



Appeal Decision

Site visit made on 24 October 2025

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/F2415/W/25/3370237

**Unit A3, Beauchamp Business Park, Wistow Road, Kibworth, Harcourt,
Leicestershire LE8 0YE**

- 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 Gareth Sapstead against the decision of Harborough District Council.
 - The application reference is 25/00677/FUL.
 - The development proposed as described on the Application Form as 'Proposed Use of Unit A3 for personal fitness training and group personal training sessions (Use Class E (d)).'
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Upon my site visit the appeal site is already being used for fitness training, and hence the proposal is retrospective which is also confirmed by the Application Form. I have therefore made my decision on this basis.

Main issue

3. The main issue is whether the loss of employment premises is appropriate and has been adequately justified when considering the policies of the development plan and other material considerations.

Reasons

4. The appeal property is a purposely designed employment unit that is part of a small employment park called Beauchamp Business Park and consists of 10 units that gain planning consent in 2023¹ and constructed relatively recently. Condition 13 of the approved planning consent specifies that the units may only be B1(b), B1(c) and B2 use classes. Units in Block A are approximately 2,507Sqft, whereas units in Block B are 1,270Sqft. On my site visit I noticed that most of the Block B units were let, however in Block A it was only the appeal site that was occupied. The units are located along Wistow Road which lies on the periphery of Kibworth Harcourt. Adjacent to Beauchamp Business Park is Priory Business Park which consists of a

¹ Council Planning Ref: 23/01066/VAC

much older Business park of purpose built employment units which appeared to be fully occupied.

5. The Beauchamp Employment Park was developed in accordance with a site allocation under Harborough Local Plan (LP) Policy K1 for Office B1(a) and (b), industrial B1(c) and is a specifically designated Key Employment Area under Policy BE1 of the LP. LP Policy BE3 seeks to retain the function of Key Employment Areas, however would permit development if it is for business use (B1, B2 and B8); is for small scale uses that provide services to the business use; or would not be detrimental to the quality and attractiveness of the Key Employment Area. The accompanying text to Policy BE3 states that the importance of the retention of Class B uses reinforces commercial investment confidence, facility trading and avoiding conflicts in activities. Where an employment use is proposed to be lost, appropriate supporting information must be given to determine the economic implications and impact.
6. I note comments in the Appellant's Statement of Case (SoC) that state that there is a lack of commercial interest in the units. In support of the loss of the employment site a letter² from the estate agents marketing the units has been submitted. It illustrates that at the point of writing the letter that there were 34 enquiries for these vacant units, with 20 of these enquiries being for the smaller Block B units. Enquiries for the Block A units have been made by mainstream B class type users however the business 'felt that it was more expensive and therefore did not proceed.' To me, it would appear that the 'lack of commercial interest' has more to do with the cost of the units rather than a willingness to occupy or lack of interest in the units as shown in this letter.
7. The units as part of Priory Employment Park adjacent perhaps illustrate this given that they are older units and appear to be fully occupied. No evidence has been submitted which might explain why this might be the case. I also noted the veterinary practice that did appear as an anomaly to this Employment Park where there did appear to be conflict between the uses, however I have no evidence as part of this appeal as to why such a use exists within this Employment Park, and whether this is comparable circumstances to the appeal site.
8. In terms of allocating a site for a designated employment park to help deliver the district's employment needs, and to then change the use of a unit before a business occupier has had the opportunity to join the Employment Park dilutes the purpose of allocating a site in the first place. There is also no commentary from the Estate Agent as to their knowledge of other similarly sized units surrounding and how rents compare across the district which might give a better picture of why the units are currently empty. I also note a document³ that lists a number of vacant industrial units on rightmove ranging from 5,000Sqft to 350,000 Sqft within business parks, however it has not been demonstrated as to why a business park site is required, compared to a site within a town centre. Some of the smaller units in this document are also discounted because of competition which is not a consideration under LP Policy BE3.

² Letter from Sam Sutton, Phillips Sutton Chartered Surveyors and Commercial Property Consultants, Dated 18 July 2025

³ Appendix 2, Rightmove July 2025

9. I note comments around the Government's changes to the Use Classes Order to facilitate more housing and changes of use to meet local economic and social needs. However, fitness uses were not included as 'employment uses' as the Government were also clear on their intentions to retain vitality and viability in the employment sector. I also note comments in the Appellant's SoC around there being no planning policy support for the use and that it is only the condition on the application that is preventing the proposed change of use. LP Policy K1 and BE1 are quite clear on the reasoning for designating the site as a Key Employment Area, which does provide a robust policy basis for the employment use and what evidence is needed to demonstrate that the change of use would be appropriate. I do not agree that the policies conflict with the government's intentions or reforms. The submitted information is not sufficiently robust to demonstrate compliance with Policy BE3 in that it undermines and harms the attractiveness, quality and the operation of this designated employment precinct.
10. Whilst I appreciate the benefits of the use such as promoting health and well-being, accessible fitness and recreation, accessibility to local people (as commented by an interested party), local skills development, small number of jobs created, and youth training sessions, these benefits would also be present within an application for a site which was more compatible with the locational policies of the Development Plan for such a use.
11. In conclusion of this matter, the change of use which results in the loss of an employment site has not been sufficiently demonstrated and as a result would undermine the operation of this designated employment site. As such the proposed scheme would be contrary to LP Policies BE1 and BE3 as described previously.

Other Matters

12. Whilst each planning application and appeal must be considered on its own merits, I can appreciate the Council's concern that the approval of this proposal could be used in support of similar schemes within this employment park. I consider that this is not a generalised fear of precedent, but a realistic and specific concern given the vacancy of the units surrounding. Allowing this appeal would make it more difficult to resist further planning applications for similar development and I consider that their cumulative effect would exacerbate the harm which I have described above.

Conclusion

13. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR