

Appeal Decision

Site visit made on 22 May 2025

by **M Cryan BA(Hons) DipTP MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th June 2025

Appeal Ref: APP/B5480/W/25/3359993

134 North Street, Romford RM1 1DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Drita Gjoni of Besi Restaurant against the decision of the Council of the London Borough of Havering.
 - The application reference is P1061.24.
 - The development proposed is a glazed front enclosure to existing restaurant E(b).
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Decision

1. The appeal is allowed and planning permission is granted for a glazed front enclosure to existing restaurant E(b) at 134 North Street, Romford RM1 1DL in accordance with the terms of the application, reference P1061.24, and the plans submitted with it, subject to the following condition:
 - 1) The enclosure hereby permitted shall only be used for the seating of customers between 1000 and 2200 on any day of the week.

Preliminary Matters

2. The development was described on the planning application form as “retrospective planning permission for front enclosure”, and on the appeal form as the “retrospective planning permission for glazed front enclosure to existing restaurant E(b)”. As “retrospective” is not in itself descriptive of development I have used a slightly amended wording in the banner heading and my formal decision above. Nevertheless, the development for which planning permission is being sought has been carried out, and I was able to see it in place at the time of my site visit.
3. On 12 December 2024 the Government published a revised National Planning Policy Framework (“the Framework”), replacing the December 2023 version extant when the planning application was determined. The changes have not had any significant bearing on this appeal; I am satisfied that there has been no need to seek further comments on the revised Framework, and that no party’s interests have been prejudiced by my taking this approach.

Main Issues

4. The main issue is the effect of the glazed enclosure on the character and appearance of the area.

Reasons

5. The appeal site is part of two adjacent terraces on the east side of North Street (Nos 116 to 130, and Nos 132 to 148, hereafter “the two terraces”) which have ground floor commercial units accommodating a range of shops and services.

They are within the North Street Local Centre, a short way north of Romford town centre. The appellant's restaurant operates on the ground floor of No 134.

6. The two terraces are of typical early- to mid-20th century suburban appearance, with pitched roofs and first-floor bay windows. Ground floor shopfronts are of a variety of styles and finishes; some are neat and attractive and well-maintained, others less so. Front elevations are set back from the highway by a few metres so the commercial units have private (though open) forecourts. Other than at the appeal property, forecourts are hard surfaced – mostly either with tarmac or brick blocks – and, at the time of my site visit, a good many were being used for car parking. A small number of units, including those at Nos 132, 136 and 138, have canopies or awnings, though these are generally shallow and of a traditional “pull-down” type (or, at least, appearance); at the time of my visit a few chairs and tables were set out under the canopy of the café at No 138 for customers.
7. At No 134, an enclosed area has been added to the front of the premises. It extends across the full width of the unit, and occupies most of the forecourt area; it is stated on the application form that the enclosure has provided around 26m² of additional floorspace, which is used for seating diners. It has a metal framework finished in a dark grey coating, glazing (including glazed doors) to its front and side elevations, and a pent roof of translucent panelling. The enclosure has replaced an external open-sided seating area surrounded by wooden planters and covered with a retractable awning, and it has an air of permanence not present in the previous seating area (by comparison with the photos provided). It projects beyond the established building line and is the only enclosure of its type among the open forecourts of the two terraces, so it is a unique feature in its immediate surroundings. However, it does not follow from this that I find it has caused unacceptable harm to the character or appearance of the area.
8. North Street is a busy A-road and bus route, connecting Romford town centre and the St Edward's Way ring road to the A12 and residential suburbs to the north. As well as the two terraces including the appeal site, there are other commercial premises on both sides of North Street within the local centre. Some are small units in traditional terraces, others are in larger purpose-built premises, and there is a considerable variety in the style and quality of built form.
9. Where buildings are set back from the highway, forecourts are generally used for car parking at the back of the footway, as with the two terraces; there are also large off-street car parks at Matalan (almost opposite the appeal site), and at the public Como Street car park close to the St Edward's Way roundabout at the edge of the town centre. I acknowledge that the setting back of many of the frontages within the local centre from the highway gives the area a degree of openness. However, the overwhelming characteristic I observed was not a pleasant sense of spaciousness derived from that openness, but the dominance of traffic and parked vehicles. This was as apparent within the two terraces, where parking on forecourts was as much a factor of the streetscene the shopfronts, as in the wider centre.
10. Approaching the appeal site from Romford town centre, various items of street furniture, including a telephone kiosk and advertisement display unit outside No 126, constrain long views of the enclosure from the south. From the north, the backdrop of the tall buildings at the edge of the town centre dominates long range views; the enclosure is seen behind and between the canopies at Nos 136 and

