

16 December 2024



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



Dear Sir/Madam,

## **REPRESENTATION SUBMITTED UNDER THE REGULATION 19 CONSULTATION FOR THE NEW HARROW LOCAL PLAN**

I am instructed on behalf of my client, Whitbread, to submit representations to the London Borough of Harrow ('LBH') on the Harrow Regulation 19 Local Plan ('Draft Local Plan'). Specifically, the representations also relate to their land ownership at 134 Kenton Rd and its future development.

As a key stakeholder and landowner within the Borough, Whitbread is keen to ensure that the New Local Plan is supportive of their business operations and strategy which seeks to provide significant investment in hotel development, to contribute to economic growth within Greater London and on a National basis.

Fundamentally, Whitbread Plc strongly objects to the Regulation 19 Local Plan on several grounds as follows:

- (i) Failure to include policies in the new National Planning Policy Framework adopted December 2024 (NPPF);
- (ii) Failure to properly assess Site Allocation O16;
- (iii) Allocation O16 is not viable and deliverable;
- (iv) Allocation O16 would be contrary to other policies in the Local Plan and the NPPF;
- (v) Allocation O16 is inconsistent with the planning application proposals which undermines due planning process and engagement;
- (vi) Allocation O16 would directly prejudice the ability of the Local Plan to meet both its housing targets and its hotel targets contrary to the requirements of the NPPF;
- (vii) A number of other policies as drafted are unduly onerous, conflict with the adopted strategic policy position or else fail the test of "soundness" noted in Paragraph 36 of the NPPF

This letter is structured to firstly set out previous engagement held with LBH on behalf of Whitbread (which includes previous representations on the Regulation 18 Local Plan and Call for Sites); and is followed by our Regulation 19 representation which, in Part A, provides comments on Draft Local Plan Allocation O16: Travellers Rest, Kenton Road and, in Part B, provides comments on other planning policies.

### **Previous LBH Engagement**

On behalf of Whitbread and pursuant to the first "Call for Sites Consultation", an initial Call for Sites representation was submitted to LBH on the 1<sup>st</sup> November 2023. This was in relation to the Beefeater and Premier Inn, Kenton Road, HA3 8AT ('the Site'). It was expressed through this representation that this Site, located on the junction of Kenton Road and Carlton Avenue measuring 1.75 acres (0.71 Hectares) in size would be appropriate and available to come forward for development to replace the existing hotel with approximately 200 residential units.

In addition, a further representation and a concurrent Call for Sites submission (again, for the Site) was submitted to LBH on 25<sup>th</sup> April pursuant to the Regulation 18 Local Plan consultation ('Regulation 18 Representations'). This submission sought for the Site to be allocated for a mix of Build to Rent ['BtR'] (Class C3) and Co-Living (Sui Generis) accommodation, alongside an associated Class E / Sui Generis (Drinking Establishment) use to replace the existing restaurant/bar on Site. Together, these uses would replace the existing hotel.

Alongside ongoing representations through the Local Plan process, Savills has been engaged in extensive pre-application discussions with LBH in relation to the site coming forwards for residential-led redevelopment. This process commenced with the current design team in April 2024 and has involved 5 pre-application meetings with Council officers underpinned by a Planning Performance Agreement. To date, the pre-application discussions held with LBH have informed the scheme design, with Officer feedback confirming support in principle for the development.

### **Regulation 19 Representations**

This section details our representations pursuant to the Draft Local Plan in relation to the proposed Site Allocation and emerging policies, to ensure that (i) they support Whitbread's future aspirations as a key landowner in the Borough and (ii) they pass the test of Soundness as required by Paragraph 36 of the NPPF 2024. In this respect, the NPPF considers a Local Plan to be sound if it is:

*"a) Positively prepared: [As a minimum, a Local Plan should seek] to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) Justified: [A Local Plan should deliver] an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) Effective: [A Local Plan should be] deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) Consistent with national policy: [A Local Plan should enable] the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

In such respects, Paragraph 39 requires Local Planning Authorities to work "proactively" with Applicants to secure developments that will improve the economic, social and environmental conditions of an area. For the reasons set out below, both the Site Allocation O16 and a number of other draft policies in the Regulation 19 Local Plan fail to meet all of these tests and therefore the Plan in its entirety is unsound.

It is noted in this respect that the Regulation 19 Local Plan references the NPPF 2023 and not the most recently adopted NPPF 2024. In its current form as written therefore, the Regulation 19 Local Plan is not consistent with the most up to date national policy position.

With the above in mind, we set out below firstly our comments on Draft Local Plan Allocation O16: Travellers Rest, Kenton Road (Part A) and then comments on other planning policies (Part B).

### **PART A**

#### **Site Allocation Ref: O16: Travellers Rest, Kenton**

Site Allocation O16 seeks to allocate land at 134 Kenton Rd for hotel, public house and residential development. It is contrary to Whitbread's promotions for the Site though the Development Plan process and the applications proposals, as set out above.



The Planning Policy Guidance (PPG) which supports the NPPF offers guidance for Local Planning Authority’s and landowners alike on the process of identifying and assessing suitably located and achievable<sup>1</sup> sites for redevelopment. Key to this is the “Call for Sites” consultation, which is referred to within the PPG (paragraphs referenced below).

