

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Ms Marie Carrigan	Change of use from B1/B2 to D2 usage for a gymnastics club Unit 75, Basepoint Business Centre, Isidore Road, Bromsgrove Enterprise Park, Bromsgrove		18/00346/FUL

Councillor Thomas has requested that this application be considered by Planning Committee rather than being determined under Delegated Powers.

RECOMMENDATION: That planning permission be **Refused**

Consultations

Worcestershire Highways Consulted 16.04.2018

- No objections

Strategic Planning and Conservation Consulted 16.04.2018

- Recent research suggests that vacancy rates on the District's Business Parks are low and employment land is demand.
- Although the gymnastics club provides a community and sporting facility, it has no associated employees and therefore could not be considered as an employment generating use.
- Whilst both Local Plan Policy BD25 and paragraph 92c of the revised NPPF place some material weight on the provision of additional community and sport facilities, given the application site's allocation for employment uses, I consider that these would carry less weight under these circumstances.
- Accordingly I consider that the application does not accord with planning policy and may set further precedent for similar changes of use which would result in the loss of valuable employment land within the District.

North Worcestershire Economic Development and Regeneration Consulted 24.04.2018

- The applicant has not provided evidence to suggest an active period of marketing for the unit as an employment use has taken place; therefore there is currently no proof that the unit is no longer viable for employment.
- To permit a change of use to D2, without evidence to suggest it is no longer viable for employment use is not in line with Bromsgrove District council policy.

Publicity

One site notice posted 19.04.2018 (expires 15.05.2018)

One response received from Basepoint Business Park setting out their vacancies/marketing strategy:

Vacancies:

- Incubator site for new and SME businesses;

- Work on month to month rolling contract;
- Since October we have had 4 available workshops, 17 workshop viewings of which 2 have taken workshops; 2 more becoming vacant in the near future as they have outgrown the centre. That is the nature of our Business.

Marketing:

- We have our own website where we post availability
- We are part of IGW/Regus - dedicated sales team and call centre working with direct customer enquiries/ National Brokers/ work with Birmingham Regus agents;
- We are in contact with local brokers which we update with our availability and also hold Broker Days to introduce brokers to the centre, our facilities and share availability
- We appear on RightMove and Zoopla;
- As we are part of IWG, I also update my availability to the Birmingham Regus agents that can take enquiries, view and sell on my behalf
- We use Twitter to tweet availability and our TweetDeck is updated on a regular basis to reflect availability and ensure tweets are posted on a regular basis; the last posting for workshop availability was 14th May
- I and my colleagues attend several networking events and take stands at Business Shows on a regular basis.
- We place adverts in local Bullivant publications as well as larger publications; we currently have campaigns running in the Birmingham Business Post, Cotswold Life, Pears Magazine, Business and Innovation Magazine and Business Direction Magazine
- We have pitch side advertising at Bromsgrove Rugby Club and home match programme adverts

Councillor Thomas - views received 26 April 2018:

I have been asked that this application be heard by Committee, in view of the level of interest shown in the application.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP14 Designated Employment

BDP16 Sustainable Transport

BDP25 Health and Well Being

Others

NPPF National Planning Policy Framework

Relevant Planning History

- | | |
|-------------|---|
| B/2005/1225 | Erection of business and enterprise centre - Reserved Matters to B/2002/1014. Approved 11.05.2006 |
| B/2002/1014 | Major mixed use redevelopment for residential development and ancillary uses and employment uses within use class B1 and B2 - Outline Consent. Approved 24.11.2003. |

Assessment of Proposal

The Site

The application site is a modern B1/B2 industrial unit arranged as part of a block of 9 similar units set around a shared car park. It is located within Basepoint Business Centre and forms part of the Designated Employment Area to the South East of the A38 Stoke Road.

The Proposal

This application seeks retrospective planning permission for the change of use of the industrial unit from B1/B2 to D2 for the purpose of operating a gymnastics club.

Opening hours set out on the application form are Monday-Friday 09:00-20:30 and Saturday 08:30-16:30.

There are no external changes to the building.

The application was submitted as a result of an enforcement investigation.

Assessment

Basepoint Business Centre provides a range of employment accommodation ranging from micro units suitable for one person businesses, through to large linked business suites, drive up studios and spacious workshop units. It is clear that it provides a valuable and flexible employment offer within the District. Recent evidence suggests that existing employment stock is well used and that there is evidence of investment and renewal on most of the District's employment estates. Stock accommodates a booming small business economy and recently there has been no vacant property for firms to expand into.

Against this evidence, Policy BDP14 creates a clear framework for safeguarding existing employment land within the District. It places a strong expectation on the applicant to demonstrate that employment land and premises are no longer viable for an employment use, through the submission of a marketing report. Furthermore, local evidence suggests that vacancy rates on the District's Business Parks are low and that employment land of all types is in demand. This is particularly relevant given that the District has a higher than average rate of self-employed workers at 14%.

