

London Borough of Harrow – Harrow's New Local Plan – Examination

Hearing Statement

Land West of Headstone Lane, Harrow

Prepared For
**Old Millhillians Club Land and
Investments Limited**

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1 INTRODUCTION

- 1.1 Bell Cornwell LLP ('us'; 'we'; 'our') submit this statement on behalf of our client, Old Millhillians Club Land and Investments Limited and builds on the representations made to the emerging London Borough of Harrow (LBH) New Local Plan 2021 – 2041 at Regulation 18 (Stage 2), Call for Sites exercise 2024 and Regulation 19 (Proposed Submission) stages.
- 1.2 The representations are made in respect of 'Land West of Headstone Lane, Harrow' which was discounted for site allocation in the New Harrow Local Plan 2021 – 2024: Site selection / allocation methodology (4 November 2024) (document ref: EBHO3).
- 1.3 The format of the responses follows those presented to us in the 'LBH/ED6: Inspectors' Matters, Issues and Questions for Hearing Sessions'. Where we do not intend to comment on a particular matter or question within, these are simply not referred to in this statement.



2 MATTER 5: MEETING THE BOROUGH'S HOUSING NEEDS

Issue 6: Whether the Plan has been positively prepared and whether the approach to addressing housing needs is justified, effective and consistent with national policy.

Strategic Policy 03: Meeting Harrow's Housing Needs

6.4 Part 5 C of the Plan refers to the delivery of a minimum of 980 units of specialist older person accommodation across the period 2022-2032. How has this figure been arrived at and what will the need be for the remainder of the plan period? Should this figure be expressed within the policy wording?

- 2.1 The target of 980 units of specialist older person accommodation across the period 2022–2033 will unequivocally fail to meet the expected demand for such housing in LBH. Moreover, the target does not conform with the London Plan (2021).
- 2.2 The London Plan (2021) states that there is a potential demand for over 4,000 specialist older persons units per year until 2029 and allocates a benchmark of 165 units per annum over the 12 years between 2017 and 2029 to meet this demand. Continuing beyond 2029, over the 20-year plan period from 2021 to 2041, providing 165 units annually would amount to a total of 3,300 units for older people.
- 2.3 It is important to note that the London Plan benchmark figures have been specifically accepted by Inspectors during the London Plan examination. The London Plan Examination Inspectors' Report of October 2019 states (our emphasis):

*218. The benchmark numbers in Table 4.4 will assist boroughs and providers in addressing local need. This approach was established in the current Plan. Given the scale of identified need, and to give boroughs a clear steer on delivery expectations, **the approach is justified.***

219. The figures set out are not maxima and do not provide a tenure breakdown. This recognises the need for flexibility for providers and boroughs to respond to local demand, accounting for the rapidly changing range of products on the



market and the variation in delivery models. The absence of a tenure mix is therefore a justified approach.

- 2.4 The draft Local Plan would fall well short of the London Plan benchmark figure and does not plan for additional units beyond 2032, a policy decision for which no justification or methodology is provided.
- 2.5 LBH commissioned 'Opinion Research Services' to prepare a 'Harrow Local Needs Assessment 2024' (February 2024). This document forms part of the Local Plan evidence base (document ref: EBH02).
- 2.6 Paragraph 2.34 of EBH02 states that over 75% of the population growth in the borough and correlating increase in households (15,200) over the plan period 2021–2041 will be those aged 65 or older. As a result, the demand will be significant. At paragraph 5.33 of EBH02, it is stated:

In conclusion, Harrow would be following the precedent set by other boroughs by setting a target of 165 units a year as specified in the London Plan. Other boroughs have combined using the London Plan figures but have a policy to review the need and delivery over time.

- 2.7 It is not clear why LBH have decided to divert from the approach that other London Boroughs are taking in addressing the clear need for older person housing. However, what is clear is that LBH's approach will undoubtedly result in a significant shortfall of specialist older person housing from the date of adoption. As such we consider that draft Strategic Policy 03 be amended to increase the target to 3,300 for the period 2021 – 2041.
- 2.8 Paragraph 4.6.7 of the plan states that the Council's Housing Strategy (2019) 'seeks to move away from the traditional model of providing care homes (with support staff) toward provide specialist older people housing with an appropriate level of support and ensuring existing/new stock of housing meets accessible and adaptable standards, to enable older people to remain independent within their accommodation'. This approach will not be effective. There is no incentive or policy requirement for existing



housing stock to be upgraded to allow older persons to live independently in their existing housing through adaptation. This approach also fails to take into account those who are simply unable to remain in their existing residences and require specialist care nurses within a secure facility.

- 2.9 Regarding the remainder of the plan period, no justification is given for the period 2022-2032. Paragraph 22 of the National Planning Policy Framework (“NPPF”) makes clear that the strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities. Larger scale developments should look further ahead, at least 30 years.
- 2.10 Should the target of 980 units not be met, LBH have provided no safeguarding for the unmet need. The plan therefore categorically fails to accord with Paragraph 36 of the National Planning Policy Framework (2024), namely, LBH has not identified how they seek to meet the areas objectively assessed needs for older persons with a justified method. The plan is therefore not **positively prepared**.

