



Planning Applications Committee

Report by
Executive Director of Neighbourhoods, Regeneration
and Sustainability

Item 1

2nd September 2025

Contact: Claire Hunt **Phone:** claire.hunt@glasgow.gov.uk

Application Type Full Planning Permission

Recommendation Refuse

Application	24/02533/FUL	Date Valid	08.11.2024
Site Address	545 Sauchiehall Street Glasgow G3 7PQ		
Proposal	Part use of restaurant premises (Class 3) as art gallery, private dining and function space, weddings, corporate functions and pop-up market/craft fairs, community events venue (Sui generis) (Retrospective), includes Friday and Saturday opening until 24:00 hours (midnight).		
Applicant	Naff Events Ltd The Haberdashery 545 Sauchiehall Street GLASGOW G3 7PQ	Agent	Iceni Projects Per Helen Allan Iceni Projects 201 West George Street GLASGOW G2 2LW
Ward No(s)	10, Anderston/City/Yorkhill	Community Council	02_031, Anderston
Conservation Area	Park	Listed	B
Advert Type	Affecting a Conservation Area/Listed Building Bad Neighbour Development	Published	15 November 2024
City Plan			

REPRESENTATIONS/CONSULTATIONS

REPRESENTATIONS

In total 124 timeous representations were received to the application – 6 letters of objections and 118 in support.

A further 33 letters of support and 3 letters of objection were received out of time. These repeated matters raised in the other comments.

The letters of **objection** can be summarised and addressed as follows. It is noted that the letters of objection have been received from residents within the tenement block of the venue who are immediate neighbours to the application. These are people who are directly impacted by the proposals. Whilst anyone can comment on any application, submissions from those likely to be directly impacted by relevant amenity issues such as noise, should be given weight in determining the application.

- **Retrospective Application:** The business has operated unlawfully, hosting events which are not in keeping with their Class 3 use. This is the second application from this business, following rejection in February 2023 due to strong resident objections. Since then, the business has shown little regard for nearby residents' concerns.
- **Noise:** There is regular noise nuisance, which have generated several complaints which have been logged with GCC Environmental Health. The visiting officers deemed the noise experienced within the flats to be excessive and a nuisance. There is a lack of soundproofing, particularly towards the rear due to the roof, where bedrooms are generally located.
- **Anti-Social Behaviour and Disturbance:** There is also more likelihood of people leaving an event in large groups, at the end of the night, than there would be with restaurant uses, where customers would be expected to drift away in smaller groups. There are issues of people gathering waiting for taxis, with littering, smoking and fighting, causing a significant loss of amenity to residents.
- **Parking:** Parking and traffic are already strained in this area. The business relies on on-street parking shared with residents, further exacerbating local issues.

The letters of **support** can be summarised and addressed as follows. It is noted that a large number of these letter of support were variants of template letters, signed and submitted individually. These appear to be sent by clients of the venue who have had a positive experience of the venue. None of these came from neighbouring residents in the building or adjacent buildings.

- **Regeneration of Sauchiehall Street:** The part use of The Haberdashery will contribute to the ongoing revitalisation of Sauchiehall Street by increasing footfall, encouraging spending, and supporting local businesses in the area.
- **Cultural Enrichment for Glasgow:** The incorporation of an art gallery space will enhance the city's rich cultural scene by providing a platform for local artists and small businesses to showcase their work. The venue will foster creative expression and artistic engagement for both residents and visitors.
- **A Vibrant Community Hub:** The Haberdashery will serve as a versatile venue for community events, weddings, and corporate functions, creating a social space that brings people together and fosters stronger community ties in the heart of Glasgow.
- **Extended Opening Hours Supporting Evening Economy:** By extending its opening hours until midnight on Fridays and Saturdays, The Haberdashery will contribute to Glasgow's diverse range of evening activities that cater to different age groups and interests, whilst remaining respectful to neighbouring occupiers.
- **Job Creation and Skills Development:** The expanded use of The Haberdashery will create additional employment opportunities in the hospitality and events sectors, contributing to local job creation and offering valuable skills development.
- **Boost to Local Tourism:** The multifunctional nature of The Haberdashery makes it an attractive venue for tourists seeking unique experiences. This will draw more visitors to Glasgow and contribute to the city's economy.

CONSULTATIONS

GCC Environmental Health Team – Objection

SITE AND DESCRIPTION

SITING

The application property is a ground floor and basement commercial unit located on the southern side of Sauchiehall Street within a mid-terraced three-storey blonde sandstone tenement block. The ground floor of the block is in commercial use, and extends to the rear via a single-storey saloon backcourt. There are six residential properties in the upper floors.

The property is B-Listed and is located within the Park Conservation Area.

The property is located within the Charing Cross Local Shopping Facility, and is within close walking distance of the edge of both the Principal Office Area of the city centre and the Edge of Centre – Zone 1.

The site is within Ward 10 – Anderston/City/Yorkhill.

PROPOSAL

The property currently has consent as a Class 3 (restaurant) use, with hours of 12pm – 11pm seven days per week.

The property has been operating since 2022 as this composite use (Class 3/Sui Generis Use) without planning permission. This application seeks retrospective planning permission for a change of use of part of the premises to allow use as a functions/event space (a Sui Generis Use), including extending opening hours to midnight on Fridays and Saturdays. Further to this, it is noted that the listed opening hours of the unit exceed those currently consented, being from 9am daily.

Therefore, the proposed opening hours are:

Class 3 Use (coffee/restaurant) area: 9am – 4pm, daily

Sui Generis Use (function/event space) area: 9am – 11pm/12midnight (Friday/Saturday)

The Class 3 area is located on the ground level of the unit, close to the main entrance from Sauchiehall Street and relates to around a third of the ground floor space. There is a discrepancy in the submitted drawings, with one showing this front area as a café/restaurant and another showing the space as only a bar/drinks reception area.

The rest of the unit (the remaining rear ground floor dining area and the basement lounge area) relate to this change of use application. Again, there is a discrepancy in the drawings, with one not showing any stages and the other showing two stages: one towards the rear of the ground floor space and another towards the rear of the basement area.

No external alterations are proposed.

A Noise Impact Assessment and Noise Management Plan was submitted with the application. This was reviewed by Environmental Health colleagues and a formal objection to the application was lodged for the following reasons:

- GCC Noise Officers have been involved with this premises for noise complaints from various activities at night giving rise to complaints from local residents, despite the physical mitigation measures mentioned in the report already being in place within the premises.
- The report notes that the single-glazed rooflights at ground floor level to the rear are in need of repair/upgrade and are currently a key potential path for airborne sound transmission from the venue to the rear bedroom windows of the flats above. No mitigation was proposed.
- The strict control over the use of the PA System within the lower ground floor area including the installation of an amplified sound level management system cannot be guaranteed, depending on the nature of events taking place within the venue and the overall Music Noise Levels. The Noise Management Plan outlined within the report cannot be guaranteed to be strictly adhered to by either current or future owners of the premises.
- The Agent of Change Principle places the responsibility for mitigating any detrimental impact of noise on neighbours with those carrying out the new development. In this case the responsibility is with the venue operator. The submitted information has not demonstrated that this Principle has been met.

The submitted Noise Impact Assessment states the testing was carried out in November 2022, prior to recommended mitigation measures being implemented. Following discussion with the applicant, an opportunity to address these concerns was offered, and allow the opportunity to demonstrate that the mitigation measures proposed were satisfactory, as these have been implemented. The proposed mitigation measures implanted include cavity wall insulation; acoustic absorptive panelling and heavy weight curtains to limit reverberant sound; replacing doors with acoustic-rated fire doors; and operational sound management measures.

