Summary:

The application was previously presented to Members at the Development Control Board meeting of 31 July where a majority of Members voted to grant planning permission subject to determination of conditions and reasons for approval being confirmed at the next meeting of the Board. Subsequently it became apparent that the applicant had inadvertently included land within the application site boundary that was not in his ownership or control, and without serving the requisite Notice on the owner. This means that even if permission had been granted on the basis of those plans it would not have been possible for the applicant to implement the scheme.

The applicant has addressed this matter by submitting an amended site location plan showing the area which coincides with his land ownership, and an amended plan within that area for the proposed overspill car parking and associated landscaping.

The amended plans do not affect the siting of the proposed marquee to the rear of the former Farmhouse Tavern, but do result in a reduction in the size of the proposed overspill car parking area and the associated landscaping. The impact of the change will be considered in the report below.

The Council has received Counsel’s Opinion to the effect that because these changes affect relevant planning considerations of ecology and the impact of the development on the Green Belt it is necessary for Members to reconsider the application in its entirety in order to ensure a planning decision that is legally sound.

This report is for the most part the same as that presented to DCB on 31 July 2017 with
some amendments where relevant to explain and analyse the impact of the amended plans.

The proposed permanent marquee and overspill car park would result in inappropriate development within the Green Belt and would be harmful as a result of a loss of openness and a loss of visual amenity to the Green Belt. It is considered that there are no very special circumstances of sufficient importance that would outweigh the harm by reason of inappropriateness and other harm to the Green Belt and therefore planning permission should be refused in accordance with the guidance of the National Planning Policy Framework (NPPF) and the Local Plan.

The proposed structure would be a substantial construction within the setting of the locally listed former Farmhouse Tavern, and it is considered that this would harm the character and appearance of the existing building.

The expansion in venue capacity that would result from the development is predicted to cause additional traffic congestion on Dagenham Road and to result in queuing on the highway to gain access to the site at arrival times for functions. It is considered that this would be detrimental to highway safety and the flow of traffic on Dagenham Road.

The impact on ecology, of the proposed overspill car parking spaces to be provided on land that was formerly maintained as part of the adjacent Country Park has not been fully assessed, and the clearing of this land would result in a loss of habitat. Whilst there is potential for replacement habitat planting within the site to mitigate the ecological impact of the proposed development, this cannot be adequately assessed in the absence of a full habitat survey.

Recommendation:

That the Development Control Board refuse planning permission for the following reasons:

1. The proposed development would be inappropriate in the Green Belt and there are no very special circumstances to justify an exception to policy; further harm to the Green Belt would be caused by the loss of openness and visual amenity resulting from the erection of the permanent marquee and the use of the overspill parking area, and a loss of tranquillity for users of the adjacent Country Park resulting from the increase in noise and activity associated with the use of the marquee that would be sited in close proximity to the boundary, contrary to policy CM3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document and the National Planning Policy Framework.

2. The marquee would be harmful to the character and open setting of the Farmhouse Tavern, a locally listed building, contrary to policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.

3. The site is located in an area of poor public transport accessibility and the proposed marquee would significantly intensify the existing use attracting a large number of concentrated traffic movements which given the siting of the access/egress of the venue and the adjacent bend in the road would be harmful to highway safety and contribute to additional queuing and traffic congestion on Dagenham Road contrary to policy BR10 of the Borough Wide Development Policies Development Plan Document.
4. The application does not include an adequate assessment of the impact of the proposed overspill parking area on ecology, and consequently the development has the potential to cause harm to the ecological value of the site contrary to policy BR3 of the Borough Wide Development Policies Development Plan Document.

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 of the development by imposing conditions that prevent the erection of temporary marquees or structures within the grounds unless otherwise agreed in writing by the Local Planning Authority, and which limit the seating capacity at the venue to 180. A later planning application to delete these conditions was withdrawn (details below).

1.5 The current application is for a permanent marquee with a capacity of up to 400 guests, and therefore if granted, would effectively delete the existing condition restricting the capacity of the venue.

