

## **OLD OAK AND PARK ROYAL DEVELOPMENT CORPORATION SCHEME OF PLANNING DELEGATIONS**

### The General Planning Delegation

1. The Board delegates the discharge and exercise of the Corporation's "Relevant Planning Functions" (called the "the General Planning Delegation" in this Scheme) concurrently to -
  - (1) the **Planning Committee**, except for the matters reserved to a decision of the Board that are listed in Column 1 of Table A (which may only be exercised by the Board); and
  - (2) the **Director of Planning, any officer(s) directly reporting to that post and any officer of the Corporation appointed by the Director**, except for the matters respectively reserved to the Board or to the Planning Committee listed in Columns 1 and 2 of that Table (which may only be exercised by them).
2. Nothing in this Scheme shall prevent the Board or (except in relation to matters listed in Column 1 of Table A) the Planning Committee from discharging or exercising a Relevant Planning Function or from the Chief Executive Officer or Director of Planning referring a matter to either body as she/ he considers appropriate.
3. This Scheme is without prejudice to and shall not restrict the discharge of any Relevant Planning Function by the London boroughs of Brent, Ealing, Hammersmith and Fulham under any agreements entered into from time to time under section 203 of the Localism Act 2011.

### Scope of General Planning Delegation

4. "Relevant Planning Function" includes any statutory and other function capable of being exercised by the Corporation from time to time under any of the following<sup>1</sup> -
  - (1) the Old Oak and Park Royal Development Corporation (Planning Functions) Order 2015<sup>2</sup> ("the OPDC Planning Functions Order");
  - (2) any compulsory purchase or related legislation generally, including compensation and the acquisition of land by agreement;
  - (3) any legislation concerning the Community Infrastructure Levy generally;
  - (4) any other town and country planning legislation generally; and
  - (5) includes (without limitation) the power to:

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<sup>1</sup> This includes under any statutory amendment re-enactment or replacement of legislation.

<sup>2</sup> Statutory Instrument 2015/ 442

- determine any application for planning permission or for other consent, including the refusal of planning permission and to determine reasons for refusal, or to grant planning permission, including to grant permission subject to any conditions, informatives or notes considered appropriate, to determine their content and reasons for imposing them;
  - set any fee or charge levied by the Corporation in respect of its planning functions<sup>3</sup>;
  - take enforcement action or other legal proceedings of whatever nature in connection with or related to any Relevant Planning Function;
  - respond to consultations of whatever nature (whether statutory or not) including in relation to new or amended town and country planning legislation, policies, guidance, plans, frameworks or strategies, the local development framework and supplementary planning documents for each of the London boroughs of Brent, Ealing and Hammersmith & Fulham, other local planning authorities with a Duty to Cooperate, and current and emerging strategic planning guidance for London;
  - otherwise, to take any action or do any other thing (including any preparatory or preliminary act) that is considered appropriate, necessary, expedient, facilitative, conducive or incidental in connection with or related to the exercise of any of the above.
5. A summary of the Corporation’s functions under the OPDC Planning Functions Order is set out in Appendix 1.
6. For the avoidance of doubt the Corporation’s functions under any of the following are (without limitation) considered Relevant Planning Functions within the General Planning Delegation:-
- (1) Town and Country Planning (General Permitted Development) (England) Order 2015;
  - (2) Town and Country Planning (Development Management Procedure) Order 2015;
  - (3) Community Infrastructure Levy Regulations 2010 (SI 2010/ 948) (as amended).

Referral of certain applications and consultations to Board or Planning Committee

7. The General Planning Delegation under paragraph 1 above shall be discharged and exercised in accordance with the following provisions.
8. The Director of Planning (or in his/ her absence the Head of Development Management or Head of Planning Policy) shall refer (a) an application for planning permission or for other consent or (b)

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<sup>3</sup> This is reserved to the Planning Committee in Table A

the approval of a response to a consultation to the Planning Committee or (in exceptional circumstances) to the Board (as the Director considers appropriate) where -

(1) In the Director's opinion the application or consultation subject matter falls within any of the following categories:

- It is of a significant or a potentially contentious nature; or
- It has received significant objections; or
- It may prevent the Corporation from fulfilling its functions and responsibilities; or
- It involves a significant departure from development plan policy (which would be required to be notified to the Secretary of State), but where it is proposed to approve the application; or
- It is of such a significant nature in terms of impact on the Corporation's purposes, functions or responsibilities that it should be referred to the Planning Committee or Board.

(2) A member of the Board or of the Planning Committee has requested that the application or consultation response be decided by the Board or Planning Committee, rather than under delegated powers, and the request has been made in writing to the Director within 21 days of the registration of the application or start of the statutory consultation.

