

<p>Local Planning Committee</p> <p>16 July 2024</p>	<p>Agenda Item: 10 Reference No: 24/0589/F Web Link: Planning Documents</p>
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Applicant / Agent: Planning Potential

<p>Site Address: 111 Eltham High Street, London, SE9 ITD</p>	<p>Ward: Eltham Town and Avery Hill Application Type: Full Planning Permission</p>
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I. Recommendation

I.1 That Committee is requested to consider the following planning application which seeks the following:

Change of use from Use Class E unit to an Adult Gaming Centre (AGC) (Sui Generis)

I.2 Under normal circumstances, the Committee would consider the application and decide whether to grant or refuse permission. However, in this instance, the applicant has submitted an appeal to the Planning Inspectorate on the grounds of non-determination. An appeal on the grounds of non-determination can be made where the Local Planning Authority has not determined the application within the statutory time period, which in this instance is 8 weeks after the application was submitted.

I.3 Where an appeal has been lodged on the grounds of non-determination, the Council may no longer determine the application because with the making of the appeal, that decision-making jurisdiction transfers to the Secretary of State (or to one of their Inspectors acting on their behalf). The Council though is still required to resolve whether it would have been minded to grant or refuse the application if the appeal had not been lodged. This is because the Council is required to participate in the appeal and therefore have a stance either against or in support of the appeal scheme.

I.4 It is the recommendation of Officers that if the appeal had not been lodged that planning permission would have been granted subject to:

i. The Conditions (Appendix 2) of the report; and

- ii. To authorise the Assistant Director of Planning and Building Control to make any minor changes to the detailed wording of the recommended reason(s) for refusal as set out in this report, where the Assistant Director of Planning and Building Control considers it appropriate.

2. **Summary**

2.1 Detailed below is a summary of the application:

The Site	
Site Area (m ²)	0.03 Ha
Local Plan Allocation	Within the Eltham Town Centre Boundaries Primary Shopping Frontage
Heritage Assets	None
Tree Preservation Order	None
Flood Risk Zone	I (No Flood Risk Assessment Required)

Transportation		
Car Parking	No. existing car parking spaces	0
Car Parking	No. Proposed Car Parking Spaces	0
Cycle Parking	No. Proposed Cycle Parking	0
Public Transport	PTAL Rating	6a

Public Consultation	
Number of neighbours in Support	0
Number of objections – addressed in section 6 of this report.	62

- 2.2 The application has received 62 representations in objection to the development. The application has also been called into committee by Councillor Dingsdale.
- 2.3 The report details all relevant national, regional and local policy implications of the scheme, including supplementary planning guidance.
- 2.4 As such, if an appeal on the grounds of non-determination had not been lodged with the Planning Inspectorate, the application would have been recommended for approval as set out in Appendix 2.

Site Plan



3 Site and Surroundings

- 3.1 The application site is 111 Eltham High Street, Eltham, London, SE9 1TD.
- 3.2 The application site is located on the northern side of Eltham High Street and relates to an end of terrace, two storey building.
- 3.3 The applications site relates to a currently vacant retail unit (Use Class E), planning history shows the last known occupant of the site was HSBC. The surrounding area is commercial in character with retail and other commercial units predominantly at ground floor level and some residential uses above.
- 3.4 The site is not located within a conservation area and does not relate to a listed building.

- 3.5 The site is located within the Eltham Town Centre boundaries as identified by the Core Strategy (2014). The site is also designated as a Primary Shopping Frontage.
- 3.6 The site has a PTAL rating of 6a (where 0 is the worst and 6b is the best), suggesting an exceptional level of public transport connectivity.

4. **Relevant Planning History**

<i>App Number:</i>	17/0814/A	<i>Decision:</i>	Approved	<i>Decision Date:</i>	19/05/2017
<i>Address:</i>	HSBC, 111 Eltham High Street, Eltham, London, SE9				
<i>Description:</i>	Installation of internally illuminated fascia sign, internally illuminated projecting sign, window vinyls and wall name plate.				

<i>App Number:</i>	12/1164/A	<i>Decision:</i>	Approved	<i>Decision Date:</i>	15/08/2012
<i>Address:</i>	HSBC, 111 Eltham High Street, Eltham, London, SE9				
<i>Description:</i>	Planning permission granted for the installation of two internally illuminated signs and two non-illuminated signs at 111 Eltham High Street.				