*“If the process to identify land is to be transparent and identify as many potential opportunities as possible, it is important to issue a call for sites and broad locations for development.”*

– Paragraph: 012 Reference ID: 3-012-20190722

*“Plan-makers will need to assess the suitability, availability and achievability of sites [submitted via Call for Sites], including whether the site is economically viable. This will provide information on which a judgement can be made as to whether a site can be considered deliverable within the next five years, or developable over a longer period.”*

– Paragraph: 017 Reference ID: 3-017-20190722

As detailed above, two Call for Sites and a Local Plan submission were made to LBH (one in November 2023 and the other in April 2024). Since these submissions, including during our wider extensive pre-application discussions with LBH were Whitbread advised of this emerging Allocation O16.

Whilst the subsequent Draft Local Plan “Schedule of Changes Post Regulation 18” summarises the justification for many of the policies as written in the Draft Local Plan, no information, assessment or justification has been provided to support the uses proposed in Site Allocation O16. This approach therefore fails to accord with the principles of sound decision making for the Local Plan process as set out in the NPPF and PPG.

Whitbread’s rationale for redeveloping the existing hotel on the Site is as a result of their strategic growth strategy, which seeks the replacement of this dated facility with a new, larger flagship hotel in Harrow Town Centre (noted by Policy LE5 in the Draft Local Plan as the sequentially preferable location for new hotel developments in the borough). In this respect, Whitbread achieved planning permission in February 2024 for the Garden House scheme (Ref: P/3066/20), which comprised a new hotel of 140 bedspaces (20 more than on the Site) and began bringing forward redevelopment proposals for the Site for residential development.

With the above context in mind, (and also in light of the extensive pre-application discussions we have held with LBH with regards to the Site’s redevelopment), the Site Allocation O16 is contrary to Whitbread’s plans for the development of the Site.

Fundamentally, **Whitbread Plc therefore strongly object to proposed Allocation O16 on the basis that the allocation has not be properly assessed or justified.** We therefore request the following amendments to Allocation O16 as provided below.

Site information	
Address:	Travellers Rest, Kenton Road, Kenton
Area:	0.69ha
Description	The Site contains a collection of two-three storey buildings that are currently in operation as <del>public-house</del> a restaurant and bar (Beefeater) on Kenton Road and a hotel (Premier Inn) with hard standing areas used for car parking to the rear. It is located on the junction of Kenton Road and Carlton Avenue, and is adjacent to Kenton Underground and Overground Station. It is within the Kenton Road District Town Centre, which is generally characterised by 2-3 storey building with town centre commercial uses on ground floor and residential on upper floors. The only exception is the recently completed mixed use development adjacent to the station that is 3-6 storey in height. A number of sites within proximity to it have been developed in recent years

<sup>1</sup> NPPF 2024 definition of “Deliverable”

	and a major redevelopment/regeneration is proposed by the Brent Local Plan for Sainsbury supermarket site allocation (directly opposite it).
Current use	- Hotel - <del>Public House Restaurant and Bar</del>
Ownership	Private
PTAL	<del>5-6a-4</del> to 5
Site source	Call for Sites
Relevant planning applications	-
<b>Site Allocation</b>	
Site objective	<del>A mixed-use development that re-provides a ground floor Food and Beverage provision (Class E / Sui Generis) Public House alongside a residential-led development (comprising a mix of C3 dwellings and co-living accommodation) and Hotel within the Kenton District Town Centre, with an enabling residential element.</del>  A mixed-use development which provides residential dwellings (Class C3) and Co-Living (Sui Generis) with flexible Restaurant (Class E b) / Drinking Establishment (Sui Generis) use or Doctors Surgery (Class E e) on the ground floor in Kenton District Centre.
Allocated use	<b>Leading land use</b> Hotel Public house Restaurant / Drinking Establishment or Doctors Surgery Residential <b>Supporting land use(s)</b> Town centre uses
Development timeframe	1 – 5 years
Indicative residential capacity	109 C3 dwelling houses / units and 103 co-living units (Sui Generis)
<b>Planning Considerations</b>	
Flood Zone	Critical drainage area Flood zone (Surface Water) 3a - Part of site
Heritage	Protected Views Setting Corridor (Stanmore Country Park Extension Wood Farm)
Other	Town Centre Boundaries (Kenton) RAF Northolt Safeguarding Zone
<b>Development Considerations</b>	
Requirements	<del>Re-provision of hotel use on site</del> Re-provision of Restaurant / Drinking Establishment public house on site or else delivery of a new Doctors Surgery Retention of trees protected by Tree Preservation Orders (TPOs).
Development principles	The site is located within the Kenton District Town Centre and currently is in use as a Travellers Rest Beefeater Restaurant Public House and a Premier Inn Hotel. The site is rectangular in shape, extending northwards with Carlton Road to the east and the Main Trunk train Line and London Underground / Overground train line to the west.  The shape and size of the site would allow for a major residential-led mixed use scheme to be delivered on site.  Any new development must, at ground floor level, seek to reprovide the a restaurant and bar public house and hotel or else a new Doctors Surgery on the site, to provide an active frontage and town centre uses within the District Centre. Public Houses provide an important element in British culture and

