



**Report for: Planning Policy
Advisory Panel**

Date of Meeting:	8 October 2024
Subject:	New Harrow Local Plan – proposed version for pre-submission (Regulation 19 stage) consultation
Key Decision:	No – Advisory Panel
Responsible Officer:	Viv Evans, Chief Planning Officer Emma Talbot, Acting Strategic Director of Housing and Regeneration
Portfolio Holder:	Councillor Marilyn Ashton, Deputy Leader of the Council, Planning & Regeneration Portfolio Holder
Exempt:	No
Decision subject to Call-in:	No – advisory panel only
Wards affected:	All Wards
Enclosures:	Appendix 1 –Draft Regulation 19 submission version of new Harrow Local Plan (clean copy) Appendix 2- Schedule of Changes between Regulation 18 and 19 Appendix 3- Consultation Statement (Regulation 18) Appendix 4- Duty to Cooperate Statement

Section 1 – Summary and Recommendations

Following the first round of public consultation held between 26 February and 25 April 2024 ('Regulation 18 consultation'), this report provides an update on work conducted to progress the new Harrow Local Plan to the next stage, namely consultation on the pre-submission version of the draft Local Plan ('Regulation 19 consultation').

The report includes the presentation of the revised version of the new Harrow Local Plan (and supporting documents) that is proposed to go forward to public consultation in November and December 2024.

The report also provides the Panel with an update on the Local Plan process since it last considered the matter in July 2024 outlines the next steps and provides a summary of recent Government consultations on planning reform which may influence the progress of the draft Local Plan.

Recommendations:

The Panel is requested to:

- (A) Note the draft Regulation 19 new Harrow Local Plan and supporting documents included in the appendices to this report
- (B) Note the update provided in relation to the local plan process, next steps, and recent Government consultations.
- (C) Commend the draft Regulation 19 new Harrow Local Plan and supporting documents to Cabinet and full Council for approval to undertake the second round of consultation (Regulation 19 consultation)

Reason: (for recommendation)

The Harrow Local Plan is one of the key documents in the Council's policy framework. Member input into the draft new Harrow Local Plan and the proposed consultation arrangements, through the Panel, is an essential part of the Local Plan process.

Section 2 – Report

1.0 Introduction

1.1 This report relates to the new Harrow Local Plan and:

- (a) provides an update on work conducted to progress the new Harrow Local Plan to the next stage (Regulation 19);
- (b) presents the draft Regulation 19 new Harrow Local Plan (and supporting documents) that is proposed to go forward to public consultation in November and December 2024; and
- (c) provides an update on the Local Plan process since it last considered the matter in July 2024 and outlines the next steps.

2.0 Options considered

- 2.1 The option of not providing an update nor seeking feedback or comment was considered and dismissed as this would not give the Panel the opportunity to monitor and comment on something within their Terms of Reference. The Harrow Local Plan is one of the key documents in the Council's policy framework. Member input, through the Panel, is an essential part of the process.
- 2.2 The option not to consult in the draft Local Plan was considered but rejected as at least two stages of consultation are required under legislation ('Regulation 18' and 'Regulation 19' consultations) prior to draft Plan being submitted to the Planning Inspectorate for examination.
- 2.3 Pausing the Local Plan process to await the outcomes of the consultation on proposed changes to the National Planning Policy Framework (NPPF) (see background papers) was considered and rejected as failure to commence Regulation 19 within a month of the revised NPPF being published in final form (potentially as early as October 2024) risks the draft Plan not being able to be progressed under transitional arrangements outlined in the draft NPPF and the Local Plan process having to start again, incurring significant time and cost penalties.
- 2.4 Not preparing a new Local Plan was also considered and rejected as Harrow's current Local Plan was adopted in 2012 and therefore has not been reviewed for eleven years; the National Planning Policy Framework indicates Local Plans should be reviewed at least every five years.

3.0 Background

- 3.1 The new Harrow Local Plan will replace the existing adopted Harrow Local Plan, which currently consists of a package of documents:
 - a. Core Strategy – adopted February 2012
 - b. Development Management Policies – adopted July 2013
 - c. Harrow and Wealdstone Area Action Plan (AAP) – adopted July 2013
 - d. Site Allocations – adopted July 2013
- 3.2 The current Local Plan is accompanied by an adopted Policies Map that illustrates particular land uses throughout the Borough including areas for protection such as open space and conservation areas, as well as employment and residential activities. It also identifies key sites for development ('site allocations').
- 3.3 These form the Council's statutory development plan, alongside the London Plan [and any future neighbourhood plans prepared by community groups ('neighbourhood forums')].

- 3.4 The Council has committed to preparing a new Harrow Local Plan. This is in response to the time that has elapsed since the current Local Plan was adopted (2012 and 2013) and changes in national and regional planning policy since that time, as well as emerging issues and local priorities. Under government guidance, plans should be reviewed (and updated if necessary) every five years.
- 3.5 The new Local Plan will cover the period from 2021 to 2041. Consistent with contemporary national policy, the existing 'framework' of Local Plan documents will be replaced by a single Local Plan document.
- 3.6 The Panel has formally considered the new Harrow Local Plan at seven previous meetings:
- (a) *9 January 2023*: the Panel considered a report in relation to the Council's Local Development Scheme (LDS). The LDS is a rolling three-year project plan setting out all the planning documents to be produced by the local authority and the timetable for their preparation. The draft LDS considered by the Panel committed the Council to prepare a new Local Plan, with adoption scheduled for December 2025. The LDS was subsequently agreed by Cabinet on 16 February 2023.
 - (b) *6 March 2023*: the Panel considered a report that introduced the Local Plan process in more detail and key issues that it will need to address. It sought comments and discussion from the Panel to assist in the scoping of the Local Plan, including its broad vision and objectives, to inform drafting of the new Local Plan.
 - (c) *13 July 2023*: the Panel considered the revised Statement of Community Involvement (SCI) which sets out how the Council will consult on planning matters, including the draft Local Plan. The revised SCI was subsequently adopted under delegated authority on 2 February 2024. The draft document was subject to a 21-day period of consultation in mid-2023.
 - (d) *18 September 2023*: the Panel considered the draft Infrastructure Delivery Plan (IDP) Context Report, which sets the context for the full IDP, which is expected to be completed in the middle of this year (in time for the second round of consultation on the draft Harrow Local Plan). The full Infrastructure Delivery Plan is required as part of the Evidence Base for Local Plans
 - (e) *2 November 2023*: the Panel considered the draft Borough Profile, Spatial Vision and Strategy and Strategic Objectives for the new Local Plan. The Borough Profile sets the context for the plan. Within the plan, the Spatial Vision and Strategy, and Strategic Objectives provide the overarching narrative for the document from which detailed provisions / policies follow.
 - (f) *22 January 2024*: the Panel considered the full version of the Draft new Harrow Regulation 18 Local Plan and appendices including the draft Interim Integrated Impact Assessment (IIA) advice note. Other than some subsequent minor amendments and insertion of background/process material, this was

essentially the version presented to Cabinet on 15 February 2024, and subsequently agreed to go out to public consultation between 26 February and 25 April 2024. The Panel also noted the proposed consultation arrangements that were going to be deployed and that a summary of the consultation feedback would be presented to the Panel mid-2024.

- (g) *17 July 2024*: the Panel received some initial feedback on the Regulation 18 public consultation exercise conducted between 26 February and 25 April 2024, and the 'Call for Sites' exercise carried out over the same period. The Panel also received an update on tasks to be undertaken prior to the Regulation 19 stage including the preparation of remaining evidence base studies and other supporting documents.

4.0 Draft New Harrow Local Plan (Regulation 19 Version)

Structure of the Draft Local Plan

- 4.1 For legibility the Local Plan is set out in a series of thematic chapters that cover a number of policy areas however it must be read as a whole, particularly for the purpose of planning and investment decisions. The structure remains broadly the same as the version considered by the Panel at its meeting on 22 January 2024.
- 4.2 The Local Plan is organised as follows:
 - (a) *Introductory Chapter (Chapter 01)*: Context and the spatial strategy: provides background information on the Local Plan (including Borough Profile) before setting out the Vision for Harrow and the plan's strategic / spatial objectives. It also establishes the 'spatial strategy' for the Borough, the land-use priorities and overall pattern of development that the plan will seek to deliver.
 - (b) *Thematic policy chapters (Chapters 02-10)*: these cover the policy areas that seek to deliver the spatial vision, objectives, and strategy of the Local Plan, and contribute to the overarching objective of sustainable development (consistent with the NPPF and the London Plan's 'Good Growth' objectives). Each chapter includes at least one overarching strategic policy and a series of detailed policies. These chapters represent the development management policies that all planning applications will need to comply with.
 - (c) *Site Allocations (Chapter 11)*; this includes all of the site allocations that will contribute to meeting the plan's strategic/spatial objectives. It includes site allocations for a range of development proposals including housing, industrial, commercial and Gypsies and Travellers. A series of templates are included for each site setting out the type and mix of development proposed, any planning constraints, design considerations and delivery timeframes.