5. **Proposals (in detail)**

- 5.1 Planning permission is sought for the change of use of the site from Use Class E, to an adult gaming centre (AGC)/ betting shop (Sui Generis use class). No external alterations are proposed with some alterations are proposed to the internal layout of the unit.
- 5.2 The occupier of the site would be Merkur Slots. The proposed use would generate twelve (12) full time jobs.
- 5.3 Hours of operation for the unit would be 24 hours.

6. **Consultation**

- 6.1 The application, since being submitted in February 2024, has been subject to full public consultation comprising of a site notice (displayed 7th March 2024) and five (5) neighbour notification letters sent to adjacent occupiers.

6.2 Sixty-two (62) objections have been received in relation to the proposed development. A summary of the neighbour objections is provided below:

Summary of Comments	Officers comments
The community does not need gambling to be encouraged.	The principle of the development is assessed elsewhere in this report.
There is already a betting shop on the high street.	The concentration of gambling shops is discussed within the principle of development section of this report below.
Concern regarding the type of person who would utilise a betting shop, they result in anti-social behaviour.	It is not considered that there is direct link between the proposed use and anti-social behaviour.
Concern that Eltham High Street is on a downward spiral.	This proposal relates to one unit on the high street and wider trends within the Town Centre cannot be considered under this proposal.
Gambling puts pressure on council services.	It is not considered that the proposed use would directly result in pressure on council services.
It does not set a good example for children.	This is not a material planning consideration.
Betting shops will have a negative impact on the rental rates for surrounding premises on the high street.	This is not a material planning consideration.
Concern as to why the Council is supporting the proposal whilst supporting a campaign for victims of gambling.	This application is assessed against planning policy and guidance, it is not in any way related to other council work.
Parking is difficult in the town centre, especially for disabled people and the development would result in parking and traffic issues.	Matters relating to highways and transport are discussed elsewhere in this report.
The proposal would deter investment.	This is not a material planning consideration.
Gambling addiction is a serious illness, with the NHS taking it very seriously.	This is noted.
The proposed use would not have an acceptable visual impact on Merlewood Place, which is the	The proposal does not relate to external alterations as such the development would not have a visual impact.

access for new homes and a new hotel.	
The proposal would have a negative impact on community cohesion.	This is not considered to be a material planning consideration.
There would be a negative impact on existing businesses, with spending taken away from them.	This is not considered to be a material planning consideration.
Late hours could cause noise and disturbance.	Matters relating to noise and disturbance are discussed within the residential amenity section of this report below.
The money spent on rejuvenating the high street would be wasted if a gambling shop is allowed.	The development would not impact upon public realm improvements.

6.3 **Councillors**

6.4 Three ward councillors were consulted on 5th March 2024, one response has been received from Councillor Dingsdale who has objected to the change of use and requested that the application be called into committee should the application be recommended for approval.

6.5 **Responses from Council Departments**

6.6 A summary of the internal consultation responses received along with the officer comments are set out in table below:

Details of Representation	Summary of Comments	Officers comments
Transport and Highways:	No comment received at the time of writing.	The transport and highways impact of the proposal is assessed elsewhere in the report.
Waste Services:	No comment received at the time of writing.	The implications for waste are discussed elsewhere in this report.
Environmental Health:	From a noise perspective only, it can be accepted that these premises are of low noise impact considering the context (i.e. location).	The impact on neighbouring amenity is discussed elsewhere in this report.

	<p>As such there is no objection in terms of noise subject to a noise management plan (for operation) which should be conditioned.</p>	
<p>Designing Out Crime Officer:</p>	<p>At the time of writing, I have had no contact with the design team for this application.</p> <p>The proposal seeks to use a currently vacant premises, making it an Adult Gaming Centre (AGC). Having active shops within high streets are vital for local economies to flourish and there are many reports suggesting that high streets are under threat. Merkur seeks to address this by offering a long-term operation within this currently vacant premises.</p> <p>Having read through the proposal, I note that within Merkur’s corporate brochure the following is stated-</p> <ul style="list-style-type: none"> • Merkur Slots Venues are – “known for their highly trained teams and first class face to face service.” • Merkur AGC are “not betting shops”. 	<p>These comments are noted. In order to address concerns raised it has been recommended that a condition included to ensure secured by design be achieved. It is considered that should appropriate security measures be put in place the use could operate safely.</p>