	<p><del>also provide an important contribution to town centres. Public houses can play a valuable role in the local community as an informal meeting place and can provide a range of community functions. They also provide an offer to support the evening economy with a centre. Kenton has a very poor offer of pubs and bars and sits well below the UK average, with only one public house identified in 2023.</del></p> <p>The site can be regarded as an undesignated heritage asset, specifically the 1933 Tudor Revival style Travellers Rest hotel and former off-licence adjacent by Robert George Muir, which have key historic interest as an emblematic reminder of the growing suburban Metroland development of the 1930s that Harrow is known for, and of changing social values and social reform of the time that created 'the Improved Public House'. Any proposals <del>for replacement buildings</del> would therefore need to have regard to <del>this context heritage in their design and materiality</del> in accordance with the National Planning Policy Framework, the London Plan and heritage policies within this Local Plan.</p> <p><del>There is a need across both London as a whole and Harrow for tourism infrastructure, specifically with regard to hotels / serviced apartments. The site is in a highly sustainable location and has excellent public transport links to Wembley and Central London.</del></p> <p>Given the size of the site, <del>an</del> <del>a</del> <del>substantial</del> element of residential development, <del>for which there is a defined need</del>, is able to be delivered on site in conjunction with the above requirements, and <del>may is-be</del> capable of providing more height than which exists in the surrounding area. Whilst the size of the site could allow for more height, care must be taken to respect the much lower form of development, particularly along Carlton Avenue which is represented by two-story dwellings. Any new residential development must demonstrate a high quality of amenity, with particular care in relation to noise and vibration caused by the railway line along the western boundary of the site.</p> <p>Any new development that involves demolition of the existing buildings and new build, must provide an appropriately designed frontage to Kenton Road. This must include both in terms of an active frontage appropriate to a town centre, but also the relationship with Kenton Road, which is a busy carriage way directly adjacent to the site.</p> <p>The site is located in a mixed-use area but within a suburban context, any new development should be progressed following the guidance set out in the Tall Building SPD (Building Heights) SPD (2023).</p>
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**Justification for Proposed Amendments**

The Site Allocation as written fails to accurately describe the existing condition and uses across the site; and in detailing proposed uses, fails to apply relevant evidence bases and flexibilities that will allow the site to come forward in a way that can best address local need. The details and implications of this are set out below

**Consideration of Current Uses**

The draft Allocation references an existing Public House on Site. The current use is not a Public House and so this reference should be removed from the Allocation.

The existing Site contains a Premier Inn Hotel and associated Beefeater Restaurant. Within the Beefeater Restaurant itself is a bar area. The draft Site Allocation however identifies the Beefeater as a “Public House” which is incorrect.

The existing Beefeater building operates as a chain restaurant in association with the adjacent hotel, providing the food and beverage functions for the hotel whilst also being open to members of the public. The ground floor of the venue is extensive (more than 1,100sqm in size) and is primarily used for and allocated to restaurant uses. Tables and booths are provided with cutlery and menus which is typical of such use. Conversely, a much smaller area of the floorplan (circa 16%) is considered to be seating for the bar (and customers can order food to these tables). In this respect, it should be acknowledged that the Beefeater restaurant secures a larger proportion of its floor space and turnover from food sales from the restaurant rather than from the bar.

The operation of a Beefeater Restaurant ancillary to a Premier Inn Hotel is fairly typical of how Whitbread operates such facilities. Recent examples of this typology include Rackspace City, North Hyde Road located in LB Hillingdon (Planning Application Ref: 22632/APP/2016/2369) and Land Adjacent to Catholic Club, 81-88 Beresford Street, Woolwich in Royal Borough of Greenwich (Planning Application Ref: 10/3288/F), both of which comprised new Premier Inn Hotels with a Beefeater Restaurant that was considered to be an ancillary use to the hotel.

Whilst there is nothing in the adopted Local Plan nor in the London Plan which assists in defining a Public House, London Plan Policy HC7 does stipulate that typical Public Houses which warrant protection are those which have a “heritage, cultural, economic or social value”. The broad range of characteristics for consideration by London Plan Policy HC7 is below – with an assessment against the existing Beefeater Restaurant in Italics:

- Is in a Conservation Area;
  - *Beefeater Restaurant is not located in a Conservation Area*
- Is a locally- or statutorily-listed building;
  - *Beefeater Restaurant is neither locally nor statutorily listed. The draft Allocation allows for the demolition of the existing building so heritage value is considered low on balance.*
- Has a licence for entertainment, events, film, performances, music or sport;
  - *Under the Licensing Act 2003, the Beefeater Restaurant is licensed for the showing of films, indoor sporting events, live music, recorded music and performance of dance. However, it is understood that the premises are rarely used for such events.*
- Operates or is closely associated with a sports club or team;
  - *The Beefeater Restaurant does not associate with a sports team or club*
- Has rooms or areas for hire;
  - *Having been subject to various alterations since its original construction, the Beefeater Restaurant is extensive in size and irregular in layout. There is a space on the western portion of the floorplan that is partitioned off from the main restaurant area that is used for overflow seating. During quiet periods however it is occasionally used for meetings and events.*
- Is making a positive contribution to the night-time economy;
  - *Beefeater Restaurant is located in a predominantly residential area. Whilst it is licensed, there is limited demand for hosting live and recorded music events, films and regular performance of dance. Whilst licensing allows activities until 12.30am, the venue closes at 11pm Monday-Saturday and 10.30pm on Sunday. The venue's contribution to the night-time economy is therefore limited.*
- Is making a positive contribution to the local community;
  - *The Beefeater Restaurant is frequented by locals who wish to eat and drink – in the same such way they would attend any similar restaurant within the Kenton District Centre. The specific contribution this venue*

*makes to the area could therefore be replicated through the provision of a replacement restaurant with bar.*

- Is catering for one or more specific group or community.
  - *Beefeater Restaurant is open to the public and does not target any specific demographic or community group.*

Given the above, the Beefeater Restaurant is not considered to warrant protection under London Plan Policy HC7 both for the reasons outlined above and also on the basis that it is not a Public House. The draft Allocation as written is therefore inaccurate and should be amended to refer to the existing use as a Hotel and Beefeater restaurant and bar.

### **Consideration of Proposed Uses**

The draft Allocation seeks the reprovision of (i) a hotel, (ii) reprovision of the public house and (iii) an indicative residential provision of C3 dwellings. Each of these uses and the associated issues that arise are detailed below.

#### *(i) Hotel Reprovision*

The required retention or reprovision of the existing hotel use appears to stem from Policy LE5 in the Draft Local Plan which sets requirements for the protection of existing hotels.

LBH's Town Centres Economic Needs Study 2024 suggests a projected need for an additional 15 hotel rooms per year in the Borough from 2023.

The Site is currently operated by Whitbread. However, as part of a wider Whitbread strategy of improving their hotel stock, they recently secured planning permission for a new hotel in Harrow Town Centre in the form of the Garden House scheme (Ref: P/3066/20). Modern in construction, better located (in both policy terms and operationally) and larger (20 more rooms) than the hotel existing on Site, this is envisaged to be the flagship Premier Inn offering in LB Harrow.

Upon its opening, Whitbread will cease operation of the Premier Inn on the existing Site and decant hotel operations into the new building. This new hotel will therefore provide a replacement hotel within the Borough and will counter-balance the loss of hotel rooms within the existing hotel, with a net increase of 20 bedspaces. This is in full accordance with London Plan Policy E10 which seeks to maintain visitor infrastructure whilst also contributing towards LB Harrow's hotel need. The requirement to retain the existing hotel on the Site is therefore not justified in terms of hotel need as the loss of the hotel would not have an adverse impact on the strategic delivery of hotel bed numbers in the Borough.

The retention of the hotel use is commercial flawed and unviable. Whitbread will not continue to operate this Site which is not a commercially sustainable hotel. The building is dated, the maintenance costs are unduly high and the costs of providing a new hotel on the site would not be economically viable. Whitbread consider that the Site does not benefit from a more central location which provides greater accessibility, services and facilities and therefore it is commercially disadvantaged. This has been compounded by new hotels opening in Harrow Town Centre and other central areas, hence Whitbread's decision to close this Site and to re-provide a new hotel in Harrow Town Centre. Draft Allocation O16 refers to the fact that the residential element would facilitate enabling development for the other land uses, which in itself is recognition by LBH of the unviable nature of the development.

Whitbread's approach to provide new hotel development in Harrow Town Centre is fully in accordance with the Town Centre first approach to locate large town centre uses within Town Centres, as a sequentially preferable location. The Site Allocation which seeks to encourage new hotel development on the Site, is contrary to this approach and therefore defies Local, Strategic and National Planning Policy.

The progression and adoption of this Local Plan allocation would be harmful to Whitbread's business operations and Strategy, which is predicated on the operation of an improved hotel offer in Harrow Town Centre with the opening of the Garden House Hotel development and the closure of the Site at 134 Kenton RD, which has become surplus to requirements. It is not commercially feasible to operate both hotels within Harrow. The NPPF stresses the importance of supporting businesses and economic growth. This would have the opposite effect and would be detrimental to Whitbread and the local economy.

The implication of this is LB Harrow being left with an aging, vacant hotel building that fails to contribute towards the local economy, does not facilitate the delivery of additional hotel rooms and misses a valuable opportunity to optimise the use of this well-located brownfield site for much needed housing.

For this reason, **Whitbread objects to Allocation O16 which is not viable or deliverable; is contrary to other policies in the Local Plan and NPPF and would be fail to deliver the strategic objectives of the Local Plan.** The draft Allocation should be amended as set out above accordingly.

#### *(ii) Public House Reprovision*

As set out above, the Beefeater Restaurant is not a Public House and as such there is no requirement for this specific use to be retained.

Notwithstanding this position, it is recognised that a replacement restaurant / bar (Class E b/Sui Generis) or a Doctors Surgery (Class E e) would provide a beneficial town centre use to complement other uses within the Kenton District Centre. The provision of an active frontage and natural surveillance would similarly improve the current public realm along Kenton Road.

#### *(iii) Doctor's Surgery*

Kenton Bridge Medical Centre is located at 155-175 Kenton Road, Harrow, HA3 0YX. It is currently overcapacity and actively looking to expand its provisions. As part of the public consultation process for the emerging redevelopment of 134 Kenton Road, Whitbread has been approached by the Medical Centre with a view to discussing scope for any new scheme to accommodate a new expanded doctor's surgery (which would sit alongside and in addition to the Medical Centre at 155-175).

The practice has struggled to find suitable accommodation and the proposed unit within the new development at 134 Kenton Road would meet their requirements and locational criteria.

The Site Allocation could therefore allow for the potential for a doctor's surgery, to respond to healthcare needs of the local community.

#### *(iv) Residential Provision*

The London Plan requires LB Harrow to deliver 8,020 new dwellings between 2019-2029. Whilst the majority of these are to come forward within the Harrow and Wealdstone Opportunity Area, there is nonetheless a strategic direction to deliver sufficient housing across the borough to meet a wide range of housing needs. This was a key point made in our previous Call for Sites Submissions, both of which sought the delivery of a substantial uplift of residential uses across the Site.

As noted above, the draft Allocation's stipulation that the existing hotel be retained would not only prejudice LB Harrow's strategic goal of delivering more hotel rooms, but it would also impede the delivery of much needed houses.

As written, the draft Allocation allows for 109 C3 dwellings as primarily enabling development to allow for the retention of the existing hotel and Public House. However, as explored through comprehensive pre-application discussions with the Local Planning Authority, the genuine residential capacity of the Site in the event the hotel



use is removed is substantially higher. The present emerging design allows for 103 co-living rooms with associated amenity space (Sui Generis) and 109 Build-to-Rent dwellings (Class C3).

In this respect, whilst the draft Allocation's reference to the 109 C3 dwelling houses / units is welcomed, any reference to co-living accommodation here is omitted. Per our above suggested amendments to Policy HO9 in the Draft Local Plan, the Site is ideally suited for co-living uses given its highly accessible location. Subject to being able to demonstrate need therefore, it is felt the draft Allocation's stipulation that residential on this Site should come forward as C3 only is unduly restrictive and fails to allow for genuine flexibility to meet local housing need. In light of the above, amendments are requested to include Co-Living accommodation in the Allocation.

## **Part B**

### **Other Relevant Policies**

Comments are provided on other policies in the Plan including:

- Policy LE5: Tourism and Visitor Accommodation
- Policy HO9: Large Scale Purpose Built and conversion for shared living
- Strategic Policy 03: Meeting Harrow's Housing Needs
- Policy GI3: Biodiversity
- Policy CI1: Safeguarding and Securing Social Infrastructure

Whilst a degree of the points raised in previous representations have been considered and included in the Draft Local Plan, our main principal concerns have not. Our concerns are therefore set out again.

### ***Policy LE5: Tourism and Visitor Accommodation***

Draft policy LE5 is generally considered acceptable, however it is considered that Part C of the policy conflicts with adopted strategic policy. The London Plan Policy E10 requires "A sufficient supply and range of serviced accommodation should be maintained." This is based on the supporting policy text estimating that an additional 58,000 bedrooms of serviced accommodation will be needed by 2041. The subsequent a GLA Working Paper 88 (Projections of Demand and Supply of Visitor Accommodation) dated April 2017 goes on to note 347 of these are projected to come forward in Harrow.

The Harrow Economic Needs Study dated January 2024 builds on this, noting that (i) Harrow's hotel demand will likely recover to pre-Covid levels; and (ii) since 2017 there have been some hotel closures in the Borough but these have been "counter-balanced" by new hotels – with reference made to the Travelodge in Greenhill Way that opened in 2018. On this basis, the Needs Study states that "270 rooms could be required in LB Harrow" from 2023-2041.

It is positive that the Needs Study recognises that new hotels opening are able to counter-balance those which have closed. It is also understood in this respect that, given the reference made to the operational Travelodge, only new hotels which are operational are sufficient to count towards meeting projected need. Hotels with consent but that are not operational appear, by way of an absence of any specific mention in the Needs Study, to not contribute towards the Borough hotel need. This approach is accepted.

Whilst the evidence base recognises the ability of a new hotel opening to counter-balance one that has closed, there is no recognition of this in Part C of draft Policy LE5. This therefore fails to account for (or allow) a scenario where a larger hotel chain wishes to consolidate and / or expand their provision in the Borough by way of disposing of low quality accommodation and replacing it with new accommodation in an alternative and sequentially better borough location. In this way, the draft policy as worded actively deters the enhancement of its own hotel stock and therefore fails to comply with the tests of Paragraph 36 in the NPPF. It is therefore suggested that a new clause (subsection (d)) be added into Part C of the draft Policy and the supporting text similarly updated to reflect that the loss of hotel floorspace is acceptable where there is evidence that it is being provided elsewhere as part of an active strategy. This would provide a mechanism for the enhancement and

expansion of Harrow’s hotel provision in a way that does not obstruct growth whilst still allowing for full compliance with London Plan Policy E10.

Under Subsection (b) of Part C there is also concern with the use of the words: “over-riding public benefits” and the definition associated with this. In order to ensure that the policy is more measurable and specific, the below suggested amendment sets the benchmark against benefits offered by the existing site. This change would similarly need to be reflected within the respective supporting text.

Part C of draft Policy LE5 is supported by text which reiterates the London Plan estimate of 58,000 new bedrooms across London by 2041. It then references the 347 bedspaces projected to come forward in Harrow. However, as above, this figure comes from the GLA Working Paper 88 (Projections of Demand and Supply of Visitor Accommodation) dated April 2017. Not only is this figure therefore out of date, but it also is not intended to set out a “requirement” as the draft policy supporting text suggests. Rather, this is projected demand. For this reason, reference to the 347 rooms should be removed from the supporting wording. Also in this regard is the supporting text’s reference to the 270 rooms which followed from the Harrow Economic Needs Study. The wording of the supporting text should be updated to better align with the terminology in the Needs Study, which otherwise frames the 270 rooms as a forecasted potential demand rather than a definitive target.

*Policy LE5 Tourism and Visitor Accommodation*

C. The Council will resist the loss of tourist infrastructure. Any loss of tourism infrastructure will only be supported where:

- a. There is no longer a need for that facility; or
- b. The redevelopment of the site would ~~deliver result in an over-riding~~ public benefits which over-ride those currently provided by the existing uses; and
- c. Any change in use or redevelopment complies with other policy requirements of the development plan, or
- d. ~~The loss of such is offset through a reprovion either on site or elsewhere in the Borough;~~

Supporting Text:  
*The London Plan (2021) estimates that an additional 58,000 bedrooms of serviced accommodation will be needed in London by 2041, ~~and also set out a requirement for Harrow to deliver 347 rooms.~~ The Harrow Economic Needs Study (2024) noted the impact of the Coronavirus pandemic, and forecasts that 270 additional rooms could be required to be provided within Harrow from 2023 – 2041. The Council will look to meet the demand ~~as set out above~~ through supporting appropriate new and retaining existing hotel / tourist accommodation in appropriate locations ~~unless the loss of a hotel is to be replaced elsewhere within the borough as part of a wider consolidation and enhancement strategy~~*

**Strategic Policy 03: Meeting Harrow’s Housing Needs**

The London Plan places specific emphasis on providing unit mix breakdowns for the affordable housing. Where authorities do seek to set out mixes for private development, it is expected to be *justified and supported by evidence* (in accordance with the test of “soundness” noted in Paragraph 36 of the NPPF). In this respect, our view is Strategic Policy 03 in the Draft Local Plan is not currently compliant.

Section 5.B of Strategic Policy 03 requires all developments to deliver 25% of 3 or more beds as part of any forthcoming scheme – with the requirement appearing to apply to all tenures. As noted in our Regulation 18 Representations, this is considered a relatively high proportion which fails to take into consideration specific local characteristics, such as the more suburban areas of the borough that may already have a high saturation of 3 or more beds.

Prescribing a 25% mix of 3 or more beds also runs contrary to the findings of the Harrow Local Housing Needs Assessment Update (2024). Paragraph 32 recognises that existing family homes may already be occupied by sharing young households – and that, in its support for the Private Rental Sector, “if high quality housing for

single people or couples could be built”, this may free up such existing family units. Per above, this would be particularly pertinent in areas which already have a high proportion of 3 or more beds.

It is therefore considered that such caveats and considerations should be incorporated as part of this policy, with the prescriptive requirement applying only to the affordable tenures. Accordingly, the following amendments are suggested to Section 5.B of draft Strategic Policy 03.

*Housing Choice:*

5. Development will be expected to provide a choice of housing and deliver inclusive, mixed and sustainable communities to address local and strategic housing needs, across the Borough. This will be achieved through....

B. Mix of Housing by size: ~~The Council will require developments to include a range of housing sizes to address local need including family-sized housing and smaller units to allow for down-sizing. A strategic target has been set to ensure a minimum 25% (4,000) of all new dwellings delivered are three bed (or more) family-sized dwellings across the Borough over the plan period.~~

**Policy HO9: Large Scale Purpose Built and conversion for shared living**

As noted in the London Plan’s Large-scale Purpose-built Shared Living LPG adopted in February 2024, the design and location of new co-living accommodation should be considered flexibly in order to ensure they deliver beneficial housing mixes and meet genuine need. In this respect, Policy HO9 of the Draft Local Plan sets out an overly-prescriptive list of requirements that may impede this.

Subsection (a) of the draft policy requires an applicant to submit evidence on identified housing need based on local incomes, rent levels and existing/future demographic.

Whilst it is agreed that any proposals for shared-living accommodation should meet a “local housing need”, the parameters detailed in part (a) which require further assessments of local incomes, rent levels and existing and future demographics are considered unduly onerous on the basis that much of this information is already contained within the Strategic Housing Market Assessment which forms part of the Local Plan Evidence Base.

It is understood that part (a) of this emerging policy emerged from Harrow’s Local Housing Need Assessment Update (February 2024)<sup>2</sup> (‘the Update’) which, itself, builds upon the West London Strategic Housing Market Assessment. The Update states the following within paragraph 5.82 in relation to co-living:

*“The issue of co-living, the private rented sector, student accommodation and HMOs is complex, but there is no clear rationale for promoting co-living as an active policy in Harrow. The area does not have a high student population compared to other areas of London and the households projections show a limited projected rise in younger sharing households. This would also imply that HMOs would not be expected to rise for younger sharing households, but there is projected to be a large growth in multi-generation living.”*

The above suggests a misunderstanding of the demographics for whom co-living is targeted. Co-living does not seek to target *student populations*. Indeed, it does not target any specific demographic and is open to all. However, typically it is more suited to and desirable for persons aged 25-34 by way of the greater likelihood for this demographic to comprise single-person households who favour accommodation that focusses on community and social interaction.

In this respect, the parameters of “need” referenced in this draft policy fails to acknowledge the demand component of co-living accommodation. Prior to the introduction of co-living, this demographic would typically

<sup>2</sup> Harrow Local Housing Need Assessment Update (February 2024)

occupy private rental accommodation or house-shares (whereby such premises comprise of a larger family-sized home). However, the nature of co-living in providing a more social and community-led residential product means it would meet a specific demand which cannot otherwise be met by conventional housing. By its very nature therefore, it would deliver the wider benefit of better meeting a local need than more conventional housing – which in turn may keep the existing target demographic in the Borough whilst also bringing people into the Borough who, previously, may not have considered such a move.

In this regard, there is no need to have an existing large student population in situ to meet demand. Rather, co-living is central to meeting housing demand at a strategic level across London anchored in accessibility. It is therefore a key product which plugs the gap for those that are unable to access the housing market through more traditional home ownership – or else are unwilling to do so on the basis that such fails to meet the needs of their lifestyles. The demand for and attraction of co-living accommodation would also result in the freeing up of larger family homes which, presently, may already be occupied by sharing young households. As noted above, this is a point recognised in Paragraph 32 of the Harrow Local Housing Needs Assessment Update (2024).

