

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 September, 2025
04
25/1112

SITE INFORMATION

RECEIVED	10 April, 2025
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 Adult Gaming Centre (AGC) with alteration to front elevation at ground floor level
PLAN NO'S	Refer to 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_173071</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 "25/1112" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

- A. That the Committee resolve to GRANT planning permission.
- B. That the Head of Planning or other duly authorised person 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 Plant /Gaming Machine noise levels
6. Active Frontage
7. Servicing Management Details to be Agreed
8. Cycle Storage

Informatives:

1. Party Wall etc Act
2. Adverts may require advertisement consent
3. BNG Exempt
4. Any other informative(s) considered necessary by the Head of Planning

That the Head of Planning or other duly authorised person 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 or other duly authorised person 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

 Brent	Planning Committee Map
Site address: 1 Walm Lane, London, NW2 5SN	
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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 Adult Gaming Centre (AGC) 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

Relevant planning history

25/1950 – Under consideration

Prior approval for change of use from vacant bank to x2 self-contained flats on first and second floor; with refuse and cycle storage at ground floor.

24/2877 – Full Planning Permission – Granted – 17/02/2025

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

CONSULTATIONS

Letters were sent to 138 neighbouring and nearby properties on 23/04/2025. A site notice erected on a post adjacent to the site on 29/04/2025 and a Press Notice was published in the Local Press on 01/05/2025.

At the time of writing this report, 66 representations were received from raising objection to the proposal. A summary of objection comments alongside officer remarks are tabulated below.

Reasons for objecting	Officer's Comment
Existing adult gaming centres are located in close proximity to proposal site.	The application has been assessed in line with policy BE5 which looks at existing AGCs within the town centre – please see remarks section below.
Proposed Adult Gaming Centre would increase such uses and negatively impacting the neighbourhood.	As above the application has been assessed in line with policy BE5. Conditions are recommended to restrict the opening hours.
Gambling use harmful to wellbeing and safety.	Please see principle of use section of the report.
A full and transparent community consultation is sought.	The planning application was consulted on in line with statutory requirements and Brent's Statement of Community Involvement.
Better uses that serve the community could be provided within the proposal site.	The application has to be assessed on its own merits against relevant planning policies.
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 – The submitted Planning statement provides an inaccurate representation of the criminal activity in the area.	Within a number of appeals for AGCs elsewhere within the Borough, the Planning Inspector did not support the Local Planning Authorities view in terms of impact of the proposal on crime, anti-social behaviour and disorder.
Proposal contrary to Local Plan Policy BE5 - Adult Gaming Centres.	An assessment of how the application is considered against policy BE5 is discussed below.
Loss of banking use which is a community need	A bank falls within class E and is not defined as social infrastructure. The change of use of the former bank into the AGC is discussed below.
Proposed use will have detriment to house prices.	House prices are not a material planning consideration.
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 consulted and raised no objection to the heritage impacts of the proposal.
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 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.
Clarification required regarding number of gambling establishments are permissible, how many residents have to object to demonstrate there is not a local need.	<p>Please see principle section of the report on the planning assessment for this application.</p> <p>Planning applications are evaluated in line with planning policies set out within the development plan. An application can not be refused simply based on a large number of objections.</p>
Permission has already been granted for a "bingo hall" Ref. No: 24/2877.	This is referenced within the report and is an extant permission.

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

D14 Noise
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
BD1 Leading the Way in Good Urban Design
BE5 Protecting Retail in Town Centres
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 an Adult Gaming Centre (AGC) (Class Sui Generis).
2. The application property was previously occupied by Lloyds Bank which closed in March 2024. Planning permission ref. 24/2877 was granted on 17 February 2025 for 'Change of use of basement and ground floor from vacant bank to bingo hall with alteration to front elevation at ground floor level.'
3. The property is within the primary shopping frontage of Willesden Green Town Centre. Local Plan BE5: *Protecting retail in town centres* sets out criteria that proposals for betting shops, adult gaming centres and pawnbrokers/payday loan shops must meet:

'Betting shops, adult gaming centres and pawnbrokers will be permitted where it will result in:

- a) no more than 4% of the town centre frontage consisting of betting shops;
 - b) no more than 3% of the town centre frontage consisting of adult gaming centres or pawnbrokers/payday loan shops;
 - c) no more than 1 unit or 10% of the neighbourhood parade frontage, whichever is the greater, consisting of betting shops, adult gaming centres or pawnbrokers/payday loan shops;
 - d) a minimum of 4 units in an alternative use in-between each.
4. Criteria b) and d) are relevant to the current application.

Existing adult gaming centres and pawnbrokers

5. There are two pawnbrokers and two adult gaming centres but no payday loan shops in Willesden Green Town Centre.
6. The following units are in pawnbroker use:

H&T Pawnbrokers, 1d Walm Lane, NW2 5SJ (5m frontage)
H&T Pawnbrokers, 70 High Road, NW10 2PU (5m frontage)
7. The following units are in adult gaming centre use:

Merkur Slots, 51-55 High Road, NW10 2SU (24m frontage)

8. The total existing length of the town centre frontage consisting of adult gaming centres or pawnbrokers/payday loan shops is 38m. The total frontage length is 1877m. Therefore, as existing, 2.02% of the total frontage length is in adult gaming centre and pawnbrokers/payday loan shop use.

