

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1672.23

WARD: St Edwards **Date Received:** 12th November 2023

ADDRESS: 1 Arcade Place
Romford

PROPOSAL: Proposed glazed front extension to existing restaurant for semi-outdoor dining

DRAWING NO(S): Proposed perspective (1)
Proposed perspective (2)
S101 R00
S102 R00
S103 R00
VA-01 Revision A
VA-02
VA-03
VA-04 Revision A
VA-05 Revision A

RECOMMENDATION: It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The application site is situated at the junction of Arcade Place and Exchange Street and comprises of a restaurant the Braza steakhouse. Arcade place is a pedestrian walkway, but also serves as a service road to commercial building plus car parking spaces. The application site is located in the Primary frontage of Romford Metropolitan Centre, the Romford Strategic Development Area and the Havering Archaeological Priority Areas.

DESCRIPTION OF PROPOSAL

The application seeks consent for a proposed glazed front extension to the existing restaurant for semi-outdoor dining.

The proposed semi-outdoor dining area would have a depth of 2.9 metres and a width of 13.3 metres and a ridge height of 3.25 metres and comprise of a Brazilian rotisserie grill area, takeaway seating area and an outdoor dining area with glass wall partitions.

It is noted that there are discrepancies in the Planning, Design and Access Statement, as it refers to the LDF Core Strategy and Development Control Policies Development Plan Document, which has been superseded by the Havering Local Plan 2016-2031, although these have not affected the determination of this application.

RELEVANT HISTORY

w0287.23	EXTENSION AT FRONT OF COMMERCIAL UNIT Awaiting Decision
P0465.21	Retrospective application for external seating area on existing forecourt Apprv with cons 02-07-2021
A0003.19	Retrospective advertisement consent for 3 composite signs and 1 banner Apprv with cons 26-03-2019
P0076.19	Temporary permission for seating on forecourt including retrospective application for existing wooden structure within highways Apprv with cons 26-03-2019
P0515.16	Temporary permission for seating to forecourt including retrospective application for temporary permission for the existing wooden structure within the highway. Apprv with cons 17-01-2018
P0664.14	Temporary permission for seating on forecourt including retrospective application for existing wooden structure within highways. (Amended description) Refuse 05-12-2014
P1164.11	Seating on forecourt Apprv with cons 21-09-2011
P1165.11	Variation of Condition 3 of Planning Permission P0565.11: increase approved hours of use of 09:00-00:00 on Mondays to Thursdays 09:00-02:00 Fridays to Saturdays and 09:00-00:00 on Sundays & Bank Holidays Apprv with cons 22-09-2011
P0565.11	Part change of use of ground floor from D2 (snooker club) to A3 (restaurant), including a formation of a new shopfront and addition of extractor equipment Apprv with cons 15-06-2011

CONSULTATIONS/REPRESENTATIONS

16 neighbouring owner/occupants were notified of the proposal. No letters of representation were received.

Romford Civic Society - The Society is keen to see that any such extensions do not result in excessive intrusion into and limitation of pavement space, to the detriment of pedestrians. Such extensions would not complicate the work of Streetcare in keeping the streetscene clean.

The Highway Authority objects to this application and advised that the application should be rejected on the basis that they have not served a notice to highways regarding the highway land. Furthermore, since the proposed structure is permanent, approval is not possible.

The Public Protection Department Food Safety Team objects to this application, as the planning application doesn't include any plans for extraction in the extension and there is no information to identify what extraction will be installed and the type of ducting to provide ventilation to the extension. Detailed comments are contained elsewhere in this report.

Public Protection - No concerns regarding contaminated land. The Public Protection Department has less concerns regarding the proposal, as it appears that there are no residential properties within the near vicinity of the restaurant. However, it is unclear from the application if the hours of use of the proposed glazed enclosure will mirror the premises licence, which is until 00.30 Sunday-Thursday, and 02.00 on Friday and Saturday. Whilst there are no residential properties in the near vicinity, this needs to be considered as a possible restriction (subject to a pavement licence being granted by the licencing team), which may give rise to public nuisance issues, and crime and disorder. As such, it is recommended that no amplified music is played within the structure after 23.00 hours to protect the amenity of the area.

Historic England (GLAAS) - The proposed extension is primary over the footprint of an existing extension; the proposed site is small in scale and this impact should be negligible to the wider archaeological significance of the area. No further assessment or conditions are therefore necessary.

RELEVANT POLICIES

Policies 7 (Residential design and amenity), 13 (Town centre development), 14 (Eating and drinking), 19 (Business growth), 24 (Parking provision and design), 26 (Urban Design), 28 (Heritage assets), 34 (Managing pollution) and 35 (On-site waste management) of the Havering Local Plan.

