



Old Oak Interim Neighbourhood Forum Response to OPDC Regulation 19 DRAFT LOCAL PLAN

September 2017

1.0 Introduction

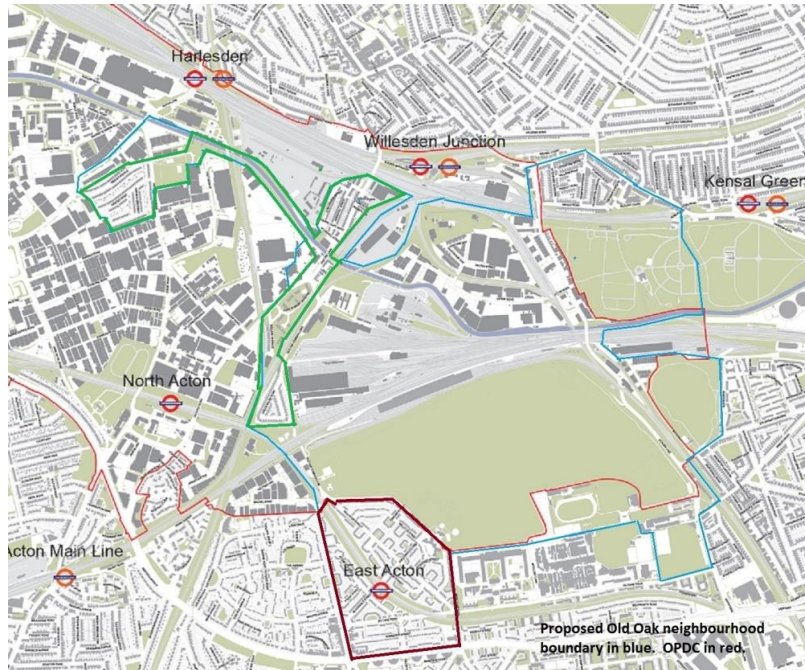
1.1 The Old Oak Interim Neighbourhood Forum is made up of representatives from residents' associations and community groups, and individual residents and businesses in the Old Oak area. The forum has been meeting since mid-2016 and in March 2017 submitted a designation application to OPDC and LB Hammersmith & Fulham for a 275-hectare neighbourhood area. The Interim Forum currently has 90 members.

1.2 The designation application was determined by the OPDC Board on September 12th 2017 (i.e. during the one week extension granted to local groups for responses on the Regulation 19 Local Plan. The Board designated a 22-hectare area of the 275-hectare area applied for, as shown in the green boundary in the map (*on Page 2 overleaf*). Other parts of the area were deemed 'inappropriate' on various grounds including objections from landowners, differential characteristics, and the 'strategic' significance of certain sites.

1.3 In response to what had been a cross-boundary designation application, LB Hammersmith & Fulham designated a separate neighbourhood area the Old Oak Estate, shown in the brown boundary below (*also on Page 2 overleaf, bottom of image*).

1.4 The Interim Forum sees this outcome as very unhelpful in restricting opportunities granted through the 2011 Localism Act for communities in and around Old Oak to help new development integrate with existing, over the next 30 years. Our disappointment has not affected the representations made in this consultation, the thrust of which follows the forum's previous response to the Regulation 18 Local Plan.

1.5 The view set out in the section below on the Places chapter in the Plan, that the draft policies and sub-policies are at a level of detail and prescription inappropriate to a Local Plan, remains relevant in relation to the designated (while much-reduced) Old Oak neighbourhood area and the Harlesden neighbourhood area. Further applications of designation of areas 'refused' by OPDC may well come forward in the period of the Local Plan.



1.6. The Old Oak Interim Neighbourhood Forum wishes to be notified of the Examination in Public on the OPDC Regulation 19 Local Plan, and will wish to make oral representations.

2.0 Summary of the interim forum's objections to the Regulation 19 Local Plan

2.1 In our view, the fundamental flaw in the OPDC Draft Local Plan, on which we commented in our Regulation 18 submission, is the lack of any solid justification for an 'objectively-assessed need' for 24,000 new homes at Old Oak. Options for a lower housing target and lower intensity of development have not been explored, or offered for consultation, at any stage in the Plan's preparation (see paragraph 4.0 below).

2.2 Our understanding of the requirement for 'soundness' (Planning Advisory Service) is that *'The DPD should provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal'*

2.3 We do not consider the current Regulation 19 Draft Plan to be *based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. Specifically, we do not consider draft Strategic Policies SP2 on Good Growth and SP4 on Thriving Communities to be 'positively prepared' in respect of the housing element of these policies (see paragraphs 4-6 below).*

2.4 We do not consider draft Strategic Policies SP2 and SP4 to be the most appropriate strategy when considered against reasonable alternatives. We do not consider that *alternative strategies for the future of the Old Oak part of the OPDC area have been adequately identified or consulted or that these policies are justified.* For the Regulation 18 Plan policies OSP1 on Optimising Growth, the document stated 3.7 that *No reasonable alternative policy options have been identified as an alternative would not be consistent with the NPPF or in general conformity with the London Plan.* We find this view hard to accept. The London Plan policy and housing target for Old Oak appears in an annexe to the Further Alterations. LB Hammersmith & Fulham clearly believed in 2015 that an alternative option, with a lower target, could be put forward in its own Draft Local Plan (see paragraph 4 below).

2.5 This same lack of justification applies to the housing target figures included in the Place chapters of the Plan, for Old Oak South (Policy P1), North Acton and Acton Wells (Policy P7), Old Oak Lane/Old Oak Common Lane (Policy P8), Scrubs Lane and its associated 'clusters' (Policy P10). The housing targets for Old Oak North (Policy P2) appear more realistic and acceptable having been reduced by a third by the landowners from their original proposals (see paragraphs 9-21 below).

2.6 We have concerns that the Regulation 19 Draft OPDC Plan is significantly less **transparent and accessible to the public** than the Regulation 18 version, in terms of its content on housing density and tall buildings. **As such we consider that it fails to conform with NPPF and National Planning Practice Guidance (see paragraphs 7 below for details)**

2.7 We do not support **Policy D5 on Tall Buildings**, on the basis that this provides no clarity as to what is deemed a 'tall building'. Specifically, we oppose sub-paragraphs c(ii) on *legibility* and c(iii) on *enhancing the skyline and increasing the identity of an area* (see paragraph 6.15 below).

2.8 We view **Strategic Policy SP5 on Economic Resilience** to be over-restrictive in its protection of SIL and out of step with the NPPF guidance (see paragraphs 8.5-8.11 below).

3.0 Previous response to the Regulation 18 OPDC Draft Local Plan

3.1 The Interim Forum responded to the Regulation 18 Local Plan. While welcoming the principle of well-planned regeneration for Old Oak, we expressed our concerns about the direction of travel of certain key policies in the local plan. We said in our March 2016 response:

Local people and businesses want to see forms of development and change that bring real improvement to quality of life, but which also learn from past experience of major regeneration opportunities in London and other major cities. We share the OPDC's ambition that Old Oak should become a successful part of the capital, and an exemplar in terms of urban regeneration.

There is however a concern amongst existing residents and businesses over a potential gap between rhetoric and reality in the first version of the OPDC Local Plan. The foreword promises not only a place to live and work, but one to visit and enjoy, time and again. The policies speak of world class and exemplary architecture and design.

Yet when the wording of the Plan's preferred policies is unpicked, and the numbers are crunched on target densities and optimising growth, local anxiety has grown. The fear is that by the end of the Local Plan period in 2036, regeneration of the OPDC area will not be viewed as global city planning at its best and most forward-looking. We hope for more than a repeat version of recent development at Nine Elms/Battersea/Vauxhall, with some elements of Kings Cross and the Olympic Park thrown in.

3.2 Regrettably, these concerns of local residents have grown, rather than lessened, over the past 18 months. Evidence of the reality of the impact of OPDC planning decisions for Scrubs Lane and for North Acton (where the Corporation has passed accountability back to LB Ealing, for reason which residents do not understand) is persuading a growing body of local people that the OPDC area is heading towards a major failure urban renewal.

3.3 We see little in the evolution of the Regulation 19 Local Plan from the Regulation 18 version that reduces these concerns.

4.0 Lack of 'reasonable alternatives' in the Regulation 18 and 19 Local plans

4.1 The Hammersmith and Fulham Draft Local Plan (published January 2015) consulted on a Strategic Policy OORA for the Old Oak regeneration area which was premised on creating a new urban quarter over the period 2015-35 of 6,000 indicative homes and 20,000 indicative jobs. The 'full potential' of the area, over a longer period was envisaged by Hammersmith & Fulham Council as 18,000 homes.

4.2 In more detail the LBHF draft policy was framed as:

Optimise development potential.

