to be determined within 20 weeks. The application for the Old Oak Neighbourhood Area and forum is a joint application to both LBHF and OPDC and therefore has to be determined within 20 weeks following the date on which the application is first publicised. The 20-week period ends on 20 September 2017. If a decision is not made within this time period, OPDC must designate all of the area applied for.

- 3.8 The NPPG paragraph 031 identifies the benefits of Local Planning Authorities (LPAs) agreeing a lead authority for joint neighbourhood area applications. The benefits for agreeing a lead authority are to:
- simplify the process for the community
 - minimise the duplication of work by the local planning authorities
 - provide opportunities for authorities to share resources
- 3.9 The NPPG does not set out guidance or requirements for the role of a lead authority. The Local Government Association states that the lead authority “would manage the neighbourhood planning process, though each local planning authority would legally be responsible for agreeing the decisions taken”. The Act Section 61I identifies that OPDC and LBHF must determine applications individually as separate LPAs.
- 3.10 In determining applications, the Act sets out legislation for guiding the process for designating neighbourhood areas in Section 61(G). Part 5 enables one or more neighbourhood area to be designated from within a single neighbourhood area application.
- 3.11 The majority of the proposed Neighbourhood Area is within the OPDC area, as such both OPDC and LBHF agreed for OPDC to be the lead authority. Therefore, OPDC has led on the consultation activities and OPDC officers have met regularly with LBHF officers to coordinate consultation and discuss approaches to designations. Officers consider that, as lead authority, OPDC has successfully delivered the benefits as set out in NPPG paragraph 031.

Neighbourhood Forums

- 3.12 Neighbourhood forums are community-led groups which seek to help shape growth and development within their relevant neighbourhood areas. Groups must apply to their LPA to be designated as a neighbourhood forum. Once designated, a neighbourhood forum can develop a neighbourhood plan for its neighbourhood area. As the LPA for its area, OPDC has a statutory duty to determine applications to designate neighbourhood forums.
- 3.13 The Act sets out four criteria that a prospective neighbourhood forum needs to meet if it is to be designated:
- a) It is established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned;
 - b) Its membership is open to individuals who live in the neighbourhood area, individuals who work there (whether for businesses carried on

there or otherwise) and individuals who are elected members (for London in respect of a London borough council) any of whose area falls within the neighbourhood area concerned;

- c) Its membership includes a minimum of 21 individuals each of whom live in the area, work in the area or are elected members for the area; and
- d) It has a written constitution.

3.14 The Act also requires the OPDC, in considering whether to designate a neighbourhood forum, to consider whether the:

- a) Forum has secured, or taken reasonable steps to secure, membership that includes at least one individual from the three categories i.e. people who live, work or are elected members for the area;
- b) Membership is drawn from different places in the area and different sections of the community in the area; and
- c) The purpose of the forum reflects (in general terms) the character of the area.

3.15 Once designated, a forum ceases to have effect after 5 years. OPDC is also able to withdraw a designation where they consider that the Forum is no longer meeting the conditions by reference to which it was designated.

Neighbourhood Plans

3.16 Following the designation of a neighbourhood forum and area, the forum can commence preparation of a neighbourhood plan and/or neighbourhood development order(s). A neighbourhood plan must undergo a public consultation and independent public examination, before it is sent to a referendum carried out by the relevant borough(s). If the plan receives the support of 50% or more of those who vote in the referendum it is to then be 'made' by the LPA.

3.17 Neighbourhood plans provide planning policies for land within the neighbourhood area. A neighbourhood development order is an order which grants planning permission for development specified in the order or for development of any class specified in the order. Both neighbourhood plans and neighbourhood development orders need to be in general conformity with OPDC's development plan. They also need to be consistent with national policy. Once adopted, a neighbourhood plan forms part of the statutory development plan for the area within which it is situated.

3.18 The preparation of neighbourhood development plans and neighbourhood development orders are led by the relevant neighbourhood forum with

support from LPA. The support provided by the LPA can vary and may include provision of officer time, relevant information and assistance with preparation of the evidence base to support the neighbourhood development plan.

- 3.19 In terms of preparing a neighbourhood plan, the stages in the plan's preparation are below. The timescales for producing a plan are not set out.

Stage	Responsibility
Pre-submission draft neighbourhood plan prepared	Forum
Consultation on pre-submission draft plan	Forum
OPDC provides response to consultation	OPDC
Submission draft neighbourhood plan prepared	Forum
Submission draft neighbourhood plan provided to OPDC for publication. Publication of submission draft neighbourhood plan by OPDC.	OPDC
Submission of draft neighbourhood plan for examination.	OPDC
Examination undertaken	OPDC
Local referendum held	Local Borough
OPDC Planning Committee makes recommendation for plan to be made (assuming it has passed the referendum)	OPDC
OPDC Board adopts neighbourhood plan	OPDC

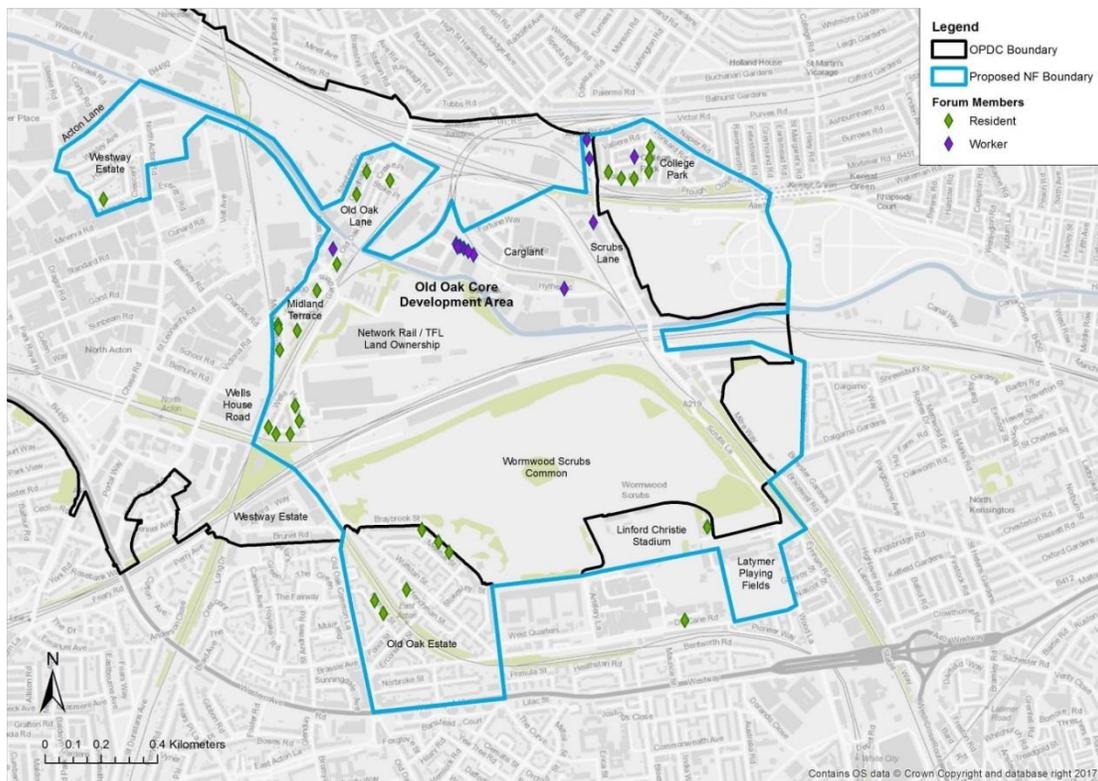
Overview of the Old Oak Neighbourhood Forum and Area applications

- 3.20 The proposed Old Oak Neighbourhood Forum and Area applications were submitted to OPDC and LBHF in April 2017. The submitted application material can found in Appendix A. As a cross-boundary neighbourhood area, OPDC and LBHF have 20 weeks in which to designate an appropriate area and the associated forum if applicable.
- 3.21 The proposed Old Oak Neighbourhood Area is shown in figure 1 below. It comprises 280 hectares (195 hectares of which are within the OPDC area). Officers recognise that this size of neighbourhood area is not unusual within a London context. Examples of large neighbourhood areas include Kennington, Oval and Vauxhall at 243 hectares, Isle of Dogs at 330 hectares and Highgate at 480 hectares. The proposed area includes over 200 businesses, over 2,800 employees and 1,407 homes.
- 3.22 Figure 1 also shows the approximate addresses of the prospective neighbourhood forum members. The application identifies 44 potential neighbourhood forum members comprised of:
- 29 residents

- 14 people working in the area
- 1 elected representative

3.23 Following submission and public consultation, the adviser to the interim Old Oak Neighbourhood Forum has confirmed that one of the forum members who is a member of OPDC's Board, resigned from the interim Old Oak Neighbourhood Forum on 17 July 2017 and should not be considered as a forum member for the purposes of OPDC Planning Committee and Board's consideration of the forum application. Please see appendix B for confirmation of this. Therefore, the number of forum members has been reduced to 43 people.

Figure 1- Proposed Old Oak Neighbourhood Area and location of forum members



Overview of the Old Oak Neighbourhood Forum and Area public consultation and summary of responses

3.24 In accordance with the Neighbourhood Planning (General) Regulations, OPDC and LBHF published the application for a six week public consultation from 3 May to 15 June 2017.

- 3.25 In accordance with the National Planning Practice Guidance, OPDC led the local consultation exercise given that the majority of the land proposed in the Neighbourhood Area falls within OPDC control.
- 3.26 The following engagement activities were undertaken as part of the public consultation:
- Application documents were made available on OPDC's website;
 - Public notices were published in local newspapers;
 - Letters were distributed to over 14,000 local addresses within and surrounding the proposed Old Oak Neighbourhood Area;
 - The Forum and Area applications were made available for inspection at:
 - The Duty Planner Room, 1st Floor Hammersmith Town Hall Extension, King Street, Hammersmith, W6 9JU; and
 - City Hall, The Queen's Walk, More London Riverside, London SE1 2AA;
 - Emails were sent out to stakeholders on OPDC's and LBHF's consultation databases;
 - The public consultation was promoted on Twitter and Facebook; and
 - OPDC hosted a presentation session to provide stakeholders with a background to neighbourhood planning and inform them of the specifics of the Old Oak Neighbourhood Area and Forum applications and how to respond to the public consultation.
- 3.27 In total, 198 responses were received as part of the public consultation on the proposed Old Oak Forum and Area applications. A complete schedule of the responses to the consultation can be viewed at Appendix C. Responses can be grouped as:
- 162 responses were supportive of the forum and/or the area.
 - 13 responses did not state a clear position either in support or in opposition to the proposed forum and area.
 - 23 responses were received requesting revisions or removals from the proposed area.
- 3.28 Appendix D sets out the Interim Old Oak Neighbourhood Forum's own analysis of responses from public sector stakeholders and landowners. This was provided to officers on 11 August 2017 and can be found in Appendix D.
- 3.29 Figure 2 identifies the location of resident/business occupier and resident association respondents to the consultation, whilst figure 3 shows the location of landowner respondents to the consultation. A short summary is below:

- Those in support of the forum and/or area were mostly located either within the existing residential communities to the west (Wells House Road, Midland Terrace, the Island Triangle and the Wesley Estate) or outside of the proposed Old Oak Neighbourhood Area boundary in North Kensington. Specifically within the OPDC area, the Wells House Road Residents Association and The Island Triangle Residents Association supported the application. There was also a small number of supporting responses from businesses in the western edge of Car Giant freehold land.
- Landowners in the core development area of Old Oak who responded to the consultation requested revisions to exclude their landholdings from the boundary.
- To the south-west within the Old Oak Estate, the Old Oak Friends and Resident's Association and five residents of Old Oak Estate were in favour of revising the boundaries to exclude the estate from the proposed neighbourhood area while twelve residents of the estate support the proposed boundary of the neighbourhood area.
- To the north, the Harlesden Neighbourhood Forum requested a revision to the northern boundary to follow the borough boundary and reflect the Harlesden Neighbourhood Area boundary.

