

## **Harrow Local Plan EIP**

### **Matter 2: The Vision and Spatial Strategy; including strategic policies.**

**Issue 3: Whether the Vision, Spatial Strategy and Strategic policies of the Plan are positively prepared, justified, effective and consistent with national policy as well as in general conformity with the London Plan**

*3.5 Is the spatial distribution of development based on relevant and up to date evidence and in what way would the distribution of development proposed promote sustainable patterns of development in accordance with both national policy and the London Plan?*

As set out in our representations HBF welcomes the statement that appropriate development will occur on small brownfield sites in sustainable locations close to town centres, and train and underground stations. However, we are concerned that other policies in the Harrow Local Plan will restrict the number of homes that can be delivered on such sites. For example, we note in our representations that in paragraph 2.4.6 that the Council states outside of the Harrow & Wealdstone Opportunity Area only two storey development is typical in the borough and therefore development at heights greater than this is likely to be unacceptable. This approach is contrary policy H1 of the London Plan which requires at B2a) the optimisation of housing delivery on sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary. There is an expectation, as set out in paragraph 4.2.4 of the London Plan, that incremental intensification of existing residential areas should be supported and that such development to play an important role in contributing towards the housing target for small sites. In seeking to restrict development above two stories in all areas side from the opportunity area the proposed spatial strategy must be considered to be inconsistent with the London Plan.

HBF would suggest, therefore, that specific reference is made within the spatial strategy to the optimisation of sites that are in close proximity to town centres or strain stations in order to reflect the expectations set out in the London Plan. This would then also require consequential changes to policy HO3. As set out in our representations we recommend that this part of the policy is amended to read:

*Small housing developments (any site below 0.25 hectares) delivering a net addition of self-contained dwellings through the optimal and efficient use of land, and in accordance with other relevant Development Plan Policies, will be supported in all locations in the borough. They will be especially encouraged where they are located in the following areas:*

- a. Sites with good public transport accessibility (PTAL 3-6)*
- b. Sites within 800m of tube or rail stations*

*c. Sites within 800m of a Metropolitan, Major and District Town Centre boundary*

We also think that the stipulation that areas within a radius of 800m of a train or tube station, or district centre boundary, is too restrictive, and that the policy should change this to 1km. This is a manageable distance for most people to walk or cycle, except for the most physically impaired.

## Matter 3 Plan Viability, the SA and the approach to site selection

### Issue 4: Is the Plans approach to viability, the SA and site selection justified and effective?

#### Plan Viability and Infrastructure

##### 4.2 What evidence is there to support the cost increase of 0.4% for the purpose of the 15% biodiversity net gain?

The Viability Assessment states in paragraph 6.24 that the 0.4% cost increase on build costs for delivering a 15% net gain in biodiversity is taken from the DEFRA Impact Assessment (IA) undertaken in 2019. This is the central estimate which assumes that 75% (Table A2 of the IA) of net gain is delivered on site. However, this evidence is somewhat dated as the IA was published in 2019 with some evidence from much earlier, for example the cost of creating and maintaining one hectare of habitat on site is based on 2017 study by Natural Trust, RSPB, and the Wildlife Trust in relation to farms and not residential development. In particular the IA is based on the assumption that offsetting credits would be £11,000 per biodiversity unit. However, our members are experiencing costs of over £30,000 per unit with the cost varying based on the habitat type and where the offsetting units are being delivered. It is also notable that the central estimate assumes a 75% net gain delivery on site. This cannot be assumed to be the case if 15% BNG is required. In order to ensure that the net developable area is not reduced further a higher proportion of delivery would be required offsite increasing the cost of delivering BNG. HBF does not consider the 0.4% increase in build costs to be sufficient to take account of the cost of delivering 15% BNG.

