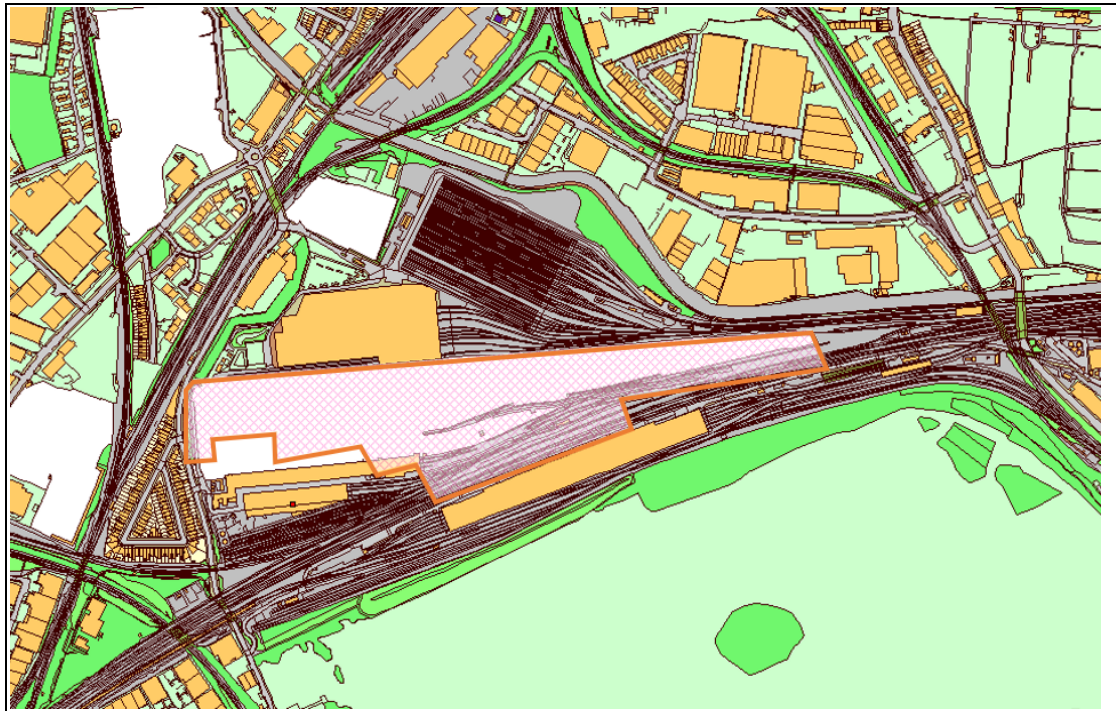


Ward: College Park & Old Oak

Site Address:

Old Oak Common Station, Old Oak Common Lane,
London, NW10 6DZ



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For identification purposes only - do not scale.

Reg. No:
2023/01912/OPDOBS

Case Officer:
Sinead Winship-David

Date Valid:
24.07.2023

Conservation Area:

Committee Date:
05.09.2023

Applicant:

Old Oak and Park Royal Development Corporation
Brent Civic Centre 32 Engineers Way Wembley HA9 0FJ

Description:

Consultation by the OPDC Application under Schedule 17 of the High-Speed Rail (London - West Midlands) Act 2017 for a non-material change to planning consent (ref. 22/0064/HS2OPDC) dated 11 July 2022 for works associated with the urban realm for the new Old Oak Common station comprising earthworks; wetland area earthworks; retaining walls; bus canopies; fences and walls; bollards; seating; planters; cycle stands; lighting equipment; a DNO substation; hard and soft landscaping; road vehicle parks and onsite road layout'. The non-material changes include amendments to approved general arrangements plans, landscape planting plans, contours and levels plans, cycle space provision and lighting details and the provision of a staff smoking shelter and security booth.

Drg Nos: OPDC consultation letter dated 21 July 2023 relating to application ref. 23/0151/HS3OPDC

Application Type:

Observations to OPDC

Officer Recommendation:

The Council raises an objection to the proposed development for the following reasons:

- 1) The objections raised previously in relation to the Schedule 17 public realm application (ref. 22/0064/HS2OPDC) still apply. There remain concerns with regards to safeguarding a future connection to the east, and in relation to the proposed urban realm layout and public transport interchange, particularly in relation to pedestrian and cycle access and movement.
- 2) The proposed location of the crew and catering building results in the loss of the proposed cycle hub for 745 cycle parking spaces safeguarded in the previously approved Schedule 17 application (ref. 22/0064/HS2OPDC) and the current proposals do not include the re-provision of the safeguarded 745 cycle parking spaces.

**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

All Background Papers held by Andrew Marshall (Ext: 4841):

Application form received: 20th July 2023
Drawing Nos:

Policy documents: National Planning Policy Framework (NPPF) (2021)
The London Plan (2021)
OPDC - Local Plan (2022)

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

None received.

OFFICER'S REPORT

1.0. BACKGROUND

- 1.1. The Council have been consulted by the OPDC on a Schedule 17 application submitted to them by HS2 Ltd, as described above. HS2 Ltd is the nominated undertaker for phase 1 of the High-Speed Rail under the (London – West Midlands) Act 2017.
- 1.2. The OPDC are the local planning authority for the area, but we remain the highway authority for land in the OPDC area that is also within the borough boundary.
- 1.3. This application is being reported to the Planning and Development Control Committee (PADCC) to give Members the opportunity to consider and endorse officers' comments before these are submitted formally to the OPDC.
- 1.4. The OPDC were aiming to report the application (their reference 23/0160/HS2OPDC) to their own planning committee on 7 September 2023, but they have subsequently confirmed that it will not now go to committee until October at the earliest.

Site & Surroundings

- 1.5. The application site is approximately 900m long from east to west and is bordered by the Crossrail Depot to the north (with the Grand Union Canal beyond that), further operational railway land to the east, the Great Western Mainline (GWML) tracks and IEP Depot and rail sidings to the south and Old Oak Common Lane and the Wells House Road residences to the west. The site area is some 9.9 hectares.
- 1.6. The proposed new Old Oak Common Station will be accessed from Old Oak Common Lane. The site is comprised of operational railway land occupied by the Great Western Railway (GWR) and Heathrow Express (HEX) depots, which have been demolished as part of the HS2 works.
- 1.7. The HS2 route through the administrative area of OPDC will enter LBHF from the Royal Borough of Kensington and Chelsea (RBKC) below Kensal Green Cemetery via the underground twinbore Euston tunnel, before crossing under the Grand

Union Canal into the OPDC administrative area. The route through the OPDC area will be approximately 4.5km in length. Most of the route will be below ground except for the HS2 station and associated infrastructure, known as Old Oak Common station, which is the subject of this Schedule 17 Plans and Specifications submission.

- 1.8. The site is located within Flood Risk Zone 1. The St Mary's Kensal Green Cemetery and Little Wormwood Scrubs recreation grounds lying to the northeast and southeast respectively are designated Local Wildlife Sites. St Mary's Cemetery is within the St Mary's conservation with several listed structures (Grade II) associated with the cemetery uses. Wormwood Scrubs lies to the south of the subject site which is a Local Wildlife Site with areas within also being designated as a Local Nature Reserve.

2.0. RELEVANT PLANNING HISTORY

- 20/0011/HS2OPDC (our ref. 2020/03115/OPDOBS) – OPDC granted permission 20 January 2021 under Schedule 17 of the High-Speed Rail (London – West Midlands) Act 2017 relating to works associated with the realignment of Old Oak Common Lane and replacement Great Western Mainline and Central Line bridges.
- 20/0057/HS2OPDC (our ref. 2022/01183/OPDOBS) – OPDC granted permission 23 June 2020 under Schedule 17 of the High Speed Rail (London – West Midlands) Act 2017 for highway routes (conditions relating to road transport) to be used by large goods vehicles associated with the main works stage including main site enabling works; excavation works (main station box); under track crossing works; Stamford Brook Sewer works; piling and diaphragm wall works; installation of tower cranes; conveyor installation; decommissioning works; ground remediation works; satellite site A/B enabling works; Wycombe line bridge demolition works; and all other activities for the purposes and in connection with the scheduled and ancillary works for HS2 at four construction site compounds comprising Old Oak Common Station, Atlas Road, Willesden Euro Terminal and Satellite Sites A/B.
- 20/0013/HS2OPDC – OPDC granted permission 22 May 2020 under Schedule 16 of the High-Speed Rail (London - West Midlands) Act 2017 relating to the onsite road layout associated with the new Old Oak Common station.
- 20/0012/HS2OPDC (our ref. 2022/01251/OPDOBS) – OPDC granted permission 22 May 2020 under Schedule 17 of the High-Speed Rail (London-West Midlands) Act 2017 relating to above ground works associated with the new Old Oak Common station, comprising main concourse; overbridges; stairs; escalators; lifts to conventional rail; conventional rail platforms and canopies; ventilation structures and associated works.
- 22/0065/HS2OPDC (our ref. 2022/01251/OPDOBS) – OPDC granted permission 3 April 2023 under Schedule 17 of the High-Speed Rail (London-West Midlands) Act 2017 for amendments to ancillary buildings previously approved (OPDC ref. 20/0012/HS2OPDC) 22 May 2020 as part of Old Oak Common station and associated, comprising of amendments to headhouses, ventilation structures and the cycle hub.
- 22/0064/HS2OPDC (our ref. 2022/01249/OPDOBS) – OPDC granted permission 11

July 2022 under Schedule 17 of the High-Speed Rail (London-West Midlands) Act 2017 for works associated with the urban realm for the new Old Oak Common station comprising earthworks; wetland area earthworks; retaining walls; bus canopies; fences and walls; bollards; seating; planters; cycle stands; lighting equipment; a DNO substation; hard and soft landscaping; road vehicle parks and onsite road layout.

It is noted that we raised objections to this application at that time on the grounds of potential highways impacts and on design/placemaking grounds (connectivity of Old Oak Common Station with the wider area. We strongly recommended that wider links and connectivity to Scrubs Lane, the Grand Union Canal and Wormwood Scrubs are delivered at an early stage of the development programme).

- 23/0160/HS2OPDC - A further application has been submitted to the OPDC under Schedule 17 of the High-Speed Rail (London-West Midlands) Act 2017 for works to enable Old Oak Common Station to serve as a temporary terminus comprising a train crew and catering building, fencing and gates to provide a refuse compound, lighting equipment and road vehicle parks.

We have also been consulted by the OPDC on these proposals (our ref.23/01911/OPDOBS) and officers' suggested response to the OPDC consultation is the subject of a separate report for the committee's consideration on tonight's agenda.

3.0. PROPOSAL

- 3.1. The High-Speed Rail (London - West Midlands) Act 2017 provides powers for the construction and operation of Phase 1 of HS2. HS2 Ltd is the nominated undertaker in relation to the works. Section 20 to the Act grants deemed planning permission for the works authorised by it, subject to the conditions set out in Schedule 17, which require the following matters to be approved or agreed by the relevant Local Planning Authority (OPDC in this case).
- 3.2 The current application proposes amendments to the previously approved schedule 17 consent (ref. 22/0064/HS2OPDC) dated 11 July 2022 for works associated with the urban realm for the new Old Oak Common station, comprising earthworks; wetland area earthworks; retaining walls; bus canopies; fences and walls; bollards; seating; planters; cycle stands; lighting equipment; a DNO substation; hard and soft landscaping; road vehicle parks and onsite road layout.
- 3.3 We were consulted on the original 2022 application at that time by the OPDC and we objected to the proposals on the following grounds:
 - 1) Highway Impacts: Additional information is required to fully demonstrate that the road layout and associated features can operate safely and to further demonstrate compliance with the London Plan.
 - 2) Urban Design: Insofar as it relates to the connectivity of Old Oak Common Station with the wider area, the design of the urban realm is unacceptable. LBHF strongly recommends that wider links and connectivity to Scrubs Lane, the Grand Union Canal and Wormwood Scrubs are delivered at an early stage of the development programme.

