

New Local Plan
Planning Policy Team
London Borough of Harrow
Forward Drive
Harrow
HA3 8FL

17th December 2024

Sent via email: local.plan@harrow.gov.uk

RE: REPRESENTATIONS BY L&Q GROUP TO LONDON BOROUGH OF HARROW (LBH) REGULATION 19 CONSULTATION LOCAL PLAN REVIEW (NOVEMBER 2024)

Dear Sir / Madam,

About L&Q

L&Q is one of the UK's leading housing associations and one of the nation's largest residential developers. We own or manage over 105,000 homes across London and the South East across a range of tenures including market sale, private rent, and affordable housing. As a not-for-profit organisation, L&Q reinvests all the money it makes into new and existing homes, creating successful communities, and providing excellent services.

L&Q in Harrow

L&Q is currently in the process of delivering Phase 1 of 5 of its development at Harrow View East (the former Kodak site) and is committed to exploring ways in which L&Q can continue to support the delivery of much needed homes within the borough. We therefore have a long-term interest of ensuring that the new Local Plan is successful. It is on this basis that L&Q welcome the opportunity to submit representations on the submission Draft Harrow Local Plan 2021 - 2041 (from herein "the draft Local Plan").

It is highlighted that some redesign is required for Phases 2 – 5 of the L&Q development at Harrow View East, notably due to the requirement to include second staircases on those relevant parts of the approved schemes (i.e. buildings above 7 storeys and/or 18 metres). Any such redesign would require planning approval. In our view, there is also an opportunity to revisit some parts of the scheme design to optimise the provision of new housing. Our representations are provided in this context.



Overview of Representations

L&Q submitted representations to the previous draft version of the Local Plan in our letter dated 22nd April 2024 and welcomes the opportunity to provide further feedback to ensure a clear and robust planning framework for the Borough.

In our Regulation 18 representations we set out our overall support for the vision for the borough set out in the draft Local Plan and specific elements of the draft Local Plan (noting that the details of the revised site allocation for the Kodak site had not been included in the Regulation 18 consultation). We did also highlight some specific areas where we considered that amendments were required to make the policies more practical and effective.

Having reviewed the amended draft Regulation 19 Local Plan, we retain our broad support for the draft Local Plan generally, and the revised site allocation for Kodak (site OA16). However, we do highlight some concerns regarding the ambiguity of some elements of the site allocation, and the practicality and effectiveness of some of the specific development management policies. In particular, alterations are required in respect of some aspects of site allocation OA16 in relation to housing numbers and healthcare floorspace. Additionally, alterations are required in respect of some aspects of Policy GI3 which as currently drafted are onerous and goes beyond London Plan standards, imposing costly requirements at a time when development viability is very challenging.

The detailed comments are appended to this letter (Appendix 1) using the completed LBH representation forms.

These representations are made in the context of Paragraph 35 of the National Planning Policy Framework, to be 'sound', policies must be positively prepared, justified, effective and consistent with national policy.

Future Participation

As a key stakeholder, L&Q welcome the opportunity to contribute to emerging planning policy. We are supportive of LBH's intention to set out its vision for the borough set out in the draft Local Plan. However we do consider that clarity should be provided over some elements of the site allocation. We do also have concerns around the practicalities of some of the draft policies and the impact on the viability of development proposals and therefore investment in the borough. The amendments we have proposed seek to ensure the document is more practical and effective in supporting growth in the borough.

We look forward to confirmation of receipt of these representations and reserve our right to participate in relevant hearing sessions at examination stage.

Yours faithfully,



Appendix 1

New Local Plan – Proposed Submission (Regulation 19) version

Please return this form to the Planning Policy Team by 11:59am on Tuesday 17 December.

The London Borough of Harrow is producing a new Local Plan which will guide development in the borough between 2021-2041. We want to hear from people who live, work and have an interest in the borough. The Local Plan is crucial to shaping the council's approach to housing needs, the local economy, sustainability, health, inequality, and protecting the suburban character of our Borough. We encourage everyone to have their say on the issues that matter most.

What to consider when making a representation

Key points to consider when commenting during a Regulation 19 consultation:

Legal Compliance: You should consider whether the plan adheres to all legal requirements and complies with planning regulations. This includes checking whether proper procedures have been followed in the development of the plan.

