

<p>Mr Ben Campbell Kaisho Karate 20 Timbertree Road Cradley Heath B64 7LE</p>	<p>Proposed partial change of use at ground floor, and change of use at first floor with extension to create a Karate centre (D2 use class, assembly and leisure). Unit 8 Powke Lane Industrial Estate Powke Lane Rowley Regis B65 0AH</p>
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Date Valid Application Received: 12 November 2018

1. Recommendations

Refusal:-

- i) The proposal is contrary to the provisions of the Local Plan, in that it would introduce a leisure use into an area allocated as 'Local Employment Land', which is intended to be safeguarded for local employment uses.

2. Observations

At its last meeting, your Committee resolved to visit the site.

The application has been called to your Committee at the request of Councillor Mushtaq Hussain.

The proposal relates to a B2 commercial unit situated within Powke Lane Industrial Estate, on the south side of Powke Lane. The unit is currently occupied by a stone memorial business.

The applicant proposes to partially change the use of the ground floor, and change the use of and extend the first floor to create a Karate centre (D2 use class, assembly and leisure). Some of the ground floor would be retained as the stone memorial use. Two staff spaces and 22 customer spaces are proposed. Opening hours, as stated in the application form, would be 5pm to 10pm Monday to Friday, and 9am to 10pm Saturdays, Sundays and

Bank Holidays. The proposal constitutes a departure from the Local Plan.

The application has been publicised by neighbour notification letter, and by site and press notice, without response.

Highways initially objected to the proposal due to insufficient parking and the potential to cause highway safety issues on Powke Lane. Amended plans have been received which show an increase in parking provision (as stated above). Highways are more amenable to the revised parking layout, but request that a fifteen-minute break between classes would be required in order for Highways to remove their objection. I am not convinced that a condition to this effect would be enforceable in practice, as limited control can be exercised over the actions of patrons by the applicant, and therefore the condition would be ineffective. I acknowledge that the proposed parking provision has been increased, but the added comfort of a fifteen-minute gap between classes could not reasonably or effectively be controlled or enforced by way of condition. Nonetheless, Highways have no objection subject to a condition.

With regards to policy, BCCS EMP1 highlights the need to provide land for industrial and warehouse jobs in the Black Country. BCCS EMP3 relates specifically to local quality employment areas and identifies such areas as being characterised by a critical mass of industry, warehousing and service activity in fit-for-purpose accommodation with good access to local markets and employees.

Not only does a D2 leisure use not fall within any of the appropriate uses identified in policy EMP3, it would also be an incompatible use in this location. The location appears to be well occupied by uses identified in policy EMP3, the unit is not vacant and has been in use since 2008. This suggests that the area is realising its allocation and does not need intervention from other uses.

Additionally, leisure development should be accessible and link to existing cycling and walking networks. Concern arises over the distance people would need to travel to reach this leisure destination as a special trip, as there are no local facilities nearby. The closest Local Centre is over 750 metres away, and provides retail uses for more day to day uses only, which would

only tend to draw in a very local population. It is not felt therefore, that this is an appropriate location for a leisure use.

The applicant has submitted a sequential test to justify the site for the Karate centre. The test concludes by stating that the 'final key component in making the site viable was price'. Disregarding the land allocation on justification of cost to the applicant, should not outweigh the intent of the Local Plan, or that the proposal is inappropriate for this location in other regards.

In closing, a leisure use in an area currently acting as, and also allocated for, Local Employment Land, should be resisted as it is an incompatible use and would be detrimental to the provision of employment land. I also have concerns in respect of the impact of the intensity of the use on highway safety, heightened by the potential for conflict with other uses within the Estate, and the egress onto the steep gradient of Powke Lane.

The application is recommended for refusal.

NB: Should your Committee be minded to approve the application, the proposal must be referred to Full Council for ratification, due to the departure from the Local Plan.

3. Relevant History

None.

4. Central Government Guidance

National Planning Policy Framework promotes sustainable development.

5. Development Plan Policy

To be advised.

6. Contact Officer

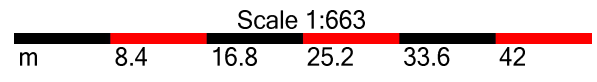
Carl Mercer
0121 569 4048
carl_mercer@sandwell.gov.uk

DC/18/62397
Unit 8 Powke Lane



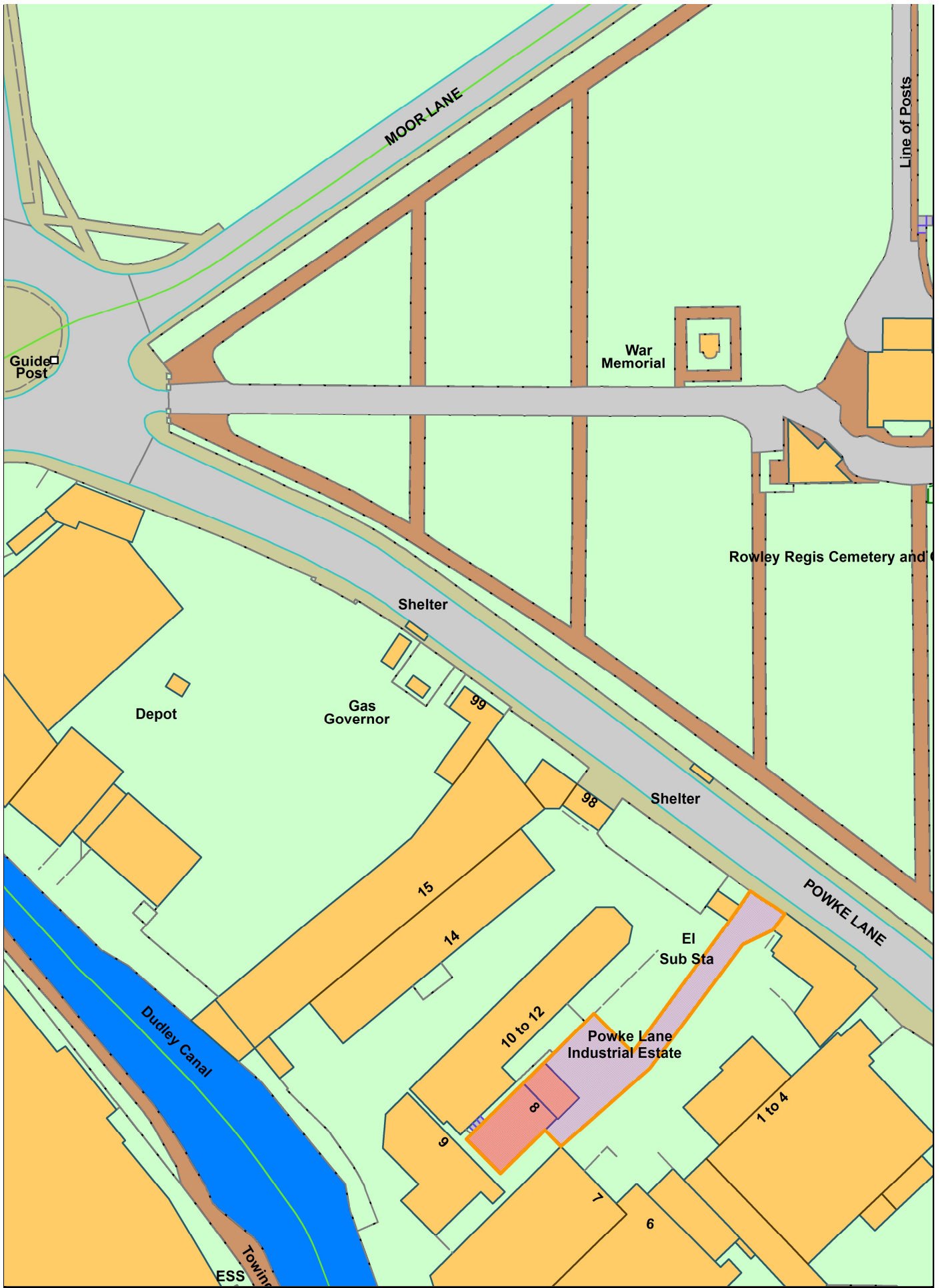
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