- (d) *Appendices*: covering glossary, delivery, and monitoring framework (will include implementation framework for the Local Plan, as well as the arrangements for monitoring and outcomes over the plan period), and proposed changes to the Policy Map (Atlas of Change) together with a link to the new online GIS layer). (The housing trajectory was originally intended to be included as an appendix to the Local Plan but as this is updated annually it now be published as a separate document, alongside the Local Plan).

Summary of draft Local Plan

- 4.3 Outlined below is a summary of the draft Local Plan, including key policy positions and changes from the current Local Plan. However, the nature of the Local Plan is that it covers a wide range of policy areas, types of development and different areas / constraints within the borough. It is therefore an extensive document. The draft plan at Appendix 1 should therefore be reviewed for detailed provisions relating to any specific aspects of interest as the summary below cannot fully reflect the extent and detail of all the policies in the draft Plan:

Spatial Strategy

- A. The Spatial Vision and Strategy, and Strategic Objectives (Chapter 1) provide the overarching narrative for the document from which detailed provisions / policies follow.
- B. In general terms, the overarching spatial strategy for the Local Plan remains to direct the majority of new development to the Harrow and Wealdstone Opportunity Area, with other town centres accommodating more modest levels of growth commensurate to their character, role, and function. The predominately suburban areas of the borough (outside sustainable locations) will retain their character as low-density, family housing. Green Belt, Metropolitan Open Land and Open Space will be retained and enhanced. The borough's network of town and district centres will be retained and managed to promote vibrancy and vitality. Existing employment land will be retained. Existing infrastructure will be retained, and additional infrastructure required to support the level of development envisaged by the Local Plan. Social and environmental assets will be protected and enhanced, including a net gain in biodiversity. The location and design of new development will respond to climate change.

High Quality Growth

- C. This chapter outlines the design policies that will apply to all development proposals where relevant. They largely reflect an evolution of current Local Plan policies, updated in the context of

the increased emphasis nationally and regionally for ‘design-led’ development, ‘good growth’ and ‘beauty and placemaking.’

- D. The new Local Plan introduces for the first time a specific policy on building heights, as required by the London Plan. It defines tall buildings as being seven storeys or twenty-one metres (from the ground level to the highest point of the building) across the entire borough. (Note: the current Local Plan definition is ten storeys / 30 metres within the Opportunity Area). The draft identifies the Opportunity Area as having areas suitable for tall buildings and identifies appropriate heights in specific areas within the Opportunity Area (based on the evidence base supporting the Local Plan). The policy also specifically indicates that areas outside the Opportunity Area are not suitable for tall buildings; the current Local Plan is comparatively silent on this (with guidance being provided by way of the recently adopted Tall Buildings (Building Heights) SPD).

Historic Environment

- E. The draft Historic Environment policies are largely an evolution of policies in the existing Local Plan, updated to reflect new designations (i.e. Local Areas of Special Character) and to address weaknesses with existing policies (i.e. securing the benefits sought through enabling development of heritage assets).

Meeting Harrow’s Housing Needs

- F. The housing policies in this chapter commit the Council to deliver a minimum 16,040 (net) homes over the Plan period (2021-2041), based on the annual London Plan target for Harrow of 802 homes per year. The Plan specifically commits to delivery of a minimum of 8,020 homes between 2019 and 2029, as required by the London Plan. It also identifies broad locations as follows:
- (i) Harrow and Wealdstone Opportunity Area – minimum 8,750 homes
 - (ii) Outside the Opportunity Area (existing permissions / allocations) – minimum 3,165 homes
 - (iii) Small sites (unallocated sites below 0.25 ha and in accessible locations) – minimum 4,125 homes
 - (iv) Windfall sites

The plan identifies that the target of 16,040 can be met, together with an added buffer, through the identified housing supply.

- G. A key underlying element of the draft housing policies is the need to protect existing family sized housing stock (three or more bedrooms) within the borough and increase the rate of delivery of family sized housing in new development (including in flatted development). Such an approach reflects the housing

need identified in Harrow's evidence base. The draft Plan therefore sets a target to ensure a minimum of 25% of new dwellings delivered are three bed (or more) family sized dwellings. Additionally, it seeks to ensure the size of any 2-bedroom dwellings is capable of accommodating four bed spaces, so that they can be used by families, if household circumstances change and avoid overcrowding.

- H. The draft Plan also proposes greater control over the conversion of existing family sized housing into flats by introducing a dwelling size threshold for conversions (i.e. internal floor area above 130 sqm) and a locational criterion where they may be permitted (i.e. Public Transport Accessibility Levels 3-6). Additional requirements are also seeking to avoid the over concentration of flat conversions within a street. Where such a conversion is accepted, the Plan seeks re-provision of a three-bed family size home as part of any conversion.
- I. In terms of affordable housing, the draft Plan sets a strategic target of 50% affordable homes (consistent with the London Plan), with a 70% / 30% tenure split between low-cost rented tenure (with social rent as a priority) and intermediate tenure (share ownership / London Living Rent). This represents greater emphasis on low-cost rented tenure (currently Local Plan policy is for 60%) and a more genuinely affordable tenure (social rent) within the 70% (rather than 'affordable rent' tenures). The policy will apply to major development (i.e. ten dwellings or more), which will be required to deliver affordable housing onsite to deliver mixed and inclusive communities, unless exceptional circumstances apply to make off site /or a financial contribution.
- J. Several new policies are included to reflect the requirements of the NPPF or London Plan [i.e. small sites (less than 0.25 ha), older persons' accommodation, self-build housing] or to reflect new development types since the current Local Plan was adopted (i.e. large-scale purpose built shared accommodation) or where the current Plan is silent (i.e. housing estate renewal, purpose built student accommodation). The policy approach to matters such as Houses in Multiple Occupancy (HMO), supported and sheltered housing, is proposed to be strengthened in the Plan.

Local Economy

- K. The policies in the Local Economy chapter respond to broader changes in society and the economy with respect to how town centres function since the current Local Plan was adopted. Only modest growth in town centre use (retail, food / beverage, leisure, and entertainment) floorspace is envisaged (based on the Local Plan evidence base). With national policy and legislative changes, the scope to manage specific uses ('use classes') within town centres has been diminished, so the town

centre policies seek to focus on the function of town centres in the town centre hierarchy (i.e. metropolitan, major, district, local) and promoting vibrancy and vitality of the borough's town centres.

- L. A strategic policy specifically for the Harrow and Wealdstone Opportunity Area is also proposed. This sets out the overarching principles for development within the Opportunity Area, given its focus for new development and infrastructure within the borough. It will replace the Harrow and Wealdstone Area Action Plan. The policy provides the basis for any subsequent, detailed master plans within the Opportunity Area, such as that proposed to be prepared for Harrow.
- M. In terms of employment use (i.e. industrial, offices), the draft Local Plan seeks to protect existing industrial floorspace / yard space from any further loss as across Harrow / London, too much industrial land has been lost given recent changes to the economy (growth in data centres, warehouses for online retailing etc). However, there is an element of flexibility introduced to consider co-location of industrial and housing on sites allocated in the plan. A modest increase in industrial floorspace (6,000 sqm) will be sought within established industrial areas, based on the Local Plan evidence base.
- N. In terms of offices, the evidence base indicates there is sufficient office space within the borough for the plan period to 2041. However, the draft Local Plan policies will require that any loss of office space will continue to be monitored and managed in accordance with up-to-date evidence, given the current uncertainty around office space provision post-Covid. The policy identifies that when releasing office floorspace, this follows a sequential approach which seeks to ensure that office space within the Metropolitan Town Centre, and then other town centres is the least preferable to be released, compared to offices in out of centre locations.
- O. The draft plan also seeks to promote the night-time and evening economy, culture and creative industries, and tourism and visitor accommodation, reflecting the emerging importance of these elements of the economy and to support Council strategies and investment in these areas.