	<ul style="list-style-type: none">• Merkur do not have “Fixed Odds Betting Terminals (FOBTs) and that their venues do not offer these types of machines. Our machines offer low stakes ranging from 10p to a maximum of £2. These machines have been around for many, many years.”• Merkur AGCs are “where people come to spend their spare change” Whilst I can make no validation to the types of machines which will be within this Merkur Slots venue, having looked at police indices over a rolling year, I found many reports from Murkur Slots venues across London where police had been called due to a customer criminally damaging gaming machines and the shop after losing money and in some instances threatening and/or assaulting staff. These are not the actions of someone who has lost ‘spare change’. One would suggest that although the machines used may be ‘low stakes’ in terms of cost per single usage, the patron is able to make many ‘low stake’ wagers in a short period of time,	
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	<p>which can quickly add up, causing immense stress for the patron. Prior to this happening, I would have expected the 'highly trained teams' who are on the gaming floor to intervene.</p> <p>In one report, staff were outside the venue whilst the suspect was inside causing criminal damage to the premises. This indicates that there is the possibility that staff had no safe place to retreat when the customer became violent. For the safety of staff, the street is not deemed as safe as the suspect can follow them out and attack them.</p> <p>In several cases, after police had dealt with an incident within a Merkur premises, CCTV was not readily available for police to take away and use as evidence to secure a quick conviction and this eventually lead to the venue/staff not following these crime through and in others staff were unwilling to support police prosecution. The decision not to proceed with prosecution actually invites others to act in ways that are anti-</p>	
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	<p>social/illegal as they believe there are diminished chances of being held to account for their actions.</p> <p>Reading through these reports alongside the application showed the following–</p> <ul style="list-style-type: none">• The floor plan was sparse in detail, it did not show what the different areas of the building would be used for. Potentially addressing my concern of a safe space for staff. There is no mention if there are to be internal alterations to assist with security.• There is no mention of security for the venue, this is despite Merkur having a national security document, which was drawn up with after consultation with Metropolitan Police Designing Out Crime Officers on another application in Lambeth. <p>This was disheartening to read, especially as it seems that –</p> <ul style="list-style-type: none">• Merkur appear to use high quality CCTV within their venues.	
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	<ul style="list-style-type: none">• That the venues may use a system such as, Staff Watch, where staff can effectively press a panic button which alerts off site security who get a live feed of the venue and can call emergency services <p>A building can only be effective if the correct products are installed and that staff within such venues are aware of any security plan. This is where SBD and Designing Out Crime Officers (DOCO's) are able to assist the design team to ensure the correctly specified product is installed and that there are procedures in place to assist staff in keeping staff and customers safe, an example of this would be.</p> <p>The addition of security rated products and a security rated internal lobby at the entrance would allow staff to 'vet' customers before allowing secondary access. This means that people who are bared or have caused issues for staff previously cannot gain full entry into the venue. This would lessen many aggressive interaction and lessen the</p>	
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	chances of damage to property and injury to staff. To achieve these standards, I respectfully ask that a Secured by Design condition is placed on this development.	
Community Safety:	When it says adult only, is that over 18 or 21 please? If it's over 18 I don't think it would be a good idea as we have a lot of youth ASB issues in the High Street and this would attract even more.	It is noted that age restrictions does not fall within the scope of the planning system, as such it is not possible to control the age of users of the site within the scope of this application.

7. Planning Context

7.1 This application needs to be considered in the context of a range of national, regional and local planning policies and Supplementary Planning Guidance / Documents.