Development around the edges of the OORA should in terms of scale and form be sensitively integrated into the surrounding context. Tall buildings of exceptionally good design may be acceptable, as part of increased massing nearer to areas of high public transport accessibility and subject to detailed analysis of their impact on nearby heritage assets

4.3 The LBHF 2015 Draft Local Plan offered options for the Old Oak Regeneration Area
Alternative Options - Policy OORA (Strategic Policy – Old Oak Regeneration Area)

- *Maintain the current policy where existing strategic industrial land and waste uses are safeguarded.*
- *Defer the regeneration of parts of the site until suitable transport nodes are operational*
- *Optimise the quantum of development as far as possible but prohibit tall buildings in the regeneration area.*
- *Rather than a mix of employment and residential, land use could be weighted towards the provision of employment.*
- *Rather than a mix of employment and residential, land use could be weighted towards the provision of more residential use.*

4.4 The OPDC came into being as a Mayoral Development Corporation in April 2015, and further work by LBHF on its Local Plan thereafter ceased to include the OPDC area. Hence the input to the OPDC Local Plan of the London Borough which will inherit responsibility for the long-term sustainability of Old Oak has been limited to that required under the Duty of Co-operation.

4.5 The OPDC's subsequent work on Local Plan preparation since April 2015 has not questioned, nor offered any consultation options on, the 24,000 target figure for homes at Old Oak as included in the Annex 1 to the 2015 Further Alterations to the London Plan (FALP). Neither the OPDC OAPF nor the OPDC Regulation 18 Draft Plan explored alternatives or offered options of any significance in terms of housing targets for Old Oak. The Regulation 19 Draft Plan has taken very limited note of consultation responses questioning housing targets, densities, and building heights.

5.0 Is there a solid basis for the assumptions built into the Regulation 19 OPDC Local Plan?

5.1 As noted by the Inspector in his 2014 report on the FALP¹, predictions of London's rapidly increasing population growth have no certainty. As he said in 2014 *This revision has been driven partly by the realisation that the population of London has grown much faster than was anticipated in the 2011 London Plan. However, the extent to which this unexpected level of growth is structural or cyclical is unknown as is the ability of the Plan's existing strategies and philosophy to successfully accommodate the envisaged level of growth. In light of this, a full review of the Plan will commence in 2015.*

¹ *Report on the Examination in Public into the Further Alterations to the London Plan*, Report to the Mayor, M A Thickett, November 2014

5.2 The Regulation 19 OPDC Local Plan was drafted, and is being consulted on, prior to publication of a draft of an updated London Plan. Hence there is as yet no clarity as to whether the new London Plan will retain current forecasts of housing need across London (and consequential housing targets for Opportunity Areas) or will revise these downwards.

5.3 The Housing Evidence Statement, published as a supporting study to the Regulation 19 Draft Plan re-asserts at paragraph 2.4 *The regeneration of Old Oak is identified in the London Plan as having the capacity to accommodate over 24,000 new homes*. Paragraph 5.3 of the Statement repeats the view from the previous OPDC Development Capacity Study *For the period of the Local Plan (2018 to 2038), OPDC's DCS is showing that approximately 22,000 homes can be delivered*.

We view the evidence base to support these statements to be slim and hence the consequential policies in the Local Plan to be unsound.

5.4 Paragraph 6.0 of the Housing Evidence Statement (Supporting document 23 to the Regulation 19 Local plan) refers back to the previous OPDC Strategic Housing Market Assessment (SHMA). As noted in our comments on the Regulation 18 Draft Plan, the SHMA prepared for the OPDC by Opinion Research Services itself acknowledges *'From a technical point of view, OPDC represents a challenging SHMA because at the time of the 2011 Census there were approximately 7,000 residents in the area and 2,800 households'*.

5.5 Hence a choice was made by these consultants to assess housing need across the three boroughs, and then to suggest figures of 44,800 affordable units (48%) and 44,400 market units (52%) as being required across all three boroughs over the 20-year OPDC Local plan period.

5.6 Paragraph 6.6 of the Housing Evidence Statement says: *As well as providing homes to meet the market and affordable housing need in the three host boroughs as identified in OPDC's SHMA, the area is also capable of providing homes to meet wider strategic, London-wide housing need*.

5.7 How many 'additional' new homes should be provided at Old Oak to meet London's wider needs is surely a matter of planning judgment, on which alternatives should be explored and the consultation responses at Regulation 18 stage taken into account? Conventional techniques for deriving housing need figures do not apply to large tracts of undeveloped land in inner London. However, in the Housing Evidence Statement and throughout other supporting material for the Regulation 19 Local Plan, the 24,000 figure from the Annexe to the London Plan resurfaces in a set of circular arguments. These are used to justify what local people view as a target set in a 'vision' of the former Mayor long before sufficient work had been done on the feasibility and infrastructure costs of bringing a large area of brownfield land into housing use. We do not believe that this approach will lead to a sustainable and successful new part of London.

6. SEA requirements and Integrated Impact Assessment

6.1 As we understand, the SEA Directive requires that *'..an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated'* (2001/42/EC) (Article 5.1).

6.2 The OPDC Integrated Impact Assessment (Supporting study no.27) is presented as having met this requirement. We do not see any assessment in this document of *reasonable alternatives* on the balance of housing and jobs, nor on the level of intensification of housing development, such as were offered in the LBHF Draft Local Plan. The 'Appraisal Finding' on the *Going Local narrative 4* on New Homes says nothing of substance (page 57).

6.3 We cannot find in the IIA document any evidence that *reasonable alternatives* have been identified or tested on the main strategic objectives of the Plan, through the Regulation 18 and 19 plan making process. Within the envelope set by SP2 and SP4 there are some policies for which alternatives have been consulted on. Paragraph 7.8.1 states *The Regulation 19 Draft Local Plan aims to deliver a significant amount of new homes over the course of the plan period, and the chapter acknowledges that the OPDC area forms a significant part of meeting London's housing need, across all tenures and needs.*

6.4 And subsequently, *In the main, there's a natural conflict between increasing development densities in an area of brownfield sites and how this will impact on the existing baseline environment but other policies within the Local Plan will ensure that this effects of these are minimised as well as ensure that enhancements can be made.* As noted by RB Kensington and Chelsea in its comments the Plan does not provide assurances that harmful impacts will be *mitigated* as opposed to *minimised*.

6.5 Local people have little confidence on this latter assurance, being well aware how much of the infrastructure of the Old Oak area (road network, water supply, drainage/sewerage systems) are already overstretched.

6.6 A matrix of IIA objectives is shown at Table 5, including: *To optimise the efficient use of land through increased development densities and building heights, where appropriate.* The links between the OPDC *Going Local* and *Thinking Big* narratives are shown as largely 'uncertain'. We see these two overall 'narratives' for the Plan as being in inherent conflict with one another.

6.7 Figure B.1.1 shows comparative population densities beyond the OPDC area and notes *The OPDC area covers some 650 hectares and due to its predominantly industrial nature has a much lower population density than its adjoining boroughs. Given the proposed minimum new homes of 25,500 this density is set to change. This influx of future population needs careful management to ensure inequalities don't worsen throughout the area and adjoining boroughs.* There is no questioning or justification of this target for new homes or consideration of options for less intensive development.

6.8 This lack of exploration and testing of options on housing numbers and density, through the ODPC plan-making process in our view renders the Regulation 19 version unsound in terms of the EU Strategic Environmental Assessment Directive. **The proposed strategic policies SP2 and SP4, and Draft Policy H1 on Housing Supply, have not been considered against reasonable alternatives and hence are not justified.** This impacts on many of the other policies in the Regulation 19 Plan which flow from the overall targets and approach.

6.9 OPDC has commissioned a masterplan for the Old Oak part of the OPDC area, with AECOM as the lead contractor. This will assist in testing the realism and acceptability of the 'super-densities' and 'hyper-densities' that are implicit in the 24,000 new homes targets and hence in the Regulation 19 Draft Local Plan. As yet this work remains at an early stage and nothing has been published.

6.10 We believe that as this masterplan progresses, its authors (as with the masterplanners for Cargiant/London and Regional Properties) will come to recognise that too much housing is being proposed for Old Oak and that the end results will prove to be serious overdevelopment and an urban environment that proves unsuccessful example of UK regeneration. This does not have to happen, but is already happening in relation to OPDC planning approvals for a series of residential towers in Wood Lane, on the eastern border of the OPDC area (see paragraph 19 below for details).

6.11 To local residents, a more sensible approach would be for a Local Plan to be built up from a detailed masterplan that tests what housing numbers the area can appropriately accommodate, without damaging quality of life for future residents, overloading the physical and social infrastructure of the area, or harming surrounding heritage assets. For the largest remaining area of undeveloped land in London, this work should be undertaken *before* rather than *after* finalisation and adoption of a Local Plan for the OPDC area. Should such work show that a 24,000 housing target be unrealistic, this should be varied.

6.12 It has not gone unnoticed by residents of the area that landowners/developers Cargiant/London & Regional Properties, in refining over a period of years its masterplan for its 46-acre site at Old Oak North (badged as 'Old Oak Park') originally published proposals in June 2015 for '9,000 high quality homes'. This figure has been reduced over time to 6,500 new homes in the masterplan consulted on in a fourth consultation in July 2016.

6.13 To date, it appears that this reduction in planned housing numbers by one major landowner has simply had the effect of squeezing a balloon, and has led to planning permissions being granted by OPDC for developments on other sites at density levels well above those envisaged in the Regulation 18 Draft Local Plan, and well in advance of an Examination in Public of the Regulation 19 version. It appears that planning determinations reflecting this search for intensified development, have been drawn on to shape the Regulation 19 policies, including the DCS which has used existing planning permissions to inform density calculations (DCS, 2017, p. 12).

6.14 Planning permissions for a series of residential towers have been granted by OPDC during 2016/7 based on 'emerging' policy and in the face of substantive objections from the Boroughs, Historic England, and local residents. This diminishes public confidence in the current planning system, and encourages the view that this system rarely leads to 'plan led' development². The same applies to even taller buildings approved by LB Ealing at North Acton and the Oaklands development approved by OPDC in Old Oak Common Lane.

7. Transparency and accessibility of the Regulation 19 OPDC Local Plan

7.1 A major concern of the public over the Regulation 19 Draft is its lack of transparency on the key issues of housing density and building heights.

7.2 National Planning Policy Guidance includes the following requirements in respect of Local Plans (Paragraph: 010 Reference ID: 12-010-20140306)

*While the content of Local Plans will vary depending on the nature of the area and issues to be addressed, all Local Plans should be as focused, concise and **accessible** as possible. In line with the [National Planning Policy Framework](#), the Local Plan should be **clear** in setting out the strategic priorities for the area and the policies that address them.*

7.3 We do not consider the Regulation 19 OPDC Local Plan to be at all clear, nor accessible in terms of the implications of its policies on housing densities and building heights. Even a reader well versed in planning documents would struggle to find clarity or transparency. The Regulation 18 version was significantly more honest and up-front on these issues.

7.4 The Regulation 18 version included a draft policy OPS1 on 'Optimising Growth. Draft policy OSP2 on Land Use reconfirmed the 24,000 homes target from the Further Alterations to the London Plan. Draft Policy OSP4 introduced the concept of '*the highest density development*' around Old Oak Station with density levels diminishing to '*lowest densities at sensitive edges*'.

² An issue being considered by the Raynsford Review

7.5 Definitions of 'highest' density (*in the region of 600 units per hectare*) on a scale down to 'lower' density (*in the region of 300 units per hectare*) were provided in the text of the Plan as part of Draft Policy OSP4. While the relationship between these figures and the London Plan Density Matrix (and the fact that these levels significantly exceed current London Plan guidance) was not explained, the lay reader of the document was at least given some idea that density levels being proposed for Old Oak were at a very high level of 'intensification', exceeding even the high norms in London's Central Activities Zone.

7.6 A map showing the different areas of 'highest density' and 'sensitive edges' was also provided at page 43 of the Regulation 18 Draft Plan. This was something the public could understand. No similar map appears in the Regulation 19 Plan.

7.7 By contrast, the Regulation 19 Draft Plan contains frequent references to 'high density' in the sections on strategic policies and in the sections on the series of 'Places' identified in the Plan. But the reader has search as far as the Glossary on page 290 to find the sole explanation of what 'high' or 'lower' density means in the context of the Plan. Even here, the figures are prefaced with a disingenuous statement saying this information is *provided to interpret the London Plan sustainable residential quality density matrix for the Old Oak and Park Royal local context*. This does not explain that the OPDC 'local context' uses a very different (and higher) set of density definitions to the London Plan Policy 3.4 and accompanying Density Matrix.

7.8 In the Regulation 19 version, Draft Policy SP2 on 'Good Growth' asserts at paragraph 3.10: *OPDC can fulfil a vital role in helping to meet London's growth sustainably. It is imperative that given the scale of development envisaged, it achieves high standards of sustainability in terms of design, delivery, operation and management. This can be particularly challenging at high densities, but it is through high density, transit orientated development that the greatest sustainability benefits can be realised.*

7.9 We ask what evidence lies behind the simplistic assertion that *'through high density, transit oriented development the greatest sustainability benefits can be realised'*. While the present London Plan reflects a policy of building at higher densities near public transport nodes, the concept that Londoners either wish or need to live in extreme 'super-densities' in tall buildings around railway stations has not gone unchallenged in recent years.

7.10 In the same vein, there are frequent references throughout the Regulation 19 version, and within the draft policies, to *a variety of building heights*, *a range of building heights*, and to *taller* or *tall* buildings. These 'ranges' are not specified in Policies SP2 or SP4, nor in Policy SP9 on the Built Environment. Policy D5 on Tall Buildings is silent on the specifics of building heights and the accompanying text on page 148 gives no indication as to the expected range of building heights within the OPDC area.

7.11 Occasionally a range is specified within the detailed policies included in each 'Place' chapter. This is in instances where lower ranges are proposed (e.g. Policy P1l(iii) for Old Oak South which refers to *delivering heights of generally 6-8 storeys fronting directly onto the Grand Union Canal with opportunities for taller buildings at key crossing points such as Old Oak High Street, Park Road and Union Street*.

7.12 The lay audience for the Local Plan therefore has no way of telling whether the Plan's policies on housing density and building height will lead to buildings of 20 storeys, 40 storeys or 60 storeys. When questioned on this at public consultation sessions, OPDC officers have declined to give answers and have repeated that each application will be treated on its merits.

7.14 The first draft of the Development Capacity Study identified height ranges for different parts of the OPDC area (while referring only to a range ‘above 20 storeys’. The revised DCS (Supporting Statement No.12) does not cover the subject of building heights. Analysis of appropriate densities appears to be based solely on a set of six ‘precedent’ developments in London ranging 691 to 345 dwellings per hectare. This information is coupled with data on densities of schemes already permitted by OPDC at Oaklands and in Scrubs Lane. The resultant conclusion at paragraph 3.11 of the DCS study is that: *In light of the above information, an indicative density range for housing of 300 to 600 units per hectare has been defined that responds to the location of sensitive locations, existing and future public transport services / access and other destinations.*

7.15 We find it hard to understand firstly how this critical element of the Local Plan is neither explained nor enshrined in a *policy* on housing density within the Plan. Nor why this information has been tucked away in one of 53 Supporting Statements.

7.16 **National Planning Policy Guidance states (Paragraph 010 Reference ID: 12-010-201403060) *Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the ‘what, where, when and how’ questions).***

7.17 The Regulation 19 Local Plan at page 50 includes a table of 28 individual Site Allocations. These will be critical to future development management decisions. The table provides information on the number of housing units allocated to each site. A map on the preceding page shows the location of each site. The table conspicuously fails to provide information on the size of each site³, or the housing density that will result from the proposed housing allocation.

7.18 Again, this leaves the reader of the Draft Plan unable to assess whether these sites are likely to be built out at densities anywhere close to London Plan Density Matrix levels, or at what range of building heights.

7.19 As noted above, experience to date in relation to LB Ealing’s decisions on granting permissions at North Acton and the OPDC decisions to date on the Oakland site and for a series of residential towers in Scrubs Lane (defined as a sensitive edge in the Regulation 18 Draft) has been that densities will routinely exceed London Plan Matrix levels, and also the higher levels that have become common in areas of intensification and Opportunity Areas. Details are given in the table (*shown overleaf*).

³ Information on size of sites is available, in an annexe to the 2017 DCS. To add this to the table of Strategic Site Allocations in the main Local Plan document would require one additional column.

Developments at Old Oak and North Acton

Development	Number of units	Density	Building height
Oaklands, Old Oak Lane	611	518 units/ha	29 storeys
North Kensington Gate (north)	48	450 units/ha	7-11 storeys
North Kensington Gate (south)	120	448 units/ha	22 storeys
Mitre Yard	200	337 units/ha	19 storeys
6 Portal Way, North Acton	578	1,005 units/ha	32 and 42 storeys
The Portal, North Acton	355	Not given	36 storeys
Perfume Factory (Essential Living scheme)	550	1,212 hrha (rooms not units).	33 storeys
Carphone Warehouse	750	Not given	26-32 storeys

7.20 On the basis of this section of our response, we consider that the current Regulation 19 Local Plan is not consistent with national policy, in terms of clarity and transparency and is as a result unsound.

CHAPTER 3 STRATEGIC POLICIES

Catalyst for Growth

8.1 Policy SP1iii could usefully reflect the comment in the text that the proposed rail interchange at Old Oak will be implanted into some of the most deprived electoral wards and Census Output Areas in the country. This poses particular challenges in balancing the needs of existing residents against those of new arrivals, for which developments are already coming forward with minimal genuine affordable housing.

Good Growth

8.2 **Policy SP2** includes sub-clauses which are inherently in tension, if not contradictory (*appropriately high densities/vibrant mixed and inclusive lifetime neighbourhoods/high standards of placemaking/feasible solutions for the ongoing management of buildings*). Clusters of tall residential towers built at what have become termed as ‘super-density’ and ‘hyper-density’⁴ have not proved to date to achieve all the above outcomes.