Community Infrastructure

- P. A new strategic policy has been included to set out the overarching approach to Social Infrastructure, and infrastructure more broadly. Policies in this chapter continue the current Local Plan approach of retaining existing community infrastructure and links the provision of new infrastructure to the emerging Infrastructure Delivery Plan (IDP) that will identify the

infrastructure required to support the level of development and population growth envisaged during the plan period.

Green Infrastructure

- Q. This chapter includes a new strategic policy that sets the overarching policy direction for green infrastructure in the borough. Policy in relation to Green Belt and Metropolitan Open Land continues to reflect the national and regional policy. Open space policy continues to seek to retain open space but has been updated to provide potential scope for essential community infrastructure uses on open space where there are no viable alternative sites; this reflects practice in reality in recent years.
- R. The policy position around biodiversity has been updated in line with new requirements of the Environment Act requiring at least 10% biodiversity net gain from new development. The draft Plan is proposing that 15% biodiversity net gain is achieved from new development, reflecting the significantly degraded biodiversity in the borough.
- S. Policies in this chapter also seek to strengthen (and consolidate) requirements around Urban Greening, Landscaping and Trees and a new policy relating to food growing proposes to require the retention of existing allotments/community gardens and encourage the incorporation of new food growing infrastructure in developments.

Responding to the Climate and Nature Emergency

- T. This chapter includes an overarching strategic policy that sets the direction for climate change mitigation and adaptation, and the recovery of habitat. It has been informed by the recently adopted Climate and Nature Strategy.
- U. The chapter also includes a policy (Policy CN1 Sustainable Design and Retrofit) that sets the Council's definition of net zero buildings, detailing that all new development should be net zero carbon in operation considering both regulated (space heating, hot water, 'hard wired electrical equipment' i.e. lighting) and unregulated (appliances) carbon emissions, utilising on-site electricity generation and using offsetting of carbon emissions as a last resort. This is an evolution of existing London Plan policy that only addresses 'regulated' emissions. Retrofit standards for net zero have been updated in this policy.
- V. This chapter also contains policies in relation to reducing flood risk, sustainable drainage, and waterway management, which have been updated from the existing Local Plan to reflect the West London Strategic Flood Risk Assessment (SFRA).

Managing Waste and Supporting the Circular Economy

- W. The policies in this chapter seek to continue to safeguard existing waste facilities in the borough (i.e. the Civic Amenity Site) and ensure adequate waste facilities in new development. Policies have also been updated to reflect emerging requirements from the Environment Act with respect to waste and recycling. The chapter also introduces the concept of the circular economy for building construction and adaptation, with a new policy that reinforces the London Plan standards for major applications and indicates that the circular economy principles should be considered for all types of development, where possible.

Transport and Movement

- X. The policies in this chapter largely reflect the requirements set out in the London Plan. The overarching strategic policy reflects the Council's new Transport Strategy. Throughout the document, including in the policy relating to parking standards, provision of electric vehicle charging points is required, with the intention that these requirements exceed the minimum requirements of the London Plan; this will support the Council's recently adopted Electric Vehicle Strategy.

5.0 Stages in Local Plan preparation

- 5.1 The process of developing a Local Plan involves a number of stages required by the Planning and Compulsory Purchase Act 2004 (PCPA) and Town and Country Planning (Local Planning) (England) Regulations 2012. In summary, these include:
- a. Public consultation by the LPA on the matters to be covered in the new Local Plan (Regulation 18). This took place between February and April 2024.
 - b. Publication by the LPA of the proposed submission version of the plan, along with an open invitation to submit representations on the soundness of the Plan (Regulations 19 and 20). If approved by full council (23 October 2024), it is proposed that consultation will occur between 4 November – 16 December 2024 ()
 - c. Submission of the plan to the Secretary of State for examination (Regulation 22). It is estimated that this will take place in Spring 2025.
 - d. Independent examination by a planning inspector on behalf of the Secretary of State for Housing, Communities and Local Government (Regulation 24); this involves an assessment against legal and procedural requirements and consideration of the 'soundness' of the plan against four tests, and usually involves a public hearing in which those who have made

representations under Regulation 20 can be invited by the Inspector to participate.

- e. Consultation on Main Modifications recommended by the inspector, alongside an updated Integrated Impact Assessment (IIA).
- f. Publication by the LPA of the Inspector's report (Regulation 25); and,
- g. Assuming the plan is found to be 'sound' by the inspector, adoption of the Plan by the LPA (Regulation 26).

5.2 Once the draft Plan is submitted to the Secretary of State for examination (Regulation 22 / paragraph 5.1b above), the process and timeframes are largely outside the control of the Council.

6.0 Regulation 18 Consultation

6.1 At the meeting on 17 July 2024, the Panel received feedback on the Regulation 18 public consultation exercise conducted between February- April 2024. This was presented in an Initial Report of Consultation and set out in detail how the consultation was conducted and publicised, the methods of engagement used and preliminary feedback on the issues raised/comments received.

6.2 Since the last meeting, officers have fully reviewed all written comments made at the Regulation 18 Consultation Stage. These include a total of 1,094 direct comments made by a range of respondents including statutory bodies, neighbouring authorities, the development industry, local groups, and members of the public.

6.3 All responses have been carefully considered by officers. The key issues raised, together with the suggested Council's responses and resultant changes to the Local Plan (where appropriate) are summarised in the table included as part of the Consultation Statement (Appendix 4). These are broken down in relation to the different parts/chapters of the Local Plan and appendices. The Consultant Statement document essentially follows on from, and expands, the content contained in the Initial Report of Consultation previously considered by the Panel.

Main Issues

6.4 The main issues raised in the written responses replicate to some extent those made in person at events/meetings, conversation cafe and meetings reported above and can be summarised as follows:

Consultation Strategy

- a. Communication strategies not comprehensive, or far-reaching enough
- b. People excluded, e.g. residents who do not use social media or e-mails, or first language not English and those with disabilities

- c. The local plan contains technical jargon, unnecessary detail and is too long
- d. Some concerns about nature of the consultation and events including lack of interpretation for users
- e. Feeling that this was a 'tick box' exercise.

Growth and Spatial Strategy

- f. Most Statutory Consultees / Agents agree with the spatial strategy and directing growth to Opportunity Area
- g. A significant number of local representations disagree stating that growth should be spread more evenly across the borough and concerns around tall buildings, the changing character of the area and a perceived lack of infrastructure to support the amount of housing proposed.

Design and Heritage

- h. General support for design and heritage policies.
- i. Need to consider provision, design, and suitability of new buildings/family homes for people with disabilities, including mobility disabilities and ensure that wider spaces are also accessible and have suitable facilities such as disabled toilets and parking.

Tall Buildings

- j. A significant amount of opposition towards tall buildings in terms of height and their location being concentrated in the Opportunity Area. This has been compounded in light of the Tesco development planning application
- k. Support from housebuilders / agents, for the tall buildings policies although some seek greater maximum appropriate heights.

Housing

- l. The housing chapter has had mixed support. There is significant support for the delivery of more family homes, affordable housing and additional controls on HMOs and flat conversions. There is mixed support for the backland, infill, and small sites policies.
- m. Some comments from house builders raising concern with the Councils ability to meet the housing targets – and where this will be met given the Opportunity Area target (7,500 homes out of a total 16,040 homes for the plan period 2021-2041).
- n. Public representations expressed concern there is too much housing being sought – specifically about knock-on impacts on infrastructure.
- o. A number of agent/developer representations in support of the Large-Scale Purpose-Built Shared Living policies and are seeking to amend policy to be more supportive.

Employment

- p. General support for economic policies with regard to retaining / creating jobs.
- q. Some concern expressed that the one thousand jobs target within the Opportunity Area may not be achievable given the floorspace pressure.

Infrastructure

- r. Several public/non-statutory respondents stated that some forms of infrastructure in the borough were currently lacking and expressed the view that additional housing would place pressure on an already burdened infrastructure system. This has also been raised by stakeholders through the Infrastructure Delivery Plan (IDP) stakeholder engagement meetings.
- s. There is a perceived deficit in some infrastructure forms in the Opportunity Area (health services and schools etc)

Green infrastructure and Climate Change

- t. Significant support shown toward the green infrastructure and climate change policies. There is a strong appetite to protect and enhance greenery, biodiversity, open spaces, and respond to the climate emergency.
- u. There is also some support specifically around the initial proposal for biodiversity net-gain of 20% but conversely some challenges from developers and their representative bodies against the proposal to exceed the Government's minimum 10%

Transport and Movement

- v. There is significant support for the transport and movement policies, particularly increased focus on public transport, active travel, and support for EV charging.
- w. The parking policies have seen mixed responses as some groups advocate for modal shift away from car dominance to active transport, while others believe that reduced parking levels will exacerbate local parking issues.
- x. A local campaign centred around the Harrow Mosque argues for higher parking standards (in excess of the London Plan standards)
- y. The GLA have requested that removal of the 'minimum' parking standards stipulated in the current policy.

