

OPDC POST SUBMISSION MODIFIED DRAFT LOCAL PLAN

PART 2 OF REPRESENTATIONS FROM THE OLD OAK NEIGHBOURHOOD FORUM AND ST QUINTIN AND WOODLANDS NEIGHBOURHOOD FORUM.

Background

This is second part of a joint set of representations from these two neighbourhood forums. These bodies were designated respectively by OPDC in 2018 and RB Kensington and Chelsea in 2013,

The StQW Neighbourhood Forum has a membership of 370 residents and businesses in the north-west corner of North Kensington, bordering on the OPDC boundary. The Old Oak Neighbourhood Forum (OONF) has a membership of 65 residents living or working within the designated area in East Acton and a further 65 'affiliated' members from the wider area. Both bodies have been responding to consultations on the OPDC Draft Local Plan since 2016.

Part 1 of these representations was sent to OPDC and to Planning Inspector Paul Clark on June 6th, He responded via the Programme Officer Charlotte Glancy on June 9th. An earlier version of this 'Part 2' document was sent to OPDC on 27th March as a draft 'work in progress'. We asked OPDC officers to comment on any factual inaccuracies or misconceptions on our part.

The OPDC response was to correct one inaccuracy in their consultation material on the number of versions of the Draft Local Plan published to date. Apart from this OPDC said that our comments were of a kind expected in the PSMDLP consultation exercise and would be addressed following the close of the consultation on July 5th 2021.

The PSMDLP documentation is complex for the public to deal with, involving a Table of Modifications, a tracked version of the Draft Local Plan, and a set of amended 'Figures' (maps and diagrams). There are also new and amended supporting documents, several of which include very important content.

Where referring to currently proposed modifications, we have applied the same colour scheme for references to modifications as in the OPDC Table of Modifications:

Submission Modifications reviewed by the Inspector

Other modifications reviewed by the Inspector

Post submission modifications that have not been reviewed by the Planning Inspector

Modifications superseded by post submission modification. These have not been reviewed by the Planning Inspector

There are many other comments in these representation which are not colour coded, where we are suggesting that further modification are needed for the PSMDLP to even begin to read as a coherent and internally consistent document. Passages of text left unmodified remain in the Draft Local Plan, referring to a different location than when drafted for the Regulation 19.2 version. There are statements which no longer make sense, unmodified, because the context in which they now appear is different from the 19.2 version.

In terms of OPDC paragraph numbering cited in these representations, we have worked primarily from the full tracked version of the PSMDLP, rather than from the OPDC 'Table of Modifications'. There are some inconsistencies of paragraph numbering between these documents. We have found that reading the full tracked version is the only way to review the document in its totality,

and to identify where further editing is needed to render the Draft Plan internally consistent and comprehensible.

As argued in Part 1 of our representations, we continue to believe that given the number and extent of changes made to the 19.2 text and 'Figures', a full redraft and return to Regulation 18 stage is the only way forward that will allow for sufficient public consultation and for a 'sound' Local Plan to emerge.

This Part 2 of our representations is of necessity a long and detailed document. The main points which we wish to draw to the attention of the Planning Inspector are summarised below:

- **We consider the consultation material, including online sessions and the sub-site set up by OPDC to be inadequate for reasons explained below. The magnitude of the changed spatial and transport elements of the Draft Plan was seriously understated by OPDC.**
- **Anyone reading the Table of Modifications alone might well not even notice the fundamental changes relating to Old Oak North, Scrubs Lane, Channel Gate and transport infrastructure.**
- **Unmodified parts of the Plan continue to make exaggerated and unevidenced claims for the 'connectivity' of 'Places' at Old Oak and the impact that the OOC rail interchange will have on the wider area of West London.**
- **This impact will emerge only after 2030 by which time this PSMDLP will need to have been reviewed once if not twice.**
- **Levels of uncertainty on funding for infrastructure remain very high. For the next 10 years until OOC station is in operation, OPDC and Mayoral ambitions for the area should be scaled back – particularly at a time of major change resulting from the pandemic.**
- **With a high probability of no new Overground stations and no new east-west road connection between East Acton and North Hammersmith, the whole coherence of the 19.2 version of the Draft Local Plan is undermined.**
- **We are not persuaded by the content of the BNP Paribas Strategic Site Allocations Viability Study (see Annex C).**
- **Entirely new proposals for concentrations of very high density and high rise housing are introduced as modifications to a Local Plan already 3 years into its examination stage.**
- **Proposals for a 'major Old Oak town centre' are unclear and incoherent.**
- **Lack of adequate new public transport improvements means that proposals at Channel Gate and Scrubs Lane will not conform with 2021 London Plan policy.**
- **There is no evidence that the Duty of Co-operation with neighbouring Boroughs has continued to be met since September 2018, and some evidence to the contrary.**

The three annexes to these Part 2 representations starting on page 46 refer to the OPDC Scheme of Delegation with Ealing (Annex A), OPDC consultation material (Annex B), and the Strategic Site Allocation Viability Study (Annex C).

THE OPDC CONSULTATION PROCESS AS UNDERTAKEN BETWEEN 17 MAY AND 5TH JULY 2021

This consultation was made known to the public by several means:

- A two page 'dear owner/occupier' letter which we understand was delivered to 44,000 households within the OPDC boundary and in the wider area.
- A dedicated consultation sub-site area, which could be reached via a link from the main OPDC website (we asked and OPDC agreed to add this link to the OPDC 'landing page'). There remain many local residents who have never heard of the OPDC, who do not realise that it has since 2015 been the planning authority for the area, and who have never thought of finding and logging onto its website.
- A coloured leaflet with more maps, diagrams and details of the modifications including a set of FAQs. This leaflet appeared on the consultation sub-site. We do not know how it was otherwise distributed.
- A series of five consultation sessions held on Zoom between 26th May and 19th June, for which the public could register to attend via Eventbrite. Numbers of members of the public joining these sessions we think were in the 30-50 range many of whom have already been active in tracking the OPDC Draft Local Plan for the past five years.

We consider that all these initiatives suffered from the same fatal flaw – that of failing to make clear to the average member of the public living or working in the area the full extent and scope of the changes made between the 2018 Submission Version of the Draft Local Plan and the PSMDLP documentation sent to the Planning Inspector on March 5th 2021.

The letter to 44,000 households (reproduced at Annex B of these representations) included this paragraph *The proposed changes, known in planning terms as Main Modifications, refer to the location of planned housing and development. **Although much of our Draft Local Plan hasn't changed**, we are no longer bringing forward housing in Old Oak North but protecting it as a place for employment. We have identified sites, nearer to the new HS2 Old Oak Common Station, for new and affordable homes, jobs, public spaces and facilities. Our targets for sustainable travel, high quality design, environmental sustainability and affordable housing are the same.*

The coloured leaflet, with its further information gave 'the story so far' as ***While the majority of the draft Local Plan will stay the same***, our proposed updates identify some new sites for housing development and protect others for employment intensification (our emphasis in both case above).

Once the nature and extent of the changes between the 2018 and 2021 versions are explained, local residents say 'that's nothing like what we thought was going to happen'. For good reason. While it may be true on a simple wordcount that 'the majority of the draft Local Plan remains the same' this is not how it appears to those familiar with the area.

Importantly, the major spatial and transport changes as between 2018 and 2021 have been seriously underplayed by OPDC in the consultation material – we believe in an effort to present these to the Inspector as 'modifications' rather than fundamental 'revisions' to a Draft Local Plan.

It must be remembered that this is a case where wholly new concentrations of housing and 'town centre uses' are being proposed for a part of London much of which has never been developed beyond railway and industrial use. OPDC has created new labels for areas and 'Places' (such as 'Old

Oak North') which are not in common use amongst those who live or work in the area. OPDC planning officers have become familiar with such labels. West Londoners have not.

We think that a more honest paragraph to have included in the letter sent to 44,000 households would have read as follows.

Our 2018 proposals were based on a major new town centre and 6,500 new homes on the Cargiant Land at Hythe Road. This was planned to have its own new Overground station to improve public transport access, and to connect to the new HS2 and Elizabeth Line station to the south. A new 'high street' of major shops and commercial buildings was to have joined up these locations. These plans were dropped in late 2019.

Instead we are now proposing new concentrations of high density/high rise housing on Victoria Road and Old Oak Lane in East Acton. We hope that these locations will then attract new retail and commercial activity. We will be continuing to give consent to further high density/high rise housing developments in Scrubs Lane, but public transport access will no longer be improved there other than via extra buses. Regrettably there will be no vehicle access to the eastern end of the new Old Oak Common station for buses, cars and taxis. The station entrance and exit will be in Old Oak Common Lane.

This new rail interchange is now expected to open sometime between 2029 and 2033 and not in 2026 as we told you in our 2018 Draft Local Plan (OOS 1). For a variety of reasons, there will not be much new development immediately around the station, or above it as once planned. We hope that Transport for London may be able to find funds in a few years time to build a new Overground station at Old Oak Common Lane, but TfL have major pandemic related budget shortfalls. North Acton will continue to see further additions to the cluster of tall buildings (including those at 50-60 storeys) to which Ealing Council has granted approval on OPDC's behalf since 2015.

HS2 construction works and vehicle movements will continue to create planning blight, major traffic and air pollution problems in East Acton and surrounding areas during the next decade. We suggest that you treat marketing material for new homes in the area with care and caution, especially in relation to any claims that the new HS2 station is 'coming soon' ¹.

Over a period of years, the local perception is that the OPDC has failed to come to terms with the consequences of its late 2019 'change of direction' and has chosen to continue with unevidenced assertions and unrealistic aspirations in its Draft Local Plan. The gap between these claims and future reality for Old Oak as perceived by local people, has widened rather than narrowed as the Plan has been 'modified'. Hence our firm belief that a fresh start on the Old Oak part of the Local Plan is needed in 2021.

¹ Marketing material for 'Oaklands Rise' from Notting Hill Genesis/QPR makes this claim, which OONF has asked to be corrected as contravening ASA/Committee of Advertising Practice rules. Still published at <https://www.nhgsales.com/sales-developments/oaklands-rise/> as of 05.07.21.

DETAILED COMMENTS ON MODIFIED VERSION OF PSMDLP ALL CHAPTERS

MINOR/2/G28, MINOR/2/SV6 and MM/PS2/OPDC/SV6: We do not consider it reasonable for OPDC to refer to Old Oak Common Lane Overground Station as a ‘potential’ station in this iteration of a Local Plan. TfL consulted on this and the previously proposed Hythe Road station in October/November 2017. Many local people recall this exercise. Since 2017 the prospects for implementation of this project within 5-10 years has diminished markedly. The station is not in TfL’s future capital programme and TfL have a major budget crisis to address.

Hence the description ‘*Possible future station*’ would be more accurate and would discourage developers and the property press from raising false expectations of the connectivity of this part of the OPDC area.

PSMDLP CHAPTER 1 FOREWORD AND INTRODUCTION

If a version of the ‘Chairman’s Foreword’ is to remain in the final document, we question the claim that Old Oak ‘*will become one of London’s most accessible destinations.*’ This claim is made repeatedly through the document, along with assertions on the ‘high connectivity’ of the area. We do not see that the claim can be substantiated.

Following the November 2019 ‘change of direction’ and the abandonment of previously planned key routes and Overground stations, the claims for Old Oak as an area with unusually high connectivity are seen locally as being untrue. Areas of proposed concentrated housing at Scrubs Lane and Channel Gate will continue to have comparatively poor public transport access by inner London standards.

MM16/PS/Q26 1.19 This additional material on Borough Local plans is welcome. It should also state the ‘plan period’ for the PSMDLP. This timespan is not made clear on the cover of the document or in the introductory text.

Paragraphs 1.23 and 1.24 These assert that the entirety of chapters 4 and 11 are ‘strategic policies’. No justification for this assertion is offered. See the comment below on the same issue at newly inserted **paragraph 11.37 of the PSMDLP**. As noted in Part 1 of these representations, this approach is not compliant with the **2012 NPPF paragraphs 156, 184 and 185**.

Paragraph 1.27 This is now out of date. A series of HS2 Section 17 applications on the OOC station its immediate surroundings, and works to Victoria Road and Wormwood Scrubs have already been consented by OPDC. Construction of OOC station is well underway.

CHAPTER 2 SPATIAL VISION

Spatial Vision – this repeats the ‘*highly connected*’ claim. The much reduced transport context for the area (in terms of road and public transport networks) is one of the biggest set of changes since 2018. This needs to be recognised throughout the text of the PSMDLP.

At present, it is only those who read the documentation as far as the modified map of **Key Routes in the Table of Figure Modifications at Figure/PS2/OPDC/PM2** who will understand the full extent of these changes. Consultation materials and presentations to OPDC Board and Planning Committee have continued to rely on diagrams of an aspirational long term ‘*movement network*’ of which key elements will not be in place within the plan period, if ever. The modified Policies map **Figure/PS2/OPDC/PM1**, to which the discipline of an examination has been applied, shows the

extent to which firm infrastructure proposals have become more limited than those assumed in 2018.

MM/PS2/OPDC/SV/3 Thinking Big (2) The words ‘Old Oak’ have been deleted and replaced by the text *The OPDC area will become a major new London centre providing high-density mixed use development, that will shape west London and support London’s continued growth.* It cannot sensibly be argued that the whole ‘OPDC area’ will ‘become a major new London centre’. This is one of many simplistic modifications to text which make parts of the PSMDLP document near incomprehensible.

The whole of the **Thinking Big** and **Going Local** section is made up of generalised statements and optimistic assumptions. This section does not add clarity or specifics to the Draft Local Plan and would not be missed if deleted.

The table of text in Figure 2.1 lists a series of ‘opportunities and challenges’. Several sections of this text need rewording, if they are fairly and accurately to reflect other modifications in the PSDLP documentation, including the revised 2021 Infrastructure Delivery Plan (IDP). These sections are as follows:

MM/PS2/OPDC/SV/5 Economic Growth: not clear if this is a main or minor modification.

Figure 2.1 Wording on **Higher Density Development** remains unchanged and reads *The area’s public transport access will provide significant opportunities to create high density development, which will have benefits in terms of optimising the delivery of homes and jobs.* Comparison of the PTAL maps from the 19.2. version and the PSMDLP (at **Figure/PS2/OPDC/7.11**) shows that predicted improvements in PTAL levels are now much less widely spread across the OPDC area than at 19.2 stage. For the eastern part of the area, this reduction reflects the loss of the proposed Hythe Road Overground station. It is not clear whether the PSMDLP PTAL map assumes delivery of the ‘potential’ Old Oak Common Lane Overground? Hence *the area’s public transport access* is very different from that when Figure 2.1 was originally drafted. **The actual evidence no longer supports the proposed policy.**

MM/PS2/OPDC/SV/6 Figure 2.1 ‘Transit oriented development’ – our understanding of this term is that it is an urban planning concept originating in the USA and similar to the idea of ‘compact cities’. We do not see the two new concentrations of housing now proposed in the PSMDLP (Scrubs Lane and Channel Gate) as qualifying for the use of this term. These areas are far more distant from any form of mass transit station than locations to which this term is normally applied.² **London Plan D2a** requires that development should depend on future planned levels of PTAL, but the PSMDLP includes few firm plans for new transport infrastructure. Overbuilding at OOC station would have been a different story.

Figure 2.1 Deliverability – The unamended text (last sentence) reads *there are challenging sites such as the Elizabeth Line Depot, which will either require relocation or decking to enable development to be brought forward.* As we understand, there is now no realistic prospect of land occupied by this

² Typically in TOD, higher density development is allowed or required within a short distance of the transit station (300-500ft). Further away from the station – 500-1500ft – is usually located another, less intensive zone, with a continued mixture of uses. Finally, a zone from 1500 feet to the edge of the TOD zone is still less intense in density and uses are intended to blend into the surrounding community
<https://planningtank.com/urbanisation/transit-oriented-development>

Depot or by the IEP Depot becoming available in the 20 year life of the PSMDLP. 'Decking' over the OOC station was ruled out in 2016³.

We understand that the Department of Transport currently retains safeguarding rights (neither time limited nor conditional on further studies) over part of the 'Adjacent Site' south of the OOC station (passive provision for two reinstated tracks of the 1906 Great Western 'High Wycombe Railway Line'). This context (and constraint) was confirmed by OPDC officers at the February 23rd Planning Committee. It should be made explicit in the supporting text to Policy P1C1: Old Oak Common Station Cluster **MM/PS2/OPDC/P1C1/1.**

CHAPTER 3 STRATEGIC POLICIES

Policy SP1 Catalyst for Growth - Sub-sections b) and c) of this policy are mere aspirations and not spatial planning policies. As aspirations, they are again hyperbole in the context of this modified Plan and are not evidenced by anything within the remainder of the PSMDLP.

Sub-paragraph b) *reads support the delivery of a new part of London, which is both a destination and a gateway to London and the rest of the UK;*

In what sense will OOC station become 'a gateway' to the rest of the UK as compared with e.g. St Pancras/Euston/Kings Cross? 'A London gateway from the Midlands' would be accurate. The claim that London is **the world's economic and cultural capital** is not credible. (sub-paragraph c(ii)).

Paragraph 3.4 covers the benefits of regeneration for the wider west London area. On **paragraph 3.4 c.** it is now widely accepted that there is no prospect of a new Crossrail station at Kensal in RBKC. No feasibility work is currently underway. **MM/PS2/OPDC/SP4**

On the proposed long-term 'Wormwood Scrubs Street' all diagrams or maps need to make clear that western section of what would be a key new east west route is a distant prospect beyond the 20 year life of this Local Plan.

Project TV4 in the Infrastructure Delivery Plan (eastern section of 'Wormwood Scrubs Street') shown with a cost of £2m is a plausible measure within 10 years. Project TV10 *Delivery of new Wormwood Scrubs Street West off Scrubs Lane, including new junction at Old Oak Common Lane* at £9.88m is shown as 'Desirable', 'Not committed' and in 'Phase 21+ years'.

We think it unhelpful and misleading to include this western section of a planned 'Wormwood Scrubs Street' in the PSMDLP and ask that it be removed. This route has appeared in diagrammatic form in many images used for OPDC consultations. It provides an impression of a Local Plan which joins up the lands to the east and west of Wormwood Scrubs, and this may be why OPDC continue to show the route. But it has caused much confusion and raised false rumours (some positive and others negative) amongst local residents and users of the Scrubs.

Paragraph 3.4 f. Why will centres in an extended wider area including Ealing, Southall, Acton, Wembley, Hammersmith and Kensington, *be influenced by the scale of development proposed at Old Oak and Park Royal?* New development across the OPDC area, as proposed in the PSDLP, is spread across a large area and planned to emerge over a very long period. The most concentrated areas of proposed regeneration in the PSMDLP (at Channel Gate/Atlas Road, Scrubs Lane, and North Acton) are no more

³ <https://www.standard.co.uk/news/london/old-oak-common-regeneration-scheme-risks-being-london-s-worst-cockup-in-50-years-a3194581.html>

significant than the 3,500 -5,000 new Homes proposed for Kensal Canalside – a location for which no such grandiose claims are made by RBKC as the planning authority⁴.

Policy SP2 Good Growth – in the policy box sub-paragraph f) reads *Proposals should .. design, construct and manage a smart and resilient city; 'Part of the city' should be substituted. This Local Plan is not going to create 'a new city' at Old Oak.*

MM/PS2/OPDC/SP/14 Policy SP6 Places and Destinations – sub-paragraph b) of this policy box in continues to state *deliver and support a new town centre hierarchy, that offers a range of town centre uses, serving the needs of the development and that complements surrounding town centres. Proposals should support the delivery of the following hierarchy:*

MM/PS2/OPDC/SP/14 6a. The modified policy now continues *Old Oak – a major town centre that delivers a wide range of town centre and community uses. The policy requirements for this centre can be found in policies P1, P2, P3, P7, P8 and P9 and P11;*

The wording then becomes confusing. Where is this new town centre to be? Where are its boundaries? November 2020 OPDC consultation material referred to Channel Gate/Atlas Road alone as the location for a '*major new town centre*' in the '*Western Lands*'.

At its February 23rd 2021 meeting, the OPDC Planning Committee discussed the concept of a '*crescent shaped*' *Old Oak Major Town Centre*, encompassing North Acton, Acton Wells, the OOC station site and Channel Gate. Yet North Acton is separately defined in the PSMDLP at SP6 b) b as a *neighbourhood town centre, focussed around North Acton station, Victoria Road and along Portal Way*. So is North Acton to be part of '*Old Oak major town centre*' or is it not? Much of this location is already built out and shows no sign of attracting major town centre uses.

This discussion at OPDC Planning Committee on February 23rd was the one and only occasion at which the OPDC Planning Committee considered the modifications to be submitted to the Planning Inspector. The discussion was a good one with some serious questions raised about (for example) the location of a '*major Old Oak town centre*'. But this led to no changes in the PSMDLP documentation as referred onwards to the Board on March 4th and to the Inspector on March 5th 2021.

