



EXAMINATION OF THE HARROW LOCAL PLAN 2021-2041

HEARING STATEMENT

MATTER 8: EMPLOYMENT, RETAIL AND TOWN CENTRE

MATTERS

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Matter 8 Employment, Retail and Town Centre Matters

Issue 14: Is the approach to the provision for the employment and retail needs of the borough are justified, positively prepared and in general conformity with the London Plan

Strategic Policy 04: Local Economy

14.01 The Plan appears to rely on the protection of existing employment floorspace rather than the allocation of new floorspace to meet needs over the Plan period. Is this correct? If this is correct, is this a justified approach?

- 14.01.1 Yes, the Plan seeks to protect existing floorspace (as per the question) but also to intensify the use of employment land and floorspace within the borough. This approach is justified by the evidence base.
- 14.01.2 The Harrow Economic Needs Study (2024) (EBLE01) {Paragraph 8.15) sets out that that the approach to retail within the borough should be to reoccupy vacant premises and floorspace and major retail allocation is not required. Whilst there is some requirement for commercial leisure, the study recommended the development strategy be flexible to respond to emerging opportunities.
- 14.01.3 The West London Employment Land Review (2022) (EBLE03) (Paragraph 6.19) sets out that 6,000sqm of industrial floorspace and premise is required over the plan period. The plan seeks to deliver this by way of intensification of existing industrial estates, which is an approach envisaged by Policy E7 of the London Plan (2021)).
- 14.01.4 Site Allocations (Chapter 11) sets out site allocations with employment space included where appropriate by virtue of replacing existing, for example. The combined retail, food / beverage, leisure and entertainment requirements over the plan period is 13,900sqm of floorspace. However, there is sufficient vacant floorspace (over 21,000sqm of vacant retail and leisure floorspace across the borough) to address this need over the plan period, and therefore further / new floorspace is not required to be allocated – other than in appropriate locations to address other relevant policy requirements (i.e. active frontages).
- 14.01.5 The policy approach is therefore justified.

14.02 What are the employment needs for the Plan period in floorspace terms? Should these needs, some of which appear to be identified at paragraph 5.0.6, be reflected within Strategic Policy 04 Parts A and C to reflect the requirements of paragraph 20 of the Framework? As currently, drafted, the policy refers to ensuring ‘sufficient employment floorspace is provided’. How will this policy wording ensure the policy is effective?

14.02.1 Policy SP04 sets out the overall floorspace requirements for the plan period at paragraph 5.0.6, which includes employment floorspace (13,900 sqm) and a separate figure (6,000 sqm) for industrial floorspace.

14.02.2 The floorspace needs for employment are justified as it is based on adequate and proportionate evidence base (EBLE01 and EBLE03).

14.02.3 Paragraph 5.0.7 indicates that the Council will monitor supply (through ongoing land use surveys) and demand (through any updated evidence base work) throughout the plan period, as these may change and directly influence what constitutes ‘sufficient’ employment floorspace. The policy therefore is effective because it clearly articulates the floorspace requirements (at the point of adoption) but also sufficiently flexible as required by 86(d) of the NPPF (i.e. policies should be ‘be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances’).

14.02.4 The Council is open to reflecting these floorspace requirements in SP04A and C.

14.03 Strategic Policy 04 B (c) sets out that the Council will support proposals that demonstrably contribute to the vitality and viability of the local economy by assisting in meeting the evidenced floorspace needs for the borough across the plan period. Paragraph 5.0.6 of the supporting text appears to identify the combined retail, food/beverage, leisure and entertainment needs as 13,900sqm of floorspace.

14.04 Are these needs precise enough or should they specify the convenience and comparison goods floorspace requirements separately? If not, why not?

14.04.1 Paragraph 5.1.4 of Policy LE1 disaggregates the overall employment floorspace needs (13,900 sqm) into retail (convenience & comparison) (800 sqm) and food /beverage (13,100 sqm). The employment floorspace requirements is modest with only a small need for new retail (convenience and comparison) floorspace (800sqm), and as such it is unnecessary to

specify requirements separately. Within the modest employment needs of the borough, there is a much greater need for Food and Beverage floorspace.

- 14.04.2 The introduction of the E Use Class has provided flexibility of town centre uses which will allow vacant retail floorspace to change into Food and Beverage. The policy approach is to remain flexible to support proposals that are main town centre uses that contribute to the vibrancy and vitality of the town centre.

14.05 Should the policy reflect these requirements in accordance with paragraph 20 of the Framework?

- 14.05.1 Policy SP04 is a strategic policy and in accordance with paragraph 20 of the Framework as it sets out the overarching employment floorspace needs as noted above at a strategic level. The Council is open to reflecting these floorspace requirements in SP04A.

14.06 Paragraph 90 (a) refers to allowing for a suitable mix of uses within town centres, including residential. Is the policy as drafted sufficiently flexible in this regard, and should it be amended to ensure it is effective?

- 14.06.1 Policy SP04 accords with Paragraph 90 of the framework. SP04A recognises that the economy is subject to changing circumstances, and as such seeks to ensure that sufficient floorspace is provided to enable a strong and flexible economy that is adaptable. SP04(a) seeks to ensure new development is commensurate to the scale and intensity of the town centre it would be located within. SP04(g) supports mixed use developments within appropriate locations, which could include residential development in town centres.
- 14.06.2 Policy SP04 is supported by the Policies Maps that spatially define each of the town centres across the borough, including neighbourhood parades. Policy SP04 is positively worded and doesn't seek to be prescriptive with respect to any particular uses; this means the policy can be applied flexibility with respect to how new development contributes of the vitality and viability of the local economy.
- 14.06.3 Policy SP04B(d) supports a range of using being provided in town centres and SP04B(g) supports mixed use development in appropriate locations, which could include the provision of residential development alongside main town centre uses.

- 14.06.4 SP04(g) sets out that mixed use developments are supported when located in appropriate locations. This could include residential where it accords with other relevant policy requirements.

Policy LE1 Development Principles and Town Centre Hierarchy

- 14.07 Paragraph 90 (a) of the Framework refers to allowing for a suitable mix of uses within town centres, including residential. Part C of the policy as drafted states that residential uses on the ground floor on any town centre of neighbourhood parades will not be supported. In what way does this accord with the above guidance and is the policy as well as paragraph 5.1.14 positively prepared as a result?**

- 14.07.1 The policy supports residential uses within town centre, part C only relates to a small element of town centres (being ground floor) and its inclusion is considered justified having regard to the broader policy requirements for town centres.
- 14.07.2 Policy LE1 promotes a town centre first approach, as set out in the London Plan (2021). Residential use on a ground floor provides a non-employment use which does not contribute to the employment floorspace needs identified in the plan, provides a non-active frontage, and would fail to contribute to the vibrancy and vitality of a town centre. A residential use is often a final use of a site, with limited likelihood of this reverting to an employment use. It is noted that paragraph 5.1.14 is clear that residential uses on the ground floor would not be appropriate for these reasons.
- 14.07.3 Policy LE1B actively encourages residential within town centres as part of a mixed-use development. However, the town centre first approach should see an employment use located on the ground floor to contribute to the vitality and vibrancy of the town centre and generally the streetscape. Residential above is acceptable in principle.
- 14.07.4 The policy is therefore considered to accord with Paragraph 90 and in particular 90f, which notes that policies should 'encourage residential development on appropriate sites' (i.e. appropriate, not all sites).

14.08 How will part A (c) and the reference to Sui Generis uses be measured?

- 14.08.1 The amount of Sui Generis units will be monitored through the town centre shop front and floorspace annual monitoring. This is an established monitoring system that has been in place since at least 2012.

14.09 Is Part G of the policy a justified approach?

- 14.09.1 Yes, Part G is a justified approach. It requires that new retail and leisure development is directed into town centres rather than outside of centre. This approach accords with paragraph 91 of the Framework and the town centre first approach as set out in Policy SD7 of the London Plan (2021).
- 14.09.2 The application of a Sequential Test approach is justified as it is consistent with paragraph 91 of the NPPF 2023. Furthermore, for proposals outside town centres, it is appropriate to require an assessment of the impact of this on centre/s within the catchment of the proposal as paragraph 94 of the Framework sets out that an Impact Assessment should be required for retail and leisure developments outside of town centres, which are not in accordance with an up-to-date plan. Where a locally set threshold is not set the NPPF provides a default threshold of 2500sqm. EBLE01 (Economic Needs Study 2024) (Paragraph 7.37) recommends a local threshold of 400sqm, and this is reflected in the policy; this approach is therefore justified.
- 14.09.3 Part G is therefore considered justified with respect to its town centre first approach, application of the sequential test and setting a local threshold for impact assessments as it is consistent with the NPPF and the evidence base.

14.10 What is meant by part F of the policy and is 'essential day to day amenities' suitably defined within the Plan?

- 14.10.1 There is no definition within the Local Plan of day-to-day amenities. However, day-to-day amenities is considered to be a reasonable term to describe the scale and intensity of amenities that can and are found within Neighbourhood Parades. These will often differ from the amenities that can be found within larger centres. Day-to-day amenities can include uses such as hairdressers, chemist, off-licence, greengrocer, takeaway or some small scale cultural or leisure use. It would not include end uses such as large department stores.

14.11 In what way does part H of the policy which applies a sequential test to the release of office floorspace accord with the Framework?

- 14.11.1 The requirement accords with paragraph 91 of the Framework, which requires a sequential test to planning applications for main town centre uses, which includes offices. The approach in Part H seeks a sequentially preferable approach as to where office space release could be supported, from the Metropolitan Centre being the least sequentially preferable to vacant out of centre floorspace being the most sequentially preferable.

14.12 What is the purpose of part H.1 of the policy – is this to be read as a continuation of part H of the policy? Is the wording of the part of the policy effective?

- 14.12.1 Yes, the purpose of Part H.1 is a continuation of Part H of the Policy. The wording is effective as it requires marketing to demonstrate office floorspace would be considered surplus to the borough's stocks, and therefore acceptable of release to other uses. This will assist in ensuring that sufficient floorspace for the plan period is provided, but where genuinely surplus to requirement, is able to be released to other uses.

Policy LE2 Night Time & Evening Economy

14.13 What is the justification for part A (b) and B (c) of the policy and is this approach justified for a Metropolitan town centre location as well as locations outside of the Metropolitan Town Centre?

- 14.13.1 The justification for Part A(b) and B(c) is that night-time or evening economy uses may result in parking and traffic impacts that may cause a level of harm greater than typical given the nature and timing of the use (i.e. evening and nighttime). Levels of harm will depend on the scale of the development (commensurate to the role and function of the centre - Ba) and its location (i.e. a Metropolitan centre with significant levels of activity, compared to a local centre with lower level of activity). It is therefore justified to consider the impacts in both locational areas.

14.14 Is part E of the policy positively prepared?

- 14.14.1 *The Council notes that a reordering minor modification (LBH/ED9) was suggested to amend the second Part E to Part F. The following will address both E and the amended F for completeness.*
- 14.14.2 Yes. Policy LE2 provides a positive strategy for managing development that impacts on the nighttime and evening economy across the town centres of the borough. Part E makes it clear to decision makers that where the policy requirements set out within LE2 are not satisfactorily addressed, then development proposals would not be able to be supported.
- 14.14.3 Yes, Part F is positively prepared as it is drafted in response to evidence base EBLE01, which notes that there is no clear qualitative or quantitative need for new additional theatre, music/nightclub or cultural provision. However, there may be potential to increase the low market share and attract more demand and tourist visitors if provision is improved. This is unable to occur if existing stock is lost and needs are no longer met.

Policy LE3 Industrial Land**14.15 Part A of the policy deals with Strategic Industrial Locations (SIL) as defined within Policy E5 of the London Plan. In what way does part b of the policy accord with parts B (2 and 3) of this policy?**

14.15.1 Policy LE3A(b) is considered to be in general conformity with Policy E5 parts B (2 and 3) as it seeks to protect heavier industry yet still provide space for new and emerging industrial uses that cannot locate elsewhere. Policy LE3Aa seeks to support proposals that would intensify, increase or modernise floorspace and premises.

14.15.2 Part b of the Policy LE3 provides flexibility for new and emerging industrial uses that may evolve over the lifetime of the plan (2041). However, given the finite and limited supply of SIL within Harrow, care must be taken to ensure that such a use would genuinely be an industrial type of use that would justify being located within a SIL (or LSIS) rather than outside if it were to be compatible with more sensitive uses (i.e. Town Centres / residential areas). This ensures that SIL is used for heavier industry which is more limited to its geographical extent within the borough.

14.15.3 It is noted that the Mayor of London has advised that he considers the Plan is in general conformity with the London Plan (2021).

14.16 The same question above is raised in relation to part B of the policy which deals with Locally Significant Industrial Sites (LSIS) and policy E6 of the London Plan?

14.16.1 Policy LE3A(b) is considered to be in general conformity with Policy E5 parts B (2 and 3) as it seeks to protect heavier industry yet still provide space for new and emerging industrial uses that cannot locate elsewhere. Policy LE3Ba seeks to support proposals that would intensify, increase or modernise floorspace and premises.

14.16.2 Part b of the Policy LE3 provides flexibility for new and emerging industrial uses that may evolve over the lifetime of the plan (2041). However, given the finite and limited supply of LSIS within Harrow, care must be taken to ensure that such a use would genuinely be an industrial type use that would justify being located within a LSIS (or SIL) rather than outside if it were to be compatible with more sensitive uses (i.e. Town Centres / residential areas). This ensures that LSIS is used for heavier industry which is more limited to its geographical extent within the borough.

14.16.3 It is noted that the Mayor of London has advised that he considers the Plan is in general conformity with the London Plan (2021).

14.17 Is the policy as drafted sufficiently flexible towards supporting new development within SIL locations?

14.17.1 Yes, the policy as drafted is sufficiently flexible as new development is supported subject to being consistent with the listed industrial-type activities within a SIL location. This allows new development to be delivered in SIL supported by LE3Ab whilst ensuring the protection of SIL and appropriate uses within them.

