
Appeal Decision

Recommendation by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 May 2020

Appeal Ref: APP/T5150/W/19/3238667

First Floor, 3 Abercorn Commercial Centre, Manor Farm Road, Wembley, HA0 1AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Prithipal Bhambra against the decision of the Council of the London Borough of Brent.
 - The application Ref 19/0549, dated 12 February 2019, was refused by notice dated 10 April 2019.
 - The development proposed is the change of use from general storage facility (Use class B8) into an education centre (Use class D1).
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. A recommendation by an Appeals Planning Officer is set out below, to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In response to travel restrictions currently in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available. Both the appellant and the Council have agreed to the appeal proceeding on this basis.

Main Issue

4. The main issue in this appeal is whether the proposed change of use would affect the supply and availability of employment sites and associated employment opportunities within the area.

Reasons for the Recommendation

5. The appeal site is the first floor of a commercial unit at Abercorn Commercial Centre, which is within a designated Locally Significant Industrial Site (LSIS). The appellant and the owner of the site have stated that the site is currently used for personal storage, supported by internal photos provided by the Council. They also state that the site has not generated any employment for 15 years. The second floor is occupied by an education facility for electrical and gas training services. The proposal would extend this education facility onto the

first floor of the building with a change of use to use class D1. No external changes to the building are proposed.

6. The appellant directs me to the part of Policy DMP14 of the London Borough of Brent Local Plan Development Management Policies (2016) which states that the Council will allow the release of Local Employment Sites to non-employment uses where continued wholly employment use is unviable or significant benefits consistent with the wider objectives of the Development Plan are achieved. However, this part of the policy relates to non-designated Local Employment Sites, not LSIS. No evidence has been provided to suggest that the proposal would meet the criteria in the section of Policy DMP14 which does relate to employment land within LSIS. In particular there is no substantive evidence provided by the appellant to suggest that there is a significant demand in the London Borough of Brent for adult education facilities which may fall under section (c) of this policy.
7. It is noted that the proposed use, as an education facility, would be likely to create more jobs than the existing use. However, although a figure of approximately 4/5 full time jobs has been quoted, which could potentially increase to 7 if more courses were provided, it is not unfeasible that this would be less than, or equivalent to, other B8 use class operators who could lawfully occupy the site, as recognised by the appellant. This is therefore not a significant benefit of the proposal. The appellant also states that the proposed use would provide indirect employment through the provision of qualified trades people. However, although the provision of training facilities is a benefit, this would not necessarily result in additional employment opportunities locally.
8. As highlighted by the appellant, it is recognised that there is general policy support for educational facilities in the London Plan 2016 and the London Borough of Brent Core Strategy. The proposed change of use would provide an increased training capacity to the existing education facility with improved training facilities, which would provide a moderate benefit to the local area. However this benefit would not outweigh the need to retain employment space within this area.
9. Consequently, the proposed change of use would result in the loss of employment floorspace and associated employment opportunities within the area and so would conflict with Policy DMP14 as set out above, and Policy CP20 of the London Borough of Brent Core Strategy (July 2010). These seek to protect and limit the loss of employment sites, characterised by use classes B1, B2 and B8, within LSIS.

Other Matters

10. The appellant has stated that the existing education facility may be required to move outside of the London Borough of Brent if the current premises cannot expand. However, there is no evidence from the education facility to indicate that this is the case. Furthermore, if they were to move location, whilst regrettable, it would not justify the release of the site from employment use.

Conclusions and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR