

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

12 February, 2025
05
24/2877

SITE INFORMATION

RECEIVED	10 October, 2024
WARD	Willesden Green
PLANNING AREA	Brent Connects Willesden
LOCATION	1 Walm Lane, London, NW2 5SN
PROPOSAL	Change of use of basement and ground floor from vacant bank to bingo hall with alteration to front elevation at ground floor level
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_170549</p> <p><u>When viewing this as an Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "24/2877" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

Recommendation

- A. That the Committee resolve to GRANT planning permission.
- B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions:


1. 3 Year time period
2. Approved plans / drawings
3. Materials to Match
4. Opening Hours
5. Active Frontage
6. Servicing Management Details to be Agreed
7. Cycle Storage

Informatives:

1. Party Wall etc Act
2. An AGC use will need planning permission
3. Adverts may require advertisement consent
4. Any other informative(s) considered necessary by the Head of Planning

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, Informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

SITE MAP

	Planning Committee Map Site address: 1 Walm Lane, London, NW2 5SN © Crown copyright and database rights 2011 Ordnance Survey 100025260
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Basemap Map

This map is indicative only.



1:1250

0 0.02 0.04 kilometres



PROPOSAL IN DETAIL

Change of use of basement and ground floor from vacant bank to bingo hall with alteration to front elevation at ground floor level

EXISTING

The application site is a commercial property located on the north side of Walm Lane at the junction of High Road. The property is within the primary shopping frontage of the Willesden Green Town Centre. The site does not contain any Listed Buildings however it is located within the Willesden Conservation Area.

RELEVANT SITE HISTORY

22/0697 - Full Planning Permission – Granted - 15/07/2022

Replacement of first floor front windows to bank

13/1732 - Advertisement consent - Granted - 17/09/2013

Replacement of fascia signage, externally illuminated projecting sign and internally illuminated ATM signage

13/1731 - Full Planning Permission – Granted - 15/08/2013

Installation of 1 air conditioning unit to rear

CONSULTATIONS

Letters were sent to 12 neighbouring and nearby properties on 14/10/2024. A site notice erected on a post adjacent to the site on 04/11/2024 and a Press Notice was published in the Local Press on 24/10/2024.

At the time of writing this report, 107 representations were received from 100 different addresses raising objection to the proposal. A summary of objection comments alongside officer remarks are tabulated below.

Reasons for objecting	Officer's Comment
Existing bingo halls/ adult gaming centres are located in close proximity to proposal site.	Please see principle section of the report.
Proposed bingo hall would increase such uses and negatively impacting the neighbourhood.	Please see principle section of the report.
Gambling use harmful to wellbeing and safety.	The use as a bingo hall would fall within permitted town centre uses. The relevant planning policies do not restrict lawful uses in principle.
A full and transparent community consultation is sought.	The statutory public consultation actions were undertaken as part of this planning application, by way of neighbour letters, a site notice and a press notice and the level of communication is considered to be in line with usual practice and sufficient for this type of proposal.
Many residents have not been informed of the application.	The statutory public consultation actions were undertaken as part of this planning application, by way of neighbour letters, a site notice and a press notice.

