

Permanent change of use of the Chestnut Room to allow dual use for educational activities and functions at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend – GR/11/961 (KCC/GR/0437/2011)

A report by Head of Planning Applications Group to Planning Applications Committee on 14 February 2012.

Application by Kent County Council Country Parks for the permanent change of use of the Chestnut Room in the Visitor Centre to permit dual use for both educational activities (already has permanent permission) and functions (currently has temporary permission until April 2012 under permission GR/09/762) at Shorne Woods Country Park, Brewers Road, Shorne, Gravesend – GR/11/961 (KCC/GR/0437/2011).

Recommendation: Planning permission be granted, subject to conditions.

Local Member(s): Mr. M. Snelling

Classification: Unrestricted

Site and Background

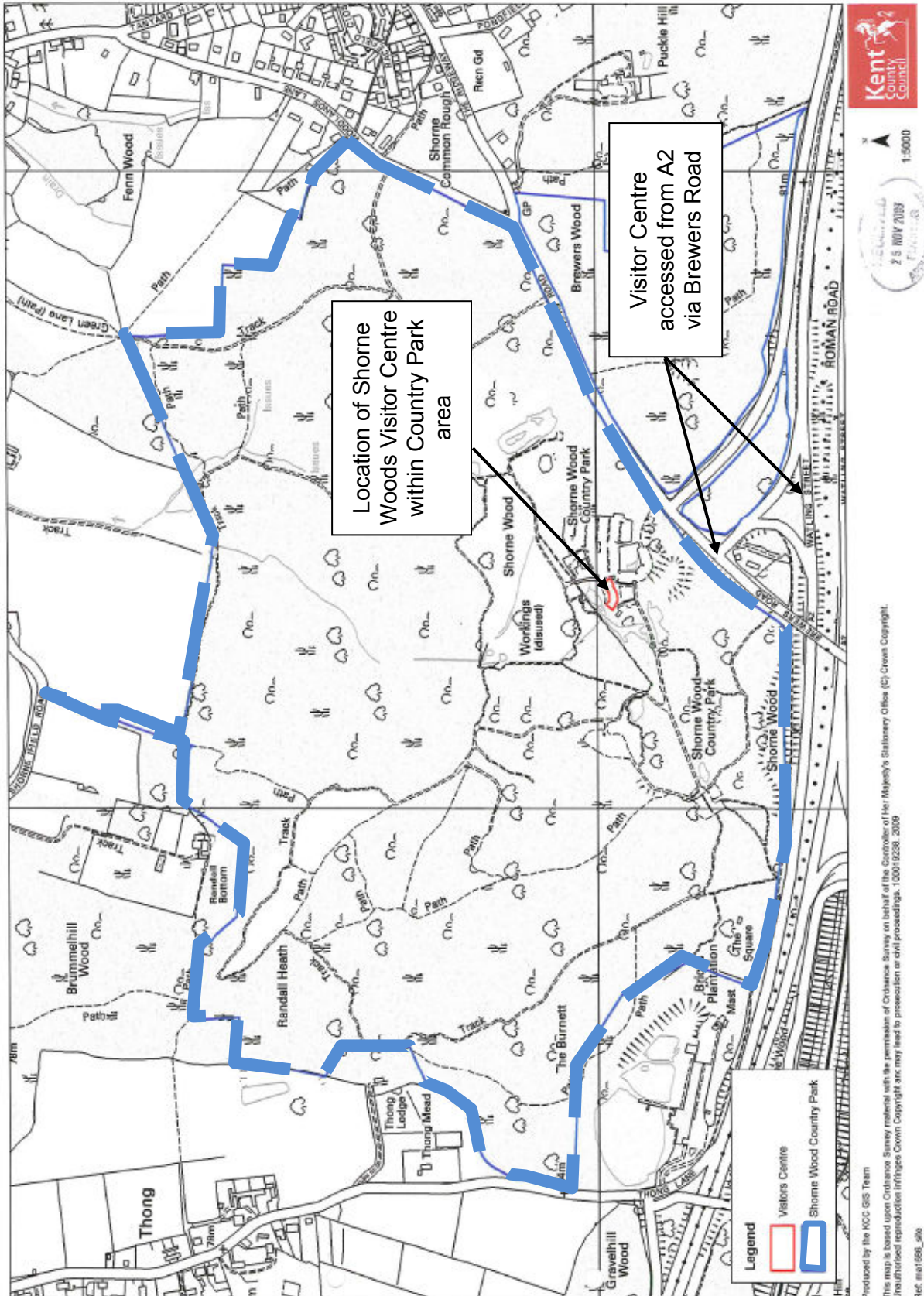
1. Shorne Woods Country Park Visitor Centre first opened to the public in July 2006 with a remit to provide visitor facilities with interpretive space, environmental educational facilities, catering, welfare facilities and administrative office space. The visitor centre was granted planning permission 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 D3.2.
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. Planning permission for a temporary change of use of the Chestnut Room (for use with meetings, launches, parties, receptions and wedding ceremonies) was granted at the Meeting of the Planning Applications Committee in March 2010 for a period expiring at the end of April 2012. At that Meeting, Members resolved that the application be permitted for a two year trial period to allow the applicant to demonstrate the impact of the change of use on the Visitor Centre building. Hours of use were restricted by that planning permission to restrict the use taking place between 08:00 and 22:00 hours Monday to Sundays, inclusive of Bank Holidays.

Proposal

4. This application is made by Kent County Council Country Parks and proposes the permanent change of use of the upstairs classroom (known as the Chestnut Room)

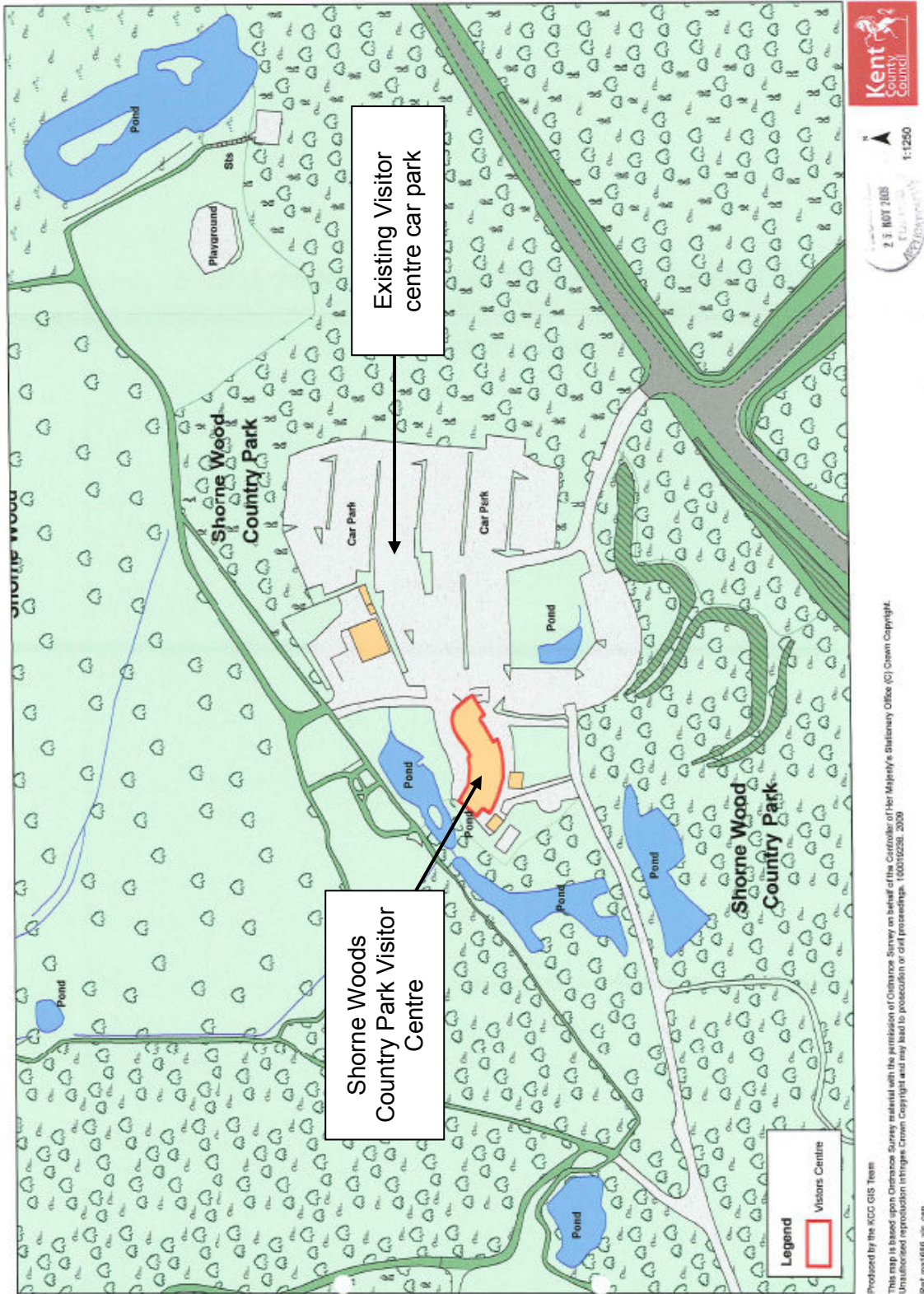
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Site Location Plan



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Shorne Woods Visitor Centre and Car Park



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during periods when it is not fully occupied for educational bookings, beyond the temporary period previously granted and shortly due to expire at the end of April 2012. The applicant intends to continue to use the Chestnut Room for educational purposes whilst allowing dual use so that the room can continue to be used as a function space indefinitely. The applicant wishes to continue to take bookings for meetings, launches, receptions, parties and other functions, as these provide a valuable income to the Park which can then be used to offset the costs of general management of the site. It should however, be noted that the applicant no longer intends to offer wedding ceremonies in the Chestnut Room as further assessment has demonstrated that this is not financially viable.

5. During the two year temporary period (between March 2010 and April 2012) the applicant has been expanding the functions offered within the Chestnut Room at the Park. These include a range of team-building activities within the Park where businesses can take part in either as an add-on to a meeting or for a full day. These include ranger-led guided tours, geocaching (an electronic treasure hunt around the Park), orienteering, participation in an archaeological dig, sustainability tours (relating to the Visitor Centre) and volunteering activities. I am advised by the applicant that this is providing a good way to encourage people who would not normally experience the countryside to get out and enjoy the Park, and also encourages repeat visits with their families at a later date. In addition, the applicant has been offering environmentally-themed birthday parties, using the Chestnut Room as a gathering point and somewhere to have lunch, but also taking children out in the Park for activities such as mini-beast hunts, pond-dipping and bush craft. I am advised that this is proving to be a success, and brings in business, particularly at weekends when the Chestnut Room is the most under-used.
6. The Chestnut Room is approximately 97 square metres and can accommodate a maximum number of delegates/attendees of around 60. However, the majority of bookings taken to date have been for meetings and training sessions, which have typically involved between 10 and 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 D3.3). 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 encourage car sharing has been introduced by including only ten parking tickets in the daily room hire charge. These measures have been operating successfully during the two year temporary trial period.
7. 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 time of the year for school visits.
8. The applicant sets out that the maximum hours of use of the function room would not exceed 08:00 to 22:00 hours, seven days a week (including Bank/Public Holidays) as part of these proposals. These were the same hours as permitted during the two year temporary trial period.

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9. Whilst the applicants recognise that the permanent 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 Chestnut Room has the potential to generate a reasonable amount of income to the Park to directly offset its running costs and assist in keeping the park open as a public service.
10. Furthermore, the applicant notes that having almost completed the two year trial period, there have been no issues or complaints with the functions that have been running either in terms of parking, traffic issues or clashes with the educational use of the Chestnut Room. Having monitored the use of the Chestnut Room during the two year temporary period the applicant has confirmed that there is still more than ample capacity to allow the use of the room for this secondary purpose and therefore consider a permanent change of use to be most appropriate.

Planning Policy

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

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

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|-------------------|---|
| 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 principal 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 |

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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 1st 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 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. Furthermore, the Borough Council considers that the proposal would be appropriate development in the Green Belt as it would not have a materially greater impact on the openness of the Green Belt, it would have little adverse impact externally (as there would be no increase in car parking provision or require the erection of boundary treatments etc.) and there would be no physical alteration of the building itself. Also, it would have no adverse impact on the Kent Downs AONB and would cause no adverse impacts to neighbours or highway safety. Therefore, the Borough Council raises no objection to the proposed development and would recommend that any planning permission granted should contain a condition which controls the hours of use.
13. **Kent Highways and Transportation:** has raised no objection to the proposals.
14. **Shorne Parish Council:** the Council wishes to register an objection to the application on the following grounds:

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- i. “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;
- ii. The proposed use represents the introduction of a non-conforming commercial use into this Green Belt site. The proposed use is not pursuant to agriculture, forestry or mineral extraction. No special circumstances have been put forward to justify overriding Green Belt policy;
- iii. The facilities have been publicly funded as part of the Country Park and there use for this purpose could represent unfair competition;
- iv. The proposed use has the potential to be in conflict with the use of the building as an ancillary to the Country Park facility”.

If notwithstanding the objections outlined above the Planning Authority is minded to grant permission, the Parish Council would request the imposition of a condition limiting the use of the building for the holding of functions to 28 days a year. The grounds for imposing the condition are to limit the use of the building and ensure that its use as a function facility does not become its primary use.”