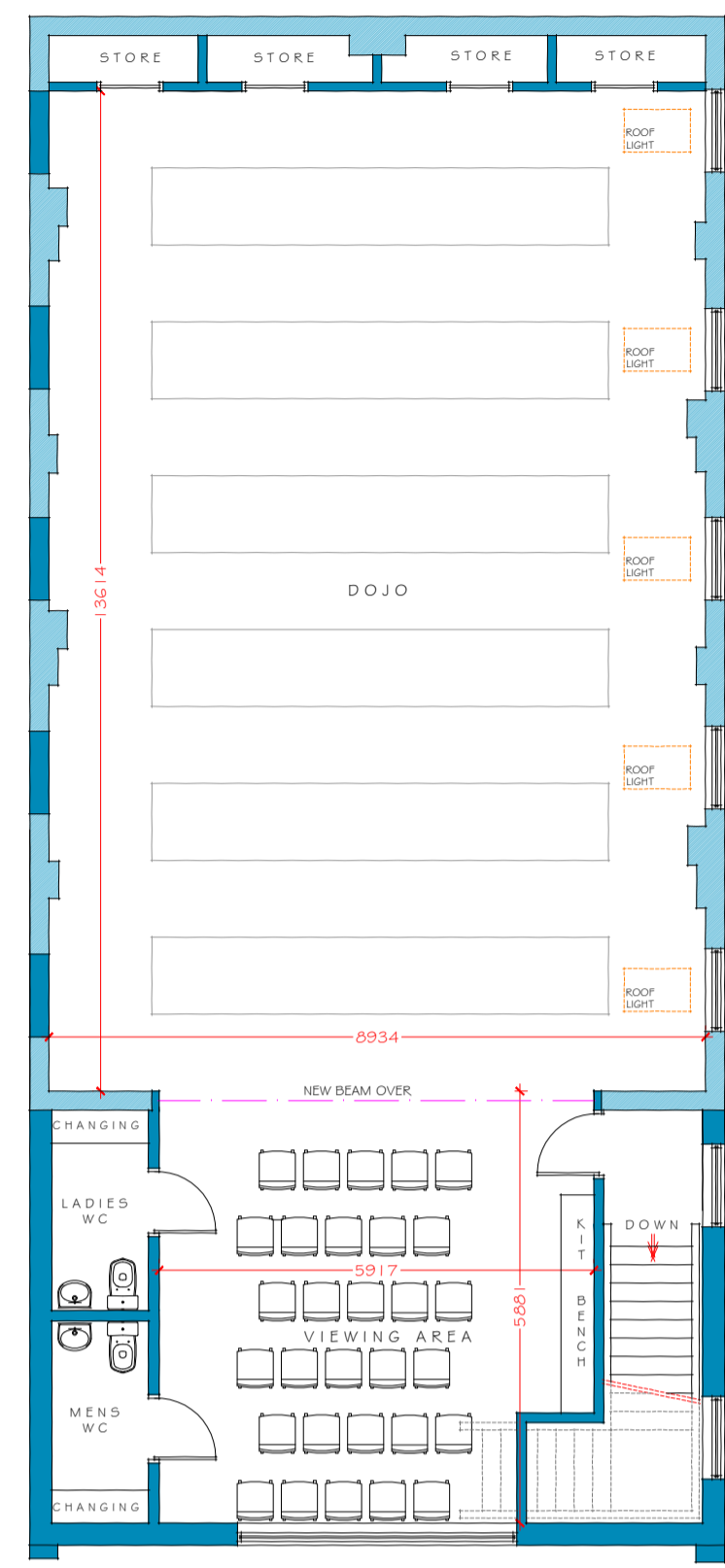
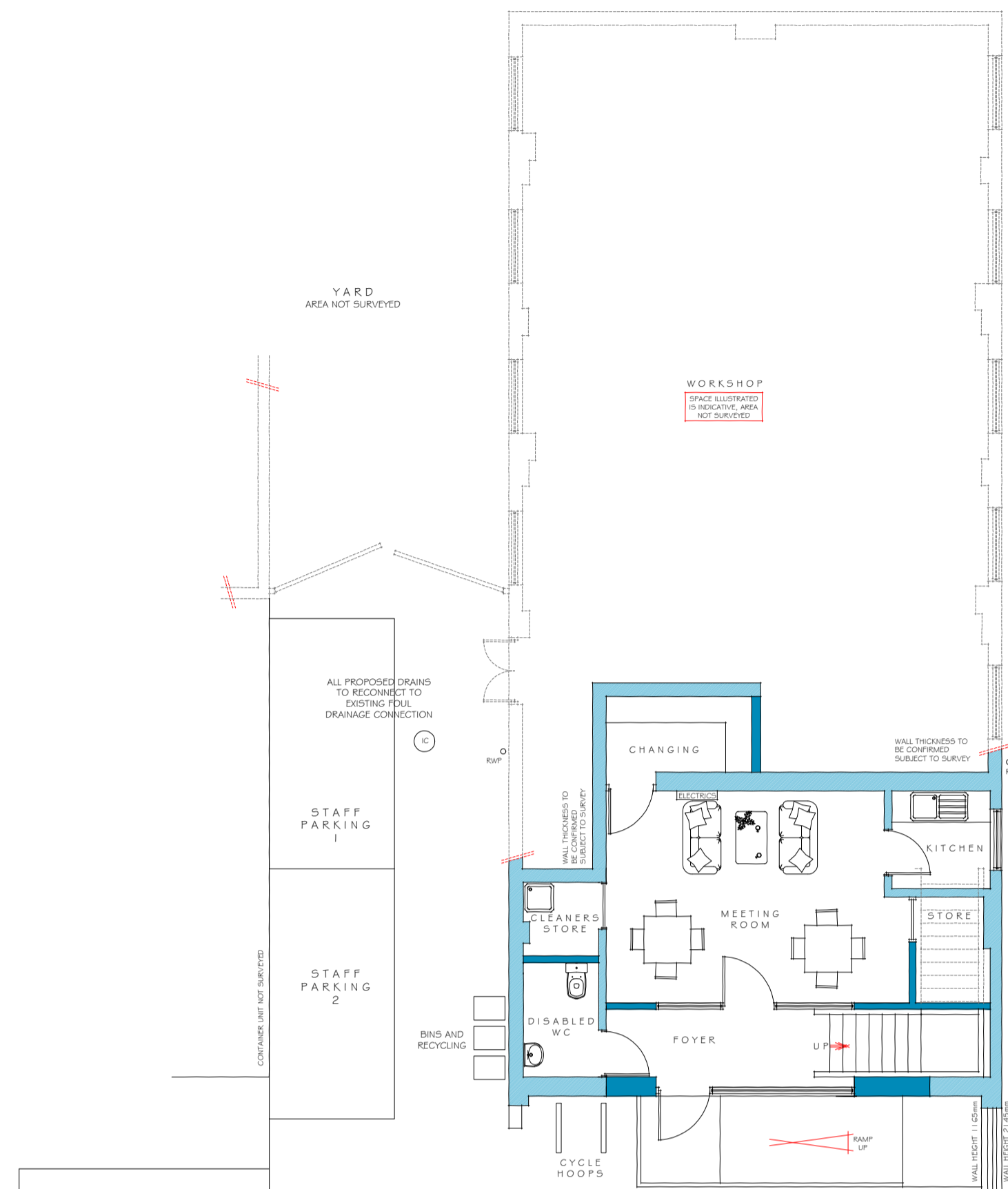