Better uses that serve the community could be provided within the proposal site.	These comments are noted, however the use as a bingo hall would fall within permitted town centre uses. The application needs to be assessed based on the planning merits of what has been proposed.
The proposed use will have unsocial hours of operation resulting in increase noise and disturbance to residents.	Please see impact on neighbouring amenity section of the report.
Increase criminal activity.	These comments are noted, however the use as a bingo hall would fall within permitted town centre uses. There is no direct evidence of the proposed use resulting in increased criminal activity.
Proposal contrary to Local Plan Policy BE5 - Adult Gaming Centres.	Please see principle section of the report.
Loss of banking use which is a community need	Please see principle section of the report.
Proposed use will have detriment to house prices.	House prices are not a material planning consideration.
The council website states its vision and priorities are for 'a Healthier Brent' - (Statement of Principles for Gambling 2025-2028).	Please see the report for further assessment. The application is not considered contrary to Brent Local Plan nor London Plan. Although there are other material considerations, these do not prevent the proposed use in principle.
The proposed use contravenes the Council's SPD3 shopfront which encourages positive shopfront character and good quality displays to encourage activating the High Road.	Minor alterations to door and windows are proposed to the shopfront. These are assessed within the character and appearance section of this report.
The former Lloyds Bank building holds historical and architectural value for Willesden Green. Transforming it into a gambling site risks overshadowing its cultural significance.	The council's heritage officer was internally consulted and raised no objection to the heritage impacts of the site.
Both the NPPF and the London Plan emphasize the creation of healthy, inclusive, and resilient spaces for all community members.	Please see the report for further assessment. The application is not considered contrary to the NPPF nor London Plan.
The Gambling Licensing Policy Consultation 2025-2028 states that gaming establishments should avoid areas where children are present.	This would fall within the Licensing assessment which is required separately to planning permission.
The layout as shown on the plans is for seating almost entirely with people facing a wall and minimising any social interaction to Zero. The plans do not show what it is intended to do with the basement despite the application stating it will be altered, exactly the same plan is on both drawings suggesting the applicant has not bothered to submit a sustainable or real application.	The layouts provided are considered suitable for the purpose of planning assessment for the change of use application.
Clarification required regarding number of gambling establishments are permissible, how many residents have to object to demonstrate	Please see principle section of the report on the planning assessment for this application. The nature of objections is relevant in the

there is not a local need.	assessment of applications, however the number of objections or comments of support does not guarantee refusal or approval decisions.
The bright signage and lights on the shop front would be disruptive to residents in the accommodation opposite.	Any signage proposed may require a separate application for advertisement consent. This does not form part of the application.
Earlier this year Brent Council approved a similar application to convert the former Barclay's Bank building at the junction of Chichele Road and Cricklewood Broadway into a Bingo Hall – having had their original gaming application rejected. However, after obtaining the licence for a Bingo Hall, the applicant went on to apply again for an adult gaming licence.	There is precedence of recent similar planning applications which were assessed based on planning policy and other material planning considerations. This application is considered to be assessed in such a manner. Subsequently using the premises as an Adult Gaming Centre would require planning permission if a material change of use occurs, and would need to be assessed in line with planning policies set out within the development plan, including policy BE5. The licencing for adult gaming centres falls outside the remit of planning control.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041

Relevant policies include:

London Plan 2021

D12 Fire Safety

SD6 Town centres and high streets

T5 Cycling

T6 Car Parking

T6.3 Retail Parking

Brent Local Plan 2019-2041

DMP1 Development Management General Policy

BE7 Shopfront Design and Forecourt Trading

BHC1 Brent's Heritage Assets

BT1 Sustainable Travel Choice

BT2 Parking & Car Free Development

BT3 Freight and Servicing Provision and Protection of Freight Facilities

Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework
- National Planning Practice Guidance
- Supplementary Planning Guidance / Documents:
 - SPD3 Shopfronts 2018

DETAILED CONSIDERATIONS

Principle

1. The development seeks the change of use of the ground and basement levels of 1 Walm Lane, from a bank (Class E (c)(i)) to a Bingo Hall (Class Sui Generis). The bank has been vacant since its closure by Lloyds Bank in March 2024. Minor internal and external alterations are proposed as part of this application.
2. The unit occupies part of Willesden Green Town Centres Primary Shopping Frontage. Local Plan policy BE5 seeks to protect against the over concentration of potentially harmful uses in Brent's town centres. This policy concerns the potentially harmful uses betting shops, adult gaming centres, pawnbrokers, takeaways and shisha cafes. As such, policy BE5 does not form part of the assessment of the acceptable nature of this change of use. Indeed, bingo halls are listed within the definition of main town centre uses within the NPPF 2024, London Plan 2021 and Brent's Local Plan. Bingo can be defined in two formats, including a traditional bingo hall or a bingo premises using machines (the latter of which is proposed in this case).
3. The submitted planning statement and annotated floor plans clearly set out that the basement will be used for storage and an electrical room ancillary to the bingo hall and the ground floor is to be used for the primary use, the bingo hall to include storage and sanitary facilities at the rear. The drawings and supporting documentation do not make any reference to the inclusion of adult gaming machines.
4. While comments have been received regarding the potential use of the premises as an adult gaming centre, the submission sets out the intended use of the location as a bingo hall. In practice, limited ancillary uses could take place within the floor area, however the introduction of a significant number adult gaming machines or introduction of other related activities/uses that would result in a mixed use or entire change of use would require planning permission. Similarly, objections have been received regarding the concentration of uses and the prevalence of bingo halls in proximity to the site. The planning policy BE5, as above does not, specify limits on the concentration of bingo halls. Furthermore, there are a variety of uses within the surrounding shop frontage.
5. As such, the change of use is in accordance with the Council's adopted policies.

Character and Appearance

6. To facilitate the change of use, the application proposes alterations to the shopfront to include a new street-facing front entrance and window at ground floor level.
7. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
8. NPPF (2024) Paragraph 202 recognises that heritage assets are an irreplaceable resource and seeks to conserve them in a manner appropriate to their significance. It is appropriate to consider the desirability of new development making a positive contribution to the local character and distinctiveness. The thrust of this guidance is reflected in policies within the London Plan 2021, HC1 - Heritage conservation and growth and Brent's Local Plan 2019-2041, policy BHC1 Brent's Heritage Assets.
9. The new pair of grey double doors and the new window in place of the ATM machines will be simple alterations. The existing shopfront is not original, and the proposed works are in keeping with the existing arrangement. The proposal would preserve the character and appearance of the Conservation Area and be in compliance with the Council's Shopfront SPD. As such there would be no impact on the elevations of the property and no impact to the streetscene.
10. An informative has been suggested to ensure applicant is reminded that whilst it does not form a part of this application, any signage or advertisement associated with the proposed use may require planning permission.

Impact to Amenity

11. Local Plan Policy DMP1 seeks to ensure new development, amongst other things, does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPD1 and SPD2 which both contain guidance that seeks to protect neighbour amenity.
12. The submitted planning application form outlines that in terms of opening hours, the applicant would advise that the premises shall be open to the public between the hours of: 08:00 and 00:30 Mondays to

Fridays (into the morning of Saturdays); 09:00 and 01:00 on Saturdays (into the morning of Sundays); and 09:00 and 00:30 on Sundays and Bank and Public holidays. It is noted that there are nearby residential premises in close proximity of the subject site. The nearby Ladbroke and William Hill units along Walm Lane and the adjoining High Road are open until 10pm in the evening, therefore the proposed hours would exceed nearby opening hours of other types of gambling establishments. There are some instances of later uses in the wider area however these appear to be largely limited to hot food takeaways. Directly neighbouring uses have earlier closing times which would be appropriate to limit disturbance to the residential occupiers surrounding the site. These details could be conditioned if the application were otherwise acceptable and recommended for approval.

13. The applicant has not provided a noise assessment. The upper floors of the host property are not in residential use. The existing office use of these floors is not considered to be particularly sensitive to the proposed use and the operating hours are likely to be compatible. Whilst an electrical room has been labelled at basement level, no external/plant equipment has been indicated at the premises. Therefore, the noise impact associated with any future change of use above the proposed bingo hall or external plant to the premises would be assessed within a future application. The proposal would be subject to licencing restrictions and subject to reasonable use is not considered to result in any adverse noise and disturbance to the neighbouring occupiers.