##### 4.6 Have all the necessary policy requirements been taken into account?

It is not clear from the VA whether the impacts of specific policies have been considered in combination with each other. Section 6 appears to provide an assessment as to the impact on viability of each of the policies on their own but not what the cumulative impact would be on development, with paragraph 6.21 noting “*We have assessed the viability of other emerging Local Plan policies individually so that the Council can delineate between the impacts of each policy*”. However, it is not clear following this statement whether the cumulative impacts have been considered by the Council and whether this is set out in the VA. At the examination the Council must identify where in the viability evidence the cumulative impact of all the policies in the local plan have been considered and how these impact on the viability of development in Harrow and the deliverability of the local plan. If this has not been undertaken it is a fundamental flaw in the council’s evidence base.

The Council will also need to take account of the Building Safety Levy which, in the Government’s response to the latest consultation, will see development pay £29.94 per m2 on PDL and £59.88 per m2 for land that is not PDL.

##### 4.7 To what extent does the evidence base demonstrate that the requirements of policy HO4 concerning the delivery of affordable housing are viable?

Policy HOU4 indicates that development should deliver a minimum of 35% affordable but outlines that development

should consider 50% and sets out those schemes that will be expected to deliver 50% of homes on sites as affordable. As set out in following statements HBF do not consider it appropriate for schemes to consider 50% affordable housing as this is inconsistent with the London Plan. The evidence also shows at tables 6.3.1 to 6.7.4 show that the 50% affordable housing requirement is unviable across majority of schemes and even development in the highest values areas not being universally viable. This is noted in paragraph 6.6 of the VA. The outcome of the proposed policy is that a negotiated settlement would be required on virtually all sites. VA seeks to justify the proposed policy in paragraph 6.7 on the basis that a lower requirement would mean that some development that could have delivered 50% would no longer be required to do so. This is not sufficient justification given that the vast majority of schemes cannot meet such a high requirement and is an approach that is wholly inconsistent with paragraph 58 of the NPPF which sets out the expectation that a decision maker can assume a development that complies with policies in an up to date local plan is viable.

## Matter 4: Environment, Green Infrastructure and Social and Community Infrastructure

*Issue 5: Are the Plans policies which address the Environment, Green Infrastructure and Social and Community Infrastructure justified, positively prepared, consistent with national policy and in general conformity with the London Plan*

### Policy G13: Biodiversity

5.36 How does the policy as drafted take account of the exempt categories of development? Is this approach justified and effective?

The requirement for all major and minor development to deliver 15% BNG is clearly at odds with the Environment Act 2021 which sets out a number of exemptions. It should also be noted that the Government is considering exempting minor sites from BNG<sup>1</sup>. The consultation confirms that the Government is considering exempting sites of 9 units or fewer from BNG entirely and extending the Small Site Metric (SSM) to medium sites of 10 to 49 units. The BNG hierarchy may also be relaxed to place onsite habitat improvements with the same preference as off-site for minor developments. The policy should therefore be amended to state that net gains will only be required on development not exempt by the Environment Act 2021.

5.38 Where is the evidence base to support this approach and in particular the need for a higher percentage? The evidence base includes EBBCO1 Harrow Biodiversity Net Gain Working Paper (November 2024) which is marked as a draft document, has this evidence base been finalised?

The latest guidance published by Government on the 14th of February and highlight the statement that:

*“... 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 impacts on viability for development. Consideration will also need to be given to how the policy will be implemented”.*

It is important to note that the starting point is that local plan should not seek a higher requirement. This is different to a permissive policy allowing local plans to seek a higher level of BNG where justified, and the HBF would argue that it should be considered a high bar with regard to the evidence required to justify such a policy. However, the evidence supporting a net gain requirement higher than that required by the Environment Act is sparse.

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<sup>1</sup> [Improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development](#) (Defra, May 2025)

The local justification is set out on pages 5 and 6 of EBBC01 and outlines issues such as below average level so natural cover and fewer Sites of Nature Conservation Importance as reasons for requiring a higher BNG requirement. The issues highlighted by the Council are not related to the delivery of new homes and the impact they will have on biodiversity. This evidence does not provide any justification as why an additional 5% net gain is necessary and makes the development acceptable in planning terms given that they are already addressing any impact they have through the delivery of 10% net gains.

