

Application ref: 2024/1058/P
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Date: 20 June 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Lichfields
The Minster Building
21 Mincing Lane
London
EC3R 7AG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**106 New Oxford Street
London
WC1A 1HB**

Proposal:

Change of use of the ground and upper basement floors, from Use Class E to an E-gaming restaurant/bar (Sui Generis), or Flexible Use Class E

Drawing Nos: PL.510; PL.560; 0-A-1A, rev A; Cover letter prepared by Lichfields, 15/03/2024

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

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

Informative(s):

1 Reasons for granting permission:

The proposal involves the change of use of a vacant part ground floor/part lower ground floor Class E unit, to an E-gaming restaurant/bar (Sui Generis). The ground floor part of the unit is limited to a foyer and staircase with access to the main lower ground floor below street level.

At a regional level, London Plan Policy SD4 (CAZ) recognises that entertainment activities are a defining feature of the vibrant and distinctive character of the CAZ, providing a mix of daytime, evening and night-time uses that should be promoted and enhanced. Principle 5 of the Fitzrovia Area Action Plan and Policy TC2 of the Camden Local Plan 2017 states that the Council will guide development of food, drink and entertainment uses to the Central London Frontages on Tottenham Court Road and New Oxford Street.

The proposed e-gaming concept, alongside a complementary food and beverage service, would provide an offer that is consistent with the land use mix envisaged for the CAZ and Central London Frontages.

The application site is designated as a Primary Frontage. Policy TC2 seeks to protect these frontages as locations with a high proportion of shops in order to maintain the retail function of the centre. Given the nature of the use in that it encourages foot traffic in a not dissimilar manner to a retail shop or range of other Class E uses which could occur at the site. In addition, the fact that the E-gaming restaurant/bar would be predominately contained within the upper basement floor, this alternative use would not undermine the mix of uses or wider role of this Primary Frontage on New Oxford Street.

Allowing for dual use of the unit as either an E-gaming restaurant/bar or Class E use, is considered appropriate as it would allow the unit to revert back to another Class E use (as per the existing situation) at the end of the proposed tenancy, should that scenario arise.

As no additional floor space is being created and the E-gaming restaurant/bar would generate a similar level of cycle traffic as a Class E use, it is not necessary to secure any additional cycle parking or cycle contributions for the change of use.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy. Whilst open later into the evenings compared to a typical Class E use, the e-gaming and accompanying food and beverage offer of the premises will be confined to the upper basement floor, with the entrance foyer at ground floor level where customers will proceed straight on to

a reception area. It is therefore anticipated that any acoustic effects generated from the proposal would be contained and not adversely impact neighbours. In this context it is again relevant to note this is a busy town centre area, with the nearest sensitive residential receptors located a significant distance away. The e-gaming venue and its restaurant/bar would be managed in a similar way to a hospitality venue, with customers able to pre-book timeslots (up to 90 minutes) for gaming and food/drinks, with walk-ins managed within the ground floor reception area.

No objections were received prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, D3, E1, E2, TC1 and TC2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer