

**Change of use of upstairs room (Chestnut Room) at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend - GR/09/972**

A report by Head of Planning Applications Group to Planning Applications Committee on 16 March 2010.

Application by Kent County Council Country Parks for the change of use of the upstairs room (known as the Chestnut Room) for meetings, launches, wedding ceremonies, receptions and other functions at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend (GR/09/972).

Recommendation: Planning permission be granted, subject to conditions.

**Local Member(s): Mr. M. Snelling**

**Classification: Unrestricted**

**Site**

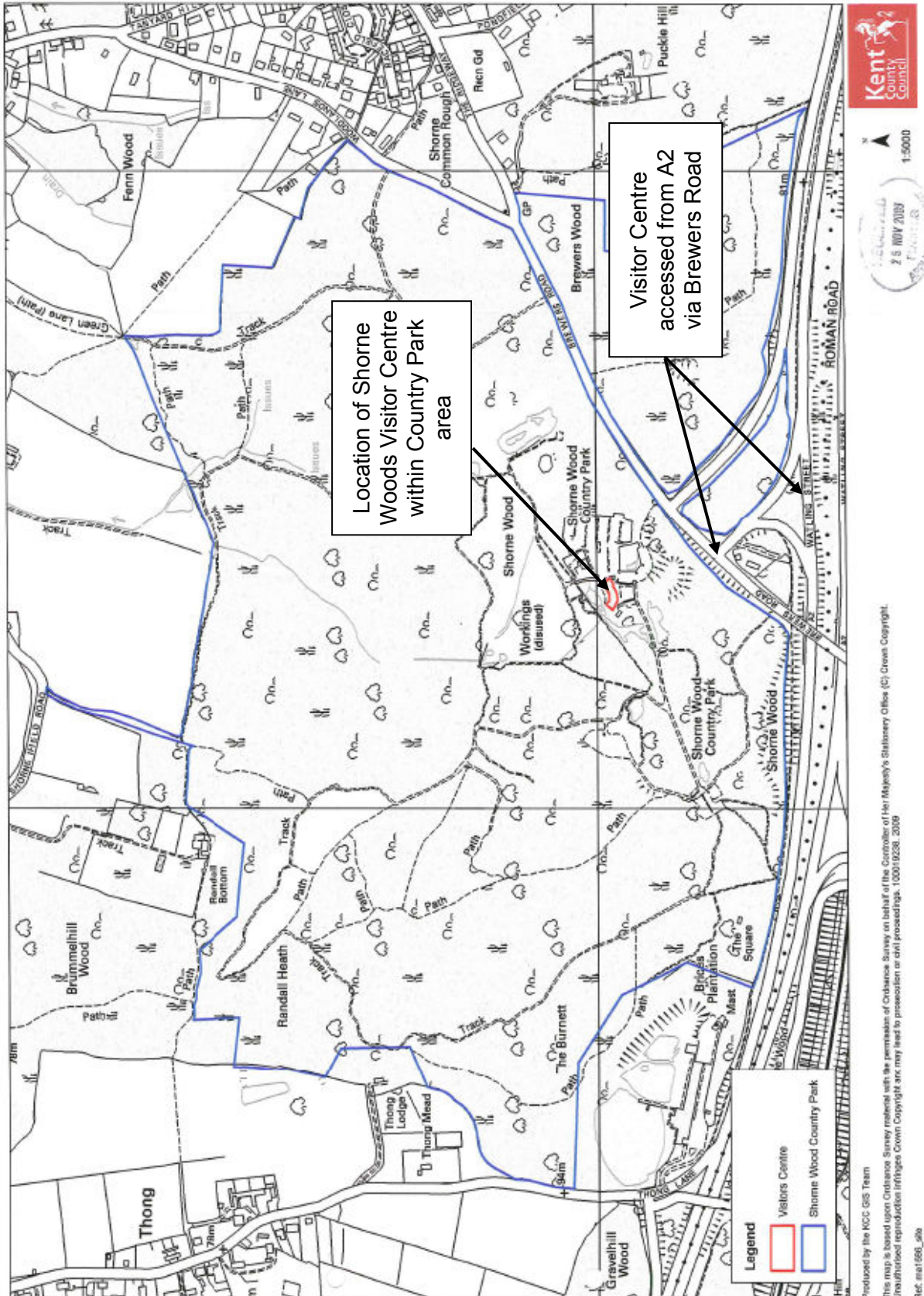
1. Shorne Woods Country Park Visitor Centre first opened to the public in July 2006 with a remit to provide visitor facilities with interpretive space, environmental educational facilities, catering, welfare facilities and administrative office space. The visitor centre was granted planning permission by the County Council's Planning Applications Committee on 15 February 2005, under reference GR/04/967, and consists of an environmentally sustainable building constructed using timber from local woodlands and using a range of microgeneration technologies (including photo-voltaic cells, biomass heating and a wind turbine) to generate much of its own energy requirements.
2. Shorne Woods Country Park occupies a strategic position in the narrow belt of countryside separating Gravesend from the Medway Towns within the Thames Gateway area. The Park is located within the Shorne ward and is within the Metropolitan Green Belt. It is also within an Area of Outstanding Natural Beauty (AONB) and a Site of Special Scientific Interest (SSSI). The entrance to the park is situated along Brewers Road, accessed off the A2. *A site location plan is attached on page D2.2.*
3. An upstairs classroom within the visitor centre (known as the Chestnut Room) was provided to cater for educational teaching, facilitated by a full-time Education Ranger employed to provide environmental education sessions both inside the Chestnut Room and outside in the Park.