7.0 Changes made between Regulation 18 and Regulation 19

- 7.1 All responses made at the Regulation 18 stage have been carefully considered and a number of changes are proposed as a direct result of this. The changes are detailed in the Schedule of Changes (Appendix 2) and Tracked Changes version of the Local Plan (Background papers). The key changes made can be summarised as follows:

Chapter 1- Borough Profile, Spatial Vision, Strategic Objectives

- a. Borough Profile augmented to include greater reference to Harrow's heritage and water assets
- b. Changes to Vision, Strategy Objectives and Spatial Strategy to acknowledge importance of relevant assets and their management, commitment to addressing issues raised including the promotion of sustainable and cohesive communities.

Chapter 2- High Quality Growth

- c. New policy on Inclusive Design to ensure that the built environment can be used safely and with dignity by all regardless of disability, age, gender, sexuality, ethnicity, or economic circumstances
- d. New policy on Basement development to ensure that basement development adhere to relevant design standards
- e. New policy on Safety and Security and Resilience to Emergency to ensure that development and public realm is safe for residents and visitors.

Chapter 3- Historic Environment

- f. Amendments made across Chapter 3 to ensure consistency with heritage legislation and guidance including title change from Heritage to Historic Environment.

Chapter 4: Housing

- g. An updated position of the capacity of potential sources of housing supply against the housing requirement/target; and details of all the proposed housing and other allocations, their capacity, planning/design consideration are included
- h. Amendments in relation to the provision of genuinely affordable housing clarify that different types of products can be provided (including low-cost homeownership) to address the needs of households on a range of incomes; clarification that proposals should provide a minimum of 35% affordable housing to apply the fast-track route in line with London Plan Policy H5
- i. Amendments so that the Plan indicates Build to Rent developments may be appropriate in accessible locations like the District/ Major Town Centres, in addition to Opportunity Area

- j. Amendments clarify the supply of older person homes will be monitored against needs and an updated needs assessment may be undertaken (if necessary)
- k. Updated text notes there may be instances where proposals may not be able to provide two bed housing of an adequate size to accommodate four persons
- l. Amendments included for older person accommodation, require a higher proportion of wheelchair accessible dwellings for products aimed at those aged 65 + and requires multi-functional spaces used by healthcare/ care professionals to be 100% wheelchair accessible in care homes
- m. The amendments made to the Large-Scale Purpose-Built Shared Living (LSPBSL) Policy including; (1) the location where LSPBSL will be supported is within boundary of the Harrow Wealdstone Opportunity Area, which was previously only within the Harrow Metropolitan And Wealdstone District Centres. (2) In relation to the 250m test for assessing the over concentration of LSPBSL, the detailed criteria for assessing appropriate alternated uses for a site has been deleted. (3) in relation to the need for LSPBSL provide public amenities such as restaurant, cafe or leisure facilities, the new text clarifies the suitability of the location will be considered for this
- n. The Gypsy and Traveller (G & T) policy is proposed to provide up to 12 additional traveller pitches between 2022-32, based on the Draft GLA needs assessment. The additional G & T pitch needs are proposed to be accommodated on the existing Council owned site at Watlings Farm, through expansion of its boundary.

Chapter 5: Local Economy

- o. Further clarity has been provided within the supporting text to set out where and how new jobs may be supported, especially where outside of the Harrow & Wealdstone Opportunity Area in other centres and clustered around large employer institutions.

Chapter 6: Community Infrastructure

- p. Clarifying that the matter of Burial Space is an ongoing infrastructure consideration and that a Needs Assessment has been undertaken. Further work will be done to find sites for expansion of Burial Space in line with the needs of the community.
- q. Clarification around the policy requirements for Sport and Recreation development.

Chapter 7: Green Infrastructure

- r. Amendments that further emphasise the consideration for the historic environment.

- s. Clarification around the potential redevelopment of the Royal National Orthopaedic Hospital (RNOH) site and its context as part of the Green Belt.
- t. Amendments made to clarify that ancillary facilities may be an acceptable use on open spaces and signposting to development guidance from statutory authorities.
- u. Amendment of the proposed 20% biodiversity net gain requirement from 20% to 15%
 - v. Prioritisation of kerb space for greening measures.
- w. Signposting to guidance regarding green walls and fire safety.

Chapter 8: Responding to the Climate and Nature Emergency

- x. Enhancement of consideration for the historic environment, particularly with regard to retrofit of buildings.
- y. Amendments made to highlight the challenge of water insecurity and additional requirements that must be met to ensure sustainable consumption and use of water in buildings.
- z. Clarification of expectations relating to foul and surface water flooding, and water contamination

Chapter 9: Managing Waste and Supporting the Circular Economy

- aa. • Introducing a requirement that refuse bins in developments be compatible with council refuse systems to ensure servicing from council collections.

Chapter 10: Transport and Movement

- bb. Highlighted several significant transport infrastructure projects.
- cc. Introduction of the Council's EV planning objectives from the adopted EV Strategy.
- dd. Clarification of parking requirements, particularly with respect to minimum requirements

Chapter 11: Site Allocations

- ee. New chapter arising as a result of the call-for-sites process run in parallel with the Regulation 18 consultation and site selection process. It includes all of the site allocations that will contribute to meeting the plan's strategic/ spatial objectives. It includes site allocations for a range of development proposals including housing, industrial, commercial and Gypsies and Travellers. A series of templates are included for each site setting out the type and mix of development proposed, any planning constraints, design considerations and delivery timeframes.

8.0 Call for Sites/Site Allocations selection process

- 8.1 As part of the plan-making process, authorities are required to undertake an assessment of land availability that identifies a future supply of land which is suitable (in terms of location, policy and

constraints), available (in terms of land ownership, timing and phasing), and achievable (in terms of infrastructure requirements and viability) for housing and economic development uses over the plan period. As part of this, the Council undertook a 'Call for Sites' exercise alongside the Regulation 18 consultation.

- 8.2 The call for sites process invited landowners, developers, and other stakeholders to put forward any large sites (over 0.25 ha) that could potentially be considered for allocation for development in the new Harrow Local Plan. A total of forty-one sites were submitted for consideration to the Council (including nine sites taken forward/confirmed from a previous exercise in 2023). These have been reviewed by officers and assessed against their suitability, availability, and achievability as part of a systematic approach to see if they can be allocated for development in due course. The methodology used to assess the sites and the site assessments will be formally set out as part of the evidence base accompanying the consultation in November and December 2024. This will include details of several sites put forward that were not considered suitable for reasons relating to significant policy constraints including development in the Green Belt/Open Space.
- 8.3 Site allocations are important in demonstrating how the Council will meet a range of development needs in future. It is crucial that sufficient sites/capacity can be identified to meet these needs in order for the plan to meet the 'tests of soundness' when assessed by an Independent Inspector at the examination in public (EiP).
- 8.4 Specifically in relation to housing, the supply from identified sites form part of the overall supply to meet the London Plan-derived targets up to 2041. Based on sites under construction, with permission or existing allocations –where carried forward into the new plan, the Regulation 18 version of the Plan identified a potential shortfall of around 1,200 homes towards the latter part of the plan period. The proposed site allocations in the draft Regulation 19 have addressed this shortfall.
- 8.5 On the basis of sites (and associated capacities) allocated in the draft Regulation 19 Local Plan (Chapter 11), taken together with the other forms of supply (sites under construction, with permission or existing allocations carried forward), a revised housing trajectory has now been prepared. This shows that circa 17,000 homes can be delivered over the Plan period. This includes an added buffer of circa 1,000 units/6% above the London Plan-based target of 16,040. The inclusion of a buffer is essential as this will help ensure that housing targets can still be met if some sites are not taken forward following the examination stage and/or if some sites are not implemented over the plan period for any reason.