Maps and diagrams in the PSMDLP show a large area around at to the north of OOC station as a '*major town centre*' blurring into Channel Gate/Atlas Road. Scope for development on the section of Old Oak Common Lane running between the OOC '*western approach*' to the station and the centre of the Atlas Road/Channel Gate site is very limited, with little or no opportunity for activation on either side of the road (see later section on this '*Place*'). The distance separating the two locations involved in 1km (see aerial image below). Old Oak Park's '*High Street*' at Old Oak North was a very different proposition.

MM/PS2/OPDC/SP/13 refers to a cultural centre. This dates for a time when OPDC commissioned a study to attract a suitable cultural offering at '*Old Oak Park*'. There is no evidence in recent years of any such interest and if and when it arises such a proposal can be considered on its planning merits.

MM/PS2/OPDC/SP/16 Paragraph 3.34 reads *To support this, chapter 4 (Places) identifies 12 places, with associated policies. Within these places, the Local Plan also identifies a series of 'clusters', which are characterised as locations that are likely to attract higher footfall and/or have a particular use*

⁴ RBKC published in April 2021 for consultation a Draft SPD on the [Kensal Canalside Opportunity Area](#)

and as such, warrant more detailed policy. This use of the term 'cluster' does not feature in the national Planning Portal glossary. Its use in this way by OPDC has already confused a public more familiar with 'clusters' of tall buildings. OPDC Planning Committee members on February 23rd requested use of an alternative term. Are these locations to be 'neighbourhoods' or in some cases only 'parts of neighbourhoods'?



MM/PS2/OPDC/SP/19 Paragraph 3.40 further exemplifies the basic 'major town centre' flaw in the latest Plan. It now reads *A key facet to place-making in the OPDC area will be the location, role and function of its town centres. The town centre hierarchy consists of three centres (see figure 3.7) serving the needs of its existing and future residents, workers and visitors. The hierarchy consists of a new major town centre in Old Oak (but where?) and two neighbourhood town centres: one new centre at North Acton and the continuation and expansion of Park Royal Centre. Each town centre will have its own character and mix of uses that support social interaction and thriving communities. OPDC's town centre hierarchy will need to ensure it maintains its resilience and adaptiveness to changes in the way services are provided, in accordance with Policy SP2.*

Paragraph 3.41 (unaltered) then refers to *Old Oak Major Town Centre*, which in the 19.2 version would have been Old Oak Park. **MM/PS2/OPDC/SP/20** Paragraph 3.42 now refers to *early phases of development to the north of Old Oak South* (as compared with *north of the Grand Union Canal* in the 19.2 version). There are no site allocations for 'early development' to the north of Old Oak South other than (firstly) the 'Oaklands Rise' development, near completion and which is a housing scheme and not a town centre development. The second site at 'Oaklands North' site is expected to be housing-led also. **This is one of many examples where a modification of wording as listed in a table of edits may seem fairly innocuous, but which becomes inaccurate or meaningless when inserted into other unaltered text in a 2018 document for which much has changed.**

MM/PS2/OPDC/SP/25 Paragraph 3.46 states *The scale of change in transport accessibility will be unique and provides an unparalleled opportunity for transit orientated development.* This was inaccurate hyperbole in the 19.2 version and is even more so now. Every Londoner living near a

station along the length of the Elizabeth Line will benefit from increased accessibility, and OOC station will not be 'unique' in this respect. Many such stations will offer scope for intensified development on sites more immediately adjacent than will be possible at the OOC interchange and which can more genuinely be claimed as locations for *transit-oriented development*.

As a result of the loss of plans for Old Oak North, OOC station will not be accessible by bus, taxi or drop-off from the east. Hence access for longer distance travel via the HS2 and GWR lines will be of value only to a limited number of local residents near the 'western approach' in Old Oak Common Lane. This major change has been played down by OPDC consultation material insisting that '*much of the Plan remains the same*'.

MM/PS2/OPDC/SP/26 and MINOR/2/SP7/11 as modified reads *These transport enhancements should enable parts of Old Oak area to achieve a PTAL of 6b to support an optimised approach to development.* Which parts of Old Oak? The modified PTAL map in the updated Figures document shows many parts will not achieve 6b PTAL (e.g. Scrubs Lane, Mitre Way Cluster).

Policy SP7 Connecting People and Places – this is a critical strategic policy for the OPDC area. Much of the rationale for establishing a Mayoral Development Corporation was to have a Local Plan which overcame the spatial barriers which have divided the areas since this part of London was first developed in the 19th century. As matters have progressed since 2015, it has become clear that new connections are not going to be able to be created in the way that OPDC once hoped.

MM/PS2/OPDC/SP/24

It is essential that a finally adopted Local Plan does not leave the public with false expectations of what can and cannot be achieved in a foreseeable time period. The wording of the 19.2 Policy SP7 has been modified to an extent, but further modifications are needed to convey an accurate picture of what the Local Plan involves.

The text in the policy box refers to *OPDC's Sustainable Transport Hierarchy and to Key Routes as shown in Figure 3.10*. Modified Figure 3.10 is a diagrammatic and highly aspirational map which does not make clear phasing of transport infrastructure, significant parts of which are beyond the plan period (e.g. 'Wormwood Scrubs Street' western section).

The new Key Routes Policies Map **Figure/PS2/OPDC/PM2** (correctly) shows no new 'key routes' other than a short initial stretch of 'Union Street' at the Oaklands site. The contrast with the similar Key Routes map in the 19.2 documentation is revealing.

The wording of *Our Proposed Outcome* overstates what will be possible. It reads: *Delivering a highly connected, high quality and efficient transport network, that enhances local and strategic transport accessibility and supports the Mayor's ambition for 80% of journeys in London to be made by walking, cycling or public transport.*

The local transport network proposed in the PSDLP can no longer claim to be '*highly connected*'. It is little different from the status quo, with the main north/routes of Old Oak Lane/Old Oak Common Lane to the west of the Scrubs, and Scrubs Lane/Wood Lane to the east, remaining as the main routes. Both north south routes are already heavily congested. No viable new east/west route is proposed in the plan period. **Development capacity has not been adjusted as a consequence.**

Sub paragraph e) needs further modification (currently it reads *Proposals should contribute to a high quality, safe and accessible movement network which delivers and/or contributes to a new and enhanced street network that connects the Places of Old Oak and Park Royal together and connects into the surrounding areas* New road connections from the OOC station to the surrounding areas

to the east are proposed. Scrubs Lane/Wood Lane and North Kensington are no longer connected to what is still portrayed as a rail interchange with a transformative impact.

P7e(ii) reads *a new movement network comprised of the key routes as shown in figure 3.10*. The wording 'across Old Oak' has been deleted and it was this key route Park Road/Union Way which would have created a 'significant new connection' in the area. **MM/PS2/OPDC/SP/23**

SP7e (iii) refers to *new connections to Old Oak Common Station* in the plural. There is now planned to be only one connection to OOC station at the 'western approach' on Old Oak Common Lane. So the plural should not be used (modification needed).

SP7 (iv) refers to *new and enhanced pedestrian and cycle connections into Wormwood Scrubs*; Where are these to be, and in what sense 'enhanced' beyond some new signage? **MINOR/2/SP7/14**

As mentioned above the PSMDLP does not provide for any vehicular access to the eastern end of OOC station (a transport hub 1km in length). This is a further consequence of the abandonment of plans for the Cargiant land, and has been recognised by the OPDC Board as a major flaw in the revised proposals. For travellers to reach or depart from this station by bus, car or taxi, the western access on Old Oak Common Lane will be the only means possible. This will add 20 minutes or more to journey times from central London or North Kensington, either through central Harlesden or via Du Cane Road south of Wormwood Scrubs. **Policy SP7 and its supporting text should make this clear.**

Paragraphs 3.47 and 3.48 contain no specifics of 'future rail services' in the area and should be deleted unless these new services can be identified.

Paragraph 3.53 the '*new key routes of Old Oak Street and Wormwood Scrubs Street*' are both aspirational and long term projects. This paragraph continues (in unaltered text) *The exact location and design of these new streets will need to be informed over time through more detailed work*. If OPDC officers cannot by now identify the specific locations and deliverability of these streets after 5 years of work on the Local Plan, should either of the possible future projects feature in the PSMDLP?

MM/PS2/OPDC/SP/28 and MM/PS2/OPDC/SP/29: the deletions made by these modifications reflect the fact that Old Oak Street will not '*play a particularly important role*' as a consequence of changes. So the remaining part of this paragraph becomes an overstatement. Paragraphs 3.54 and 3.55 need redrafting to make clear that 'Old Oak Street' is a long term prospect. See Table of Main Modifications **MM/PS2/OPDC/SP/28** which gives a reason for the deletion that Old Oak Street will no longer be able to connect all the Old Oak stations. This conflicts with the Plan setting out a 'potential' OOCL station on Old Oak Common Lane.

Paragraph 3.56 – at this point in the PSMDLP the document gives a realistic assessment of the phasing and viability prospects for the delivery of 'Wormwood Scrubs Street' as a new east/west 'key route' for 20+ years time. At other points in the PSMDLP documentation the future 'connectivity' of Scrubs Lane is over promised.

With a high probability of no new Overground stations and no new movement network across Old Oak, the whole section of the PSMDLP on **Policy SP7** and its supporting text needs extensive further redrafting. A more accurate '*proposed outcome*' would be '***modest improvements to a congested transport network which will continue to lack east-west connectivity for the lifetime of this Local Plan***'.

MM/PS2/OPDC/SP/34 Policy SP8 Green Infrastructure and Open Space – the previously proposed three 2ha ‘local parks’ has been reduced to two. The open space newly proposed for the Channel Gate/Atlas Road sites will have the limitation of being cut off from the north-west and north-east by rail lines. It will not be an easily accessed and well-connected open space. This ought to be made clear.

Policy SP9 on Built Environment – this section of the PSDLP is left very largely unchanged from the 19.2 version. Part b) of the Policy reads *Proposals should optimise development in a sustainable manner, that delivers high densities and a range of building heights, including tall buildings in the locations identified in figure 3.15.*

We believe that the PSMDLP generalised approach to ‘*high densities and a range of buildings heights*’ (even when combined with material in ‘Place’ chapters of the document) fails to recognise the implications of the late modification to the 2021 London Plan Policy D9 on Building Heights. This followed the December 2020 intervention by the Secretary of State. We believe that as a consequence, the OPDC Local Plan will need to include more than a map and a list of site allocations when justifying the locations of proposed tall buildings.

We think that it will need to be demonstrated in the Local Plan that any individual site where a tall building is contemplated is ‘suitable’, taking account of the breadth of criteria for ‘suitability’ as set out in London Plan Policy D9. These include ‘functional’ and ‘environmental’ impacts of tall buildings as well as ‘visual’ impacts’.

Legal debate is continuing on the implications of the acceptance by the Mayor of London of the addition of the word ‘*suitable*’ to previous London Plan Policy D9. We share the view of Russell Harris QC⁵ that this Direction is a significant shift in Government policy on tall buildings in London. Coupled with the clear ‘Direction Overview’ from the Secretary of State⁶, new London Plan Policy D9 introduces a presumption against tall buildings except at locations *positively* identified, with a stated rationale behind such a justification that reflects the site context and its surroundings.

We also think that Local Plans in London will in future need to show a rationale for abrupt changes in the character of an area, from low rise to buildings of 20-40 storeys. ‘Gentle density’ is the Government’s direction of travel, except at locations identified as suitable in all respects. Reliance on a claimed need for ‘optimisation’ of sites, even in Opportunity Areas, we do not see as being sufficient,

If OPDC remains intent on introducing very high-density housing at what seem to be all the housing sites listed at Table 3.1 as site allocations (**MM/PS2/OPDC/SP/38**), **we believe that additional work and further modifications will be required to achieve London Plan conformity.**

Housing density

MMPS/OPDC/M4 and Paragraph 3.78: Ever since revisions to the Regulation 18 version, the OPDC Draft Local Plan has lacked a clear and justified policy on **housing density**. **Paragraph 3.79** of the 19.2 version stated *Outside of SIL, modelling shows that in order to achieve the homes and jobs targets for the area, development will likely deliver average residential densities of 450 units per*

⁵ Landmark Chambers seminar on the implications of New London Plan policy D9 February 2021.

⁶ The Direction Overview for this modification to London Plan D9, as set out in the Secretary of State’s letter to the Mayor Of London of 9th December 2020 reads *This Direction is designed to ensure that there is clear policy against tall buildings outside any areas that boroughs determine are appropriate for tall buildings, whilst ensuring that the concept of gentle density is embedded London wide.*

hectare. A single additional sentence has been inserted as a modification. This reads *The indicative density range is 300 to 600 units per hectare.*

This seems an unacceptable way of introducing, let alone justifying a Local Plan approach to density which will have huge consequences for the future built environment at Old Oak. **On its own and as part of supporting text, we do not see that this added sentence cannot be relied on or cited as ‘policy’ or carry any material weight.** It is also ingenuous. The reality is that no scheme approved by OPDC to date has been at less than 400 dph and the range of OPDC planning consents has extended to 800 dph (at 2 Scrubs Lane). Consents granted by LB Ealing on behalf of OPDC have been at even higher densities.

The relationship between housing densities and tall buildings was discussed at the 2019 examination of the 19.2 Draft Local Plan. Local organisations (OONF and StQW Forum) provided submissions and OPDC responded with evidence on comparables in other parts of London. Agreement was not reached on this evidence.

The planning context has changed between 2019 and the 2021 PSMDLP. The Secretary of State intervened in December 2020 to set new requirements on tall buildings in the 2021 London Plan. The forecast levels of access to public transport have dropped significantly for parts of the OPDC area where very high densities have already been consented (Scrubs Lane). Objections that these applications were premature were brushed aside by OPDC. Events have shown that such objections were very valid, given a complete change of direction for Old Oak North and Scrubs Lane. Channel Gate/Atlas Road has been newly identified as an area appropriate for tall buildings while lacking proximity to Overground/Underground stations and to local amenities. **MM/PS2/OPDC/P9/1**

OPDC has already demonstrated its wish as a planning authority to retain discretion to grant consent to schemes at what have long been seen in the UK as ‘superdensities’ and ‘hyperdensities’. OPDC decisions on planning consents on four schemes in Scrubs Lane were made on assumed PTAL levels which will not now materialise. The 2015 OAPF remains in force as an adopted SPD to the London Plan. Figure 45 of this document identified ‘sensitive edges’ as requiring ‘lower densities’ of 300 dph. Throughout the Regulation 18 and 19 consultations, there has been no evidence of public support for densities of 400-600 as an average for Scrubs Lane.

In 2020 and 2021 OPDC has granted further planning consents on the schemes at Mitre Yard (under S73) and at North Kensington Gate (South). Both of these added a further 40 or more housing units. These consents have added to mass, height and density at a location no longer to be adjacent to ‘Old Oak Park’ or to a new Overground station at Hythe Road.

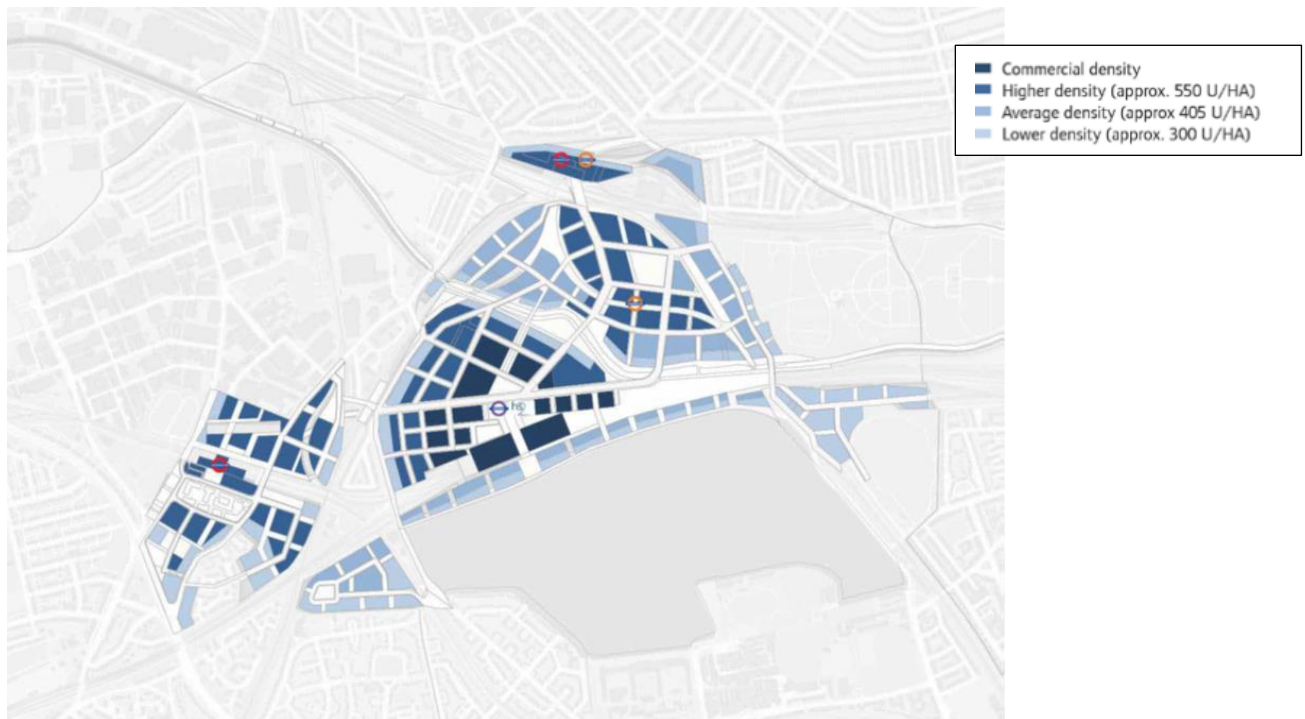
Average densities of 600 units/hectare were proposed in the now redundant 2018 *Old Oak North Development Framework Principles* document. When applied over large areas of land, ‘averages’ at this level involve building typologies completely alien to London except in a few locations which are outliers to London norms (such as the Isle of Dogs Greenwich Peninsular, and now North Acton within the OPDC area⁷).

Given the outcome of the *Building Better, Building Beautiful Commission*, the proposed NPPF changes, the publication of a National Model Design Code, and the Secretary of State’s December

⁷ See a series of studies on housing density including *Tapping the Potential: assessing urban capacity – towards better practice* DETR December 2000, *Superdensity – The Sequel* 2016, *The Homes London Needs* Nicholas Boys-Smith February 2016, *Growing London* – Mayors Design Advisory Group (undated). The growing clusters of towers at North Acton (up to 54 and 55 storeys to date) have been consented by LB Ealing under a Scheme of Delegation from OPDC,

2020 intervention on the London Plan, we consider that the 2021 planning context has changed and that this national direction of travel needs to be reflected in a modified OPDC Local Plan.

Figure 45 Indicative density levels from 2015 OAPF for OPDC area



- In 2021 and with Government promoting ‘gentle density’ we consider it very unsatisfactory to see a Local Plan, covering a large area of redevelopment in north west London, with a complete absence of any explicit policy and a map on expected housing densities. This is not ‘clarity’ in a Local Plan. As has been seen in practice, it leaves interpretation wide open, when individual applications come to be determined.
- The Regulation 18 OPDC Draft Local Plan included such map and a related set of density ranges, as does the still adopted 2015 OAPF.
- We are unhappy that OPDC has for the third time included a table of Site Allocations with specific identified sites and specific housing numbers, while refusing to add a column that shows resultant housing density figures (even within a range).
- While density figures do not always give an accurate indication of resultant built forms, they remain a long established means of assessing the extent to which a housing scheme will provide sufficient access to open space, children’s play space, and social infrastructure.

We have raised this point in responses to each of the consultation exercises, and at the EIP in 2019. In a 1st February 2021 Zoom session with OPDC planning officers authoring the Plan, OPDC officers confirmed that additional information on densities would *not* be added to this table. For what justifiable reason?

In response to evidence and submissions on densities and tall buildings at the 2019 EIP, the Inspector required in his note on Session 4 **OPDC to include text from glossary on density ranges within the Plan itself at SP9**. The Glossary to the 19.2 Draft Local Plan read **Indicative housing density range has been provided to enable OPDC to define development capacity in accordance with national guidance. Within the OPDC area the indicative density range is 300 (low density) to 600 (high density) units per hectare.**

Only part of this wording has been added to the text of SP9, **and not to the policy itself.**

The consultation version of the National Model Design Code shows examples of urban building typologies and their relationship to density, as set out below.