1.6 The marquee would be 4.5m in height with an area of 660m². 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).

1.7 The materials of the structure would be a mixture of clear glass panels, and coloured uPVC panels, with a roof that would be green in colour with a camouflage design intended to reduce its visual impact.

1.8 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.

1.9 The venue has an existing parking area providing parking spaces for 61 cars. The proposed area of additional parking would provide for a further 42 parking spaces, the vehicular access to which would require the deletion of 2 existing spaces, resulting in a total number of 101 car parking spaces serving the development.
The previous version of the drawings did not show the deletion of the existing 2 parking spaces and therefore would have resulted in the provision of 103 car parking spaces. However, for the reasons explained above the previous scheme could not have been implemented.

1.10 The additional parking area would be located on an area of grassland that the applicant has acquired situated between the curtilage of the Farmhouse Venue and the Millennium Centre car park. The proposal is to retain this as a grassed area but to install a metal mesh which the grass grows through. This is designed for vehicular use and protects the grass; it has already been used successfully on the front lawn of the Farmhouse Venue.

1.11 The land within the existing curtilage of the building is covered by a Tree Preservation Order that protects various individual trees on the site. The proposed overspill parking area is also subject to a Tree Preservation Order that protects all trees within this area.

1.12 The proposed parking area would require the removal of 7 trees on this land varying in height between 1.5m and 8m including elder, oak, sycamore, and hawthorn. All the proposed removals have been assessed, with the exception of one Category B (moderate quality) tree, as Category C trees (poor quality).

1.13 The tree screen along the east and west boundaries of this land would be retained.

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 larger (6.5m in height compared with 4.5m in height in respect of the current marquee proposal, and with an area of 840m2 compared with the currently proposed 660m2). 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 approximately 90 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 to the initial consultation 62 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 330.

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.

3.4 Following the submission of the amended drawings a re-consultation exercise was carried out by sending letters to all those on the initial consultation list and all of those who had previously commented (neighbours were informed that previously made comments would continue to be taken into account)

3.5 In response a further 10 letters of objection were received and a petition in objection with 1,850 signatures.

3.6 A covering note with the petition states it has been signed by local residents and users of the Country Park such as The Bardag Anglers and The Havering Walk for Health Teams, and regular visitors to the Country Park and Eastbrookend Cemetery. The majority of the addresses provided are local and within the Borough.

3.7 The note states that the proposed development would not be of benefit to the local community and would harm the Country Park which has taken 25 years of investment to create.

3.8 For the most part the comments within the letters re-iterated those previously made, in addition the following reasons were stated:

- The use may create noise nuisance to nearby residents
- 3 residents state that they were disturbed by noise from a recent event held on 8 October 2017.
- Noise from the use would disturb park users and anglers utilising the adjacent fishing lakes
• A recent event resulted in a significant level of parking on the pavements of Dagenham Road, forcing pedestrians to use the cycle lane (Planning Officer note: photographic evidence has been provided).
• A previous planning appeal for a similar scheme was dismissed
• Additional cars visiting the site would cause pollution and be harmful to wildlife
• The applicant’s stated ‘need’ for a large venue to serve local communities is unproven, and there are other large venues available within the local area
• The previous planning permission included an ancillary restaurant but this has never been provided, such use would have helped to spread the traffic generated by the site across the week, in comparison with the large events being proposed
• There have been a number of serious accidents in recent years on Dagenham Road including a fatality in January 2017.

Access Officer

3.9 No accessible car parking bays within the proposed overspill car park are indicated on the drawing. A 5% proportion of total parking provision should be accessible and this is not currently the case.

Planning officer note: It is considered that this matter could be adequately conditioned, and the 5% would be better provided within an amended parking layout for the existing car park that is closer to the Farmhouse Tavern building and the proposed marquee.

Arboricultural Officer

3.10 Requests a full arboricultural survey of the existing trees at the site along with an arboricultural implications assessment that should include consideration of additional soil compaction and issues relating to increased traffic and parking on existing open land.

3.11 The potential impact of the proposal on existing trees should be addressed and mitigated with protection plans and no-dig surfaces, particularly given that the site is covered by a Tree Preservation Order.

3.12 Any proposals for new planting should be presented in a formal landscape plan with species, size and maintenance proposals.

3.13 Following these initial comments an arboricultural and implications assessment was prepared and submitted.

3.14 In response to this the officer states that the proposed development would cause no significant loss from a tree point of view, on the basis that the proposed tree removals for the new parking area of a few elderberries, oak saplings, sycamore and hawthorn would not cause harm visually or in terms of loss of species.

3.15 Further details would be required of the proposed replacement planting to provide mitigation, in order to ensure that this adequately compensates for the losses.
3.16 If the proposal were to be approved additional details of measures to ensure the protection of the roots and health of retained trees within the proposed overspill parking area would be required.

3.17 In conclusion, the proposal can be carried out without seriously impacting trees if implemented carefully in the correct manner. There are no objections to the proposed tree removals subject to native replacements within the new proposed tree planting area.

**Council for the Protection of Rural England**

3.18 *Planning Officer note: This organisation was not directly consulted on the application but has submitted an objection as follows:*

“CPRE London objects to this proposed development on that basis that both the marquee and parking are inappropriate development on Green Belt. In addition we object because it would introduce additional parking and traffic into an area of country park and nature reserve, negatively impacting on both.”

**Designing Out Crime Officer**

3.19 No objections, and in the event that planning permission is granted recommends the imposition of conditions to secure CCTV cameras to public areas of the site, adequate lighting, and Secure by Design accreditation.

**Environmental Health**

3.20 The environmental protection issues raised are noise and possible light pollution.

3.21 Taking account of evidence related to existing background traffic noise levels on Dagenham Road and the distance from the venue to the nearest residential properties I am confident that noise emissions from the marquee will not cause significant detriment to aural amenity and accordingly I do not wish to object to the application on noise grounds.

3.22 Nevertheless, to safeguard the situation it is recommended that a noise limit condition be imposed that mirrors that which already applies to use of the Farmhouse Venue. It is also recommended that a restriction on the times of use of the marquee be imposed equivalent to the hours applied for within the application (10:00 to 00:30 weekdays; and 10:00 to 01:00 Saturdays, Sundays, and Bank Holidays).

3.23 In relation to external lighting, to safeguard the situation with regard to the protection of residential amenity, it is recommended that a condition be imposed that requires that the design and implementation of the lighting scheme conforms to The Association of Chief Police Officers (ACPO) guide, “Lighting Against Crime – A Guide for Crime Reduction Professionals”, and specifically that the lighting should be designed to satisfy the guide’s criteria for rural, small village or relatively dark urban locations.

**London Fire and Emergency Planning Authority**
3.24 No objections.

**Parks and Countryside Ranger Services**

3.25 In response to the initial consultation the Ranger responded stating: There are a number of reasons why I am severely concerned about this application:

- This is a direct loss of part of the country park that has been managed for wildlife benefits for 20 years.
- Volunteers planted and maintain a coppiced Hazel Hedgerow on the land proposed for car parking which provides habitats for small mammals, insects and nesting birds. The impacts of having a car park and associated pollution will only be to the detriment of biodiversity here.
- We have had numerous impacts to the park over the last year when the Farmhouse Venue have erected their marquees for weddings, namely the noise disturbance to the park of an evening. Music often starts in the early evening when the park is still being enjoyed by many members of the public who come here to relax and unwind.
- The use of the Millennium Centre Car Park by guests of the venue will continue to be an issue even if they create additional car park spaces, as the capacity will still not be sufficient for the size of weddings they host there.
- It appears that there have been no opportunities taken by the Farmhouse management for increased community engagement in the park or increasing the awareness of the park and its assets to their guests.
- The marquee will be an eyesore and the temporary marquee when in use is visible from many areas in the park. This decreases the enjoyment of local residents when visiting the park and interferes with the feeling of being in the countryside.
- The park is used by many groups such as dementia groups, mental health groups and groups with learning difficulties who take many positive mental and physical health benefits from being submerged in nature. The presence of the Marquee and car park will reduce the opportunity in the park for being away from noise and disturbance.

3.26 Following consultation on the amended drawings the Ranger has provided additional comments stating that the planning application does not sit well with the adopted Parks and Green Spaces strategy.

3.27 She states that the site is part of a Metropolitan Site of Importance for Nature Conservation, part of which would be lost to become a car park and the tranquillity of the park will be disturbed on a weekly basis by the noise of a wedding party.

3.28 She adds that the Council’s Parks and Green Spaces Strategy sets out suggestions for suitable events, which the addition of a wedding venue would not support.

3.29 The document states at paragraph 6.4.5 “Eastbrookend Country Park: This is a naturally beautiful park, and any events programme here should work closely with the inherent natural features of the park including its lakes, meadows, woodlands and wetlands. It is a good space for boutique, artistic and creative events covering a range of areas such as music, wellbeing, food, the arts etc”.
The strategy aims to make parks more attractive and distinctive to encourage more people to use outdoor space and adopt a healthy lifestyle; a wedding venue will typically only bring guests on one occasion, to the venue. A large marquee with loud music will not encourage more people to use the outdoor space and adopt a healthy lifestyle, here at Eastbrookend.

3.30 Concern is also expressed that the car parking facilities will not match the number required by visitors, which will result in continued use of The Chase and the Millennium Centre car park by the coaches and cars of visitors to the site.

Transport Development Management

3.31 Object on the grounds that 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, the proposal is unacceptable.

3.32 The proposed overspill car park would increase the parking capacity of the site, and this would result in additional traffic congestion at the site entrance and would increase the chance of traffic queuing.

3.33 Experience suggests that the majority of functions have a start time where those attending will tend to arrive close together (at a similar time). This is likely to result in a negative impact on the road network and is likely to cause queuing on the highway at the entrance to the site prior to the start time of events. It is accepted however, that departures from events, are more likely to be staggered with a lesser impact on the highway.

3.34 It should also be noted that there are other local amenities close by such as the Country Park, Millennium Centre, fishing lakes, and cemetery and at weekends activities and events occur at these locations and consequently traffic in the vicinity does increase on the local network.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral Community Infrastructure Levy (CIL) at a rate of £20 per square metre (index linked from 2012) resulting in a contribution of £16,929.15.

4.2 The development would also be liable for the Borough CIL at a rate of £10 per square metre index linked from 2015 resulting in a contribution of £7,402.35.

5. Equalities

5.1 The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions. It is not considered that the planning policy objective of protecting the Green Belt from encroachment raises any equalities issues.

5.2 It could be argued, as does the applicant below, that the provision of a large function venue would advance equality of opportunity for cultural groups that tend to hold large weddings and celebrations where there is a stated shortage of such
facilities available. Culture is not a ‘protected characteristic’ within the Equality Act, though ‘Race’ which can include nationality; ethnic or national origin is.

6. Analysis

Green Belt

6.1 The proposed marquee would result in a permanent loss of openness to the Green Belt. The National Planning Policy Framework (NPPF) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and that the essential characteristic of Green Belts are their openness and permanence.

6.2 The NPPF 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.

6.3 The applicant has argued that the following very special circumstances exist and that would justify the granting of planning permission for inappropriate development:

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.

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.

6.4 In relation to viability the applicant has submitted a report prepared by Chartered Accountants that compares the options of utilising the existing Farmhouse Tavern building only for events; utilising the Tavern building and holding larger events in temporary marquees that are erected and dismantled for each event; and utilising the site for functions with the benefit of a permanent marquee that is the subject of this application.

6.5 The conclusion is that only the latter is profit making. The existing building is stated to be too small to cater for the demand for larger functions and events at this scale are stated to be loss making. The option of utilising a temporary marquee (which also does not currently have planning permission) is also stated to be loss making due to the additional labour costs of erecting and dismantling the structure which it is calculated on average takes 69% of the sales revenue for each event.
6.6 Whilst there would be some benefit to the local economy in a profitable business operating at the site, this is not a very special circumstance that would justify harm to the Green Belt.

6.7 The building appears to currently be in a good state of repair, due to the actions of the applicant. With regard to the continued maintenance and protection of the Farmhouse Tavern building (which is on the Council’s Local List of Buildings of Special Architectural or Historic Interest), the marquee is intended to operate in conjunction with the Tavern building, with the former public house being used as a reception area for events, with the banqueting element being held within the marquee. It is considered that the proposed development does have the potential to contribute to the continued maintenance of the locally listed heritage asset. However, by itself this it is not considered to be a very special circumstance that would justify inappropriate development within the Green Belt.

6.8 In relation to the comment regarding previously developed land the applicant states that the curtilage of the site previously hosted a beer garden and children’s play equipment such as swings and slides. Whilst this maybe the case such minor ancillary structures cannot be compared with the proposed building, albeit that it is a lightweight building, that is the subject of the proposed application in terms of the impact on the openness of the Green Belt.

6.9 Lastly, the applicant argues that there is a shortage of larger function venues in the area and that this disadvantages some communities that require such facilities. Whilst this maybe the case, evidence has not been provided in support of this argument, or to demonstrate that such a new facility could not be provide in a non Green Belt location. This is not therefore considered to be a very special circumstance, and even if some weight were to be given to such stated community needs, this must be balanced against the benefit to the wider community of maintaining the openness and character of the Green Belt and Country Park.

6.10 It is therefore concluded that there are no very special circumstances that would justify the proposed inappropriate development within the Green Belt and therefore planning permission should be refused.

6.11 In addition to the harm caused by inappropriateness it is considered that the proposed development would be harmful due to the loss of openness and that it would be harmful to the tranquillity and visual amenity of the Green Belt, particularly in views from the footpath within the Country Park to the rear of the site where it would appear as an urbanising feature within this semi-natural environment.

6.12 The NPPF (para. 81) states that opportunities should be made within the Green Belt to retain and enhance landscapes, visual amenity and biodiversity, amongst other matters. It is considered that the proposed development would conflict with these objectives.

6.13 In respect of the enforcement notice appeal (ref. APP/Z5060/C/12/2175183) which related to the previously installed permanent marquee at the site the Inspector stated: “this is a sizeable and intrusive structure that is alien and discordant in this context, significantly eroding the contribution to the openness of the surroundings that was previously made by the grounds of the Tavern, and detracting appreciably
from the undeveloped character of the country park. For these reasons it therefore harms the visual amenities and the openness of the area.”

6.14 With regard to the Inspector’s comment it should be noted that the previous marquee had a white roof and sides (excluding the glazing) whereas the currently proposed marquee roof would be green camouflage. The previous marquee was 2m higher than the current proposal and the tree screen around the site boundary is now more mature.

6.15 It is considered that the intensification in the existing use that would result from the provision of the marquee would be harmful to the quiet enjoyment of the Country Park environment, as a result of the additional traffic and car parking, general activity, music and lighting.

6.16 In respect of noise the Inspector stated: “I consider the use of the structure is likely to cause a level of noise that would detract from the quiet and peaceful nature of the adjacent country park, undermining the opportunity it provides for outdoor recreation.”

6.17 The proposed overspill grassed parking area that would be required to serve the expanded facility would also be inappropriate development in the Green Belt. This land is partially screened by an existing line of trees to its east side, and the applicant proposes additional tree planting to the south-east boundary to provide further screening of the parking area from the Country Park. Whilst such screening will help to reduce the visual impact of the proposed parking area the parked cars would remain visible particularly when the trees are not in leaf. Also the parked cars would be clearly visible from The Chase. This would have a negative impact on the visual amenity and tranquillity of the Green Belt.