The applicant submitted a second Noise Impact Assessment and Noise Management Plan, with testing carried out in July 2025. This second report was also reviewed by GCC Environmental Health

colleagues. This report was not considered to be acceptable as this did not address the previous points of concern raised, nor demonstrate that the recorded noise levels were appropriate, despite the mitigation measures. The previous points of objection remain, with a further point:

- The second assessment did not manage to gain access to habitable rooms within the nearest noise sensitive dwelling (the first-floor residential flat) and this is a concern, as it has not been demonstrated that satisfactory noise levels within the premises can be achieved. This is especially true given the varied nature of events that may occur.

PLANNING HISTORY

The relevant planning history for this site is below:

- 23/01002/ADV: Display of one non-illuminated fascia sign and 4no window vinyls applied to glazing – Grant subject to conditions
- 23/01001/LBA: Internal and external alterations including display of signage. – Grant subject to conditions
- 22/02581/FUL: Part use of restaurant premises (Class 3) as gallery/ art exhibition space, private event venue including weddings, product launches, market/ craft fairs, and community events venue (Sui generis) (Retrospective), includes Friday and Saturday opening until 2400 hours (midnight) – Refuse
- 22/00203/EN: Enforcement Enquiry – Pending
- 17/01671/DC: Use of public footway as external seating area for adjacent restaurant – Grant subject to conditions
- 16/01283/DC: Use of shop (class 1) as restaurant (class 3) incorporating internal ventilation flue and termination point at chimney level (hours of operation 1200 to 2300 7 days per week - variation of consent 14/00854/DC to extend hours of operation to 2400 hours from 2300 hours – Refuse
- 14/02461/DC: Internal alterations to listed building including erection of mezzanine level, frontage alterations and display of illuminated signage – Grant subject to conditions
- 14/02273/DC: External alterations to shopfront – Grant subject to conditions
- 14/00855/DC: Internal and external alterations to listed building including internal ventilation flues associated with use of premises as restaurant – Grant subject to conditions
- 14/00854/DC: Use of shop (class 1) as restaurant (class 3) incorporating internal ventilation flue and termination point at chimney level (hours of operation 1200 to 2300 7 days per week) – Grant subject to conditions

SPECIFIED MATTERS

Planning legislation now requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This obligation is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

A. Summary of the main issues raised where the following were submitted or carried out

i. An environmental statement

Not applicable.

ii. An appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable.

iii. A design statement or a design and access statement

Not applicable.

iv. Any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)

Two Noise Impact Assessments were submitted and assessed by the Council's Environmental Health team. The first submitted Assessment states testing was carried out in November 2022, prior to suggested mitigation measures being carried out. The second Assessment was completed in July 2025, after some recommended mitigation measures had been implemented.

The details within these reports were not sufficient to overcome GCC Environmental Health's objection to the proposal.

B. Summary of the terms of any Section 75 planning agreement

Not applicable.

C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable Scottish Ministers to give directions:

i. With regard to Environmental Impact Assessment Regulations (Regulation 30)

Not applicable.

ii.

1. Requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)

Not applicable.

2. Restricting the grant of planning permission

Not applicable.

iii.

1. Requiring the Council to consider imposing a condition specified by Scottish Ministers

Not applicable.

2. Requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either imposed or need not be imposed.

Not applicable.

POLICIES

National Planning Framework 4 (NPF4) was adopted on 13th February 2023. NPF4 is the national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments and national planning policy for Scotland. Due to the scale, nature and location of the proposed development, the following policies are considered relevant:

Policy 1: Tackling the climate and nature crises

Policy 12: Zero waste

Policy 13: Sustainable transport

Policy 14: Design, quality and place

Policy 23: Health and safety

Policy 27: City, town, local and commercial centres

The Glasgow City Development Plan (CDP) was adopted on 29 March 2017. The relevant Policies and Supplementary Guidance are listed below.

