



Claire O'Brien OPDC
Cc Emma Williamson, Director of Planning
Gareth Blacker, Executive Director of Delivery
(Via email)

9th December 2025

Dear Claire,

Status of the OPDC Masterplan Framework – third letter from the Old Oak Neighbourhood Forum

Thanks for your email of 8th December, responding on behalf of Gareth and Emma to my two letters of 16th November and 1st December on the above.

The Old Oak Neighbourhood Forum/GUA Zoom meeting on December 4th discussed again the position that OPDC has adopted on the status of its Masterplan Framework.

Your email says little more than Emma's statement to the Board on 20th November, as part of her Planning report. Emma gave assurances to Board members that there are no serious difficulties ahead in OPDC pursuing the approach that the Masterplan Framework is 'capable' of being a material consideration. And that the Framework's significance and weight will be decided at the time when individual applications come to be determined.

We remain concerned that this leaves a very unclear position for potential developers and applicants, and also for residents at Old Oak. We have asked a series of specific questions to which we have been receiving limited replies. So we will once again rehearse the legal position as we see it.

Legal advice obtained by OPDC

Your email answers one of the questions that we have been asking, in saying *I can confirm that we have had extensive legal advice and will continue to do so as necessary*. This prompts the obvious next questions: from where is this advice being obtained and can it swiftly be made public to clarify the position?

The legal comments included in the various officer reports on the Masterplan, to the Board and the Planning Committee, have been thin in their content. David Lunts gave us organogram charts of the OPDC last year, and we see no posts providing in-house legal advice. So we are not clear who reviews and make legal input to officer reports?

We understand there to be a shared service agreement with TfL, with their staff providing advice on procurement and contracting matters. And may be on planning law also?

We are aware that OPDC commissions external legal advice on occasions (as it did in when obtaining advice from Morag Ellis QC to submissions from Ben Fullbrook of Landmark Chambers, over the use of S96A and S73 of the TCPA in relation to the Mitre Yard development). The StQW Neighbourhood Forum was provided at the time with a copy of her advice.

On the subject of the status of the Masterplan Framework, and the level of material weight that could potentially be applied to this document, **we argue that OPDC needs to publish advice received**. As a matter of general interpretation of the material weight to be derived from non-development plan documents, we do not see that commercial confidentiality or other FoI/EIR exemptions would apply.

There is a strong public interest case for potential applicants and development partners, and for residents and businesses at Old Oak, in having the position clarified beyond the content of OPDC statements to date.

Your email rehearses that 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”*.

We do not need to be reminded of the basic provisions of S70(2) and S36(6), nor that the Masterplan Framework is not a development plan document. This last point is the source of our concern.

We have qualified planners amongst our members. I was the Monitoring Officer and responsible for the legal department at LB Hammersmith & Fulham for 15 years. The Borough Council was involved in major regeneration projects at White City including the initial Chelsfield Ltd stage and the subsequent completion of the project by Westfield. As a group of local residents, we are not unversed in matters of public law even if we have limited direct experience of the property industry.

Immediate impact of the Board’s corporate decision on the Masterplan Framework

We concluded at our OONF/GUA meeting last week that we are not clear on the extent to which residents can any longer rely on the application by OPDC of the Place Policies in the 2022 Local Plan, in the three Places P7, P8 and P9 (North Acton and Acton Wells, Old Oak Lane and Old Oak Common Lane, and Channel Gate)? **What is the**

development management impact from now onwards on the interpretation of these policies, following OPDC's decision to endorse the Masterplan Framework on November 20th?

The same question applies to the 'policy guidance' in the adopted Old Oak West SPD?

As we understand, there will be a stage when the Masterplan Framework is submitted to the LPA as a planning application. We are familiar with instances where a masterplan for a large site or landholding is submitted and subsequently determined by a LPA. We accept that this can happen in circumstances when the local authority involved is both the applicant and the LPA determining the application.

Precedents cited for a Masterplan Framework or Regeneration Strategy as a material consideration

Emma cited the Tottenham Hale District Framework as a comparator with OPDC's Masterplan Document. Having researched this document we note that it is a follow up to the 2014 LB Haringey *Strategic Regeneration Framework* adopted in March 2014. We can see that this document has parallels with the OPDC Regeneration Strategy. It is an aspirational document describing a new vision for a part of the Borough, based on a consultation exercise and used as a funding bid to the Mayor of London. We don't find any content in the document itself that seeks to define its status in relation to the Local Plan or to development management decisions.