3.4. In the case of the current schedule 17 application the proposed amendments to the previously approved scheme are driven by the desire to facilitate the delivery of the proposed crew building and associated facilities. The key amendments are summarised below:

- Changes to hard and soft landscaping
- Additional fencing to the west of the train crew and catering building and revised bollard layout
- Provision of staff smoking shelter and security booth
- Changes to car parking provision to reflect British Transport Police, HS2 and National Rail operational requirements
- Changes to on-site road layouts
- Amendments to lighting design within the Eastern Urban Realm, including details of lighting for the crew and catering building.

3.5. The matter of whether these proposals constitute non-material amendments to the approved scheme is for the OPDC to consider as the determining authority.

PUBLICITY & CONSULTATIONS

- 4.1. The planning application has been submitted to OPDC who are the Local Planning Authority.
- 4.2. We have not received any representations from Hammersmith & Fulham residents direct regarding the proposed development.

5.0 PLANNING FRAMEWORK

High Speed Rail (London - Midlands) Act 2017

- 5.1. The High-Speed Rail (London - West Midlands) Act 2017 (the 'Act') grants deemed planning permission for the construction of phase one of the High Speed Two (HS2) railway from London to the West Midlands. This deemed planning permission is subject to conditions set out in Schedule 17 ('conditions relating to deemed planning permission') of the Act. As the nominated undertaker for the delivery of HS2, High Speed Two Limited (HS2 Ltd) must apply to local planning authorities for the approval of certain details.
- 5.2. Paragraphs 2 and 3 of Schedule 17 require an application to be submitted to the local planning authority for the approval of plans and specifications relating to building works and other construction works including, but not limited to, earthworks, fences, and walls.
- 5.3. The grounds that the local planning authority (the OPDC in this case) may consider when determining the request for approval are also prescribed in these paragraphs. For the works involving replacement bridges, earthworks and retaining walls, the OPDC may only refuse to approve plans or specifications on the grounds that:
 - (a) The design or external appearance of the works ought to be modified:
 - (i) To preserve the local environment or local amenity,
 - (ii) To prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area, or

(iii) To preserve a site of archaeological or historic interest or nature conservation value, and is reasonably capable of being so modified, or

(b) The development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits. (For earthworks, this is only applicable if the development does not form part of a scheduled work).

5.4. The Act also places controls on the HS2 development which sit outside of the Schedule 17 process. For example, works to the public highway require the consent of the local highway authority under Schedule 4 of the Act.

Planning Policy

5.5. Planning policies are only relevant to the determination of the application insofar as they relate to the matters prescribed in paragraphs 2 and 3 of Schedule 17.

5.6. The relevant development plan documents for the application site area are:

- London Plan (2021)
- OPDC Local Plan (2022)

6.0. ASSESSMENT

Urban Design and Heritage

6.1. No objection raised to the proposal from urban design and heritage officers in terms of the design of the scheme. The changes to the proposal scheme are quite minor in nature, when considered against the earlier approved Schedule 17 application.

6.2 In terms of heritage impacts, the proposals are not considered to result in any harm to the setting of any heritage assets.

Highways

6.3. The provision of the train crew and catering building results in changes to the approved Station Urban Realm scheme (Planning Ref. 22/0064/HS2OPDC). The non-material application updates the consented plans so that they incorporate the proposed train crew and catering building works. These changes are mostly around the Eastern Station Urban Realm.

6.4. The application also includes other minor changes/updates to the eastern urban realm because of further design development, including a new staff smoking shelter proposed on the western side of the East Service Road, adjacent to the rear of the main station building and full details of the proposed security booth also situated on the East Service Road.

6.5. The objections raised previously (In relation to the previous public realm application / Schedule 17 application 22/0064/HS2OPDC) still apply. There are still concerns with regards to safeguarding a future connection to the east, and in relation to the proposed urban realm layout and public transport interchange, particularly in relation to pedestrian and cycle access and movement.

- 6.6. In addition, the proposed location of the crew and catering building results in the loss of the proposed cycle hub for 745 cycle parking spaces safeguarded in the previously approved Schedule 17 application 22/0064/HS2OPDC, and this non-material application does not include the re-provision of the safeguarded 745 cycle parking spaces.

7.0. CONCLUSION

- 7.1. Officers recommend that that the Council raises an objection to the proposed development as detailed above in the “Officer Recommendation” section at the front of this report.