CDP1/SG1: The Placemaking Principle

CDP2: Sustainable Spatial Strategy

CDP4/SG4: Network of Centres

CDP11/SG11: Sustainable Transport

ASSESSMENT AND CONCLUSIONS

Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise. In addition, under the terms of section 14(2) and section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 64(1) of the same Act requires the Council to pay special regard to any buildings or other land in a Conservation Area, including the desirability of preserving or enhancing the character or appearance of that area.

The issues to be taken into account in the determination of this application are therefore considered to be:

- a) whether the proposal accords with the statutory Development Plan;
- b) whether the proposals would impact on the setting of the listed building or nearby listed buildings;
- c) Whether the proposal preserves or enhances the character or the appearance of the Conservation Area;
- d) whether any other material considerations (including objections) have been satisfactorily addressed.

As no internal or external alterations are proposed to the listed building, there will be no impact on the building or the wider conservation area and therefore (b) and (c) above require no further consideration.

In respect of a), the Development Plan comprises of NPF4 adopted 13th February 2023 and the Glasgow City Development Plan adopted 29th March 2017.

In order to assess a), b), and c), the proposal is considered against the following policies:

NPF4 Policy 1: Tackling the climate and nature crises

This is an overarching policy which must be considered for all development proposals, giving significant weight to the global climate and nature crises.

Comment: This is a small-scale proposal relating to a change of use of an existing venue, therefore this is not considered to have a significant impact on either crises.

CDP2: Sustainable Spatial Strategy

This policy aims to influence the location and form of development to create a 'compact city' form which supports sustainable development. It will also help to ensure that the City is well-positioned to meet the challenges of a changing climate and economy, and to build a resilient physical and social environment which helps attract and retain investment and promotes an improved quality of life.

Comment: The site is located within the Charing Cross Local Shopping Facility, close to the edge of the city centre in a highly accessible area. The proposed use would likely support the generation of footfall within the local shopping facility and wider area. The proposal is therefore considered to comply with the aims of the Sustainable Spatial Strategy and CDP2.

NPF4 Policy 12: Zero waste and CDP1/SG1: The Placemaking Principle – Waste Storage, Recycling and Collection

Both policies seek to ensure appropriate and well-designed provision for waste storage, recycling and collection are considered at the outset of the application process. NPF4 provides the following guidance:

Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:

- i. provision to maximise waste reduction and waste separation at source, and
- ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Comment: No waste management plan or details of waste provision have been provided, which is contrary to policy. The floor plans include a bin store located towards the rear of the basement, but no further details have been provided. As this is a change of use application, it is expected that the level and type of waste generated will change.

NPF4 Policy 14: Design, quality and place and CDP1/SG1 (Part 2) – The Placemaking Principle

NPF4 Policy 14 intends to: encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

This states:

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

- **Healthy:** Supporting the prioritisation of women's safety and improving physical and mental health.
- **Pleasant:** Supporting attractive natural and built spaces.
- **Connected:** Supporting well connected networks that make moving around easy and reduce car dependency
- **Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.
- **Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.
- **Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

CPD1 aims to improve the quality of development taking place in Glasgow by promoting a design-led approach. All development should contribute to placemaking standards by being well designed and appropriate to the area. Development should not introduce issues of residential or visual amenity, and should be designed so as to be in keeping with the local character of the area. This will contribute towards protecting and improving the quality of the environment, improving health and reducing health inequality, making the planning process as inclusive as possible and ensuring that new development attains the highest sustainability levels.

SG1 (Part 2) provides the following relevant guidance:

Non Residential Development Affecting Residential Areas

This guidance aims to ensure that any non-residential development in proximity to residential development does not harm residential amenity or erode the character of residential neighbourhoods,

All proposals for non-residential uses will be considered against the following criteria: Outwith the Network of Centres and Economic Development Areas identified in the Plan (see Policy CDP3 - Economic Development and Policy CDP4 - Network of Centres), permission will not normally be granted for uses that would generate unacceptable levels of disturbance, traffic, noise, vibration, and emissions (particularly outside normal working hours) or which propose the storage of quantities of hazardous substances in close proximity to housing.

