
STATUTORY INSTRUMENTS

2015 No. 442

The Old Oak and Park Royal Development Corporation (Planning Functions) Order 2015

Citation and commencement

1. This Order may be cited as the Old Oak and Park Royal Development Corporation (Planning Functions) Order 2015 and shall come into force on 1st April 2015.

Interpretation

2. In this Order—

“the 1990 Act” means the Town and Country Planning Act 1990⁽¹⁾;

“the Listed Buildings Act” means the Planning (Listed Buildings and Conservation Areas) Act 1990⁽²⁾;

“the 2004 Act” means the Planning and Compulsory Purchase Act 2004⁽³⁾;

“borough planning authority” means a London borough council which ceases, by virtue of section 7A(2) of the 1990 Act⁽⁴⁾ and article 3 of this Order, to be the local planning authority for a part of the development area;

“commencement date” means 1st April 2015;

“the development area” means the area of land described as the Mayoral development area in article 2 of, and in relation to which a Mayoral development corporation is established by article 3 of, the Old Oak and Park Royal Development Corporation (Establishment) Order 2015⁽⁵⁾;

“joint local development document” has the meaning in section 28(10) of the 2004 Act;

“local development document” has the meaning in section 37(2) of the 2004 Act⁽⁶⁾;

“the Corporation” means the body corporate known as the Old Oak and Park Royal Development Corporation established by article 3 of the Old Oak and Park Royal Development Corporation (Establishment) Order 2015;

“planning document” means any notice, certificate, publicity, consultation or other document pertaining to the exercise of functions under the 1990 Act, the 2004 Act, the Listed Buildings Act or any order or regulation having effect under those Acts; and

“the Tree Preservation Regulations” means the Town and Country Planning (Tree Preservation) (England) Regulations 2012⁽⁷⁾.

(1) 1990 c. 8.

(2) 1990 c. 9.

(3) 2004 c. 5.

(4) 1990 c. 8. Section 7A was inserted by paragraphs 30 and 32 of Schedule 22 to the Localism Act 2011 (c. 20).

(5) S.I. 2015/53.

(6) 2004 c. 5. Section 37(2) was amended by section 180(6)(a) of the Planning Act 2008 (c. 29).

(7) S.I. 2012/605.

Planning functions of the Corporation

3. Subject to article 8, the Corporation is the local planning authority for the development area for the purposes of—

- (a) Part 3 of the 1990 Act; and
- (b) Parts 2 and 3 of the 2004 Act.

Additional functions conferred on the Corporation

4. In the development area the Corporation has the functions conferred by the provisions of the 1990 Act and the Listed Buildings Act which are specified in Part 1 of Schedule 29 to the Local Government, Planning and Land Act 1980 Act(8).

5. In the development area the Corporation has the functions conferred by Schedule 8 to the Electricity Act 1989 so far as applying to applications for consent under section 37 of that Act(9).

Modification of references to urban development corporations

6.—(1) For the purpose of exercising functions transferred by this Order, any reference in a statutory instrument to an urban development corporation must, so far as is required for giving effect to the enactment, be construed as including a reference to the Corporation.

(2) In paragraph (1), “statutory instrument” means any statutory instrument to which the Statutory Instruments Act 1946(10) applies (whenever the instrument is passed or made).

(3) In particular, for the purposes of exercising functions transferred by this Order, regulation 9AA of the Town and Country Planning General Regulations 1992(11) must, so far as is required for giving effect to that regulation, be read as if the reference to an urban development corporation includes a reference to the Corporation.

Modification of the 1990 Act and the Listed Buildings Act

7. The provisions of the 1990 Act and Listed Buildings Act which are specified in Part 2 of Schedule 29 to the Local Government, Planning and Land Act 1980(12) have effect in relation to the development area and in relation to the Corporation with the modifications specified in that Part.

Transitional provisions

8. The Schedule makes transitional provision in relation to functions exercised by borough planning authorities prior to the commencement date.

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- (8) 1980 c. 65. Part 1 of Schedule 29 was substituted by paragraph 44(12) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11), and amended by paragraph 17 of Schedule 3 to, and paragraph 5 of Schedule 7 to, the Planning and Compensation Act 1991 (c. 34).
 - (9) 1989 c. 29. Section 37 was amended by paragraph 33 of Schedule 2 to the Planning Act 2008 (c. 29). Schedule 8 was amended by sections 3 and 4 of, Part 2 of Schedule 1 to, and paragraph 83(1) of Schedule 2 to, the Planning (Consequential Provisions) Act 1990 (c. 11), by paragraph 30(3) of Schedule 10 to, and paragraph 1 of Schedule 24 to, the Environment Act 1995 (c. 25), and by section 182(1) of the Energy Act 2004 (c. 20). Other amendments have been made to Schedule 8 which are not relevant to this Order.
 - (10) 1946 c. 36.
 - (11) S.I. 1992/1492. Regulation 9AA was inserted by regulation 2 of the Town and Country Planning General (Amendment) (England) Regulations 2011 (S.I. 2011/1589).
 - (12) 1980 c. 65. Part 2 of Schedule 29 was substituted by paragraph 44(13) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11).

Signed by authority of the Secretary of State for Communities and Local Government

2nd March 2015

Brandon Lewis
Minister of State
Department for Communities and Local
Government