

London Borough of Hammersmith and Fulham

**Response to the
Old Oak and Park Royal Development Corporation (OPDC)
Local Plan Main Modifications Consultation**

July 2021

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OPDC Main Modifications Consultation – LBHF Response

London Borough of Hammersmith and Fulham Council (LBHF) welcomes the opportunity to comment on the proposed main modifications to the draft Old Oak and Park Royal Development Corporation (OPDC) Local Plan.

LBHF is the largest Local Authority stakeholder in the OPDC by land area, and therefore have considerable interest in the adoption of a sound and effective plan that delivers a high quality of place that works for businesses, and residents both current and future.

LBHF has engaged throughout preparation of OPDC's draft Local Plan, including making representations to the version of the Plan submitted to the Secretary of State in October 2018. In these previous representations, LBHF was broadly supportive of the Plan but raised particular objection to building heights, densities, and massing along Scrubs Lane; the low provision of affordable housing; the failure to adequately address health and air quality issues; and practical implementation concerns regarding matters such as the adoption and maintenance of infrastructure. These representations also raised issue with the deliverability of the Plan through the proposed phasing of infrastructure and the inability to generate sufficient funds from CIL/S106 contributions.

The deletion of the strategically important allocation of Old Oak North, and OPDC's consequential attempt at a much-revised spatial strategy in response, have unfortunately not overcome these objections, rather they have only sought to make them more obvious and their unacceptability more apparent.

Further, new issues of concern have arisen that necessitate new objections from LBHF. These are primarily associated with ensuring the Plan is capable of delivering a coherent new neighbourhood for Old Oak North and Scrubs Lane that successfully integrates and respects the surrounding context, achieves a high quality sense of 'place' for new and existing residents and businesses, and circumvents predicted issues that are likely to arise. In summary, our representations relate to:

- The proposed site allocations on Scrubs Lane and their suitability for tall buildings, the potential impacts on the neighbouring conservation and nature conservation sites including St Mary's Cemetery, Grand Union Canal, Wormwood Scrubs, and phasing issues relating to land ownership and relocation of existing occupiers in this area;
- Land use proposals at Old Oak North and the inclusion of a less permeable road network through this area than was proposed as part of the previous (Submission) Plan. In particular, there are significant concerns relating to east-west connectivity throughout the area, especially between Scrubs Lane, HS2, and the proposed Old Oak town centre;
- Proposals at the North Pole East allocation in terms of building heights and the relationship with the site's surrounding context of Wormwood Scrubs, Little Wormwood Scrubs and St Mary's Cemetery. Additionally we question whether

the phasing (0-5 years) is realistic given landownership and relocation of existing tenants to the SIL within OPDC;

- Amendments to the HS2 Old Oak Station site and the justification for increased housing;
- Proposed infrastructure changes, including the proposed linkages with Hammersmith and Fulham and the strategic infrastructure to deliver net zero development (e.g. a local decarbonised energy network); and
- Proposed modifications in terms of amenity, and how these will deliver a coherent community whilst introducing industrial uses alongside new homes.

Additionally, we also raise concerns with the evidence base used to inform the revised strategy, development capacities, and policy approach. LBHF had highlighted the errors or shortcomings of the various studies with OPDC prior to the main modifications being published. Disappointingly, LBHF note that none of these studies were subsequently amended to take account of our concerns. As a consequence, we have had to reiterate these again in these representations and draw attention to the potential implications of such in respect of the deliverability and effectiveness of the plan.

There are of course parts of the proposed Plan that LBHF supports. In particular, the protection afforded to Wormwood Scrubs, the advocating of healthy streets, the drive to low and zero carbon sustainable development, and the ambitious targets for the future economic development of the area. In respect of these elements, LBHF offers further amendments which we consider would improve the deliverability and effectiveness of these key policy objectives.

Finally, although LBHF has been engaged by OPDC on the preparation of the revised spatial strategy and some of the supporting evidence through the duty to cooperate, we are concerned that local community groups within Hammersmith and Fulham have not been offered the same opportunity. Much new and additional work has been undertaken by OPDC in the intervening two years since the Examination was suspended. Such work, and the consequential changes to the draft plan, should have involved significant community engagement. As such, it is understandable that many local groups and stakeholders will feel aggrieved that such significant post-submission changes can be made to the Plan in the absence of further informal consultation. LBHF therefore supports the concerns raised by residents' groups and the neighbourhood forums on this matter.

The Council would like to be invited to participate in any further hearing sessions should the Inspector consider that these are necessary.

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Modified Supporting Studies

DEVELOPMENT CAPACITY STUDY UPDATE (2021)

General – Sites have been identified in this study and the Local Plan for delivery within 0-5 years. It is our concern that whilst this could be achievable in most cases based on the deliverability criteria, the delivery of infrastructure is not programmed to meet the needs of incoming residents in these periods. For an opportunity area like this one which doesn't have existing infrastructure it is vital that social infrastructure and amenities are available in the earlier delivery periods. We have raised this with OPDC officers and had sought commentary to be added to the Capacity Study regarding the infrastructure phasing and how this has been factored into the site deliverability decision making. Such an update has not happened. As such LBHF remain concerned that the necessary infrastructure needed to support new residents will significantly lag development completions, putting significant strain on the social infrastructure in surrounding areas.

Para 3.11 – While we do not disagree with the methodology to use permitted schemes in the area as a precedent for housing density, it must be acknowledged that such schemes were granted when the draft vision for the area was fundamentally different to the modifications under scrutiny in this consultation. Such schemes were assessed based on the former 2018 Old Oak and Park Royal Framework together with the 2015 London Plan. However, that previous vision, objectives and capacity analysis for the area has been found 'unsound' through the examination of the submitted 2018 draft Plan. On that basis, we requested OPDC amend the study to either remove the use of permitted schemes in the area to help set density parameters or, apply some sensitivity analysis to establish capacities and densities in the area that are more appropriate to the revised vision. Unfortunately, again, such amendment and analysis were not undertaken. LBHF therefore remain extremely concerned that the indicative capacities for the site allocations in Scrubs Lane are being predicated upon and justified by schemes granted by ODPC on the premise of a subsequently 'unsound' spatial framework for the area. It is our firm view that the existing granted schemes on Scrubs Lane, that are extremely high density, should not be a precedent for future development in these more sensitive locations.

Para 3.13 – We welcome the text here to suggest that the ranges are not pre-determined for development management purposes, however they do form indicative ranges in this study and the Local Plan modification, which will inevitably be interpreted as minimum capacity figures to be exceeded by developers.

Section 6 – We would query why the residential capacities are so low for these two sites (Site 59 - Park Royal Road & 60 Park Royal Road).

INDUSTRIAL LAND REVIEW ADDENDUM (2021)

General – The study does not revisit the original assessment of SIL boundaries and therein sites for retention/de-designation despite the acknowledgement of the significant change in context with the removal of Site Allocations 2 & 3 from the draft Local Plan. The Scrubs Lane sites are therefore not considered in the assessment of the priority areas at Section 4 and there is no comparison of provided of the Scrubs Lane sites and those shown on Figure 4. In particular, there is no assessment against the revised criteria (Table 3) or view provided in the study to enable a determination as to whether it would be more appropriate to de-designate all of School Road, and North and South of Chandos Road over de-designation of the Scrubs Lane sites, especially given the further changing context of residential development capacity coming forward at sites 3- 8 in Figure 3 and Table 1. This is a major shortcoming.

Para 2.8 – acknowledges the need for relocation of operational uses within Cargiant’s Scrubs Lane sites to Old Oak North. This should have been picked up and addressed in the **Old Oak North Intensification Study**. In particular, this should ensure the displaced industrial floorspace from Scrubs Lane is included in the base position and netted off from any calculation of net industrial floorspace gain to be achieved through the intensification of Old Oak North.

Para 2.9 – this downplays the fact that the acceptability of Scrubs Lane for high density residential use was also contingent on the **HIF funding** package and regeneration of Old Oak North, with respect to the new transport infrastructure and amenities as described at para 2.4 that were to serve the area as a whole. In the absence of such strategic infrastructure investment, LBHF has concerns whether Scrubs Lane can support the quantum of residential development previously proposed let alone the even higher residential numbers now being advanced. In this context, it is very difficult to see how the distinction made to the ERM site (at paras 2.15 – 2.17) does not apply to Scrubs Lane or is not seen to adversely impact the proposal for Scrubs Lane (namely the ability to deliver high quality place-making, strategic sustainable connections, supporting social infrastructure and amenity requirements for the area)?

Figure 2 – LBHF would query why all of the land on Scrubs Lane is currently allocated SIL but this figure only shows three parcels of land to be de-designated.

Para 4.16 – As per LBHF comments to the updated **Development Capacity Study**, we again query why the residential capacities are so low for these two sites (West Park Royal Road & East Park Royal Road).

Para 5.5 – the last sentence needs to be clarified so that is explicit in that the sites proposed for de-designation from SIL will result in a loss of c. 294,168 sqm of industrial floorspace, and that the equivalent amount of industrial floorspace (294,168sqm) needs to be provided for through industrial intensification to reach a ‘no-net loss’ position.

Para 5.7 & Table 8 – the figure provided for the Old Oak North sites is the gross floorspace figure. The net uplift in floorspace as derived from the **Old Oak North Intensification Study** was c.105,000sqm. Is it correct to assume the other figures quoted in Table 8 are also gross and not net uplift? Getting this correct is crucial to understanding the policy position with respect to the additional floorspace to be delivered through industrial intensification and, therein, for the employment numbers, assumed industrial densities & typologies, as well as physical and social infrastructure requirements to support existing and proposed growth.

Table 9 – suggests the figures provided are ‘additional floorspace’. Having regard to the comment above and the findings of the **Old Oak North Intensification study**, LBHF assert that this is not ‘additional’ floorspace but rather these are gross floorspace figures.

Para 5.10 & Table 10 – the report needs to clarify that the revised industrial baseline calculation at para 5.5 included the loss of all industrial floorspace from de-designated SIL sites to avoid any ‘double counting’ of new industrial floorspace that may come forward on these sites to ensure this can be considered as ‘net’ additional industrial floorspace.

Para 5.12 and Tables 11 & 12 – the net uplift figures need correcting with respect to the net uplift floorspace figure provided for the intensification of industrial floorspace within SIL (see comment above re Para 5.7 and Table 8).

Appendix A – School Road – in the section of the assessment on ‘improved PTAL levels’ it highlights proximity to North Acton Station but does not mention it’s close proximity to Old Oak North station and HS2. The existing PTAL is already high but will be significantly improved in the future. The same comment applies for the assessments of North of Chandos Road and South of Chandos Road that again will benefit significantly from an uplift in PTAL as a result of the new Crossrail & HS2 stations.

OLD OAK INTENSIFICATION STUDY (2021)

General – LBHF query why the Intensification Study was limited just to Old Oak North? LBHF understood that intensification of the industrial use in Old Oak North was in part tied to the relocation/displacement of the industrial uses from Scrubs Lane and its release from SIL? The study makes no mention of the uplift in floorspace being required to accommodate displaced industrial

uses. This is critical as it should have also informed the typologies work, ensuring displaced industrial uses from Scrubs Lane can afford and operate in the intensified floorspace to be delivered at Old Oak North.

General – it is unclear what the catalyst is for intensification of the industrial land? Old Oak Common has been in industrial use for decades. There has been no policy restriction on intensification, but land use density has changed little. There does not appear in this study or in the proposed main modifications to the draft Plan any indication of how realistic and deliverable industrial intensification of Old Oak North is and, therein, how achievable it will be to deliver the proposed net increase in industrial floorspace and resulting jobs. LBHF is concerned that this is a significant shortcoming of the Study and the draft Plan that goes to the heart of soundness.

Para 1.3 – “... OPDC’s proposed modification to re-instate SIL designations ...” should this not say ‘retain’ rather than ‘re-instate’ as the existing SIL designation applying to Old Oak North have never formally be removed.

Para 2.2 – Update is needed to acknowledge that B1c is now E use class. New Use Class E and SIL protection: LBHF would welcome the opportunity to discuss how this may impact on industrial capacity in the OPDC and wider area. This needs to be flagged up in the Modifications under Risk to Delivery of the Plan.

Paras 3.6 & 3.7 – This appears not to have regard to the residential development proposed for Scrubs Lane in respect of ‘sensitive residential uses’. LBHF suggest clarification and further justification on this point is necessary.

Figure 4 – acknowledges that the Grand Union Canal is a defining feature that should be enhanced. However, it is **unclear how intensification of industrial use would achieve this opportunity** noting that current uses, which are proposed to be retained, have been adjacent to this feature since they established and have not sought to address or enhance the Canal to date. Regeneration elsewhere along the canalside has required a change in use (mixed-use) to facilitate a structural change on the ground. This is not the proposed approach through the revised draft Local Plan, so how exactly will this be facilitated.

Figure 4 – highlights the limited existing road connections and the increased levels of traffic movement, which strongly suggest the need for a transport assessment of the proposals.

Figure 5 – it is disappointing that none of the placemaking examples are of **industrial intensification**, rather most show a diversification away from industrial use

Figure 6 – it is unclear what is meant by “Ensure future local character is informed by the area’s existing heritage including the railways, Grand Union Canal and industrial heritage”

Para 5.3 –the proposal here is not to intensify just a single industrial site or plot but rather 22ha of land in industrial use. Therefore, having regard to the NPPG statement, the study needs to draw on examples of large industrial area intensification rather than just one-off development schemes.

Para 5.4 – where is the ‘feasibility’ and ‘deliverability’ of what’s being proposed addressed in the methodology? Noting the comment above to Para 5.3, the typology derived plot ratios and development capacity needs to be based on precedents of area wide industrial intensification not one-off intensification of a solitary industrial site, otherwise, as already stressed at para 5.10, this is very much a hypothetical exercise, which again highlights the need for feasibility and deliverability assessment. How is it proposed to maintain the operation of existing industrial uses within the SIL during the intensification of sites? Will intensification lead to displacement of some existing uses? If so, is a relocation strategy required? Can the existing uses operate in 5+ storey intensively used industrial buildings?

Para 5.11 & Table 4 – mention is made throughout to the intention of Cargiant to intensify, but have any of the landowners confirmed they want/can deliver/occupy the uplift of 105,000sqm?

SCRUBS LANE DEVELOPMENT FRAMEWORK PRINCIPLES UPDATE (2021)

Revisions to the scrubs lane development framework are acknowledged by LBHF. However, there are two key areas of concern relating to the updated vision and principles for the Hythe Road cluster.

Improved local connectivity - identifying this area and particularly the Hythe Road/Scrubs Lane junction as an area for improved local connectivity as an ‘all mode route’, appears a well-founded principle overall. Given the constraints of the existing junction, in-terms of site levels and existing railway infrastructure; significant safeguarding and set-backs of development would be required to achieve this desire. The supporting principles or development and framework plan for this area require strengthening to achieve these desires. Safeguarding of land to achieve these desires should be incorporated as a principle within this study.

Creation of a tall building cluster – Through the Development Management process, LBHF have raised objections to the scale of new tall buildings within Scrubs Lane and the intensification of the Hythe Road cluster, bringing forward a tall building both north and south of Hythe Road to a similar scale appears poorly founded and could limit opportunities to improve the pedestrian experience within this area. Views 1 and 5 within the updated study, illustrate moderate to major townscape impacts, resulting

from this approach; alongside significant impacts upon the Cumberland Park Factory Conservation Area; as such LBHF would recommend review of this approach.

SOCIAL INFRASTRUCTURE NEEDS STUDY UPDATE (2021)

LBHF are pleased to see that changes that were suggested have been incorporated, removing the need for a new secondary school and reducing the size and delaying the proposed primary from 4 to 3 forms of entry and pushing it back to 2031. This will also serve pupils from neighbouring boroughs, and if the plans progress as proposed it is considered sensible for that time line.

Given the sensitivity around projections for primary school places and nursery places (ie. shorter lead in time for projections given the age of the children) it is very difficult to accurately predict need. On this basis there must be flexibility within the infrastructure delivery to address population changes that would result in increased need. With this in mind thorough monitoring and regular co-operation between the planning authorities on this matter will be very important.

TALL BUILDINGS STATEMENT UPDATE (2021)

Section 2.8 – Defining a tall building

Setting a definition of 15 storeys or 48 metres above ground level to define tall buildings is considered problematic and does not recognise that across the plan area, there are a distinct range of sites proposed for development. This approach is identified by the variation between the range of shoulder heights set-out in the other OPDC Local Plan supporting studies recommendations and tall building precedents.

LBHF recommend using the lower level of shoulder heights within the range suggested within section 2.8 to establish the definition of tall buildings across the plan area. In this regard using a benchmark of 8 storeys, (25.6 metres) as an appropriate shoulder height; and applying the suggested uplift of 3 additional storeys; would define a tall building as either 11 storeys or 35.2 metres above ground level.

This would enable additional scrutiny of tall buildings across the plan area in terms of design, heritage, environmental and townscape implications.

Without such an amendment many of the sites identified through the place-based chapters of the draft Local Plan may fall outside of this additional scrutiny; and reliance upon the provisions of policies D3, D4, D5 and D6 appear poorly weighted to require developers to consider these additional impacts throughout the Development Management process.

INFRASTRUCTURE DELIVERY PLAN (2021)

It is concerning that tables 4.1-4.6 in the IDP for bus and rail infrastructure, road infrastructure, pedestrian and cycle connections, utilities projects, green infrastructure/open space and social infrastructure state that funding is “not committed”. By virtue of funding being “not committed” there is no assurance that these vital projects are deliverable and thus render the Plan ineffective. More detail is required on where, how and when this funding will come forward. Additionally, there is no detail explaining funding has been affected by the COVID-19 pandemic and what adjustments (if any) have been made to factor in the associated economic downturn.