- **National Planning Policy Framework (NPPF – 2023)**
- **National Planning Practice Guidance (NPPG)**
- **The London Plan (March 2021)**
- **The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (“Core Strategy” – 2014)**
- **New Developments: Guidance Notes for the storage and collection of waste and recycling materials for the Royal Borough of Greenwich (May 2018)**

7.2 For full details relevant policies, SPDs and other documents, refer to Appendix 3.

8. Material Planning Considerations

8.1 This section of the report provides an analysis of the specific aspects of the proposed development and the principal issues that need to be considered in the determination of the planning application (Ref: 24/0589/F):

- Principle of Development (Section 9);
- Design (Section 10);

- Impact on Neighbouring Amenity (Section 11);
- Transport and Highways Impacts (Section 12);
- Cycle Parking (Section 13);
- Waste and Refuse Storage (Section 14);
- Community Infrastructure Levy (CIL) (Section 15);
- RBG CIL (Section 16);
- Implications for disadvantaged groups (Section 17); and
- Public Sector Equality Deputy (PSED) and Human Rights (Section 18)

9. **Principle of Development**

Change of use from Use Class E to Sui Generis (adult gaming centre):

- 9.1 The overriding objective of the Royal Greenwich policy framework is to deliver high quality development which improves the quality and distinctive identity of places and contributes to their success and the area's popularity as somewhere to live, work and stay.
- 9.2 With regard to the proposed use, Policy TCI of the Core Strategy (2014) (CS) relates to development in town centres. Policy TC3 relates to Eltham Town Centre specifically; Policy TC(a) relates to shopping frontages and Policy TC(b) relates to non-retail uses in protected shopping frontages. Together, these policies promote the enhancement of local centres and encourage the protection of ground level premises within shopping frontages for retail and services.
- 9.3 Policy TC(b) states that:
“When determining applications for new betting shops within protected retail frontages, consideration will be given to the number of existing betting shops in the centre and the need to avoid over – concentration and saturation of this particular type of use.”
- 9.4 The supporting text of Policy TC(b) also makes clear that:
“Applications for non-retail uses in areas of designated retail frontage that would increase the likelihood of anti-social behaviour or the fear of crime will be resisted. There are already 55 betting shops in Royal Greenwich which are mainly concentrated in areas of high deprivation. The fear of crime and anti-social behaviour is affected by the increasing preponderance of betting shops on highstreets and neighbourhood parades. It is considered that an over-concentration of betting shops can impact on the vitality and viability of town centres, negatively affect their amenity and safety is associated with an increase in financial stress, particularly where they include fixed odds betting terminals.”

- 9.5 Policy TC3 makes clear that Eltham Town Centre will grow in its role as the pre-eminent town centre in the south of the borough and will be enhanced through redevelopment of the town centre, through the improvement of restaurants and leisure facilities and the addition and improvement of retail space.
- 9.6 Whilst Policy TC(a) introduces a minimum threshold of 70% of the primary ground floor frontage to be available for A1 retail use, Policy TC(b) also encourages a range of activity generating non-retail uses in town centres including evening activities where environmentally appropriate, subject to the ground floor retail thresholds set out in Policy TC(a). Since the changes to the Use Class Order, the above policies carry limited weight however their aims are relevant in this instance, specifically in relation to the retention of a high level of retail uses, with some non-retail uses permit to support to retail function of town centres.
- 9.7 Casinos and adult gaming centres are an established town centre use which complement retail and service uses during the day and contribute to a towns night-time economy in the evenings.
- 9.8 It is noted that three (3) betting shops exist within Eltham Town Centre. It is considered that this provision is not excessive and there is not an existing issue of over-concentration of betting shops in Eltham Town Centre. The addition of one betting shop would not result in additional concerns relating to the concentration of these uses and it is noted that the proportion of retail, leisure and restaurant uses in Eltham Town Centre significantly exceed that of betting shops.
- 9.9 As existing, the unit is vacant, the site had previously been used as a bank, the applicant has stated that the site has been vacant since 2022, with google street view showing evidence of a marketing board at the site in 2023. Officers consider that bringing this vacant unit back into use would benefit the vitality of the town centre. As mentioned above, the thresholds set out within Policy TC(a) are no longer relevant, however it is recognised that the majority of uses surrounding the application site are retail uses, as such the aims of this policy would be complied with which is welcomed.
- 9.10 It is noted that the brochure accompanying this application states that fixed odds betting terminals would not be provided within the betting shop, this is welcomed as these terminals are prohibited in the supporting text of Policy TC(b). Should the application be recommended for approval, a condition preventing the use of these would be attached to the decision notice.