We have then looked at a Haringey Cabinet report of 15 July 2014 on a *Tottenham Strategic Regeneration Framework Delivery Plan*. This report explains how the Strategic Regeneration Framework will be implemented.

We have noted within this Cabinet report the section headed *Comments of the Assistant Director of Corporate Governance and legal implications*. This reads:

7.1. The Assistant Director of Corporate Governance has been consulted on the preparation of this report, and makes the following comments:

7.2. The report raises a number of issues which will need specific legal advice and guidance as they are being implemented.

*7.3. The Framework Delivery Plan itself is not a formal Planning document and consequently will not form part of the statutory development plan. While it will be a material consideration, **it will not carry significant weight in the development management process** (our emphasis).*

7.4. The development management process needs to be underpinned by sound evidence based policy to ensure delivery of the Council's regeneration agenda and the Area Action Plan and Sites Allocation DPD will therefore need to be progressed in a timely fashion to provide this.

This is very much the sort of legal advice which we would have expected to see in the reports to the Planning Committee and to OPDC Board on ‘endorsement’ of the OPDC Masterplan Framework.

We accept that the OPDC’s Masterplan Framework is ‘*capable of being a material consideration*’ but this means little without an assessment of the level of weight? At present we agree with the Haringey view, as expressed above, that a ‘Masterplan Framework’ of this type **will not carry significant material weight**.

We have also looked at a report to Haringey’s Housing and Regeneration Scrutiny Panel on 6 February 2017, some years later, on the Tottenham and Wood Green Regeneration Programmes

This report refers to October 2014 Cabinet decision to commission an Investment Framework (IF) for Wood Green and alongside this the preparation of a Wood Green Area Action Plan *that would update the planning policy framework and give statutory weight to the spatial development option progressed for the Wood Green area*. The report then gives an update on the Regulation 18 and 19 iterations of this AAP.

It seems clear from this Haringey report that a Tottenham AAP was also prepared and taken through the process of examination alongside three other local plan documents. There is reference later in the report to a District Centre Framework (DCF) for Tottenham Hale, stating that *The DCF is a masterplan demonstrating how the AAP could be implemented and new development co-ordinated... It accords with the policies and principles in the AAP and is used to engage with the community, landowners and other stakeholders in the delivery of the vision for the area*. Hence this Framework document followed on from a new development plan document. Levels of close ‘accord’ between its content and adopted DPD policies could therefore be claimed.

We have been asking why OPDC has chosen not to adopt a similar approach of using Area Action Plans (which are development plan documents with policy weight). You say in your email *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*.

This response does not explain why the use of Area Action Plans or a Partial Review of the Local Plan has been dismissed as an option? The Regulation 18 version of the Local Plan (and much of the evidence base) dates back to 2016, now a decade ago. For local people, awaiting publication of the next London Plan does not feel like a good excuse for *not* having in place in 2026 a set of up-to-date development plan policies for the Old Oak Project area, rather than a set of new ‘principles’ and site allocations with uncertain legal status.

LBHF has moved forward with its Local Plan review, and the EIP on Ealing's Local Plan resumed hearings today.

Extent of consultation on the Masterplan Framework

Insofar as OPDC intends to '*use its discretion*' in giving material weight to the Framework document (and the previous Regeneration Strategy) the nature and extent of consultation on both documents will have a bearing on whether such weight can move up the scale from minimal to medium weight.

Where new elements of the Masterplan did not feature in the 2022 Local Plan, or are out of kilter with adopted Place Policies, the nature of consultation undertaken **and the volume of responses** will be relevant to the weight to be applied to this non-statutory document.

We have seen no equivalent of a consultation statement (as is required for development plan documents) subsequent to the 2023 *Community Engagement Summary Report* on the Old Oak West SPD. On the Masterplan, some details of consultation events and response numbers were provided in the report to the OPDC Planning Committee on 19th June (at paragraphs 3.11 and 3.12). Similar information on 120 attendees at workshops and drop-in events was reported to the Board on 10th July.

The report to OPDC Planning Committee on November 13th referred to meetings on the Masterplan held with each of the three Boroughs. **We ask that copies of notes of these meetings are published.** The level of support to the Masterplan from the local authorities which will in due course inherit the economic, social and environmental consequences of this Framework is a key piece of information needed by those living and working in the area. Presumably this will also be relevant to material weight. A level of unhappiness from LBE on reduced employment forecasts is so far the only indication of the views of the Boroughs on the Masterplan Framework preparation.

This Planning Committee report also referred to two drop-in attended by 53 people, and to Place Labs (interactive community workshops) held in July 2025 with a total of 25 participants. These are not large numbers for a consultation exercise of a set of ambitious spatial changes at Old Oak.

Paragraph 5.1 of the report to the November 20th Board refers to *a number of workshops and in-person and online events have taken place, including interactive Place Labs, youth workshops and public exhibitions*. No figures for numbers involved were provided to the Board in the report. Questions on this subject came from Board members at the meeting.

At present, no record is available of written responses to these engagement events, as would be the case for a Consultation Statement prepared under Regulation 22 for development plan purposes. We are not suggesting that OPDC has made no efforts to engage. We recognise that a level of consultation fatigue is inevitable. The Masterplan Framework is the sixth iteration of different spatial plans for the Old Oak Project Area

within the past decade (Regulation 18, 19.1, 19.2, Post Submission Modified Draft Local Plan and Old Oak West SPD). Most local people cannot keep up with this number of changes of direction, and different locations for a promised new ‘town centre’.

OONF and GUA members attended some of these recent events. We neither encouraged nor discouraged our members from responding to the Masterplan Framework, and we gave no steer on responses. We were proceeding on the basis that the images and maps were ‘illustrative’ (as stated on the exhibition boards). The concept that *all detailed future applications* would need to *take account* of this material was not made clear at the events, nor in the publicity material for the events.

Given of all the above, we consider that the information available at present on consultation on the Masterplan Framework is insufficient to justify anything more than limited and minor material weight being given to this document. If OPDC publish a consultation statement in the format used for the [Local Plan Main Modifications Consultation Schedule of Comments and Officer Responses \(September 2021\)](#) we will reconsider the position. Publication of all written responses received during the Masterplan ‘engagement’ exercise could also justify some added weight for the 200 page document as now endorsed by the Board.

Planning policy ‘departures; from the 2022 Local Plan

As we have explained in our previous two letters, we view the policy ‘departures’ and variances from the 2022 Local Plan, which have emerged in the final version of the ODPC Masterplan Framework, as being wider and more extensive than those referred to in the current Appendix to the Masterplan document or in paragraph 5.12 onwards of the Delivery report to OPDC Board on 10th July 2025.

We also continue to question, very seriously, on what legal basis the Masterplan Framework can include the specific wording at page 9 which we have referred to twice in our letters, stating *All detailed development proposals within the Old Oak area are expected to take account of the vision, principles and guidance set out in the Masterplan Framework?*

As we see the position, potential development partners are being given a false impression that the content of the Masterplan Framework will prevail when it comes to development management decisions. Local residents are now very confused by images of high density development at sites not included at Figure 3.17 of the Local Plan, along with Tall Building locations not identified in the Local Plan Place Policies nor in Figure 3.15 on *Sensitive Locations and tall building locations*.

The report to the Board on November 20th said that the Framework *will provide prospective development partners a degree of certainty on the development principles, guidance and planning policy deviations that have been discussed and agreed with the LPA through a formal pre-application process*. A ‘degree’ of certainty may be true, but we think that this will be not sufficient to minimise risk being loaded onto OPDC in any JV agreement. The Masterplan Framework will not have solid foundations.

From the perspective of local residents, we see the ‘policy deviations’ identified to date by OPDC to be being too limited in scope, and also underplayed in terms of their consequences for future development management decisions. Other parties may well have their own reasons for challenging the weight of Masterplan ‘principles’ as compared with development plan policies.

In our view the legal status of the Masterplan Framework needs to be further clarified as a matter of urgency, as the public become more aware of the details of its spatial proposals and new site allocations. So does the anticipated timeline and process for the submission of a planning application for the Masterplan by OPDC’s delivery team to the LPA side of the Corporation.

We will be continuing to press OPDC on these issues. The subject was removed unilaterally from the agenda of the OPDC Residents Panel on November 6th. We look forward to a date being fixed in January for a further Panel meeting, and a written response to this letter in the meantime.

Yours sincerely,

Henry Peterson
Adviser to the Old Oak Neighbourhood Forum
Cc Dame Karen Buck, Chair of OPDC
William Hill, Chair of OPDC Planning Committee
Matthew Carpen, OPDC CEO,
Marianne Williams, OPDC
Martin Harrison OPDC
OPDC Residents Panel members