**Proposal**

4. This application is made by Kent County Council (Country Parks) and proposes the partial change of use of the upstairs classroom (known as the Chestnut Room) during periods when it is not fully occupied by educational bookings. The applicant has demonstrated that since the visitor centre opened in 2006, their educational business has grown to the point in 2008/09 where they offered 81 days of school visits in the Chestnut Room, out of a possible 195 term-time weekdays. However, the applicant has identified that there is still a considerable period when the room is lying empty and under-used. This under-use has brought about the decision by the Country Parks Service to allow occasional bookings in the Chestnut Room for meetings and training sessions. Over the past year, the extent of enquiries for use of the room have increased to the point that the applicant considers that a formal application be made for a change of use to allow the room to be used for meetings, launches, wedding

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Site Location Plan



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Shorne Woods Visitor Centre & Car Park



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ceremonies, receptions and other functions during times when the room is not being used for educational purposes.

5. The applicant intends to continue to use the Chestnut Room principally for educational purposes, although many of their educational activities are now taking place outside in the Park. The applicant has just won a contract to deliver Forest School sessions every morning and afternoon of term-time for the next two years to allow all pre-school/nursery age children in the Gravesham Borough area to use the Park's facilities. As a commitment to their educational aims, the applicant has also confirmed that they have taken on another two part-time Education Rangers so that they can continue to broaden the range of educational activities they offer.
6. The applicant intends to expand the facilities offered to function attendees/delegates should they receive planning permission for a change of use, through encouraging delegates using the room to use the park whilst they are on-site. The applicant intends to develop a range of team-building activities, such as ranger-led guided tours, geocoaching (an electronic treasure hunt around the park), orienteering, participation in archaeological digs, sustainability tours and volunteering activities, which can be offered to attendees after their meetings/courses. This would offer hirers an alternative to meetings held in urban environments and hotels, but instead encourage them to experience the fresh air of the countryside and a rural environment to hold meetings in. The applicant has also been liaising with the Kent County Council Registrar Service with a view to offering wedding ceremonies and receptions in the Chestnut Room. A separate licence would be required to hold wedding ceremonies/receptions at the venue, which the applicant has confirmed they would not be pursuing until any planning consent for a change of use is established.
7. The Chestnut Room is approximately 97 square metres and can accommodate a maximum number of delegates/attendees of around 60, however the applicant has indicated that the enquires received to date for training sessions/meetings has usually tended to be for around 20-30 delegates. The applicant notes that the existing Country Park is very well located in terms of its accessibility onto the highway network being just off the main A2 trunk road, and is well catered for in terms of parking provision with an existing large visitors' car park (as shown on Page D2.3). Furthermore, the applicant has considered that given the majority of functions would take place Monday to Friday, which are the Park's quietest days, they do not foresee that there would be any parking issues in terms of space constraints. A management measure to ensure car-sharing would be introduced to room bookings, through the inclusion of only ten car parking tickets in the room hire charge.
8. The applicant considers that on the basis of school trips being mostly seasonal, they feel that the Chestnut Room can be managed in such a way as to be able to deliver both education and functions without adversely impacting on each other. An example of such day-to-day management has been highlighted within the application to include the prioritisation of educational bookings within the Chestnut Room between May and June, the peak school visits time of the year.
9. The applicant sets out that the maximum hours of use of the function room would not exceed 08:00 to 22:00 seven days a week as part of these proposals.
10. Whilst the applicant recognises that the intended change of use of the facility would represent a partially commercial use of the building, they have confirmed that it is not the intention of the facility to generate a profit or detract from the principle use of the building as an educational/interpretation facility. Instead, running functions within the

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Chestnut Room has the potential to generate a reasonable amount of income to the Park to directly offset its running costs and help allow to keep the park open as a public service.

**Planning Policy**

11. The Development Plan Policies summarised below are relevant to consideration of the application:

(i) The adopted 2009 **South East Plan**:

- Policy SP3** The prime focus for development in the South East should be in urban areas, in order to foster accessibility to employment, housing, retail and other services, and to avoid unnecessary travel.
- Policy SP5** Existing Green Belts in the region will be retained and supported and the opportunity should be taken to improve their land-use management and access as part of initiatives to improve the rural-urban fringe.
- Policy CC1** The principle objective of the Plan is to achieve and maintain sustainable development in the region.
- Policy CC6** Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities.
- Policy T4** Local development documents should adopt restraint-based maximum levels of parking provision for non-residential development, reducing provision in locations with good public transport, and ensure the provision of sufficient cycle parking at new developments.
- Policy S6** The mixed use of community facilities should be encouraged by local authorities, public agencies and other providers, through local development documents and other measures in order to make effective use of resources.
- Policy C3** High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals for development should be considered in that context.

(ii) The adopted 1994 **Gravesham Local Plan 1<sup>st</sup> Review (Saved Policies)**:

- Policy GB2** There will be a strong presumption against permitting new development in areas subject to Green Belt policies
- Policy C3** In Areas of Outstanding Natural Beauty, the Borough Council will expect all applications to contain sufficient details to enable the impact of the development to be assessed. Proposals

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which do not make a positive contribution to the environment will not normally be permitted.

- Policy C7** Where development proposals affect Sites of Special Scientific Interest directly or indirectly, the Borough Council will not permit such development, unless it can be shown that the proposals will not materially harm the maintenance of the significant interest.
- Policy T1** The Local Planning and Highway Authorities will consider the impact on the transport system and on the environment of traffic generated by new development and will wish to ensure that all proposed developments are adequately served by the highway network.
- Policy T4** The Local Planning and Highway Authorities will not normally permit any proposed development outside the confines of the built up area that generates significant vehicular or pedestrian traffic.
- Policy P5** In considering application for the change of use of buildings, the Borough Council will seek to ensure that the Vehicle Parking Standards are met.

**Consultations**

12. **Gravesham Borough Council:** has raised no objection to the proposals subject to control over the hours of use as applied for and controls over noise emitted from the premises. On the latter it is recommended that amplified sound from the premises shall not exceed Noise Rating Curve 30 over the full spectrum octave range at nearby noise sensitive premises' habitable rooms.

**Shorne Parish Council:** the Council wishes to register an objection to the application on the following grounds: -

- (a) "The building in question was erected to provide support and interpretive facilities for the Country Park and to enable the Park to be used as an educational resource. The proposed use is inappropriate in that it has no connection with the Country Park;
- (b) The proposed use represents the introduction of a non-conforming commercial use into this Green Belt site. The proposed use is not pursuant of agriculture, forestry or mineral extraction. No special circumstances have been put forward to justify overriding Green Belt policy;
- (c) The facilities have been publicly funded as part of the Country Park and there use for this purpose could represent unfair competition;
- (d) The proposed use has the potential to be in conflict with the use of the building as an ancillary to the Country Park facility".

**Divisional Transportation Manager:** has raised no objections to the proposed change of use.

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**Local Member**

13. The local County Member, Mr. M. Snelling, was notified of the application on the 3 December 2009.

**Publicity**

14. The application was publicised by the posting of a site notice at the main entrance to the Country Park with Brewers Road.

**Representations**

15. I have received no letters of representation to date in respect of this application.

**Discussion**

Introduction

16. The application seeks planning permission for a partial change of use of the upstairs room (Chestnut Room) within Shorne Woods Country Park Visitor Centre to allow meetings, launches, wedding ceremonies, receptions and other functions to be held within the Visitors Centre in addition to its existing use as an educational/interpretational centre. The application proposes no built development as part of these proposals, and is purely based on a change of use of the existing classroom space within the Visitor Centre. The application is being reported to the Planning Applications Committee as a result of the objection received from Shorne Parish Council, as outlined in paragraph (12) above. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (10). Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case relate to any impacts associated with the partial change of use of the Chestnut Room within the existing Visitor Centre in terms of additional highway movements, the acceptability of the proposed development given the Visitor Centre location within the Metropolitan Green Belt, together with any associated impacts arising from the proposal in terms of the Kent Downs Area of Outstanding Natural Beauty (AONB) or the Site of Special Scientific Interest (SSSI) designations.