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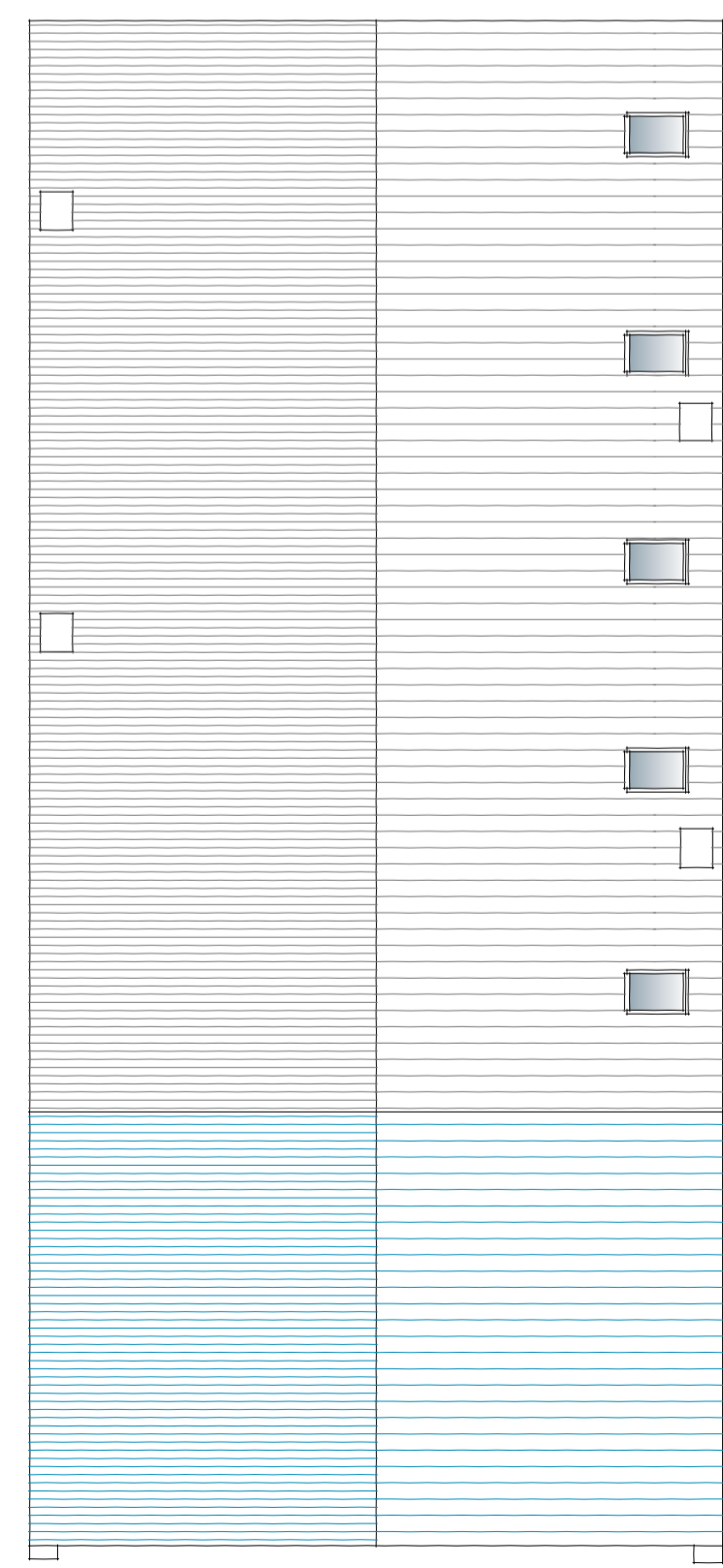
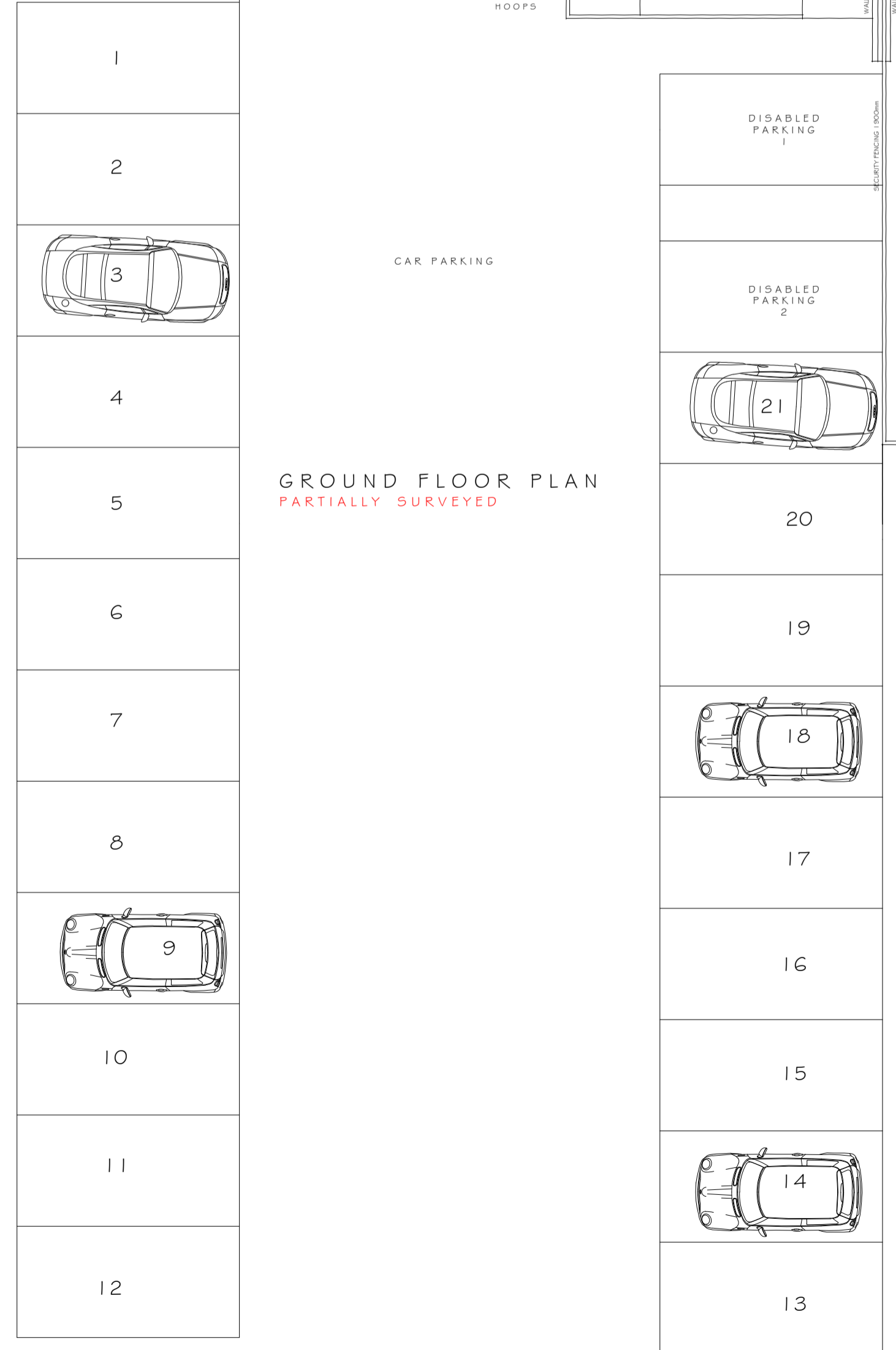