6.18 The amended plan for the overspill parking area would result in a reduction in the depth of the proposed landscaping area between the parking spaces and the Country Park from an average 30m to an average 8m. It is considered that the space available would still enable the provision of a planting screen but it is not considered that this would be sufficient to mitigate the visual impact of the parking when in use as stated above.

6.19 The area proposed for the overspill parking has also been rationalised such that it would now be set back from the east (Millennium Centre) boundary of the site and the north (The Chase) boundary of the site by approximately 10m, representing an improvement on the previously submitted plans which did not provide any set back to these boundaries. This would enable additional landscaping to these borders of the site.

6.20 In his summary in relation to the Green Belt impact of the appeal scheme, the Inspector stated: “Accordingly I conclude the works harm the openness and visual amenities of the Green Belt, conflict with the purposes of including land in the Green Belt, and diminish the opportunities for outdoor recreation in the country park.”

6.21 Whilst as stated above the marquee in respect of the appeal scheme was slightly larger than that now proposed and the colour has changed, planning Inspector’s
decisions are material planning considerations and should be given substantial weight.

**Heritage**

6.22 The proposed permanent marquee will be a substantial structure that would be clearly visible within the setting of the locally listed Farmhouse Tavern building. The footprint of the marquee would be significantly larger than that of the original building.

6.23 The marquee would substantially block views of the building particularly from the adjacent Country Park land to the rear of the site (south and west). The marquee is not considered unattractive, but it has no specific architectural merit, and does not have any relationship to the Farmhouse Tavern in terms of design. It is concluded that the proposed structure would be harmful to the character and appearance of the Farmhouse Tavern, however this must be balanced with the potential for the proposed development to contribute to the continued maintenance of the locally listed heritage asset.

6.24 In relation to this matter the Inspector considered that the marquee would occupy a sizeable proportion of the Tavern's spacious grounds, and visually it would constrain and conceal the Tavern and as a result harm the significance of this heritage asset.

**Transport**

6.25 The submitted Transport Statement concludes that the proposed additional traffic generation resulting from the development would not adversely affect existing junction capacity within the wider road network.

6.26 The Transport Statement estimates that the parking demand for a typical 400 capacity event would be 84 vehicles. This it states, is based upon parking surveys that have been carried out for 11 events that have previously been held at the site where a travel survey of guest was carried out.

6.27 The applicant states that in addition to the proposed additional car park, it is possible to double park within the existing car park increasing its capacity to 93 spaces. It would appear that this figure may be over optimistic given the constraints of the site layout however, it does appear that 80 or so cars could be accommodated in this manner.

6.28 The Transport Officer states that parking may increase on the highway as a result of the proposed development. Whilst there is potential for this to occur the proposed parking capacity of 103 is substantial, and in somewhat in excess of the typical parking demand estimated by the transport consultant that is stated to be based upon previous experience of events at the site. In the circumstances the proposed level of parking provision to serve the development is considered likely to be adequate.

6.29 However, it is noted that there have been recent complaints about parking on the highway in association with an event at the venue. It is acknowledged that the parking impact of this particular event may not necessarily be typical. The proposal
incorporates the overspill car parking area of 42 spaces (not currently available) that would help to meet the parking demand related to events.

6.30 The Transport Officer also objects on the grounds that the proposed development would result in additional traffic congestion on Dagenham Road and in particular would result in queuing at the access into the site at peak periods when guests are arriving for events.

6.31 The applicant’s Transport Statement supports the view that there is potential for the use of the venue to contribute to additional peak traffic congestion. However, this is only at specific times and days of the week, and it is unlikely that events would be booked for every such occasion.

6.32 Nevertheless, it has been assessed that the proposed development would cause additional traffic generation and queuing on Dagenham Road and this would be harmful to the free flow of traffic and have a negative impact on the road network.

6.33 The two vehicular access points into the site are on a tight bend within the road, and further intensification of the use of such access would be likely to diminish the degree of safety in the operation of the existing junction.