Assessment of current proposals

9. 1 Walm Lane has a frontage length of around 9.75m.
10. If 1 Walm Lane were consented for adult gaming centre (AGC) use, the total frontage length in AGC and pawnbrokers/payday loan shop use (including the above four premises) would be 47.75m (5 + 5 + 24 + 4 + 9.75m), which would result in 2.54% of the total frontage length being in AGC and pawnbrokers/payday loan shop use. The proposals would therefore sit within the threshold of no more than 3% of the town centre frontage consisting of adult gaming centres or pawnbrokers/payday loan shops in line with Local Plan policy BE5.
11. Criteria d) requires that a minimum of 4 units in an alternative use in-between each use. It is acknowledged that the wording within criteria d) is arguably open to interpretation as the wording within the policy itself refers to a "minimum of 4 units in alternative use in-between each" without clarifying whether that is between each separate use of each separate unit.
12. Supporting text has been provided to explain the purpose of the policies within the plan, this is considered to be the correct interpretation. For clarity, the following is specified within paragraph 6.4.39 within the Local Plan:

'To ensure there is not an overconcentration of particular uses within any single length of frontage the policy seeks to prevent adult gaming centres, pawnbrokers, betting shops and takeaways locating in close proximity to a unit in the same use.'

13. The matter was also tested at appeal at 5-6 Park Parade (LPA Ref: 24/1335) where an AGC was proposed next to a betting shop. At Paragraph 10 of the appeal decision (Ref: APP/T5150/W/23/3332772) the Inspector noted.

'Although there would be a betting office adjoining, there would not be another AGC within 4 units either side of the proposed AGC. The proposed sub-division of the property and the creation of a betting office and AGC would, therefore, not conflict with BLP Policy BE5 and, as such, the retail function of Harlesden town centre would be protected.'

14. There is no other AGC within 4 units of the proposed one. It is noted that there is a pawnbroker at 1d Walm Lane but as set out above this is an alternative use to an AGC and therefore the proposal would be in accordance with criteria d of policy BE5.

Character and Appearance

15. 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.
16. 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.
17. 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.
18. 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. The works would be very similar to that approved under

19. An informative is recommended to remind the applicant that whilst it does not form a part of this application, any signage or advertisement associated with the proposed use may require advertisement consent.

Impact to Amenity

20. 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.
21. 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's 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. It is therefore recommended that a condition is secured to restrict the opening hours to between 0800 to 2300 Mondays to Fridays and 0900 to 2300 on Saturdays, Sundays and Bank and Public holidays. These are the same hours as conditioned as part of application reference 24/2877 for the bingo hall application, which is an extant consent.
22. 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. As per application reference 24/2877 it is recommended that a condition is secured to limit the cumulative rated noise level from any plant, gaming machines or other equipment to 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises so as to prevent the transmission of noise and vibration into neighbouring premises.
23. In addition, the proposal would be subject to licencing restrictions and subject to reasonable use is not considered likely to result in significant adverse noise and disturbance to the neighbouring occupiers.

Transport Considerations

24. 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.
25. 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. As the site has very good access to public transport, the use is expected to be 'car-free'.
26. With no existing off-street parking, maximum standards are complied with.
27. There are no particular standards for the proposed gaming centre, with retail standards being the most relevant. This parking allowance would not therefore change and the continued absence of off-street parking within the site means maximum standards will still be complied with.
28. 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.
29. Whilst the gaming centre 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.
30. Cycle parking standards are stipulated in the London and require four bicycle parking spaces for visitors. Drawing number 1WImL/AGC/FUL/25/03 proposes an internal foyer cycle store which will provide vertical cycle parking with a minimum ceiling height of 2m. Nine cycle hangers are proposed and these can be

shared between visitors and employee parking, which is welcomed.

31. There are no transportation objections to the proposal, subject to the submission and approval of further details of a delivery strategy for the site.

Fire Safety

32. 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.
33. 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

34. 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

35. The proposed change of use to an Adult Gaming Centre (AGC) accords with the Council's adopted policies. 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 a condition to limit opening hours to protect the neighbouring occupiers together with a limit on noise levels from plant and gaming machines, the use would 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.
36. 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: **25/1112**

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

I refer to your application dated **10/04/2025** proposing the following:

Change of use of basement and ground floor from vacant bank to Adult Gaming Centre (AGC) with alteration to front elevation at ground floor level

and accompanied by plans or documents listed here:
Refer to 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: 02/09/2025

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:

1WLML-AGC-FUL-25-01 - Existing and Proposed Site Plans
1WLML-AGC-FUL-25-02 - Existing Drawings
1WLML-AGC-FUL-25-03 - Proposed Drawings

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 an adult gaming centre 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 Plant, bingo/gaming machines or other equipment shall not be installed unless the cumulative rated noise level from such plant, bingo/gaming machines or other equipment is 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises so as to prevent the transmission of noise and vibration into neighbouring premises.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 6 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.

- 7 Prior to the first occupation of the development hereby approved, a servicing management plan for the site required by 'transit' sized vans 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 following the submission to and approval in writing by the Local Planning Authority of a revised plan.

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

- 8 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 an Adult Gaming Centre (Sui Generis). The cycle storage 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 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.

3 - Based on the information available, in accordance with the Environment Act 2021 and the Town and Country Planning Act 1990, this development is exempt from Biodiversity Net Gain (BNG) requirements. This exemption applies as the development falls within the specified criteria outlined in legislation and regulations. The applicants are advised to review the statutory guidance for further details on exemptions and any other environmental obligations that may apply.

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