Comment: The site is located within the Network of Centres (Charing Cross Local Shopping Facility). However, a Local Shopping Facility is intended to serve the daily shopping needs of local residents, and should not be considered in the same way as a city centre or town centre location, where late night noise associated with the evening economy is more expected.

Considerations with regard to the impact on residential amenity of this proposal will be discussed further below.

NPF4 Policy 23: Health and safety

This policy seeks to protect people and places from environmental harm, encouraging development that improves health and wellbeing. This states:

e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

The Agent of Change Principle is defined as: Where an application is made for development which is likely to be affected by noise from existing development such as, but not limited to, music venues, manufacturing or industrial sites, large retail outlets, etc., the applicant is required to demonstrate both that they have assessed the potential impact on occupants of the proposed development and that the proposed design incorporates appropriate measures to mitigate this impact.

Comment: A Noise Impact Assessment and Noise Management Plan was submitted with the application. This was reviewed by Environmental Health colleagues and a formal objection to the application was lodged for the following reasons:

- Noise Officers have been involved with this premises for noise complaints from various activities at night giving rise to complaints from local residents, even though physical mitigation measures mentioned in the report are already in place within the premises.
- The report notes that the single-glazed rooflights at ground floor level to the rear are in need of repair/upgrade and are currently a key potential path for airborne sound transmission from the venue to the rear windows of the flats above.
- The strict control over the use of the PA System within the lower ground floor area including the installation of an amplified sound level management system cannot be guaranteed, depending on the nature of events taking place within the venue and the overall Music Noise Levels. The Noise Management Plan outlined within the report cannot be guaranteed to be strictly adhered to by either current or future owners of the premises.
- The Agent of Change Principle places the responsibility for mitigating any detrimental impact of noise on neighbours with those carrying out the new development. In this case the responsibility is with the venue operator. The submitted information has not demonstrated that this Principle has been met.

The submitted Noise Impact Assessment states the testing was carried out in November 2022, prior to recommended mitigation measures being implemented. Following the objection from Environmental Health colleagues, the applicant was offered the opportunity to undertake a further Noise Impact Assessment to assess the efficacy of the mitigation measures and address the points raised.

This second Noise Impact Assessment was completed in July 2025. This second report did not have access to any residential flat for testing purposes and instead tested within the communal stairwell only. This is both a different location within the building and a different condition than a noise-sensitive dwelling location such as a bedroom, and therefore the efficacy of this test is limited. However, even in this location low frequency (bass) noise was audible. This correlates to the original report, tested from within the first floor residential flat, which stated low frequency sound was audible and measured, with the average level during the course of the testing being 52dB. It must be noted that both the World Health Organisation and the British Standard (8233) recommends keeping bedroom sound levels below an average of 30dB for good quality sleep. The testing carried out shows that as the recorded levels are in excess of 30dB it fails these standards. An increase of 10dB from the background noise level with the bedroom area can be classified as a noise nuisance.

Furthermore, the second report did not assess the impact or efficacy of any of mitigation measures or operational management measures originally recommended, nor recommend any additional measures to limit noise from the premises so as to address the operator's Agent of Change Principle responsibility. This second report notably did not address the rear rooflights, which were previously highlighted as a key potential path for airborne noise transmission, and did not undertake any testing towards the rear of the building. Due to the structure and Listed nature of the building, it is considered that noise transmission will always be likely, particularly issues of vibration or noise travelling through the walls, as it will be difficult to successfully retrofit mitigation measures that also comply with Listed Building legislation requirements.

With regard to the proposed Noise Management Plan, the reliance on staff intervention to manage noise levels are less effective as they cannot be effectively controlled or enforced. Additionally, there is no

guarantee that any such plan persists in perpetuity in order to effectively ensure a continued level of residential amenity for neighbouring residential properties.