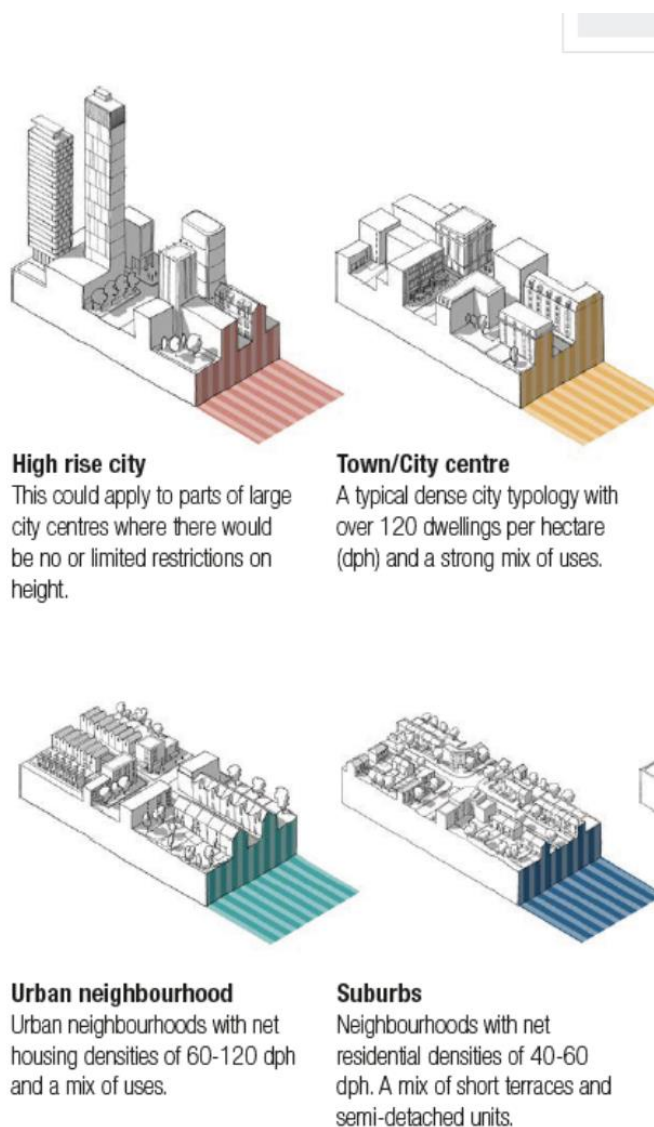


Figure from Draft National Model Design Code, illustrating typologies for urban buildings and related density

In any event, this density range of 300-600 is far too broad, when applied across the whole OPDC area to constitute a serious 'policy' on density. **What national guidance is being referred to by**

OPDC? What recognition of New London Plan Policy D9? What criteria used to define 'suitable' locations for tall buildings? (see also below on the updated Tall Buildings Strategy).

OPDC Planning Committee decisions on the four schemes consented to date along Scrubs Lane are noted below⁸.

Subject to the outcome of MHCLG consultation, proposed amendments to **NPPF paragraph 73c)** will *expect Local Plans to set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community.* We appreciate that the PSMDLP is being examined against the 2012 version of the NPPF but ask that the Government's direction of travel is taken into account.

In the Draft national Model Design Code, a housing density of over 120 dwelling/hectare is categorised as a '*typical dense city typology with a strong mix of uses*'. A neighbourhood with net housing densities of 60-120 dph and a mix of uses is described as 'urban'. Why does the PSMDLP not view a future Scrubs Lane and a future Channel Gate/Atlas Road as being 'urban neighbourhoods' with building typologies that will allow National Design Code aspirations to be met?

Instead the PSMDLP (in a single sentence not incorporated in any specific 'policy') promotes densities four times as great.

The Old Oak Neighbourhood Forum, in relation to its work on a draft neighbourhood plan, has been given by OPDC a working figure of 520 dph net, as having been used in capacity studies for the Channel Gate/Atlas Road sites. This figure is not included as part of the PSMDLP. OPDC has published overleaf an image of a future Channel Gate/Atlas Road with 3,100 new homes based on PSMDLP policies. Public reaction to this has been very adverse.

MMPS/OPDC/M4v Paragraph 3.78 of the PSMDLP has text unaltered from the 19.2 version. This reads *The proposed level of investment in transport infrastructure and the planned public transport accessibility improvements, on a brownfield site in zone 2/3 west London, provides a strong rationale for the design and delivery of new high density development including new tall buildings in appropriate locations. Outside of SIL, modelling shows that in order to achieve the homes and jobs targets for the area, development will likely deliver average residential densities of 450 units per hectare.*

Evidence from ODPC Planning Committee decisions to date, and from those decisions which LB Ealing has taken since 2015 on OPDC's behalf, show that average residential densities are likely to be well above 450 units per hectare, in the main areas of concentrated development (Scrubs Lane, Channel Gate, Acton Wells and North Acton).

⁸ These schemes are Mitre Yard (S96A and S73 revised consent at 455 dph January 2020, North Kensington Gate (South) new and 'optimised' OPDC consent at 547dph January 2021, 2 Scrubs Lane at 776 dph 2017, North Kensington Gate (North) at 440 dph 2017. Construction has yet to start on any of these developments as of July 2021. Mitre Yard has seen demolition work in recent weeks (City & Docklands). Developers at 2 Scrubs Lane (Fruition Properties) sought to vary pre-construction planning conditions, and to evict the City Mission church, prior to the expiry of their 2018 planning consent on June 22ns 2021.



OPDC late 2020 consultation image. Channel Gate/Atlas Road development shown in pink. Oaks development (nearing completion) shown in blue

In the transition from the 19.2 Draft Plan to the 2021 PSMDLP version, anticipated 'average densities' for housing have moved upwards while nearly all of the previously proposed new transport infrastructure has disappeared from the Plan (other than OOC station itself). The *strong rationale* cited in unmodified parts of **paragraph 3.78** above has disappeared. OPDC's justification then falls back on the 3.78 statement that *Outside of SIL, modelling shows that in order to achieve the homes and jobs targets for the area.....*

The fact that *modelling shows* this outcome, indicating that extreme densities must therefore be pursued, is not acceptable as a **justified** process of rational, sound and effective spatial planning. It is the result of simplistic 'capacity studies' and an arithmetical exercise on how many units can be positioned on given plots of land. In OPDC's case, this leads to an almost universal reliance on buildings which range from 'tall' (under the 2021 London Plan definition) to very tall. Broad areas and locations are then deemed as 'appropriate' for such buildings with no accompanying specific methodology or site-by-site examination of 'suitability'.

We are aware that developers Pocket Living have purchased part of the Channel Gate site for a scheme of 400 Build to Rent Units. Whether these plans take into account the fact that the site immediately across the canal remains part of plans by the West London Waste Authority, and that London Plan D9 is now in force, remains to be seen.

As a consequence, we view **Policy SP9 and its supporting text as unsound and failing to take account of the updated Policy D9 in the 2021 London Plan. More broadly, London Plan Policy SD1 sets out London Plan policies for Opportunity Areas. We consider that the PSMDLP falls down in relation to SD1 which states *Boroughs, through Development Plans and decisions, should: 1) clearly set out how they will encourage and deliver the growth potential of Opportunity Areas.*** The PSMDLP is not clear, and has been left as deliberately unclear in respect of the points made above.

Policy SP10 Integrated Delivery Strategy

Modifications proposed by OPDC to this section of the PSDLP are limited, as much of the text refers across to Chapter 11 and the updated Infrastructure Delivery Plan (see representations below).

The key modifications are to the housing and employment numbers in the **table of site allocations at 3.1**.

Table 3.1 appears to omit the site at 2 Scrubs Lane, where consent was granted by OPDC in June 2018 for a 20 storey residential tower with 65 housing units (now lapsed).

MM/PS2/OPDC/SP/36 Paragraph 3.80 continues to refer to sites to be 'decked over'. Which are these, of the sites listed in Table 3.1?

CHAPTER 4 PLACES

Most of the 'Places' chapters in the PSMDLP are not the subject of extensive modifications. But those for Old Oak North, Channel Gate and for Scrubs Lane are the subject of very extensive changes or entire redrafts. As noted in our Part 1 representations, this begs questions on the point at which a Local Plan undergoing 'modification' at submission stage becomes in reality an exercise in extensive further 'preparation'.

The fact that the extensive new wording, introduced as 'modifications' for all three of these 'Places' is not included in the OPDC Table of Modifications is in our view seriously misleading. It would be all too easy for a local resident who takes the trouble to read through this key document not to become aware of these three sections of new text. These are the most fundamental of the changes between the 2018 and 2021 versions. MM/PS2/OPDC/P2/1, MM/PS2/OPDC/P9/1, MM/PS2/OPDC/P10C5/1

These 'Place' sections in Chapter 4 of the PSMDLP make no attempt to **distinguish between 'strategic' and 'non-strategic' policies within their content.**

This does not comply with 2012 NPPF paragraphs 156, 184 and 185. On the face of it, much of the policy content of these chapters is 'non-strategic' in terms of NPPG criteria.

If OPDC is unwilling or unable to provide as part of the PSMDLP a table indicating which of the Plan's policies are 'strategic' and 'non-strategic' (as the NPPF requires) then we seriously question whether the Chapter 4 sections of the document should remain in an adopted Local Plan. This level of prescription and detail on non-strategic matters is not what Local Plans are intended for.

Chapter 4 should explain why OPDC has felt it necessary to prepare a Local Plan that includes strategic and extensive non-strategic policies. The level of detail in many of the Place policies goes way beyond what other London Boroughs include in their recent Local Plans (e.g. City of Westminster, Tower Hamlets, Hackney).

Old Oak South

MM/PS2/OPDC/P1/1 The wording of **Policy P1 Old Oak South** remains largely unchanged, including sub-policy e) which reads *Contributing to the delivery of Old Oak major town centre by delivering a range of town centre uses, including top-up convenience stores, cafés, bars, restaurants, social infrastructure, business hotels and comparison retailers, that meet needs of employees, residents and*

interchange passengers; As noted above, this 'Old Oak major town centre' now appears to be perceived by OPDC as an extended 'crescent shaped' area spreading from North Acton to Channel Gate **MM/PS2/OPDC/P1/10**. **Each of these two locations are at a distance of 1km or more from OOC station.**

On diagrammatic maps used by OPDC for consultation and presentation to its Board the area around and north of the station is shown as 'Old Oak Major Town Centre'. This is causing confusion amongst local people. **The PSMDLP documentation is internally inconsistent between its maps and text.**

On the main Local Plan Policies Map Figure/PS2/OPDC/PM1 as modified for renewed examination, no town centres are shown other than in Park Royal and at North Acton

On the Policies Map Town Centres Figure/PS2/OPDC/PM4 in the *Figures Modifications*, similarly no town centres are shown other than in Park Royal and at North Acton

On the Policies Map Spatial Vision Figure/PS2/OPDC/2.2 a note states *Old Oak major town centre removed from Old Oak North and repositioned to include Atlas Junction and part of Channel Gate*; A large patch is shown in red/grey hatching, as was used for the 19.2 Plan but in a different place.

It is small wonder that, when combined with other conflicting statements in sections of the PSMDLP about other *parts of the major town centre* as referred to earlier, the public do not understand what is now meant by *Old Oak Major Town Centre*.

We do not believe that significant numbers of OOC station 'interchange passengers' will wish to walk along an unappealing section of Old Oak Common Lane to reach Channel Gate/Atlas Road. Reaching North Acton is an even further walking distance, until such time as an 'Old Oak Street' bridges the wide barrier of railway lines. **Why would either location attract GWR or HS2 passengers, if central London locations can be reached within minutes by Crossrail?**

MM/PS2/OPDC/P1/7 Paragraph 4.6 As noted previously the National Infrastructure Commission and HS2 both give 2029-33 as the expected date for opening of HS2. The reference to 'local connections' to the Overground' needs to be removed in a description of the HS2 interchange.

MM/PS2/OPDC/P1/10 Paragraph 4. 12 is proposed to be modified to read *Town centre uses should also complement and connect with other sections of this new town centre located within Old Oak Lane and Old Oak Common Lane (P8), Channel Gate (P9) and North Acton and Acton Wells (P7)*. We do not see that 'sections of a new town centre' can be dispersed so widely. The term 'town centre' is being used in a way that has lost its common meaning, in attempts to 'modify' previous text on a subject where the underlying reality is one of major spatial changes to a previous Draft Plan.

MM/PS2/OPDC/P1/16 Paragraph 4.16 as modified reads *Delivering Old Oak Street as a high quality route will be particularly important for connectivity as well as providing walking and cycling access to the Scrubs Lane*. The 'the' is superfluous. This sentence can be read two ways. Scrubs Lane is on the eastern side of Wormwood Scrubs and has nothing to do with Old Oak Street, which is shown as connecting OOC station to North Acton. Presumably the sentence is intended to read that 'walking and cycling access to Scrubs Lane' is also 'important' rather than as Old Oak Street having anything to contribute to the connectivity of Scrubs Lane? It needs redrafting for clarity and this is one of many examples where modifying sections of text leads to sentence structures which render content near meaningless.

Paragraph 4.19 has not been modified and reads *As such, the station will act as a major catalyst for the development of the OPDC area, placing Old Oak South at the heart of one of the UK's largest regeneration projects, with the opportunity to become a new London destination.* Apart from OOC station itself, and possibly the Adjacent Site as and when safeguarding is removed and Sites 23 and 24 (Oaklands) it is not evident that this 'new London destination' will realistically emerge in the plan period for the PSMDLP. Reviews of the Local Plan in five and ten years time will be the stage at which such claims could perhaps be justified.

Stratford and the former Olympic Park have already proved successful in attracting universities and major cultural establishments to create 'Olympicopolis' in east London. In the years since 2015, no evidence has emerged that the OPDC will achieve a similar outcome at Old Oak. The 'London destination' ambition should now await the proven outcomes of opening OOC station in the 2030s, rather than forming the basis of a Local Plan that risks encouraging relatively random development of sites within no coherent overall spatial planning framework.

Policy PC1 Old Oak Common Station Cluster - Again, we question whether an aspiration that this location *will become a destination at the heart of a new major town centre and commercial centre for London* can justifiable remain unaltered in a final 2021 Local Plan? The currently proposed extended *major town centre and commercial centre* will not be at OOC station.

Sub paragraphs c) and d) of this policy PC1 are now redundant. The station has been designed, consent granted for the building and its surroundings, and the building is under construction.

The supporting text at 4.21 to 4.30 could be significantly shortened, for the same reasons. The design phase of the station is now long past.

Old Oak North

MM/PS2/OPDC/P2/1

MM9/PS/Q5(2)

MM10/PS/Q5(4)

MINOR/PS/General1

MM9

MINOR/PS/Q12Q13Q16(1)

MINOR/PS/M3c(1)

Policy P2 Old Oak North – this has been entirely redrafted from the 19.2 version. The new 'vision' describes the future of the area *as a vibrant industrial location that people will want to work in, visit and pass through.* Visitors will indeed continue to come to the Cargiant business and other outlets on the industrial estate. We are not clear on the 'pass through' addition? Pass through to where? What routes in or out of the industrial estate will there be, other than the existing vehicle entrance/exit onto Scrubs Lane?

North Acton and Acton Wells

The 'vision' in the main policy box is that *North Acton and Acton Wells will be a high density mixed use area accommodating tall buildings in appropriate locations.*

It is early days in the life of the new administration at LB Ealing. Council Leader Peter Mason has made very clear commitments to review LBE policy on Tall Building, in the light of rapidly growing public

resistance to the approach which the Council has taken in recent years. We wait to see how LBE will approach the preparation of its own Local Plan to replace very outdated 2012/2013 development plan documents. We also wait to see whether the OPDC Scheme of Delegation to LBE remains in its present form, when the Council is reconsidering its stance on OPDC plans for North Acton and East Acton. Proposals for two further very tall buildings at North Acton (1 Portal Way and the Castle pub Site) remain at pre-application stage.

MM/PS2/OPDC/P7/2A Paragraph 4.109 states *OPDC will also employ a retrospective pooling contribution mechanism, to provide additional planning contributions towards delivery of the facility from other appropriate developments (see Policy SP10).* Since delegating to LB Ealing in April 2015 all decisions on applications at North Acton, OPDC has notably failed to involve itself on decisions on the allocation of S106 receipts flowing from major developments consented. Neither OPDC nor Ealing has put in place a CIL regime.

Paragraph 4.102 states *The public realm within North Acton is currently of a poor quality and lacks coordination between different development sites. For an emerging high density area, creating a high quality public realm is fundamental to the delivery of a high quality place.* Such a comment is sadly too late in the day for North Acton. Three years on since the 19.2 Draft Plan was written this 'high density area' has 'emerged' all too clearly on the London skyline, as a result of LBE decisions delegated by OPDC. The public realm has indeed proved to be windswept, overshadowed and remains 'of poor quality'. Successful 'activation' of ground floors of tower blocks remains an unfulfilled aim.

Paragraph 4.120 should explain that the developments referred to have already been consented, and in some cases built. And that OPDC has since 2015 delegated to LB Ealing the determination of all planning applications at North Acton. At the moment there remains much public confusion as to which planning authority has been responsible for consenting these developments

Place P8 Old Oak Lane and Old Oak Common Lane

MM/PS2/OPDC/P8/1 The previous 19.2 Plan P8 'vision' of a place that mediates between the comprehensive mixed use redevelopment of Old Oak and the industrial intensification in Park Royal and Channel Gate made some sense and was supported by local people in responses at Reg 18 and 19 stage. As 'modified' it is hard to accept as accurate the retention of the term 'sensitive integration' in relation to changed plans for Channel Gate.

Under public realm and movement, the P8 policy 'box' sub paragraph ii) still refers to the abandoned plans for 'Union Way' as a through route. Sub-paragraph iii) refers to *widening Old Oak Common Lane to include generous footpaths and segregated cycle lanes.* OPDC on January 14th 2021 consented to a S17 application from HS2 for works to the bridge across Old Oak Lane. This involves no widening of the bridge and includes a cycleway but at the cost of removing the pavement from one side of the road, forcing pedestrians to cross the roadway. This part of Policy P8 needs updating.

Paragraph i) in the policy box refers to *a variety of building heights* at certain locations, with no indication of the range of heights being considered (which could be from 10-50 storey on experience to date of consents granted by OPDC and LBE on the Corporation's behalf). We do not think this sub-paragraph of policy complies with 2021 London Plan Policy D9, without further reference to criteria for 'suitability' for tall buildings.

MM/PS2/OPDC/P8/1 **Policy P8C1 Atlas Junction Cluster** - the proposed modification in the policy box defines this location as *part of Old Oak Major Town Centre*.

Further modifications are therefore needed to the 'vision' and detail of this **policy P8C1**. The supporting text was prepared for the 19.2 version, when referring to a proposed neighbourhood centre at Atlas Junction. It now makes little sense when as modified is referring to this location being part of '*the Major Old Oak Town Centre*'.

Were it possible to bring forward extensive new development along both sides of this section of Old Oak Common Lane (as would have been the case for 'Old Oak High Street' at Old Oak North) a continuous but fairly concentrated 'centre' would have been plausible as a viable retail, office, cultural, and entertainment location immediately north of OOC station and extending to Channel Gate.

But Old Oak Common Lane does not lend itself to this approach. On the east side of the road is the Nova café, a MOT service centre, a row of industrial buildings, and the Nadi centre. Some limited 'activation' of this eastern side of the road might be possible. But along most of the western side of the road there is a fence and a steep drop to railway lines (see aerial photo on page 9 above).

East of Old Oak Common Lane the presence of the Elizabeth Line Depot prevents development in the plan period. The Oaklands complex is nearing completion and will not be a 'town centre' set of uses. The remaining section of Old Oak Common Lane (leading to the Atlas Road roundabout) cannot be developed on either side of the road apart from one site on which a housing development proposed in 2017 (Victoria Gardens) did not progress to application stage.

To unite Channel Gate/Atlas Road with the OOC station and 'Adjacent Site', as two parts of a 'major town centre' may look faintly plausible on a diagrammatic map. This is what OPDC does in *The Spatial Vision Figure Figure/PS2/OPDC/2.2 PSMDLP*. But as the Inspector commented at the 2019 EIP hearings, diagrammatic maps can give a false impression of existing topography, physical barriers and existing land uses.

Referencing 'Union Way' **at d) in the PC81 policy box** as an *all modes access route providing walking and cycling access to the Grand Union Canal towpath* is an example of the many elements of the former 'movement networks' that have been lost as compared with the 19.2 Draft Plan. There is already access to the canal towpath at the Collective building on Old Oak Lane (due to be improved by an OPDC *In the Making* project). Were Union Way to have become an east west link to Scrubs Lane, this would have been a different matter.

MM/PS2/OPDC/P8/6 **Policy P8C1 g ii)** on building heights reads *on Oaklands North, generally 6 to 8 storeys facing on to the Grand Union Canal, with generally 10 storeys along Union Way*. 'Union Way' as we understand is now due to be a fairly short cul-de-sac at the Oaklands sites?

Place P9 Channel Gate

MM/PS2/OPDC/P9/1 This policy and its supporting text at 4.148 to 4.162 (as numbered in the tracked version of the Local Plan) is a complete redraft from the 19.2 version of the Draft Local Plan. See previous comments in Part 1 of our representations questioning whether this **extent of modifications, and the preparatory work which went into them (including consultancy costs running into hundreds of thousands of pounds) complies with the legal structure of the PCPA 2004**.

The schedule of modifications states *A full re-write of Policy P9 and supporting text has been undertaken. To review the new policy text, please refer to the Local Plan*. Many members of the public,

in trying to understand the changes in the Draft Plan between 2018 and 2021, may not look beyond this schedule – especially when the May 17th OPDC consultation letter (delivered to 44,000 households) claimed that *much of our draft Local Plan hasn't changed*. **New proposals for Channel Gate are a very major change, impacting on that part of Old Oak which includes much of the existing residential population.**

In justifying its 'refusal' on the 2017 application to designate a large part of Old Oak as a neighbourhood Area, OPDC pointed up the fact that the area of East Acton around Channel Gate/Atlas Road includes a large part of the existing resident population in the OPDC area.

