

## Notice of Meeting

### DEVELOPMENT CONTROL BOARD VISITING SUB-COMMITTEE

**Tuesday, 18 July 2017 - 2:00 pm**  
**Farmhouse Venue, Dagenham Road, Dagenham**

**Members:** Cllr Faraaz Shaukat (Chair); Cllr Syed Ahammad (Deputy Chair); Cllr Sanchia Alasia, Cllr Giasuddin Miah, Cllr Adegboyega Oluwole and Cllr Jeff Wade

**By Invitation:** Cllr Edna Fergus, Cllr Mick McCarthy and Cllr Tony Ramsay

Date of publication: 10 July 2017

Chris Naylor  
Chief Executive

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### AGENDA

#### Use Classes

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATION OF MEMBERS' INTERESTS**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

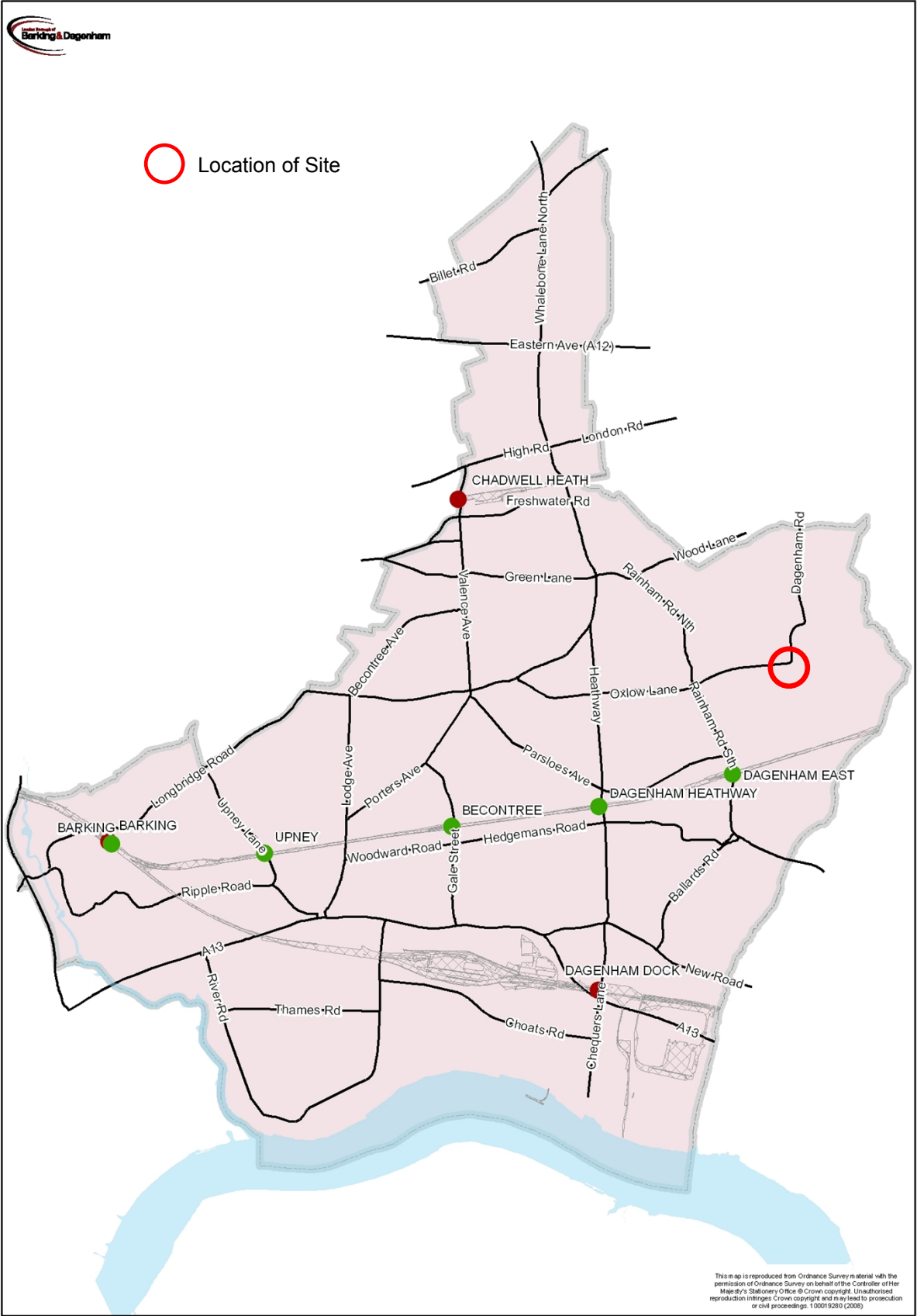
3. **FARMHOUSE VENUE, DAGENHAM ROAD, DAGENHAM (PAGES 3 - 11)**

