

# **REPORT FOR: Planning Committee**

---

**Date of Meeting:** 14 December 2011

**Subject:** **INFORMATION REPORT -  
Consultation on Draft Local  
Development Order North  
Harrow**

**Responsible Officer:** Stephen Kelly, Divisional Director of  
Planning Services

**Exempt:** No

**Enclosures:** Appendix A  
Draft Local Development Order for  
North Harrow District Shopping Centre

Appendix B.  
Statement of Reasons for the Local  
Development Order

Appendix C.  
Area Map for Local Development Order

## **Section 1 – Summary**

This report sets out the background information and rationale for the draft local development order for North Harrow District Shopping Centre.

Members asked to note the content of this report.

**FOR INFORMATION**

## **Section 2 – Report**

### **Introduction**

North Harrow District Shopping Centre has been identified as a priority area for action to reduce vacancy rates within the District Shopping Centre.

The Council is already beginning to work with local traders supported by the Outer London Fund.

The regeneration of North Harrow District Shopping Centre will make a contribution to the Borough's corporate priorities by supporting our local shopping centres and businesses

### **Background**

Following the closure of the Safeway supermarket in North Harrow in 2003, the area has been affected by a significant decrease in footfall, as a result of which businesses have closed and North Harrow as a shopping centre has declined.

In November 2010 an initial partnership meeting was held with ward councillors, residents, and businesses, to discuss the future of North Harrow as a shopping centre.

A survey undertaken by the Council in June 2011 revealed that total percentage vacant frontage within North Harrow District Shopping Centre is 20.28% which is more than double the next highest rate in the other District shopping centres in the Borough.

### **Current situation**

The Council's aim is to break the cycle of decreasing footfall and business closures in North Harrow.

The need for planning permission is often regarded as a barrier to new business start-ups. Equally, the perceived inflexibility, cost, and time (2 months) usually required to enable occupancy can be perceived to undermine the pace of delivery and change.

Reducing the time taken to enable occupancy of existing vacant units will help to secure the early delivery of new businesses and activities into North Harrow District

To support the work of the newly created North Harrow partnership it is envisaged that the creation of a LDO will encourage businesses to relocate to this area in the knowledge that the process for obtaining consent for uses specified in the LDO will be removed, thereby providing greater certainty to potential new businesses.

## **Proposal**

A Local Development Order (LDO) is proposed to be established to cover parts of the North Harrow District Shopping District. The LDO would have the effect of granting planning permission for specified uses on the ground floor levels of properties in this area

Within the area of North Harrow District Shopping Centre as (defined by the map as shown in Appendix C) planning permission would be granted for changes of use for specified uses.

The LDO aims to assist in the regeneration of this important District Shopping Centre and to help reverse the high vacancy levels that are currently undermining the environmental quality of the area. The LDO is designed to supplement a range of other initiatives being progressed by the Council and partner bodies to help regenerate North Harrow District Shopping Centre.

It is envisaged that greater flexibility over changes of use in the area will help secure higher occupancy levels throughout the area. The primary aim of the LDO would therefore be to reduce the proportion of vacant properties in the area.

The Local Development Order will have a lifetime of three years. The Local Development Order will be monitored throughout its three year lifetime to review the outcomes.

### **What does the LDO permit?**

It is proposed that the LDO would grant planning permission for changes of use of ground floor levels of properties within the specified area from the current use to the following uses:

- A1: Shops
- A2: Financial and professional services
- A3: Restaurants and cafes
- B1 (a) as an office other than a use within A2 (financial and professional services)
- D1 (a) Non-residential institutions specifically health centres, day nurseries public halls and non-residential education and training centres (subject to a maximum of 150 square metres)

This planning permission would relate to a “change of use” only and be subject to the following conditions:

### **Conditions**

The following conditions are proposed to apply to the LDO:

1. The hours of operations for uses set out in the Local Development Order will be restricted to between 08.00 and 22.00hrs without planning permission. Any uses permitted under the LDO who wish to operate beyond 22.00 hrs will require planning permission.

REASON: In order to safeguard the amenities of the adjoining occupiers and amenities of the locality

#### INFORMATIVES

1. The LDO does not remove the requirement for planning permission for the installation of new shopfronts and other physical alterations
2. The LDO does not remove the requirement for advertisement consent where appropriate.
3. The LDO does not remove the requirement for consents obtained under other legislation, such as licensing regulations.
4. The LDO would be confined to the parts of North Harrow District Shopping Centre as identified on the map set out in Appendix C.
5. Should you require confirmation that the proposed use falls with use classes permitted by the LDO it is recommended that a certificate of lawfulness be applied for from the Council.
6. The LDO would apply to the premises within the area bounded by the as shown on the attached map in Appendix C.

The consultation on an LDO therefore seeks responses to the proposals to grant planning permission for changes of use only between the use classes specified above.

### **Section 3 – Further Information**

#### Implications of implementing the proposed local development order

It is hoped that the Local Development Order will assist in the process of securing occupiers for the empty shops by reducing uncertainty and regulatory burden and broadening the range of uses to which units can be put.

All of the proposed uses in the Local Development Order are considered not to conflict with the objectives of the town centre regeneration policy objectives, although uses outside of Class A1 would be contrary to Unitary Development Policies EM16 Change of Use of Shops - Primary Shopping Frontages and EM 17 Changes of Use of Shops – Secondary Shopping Frontages

The Local Development Order process allows the Local Planning Authority to impose conditions to protect the amenities of adjoining occupiers the proposed conditions are as set out in Appendices A & B.

Given the configuration of properties in the district centre, with residential flats above shops it is considered appropriate given the range of uses permitted, to limit the extent of the permission in some cases (such as D1) and to control hours of use. For those uses that involve larger units, or wish to open earlier or later, a planning application allowing the LPA to consider the specific circumstances would be required. Given the mix of building types /designs, proposals for physical alterations to the building including shopfronts and extensions will also still require planning permission.

If the Draft Local Development Order were to be approved subject to the consultation response the proposed changes to permitted development rights for uses identified within the LDO (as set out in Appendix A & B) and the area map, (Appendix C) will support the objectives set out in the regeneration plan for North Harrow.

## **Section 4 – Financial Implications**

The cost of the consultation process for the Draft Local Development Order will be funded as part of the project cost for works and actions proposed in the Outer London Fund Round One submission award. There is no impact on the budget.

Implication for the loss of planning fee revenue. An investigation of the planning history for Harrow District Shopping Centre has revealed that 65 planning applications were submitted between January 2006 and November 2011. Of the 65 planning applications submitted approximately a third were for types of development that would still require the submission of a planning application. Given that only 65 planning applications were submitted in nearly a five year period it is considered that the impact on planning fee revenue will be minimal.

## **Section 5 - Equalities implications**

As part of the consultation process for the Draft Local Development Order key equality groups will be included as part of the public consultation process. The consultation Draft of the LDO will be subject to an Equality Impact Assessment screening which will be included in the documentation made available for consultation.

## **Section 6 – Corporate Priorities**

The regeneration of North Harrow District Shopping Centre will make a contribution to the Borough's corporate priorities by supporting our town centre, local shopping centres and businesses.

- Supporting our town centre, our local shopping centres and businesses.

Name: Jennifer Hydari



on behalf of the  
Chief Financial Officer

Date: 25 November 2011

## **Section 7 - Contact Details and Background Papers**

**Contact:** Andrew Clements Local Development Officer  
Tel: 020 8736 6535

Background Papers:  
London Borough of Harrow Outer London Fund Round One Submission  
July 2011