9.0 Evidence base

- 9.1 Since the last panel meeting, further work has been undertaken to complete relevant evidence base and other supporting documents that help inform the Local Plan. These include:
- a. **Views Assessment:** a review of the original Harrow Views Assessment to assess whether original local views and vistas continue to be worthy of protection across the new plan period. The original views remain unchanged.
 - b. **Whole Plan Viability Assessment:** an assessment to in order to ensure that development as anticipated in the Draft Local Plan is deliverable, as in line with the National Planning Policy Framework (NPPF). This is both in relation to emerging policies and site allocations/development viability. This found that there are no overriding viability issues in delivering draft Regulation 19 plan.
 - c. **Transport data:** the Council has worked with the GLA/TfL to explore transport network issues in Harrow in relation to planned growth/ improvements over the plan period, including public transport and active travel measures.
 - d. **Strategic Flood Risk Assessment (Level 2):** in relation to the emerging site allocations, an assessment to assess, and help mitigate, against flood risk. This follows on from the Level 1 work previously conducted by Harrow in conjunction with other West London authorities at a strategic level. The site-specific Level 2 assessment concludes that there are no significant flood risk impediments in bringing forward identified site allocations.
 - e. **Infrastructure Delivery Plan (part 2):** this builds on earlier work to consider the levels of infrastructure (education, healthcare, transport etc) that may be needed to support development and population growth in the borough over the plan period, with a more specific emphasis on emerging site allocations. Part 1 was considered by the Panel at its meeting on 18 September 2023. The Part 2 study concludes that the provision of health (GP provision) was the most pressing infrastructure issue that will need to be addressed as part of bringing forward new development.
 - f. **Housing delivery:** ongoing monitoring of housing developments, especially on small sites, to provide an up-to-date housing trajectory and five- year land supply. The Council's 'Authorities Monitoring Report' (AMR) that monitors the performance of the current Local Plan will be updated as it forms part of the evidence base that justifies policies in the draft plan.
 - g. **Burial space:** sets out where provision is currently provided and what future need is likely to be, broken down by different faith

groups. This will include a strategy to identify how and where any future provision may take place. An interim report has now been completed that identifies specific needs. Further work is being undertaken to identify potential sites both within the borough and beyond in conjunction with neighbouring authorities.

- h. **Integrated Impact Assessment (IIA):** following on from the interim study published at draft Regulation 18 stage, this is an assessment of the Regulation 19 Plan having regard to sustainability ('sustainability appraisal'), equalities ('equalities impact assessment') and health impacts ('health impact assessment'). An accompanying Habitats Regulations Assessment (HRA) has also been prepared. The IIA has independently assessed and has helped refine all policies (including changes) and emerging site allocations against a range of impacts. The outcomes of these assessments will be presented to Cabinet and Full Council.

- 9.2 The final evidence base will be compiled and will form part of the documents submitted for examination, as it is a key element of the tests of soundness for the Plan (i.e. is the 'justified' having regard to proportionate evidence).

10.0 Regulation 19 stage version of draft Plan

- 10.1 The draft plan attached at Appendix 1 to this report is the Regulation 19 Local Plan, i.e. this is the version of the Plan which (subject to any non-substantive amendments, e.g. typographical and referencing errors, considered necessary) will be published for a period of six weeks to allow stakeholders to submit representations on the soundness of the Plan and, at the end of that period following consideration of submissions, submitted to the Secretary of State to be examined.
- 10.2 The statutory six-week period provides an opportunity for members of the public, consultation bodies and other stakeholders to submit comments on the soundness and legal compliance of the Regulation 19 Local Plan. If stakeholders want to be involved in the Examination of the Plan, they will need to submit comments at this stage, focusing on legal compliance and tests of soundness. Plans are 'sound' if they are positively prepared, justified, effective and consistent with national policy. In London, the Plan also needs to be in general conformity with the London Plan. Representations received by the LPA will be included with the supporting documents submitted with the Regulation 19 Local Plan to the Secretary of State.
- 10.3 It is important to note that Section 20(2) of the PCPA states that the LPA must not submit the plan unless they think it is ready for independent examination. Recent ministerial advice also reinforces this and states that authorities should not submit deficient plans

believing that Inspectors will use significant time and resource during examinations to 'fix' them. It also sets out the government's expectation that Inspectors will apply pragmatism to examinations only where it is likely that a plan is capable of being found sound with limited additional work, and that any pauses to an examination timetable should usually take no more than six months overall.

- 10.4 The plan that is published for consultation at Regulation 19 stage should therefore be the plan that the LPA intends to submit to the Planning Inspectorate for examination and ultimately the one (subject to any modifications recommended by the Inspector) they wish to see adopted.
- 10.5 Local Plans must undergo examination by an independent planning Inspector. The Inspector is tasked with establishing whether the draft Local Plan is legally compliant and 'sound.'

11.0 Next stages in Plan making process

- 11.1 The draft plan is scheduled to be consider by the Planning Policy Advisory Panel (8 October 2024), Overview and Scrutiny Committee (9 October 2024), Cabinet (15 October 2024) and full Council (23 October 2024); this chain of approvals is necessary given the draft Local Plan forms part of the overall 'policy framework' of the Council.
- 11.2 If approved for consultation, it is proposed that the plan will be consulted on from 4 November to 16 December 2024. Following consultation, the plan will be revised (within the parameters set out in paragraph 10.3 above) and represented to the Planning Policy Advisory Panel, Overview and Scrutiny Committee, Cabinet, and full Council. If agreed, the plan will then submit to Government for examination. Regulation twenty-two prescribes that the following documents must be submitted along with the plan for examination:
 - a. The sustainability appraisal report (or IIA);
 - b. A submission policies map;
 - c. A statement setting out: who was invited to make representations on the plan at Regulation 18 consultation stage, how those representations were invited, a summary of the main issues raised, and how the representations were taken into account; and the number of representations made under Regulation 20 (in response to consultation at Regulation 19 stage) and a summary of the main issues raised;
 - d. Copies of all representations made under Regulation 20 (in response to consultation at Regulation 19 stage); and
 - e. Such supporting documents which the LPA considers are relevant to the preparation of the plan (these will include the evidence base).
- 11.3 As part of the Examination in Public (EIP) process the LPA can ask the inspector to recommend main modifications to the plan where

necessary to make the plan sound and legally compliant. The EIP is a rigorous process, and it is highly likely that the Inspector will find that some modifications are required. This is entirely normal and adds to the robustness to the Plan. A Local Plan must be found 'sound' by the Inspector in order for it to be formally adopted.

- 11.4 The inspector will be asked to recommend such modifications as part of examination of this Local Plan. The Inspector agrees the text of the proposed main modifications with the LPA, based in most cases on discussion at the hearing sessions. The LPA is then required to undertake sustainability appraisal as necessary and public consultation (minimum six weeks) on the proposed main modifications. The Inspector considers any representations on the main modifications as part of the examination.
- 11.5 Future reports to Council (after consultation and prior to submission) will seek authorisation for Strategic Director of Housing and Regeneration to take all steps necessary to comply with the legislative requirements and best practice during the process of preparation and adoption of the Local Plan. This includes being able to prepare and submit reports, technical papers, matter statements, statements of common ground, a schedule of modifications and other such documents required as part of the examination process. Any modifications proposed and accepted by the inspector would be consulted on as part of the main modifications.
- 11.6 At the end of the examination the Inspector produces a report for the LPA setting out recommendation(s) and the reasons for them. The LPA must publish this report. The report is not binding on the LPA, but the LPA may not adopt an unsound plan.
- 11.7 The legislation allows for three possible outcomes to the examination:
 - a. The Inspector finds that the plan is sound and legally compliant as submitted: in these circumstances the Inspector must recommend that the plan is adopted;
 - b. The Inspector finds that the plan is unsound and/or legally noncompliant as submitted, but that it is possible to make it sound and legally compliant by making 'main modifications' to it. In these circumstances the Inspector must recommend the necessary modifications, if requested to do so by the LPA. The modifications must relate directly to the reasons why the Inspector has found the plan unsound or legally non-compliant; and, or
 - c. The Inspector finds the plan unsound and/or legally non-compliant as submitted, and that it is not possible to make it sound and legally compliant by making modifications to it.