- 9.11 It is recognised that adult gaming centres can present issues in relation to anti-social behaviour. This has been evidenced by the Metropolitan Police's comments. However, the Met's comments do set out that secured by design features can ensure that the use of the site does not encourage anti-social behaviour and that the staff working at the site are kept safe. The Met's comments recommend that effective CCTV systems are used, with a staff watch system introduced and lobby area provided to screen those entering the unit. It is therefore reasonable to consider that should secured by design measures be effectively implemented, there would be no concerns raised with regard to anti-social behaviour.
- 9.12 It is noted that the Council's community safety team have expressed a preference for the site to be over 21 only, to avoid 18, 19 and 20 year olds accessing the site. However, as it is noted that this falls outside of the planning process, it cannot be restricted via a planning condition.
- 9.13 Overall, it is considered that the loss of the existing Use Class E unit at the site and the provision of an adult gaming centre (Sui Generis) would be acceptable and would comply with Policies TCI, TC3, TC(a) and TC(b) of the Core Strategy (2014).

10. Design

- 10.1 The National Planning Policy Framework (NPPF) (2023) states that the creation of a high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve (Chapter 12 – para 131). Paragraph 135 states further that planning decision should ensure that developments are:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.2 Paragraph 139 goes on to state that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- 1. Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- 2. Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

10.3 Policy D3 of the London Plan (2021) (LP) states that development proposals should be of high quality, enhancing local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

10.4 Policy DH1 of the CS requires all developments to be of a high quality of design and demonstrate that they positively contribute to the improvement of both the built and natural environments.

10.5 No external alterations are proposed, as such an assessment of design is not required.

11. Impact on neighbouring amenity

- 11.1 Policy D14 of the LP sets out that development proposals should seek to proactively manage noise impacts in a variety of ways where possible. Proposals should use good design to mitigate and minimise existing and potential nuisances generated by uses and activities located in the area.
- 11.2 Policy E(a) of the CS states that planning permission will not normally be granted where a proposed development or change of use would generally have a significant adverse effect on the amenities of adjacent occupiers or uses, and especially where proposals would be likely to result in the unacceptable emission of noise, light, vibrations, odours, fumes, dust, water and Soil pollutants or grit.
- 11.3 Policy DH(b) of the CS requires new development to demonstrate that there would be no significant loss of amenity to adjacent or nearby properties, by reducing the amount of daylight, sunlight, privacy or outlook they enjoy, by creating an unneighbourly sense of enclosure, or by unacceptably impacting the wind environment or microclimate.
- 11.4 The application relates to a change of use from a former bank to an adult gaming centre and it is recognised that the proposed use may generate increased noise from the previous use due to the nature of the use and extended opening hours. The Council's Environmental Health Team have raised no objection to the proposed development. The applicant has submitted a noise assessment in support of this application. The assessment concludes that noise impacts from patrons are considered very unlikely to occur, an operational management plan has been submitted and would be implemented upon occupation. A condition is recommended to secure this provision.
- 11.5 The noise impact assessment has highlighted that the closest residential premises is within 6 metres, at 105 Eltham High Street, above the Clinton Cards Unit. The noise assessment states that any noise associated with the proposed use would not result in unacceptable noise and disturbance for the residential property in this location despite the 24 hour operation sought. Any residential properties located a greater distance away would not be adversely affected by the proposed use.
- 11.6 The noise impact assessment includes an operational management plan which makes the following recommendations:

- Background music only will be played in the premises and there will not be any tannoy systems.
- The main entrance doors will not be fixed or propped open at any time whilst the premises is trading and there are customers in the venue.
- Customers wishing to smoke will be asked to do so as quickly as possible and in a responsible and quiet manner.
- Individuals who are deemed to be under the influence of excessive alcohol shall not be allowed to enter the premises.
- A notice will be placed that is visible from the exterior of the premises stating that drinking of alcohol directly outside the premises is forbidden and that those who do so will be banned from the premises.
- Customers will be reminded to respect neighbours when they leave.
- Customers found to be loitering near the building will be politely asked by staff to move on.
- Staff, on request, will provide relevant information to customers who require a taxi or directions to the nearest station or bus stop.