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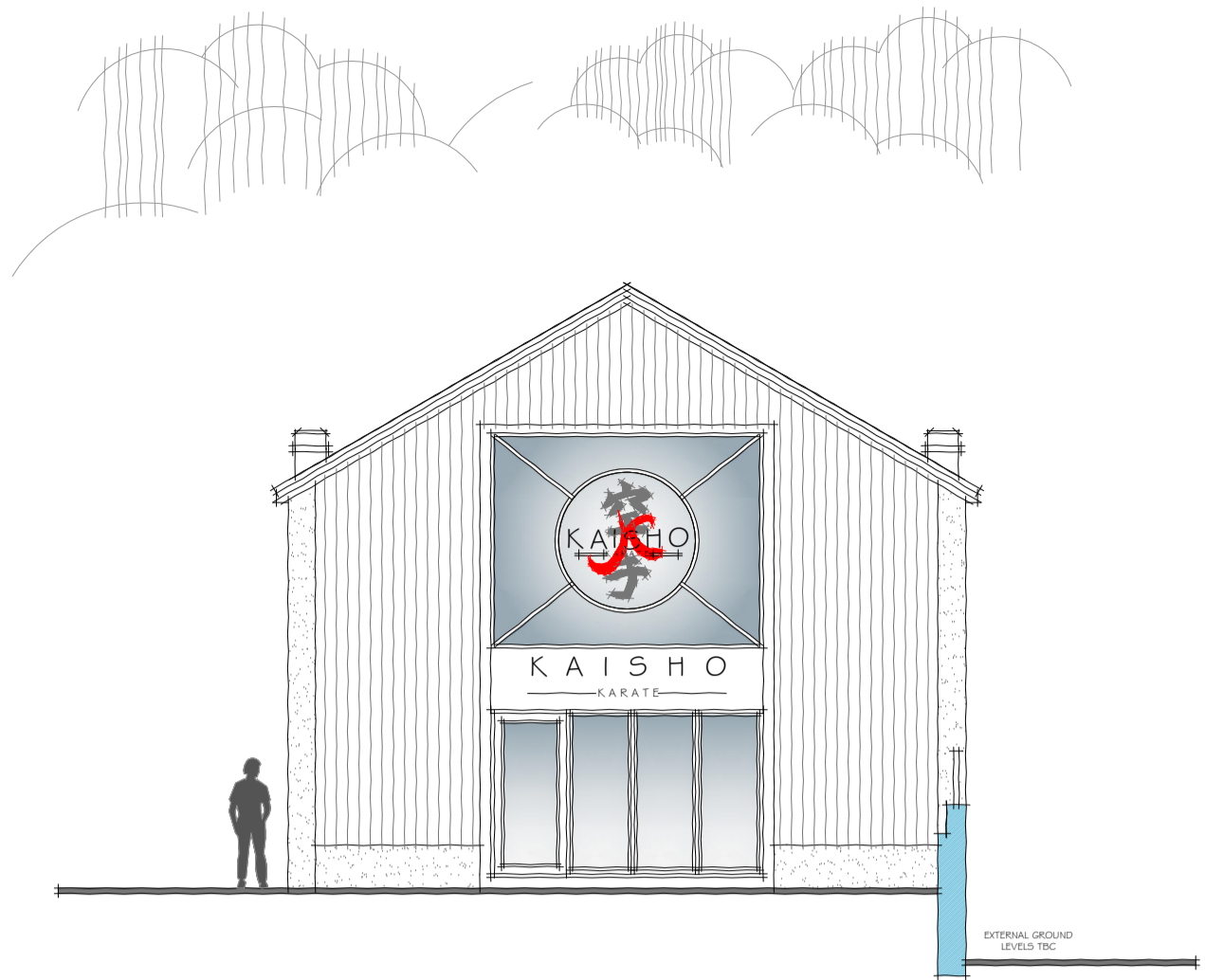