In responses to the three previous iterations of the Local Plan, OONF (and the individual residents groups which combined together in 2016 to make up the Forum) supported the regeneration of the sites around the Atlas Road roundabout as a 'neighbourhood hub'. This location, building on the arrival of the 700 unit Collective co-living scheme, was seen as a good location that could be developed to provide the centre of a reinvigorated 'walkable neighbourhood' – once HS2 departs its current construction compounds - with further convenience shops, cafes and amenities such as a GP surgery, optician, day nursery etc. The Old Oak Draft Neighbourhood Plan has been worked up on this basis.⁹

In its search for possible new housing sites post 2019, OPDC now sees this 'Place' as *a thriving, residential led mixed use neighbourhood that contributes to the delivery of a minimum of 3,100 new homes and 600 new jobs during the plan period*. Channel Gate is also portrayed in the PSMDLP as 'part of' (and sometimes the main part of) a major Old Oak town centre.

This is an entirely different proposition from a 'neighbourhood hub'. It is one which there has been One session of OPDC consultation in 2021. Two earlier OPDC online presentations in November 2020, covering the totality of the modifications, gave little space for discussion on this location. It is a set of proposals that cannot begin to emerge on the ground until HS2 leave the current construction compounds, some time in the late 2020s.

Are these new plans for Channel Gate 'sound', plausible and realistic, for a hitherto neglected part of East Acton surrounded by several small and low rise residential enclaves (Railway Cottages at Old Oak CA, Midland Terrace/Shafesbury Gardens, and Wells House Road)? We are not persuaded this location will provide the receipts from planning obligations that will be needed to deliver the necessary infrastructure, nor that the location make sense in relation to OOC station, as compared with former plans for 'Old Oak Park'. Both Willesden Junction station and the new OOC station are a significant distance in terms of walking times and the attractiveness of the pedestrian route.

Driven once again by the seemingly sole concern of meeting housing targets, modified plans for this location come across to local people as a hastily contrived shift of direction by OPDC. At present the location is one large construction site with extreme impacts for residents, given the anticipated duration of the construction of OOC station.

The two large sites at Atlas Road and Channel Gate form a large triangle and are divided by the Grand Union Canal. Two of the three sides of the triangle are bounded by impermeable railway lines, leaving Victoria Road/Old Oak Lane as the only entry and exit point to the area. Willesden Junction as the nearest Overground/Underground is 750m from the centre of the Channel Gate site and 950m from

⁹ This part of Old Oak was designated by OPDC 2017, as a response to an original application for a much larger 280 hectare neighbourhood boundary. The current Old Oak draft neighbourhood plan can be read at http://oldoakneighbourhoodforum.org/?page_id=9. The area includes the Wesley Estate, the Railway Cottages/Old Oak Conservation Area, Atlas Junction, Midland Terrace/Shafesbury Gardens and Wells House

the Atlas Road site.

As a completely redrafted policy and supporting text, this new section of the PSMDLP document has more internal consistency than many other inadequately 'modified' sections of the document. **But it is an entirely new part of a Draft Local Plan on which local residents had no chance to comment at Regulation 18 or 19 stage.**

Our **detailed objections to Policy P9** relate to:

- Assigning a location as '*part of a major town centre*' gives no reassurance that 'major town centre uses' will in reality wish to locate at Channel Gate. Other nearby locations would offer greater potential in terms of footfall, good public transport access). Ealing Broadway and Harlesden town centre are examples.
- North Acton, despite being on the Central Lane has failed to attract uses other than fast food outlets, coffee shops, betting shops, and uses geared to a student and transient population.
- As elsewhere in the PSMDLP, there is a lack of any clear policies on maximum building heights. Policy P9 (o) uses the usual opaque language of this Local Plan. This refers to *contributing to a variety of building heights across Channel Gate that respond to sensitive locations and optimise development capacity ... along with tall buildings at appropriate locations throughout Channel Gate in accordance with Policies SP9 and D5*. This wording is designed to leave options open the OPDC as the planning authority. We question as above whether this approach will meet 2021 London Plan Policy DP9 on Building Heights.
- The lack of any clear policy on housing density ranges as cited previously in these representations.
- The proposal to define a section of Old Oak Lane a 'green street' and to build an extension to the proposed new '*Channel Gate Street*' Street' behind the 'railway cottages. This is opposed locally. Such a new road will need to join back into the heavily congested Old Oak Lane at the bridge to Willesden Junction. It would do nothing to relieve or reduce overall traffic flows through the area.
- While planned as 'car-free' development, the experiences of 2020/21 and longer term trends have taught us that 'car-free' does not mean 'delivery free'. 3,100 new homes would have a major impact on the local road network, already congested.

We appreciate that it not the role of an Inspector of a Local Plan to improve the plan beyond ensuring soundness and effectiveness. But for local people in East Acton, the much trailed 'Western Lands strategy' has not emerged as a convincing spatial plan.

A £120,000 consultancy project was commissioned by OPDC from master planners Prior+ Partners in late 2019, to make some sense of the 'Western Lands' strategy. Having had to resort to FoI requests to see the 'outputs' of this work, these proved to be nothing more than a set of slide decks used in presentations to landowners and 'stakeholders' (but not to the public). No signs of an imaginative or innovative plan for a *thriving, residential led mixed use neighbourhood* have emerged from this consultancy exercise.

There seems to have been no attempt to create a part of London which might offer something new and distinctive to a younger generation of Londoners looking for a different way to live and work. The coming years of 'London Recovery' strengthen the need for a more radical rethink rather than a repeat of standard BTR tower blocks at this location.

In many discussions at the Old Oak Neighbourhood Forum since 2015, we have looked at more innovative approaches to urban planning from across the world. Seestadt Aspern on the edge of Vienna is one example. Almare as a self build/custom build addition to Amsterdam is another. There are European cities which have successfully combined the worlds of work and of home over centuries. In terms of 'London Recovery' and 'hybrid' working between home and office, Old Oak could be a

model for some fresh thinking.

Fifteen minute 'walkable neighbourhoods' are nothing new. Nor are planning policies which encourage affordable and flexible workspace with policy specifics that in the OPDC Draft Local Plan. We do not understand why OPDC planners retain hard boundaries between SIL and residential areas, and have not explored models of more ambitious 'co-location' as in use in East London.

Come the mid 2030s, when the impact of HS2/GWR/Elizabeth Line passenger levels are known, there may be good grounds for further intensification of this part of East Acton. In 2021 those living and working the immediate area see this set of 'modifications' as nothing more than the result of circumstances forced on OPDC in 2019. Unrealistic housing number for this location are being imposed simply because these Opportunity Area targets should have been revisited during preparation of the 2021 London Plan, but were not.

In the meantime we have proposed to OPDC the use of the neighbourhood planning framework to come up with a 'contingent' set of site allocations, policies, and a masterplan for Channel Gate/Atlas Road. Such a neighbourhood plan would acquire statutory status only in the event of OPDC's 'Plan A' failing to materialise, for a range of reasons which may arise in these uncertain times. Response at officer has been negative. A designation application to extend the current neighbourhood boundary was submitted to OPDC in May 2021 but awaits the start of publication and statutory consultation.

Place P10 Scrubs Lane

MM/PS2/OPDC/P10/1 **Vision** – the updated vision of Scrubs Lane *as a characterful and well connected neighbourhood sitting as a hinge between surrounding areas* is not seen as a plausible future for this street. The 'hinge' concept is not understood. This is a piece of unnecessary (and unknown) planning jargon.

Nothing within the 20 year lifetime of the PSMDLP seems likely to change the current basic character of Scrubs Lane. It is a traffic congested north/south artery through a largely industrial area, similar in many respects to Old Oak Lane. It is not '*well connected*' and has low PTAL levels at the southern end. With no new Hythe Road Overground station, the levels of local access to public transport will improve only marginally even with OOC station (a decade away). Access to this rail interchange from the east will be minimal.

Without 'Old Oak Park' on the Cargiant land, sales and rental values of new homes at Scrubs Lane will be significantly lower than foreseen in 2018. Revised proposals to 'optimise' consents at 'Mitre Yard' and North Kensington Gate (South) have already been consented by OPDC. We have only recently discovered that the Mitre Yard scheme has been the subject of a £19m 'loan facility' from GLA Land and Property Ltd to the developer City & Docklands, as part of efforts to 'unlock' development in Scrubs Lane.

Walking distances to OOC station from Scrubs Lane (depending on the exact starting points) will be at or above the 960m outer limit used by TfL for PTAL assessments. The pedestrian cycle route between OOC station and Scrubs Lane will continue to rely on a section of the Grand Union canal footpath, considered by many as an unsafe route. The current pedestrian route from Scrubs Lane/Hythe Road to Willesden Junction may prove possible to improve in some respects, but will always involve a series of level changes to traverse rail tracks.

MM/PS2/OPDC/P10C5/1 The schedule of modifications states includes a barely noticeable statement *The new P10C5 cluster policy has been included. To review the new policy text, please refer to the Local Plan.* The average resident is not going to be alerted by this to the fact that a newly proposed development of high density/high rise housing is being proposed, immediately north of the highly valued open space of Little Wormwood Scrubs.

Cargiant appear likely to remain as the major occupier of the Hythe Road Industrial Estate for many years to come. Intensification of their landholding, and a new emphasis on the electric car business, seems unlikely to bring major changes to Scrubs Lane itself.

MM/PS2/OPDC/P10/3 P10b under Land Uses adds a new sentence b) *Delivering a range of 'walk to' town centre uses focussed within the identified five clusters, providing local services for people living and working in the Scrubs Lane Place.* How in reality will each separate cluster provide sufficient footfall to support local services?

MM/PS2/OPDC/P10/10 Paragraph 4.163 introduces wholly new material on the significance of Scrubs Lane as a 'place'. If this material was not relevant to the 19.2 Draft Plan there is questionable justification for it to be added now – other than to bolster what is seen locally as an unconvincing attempt to re-position Scrubs Lane as *a place in its own right*.

The 10 minute walking time quoted to reach OOC station is over-optimistic. Road connections through to Kensal Canalside remain as unfunded aspiration. The new sentence *Scrubs Lane has the ability to deliver enhanced connections which tie together these surrounding neighbourhoods and deliver a high quality place which makes a significant contribution to local homes and jobs provision in its own right.* The street itself has no 'ability to deliver anything, and as yet developers are continuing to display caution in building out schemes consented by OPDC several years ago.

MM/PS2/OPDC/P10/14 Paragraph 4.168 as modified states *The clusters will have a key role in sustaining the presence of active uses to support this new community, add life to the street and ultimately support the delivery of Lifetime Neighbourhoods in accordance with Policy SP2.* Harlesden Town Centre is not in close proximity to Scrubs Lane. It is 1km distant from the cluster of residential towers granted consent by OPDC just north of Mitre Bridge in 2017/8 (yet to be constructed).

Local people are under no illusions as to where this concept of a series of 'clusters' came from. These are the locations where speculative developers purchased sites in the early days of plans for 'Old Oak Park' as consulted on by Cargiant/London & Regional Properties in 2014/5.

At that time, the newly established OPDC encouraged developers to come forward with proposals for these sites, at a stage when a draft Local Plan was at an early stage. The consequence of this approach, coupled with the 2019 'change of direction' has been a series of planning consents which have since fallen below the level investment returns acceptable to the landowners. Prospects for sale or rental of high rise small flats and studios diminished once Old Oak Park and a new Overground station fell off the agenda. Hence a series of applications in the past year to add further housing units, at a time when reduced access to public transport **reduced** rather than increased the justification for these planning consents.

MM/PS2/OPDC/P10/15 Local people who have lived in or near Scrubs Lane for decades also have severe doubts about the 'cluster' concept. Stringing out small pockets of shops and 'active uses' along a stretch of busy main road, from the Harrow Road to Mitre Way, risks an outcome where none of these separated clusters have the critical mass to attract and retain even small convenience stores let alone any wider range of 'active uses' such as *shops, cafés, restaurants, community spaces, gyms and local office space cafes* (**Paragraph 4.169**).

A single (or even two) housing development(s) at each cluster is not going to provide the necessary customer base. The walking distance between the Harrow Road cluster and the Mitre Way cluster will be 1km. The walking distance to a regenerated Kensal Canalside will be the same. Most studies of 'High Streets' recognise that in an era of declining retail trade, it is the two ends of a parade which

should be surrendered to other use classes, in order to leave a viable core. Planning Intentionally to string out a series of 'clusters' seems a strange approach.

The St Quintin and Woodlands neighbourhood area lies a few hundred yards to the south of Mitre Bridge. It covers 1,700 households within in a compact set of terraced streets that includes three traditional shopping parades of 6-12 units in each. Despite a 2016 neighbourhood plan which introduced policies to allow flexible change of use class (in advance of national PD rights) vacant units still remain in all three parades.

This pocket of North Kensington remains a very desirable 'walkable neighbourhood' with wide streets and pavements, primary school, health centre, park and playground, church and good environment. This StQW neighbourhood was laid out in the early years of the 20th century. The StQW Forum would like to see incoming residents of Scrubs Lane provided with a 'place' that even begins to compare in terms of its quality.

MM/PS2/OPDC/P10/1 Policy P10 Sub paragraph v) under **Public Realm and Movement** reads *improving existing, safeguarding for and creating new east-west routes at each cluster 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*; While this sounds like a lot of new east west connectivity the actual changes proposed in the PSMDLP are in fact very limited (as shown by the Map of Key Routes at Figure **PS2/OPDC/PM2** in the IDP document).

MM/PS2/OPDC/P10/17 Paragraph 4.171 as modified states in similar vein *To enhance east-west connectivity new and improved connections are proposed at Laundry Lane, Hythe Road, and along the Grand Union Canal southern towpath and through the delivery of Wormwood Scrubs Street providing improved access to Kensal Canalside Opportunity Area*. Improved access to Kensal Canalside from Scrubs Lane is an aspiration. Development within this Opportunity Area in RBKC remains at SPD stage with the single medium-term prospect a redevelopment of the existing large Sainsburys store.

MM/PS2/OPDC/P10/17 We see no basis for a modification to add the word 'currently' to the 19.2 wording of this paragraph (which previously read *east - west connectivity is poor*). Such connectivity will remain poor. Safeguarding a possible new east-west connection at Laundry Lane is an aspiration. The 19.2 version of the Plan included Union Way as an east-west connection which would have made a significant improvement in east-west connectivity. This is a further example of OPDC officers inserting wording which they would like to be justifiable and accurate, when this is not the case.

'Laundry Lane' is described in the updated Development Principles document as a *potential connection Into Old Oak North*'. Limited numbers of people will find this connection a useful addition to the existing Hythe Road entrance/exit at Hythe Road. Neither will provide a through route to East Acton, as Union Way/ Park Road in the 19.2 version would have done.

Hence the whole concept of Scrubs Lane 'tying together surrounding neighbourhoods' is currently a distant future hope and not a plausible set of Local Plan proposals in 2021. The updated Development Principles document, and Infrastructure Delivery Plan, which both use diagrammatic maps, raise unrealistic expectations of new connections that are beyond the PSMDLP plan period.

MM/PS2/OPDC/P10/22 Table 4.2 **Building Height Guidance for Scrubs Lane** This table has a modified paragraph reading *These six locations for tall buildings will support legibility at key east-west intersections with the street, help to meet homes and jobs targets, maintain the character of Scrubs Lane, support the delivery of social infrastructure and open space and manage impacts on the townscape and heritage assets.*

As pointed out above these 'key east/west' intersections appear only on OPDC diagrammatic maps and not within the *February 2021 Figures Modifications* and the Policy maps. To use these possible future intersections as a 'legibility' justification for tall buildings is a very weak rationale. The same applies to 'maintaining the character of Scrubs Lane'. Tall buildings are not part of the current character of Scrubs Lane.

It is not clear how the arrival of a series of tall buildings will *manage impacts on the townscape and heritage aspects*. Historic England, RBKC and LBHF all objected to the impact on St Marys Cemetery of the proposed North Kensington Gate (South) tower, increased to 24 storeys with a fresh 2021 planning consent from OPDC's Planning Committee, as granted in January 2021.

MM/PS2/OPDC/P10C3/11 A newly added paragraph to Table 4.2 reads *The exception to this approach is the Hythe Road cluster where additional tall buildings are considered to be 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*. We do not consider that this justification of the 'suitability' of this location satisfies the modified 2021 London Plan Policy D9. The real reasons for an extra tower at this location will be to do with site ownership by Cargiant.

The *Scrubs Lane Development Principles Document* has been updated. In its previous 2018 version, this document was never progressed to the stage of a SPD and hence never underwent statutory consultation.

The unorthodox set of proposals for a series of 'clusters' now extending southwards to a fifth at Mitre Way Off Wood Lane seems to have become established 'policy' in the minds of OPDC planning officers. But it features nowhere in the adopted 2015 OAPF and its introduction continues to be resisted strongly by local people.

MM/PS2/OPDC/P10C5/1 The PSMDLP includes the North Pole Depot site on the basis that earlier release from DfT/Network Rail has been negotiated, as compared with the 2018 position. The site currently has vehicle access only via a non-public road running alongside the rail tracks from the Kensal Canalside area. The RBKC SPD and masterplan for Kensal Canalside views such a route (termed 'South Street' by RBKC as A 'potential' new route but only in the longer term.

MM/PS2/OPDC/P10C5/1 Mitre Way is a purpose-built access road constructed by LBHF in the early 1980s to open up land for the construction of the Mitre Bridge Industrial Estate. While it could be extended into the North Pole Depot site, it is not obviously suitable as road access to a new residential area¹⁰.

Mitre Bridge Industrial Estate is a 6,250 sq m purpose built estate of 22 units, dating from the early 1980s. Access to the North Pole Depot site via Mitre Way would involve driving through the estate. It would require any vehicles coming from Scrubs Lane to loop south and then back north for 1km, unless/until a connection can be established from Scrubs Lane. The modifications do not make clear a proposed future for this industrial estate, which is relatively modern and currently well occupied by businesses.

MM/PS2/OPDC/P10C5/1 This new paragraph states *The Mitre Way Cluster will be where the existing Scrubs Lane and future Wormwood Scrubs Street meet, providing a key navigation point for these north-south and east-west routes*. The western section of Wormwood Scrubs Street remains an aspiration beyond the plan period.

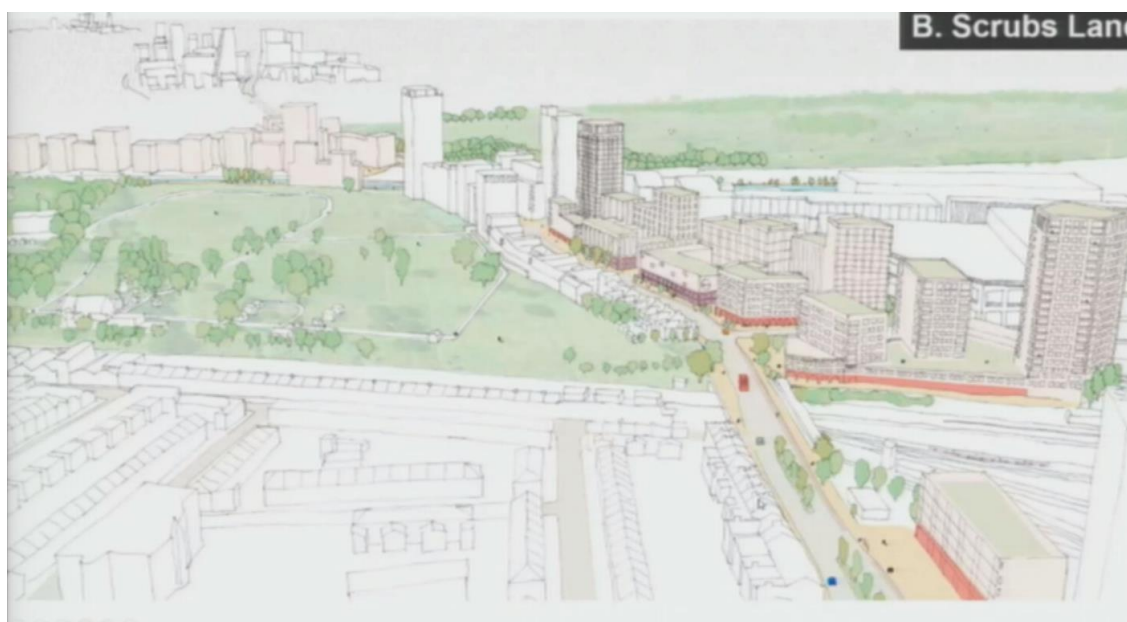
¹⁰ Mitre Way runs for 500m parallel to the West London Line and the boundary of Little Wormwood, before reaching the northern edge of the industrial estate. It has a single junction with Wood Lane at its southern end, outside the OPDC area. Mitre Way is currently not connected into the North Kensington local roadwork, although may appear so on maps (there is a permanent road closure at the junction with Dalgarno Way).

