

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		28/09/2006	
		N/A / attached		<b>Consultation Expiry Date:</b>			
<b>Officer</b>				<b>Application Number(s)</b>			
Stuart Minty				2006/3628/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
262 Tottenham Court Road London W1T 7RG							
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		<b>Date:</b>		
<b>Proposal(s)</b>							
Change of use from hotel staff area (Class C1) to casino-gaming area (Class D2) at ground floor level in connection with the existing casino-use at first floor level.							
<b>Recommendation(s):</b>		Grant Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
<b>Summary of consultation responses:</b>		A site notice was displayed on the 21/08/2006, Expiring 11/09/2006.  No neighbour representations have been received.					
<b>CAAC/Local groups* comments:</b>		The Charlotte Street Association has been consulted. No comments have been received.					

### **Site Description**

The application site relates to partial area at ground floor level of the Gala Casino/Hotel, located on the east side of Tottenham Court Road, north of its junction with Great Russell Street and south of Bedford Avenue. The application relates to an area at ground floor level in the southeast corner of the site, comprising 142.8m<sup>2</sup> of floorspace and is used as a staff restroom, cloakroom, and restaurant area within the existing hotel use.

The site is located within the Central London Area, the Local Area of Fitzrovia and a Central London Frontage. The site is also adjacent to the Bloomsbury Conservation Area and some listed buildings.

### **Relevant History**

None of relevance

### **Relevant policies**

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

#### **Camden Replacement Unitary Development Plan 2006**

S1/S3 – Strategic Sustainability; SD1 – Quality of Life; SD6 – Amenity for occupiers and neighbours; SD7 – Light, noise and vibration pollution; SD8 – Disturbance; R1 – Location of new retail and entertainment uses; R2 – General Impact of retail and entertainment uses; R3 – Assessment of food and drink uses and licensed entertainment; C3 – New leisure uses; C5 – Tourism uses.

#### **Supplementary Planning Guidance**

Supplementary Planning Guidance for Central London, Food, Drink and Entertainment and Specialist and Retail Uses – Approved 2004.

## Assessment

### Proposals

The proposal is for a change of use from hotel staff area (class C1) to casino gaming area (Class D2) at ground floor level. This involves reconfiguring the space within the premises to add 142 sq m to an existing casino use. The details of the existing configuration have not been provided.

The existing casino features six slots and fourteen table games all at first floor level directly above the area to which the application relates, whilst there are varying opening hours, as follows: -

- The cafe is licensed 7pm to 3am.
- The bar is licensed 2pm to 3am Monday to Saturday. 2pm to 12.30am Sunday.
- The casino is licensed 2pm to 6 am.

The main issues with regards to this planning application are the potential impact the proposed use would have on the Central London Area, the Fitzrovia Area and the Central London Frontage and the loss of the C1 floorspace.

### Location of licensed entertainment facilities

Policy R1B of the RUDP states that the Council will grant planning permission for licensed entertainment uses in Central London. Developments should be of an appropriate scale and character for the area to which they relate. Policy C3A also guides leisure development to the Central London Area.

Licensed entertainment uses such as casinos are considered to be most appropriately located in Central London frontages, in line with the Council's licensing policy. The site is located within such a frontage, and therefore accords with policy R1B.

### Impact of licensed entertainment facilities

In assessing retail, food and drink and licensed entertainment Policy R2 seeks to protect an areas character, amenity, function, vitality and viability, and is readily accessible by late night public transport if late night opening is proposed. Policy R3 considers specific impacts of food and drink and licensed entertainment, including cumulative effects, loss of A1, residential amenity, noise and antisocial behaviour.

There are frequent public transport services in Tottenham Court Road 24 hours a day. The proposal does not involve any changes to the frontage, so it is difficult to see how any impact on the vitality or viability of the shopping area could arise. There are two food and drink uses at the southern end of Tottenham Court Road, but generally a strong mix of A1 shops, A2 services and office lobbies. There is very little residential property in the vicinity, although there are some flats accessed from Great Russell Street.

The Council's SPG for Food, Drink and Entertainment, Specialist and Retail Uses in Central London provides guidance on how the Council will treat planning applications for various uses including entertainment uses. The SPG identifies the area in which the subject site lies as a Central London Frontage within the Fitzrovia Local Area. Food, drink and entertainment uses are identified as creating problems in parts of Fitzrovia.

The guidance indicates in Para 14.22 that food and drink uses may be appropriate where they do not result in the loss of ground floor retail. Para 8.16 and 8.17 suggest that in some parts of Fitzrovia, food, drink and entertainment uses should not exceed 100 sq m or operate after midnight. These restrictions are not considered to be necessary at the southern end of Tottenham Court Road given the absence of the fine mix of residential and commercial uses that characterises the rest of Fitzrovia. The existing bar/café use is licensed until 3am, whilst the gaming use can operate until 6am. There are no planning conditions, which restrict opening, and given its location and distance from residential

it is not deemed necessary to impose a planning condition. The applicant shall be reminded via informative to address the licensing considerations.

The proposal does not involve the loss of any retail space. It is not considered that the modest increase in gaming floorspace proposed would cause individual or cumulative harm to the area.

#### **Loss of hotel space**

Policy C5 of the RUDP indicates that the Council will not permit development involving the loss of hotels, B&Bs and youth hostels in suitable locations, which include the Central London Area. The policy is framed to protect the use rather than the entire floor area. In this instance, no loss of visitor space is proposed, and therefore no policy conflict arises here.

#### **Conclusion**

Given all of the aforementioned, the proposed extension to the casino use is considered acceptable, in terms of its location and impact on the local area and is accordingly recommended for approval.

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