Policy LE4 Culture and Creative Industries

14.18 What is the justification for the requirement set out in part B (a) of the policy to demonstrate need in relation to culture and creative industries?

14.18.1 Part B (a) is justified by reason of numerous planning applications that have been received by the Council to extend premises for uses that are not located in a sustainable location (i.e. out of town centre / edge of centre). However, due to established uses in such locations, if the need is evidenced then this would assist in justifying an increase in floorspace notwithstanding its location. The policy therefore provides clarity for the decision maker in determining such applications.

14.19 Is it clear how Part C (a) will be assessed and is the policy clear how a decision maker should respond?

14.19.1 Yes, it is clear how Part C(a) will be assessed and how a decision maker should respond when the policy and supporting text is read in its entirety. Paragraph 5.4.2 of Policy LE4 sets out that cultural facilities contribute to social infrastructure and the local economy. It goes on to state that any proposed release of cultural floorspace must consider Policy LE2 (Nighttime and Evening Economy) and Policy CI1 (Safeguarding and Securing Social Infrastructure). Both Policy LE3 and CI1 set out that proposals to release floorspace from the boroughs stock must demonstrate there is no need for the floorspace for such a use, which is demonstrated by way of 24 months of successful active marketing.

- 14.19.2 The Council would be open to amending Policy LE3C(a) to explicitly reference marketing evidence for a period of 24 months to demonstrate floorspace would be surplus to requirement.

Policy LE5 Tourism and Visitor Accommodation

14.20 In what way does part A of the policy accord with the Framework and in particular the reference to highly sustainable locations?

- 14.20.1 Part A of the policy accords with the Framework as hotel uses are main town centre uses (as per NPPF 2023). Part A directs such uses to such locations as they are predominately the most sustainable locations, in accordance with paragraphs 90 and 91 of the Framework. Part A then provides flexibility by way of sequential criterion to consider other locations that may be suitable for such locations. Highly sustainable locations is an appropriate criterion as some locations may be outside of a town centre / edge of centre but still be in a highly sustainable location in terms of proximity to the public transport network or other tourism infrastructure. This would accord with the paragraph 91 of the Framework by providing flexibility to consider criteria for sites that fall outside of a town centre or edge of centre.

14.21 Is part C of the policy as currently drafted effective? How will parts a and b of the policy be assessed? Is the working at part c effective? Should the policy wording permit the replacement of alternative tourism and visitor accommodation within the borough?

- 14.21.1 Part C is effective. Part C(a) of the Policy would be assessed by the decision maker having regard to 24 months of marketing as set out in paragraph 5.5.6 of the supporting text. Successful marketing should demonstrate that there is no demand for such a use and therefore is able to be released from the particular location.
- 14.21.2 Part C(b) would be considered at planning application stage where planning benefits of a proposal would provide an overriding public benefit that an applicant would set out. This provides an opportunity for a decision maker to consider that the public benefits of a proposed development may far outweigh the loss of the tourism infrastructure that exists on a site (i.e.: an affordable housing offer that far exceeds the threshold approach / housing mix requirements) along with meeting other requirements of the development plan.

14.21.3 Part C(c) is effective as it ensures that any new development on site must take into consideration other relevant policy requirements other than just seeking to demonstrate the loss of the tourist infrastructure.

14.21.4 The Council has proposed a Main Modification (LBH/ED9) to include part d to Policy LE5 to address reprovion of tourist infrastructure elsewhere within the borough which would ensure no net loss from the evidenced need as set out in the Policy and underpinning evidence base (Harrow Economic Needs Study (2024) (EBLE01);

d. There would be no net loss from the borough stocks over the plan period through reprovion on site or elsewhere within the borough.

14.22 What is the justification for part E of the policy and why is this requirement necessary in relation to tourism and visitor accommodation, but not other uses identified within the Plan? Is this policy requirement consistent with the London Plan?

14.22.1 Paragraph 157 of the NPPF (2023) sets out that planning should support the transition to low carbon future in a changing climate including the reuse of existing resources such as the conversion of existing buildings. Hotel development is directed to town centres and / or highly sustainable locations. By reason of this they are considered to be sustainable locations for a range of other uses that could utilise an existing building that could be converted rather than demolished and rebuilt. The generally smaller room associated with a hotel use and potential for modular construction would assist with this more easily than some other uses.

14.22.2 Policy HO8A(h) (Large scale purpose built and conversion for shared living) also requires such developments to demonstrate the flexibility within design to allow buildings to be retrofitted to other uses appropriate to their location without the need for demolition and rebuild.

14.22.3 It is considered that proposed approach is consistent with the London Plan (2021) by way of contributing to the circular economy hierarchy (Figure 3.2) which at its core seeks to retain, refit, or refurbish as more sustainable approaches to development than demolition and rebuilding. The circular economy principle cuts across multiple London Plan (2021) policies.