

Local Plan Independent Examination

OPDC Response to Matter and Issue 7

Matter 7: Whether the effects on Wormwood Scrubs of the policies and proposals in the Plan would be justified and consistent with national policy (derived from the twelfth Key Issue of table 5 of Key document 5 identified at Regulation 19(1) stage and representations 2/P1/12, and 2/P8/7 from Wormwood Scrubs Charitable Trust amongst others. At Regulation 18 stage a number of organisations made representations on this point)

Although I am content with the officers' response to this Matter set out in Appendices E and J to Key document 5, a Hearing session will be required if representors exercise their right to be heard.

OPDC response:

- 1.1. OPDC considers that the Local Plan is justified and consistent with national policy and is in general conformity with London Plan and emerging London Plan Policies with regards to effects of policies and proposals on Wormwood Scrubs.
- 1.2. The existing value of Wormwood Scrubs, and the range of statutory protections and designations which apply to it, is reflected across the Local Plan, particularly within Policies SP8, P12, EU1 and EU2. The protection of Wormwood Scrub's recreational role as a Metropolitan Park and Metropolitan Open Land is set out in Policies SP8 and EU1, both of which are supported by the London Plan (document OSD27 Policies 7.17 and 7.18) and emerging Draft New London Plan (document OSD14 Policies G3 and G4). Proposals for sensitive enhancements to, or for development near or adjacent to, Wormwood Scrubs would need to accord with Policy EU2, which seeks to conserve and enhance biodiversity.
- 1.3. Policy P12 recognises that Wormwood Scrubs is held in trust by the London Borough of Hammersmith and Fulham and managed by the Wormwood Scrubs Charitable Trust. OPDC carried out a Wormwood Scrubs Survey (document SD30) which is helping to identify potential future sensitive enhancements to Wormwood Scrubs. The outcomes of the survey showed that the most popular improvements were cited as a café, toilets, litter management, lighting and security and new play equipment. Policy P12 has been amended in response to the second Regulation 19 consultation to reference the role of the Wormwood Scrubs Management Plan, which is being developed by the London Borough of Hammersmith and Fulham in partnership with the OPDC and the Wormwood Scrubs Charitable Trust. However, as the management plan has not yet been published, the Local Plan cannot include it as part of the evidence base or base policies on its contents, as requested by the Wormwood Scrubs Charitable Trust.
- 1.4. OPDC agrees that it is important to maintain the character of Wormwood Scrubs but considers that the Local Plan should also acknowledge that with improved access it can be a space that people living and working around the Scrubs can use and benefit from, in

accordance with the Wormwood Scrubs Act 1879. The Wormwood Scrubs Act 1879 states that Wormwood Scrubs should be held “upon trust for the perpetual use thereof of the inhabitants of the metropolis for exercise and recreation”. Providing improved access to the Scrubs for the new residents, employees and visitors within Old Oak, local people and all Londoners accords with the Wormwood Scrubs Act. As a result, there may be parts of the Scrubs that will experience increased usage and may require sensitive enhancements in light of this. Any works would need to be sensitively designed to minimise their impact on the ecological value of the Scrubs in agreement with the Wormwood Scrubs Charitable Trust and the London Borough of Hammersmith and Fulham. Such works would need to accord with the provisions of the Wormwood Scrubs Act and other legal protections contained in the Commons Act (2006) and relevant parts of the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967.

- 1.5. Walking and cycling access to Wormwood Scrubs is currently restricted by railways in the north and vegetation and poor quality walking and cycling routes in the east and west. This is evidenced by OPDC's Public Realm, Walking and Cycling Strategy Appendix 3: Pedestrian Environment Review System Audit and Appendix 4: Cycle Network Assessment (document SD38). As such, existing communities north of Wormwood Scrubs are not able to easily make use of the open space it provides. With the regeneration of Old Oak, without improvements to the access to Wormwood Scrubs, new communities will also have difficulty in reaching this local asset to support their health and well-being.
- 1.6. The Wormwood Scrubs Act states that the Scrubs should be enhanced as an area for exercise and recreation for the inhabitants of the metropolis. The London Plan also supports its function as a Metropolitan Park, providing for the strategic open space needs of the London area. As such, sensitive new walking and cycling connections to Wormwood Scrubs to help connect communities to the open space and surrounding destinations are needed to help meet the requirements of the Act and the London Plan. New and enhanced access of sufficient capacity should be provided from all areas around Wormwood Scrubs to enable people to reach destinations within Wormwood Scrubs. Such new and enhanced access points will be implemented in accordance with Policy P12 which requires any proposals to be agreed with the Wormwood Scrubs Charitable Trust and London Borough of Hammersmith and Fulham taking account of Policy EU1 regarding the protection of Metropolitan Open Land.
- 1.7. Policy SP9 (Built Environment) identifies Wormwood Scrubs, being an open space, as a sensitive location. The Local Plan figure 3.15 map shows sensitive locations and areas where tall buildings are “an appropriate form of development in principle”. Policy SP9 requires development to respond appropriately to these sensitive locations. This is considered to be appropriate for the context of Wormwood Scrubs given its functions and its proximity to Old Oak Common Station, and also recognises that development along the north of Wormwood Scrubs is currently envisaged to be delivered beyond the Local Plan period (2018-2038).
- 1.8. Policies within the Local Plan including SP8 (Green Infrastructure and Open Space) and EU1 (Open Space) which require the delivery of 30% publicly accessible open space in the developable area outside of SIL aim to ensure that Wormwood Scrubs is not being relied upon to not fulfil the open space requirements of new development in the rest of the OPDC area. The policy requirements of SP8 and EU1 includes the delivery of 3 new Local Parks in Old Oak North and Old Oak South, each of at least 2 hectares in size, providing generous new open spaces within 400m of new residents of Old Oak. It is acknowledged that more people will seek to access Wormwood Scrubs as a result of development elsewhere in the OPDC area and improved accessibility to existing communities at areas such as Harlesden. OPDC consider that this is appropriate and in line with the role of the

Wormwood Scrubs as a Metropolitan Park in the London Plan, and its functions under the Wormwood Scrubs Act to serve “all inhabitants of the metropolis”.

ISSUES AND RESPONSES (FOR REFERENCE)

(18)

Existing open space as amenity space: Wormwood Scrubs and Kensal Green Cemetery should not be considered in calculations for amenity space provision from new development.

Noted. It will be important to ensure that new development provides sufficient open space and urban greening to meet the needs of its new residents and workers. The requirements for this are set out in Policies SP8, EU1 and EU2. However, OPDC considers that the Local Plan should also acknowledge that Wormwood Scrubs is a significant asset that with improved access, can be a space that people living and working around the Scrubs can use and benefit from, in accordance with the 1879 Wormwood Scrubs Act.

The Wormwood Scrubs Act (1879) states that Wormwood Scrubs should be held “upon trust for the perpetual use thereof of the inhabitants of the metropolis for exercise and recreation”. Providing access to the Scrubs for the new residents, employees and visitors within Old Oak accords with the Act; however, any access would need to be sensitively designed to minimise its impact on the ecological value of the Scrubs and would need full agreement from the Wormwood Scrubs Charitable Trust.

Policy P12 sets out OPDC’s commitment to agree any proposals with the Wormwood Scrubs Charitable Trust. The ecological protections in Wormwood Scrubs are referenced in the supporting text. Proposals would need to accord with Policy EU2, which seeks to conserve and enhance biodiversity.

OPDC agrees that it is important to maintain the character of the Scrubs but considers that there may be parts of the Scrubs that will experience increased usage as a result on development and that these locations may require an alternative landscaping approach. OPDC carried out a Wormwood Scrubs survey which is helping to identify potential future sensitive enhancements to the Scrubs.

(19-1)

Key Issue 12

Wormwood Scrubs: Evidence should be provided for the need for any routes and enhancements to the Scrubs.

The Wormwood Scrubs Survey was carried out to help understand people’s views of Wormwood Scrubs and identify any potential opportunities for sensitive improvements. The outcomes of the survey showed that the most popular improvements were cited as a café, toilets, litter management, lighting and security and new play equipment. Walking and cycling access to Wormwood Scrubs is currently restricted by railways in the north and vegetation and poor quality walking and cycling routes in the east and west. This is evidenced by OPDC’s Public Realm, Walking and Cycling Strategy Appendix 3: Pedestrian Environment Review System Audit and Appendix 4: Cycle Network Assessment. As such, existing communities in the north are not able to easily make use of the open space. With the regeneration of Old Oak, new communities will also have difficulty in reaching this local asset to support their health and well-being. The Wormwood Scrubs Act states that the Scrubs should be enhanced as an area for exercise and recreation for the inhabitants of the metropolis.

The London Plan also supports its function as a Metropolitan Park, providing for the strategic open space needs of the London area. As such, sensitive new walking and cycling connections to Wormwood Scrubs to help connect communities to the open space and surrounding destinations are needed to help meet the requirements of the Act and the London Plan. New and enhanced access should be provided from all areas around the Scrubs and be of a sufficient capacity to enable people to reach these destinations. New and enhanced access points will be implemented in accordance with Policy P12 which requires any proposals to be agreed with the Wormwood Scrubs Charitable Trust and London Borough of Hammersmith and Fulham and in accordance with Policy EU1 in the protection of Metropolitan Open Land.