Improving Health and Reducing Health Inequalities

8.3 A strategic policy of *improving health and reducing health inequalities* (**Policy SP3**) will be supported by all, but there is little evidence of how this is to be achieved through other strategic and more detailed policies. A major study of 4.4 million people in Sweden has shown that a high level of urbanisation is associated with increased risk of psychosis and depression for both women and men⁵. It seems clear that mothers with young children are the most disadvantaged group, with increased likelihood of developing psychoneurotic illnesses. Children become socially independent later than those living at lower levels⁶. The difficulties of building at high densities in high pollution areas is also a factor. **This policy is as yet inadequately justified.**

⁴ *Superdensity the Sequel* HTA, Levitt Bernstein and Pollard Thomas Edwards, 2015

⁵ Urbanisation and incidence of psychosis and depression, The British Journal of Psychiatry Mar 2004,

⁶ Health effects of living in high-rise flats, Brian T William, International Journal of Environmental Health Research 2008

Thriving Communities

8.4 Policy SP4 promotes lifetime neighbourhoods, social cohesion and the integration of new and existing communities. Again, this is a wholly commendable objective, but policy **SP4ii (which reads *delivering at least 22,350 additional homes between 2018-38...*) is of no direct relevance to the achievement of this objective and in our view should be deleted as a sub-clause.**

Economic Resilience

8.5 Draft Policy SP5 places great emphasis on the protection of Strategic Industrial Land (SIL) at Park Royal. The policy justification states *Protecting the SIL in Park Royal is vital to the London economy and opportunities should be taken to intensify its use where feasible.*

8.6 While accepting the need to protect 'industrial land' in London, we argued in our response to the Regulation 18 OPDC Local Plan that the current London Plan Policy 2.1.7 on Strategic Industrial Locations (of which Park Royal is one) is over-restrictive in terms of the potential for mixed use development within designated SIL areas.

8.7 As recognised by the report *Growing London*⁷ the world of work is changing rapidly and the conventional distinctions between 'work space' and 'residential space' are disappearing. As *Growing London* recognises: *Advances in technology are continuing to change the nature of industry in London and our patterns of work. These changes are challenging traditional assumptions about 'dirty' industrial uses being a 'bad neighbour', or needing certain types of accommodation, like single-storey sheds or large yards. There is potential here for new, innovative typologies to emerge that test higher densities, sharing facilities, or different mixes of use'.*

8.8 Our forum members see rigid policies which apply standard 'zoning' policies restricting permitted uses across large areas as too blunt an instrument of spatial planning, and as inappropriate for a 2016-2036 timeframe. **We consider Policy SP5a) to be not justified.**

8.9 **Sub paragraph d) of Policy SP5** has the aim of *supporting the provision of small workspaces across both Old Oak and Park Royal.* **Sub paragraph f)** is about *designing proposals to ensure they are flexible and adaptable to changing needs.* We see these aims being hampered over a 2018-38 timeframe by sub paragraph a) which reads *protecting, strengthening and intensifying the Strategic Industrial Location (SIL) in Park Royal.*

8.10 If mixed use, introducing an element of residential use into appropriate parts of Park Royal, can be achieved without loss of employment floorspace, why should this be resisted? As we read the current NPPF, Government policy is moving away from inflexible zoning and over-restrictive policies which can lead to vacant and underused floorspace.

8.11 The NPPF includes the following guidance:

- *promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas (NPPF page 6)*
- *To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century (paragraph 20)*
- *facilitate flexible working practices such as the integration of residential and commercial uses within the same unit (paragraph 21)*

⁷ *Growing London*, Mayor's Design Advisory Group, 2016

- *Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed.*

8.12 Overall, we consider Policy SP5 in its present form to be not justified.

8.13 The requirements of the complementary and more detailed employment policy E1a) ii and iii seek to ensure employment densities are maintained with no let loss of industrial floorspace. We support these parts of the policy but not E1a) i) which requires that all development proposals *are comprised of SIL compliant broad industrial type uses*. We see this as over-restrictive and **not justified** for a 2018-38 Local Plan in an era of rapidly changing work practices. In particular we see scope for some mixed use in the Old Park Royal 'Place' (see paragraph 14 below).

Places and Destinations

8.8 This is a generic policy on placemaking at the more detailed level, and presages the Place chapters in the Local Plan.

We question the concept of 'clusters' which the text states *are characterised as locations which are likely to attract higher footfall and/or have a particular use and as such warrant more detailed policy. These places and clusters celebrate their respective distinctiveness in terms of current context and future development approaches.*

8.9 What does the term 'celebrate' mean in spatial planning terms? The reality of the introduction of 'clusters' within the Regulation 19 Local Plan (this concept did not feature in the Regulation 18 Local Plan) is that in relation to Scrubs Lane these locations been deemed appropriate for one tall building each (see comments below on Place P10 Scrubs Lane). The outcome, in terms of permissions granted, has compromised the 'vision' of Scrubs Lane set out in the Regulation 18 Local Plan. **We consider Policy SP6a)ii) to be not justified**

Connecting People and Places

8.10 This lengthy strategic policy addresses transport issues and the street network in the OPDC area. **It is at a level of detail which makes it questionable whether it should be categorised as a 'strategic policy'.**

8.11 We support the more strategic content of the policy with the following exceptions

- **We support a policy SP7b(i)** of minimising the need to travel, but question how Local Plan policies resisting any mixed use on Strategic Industrial Land are compatible with this? In an area of existing traffic congestions, let alone massive new development, an increasing number of Londoners will wish to arrange their lives to minimise the need from a journey to and from work. Resisting mixed use development through traditional and inflexible zoning policies flies in the face of this trend.
- We support the proposed new key streets of Old Oak High Street, Park Road and Grand Union Street, but it must be recognised that the passage along these routes will be far from straightforward in some instances. An elevated bridge over Old Oak Common Lane would not be a satisfactory solution. Similarly, connectivity between the five stations (**see Policy SP7g(ii)**) will may prove to be 'seamless' (in the sense having of no physical obstructions) but walking distances between the stations are excessive compared with most transport interchanges.
- We are not clear on the proposed role of 'Wormwood Scrubs Street' shown as an east/west route across the northern boundary of Wormwood Scrubs. Is this to be open to all traffic, or with limitations? If the former, the tranquillity and value of this Metropolitan Open Land will be lost forever.

Green Infrastructure and Open Space

8.12 We welcome **Policy SP8 (iii)** requiring the delivery of 30% of the developable area outside SIL as publicly accessible open space. But this requirement will come at a price of significant numbers of tall and very tall buildings and/or reduced affordable housing, if the housing targets in the Local Plan come anywhere near being achieved. The reality of open space remaining ‘publicly accessible’ once a development has been completed has also proved illusory in many instances in London and needs very tight control through planning conditions and S106 requirements. To date planning approvals granted by OPDC include roof gardens on top of residential towers, but little open space usable and accessible by the public.

Built Environment

8.13 **Policy SP9** requires buildings and public realm of the *highest design quality*. OPDC arrangements for ensuring design quality involve an external Place Review Group with a membership sourced from CABI Building Environment Experts.

8.14 The series of assessments of applications that have been undertaken to date by this body have exposed the gulf between the views of such experts and those of the general public. **We would welcome Local Plan requirements that ensure that the views of lay representatives of the local community form part of the deliberations of the Place Review Group.**

8.15 **Draft Policy SP9b** requiring *delivery of high densities and a range of building heights, including tall buildings* is largely meaningless without further definitions of ‘high density’ and ‘tall buildings’. We do not see why it should be a strategic objective of the Local Plan to deliver tall buildings per se and **consider this policy to be unjustified⁸**.

Integrated Delivery

8.16 **Policy SP10** is based on the OPDC view that: *The timing and phasing of delivery will be a critical factor in the successful regeneration of Old Oak* (page 43). As acknowledged, this view has fed into site allocations and annual homes targets which (we consider) are already unduly influencing decisions on planning applications. **As set out in paragraph 27 below we consider this and Policies DI1 and DI2 to be unjustified.**

9. CHAPTER 4 PLACES

9.1 We welcome a Local Plan which provides a specific focus for each Place within a wider area. But in our view the level of detail and prescription included in these chapters is not appropriate to a Local Plan. **If this level of detail is to be retained, it should be in the form of a series of Area Action Plans and neighbourhood plans.**

9.2 The current Regulation 19 Draft goes far beyond *setting out broad locations and specific allocations of land for different purposes (NPPG 002)*. There remain enormous uncertainties over future development at the heart of Old Oak, in terms of costs and viability of infrastructure around Old Oak Common station. To adopt a Local Plan which fixes the detail of pedestrian routes and

⁸ See speech by Deputy Mayor James Murray 12th September 2017: “Rather than focussing just on a single typology, to our mind density means thinking about all the different typologies that work in different parts of London.”

“One of the reasons why that is so crucial is because we have to build on small sites, we have to build on outer London, and we have to build in areas where until now they’ve not been accustomed to so much building at such high densities. Certain high-rise typologies are not going to be appropriate, but we have to crack that problem”.

cycleways, and which prescribes very detailed policies for 10 Places would seem a hostage to fortune unless the intention is that these parts of the Plan are reviewed every 2-3 years.