12.0 Draft NPPF 2024

12.1 The new Government's revised NPPF was published on the 30 July 2024. The consultation runs until the 24 September 2024 (8 weeks). Further details of the consultation, including a tracked change version of the current 2023 NPPF, can be found at:

[Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

12.2 According to the consultation, amending the planning framework, and ensuring universal, ambitious local plan coverage are vital to deliver the Government's commitments to achieve economic growth and build 1.5 million new homes. The Government has indicated that it will respond to this consultation and publish NPPF revisions before the end of the year, so that policy changes can take effect as soon as possible. The draft proposals could have a significant impact on the progress of the draft Harrow Local Plan and therefore the key changes and potential implications for Harrow are set out below:

Housing Supply and Mandatory Housing Targets

12.3 The draft NPPF, at new paragraph 62, directs that strategic policies should be informed by a local housing need assessment conducted using the government's standard method. The changes propose to remove reference to the method being 'an advisory starting point.' The proposed new method would result in a lower need figure for London (reduction by 20% overall) but would increase targets across all other regions relative to the existing standard method.

12.4 The proposed housing target in the draft Harrow Local Plan is currently based on the London Plan's requirement of 802 homes per year between 2019 and 2029; extrapolated to 2041 (as required by the London Plan); this equates to 16,040 homes between 2021-2041. The Mayor for London chose not to use the existing standard method in the current London Plan, which for Harrow would have equated to 2,420 dwellings per annum. The proposed standard method referred to in the draft NPPF 2024, would give Harrow a housing target of 2,137 per annum. These figures are summarised in the table below:

LB Harrow	Current London Plan	Existing Standard Method	Proposed Standard Method
Per annum	802	2,420	2,137
20 Year period equivalent (2021-2041)	16,040	48,400	42,740

12.5 It is understood that the Mayor of London is minded to accept the proposed standard methodology as the basis of determining housing need across London (rather than adopting the current London Plan method that historically has resulted in a lower level of housing need

across London). Applying either of the standard methods would result in a significant increase in housing requirement for Harrow (up to three times the current London Plan target).

- 12.6 Clearly it would not be possible to accommodate anything approaching the standard method figure in Harrow within the urban area/brownfield sites. It is understood that the Mayor, in revising the current London Plan will continue the historic approach of apportioning housing need to individual boroughs based on capacity, but given likely increase in overall housing need, how London approaches identifying sufficient capacity will require a significant re-think from historic approaches. This could include review/s of the Green Belt, including identifying potential 'Grey Belt' sites as well. If this responsibility fell on individual boroughs in the short-term, this would also have a significant knock-on effect in terms of timing for progressing the New Local Plan, with new studies and new site selection processes needing to be completed.
- 12.7 However, the transitional arrangements set out in Annex 1 to the draft NPPF states that where there is a Spatial Development Strategy (SDS) in place, and where this is less than five years old, this sets the housing requirement (footnote 84). It is understood that the London Plan would fall under this category and so Harrow's New Local Plan will be considered under the current NPPF, and so the current 802 dwellings per annum target figure would continue to apply (subject to the timeframes set out below).
- 12.8 Longer-term there would remain the question of the extent to which the current London Plan's 10-year targets (2019-2029) would endure beyond 2029, and extent to which Harrow could continue to 'extrapolate' beyond 2029, to mirror the approach taken in the current Harrow New Local Plan.
- 12.9 A review of the London Plan has now commenced, with a revised plan scheduled to be adopted in 2027. Given the likely proposed changes to the NPPF, as noted above, the Mayor of London will most likely be expected to work to the 80,693-p.a. housing need figure for London using the new methodology, or subsequent figure as per the new standard method. This is much higher than the 52,287 planned for under the current London Plan.
- 12.10 A new set of new housing targets for London LPAs are likely to emerge in 2026. It is understood that apportionment of future London Plan targets to individual boroughs is planned to be aligned with the spatial strategy and capacity of individual planning authorities, rather than where the need arises or national local housing need figures. Whilst this is consistent with all previous London Plans, it is more likely than not that Harrow's housing target beyond 2028/29 is likely to be higher than the current target of 802 per annum.
- 12.11 In the meantime the approach as taken in the Harrow Regulation 19 Local Plan to roll over the current London Plan target beyond 2028/29

and to continue to take proactive measures to increase housing supply is one that is encouraged by the GLA. However, this approach could be complicated should potential housing targets emerge from the GLA ahead of any formal draft new London Plan.

- 12.12 The transitional arrangements also mean that those plans that have reached Regulation 19 publication stage but have not yet been submitted for examination one month after the revised framework is published, with a gap of no more than 200 homes per annum between the LPAs' revised LHN figure and its proposed housing requirement, should also progress to examination under the version of the NPPF the authority has used when preparing the plan thus far.
- 12.13 However, those with a more significant gap of over two hundred homes per annum between the two figures will need to revise their plan in line with the revised NPPF before submitting the plan for examination no more than 18 months after the publication of the revised NPPF. Where this requires LPAs to undertake unforeseen additional work and reopen engagement with communities, the government will provide direct funding support to help these authorities progress their plans to examination quickly.
- 12.14 As set out in the draft Regulation 19 Plan, the housing supply identified for Harrow it mean that the housing target based on the current London Plan of 802pa (16040 by 2041) can be met, and indeed potentially exceeded, through an added buffer of circa 1,000 dwellings /6%, On this basis, provided Regulation 19 stage can be reached within one month of publication of the final NPPF (the government has indicated that the finalised NPPF will be published by the end of 2024, and Harrow's Regulation 19 publication stage is due to take effect from November 2024) then Harrow should be able to continue to progress the Plan under the current NPPF regime.
- 12.15 It should however be noted that the transitional provisions within the draft NPPF are poorly drafted and unclear. Furthermore, the interaction of the proposed transitional arrangements with the London Plan is also unclear, given the plan will be considered out-of-date post March-2026 and only sets formal targets for Harrow to 2028/29. Therefore there remains a high risk that despite seeking to proceed to Regulation 19 in a timely manner, that Council does not benefit from the transitional arrangements in the draft NPPF or that any emerging new London Plan complicates the housing requirement position for the new Harrow Local Plan, with either potentially necessitating a significant revision of the draft Local Plan.

Green Belt Reviews

- 12.15 The draft NPPF says LPAs should undertake a green belt review where they are unable to meet housing, commercial or other needs without altering green belt boundaries. In these circumstances, authorities should review green belt boundaries and propose alterations to meet these needs in full, unless the review provides

clear evidence that such alterations would fundamentally undermine the function of the green belt across the area of the plan as a whole.”

- 12.16 The draft introduces the concept of ‘grey belt’ land within the green belt. It defines this in the glossary of the NPPF as ‘land in the green belt comprising previously developed land and any other parcels and/or areas of green belt land that make a limited contribution to the five green belt purposes.’
- 12.17 Under this approach, outlined in additional wording in new paragraph 144, councils would give first consideration to previously developed land within the green belt, before moving on to other grey belt sites, and finally to higher performing green belt sites where these can be made sustainable.
- 12.18 A set of ‘golden rules’ would be applied to major development on land released from the green belt including:
- a. at least 50 per cent affordable housing, with an appropriate proportion being social rent, subject to viability;
 - b. necessary improvements to local or national infrastructure,
 - c. the provision of new, or improvements to existing, local green spaces that are accessible to the public.
- 12.19 It is unclear at this stage about how Green Belt reviews (and identification of Grey belt land) will be defined, who will carry these out (at strategic-i.e. pan London- or locally) and how this would affect London authorities.

Transitional Arrangements

- 12.20 It is evident from above that missing the milestone of reaching Regulation 19 (pre-submission consultation) stage within one month of the NPPF being published, would effectively mean the plan-making process would have to start again to comply with the new requirements in the revised NPPF. This would include complying with the significantly higher housing figures from the standard methodology and any necessary green and grey belt reviews to find additional land for housing. Furthermore, even if the deadline is met, any gap greater than two hundred dwellings per annum between the draft Harrow Local Plan annual housing provision and that of any emerging London Plan target could also risk the draft Harrow Local Plan having to proceed under the new NPPF (with associated re-working).
- 12.21 This would result in a significant delay that could also potentially mean that the Local Plan would have to be comply with the new style plan making system development. The new plan-making system pursuant to the Levelling Up and Regeneration Act 2023 is now likely to come into effect from the summer/autumn 2025. Any plans prepared under the existing system would now have to be submitted for examination by no later than December 2026. Any delay in adoption of an up-to-date local plan for Harrow will have risk and implications in terms of dealing with speculative applications for development in the future.

- 12.22 It is therefore imperative for these reasons that the new Harrow Plan progresses as planned towards the Regulation 19 stage without any delay.

13.0 Next steps

- 13.1 As noted in previous reports, the Council has appointed Kings Counsel (Saira Kabir Sheikh KC) to assist the Council during the Local Plan process. An initial conference focused on key parameters influencing the Local Plan process. A second conference provided feedback on the emerging Local Plan policies and the Regulation 18 version of the policies / Draft Local Plan were updated to reflect feedback from Kings Counsel. A third more recent conference focussed on matters related to taking the plan forward to Regulation 19 stage. A fourth conference focussed in the implications of the draft NPPF 2024. The latest conference (13 September 2024) considered the final draft version of the Regulation 19 document, including policy changes that had been made since Regulation 18. It also highlighted the uncertainty and potential issues with the transitional provisions in the draft NPPF (section 12 above). A further conference is scheduled for 4 October 2024). On-going advice will continue to be received from our KC as the local plan progresses through to the next stages.
- 13.2 Also as noted at previous meetings, there was some slippage in relation to the original LDS milestones (by approximately five months) due to difficulties recruiting policy planners staffing shortages at that time. Recruitment of officers has recovered some slippage but the pending departure of officers for personal / professional reasons and the need to replace these will put pressure on and add risk to the ability to meet the target adoption date by the end of 2025. The remaining key stages of the plan and anticipated milestone dates are as follows:
- a. Reg 19 Consultation: November- December 2024
 - b. Reg 22 Submission: April / May 2025
 - c. Examination/Hearings/Modifications: March- November 2025
 - d. Reg 26: Adoption: December 2025.
- 13.3 The LDS will be updated in due course if necessary to reflect actual timeframes closer towards submission of the draft Local Plan to Government for examination.
- 13.4 As the draft Local Plan progresses through the formal process, greater weight can be given to the draft policies when determining planning applications [NPPF paragraph 48 (a)]. In this regard, the draft Plan has undergone an initial round of consultation, and so some limited weight can be given to the draft policies at this point in time.
- 13.5 The precise level of weight that can be attributed to each policy will be determined according to the level of objection to the draft policies

[para. 48(b)] and the degree of consistency with the NPPF and general conformity with the London Plan [para 48(c)]. It will be recommended to Cabinet and Full Council that the Regulation 19 Version of the Local Plan is used for development management purposes and determining planning applications, with appropriate weight given in accordance with paragraph 48 of the National Planning Policy Framework.

13.6 As noted above, the timetable for agreeing the revised draft plan for the second round of consultation will include presentation of the Regulation 19 Local Plan to the following meetings ahead of the start of the Regulation 19 public consultation:

- Planning Policy Advisory Panel – 8 October 2024
- Overview and Scrutiny Committee 9 October 2024
- Cabinet – 15 October 2024
- Council – 23 October 2024
- Regulation 19 Public Consultation (provisionally 4 November 2024 – 16 December 2024).

14.0 Regulation 19 Consultation Arrangements

14.1 The consultation is scheduled to take place over a six-week period between 4 November and 16 December

14.2 The minimum requirements set by Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 for the next stage of producing a Draft Harrow New Local Plan are that the Local Planning Authority (i.e. the Council) must:

- a. make a copy of each of the proposed submission documents (i.e. the Regulation 19 document and all supporting documentation) and a statement of the representations procedure (i.e. how to make representations) available in accordance with regulation 35 (i.e. make the documents available for inspection at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours, and publish these on the local planning authority's website).
- b. ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies (i.e. to local people/groups with an interest in the area) and each of the specific consultation bodies (i.e. to statutory bodies) invited to make representations under regulation 18(1).

14.3 The consultation must run for a minimum of six weeks. At this point, the Council will also seek a certificate of conformity with the London Plan from the Mayor (Regulation 21).

- 14.4 Regulation 19 is effectively the public's final opportunity to send in feedback on Harrow's draft new local plan, as this updated version is effectively the version of the plan that the Council would like to see adopted (following the relevant independent examination process). Responses at this stage should be confined to if the plan passes the legal tests and is sound. The tests of soundness include:
- a. **Positively prepared** - providing a strategy which, as a minimum, seeks 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** - an appropriate strategy, taking into account the reasonable alternatives, and is based on proportionate evidence
 - c. **Effective** - deliverable over the plan period and is 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
 - d. **Consistent with national policy** - enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of [national planning policy](#), where relevant. [The London Plan](#) is an integral part of the statutory development plan for the Local Planning authority in Harrow. Harrow's Local Plan must be in "general conformity" with it.
- 14.5 In terms of legal compliance, the Local Planning Authority is required to comply with relevant legislation relating to plan-making including consultation with the statutory environment consultation bodies, undertaking 'Duty to Cooperate' activities and collecting appropriate baseline information etc.

Methods of Engagement

- 14.6 The following methods are proposed to engage with the local community and stakeholders during the Regulation 19 consultation:
- a. On-line engagement platform
 - b. Public Exhibitions
 - c. Webinar
 - d. Newspaper Adverts
 - e. Media Updates
- 14.7 The consultation is likely to generate significant interest particularly in relation to the site allocations which are being presented to the public for the first time. However, the regulations dictate that this is a more formal type of consultation with responses needing to be framed around the tests of soundness set out above. As such, it is proposed that as part of the consultation detailed guidance will be provided to assist those wishing to respond.

14.8 Further details of the consultation exercise will be made available to members once the detailed programme has been drafted.

Ward Councillors' comments: None- as affects all wards.

Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **Yes**

The relevant risks contained in the register are attached/summarised below.
Yes

The following key risks should be considered when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Programme – slippage in the Local Plan programme and potential risk of missing Government's December 2026 deadline for submission	<ul style="list-style-type: none"> ▪ Weekly programme management meetings ▪ Replacement resources to be secured 	Amber
Consultation arrangements – these do not comply with statutory requirements	<ul style="list-style-type: none"> ▪ Statement of Community Involvement updated ▪ Detailed consultation arrangements scoped and documented. ▪ Legal / Counsel review of process (prior to Cabinet) 	Green
Draft policies for example relating to car parking and housing targets are not in general conformity with the London Plan resulting in objections from the Mayor	<ul style="list-style-type: none"> ▪ Ongoing discussions with Greater London Authority (GLA) officers ▪ Counsel review of draft policies (prior to Cabinet) ▪ Policies amended where appropriate to respond to GLA comments received during first round of consultation. 	Green
Draft policies as above not consistent with national policy, including recent and proposed changes to the NPPF etc.	<ul style="list-style-type: none"> ▪ Ongoing monitoring of emerging / published Government policies ▪ Assessment of implications of recent Government policy announcements / publications. ▪ Counsel review of draft policies (prior to Cabinet) 	Green
Harrow is unable to meet new housing targets as set by the finalised NPPF and/or targets subsequently set by the	<ul style="list-style-type: none"> • Ongoing monitoring of emerging / published Government policies 	Amber

Risk Description	Mitigations	RAG Status
<p>Mayor of London in any new London Plan, necessitating significant revision of Harrow's Local Plan, including the potential future development of grey and green belt sites</p>	<ul style="list-style-type: none"> • Assessment of implications of recent Government policy announcements / publications • On-going discussions with GLA officers 	
<p>Risk of missing the transitional NPPF 2024 deadline of reaching Reg 19 stage within one month of publication.</p>	<ul style="list-style-type: none"> • Ensuring Plan reaches Reg 19 stage by November 2024 as set out in this report. However, as noted above, this may not be sufficient given lack of clarity in the draft transitional arrangements and any potential changes prior to final publication. Ongoing KC advice on this matter to attempt to mitigate this risk • London Plan (being part of the Council's development plan) and contains housing targets that the Council needs to be in general conformity with; this should mitigate any short-term risk of changes to the NPPF impacting upon the process of preparing the new Plan. However as noted above, the forthcoming new London Plan and any emerging targets for Harrow could impact upon the Council's ability to continue under the current NPPF. Ongoing discussions with the GLA to attempt to mitigate this risk. 	<p>Amber</p>
<p>There is significant resident opposition to the draft Local Plan at the Regulation 19 stage</p>	<ul style="list-style-type: none"> • The Plan has been amended to reflect the previous round of consultation • We have provided a buffer of some 5% in respect of housing targets to provide flexibility in respect of sites taken forward to submission +i 	<p>Amber</p>

Risk Description	Mitigations	RAG Status
The Local Plan is not approved by the independent Planning Inspector prior to being approved by the Secretary of State for Housing, Communities and Local Government	<ul style="list-style-type: none"> <li data-bbox="692 163 1091 264">• We have specifically targeted the test of soundness on the NPPF <li data-bbox="692 271 1091 331">• On-going King's Counsel input and support 	Green

Procurement Implications

None – report for information and discussion only. Any procurement associated with the draft Local Plan has been undertaken in accordance with the Council’s Contract Procedure Rules and have been below the value threshold for consideration by Cabinet.