(3) An application for planning permission or other consent (only) is made (either as applicant or agent) by a member of the Board, a member of the Planning Committee or any other Committee of the Corporation or by any officer of the Corporation.

**Table A: matters reserved to the Board and Planning Committee**

	1	2	3
	<b><i>Matters reserved to a decision of the Board</i></b>	<b><i>Matters reserved to a decision of the Planning Committee</i></b>	<b><i>Notes</i></b>
<i>A. Local Plan and other planning policies</i>	<ol style="list-style-type: none"> <li>1. Decision to approve the text of the proposed local plan and any alterations to it for the purposes of statutory consultation.</li> <li>2. Decision to approve and adopt the local plan and any alterations to it.</li> <li>3. Decision to adopt supplementary planning documents.</li> <li>4. Decision to designate a Conservation Area.</li> <li>5. Decision to approve and adopt any other significant local planning policies including for consultation (statutory or otherwise).</li> <li>6. Decision to designate any neighbourhood area and / or neighbourhood forum.</li> <li>7. Decision to send any neighbourhood plan or Order to referendum.</li> <li>8. Decision to make any neighbourhood plan or Order.</li> </ol>	<ol style="list-style-type: none"> <li>1. Decision to consult on draft supplementary planning documents.</li> <li>2. Decision to consult on the designation of a Conservation Area.</li> <li>3. Decision to publish and consult on any proposed neighbourhood area application and / or neighbourhood forum application.</li> </ol>	Any report concerning the matters listed in Column 1 should normally be considered by the Planning Committee first unless time does not allow it to be considered before the next scheduled Board meeting.
<i>B. Community Infrastructure Levy</i>	<ol style="list-style-type: none"> <li>1. The decision to approve the proposed text of the CIL charging schedule and any alterations to it for the purposes of statutory consultation.</li> <li>2. The decision to approve</li> </ol>		Any report concerning the matters listed in Column 1 should normally be considered by the Planning Committee first unless time does not allow it to be considered before the next

	and adopt the CIL charging schedule and any alterations to it.		scheduled Board meeting.
<i>C. Compulsory purchase and related matters including compensation and acquisition by agreement</i>	The decision in principle to make a compulsory purchase order (but not the actual making, withdrawing or amending of any specific order, and any connect matter such as compensation, which are delegated to officers under the General Planning Delegation).		Any report concerning the matters listed in Column 1 should normally be considered by the Planning Committee first unless time does not allow it to be considered before the next scheduled Board meeting.
<i>D. Other matters</i>		The setting of any fees or charges in respect of the Corporation's planning functions.	

## APPENDIX 1

### Corporation's functions under the Old Oak and Park Royal Development Corporation (Planning Functions) Order 2015

1. **Planning permissions:** local planning authority for the purposes of Part 3 of the Town and Country Planning Act 1990 (see article 3).
2. **Local plans:** local planning authority for the purposes of Parts 2 and 3 of the Planning and Compulsory Purchase Act 2004 (see article 3).
3. **Additional planning functions:**
  - (1) The functions conferred by Schedule 8 to the Electricity Act 1989 so far as applying to applications for consent for overhead lines under section 37 of that Act (see article 5).
  - (2) The following provisions, which are specified in Part I of Schedule 29 to the Local Government Planning and Land Act 1980, where references to an urban development corporation are deemed to include a Mayoral development corporation (see article 4):
    - Sections 171C, 172, 173, 173A, 178, 183, 184, 187A, 187B, 188, 196A to 196C, 197, 198, 199, 201, 206, 207, 209, 211, 213 to 215, 219, 220, 224 and 324(1)(b) and (c) and (7) of the Town and Country Planning Act 1990.
    - Sections 3, 4, 8, 10, 11, 13 to 16, 20, 23 to 25, 38, 42, 44A, 47, 48, 50, 53, 54, 60, 69 to 72, 74, 75, 82, 88 and 88A of the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. **Other urban development corporation powers:** the powers of an urban development corporation under any statutory instrument (whenever passed or made) including under regulation 9AA of the Town and Country Planning General Regulations 1992 (see article 6).
5. **Listed buildings:** The following provisions which are specified in Part 2 of Schedule 29 to the Local Government Planning and Land Act 1980 (where

references to an urban development corporation is deemed to include a Mayoral development corporation; see article 7):

- Sections 139, 140(2)(d), 141(4), s 143(1)(b), 249, 251, 258, 330 of the Town and Country planning Act 1990;
- Sections 33, 34(2)(d) 35(6), 36(4) and 91(4) of the Planning (Listed Buildings and Conservation Areas) Act 1990.