Transport Considerations

14. Walm Lane is a local distributor road & bus route. The site is adjacent to a signal controlled junction and pedestrian crossing along site frontage. There is no off street parking or servicing.
15. Car parking allowances for the existing bank use are stipulated in Appendix 4 of the Brent's Local Plan and require compliance with the standards at Table 10.5 of the London Plan. Being within a PTAL 5 area, the site has very good access to public transport, the use is expected to be 'car-free'.
16. Parking allowances for the proposed bingo hall are stipulated in the adopted Local Plan and require compliance with paragraph 8.4.9 at Appendix 4, whereby only disabled and operational parking is allowed due to the high PTAL rating of the site. With no existing off-street parking, maximum standards are complied with.
17. There are pay and display parking bays available nearby on Walm Lane in this town centre area for any customers that do drive to the site, but the very good access to public transport services means that most customers would be expected to use public transport or walking and cycling to get to the site.
18. Servicing requirements are set out in Appendix 5 of the Local Plan and as the site is below 500m², the site will require servicing by 'transit' sized vans.
19. Whilst the bingo hall is not expected to have frequent servicing activity, a servicing management plan is sought to ensure that vehicles do not obstruct the junction and pedestrian crossing fronting the site.
20. Cycle parking standards are stipulated in the London and require 1 space per 8 full time employees and a short stay parking allowance of 1 space per 30 seats. Approximately four bicycle parking spaces should therefore be provided and with no external space available along the front of the site, an internal storage area should be considered.
21. No transportation objections subject to the submission and approval of further details of a delivery strategy for the site and of bicycle parking.

Fire Safety

22. Policy D12 of the London Plan requires all new development to take account of fire safety in design. London Plan policy D12 indicates that the fire safety of developments should be considered from the outset. This includes measures to demonstrate space identified for the appropriate positioning of fire appliances, appropriate evacuation assembly points and floor layouts and cores planned around issues of fire safety for all building users.
23. The proposal would not include any access, evacuation or layout changes to the property. Therefore, given the scale and location of the development, the absence of the fire statement does not render the scheme unacceptable.

Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

24. The proposed change of use to a bingo hall accords with the Council's adopted policies as it falls within a main town centre use. Minor external changes are proposed to the shopfront of the site, for which there are no impacts with regards to the character and appearance of the conservation area. Subject to conditions to limit opening hours to protect the neighbouring occupiers, the use will sufficiently protect neighbouring amenity. Furthermore, subject to transport related conditions, the use will provide the required servicing needs and cycle storage facilities for the users of the premises.
25. Approval is accordingly recommended subject to conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 24/2877

To: Mr Cunningham
140 Weston Road
Aston Clinton
Aylesbury
HP22 5EP

I refer to your application dated **10/10/2024** proposing the following:

Change of use of basement and ground floor from vacant bank to bingo hall with alteration to front elevation at ground floor level

and accompanied by plans or documents listed here:
See Condition 2

at **1 Walm Lane, London, NW2 5SN**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 04/02/2025

Signature:

David Glover
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework (2024)
The London Plan (2021)
Brent Local Plan (2019-2041)

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:

Site Location Plan
1WImL/BNG/FUL/24/01 – Existing and Proposed Block Plans
1WImL/BNG/FUL/24/02 – Existing Floor Plans and Front Elevation
1WImL/BNG/FUL/24/03 – Proposed Floor Plans and Front Elevation

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 4 The premises shall not be open to customers and shall not operate as a bingo hall other than between the hours of:

0800 to 2300 Mondays to Fridays
0900 to 2300 on Saturdays, Sundays and Bank and Public holidays

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 5 A clear and unobstructed window display shall be maintained at all times with non-tinted/obscured glass in the entrance door and front windows. Additionally, signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level with no promotional material shall be displayed on the windows or entrance door.

Reason: In order to provide and maintain active frontage and to maintain a positive character of the shopping area.

- 6 Prior to the first occupation of the development hereby approved, a servicing management plan for the site required by 'transit' sized vans, and shall be submitted to and approved in writing by the Local Planning Authority.

Upon first occupation of the development, the servicing management plan shall be fully implemented for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing.

Reason: To ensure that vehicles do not obstruct the junction and pedestrian crossing fronting the site.

- 7 Details of cycle storage for the scheme, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the property as a Bingo Hall (Sui Generis). The scheme shall be implemented prior to the first occupation of the development solely in accordance with the approved details and permanently maintained as such thereafter.

Reason: To ensure adequate provision of bicycle storage infrastructure.

INFORMATIVES

1 - The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the government website:

<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>

2 - The applicant is advised that the use of adult gaming machines could result in a change of use requiring planning permission.

3 - The applicant is reminded that the advertisements introduced to the shop frontage would require advertisement consent in line with the Town and Country Planning (Control of Advertisement) Regulations 2007.

Any person wishing to inspect the above papers should contact Parag Dhanani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6007