Figure 2- location of occupier and resident association respondents to the consultation

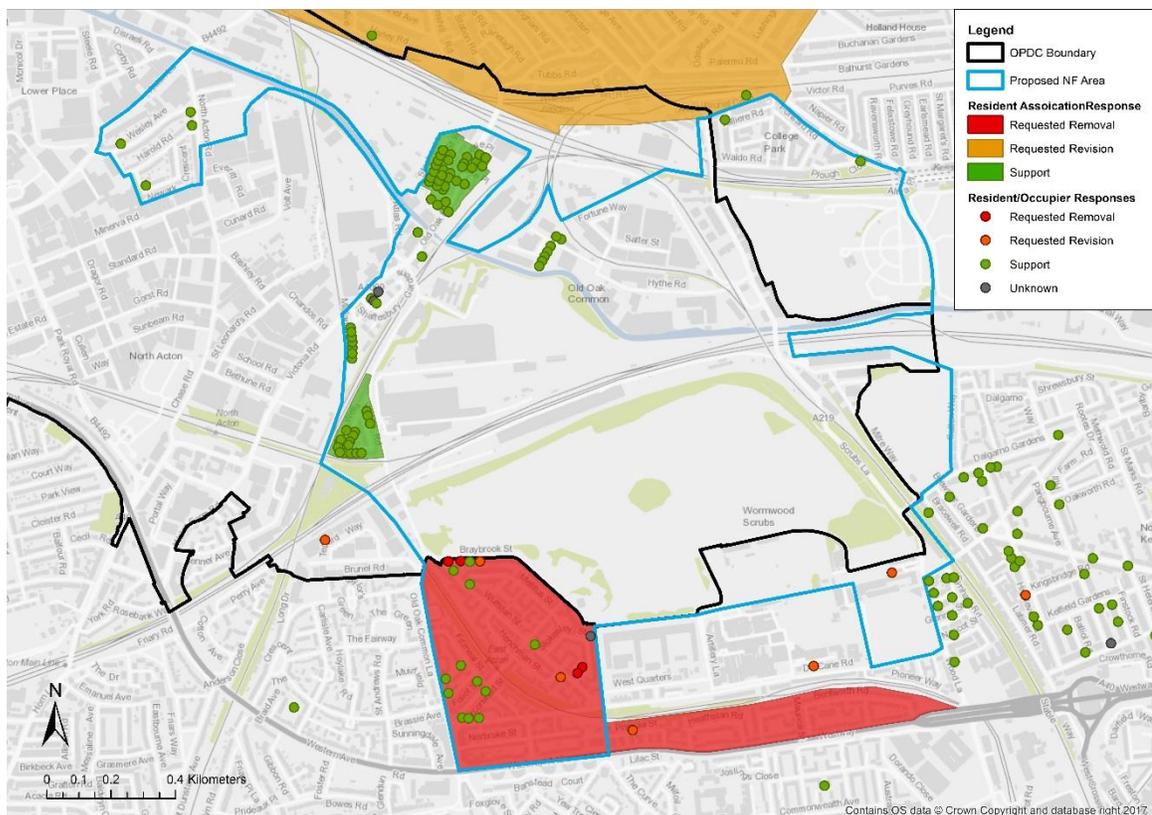
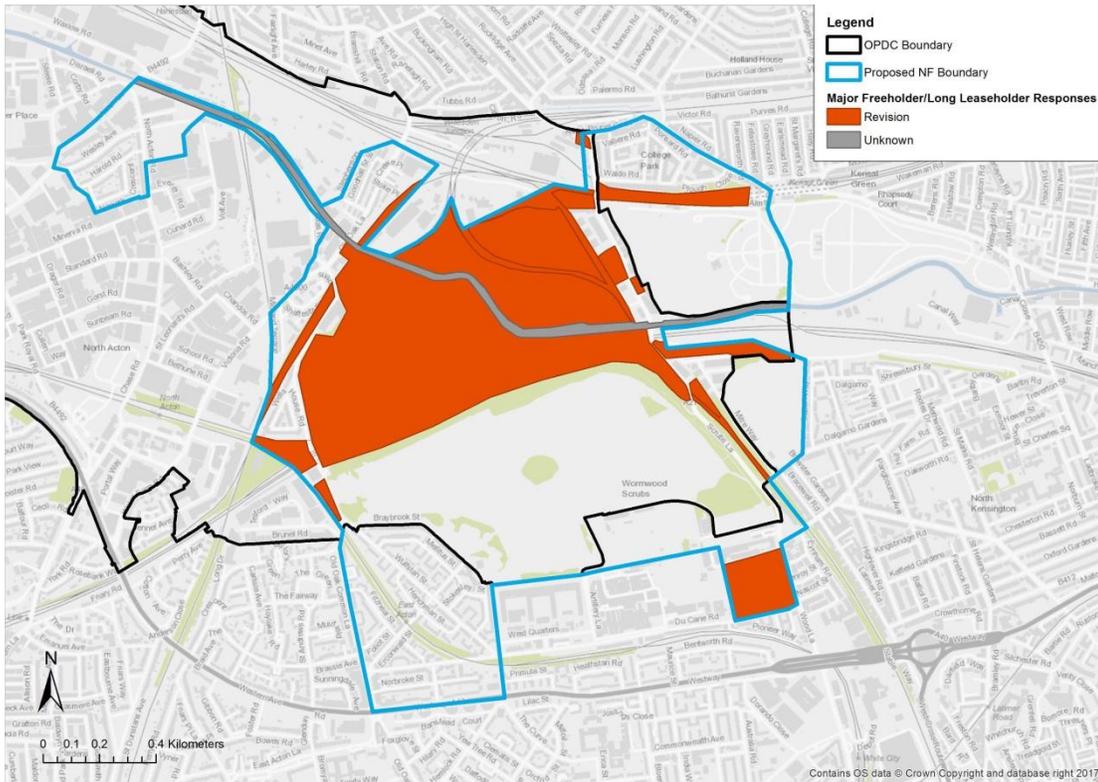


Figure 3- location of landowner respondents to the consultation



3.30 162 responses were received from businesses, community groups, interest groups, resident groups and residents that supported the proposed area and forum as submitted. Within this support, respondents raised specific elements which are summarised in table 1:

Table 1: Summary of supporting comments	
Recognising importance of local community groups	<p>Recognition of the importance of local community groups in having a voice about the regeneration plans for the area and in particular in respect of:</p> <ul style="list-style-type: none"> • high density development and tall buildings • impacts during construction • traffic congestion • providing space for artists and other business start-ups • provision of open space and public realm • approach to extensions of residential properties • concern about the impact of HMOs
Local knowledge	That local residents and community groups have a lot of knowledge about the area that should be harnessed
Democratic accountability	That having a designated forum will give local community groups a single and more powerful voice and will increase democratic accountability

Support the proposed boundary	That the boundary should be designated and not shrunk
Support for including Wormwood Scrubs and Linford Christie Stadium	Particular support for the inclusion of Wormwood Scrubs park and the Linford Christie Stadium in the boundary and concern about regeneration/redevelopment of these areas
Support for including Car Giant land holdings	Particular support for the Car Giant landholdings in Old Oak North to be included in the boundary
OPDC's Local Plan not sufficiently flexible	Concern that OPDC's Local Plan is being too prescriptive and preventing sufficient flexibility in approaches to the regeneration of the area

3.31 Table 2 below sets out the consultation responses that have suggested revisions or removals to the boundary:

Table 2: Summary of consultation responses and suggested revisions		
OPDC area		
Code	Who?	Suggestion
1	Greater London Authority, TfL, Queen's Park Rangers Old Oak Friends and Resident's Association, 5 residents	The core development area in Old Oak (Old Oak North and South) should be removed from the boundary, as it has a very different character to the existing residential communities. The core development area also includes large and complex strategic sites
2	Greater London Authority, Queen's Park Rangers FC, Thames Valley Harriers, Latymer Upper School, Old Oak Friends and Resident's Association, 5 residents	Wormwood Scrubs common should be removed from the boundary as the area is not of a similar character as the rest of the area. The land has a number of designations protecting it. The land fulfils a metropolitan function. All communities should be able to comment equally regarding its future.
3	Network Rail	The boundary should be revised to remove all Network Rail freehold land as this land includes a mixture of existing rail uses and land with strategic rail designations and is therefore of a very different character to the rest of the proposed area and particularly the existing residential communities within the proposed Neighbourhood Area boundary.

		The proposed size, shape and boundary is not consistent with that of other Neighbourhood Areas.
4	Cargiant	The boundary should be revised to remove all Cargiant land as the area is different in character to the residential communities within the proposed area. There are more appropriate methods for engagement on a project on this scale than through neighbourhood planning.
5	CBRE	203 Old Oak Common Lane should be removed from the boundary, as its character is different to that of the existing residential areas.
6	CBRE, Fruition Properties	Sites on Scrubs Lane should be removed from the boundary, including: - 2 Scrubs Lane; and - 151 Scrubs Lane
7	Proposed Stonebridge Park and Park Royal Centre Neighbourhood Forum	Boundary should be revised to exclude the industrial and employment premises fronting onto Acton Lane to avoid a potential clash with the proposed Stonebridge Park and Park Royal Centre Neighbourhood Forum.
8	Resident within the proposed area	The boundary should be expanded to include the Old Oak Sidings Waste site as the waste site causes problems for local communities
9	Business outside of the proposed area (Westway Estate)	The boundary should be extended to include the Westway Estate so that there can be input into any neighbourhood plan from businesses in this location.
10	Harlesden Neighbourhood Forum	The boundary should precisely follow the borough boundary at the northern end of Harrow Road.
For information: comments received relevant to the LBHF area		
11	Old Oak Friends and Resident's Association, 5 residents	The Old Oak Estate should be removed from the Old Oak Neighbourhood Area and the Estate should have its own neighbourhood area designated including properties along Du Cane

		Road
12	Queen's Park Rangers FC, Thames Valley Harriers, Latymer Upper School, Old Oak Friends and Resident's Association, 5 residents	The Linford Christie stadium should be removed from the boundary as it has a very different character to the rest of the area.
13	Greater London Authority, Queen's Park Rangers FC	St. Mary's Cemetery should be removed from the boundary as its character is very different to that of the existing residential areas included in the boundary.
14	Resident outside of the proposed area (Du Cane Road)	The boundary should be extended southwards to include the entire area north of the A40 within LBHF.
15	Two residents outside of the proposed area (in North Kensington)	The boundary should be extended to include parts of North Kensington (Latimer Road and Highlever Road)
16	Historic England	The boundary should be extended southwards to include all of the Old Oak and Wormholt Conservation Area , rather than severing it in two.