There is an ongoing feasibility study for a new rail link between Brent Cross and Hounslow via Old Oak. However, Chapter 11 of the OPDC Local Plan nor the IDP makes no mention of the West London Orbital Line which is likely to unlock significant growth in the area. If this project were to get the green light, it could have implications for the phasing of development in the area, as well as significant funding implications. This project must be acknowledged and accounted for in the IDP.

BUS STRATEGY (2021)

The revised Bus Strategy (2021) dismisses further bus routes that would have improved connections to the rest of Hammersmith and Fulham including an extension of route 72 to Old Oak Common Station which was considered to be a low cost option in previous studies. Whilst the extension of the 220 route is welcomed this will be longer for passengers. Is there potential to incorporate the extension of the 72 route during a later phase of development? Could more be done to improve connections to Shepherd’s Bush over the plan period that would facilitate local trips and compliment walking and cycling provision?

Old Oak North was removed from the OPDC’s delivery plan as a result of comments made in the inspectors report on the OPDC’s latest Local Plan submission. Old Oak North represents the majority of infrastructure and housing that was previously planned within Hammersmith and Fulham. Since the removal of Old Oak North from the OPDC’s plans, the OPDC have suggested that infrastructure priorities will be revised and focus shifted to the ‘Western Lands’. Western Lands refers to the OPDC’s intention of intensifying the delivery of housing in Ealing and Brent.

The OPDC have not published an updated strategic Transport Strategy for at least 5 years, which would inform supplementary documents such as the recently published Delivery Plan (2021) and the Bus Strategy Update (2021). The Highway Authority have significant reservations over the validity of the OPDC’s Transport Strategy, strategic planning and funding of infrastructure.

CHANNEL GATE DEVELOPMENT FRAMEWORK PRINCIPLES (2021)
<p>The Channel Gate site lies outside of the Hammersmith and Fulham Borough Boundary, but the framework principles established in this document are important for the rest of the OPDC area. It is one of several newly identified sites within the OPDC Local Plan modifications charged with delivering a mix of residential, commercial and community uses.</p> <p>We welcome and support the connections proposed between this site, the Grand Union canal and the HS2 station complex, however, the Channel Gate site amenities will likely remain detached from similar site allocations along Scrubs Lane. Whilst each will form neighbourhoods in their own right, the opportunity for shared amenities and open space is unfortunately lost in this new vision. The implications of such are a reduced sense of place and duplication of amenities and infrastructure at a higher cost which hasn't been fully accounted for in the Infrastructure delivery plan.</p> <p>We understand that the Channel Gate site remains in multiple landownerships with no guarantee that the land parcels will come forward for development during the plan period. We are aware of the work the OPDC is doing with the landowners to pave the way for release of the various land parcels, but this still leaves question marks over whether this site can be delivered as alluded to in the Local Plan.</p>

Local Plan Modifications			
Modification Ref(s)	Comments	Suggested Changes	Reason (Effective/ Justified /Legal)
Chapter 1: Introduction			
No comments.			
Chapter 2: Spatial Vision			
MM/PS2/OP DC/SV/6	Dispute naming new station at Old Oak Common Lane as 'potential'. This has been identified as 'Desirable' in the IDP, yet it is unclear how development around this 'desired' station can be described as 'transit orientated' if no station is guaranteed. Land for the station has also been safeguarded under Policies P7 and	.. other potential-rail stations to be delivered outside the plan period, or earlier where this is possible ...	

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	<p>P7C2, and para 4.121 where it is acknowledged that the station is necessary for London’s strategic transport needs. In order to fully support the development of the OPDC area, and support London’s wider growth potential, OPDC must commit to this station and its delivery outside of the plan period, or earlier if possible.</p> <p>Where delivery is possible, this could be achieved successfully though an area Development Plan Document (DPD) or Supplementary Planning Document (SPD).</p>		
Chapter 3: Strategic Policies			
MINOR/2/SP 2/11	The addition of the principle of environmental net gain and mention of the government’s 25 Year Environment Plan is supported.		
MM2/PS/Q3b	The removal of SP3(d), which required a Health Impact Assessment (HIA) for major development proposals, from the policy is not supported. It is considered that the removal of this requirement and reinsertion into paragraph 3.19 is not justified and significantly reduces the effectiveness of policy SP3, and the health and wellbeing safeguards within the plan.	LBHF request that the requirement for HIAs for major development proposals is retained within policy SP3.	Justified
MM/PS2/OP DC/SP/8	Spelling mistake/typographical error.	[...] and that at least 13,670 new th omes are deliverable within the London Plan 0-10 year period (2019-29)	
MM/PS2/OP DC/SP/10	Identification of Old Oak North as Strategic Industrial Land (SIL) in policy SP5 as outlined elsewhere in the modified plan is supported.		
MM/PS2/OP DC/SP/18	Object to the insertion of “and in particular Old Oak” to paragraph 3.39. Old Oak is no longer considered possible as a new cultural centre by LBHF while significant portions of Old Oak North remain SIL.	Request the removal of “and in particular Old Oak” from paragraph 3.39.	Effective

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MM/PS2/OPDC/SP/38	The updating of the site capacity tables is welcomed and supported.		
Chapter 4: Places			
MINOR/2/P7C2/7	Policy P7C2 d): Provide increased certainty for a new station at Old Oak Common Lane by committing to a new station to be delivered outside of the plan period.	... a potential new Old Oak Common Lane Station to be delivered outside of the plan period, or earlier if possible.	Effective
MM/PS2/OPDC/P3/13	Please refer to our comments on modifications MM/PS2/OPDC/EU1/1 & MM/PS2/OPDC/EU1/2. The proposal to locate a second park at Channel Gate is supported.		
MM/PS2/OPDC/P7C2/1	Para 4.121: It is acknowledged that the station is necessary for London’s strategic transport needs. In order to fully support the development of the OPDC area, and support London’s wider growth potential, OPDC must commit to this station, accepting its delivery outside of the plan period if necessary.		Effective
MM/PS2/OPDC/P7C2/1A	Reference to Class E uses that support the town centre designation are supported.		
MM/PS2/OPDC/P10/7	Policy P10 e) v should be strengthened to encourage safeguarding of land to deliver meaningful interventions at key junctions/clusters within Scrubs Lane.	<u>Safeguarding land to improve existing and create new east–west routes at each cluster</u> and along Wormwood Scrubs Street that provide access to Old Oak North, Old Oak South, the Grand Union Canal, St. Mary’s Cemetery and Kensal Canalside Opportunity Area;	Effective
MM/PS2/OPDC/P10/22	LBHF consider the amended text needs further changes to link this to our suggested change to the tall building definition to enable this to be managed this through the DM process:	The exception to this approach is the Hythe Road cluster where additional large/tall buildings may, subject to further justification be	