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<b>Use Classes Order 1987 (as amended)</b>		
<b>Use Class</b>	<b>Use/Description of Development</b>	<b>Permitted Change</b>
<b>A1 Shops</b>	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.	State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> . A1 plus two flats above C3 residential use - <a href="#">see footnote 5</a> Bank, building society, credit union or friendly society (A2) but not for other purposes falling within A2 – <a href="#">see footnote 6</a> A2 A3 (up to 150 m2) <a href="#">see footnote 9</a> D2 (up to 200 m2) <a href="#">see footnote 10</a>
<b>A2 Financial and professional services</b>	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.	A1 (where this is a ground floor display window) plus two flats above A2 plus two flats above State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> . C3 residential use - <a href="#">see footnote 5</a> A3 (up to 150 m2) – <a href="#">see footnote 9</a> . D2 (up to 200 m2) <a href="#">see footnote 10</a>
<b>A3 Restaurants and cafés</b>	For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.	A1 or A2 State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> .
<b>A4 Drinking establishments</b>	Public houses, wine bars or other drinking establishments (but not night clubs).	A1, A2 or A3 unless listed as an Asset of Community Value State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> .
<b>A5 Hot food takeaways</b>	For the sale of hot food for consumption off the premises.	A1, A2 or A3 State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> .
<b>B1 Business</b>	a) Offices, other than a use within Class A2 (Financial Services) b) Research and development of products or processes c) Light industry appropriate in a residential area	B8 (where no more than 500 sqm) B1a - C3 subject to prior approval - <a href="#">see footnote 1</a> . State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a> Some temporary uses – <a href="#">see footnote 4</a> .
<b>B2 General industrial</b>	General industry: use for the carrying out of an industrial process other than one falling in class B1. (excluding incineration purposes, chemical treatment or landfill or hazardous waste).	B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – <a href="#">see footnote 2</a> .
<b>B8 Storage and distribution</b>	Storage or distribution centre. This class includes open air storage.	B1 (where no more than 500 sqm) State funded school for single academic year – <a href="#">see footnote 2</a> . C3 (where no more than 500 sqm) <a href="#">see footnote 7</a> .
<b>C1 Hotels</b>	Hotel, boarding house or guesthouse, where no significant element of care is provided. (Excludes hostels).	State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a>
<b>C2 Residential institutions</b>	Hospital, nursing home or residential school, college or training centre where they provide residential accommodation or care to people in need of care (other than those within C3 dwelling houses).	State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a>
<b>C2A Secure residential institution</b>	Secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.	State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a>
<b>C3 Dwelling houses</b>	Use as a dwelling house by a single person or by people living together as a family or by not more than 6 residents living together as a single household	Article 4 direction removes permitted development right to convert to C4 House in Multiple Occupation. State funded school for single academic year – <a href="#">see footnote 2</a>

<b>C4 Houses in multiple occupation</b>	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	C3 (dwelling houses) State funded school for single academic year – <u>see footnote 2</u>
<b>D1 Non-Residential Institutions</b>	Clinics & health centres, crèches, day nurseries & day centres, museums, public libraries, art galleries & exhibition halls, law court, non-residential education & training centres. Places of worship, religious instruction & church halls.	Some temporary uses – <u>see footnote 4</u> . State funded school for single academic year – <u>see footnote 2</u> .
<b>D2 Assembly &amp; Leisure</b>	Cinema, concert hall, bingo hall, dance hall, swimming bath, skating rink, gymnasium, or area for indoor or outdoor sports or recreations, not involving motor vehicles or firearms.	State funded school for single academic year – <u>see footnote 2</u> . State funded school or registered nursery subject to prior approval - <u>see footnote 3</u> Some temporary uses – <u>see footnote 4</u> .
<b>Sui – Generis</b>	A use on its own, for which any change of use will require planning permission. Includes, theatres, nightclubs, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, casinos, taxi businesses, waste management facilities, motor car showrooms, betting offices and pay day loan.	Casino to Class D2 Amusement arcades/centres and casinos to C3 (up to 150 m2) <u>See footnote 8</u> Betting offices and pay day loan to A1 and A2 plus two flats above Betting offices and pay day loan plus two flats above Betting offices, pay day loan and casinos to A3 (up to 150 m2) <u>See footnote 9</u> . Betting offices and pay day loan to D2 (up to 200m2) – <u>see footnote 10</u> . Betting offices and payday loan to C3 residential use - <u>see footnote 5</u>

