



## **CONSULTATION ON REVISIONS TO THE NPPF**

### **Response from the Old Oak Neighbourhood Forum**

This community organisation is a neighbourhood forum designated under the Localism Act in 2017 by the Old Oak and Park Royal Development Corporation and redesignated in 2022. The Forum has 170 members and meets monthly via Zoom. This response has been prepared by the adviser to the Forum Henry Peterson, a MHCLG Neighbourhood Planning Champion who has been working with the forum since 2016.

We are responding to only 13 of the consultation questions amongst the 104 in the MHCLG survey, so have not used the full proforma when submitting a response.

#### **Question 1**

Do you agree that we should reverse the December 2023 changes made to paragraph 61?

Yes, these changes have led to delays in Local Plan preparation and 'gaming the system' by individual LPAs.

#### **Question 2**

Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

Some means needs to be found to avoid the consequences of universal application of a formula which cannot take account of the context of individual LPAs. In the case of the OPDC as a Mayoral Development Corporation, we understand that the new standard method for assessing housing need applies only to LPAs that are also local authorities, such as the London boroughs. And that this situation arises because the data that contributes to the calculation, such as household projections and supply, and house price affordability against median incomes, is only collected at the geography of local government boundaries.

Hence (as under the existing NPPF) it will be the Mayor of London who sets the housing and employment targets for the OPDC, via the next iteration of the London Plan. We made representations during three rounds of consultation on the Draft OPDC Local Plan that the target of 25,000 new homes had been a largely unevicenced insertion to the 2016 FALP and was never adequately researched or justified in respect of the topographical realities and inadequate road network at Old Oak. These are matters for the London Mayor to address. But the OPDC area is one

where some form of ‘alternative approach’ to the standard method will be needed, given its lack of coterminosity with local authority boundaries.

### Question 3

Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

Yes.

### Question 4

Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

Paragraph 130 as added to the NPPF by the previous Government was one of very few pieces of Government planning guidance which gave local people an opportunity to flag up extreme changes in density and ‘character’. We accept that this additional guidance has proved ineffective, mainly because very few LPAs (in London at least) have done the work to put in place an authority-wide design code that gives a basis for assessing development proposals involving abrupt and harmful changes in urban character.

Since the OPDC took on planning responsibilities from three London Boroughs in 2015 (and given the context of an unrealistic housing target for the Opportunity Area) this part of West London has seen planning consents granted to a series of very high-rise high density BTR towers. The location of these developments has not been ‘plan’ led (local plan preparation having extended over 6 years with adoption only in June 2022).

The outcome (in our view) has been piecemeal and scattered regeneration of a ‘new part of London’ in a form which falls well short of the aspirations of successive Mayors of London, and which compares poorly with European examples of extensions to major cities (Vienna, Paris).

Housing density is a critical aspect of successful placemaking. We welcome moves towards a NPPF and other measures which will move away from authority-wide design codes and will *focus local planning authority efforts on the preparation of localised design codes, masterplans and guides for areas of most change and most potential – including regeneration sites, areas of intensification, urban extensions and the development of large new communities*. **But revisions to the NPPF need to include wording which ensures that local plans address housing density in a way that is transparent and understandable to citizens.**

Our experience with the OPDC Local Plan was that the Regulation 18 version included maps indicating areas of low, medium and high density. The subsequent Regulation 19.1 and 19.2 versions removed these, seemingly because the Development Corporation realised that many of the possible sites would need to be built out at densities *averaging* 600 units per hectare for a 25,000 housing target to have any chance of being achieved.

A set of over 30 site allocations was included in the OPDC's Post Submission Modified Draft Local Plan, with some being added three years after submission to the Secretary of State. **Our Forum requested in representations on each iteration of the Draft Plan that forecast housing densities for each site should be shown in the relevant table in the Draft Plan, given that housing unit numbers and site areas were already known quantities.** OPDC declined to make this information available. London Plan Policy D9 on Tall Buildings was in force prior to the conclusion of the Examination, requiring the identification of 'suitable locations' and 'appropriate heights'. OPDC added information on heights, retrofitting these around pre-application proposals, via a major modification required by the Planning Inspector. This modification was not consulted on leading to a loss of confidence amongst local residents that preparation of the OPDC local plan was a fair and transparent process.