6.34 The eastern-most access into the site is located directly at the junction of The Chase with Dagenham Road to the extent that if a vehicle is waiting to exit The Chase onto Dagenham Road, it would not be possible for another vehicle to enter the site from Dagenham Road as this vehicle would be in its path.

Ecology

6.35 The planning application site is designated as a Site of Metropolitan Importance for Nature Conservation, a designation which also covers The Chase and Eastbrookend Country Park.

6.36 An Ecological Appraisal was submitted by the applicant in support of the proposal. The main conclusions of the report are that the area of land proposed for the car park has the potential to provide bird nesting habitat and reptile habitat, both legally Protected Species.

6.37 The areas of potential habitat are the trees proposed for removal and the area of scrub and grassland that would be utilised for the proposed car parking area a significant proportion of which would need to be cleared to facilitate the development.

6.38 In relation to bird nesting the solution is to impose a condition that prevents tree and vegetation clearance within the bird nesting season, with a proviso that where clearance is required within the season it may be carried out if a qualified ecologist undertakes a survey and confirms that there are no nesting birds present.

6.39 With regard to reptiles the report states that further surveys should be carried out to check for the presence of reptiles. This is the correct approach because if reptiles are present planning policy states that where possible the habitat should be protected. In such circumstances, it would then be appropriate to consider whether
the layout of the development could be amended to facilitate the retention of the existing habitat.

6.40 Whilst translocation of reptiles to a replacement habitat can be carried out Government guidance contained within “Reptiles: surveys and mitigation for development projects” states that this approach should only be considered as a last resort.

6.41 In the event that there are no reptiles or other protected species present then it would appear that the potential habitat provided by the scrub and grassland could be replaced as mitigation within a proposed landscaped area around the perimeter of the overspill car park. However, because further surveys are required there is insufficient information to conclude that the proposed development would not cause ecological harm and therefore the application should be refused on this basis.

6.42 In addition, the planning policy officer has advised that the location of the site and recent evidence, would suggest that there is potential for Great Crested Newts on the site, and a habitat survey should also be carried with respect to that species.

Conclusions

6.43 The proposed marquee and additional car parking would be inappropriate development within the Green Belt and there are no very special circumstances to overcome the harm. The development would adversely affect the openness and visual amenity of the Green Belt and reduce its tranquillity.

6.44 The scale and siting of the marquee is such that it would harm the character and open setting of the locally listed Farmhouse Tavern building but this must be balanced with the potential of the proposed development to facilitate a commercially viable business at the site that would enable the long-term retention and maintenance of this former public house.

6.45 The development of the overspill car park has the potential to harm the ecological value of the site, and therefore planning permission should not be granted in the absence of further surveys that fully assess the habitat potential of the site.

6.46 The intensification in the use of the site would result in additional traffic queues on Dagenham Road associated with events at the venue, and would have a negative impact on highway safety due to the existing poor layout of the vehicular access to the site.

Background Papers

- Planning Application File: [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMUP4KBLGMD00](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMUP4KBLGMD00)

- Local Plan Policy
Core strategy

Policy CM1     General Principles for Development
Policy CM3     Green Belt and Public Open Spaces
Policy CR2     Preserving and Enhancing the Natural Environment
Policy CP2     Protecting and Promoting our Historic Environment
Policy CP3     High Quality Built Environment

Borough Wide Development Policies

Policy BR3     Greening the Urban Environment
Policy BR9     Parking
Policy BR10    Sustainable Transport
Policy BR11    Walking and Cycling
Policy BC7     Crime Prevention
Policy BP2     Conservation /Areas and Listed Buildings
Policy BP11    Urban Design

•  London Plan

Policy 6.9     Cycling
Policy 6.13    Parking
Policy 7.2     An inclusive environment
Policy 7.3     Designing out crime
Policy 7.8     Heritage assets and archaeology
Policy 7.16    Green Belt

•  National Policy

National Planning Policy Framework
National Planning Practice Guidance