		<p>appropriate to reinforce the emerging spatial hierarchy of the local and wider context and aid legibility and wayfinding to Hythe Road as the existing route into Old Oak North that will be enhanced.</p>	
Chapter 5: Design			
<p>MM4/PS/Q3g</p>	<p>LBHF are concerned that setting a definition of 15 storeys or 48 metres above ground level to define tall buildings is considered problematic and does not recognise that across the plan area, there are a distinct range of sites proposed for development. This approach is identified by the variation between the range of shoulder heights set-out in the other OPDC Local Plan supporting studies recommendations and tall building precedents.</p> <p>LBHF recommend using the lower level of shoulder heights within the range suggested within section 2.8 to establish the definition of tall buildings across the plan area. In this regard using a benchmark of 8 storeys, (25.6 metres) as an appropriate shoulder height; and applying the suggested uplift of 3 additional storeys; would define a tall building as either 11 storeys or 35 metres above ground level.</p> <p>This would enable additional scrutiny of tall buildings across the plan area in terms of design, heritage, environmental and townscape implications.</p> <p>Without such an amendment many of the sites identified through the place-based chapters of the draft Local Plan may fall outside</p>	<p>Amend supporting paragraph 5.40</p> <p>‘Tall buildings within the OPDC area are defined as those above 11 storeys or 35 metres above ground level.’</p>	<p>Effective</p>

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	<p>of this additional scrutiny; and reliance upon the provisions of policies D3, D4, D5 and D6 appear poorly weighted to require developers to consider these additional impacts throughout the Development Management process.</p>		
MM2/PS/Q3j	<p>Policy D7(d) includes provision in relation to the ‘commitment to the construction of a replacement building’ which is welcomed by LBHF. It recommended that the policy wording be updated to make a clear reference to recording of the asset.</p> <p>It is also suggested that the supporting text in Paragraph 5.65 accompanying this policy is also updated, to define how an applicant will be expected to make this commitment; use of conditions or legal agreement to only undertake demolition once a building contract has been submitted to and agreed by the LPA.</p> <p>Amendments to Paragraph 5.63 of the supporting text to this policy is problematic, with the statement ‘ensuring the relevant lost asset informs the character of new development’. This approach requires clarification to avoid delivery of poor quality, pastiche forms of development.</p>	<p>Amend the wording of Policy D7(d) ‘proposals to demolish a building in a Conservation Area will only be permitted after approval of and commitment to the construction of a replacement building, <u>alongside the relevant recording of the existing building;</u>’</p> <p>Amend the wording of Paragraph 5.65 ‘Where possible, proposals should demonstrate intent of implementation, through submission of a building contract either as part of a planning obligation or condition.</p>	Effective
Chapter 6: Environment and Utilities			
MM/PS2/OP DC/EU1/1 & MM/PS2/OP DC/EU1/2	<p>LBHF are concerned by the proposal to provide two reasonable size parks rather than the original three. It is considered that the loss of this park has not been fully justified given that housing targets in the plan have not been substantially reduced. It appears that in order to mitigate the loss of this third park the Plan proposes smaller spaces and ‘pocket parks’. LBHF do not consider that these smaller spaces provide the same benefits or functionality of larger parks and therefore do not make up for the</p>		Justified

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	<p>loss of this third park. Larger parks, such as the one now proposed at Channel Gate, provide substantial societal benefits acting as the heart of the community with freedom to roam which in-turn benefits community health. Furthermore, these larger parks provide significant ecological benefits with space for mature trees and grassland.</p> <p>LBHF encourage the Inspector to reject this modification due to a lack of justification.</p>		
MM5/PS/Q3k	<p>Policy text – the commitment to discharge surface water run-off into the Grand Union Canal has been moved from 1st to 3rd place in the Drainage Hierarchy. The reasoning behind this modification is unclear and this is not supported by LBHF. This move looks as if this option is now behind “below ground storage” of stormwater in the hierarchy which ultimately will be discharged to the sewer. However, a 4th element has been added to the Hierarchy which relates to “controlled release of water into the combined sewer through agreement with the borough and Thames Water”, and this should refer to the Lead Local Flood Authority as well. LBHF no longer consider the hierarchy to be consistent in its amended form due to the reference to ‘below ground attenuation’ in the 1st bullet-point. This is confusing and contradictory.</p> <p>The reason given for making the changes is “To ensure the effectiveness of the Plan by including as policy, requirements only referred to in the supporting text”, but the change just moves Policy text from one place to another. The modification is not justified nor effective and therefore should be rejected.</p>		Effective / Justified
MINOR/PS/O PDC M12 (1)	<p>Para 6.38: Text inserted in relation to the greenfield run-off rate although it recognises that the rate will vary significantly across the OPDC Area. LBHF do not raise issue with the inclusion of this text, but the “Reasons” text in the Table of Mods says this text</p>		Effective

