



Appeal Decision

Site visit made on 16 June 2026

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th July 2026

Appeal Ref: APP/A5270/W/25/3375731

153-155 Uxbridge Road, Ealing, Hanwell W7 3SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Aman Singh Goraya, Pure Gaming Limited, against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 252255FUL.
 - The development proposed is change of use to bingo premises (Sui Generis).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The emerging Ealing local plan is at an advanced stage and is a material consideration. However, at the current time it does not form part of the statutory development plan. As such, I give it only limited weight in my assessment of the appeal.
3. The description of the development in the banner heading above was taken from the planning application form. Still, the Council considered that as the proposed use would include gaming machines for adults only, on a 24 hour basis, a clearer description of the scheme would be an adult gaming centre (AGC). The appellant asserts that there are material differences between a Bingo Arcade and AGC, as they offer a different set of facilities. However, they do not expand much on what these differences are. Paragraph 1.8 of the Planning, Design and Access Statement states that 'Arcades/Bingo Premises are amusement centres which consist of gaming machines for the entertainment and leisure of customers.
4. In light of the description of the development on the planning application form I have proceeded to determine the appeal as a bingo premises. Yet, I will take into account all of the information before me. This includes the use of gaming machines within the building, the hours of operation and the age limit for customers.

Main Issues

5. The main issues are:
 - the effect of the development on the vitality and viability of Hanwell town centre;
 - the effect of the development on the living conditions of neighbouring occupants with regard to noise and disturbance; and

- whether the proposal would lead to an over concentration of gambling uses in Hanwell Town Centre.

Reasons

Effect on town centre

6. The appeal site is located on the secondary shopping frontage in Hanwell town centre. The building reflects others in the area and includes a hot food takeaway on the ground floor with residential accommodation above.
7. The appeal seeks to convert the ground floor to a bingo premises, which would include gaming machines. The business would be open 24 hours a day with access restricted to those over 18. Policies SD6 and SD7 of the London Plan 2021 (LonP) seeks to support the continued vitality and viability of town centres through, among other things, active street frontages. Although located in the secondary shopping frontage, the appeal site neighbours an attractive clock tower which is a focal point within the public realm. This enhances the prominence of the appeal building within the established street scene.
8. It is acknowledged that the proposed development would not result in the loss of an existing retail unit in the area. However, there is no substantive evidence before me to demonstrate that the proposal would provide an active street frontage. The unit may have been vacant for some time and has a blank frontage at the moment. Yet, there is no evidence before me to demonstrate that the proposal would provide an active frontage, which is open and inviting to most members of the community, as typically expected in a town centre location. My concerns in this regard are not resolved by the potential health benefits of changing the use of a hot food takeaway.
9. For the reasons detailed above the proposed development would have a harmful effect on the vitality and viability of Hanwell town centre. Therefore, it would conflict with Policies SD6 and E9 of the LonP and Policies 4B and 4C of the Ealing Development Management Development Plan Document 2013 (DPD) which require that town centre vitality and viability is supported and that active street frontages should be secured in new development. They also require that main town centre uses must relate well to their surroundings.
10. Policy DAA of Ealing's draft new Local Plan is a material consideration in my assessment and is consistent with the above policies in requiring that new development has a positive visual impact.

Living conditions

11. As detailed above, there is residential accommodation above the ground floor commercial unit which forms the appeal site. This is typical of Hanwell town centre where it is common for buildings to have retail and commercial uses on the ground floor and residential accommodation on upper floors. The public realm adjacent to the appeal site is high quality and includes a large, paved pedestrian area, a clock tower and planters.
12. The proposal is not supported by a noise report. As such I cannot be certain that noise transfer between the unit on the ground floor and the residential accommodation above would be at a level that would not have an adverse effect.

13. It is acknowledged that a degree of disturbance is to be expected for occupants of properties in town centres where the mix of uses can lead to increased footfall and vehicular movements. However, the proposed bingo premises would be open 24 hours a day. This would potentially result in patrons entering and leaving the building at all times of the day and night or congregating outside of the building, where there is a large pedestrian area. Furthermore, there is evidence before me to suggest that there are a limited number of 24 hour uses in the vicinity. As such, the proposal would increase the potential for occupants of neighbouring properties in the area to be disturbed by noise, over and above what would be typically expected within Hanwell town centre in the early hours of the morning; when background noise would be lower.
14. Furthermore, in their consultation response the Police noted that the area in the immediate vicinity of the appeal site is already experiencing notable challenges, citing high levels of anti-social behaviour, violence and sexual offences and incidents of theft. The Police considered that the introduction of the proposed 24 hour use is likely to exacerbate the problems they have identified, I'm not certain that the age restrictions on those entering the building would be sufficient to mitigate these concerns. It may also put future customers at risk, as it is in an area where there is not an established 24 hour economy, and as such, less natural surveillance. This would in turn potentially disturb neighbouring occupants in the area, particularly in the evening and early morning
15. My concerns in regard to living conditions are not resolved by the potential to require noise mitigation measures by condition, as it has not been demonstrated through an appropriate assessment that the noise level would be acceptable in the first place. I also cannot be certain that the installation of CCTV or requiring security measures via condition would be sufficient to address concerns regarding the impact of the scheme on the high levels of criminal activity identified in the area.
16. For the reasons detailed above the proposed development would have a harmful effect on the living conditions of neighbouring occupants with regard to noise and disturbance. Therefore, the proposal would conflict with Policy D14 of the LonP and Policy 7A of the DPD which requires that development avoids adverse noise impact on health and quality of life and does not erode the amenity of surrounding uses of the site itself.
17. Policy DAA of Ealing's draft new Local Plan is a material consideration in my assessment and is consistent with the above policies in requiring that new development protects sensitive uses.