Policy D8 (Public realm), D14 (Noise), E9 (Retail, markets and hot food takeaways), HC1 (Heritage conservation and growth), SD6 (Town centres and high streets), T6 (Car parking) and T7 (Deliveries, servicing and construction) of the London Plan.

The National Planning Policy Framework is relevant.

MAYORAL CIL IMPLICATIONS

The proposals do not require any contribution through the CIL regulations.

STAFF COMMENTS

Temporary planning permission was granted for a retrospective application for external seating area on existing forecourt under reference P0465.21. Condition 1 of P0465.21 states that: "This

permission shall be for a limited period only expiring on 2nd July 2024 on or before which date the use hereby permitted shall be discontinued, the buildings and works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: Arcade place also serves as a service road for access to commercial buildings plus access to parking spaces to the existing commercial building. The servicing arrangement to the commercial building may likely to be altered as a result of new development in the access road and hence a permanent permission would not be acceptable. The Local Planning Authority would wish to retain control to consider future servicing arrangement of the likely development in the vicinity of the site".

Pre-application advice was sought under reference W0287.23 for an extension at the front of the commercial unit at 1A Arcade Place. Although officers raised the following issues: "The planning application approved in 2021 originally sought permanent consent for the external seating area, which was originally not supported as it is located on highway land and the site forms part of a pedestrianised walkway in Romford town centre. Following negotiations with the applicant, temporary planning permission was granted for 3 years, which enables the Local Planning Authority to review its position given that the structure is on highway land and forms part of a pedestrianised walkway in Romford town centre. A larger structure with a depth of 3.3m and a length of 15m would not be allowed as it would encroach even further on highway land, setting an unacceptable precedent in this location. In conclusion, based on the information to hand, the proposals would be refused".

In accordance with the current protocol for site visits, an in-person site visit was not considered to be necessary. Site photos were provided by the applicant/agent in support of the application. In determining this planning application, photos, Google Street ViewTM, aerial view images and submitted drawings were used to assess the site constraints.

The main issues in this case are the impact on the streetscene, neighbouring amenity, any highway and parking issues and archaeology.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The supporting statement states that the proposed single storey front extension would create an additional 34.5m² of floor space to act as an extension to the restaurant and create an additional seating area. The plans for this application show a proposed single storey front extension, which would be fixed to the public highway and retained on a permanent basis.

It is common within town centres and parades to have seating to the front of restaurants and coffee shops, as they seek to improve the vitality of the area and also aim to increase footfall. It is considered that an outdoor seating area in the traditional cafe/restaurant sense would usually be set at a low level, and as such would not be unduly prominent or obtrusive within the street scene. It would also have an element of semi-permanence whereby the tables and chairs used would not be fixed and could be easily removed overnight or when not in use. In general, external seating areas tend to integrate satisfactorily within metropolitan, district and local centres and would not detract from the character and appearance of the wider locality or adversely affect the street scene.

This application seeks consent for a proposed glazed front extension to the existing restaurant for a semi-outdoor dining area with a width of 13.3 metres and a depth of 2.9 metres.

It is considered that the proposed glazed front extension would, by reason of its depth, width, overall size and design, lack subservience to the host building, encroach onto the wide and open feel of the streetscene and appear as a visually prominent feature in the streetscene, detrimental to the character and appearance of the subject building and the parade, contrary to Policies 13, 14 and 26 of the Havering Local Plan as well as the National Planning Policy Framework.

IMPACT ON AMENITY

It is considered that the proposed front extension to the existing restaurant would not be materially harmful to neighbouring amenity, as it's a single storey glazed structure with a hipped roof.

The application site is located in the Primary frontage of Romford Metropolitan Centre, which is characterised by commercial premises where a certain level of activity and associated noise is to be expected. Officers acknowledge the provision of a front extension for semi-outdoor dining could result in additional noise being generated outside of the site, however given the location within Romford Town centre which is characterised by various commercial units, this is not considered unacceptable.

The Public Protection Department was consulted and has less concerns regarding the proposal, as it appears that there are no residential properties within the near vicinity of the restaurant. However, need to condition hours in relation to the enclosure if minded to grant planning permission.

The proposed semi-outdoor dining area would comprise of a Brazilian rotisserie grill area, takeaway seating area and an outdoor dining area. The Public Protection Department Food Safety Team was consulted and objects to this application, as the planning application doesn't include any plans for extraction in the proposed front extension and there is no information to identify what extraction will be installed and the type of ducting to provide ventilation to the extension.

The proposed front extension includes a Brazilian Rotisserie grill area and in the absence of any plans for extraction in the proposed front extension and no information regarding what extraction will be installed and the type of ducting to provide ventilation to the extension, the proposal would be materially harmful to the amenity of neighbouring properties, including odours contrary to Policies 7, 14 and 34 of the Havering Local Plan and the National Planning Policy Framework.

HIGHWAY/PARKING

It is noted that temporary planning permission was granted under application P0465.21 for a retrospective application for an external seating area on existing forecourt at 1 Arcade Place. Condition 1 of P0465.21 states that: "This permission shall be for a limited period only expiring on 2nd July 2024 on or before which date the use hereby permitted shall be discontinued, the buildings and works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: Arcade place also serves as a service road for access to commercial buildings plus access to parking spaces to the existing commercial building. The servicing arrangement to the commercial building may likely to be altered as a result of new development in the access road and hence a permanent permission would not be acceptable. The Local Planning Authority would wish to retain

control to consider future servicing arrangement of the likely development in the vicinity of the site".

In comparison with P0465.21, this application seeks consent for a proposed glazed front extension to the existing restaurant for semi-outdoor dining, which would be a permanent fixed structure.

The Highway Authority was formally served by the applicant with a Certificate B notice and re-consulted and advised that their objection would remain, as they would not approve a permanent structure of this nature on the public highway.

Arcade place also serves as a service road for access to commercial buildings plus access to car parking to the existing commercial building. The servicing arrangement to the commercial building may likely to be altered as a result of new development in the access road and hence a permanent permission would not be acceptable. It is considered that the proposed front extension would set a harmful precedent through the degree of permanence on the public highway which would adversely impact on the future servicing arrangement of the development and other properties in the vicinity of the site to the detriment of the safety of other road users and pedestrians contrary to Policies 13 and 26 of the Havering Local Plan, Policies D8 and T7 of the London Plan as well as the National Planning Policy Framework.

ARCHAEOLOGY

The application site is located in the Havering Archaeological Priority Areas. Historic England (GLAAS) was consulted and provided the following comments. The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified in the Local Plan: Havering APA 2.11 Romford and Roman Settlement. Having considered the proposals with reference to information held in the Greater London Historic Environment Record and made available in connection with this application, it is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The site is located within the medieval settlement and historic market town of Romford. The proposed extension is primarily over the footprint of an existing extension; the proposed site area is small in scale and this impact should be negligible to wider archaeological significance of the area. No further assessment or conditions are therefore necessary.

KEY ISSUES/CONCLUSIONS

It is considered that the proposed glazed front extension would, by reason of its depth, width, overall size and design, lack subservience to the host building, encroach onto the wide and open feel of the streetscene and appear as a visually prominent feature in the streetscene, detrimental to the character and appearance of the subject building and the parade, contrary to Policies 13, 14 and 26 of the Havering Local Plan as well as the National Planning Policy Framework.

The proposed front extension includes a Brazilian Rotisserie grill area and in the absence of any plans for extraction in the proposed front extension and no information regarding what extraction will be installed and the type of ducting to provide ventilation to the extension, the proposal would be materially harmful to the amenity of neighbouring properties, including odours contrary to Policies 7, 14 and 34 of the Havering Local Plan and the National Planning Policy Framework.

It is considered that the proposed front extension would set a harmful precedent through the degree of permanence on the public highway which would adversely impact on the future servicing arrangement of the development and other properties in the vicinity of the site to the detriment of the safety of other road users and pedestrians contrary to Policies 13 and 26 of the Havering Local Plan, Policies D8 and T7 of the London Plan as well as the National Planning Policy Framework.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Refusal non standard

The proposed glazed front extension would, by reason of its depth, width, overall size and design, lack subservience to the host building, encroach onto the wide and open feel of the streetscene and appear as a visually prominent feature in the streetscene, detrimental to the character and appearance of the subject building and the parade, contrary to Policies 13, 14 and 26 of the Havering Local Plan as well as the National Planning Policy Framework.

2 Refusal non standard

The proposed front extension includes a Brazilian Rotisserie grill area and in the absence of any plans for extraction in the proposed front extension and no information regarding what extraction will be installed and the type of ducting to provide ventilation to the extension, the proposal would be materially harmful to the amenity of neighbouring properties, including odours, contrary to Policies 7, 14 and 34 of the Havering Local Plan and the National Planning Policy Framework.

3 Refusal non standard

The proposed front extension would set a harmful precedent through the degree of permanence on the public highway which would adversely impact on the future servicing arrangement of the development and other properties in the vicinity of the site to the detriment of the safety of other road users and pedestrians contrary to Policies 13 and 26 of the Havering Local Plan, Policies D8 and T7 of the London Plan as well as the National Planning Policy Framework.

INFORMATIVES

1 Refusal - No negotiation

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to Mr Orlando via email on 13th June 2025.

Authorising Officer:



Neil Goate

13th June 2025