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	clarifies “that there is a single run-off rate applicable to the OPDC area”. This is disputed by LBHF– it does the opposite of this. We are concerned that this reasons text might be used by developers to justify higher discharge rates than are acceptable.		
MM2/PS/Q3I	Text added at the beginning of the Policy to clarify that demolition and construction phases as well as operation of the development once built are important in terms of minimising air pollution impacts is supported. However, the requirement to submit an Air Quality Assessment and the text summarising what this should include has been removed entirely. The deleted text has instead (In part) been put into the Supporting Text section in Para 6.45. Unclear why this is being deleted from the Policy - would have though this is an important part of the Policy itself as it sets requirements. Could be argued that the new approach is weaker...The supporting text says AQ Assessments “should be submitted” does this have the same strength as the previous wording in the Policy? The Table of Modifications reason for these changes is given as “To ensure the effectiveness of the Plan”, but don’t see how these changes would do that.		Effective
MINOR/2/EU 4/3	Para 6.55 refers to the London Environment Strategy which commits to setting new AQ targets with the aim of meeting WHO air quality targets. LBHF welcome this.		
MMX/PS/Q3	The main proposed change for EU5 is to delete the Policy text relating to the requirement for an Assessment of Noise and Vibration to be carried out. However, there is still supporting text at Para 6.6.1 saying that the OPDC will “require all major development or developments that are particularly sensitive to noise and/or vibration to undertake a Noise and Vibration Assessment”, however by removing this requirement from the Policy, it is considered that ability to enforce this requirement has been weakened. The submitted Table of Modifications reason for these changes is given as “To ensure the effectiveness of the		Effective

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	Plan”, yet we struggle to see how this modification has made the Plan more effective.		
MMX/PS/Q3	Para 6.62 – extra emphasis added on how the Assessment should “demonstrate how significant adverse impacts of noise and vibration on health and quality of life as a result of new development will be avoided” – which is supported.		
MM/PS/ Q3n	Reference to using a Site Waste Management Plan in bullet point (d) of the Policy deleted but a reference has been added to the Supporting Text in Para 6.67. As for earlier comments, do not fully understand the value of removing requirements from the Policy text and putting it into Supporting Text only. If you want a developer to do something In order to ensure the effectiveness of the Plan LBHF request that such requirements are set out in policy.		Effective
MM2/PS/ Q3o & MM17/PS/Q3 e	Para 6.91 of the Supporting Text still states “Major proposals will be expected to demonstrate through submission of a circular and sharing economy statement within Sustainability Statements how the principles of the circular and sharing economy have been incorporated...”, despite the deletion of this requirement from Policy EU7. The changes to para 6.91 weaken effectiveness of the plan. The proposed wording implies that developers are being given a choice whether to abide by the requirements of the policy and its supporting text, when previously the wording was effectively a requirement, thus strengthening the effectiveness of the policy. The Table of Modifications states that the reason given for some of these changes is “To amend wording in supporting text which could be considered as policy”, however, there are numerous		Effective

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	places where policy requirements are being deleted and inserted into the Supporting Text elsewhere.		
MINOR/PS/Q19	Para 6.96 i): LBHF reject the proposed modification to point i). The modification appears to be weakening guidance on use of ISO14001 certified materials with no real justification for the modification provided.		Justified
MM2/PS/Q3p	Former Policy EU9 iv) & vi): This point on carrying out post construction audits to demonstrate carbon emissions have been reduced as required has been deleted, as has the text on submitting an energy statement to demonstrate compliance with this policy. The latter requirement for the submission of an energy statement has been inserted into the supporting text at Para 6.98, however it is considered that by removing this requirement from policy EU9, the policy has been rendered less effective. This modification lacks justification and thus should be rejected.	Reinstatement of Former Policy EU9 iv) and vi), and relevant supporting text.	Justified
MM2/PS/Q3d	Policy EU10 f): The Plan should include reference the GLA's "District Heating Manual for London".	... the policies of this plan and the Mayor's District Heating Manual for London. (As footnote, link to District Heating Manual for London - https://www.london.gov.uk/sites/default/files/osd12_dh_manual_for_london_february_2013_v1-0.pdf)	Effective

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MM2/PS/Q3q	<p>Policy EU13: The requirement to carry out a Preliminary Risk Assessment prior to permission being granted has been removed but a reference has been added in the Supporting Text at Para 6.134. The justification for this modification is to ensure the effectiveness of the plan, however as stated elsewhere in our response, LBHF not see the benefit of moving requirements out of the Policy and into Supporting Text. We are unclear as to how such an approach helps in delivering the objectives of the Plan.</p> <p>The modification as proposed therefore lacks justification and should be rejected.</p>		Justified
Chapter 7: Transport			
MINOR/ 2/T1/4	This modification is supported, however LBHF consider that this modification should be listed as a major modification , rather than minor.	MINOR/2/T1/4 to be listed as a major modification.	Legal
MINOR/PS/ Q21	<p>Reference to the London Cycle Design Standards is welcomed.</p> <p>LBHF request that a footnote is added here to link to the standards to make the plan more accessible and effective.</p>	Footnote including link to the London Cycle Design Standards.	Effective
MM/PS2/OP DC/T4/1	The modification is supported.		
Chapter 8: Housing			
MM/PS/OPD C M9(1)	Policy H2: We believe that the policy should include additional wording to ensure that, for affordable housing, the host borough should have 100% nomination rights to units within their boundaries to ensure the most effective use of affordable housing.	<p>New Paragraph J):</p> <p>j) Host Borough's will have 100% nomination rights to affordable housing units within their boundaries.</p>	

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MM/PS/OPD C M9(6)	New paragraphs 8.24 and 8.25 are supported. However, we consider that review of this approach 'earliest opportunity' is insufficient, and that the OPDC should commit to a timeframe for review in order to maximise the delivery of affordable housing in the plan period. Given the timeframe for housing delivery detailed in Table 8.1, we consider that this review should take place within 5 years of adoption of the plan.	Following adoption of the Local Plan, OPDC will also revisit this policy and its associated viability evidence at the earliest opportunity within five years of adoption of the Plan to ensure that any increased development value...	Effective
MINOR/2/H2/ 11	Para 8.28: We welcome instruction that applicants should work with host boroughs specifically to ensure the delivery of affordable housing.		
Chapter 9: Employment			
MINOR/ 2/E1/1	Para 9.9 We consider that the word 'feasible' used in this change, and in the following paragraphs is not sufficiently detailed to explain the considerations which should be taken into account. We would recommend more detail and reference in particular to local the transport and highway capacity.	Wherever feasible, Sites should deliver high plot ratios through industrial intensification where feasible taking into account: impacts on the transport network , use of appropriate design to minimise conflict with non-industrial uses and avoid compromising the continued efficient function, access, service arrangements of existing industrial and related activities on-site or in adjoining areas; impact on the public realm, visual impact, vibration and noise, air quality and pollution.	
MINOR/PS/O PDC M16 (2)	Para 9.19 Use of the OPDC's CPO powers is supported.		Justified, Effective
MINOR/ 2/E3/5	Para 9.25: The changes are supported, however for clarity, we consider that the new sentence should be followed by new text to	OPDC will consider ... on a site by site basis. Considerations will	Effective