Metropolitan Green Belt

17. Members will note that Shorne Woods Country Park, and indeed its Visitor Centre, is located within the Metropolitan Green Belt. The overarching principles of the Green Belt, in terms of maintaining tight planning controls over any development taking place within Green Belt land is reaffirmed within Circular 11/2005. Within this Circular, the Government expects that all planning applications for development (*the term 'development' includes a material change of use*) in the Green Belt will be subject to the most rigorous scrutiny, having regard to the fundamental aim of Green Belt policy as set out in Planning Policy Guidance Note 2 (PPG2), that is to prevent urban sprawl by keeping land permanently open. The openness of Green Belts is considered to be their most important attribute and therefore there is a general presumption against

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inappropriate development, which is by definition harmful and should not be permitted, unless it can be justified by very special circumstances. Therefore in the context of National Planning Policy and Development Plan Policies that apply, consideration needs to be given to whether or not the proposal involve inappropriate development, and if so, whether there are 'very special circumstances' that would warrant setting aside the general presumption against the development.

18. The use of land within Green Belts, as set out in PPG2, states that land within these designations has a 'positive role to play in providing opportunities for access to the open countryside for the urban population' as well as 'providing opportunities for outdoor sport and outdoor recreation near urban areas'. In addition, PPG2 describes that development within the Green Belt is inappropriate unless it is for, amongst other purposes, 'essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it'. It is considered that the partial change of use of the Chestnut Room within the existing Shorne Woods Visitor Centre, to include use for meetings, wedding ceremonies, receptions and other functions, in addition to its primary use as an educational/interpretation facility would be inappropriate development within the Green Belt.
19. In considering the impact of the proposed development on the Metropolitan Green Belt, it is noted that the proposal includes no physical 'built development' over and above the existing Visitor Centre and its associated car parking facilities. Therefore the overall openness of the Green Belt, its most important attribute, would not be compromised in any way by this proposal.
20. In this particular case, I consider that the applicant has been able to demonstrate the current under-use of the Chestnut Room within the existing Visitor Centre building. They have provided details of the types of uses of the Chestnut Room which they would like to offer on a commercial basis in order to complement the primary role as an educational/interpretation facility, together with proposing a way in which to generate an amount of revenue from the building to put towards the day-to-day running of the Country Park as a public facility. Whilst I note concerns raised from the Parish Council regarding the intended uses of the Chestnut Room having no direct connection with the Country Park, I recognise the current under-use of the room and the scope for hiring the room out for functions not directly related to education or the interpretation of the Country Park. I therefore see no reason, in principle, to the managed use of the Chestnut Room at times when it may otherwise be available for such purposes.
21. Members will note that the use of the site as a Country Park has long been established, and is itself in any case an 'appropriate use' within the Green Belt (as defined by PPG2). Whilst the development proposed in this particular case is considered to be 'inappropriate development' within the Metropolitan Green Belt, and is unlikely to be permitted ordinarily within a Green Belt location should the proposal involve the construction of built development, I consider that the applicant has been able to demonstrate a case of need for the change of use of the Chestnut Room when it may otherwise be available. When balancing this against the general policy thrust of South East Plan Policy S6 which encourages the mixed use of community facilities to make effective use of resources, I see no reason, in principle, to reject the proposal primarily on Green Belt grounds. Furthermore, I consider that any change of use of the upstairs room would be ancillary to the use of the Visitor Centre as an educational/interpretation within the wider purpose of the Country Park as an 'appropriate use' within the Green Belt in terms of providing 'opportunities to the outdoor countryside for sport and recreation', as defined by PPG2.



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22. Taking account of the proposals impact on the Green Belt, in particular given that it proposes no built development which would otherwise impact on the openness of the Green Belt, I consider that the justification put forward by the applicant and the ancillary nature of the development when considered against the wider purpose of the building as an educational/interpretation centre within the Country Park account to a very special set of circumstances capable of outweighing the presumption against inappropriate development. For this reason, I consider that the proposal accords with the general presumptions contained within National Green Belt Policy together with Development Plan Policies covering Green Belt land, notably South East Plan Policy SP5 and Local Plan Policy GB2.

Site Designations

23. Members will note that Shorne Woods Country Park Visitor Centre is located within the Kent Downs Area of Outstanding Natural Beauty (AONB) and within a Site of Special Scientific Interest (SSSI). However, as noted the proposal includes no form of built development and therefore there are no visual or ecological impacts to consider as part of this proposal. It is therefore considered that any impact resulting from the proposed change of use would be negligible both on the Kent Downs AONB and the surrounding SSSI. For this reason, I consider that the proposal accords with the general principles contained in South East Plan Policy C3 and Local Plan Policies C3 and C7.

