

Old Oak and Park Royal Development Corporation – Scheme of Delegation for Planning Functions in the London Borough of Brent

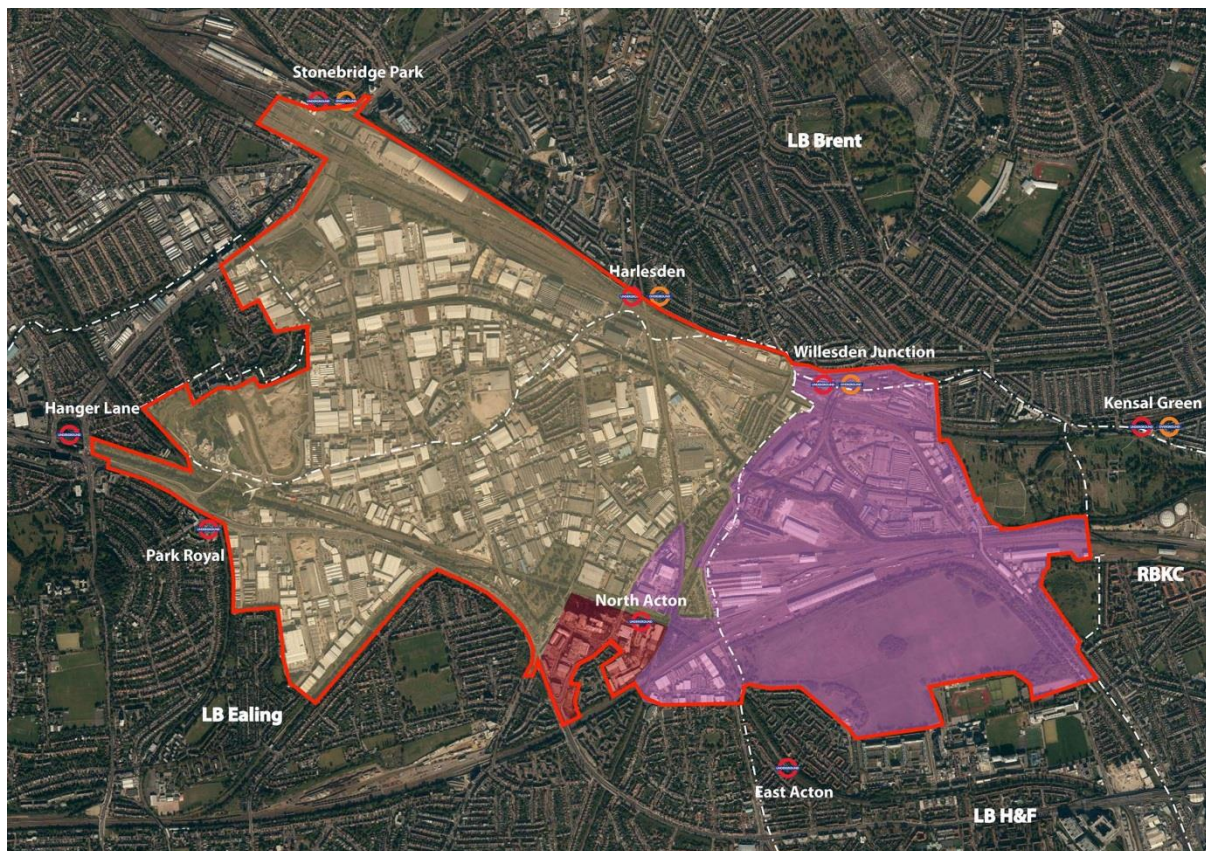
1. Introduction and purpose

This Scheme of Delegation is an arrangement between the Old Oak and Park Royal Development Corporation (“OPDC”) and the London Borough of Brent (“LBB”), which formalises the delegation of certain planning functions from the OPDC to LBB in those parts of the OPDC area that fall within the LBB boundary.

What follows is a guide to the types of planning applications and other planning functions that will be delegated to and dealt with by LBB. It should be read in conjunction with the attached protocol for delegated applications (Appendix 1).

2. Geographical coverage

The OPDC area is divided into three sub-areas: Old Oak; Park Royal; and North Acton. Two of these sub-areas, Old Oak and Park Royal, fall within the LBB boundary (see pink and yellow areas on map below). Different arrangements for the delegation of planning functions are in place in the North Acton sub-area, which falls within the London Borough of Ealing and is subject to a separate Scheme of Delegation. This Scheme of Delegation applies only to those parts of the Old Oak and Park Royal sub-areas that fall within the LBB boundary.



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3. Functions to be delegated to LBB

a) OPDC will delegate planning applications for the following types of development to LBB for determination on OPDC's behalf:

i) in Old Oak:

- material change of use of existing buildings, including listed buildings, from C1, C2, C2A, C3 or C4, to any other use;
- alterations, conversions and extensions to existing buildings, including listed buildings, in use classes C1, C2, C2A, C3 or C4;
- the construction of less than 10 new units in use class C3 or less than 1,000 sqm of floorspace for a use falling in class C1, C2 or C4 of the General Use Classes Order 1987 (as amended);
- material change of use of existing buildings, including listed buildings, below 1,000 sqm in use classes A1 to A5, B1 to B8, D1, D2 and sui generis;
- alteration, extension and construction of buildings, structures or land (including listed buildings or listed structures) below 1,000 sqm in use classes A1 to A5, B1 to B8, D1, D2 and sui generis;
- transport applications related to new and/or altered road crossovers;
- transport measures related to an individual unit as per C1, C2, C2A, and C3 of the Use Class Order 1987;
- transport measures related to individual units below 1,000 sqm as per A1 to A5, B1 to B8, D1 to D2 and sui generis of the Use Class Order 1987.

ii) in Park Royal:

- material change of use of existing buildings, including listed buildings, from C1, C2, C2A, C3 or C4, to any other use;
- alterations, conversions and extensions to existing buildings, including listed buildings, in use classes C1, C2, C2A, C3 or C4;
- the construction of less than 50 new units in use class C3 or less than 5,000 sqm of floorspace for a use falling in class C1, C2 or C4 of the General Use Classes Order 1987 (as amended);
- alteration, extension and construction of buildings, structures or land (including listed buildings or listed structures) of less than 10,000 sqm in use classes A1 to A5, B1 to B8, D1, D2 and sui generis (excluding waste development);
- waste facilities with a waste capacity throughput of less than 50,000 tonnes;
- development for a use, other than residential use, that includes provision of less than 200 car parking spaces in connection with that use;
- development that comprises or includes mining operations (meaning the winning and working of minerals in, on or under land, whether by surface or underground working) .

b) Other types of applications delegated to LBB for determination:

- Reserved matters applications submitted in connection with planning permission for a type of development falling under the thresholds set out in part a) above

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- Discharge or variation of conditions on a planning permission for a type of development falling under the thresholds set out in part a) above
- Non-material (S96a) and minor material (S73) amendments to a planning permission for a type of development falling under the thresholds set out in part a) above

c) Appeals:

Where an appeal is made under Section 78 of the Town and Country Planning Act 1990 in respect of an application delegated to LBB, responsibility for defending that appeal will also be delegated to LBB.

d) Section 106 agreements:

Where a Section 106 agreement is required to make a delegated application acceptable in planning terms, responsibility for negotiating the agreement and signing on behalf of OPDC will be delegated to LBB.

e) Exceptions:

- In Park Royal, applications for the relocation of existing uses from one location to another within the Mayoral Development Area will be determined by OPDC and not delegated to the borough.
- In Park Royal, applications for new and altered vehicle, rail, pedestrian and cycle infrastructure including but not limited to applications for new roads, tunnels and bridges, will be determined by OPDC and not delegated to the borough.
- In exceptional cases, applications for types of development that exceed the thresholds set out in part a) above, may be delegated to LBB by mutual agreement between OPDC and LBB.
- In exceptional cases, applications for types of development under the thresholds set out in part a) above, may be determined by OPDC if they raise issues of strategic importance or have implications for the coordinated planning and regeneration of the area.