Officer applications assessments

Neighbourhood Area

- 3.32 OPDC has discretion in determining the boundary of a neighbourhood area pursuant to section 61G of the Town and Country Planning Act 1990 (as amended). This discretion was confirmed by the Court of Appeal in the case of Daws Hill Neighbourhood Forum v Wycombe District Council (2014).
- 3.33 The judgments of the High Court and Court of Appeal in the Daws Hill litigation state that in determining an application under section 61G the local planning authority should have regard to a specific "factual and policy matrix" that applies to that area. Taking account of this, and national legislation and guidance, table 3 below sets out the specific factual and policy matrix, and its component elements, that officers have considered in developing their recommendations for this application and the rationale for including these elements.

Table 3: Factual and policy matrix elements and rationale for selection

	Factual and policy matrix element	Rationale for selection
1	National Planning Practice Guidance (PPG) paragraph 033 Reference ID: 41-033-20140306	Part of the National Planning Practice Guidance.
2	The strategic significance of sites	The Court of Appeal, in the case of Daws Hill Neighbourhood Forum v Wycombe District Council, has confirmed that local planning authorities have the discretion to consider the strategic significance of sites as part of the factual and policy matrix in deciding whether or not such sites should be included in a proposed neighbourhood area.
3	Consultation responses	Consultation responses are a material consideration in determining the appropriateness of a neighbourhood area.
4	The character of the proposed Neighbourhood Area	<p>Character is considered to be a critical component of the factual and policy matrix due to its inclusion in the following elements of guidance:</p> <ul style="list-style-type: none"> • NPPF paragraphs 126 and 131 recognise the importance of new development making a positive contribution to local character. • National Planning Practice Guidance paragraph 033 Reference ID: 41-033-20140306 sets out nine considerations for deciding the boundary of a neighbourhood area. Four of these relate to the physical character of an area. These are: <ul style="list-style-type: none"> ○ the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style ○ whether the area forms all or part of a coherent estate either for businesses or residents ○ whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway

- the natural setting or features in an area
- The Mayor of London’s Character and Context Supplementary Planning Guidance identifies that character is a component in defining areas for neighbourhood plans.

Assessment against OPDC’s Factual and Policy Matrix section 1: National Planning Practice Guidance paragraph 033 Reference ID: 41-033-20140306

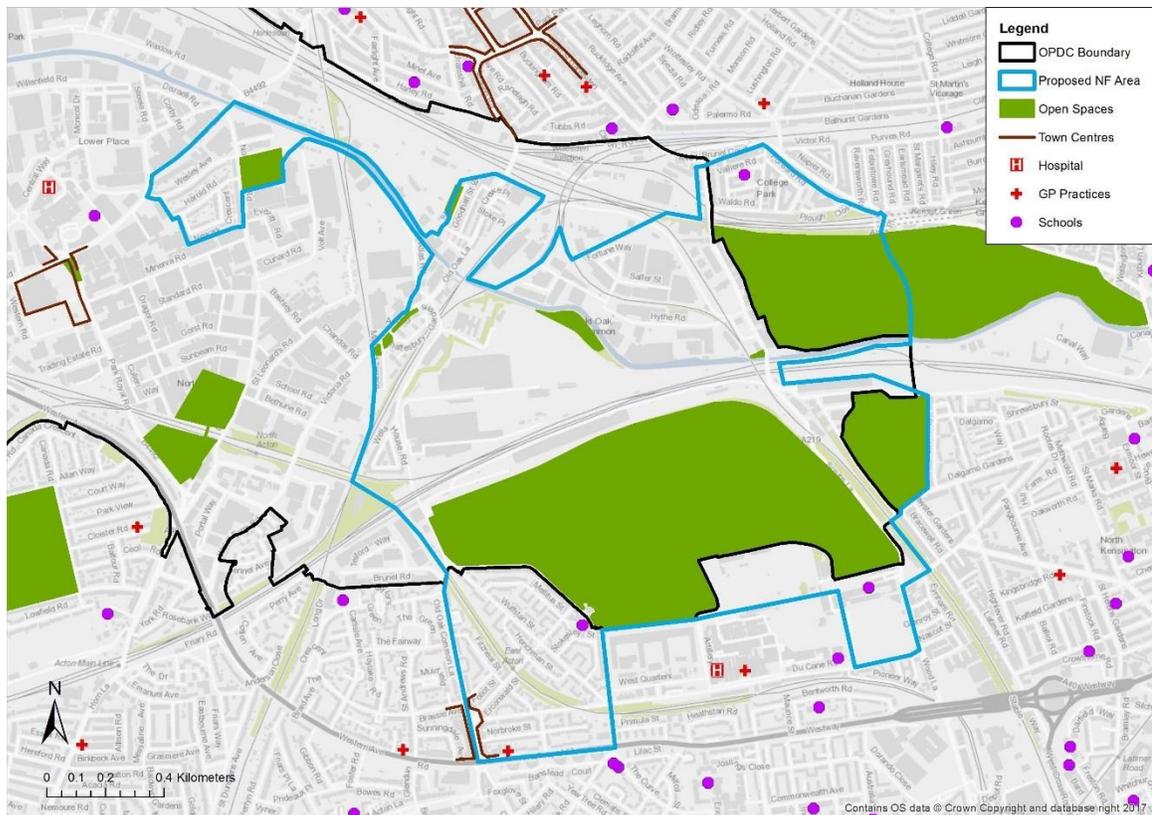
3.34 The National Planning Practice Guidance sets out considerations for deciding the boundaries of a neighbourhood area. The proposed neighbourhood area has been assessed against these considerations. This assessment is set out in table 4 below.

Table 4: Assessment of the proposed Neighbourhood against considerations set out in NPPG paragraph 033 Reference ID: 41-033-20140306		
	PPG consideration	Assessment relevant to the OPDC area only
1	village or settlement boundaries, which could reflect areas of planned expansion	Although not considered to directly relate to urban areas, the proposed area covers a number of boundaries of existing residential and industrial neighbourhoods and areas of railway infrastructure and publicly accessible open space. The proposed area also covers a number of areas of planned expansion including Old Oak North, Old Oak South and locations along Scrubs Lane. Summary: the proposed area includes multiple existing neighbourhoods and areas of planned expansion.
2	the catchment area for walking to local services such as shops, primary schools, doctors’ surgery, parks or other facilities	These uses and facilities are located on and around the edges of the proposed area reflecting the surrounding town centres. These locations are shown in figure 4. Summary: the majority of the proposed area does not fall within catchment areas for relevant uses which are located around the edges of the core of the Old Oak area

3	the area where formal or informal networks of community based groups operate	<p>Residential community based group networks are focused around the existing residential neighbourhoods of the Wesley Estate, Island Triangle, Shaftesbury Gardens, Midland Terrace and Wells House Road. Informal business networks are located in a portion of Old Oak North with an element on Scrubs Lane.</p> <p>Summary: community based networks are focused on the western edge and eastern edge of the area and a portion of Old Oak North. This reflects forum member addresses, responses received to the public consultation and the areas covered by existing Resident and Business associations/groups. There are significant amounts of the proposed area not within identified community group networks.</p>
4	the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style	<p>A Character Assessment of the proposed area is provided in Appendix E. This concludes that the physical appearance and characteristics of the proposed area vary significantly across the area and are not consistent in scale, style or land use. (see table 5).</p> <p>Summary: the physical appearance and characteristics of the proposed area are not consistent. There is a broad range of character areas within the boundary.</p>
5	whether the area forms all or part of a coherent estate either for businesses or residents	<p>The Character Assessment identifies that there are several individual industrial and residential estates within the proposed Neighbourhood Area.</p> <p>Summary: there are several individual residential and business estates within the proposed area.</p>
6	whether the area is wholly or predominantly a business area	<p>The proposed area is not wholly or predominantly a business area.</p>
7	whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway	<p>The Character Assessment identifies that the current land uses, infrastructure, physical and topographical features within the proposed area create several boundaries that result in an area comprising several characters.</p>
8	the natural setting or	

	features in an area	Summary: land uses, infrastructure and physical features define a number of boundaries within the proposed area creating a series of different character areas.
9	<p>size of the population (living and working) in the area.</p> <p>Electoral ward boundaries can be a useful starting point for discussions on the appropriate size of a Neighbourhood Area; these have an average population of about 5,500 residents.</p>	<p>There are approximately 7,000 residents in the proposed area within both LBHF and OPDC areas which is higher than the figure identified as a useful starting point for discussions. However, officers recognise that within a London context this is not unusual. For example Highgate Neighbourhood Area has a population of approximately 18,000 residents.</p> <p>Summary: the population within the proposed area is greater than the 'useful starting point' figure of about 5,500 residents. However, within a London context this is not unusual,</p>

Figure 4 - locations of local services such as shops, primary schools, doctors' surgery and parks



Conclusion of assessment against the NPPG

- 3.35 In light of the assessment set out in table 4, officers consider that the full extent of the proposed neighbourhood area does not fully accord with the guidance set out in NPPG paragraph 033 due to the diversity of the built environment within the proposed area.

Assessment against OPDC's Factual and Policy Matrix section 2: Strategic significance of sites

- 3.36 For the purposes of planning policy, there is not a definitive definition of strategic sites. As such, officers have considered which land within the OPDC area would be of strategic significance. Officers consider that Old Oak North, Old Oak South and Wormwood Scrubs are of strategic significance for the following reasons:

Old Oak North and Old Oak South

- 3.37 These areas have the potential capacity to deliver approximately 45,300 new jobs and 9,500 new homes between 2018 and 2038, representing nearly 70% of OPDC's jobs target and over 40% of OPDC's homes target over the next 20 years as set out in OPDC's Revised Draft Local Plan. The comprehensive redevelopment of Old Oak North and Old Oak South will contribute significantly to the Mayor of London aspirations to deliver new homes and jobs that will benefit wider London. This strategic role is reflected in the designation of the Old Oak Common Opportunity Area within the Mayor's London Plan and adopted Opportunity Area Planning Framework.
- 3.38 Old Oak North and Old Oak South include a series of large-scale and complex strategic sites that require comprehensive redevelopment of brownfield land to deliver a range of new high density mixed-use neighbourhoods with plans to accommodate:
- Significant new and improved national and regional transport infrastructure including a new HS2, Elizabeth Line and Great Western Railway station, the Elizabeth Line Depot and Intercity Express Programme Depot;
 - A new major town centre;
 - A new commercial hub for west London; and
 - A range of residential-led developments.