Local Member

15. The local County Member, Mr. M. Snelling, was notified of the application on the 1 November 2011.

Publicity

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

Representations

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

Discussion

Introduction

18. The application seeks planning permission for a permanent change of use of the upstairs room (Chestnut Room) within Shorne Woods Country Park Visitor Centre to allow functions (including meetings, lunches, receptions, parties 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 (14) above. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (11). 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

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opinion, the key material planning considerations in this particular case relate to any impacts associated with the permanent 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's 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

19. 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 is to maintain tight planning controls over any development taking place within Green Belt designated land. 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 in the Green Belt permanently open. The openness of Green Belts is considered to be their most important attribute and therefore there is a general presumption against 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 involves inappropriate development, and if so, whether there are 'very special circumstances' that would warrant setting aside the general presumption against the development.
20. 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 change of use of the Chestnut Room within the existing Shorne Woods Visitor Centre, to include use for meetings, launches, receptions, parties and other functions, in addition to its primary use as an educational/interpretation facility would be inappropriate development within the Green Belt.
21. 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.
22. In this particular case, the applicant has stated that during the two year period in which the temporary change of use was granted, there has still been a significant amount of under-use of the room (i.e. times when the Chestnut Room is unoccupied during the week and weekend, neither being used as an education facility or for function uses). The applicant has provided details of the types of uses of the Chestnut Room which they would like to continue to offer on a permanent basis in order to complement the primary role as an educational/interpretation facility. This would continue to generate an amount of revenue from the building which would allow some of the costs of the day-to-day running of the Country Park to be offset as a public facility. Whilst I note concerns

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raised from the Parish Council regarding some of 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 it out for functions. The applicant has suggested that function bookings offer hirers an alternative to meetings in urban environments and hotel facilities and instead encourages them to experience the fresh air of the countryside and a calming rural environment to meet in, which is one of the key aims of the County Council's Country Parks Service. They also suggest that the demand for team-building activities in the Park have increased with a strong focus around the "eco-friendly" credentials of the Visitors Centre as well as having introduced a range of themed birthday parties using the Chestnut Room and also taking children out into the Park. I consider that these uses are arguably related to the purpose and function of the Country Park Visitors Centre facility. I therefore see no reason, in principle, to the managed use of the Chestnut Room for functions at times when it may otherwise be available for such purposes. Furthermore, I understand that during the past two years in which the applicant has been offering this additional use on a temporary basis there have been no complaints received directly attributable to the running of functions within the Chestnut Room.

23. 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 permanent case of need for the change of use of the Chestnut Room to permit the dual use of the room (both as an educational space and for functions) when it may otherwise be under-used. 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.
24. 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

25. 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

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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

26. 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 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, receptions, parties and other functions 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 D3.2). I understand that during the two year trial period there have been no complaints received relating to parking or traffic issues. Kent Highways have raised no objections to the proposals in respect of highway matters (paragraph 13). I therefore have no 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

27. 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 continued 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. It should be noted that revenue budgets for all the Kent Country Parks continue to fall year-on-year and the running of functions from the Chestnut Room has the potential to bring in a reasonable amount of income to the Park to directly offset its running costs and to keep it open as a public service. The applicant has confirmed that the income generated would in no way make an overall profit; it would simply contribute towards off-setting the general Park running costs. 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. Moreover, it is an established principle that the planning decision process should have no regard to commercial aspects, such as stifling or broadening of competition amongst rival activities. I would therefore not raise an objection to this proposal on this particular point raised by the Parish Council.
28. 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 permanent planning consent to secure the hours of use of the Chestnut Room. I consider that it would be appropriate to impose the same hours of use on any permanent change of use permission as were imposed on the temporary consent, which have not led to any complaints to the Planning Authority during this two year trial period. I therefore propose that hours of use be controlled by condition to between 08:00 and 22:00 hours seven days a week (including Bank/Public Holidays).

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29. Members will note that the Parish Council has requested that, should the County Planning Authority be minded to accept this application for a permanent change of use, that the use of the building should be limited by condition to the holding of functions up to 28 days in any calendar year. In my opinion this would be unnecessarily restrictive and would limit the use of the room for functions when it may otherwise be vacant from its primary use as an educational facility. Based on the past two years experience of holding functions at the Park, I note that the applicant has indicated that these have not led to any detrimental effect at all on their ability to offer all of their services. The previous temporary permission did not contain any restriction on the maximum number of days in which functions could be held in any one calendar year. Since the Visitor Centre is fully open and operational throughout the year, and there are no discernable additional impacts from the use of the Chestnut Room, I consider that there is no rationale for limiting its use to a specific number of days per year in this particular case. Having considered the merits of this application, I see no overriding reason to impose such as restriction on the applicant now.

Conclusion

30. The proposal seeks to supplement the use of the Chestnut Room within the existing Shorne Woods Country Park Visitor Centre when it may otherwise be under-used or vacant on a permanent basis. 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, receptions, parties and other functions would not in themselves constitute appropriate uses within a Green Belt location, I consider that the applicant has been able to demonstrate 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.
31. I would draw Members' attention to the fact that having now undertaken a two year trial period of this change of use, no complaints have been received related to parking, traffic issues or clashes with the educational use of the Chestnut Room. I therefore do not believe there to be any overriding problems with the day-to-day management and dual use of the Country Park facility.
32. 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 permanent 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.

Item D3

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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 (33) below.

Recommendation

33. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:

- the standard time limit;
- 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 hours seven days a week (including Bank/Public Holidays).

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