Concentration of gambling uses

18. There are two betting shops in Hanwell town centre, a Ladbrokes one unit away from the appeal site and a William Hill a short walk across the road. While there are notable differences between a bingo premises and betting shops in terms of how they are managed and the type of gambling that takes place within them, they are also similar in that they are both gambling based uses.
19. Nonetheless, although there are two betting shops in the area; there is no policy before me that restricts the proximity of similar uses, or highlights this to be an indicator of over concentration. Furthermore, the appellant states that a total of 71% of the units in the town centre are within a Class E use and 29% operating in a sui generis use in compliance with criteria B of Policy 4B of the DPD. There is no

evidence before me that contradicts this information or that would indicate it is incorrect. As such, based on the evidence before me a relatively modest proportion of units are gambling based establishments. As such, the proposed change of use would not result in the over concentration of similar uses.

20. I therefore conclude that the proposal would not lead to an over concentration of gambling uses in Hanwell Town Centre. Therefore, it would accord with Policies E9 and HC6 of the LonP and Policies 4B and 4C on the DPD when read together these policies seek to support the night-time economy, promote sustainable access to goods and services for all Londoners and require that A1 retail uses should constitute no less than 40% of the number of units within the designated Secondary Frontage at street level.
21. Policy DAA of Ealing's draft new Local Plan relates to design and amenity and is not determinative in my assessment of the concentration of gambling uses in the area.

Other Matters

22. Both of the main parties have drawn my attention to applications for planning permission or appeals for similar schemes.
23. The Council have highlighted an appeal decision¹ where the Inspector considered that two betting shops close to the appeal site resulted in an over concentration of gambling related uses. However, this scheme was assessed against a different development plan, as such I cannot be certain that the circumstances were the same as the scheme before me.
24. Examples were also provided of instances where the inspector accepted that AGCs were different to the use of a building as a betting shop² and accepted that they would not result in an overconcentration of similar uses. As detailed above I have adopted a similar position in regard to the proposed bingo premises, and there is no reason before me to disagree with the view of these inspectors.
25. The appellant has also drawn my attention to several examples of instances where similar proposals have been granted planning permission or allowed at appeal. This includes an application for an AGC within Ealing Town Centre³ and an appeal in Hayes Town Centre⁴. However, in each example the appeal sites were within areas where there was an established evening economy; where there were a number of establishments with later opening times and other night-time activities such as public transport services. Furthermore, while it is acknowledged that in the example in Hayes⁵ the Inspector accepted that comparable footfall generation was an indicator of an acceptable effect on vitality and viability, this appeal was assessed against a different development plan.
26. In an example for an appeal at Allhallows in Bedford⁶, the Inspector came to the conclusion that there was no convincing evidence before them that the proposed AGC would result in the risk of anti-social behaviour. Similarly, in their assessment

¹ APP/V5570/W/20/3257308

² APP/Q5300/W/24/3357726, APP/K0235/W/22/3306897, APP/E5330/W/24/3346438, APP/A5270/W/22/3293606

³ 224862FUL

⁴ APP/R5510/W/24/3340769

⁵ APP/R5510/W/24/3340769

⁶ APP/K0235/W/22/3306897

of an appeal at Eltham High Street⁷ the Inspector took the view that criminal activity and Police call outs can be common with most town centre uses. In this instance the Police has objected due to high levels of criminal activity in the area and several representations raise concerns in this regard also. As such, the evidence before me is materially different to these examples.

27. Taking all of the examples of similar planning applications and appeals provided together, there are material differences between them and this appeal; which I have determined on its own merits based on the evidence before me.
28. The appeal site has been vacant for some time, and the proposal would bring it back into active use and would create 14 jobs. These factors bring economic and social benefits as a result of the proposed development which is accordance with the National Planning Policy Framework (the Framework) in regard to these matters, to which I afford moderate weight.

Conclusion

29. I have found that the proposal would not result in an over concentration of gambling uses. Notwithstanding this, the benefits described above would not outweigh the significant harm I have identified with regards to the vitality and viability of the area and the living conditions of neighbouring occupants.
30. The proposed development is contrary to the development plan read as a whole. There are no considerations advanced, including the policies of the Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal should be dismissed.

C Livingstone

INSPECTOR

⁷ APP/E5330/W/24/3346438