3.39 To support these uses, Old Oak North and Old Oak South have significant physical and social infrastructure requirements needed to unlock their redevelopment. Planning for, designing and delivering this infrastructure to facilitate and optimise development for the greater good of London will require significant resource and coordination across landowners and multiple local, regional and national bodies. This will require close working with a number of strategic infrastructure providers, such as:

- Working with High Speed 2 Limited, Network Rail and Department for Transport to support delivery of Old Oak Common Station, as part of nationally significant high speed rail infrastructure, and related development;
- Working with Transport for London and the Mayor of London to find a development solution for/around the existing Elizabeth Line Depot;
- Working with Transport for London, Network Rail and land owners to deliver new London Overground Stations;
- Working with Transport for London, the local authorities and the highway authorities to deliver a completely new sustainable movement network that will address substantial existing barriers to movement, such as the topography, rail lines and the Grand Union canal and that will connect Old Oak into its surroundings;
- Working with other local planning authorities and the Greater London Authority to meet objectively assessed needs for housing, social infrastructure and environmental standards;
- Working with national and regional utility providers to deliver a new utilities infrastructure network; and
- Working with social infrastructure providers such as the London North West Healthcare NHS Trust, NHS England, NHS Hammersmith and Fulham Clinical Commissioning Group (CCG), NHS Ealing CCG, NHS Brent CCG, Department of Education, Local Education Authorities (Brent, Ealing and Hammersmith and Fulham) and Sport England.

Wormwood Scrubs

3.40 Wormwood Scrubs is also considered to be of strategic importance. This publicly accessible open space has a strategic / London wide role that is recognised by:

- its designation in the Mayor of London's London Plan as Metropolitan Open Land (MOL). As MOL, paragraphs 79-92 of the NPPF on Green Belts applies to Wormwood Scrubs;
- the recognition that Wormwood Scrubs fulfils the functions of a District and Metropolitan Park which have catchment areas of up to 3.2 kilometres;

- the Wormwood Scrubs Act (1879) which sets out the requirement for it to be available for “the perpetual use by the inhabitants of the metropolis for exercise and recreation”; and
 - its protection under the Commons Act (2006).
- 3.41 To fulfil the requirements of the Act and the London wide roles of Wormwood Scrubs, new and improved connections to Wormwood Scrubs will be required. This is particularly relevant for areas to the north, east and west of the Scrubs within areas in and outside of the OPDC area where access is restricted by barriers created rail and road infrastructure. Addressing these barriers will require coordination across landowners and multiple local, regional and national stakeholders. These include the Wormwood Scrubs Charitable Trust, the London Borough of Hammersmith and Fulham, the London Borough of Ealing, the Royal Borough of Kensington and Chelsea, Transport for London, Department for Transport, Network Rail, High Speed 2 Limited.
- 3.42 In light of these designations and complex considerations, officers consider that Wormwood Scrubs is of strategic significance.

Conclusion of the assessment of the strategic significance of sites

- 3.43 Officers consider that the development of Old Oak North and Old Oak South are of strategic significance. This is due to:
- the planned delivery of Old Oak Common Station, Elizabeth Line Depot and other new and improved nationally and regionally significant transport infrastructure;
 - the large scale development potential of these sites that requires comprehensive development;
 - the significant and complex challenges that will need to be resolved to enable the delivery of the necessary infrastructure across Old Oak North and South; and
 - the opportunities for delivering significant levels of development of strategic benefit to the capital.
- 3.44 As such, officers consider that it would not be appropriate for any of the land in Old Oak North or Old Oak South to be included within the proposed neighbourhood area.
- 3.45 In light of the strategic role of Wormwood Scrubs demonstrated by its designations, officers consider that Wormwood Scrubs has a role at a metropolitan scale for all Londoners and not just at a neighbourhood level.

As such it would not be appropriate for Wormwood Scrubs to be included within the proposed neighbourhood area.

Assessment against OPDC's Factual and Policy Matrix section 3: Consultation responses

- 3.46 An overview of the consultation responses is provided in section 5. The majority of responses from occupiers within the OPDC area are located in the west of the proposed area with some in Old Oak North. No responses from occupiers were received from within the OPDC area of Scrubs Lane or within Old Oak South.
- 3.47 Responses of both occupiers and landowners can be grouped into the following three categories and are considered below.
- Support for the proposed area;
 - Requested inclusion of new sites; and
 - Requested removal of sites.

Support for the proposed area

- 3.48 Responses in support of the neighbourhood area, within the OPDC area, were located within the existing residential neighbourhoods in the west of the proposed area (including from Wells House Road Residents Association and The Island Triangle Residents Association) and were also received from commercial tenants in a portion of Old Oak North within Cargiant owned land. Responses of support outside of the OPDC area were received from residents within College Park, North Kensington and the Old Oak Estate. Officers consider that the concentration of responses in the OPDC area in the existing residential areas is representative of the residential character of these areas. This engagement of residents suggests that these locations in the OPDC area would be appropriate for designation as a neighbourhood area.

Requested inclusion of new sites

- 3.49 Responses requested that the proposed neighbourhood area was extended to include Old Oak Sidings and the Westway Estate. Section 61G(5) of The Act requires that OPDC must designate some or all of a proposed neighbourhood area once an application is submitted. As such OPDC is not able to designate additional areas to the original submitted neighbourhood area.

Requested removal of sites

- 3.50 A significant number of occupiers, landowners and other stakeholders requested substantial areas of the proposed Neighbourhood Area to be removed. These areas are:
- Core development area in Old Oak (Old Oak North and Old Oak South);
 - Wormwood Scrubs;
 - Network Rail freehold land (excluding Willesden Junction Maintenance Depot, Old Oak Lane);
 - Cargiant freehold land;
 - 203 Old Oak Common Lane;
 - 2 Scrubs Lane; and
 - 151 Scrubs Lane.
- 3.51 Outside of the OPDC area, responses from the Old Oak Friends and Residents Association and residents within the Old Oak Common Estate located in Hammersmith and Fulham requested the removal of the estate from the proposed area.

Conclusion of assessment of consultation responses

- 3.52 Within the proposed neighbourhood area, consultation responses demonstrated that there was not universal support for the proposed area.
- 3.53 Substantial areas were requested to be removed by occupiers, landowners and other public stakeholders that would result in all of Old Oak North, Old Oak South, Wormwood Scrubs being removed alongside railway land. A number of sites along Scrubs Lane and Old Oak Common Lane would also be removed leaving a patchwork of sites for any neighbourhood area along Scrubs Lane. The largest concentration of objections from occupiers was located in the Old Oak Estate which is located within the London Borough of Hammersmith and Fulham, outside of the OPDC's area as the LPA.
- 3.54 Within the OPDC area, the largest concentration of supporting consultation responses were received from occupiers and resident groups along Victoria Road, Old Oak Lane and Old Oak Common Lane. This reflects the main focus of community networks and existing residential neighbourhoods and also demonstrates that respondents were not distributed from across the proposed neighbourhood area.
- 3.55 In light of the consultation responses supporting and objecting to the proposed area, officers consider that an appropriate alternative amended neighbourhood area should reflect the concentration of respondents in the

west of the proposed area and should remove areas (set out in paragraph 6.18) as requested by occupiers, landowners and other public stakeholders.

Assessment against OPDC's Factual and policy matrix section 4: Character of the proposed Neighbourhood Area

3.56 Officers consider that the character of a proposed neighbourhood area is a critical element in determining whether it is appropriate to designate the whole or only part of the area as a neighbourhood area. This is reflected in the following national and London guidance:

- NPPF paragraphs 126 and 131 recognise the importance of new development making a positive contribution to local character.
- National Planning Practice Guidance (PPG) paragraph 033 Reference ID: 41-033-20140306 sets out nine considerations for deciding the boundary of a neighbourhood area. Four of these relate to the physical character of an area. These are:
 - the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style
 - whether the area forms all or part of a coherent estate either for businesses or residents
 - whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway
 - the natural setting or features in an area
- The Mayor of London's Character and Context Supplementary Planning Guidance identifies that character is a component in defining neighbourhood areas for neighbourhood plans.

3.57 Officers have undertaken a Character Assessment of the proposed neighbourhood area in accordance with information set out in the Mayor of London's Character and Context Supplementary Planning Guidance to inform recommendations. The Assessment is provided in Appendix E.

3.58 The Character Assessment identifies that within the proposed neighbourhood area there are 7 broad character 'types':

- Residential-led neighbourhood areas
- Industrial and warehousing areas
- Railway infrastructure and associated land
- Large open space
- Canal spaces
- Office employment areas
- Mixed use areas

3.59 These 7 character types are comprised of 22 individual character ‘areas’ as set out in table 5 below. This demonstrates that the physical character of the proposed neighbourhood area is very diverse reflecting its component physical, built and natural environments.

Table 5: Character types and character areas	
Character type	Character area
Residential neighbourhood area	Island Triangle
	Shaftesbury Gardens
	Midland Terrace
	Wells House Road
	Wesley Estate
	45-67 Scrubs Lane (Cumberland Park Terrace)
Industrial and warehousing area	Old Oak North
	New Business Centre and Savoir Beds
	Jewson and Walking on Wood
	260 Old Oak Common Lane
	Radford Industrial Estate
	Hanover West Industrial Estate, 139-155 Acton Lane, 29-39 North Acton Road
	Cumberland Park North
	Scrubs Lane South
	Mitre Way (Mitre Industrial Estate, Big Yellow Storage and Tea Crate)
Railway infrastructure and associated land	Old Oak South
	North Pole East Depot
Large open space	Wormwood Scrubs
Canal spaces	Grand Union Canal
Office employment area	Cumberland Park South
Mixed use area	Scrubs Lane
	Atlas Junction

Conclusion of assessment of character

3.60 Based on the Character Assessment (found in Appendix D), the variation in character within the proposed neighbourhood area applied for does not accord with NPPG paragraph 033 Reference ID: 41-033-20140306 bullet points 4, 5, 7 and 8. It is clear from the assessment that the proposed area does not demonstrate a consistent scale or style, it contains multiple business and residential estates, it is divided by many physical features that define a number of natural boundaries across the proposed. In light of these elements, the proposed area constitutes a range of characters with diverse scales and styles.

3.61 Due to the significant diversity and range in scale of character areas and types, officers consider the proposed area cannot be viewed to be a single neighbourhood area but rather a mix of multiple areas. This mix of areas is particularly prevalent along Scrubs Lane, Victoria Road and Old Oak Lane.

Officer recommendations

3.62 In considering the various components of the factual and policy matrix as set out above, officers consider that on balance the entirety of the proposed neighbourhood area as submitted is not appropriate to be designated. Officers consider that the proposed neighbourhood area can be divided into seven broad areas (shown in figure 5 below), based on the factual and policy matrix, to inform their recommendations and the designation of a new amended Old Oak Neighbourhood Area. Table 6 sets out the officer recommendations and reasoning for the inclusion or removal of each of these areas.