This approach is supported by the national context and the Revised NPPF continues to place significant weight on the need to support local business needs.

The key considerations in the determination of this application are:

- a) Significant weight required to be given by the NPPF to support economic growth and the requirement on the Local Planning Authority to proactively meet the needs of business and support the economy – reflected in the requirements of BDP14
- b) NPPF acknowledges the importance and provision of leisure activities and identifies them as town centre uses – reflected in BDP25

For the reference of Members, the following information has been submitted by the applicant:

- Basepoint does not require a minimum number of employees
- Waiting list for the club – may create additional employment in the future;
- Identical unit been empty since October 2017
- 2 more units may become vacant;
- In light of the climate of childhood obesity, Starbound Academy are providing a safe and much-needed recreational service to the population

a) Economic growth and Designated Employment Areas

To support economic growth within Bromsgrove and ensure the continued provision of suitable employment units, policy BDP14 seeks to protect the loss of employment land and sets out that proposals will not be favourably considered unless it can be demonstrated that the requirements set out in BDP14.4 criteria i)-iii) **or** iv)-v) can be met. These are considered in turn:

i) The proposal would not have an adverse impact upon the quality and quantity of employment land within the local area;

Basepoint Business Centre has suggested that its policies do not allow activities that are noisy or odorous that would be detrimental to businesses. However, this is one of the most modern premises within the District, offering flexible terms to support new businesses to get off the ground and grow. Comments provided by the Strategic Policy and Conservation team identify the boom in the small business economy and lack of available property. The loss of an employment unit would inevitably reduce the number of available units for B1/B2 uses, representing a potential hindrance to economic growth in the District. This criterion is not met.

ii) There would be a net improvement in amenity (e.g. 'non-conforming' uses close to residential areas);

This application does not involve any improvement in amenity, nor the removal of any non-conforming use. This criterion is not met.

iii) The site has been actively marketed for employment uses for a minimum period of 12 months, providing full and detailed evidence or where an informed assessment has been made as to the sustainability of the site and/or premises to contribute to the employment land portfolio within the District (as part of this assessment, consideration should be given to the appropriateness for subdivision of premises);

The submitted information clearly demonstrates that this criterion is not met: the longest vacancy at the Centre is 7 months. The information provided by Basepoint sets out that 2 workshops have been let within the last 6 months. No evidence has been submitted to suggest that the unit could not be let for its intended B1/B2 use. Members will note the views of North Worcestershire Economic Development and Regeneration on this issue. This criterion is not met.

As criteria i)-iii) have not been met, consideration is now given to criteria iv) & v):

iv) The new use would result in a significant improvement to the environment, to access and highway arrangements, or sustainable travel patterns which outweighs the loss of employment land;

There would be no change or significant improvement and therefore the criterion is not met.

v) The site/premises are not viable for an employment use or mixed use that includes an appropriate level of employment. A development appraisal should accompany proposals to clearly demonstrate why redevelopment for employment purposes is not commercially viable.

No information has been submitted with this application to suggest that the unit is not commercially viable for B1/B2 use. Two units have been let in the past 6 months suggesting there is demand and this is supported by the comments of the Strategic Planning and Conservation Team. This criterion is not met.

b) Provision of Additional Sport/Recreation Assets

Members will be aware there is general support in the NPPF and Policy BDP25 of the BDP for the provision of new sport and recreation facilities in sustainable locations. However, such facilities should be sited appropriately and whilst I note the views expressed by the applicant in terms of potential health benefits arising from the new use, this in isolation clearly does not outweigh the loss of the site for employment purposes.

Conclusion

The gymnastic club is not an employment use. The NPPF places a strong requirement on the LPA to provide for and support economic growth. To this end, this site is located in a designated employment area and in my view there is a reasonable prospect of this unit being used for B1/B2. Information submitted with the application does not meet any of the criteria set out as a requirement in adopted Policy BDP14.4 of the BDP. The provision of this leisure/recreation opportunity does not justify the loss of the employment unit or outweigh the economic policy requirements set out in the NPPF and the Bromsgrove District Plan.

I therefore consider the scheme to be unacceptable.

RECOMMENDATION: That planning permission be **Refused**

Insufficient information has been provided to justify the loss of this employment unit for a non-employment use as required by the criteria set out in policy BDP14.4 of the BDP. The proposal would have an adverse impact on the quality and quantity of employment land, it would not lead to a net improvement in amenity and the evidence provided fails to demonstrate that there is no reasonable prospect of the application site being used for B1/B2 use. The new use would not result in significant improvements which would outweigh the loss of employment land and the applicant has not demonstrated that the continued use of the unit for employment purposes is not commercially viable. The information put forward in support of the application therefore does not outweigh the policy conflict identified. The change of use of this industrial unit from B1/B2 to D2 would therefore be contrary to Policy BDP14 of the Bromsgrove District Plan and the provisions of the NPPF.

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Plan reference

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