FIRST FLOOR PLAN



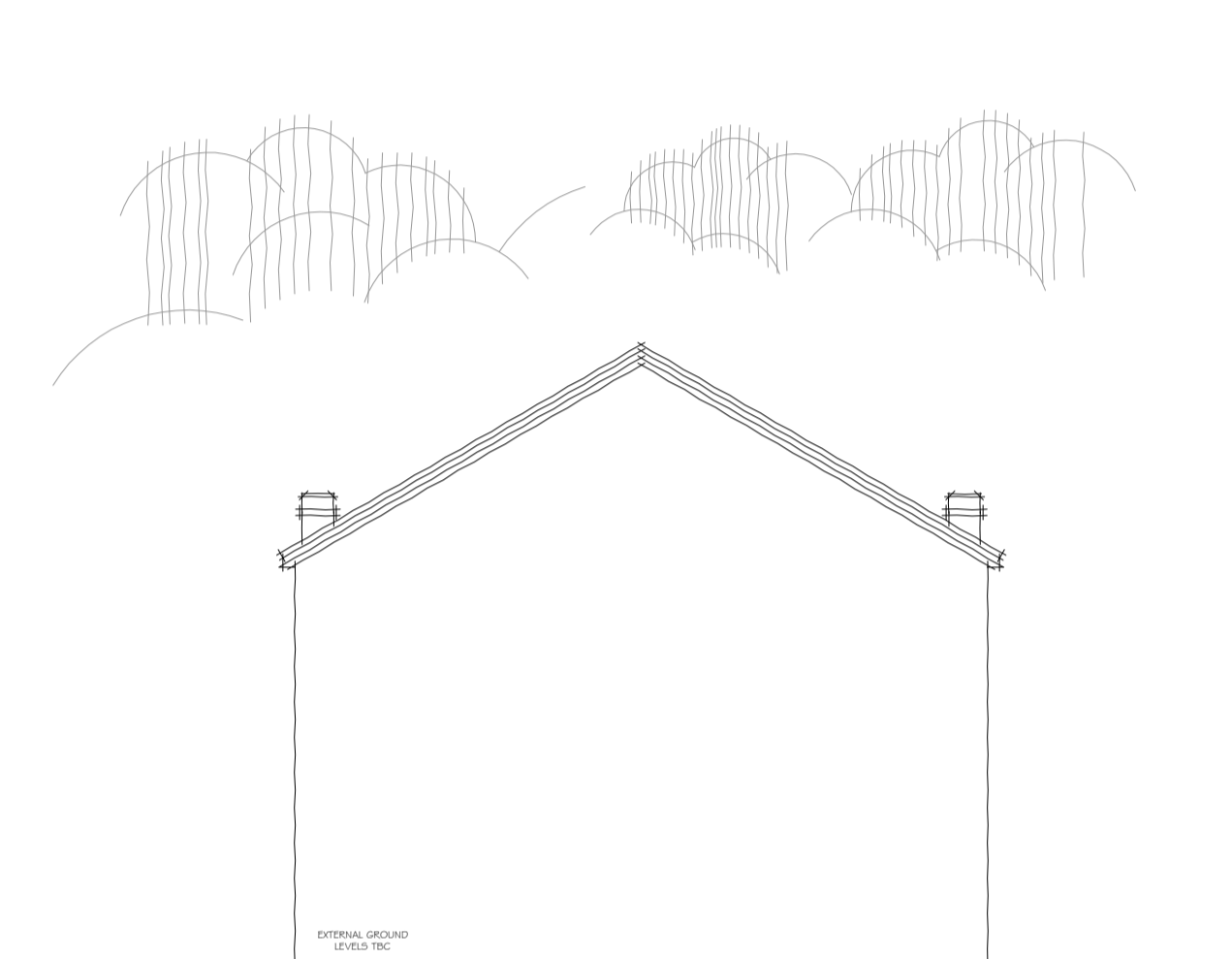
ROOF PLAN



FRONT ELEVATION



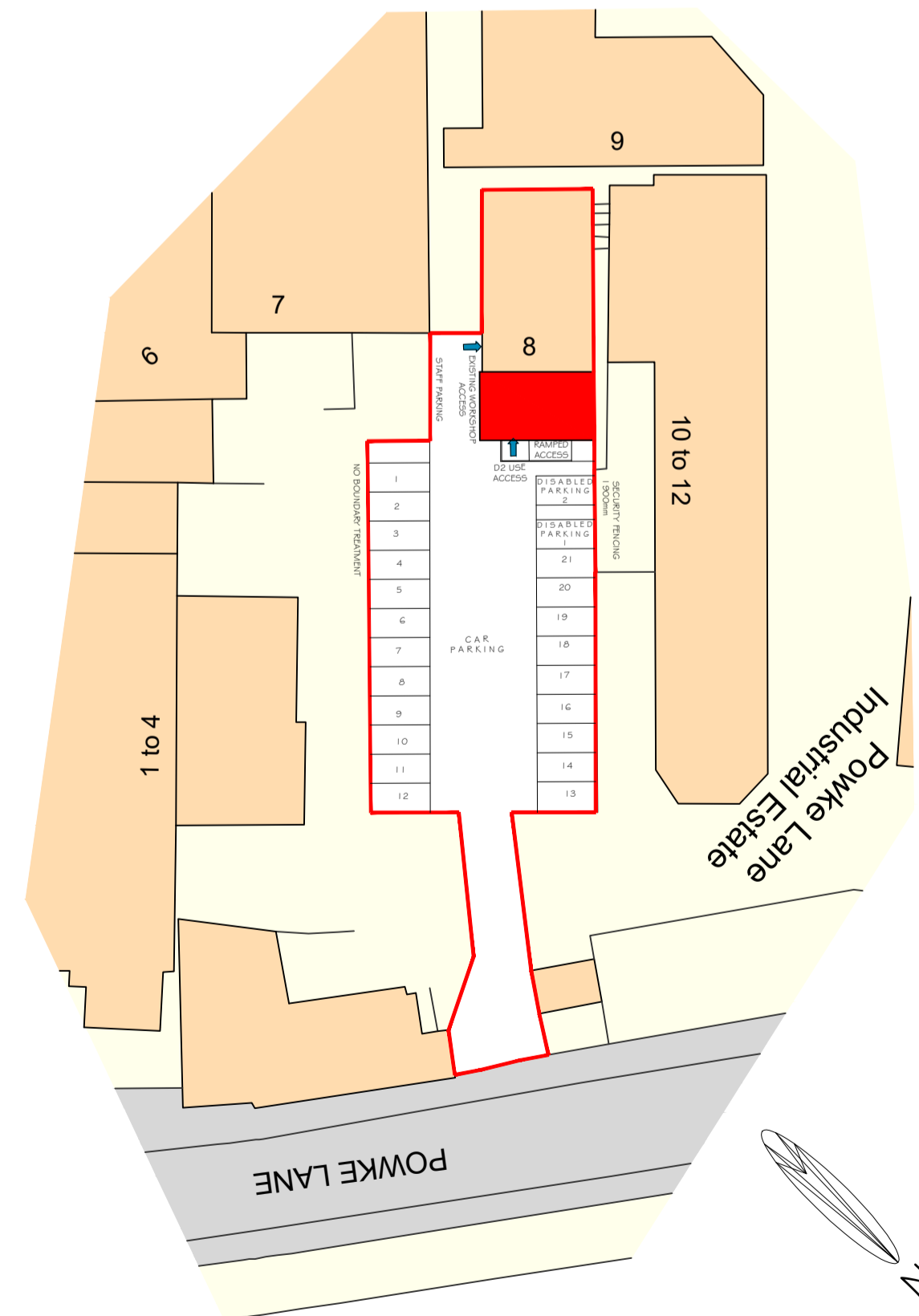
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

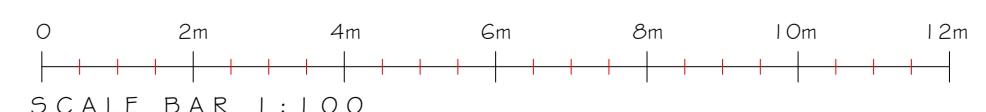


BLOCK PLAN 1:500



SITE LOCATION PLAN 1:1250

MATERIALS	
WALLS:	GREY RENDER & THERMO WOOD CLADDING
ROOF:	COMPOSITE SLATE WITH RIVEN EDGE
WINDOWS & DOORS:	WHITE UPVC AND ANTHRACITE GREY ALUMINIUM
EAVES:	ANTHRACITE GREY UPVC FASCIAS
ROOFLIGHTS:	VELUX WITH BLACK FINISH



bi Design Architecture
 79 High Street, Repton, Derbyshire, DE85 6GF
 t: 01283 704082
 enquiries@bidesign-architecture.co.uk www.bidesign-architecture.co.uk
 Please Note: Use figured dimensions only. Contractor to check all levels and dimensions on site prior to works commencing and report any discrepancies to bi Design Architecture.

Project: PROPOSED KARATE CENTRE AT
 Address: UNIT 8, POWKE LANE INDUSTRIAL ESTATE, POWKE LANE, BLACKHEATH, B650AH
 Client: KAISHO KARATE
 Dwg: PLANNING DRAWING
 Job ref: I 23K Date: DEC 2018
 Scale: 1:100, 1:500 & 1:1250
 Dwg by: LPG Paper Size: A1 Dwg No: 04

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