Positively Prepared: Is the plan justified (including based on proportionate evidence), effective, deliverable, and consistent with national policy?

Soundness: The plan should be reasonable, realistic, and based on solid evidence, as well as consistent with national policy like the NPPF. It should be well-justified, deliverable, and in line with national planning policies.

Duty to Cooperate: Has Harrow Council has effectively engaged and worked with neighbouring councils and relevant statutory bodies to address cross-boundary planning issues?

Privacy notice

We will only process personal data where we have consent to do so, and you can withdraw your consent at any time. By submitting your personal data in the response form you are consenting for us to process your data and/or consenting to be added to the consultation database. If added to the database, you can be removed upon request.

This data is collected, collated, and then submitted to the Secretary of State, who will appoint an Inspector to conduct an independent examination of the Local Plan. Demographic data will be processed anonymously to assess the effectiveness of our consultation. Where you have consented, your contact details will be added to our consultation database for future consultations and updates on the Examination in Public.

At submission representations will be made public on the council's website, including name of person and organisation if applicable making representation. Other personal information will remain confidential. Further details harrow.gov.uk/newlocalplan.

**London Borough of Harrow New Local Plan
Regulation 19 Publication Stage
Representation Form**

Ref:

(For official use only)

**Please return to London Borough of Harrow, New Local Plan, Planning Policy Team,
Forward Drive, Harrow, HA3 8FL / local.plan@harrow.gov.uk by 11:59am on Tuesday 17
December 2024.**

For further information regarding how we store and process your data, please visit the New Local Plan webpages at www.harrow.gov.uk/newlocalplan. Please also see the Harrow Council Privacy Notice: <https://www.harrow.gov.uk/privacy>. We process data in line with GDPR and UK privacy laws. For more information, contact our Data Protection Officer at: DPO@harrow.gov.uk

This form has three parts:

Part A – Personal Details (Please complete once)

Part B – Your Representation/s (Please complete a separate sheet for each representation you are making)

Part C – Demographic Details (Please complete once)

Please go to the next page.



Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="John"/>	<input type="text"/>
Last Name	<input type="text" value="Cutler"/>	<input type="text"/>
Job Title	<input type="text" value="Design and Planning
Manager"/>	<input type="text"/>
(where relevant)		
Organisation	<input type="text" value="L&Q Group"/>	<input type="text"/>
(where relevant)		
Address Line 1	<input type="text" value="29-35 West Ham Lane"/>	<input type="text"/>
Line 2	<input type="text" value="Stratford"/>	<input type="text"/>
Line 3	<input type="text" value="London"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="E15 4PH"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text" value="johncutler@lqgroup.org.uk"/>	<input type="text"/>

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to co-operate	Yes	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

As set out in national planning practice guidance, where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development (Reference ID: 61-002-20190315). The National Planning Policy Framework at Paragraph 132 also states that *'Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable.'*

In this context, we highlight that, whilst L&Q broadly supports the overall intention of the allocation, there are parts of it which are ambiguous, conflict with other parts of the draft Local Plan, or do not reflect the evidence base.

Firstly, the allocation states that the capacity is for an indicative 2,407 homes, but that this figure is from April 2024 onwards. Therefore, the assumption is that this specifically excludes any homes delivered on site prior to April 2024, however the site allocation does not state anywhere how many homes that is.

Additionally, we note that the Assessment of Pre-Submission Local Plan Sites prepared by SLR in October 2024 (part of the Council's evidence base) highlights that the '*Allocation may increase number of homes slightly (at this stage assuming by 10-15%, focused in southern part of site)*'. As the site appraisal notes the current consent is for 2,326 homes, a 15% increase would equate to an indicative total 2,675 homes across the site allocation.

The table at 11.21 of the draft Local Plan also indicates that the contribution to housing trajectory (i.e. future delivery) is 2,675. This conflicts with the indicative 2,407 home delivery from April 2024 as set out in the draft allocation wording itself.

Given the above, it is critical that the site allocation clarifies the total site allocation housing number for the delivery of new homes from April 2024 (which it appears should be 2,675), and explicitly state how many homes has been delivered prior to April 2024.

The aforementioned SLR site appraisal specifically highlights that the opportunity to increase site capacity lies within the southern part of the site (i.e. L&Q's land at Development Zone A). It is important that this is translated into the site allocation. As currently drafted, it could be assumed that any uplift could be shared across the site, which is not reflective of the location specific opportunity for uplift as identified in the SLR site appraisal.

The draft revised allocation states that NHS floorspace must be provided, with the quantum provided to be '*at least the minimum floorspace secured under application P/3671/18 and take into account any further intensification of the residential use of the site above that granted permission under the 2015 Outline permission (P/2165/15)*.' It is highlighted that whilst L&Q is committed to providing a new healthcare facility commensurate to the facility already consented, it is unclear why an increase in floorspace would be necessary on this site. Moreover, it would be disproportionate to require the L&Q development (Development Zone A) to have to provide additional healthcare floorspace to as a result of additional homes delivered on other development zones of the allocation site.

For the above reasons, the site allocation is currently unsound as it is not justified or effective in accordance with Paragraph 35 of the National Planning Policy Framework.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As set out in the previous box, alterations are required to ensure that the site allocation is sound and effective. Suggested alterations are included in bold below.

Indicative residential capacity: ~~2407~~ **2,675** additional C3 dwelling houses / units or equivalent (from April 2024). (**TBC homes delivered prior to April 2024**).

Requirements: Intensification of ~~existing phases where appropriate and for phases yet to be built out~~ **Development Zone A/southern part of site** (where this can be appropriately achieved)

Development principles:

Kodak site is a large strategic development site within the borough and has had several planning applications covering the entire site. Whilst some phases have been completed, further phases are still being brought forward. Any opportunity to intensify either existing phases or phases yet to have commenced should address the requirements of existing permissions on the site. Whilst an uplift in residential units may be supported **in Development Zone A (southern part of the site)**, this will only be where appropriate site requirements (listed above) and any necessary **uplift in the quantum of** supporting infrastructure and uses is also secured to ensure a mixed and balanced community.

NHS floorspace must be provided onsite to assist in meeting the need for GP Surgeries and other health care floorspace within the Harrow and Wealdstone Opportunity Area. The quantum provided must be at least the minimum floorspace secured under application P/3671/18 ~~and take into account any further intensification of the residential use of the site above that granted permission under the 2015 Outline permission (P/2165/15)~~.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

L&Q is a major investor and provider of homes in Harrow, and notably, we hold the new development opportunity at Kodak (OA16). It is critical that the allocation is effective and justified, as this will form the basis for the determination of any future planning application at the site, and for the reasons set out, we have significant concerns with the soundness of the draft allocation which warrant discussion.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy GI3.G requires all major and minor development proposals to demonstrate (inter alia):

- a. A minimum of 2 biodiversity units per hectare; or
- b. A minimum net uplift in biodiversity unit value of 15%, whichever is greater; and
- c. A minimum of one biodiversity enhancement per residential dwelling

Firstly, it is highlighted that points a and b above are onerous, noting that the nationally mandatory biodiversity net gain (BNG) requirement is 10%, and given the existing urban greening factor requirements set out in the London Plan. Moreover, as the mandatory BNG has only recently been introduced, there is significant uncertainty within the development industry as to the practical application of these requirements. Therefore, we request that the Council applies some flexibility in the application of a 15% BNG requirement especially where it can be demonstrated that there is an impact on scheme viability, or site constraints mean meeting a and b is not possible.

Additionally, we raise significant concern with part c of the policy. We presume that the 'biodiversity enhancements' reference relates to the description of 'wildlife

enhancements' set out in the supporting text at 7.3.9, where the examples provided include *'green or brown roof and living walls, bat, bird and invertebrate bricks and boxes bird feeding stations and baths, hibernacula loggaries and log piles, nectar bars, wildlife ponds or scrapes and hedgerow planting'*. Requiring one of these items per residential dwelling on large scale major developments is entirely impractical; for some of the large scale schemes this would require hundreds or potentially thousands of 'biodiversity enhancements' which would be highly onerous and impractical to deliver. Parts a and b of the policy together already ensure a significant enhancement of biodiversity, and it is recommended that part c of the policy be removed.

As currently drafted, these requirements are onerous and exceed beyond London Plan and national standards, imposing costly requirements at a time when development viability is very challenging.

For the above reasons, it is considered that draft Policy GI3 is currently unsound as it is not justified or effective in accordance with Paragraph 35 of the National Planning Policy Framework.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As set out in the previous box, alterations are required to ensure that the site allocation is sound and effective. Suggested alterations are included in bold below.

G. All major and minor development proposals must be supported by a proportionate Biodiversity Net-Gain Plan (BGP) which clearly identifies how the development will minimise harm and maximise biodiversity gain. Proposals will be required to demonstrate compliance with the criteria below and provide **(unless shown to be unviable or impractical)**:

- a. A minimum of 2 biodiversity units per hectare; or
- b. A minimum net uplift in biodiversity unit value of 15%, whichever is greater; and
- c. **A minimum of one biodiversity enhancement per residential dwelling; and**
- ~~d.~~ Details surrounding the delivery, monitoring and maintenance of BNG units, whether wholly on-site, or utilising locally strategic off-setting location(s).

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

N/A

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part C – Equality Monitoring Questions

London Borough of Harrow has a legal responsibility to promote and advance equality. To help us to do this, it is important that we have a good understanding of our communities, how our services are being accessed and who is using or would like to use our services. With up-to-date and accurate information we are able to:

- Better understand our service users / residents and shape services to meet their specific needs
- Identify and address any barriers / issues individuals may experience when accessing our services (including information about our services)
- Ensure our policies and services are accessible to everyone who uses them

The information will also enable us to monitor our progress with regards to addressing inequality and allow our employees and service users see how we are performing on equality.

Data Protection: It is your choice whether you provide this information. Your replies will not be used in a way that identifies you.

Age – Please indicate your age group

Under 25		45-54	
25-34		55-64	
35-44		Over 65	
Prefer not to say			

Disability – Are your day-to-day activities limited because of a health problem or disability which has lasted or is expected to last at least 12 months?

No	
Prefer not to say	
Yes, affecting hearing	
Yes, a learning disability	
Yes, affecting mobility	
Yes, affecting vision	
Yes, mental ill-health	
Yes, another form of disability	



Caring – Do you have caring responsibilities?

None	
Primary carer of a child/ren (under 18)	
Primary carer of a disabled child/ren (under 18)	
Primary carer of a disabled adult (18 and over)	
Primary carer of an older person	
Secondary carer (another person carries out the main caring role)	
Carer (other)	
Prefer not to say	

Ethnic origin – what is your ethnic origin?

Arab	
Asian or Asian British: Indian	
Asian or Asian British: Pakistan	
Asian or Asian British: Bangladeshi	
Asian or Asian British: Chinese	
Asian or Asian British: Other	
Black or Black British: African	
Black or Black British: Caribbean	
Black or Black British: Other	
Mixed: White and Black Caribbean	
Mixed: White and Black African	
Mixed: White and Asian	
Mixed: Other	
White: British	
White: Irish	
White: Gypsy or Irish Traveller	



White: Other	
Other ethnic group	
If you prefer to use your own definition please specify	

Marriage or Civil Partnership – what is your marital status?

Married	
Civil Partnership	
Single	
Prefer not to say	

Pregnancy or Maternity – Have you been pregnant and / or on maternity leave during the last two years?

Yes	
No/Not applicable	
Prefer not to say	

Religion and belief – what best describes your religion/belief?

Buddhism	
Christianity (including Church of England, Catholic, Protestant, and all other denominations)	
Hinduism	
Islam	
Jainism	
Judaism	
Sikhism	
No religion/Atheist	
Other (please specify)	
Prefer not to say	



Sex – are you?

Male	
Female	
Prefer not to say	

Is your gender identity the same as the gender you were assigned at birth?

Yes	
No	
Prefer not to say	

Sexual orientation – what is your sexual orientation?

Heterosexual/straight	
Bisexual	
Lesbian/Gay	
Prefer not to say	
Prefer to self-describe	

**Please return this form to London Borough of Harrow
by Midday on Tuesday 17 December 2024.**

Thank you for your participation.