

BETTING SHOPS AND PLANNING GUIDANCE

Committee	Licensing Committee
Officer Contacts	Mandip Malhotra, James Rodgers, James Gleave Planning, Transportation and Community Projects
Papers with report	None
Ward(s) affected	All

RECOMMENDATION

That the Committee note the briefing.

INFORMATION

This Briefing Note has been prepared to set out the Council's current and emerging planning policies relating to controlling the spread of betting shops in the Borough.

Permitted Development Rights

Betting shops have previously fallen under Use Class A2 (Financial and Professional Services) of the General Use Classes Order of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015. However, it is noted that the most recent amendment, The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, has now classed betting shops as sui generis (a use that does not fall within any use class).

As a sui generis use, any new betting shop must apply for full planning permission. The only exception to this relates to a new betting shop tenant moving into a unit formerly used (its last known use) as a betting shop. In this circumstance, the new tenant is able to operate under the previous users consent.

For any new planning proposals for betting shops, the Council will consider planning applications based on their impacts on amenity, concentration of similar uses, security of the locality and proximity to sensitive uses and against the relevant planning policies in place. Further details of adopted and emerging planning policies are set out below.

Existing/Adopted Policy Background

The London Plan notes that over-concentrations of betting shops and hot food takeaways can give rise to particular concerns for town centres. The Mayor of London's Town Centres SPG adopted in July 2014 states that there is an urgent need to enable local planning authorities to control the proliferation of betting shops and to address the implications this

can have for maintaining the vitality and viability of town centres and for protecting their amenity and safety.

Paragraph 8.18 of the Council's adopted Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority aims to retain the retail function of all shopping areas, to meet the needs of the area each serves.

The adopted policy position seeks to retain predominantly 'A1' retail and a limited range of other 'A class' uses (banks and building societies and food and drink uses) within primary shopping areas, which are identified as being the main focus of retail activity. Secondary shopping areas are located on the periphery of primary areas and offer more flexibility to incorporate a mix of shopping and service uses, such as financial and professional services, launderettes and community facilities.

Any full planning application for a betting shop would be assessed on its merits, against existing planning policies. Proposals coming forward in shopping areas are likely to be resisted by officers on the basis that they do not support the retail function and are no longer classed as retail or 'A' class uses. However, the overall percentage of retail uses in these areas and the individual circumstances relating to each application would also need to be taken into account.

Emerging Hillingdon Local Plan: Part Two - Development Management Policies

Paragraph 3.21 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies; states that there is a need to control the proliferation of betting shops and to address the implications they can have on maintaining the vitality and viability of town centres and protecting amenity and safety. It highlights the issues affecting amenity and the continued success of town centres, which justify planning authorities to consider the merits of proposals for betting shops.

Emerging Policy DMTC 4, Town Centre Uses, states that proposals for restaurants and hot food takeaways, drinking establishments, betting shops, night clubs, casinos, amusement centres, minicab offices and other similar uses will be supported provided that they:

- i) would not result in adverse cumulative impacts due to an unacceptable concentration of such uses in one area;
- ii) would not cause unacceptable disturbance or loss of amenity to nearby properties by reason of noise, odour, emissions, safety and security, refuse, parking or traffic congestion; and
- iii) would not detrimentally affect the character or function of an area by virtue of the proposed use or visual impact.

Again, this policy seeks to resist a concentration of betting shop uses in town centres. As all new betting shops must now apply for planning permission to open new premises, proposals will be assessed against the above adopted and emerging planning policies.