<b>Footnotes</b>	
<b>1</b>	B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for prior approval to confirm no significant transport and highway impacts, contamination risks and flood risks.
<b>2</b>	State funded schools can open without planning permission for a single academic year without planning permission from any existing use within the Use Classes Order. School must be approved by Secretary of State and school must notify Council before they open. School must revert to its previous use at end of year. Does not apply to listed buildings.
<b>3</b>	B1 (business), C1 (hotel), C2 (residential institution), C2A (secured residential institution) and D2 (assembly and leisure) can convert to a state funded school or registered nursery providing early years childcare without planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impact, noise impacts and contamination risks. D2 uses that have changed use from A1 or A2 using permitted development right (see footnote 10) cannot then change use to state funded school or registered nursery under this permitted development right
<b>4</b>	A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c ( R&D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b & c without planning permission. Change of use must be less than or equal to 150 square metres. Applies for single continuous period of two years. Can change to other permitted use within two year period. Must revert to original use at end of two year period and notify Council before use begins.
<b>5</b>	A1 (shops) and A2 (financial and professional services) can change to C3 (residential). Building operations and partial demolition works that are “reasonable necessary” are also permitted. Prior approval required for transport and highways impact, contamination, flooding, the design and external appearance of the building and undesirable impacts on shopping facilities. This right only applies to buildings of 150 square metres or less and does not apply in Conservation Area or to listed buildings.
<b>6</b>	Does apply in Conservation Areas but not to listed buildings.
<b>7</b>	B8 (storage of distribution) to C3 (residential). Prior approval required for transport and highways impact, air quality impacts on intended occupiers, noise impacts of the developments, risks of contamination, flooding and the impact the changer of use would have on existing industrial uses and or storage or distribution uses. Right only applies to buildings in B8 use on or before 19 March 2015 and development must be begun before 15 April 2018. Building must have been in B8 use for four years.
<b>8</b>	Prior approval required for transport and highways impact, flooding, contamination and where building works are to be carried out under the permitted development right, design.
<b>9</b>	A1 (shops), A2 (financial and professional services) and betting offices and pay day loans to A3 (restaurants and cafes). Prior approval required for noise, smell/odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities.
<b>10</b>	A1 (shops) and A2 (financial and professional services) can change to D2. Applies to premises in A1 or A2 use on 5 December 2013. Prior approval required for transport and highways impact, hours of opening, noise impacts of the development and undesirable impacts on shopping facilities. Does not apply to listed buildings.



**Farmhouse Venue, Dagenham Road, Dagenham**

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<b>Development Control Board Visiting Group Site Visit</b>		<b>Date:</b> 18 July 2017
<b>Application No:</b>	17/00349/FUL	<b>Ward:</b> Eastbrook
<b>Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution</b>	The proposed development is an application which, by reason of its scale, impact upon the environment and the level of public and Councillor interest should, in the opinion of the Acting Head of Planning, be determined by the Development Control Board.	
<b>Address:</b>	Farmhouse Venue, Dagenham Road, Dagenham	
<b>Development:</b>	Erection of permanent marquee in the grounds for use as function venue for up to 400 guests and provision of additional car parking spaces on land between the existing farmhouse venue and the millennium centre car park.	
<b>Applicant:</b>	Mr G A Chowdhury	
<b>Contact Officer</b> Simon Bullock	<b>Title:</b> Principal Development Management Officer	<b>Contact Details:</b> Tel: 020 8227 3803 E-mail: <a href="mailto:simon.bullock@lbbd.gov.uk">simon.bullock@lbbd.gov.uk</a>
<b>Summary:</b>		
<p>The Farmhouse Venue (formerly Farmhouse Tavern) has planning permission for use as an events venue subject to conditions restricting the number of guests attending seated events, and the erection of marquees or other structures within the curtilage of the building.</p> <p>The current application seeks permission for the erection of a permanent marquee within the grounds to accommodate up to 400 guests together with the creation of additional parking spaces on land between the existing curtilage of the site and the Millennium Centre car park.</p> <p>If granted the permission would effectively override existing planning conditions 9 and 11 that restrict the erection of temporary buildings, tents or other structures within the grounds of the site, and restrict the provision of seating for guests attending events to a maximum of 180 seats.</p> <p>The purpose of conditions 9 and 11 of the existing permission is to limit traffic generation in view of the access arrangements and limited on-site parking capacity, and to prevent harm to the visual amenity and openness of the Green Belt.</p> <p>The applicant has previously hosted a number of events at the venue utilising a temporary marquee that accommodated approximately 300 to 400 guests.</p> <p>The applicant now proposes a permanent marquee, a lightweight metal framed structure with glazed windows and a tarpaulin roof covering. This would be fixed to the ground and remain on a permanent basis.</p>		