11.7 These measures are considered appropriate and sufficient to mitigate any adverse impacts resulting from the proposed use.

11.8 It is recognised that the site is located within a commercial area and as such the use is not anticipated to generate noise and disturbance beyond that of the existing uses within the surrounding area, as such the use would be appropriate in this location.

11.9 The proposed development would operate 24 hours. Given the town centre location it is considered that this would be acceptable and would not result in unacceptable noise and disturbance.

11.10 In summary, the proposed change of use would preserve the amenity of the neighbouring occupiers, in accordance with Policy D14 of the London Plan (2021) and Policies E(a) and DH(b) of the adopted Core Strategy and Detailed Policies (2014).

12. Transport and Highways Impacts

12.1 Policy T2 of the LP states that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. This policy also states that development proposals should reduce the dominance of vehicles on London's streets whether stationary or moving.

- 12.2 Policy T6 of the LP states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.
- 12.3 Policy T4 of the LP sets out that developments should not increase road danger.
- 12.4 Policy IM4 of the CS supports the development of an integrated and sustainable transport system that is extensive in coverage and meets the needs of residents, businesses, workers and visitors in Royal Greenwich. It requires all development in Royal Greenwich to contribute to improved accessibility and safety and to reduce the use of the private car and the need to travel.
- 12.5 The application relates to a change of use from Use Class E to Sui Generis use. The proposed betting shop use is not considered to generate a materially different impact on the highway network beyond that of the existing lawful use of the site.
- 12.6 The site has a high PTAL rating and it is considered that the site is reasonably accessible via public transport, it is not considered that the use would result in increased parking pressure or any other adverse impacts upon the highway network.
- 12.7 As such, the proposed development is considered to be in accordance with Policies T4 and T6 of the London Plan (2021) and Policies IM4 and IM(c) and DHI of the Core Strategy (2014).

13. Cycle Parking

- 13.1 Policy T5 of the LP states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. The policy is clear that proposals should do this by meeting providing cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3. The cycle parking should be fit for purpose, secure and well-located.
- 13.2 This is supported by Policy IM(b) of the CS.
- 13.3 Given the existing commercial use of the site, it is not considered reasonable to require cycle parking to be provided in this instance.

13.4 The proposal complies with Policy T5 of the LP and IM(b) of the CS.

14. Waste and Refuse Storage

14.1 Policy H5 of the CS identifies that development needs to minimise the production of waste, to promote the reuse and recycling of waste materials and to ensure that waste disposal is environmentally responsible. As such, residential schemes should incorporate measures for community recycling that minimises waste disposal and should provide refuse bins and recycling boxes. This is supported by LP Policies S17 and S18.

14.2 Given the existing use of the site, the existing refuse and recycling arrangements would likely be acceptable for the proposed use of the site as the waste generated for the existing and proposed use would be similar, no further information is required in this regard.

14.3 The proposed development would comply with LP policies S17 and S18 and Policy H5 of the CS.

15. Community Infrastructure Levy

The current application is not liable to this requirement.

16. RBG CIL

The current application is not liable to this requirement.

17. Public Sector Equality Deputy (PSED) and Human Rights

17.1 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the PSED. The application proposals are not considered to conflict with the Duty.

17.2 The application has also been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation, is compatible with the Act.

18. Implications for disadvantaged groups

There are no specific implications identified. Applications for betting shops are not required to be compliant with the accessible design requirements as set out in Policy D5 of the London Plan (2021).

19. Conclusions

- 19.1 The proposed development would provide an adult gaming centre which would comply with the Development Plan Policies and would provide a use for a currently vacant Town Centre unit.
- 19.2 The proposed change of use would have no unacceptable impact on the character of the area.
- 19.3 The proposed development would not result in any unacceptable impacts to the amenity enjoyed by neighbouring occupiers.
- 19.4 Accordingly, if the application had not been appealed on the grounds of non-determination would have been recommended for approval, in line with Section I of this report.

Background Papers:

- National Planning Policy Framework (NPPF – 2023)
- National Planning Practice Guidance (NPPG)
- The London Plan (March 2021)
- The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014)
- New Developments: Guidance Notes for the storage and collection of waste and recycling materials for the Royal Borough of Greenwich (May 2018)
- Responses from consultations

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