138, and the bus shelter in front of those two properties. The enclosure is not a prominent feature in long or medium range views from either direction.

11. In closer views, the enclosure is of course a more visible feature. However, it is of a reasonably neat and simple form, and appears to be of decent-quality materials; viewed from across North Street the dark colour finish means that the enclosure is largely assimilated into the backdrop of the shopfronts on either side. Only from the footway very close to No 134 do the projecting form and permanence of the enclosure become truly obvious. Even then though, it did not appear to me to be dominant or overbearing; the most obvious visual contrast to my mind was not a negative one with the established building line of the two terraces, but of a positive use compared to the rather cluttered and unattractive use of many other nearby forecourts for vehicle parking.
12. Taking all these points together, and notwithstanding its evident uniqueness within the local centre, I conclude that the glazed enclosure has not caused unacceptable harm to the character or appearance of the area. There is therefore no conflict with Policies 13 of the 2021 Havering Local Plan, which seeks to enhance the vitality and vibrancy of the borough's town centres. I also find no conflict with Policy 26 which, although it refers to specific matters such as respecting established building lines, overall seeks to promote high quality design that contributes to the creation of successful places; while the enclosure sits forward of the established building line, I am satisfied that the development complies with the aims of that policy read as a whole.

Other Matters

13. The appellant devoted most of their appeal evidence to addressing the question of fallback and whether, having regard to permitted development rights (in respect of boundary treatments) and the provisions within the advertisement control regime¹ (in respect of an awning) something comparable to the appeal scheme could be put in place without requiring planning permission. Given the depth of the enclosure, it seems to me that creating an awning would be rather more complex than simply "the removal of the supporting beams that enclose the front extension" as suggested by the appellant. However, as I have not found conflict with the development plan I have not considered the fallback position, or any weight it might otherwise have carried, in detail.
14. Had the development been of unsympathetic design or poor-quality materials, or on a site less constrained by street furniture, less dominated by vehicles, or in a lower-key suburban setting (among other things), it is entirely possible that I would have reached a different conclusion on its impact. I have determined the appeal having had regard to the planning merits of the scheme before me, and the specific details of the appeal site the wider characteristics of the local centre. If other ostensibly similar proposals were to come forward it would be for the Council to take the same approach; my decision here does not bind them to approve an unacceptably harmful scheme elsewhere. I have therefore given little weight to the suggestion in the decision notice that the scheme would set "a harmful precedent for other similar development".

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

Conditions

15. As the development has already been carried out, the otherwise standard condition setting a time limit for commencement is not necessary. The Council suggested that, in the event of my allowing the appeal, a condition be imposed limiting the hours during which the enclosure could be used for seating customers, in order to prevent noise nuisance being caused to nearby residents. I agree that such a condition is necessary, but the wording suggested by the Council only included a stop time of 22.00; in theory use could therefore have resumed after midnight. I have no idea whether there is any real prospect of that happening, but in order to prevent unacceptable noise disturbance overnight and through the early morning, I have written the condition so that it allows the enclosure to be used between 10.00 and 22.00, which seems to me to be a necessary and reasonable restriction.

Conclusion

16. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I conclude that the appeal should be allowed.

M Cryan

Inspector