The Council's constitution states that one of the functions of the Development Control Board is to appoint at the commencement of each municipal year a Visiting Group to undertake inspections of buildings and sites as directed by the Board and to make recommendations to the Board.

It is considered that it would be beneficial for the Visiting Group of the Development Control Board to undertake a site visit in respect of the application and to report back to a forthcoming Development Control Board meeting.

## **1. Introduction and Description of Development**

- 1.1 The Farmhouse Venue, formerly the Farmhouse Tavern, is located at the junction of Dagenham Road and The Chase. It backs onto Eastbrookend Country Park and is situated within the Green Belt.
- 1.2 The building is a locally listed former public house and is now in use as a function venue following the grant of planning permission for this change of use by the Development Control Board in 2015.
- 1.3 Officers recommended refusal of the above application on the grounds of the loss of the public house, harm to highway safety due to concentrated traffic movements at the site entrance, and the impact of overspill parking.
- 1.4 Members considered that the development would be acceptable and therefore granted planning permission, but sought to limit the impact and scale of the development by imposing conditions including conditions 9 and 11.
- 1.5 Condition 9 states:

*No temporary buildings, marquees, tents, other structures, or external seating shall be utilised at the site unless otherwise approved in writing by the Local Planning Authority.*

*Reason: In order prevent harm to visual amenity and the openness of the Green Belt and to prevent an increase in venue capacity resulting in additional traffic and parking demand and in accordance with policy CM3 of the Core Strategy and policies BR10 and BP11 of the Borough Wide Policies Development Plan Document.*
- 1.6 Condition 11 states:

*A maximum of 180 seats shall be in use by patrons of the venue at any one time.*

*Reason: In order to limit venue capacity in view of the limited parking availability and to minimise on street parking and in accordance with policy BR10 of the Borough Wide Policies Development Plan Document.*
- 1.7 The proposed marquee would accommodate up to 400 guests and therefore these existing limitations on the scale of the use would, if granted, cease to apply.



- 1.8 The marquee would be 4.5m in height with an area of 660m<sup>2</sup>. The structure would have a capital T shape with dimensions of 35m x 15m (the top of the T) and 15m x 9m (the tail of the T). It would be located in the rear garden area of the building, formerly the beer garden of the public house. It would be positioned close to the rear of the Farmhouse building (1.6m at the closest point).
- 1.9 The marquee would be clearly visible in views from the adjacent Country Park including the footpath across the park that is close to the rear boundary of the site.
- 1.10 The venue has an existing parking area providing parking spaces for 62 cars. The proposed area of additional parking (further details below) would provide for a further 42 parking spaces resulting in a total number of 106 car parking spaces serving the development.