In this respect, an extra 1 million households are anticipated to enter the private rented sector across the UK over the next decade, with the largest sect of 370,000 being within the 25-34-year-old bracket in the post ‘help to buy’ world<sup>3</sup>. Accordingly, it is suggested that subsection (a) be reworded to allow greater scope to demonstrate how shared-living accommodation better meets local need than conventional housing.

Subsection (b) of draft policy requires applicants to demonstrate the affordability of the proposed shared-living accommodation with alternative products within the Harrow private rental sector. By its very nature, shared-living accommodation which prioritises social interactions and curated communal amenity spaces, has no comparable alternative that would allow for objective rent comparisons. The rents occupants would pay in shared-living accommodation would typically cover bills, services and full use of these facilities – whereas a single room in a house-share would be commensurately cheaper as a result of respective rents covering an occupant’s room only.

Whilst a market-led comparison of shared-living rents versus private rents can be presented in an application (as part of subsection (a) for example), using this as a benchmark to assess the latter’s “affordability” in its own right would be imbalanced. It is therefore suggested subsection (b) is removed.

Subsection (c) of draft policy requires co-living developments to be located only within the boundaries of Harrow Metropolitan centre and Wealdstone District Centres which forms part of the Opportunity Area. This is considered to be contradictory to London Plan Policy H16 which otherwise agrees that such developments would work well and could be supported in any location that is well-connected with good access to local amenities. The London Plan’s Large-scale Purpose-built Shared Living LPG goes further, noting that areas that are likely to be more suitable for co-living developments include “all areas of PTAL 5 or 6 and Inner London PTAL 4” and “other town centres with a high or medium growth potential”. It is therefore considered unjustified to restrict co-living developments only to Harrow Metropolitan centre and Wealdstone District Centres.

Subsection (h) of the draft policy requires shared-housing proposals to demonstrate potential capabilities in converting to Class C1 (hotel) or Class C3 uses in the future without the need for demolition and rebuild. Whilst a capability to convert to C1 is considered feasible given similarities in internal layouts; programming in the capability to convert to C3 is considered problematic. By its very nature, C3 dwellings require different servicing and fire management strategies from that of a shared-living or hotel building so it would be unduly onerous on the final design if a shared-living building is to be capable of adaption to C3.

Based upon the above assessment, the following amendments are suggested to Parts (a), (b), (c) and (h) of draft Policy HO9:

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<sup>3</sup> [Savills UK | UK Build to Rent Market Update – Q4 2023](#)

**Policy HO9: Large scale purpose built and conversion for shared living**

A. Proposals for large-scale purpose-built shared living (LSPBSL) and the conversion (or change use) of existing buildings for shared living will be supported where they comply with London Plan Policy H16 and the following requirements:

- a) Proposals will be required to demonstrate how they ~~are better suited to meeting an identified the~~ local housing need ~~than conventional housing based on local incomes, rent levels and existing/future demographics of the Borough~~
- b) ~~Applicants will be required to demonstrate the affordability of the proposed LSPBSL products within their scheme compared with the alternative products within the Harrow private rental sector,~~
- c) Proposals should be located within areas ~~the boundaries of Harrow Metropolitan Centre and Wealdstone District Centre (with a PTAL of 4 5-6 and demonstrable good access to local amenities. )that form part of the Opportunity Area~~
- h) To support a circular economy, proposals must demonstrate a flexible design and layout to allow the LSPBSL scheme to be converted/retrofitted to an C1 hotel ~~or C3 self-contained residential uses,~~ or other town centre uses without the need for **substantial** demolition and rebuild

**Policy GI3: Biodiversity**

Policy GI3 in the Regulation 18 Local Plan set out the requirement for proposals to achieve a Biodiversity Net Gain ('BNG') of at least 20%. The Biodiversity Net Gain Planning Practice Guidance's (PPG, February 2024) advises explicitly for Local Authorities to not prescribe a higher level of BNG contribution where it cannot be justified.

*"Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impact on viability for development. Consideration will also need to be given to how the policy will be given to how the policy will be implemented"*

– Paragraph 006 Reference ID: 74-006-20240241

In response to this and in the absence of evidence to justify this increase, our view was that a 20% BNG minimum requirement borough-wide would have a detrimental impact on the ability of sites, including small scale sites to be viably brought forward. Our Regulation 18 Representations sought for amendments to this draft policy to revise the minimum BNG expected for new developments back to the statutory objective of 10%.