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	clarify the considerations referred to. We also consider that it is good practice to encourage early discussion on the type of or alternative to affordable workspace provision and how it will be secured.	take account of viability and will include discounted market rents, the provision of flexible accommodation in a range of sizes, suitable fit-out, and flexible lease terms . Provision will be secured via a workspace management plan, and early discussions at pre-application stage will be strongly encouraged.	
M/PS2/OPD C/E3/1	Para 9.25 We consider that these changes, whilst supported in principle, could also benefit from further clarification. It is not clear whether the reference is to grow-on space for SMEs and start up expansions, and/or relocation of businesses requiring affordable workspace. This change could also benefit from setting out the of considerations to be taken into account and cross reference to policy E5 .	le Add explanatory text following to follow this proposed change such as: Applicants should demonstrate how alternatives to on-site provision have been considered such as subsidised desks. Consideration of the benefits of the overall offer will be taken, taking into account the contribution to priority employment sectors, and how far it maximises social value and local employment and skills benefits as set out in Policy E5.	Effective
MM6/PS/Q3u	Policy E5: Local Access to Training, Employment and Economic Opportunities: This policy is supported. we suggest that the wording could be strengthened to maximise local opportunity,	Criterion b: include reference to maximising social value. such as specifically targeting adjoining areas in H&F with high levels of social deprivation, and proximity	Effective

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	<p>tackle deprivation, inequalities opportunity and maximise social value.</p> <p>Para OPDC’s Socio Economic Baseline Study (2016) – policy text could signal a commitment to review of the evidence.</p>	<p>to the strategic regeneration area of White City East. Include a new criterion to require an education and skills masterplan specifically aimed at maximising local opportunity and social value. Include in the policy wording reference to emphasise social value; ie outreach programmes to local school and colleges in Hammersmith and Fulham and a commitment to work with Hammersmith and Fulham’s Economic Development office to maximise social value.</p> <p>As the evidence underpinning social value is outdated, a reference to any planned update would benefit future negotiations and decision -making</p>	<p>Justified</p>
<p>MM6/PS/Q3u</p>	<p>Policy E5: The changes are supported, However we consider that the revised policy could be improved by reference addressing inequalities/ social values rather than just referring to these considerations in the supporting text.</p>	<p>Include an additional policy criterion to proactively seek to address social value, local areas of deprivation the long-term unemployed and other under-represented groups such as women, BAME groups disabled people., the long-term unemployed and ex- service personnel.</p>	<p>Effective</p>
<p>Chapter 10: Town Centres and Community Uses</p>			

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	<p>Policy SP7: LBHF supports the principle of minor amendments to reflect use classes order within this policy including criterion (g).The policy could be strengthened to refer to appropriate use of conditions to control the uses within new use classes E F and Sui Generis uses and to control permitted development and phasing particularly in regards to proper place making for meeting the needs of new communities and improving the public realm.</p>	<p>Refer to appropriate use of conditions to control the uses within each use class, permitted development rights and phasing.</p> <p>For clarification and consistency, it is suggested that the plan replicates the London Plan Explanatory Note: Applying the Use Class (Dec 2020): https://www.london.gov.uk/sites/default/files/plp_2020_statement_on_use_class_order.pdf</p>	<p>Effective</p>
MM/PS2/OP DC/TCC1/1	<p>Policy TCC1 criterion (e) This change is supported, however we consider there should be a reference to addressing shopping deficiency areas (food shopping) within walking distance of home) within and in adjoining areas. This is an important element of sustainable development</p>	<p>e) be delivered in phases, in accordance with demand created by the delivery of homes and jobs, addressing shopping deficiency areas as a priority.</p>	
MM/PS2/OP DC/TCC1/1	<p>Para 10.9 This change is supported, however we consider there should be a reference to addressing shopping deficiency areas (food shopping) within walking distance of home) within and in adjoining areas. This is an important element of sustainable development.</p>	<p>Add new text: ...of homes and jobs . Provision of small-scale food shopping should be brought forward and secured by planning conditions within or adjacent to shopping deficiency areas..... It is recognised that</p>	<p>Justified, Effective</p>
MM/PS2/OP DC/TCC2/1	<p>Para 10.16 This new section is supported, It is considered that reference should also be made to supporting meanwhile uses and ‘pop ups’ in vacant units can contribute to both the vibrancy of an area, and to affordable and local start-up businesses.</p>	<p>Meanwhile uses and ‘pop ups’ in vacant units contribute to both the vibrancy of an area, and to affordable and local start-up businesses, and will be encouraged.</p>	<p>Effective</p>