MM/PS2/OPDC/P10C5/1 Paragraph 4.213 states *The Mitre Way Cluster boundary is shown in figure xx. Portions of site allocations 40 (North Pole East Depot), 32 (Big Yellow) and 34 (Mitre Industrial Estate) fall within the cluster boundary.*

There is a Figure No 4.34 P10 Scrubs Lane included in the updated set of Figures. The blue patch labelled as the Mitre Way 'cluster' does not appear to include the Big Yellow Storage site or the Mitre Bridge Industrial Estate.

A future image of this area shown at an OPDC presentation to the Board and Planning Committee (see Below) has caused concern to North Kensington residents and regular users of Little Wormwood Scrubs (the open space immediately to the south of the Mitre Bridge Industrial Estate).

Inconsistencies between sections of text and figures in the PSMDLP need to be clarified. Plans for this new Mitre Way 'cluster' have not been subject to Regulation and 19 consultation and appear to be untested and too ill-defined at present to be introduced via a modification at the examination stage of a Local Plan document. What happens to the Mitre Bridge Industrial Estate? How is the North Pole Depot site to be accessed by road?



OPDC image of Scrubs Lane looking south across St Marys Cemetery to proposed development at the 'Mitre Way Cluster' (pale brown) with the Imperial White City campus and 35 storey tower in the background.

CHAPTER 5 DESIGN

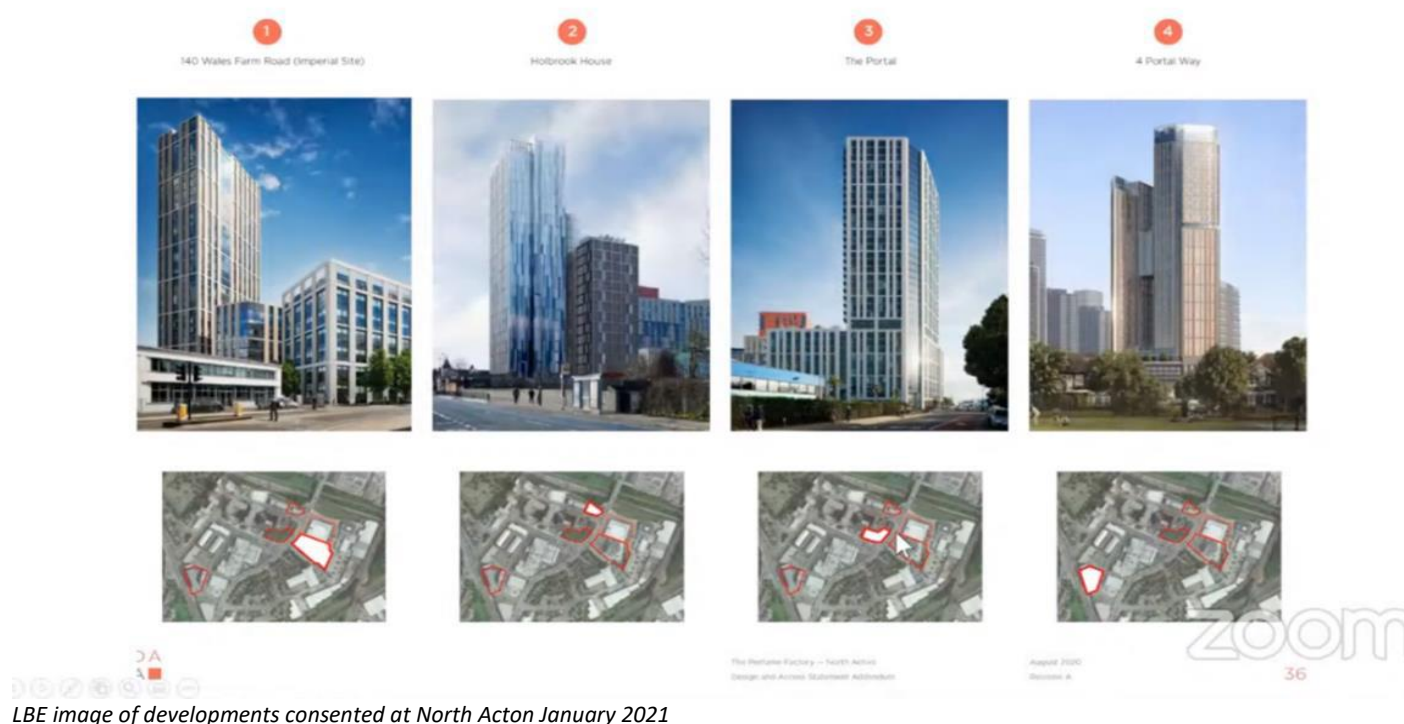
MM17/PS/Q3e

MINOR/PS/OPDCM17(1) and

(3)Former Policy D1 has been downgraded to a set of 'principles'. Local people lack confidence that OPDC will adhere to them. None of the contentious applications for very tall towers at North Acton, decisions on which OPDC delegated to LB Ealing from the first meeting of the Board in April 2015, have been referred to either the OPDC Place Review Group or to the OPDC Community Review Group.

MM3/PS/Q3f The OPDC has operated a Place Review Group since 2015, made up of professionals, to carry out design reviews of major schemes. Initially this process was undertaken by CABE. In 2018 Frame Projects were commissioned to recruit a new panel of assessors and to manage the review process.

Adjacent Developments



LBE image of developments consented at North Acton January 2021

LB Ealing is a Borough which has not hitherto operated a design review process, although is now in 2021 introducing such arrangements. The OPDC Community Review Group was established in 2019. It is made up of 12 residents/workers from the local community, who have been appointed through an application and interview process. This group is also managed by Frame Projects. The group has so far assessed a number of schemes prior to determination by OPDC Planning Committee.

Chapter 5 of the PSMDLP has been published with modifications at an awkward time. The process of drafting changes to the text has preceded the series of Government responses to the *Building Better, Building Beautiful Commission*, the new *National Model Design Code* and an updated *NPPF*.

Local neighbourhood forums and other community organisations fear that the resultant opportunity lost, for one of the city's last large areas of largely brownfield land, will be a source of regret for decades to come. A new national approach to good design is not reflected in the PSMDLP. This is one of a series of reasons why we argue that the Corporation should make use of the rephased timetable for HS2 (completion 2029-2033) and start afresh with a new Regulation 18 Draft Local Plan.

The draft National Model Design Code is not just about the design of individual buildings. It recognises that a combination of the English planning system and the workings of the development industry have failed to create streets and places that are valued by ordinary citizens.

Paragraph 5.5 of the PSMDLP does not begin to spell out new requirements to be placed on applicants and developers under the National Model Design Code, and its approach to 'coding' of sites and location.

The **June 2018 OPDC Character Study** does not appear to be being updated as part of the PSMDLP. The document does not cover North Acton and takes no account of development constructed and consented in this key part of the OPDC area. The section on Atlas Road predates the 'Western

Lands' strategy. As compared with the level of detailed character studies undertaken by e.g LB Hounslow, this Local Plan and supporting documents will provide no adequate basis of the preparation of design codes for individual parts of the OPDC area.

The revised NPPF (consultation version) includes an additional paragraph (109c) on *Considering Development Proposals the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code*. The PSMDLP will provide only a very limited basis for the OPDC Planning Committee to undertake such consideration on future planning applications.

Nor will this PSMDLP support the proposed revised NPPF guidance *at 124, Area-based character assessments, codes and masterplans can be helpful tools in helping to ensure that land is used efficiently while also creating beautiful and sustainable places*.

A significant element of the National Model Design Code is its emphasis on involving local people in genuine engagement in the preparation of design codes and character studies. OPDC's attitude to date towards neighbourhood planning has been defensive¹¹.

Policy D4 (as renumbered) Tall Buildings

MM4/PS/Q3g D5(c) and (d) MM4/PS/Q3g

We do not consider that this policy as modified will satisfy the requirements of the new 2021 London Plan Policy on building heights. Sub paragraphs a) b) and c) are insufficient criteria and measures for assessing an individual site in terms of its 'suitability' for a tall building,

This modified draft policy D4 on Tall Buildings gives no indication whatsoever of a range of acceptable building heights in different parts of the OPDC area. It cross refers to Building Heights policies in the Place chapters. These in turn use standardised wording *Contributing to a variety of building height...* and in many cases include a subsequent 'get out' clause reading *tall buildings at appropriate locations throughout (the named Place) in accordance with Policies SP9 and D5;*

By means of this circular combination of plan-wide and 'Place' policies, coupled with occasional specific references to building heights a casual reader of the PSMDLP might reasonably conclude that the OPDC area will not see buildings higher than '8-12 storeys' (an oft quoted range for locations defined in several Place policies). Any mention of buildings of 20-30 storeys or more has been excluded from the Local Plan document. The same applies to the Tall Buildings Strategy with its ambiguous use of the concept of 'shoulder heights' rather than total heights.

The PSMDLP appears to rely on its Policy D4 in combination with Place policies and the **modified Figure/PS2/OPDC/3.15** showing certain locations for tall buildings (along with 'sensitive edges'. We believe that more specifics on suitability of locations will be needed.

Policy D5 (renumbered) as modified removes a requirement for Daylight, Sunlight and Microclimate Assessments. The reason given is 'to ensure the effectiveness of the Plan'. In what are destined to become many areas of high rise/density buildings, this requirement becomes ever more important and not less. 2021 London Plan Policy D9 requires assessment of these issues.

¹¹ In 2017 the Interim Old Oak Neighbourhood Forum submitted a designation application for a 280 neighbourhood area, extending across the Old Oak part of the OPDC area and including a further set of residential settlements on the edge of the OPDC boundary. This application was refused by the OPDC Board in September 2017 and the current 22 ha area was designated in East Acton.

Policy D6) as modified on Key Views dilutes the wording. The same ‘reason’ is given .
MM2/PS/Q3i

In the tracked text version **Policy D7 on Heritage** has been significantly shortened via modification, :
MM2/PS/Q3j MINOR/ 2/D8/4 and others. Is this a modification proposed?

CHAPTER 7 TRANSPORT

This a further critical chapter and set of draft policies in the Local Plan, from the perspective of the public. It is also one where original ambitions for the OPDC area have had to be reduced substantially over the period since 2015.

MM/PS2/OPDC/T/1 Paragraph 7.1 as modified reads *Transport is the catalyst for the regeneration of the OPDC area*. As explained above, we think that this assertion is not justified. A rail interchange, even when including HS2, the Elizabeth Line and GWR lines, is no guarantee of a transformational impact on the surrounding area if there are major limitations in terms of proximity and availability of neighbouring development sites.

Paragraph 7.2 starts off by saying *Transport provision across all modes in Old Oak and Park Royal should be exceptional*. It continues *Delivering this high quality transport network will enable the attainment of the Mayor’s target for 80% of journeys to be made by walking, cycling or public transport*. The first sentence has been overtaken by events. The ‘*movement network*’ in the OPDC area will not change significantly in the OPDC area, beyond the addition of a HS2/GWR/Elizabeth Line station. The Old Oak area overall will continue to suffer from historic low permeability for vehicles, cycling and walking.

The key north south vehicle routes, already congested prior to more development in the area, will remain as before. No new east/west through routes are identified as achievable within the plan period.

The claim in **Paragraph 7.4** that *In accordance with Policy SP7, Old Oak and Park Royal’s streets should be the exemplar for delivering the Healthy Streets Approach contained in ‘Healthy Streets for London’* is once again aspiration. Without detailed design codes it is not clear how this aim will be achieved.

On Paragraph 7.28 as noted above on several occasions, the claim that *Old Oak and Park Royal will become one of the most accessible locations in the UK when the proposed public transport investments are delivered* can no longer be supported by the modified content of the PSMDLP.

Paragraph 7.35 is unamended and states *It will be important to carefully manage onward journeys from stations to encourage walking, cycling or use of the bus network. There is still likely to be a demand for coaches, taxis and private hire vehicles (PHVs) generated at stations and other land uses such as cultural or leisure uses which needs to be effectively managed*. OOC station is now the only new station likely to be built in the life of the Plan. The fact that this will have a sole vehicular entrance at its western end on Old Oak Common Lane needs to be made plain in this paragraph.

Paragraph 7.37 – same comment as on the previous sections where the ‘potential’ Old Oak Common Lane Overground station is mentioned. This station is not a realistic proposition for this iteration of a Local Plan. This potential infrastructure could be re-inserted at 5 year review stage, if its prospects

for delivery improve by then. To include it in 2021 raises expectations that will not be met.

The fact that both 'potential' Overground stations were shown on maps in the Regulation 18 Draft Plan as if already operational has already sowed confusion. Estate agents and the London property press do not always check their facts carefully before making claims for what they portray as a new 'regeneration hotspot'.

The exaggerated language and unsupported claims used in all three versions of the OPDC Draft Local Plan have encouraged the circulation of such misinformation. **A Local Plan should be a succinct and accurate exposition of planning policies, and not an exercise in promoting an area on the basis of false promises.**

MM/PS2/OPDC/T5/2 Paragraph 7.38 has been modified to read *The OPDC area will become one of the most connected places in the UK once Old Oak Common station opens.* As above, this repeated assertion should not remain in a Local Plan document with no evidence. Much of the OPDC area is miles away from the OOC station site. The area as a whole has a poor road network, many barriers to movement, and limited permeability. 'Most connected' as compared with an area of successful master planning and development such as Kings Cross/St Pancras International. We do not think so.

Paragraph 7.40 on OOC station states *This should include provision of direct and legible step-free access from the station to appropriately sized and well located walking, cycling, bus, taxi and drop off infrastructure.* Again it should be made clear that such provision will not happen at the eastern end of the station.

MM/PS2/OPDC/T5/3 Paragraph 7.41 as modified reads *New rail stations and rail lines should support Old Oak the OPDC area becoming a major new commercial and high- density residential centre by optimising development opportunities on and/or adjacent to stations and tracks.* What stations (in the plural) and new rail lines are being referred to?

Many people make decisions to move house on the basis of available public transport connections. Old Oak has been over promoted since 2015 as an area with 'unique' future connectivity. **This makes it all the more important the final adopted Local Plan is realistic and fully accurate on matters of road and transport connectivity.** Numerous modifications are needed in order to achieve this, and these have not as yet been proposed.

CHAPTER 8 HOUSING

MM/PS2/OPDC/H1/1, MM/PS2/OPDC/H1/2, MM/PS2/OPDC/H1/3

Paragraph 8.5 Given the removal of sites at Old Oak North and the challenges of finding alternative housing sites, we again question **whether it is accurate and justified** for paragraph 8.5 to say *The London Plan identifies that the Old Oak and Park Royal Opportunity Areas have the capacity to deliver at least 25,500 homes.*

To be precise, what is said about the OPDC area in the 2021 London Plan is follows: *A Local Plan has been published (not correct, a Draft Plan only) which recognises the huge regeneration potential of the area and sets out a clear strategy for how redevelopment should help to optimise economic growth and regeneration potential, create a new town centre and bring tangible benefits for local communities and Londoners. Positive masterplanning will be used to create an attractive new town centre with distinctive character.* This 'attractive new town centre' has in 2021 become hard to pin down in the PSMDLP.

Table 2.1 in the London Plan shows '*indicative capacity for new homes and jobs*'. **It does not identify that the OPDC area has the capacity....** Paragraph 10.11 in the London Plan states *When developing policies for Development Plans, allocations and frameworks, boroughs should use the indicative capacity figures as a starting point, to be tested through the assessment process.* **Use of the term 'indicative' was a modification required by the Inspectors of the London Plan, in response to evidence from several parties at the EIP that many of the Opportunity Area housing targets were based on slender evidence and are unrealistic.**

The 2015 London Plan similarly included a 24,000 figures for 'Old Oak Common' on the basis that this would be tested through detailed master planning. **We consider that the four iterations of a Draft Local Plan now show that this housing target has been tested to destruction** and cannot be achieved in an acceptable and sustainable way, given constraints on funding for necessary transport infrastructure and current site uses that cannot be changed.

As a Mayoral body, OPDC has appeared wholly unwilling to question the long term housing targets for the area. The Inspector's *initial findings* gave a steer towards rephrasing of delivery over an extended time period. But we do not consider the PSMDLP to have found a sound and effective way of achieving vent these rephased housing numbers. A more fundamental rethink is needed of what is possible at Old Oak, **given the scale of infrastructure investment likely to become available.**

CHAPTER 9 EMPLOYMENT

We share the view expressed by Ealing Councillor Peter Mason at the OPDC Planning Committee (February 23rd 2021) that the PSMDLP and its previous iterations have proved to be surprisingly traditionalist in not exploring the scope for co-location of employment and residential uses. Hard boundaries between SIL and non SIL areas have been retained, with associated policies that are restrictive on change of use. **This reduces the effectiveness of the PSMDLP, in our view.**

Where co-location is referred to within the Draft Plan, it is to co-location of forms of industrial and employment use, not including residential.

The Old Oak Neighbourhood Forum has long argued that a 'zone of transition' between the industrial and employment uses in Park Royal, and the existing residential areas in East Acton, are suitable for planning policies which take a flexible approach to 'live/work' and which encourage the use of older industrial buildings in the original streets of Park Royal as mixed workshop and studio use. Provision of relatively affordable (if sometimes 'scruffy') converted former accommodation would (we believe) meet a strong demand amongst self-employed creatives and makers for live/work premises.

We appreciate that it is too late to achieve changes rather than 'modifications' in the PSMDLP, but this is a further reason why we call for a rethink and return to Regulation 18 stage.

Policy E4 on Work Live Units we see as being unduly prescriptive in its content. Paragraph 9.26 states *However, the demand for this type of accommodation has not been established.* From what part of the OPDC evidence base this conclusion been drawn?

CHAPTER 10 TOWN CENTRE AND COMMUNITY USES

MM/PS2/OPDC/TCC1/1 Policy TCC1 cover Locations for and Impacts of Town Centre uses. We note that OPDC is deleting 19.2 wording which required town centre proposals *to be supported by a Town Centre Uses Statement, where they provide over:*

- i. 5,000sqm of town centre uses in the Old Oak Major Town Centre; or
- ii. 2,500sqm of town centre uses elsewhere;

Given the PSMDLP identification of an elongated/crescent-shaped *Old Oak Major Town Centre* running from North Acton to Channel Gate, it seems clear that this new 'town centre' is not going to take a conventional form in terms of the distribution and location of *town centre uses*.

MM/PS2/OPDC/TCC1/3 Paragraph 10.4 refers to OPDC's *town centre hierarchy* (also referred to at Policy SP6). It has clearly become increasingly difficult for the authors of the PSMDLP document to re-position parts of the OPDC area into a *hierarchy* that reflects the London Plan classifications of Metropolitan, Major and District centres. Without a substantive new centre at 'Old Oak Park', this aspect of the PSMDLP now struggles to carry conviction.

MM/PS2/OPDC/TCC1/3 Modified paragraph 10.4 now reads *The town centre hierarchy looks to focus town centre uses into four principle locations:*

- a) a new major town centre in Old Oak; and
- b) two neighbourhood centres at North Acton and Park Royal Centre

This sentence is internally inconsistent (one *major* and two *neighbourhood* makes three and not four locations). Here North Acton is referred to as a neighbourhood centre. Elsewhere (and at the OPDC Planning Committee) it has been referred to as 'part of' the 'crescent shaped' and elongated *Old Oak Major Town Centre*.

These textual contortions in the modifications are already confusing local residents trying to get to grips with the PSMDLP.

In the decade or more prior to the opening of OOC station, and in a pandemic period with London shopping streets already seeing multiple vacancies in far more established areas than Old Oak, we cannot see many investors looking at Old Oak as a potential 'town centre location'. We seriously question whether **Policy TCC1** is relevant, 'positively prepared' or helpful in a first OPDC Local Plan – due to be reviewed within a few years. The draft policy includes some restrictive elements in relation to SIL and in its requirement for mitigation measures at **TCC1(f)**.

From our daily local experience, any new businesses moving into the area, whether it be retail, cafes and restaurants, pubs or places of entertainment, will be fortunate to have the footfall and catchment area for viability. Whether these locations are labelled in the Local Plan as 'clusters' 'neighbourhood centres', or 'major' centres is not going to affect their chances of commercial survival.

We believe that the needs of the residential areas within East Acton, and within the boundary of the Old Oak neighbourhood area, would appropriately be served by a neighbourhood centre at Channel Gate/Atlas Road – which might develop more intensive commercial activity over time. The idea that this location should (or could) form one part of an elongated 'major town centre' and will attract a selection of 'major town centre uses' we see as illusory. The physical geography of the area does not support any link with OOC station.

Even were a target of 1,200 new homes to be built in the first 10 years of the PSMDLP (which seems unlikely given that HS2 will not be leaving the site before 2026 at the earliest, as we understand) this new population will not support most 'major town centre uses'. There will be other competing locations nearby (and along Elizabeth line) with much better access and a well-established urban environment.

MM/PS2/OPDC/TCC2/3 We take the same view towards **Draft Policy TCC2 on 'Vibrancy'**. The wording of this policy has major definitional problems. What is '*an existing town centre use*' or a '*town centre use*' being newly applied for. The new merged E class will anyway mean that LPAs and development management officers will in future have limited control over uses.

