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| <b>2.3 REFERENCE NO - 19/506013/OUT</b>   |  |  |
| <b>APPLICATION PROPOSAL</b><br>Outline Application with scale matters sought for proposed visitor information and learning centre to replace existing accommodation at Brogdale Farm. |  |  |
| <b>ADDRESS</b> Brogdale Collections Brogdale Farm Brogdale Road Ospringe Faversham Kent ME13 8XU  |  |  |
| <b>RECOMMENDATION</b> - Grant subject to conditions   |  |  |
| <b>REASON FOR REFERRAL TO COMMITTEE</b><br>Contrary representations from Ospringe Parish Council  |  |  |
| <b>WARD</b> East Downs  | <b>PARISH/TOWN</b> Ospringe              | <b>COUNCIL</b> Brogdale Collections<br><b>AGENT</b> Mr Tom La Dell |
| <b>DECISION DUE DATE</b><br>29/01/20  | <b>PUBLICITY EXPIRY DATE</b><br>09/01/20 |  |

### Planning History

Numerous applications relating to this site , however the most relevant to this application are the following:-

SW/13/0660

Change of use as demonstration gardens with incidental buildings and associated parking.  
Approved Decision Date: 27.09.2013

SW/95/0740

Change of use of a large area of ground to form a series of historic gardens showing the history of fruit cultivation  
Approved Decision Date: 08.11.1995

#### **1. DESCRIPTION OF SITE**

- 1.1 The site is situated within Brogdale Farm which is the home of the National Fruit Collection (NFC) with public access to the NFC arranged via a charity known as Brogdale Collections. The farm is situated to the south of Faversham town, alongside the M2 motorway and outside any Local Plan defined built-up area boundary.
- 1.2 The location of the proposed building is set to the east of the existing car parks and to the south of the main cluster of buildings on the farm. Buildings to the north of the site screen the location from the Grade II listed Brogdale Farmhouse, which is in separate ownership and lies approximately 60 metres from the proposed development site, with separate access from Brogdale Road.
- 1.3 Following the decision by MAFF to pull out of Brogdale in 1990 the farm was taken over by local management to preserve public access to the NFC. As part of the Council's wish to see the site become a significant local visitor attraction, application SW/95/0740 was approved in 1995 for use of a large area of ground adjacent to the current

application site to form a series of historic gardens showing the history of fruit cultivation, ways of growing fruit and demonstrating the variety of fruit. This included a viewing mound, pavilions and a series of linked gardens to add to the visitor experience of Brogdale. The proposals were described as a master plan for the outdoor activities and gardens to realise the concept of Brogdale as a visitor attraction. External funding was to be sought to achieve the approved aims via an appeal, but although neither the gardens nor the mound were ever created the overflow car park now in place was shown as part of those plans and the applicant suggests that this permission was implemented.

- 1.4 Much more recently, planning permission SW/13/0660 was granted for an alternative arrangement of demonstration gardens. Only one of the gardens (a wildlife garden) has been created so far, but the application has been implemented and further gardens can be constructed subject to detailed approvals from the Council. These would transform the setting of the current application site from an open field to a formal series of gardens including pavilions and pathways for visitors to experience gardening techniques from around the world.

## 2. PROPOSAL

- 2.1 This is an outline proposal, with only matters of scale sought for approval under this application, for the erection a new free-standing information and learning centre to serve the Brogdale Collections and visitors to the NFC. The proposed building would sit within an irregularly shaped floorplan (intended to provide for the indicative floorplan submitted with the application), which would have a maximum length of 38 metres and a maximum width of 26 metres, reducing to 17 metres. The intended overall height of the building has recently been confirmed as 5.5m
- 2.2 Although only matters of scale are sought for approval under this application, indicative design drawings have been submitted, which show a single storey building which, although contemporary in style, suggests the style of simple agricultural buildings that might be found in the countryside. The indicative drawings show areas of the building to be used for offices, a shop, and an information/gallery area.
- 2.3 In addition to the above, the application is supported by a feasibility study; a conjectural masterplan showing the proposed building in the wider context of the site; and a comprehensive Design, Access and Planning Statement.
- 2.4 The aforementioned statement contains the following words:

*'Brogdale Collections currently uses rooms in the existing buildings to the north of the proposed demonstration gardens for its visitor information, education and administration. The proposal is to replace these with a new purpose built Visitor Information and Learning Centre with the same accommodation and related facilities but improved reception and information facilities, together with a new exhibition space, and glazed area for us in poor weather. The latter is important for visitors as currently they have nowhere to go in inclement weather.'*

*'Brogdale Farm is an important visitor destination in Swale Borough and especially in the Faversham area. The National Fruit Collection is known nationally and internationally and has added considerably to the breadth and character of tourist destinations in the Faversham area. Faversham is well known as a food and drink destination and Brogdale is a celebration of the diversity of fruit varieties and their*

*cultivation. Brogdale widens this interest to include the social and scientific matters behind sustainable food production and diet and health.'*

*'This application seeks to improve the quality of the visitor experience at Brogdale and to enable Brogdale Collections to improve facilities for visitors and expand the quality of its on site and offsite education offer. It will not increase visitor numbers as such or beyond those arising from the permitted Change of Use to Demonstration Gardens as there is no significant expansion of visitor attractions on the site; it mainly relocates existing facilities into a new purpose built centre. The proposed Visitor Information and Learning Centre will not increase the peak numbers of visitors at festivals and events. Visitors will mainly be outside the times of peak flows. These visits could increase by some 10%, before the demonstration gardens are provided and will be evenly spread throughout the day. It will not have a significant impact on traffic flows or on the current highway infrastructure. There is planning permission for the development of the demonstration gardens and the new visitor reception will be directly related to them. This will enable the development of the educational programmes offered by Brogdale Collections in relation to the National Fruit Collection, the demonstration gardens and the wider stories around this unique fruit collection.'*

*'Brogdale collections has planning permission for the development of demonstration gardens to the south of the site of the proposed visitor reception. The festivals and events (held on site) have been established at Brogdale Farm continuously since 1990. Brogdale Collections currently occupies offices and meeting rooms in the building immediately to the north of the proposed visitor reception. The proposed new building would replace this accommodation in a nearby location on the site.'*

### **3. PLANNING CONSTRAINTS**

- 3.1 The site is situated outside any established built-up area boundary, but not inside the AONB.

### **4. POLICY AND CONSIDERATIONS**

- 4.1 Development Plan: Bearing Fruits 2031 – The Swale Borough Local Plan 2017: Policies ST3 (The Swale Settlement Strategy); ST7 (The Faversham and Kent Downs Area Strategy, which states that development proposals should *'expand the tourism focus of the area'*); CP8 (Conserving and enhancing the historic environment); DM3 (The rural economy); DM14 (General development criteria); DM32 (Listed Buildings).
- 4.2 National Planning Policy Framework (NPPF) 2019 – paragraphs 80 (Promoting economic growth); 83 (Sustainable growth in the rural economy, including rural tourism); 192 (Taking into account the setting of listed buildings)

### **5. LOCAL REPRESENTATIONS**

- 5.1 No representations have been received.

### **6. CONSULTATIONS**

- 6.1 Ospringe Parish Council objects to the proposal. Their response is given here in full: *'We are strongly opposed to this application for the following reasons:*

*“There has been widespread concern over the years at the piecemeal and ad hoc nature of planning applications for Brogdale Farm. This has resulted in a less than coherent development strategy for what is an influential site, and several of the previous planning consents have had a significant effect on the local area, particularly regarding traffic generation. It has previously been suggested that there should be a comprehensive development plan put in place so that future development at Brogdale can be coordinated and its effect better understood and controlled. We believe that this application should be prefaced by such a development strategy document.*

*We question the assertion in the Design & Access and Planning Statement that the 2013 outline planning consent for demonstration gardens has been legally commenced, given the very modest amount that has been done on site pursuant to that consent. If this is correct, then the consent has now lapsed and affects the context in which the current application has been made.*

*The site of the proposed building is currently undeveloped former farmland, akin to a greenfield site. As such, we believe that strong reasons need to be put forward to justify the construction in that location of a substantial building such as the one proposed. Moreover, we question the need and justification for a new building when there is plenty of vacant existing accommodation on the Brogdale complex which could be used, and the applicants already have accommodation on the complex, as the Design & Access Statement confirms.*

*We do not accept the applicant’s assertion that the building will not result in any or much increase in traffic numbers (paras 2.10 and 7.1 of the Design & Access Statement). It is reasonable to assume that by increasing the visitor attraction, visitor numbers will increase. Moreover, the building will result in additional building space being available at Brogdale, since it presupposes that the applicant’s existing accommodation on the complex will be vacated by it. We anticipate that the numbers of coaches and PSVs as well as cars will increase, putting further pressure on the Brogdale Road and the Brogdale Road/A2 junction as well as the rural lanes around the site. There will likely be a very significant increase in overall traffic numbers as shown in supporting documents issued in 2013 at the time of the outline planning application. If the application is granted, we would ask that a condition be placed to ensure that this kind of traffic be controlled and managed and that prescribed routes for vehicles be set out going to and from the site.*

*Coaches present problems. At present, coaches drop off and pick up passengers close to the main building entrance, often leaving their engines running for long periods. We would like to see a dedicated pick up and drop off point and a prescribed parking area for coaches away from the boundary with the adjoining residential property, with adequate signage indicating where the drop off/pick-up points and parking area are located. We are also concerned about the omission of the overspill car park previously shown on an illustrative masterplan and other planning documents, which could lead to cars parking on the Brogdale Road causing an obstruction when the car park is overfull to capacity. There have been several recorded instances of cars being parked on the Brogdale Road causing obstruction.*

*The size of the proposed visitor centre is significantly larger than the existing building which suggests an increase in capacity and use for larger events. If the usage of the building were not limited by suitable planning conditions, it could be used for events or functions unrelated to the core work of the applicants, thereby further increasing the traffic and loss of amenity for local residents.*

*If permission is granted, we would like to see a restriction placed on the hours of usage and opening hours and restrictions on any external lighting.*

*We note that the plans submitted by the applicant conflict with an illustrative masterplan presented to the parish council in a previous council meeting.”*

6.2 The applicant has responded to these comments as follows:

*‘The planning permission SW/13/0660 was legally commenced with approval to Conditions 2 and 3 under SW/18/504389, and the formal and agreed commencement of works on the site.*

*“The ‘strong reasons’ to justify the construction of the proposed Visitor Information and Learning Centre have been provided in the application. Brogdale Collections can only effectively deliver the visitor access and education obligations in its objectives as a charity with facilities which are directly related to access to the National Fruit Collection. These need to be separate from the existing buildings to meet the increasingly high standards which visitors now demand. There are no suitable premises in the existing buildings to expand what we offer to the public. Our visitor management is difficult in our current rooms, both for arrivals and then access to the farm and the National Fruit Collection. The proposals precisely replicate the sizes of the rooms we currently occupy and add a dedicated education space for visitors (which will be secure enough for us to offer the required digital facilities now required for education), a slightly larger office for our staff, undercover space for use in poor weather, storage and our own toilet facilities.*

*The KCC Highways response to the application of 19 December 2019 is very clear that they accept that “the proposal will not generate a material increase in vehicle numbers above those already associated with the extant use of the site”. This is precisely what the proposals seek to achieve. The permitted overspill car park remains in the proposals and there will be no reasons for visitors to park on Brogdale Road.*

*In the future, we would like to see regular liaison with the Parish Council on behalf of local people where matters such as the coaches can be discussed.*

*I trust that this answers the concerns of the Parish Council.”*

6.3 Kent Highways and Transportation raises no objection, subject to conditions.

6.4 The Council's Tourism Officer supports the application, noting that:

*‘The Council has a close working relationship with this visitor destination which provides a valuable resource both for local residents, businesses and visitors and is one that we would wish to see retained and developed. The proposed application accords with this vision and I am therefore happy to support the replacement of the existing facilitations and look forward to the proposed visitor information and learning centre becoming operational. Such a proposal does not suggest that the business will grow exponentially and I am aware that the site staff are conscious of their responsibilities in terms of both vehicular and pedestrian access and egress.’*

## **7. BACKGROUND PAPERS AND PLANS**

7.1 All plans and documents relating to 19/506013/OUT.

## **8. APPRAISAL**

8.1 Noting the objection received from Ospringe Parish Council, it appears that the main issues of concern in this case are those of a potential increase of visitor numbers and additional traffic; the Parish Council’s wish to see a coherent development strategy for the site before any further development is permitted; and whether or not the development of the exhibition gardens can be said to have commenced. I will take each of these issues in turn. However, it must be remembered that this is an outline application only, with only the scale of the proposed building to be decided under this application.

8.2 The Parish Council is concerned that the proposal, if approved, would lead to additional visitor numbers and traffic problems associated with the site. However, I note the observations raised by the applicant in response to these concerns where he says:

*‘The KCC Highways response to the application of 19 December 2019 is very clear that they accept that “the proposal will not generate a material increase in vehicle numbers above those already associated with the extant use of the site”.*

In my view the proposed building is intended to present a higher quality entrance facility for visitors, and I do not see that as inherently likely to increase visitor numbers. Far more likely is that visitor numbers might rise when the approved gardens are completed, but this element already has planning permission. It seems to me that any additional traffic resultant from the proposed visitor centre itself will be minimal but that any such increase should be supported if it leads to more visitor numbers bringing additional revenue and possibly jobs to the Borough. It is of course also likely that any such visitors will visit the town centre of Faversham, with associated spend in shops, café’s, etc. As such, the proposal is in accordance with policy DM3 of Bearing Fruits 2031: The Swale Borough Plan 2017 and paragraph 83 of the NPPF which supports the rural economy including tourism. The permitted overspill car park remains in the proposals and there should be no reason for visitors to park on Brogdale Road.

8.3 I would add to the above that, at present, the visitor centre rooms are not particularly obvious to the visitor, being within an existing building within the courtyard, and, due to the nature of the internal layout, could perhaps be viewed as not presenting an attractive or inspiring welcome centre to the site. When considering that the NFC is of international importance, it is somewhat surprising that the existing visitor centre is not of a higher quality. A separate visitor centre, such as proposed, would provide a more welcoming

and inspiring start to any visit to the site. Many visitor attractions, such as National Trust properties have attractive and welcoming visitor centres , to welcome the visitor and supply information, and I believe that the NFC also deserves such a facility.

- 8.4 I note that Parish Council's wish to see an overall development strategy for the site and I know that this suggestion has been raised before. However, each planning application must be considered on its own merits and I do not consider that a lack of an overall development strategy for the entire site can constitute a reason for refusal of the present application, which is for one small building to serve existing visitors better.
- 8.5 It is acknowledged that only one of the exhibition gardens has been completed to date. However, this is sufficient to constitute a commencement of the planning permission (reference SW/13/0660) for same, and I can confirm that the planning permission has been commenced and is therefore extant.

## **9. CONCLUSION**

- 9.1 In my view the benefits of the scheme far outweigh any possible minor adverse impacts, and I recommend that the proposal be approved, subject to the conditions included below.

## **10. RECOMMENDATION - GRANT** Subject to the following conditions:

### **CONDITIONS**

- (1) Details relating to the layout, access and appearance of the proposed building, and the landscaping of the site, shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) Application for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (4) The landscaping details submitted pursuant to condition (1) shall include full details of both hard and soft landscape works including existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate,

Reasons: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (6) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (7) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times :-

Monday to Friday 0900 - 1700 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (8) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times :-

Monday to Friday 0730 - 1800 hours, Saturdays 0830 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (9) Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include:
- (a) Routing of construction and delivery vehicles to / from site
  - (b) Parking and turning areas for construction and delivery vehicles and site personnel
  - (c) Timing of deliveries
  - (d) Provision of wheel washing facilities.

Reason: In the interests of residential amenity.



- (10) The premises shall be used for the purpose of a Visitor Information and Learning Centre to receive visitors to Brogdale Farm and the National Fruit Collection and for no other purpose including any use within Class A1 (Shops), B1 (Business) or Class D1 (Non-residential institutions) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of the amenities of the area.

- (11) No floodlighting, security lighting or other external lighting shall be installed on the building hereby approved other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.
- An isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Reason: In the interests of visual amenity and the residential amenities of occupiers of nearby dwellings.

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this case, the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