Figure 5 - Seven broad areas based on the factual and policy matrix

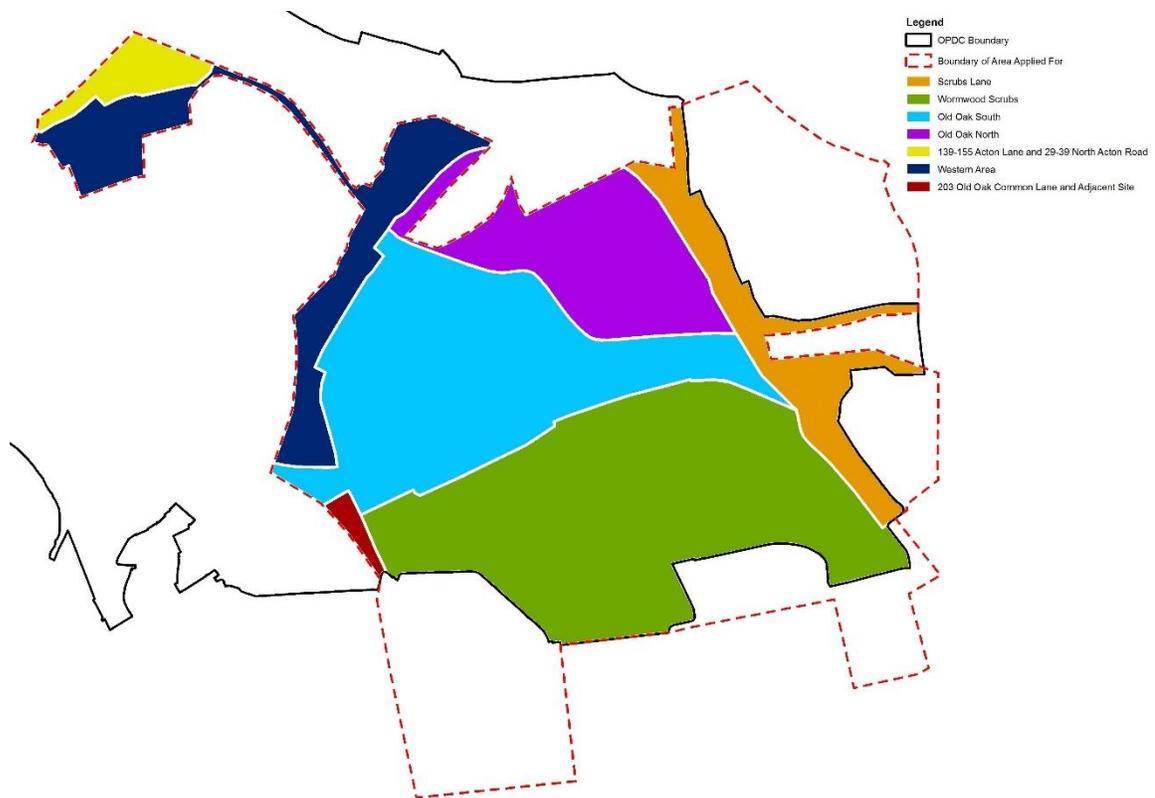


Table 6: Officer recommendations and reasoning		
Broad area	Officer recommendation	Reasoning
Old Oak North	Remove	<ul style="list-style-type: none"> Strategic significance.

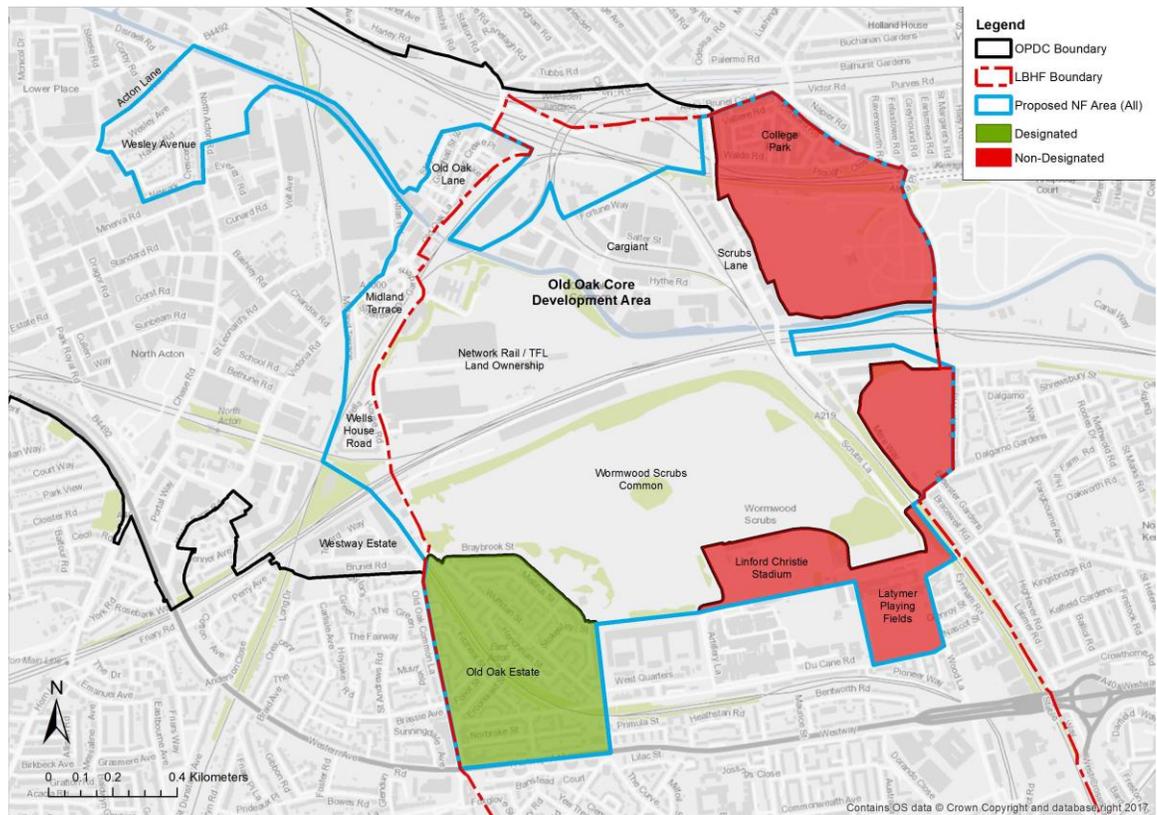
		<ul style="list-style-type: none"> • New significant new transport infrastructure including Hythe Road London Overground Station. • Complex planning, design and delivery of infrastructure and development must be addressed. • Industrial character significantly different to surrounding areas. • Consultation responses requested removal.
Old Oak South	Remove	<ul style="list-style-type: none"> • Strategic significance. • New and enhanced nationally and regionally significant transport infrastructure including HS2 line, Elizabeth Line, Old Oak Common Station, Elizabeth Line Depot and Intercity Express Depot. • Complex planning, design and delivery of infrastructure and development must be addressed. • Railway character significantly different to surrounding areas. • Consultation responses requested removal.
Wormwood Scrubs	Remove	<ul style="list-style-type: none"> • Strategic significance. • London wide role of Wormwood Scrubs for the enjoyment of all Londoners. • Open space character significantly different to surrounding areas. • Consultation responses requested removal.
Scrubs Lane	Remove	<ul style="list-style-type: none"> • Mixed use character different to surrounding areas. • Consultation responses requested removal of a number of sites resulting in a patchwork of sites that would not form a coherent boundary to a neighbourhood area.
Western area	Designate	<ul style="list-style-type: none"> • Reflects consultation comments and location of respondents. • Reflects local residential neighbourhood character areas and associated mixed use areas. • Reflects locations of existing community networks.

		<ul style="list-style-type: none"> • Reflects strategic significance of sites.
203 Old Oak Common Lane and adjacent site	Remove	<ul style="list-style-type: none"> • Industrial character different to surrounding areas. • Consultation response requested removal.
Hanover West Industrial Estate, 139-155 Acton Lane and 29-39 North Acton Road	Remove	<ul style="list-style-type: none"> • Industrial character significantly different to Wesley Estate and Wesley Playing fields. • Consultation response requested removal.

London Borough of Hammersmith and Fulham proposed designation

3.63 London Borough of Hammersmith and Fulham (LBHF) officers are recommending LBHF Cabinet designate a neighbourhood area for the Old Oak Estate. LBHF Cabinet is meeting on 4 September 2017. The proposed neighbourhood area for designation is shown in green in figure 6 below.

Figure 6 - Neighbourhood area proposed to be designated by LBHF officers



3.64 At the time of writing the Old Oak Neighbourhood Area and Forum OPDC Planning Committee Report, LBHF officer recommendations had yet to be made publicly available. As such, the OPDC Planning Committee Report did not include this information. However, to ensure planning committee members have the most up to date information an addendum report setting out LBHF Cabinet’s decision is set to be published on 5 September in advance of OPDC Planning Committee reviewing this application on 6 September. An addendum report to this Board report setting out LBHF’s Cabinet decision will also be published as soon as possible after their Board meeting will be made public and circulated to Board members.

OPDC revised proposed Old Oak Neighbourhood Area

3.65 A revised boundary is depicted in figures 7 and 8 reflecting the recommendations in table 6. This area includes the following locations:

- the Wesley Estate and Wesley Playing Fields;
- the portion of the Grand Union Canal and adjacent southern towpath between the Wesley Estate and Island Triangle;

- the Island Triangle, New Business Centre, Savoir Beds, portion of Radford Industrial Estate fronting on to Old Oak Lane and Old Oak Community Gardens;
- the following sites within Atlas Junction: The Collective, Rowan House, Power House, 1-8 Victoria Terrace;
- Shaftesbury Gardens and Cerebos Gardens;
- Midland Terrace, adjacent play space and the Midland Gate site;
- Wells House Road;
- Portions of railways, Old Oak Lane, Victoria Road and Old Oak Common Lane connecting these locations.

3.66 The proposed boundary is considered to address legislative requirements and national policy guidance. It has taken account of consultation responses (with regard to quantity, location and respondent type), it reflects local character types, where existing communities are located and it acknowledges the strategic significance of sites within the area. The revised proposed area measures 22.2 hectares compared to the 195 hectares of proposed area as submitted within the OPDC area. Although this is significant decrease in size, the revised area will retain 98% of homes of the submitted area (1,383 of 1,407 homes) which reflects the location of the residential neighbourhoods within the revised area.

3.67 As set out in paragraph 3.7, the Neighbourhood Planning Regulations 2015 require a cross boundary neighbourhood area application to be determined within 20 weeks following the date on which the application is first publicised for consultation. The 20 week period for this applications ends on 20 September 2017. If a decision is not made within this time period, OPDC must designate all of the area applied for.