9.3 If the Place Chapters of the Plan remain in their current form, **we will wish to challenge at EIP the statement at paragraph 1.21 of the document that the policies in Chapter 4 will be treated as OPDC's strategic policies when considering the general conformity of neighbourhood planning policies.** NPPG Paragraph: 076 Reference ID: 41-076-20140306 sets out a series of *useful considerations* for determining whether a Local Plan policy is *strategic*, in terms of the general conformity test for neighbourhood plan policies. The fact that a LPA considers a policy to be strategic is but one of these. We do not see the Places policies in the OPDC Local Plan as meeting the first four 'considerations' (*whether the policy sets out an overarching direction or objective, whether the policy seeks to shape the broad characteristics of development etc*). Decisions on this issue will in any event be a decision to be made by an independent examiner of any neighbourhood plan that is submitted for examination.

Old Oak South Policy P1

10.1 We support the principle of relatively high density development around the proposed rail interchange and station, but question assumptions that this should contribute to the delivery of 41,300 new jobs and a minimum of 3,000 new homes. The precision of the former number gives an artificial impression that if a rail interchange is built, a specific number of new jobs will follow.

10.2 As we understand, the reality remains that if relocation of the Crossrail depot is not viable, and overdecking not feasible, then planning policies for Old Oak South will need to be re-assessed. The same applies to questions on the feasibility of building above the HS2 station. Uncertainties in the London commercial office market are added reasons for a more evolutionary approach.

10.3 We support **Policy P1h** on *delivering a range of meanwhile active uses across Old Oak South*. Such uses may prove 'meanwhile' for a long time to come.

10.4 On **Policy P1i)** on Building Heights, it is notable that a building height *range of 6 to 8 storeys fronting directly onto Grand Union Canal* is made explicit at sub-paragraph (iii), while no similar figures are provided in relation to *the delivery of the tallest buildings around Old Oak Common Station* at sub-paragraph (i) or *the range of building heights including tall buildings at points of the greatest activity across Old Oak South* at sub-paragraph (ii). The public are left guessing.

Old Oak North Policy P2

11.1 The interim forum has participated in the series of four consultation exercises undertaken by Cargiant/London & Regional Properties on their masterplan for 'Old Oak Village'. The quality of engagement has been deeper and more productive than with most developers.

11.2 We support the viaduct option as being critical to opening up the site and allowing permeability. The proposed housing target for the development has dropped from 9,000 to the 6,300 now reflected in the Regulation 19 Local Plan. Unusually, this is an example to be welcomed of a LPA retro-fitting Local Plan policies around developer aspirations. This process may however have led a 2,700 home target being shifted into neighbouring Scrubs Lane, with much less welcome consequences.

11.3 **We strongly support Policy P2d)v).** A long established community of artists and makers have studio and workshop space in buildings in Hythe Road and Scrubs Lane. Accompanying Policy E1, unless further strengthened, will not ensure that re-provided floorspace in new developments is at rents realistic for these users. **E1 needs to be strengthened to ensure 'affordable workspace'**

achieved through planning conditions and S106 agreements. Other London Boroughs have been down this route, and the significant contribution to regeneration of an area, made by artists and makers, is well evidenced in East London.

11.4 We consider **Policy PC21** for the 'Grand Union Square Cluster' to be over-detailed for a Local Plan and more suited to a planning brief, to be developed as part of the OPDC masterplan for Old Oak and recognising the work already undertaken by Cargiant/London & Regional Properties.

11.5 Our Forum approves in broad terms of **Policy P2I** supporting health and well-being by ensuring sensitive uses are "located away from pollution sources" and new development "mitigates the impacts of noise and air pollution generated by rail transport and the surrounding uses including Old Oak Sidings waste facility" but the association requests that this policy goes further, requiring wider sharing of waste processing across Park Royal and Old Oak's waste sites - alongside a much greater emphasis on local waste being managed 'at source' as the London Plan requires. The Powerday site at Old Oak Sidings has long struggled to comply with UK pollution legislation and we question the Plan's strong reliance on the Powerday site (also in **Policy EU6**).

Grand Union Canal Policy P3

12.1 The Interim Forum welcomes the overall vision for the canal, but the potential of the canal for movement of materials and waste during the decades of construction at Old Oak is insufficiently covered in **Policy P3**. Our Forum requires **Policy P3** to provide more clarity over traffic levels and enforcement of environmental legislation as contractors begin to use the canal for moving construction materials.

12.2 **Policy P3h** does not explain how the southern towpath can be further 'improved' as 'a continuous east west walking and cycling route as part of the National Cycle Network and proposed TfL Quietway'. A 3.5m 2-way cycling route is unfeasible at the many pinch points along the towpath (e.g. bridges). Pedestrian/cycle conflict along this route is already a real issue.

12.4 **Policy P3o) on Building Heights** has already been compromised by OPDC planning approvals for tall residential towers at North Kensington Gate and Mitre Yard, adjacent to the canal. If 'opportunities for tall buildings' are taken up at five further 'crossing points' (a suggested by the policy) any remaining views and vistas along the canal will be lost.

Park Royal West Policy P4

13.1 Given the nature of current uses and activities in this area, we have severe doubts about the realism and effectiveness of **Policy P4(f) of rationalising, minimising or removing onstreet parking, where possible and practicable, to make space for walking, cycling and public realm improvements**. Park Royal has always relied on vehicle movement and is a hostile environment for pedestrians.

Old Park Royal Policy P5

14.1 Our interim forum sees the area relabelled in the Regulation 19 Local Plan as P5 Old Park Royal as an area well suited to carefully managed mixed use. The OPDC 'vision' for this 'Place' is *The enhancement of buildings along with improvements to the public realm and movement network will support a functional and exciting place that helps to mediate the transition between Old Oak and Park Royal West (page 88 of Draft Local Plan)*.

14.2 **We feel that this 'transition' approach should be taken further, and that Draft Policy P5(a) of 'protecting SIL' should not be applied to the Old Park Royal Place. We suggest that Old Park Royal is de-designated as SIL to allow for a wider range of uses.**

14.3 As the Draft Plan states: *Old Park Royal was largely developed during the early 20th Century and its character is highly distinctive from the rest of the industrial area of Park Royal West. It is home to a number of historically significant buildings linked to its industrial heritage.* As the Industrial Land Review makes clear (Supporting Study No.25) the scope for intensification in this part of Park Royal is limited given narrow streets and lack of yard space.

14.4 Current employment and industrial uses are very mixed, while often small-scale businesses in low rise premises from the 1920 and 1930s. The streets are not wide and are unsuited to large HGVs and distribution vehicles, as compared with the more modern road network of Park Royal West. Traffic jams and congestion are frequent, impacting in particular on the residential enclave of the Wesley Estate. **Policy P5d)iii)** on providing more generous pavement widths is seen as desirable but unachievable in practice.

14.5 We support the designation of the proposed St Leonards Road Conservation Area.

14.6 Local people see Old Park Royal as well-suited to transform into a lively and successful ‘artisan quarter’ providing employment space mixed with residential floorspace. Such accommodation, could be achieved through conversion and refurbishment of existing buildings and premises, which would remain (by London standards) relatively inexpensive to rent or purchase.

Park Royal Centre Policy P6

15.1 Our Forum supports **Policy P6 b)** seeking to deliver “new social infrastructure and/ or protecting and enhancing existing social infrastructure provision, including facilities at Central Middlesex Hospital in accordance with policy TCC4.”

15.2 We support **Policy P6 e)** “embedding green infrastructure across the area, particularly along key routes” since the centre is not welcoming to the visitor.

North Acton and Acton Wells Policy P7

16.1 The residential enclaves to the east of the rail line (Midland Terrace/Shafesbury Gardens and Wells House Road) have been designated by OPDC as part of the Old Oak Neighbourhood Area (a 22 hectare area very much reduced from the 280 ha area applied for).

16.2 As noted above, the interim forum does not accept that **Policy P7 and its sub-paragraphs** can appropriately be deemed as ‘strategic policy’. The level of detail does not accord with NPPG guidance on **what makes a policy strategic?** (Paragraph: 076 Reference ID: 41-076-20140306). The level of detail in e.g. Policy P7g) to j) on Public Realm and Movement may prove to be a sound assessment of the requirements for pedestrian and cycle ‘connectivity’ in this Place. Equally it may not. Local residents have much knowledge to offer, and many to views to be balanced, in judging where proposals for such connectivity will or will not succeed. A neighbourhood plan should be given the space to bring forward detailed proposals on these issues.

16.3 **Policy P7b)ii)** earmarks this ‘Place’ as a location for *delivering appropriate levels of student accommodation in accordance with Policy H10.* **Policy H10 a)iv)** supports student housing *where this does not result in an overconcentration in any one specific location.* **We do not consider these policies to be justified, for the reasons below.**

16.4 In the view of local residents, the concentration of student housing at North Acton is already beyond excessive, with a further permission granted recently to Imperial College for ‘*around 740 students and 85 rental apartments*’. Coupled with approvals granted by LB Ealing for an extended

cluster of very tall buildings, sited around a major road gyratory, North Acton has acquired a reputation amongst local people as to how **not** to regenerate London.

16.5 The areas of 'public realm', cramped and squeezed between tall buildings, are windswept and poorly maintained. Large volumes of ground floor A1 retail space, intended to 'activate' the area, remain vacant several years after the construction of their parent buildings. The retail offer is geared to the student market with a predominance of fast food outlets and coffee shops. Evidence of long-term residents and families on the street is limited. For North Acton, the OPDC Local Plan comes too late in the day to have significant impact.