**If paragraph 130 of the present NPPF is to be deleted, we suggest that it is replaced by a national requirement, that local plans should be transparent and explicit on proposed housing densities, suitable locations for tall buildings, and appropriate heights – either on an area by area basis or as part of site allocations. This would at least give local people a chance to respond at consultation stages.**

**The efforts of a former Secretary of State to achieve such transparency for London LPAs, in issuing a Direction on London Plan Policy D9, has proved to be largely subverted by a combination of the development industry, the GLA Planning Decisions Unit, and local planning officers.**

#### **Question 5**

Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Yes, as per our response to Question 5 above. We do not foresee the majority LPAs as having the capacity to prepare meaningful authority-wide design codes.

#### **Question 6**

Do you agree that the presumption in favour of sustainable development should be amended as proposed?

We support the provisos to such amendment, as set out in paragraph 17 of the consultation document.

#### **Question 12**

Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

We note the text in the consultation document stating *The Government will also explore the most effective arrangements for developing SDSs outside of mayoral areas, in order that we can achieve universal coverage in England, recognising that*

*we will need to consider both the appropriate geographies to use to cover functional economic areas, and the right democratic mechanisms for securing agreement.*

Back in 2014, many local residents and organisations in West London supported the creation of a Mayoral Development Corporation covering parts of three Boroughs and promising exemplary regeneration around a HS2 rail interchange. A decade later many now question whether a better outcome would have been achieved had the three Borough Councils entered into partnership arrangements and worked together on a joint masterplan for Old Oak and Park Royal.

The current chaos and indecision that surrounds the construction of Old Oak Common station cannot be laid at the door of OPDC. Two other factors, which could well arise with ‘*arrangements for spatial development strategies*’ have surfaced.

- Achieving ‘*the right democratic mechanisms*’ are likely to prove a challenge if MDCs are to be used increasingly to cover larger functional economic areas than existing LPAs. Our experience of the OPDC has been that a Board and Planning Committee made up a majority of appointees lacks local accountability, and the detailed knowledge of a locality needed for successful place shaping and regeneration, particularly in relation to urban extensions added to existing settlements.
- New arrangements given planning powers (but with no responsibilities for other local authority functions) bring a series of new problems. OPDC’s lack of powers on highway matters, and on enforcement of non-planning issues, has brought daily problems to those living in an area only halfway through two decades of intensive construction activity. OPDC has proved ill-equipped to provide joined-up responses of the kind now achieved by many individual London boroughs.

### **Question 23**

Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

We support the principle of introducing the concept of grey belt land. This will be important on the planning and ‘urban extensions’ of major cities and the design of new towns. The proposed definition seems reasonable.

### **Question 59**

Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

We accept that the introduction of the term ‘beauty’ to the NPPF has not had the intended effect of ensuring that new buildings and public spaces are perceived positively by the public and welcomed as additions to their local surroundings. The term is too subjective and its hard to identify simple alternatives around which a consensus can be built on what makes for a good well-designed building or a great public space.

Paragraph 20 of this part of the consultation document comments that *the National Model Design Code is now in widespread use*. We see little evidence of this. In the

Old Oak area, our experience has been that the Example Area Types at Figure 10 of the NMDC have been completely ignored in the Local Plan and in OPDC decisions. The NMDC gives the example of **Town/City centre Industrial areas** *A typical dense city typology with over 120 dwellings per hectare (dph) and a strong mix of uses.* As noted above the Local Plan is based on achieving average densities five times this figure in several of the 'Places' defined in the plan.

#### **Question 62**

Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

#### **Question 63**

Are there other sectors you think need particular support via these changes? What are they and why?

#### **Question 64**

Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

While we recognise that the planning system needs to support *the expansion or modernisation of other key growth industries* there are some risks attached to proposed NPPF wording giving *particular support* to certain specified industries.

Our experience with the OPDC's response to a series of applications for data centres, concentrated in a segment of West London, has shown that the construction of these buildings needs to be carefully controlled and managed. If a 'streamlined' approach is envisaged, by directing data centres into the NSIP consenting regime, this should be confined to infrastructure in sparsely populated areas and not in or near the centre of major cities.

#### **Question 69**

Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

On transport infrastructure, we agree that high quality planning for strategic infrastructure (road, rail, and overground/underground/tram systems) must precede attempts to plan and build significant 'urban extensions'. European cities seem to understand this, whereas the history of the OPDC area is of transport infrastructure plans (HS2) inadequately prepared and delivered. Far from acting as a 'catalyst' for regeneration of the surrounding area, a flawed spatial plan is being implemented prematurely based on rail passenger assumptions that may well never be realised.

Old Oak Neighbourhood Forum September 2024