Figure 7 - Map of neighbourhood area applied for and area considered to be appropriate for designation

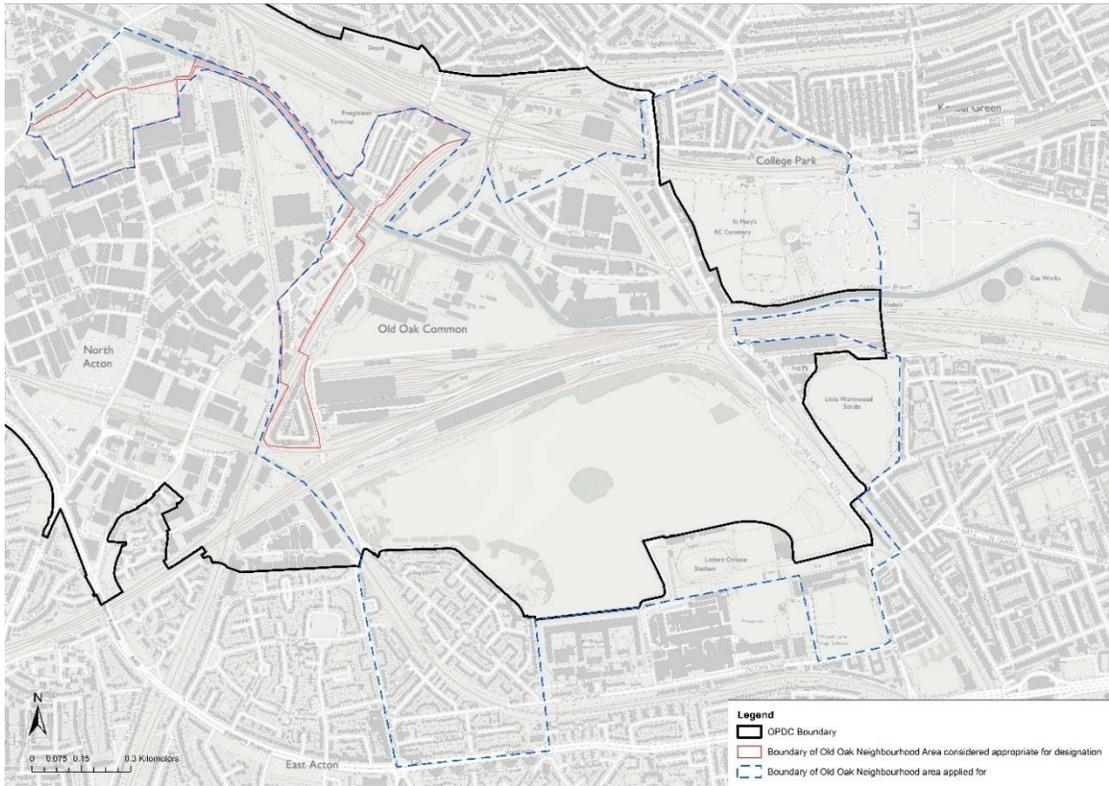


Figure 8 - Map of neighbourhood area applied for and area considered to be appropriate for designation at a greater scale

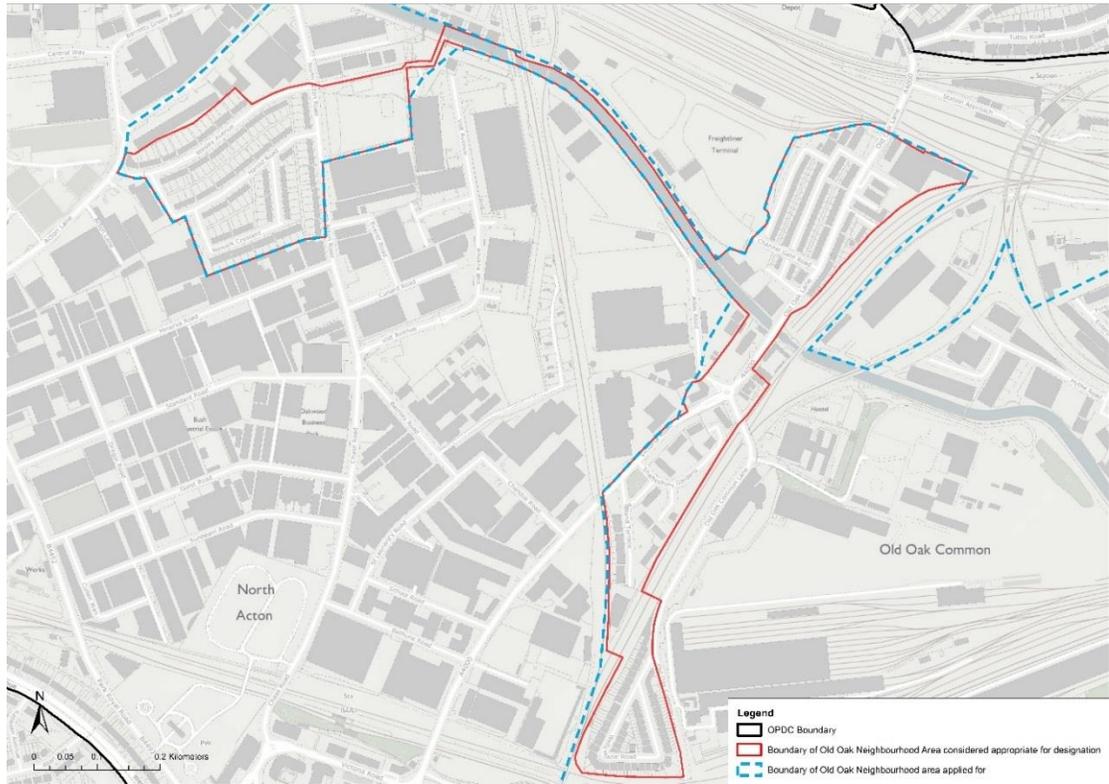
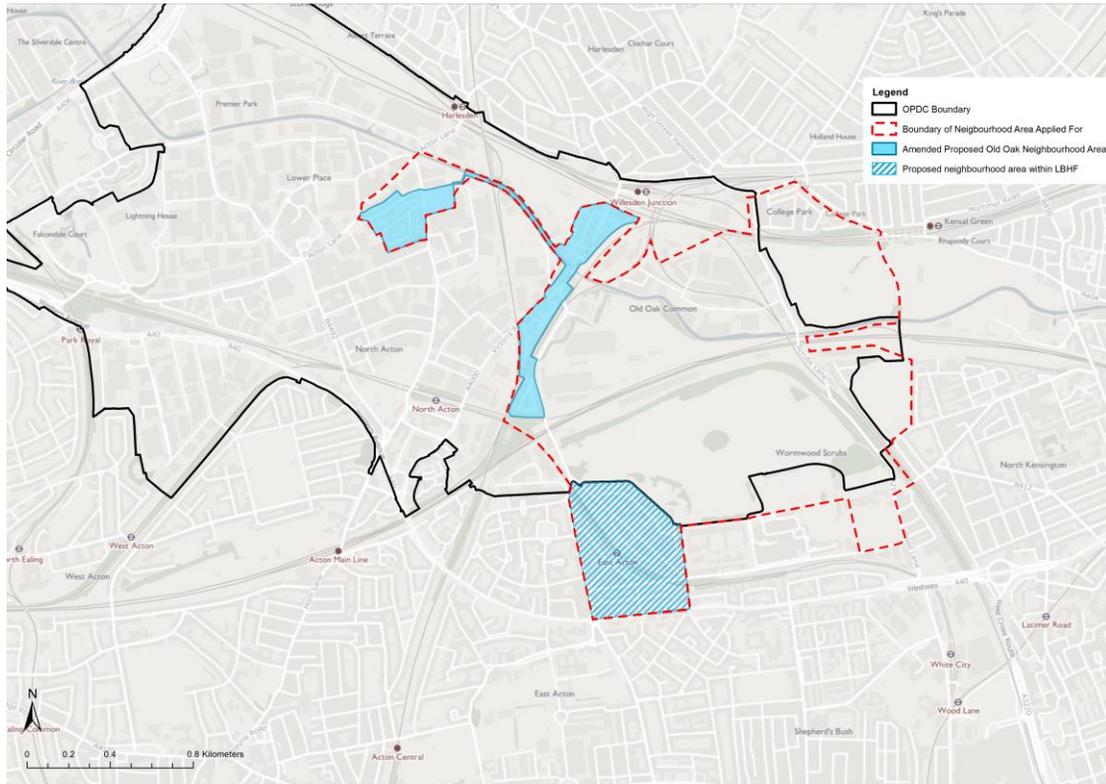


Figure 9- Map of neighbourhood area applied for and areas considered to be appropriate for designation within the OPDC area and within LBHF.



Neighbourhood Forum

- 3.68 The Act sets out four criteria which OPDC is required to consider in determining an application to designate a neighbourhood forum:
- a) It is established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned;
 - b) Its membership is open to individuals who live in the neighbourhood area, individuals who work there (whether for businesses carried on there or otherwise) and individuals who are elected members (for London in respect of a London borough council) any of whose area falls within the neighbourhood area concerned;
 - c) Its membership includes a minimum of 21 individuals each of whom live in the area, work in the area or are elected members for the area; and
 - d) It has a written constitution.
- 3.69 The Act also requires OPDC, in considering whether to designate a neighbourhood forum, to consider whether the:

- a) Forum has secured, or taken reasonable steps to secure, membership that includes at least one individual from the three categories i.e. people who live, work or are elected members for the area;
 - b) Membership is drawn from different places in the area and different sections of the community in the area; and
 - c) The purpose of the forum reflects (in general terms) the character of the area.
- 3.70 Officers have assessed the proposed Forum in relation to the submitted proposed neighbourhood area and the amended neighbourhood area.

Assessment in relation to the submitted proposed neighbourhood area

3.71 Officers consider that the proposed forum meets the four criteria at paragraph 3.9 for the submitted proposed neighbourhood forum. However, with regard to the three other considerations at paragraph 3.10, officers do not consider that the proposed forum has sufficiently demonstrated that membership is drawn from different places in the area or its purpose reflects (in general terms) the character of the area. The forum does not have members from Old Oak South, Wormwood Scrubs or from large portions of Old Oak North and Scrubs Lane. As such, the Forum is not able to demonstrate that its purpose reflects the industrial and warehousing, railway infrastructure and large open space character of these areas. The location of members also has a bearing on determining whether the membership is drawn from different sections of the community. The majority of the members are located in residential character areas with a limited number of members who work in the area focused in portions of Old Oak North and the north of Scrubs Lane.

3.72 As such, officers do not consider it desirable to designate the proposed forum as a neighbourhood forum in relation to the entirety of the area applied for due to the fact that membership is not drawn from different places within the full extent of the neighbourhood area applied for and its purpose does not reflect the character of area.

Assessment in relation to the amended area that OPDC officers consider is appropriate for designation as a neighbourhood area

3.73 The amended boundary that officers consider is appropriate for designation as a neighbourhood area focuses the area around the existing residential neighbourhoods in the west of the proposed area as applied for (shown in figures 6 and 7). The Act sets out four criteria that prospective neighbourhood forums need to meet if they are to be designated. Section 61F(5)(c) of the Act requires that a neighbourhood forum is comprised of a minimum of 21 members. However, the amendments to the boundary

would result in only 16 proposed members being located within the neighbourhood area. Therefore, 5 additional members would need to be secured to meet the minimum of 21 individuals required by the Act.

- 3.74 As such, if Board agrees with OPDC officers' recommendation to designate the smaller area than that applied for, the proposed neighbourhood forum will not meet the requirements of the Act in terms of the size of its membership. Officers therefore recommend that the application to designate the Interim Old Oak Neighbourhood Forum as the neighbourhood forum for the Old Oak Neighbourhood Area is refused. This recommendation is subject to Board agreeing to recommend to designate the extent of the neighbourhood area as recommended by officers.
- 3.75 Notwithstanding that officers are recommending refusal of the designation of the neighbourhood forum on the basis of insufficient number of members, officers do not have any in principle objections to the appropriateness of a future neighbourhood forum for the neighbourhood area identified in figures 6 and 7. Since the submission of the application to designate a neighbourhood forum, the Interim Old Oak Neighbourhood Forum has demonstrated to officers that they have secured new additional members and would meet the minimum membership requirements set out in the Act. However, to accord with relevant procedures as set out in the Act and Neighbourhood Planning Regulations 2012, a new neighbourhood forum application is required to be submitted and would need to be subject to the required six week public consultation. This approach is supported by the NPPG paragraph 038 reference ID: 41-038-20140306 which sets out the potential for concurrent neighbourhood forum and area applications to need to submit a revised forum application if the related neighbourhood area is amended in its designation which impacts on the membership of the proposed forum.
- 3.76 Should a neighbourhood forum application be submitted for the amended Old Oak Neighbourhood Area, as identified in figures 6 and 7, OPDC will work proactively to support the designation of this forum. Should OPDC officers be in a position to recommend that a forum is approved for the Old Oak Neighbourhood Area, officers recommend that this decision is delegated to OPDC's Chief Executive Officer to support a timely decision.

OPDC's community engagement

- 3.77 Officers consider that the proposed amendments to the boundary are legally sound, being in accordance with relevant legislation, National Planning Practice Guidance and case law. However, it is recognised that the proposed amendments to the boundary are significant and could be viewed by the local community as diluting the ability for local community

groups to have a say on the regeneration of the area. OPDC views community engagement to be critical to the success of Old Oak and Park Royal. This is demonstrated by OPDC's previous and future engagement activities set out below.

Wider OPDC engagement activities

3.78 OPDC has undertaken a number of other positive steps since the inception of the Corporation to ensure proactive engagement with local communities and groups. These wider non-planning engagement activities include:

- OPDC's Communications and Engagement Team holds regular meetings with local community groups and businesses to help OPDC engage and listen to the needs of diverse groups within the local communities and to help to inform OPDC's Engagement Strategy;
- The Engagement Team hold regular meetings with Hammersmith Society, Grand Union Alliance (GUA), Wormwood Scrubs Prison, Wells House Rd Residents Group, The Island Triangle Residents Group and Wesley Estate Residents Association. They've recently established a new partnership with a community based Somalian Organisation called "My Nadi" through the OPDC Tea Dance event;
- The Engagement Team meet regularly with the Chief Executives of the three Voluntary/Third Sector Hubs called the CVS'. These are Sobus (H&F), Ealing CVS and Brent CVS, who represent all of the voluntary/third sector organisations in the three boroughs that provide services for diverse communities e.g. older people, disability groups, BAME and young people. Through the CVS', OPDC is engaging and listening to the needs of diverse groups within the local communities and using the information to help inform OPDC's Engagement Strategy;
- OPDC work with GLA's Social Inclusion, Events for London, Culture, Volunteering and Education Teams to implement joint activities, further build relationships and ensure that OPDC is providing opportunities for local people to engage with them. For public consultations and engagement activities, OPDC work with GLA Intelligence and Opinion Research Team to share insights and learnings;
- OPDC work with the Park Royal Business Group and West London Business to engage local businesses in the area to understand what their priorities are and how OPDC can help to support them;

- OPDC has also undertaken a range of other corporate community events with local community and business groups, including the OPDC Tea Dance in May 2017, with more planned for FY16/17.
- OPDC supports businesses and communities affected by construction and/or needing to relocate due to displacement. Advice and support is provided through OPDC webpages and social media channels. And in doing so, OPDC ensure that all messaging and advice is aligned with those provided by partners/stakeholders including HS2, TfL and developers like Cargiant and QPR/Genesis. OPDC also signpost queries to relevant customer information hotlines e.g. HS2 queries are signposted to the HS2 customer service team;
- OPDC works with the London Boroughs of Brent, Ealing and Hammersmith & Fulham to engage and communicate with council staff, local councillors, and the local communities that they represent. This is further supported by the Communications Steering Group meetings, held every 4-6 weeks, and monthly Tri-Borough meetings with senior council representatives; and
- Finally, OPDC's Communications and Engagement Team are working with local residents, businesses, community groups and a variety of other partners and stakeholders to produce three films, focusing on 'The People', 'The History/Place' and 'The Future' of Old Oak and Park Royal. The objective of the project is to celebrate and share the amazing stories of Old Oak and Park Royal – the people, the place, its rich history and heritage, and the future plans for transforming this part of west London. However, for the films to be as authentic as possible, OPDC commissioned the work on the basis that these would be 'films made by the people, for the people, talking about the people'. These are therefore not 'corporate' films and in another bid to make the project as authentic as possible, the OPDC Board member, representing the interests of residents, has been sitting on the project's steering group and had even taken the production company, Mattr Media, on a site tour around Old Oak and Park Royal.

Planning related activities

- 3.79 National Planning Practice Guidance recognises that a neighbourhood forum is just one route for a local community to engage in planning, with engagement on Local Plans, other planning policy documents and direct

pre-application engagement also representing valid routes where they offer genuine participation in the process.

3.80 In respect of these alternative engagement methods, OPDC has undertaken and will be continuing to undertake positive steps to ensure proactive engagement with local communities and groups. This engagement work is seeking to address many of the points raised by respondents in support of the forum and area applications as submitted, which are set out at paragraph 5.6. Since the inception of the Corporation, engagement work has included:

- Consultation on the 1st draft Local Plan. Public consultation was undertaken for a period of 8 weeks, exceeding statutory requirements. OPDC used a variety of methods to engage with local community groups, including distributing letters and leaflets to over 50,000 properties, hosting 11 workshops, 6 drop-in sessions and presentation events, and hosting live twitter sessions. OPDC has considered all the responses received as part of this consultation in the production of the revised draft Local Plan. Details of this consideration are provided in OPDC's Local Plan Statement of Consultation: https://www.london.gov.uk/sites/default/files/55_statement_of_consultation.pdf
- Consultation on the revised draft Local Plan. Public consultation was undertaken for a period of 11 weeks, exceeding statutory requirements. OPDC again used a variety of engagement methods including drop-in and presentation events, leaflet and letter distribution and live twitter sessions. The consultation is still underway and is due to finish on 11 September 2017. As with the 1st draft consultation, a Statement of Consultation will be produced detailing the responses and how officers have looked to address these as part of any revisions to the Local Plan;
- Outside of the public consultation processes, OPDC officers hosted Local Plan update events, informing stakeholders of the outcomes of the public consultation on the 1st draft Local Plan and informing people of the programme, content and how to respond to the revised draft Local Plan;
- OPDC officers have also undertaken updates to OPDC's Statement of Community Involvement to encourage more proactive engagement from developers with local community groups, at both the pre-application stage and also as part of the public consultation once applications have been submitted; OPDC has also undertaken a range of other corporate consultation activities with local community groups, including events like the OPDC Community and Voluntary Sector/CVS

Forums in January 2017 and setting up Community Steering Groups to drive OPDC activities like the OPDC Tea Dance event and marketing materials like the OPDC Community information leaflet;

- To inform development of the OPDC Engagement Strategy, the OPDC Communications Strategy and OPDC planning policies, OPDC has undertaken a range surveys and research with local residents and business communities, including the Wormwood Scrubs Survey, the qualitative focus groups research via IPSOS MORI and the quantitative baseline tracking research project with Chime Insight & Engagement (CIE) that is currently underway. To deliver exemplary community engagement, the procurement panel that appointed CIE included OPDC Resident Board member and a GLA Opinion Research colleague alongside OPDC's Head of Communications;
- To inform the development of planning applications, OPDC may recommend holding a planning forum for significant development proposals at the pre-application stage. These could include representatives from local resident and amenity groups, and community network organisations, and ward councillors who are invited to participate in a round table discussion with the applicants, facilitated by a chair person who acts impartially. A planning forum enables local resident groups and others to discuss proposals directly with the applicant and to make suggestions about how schemes could be improved.
- In addition, OPDC have embarked on a partnership with Young Brent Firm Foundation and Sobus CVS (the voluntary/third sector hub for H&F), to undertake a mapping exercise and identify the gaps for young people in Brent and the needs of young and disabled people in Hammersmith & Fulham. The output will help to inform OPDC's Engagement Strategy moving forward and can be used to inform OPDC Planning policy.

Forthcoming engagement activities

- 3.81 OPDC officers are keen that the interest generated through the progression of the proposals for a wider neighbourhood area and associated forum are not lost and that this is positively harnessed to inform the proposals and delivery of projects in the OPDC area. Over the next year, OPDC officers plan to undertake a number of engagement activities with local community groups comprising of the following:

- engagement activities as part the 'Great Place Scheme'. The Great Place Scheme is a programme worth almost £3.2m including £1.5m of funding from the Heritage Lottery Fund. The Great Place Scheme is a participatory programme which will uncover, connect and showcase the culture, creativity and heritage of Old Oak and Park Royal. A 3 year programme of activities, events and projects with opportunities for local people, businesses and organisations will be developed to ensure art, culture and heritage is celebrated and helps shape the future of Old Oak and Park Royal. At the core of this programme will be facilitating active citizens through the establishment of a steering group to drive and shape this work;
- Local Plan events to inform communities of the outcome of the revised draft Local Plan consultation and about the next stages of the Local Plan's production;
- Engagement activities associated with other planning policy documents, which are likely to include conservation area proposals statements for existing and new conservation areas and consultation activities associated with the production of Supplementary Planning Documents (SPDs); and
- Assisting developers in undertaking pre-application engagement events with local community groups on development proposals and undertaking consultation events during the public consultation on planning applications. And vice versa, whereby OPDC makes introductions and help local community groups build relationships with developers and other partners and stakeholders such as HS2 and TfL to ensure that the opinions of local people, residents and businesses are heard and can be used to inform stakeholder policies and development.

Consideration by OPDC Planning Committee and LB Hammersmith and Fulham Cabinet

3.82 OPDC planning committee meeting is scheduled for 6 September 2017. Comments and recommendations provided by OPDC Planning Committee will be set out in addendum report that will be made public and shared with board members in advance of the OPDC Board meeting. This addendum will also set out the decision made by LB Hammersmith and Fulham Cabinet at their Cabinet meeting on 4 September 2017.

Next steps

3.83 Subject to the decisions made by Board, and subject to any requested amendments, OPDC will publish the below documents, in accordance with the Neighbourhood Planning Regulations (2012) as soon as possible on the OPDC website. Consultation respondents and relevant stakeholders will be notified of the decisions. The documents to be published are:

- Old Oak Neighbourhood Area Decision Document; and
- Old Oak Neighbourhood Forum Refusal Statement.

3.84 OPDC officers will continue to liaise with the Interim Old Oak Neighbourhood Forum. Subject to receipt of a valid application to establish a neighbourhood forum for the designated Old Oak Neighbourhood Area, officers will carry out the required 6-week consultation period for the application. Following consultation, should officers and OPDC Planning Committee be in a position to recommend approval of the application, OPDC's Chief Executive Officer, subject to Board's approval referred to in paragraph 2.4, will decide whether to designate the neighbourhood forum.