The exclusions from the new E class, including pubs and hot food takeaways means that these sui generis uses will still need planning permission for a change to or a from their current use. **If sub clauses d) and e) of TCC2 are considered to remain essential**, this could be achieved through a slimmed down policy.

MM/PS2/OPDC/TCC2/3 We suggest that TCC2 is deleted, on the basis that it is not positively prepared and is more likely to discourage 'vibrancy' than increase it.

We note that the whole of former **Policy TCC3** has been deleted to reflect the introduction of the new E use class.

Policy TCC3 (modified numbering) Social Infrastructure

MM/PS2/OPDC/TCC4/3 Paragraph 10.28 has been modified to delete a previous requirement for a 9 form secondary school. We heard the reasoning for this change as given by OPDC officers at the February 23rd OPDC Planning Committee. It needs some explanation in the supporting text as it is counter-intuitive for an area planning for 13,000 new housing units in the next 10 years. Readers of the Local Plan will assume that a regenerated Old Oak will need a new secondary school, and that such a school would become an important point of focus for a new community.

MINOR/2/TCC7/6) Policy TCC7 Public Houses

Pubs. Paragraph 10.51 in the tracked version – we are not clear what policy OPDC is operating to at the moment in advance of adoption of a Local Plan? Of the three remaining pubs within the OPDC area, the Castle at North Acton (locally listed) is already due to be demolished to make way for a new development of student housing. Replacement within a new building does not compensate for the loss of a historic pub.

MM/PS2/OPDC/TCC8/1 MM8/PS/Q3y Policy TCC8 Catalyst Uses

We question the need for this policy. As the supporting text states at 10.58 *These facilities would still need to be considered in accordance with other Local Plan policies.*

What is the merit of this additional policy? It appears to date from a period when the OPDC has aspirations to lure to this part of London a major cultural institution, university or sports facility. At the time of the proposed comprehensive regeneration of Old Oak Park, with a single landowner/developer, such aspirations to follow in the footsteps of Kings Cross, Stratford, and the Olympic Park were plausible. Now they are questionable.

Were there a developable site in the immediate area of Old Oak Common station, this aspiration might still be worth highlighting via a Local Plan policy. But unless and until the position changes on the Adjacent Site, it is hard to see any location in the PSMDLP where a potential cultural 'catalyst

user' might emerge. The policy and supporting text add to the length of an already wordy Local Plan, to no useful effect.

CHAPTER 11 DELIVERY AND IMPLEMENTATION

Policy D11 (iv) reads *iv. charging CIL on developments in accordance with the CIL Charging Schedules of the Mayor of London and OPDC*; Will OPDC have a CIL regime in place by the time of adoption of the PSMDLP? If not this reference causes confusion for applicants.

MINOR/PS2/OPDC/DI/1 MM/PS2/OPDC/DI/2 The supporting text to Policy D11 runs to several pages and covers a ranges of issues in paragraphs 11.2 to 11.19 which are of limited relevance to the content of this Local Plan (forms of energy investing using ESCOs, tax increment financing, Enterprise Zones and a strange reference to a funding mechanism for Fulham Pools with a mystery 'figure 11.2'. It would have helped for this material, and that explaining the basis of CIL and S106) to have been placed in (e.g.) a Planning Obligations SPD so that the Local Plan could remain more succinct.

MINOR/PS2/OPDC/DI/2 Paragraph 11.20 states *Policy SP10 recognises the importance of timely delivery and figure 3.16 provides an overview of OPDC's indicative phasing plan, which is heavily influenced by the planned delivery of the new Old Oak Common station*. The final words of this sentence 'in 2026' have been deleted. This modification exposes the extent to which the Regulation 18 and 19 Draft Plans were driven by a HS2 programme which has slipped from 2026 to 2029-33. Proposals and policies drafted for one timeframe are now having to 'modified' to a quite different one. This shows up all too often in a text that needs many further modifications to read as a coherent and consistent document.

MINOR/PS2/OPDC/DI/3 Paragraph 11.23 (a) reads *The HS2 construction sites will be capable of being brought forward for development in a timely fashion around the time of the opening of Old Oak Common station*. If this is correct, it contradicts consultation material for Channel Gate which assumed delivery of 1,200 new homes in Years 1-10. The Site Allocation table at 3.1. takes a more cautious view giving 3,100 new homes as a figure spread over the plan period.

Which is the correct figure and in which timescale?

MINOR/PS2/OPDC/DI/3 The modification shown in the Table gives 'after 2029' as a OOC opening date, whereas the tracked text uses 'after 2028'. In all cases we think that the dates used by the National Infrastructure Commission and by HS2 should be used, i.e. 2029-33.

MM/PS2/OPDC/DI2/4, MINOR/PS2/OPDC/P1/1 Table 11.1 on Opportunities and Challenges for Development has been modified to include revised numbers of homes and jobs, and with come changes to the text. But further edits are needed, for example:

Old Oak South – OOC station is already under construction, a series of S17 applications have already been approved by OPDC, so tenses go astray and some detail is superfluous. The sentence on the Elizabeth Line Depot is from a past era, in reading *OPDC is working with TfL and DfT to consider options for its full and/or partial relocation/decking to support development. Any deck structure would artificially raise the ground level of the site and the subsequent challenge of knitting this site into its surroundings (in particular the HS2 station) would need to be addressed through detailed design*.

MM/PS2/OPDC/DI2/3 **Old Oak North** – includes unamended wording *Other key sites include a triangle of land owned by the London Borough of Hammersmith and Fulham and the European Metal*

Recycling site. Our understanding is that these are no longer ‘key sites’ destined for redevelopment via the Local Plan?

MM/PS2/OPDC/DI2/4

MINOR/PS2/OPDC/P1/1

North Acton and Acton Wells – refers without qualification to *a new Old Oak Common Lane Overground station.*

Old Oak Lane and Old Oak Common Lane – refers to *Atlas Junction neighbourhood centre* when under the confused new ‘hierarchy’ this is now to be ‘part of a major town centre’.

MM/PS2/OPDC/DI2/5

Channel Gate – this land has been acquired by HS2 rather than *is being acquired.* The *after 2028* date is again used for the opening of OOC station, as opposed to 2029-33.

MM/PS2/OPDC/DI3/4

Paragraph 11.28 Again uses the words *Following the opening of Old Oak Common station after 2028.*

Policy DI3: Stakeholder Engagement and being a Proactive Planning Authority

Six years into the life of the OPDC there is yet no evidence that the Corporation intends to work to the principles in sub-paragraphs:

- c) supporting Neighbourhood Forums in the development of Neighbourhood Plans;*
- d) supporting community build, ownership and management programmes;*

Paragraph 11.31 states *Further details on OPDC’s activities in relation to the Duty to Cooperate can be found in OPDC’s Duty to Cooperate Statement, a copy of which can be found online.* The 2018 version of this Statement does not appear to have been updated as part of the PSMDLP submission documents. Questions of compliance with this duty are covered in a section later in these representations.

MM/PS/OPDC M1

Paragraph 11.37 is a new modification on neighbourhood planning. It reads (as at paragraphs 1.23 and 12.4 of the PSMDLP) *Chapters 3, 4 and 11 will be treated as OPDC’s strategic policies when considering the general conformity of neighbourhood planning policies. Beyond this, there is extensive scope and flexibility for neighbourhood plans in the OPDC area to bring forward policies and guidance. Examples of what could be covered include development management policy matters, design codes, specific areas and/or neighbourhoods guidance, site specific guidance in particular consideration of how to shape development in accordance with housing targets, and priorities for the use of Neighbourhood Community Infrastructure Levy spending.*

As explained above in comments on Chapter 4 on Places the 2012 NPPF required LPAs to identify strategic and non-strategic policies in their Local Plans. This task, we suggest, cannot be done by a simple assertion that policies in a series of ‘Place’ chapters are all ‘strategic’. Given that such policies apply to the limited geographic area in question, they are surely ‘non-strategic’ in terms of NPPG criteria unless it can be demonstrated otherwise¹².

OPDC’s wish to define all Place policies as ‘strategic’ surfaced in discussions with the OPDC’s former Director of Planning in 2017, when the requirement in the neighbourhood planning regime of a ‘basic condition’ of ‘general conformity’ was first explained to him. OONF members thought that it was a joke when he turned to his colleagues and said *‘then let’s make all our policies strategic’*.

¹² NPPG Paragraph: 076 Reference ID: 41-076-20190509 on *How is a strategic policy determined?*

This wording has remained in place through all four versions of the Draft Local Plan and needs to be removed. In its place the PSMDLP should do as the 2012 NPPF required and as a minimum include a schedule of policies identifying those that are 'strategic' and 'non-strategic'. Without such identification, undertaken with due regard to NPPG criteria on '*how is a strategic policy determined*' the basic conformity test cannot be applied (by the authors of a draft NP or by an independent examiner) during the preparation and examination of any neighbourhood plan.

INFRASTRUCTURE DELIVERY PLAN

As part of the set of PSMDLP documents, OPDC has published a February 2021 IDP. This document demonstrates the lack of certainty over significant funding to support unlocking of key sites and the provision of infrastructure means. Delivery of key elements of the PSMDLP remains very uncertain, thus failing an important test of soundness.

Figure 2.1 *Development Phasing* show how little of the development now envisaged at Old Oak will take place in Years 0-5 and 5-10 of the modified proposals (see map overleaf). This strengthens the case for a fresh start on a Local Plan which is in its PSMDLP form risks proving badly mis-timed in terms of current shifts in Government policy and based on pre-pandemic assumptions on rail travel, 'hybrid' working patterns, and housing design.

Paragraph 5.2(d) states *The total "unfunded" infrastructure cost is £347 million. This cost will need to be met through planning contributions and other funding sources.*

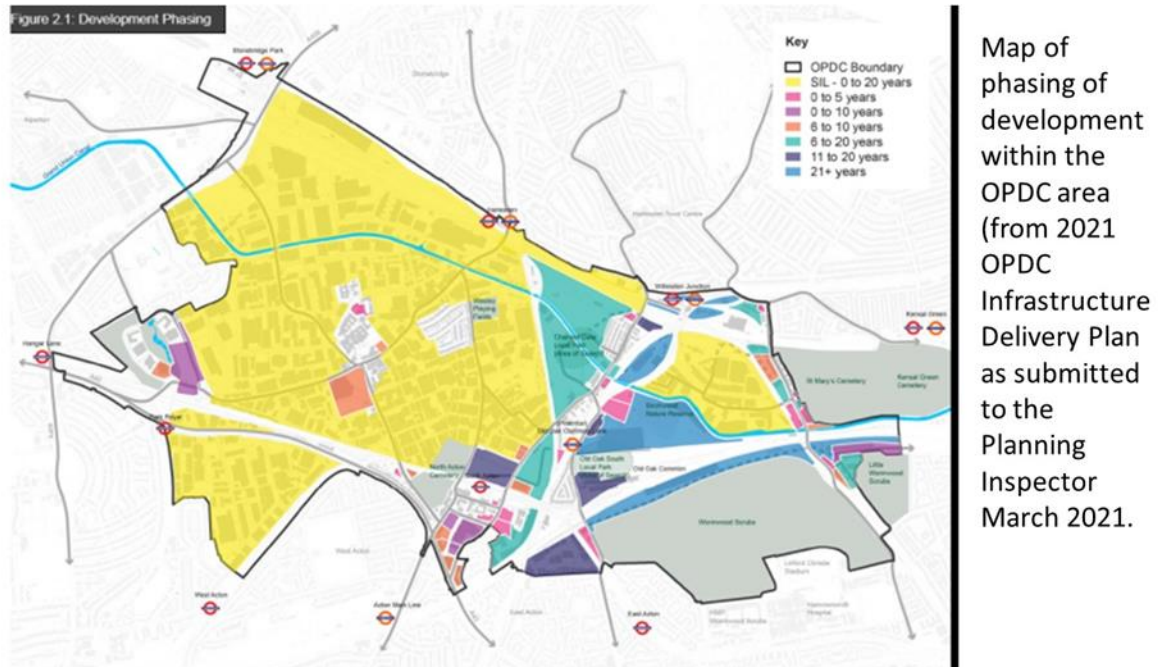
A further £250k budget was requested by officers (and approved) at the March 4th 2021 OPDC Board for costs to be incurred in preparing another business case for Government Infrastructure funding. A report to OPDC Board on June 21st 2021 provided an update on how the delivery arm of OPDC intends to proceed in 2021, leading up to the submission to Government of a *Statement of Business Case* towards the end of the year. Beyond saying that MHCLG is the sponsor department for the government's capital funding for regeneration and housing delivery, it is not clear from which Government funding stream these infrastructure resources will be sought?

The **letter from Homes England dated 12th February 2021**, annexed to the updated OPDC Infrastructure Delivery Plan concludes *The Government's National Home Building Fund, announced in November 2020, will be larger and more flexible than the Housing Infrastructure Fund, enabling government to put forward more innovative funding solutions. As and when MHCLG produce a prospectus for this new fund, Homes England will welcome a bid from OPDC.*

This letter is very far from a firm commitment by Government to any substantive infrastructure funding at Old Oak. '*As and when*' is a crucial phrase. OPDC had to withdraw its bid for £250m of HIF funding provisionally awarded by Government in 2018. This was after a 9 month period during which the Corporation had not been open with the London Assembly on the subject of the MHCLG conditions on the funding award. The Corporation's track record of over-promising and under delivering on the availability of infrastructure funding has been documented by the London Assembly Budget and Performance Committee.

In relation to the previous HIF bid, FoI requests on the bid content and on its conditions, from the StQW Neighbourhood Forum were rebuffed by OPDC **from March 2019 onwards**. The documentation was finally published in early 2020 after the Assembly's Budget and Performance Committee had invoked its statutory powers.

It seems that OPDC now view the National Homebuilding Fund as the potential source of infrastructure funding. While this was indeed announced as a £7.1bn fund, our understanding is that only a small part of this figure will be allocated to infrastructure on brownfield sites,



The November 2020 Spending Review gave a breakdown as follows:

The fund will support up to 660,000 jobs and unlock up to 860,000 homes. This includes funding for:

- *a new 'Help to Build' equity loan scheme for people who want to build their own homes, providing access to low deposit mortgages*
- *£2.2 billion of loans for small and medium enterprises (SMEs) and innovative housebuilders to support new housing in areas where it is needed most*
- *an additional £100 million of grant funding in 2021-22 for unlocking brownfield sites, supporting house building on land that may be less attractive such as ex-industrial sites*

The March 2021 Budget referred to *the Levelling up Fund*, *the UK Community Renewal Fund* and *the Community Ownership Fund*. Our understanding is that these new programmes will be part of (and drawn from) the £7.1bn and are not 'new money'.

The March 2021 Budget publication ***Build Back Better: our plan for growth*** makes no further mention of the National Homebuilding Fund. The priorities set out in this document do not suggest that Old Oak would be an area high on the list for Government infrastructure funding (beyond completion of the HS2 station, on which budget increases are already being questioned).

DEVELOPMENT CAPACITY STUDY UPDATE (MARCH 2021)

This supporting document has also been updated. Some of this updating is uncontentious (e.g. where numbers of housing units in developments consented or under construction have been increased via new consents).

But the methodology used to identify potential sites, and to allocate to these specific housing numbers, remains contentious. As 1.2 of the document acknowledges, this is a *snapshot of capacity at time of writing*. Assumptions made on a number of sites appear optimistic, but it is hard for the public to demonstrate this conclusively.

Paragraph 1.3 states that the document *independently assesses the development capacity of deliverable and developable sites within the OPDC area*. There is no sign that this study has been prepared independently of OPDC. Independent analysis is important in a situation where the Corporation is under pressure on its track record as a 'delivery' agency as well as a planning authority.

As noted above (Part 1 page 18) the normal Local Plan processes of a 'call for sites' and appraisal of many options thereby generated has not applied in the OPDC area. Only 3 sites emerged from this exercise. Those sites rejected were for very obvious reasons and were never realistic contenders.

The development capacity calculations for individual sites have not been based on a clear policy, as there is no such policy on housing densities proposed within the PSMDLP. The housing density range of 300-600 units per hectare, inserted as a modification in supporting text **MMPS/OPDC/M4** is of little meaningful relevance to the updated DCS.

A list of 'precedent schemes' at 3.10 are cited (with their densities). The appropriateness of these developments, as comparisons with the main concentrations of housing proposed in the PSMDLP (Scrubs Lane, Acton Wells, Channel Gate) is questionable. Planning consents granted to date by the OPDC Planning Committee are also cited as relevant, despite the fact that such decisions have been strongly contested in relation to density (with Borough councillors voting against recent 'optimised' development proposals at the OPDC Planning Committee).

DUTY TO CO-OPERATE

OPDC prepared and submitted a Duty to Co-operate Statement as part of its submission in October 2018. This statement explained the context as follows: *Section 33A of the Localism Act amended the Planning and Compulsory Purchase Act 2004 (2004 Act) by inserting a new legal requirement referred to as the 'Duty to Cooperate'.*

The Duty to Cooperate (DtC) places a legal duty on local planning authorities, county councils in England and other prescribed bodies to engage constructively, actively and on an ongoing basis to develop development plan documents, including activities that prepare the way or support the activities of preparing development plan documents, in respect of strategic matters.

Paragraph 156 of the National Planning Policy Framework (2012) also outlines strategic priorities that a Local Plan should have strategic policies to cover. They include:

- *The homes and jobs needed in the area;*
- *The provision of retail, leisure and other commercial development;*
- *The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and the provision of minerals and energy (including heat);*

- *The provision of health, security, community and cultural infrastructure and other local facilities; and*
- *Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.*

In accordance with the National Planning Policy Framework (paragraph 159), public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out above.

This OPDC Duty to Co-operate Statement was not updated for the March 5th submission of the PSMDLP. More importantly OPDC has provided no recent evidence that the Duty has been met during the extended period of plan preparation between the Inspector's 2018 Interim Findings and the March 2021 submission.

We appreciate that normally the Inspector would satisfy himself/herself that the Duty has been met at an early stage of the Examination. We accept that the 2018 submission and accompanying statement met this legal requirement at the time. We do not accept that the Duty has been met since 2018. Our reasoning is set out below:

- following the Inspector's Interim Findings in September 2019, OPDC notified the Inspector on 7th November that a response to these findings would be provided in 'early 2020'. A further year then passed before OPDC submitted the PSMDLP documents on 5th March 2021.
- OPDC has itself used the term 'preparation' of a Local Plan when referring to the substantive further work that took place during the intervening period, on drafting modifications.
- This work had significant implications for neighbouring boroughs (particularly Ealing, Hammersmith & Fulham, and Kensington and Chelsea). The modifications prepared involve a shift of the proposed '*major Old Oak town centre*' from one Borough to another, and entirely new proposals for concentrations of high density housing at Channel Gate/Atlas Road and at North Pole Depot/Mitre Way Cluster.
- No information or evidence is provided in the March 2021 submission on how these individual LPAs view these new proposals, and whether they are supported or resisted? It is these Boroughs which will inherit the long term consequences of the OPDC Local Plan.
- No information or evidence is provided in the March 2021 submission on whether OPDC approached or consulted with adjoining boroughs to discuss whether part or all of the 'lost' 6,500 new homes originally planned for Old Oak North could be accommodated outside the OPDC boundary, so as to lessen pressures to develop sites at housing densities wholly different from their surrounding areas.
- LPAs are required to engage '*actively and on an ongoing basis*' under the Section 33A duty. Other Local Plans have been required to be withdrawn for a failure to meet this requirement (most recently in the case of the Tonbridge and Malling Local Plan¹³).
- The delegation arrangement between OPDC and LB Ealing might be claimed as an example of 'co-operation' between adjoining LPAs. Yet the context for this unusual arrangement, under which one LPA decides very major applications on behalf of another, has never been adequately documented or explained to the public (**see Annex A to these representations**). Much of the documentary evidence suggests that this delegation resulted (between 2015 and June 2020) in a surrender of discretion by OPDC on making decisions which were properly the responsibility of the Corporation as the planning statutory authority.

¹³ Inspectors report on Tonbridge and Malling Draft Local Plan June 2021 at <https://www.tmbc.gov.uk/downloads/file/1455/ed83-inspectors-final-report-june-2021>

- One of the major failings of the PSMDLP, as compared with the 2018 submission, is the lack of firm and viable proposals for an enhanced road network joining up the existing residential area on the western and eastern sides of Wormwood Scrubs. A second major failing is lack of vehicle access to the eastern end of OOC station. The March 2021 submission provides no evidence of the extent to which these major flaws were explored with LBHF, following the Interim Findings. Were possible solutions discussed with LBHF.
- Similarly, local people do not understand how and when the newly introduced fifth 'cluster' of high density housing at Mitre Way will connect to the Kensal Canalside Opportunity Area. RBKC has recently consulted on a draft SPD for Kensal Canalside. Will what RBKC call 'South Street' as new east-west route within this Opportunity Area connect with what OPDC call 'Wormwood Scrubs Street East' (Project TV4 (not committed) in the updated OPDC IDP.
- We appreciate that responses from Boroughs to the current consultation may provide fresh evidence of whether these bodies consider that the Duty of Co-operation has been adequately met since 2018. We would counsel a degree of caution in accepting any officer led representations on this subject that have not been considered or approved by elected members. The voting record of LBHF councillors at OPDC Planning Committee and OPDC Board (not always recorded in OPDC minutes) does not confirm full support for the PSMDLP.