The Draft Local Plan "Schedule of Changes Post Regulation 18" document uploaded on LBH's New Local Plan Consultation website suggests that a number similar comments were received from other developers, consultants and land owners. In response to this, Policy GI3 in the Draft Local Plan has been amended, with the minimum BNG requirement reduced from the original 20% to 15%. This has since been supported by the Harrow Biodiversity Net Gain Draft Working Paper: November 2024, which recognises the need for this 15% BNG to be achievable from a viability perspective and therefore references a "Plan-Level Viability Assessment" that was completed in October 2024. The conclusion of this Assessment<sup>4</sup> was that the 15% BNG would have *"a relatively modest impact on residual land values and can therefore be viably absorbed."* This reference has been followed through into the draft Policy GI3 supporting text, which now includes a caveat noting *"Viability testing has found that requiring a 15% uplift in biodiversity unit value has a minor impact on the viability of development in Harrow and can therefore be viably absorbed by development."*

<sup>4</sup> Harrow Biodiversity Net Gain Working Paper: November 2024 (page 46)

Whilst we welcome the reduction of the minimum BNG from its original stipulation of 20% down to 15%, there are still concerns with the prescriptive expectation that this applies borough-wide with no scope for specific local circumstances to be considered. This is particularly important on sites which already have prevailing viability issues where even the “*minor impact on the viability*” referenced in the draft policy’s supporting text could be sufficient to hinder a site being brought forward. In the absence of allowances being made for BNG to be calculated on a case-by-case basis (which is how the Harrow Biodiversity Net Gain Draft Working Paper: November 2024 notes LBH has successfully secured BNG before); or else a reference to any site specific requirements whereby a higher BNG may be deliverable, we reiterate our comments from the Regulation 18 Representations and request the minimum BNG requirement be 10%. This will ensure compliance with Paragraph 36 of the NPPF, subsection d).

In light of the above, the following amendments are requested to Section G of draft Policy G13.

*Policy G13: Biodiversity*

- 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:
- a. A minimum of 2 biodiversity units per hectare; or
  - b. A minimum net uplift in biodiversity unit value of **10% as set out by national guidance 20%, whichever is greater; and**; 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).

**Policy C11: Safeguarding and Securing Social Infrastructure**

London Plan Policy HC7 seeks to protect public houses which have a heritage, cultural, economic or social value. The purpose of this policy is therefore not to protect all pubs – but only those which contribute positively to their context and add defined community and social value. Conversely, the Glossary at Appendix 1 of the Draft Local Plan considers all public houses to be “Social Infrastructure”. Any applications for the loss of any public houses would therefore be subject to draft Policy C11.

Section (C) of the draft policy requires any and all public houses to be protected “from loss to alternative uses” unless the four tests noted in the policy can be met. However, this fails to recognise a circumstance where an existing public house may not otherwise be of a value sufficient to trigger London Plan Policy HC7. Where this is the case, its continued protection within the Draft Local Plan would be onerous and counter to the London Plan. The definition of “Social Infrastructure” in the Draft Local Plan’s Glossary should therefore be updated as below:

Term	Definition
Social infrastructure	Facilities providing a wide variety of services that are essential to the sustainability and wellbeing of a community such as education facilities, places of worship, burial space, policing and justice, health provision, community, polling stations, cultural, public houses ( <b>insofar as their value would necessitate protection under London Plan Policy HC7</b> ), recreation and sports facilities. This list is not intended to be exhaustive and other facilities may be included.

Section (D) of the draft policy then goes on to note that, where existing social infrastructure is being redeveloped, the priority should be to provide an alternative social infrastructure use. It is not clear however if part (D) would only be triggered in the event that the tests of part (C) are met. If this is the case then it could prejudice the delivery of new, alternative community infrastructure which otherwise has the scope to contribute far more positively than the existing provision and in a way that fully complies with part (B) of the draft policy

i.e. it meets a demonstrable need, is located in an accessible location and is within the community it is intended to serve. In this regard, where an existing community facility is being lost either due to lack of need or because of its unsuitability for the wider area, the feasibility of it being replaced with an alternative community facility should be a consideration as part of the initial test.

In light of the above, the following amendments are requested to Sections C and D of draft Policy CI1.

*Policy CI1: Safeguarding and Securing Social Infrastructure*

*Existing Social Infrastructure*

C. The Council seeks to retain and protect existing social infrastructure and community facilities from loss to alternative **non-social infrastructure or community** uses. Any proposals that result in loss of these uses will be resisted, unless proposals can adequately demonstrate that:

- a. **The existing social infrastructure will be replaced by an alternative or an enhanced social infrastructure use that would better meet the specific needs of existing and future users in regard to quantity, quality and location in line with Part B of this policy; or**
- b. **The site is unsuitable for the current use, or there is no longer a need for the current use or for an alternative community use (as evidenced by 12 24 months of effective marketing), and there is no projected future need, or the site is unsuitable for the current use and there is no need for any other suitable community use on the site; or**
- c. ~~The site is unsuitable for the current use and there is no need for any other suitable community use on the site; or~~
- d. **The loss of social infrastructure would not result in a shortfall in provision of that use; or**
- e. ~~A replacement facility is provided that would better meet the specific needs of existing and future users in regard to quantity, quality and location; or~~
- f. ~~Redevelopment would secure enhanced social infrastructure re-provision (on or off-site) ensuring continued delivery of social infrastructure and related services.~~

~~D. Any proposal to redevelop an existing social infrastructure site should prioritise the use of the site for an alternative social infrastructure use.~~

**Conclusion**

As detailed above, there are fundamental issues remaining with the Draft Local Plan as currently written. Both individually and combined, these issues fail the tests of soundness as a requirement of Paragraph 36 of the National Planning Policy Framework ('NPPF'). In the event the Plan is adopted as written, it would actively frustrate growth in LB Harrow by impeding the delivery of much needed housing; obstructing the delivery of enlarged and improved hotel accommodation; and prejudicing the sustainable reuse of an accessible Town Centre brownfield site. To avoid such circumstances, we request the above changes are made to the Draft Local Plan.

Should you wish to speak with us regarding any aspect of this submitted representation, please either contact my colleague [REDACTED]

Yours sincerely