## **2. Background**

- 2.1 The following planning applications have been submitted since 2011 and are relevant to the current proposal.
- 2.2 11/00966/FUL - Erection of pavilion within public house garden and erection of ramp to front entrance and side staircase extension to the Farmhouse Tavern in connection with use of the premises for wedding and other events, and associated car parking and boundary fencing and gates; REFUSED AND DISMISSED ON APPEAL.
- 2.3 The above application followed the unauthorised erection of the pavilion though the use did not commence. An enforcement notice was issued and a subsequent appeal was dismissed. The notice requiring removal of the pavilion and associated fencing was then complied with. The structure in question was similar in design, scale and construction to the proposal the subject of the current application, though the pavilion the subject of the 2011 application was slightly larger. Additionally, fewer parking spaces were provided in comparison with the current application.
- 2.4 13/00333/FUL - Change of use to function venue with ancillary restaurant use; REFUSED.
- 2.5 14/01256/FUL - Change of use to function venue with ancillary restaurant use and associated erection of single storey side extension and ramp to provide wheelchair access and accessible toilet; PERMITTED.
- 2.6 The latter case is the planning permission referred to above under which the business is currently operating.
- 2.7 16/00755/FUL - Application for removal of conditions following grant of planning permission: Removal of conditions 9 and 11 of 14/01256/FUL to allow temporary buildings and structures e.g. marquees to be erected on site and to remove limit on number of attendees; WITHDRAWN.

### **3. Consultations**

#### Adjoining occupiers

- 3.1 Consultation letters were sent to 57 local residents. The site has no immediate neighbours but letters were sent to those who had submitted comments in respect of the previous planning applications of similar character.
- 3.2 In response 50 letters and emails and 3 petitions were received all objecting to the proposal. Not all of these objection letters were from addresses included within the initial consultation. The total number of signatories to the 3 petitions combined is 288.
- 3.3 The main grounds for objection are the impact on the Green Belt, concern that it would result in additional highway congestion, and that the use of the marquee would disturb the wildlife and tranquillity of the Country Park.

#### Other consultees

- 3.4 There have been no objections from statutory and other consultees with the exception of the Transport Officer on the following grounds:

“It is considered that traffic congestion and parking on the local road network will be significantly increased by the proposed removal of any restriction on numbers that could attend events. This will lead to a negative impact on highway safety, the surrounding environment and other local activities and therefore, we consider the proposal unacceptable”.

### **4. Local Finance Considerations**

- 4.1 None.

### **5. Further information**

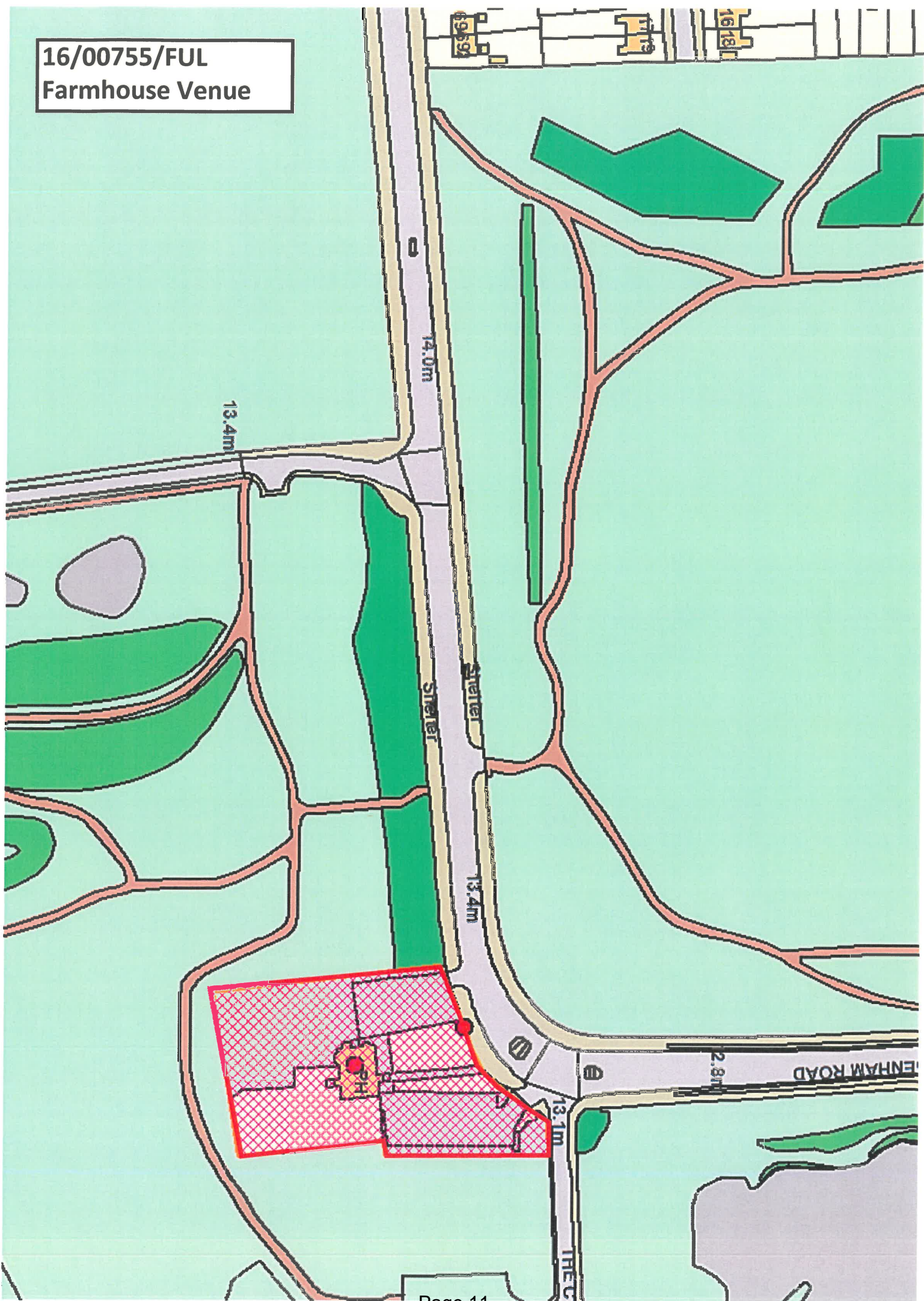
- 5.1 The purpose of this report is not to set out a recommendation or provide an analysis of the proposed development but to provide Members with information about the proposal.
- 5.2 The key issues are considered to be the impacts on the Green Belt, the locally listed Farmhouse building, the quiet enjoyment of the Country Park by visitors and on highway safety.
- 5.3 The proposed marquee would result in a permanent loss of openness to the Green Belt.
- 5.4 The National Planning Policy Framework defines such development within the Green Belt as inappropriate, and states that such proposals should be refused permission unless there are very special circumstances where the harm caused by inappropriateness together with any other harm is clearly outweighed by other circumstances.