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MM2/PS/Q3v	Para 10.17 The reference to uses complementary to the public realm is welcomed, however we feel that , whilst protection of residential amenity is important and degree of flexibility is generally appropriate, the opportunity exists for proposal in these new communities to ‘design out’ such conflicts. For example by providing a ‘buffer’ of office or similar uses between food and drink uses and residential uses. It is considered appropriate here to reference to use of conditions to control the types of use for the purpose of proper placemaking.	Add new explanatory text: Design-led solutions will be required to avoid conflict with residential uses The use of planning conditions to limit specific uses within use classes E and F and to restrict permitted development rights will be used where necessary to achieve place making and enhance the public realm.	Effective
Chapter 11: Delivery and Implementation			
MINOR/PS/Q5(29)	Definition of other relevant stakeholders would be welcomed, as well as specifics as to what mechanisms would be used to achieve points a and b.	A firm definition of stakeholders in the supporting text.	Effective
General Comment – Chapter 11	Further details required over what engagement has been undertaken so far with local council and what stakeholders have been consulted so far. Specification over whether stakeholders are statutory or non-statutory would also be welcomed.	Engagement with landowners and local councils/stakeholders - statutory and non-statutory should be made clearer.	Effective
General Comment – Chapter 11	Chapter 11 fails to give substantial details on how funding gaps would be resolved. While several mechanisms for future funding have been identified (in the form of Section 106 agreements, government funding and external grants), very little detail has been provided over whether these funds have been secured, how much they are worth and where specifically they will be spent. More justification and details are needed.	The amount mentioned is stated by OPDC that the funding gap will be met by S106 agreements, government funding and external grants. However, there is no mention of what engagement has been undertaken, what sort of funding and what planning applications will yield these funds. More justification is needed.	Effective / Justified
MM/PS2/OPDC/DI/2	Greater clarity is required over the use of the terms “not committed” and “partly funded”, giving specific values. There is	Much of this infrastructure is already funded, some of this	Justified

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	<p>also mention of a sizeable portion of infrastructure that does not have a source of funding. Timescales for attaining funds for projects which are considered by the plan to be desirable rather than essential.</p>	<p>infrastructure is not required within the plan period and some is considered desirable, but not essential to delivering the homes, jobs and place-making ambitions within this Local Plan. More clarity is needed over the details of what “partly funded” means and by how much, as well as projects which are considered “not committed”. What funding has been achieved, what has been secured and how much will be sufficient for the proposed development.</p> <p>Regarding appendix B full infrastructure schedule of the proposed modification, a list of projects is stated on a table however, under the heading “status” many of these have indicated that the funding has not been committed. More clarity is required as this is crucial information.</p>	
<p>MINOR/PS2/ OPDC/D1/2</p>	<p>Paragraph 11.20 has been altered in the Inspector’s comments to reflect any potential delay to HS2, but should similar delays happen again further clarity regarding contingency plans would be welcomed. This would allow for greater flexibility and scope for manoeuvre should HS2 be delayed further.</p>	<p>Further details regarding contingency plans for further delay to HS2, and what “challenges” means and for who</p>	<p>Effective</p>

		<p>– OPDC, landowners, councils – should also be included.</p>	
<p>MM/PS2/OP DC/DI2/2</p>	<p>Table 11.1: <i>Opportunities and Challenges for Delivery within the OPDC Places</i> lacks clarity about exactly what challenges the site may face in terms of development. Further clarity on how communications between stakeholders (such as relevant LPAs) would also be welcomed to ensure consistencies between local plans.</p>	<p>There is no mention of details for phasing of development, meaning the delivery mechanism of infrastructure.</p> <p><u>Phasing</u></p> <ul style="list-style-type: none"> A. Quantum of development <ul style="list-style-type: none"> i. Residential – market housing, affordable housing or DMS (discounted market sales), DMR (discounted market rented) ii. Industrial – clarity is needed for new Class E development including different Class A1, A2, A3, A4 and A5 in the old Use Classes Order; Class B1 (offices) etc. B. Timescale - Yearly delivery by provision e.g., 18 months, 24 months, 36 months etc. More detail is needed on these timescales. C. Monetary - In terms of S106 financial contribution 	<p>Effective</p>

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		<p>details of time period and payment are required.</p> <p>D. Viability mechanism</p> <p>i. Calculation of viability model i.e., how to calculate the viability differences between the delivery of affordable housing in relation to the market housing.</p> <p>ii. Viability Review Mechanism – calculation of how the land value affects the calculation of affordable housing according to the Review Mechanism timescale, such as 18 months or two years.</p>	
MM/PS2/OPDC/DI2/2	Table 11.1 does not provide specific details over funding for many of the projects. This includes source of funding as well as the figures involved.	Clarification is required on what work has been achieved so far.	Effective
Chapter 11 – General Comment	There is an ongoing feasibility study for a new rail link between Brent Cross and Hounslow via Old Oak. However, chapter 11 of the OPDC Local Plan makes no mention of the West London Orbital Line which could unlock significant growth in the area (London Plan, 2021). If this project were to get the green light, it could have implications for the phasing of development in the area.	Mention this project and discuss its potential implications on phasing development in OPDC.	Effective

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Chapter 11 – General Comment	Similarly, chapter 11 makes no reference to the proposed Old Oak Common Lane Station (or Hythe Road) which could also have implications for the phasing of development in the area.	Mention this project and discuss its potential implications on phasing development in OPDC.	Effective
Chapter 11 – General Comment	More detail on the stakeholders OPDC plans to work with to support the timely and successful regeneration of the area would be appreciated as well as the mechanisms to do achieve this.	Evidence for engagement with external stakeholders is needed with agendas and minutes to be circulated. Especially, the delivery timeframes and methodology.	Effective
11, DI3, para 11.31	The supporting text mentions bi-weekly meetings with LBHF amongst other Boroughs.	Evidence on whether this has been effective would be helpful, as well as details on what improvements can be made.	Effective
MM2/PS/Q3d	More clarity required on how the OPDC will promote and implement Compulsory Purchase Orders (CPO). Is CPO the first choice for acquiring land? If not please add detail on the protocol and process before CPO is required.	Add detail on CPO protocol and process including timeline leading up to resolution to pursue a CPO or a negotiation with the landowner.	Effective
Tables 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 of the IDP	Various tables within the IDP for bus and rail infrastructure, road infrastructure, pedestrian and cycle connections, utilities projects, green infrastructure/open space and social infrastructure state that funding is “not committed”.	If the funding is not committed, how can it be ensured that it is deliverable? More detail is required on where, how and when this funding will come forward. Additionally, has this been affected by the COVID-19 pandemic and what adjustments (if any) have been made to factor in the economic downturn.	Effective