P12/18: No direct link from the Station itself to the Scrubs is required. The proposed Green Bridge is supported and is the only link that is needed for anyone from the north wishing to access the Scrubs.

No change proposed. Walking and cycling access to Wormwood Scrubs is currently restricted by railways in the north and vegetation and poor quality walking and cycling routes in the east and west. As such, existing communities in the north are not able to easily make use of the open space.

With the regeneration of Old Oak, new communities will also have difficulty in reaching this local asset to support their health and well-being. The Wormwood Scrubs Act states that the Scrubs should be enhanced as an area for exercise and recreation for the inhabitants of the metropolis. The London Plan also supports its function as a Metropolitan Park, providing for the strategic open space needs of the London area. As such, sensitive new walking and cycling connections to Wormwood Scrubs to help connect communities to the open space and surrounding destinations are needed to help meet the requirements of the Act and the London Plan. New and enhanced access should be provided from all areas around the Scrubs and be of a sufficient capacity to enable people to reach these destinations. New and enhanced access points will be implemented in accordance with the requirement within Policy P12 that any proposals are agreed with the Wormwood Scrubs Charitable Trust and London Borough of Hammersmith and Fulham and in accordance with Policy EU1 on the protection of Metropolitan Open Land.

(19-2)

2/P1/12: Maps should show a buffer zone for lower building heights of 6-8 storeys facing on to Wormwood Scrubs.

No change proposed. Policy SP9 identifies Wormwood Scrubs, being an open space, as a sensitive location. The Local Plan figure 3.15 map shows sensitive locations and areas where tall buildings are “an appropriate form of development in principle”. SP9 requires development to respond appropriately to these sensitive locations. This is considered to be appropriate for the context of Wormwood Scrubs given its functions and its proximity to Old Oak Common Station. This also recognises that development along the north of Wormwood Scrubs is currently envisaged to be delivered beyond the Local Plan period (2018-2038).

2/P8/7: Figure 4.27 should not show any new access onto Wormwood Scrubs.

No change proposed. Walking and cycling access to Wormwood Scrubs is currently restricted by railways in the north and vegetation and poor quality walking and cycling routes in the east and west. This is evidenced by OPDC's Public Realm, Walking and Cycling Strategy Appendix 3: Pedestrian Environment Review System Audit and Appendix 4: Cycle Network Assessment. As such, existing communities in the north are not able to easily make use of the open space. With the regeneration of Old Oak, new communities will also have difficulty in reaching this local asset to support their health and well-being. The Wormwood Scrubs Act states that the Scrubs should be enhanced as an area for exercise and recreation for the inhabitants of the metropolis. The London Plan also supports its function as a Metropolitan Park, providing for the strategic open space needs of the London area. As such, sensitive new walking and cycling connections to Wormwood Scrubs to help connect communities to the open space and surrounding destinations are needed to help meet the requirements of the Act and the London Plan. New and enhanced access should be provided from all areas around the Scrubs and be of a sufficient capacity to enable people to reach these destinations. New and enhanced access points will be implemented in accordance with the requirement within Policy P12 that any proposals are agreed with the Wormwood Scrubs Charitable Trust and London Borough of Hammersmith and Fulham and in accordance with Policy EU1 on the protection of Metropolitan Open Land. Any amendments from future studies will be used to inform future versions of the Local Plan.

2/P12/12: The number and location of new access points to Wormwood Scrubs is concerning. Any access points should be described by the plan as indicative until more detailed work is undertaken to understand its biodiversity value and any potential damage new connections may cause.

Change proposed. All figures in the Local Plan are indicative, and this is stated in the Local Plan Appendix. This text has now been included within the introduction of the Local Plan itself for greater clarity. Following the publication of the management plan being prepared by the Wormwood Scrubs Charitable Trust and LBHF, the location of existing routes will be updated in relevant planning guidance.

2/P12/13: The Wormwood Scrubs Charitable Trust is working with LBHF on a project to improve the ecological spaces of the Scrubs, including a long-term management plan to maximise biodiversity opportunity by considering all aspects of the use of the Scrubs. This plan should be referenced in the Local plan and be in place before any proposals to improve or change the Scrubs are made. The Vision, Policy and supporting text for P12 should reference that the Scrubs will be enhanced and managed in accordance with the management plan.

Change proposed. As the management plan has not yet been published, the Local Plan cannot include it as evidence base or base policies on its contents. However, supporting text to Policy P12 will be amended to refer to the document and its intended role and function. When complete, the Management Plan will inform future planning guidance, including future updates to the Local Plan.