

London Borough of Harrow Local Plan Examination

Examination Hearing Statement

Matter 6 – Site Allocations including the Harrow and Wealdstone
Opportunity Area Strategy

Aldi Stores Limited

June 2025

Matter 6: Site Allocations including the Harrow and Wealdstone Opportunity Area Strategy

1. Introduction

- 1.1 These representations have been prepared by Avison Young ('AY') on behalf of Aldi Stores Limited ('Aldi') who are the freehold owners of the Marsh Lane Gas Holders Site (the 'Site'). The Site is allocated for development in the draft Local Plan (Site Allocation O19 Marsh Lane Gas Holders).
- 1.2 The landowners undertook pre-application discussions with the London Borough of Harrow (LBH) over the period 2023 to 2024 with regards to the redevelopment of the site to provide a new Aldi store and associated car parking on the site. These meetings took place prior to the publication of the Regulation 19 Local Plan which identified the site for residential development.
- 1.3 AY submitted representations to the LBH regarding the potential of this site being brought forward for redevelopment at the Regulation 18 (for retail development) and Regulation 19 (refuting the residential allocation and reiterating the proposed retail development) stage consultations. The purpose of these representations was to identify that the site was a suitable location for a new Aldi store and to help ensure that the Local Plan was progressed on a sound basis and that it provides a robust policy basis for the determination of a future planning application for the Site.
- 1.4 Following these pre-application discussions and scheme development, an application to redevelop the site to provide a new Aldi store along with associated car parking and other works has now been submitted and validated by the LBH. The application reference is PL/1370/25 and the target determination date is 25 July 2025.
- 1.5 This Statement is intended to be read in conjunction with our Regulation 18 and Regulation 19 representations.
- 1.6 We have structured this Statement in accordance with the relevant Issues and Questions for Matter 6, specifically Site O19 Marsh Lane Gas Holders.

2. Issue 12: Whether the proposed site allocations within the Plan are positively prepared, justified, effective and consistent with national policy and in general conformity with the London Plan

O19 Marsh Lane Gas Holders

12.36 In light of the representations received, is this site allocation justified and effective? Is it developable?

- 2.1 AY, on behalf of Aldi, submitted representations to the LBH Call for Sites in April 2024, promoting the site for retail development and identifying the constraints of the

development of the site in terms of the existing easements and access rights associated with the retained gas infrastructure.

Justified

- 2.2 In order to be justified, the site allocation should be a proportionate strategy taking into account the reasonable alternatives and based on proportionate evidence. There was no consultation with the landowner prior to the inclusion of the site within the Regulation 19 Local Plan, with an allocation for 70 residential units over a 6-to-10-year timeframe, going on to identify the suitability of the site for self-build housing.
- 2.3 In a pre-application meeting held on the 9 October 2024 (prior to the consideration by Cabinet of the Regulation 19 version of the Local Plan scheduled for the 4 November prior to public consultation), Officers indicated that they were looking to allocate the site for residential development. At this meeting, representatives on behalf of Aldi clarified the following points with Officers:
- Substantial existing easements and access requirements on the site make it difficult for other forms of development. For example, residential gardens would not be appropriate within the easement zones.
 - During the disposal process for the site, residential developers noted the easements and access requirements as a challenge to residential development and did not seek to acquire the site.
- 2.4 Despite these discussions and making Officers aware of the constraints to development of the site, it was included as a residential site allocation.
- 2.5 The allocation of the former Marsh Lane Gas Holders for residential development is not justified. Extensive evidence has been provided to the LBH to demonstrate that the site is not appropriate for residential development and will not be delivered and therefore this allocation should be deleted.

Effective

- 2.6 In order to be effective, the site allocation must be deliverable over the plan period. The plan period runs from 2021 to 2041. LBH has currently indicated that this Site will be delivered over a 6-to-10-year time frame. As set out above Aldi currently own the freehold interest in the Site and there is a live planning application for retail development on the site.
- 2.7 There is no evidence that the site will be delivered (as a residential development) over the plan period and therefore the site allocation is not effective. The residential allocation does not have the backing of the freehold owners of the Site and the allocation came forward despite the owners highlighting the constraints associated with the Site and its unsuitability for residential development.

- 2.8 Due to the importance of maintaining the ongoing access requirements to the site, Cadent, as operators of the retained infrastructure, are required to approve any planning application submitted to ensure that it will not impact on their safety critical operations.
- 2.9 The allocation of the site for residential development has not been based on effective joint working. The freehold owner of the Site has been clear in representations submitted as part of the Local Plan preparation and in a pre-application meeting, held on the 9 October 2024 prior to the publication of the Regulation 19 version of the Local Plan.
- 2.10 There is no evidence that the site will be delivered within the plan period and no evidence that the site allocation has come about through effective joint working.

12.37 Will it be developable for the uses envisaged and have all the known site constraints, including the easement zones been taken into account?

- 2.11 As set out above, the site is not developable for residential uses. The constraints regarding easements and access to the Site have been clearly set out to the LBH in a pre-application meeting, in the Regulation 19 representations and identified in the current live planning application for retail development.
- 2.12 The O19 Site Allocation indicates that the site would be capable of accommodating 70 residential units, on a site of 0.88 ha. The actual developable area of the site is 0.43 ha, less than half of that identified by LBH.
- 2.13 The Council has been provided with all the information regarding site constraints and easement zones and the requirement for Cadent (who have the responsibility for maintaining the remaining infrastructure on the Site) to have the ability to access the infrastructure that is beneath the site in the event of an emergency or as part of any planned maintenance. The current live planning application has been prepared taking this into account with the building positioned within the developable area of the site, and associated car parking and landscaping within the easement zones.
- 2.14 With regard as to whether the known site constraints and easement zones have been considered, it is clear that this is not the case. To provide 70 residential units on a site area of 0.43 ha, this would result in a density of 163 residential units per hectare. Based on the Density Matrix within the LBH Small Sites Capacity Study (October 2022) (EBH05), this level of density is at the higher end of what would be appropriate in an urban setting with a PTAL of 2 to 3. The Site is in a suburban setting and has a PTAL of 1b to 2. Therefore, the Site is not developable for the quantum of residential development identified.
- 2.15 As set out in representations already submitted, and this Hearing Statement, the site is not deliverable for residential development.

3. Summary

- 3.1 This Hearing Statement and the representations submitted as part of the Regulation 18 and Regulation 19 consultations have provided clear evidence that a residential allocation on Site O19 (Marsh Lane Gas Holders) is not justified or effective and therefore should be deleted from the Local Plan.

Avison Young

June 2025