



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

**Site Allocations O9,
O10, & O17**

Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

X

No

4.(2) Sound

Yes

X

No

4.(3) Complies with the Duty to co-operate

Yes

X

No

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.

Interest in the Draft Local Plan

Our client is the landowner of three sites promoted under the Council’s Call for Sites in late 2023 including Pinner Telephone Exchange (Draft Site Allocation O9), Harrow View Telephone Exchange (Draft Site Allocation O10), and Kenton Road Telephone Exchange (Draft Site Allocation O17).

The Draft Local Plan is therefore of significant importance to our client who has a strong interest in ensuring that it creates a *strong, flexible, ambitious and deliverable* planning policy framework to facilitate the sustainable growth the Borough requires and optimises the development (or conversion) potential of the above sites in order to maximise the public benefits they can deliver including, but not limited to, new homes to meet Harrow’s evidenced housing need.

Once existing operations cease (by 2031), the sites represent significant development opportunities on brownfield land in sustainable and established residential/mixed use locations. Our client therefore encourages the Council to be ambitious, and realistic, in relation to height, massing and capacity levels in its draft site allocations to make most effective use of brownfield land in accordance with national policies, the Government’s consultation on proposed modifications to the National Planning Policy Framework (“NPPF”) and the London Plan, thereby ensuring that the Draft Local Plan is deemed *sound*.

Relevant Policy Framework and Development Plan

Chapter 11 of the **National Planning Policy Framework (“NPPF”, 2024)** sets out the Government’s intention to make effective use of land and achieving appropriate densities. **Paragraph 124**



(Paragraph 123 of the 2023 version), for instance, states that "[p]lanning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land" (our emphasis).

Paragraph 125d (124d) further highlights that planning policies (and decisions) should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used for effectively".

With regards to achieving appropriate densities, **Paragraph 129 (128)** requires that "[p]lanning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed and beautiful, attractive and healthy places".

At regional level, **Policy GG2 (Making the best use of land)** of the **London Plan (2021)** similarly notes that "[t]o create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must:

- A. enable the development of brownfield land [...]
- B. prioritise sites which are well-connected by existing or planned public transport
- C. proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling
- D. applying a design-led approach to determine the optimum development capacity of sites [...]."

Policy D3 (Optimising site capacity through the design-led approach) recognises that "all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations", and "higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2".

Optimising a site's capacity also means ensuring that a future form of development - which is of an appropriate form and land use - requires the consideration of design options responding to context and capacity for growth and clearly considers likely commercial drivers behind land use and quantum.

As a result, it is needed to be ensured that the draft site allocations referred to above are indeed:

- 1) deliverable; and, in accordance with national policy and the London Plan;
- 2) make most effective use of brownfield land;
- 3) developed at appropriate densities; and
- 4) follow the design-led approach to optimise site capacities.

Draft Site Allocation O9 (Pinner Telephone Exchange)

It is positively noted that following the information submitted under last year's Call for Sites, Pinner Telephone Exchange is now subject to Draft Site Allocation ref. O9.

Our client confirms that it is the sole landowner of the site, which is deemed *deliverable, suitable, available and economically viable* (in line with the definition of deliverable housing sites set out in NPPF **Para. 72 (69)** and its Glossary). Our client therefore strongly supports this draft site allocation.

With regards to site specific site allocation requirements, we would like to use this opportunity to comment as follows:

- **Site objective, Allocated Use and Development Timeframe** are supported and deemed realistic/deliverable. It is strongly considered that *residential* is the optimum use for the site in this location and in light of its surrounding land uses/character of the area.

- **Indicative residential capacity:** It is acknowledged that the draft site allocation refers to an indicative capacity of 44 residential units.
Following further consideration of the constraints of the site, its surrounding/developable area, and existing built environment (part-3/part-4 commercial storeys), it is our client's opinion that - realistically - a higher development capacity is indeed achievable (i.e. in the region of 60-70 residential units, assuming a flatted development) through a design-led approach as envisaged under the NPPF and London Plan policies referred to above.
In order to optimise the site's capacity and make most effective use of brownfield land, it is recommended that the indicative residential capacity is modified as set out in **Section 6** below (or at least identified as a minimum target), thereby ensuring that the Draft Local Plan remains sound in its approach to individual development sites.
- **Development Principles** are considered acceptable and supported *in-principle*.

Draft Site Allocation O10 (Harrow View Telephone Exchange)

It is positively noted that following the information submitted under last year's Call for Sites, Harrow (View) Telephone Exchange is now subject to Draft Site Allocation ref. O10.

Our client confirms that it is the sole landowner of the site, which is deemed *deliverable, suitable, available* and *economically viable* (in line with the definition of deliverable housing sites set out in NPPF **Para. 72 (69)** and its Glossary). Our client therefore strongly supports this draft site allocation.

With regards to site specific development priorities, we would like to use this opportunity to comment as follows:

- **Site objective, Allocated Use** and **Development Timeframe** are supported and deemed realistic/deliverable. It is strongly considered that *residential* is the optimum use for the site in this location and in light of the surrounding land uses/character of the area.
- **Indicative residential capacity:** It is acknowledged that the draft site allocation refers to an indicative capacity of 27 residential units.
Following further consideration of the constraints of the site, its surrounding/developable area, and existing built environment (part-2/part-3 commercial storeys), it is our client's opinion that - realistically - a moderately higher development capacity is achievable (i.e. in the region of 35-40 residential units, assuming a flatted development) through a design-led approach as envisaged under the NPPF and London Plan policies referred to above.
In order to optimise the site's capacity and make most effective use of brownfield land, it is recommended that the indicative residential capacity is modified as set out in **Section 6** below (or at least identified as a minimum target), thereby ensuring that the Draft Local Plan remains sound in its approach to individual development sites.
- **Development Principles** are considered acceptable and supported *in-principle*.
However, and whilst it is agreed that the site is in an area subject to a comparatively low public transport accessibility (on the basis of its PTAL rating), any requirement for a contribution towards sustainable transport improvements should be **proportionate** to the quantum of development proposed and therefore **reasonable**, in accordance with the requirements of **Regulation 122(2)** of *The Community Infrastructure Levy Regulations 2010 (as amended)* (hereafter: "the Regulations").

Draft Site Allocation O17 (Kenton Road Telephone Exchange)

It is positively noted that following the information submitted under last year's Call for Sites, Kenton Road Telephone Exchange is now subject to Draft Site Allocation ref. O17.

Our client confirms that it is the sole landowner of the site, which is deemed *deliverable, suitable, available* and *economically viable* (in line with the definition of deliverable housing sites set out in NPPF **Para. 72 (69)** and its Glossary). Our client therefore strongly supports this draft site allocation.

With regards to site specific development priorities, we would like to use this opportunity to comment as follows:

- **Site objective, Allocated Use** and **Development Timeframe** are supported and deemed realistic/deliverable, unless where specified below.
Given the site's setting on Kenton Park Parade and the fact that the existing building may be retained/refurbished (see Development Principles below), further assessment / testing will be required to confirm the optimum use and split between/level of residential and non-residential (i.e. town centre or social infrastructure uses). Given the existing use is expected to be retained on site until 2031, it is strongly recommended to ensure there is sufficient flexibility incorporated into the draft site allocation to allow for market demand (at the time),

development viability and/or other commercial factors to confirm the site's optimum use. Given the constraints of the existing building (which may be retained/refurbished), further feasibility testing will be undertaken at planning application stage.

As set out in **Section 6** below, we recommend modifications to incorporate the required flexibility to bring this site forward in the most suitable mix of uses.

- **Indicative residential capacity:** It is positively noted that the draft site allocation refers to an indicative capacity of 12 residential units which is deemed realistic at this stage, but may be reviewed in light of our commentary above once a planning application is being prepared. Indeed, further feasibility testing at application stage may even identify that there is additional development capacity. As we consider that the other draft site allocations referred to above benefit from a higher development capacity, it is suggested to incorporate additional flexibility for this draft site allocation in terms of its final mix of uses and capacity, as set out in **Section 6** below.
- **Development Principles** are considered acceptable and supported *in-principle*. The existing building is considered suitable to explore a conversion and (upward/rear) extension alongside a redevelopment. The optimum development solution making most effective use of the site/maximising its full potential should be fully explored at planning application stage.

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.

~~Suggested Deletions~~

Suggested Additions

Draft Site Allocation O9 (Pinner Telephone Exchange)

Indicative (minimum) residential capacity: ~~44~~ 60-70

Reason: Reference to a revised (minimum) residential capacity is considered necessary to ensure that the draft site allocation is prepared in accordance with the NPPF and London Plan, as set out in Section 5 above.

Draft Site Allocation O10 (Harrow View Telephone Exchange)

Indicative (minimum) residential capacity: ~~27~~ 35-40

Reason: Reference to a revised (minimum) residential capacity is considered necessary to ensure that the draft site allocation is prepared in accordance with the NPPF and London Plan, as set out in Section 5 above.

Development principles: [...]

The Council recognises that the site is not located in a highly sustainable location, and therefore any new development must **reasonably and proportionally** contribute to sustainable transport improvements & support measures as set out in the Council's Long Term Transport Strategy and Local Implementation Plan.

[...]

Reason: To ensure that any requirement for contributions towards sustainable transport improvements are reasonable and proportionate in accordance with Reg. 122(2) of the Regulations, as set out in Section 5 above.

Draft Site Allocation O17 (Kenton Road Telephone Exchange)

Allocated use:

- Leading land use: Residential and/or Town centre / Community / Social Infrastructure uses (subject to market demand and development viability at the time)
- Supporting land use(s): Town centre uses / Community uses (if leading land use is residential and subject to market demand)

Indicative (minimum) residential capacity: 12 (if leading land use is residential)

Reason: As set out in Section 5 above, the leading land use should be subject to market demand/testing, development viability and/or other commercial factors at the time when the existing use ceases (i.e. 2031) to reflect the site's location along Kenton Park Parade as well as the existing building and its constraints. Reference to a revised (minimum) residential capacity is nevertheless recommended to ensure that the draft site allocation is prepared in accordance with the NPPF and London Plan, as set out in Section 5 above, should the leading land use be residential.

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:

Our client has a significant land interest in various draft site allocations. Ensuring that the draft site allocation policies are sound, flexible and deliverable is our client's main interest.

Our client therefore may consider that there is a need to participate in hearing sessions relating to the above draft site allocations to provide additional information, clarifications and/or expand on the above written representations.



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.