Transport Issues

24. The existing Country Park and its Visitor Centre benefits from a large car park consisting of 287 car parking spaces, 17 disabled bays, 14 motorcycle spaces and a further 7 cycle parking spaces. The current proposal seeks no alteration to the level of existing parking provision on site as the applicant considers that the level will be adequate to accommodate both visitors to the Country Park and its Visitor Centre, whether that be for meetings, launches, wedding ceremonies/receptions or for educational functions as originally intended. The existing Country Park enjoys a direct access from the main A2 trunk road via Brewers Road (as shown on Page D2.2).
25. Members will note that the Divisional Transportation Manager has raised no objections to the proposed change of use. I am therefore minded to agree with the professional advice received and on this basis would not seek to raise an objection to the proposed development on the basis of highway matters, and consider that the proposal is in general conformity to South East Plan Policy T4 and Local Plan Policies T1, T4 and P5.

Other Issues

26. It is noted that the Parish Council has raised concerns that the facilities of the existing Country Park have been publicly funded and that their use for a commercial purpose could represent unfair competition. I consider that in the case of this proposal, the applicant has been able to demonstrate a suitable use for the Chestnut Room at times when it may otherwise be vacant, which would bring in an income to help further reduce public funding of the site in terms of the day-to-day running costs of the County Park as a public service. This approach would therefore appear to be a sensible use of public funding in terms of reducing day-to-day running costs of an existing important public service whilst maximising the use of the Chestnut Room at periods when it may otherwise be vacant. I would therefore not raise an objection to this proposal on this particular point raised by the Parish Council.

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27. As part of the consultation process with the Borough Council, Members will note that Gravesham Borough Council raised no objections to the proposed change of use subject to appropriate controls being imposed on any planning consent to secure the maximum hours of use of the Chestnut Room and noise controls to limit any noise nuisance at nearby noise sensitive premises' habitable rooms. Whilst I am minded to agree with the Borough Council with regards to limiting the maximum hours of use of the Chestnut Room to those applied for (i.e. between 08:00 to 22:00 seven days a week) I do not consider that the noise control measures proposed to be warranted, based on a large separation distance of approximately 650 metres between the Visitor Centre and nearest noise sensitive residential property located to the east of the Visitor Centre and separated by Brewers Road. That said, I consider that any noise nuisance issues arising from the Visitor Centre, be they from existing issues or any aspects associated with the change of use, they would be best dealt with under the Borough Council's Environmental Health remit.

**Conclusion**

28. The proposal seeks to supplement the current use of the Chestnut Room within the existing Shorne Woods Country Park Visitor Centre when it may otherwise be under-used or vacant. The Country Park is located within the Metropolitan Green Belt and within the sensitive areas of the Kent Downs Area of Outstanding Natural Beauty and a Site of Special Scientific Interest. Whilst it is noted that the use of the room for meetings, launches, wedding ceremonies and receptions would not in themselves constitute appropriate uses within a Green Belt location, I consider that the applicant has been able to demonstrate a set of very special circumstances to warrant the setting aside of the general presumption against the development in this instance. I consider that when balanced against the general thrust of South East Plan Policy S6 to encourage the mixed use of community facilities to make effective use of resources, the fact that the proposed change of use would complement the existing educational/interpretation role of the Visitor Centre and be ancillary to the site's main purpose in providing opportunities for leisure and recreation within the countryside, together with any additional benefits of generating a revenue stream to help sustain the day-to-day running of the Country Park as a public facility, the proposed change of use should not be presumed against on Green Belt grounds alone. Furthermore, I note that given the proposals do not include any aspect of built development there would not be any noticeable impact on the sensitive areas of either the Kent Downs Area of Outstanding Natural Beauty or the Site of Special Scientific Interest.
29. Having regard to National Planning Policy in relating to development within the Green Belt, adopted Development Plan Policies, the duty of regard to protect Areas of Outstanding Natural Beauty, and the material considerations raised by the Parish Council in this instance, I consider that the proposed change of use of the upstairs room (known as the Chestnut Room) within the existing Shorne Woods Visitor Centre to be in general conformity to Local and National policies, and I therefore see no overriding reason why the development should be presumed against in this instance. For the reasons set out above, I therefore recommend that planning permission be granted for the proposed change of use as set out in paragraph (30) below.

**Recommendation**

30. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- the standard time limit;

## **Item D2**

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- the development to be carried out in accordance with the permitted details;
- the use of the Chestnut Room be solely used for the uses applied for and no other uses shall take place unless otherwise agreed in writing by the County Planning Authority; and
- hours of use of the Chestnut Room be limited to 08:00 to 22:00 seven days a week.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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