Paragraph 5.1 of the OPDC letter of 5th March 2021 to the Planning Inspector states *OPDC has held regular meetings with officers from the London Boroughs of Brent, Ealing and Hammersmith and Fulham to share drafts of evidence documents and the proposed modifications to the draft Local Plan*. For those living in the area, bland assertions that such meetings have been taking place and have been regular are not enough. The fourth Borough of Kensington and Chelsea is also impacted on significantly. We need to see some evidence which supports this claim.

The March 2021 submission material is inadequate in demonstrating that the Duty to Co-operate has been actively pursued and maintained since 2018. This remains one of several reasons, as set out in Part 1 of these OONF/StQW representations, why we consider that the Modified Local Plan should be withdrawn as unsound.

UPDATED TALL BUILDING STATEMENT

The modifications to this 2018 document states that the purpose of this document is *to provide information for how OPDC's Local Plan polices (renumbered as D4) (Tall Buildings) and SP9 (Built Environment) are in general conformity the requirements of the London Plan Policy D9.*

Throughout the document the words 'in principle' have been deleted from sentences referring to areas and locations where tall buildings are 'appropriate'. The reasoning for this modification is not clear. It could be taken to imply that the PSMDLP adequately identifies locations for tall buildings and that developers can proceed on this assumption. If so we would strongly disagree with this conclusion.

This supporting document then sets out London Plan Policy D9 at paragraph 1.3. **Crucially the modified wording used by OPDC leaves out the addition of the word 'suitable' at sub paragraph 3 of D9(B).**

It is very hard to accept that this omission is an accidental error. The Secretary of State's intervention in December 2020, to add this key word, was the subject of extensive publicity and debate in the planning press. The accompanying letter from the SOS and **Direction Overview DR12** from MHCLG was clear in signalling a shift in Government thinking (as set out below):

Tall Buildings

The draft London Plan includes a policy for tall buildings but this could allow isolated tall buildings outside designated areas for tall buildings and could enable boroughs to define tall buildings as lower than 7 storeys, thus thwarting proposals for gentle density. This Direction is designed to ensure that there is clear policy against tall buildings outside any areas that boroughs determine are appropriate for tall buildings, whilst ensuring that the concept of gentle density is embedded London wide.

This significant intervention by the Secretary of State, accepted by the Mayor of London, has major implications. In the words of Russell Harris QC *the role of the development plan in identifying suitable locations for tall buildings is enhanced. Sites need to be positively identified as suitable*¹⁴.

London Plan Policy D9(2) states *Any such locations and appropriate tall building heights should be identified on maps in Development Plans.*

We do not see that the PSMDLP documentation, including the Place sections of the modified Local Plan and the Tall Buildings Statements, meet these 2021 London Plan requirements. No process of positive identification of sites is provided, in respects of all elements of London Plan Policy D9.

In terms of the Figure maps, that at MINOR/PS/Q1b Figure/PS2/OPDC/3.15 has been retitled as *Sensitive locations and tall building locations*. Modified paragraph 1.25 of the PSMDLP states *Figures in the Local plan should be treated as indicative. The exact boundaries for spatially specific policies are set out in OPDC's Policies Map*. Is this map intended to show 'exact boundaries' for sites for tall buildings? These are shown by an asterisk on a very small-scale map with the key showing these as *'specific locations where tall buildings are an appropriate form of development'*.

This PSMDLP documentation demonstrates to us that OPDC planners have not grasped the significance of the Secretary of State's intervention on London Plan Policy D9. The term 'suitable' (missed out in OPDC text) is now defined in the context of all the criteria set out in sub-paragraphs of D9. The term 'appropriate' is no longer valid or meaningful to use, in a London Local Plan.

In terms of 'functional impacts' of London Plan D9, it is hard to see that the PSMDLP policies and maps are sufficient to meet the 'suitability test'. This now includes the requirement that *it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building* (London Plan D9 C2d). Views and heritage impacts are addressed by OPDC in e.g. the updated *Scrubs Lane Development Framework Principles* document, **but this criterion alone does not begin to cover the breadth of 'suitability'**.

Paragraph 2.5 of the updated Tall Building Statement reads *Based on the review, a range of 8 to 12 storeys is considered to be an appropriate height range for the shoulder and/or podium of development at the densities envisaged for the OPDC area. (This density is set out in OPDC's Local Plan and Development Capacity Study). This informs the definition of a tall building for the OPDC area.*

Paragraph 2.8 concludes *Therefore, a tall building in the OPDC area is defined as above 15 storeys or above a minimum of 48m above ground level. This is illustrated in figure 1. Above this height, proposals will need to accord with the relevant London Plan and Local Plan tall building policies in addition to all other relevant development plan policies and material considerations.*

¹⁴ **Tall Buildings in London – Where Next** Landmark Chambers webinar 12th February 2021

This figure of 48m is well above the 30m height figure used by the Mayor and GLA as a threshold for Stage 2 referral, as has operated under the Mayor of London Order 2008¹⁵

Part 3 of the Tall Buildings Statement includes a map showing areas (of significant size) identified as 'appropriate' for tall buildings, along with a number of more specific sites identified by an asterisk. No further information is provided on 'suitability' at each location.

No indication is given of proposed building heights in each of these areas or at each location. A series of new areas and locations are added via modifications, on which there has been no consultation at Regulation 18 or 19 stage. Paragraph 3.16 of the Tall Building Strategy states *Identifying general maximum heights of tall buildings is not considered to be appropriate at this time.*

In the context of the 2021 London Plan, we consider the way in which the PSMDLP documentation addresses the issues around Tall Buildings and Building Heights to fail to conform with the London Plan, and hence to be unjustified.

¹⁵ [file:///C:/Users/info/Downloads/Mayor%20of%20London%20Order%202008%20\(1\).pdf](file:///C:/Users/info/Downloads/Mayor%20of%20London%20Order%202008%20(1).pdf)

ANNEX A OPDC SCHEME OF DELEGATION WITH LB EALING

At its first meeting in April 2015, the OPDC Board adopted 'schemes of delegation' with LB Ealing and LB Brent. No such scheme was adopted with LB Hammersmith & Fulham. At that time this Borough was seen as the location for most new development, for which the Corporation wished to retain control.

The delegation to Boroughs of decisions on minor applications from individual households has never been contentious. But the scheme with LB Ealing was drawn up to include all applications at North Acton. This has been the subject of questions and challenge from local forums and amenity groups for several years.

The basis for these 'schemes of delegation' was negotiated between the then Mayor of London and Borough Leaders in advance of the establishment of the OPDC. The public perception is that the North Acton arrangement was part of a political deal to obtain LB Ealing support for the establishment of a Mayoral Development Corporation in 2015. At an OPDC Board meeting in January 2020, when discussing initial OPDC proposals for a shift of focus to the 'Western Lands' the former Leader of Ealing (Councillor Julian Bell) commented '*well, we will still have our opt-out*'.

The OPDC Board report in 2015 explained briefly that under delegation arrangements, LB Ealing would continue to decide planning applications at North Acton. The single paragraph gave the reasoning for this unusual scenario as follows:

It is proposed that across most of the Mayoral Development Area, the Corporation will determine large scale and other strategically important planning applications itself. The exception is in the North Acton sub-area, where, in recognition of the advanced stage of regeneration, it is proposed that Ealing Council will determine all types of applications on the Corporation's behalf.

The consequences of this decision were probably not foreseen by OPDC at the time. Since 2015 new development at North Acton has proved to be critical to the delivery of new housing units within the OPDC area. Based on examination of individual applications and OPDC Monitoring Reports, we believe that LB Ealing has granted consent to the majority (by a small margin) of all the approx 6,000 housing units claimed by the Mayor of London to have been delivered by OPDC ¹⁶.

During the period 2015-2020 LB Ealing's Planning Committee granted consents to a series of very major developments at North Acton. Analysis of committee reports (undertaken by the StQW Forum (partly to try to understand how S106 receipts were being applied) revealed that LB Ealing officers made only brief reference to the fact that the sites involved lay within the OPDC boundary. Recommendations for consent were based on LBE development plan documents dating from 2012 and 2013, with little or no reference to OPDC 'emerging' policies in the OPDC Regulation 18 and 19 Draft Local Plans.

There was little or no documentary evidence of OPDC 'co-operating' with LBE on these applications once these had been referred onwards (at junior level) from OPDC to LB Ealing's planning team. LBE officer reports did not include comments from OPDC. OPDC officers did not attend meetings of the OPDC Planning Committee.

¹⁶ The 2020/21 AMR published by OPDC does not give cumulative totals broken down between OPDC and LBE consents https://www.london.gov.uk/sites/default/files/2021_amr_dtp_final.pdf. LB Ealing has failed to publish an AMR since the 2013/14 period. Definitive figures are therefore hard to come by.

Following questions over the basis of this 'scheme of delegation' and suggestions that OPDC was in practice unlawfully surrendering discretion over its decision-making responsibilities, the OPDC Board on June 24th 2020 reviewed the wording of the 2015 version of the schemes¹⁷. The changes made were designed to ensure increased oversight by OPDC of decisions being made on the Corporation's behalf.

It subsequently emerged that LB Ealing officers had failed in 2015 to take the necessary report to a Council meeting, to provide any formal approval for the local authority to enter into this 'scheme' with the OPDC. Hence there is some doubt over whether a number of planning consents, issued by LBE on behalf of OPDC on very major developments between 2015 and 2020, were lawfully authorised.

We cite this history as an example of why we believe that OPDC has failed to engage actively with LB Ealing in the preparation of development plan documents as required under the Duty to Co-operate. LBE over a five year period was deciding major applications at North Acton, with no evidence that the experience and learning from assessing and determining these applications was being fed back into Local Plan preparation work undertaken by OPDC. Developments built at North Acton over this period are viewed by local people as one of London's least successful examples of concentrated high-density urban renewal.

¹⁷ See CEO report to OPDC Board June 24th 2020

ANNEX B OPDC CONSULTATION LETTER

Copy of OPDC consultation letter to 44,000 households as referred to in the section of these representations on Consultation.



Monday 17 May 2021

Dear owner / occupier,

Public consultation: have your say on proposed changes to OPDC's Local Plan

Established by the Mayor of London, the Old Oak and Park Royal Development Corporation (OPDC) is the Local Planning Authority and regeneration agency for the Old Oak and Park Royal area. We aim to create new homes, jobs and opportunities for people and businesses in this dynamic part of west London.

We are responsible for preparing the area's Local Plan - a planning policy document to guide good growth over the next 20 years to help create healthy streets, new public spaces, high-quality and affordable homes and connected places to live and work.

As we have been developing our draft Local Plan, we have extensively consulted with local landowners, residents and businesses. So far, we have held over 28 consultation events and received 11,000 responses.

In 2019, the Planning Inspector responsible for reviewing our Local Plan requested we make some changes to it as part of an examination process. Following close collaboration with landowners and the community, as well as holding online public engagement sessions last year, we've finalised the proposed changes to our draft Local Plan and submitted these to the Planning Inspector.

The proposed changes, known in planning terms as Main Modifications, refer to the location of planned housing and development. Although much of our draft Local Plan hasn't changed, we are no longer bringing forward housing in Old Oak North but protecting it as a place for employment. We have identified sites, nearer to the new HS2 Old Oak Common Station, for new and affordable homes, jobs, public space and facilities. Our targets for sustainable travel, high-quality design, environmental sustainability and affordable housing are the same.

We are holding a **public consultation from 17 May until midnight 5 July 2021** to consult on the proposed changes (Main Modifications). We want the consultation to be inclusive, accessible and useable, so there are a range of ways to find out more, get involved and provide comments.

Online consultation events

We are holding online events that are open to everyone and we would like to invite you to attend. At the events, our Planning Policy Officers will hold short presentations and be available to answer your questions. Details of the events are in the table below:

Date	Time	Subject
Wednesday 26 May	12:00 - 13:30	Introduction to consultation & summary of all sites
Monday 7 June	14:30 - 15:30	General summary & Scrubs Lane
Thursday 10 June	17:30 - 19:00	General summary & Channel Gate
Thursday 17 June	18:00 - 19:30	General summary, North Acton & Old Oak Common station
Saturday 19 June	10:00 - 11:30	General summary & Old Oak North

The events will be held on Zoom - a free online platform that anyone can join, you do not need an existing account. Please register for one or more of the events at bit.ly/OPDC-Events

and you will receive a joining link. If you are unable to attend the events they will be recorded and published online.

Online consultation platform

We have launched an online consultation platform consult.opdc.london.gov.uk. You can access it any time across the seven-week consultation, view the proposed modifications to our draft Local Plan, register for events, watch videos of the consultation events if you weren't able to attend and submit feedback.

Printed copies of the consultation materials

We appreciate that not everyone prefers, or is able to use the internet for public consultation, so paper copies of the draft Local Plan and proposed changes, as well as supporting information and paper feedback forms are available at the following locations:

- City Hall, Queens Walk, London SE1 2AA
- Harlesden Library, Craven Park Road, London NW10 8SE
- The Collective, Nash House, Old Oak Lane, London NW10 6FF

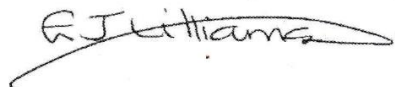
Towards the end of our consultation period, if government guidance allows, we hope to hold some outdoor, in-person consultation events. We will only hold in-person events if it is safe to do so and will ensure that these are well-publicised nearer the time.

Other ways to have your say

You can also submit feedback, request printed copies of the consultation materials or ask the team questions by emailing localplan@opdc.london.gov.uk, posting to OPDC, City Hall, The Queen's Walk, London SE1 2AA or calling 020 7983 6520. We offer translations, Braille or audio format for all of our materials upon request.

When the consultation closes on 5 July 2021, your responses will be used to help shape the final version of the Local Plan and will be passed on to the Planning Inspector for his consideration. This may be followed by further public hearings. We're envisaging that the Local Plan will be adopted at the end of 2021.

Yours faithfully



Emma Williamson
Director of Planning
Old Oak and Park Royal Development Corporation

ANNEX C STRATEGIC SITE ALLOCATIONS VIABILITY STUDY (SSAVS) 2021

Throughout the past five years of responding to OPDC consultations, the Old Oak Neighbourhood Forum has been able to draw an advice and support from academics who take an interest in major planning issues in London. This final annex to the OONF and StQW Part 2 representations on the OPDC PSMDLP reflects such support, provided on a volunteer basis.

The content of this Annex extends beyond the expertise of members of OONF/StQW, but as local residents familiar with the workings of the local property market, the findings and conclusions make sense to us.

The 2021 SSAVS is fundamental to the deliverability of the PSMDLP as a whole and to crucial parts. Particularly it is relevant to Strategic Policies SP4 Thriving Communities and SP5 Resilient Economy, all Housing policies, as well as to the Delivery and Implementation Chapter. It is also interconnected with the Development Capacity Study, Industrial Land Review and Infrastructure Plan, all of which have been prepared/ updated to support the PSMDLP.

ASSUMPTIONS INPUTTED INTO VIABILITY CALCULATIONS

Property Price and Affordable Housing (AF) assumptions

The estimated prices for properties are consistently overestimated. E.g. “4.1.7 In relation to the North Pole East Site in Scrubs lane, based on our research we understand that values of current new build developments in this location (such as Portobello Square) are between £850 and £1,235 with an average of £1,080.

Section 4.7 offers extensive detail on developments which are at some distance from the OPDC area, and not located in the poorer income areas, or areas close to industrial estates and railways characterizing much of the OPDC area— Figure 4.7.1.

Even achieving the lowest estimated price per property, at £750psf seems out of touch with prices realised in the area: eg currently advertised properties in Scrubs Lane, in the desirable Cumberland Park achieve £550psf; in Shaftesbury Ave £650psf. The one example within the OPDC area (Park Royal – First Central – 5 on p. 14) shows modest prices as: “Sales prices of units sold between 13 February 2019 and 30 September 2020 range from £545 per sq ft to £755 per sq ft with an average of £640 per sq ft.”

The authors of this study conclude that “4.18 Taking all of the above into consideration, the developments proposed on the Site Allocations would achieve average current sales values of between £750 per sq ft and £850 per sq ft. We consider it very likely that the schemes would achieve values towards the higher end of this range given the delivery of a high quality public realm and finish of the units and facilities offered in the developments, as well as the access to amenities, excellent transport links and integration into established neighbourhoods and wider regeneration areas and facilities.”

We do not find this claim compelling and suggest it is inaccurate, and not based on positive, relevant evidence. We argue that the rest of the SSAVS and the Infrastructure Delivery Plan (OPDC-39-J) does not instill confidence in this outcome:

It is clear that achieving these values (which we consider unlikely) rests on being able to secure the highest level of planning obligations from each development, and to achieve the full delivery of

transport infrastructure, social infrastructure and public realm. The trade-offs will be between affordable housing and infrastructure/social infrastructure (5.4).

In this regard, we direct the Inspector's Attention to the London Plan Policy DF1D in which the Mayor insists that the first call on planning gain income will be for Infrastructure. After Infrastructure and his AH targets have been met, only then are the investments in public realm and social infrastructure to be met. Insofar as the viability of the OPDC plan rests on achieving high values for residential properties as a result of investment in these residual categories of planning gain allocation, which are directly accorded lower priority by the Mayor there should be great cause for concern regarding viability.

We also note the intention in the Infrastructure Delivery Plan to alleviate the funding gap for the development by charging owners and tenants for infrastructure via a service charge. This will make second class citizens out of the residents (while others receive these services via general and local taxation). Service charges to owners and residents will also lower value and attractiveness of the offer and raise costs. Affordable housing will attract such service charges too, making them unaffordable. (See IDP, p. 7: "Some service provider costs are often recouped from development either within the initial sales price of properties or through rents/ service charges.")

4.19. Assumptions about growth in value over time are at odds with the ongoing HS2 line and station construction works which will adversely affect property values and living conditions for existing and new residents until the station's completion. Even then, the locality will be a series of construction sites whose completion dates can and are expected to continue beyond the proposed plan period.

4.20 suggests adopting the UK wide assumptions of 3% residential value growth is cautious – but this takes no account of the extremely adverse conditions for much of the duration of the current plan period. These were acknowledged in the previous OPDC Supporting Study (14 (2018) DIFS) which suggested that judicious balancing of early developments to secure an income stream to pay for the development, against the loss of value from early delivery when value is low, needs to be followed. This was when the bulk of delivery would have been some distance from (a) industrial uses and (b) adverse construction impacts. In this context, the value propositions of the SSAVS are overblown, when considered against the OPDC's own analysis.

4.22 and 4.23 compound this, by indicating a regeneration uplift – which the Inspector found in his Interim Report to be modestly set at 2%. However, as we are now considering development sites which are adjacent to industrial uses (not moving) and in the centre of huge construction activity, plus with no strong PTAL offer, we invite the Inspector to review his assessment. On these grounds, perhaps the regeneration uplift might be invoked by the end of the current plan period – it should not be considered pertinent to the viability assessments during the plan period.

4.26. We are concerned about the observation regarding off-plan sales, as these are characteristically overseas purchases often with investment or asset security in mind.

4.32. With 70% Shared Ownership we assume that this goes with 30% London Living Rent (LLR) – but London Affordable Rent (LAR) is the benchmark for affordable housing for the neighbouring wards and boroughs concerned based on objectively assessed housing need as per the OPDC's own earlier work. It is estimated that 50% of Londoners cannot afford LLR.
(https://www.london.gov.uk/sites/default/files/ad_132_affordable_and_genuinely_affordable_rents.pdf)

In the conclusion the SSAVS observes the potential to achieve a 100% affordable housing development: they comment on the Central Middlesex Site (p. 34 5.5). However, according to the planners' report to the OPDC Planning committee (14 July 2020) this is made up of: "The provision of 158 affordable housing units (100% by habitable room) comprising 24 London Affordable Rent (3-bed) and 134 Intermediate (Shared Ownership) units." As we pointed out in the earlier EiP submissions and hearings, this pattern of very low levels of LAR units is replicated across the OPDC. While an S106 agreement is secured, including public space access and affordable workspaces, contributions to the wider OPDC scheme were not negotiated. The three bed family units are all located in a separate block, with a deck based doorstep play area. However, the main play space is highly compromised by the density and height of the development. It affords, for example, sub-BRE guidance of sunlight – 35% of the area receiving 4 hours of sunlight on 21 March (within the guidelines), and 85% only 2 hours. The planning officers did secure public access in daylight hours to the open space.

4.38 The strategic case for external funding to support affordable housing delivery rests on the overblown assumption that the previous targets can be sustained with the new development.

Overall comment on Residential Viability (Channel Gate and North Pole East Depot)

There are significant omissions from this study which make it unsound as a supporting study for the OPDC revised/modified local plan.

The study has not presented detailed information on the contribution to viability of mixed use (as opposed to residential) in Channel Gate and North Pole East Depot.

The challenging value propositions of early developments in OPDC (see Supporting Study 14 (2018) the DIFS) is supported by research findings based on developer interviews (See Robinson et al, 2020a; b – links to which are provided at the foot of this paperⁱ). A key developer response to this has been to focus on build to rent (BTR) (rather than sale) properties.

A MAJOR OMISSION OF THIS STUDY IS TO EXPLAIN THE DIFFERENT VIABILITY IMPLICATIONS OF BTR (see PSMDLP Policy H6 8.51) FOR THE OPDC PLANS. As this was explicitly discussed with BNP and the OPDC in the earlier EiP hearing, there is really no excuse for the omission.

We have observed that a large number of the early phase developments have been focused on BTR offers. BTR has been strongly championed by the Mayor, and to be in conformity with the London Plan (and the OPDC Local Plan) should be considered in detail in this study (London Plan Policy H13; OPDC H6). Developers themselves indicate that this is a more feasible proposition during a construction phase in that it does not depend on immediate realization of value (Robinson et al., 2020a; b); it allows partnerships with Housing Associations and with registered providers which generates more potential grant income; and brings forward more housing units more quickly. Details on this should be provided.

The Whole Plan Viability Study for the London Plan provides for private market rental in its assessment of residential development: see Chapter 5, p. 28 (5.4.12, 5.4.13) https://www.london.gov.uk/sites/default/files/london_plan_viability_study_dec_2017.pdf. They were able to provide: "Details of the methodology used to provide a final estimate of investment value of each Build to Rent typology and in each Value Zone and the sources of evidence used are provided in Annex B." They conclude that "Build to Rent can be slightly less viable than for sale although this is supported by the policy requirement for Discounted Market Rent (DMR) rather than

low cost rented affordable housing. The Build to Rent case studies can generally support 35% affordable housing with a combination of London Living Rent (LLR) and DMR.” (p. 103).

The evidence needs to be carefully evaluated, and goes in a number of different directions. The outcome needs to be properly assessed:

- Build costs remain the same
- Tall buildings are not viable for BTR = 26 stories max. This significantly impacts on the viable housing targets during the plan period
- BTR requires highly bespoke investments in relation to amenity space, internal and external amenity provision, and high levels of management and maintenance. These are usually imposed by international investors, and have led to difficulties with planning permission and planning gain negotiations in the OPDC Area (delegated to LB of Ealing, e.g. Essential Living at the Perfume factory, North Acton).
- There is no financial benefit from higher apartments with views etc, so a different financial calculation is needed and income streams are lower
- Developer returns require a different calculation – these may be lower, in favour of a stable income stream but will be resistant to any deviation
- Risk varies with the degree of investor commitment versus developer speculation on later on-sale
-

The OPDC Plan (and the SSAVS) is not sound for not considering the basic development principles and viability of this key housing delivery sector as a component of the deliverability of the Plan. It is not consistent with the NPPF. It has not taken account of the area-wide viability assessments for the London Plan, which are based on bands of benchmark land value (see Table J2 from London Plan Whole Plan Viability Study (LPWPVS)). Based on this SSAVS, the benchmark land values could be assumed to fall in Band C (£30,000 – NEPD; £90,000 – CG). However we feel these are an overestimate (see comments following Table J2 below).

Annex K p. 59 of the LPWPVS offers a specific evaluation of the viability of BTR in Different Bands of BLV.

Table J2 London Plan Whole Plan Viability Study:

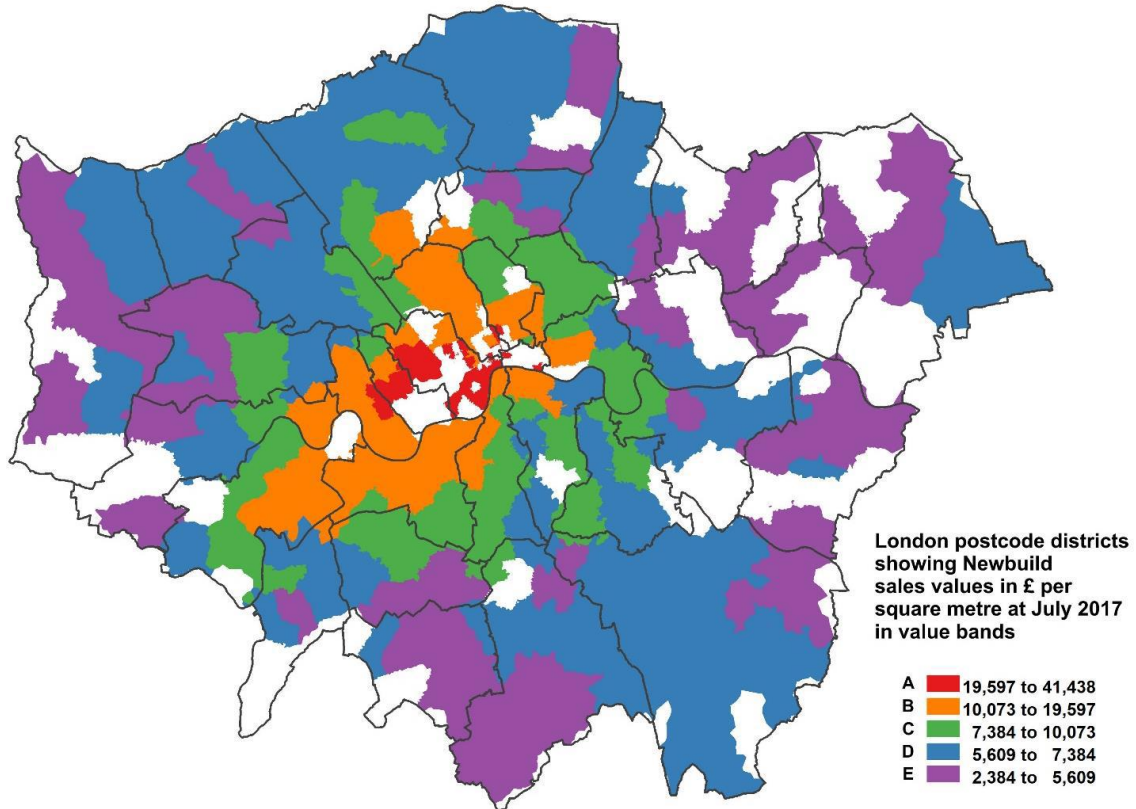
9. Based on the assessment of BLVs, low, mid and high BLVs per unit have been identified for each value band in Table J2 below. This enables the assessment of typologies against a range of BLVs that are indicative of the type of sites that may arise in each value area, whilst recognising that individual landowners may require a higher or lower return according to their circumstances²⁸.

Table J2: Residential benchmark land values (£ per unit)

Value Band	Low	Mid	High
Band A	75,000	190,000	300,000
Band B	40,000	75,000	110,000
Band C	30,000	55,000	80,000
Band D	20,000	35,000	50,000
Band E	10,000	20,000	30,000

London Plan Whole Plan Viability Study (main report), pp. 25-26 defines Band C as market prices of housing for sale = values from £7384-£10083 per sqm. Even if it is accepted at face value the Band C

values used in assessing viability of new build in Channel Gate, the following map from the LPWPVS locates OPDC in the lower range of values within the Band D. Given the likely adverse impacts of an area subject to continuing development for more than the 20 year plan period to fulfil the London Plan's strategic targets for Old Oak and Park Royal, it is doubtful that the Band C sales values will be realised.



COMMENT ON BENCHMARK LAND VALUES AND INFRASTRUCTURE FUNDING:

Benchmark Land Values as per the Three Dragons methodology for the London Plan, and that adopted here by BNP, say nothing more than a technical (and retrospective) look at the conditions of house building, prices etc a few years ago (when data is available). As Pat MacAllister, Professor of Real Estate, Reading University, has noted, (a) the values inputted relate to past experiences, on very different sites, not those under consideration for development – as in the case of the SSAVS, these sites are unrealistically high value sites in well known and settled neighbourhoods. In the SSAVS future uncertainties are considerably downplayed against overoptimistic scenarios of value uplift; and (b) the realization of the residual value by the planning authorities depends on the implementation of the policy criteria whereby land price is not inflated by expectation pricing (of future development), and rests on planner-developer negotiations which are very unpredictable. (See <https://getrealpat.wordpress.com/2019/05/16/benchmark-land-value-a-missed-opportunity/>). This is especially the case when the OPDC is relying not on CIL but on unpredictable S106 negotiations.

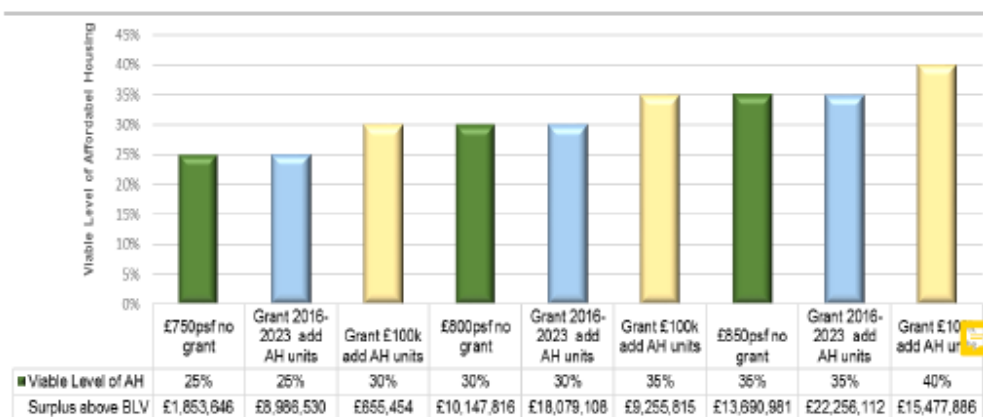
As the LPWPVS notes, while there may be pockets of high value opportunity in certain areas with new infrastructure (such as Opportunity Areas), abnormal costs can push low value sites quickly into unviability – 14.2.6. As with most Opportunity Areas, or hard to develop brown-field sites, the challenges of developing the OPDC site across different levels and in relation to an existing highly overcrowded transport system remain.

The Infrastructure Delivery Plan (IDP) has adopted some worrying strategies to minimise the unfunded infrastructure costs. A number of projects are designated as “desirable” – we have contested this description of crucial contributions to transport and social infrastructure, place-making and accessibility. A number of social infrastructure projects are to be paid for by “planning contributions”; another category is “developer cost” (these will both be factored into S106 contributions in the case of the OPDC which has no CIL). For Developer Cost, for example, is a Sports and Leisure Centre (SI16), which is a category listed in the 2016 draft CIL Reg123 List. These allocations are unclear and confusing. Our view is that this IDP offers no sound basis or evidence that the development can viably proceed, especially when read against the marginal viability of the key development sites in the upcoming plan period.

We note that the absolute values of RLV calculated by BNP in this SSAVS (which we think are optimistic) indicate that at most levels of delivering affordable housing, the income streams available for planning gain recovery are relatively low, compared to the significant infrastructure needs. We direct your attention to the absolute income streams likely to be delivered – at 25% AH, and a more realistic assessment of £750psf, the income streams might be as little as £1,853,646 (£855,454 at 30% with grant) to deliver all the additional infrastructure and planning obligations required beyond the minimal list in the draft CIL.

5.9 A summary of the results of our testing is set out in Figure 5.9.1 below. The full table of results can be found at Appendix 4.

Figure 5.9.1: Viability of Channel Gate site against BLV



Viability Analysis

AH proportion	£750pcf starting values	£800pcf starting values	£850pcf starting values
0%	£126,292,431	£173,084,084	£219,630,959
5%	£102,274,637	£147,009,028	£191,450,108
10%	£75,384,126	£117,402,234	£159,059,032
15%	£51,646,380	£91,244,304	£130,395,111
20%	£26,398,822	£63,450,324	£99,959,677
25%	£1,853,646	£36,415,651	£70,353,420
30%	-£21,990,378	£10,147,816	£41,599,406
35%	-£45,141,665	-£15,347,254	£13,690,981
40%	-£65,079,986	-£37,366,879	-£10,555,946
45%	-£86,632,843	-£61,151,174	-£36,568,104
50%	-£107,976,649	-£84,218,059	-£62,046,731

Abnormal costs might be added to the scenarios of the OPDC following the LPWPVS at e.g. £183 per square metre. How does this affect viability? (LPWPVS, 5.6.13). The prognosis for Band C Residential 12 type (build to rent???) Res 12 - 750 dwellings for rent over 15 storeys at 450 dph) with higher costs considered, is not very promising, indicating a lot of net negative residual value. (See table below from p. 80 of the LPWPVS p. 80).

Case study	Market Value area	AH Mix Type	Net RV scheme -- with additional costs	BMLV: Low	Net RV less BMLV Low	BMLV: Mid	Net RV less BMLV mid	BMLV: High	Net RV less BMLV High	Net RV less Lower BMLV/ha	Net RV less Medium BMLV/ha	Net RV less High BMLV/ha
Res11	D	9	-433,629	13,000,000	-13,433,629	26,250,000	-26,703,629	37,500,000	-37,933,629	-9,234,867	-13,991,394	-22,727,921
Res11	E	Base	-70,437,089	7,500,000	-77,937,089	15,000,000	-63,437,089	22,500,000	-92,937,089	-46,680,892	-51,171,910	-53,662,928
Res12	A	base	360,133,299	56,250,000	303,883,299	142,500,000	217,633,299	225,000,000	135,133,299	181,967,245	130,320,539	80,919,341
Res12	A	1	166,033,320	56,250,000	109,803,320	142,500,000	23,533,320	225,000,000	-38,944,680	63,751,689	14,104,982	-35,296,216
Res12	A	2	176,233,303	56,250,000	120,003,303	142,500,000	33,733,303	225,000,000	-48,744,697	71,839,463	20,212,737	-29,188,441
Res12	A	3	186,436,077	56,250,000	130,206,077	142,500,000	43,936,077	225,000,000	-38,543,923	77,967,711	26,321,004	-23,080,193
Res12	A	4	224,722,731	56,250,000	168,472,731	142,500,000	82,222,731	225,000,000	-277,269	100,881,875	49,235,168	-166,030
Res12	A	5	231,863,114	56,250,000	175,613,114	142,500,000	89,363,114	225,000,000	6,863,114	105,157,534	53,510,847	4,109,649
Res12	A	6	239,003,498	56,250,000	182,753,498	142,500,000	96,503,498	225,000,000	14,003,498	109,433,232	57,786,526	8,385,328
Res12	B	base	143,548,741	30,000,000	113,548,741	56,250,000	89,298,741	82,500,000	63,048,741	69,190,863	53,472,300	37,753,737
Res12	B	1	38,162,093	30,000,000	8,162,093	56,250,000	-18,087,907	82,500,000	-44,337,907	4,887,481	-10,831,082	-26,549,643
Res12	B	2	69,514,243	30,000,000	39,514,243	56,250,000	13,264,243	82,500,000	-12,983,757	23,661,224	7,942,661	-7,775,902
Res12	B	3	100,787,986	30,000,000	70,787,986	56,250,000	44,537,986	82,500,000	18,287,986	42,388,015	26,669,432	10,950,890
Res12	B	4	73,354,699	30,000,000	43,354,699	56,250,000	17,104,699	82,500,000	-9,143,301	25,960,898	10,242,335	-3,476,228
Res12	B	5	93,247,747	30,000,000	63,247,747	56,250,000	36,997,747	82,500,000	10,747,747	37,872,902	22,154,340	6,435,777
Res12	B	6	116,498,877	30,000,000	86,498,877	56,250,000	60,248,877	82,500,000	33,998,877	51,793,735	36,077,172	20,358,609
Res12	C	base	64,484,990	22,500,000	41,984,990	41,250,000	23,234,990	60,000,000	4,484,990	25,140,712	13,913,167	2,685,623
Res12	C	1	-3,170,433	22,500,000	-25,670,433	41,250,000	-44,420,433	60,000,000	-63,170,433	-13,371,529	-26,599,074	-37,826,619
Res12	C	2	14,877,931	22,500,000	-7,622,069	41,250,000	-26,372,069	60,000,000	-43,122,069	-4,564,113	-13,791,638	-27,019,203
Res12	C	4	11,127,498	22,500,000	-11,372,502	41,250,000	-30,122,502	60,000,000	-48,872,502	-6,809,881	-18,037,426	-29,264,971
Res12	C	5	29,760,614	22,500,000	7,260,614	41,250,000	-11,489,386	60,000,000	-30,239,386	4,347,673	-6,879,872	-18,107,417
Res12	C	6	48,393,730	22,500,000	25,893,730	41,250,000	7,143,730	60,000,000	-11,606,270	15,505,228	4,277,683	-6,949,862
Res12	C	7	33,995,075	22,500,000	11,495,075	41,250,000	-7,254,925	60,000,000	-26,004,925	6,883,278	-4,344,266	-13,571,811
Res12	C	8	44,339,374	22,500,000	21,839,374	41,250,000	3,109,374	60,000,000	-15,640,626	13,089,446	1,861,901	-9,365,644
Res12	C	9	55,290,065	22,500,000	32,790,065	41,250,000	14,040,065	60,000,000	-4,709,935	19,634,769	8,407,225	-2,820,320
Res12	C	10	26,643,395	22,500,000	4,143,395	41,250,000	-14,606,605	60,000,000	-33,356,605	2,481,075	-8,746,470	-19,974,015
Res12	D	base	17,920,989	13,000,000	2,920,989	26,250,000	-8,329,011	37,500,000	-19,579,011	1,749,095	-4,987,432	-11,723,959

The absolute numbers of income streams likely from the key development sites is quite out of kilter with the anticipated funding streams from CIL/S106, and the extent of the unfunded costs of the development, as presented in the IDP, p. 60:

Table 5.1: Overview of Infrastructure Costs

Overall Infrastructure Cost	£ 2,136,320,000
Delivered or Funding Committed	£ 1,347,650,000
Desirable Infrastructure	£ 296,200,000
Developer, Service Provider or Shared Cost	£ 145,410,000
Necessary and Unfunded Infrastructure	£ 347,060,000

The summary of anticipated income streams from planning gain represented in the IDP, p. 8, do not cite the SSAVS, and do not reflect the significantly reduced residual income streams anticipated based on these new viability assessments of the key sites. No evidence is provided for the numbers generated there. The data is based on the 2016 draft CIL and is out of date. This supporting document (IDP, Feb 2021) is not sound, it is not based on positive up to date evidence – it does not even use the available evidence provided by other supporting studies developed for this PSMDLP.

Infrastructure cost assessments in the Viability Study:

- Mayoral CIL2 charges have been considered
- Infrastructure costs have been allocated based on the 2016 Draft CIL from OPDC which covered only the following infrastructure

“We have allowed for OPDC’s proposed CIL charges (2016) in our appraisals, as set out in Table 4.55.1 below.”

Regulation 123 List (from 2016 OPDC Draft CIL) is not an exhaustive allocation of the basic infrastructure requirements of the development and is out of date.

TABLE 4: Regulation 123 list

Category	Sub-Category
Key Transport Infrastructure & Public Realm	Contributions to new and upgraded railway stations
	Improved pedestrian accesses to railway stations
	Upgrades and additions to Old Oak - Park Royal internal strategic road network
	Capacity enhancements to surrounding strategic road network
	Initiatives to encourage bicycle usage
	Strategic cycle network elements
	Improvements to the bus network (route and facility funding)
	Road links to create new routes to unlock sites
	Bridges across railways and Grand Union canal to unlock sites
	Traffic and pedestrian capacity and safety upgrades in Park Royal
	Strategic road landscaping enhancements
Urban Water Management	All works other than on-site sustainable urban drainage systems
Schools	School expansions (existing schools)
	All-through schools (ie ages 3-19)
Emergency Services	Emergency services premises – fire, police and ambulance
Green Infrastructure	Enhancing open spaces
Community and Sports Facilities	Community meeting and activity centres

It is noted that “4.58 No further financial contributions towards infrastructure have been allowed for in the appraisals. This is on the basis that development specific Section 106 contributions will be sought on a case by case basis and their impact on viability will need to be considered alongside affordable housing provision at the development management stage.”

This raises the question as to whether the Viability Appraisal which follows, then leaves sufficient scope to deliver affordable housing to the Mayor’s requirements as well as the meeting the required levels of infrastructure provision on which the draft CIL list is not exhaustive and is outdated.

The conclusion of the BNP appraisers seems to be that it will not (p. 34 6.4). They offer the consolation that housing of all types is required and assert that the OPDC will deliver on the Mayor’s objectives even if it realizes only the 5% affordable housing envisaged in some of the scenarios. It barely goes without saying that such delivery scenarios would not be in conformity with the London Plan and the objectives of the PSMDLP. Our conclusion, based on the comments we have made here above, is that the Plan has not been supported with an adequate evidence base and that it is not viable and deliverable. Therefore, it is not effective, consistent with national policy and guidance, and not in general conformity with the London Plan, and is not sound.

ⁱ Note: Additional supporting material, namely two major academic papers and one shorter paper which address the financial issues around developing and planning the OPDC area can be found here: https://drive.google.com/drive/folders/1nJvgA_TpWyn--JxKd7J-81SdJE7AMREf?usp=sharing