6.5 What are the corresponding allocations which will delivery these 980 units?

- 2.11 Chapter 11 of the Plan provides a list of draft allocations. Of the sites put forward, just **two sites** are proposed for allocation for specialist older people housing. These sites and their indicative residential capacity are set out below:
- 014: Vernon Lodge – 56 units
 - 018: Wolstenholme – 25 units
- 2.12 A total of just 81 units to meet a target of 980 units is significantly inadequate, and when set against required delivery of at least 3,300 one is forced to conclude that the plan is fundamentally unsound.
- 2.13 As part of our representations at Regulation 19 (proposed submission) stage we reviewed the two draft allocations in detail and found that for a variety of reasons, both draft allocations were unsuitable, unavailable and undeliverable.



2.14 We shall not repeat our assessments here, but we invite the Inspector to review our Regulation 19 representations for further details. Notwithstanding, there is one point worth reiterating and that is that the two draft allocations for specialist older person housing have the lowest two combined results of all the draft allocations in the New Local Plan. The site that we have put forward on behalf of our client, 'Land West of Headstone Lane, Harrow' scored higher but was discounted because it lies within the Green Belt despite its clear merits for development and provision of a significant quantum of specialist older person housing. Again, a detailed assessment of our site is contained within our representations to the previous stages of consultation, however, in summary:

- The site comprises 'previously development land' within the green belt in an accessible and sustainable location close to Headstone Lane station.
- The site has good access to facilities and services and thus help sustain an inclusive mixed community.
- The proposed development can deliver up to 400 specialist older person units. The extent and quantum of development envisaged is considered acceptable, and comparable to the existing rhythm of development in this location.
- The existing sports and recreation facilities shall be provided as part of the proposed development.
- The proposal will make effective use of the site whilst respecting the character and setting of the site's location.
- Subject to technical work relating to trees, infrastructure, or ecology, each of the schemes would be delivered with no technical concerns.
- It has been demonstrated that satisfactory vehicular access can be achieved without material harm to highway safety.



- Subject to the implementation of several biodiversity mitigation and enhancement measures the ecological interests of each of the sites can be safeguarded and meet the overall objectives of the NPPF.



3 MATTER 5: AFFORDABLE HOUSING AND OTHER HOUSING MATTERS

Issue 9: Whether the approach to affordable housing is justified, positively prepared, consistent with national policy and in general conformity with the London Plan.

Policy HO4 – Affordable Housing

9.7 Should the policy apply a more flexible approach to the provision of affordable housing in relation to older persons development?

- 3.1 Yes. We consider that it is inappropriate for LBH to seek affordable housing obligations from developments involving the provision of older persons specialist housing (applying the full requirements of draft Policy HO4). This is because the standard approach to assessing viability fails to account for the different viability attributes of older persons housing and how the application of such policies will affect delivery. Enhanced communal facilities and additional care services space that are essential for the functioning of a care home generally account for between 25% and 35% of the gross internal area (GIA) and are an upfront cost for these forms of development. The provision of such space does not translate into a 'sales' value in the same way that should be calculated for more conventional housing, i.e. each metre square of space provided in conventional housing can translate into the sales price. This is not the case with older persons housing. In other words this floorspace does not generate additional value that can be captured by LBH.
- 3.2 It is therefore much harder for providers of older persons housing to meet the minimum 35% affordable housing requirement. This is compounded by the recognised difficulties of providing affordable housing tenures 'in block'. This effectively forces specialist older persons housing down the Viability Tested Route. Providers of older persons housing will be unable to benefit from the Threshold Approach. Draft Policy H04 could render Draft Policy H06 ineffective in terms of facilitating the supply of older people's housing. The lack of flexibility in the policy could place the providers of older persons housing at a competitive disadvantage when purchasing land.



- 3.3 In our view LBH should assess which policy objective should be assigned greater importance: the supply of affordable homes or the supply of older persons housing, considering the relative needs for both types of products in the borough as well as local issues of viability.
- 3.4 To this end we recommend that Policy H04 part B should be amended to refer specifically to specialist older persons housing and their exclusion from the requirement to provide 35% affordable housing.

Issue 10: Whether the approach to other housing matters is positively prepared, justified, consistent with national policy and in general conformity with the London Plan

10.3 What is the justification set out at part 1 (a) of the policy that proposals should demonstrate that it would meet an identified local need?

- 3.5 We do not consider there is any justification for requiring development proposals for specialist C3 and non-C3 older people's residential accommodation to demonstrate they would meet an identified local need. To accord with Paragraph 72 of the NPPF (2024) LBH should have a clear understanding of the land available in the borough and prepare planning policies that identify a sufficient supply and mix of sites accordingly. Given the plan allocates just two sites for specialist older person accommodation which cannot be delivered within 5 years at least there will be an identifiable and pressing need for this type of accommodation upon adoption.
- 3.6 In addition, as set out above, the London Plan (2021) recommends 165 units are provided per annum and, therefore, no additional or supplementary local need is required to be demonstrated over and above this requirement. We consider that LBH should not place the onus on developers to demonstrate need and should recognise and plan for the need which is clearly set out in the London Plan and their own local plan evidence base.