16.6 For Acton Wells and Victoria Road, there remains scope to create a better local environment. Much will depend on the decision on what is understood to be planned as an east-west 9-metre wide cycle/pedestrian bridge from Old Oak Common Station, at high level above the railway line, as part of the 'Old Oak High Street' connection between the HS2/Crossrail station and North Acton Station. The detailed design and location of the proposed Old Oak Common Lane Overground Station will also be critical for residents of Midland Terrace/Shafesbury Gardens.

16.7 As with other Place Chapters, our view is that **Policy P7 should be included in an Area Action Plan or SPD**, allowing for more frequent revision than when incorporated within a full Local Plan. Such a document would sit alongside the proposed Old Oak Neighbourhood Plan. **As a minimum, the Local Plan should make clear that policies in Place chapter 4 are 'non-strategic' thereby allowing for neighbourhood plan policies (post examination and referendum) to have precedence in accordance with NPPF paragraph 185.**

Old Oak Lane and Old Oak Common Lane Policy P8

17.1 As the 'vision' for Policy P8 states, this is a 'Place' which requires '*sensitive integration*' between existing and new development. The interim forum supports this aim and it will be a key objective of any Old Oak Neighbourhood Plan. This 'Place' is close to site of the proposed Old Oak Common Station and the tallest buildings envisaged by OPDC at the centre of old Oak South. A 'buffer zone' is needed between this location and the low rise terraces of Wells House Road and Midland Terrace. The forum supports the proposed 'Atlas Junction neighbourhood town centre', an idea put forward in the Forum's response to the Regulation 18 Local Plan.

17.2 The same status as 'non-strategic' policies should be applied to the sub-paragraphs of Policy P8 as for other Place policies, for the reasons set out above.

17.3 **Policy P8a)iii)** restricting 'town centre' uses to land at Atlas Junction neighbourhood centre '*outside of Strategic Industrial Locations (SIL)*' should be dropped. It is too early to say, when such a location is being re-planned, that uses of certain sites should be restricted in this way. It may make sense to locate a retail of D class 'town centre' use on one site, and to replace employment floorspace on another. An over-rigid zoning of SIL, within a small area such as a 'Place' can hamper good planning outcomes.

17.4 The same point applies to the Harlesden bus depot site, as covered in **P8(c)**. The Harlesden Neighbourhood Plan should be allowed some flexibility on uses of this site.

17.5 It is notable that the Local Plan supports a future mixed use neighbourhood on the Westway Estate, while resisting any element of mixed use in e.g. Old Park Royal. We see these varying approaches as resulting from historic designations of SIL boundaries, rather than sound planning justifications. There is no explanation given in the Reg 19 Local Plan as to why two such areas should be treated differently – given their built form, street layout and current uses.

17.6 **Policy P8C1** is a very detailed policy for the proposed Atlas Junction Town Centre Cluster. It includes sub-paragraphs relating to specific buildings and sites, none of which are large or 'strategic' sites. This is part of the OPDC area designated as a 22 hectare neighbourhood area in September 2017. As with other Place chapters we feel that the level of detailed policy is inappropriate to a Local Plan, in terms of NPPF guidance. NPPF paragraph 185 states *Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation*. **In this context, we consider that sub-policy P8C1 should be dropped from the Regulation 19 Local Plan in order to allow policy to be developed through the neighbourhood planning process.**

17.7 The Old Oak Neighbourhood Forum will be working with the new occupants of the Collective building, the Oaklands development (construction starting 2018) and the Harlesden Neighbourhood Forum on plans for an area in which existing and new residential and commercial buildings need to be integrated sensitively.

Policy P9 Channel Gate

18.1 The eastern part of this 'Place' forms part of the designated Old Oak Neighbourhood Area. As explained above we consider that an over-detailed set of policies in a Local Plan will not only conflict with NPPF guidance on avoiding 'duplication' but also risks including policies that are inappropriate for a Local Plan which would not normally be revised within 5 years.

18.2 Much of the land to the north and west of this 'Place' is potentially or definitely required by HS2 for a construction compound and other requirements. We accept the reality of **Policy P9a**). As for Old Park Royal, we agree with the view at CG2 of the supporting text and see this Place as a transition area between Park Royal and Old Oak. As such we consider the blanket designation of parts of the area as SIL as being inflexible and in tension with other P9 sub-policies on Public Realm and Movement (P9g) and Green Infrastructure (**Policy P9 h**).

18.3 The uses defined in London Plan Policy 2.79 on SIL appear to us to be too narrow to cover the range of employment activities for which there will be demand for floorspace in this part of London over the coming years. We do not see these limitations as being conducive to the establishment of an industrial innovation area at Channel Gate (**Policy P9c**).

18.4 As in other parts of the Plan we see **Policy P9j**) as being **not justified** in the absence of any clarity as to the parameters of *a variety of building heights*.

18.5 We support the policy of creating a permeable street network and strengthening access to Channel Gate from Atlas Road (**Policy P9g**). In the long-term local residents would wish to see Channel Gate Road shut down once HS2 no longer has requirements for this land.

18.6 **Policy EU6** on waste commits to complying with the West London Waste Plan and safeguarding the waste sites in the Channel Gate 'Place' and Powerday at Old Oak Sidings. Obviously the presence of these sites has created long-term problems of pollution from waste disposal, not always managed and controlled in accordance with legislation while it is questionable whether the Channel Gate sites, on Network Rail land, have ever been properly regulated.

Local residents strongly question the Plan's over-reliance on such sites with questionable records on waste processing and environmental legislation. Residents object to the Plan's longer-term aspiration that Powerday's site should be used as an energy-generation site in the future, especially given the far greater number of residential properties in Old Oak provided by that time. Our Forum

wishes to see more waste disposed of at source, in line with 'circular economy' models as well as London Plan policies.

Policy P10 Scrubs Lane

19.1 Scrubs Lane, along with Victoria Road, are two areas for which OPDC commissioned external consultants in 2015 to prepare detailed studies. The outcomes were published as 'direction of travel documents'. The subsequent Scrubs Lane Development Framework Principles is Supporting Study No.38 to the Reg 19 Local Plan. As such this remains an evidence base document rather than a SPD. A Scrubs Lane SPD is due to be consulted on late 2017/2018.

19.2 Meanwhile Scrubs Lane has been the focus of substantial development activity. Major residential/mixed use developments have been approved for two sites at North Kensington Gate (North and South) and at Mitre Yard (see table at 7.19 above). A third application at 2 Scrubs Lane awaits decision as at September 2017. These applications have been approved on the basis of 'emerging policy' in the Scrubs Lane Development Framework Principles Document and the emerging Reg 19 Local Plan. Draft policies in the Regulation 18 Local Plan were disregarded.

19.3 Objections to these applications, from LBHF, RBKC and local residents have included the fact that decisions are premature in advance of public consultation on either the 'Development Framework Principles Document' or the Regulation 19 Local Plan. The 'vision' and draft policies for Scrubs Lane in the Regulation 18 Plan, as a '*sensitive edge*' and '*a pleasant street, respectful of surrounding heritage assets, with a high quality public realm*' have not come to pass (see CGI image below).

19.4 As with other Place chapters, we consider the sub-paragraphs of Policy 10 to be too detailed to be appropriate for inclusion in a Local Plan. These policies are in any event being proposed after the event, reflecting planning permissions already granted. This applies especially to Policy P10b) introducing the concept of 4 'clusters' along the length of Scrubs Lane and Policy P10j) on Building Heights which allows 'a single tall building in each cluster'. The locations of these clusters reflect land holdings acquired by developers, rather than being 'plan-led'. We consider these policies to be not justified on the basis that the 'cluster' concept is an artificial one and because of lack of evidence that these locations in Scrubs Lane are any more 'active' or 'distinctive' than other parts of the street.



North Kensington Gate on left, proposed Mitre Yard scheme on right, looking south on Scrubs Lane

19.5 As the Reg 19 Plan notes (para SL.6 page 121), Scrubs Lane is *currently a key connector route*. It is also the location of the Network Rail owned private road leading to the EMR and Powerday waste sites. The HGVs accessing and egressing from this site dominate traffic conditions in Scrubs Lane, requiring traffic to be marshalled and traffic halted, with HGVs stacked in queues awaiting entry to the access road. With this stationary highly polluting traffic, a scenario likely to remain for many years until an alternative access road is built, the idea that this is suitable location for high density residential towers has been greeted with disbelief by local residents.

19.6 LBHF as Highways Authority has submitted strong objections to the series of planning applications for developments in Scrubs Lane, on the grounds that these are premature until a comprehensive new road layout, allowing for deliveries and servicing at what is destined to be a series of four approx 20 storey residential towers, has been planned and agreed between the Borough and OPDC.