4 Article 4 Direction

Background

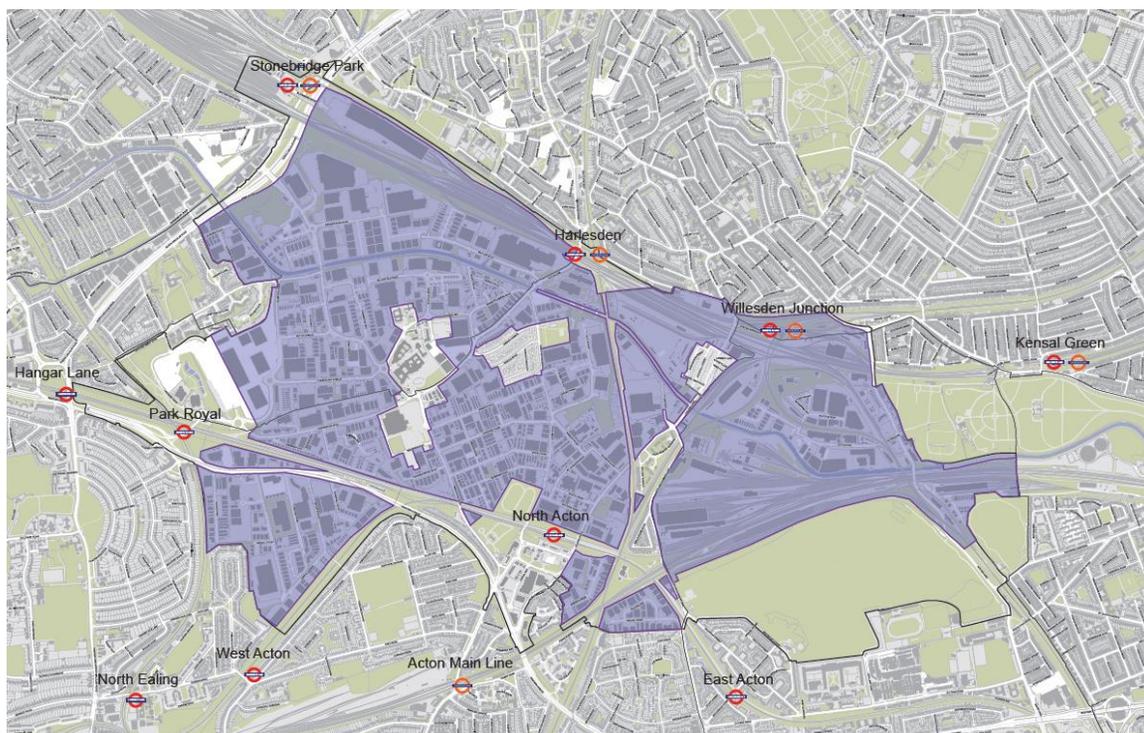
4.1 The Town and Country Planning (Use Classes) Order 1987 (as amended) classifies the use of land and buildings for planning purposes. The GPDO grants permitted development rights to allow certain changes of use between classes without the need for planning permission, but in some cases subject to a prior approval process such as the change of use of a building from offices (B1a) to residential (C3) and from storage and distribution (B8) to residential (C3). Prior approval is a light-touch process which applies where the principle of the development has already been established. The matters for prior approval are set out in the GPDO and a local planning authority cannot consider any other matters when determining a prior approval application.

4.2 Permitted development rights for change of use from B1a to C3 were first introduced for a temporary three-year period in 2013. In 2015, permitted development rights for change of use from B8 to C3 were introduced, also for a temporary period of three years until 15 April 2018. In 2016, permitted development rights for change of use from B1a to C3 were made permanent.

4.3 On 28 July 2015, OPDC Board approved the making of a non-immediate direction under Article 4(1) of the GPDO to remove permitted development

rights to change the use of offices (B1a) and storage or distribution uses (B8) to residential (C3) in Strategic Industrial Land in the OPDC area. A non-immediate direction reduces or eliminates the likelihood of compensation being payable to affected landowners under sections 107 and 108 of the Town and Country Planning Act 1990. The area affected by the direction is shown in figure 1 below.

Figure 1 – area affected by the direction



- 4.4 A direction to remove permitted development rights for changes of use from B1a and B8 to C3 was originally made on 23 May 2016. Consultation was undertaken for a six-week period ending 11 July 2016.
- 4.5 After the end of this period, officers identified that an administrative error had occurred in the consultation process. In order to rectify the error a replacement direction was issued and a further six week consultation was carried out. The replacement direction was issued on 12 September 2016 with an effective date of 22 September 2017.

Overview of consultation and summary of responses

- 4.6 The procedure for non-immediate Article 4 directions is set out in Schedule 3 of the GPDO and involves giving notice in the following ways:
- by local advertisement;
 - by site display at no fewer than 2 locations within the area to which the direction relates; and

- by serving notice on the owner and occupier of every part of the land within the area or site to which the direction relates.
- 4.7 The notice must specify a period of at least 21 days within which any representations concerning the direction may be made to the local planning authority. In deciding whether to confirm a direction made under article 4(1), the local planning authority must take into account any representations received.
- 4.8 The consultation period ran for six weeks from 16 September 2016 to 31 October 2016. The direction was publicised in the following ways:
- A copy of the direction and the map of the affected area were published on the OPDC website and made available to view at the OPDC offices;
 - Site notices were posted in seven locations within the affected area;
 - Public notices were published in the Brent & Kilburn Times and the Ealing Gazette;
 - Consultation letters were sent to 1,800 owners and additional letters were hand delivered to all premises within the affected area. These stated that any comments received in relation to the original direction would be considered as part of the re-consultation; and
 - The public consultation was promoted on Twitter and Facebook.
- 4.9 Twelve representations were received in response to consultation on the original direction; none were received in response to consultation on the replacement direction. Of the twelve received, eight were in support of the direction and four were objecting. A schedule of responses is provided in Appendix F.
- 4.10 Representations made in support of the direction raised the following issues:
- Reserving the area for employment and business in this important strategic location is of immense importance.
 - Housing placed in industrial units eventually restricts industrial uses in the vicinity, due to complaints by new residents
 - It reduces the potential for ad-hoc development that would compromise, or more likely complicate, comprehensive development.
 - The development of individual random residential upper flats would pre-empt sensible planning for the OPDC area as a whole
 - By implementing an Article 4 Direction, any potential changes can be managed more effectively and monitored in the long term with the ability to obtain the most public benefit from any subsequent change of use planning applications.

- Park Royal is a major commercial hub which provides a compact and fully serviced environment, essential to the growth of business, close to central London. This should remain the prime purpose of Park Royal.
- These measures are prerequisite to the effective planning and management of this strategic reserve of industrial land, and to the implementation of London Plan SIL policy.
- It will help protect/maximise the land use for commercial uses in Park Royal, thus securing current and future employment opportunities.

4.11 Representations objecting to the direction raised the following issues:

- Insufficient public consultation
- Rights affected under Article 8 of Human Rights Act
- Residential uses should be permitted in line with the Government's stated ambitions.
- There are still residential areas contained within the industrial area
- It will reduce the value of our property
- The extensive area covered by the direction is wholly disproportionate
- It will limit opportunities for developers to deliver much-needed housing for the area through the conversion of offices which are vacant or deemed to be surplus to requirements.
- The inclusion of parts of North Acton and the main thoroughfare between North Acton and Park Royal Centre would directly contradict OPDC's vision for these areas.

4.12 The Board report of 28 July 2015 and the Planning Committee report of 2 September 2015 identified two specific areas of harm in relation to changes of use from offices and industrial uses to residential via permitted development in Old Oak and Park Royal:

- i) The unplanned conversion of office and industrial uses to residential at Old Oak could compromise delivery of the comprehensive regeneration of land around the Old Oak High Speed 2 station, thereby reducing the overall public benefits.
- ii) The protection and regeneration of Park Royal as a strategic London wide important industrial area is a fundamental part of the overall planning strategy for the area. As the UK's largest industrial park, retaining this reserve of industrial land is essential to mitigate the scale of release of Strategic Industrial Land at Old Oak. This industrial land is also necessary to accommodate the relocation of existing businesses from Old Oak. The introduction of residential uses within Park Royal, in an unplanned and uncontrolled manner using permitted development

rights, has the potential to severely undermine the Mayor's ability to deliver comprehensive regeneration at Old Oak and Park Royal.

- 4.13 The consultation responses received have been fully considered. The use of Article 4 directions is limited to situations where it is necessary to protect local amenity or the wellbeing of the area. The potential harm the direction is intended to address should also be clearly identified. The consultation responses support the need for the protection and regeneration of Park Royal as a strategic London wide important industrial area and the importance of retaining this reserve of industrial land. The representations in support also share the concern about the harm inherent in unplanned conversion of office and industrial uses to residential at Old Oak.
- 4.14 Further, the Article 4 direction will not amount to an absolute prohibition on change of use of a property; its effect is to require an application for planning permission to be made for the proposed change of use. The determination of an application for planning permission would allow the consideration of all material considerations as usual.
- 4.15 Taking account of the issues raised in responses to the consultation, officers consider that there remain sound planning reasons for withdrawing permitted development rights for changes of use from B1(a) offices and B8 storage and distribution uses to C3 residential and that the direction made on 12 September 2016 should be confirmed.

Next steps

- 4.16 Subject to OPDC Board deciding to confirm the direction, in accordance with the requirements of Schedule 3 of the GPDO, as soon as practicable officers will:
- Give notice of such confirmation and the date on which the direction will come into force, in the manner prescribed; and
 - Send a copy of the direction as confirmed, to the Secretary of State.
- 4.17 The Secretary of State has the power to modify or cancel any direction made under article 4(1) at any time before or after its confirmation.
- 4.18 Subject to the Board decision and any contrary direction from the Secretary of State, the direction will come into effect on 22 September 2017.

5 Update on strategic planning applications currently under consideration, schemes in advanced pre-application discussions and other planning applications received

- 5.1 28 planning applications were received by OPDC in the period between 3 June 2017 and 11 August 2017. These are listed in Table 1 of Appendix

G. 22 of these applications were delegated to Ealing and three were delegated to Brent. Three applications were retained for determination by OPDC during this period.

- 5.2 The status of strategic planning applications currently under consideration is set out in Table 2 of Appendix G, and schemes in advanced pre-app discussions are identified in Table 3.

6 Financial implications

Old Oak Neighbourhood Forum and Neighbourhood Area applications

- 6.1 OPDC can claim for up to £10,000 of funding that may be available from the Department for Communities and Local Government for designation of the neighbourhood area and forum. In the case where the grant for this is paid to the GLA, then the GLA will allocate it to the OPDC like other Functional Body grant distribution.

Article 4 Direction

- 6.2 There will be a cost of up to £5,000 associated with complying with the notification requirements described in para 6.2 above, if the direction is confirmed. This will be met from the 2017-18 Planning budget.

7 Legal implications

Old Oak Neighbourhood Forum and Neighbourhood Area applications

- 7.1 If a forum is designated in the future for the amended Old Oak Neighbourhood Area, it may wish to develop a neighbourhood plan. As described earlier in this report, following a neighbourhood plan being made it forms part of the statutory development plan for the area. If a neighbourhood area is designated, OPDC must take decisions at key stages in the neighbourhood planning process and provide advice or assistance to the neighbourhood forum if it wishes to bring forward a neighbourhood plan.

Article 4 Direction

- 7.2 The GPDO allows local planning authorities to make Article 4 directions according to the procedure set out in Schedule 3.

8 Appendices

- Appendix A: Old Oak Neighbourhood Area and Forum applications documentation
- Appendix B: Email confirming the resignation of a proposed Old Oak Neighbourhood Forum member
- Appendix C: Schedule of responses to the proposed Old Oak Forum and Area consultations
- Appendix D: Interim Old Oak Neighbourhood Forum's comments on public sector stakeholders and landowner consultation responses
- Appendix E: Character Assessment
- Appendix F: Summary of consultation responses on Article 4 Direction
- Appendix G: Planning applications update

9 Background Papers

- OPDC Board report 28 July 2015
- OPDC Planning Committee report 2 September 2015

Report originator: Tom Cardis, Head of Planning Policy, OPDC

Telephone: 020 7983 5552

Email: tom.cardis@opdc.london.gov.uk