

RE: Further letter from OONF on the Masterplan Framework and its status as a material consideration

From: Claire O'Brien (claire.obrien@opdc.london.gov.uk)

To: henrypeterson@aol.com

Cc: Emma.Williamson@opdc.london.gov.uk; Gareth.Blackler@opdc.london.gov.uk;
karen.buck@opdc.london.gov.uk; Matthew.Carpen@opdc.london.gov.uk;
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Marianne.Brook@opdc.london.gov.uk

Date: Monday, 8 December 2025 at 13:52 GMT

Dear Henry

I am responding on Emma and Gareth's behalf to your letters of 16th November and 1st December where you sought clarification on the status of the Masterplan in relation to the Local Plan and the circumstances in which the framework could be treated as a material consideration in determining planning applications.

You set out that you believe that OPDC is pursuing a novel and potentially high risk approach to the legislative framework for the preparation and adoption of development plans and their implementation in terms of determination of planning applications.

You set out that part of this novelty stems from the fact that OPDC is both LPA and delivery agency.

I respond to the matters relating to the Local Planning Authority function of OPDC.

It is important to note that in this situation OPDC has 3 roles:

- OPDC as Delivery Authority drafting the masterplan framework
- OPDC as LPA to note and comment on the masterplan framework
- OPDC in its corporate role endorsing the masterplan framework

This is not at all novel. All Local Councils have regeneration departments and are local planning authorities and many of them use their CPO powers and bring forward their own schemes.

Adopting Frameworks as guiding principles for Development as Corporate documents is also not novel. In Haringey, Emma's previous authority, the Tottenham Hale District Centre Framework was adopted by Haringey Cabinet as a Corporate Document and set out principles for the redevelopment of Tottenham Hale where approaching 10,000 homes have been delivered. In another example, Manchester City Council Executive adopted a Strategic Regeneration Framework for ID Manchester to guide the development of 1,500 homes, commercial and innovation space totalling over 4 million square feet overall.

Board endorsed the Old Oak Masterplan Framework as a corporate document. A corporate document which has been endorsed by a Council committee/cabinet or in OPDC's case its board is capable of being a material consideration.

Section 70(2) of the Town and Country Planning Act 1990 sets out that "in dealing with an application for planning permission... the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations." Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that the determination must be made in accordance with the plan unless material considerations indicate otherwise. The masterplan framework is not a development plan document for the purpose of s70(2) or s38(6). It is not an SPD either. It is capable of being a material consideration as and when individual applications are submitted.

It would be irresponsible for me to make predictions as to the weight of the masterplan framework at the time of making a planning decision as this would fetter our discretion.

You asked if OPDC has taken 'authoritative legal advice' on this matter and I can confirm that we have had extensive legal advice and will continue to do so as necessary.

You also ask why we have not revised the Local Plan. As you know we propose to commence a Local Plan review in 2026. The Local Plan was only adopted in 2022 and there is not a requirement to review it until 2027. The Local Plan system is changing and any Plan progressed under the current system would need to be submitted for examination by December 2026. It would not have been possible to meet this timetable and in any case we await the revised draft London Plan.

Kind regards,

Claire

Claire O'Brien

Head of Planning – Development Management

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From: henrypeterson@aol.com <henrypeterson@aol.com>

Sent: 01 December 2025 13:14

To: Emma Williamson <Emma.Williamson@opdc.london.gov.uk>; Gareth Blacker <Gareth.Blacker@opdc.london.gov.uk>

Cc: Karen Buck <karen.buck@opdc.london.gov.uk>; Matthew Carpen <Matthew.Carpen@opdc.london.gov.uk>; Martin Harrison <Martin.Harrison@opdc.london.gov.uk>; William Hill <william.hill@williamhillconsulting.com>; Marianne Brook <Marianne.Brook@opdc.london.gov.uk>

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Dear Emma and Gareth,

Please find attached a further letter from OONF on the above. This follows on from the November 16th letter, as referred to at the Board discussion on the 20th.

The webcast of the Board failed to appear on the day of the meeting, but thanks to James Varley a copy was later made available on the Mayoral website. Sorry that this has delayed this letter. It would be helpful to have a response before Thursday's regular Zoom session for OONF and GUA members,

Thanks and best wishes,

Henry

Adviser to the Old Oak Neighbourhood Forum

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