When considering higher standards such as these relating to BNG, it is important to recognise that the delivery of new homes in Harrow and across London has stalled recently. Evidence from the GLA shows that approvals in Harrow have with just 208 units consented in 2023/24 and 18 in 2024/25. In London as a whole the number of approvals for new housing between 2024/25 and 2025/26 fell from 36,675 units to just 7,765 units. This is a significant slowing of permissions that is a result of issues such as fire safety legislation and will only be made worse by Councils placing further unnecessary burdens on development.

*5.39 To what extent has the viability work undertaken take into account the 15% minimum net uplift and does this evidence demonstrate that the 15% is deliverable?*

As set out earlier in our statements we are concerned that the cost of delivering BNG has been underestimated by the Council. However, even at this level the viability evidence suggests that development at 15% BNG is more unviable in a significant number of development scenarios – in particular larger residential schemes that are expected to deliver a significant amount of the Council's housing requirement. It is also unclear whether the VA has considered the impacts of the 15% requirement in combination with other policies in the local plan. This must be clarified by the Council.

## Matter 5 Meeting the Boroughs 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*

Questions:

### Strategic Policy 03: Meeting Harrow's Housing needs

6.1 The Plan states that the housing need for the Plan period (2021-2041) is 16,040 homes. This figure is based on the London Plan target as identified for the first 10 years of the Plan, with a London Plan target of 802 dwellings per year being rolled over into the last 10 years of the Plan. A number of representations have raised concerns that this does not represent a sound approach. Are these concerns valid and is this approach justified?

HBF considers this approach to be sound and has been adopted by a number of councils across London and is one that is supported by the GLA. It is important that this Local Plan considers needs beyond those set out in the London Plan 2021 in order to ensure that there is longer term planning for housing needs as required by paragraph 22 of the NPPF, which establishes that plan must look ahead for a minimum of 15 years from adoption. In the absence of targets beyond 2029 it is therefore logical to roll forward existing targets. Given that Harrow, and London as a whole, will be required to increase housing delivery significantly based on the latest standard method (2,294 dpa and 81,000 dpa respectively) in future it is vital that this plan supports delivery beyond the period of the adopted London Plan.

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?

The benchmark figure for specialist older person accommodation that the Council is expected to deliver is 165 dpa (Table 4.3 of the London Plan). This is a total of 1,980 units over the 12-year time frame of the London Plan and 1,000 units more than that expected to be delivered by this local plan. HBF recognises that the 165 dpa is benchmark figure but consider it essential for it to be included in the policy to a) show that there is a shortfall against what is needed and b) for this shortfall to be monitored each year. Such monitoring is essential in order to ensure that decision makers recognise the scale of the need for such homes to act positively in relation to applications for specialist accommodation for older people.

## **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 H04 – Affordable housing**

#### *9.2 Is the approach to affordable housing as identified at policy H04 consistent with London Plan Policy H4?*

Policy H4 of the London Plan sets a strategic target of achieving 50% of all new homes being delivered on across London as being affordable. A point that is reflected in SP03 of the Harrow Local Plan. However, it is H5 of the London Plan which establishes the affordable housing requirements to be met on sites for residential development. This sets a threshold for of 35%. Policy HO4 states that the minimum that should achieved on sits of 10 or more units is 35%. This element is consistent with the London Plan. However, the policy also states that applicants will also need to “... *demonstrate all options have been explored to achieve the Boroughwide target of 50% affordable housing*”. This is not consistent with the London Plan which places no such requirement on development should it meet the 35% affordable housing requirement in H5 of the London Plan. This must be deleted from the policy. HBF would also suggest that the phrase “initial minimum is removed. In order to meet the requirements of H5 in the London Plan development are only required to deliver 35% affordable housing. This is not an initial amount and there is no requirement to provide any more in order to benefit from the fast-track route.

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