- 5.5 The proposed marquee would affect the setting of the locally listed building; its use would inevitably have some impact on the tranquillity of the Country Park. The resulting additional traffic will result in more intensive use of the access points into the site from Dagenham Road, and potential for greater traffic congestion.
- 5.6 It is proposed that an overspill car park be provided on land between the existing curtilage of the Farmhouse Venue and the Millennium Centre car park. This land has recently been acquired by the owner of the Farmhouse. Despite the ownership of this portion of land, there is no boundary demarcation between the land and the Country Park, and it has been previously managed by the Council as part of the wider Country Park.
- 5.7 The proposal is that a mesh structure would be installed on this land that is designed to allow use for occasional parking, whilst enabling grass to grow through the mesh.
- 5.8 The use of the land for parking will have a further impact on the openness of the Green Belt, and will affect grassland of ecological value that the applicant believes can be mitigated with replacement planting elsewhere on the site. (This issue will be assessed in greater detail in the planning committee report when the application is presented to the Development Control Board).
- 5.9 The existing number of parking spaces is 62, and the overspill parking would provide an additional 42 spaces resulting in a total of 106 spaces. The applicant also states that there is potential for some double parking that can somewhat increase the capacity.
- 5.10 In relation to the very special circumstances that would need to be established to justify inappropriate development within the Green Belt the applicant has stated his opinion that these include the following:
- A) The existing business, restricted to the capacity of the existing building is not economically viable; and the proposed development would contribute to the local economy and employment opportunities, and provide a facility that can serve the local community.
  - B) An economically viable business at the site will enable the continued maintenance and protection of the Farmhouse Tavern building which is a locally listed heritage asset.
  - C) Part of the site is previously developed land.
- Officer comment: there does not appear to be any evidence for this assertion.*
- D) The proposal that would enable larger events to be held that would help to serve cultural needs. Specifically, some ethnic communities tend to hold large functions where the expectation is to invite a wide circle of family and friends. There is a shortage of such venues available in the local area. The proposed development would help to address this need.

## Conclusion

- 5.11 It is considered that it would be beneficial for the Visiting Panel to attend the site on behalf of the Development Control Board in order to assess the impact of the proposed structure upon the Green Belt and locally listed building, and view the site of the proposed area of additional parking that did not form part of the previous application related to the site.

16/00755/FUL  
Farmhouse Venue



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