Legal Implications

The Planning and Compulsory Purchase 2004 (as amended) (“the 2004 Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (“the 2012 Regulations”) set out the requirements and the statutory procedure for the preparation of a Local Plan.

The draft Local Plan has been prepared in line with relevant legislation as set out in the body of the report. The proposed consultation and subsequent submission of the Regulation 19 Local Plan for examination will be conducted in accordance with Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In the event of the Local Plan being adopted by the Council, the Local Plan will (combined with the London Plan) become the statutory development plan for the Borough of Harrow.

The approval of proposals for public consultation in connection with the production, alteration or withdrawal of development plan documents which includes the Local Plan is a matter reserved to full Council in accordance with the Council’s Constitution

Financial Implications

Preparation of a Local Plan is a significant undertaking, requiring resourcing for officers and revenue budget to undertake evidence base work, consultation, document production and independent examination. The resourcing is required to ensure the draft Plan is found sound as it is based on an evidence base of appropriate coverage and quality, all statutory requirements have been met (preparation of sustainability appraisals etc) and can be undertaken in a timely manner.

The estimated cost of the Local plan for 2024/25 is £495k and two growth budget bids totalling £297k are included within the Medium-Term Financial

Strategy (MTFS) to fund this along with other sources of funding outlined in Table 1 below.

Table 1

Additional costs	23/24 (£)	24/25 (£)	25/26 (£)	Total (23/24-25/26) (£)
Evidence base / consultancy	212,500	177,500	30,000	420,000
Production / consultation / examination	50,000	40,000	295,000	385,000
Additional officer resource	137,000	278,000	105,000	520,000
Total	399,500	495,500	430,000	1,325,000
Funding sources	23/24 (£)	24/25 (£)	25/26 (£)	Total (23/24-25/26) (£)
MTFS growth funding bids (22/23 and 23/24)	206,000	297,000	377,000	880,000
Grant funding received	105,000	98,739	0	203,739
Existing revenue budget (consultancy)	25,000	25,000	25,000	75,000
Internal planning resource or further growth-bid	63,500	74,761	28,000	166,261
Total	399,500	495,500	430,000	1,325,000

The budget position for the Local Plan is monitored on an ongoing basis, particularly with respect to internal resources available to support the base budget for the wider Planning Policy Team (separate to the costs / resources in the table above). Any shortfall for 25/26, as well as potential additional costs arising from the draft NPPF will need to be mitigated through a MTFS growth bid as part of the annual budget cycle.

There is a risk of planning applications being submitted which do not accord with the adopted Local Plan and such applications progressing to planning appeals. These appeals have a financial cost to the authority, including potential award of costs to appellants.

Costs and funding will continue to be monitored as part of the ongoing budget monitoring process for the Planning Service and any significant variances identified along with mitigation measures to ensure a balanced budget position.

Equalities implications / Public Sector Equality Duty

None – report for information and discussion only. Equalities Impact Assessment (EqIA) process will be fully covered in report to Cabinet.

The Equality Act 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- a) Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The broad purpose of this duty is to integrate considerations of equality into day-to-day business and keep them under review in decision making, the design policies and the delivery of services.

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex, and sexual orientation.

The preparation of the Local Plan is being informed by an Integrated Impact Assessment which includes an Equalities Impact Assessment.

A separate EqIA has been prepared to accompany this report to fulfil the Council's obligations under the Act with respect to any decisions relating to the Council's policy framework (which includes the Local Plan).

The proposed second round of consultation on the revised draft local plan will allow stakeholder/resident views on the content of the document and any likely adverse impacts of policies and proposals on equality groups to be identified and carefully considered prior to the submission of the plan to the Secretary of State for examination. In this regard, feedback received at the first round of consultation (Regulation 18) stage has for example highlighted the need for further detail on gender inclusive design and travel considerations to be included in the plan and this will be addressed as part of the Regulation 19 version.

The proposed submission version of the plan (at Regulation 19 stage) will be supported by an updated IIA (incorporating EqIA). Consultation arrangements will consider how to best engage with stakeholders having regard to the protected characteristics.

An EqIA specific to the decision of Cabinet / Council's consideration of the draft Local Plan will also accompany reports to those bodies.

Council Priorities

Please identify how the decision sought delivers this priority.

- 1. Putting residents first.**
- 2. A Borough that is Clean and Safe**
- 3. A Place where those in need are supported.**

The wide-ranging nature of the spatial plan means that the new Local Plan will contribute to all the delivery of these priorities as well as the objective of Restoring Pride in Harrow.

Section 3 - Statutory Officer Clearance

Statutory Officer: Archa Campbell

Signed on behalf of the Chief Financial Officer (by email)

Date: 19 September 2024

Statutory Officer: Chileme Hayes

Signed on behalf of the Monitoring Officer (by email)

Date: 23 September 2024

Head of Procurement: Nimesh Mehta

Signed by the Head of Procurement

Date: 19 September 2024

Chief Officer: Viv Evans

Signed by Chief Planning Officer

Date: 27 September 2024

Strategic Director: Emma Talbot

Signed by Acting Strategic Director of Housing and Regeneration

Date: 26 September 2024

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqIA conducted: Yes, as part of Integrated Impact Assessment (IIA). Additional EqIA to be prepared to accompany the report to Cabinet / Council. See equalities section above.

If 'NO' state, why an EqIA is not required for Cabinet to take a decision

EqIA cleared by: N/A

Section 4 - Contact Details and Background Papers

Contact: David Hughes, Head of Planning Policy,
david.hughes@harrow.gov.uk

Background Papers:

Adoption of revised Local Development Scheme (LDS) – Cabinet – 16 February 2023 (item 109) - [Agenda for Cabinet on Thursday 16 February 2023, 6.30 pm – London Borough of Harrow](#)

New Harrow Local Plan – Way Forward and Strategic Objective – Planning Policy Advisory Panel – 6 March 2023 (item 33) - [Agenda for Planning Policy Advisory Panel on Monday 6 March 2023, 6.30 pm – London Borough of Harrow](#)

Statement of Community Involvement – Planning Policy Advisory Panel – 13 July 2023 (item 50) - [Agenda for Planning Policy Advisory Panel on Thursday 13 July 2023, 6.30 pm – London Borough of Harrow](#)

Draft Infrastructure Delivery Plan (IDP) Context Report – Planning Policy Advisory Panel – 18 September 2023 (item 58) - [Agenda for Planning Policy Advisory Panel on Monday 18 September 2023, 6.30 pm – London Borough of Harrow](#)

New Harrow Local Plan – draft Spatial Vision and Objectives – Planning Policy Advisory Panel – 2 November 2023 (item 66) - [Agenda for Planning Policy Advisory Panel on Thursday 2 November 2023, 6.30 pm – London Borough of Harrow](#)

New Harrow Local Plan (full Regulation 18 version)- Planning Policy Advisory Panel - 22 January 2024 (item 69) – [Agenda for the Planning Policy Advisory Panel on Monday 22 January 2024, 6.30pm- London Borough of Harrow](#)

New Harrow Local Plan – Planning Policy Advisory Panel – 17 July 2024 (item 80) - [Agenda for Planning Policy Advisory Panel on Wednesday 17 July 2024, 6.30 pm – London Borough of Harrow](#)

New Harrow Local Plan – approval to consult (Regulation 19 version) – Cabinet 15 February 2024 (item 272) - [Agenda for Cabinet on Thursday 15 February 2024, 6.30 pm – London Borough of Harrow](#)

Current Harrow Local Plan: https://www.harrow.gov.uk/planning-developments#id-local_plan

London Plan (regional spatial strategy) 2021:
https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

National Planning Policy Framework (NPPF) (December 2023) -
https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf

Planning policy for traveller sites (19 December 2023):
https://assets.publishing.service.gov.uk/media/658198bb23b70a000d234c03/Final_planning_and_travellers_policy.pdf

Written Ministerial Statement – ‘Planning – Local Energy Efficiency Standards Update’ (13 December 2023): [Written statements - Written questions, answers and statements - UK Parliament](#)

[Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](#)

[Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](#)

Track changes version of Draft New Harrow Plan (showing changes between Regulations 18 and 19 versions)