

<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.