19.7 **Policy P10f)ii)** proposing *a continuous and generous 5m wide footpath and 4 metre wide two way segregated cycleway with associated junction requirements* needs to be seen in this light. While we support delivery of such a cycle route, local residents have doubts of its feasibility given roadwidths and other factors. **Such a policy, with specific dimensions, is inappropriate to a Local Plan and should be left to a future SPD, Area Action Plan, or neighbourhood plan.**

19.8 The Interim Forum considers **Policy P10j)** allowing *‘a single tall building in each cluster identified in P10b* to be **not justified**). The case for tall buildings has been resisted strongly by Historic England as well as by RBKC and LBHF. The planning permissions already granted we see as incompatible with draft **policy P10i)** which commits *to conserving and enhancing St Mary’s Cemetery, Grand Union Canal, and Cumberland Park Conservation Areas*. There is now no realistic prospect of development in Scrubs Lane conserving and enhancing these areas. The question has been whether the level of harm will be significant or substantial.

19.9 **Draft Policy P10e)** has very limited justification provided in the supporting text. Paragraph SL.5 states: *To the south of the canal and east of Scrubs Lane, the regeneration of the Mitre Industrial Estate has the potential to deliver new housing alongside other uses reflecting its proximity to Little Wormwood Scrubs*. This is the sole explanation as to why this relatively small industrial estate, purpose built in the 1980s and comparatively modern, requires ‘regeneration’ or why housing use on the site should be considered when the Local Plan defends from any residential use every square metre of floorspace in outdated 1920s/30s industrial buildings in e.g. Old Park Royal. **The policy in this sub-paragraph we view as not justified.**

19.10 **Policies P10C1** for each of the four ‘clusters’ along Scrubs Lane we consider to be far too detailed for inclusion in a Local Plan and at a level of specificity more appropriate to a site planning brief or neighbourhood plan.

Policy P11 Willesden Junction

20.1 We support the views of the Harlesden Neighbourhood Forum on this ‘Place’.

Policy P12 Wormwood Scrubs

21.1 The interim forum supports **Policy P12a)** that any proposals need to be agreed with the Wormwood Scrubs Charitable Trust as well as LB Hammersmith & Fulham. Given the importance of achieving ‘sensitive’ enhancements to the Scrubs, the constitution of the trust and the question of voting right may need further review.

21.2 Detailed plans for the future of the Scrubs could benefit greatly (in our view) from being addressed via a neighbourhood plan. We do not agree with the argument made by OPDC for removal of the Scrubs (as a 'strategic site') from the boundary of the originally proposed 275 hectare Old Oak neighbourhood area. The Scrubs as MOL are not a 'strategic site' by any common definition of this term, and in any event NPPG 036 allows for inclusion within a neighbourhood area of sites designated as 'strategic'. Following removal of the Scrubs from the proposed Old Oak neighbourhood area, consultation with the Friends of Wormwood Scrubs will become even more essential.

21.3 Local residents are the people who observe use of the Scrubs day by day, including the passage and desire lines of pedestrians and cyclists. To seek to curtail involvement of the local community in plans for its future has been a very unhelpful decision by OPDC.

21.4 The eastern side of the Scrubs, along Old Oak Common Lane, is not well used because of problems of litter, anti-social behaviour, and is currently a threatening environment for the public. Enhancements need to be accompanied by much more effective management.

Chapter 5 Design

22.1 We support the view of the Grand Union Alliance that **Policy D1 is not effective** and needs further strengthening to ensure the achievement of high quality liveable and sustainable Lifetime Neighbourhoods. In particular D1iii) should refer to engagement with local people, via neighbourhood forums in the area and other means, as early as possible in the design process⁹. We have suggested above that the OPDC Place Review Group (referred to in **D5ii**) should include one or more representative of a local amenity body or residents association.

22.2 **Policy D5 is not effective**, as its content, the justificatory document (and indeed the whole Local Plan document) gives no definitions of what will constitute 'tall' or 'taller' buildings under this Policy. We consider **sub-policies D5c)ii) and D5c)iii) to be not justified**. Arguments that tall buildings provide 'legibility' and 'identity' to areas are routinely used by developers, and endorsed by Design Review Panels (including the OPDC Place Review Group) and by planning officers as justifications for tall buildings. The value of tall buildings for 'legibility' is much diminished in an era when the majority of the population carry GPS maps on their phones. The value of tall buildings as creating 'identity' has become increasingly meaningless when local areas experience a surfeit of 'landmark' and 'gateway' buildings as already being experienced in the OPDC area.

Chapter 6 Environment and Utilities

23.1 On Policy EU1 on Open Space we question whether **EU1d)** will prove **effective**, given the difficulties of ensuring that private open space intended for public access will retain such a status over time. While the planning system can impose conditions on new developments at the time of granting permission, it is much harder to ensure that these requirements are maintained over time.

23.2 On Policy EU3 on Water, we support the comments of RB Kensington and Chelsea on the problems of overloading of the Counters Creek sewer. RBKC notes that *reference to the acute lack of capacity in the Counters Creek sewer has disappeared from the draft policy included for Regulation 18 Local Plan*. Local residents have been very aware of the issues around in the years since instances of surface flooding in Kensington.

23.3 RBKC points out that the Integrated Water Management Strategy *needs amending to make clear that the Counters Creek sewer is already in place. The project that Thames Water is currently developing is the Counters Creek Storm Relief Sewer so the reference should be corrected*. This does

⁹ As recommended in the LGA/PAS Pre-Application Suite June 2014

not inspire confidence in the Strategy. As we understand, there is no guarantee as yet that the Storm Relief Sewer project will be confirmed within the TWA capital programme and fully implemented. This is one of many reasons why we consider the 24,000 new homes target to be inadequately evidenced and not justified.

23.4 On **Policy EU4** on Air Quality, the supporting text recognises that the OPDC area experiences significant air pollution. This is a huge and growing concern for local residents as the links with health problems become ever more apparent. We suggest that an additional **policy EU4i** is added, ensuring that planning permissions for major developments are conditioned to require the use of low pollution construction vehicles.

Chapter 7 Transport

24.1 The Regulation 18 Plan acknowledged that that the starting point for OPDC transport policies *was a congested strategic and local road network, limited access to public transport services and poor pedestrian and cycle environments* (page 252). The Regulation 19 version gives no similar recognition to the fact that 24,500 homes and 55,000 jobs are expected to be implanted in an area of London where the road and public transport networks are already under great pressure. There are no policies in this section of the Regulation 19 Local Plan which give local people any hope of radical measures to improve this situation or to cope with the impact of major growth.

24.2 **Policies T1-T9** are unexceptional but do not add up to what local residents would see as a viable long-term transport outcome for the Old Oak area.

24.3 **Policy T5 on Rail** offers no clarity on where stations are proposed, this being left to the Place chapters. As a result, it ignores the scope for improvements to the rail network outside the OPDC boundary. Reference should be added to the proposed Crossrail/Elizabeth Line station at Kensal Canalside, now back on the agenda and strongly supported by RBKC. An additional Overground Station at Westway Circus, as proposed in the St Quintin and Woodlands Neighbourhood Plan and in the RBKC Regulation 19 Draft Local Plan, is a further important potential improvement to the local rail network which the OPDC Local Plan should recognise in **Policy T5**.

Chapter 8 Housing

25.1 The views of the Interim Forum on **Policy H1 Housing Supply** have been covered in paragraphs 5 and 6 of this response. We consider policy **H1 to be not justified**, nor **positively prepared** because of the lack of solid evidence base for the 22,350 new homes figure to be delivered during the plan period. **Sub-policy H1f** on marketing of homes to a London audience we see as not **effective** as the supporting text at 8.13 does not explain how policy this would be achieved in practice.

25.2 On Affordable Housing, we note that **Strategic Policy SP4** sets an overall target of 50% affordable housing and **Policy H2** adopts the threshold approach to viability as set out in the Mayor of London's Affordable Housing and Viability SPG. We do not consider **Policy H2** to be **effective** in that it sets an unrealistic target of 50% affordable homes when it is clear that infrastructure costs of opening up sites in Old Oak will absorb large proportions of S106 and CIL resources.

25.3 Evidence to date of permissions granted by the OPDC, coupled with **Policy H2a**) committing to follow Mayoral guidance, suggests that developers will increasingly pursue affordable housing offers of 35% of units within a development, at 20% discounted market rent (i.e. 80% of market rent).

25.4 As we understand, the OPDC SHMA (Supporting Statement No.43) forecasts a level of need for affordable housing at Affordable London Rent of which only a third would be met with a scenario of 35% affordable housing delivered, under the 30/70 split between types of affordable units in Policy HS2c).

25.5 On Policy H3 on Housing Mix, we consider this to be **not justified**. Unless a higher target than 25% is set for family homes, Old Oak will not become a sustainable and successful part of London. As evidenced by planning applications to date in Scrubs Lane, the development market continues to prioritise 1 and 2 bed units. The SHMA and supporting text 8.32 of this policy suggest a need for a target for 51% for family sized affordable housing and 64% family sized market housing.

25.6 On **Policy H10** on Student Housing, we consider this to be **not justified**. This response has already commented on the harmful impact of an excessive concentration of student housing at North Acton (paragraph 16). We support the detailed case in the response made by the Grand Union Alliance, for Policy H10 to be enhanced and strengthened.⁵

26.7 The Housing policies in the Plan do not appear to include one for self-build and custom-build. In a part of London with much land in public ownership, and with uncertainties over whether planned phasing of market housing will take place as hoped, it would seem important that the Plan establishes a clear approach to the identification of suitable sites for self-build and custom-build. An army of construction workers will be working in the area for decades. Opportunities for self-build may relieve some of the pressures on privately rented and HMO accommodation in the residential areas in and around Old Oak, as well as the demands on the local transport network.

26.8 The Plan's **Policy H7** paragraph 8.6.3. which does not sufficiently recognise the social and health and safety problems that unlicensed HMOs are already causing in enclaves like the railway cottages, Wells House Road and the Wesley Estate. In addition, these trends are harming local amenity (heavier use and damage to pavements and unadopted roads from multiple vehicles). It is also known that Old Oak's local authorities are struggling to complete licensing and enforcement measures against rogue HMOs given the high number of these properties in the development zone.

We wish to see additional policies, under **Policy H7**, that require the OPDC and local boroughs to draw up more robust frameworks to licence and monitor HMOs including related codes of practice for both landlords and tenants, building them into planning approvals. In addition, we require the OPDC and London boroughs to examine a more robust framework for enforcement measures against rogue HMO landlords or antisocial tenants.

Chapter 9 Employment

25.1 As set out above we consider **Policy E1 to be unsound, not justified nor positively prepared**. It is overly prescriptive in relation to the exclusion of any mixed development on SIL land, even where developments come forward which would maintain existing levels of employment floorspace. It is unsuited to the transition area between Old Oak South and Park Royal West, and fails to reflect changing patterns of work and home.

25.2 We strongly support the provision of **Work Live Units (Policy E4)** and see this as having a close relationship with **Policy TCC9 on Meanwhile Uses**. The current draft policy E4 is over-cautious in requiring any such developments to be outside of SIL (**Policy E4b**). Given the scale of development planned at Old Oak, and the huge uncertainties of the commercial and housing markets in London in a post Brexit era, the scope for meanwhile uses is likely to be extensive. Such uses may prove to be much longer-term than anticipated. **Policy TCC9** should be applied positively, with recognition that

impact of deliverability of Site Allocations (TCC9iii) should not be used by landowners/developers as an excuse to leave buildings vacant and unused for long periods

25.3 Policy constraints set in a Local Plan may well prove a serious hindrance to meeting the short/medium term housing needs of a large army of construction workers on the HS2/Crossrail interchange. Unless there are flexible means of providing relatively low-cost housing in the local area, the growing pressure on existing residential areas via HMOs and private rented housing at the bottom end of the rental scale will become overwhelming. Traffic congestion in the area will worsen.

Chapter 10 Town Centres and Community Uses

26.1. While we support the aims of this chapter, its realism and hence soundness must be questionable in terms of **justification** and **effectiveness**.

26.2 **Policy TCC2** on Vibrancy appears aspirational, with no evidence to date that ground floors can be activated at North Acton despite a cluster of very high density buildings. Policy TCC2 c) seems to be missing a 'not'. We support TCC2d) setting conditions for the location of hot food takeaways.

26.3 **Policy TCC3** seeks to protect A class uses, and A1 retail to remain *predominant* in *primary shopping areas*. The Plan acknowledges that the boundaries of such areas in places such as Old Oak High Street and Atlas Roundabout are not as yet defined. Seeking to protect A1 and resist other A and D class uses can easily prove counter-productive and lead to multiple vacant units in a single small shopping parade. This has been the experience in nearby North Pole Road W10. The StQW Neighbourhood Plan has introduced a more flexible policy on uses in three shopping parades to the immediate south-east of the OPDC area.

26.4 **Policy TCC4** is supported, albeit that the reality remains that competing demands for S106 and CIL resources, resulting from the very high infrastructure demands at Old Oak, look likely to constrain the provision of adequate social infrastructure commensurate with 24,500 new homes. This is a major concern of local people,

26.5 On **Policy TCC5** we support the evidence and views of ACAVA, that retention of artists and makers in the area is important and for this to happen this policy and those on small businesses will need to be strengthened to ensure that a supply of affordable workspace is provided at Old Oak North and in Scrubs Lane.

26.6 On **TCC8 on Catalyst Uses**, the Interim Forum has stated its view, in its response to the Regulation 18 Local Plan, that a major sport stadium is not seen as an appropriate catalyst use at Old Oak. The station interchange at Old Oak South should suffice as a means of bringing people into the area. Whether they choose to stay, to work, shop, or for leisure activities, will depend on the quality of the final development

Chapter 11 Delivery and Implementation

27.1 We have major concerns over **Policy DI1** and its reference to 'appropriately balancing the priorities for affordable housing, infrastructure delivery and sustainability standards with the need for deliverability and securing the timely regeneration of the area. We consider this policy to be **not justified**. This policy opens up the Corporation to pressure from speculative developers to push applications through the system, with 'timely' schemes prioritised in a way that is given excessive weight in decision-making. We believe that this has already happened with the applications at Oaklands and along Scrubs Lane.

27.2 The results will distort any properly balanced programme of phased development in which social and community infrastructure is built provided in time to serve the needs of incoming residents. Additional pressures will then be placed on local health services and GP practices, already overstretched. The Corporation will be reacting to developers interested in pursuing whatever forms of development are proving most profitable at any one time, with 'timeliness' outweighing other considerations of long-term sustainability.

27.3 **Policy D1b)4** covers the Corporation's role in working on commercial opportunities for private sector operators (e.g. ESCOS) or public authorities to deliver infrastructure. We suggest that this policy has additional wording *where private sector operators are involved in infrastructure on which the public will rely (e.g. energy services, communal heating systems) planning approvals will ensure that future management arrangements have adequate public oversight.*

27.4 **Policy D12** on Timely Delivery and Optimised Phasing, with **D12a** setting the Corporation on a course of *ensuring development proposals are being brought forward as fast as possible*, is a further hostage to aggressive speculative development. Development proposals need to be assessed on their merits for the long-term, without excessive priority being given to early implementation. OPDC targets for affordable housing and for 30% open space will otherwise be lost on the way.

27.5 As noted above, for transparency purposes **Table 1 (Page 265)** should include information on the size of each housing site, the anticipated density consequent on the housing target shown, and the anticipated range of building heights.

Stakeholder Engagement and being a Proactive Planning Authority

27.6 On **Policy D13 on Stakeholder Engagement**, this policy is not **effective**. The OPDC has now been operating for two and a half years. Engagement of local people on the Regulation 18 Local Plan was genuinely participative, albeit that venues chosen for workshop sessions were off-putting to the general public and those attending were largely limited to a core of local residents associations. By contrast, public sessions held on the Regulation 19 Plan took the form of 50 minute officer presentations with minimal time for Q&A and little by way of dialogue.

27.7. The OPDC Statement of Community Involvement (referred to in **Policy D13b**) is weak on pre-application engagement compared with other London Boroughs (e.g. Camden). There is no commitment by the Corporation to convening development management meetings with applicants, planning officers, and community representatives round the table at an early stage in the pre-app process. On the few occasions when OPDC has convened a pre-app discussion, this has been at a very late stage in the process and has provided no more input from the public than a standard developer presentation. The SCI refers at 3.12 to *planning forums* which should be *chaired by an independent facilitator* and used to *improve schemes* (a model used in e.g. Hammersmith and Fulham). No such events have yet taken place despite several major applications being determined by the OPDC Planning Committee. We see **Policy D13b** as not being **effective**.

27.8 The OPDC SCI at 3.4 encourages applicants to consult locally while saying *However, it is recognised that pre-application consultation and engagement are not a statutory requirement and OPDC would not be able to refuse planning permission because of inadequate pre-application consultation*. A LPA can be more proactive in ensuring effective pre-application discussion, involving local councillors and neighbourhood forums as recommended in the LGA/PAS Pre Application Suite referred to above.

27.9 **Policy DI3c**) commits OPDC to supporting Neighbourhood Forums in the development of neighbourhood plans. Given that this is a statutory requirement on a LPA, a policy to this effect is not needed. A policy statement of the OPDC's approach to neighbourhood planning would be more relevant at this point in the document. The Local Plan at paragraph 3.41 states *Neighbourhood planning can play a key role in helping to inform the character of these neighbourhoods (see Policy DI3)*. Were this statement to be used at DI3c it is hard to see how it could be deemed 'effective'. When given the opportunity to designate a neighbourhood area covering all the 'Places' in the Old Oak part of the OPDC area, the Corporation has chosen to remove from the boundary 89% of the area proposed.

27.10 **Policy DI3** commits OPDC to *proactively engage with stakeholders*. It is not clear from this whether OPDC sees local residents and businesses as *stakeholders*. Experience in 2016/7 has been that community engagement by OPDC has lacked some of the basics such as a regular newsletter emailed to those who have signed up to receive information. Given the scale of impact of decisions being made by OPDC, HS2, Network Rail, Government departments and others, a regular flow of information is an essential prerequisite of the *active participation* sought in **Policy DI3**. As yet there is no evidence that this policy will be **effective**.

**Old Oak Interim Neighbourhood Forum
September 2017.**

Contact the Forum chair Mark Walker at: markjonathanwalker@gmail.com