

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P2139.21

WARD : Romford Town

Date Received: 8th November 2021

ADDRESS: 165-167 South Street
Romford

PROPOSAL: Variation of Condition No. 5 (Opening Hours) of Prior Approval ref: J0006.19 dated 02/05/2019 to bring the opening hours in line with those shown on approved Premises License 29155 - Licensable activities allowed Monday to Saturday 12:00 to 23:00 and Sunday 12:00 to 22:30 and opening hours Monday to Saturday 09:00 to 23:00 and Sunday 09:00 to 22:30 (Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurants and Cafes (Class A3).)

DRAWING NO(S): Existing & Proposed Plans 002
Proposed Block & Location Plan 001

RECOMMENDATION : It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

165-167 South Street is a sui generis use restaurant "Cobe". The site is a large cafe/restaurant, spanning two units and was changed from a then Class A use business under prior approval J0006.19. South Street is in the town centre of Romford and as such, contains a number of mixed use class buildings with a number of shops, restaurants and cafes being located on the ground floor and the first floor and above being used for dwellings.

DESCRIPTION OF PROPOSAL

The proposed variation of condition seeks to change the opening hours as set out in Condition 5 in the decision granted for the previously submitted prior approval. The planning application seeks to change the follow:

Monday - Saturday: 12:00 - 23:00
Sunday: 12:00 - 22:30

to

Monday - Saturday: 08:00 - 23:00
Sunday - 09:00 - 22:30

RELEVANT HISTORY

Q0246.21 - Discharge of conditions 2, 3 & 4 from J0006.19
ALL DECISIONS 02-03-2022
ISSUED

P1709.20 - Raising of roof to create third floor for creation of 2 x 1-bed flats
Refuse 09-02-2021

- A0025.19 - 3 x illuminated fascia signs and 1 x illuminated projection sign.
 Apprv with cons 21-10-2019
- J0006.19 - Notification for Prior Approval for a Change of Use from Shops (Class A1),
 Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan
 Shops and Casinos (Sui Generis Uses) to Restaurants and Cafes (Class A3).
 Prior App COU 02-05-2019
 Given
- P1760.18 - change of use from A2 to A4 wine bar
 Refuse 05-02-2019

CONSULTATIONS/REPRESENTATIONS

Neighbouring occupiers were notified via letter. No responses were received.

LBH Waste and Recycling: No objection and notes that the business should have suitable waste collect/contract.

RELEVANT POLICIES

Havering Local Plan (2016-2031)
 Policy 1 - Romford Strategic Development Area
 Policy 7 - Residential Design and Amenity
 Policy 12 - Healthy Communities
 Policy 13 - Town Centre Development
 Policy 24 - Parking Provision and Design
 Policy 26 - Urban Design

MAYORAL CIL IMPLICATIONS

Not CIL liable.

STAFF COMMENTS

In accordance with the current criteria for sites visits, an in-person site visit was not undertaken. Site photos were sent in by the agent to support the application. In determining this planning application, photos, Google street view, aerial view images and submitted drawings were used to asses the site constrains.

PRINCIPLE OF DEVELOPMENT

The extension of opening hours for the existing sui generis use premises is acceptable in principal, subject to no unacceptable impacts with regards to neighbouring amenity and highways/parking. This has been discussed in detail below.

DESIGN/IMPACT ON STREET/GARDEN SCENE

No external changes are proposed.

IMPACT ON AMENITY

Whilst the existing use of the premises is considered acceptable in principle having regard to the town centre designation, the proposal for extended operating hours require further consideration in terms of neighbouring amenity. Policy 7 states the council will not support where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties and has unreasonable adverse effects on the environment by

reason of noise impact, vibrations and disturbance. The latterly mentioned environments effects are key consideration and further represents the main grounds in which applications seeking to alter opening times were refused.

While the proposed opening hours represents a moderate increase over the current opening times as it ranges from an extra 3-4 hours, this will result in the business opening earlier in the day. The new opening times would not yield any adverse effects in terms of noise impact and disturbance beyond what would be acceptable at the times of 08:00 and 09:00 onwards. It is noted that there is a large number of Class E and sui generis businesses in the immediately surrounding area with many directly neighbouring 165-167 South Street closing at later times between 12:00 and 02:00. Class E and sui generis businesses further north up South Street tend to open earlier between 08:00 and 11:00. As such, the range of current opening times in the area establishes a precedent for allowing the hours to be extended for this application.

In consideration of the above, it is not anticipated the proposal would result in unacceptable impacts on neighbouring amenity.

HIGHWAY/PARKING

The changes to opening hours is not considered to represent a harmful impact to highways/parking.

KEY ISSUES/CONCLUSIONS

For the reasons outlined above, the proposal is considered to be in accordance with planning policy and is therefore recommended for approval.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC27 (Hours of use) ENTER DETAILS

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 23:00 on Mondays to Saturdays and 09:00 and 22:30 on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity.

INFORMATIVES

1 Approval - No negotiation required

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework.

Authorising Officer: Maria Bailey	05-09-2022
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31-08-2022