Both the Noise Impact Assessments and the proposed Noise Management Plans only refer to and consider amplified noise; these do not address any non-amplified noise that may occur, particularly at ground level. The change of use includes a large section of the ground floor, including the rear extension with the rooflights which have previously been identified as a source of noise transmission. The proposed uses are varied and unpredictable, but includes a wedding venue. Such a use could have regular bagpipers, and neither the proposed mitigation nor management proposals address the potential impact of this.

It must be noted that as a retrospective application this use is currently ongoing. As mentioned in the objection comments, regular noise complaints are being made by neighbouring residents in relation to the late-night loud noise and music, and this has been substantiated by a check of Council records which show a number of regular complaints made about noise and music coming from this property late at night, particularly at weekends.

Overall, the submitted Noise Impact Assessments have not adequately addressed the Agent of Change Principle and have not addressed the concerns raised by GCC Environmental Health. Therefore, this proposal is contrary to this policy as it is considered that the noise generated by the proposal will result in a negative impact for existing residential amenity.

NPF4 Policy 27: City, town, local and commercial centres and CDP4/SG4: Network of Centres

These policies seek to support town centres, ensuring an active and vibrant centre is maintained. However, the Council must strike a balance between the encouragement of these uses and the need to preserve a reasonable level of amenity for adjoining occupiers, particularly neighbouring residents.

SG4 provides the following detailed guidance:

Assessment Guideline 10: Food, Drink and Entertainment Uses

In order to protect residential amenity, the following factors will be taken into consideration when assessing whether the location of proposed food, drink and entertainment uses is acceptable:

City-Wide:

- i. Proposals for food, drink and entertainment uses must not result in a detrimental effect on the amenity of residents through the effects of increased noise, activity and/or cooking fumes. No more than 20%* of the number of units in a street block frontage, containing or adjacent to residential uses, should be in use as a hot food shop, public house, composite public house/Class 3 or composite hot food shop/Class 3 use.
- ii. Public houses, Class 11 and Sui Generis uses must not be located under new build residential development.
- iii. The Council will not support food, drink and entertainment uses (including extensions to existing uses or extensions of opening hours) in rear lanes that are immediately adjacent to residential properties, unless part of a comprehensive redevelopment of an existing rear lane or creation of a new rear lane, where it can be demonstrated that residential amenity will not be adversely affected.

Outwith the City Centre:

- i. Public houses, Class 11 and Sui Generis uses must not be located within, or immediately adjacent to, existing residential buildings.
- ii. Applications for extensions to existing public houses, Class 11 and Sui Generis uses must not increase the floorspace for public use under residential flats, or extend into residential backcourt areas.
- iii. Hours of operation will be agreed with the Planning Authority, based on local circumstances and the impact of the proposal on residential amenity, but shall not exceed 08:00 to 24:00 hours.

Comment: In this case, the proposed composite Sui Generis Use is located below existing residential properties, within the same tenemental building, which is contrary to this guidance. This restriction primarily relates to the impact Sui Generis uses can have on residential amenity, through issues including noise, anti-social behaviour, traffic and parking congestion, and odours.

The street block is currently dominated by Class 3 Uses, with 58% of the units (7 out of 12) being in Class 3 use. This unit already has consent for a Class 3 Use and therefore there is no loss of retail function, however, the proposed change will alter the character and use of the property. Rather than restaurants where patrons will generally leave as smaller groups, function/event spaces will have large groups of patrons leaving together once the space closes. This can result in a peak of activity late at night where large numbers of patrons are gathered outside, which can be more impactful in terms of noise or disturbance. Additionally, due to the varied and unpredictable use, there is daily potential for such late-night noise and disturbance. As detailed above, the level of noise recorded would prevent the residents from enjoying the comfort of their home without disturbance, and would likely meet the threshold for a statutory noise nuisance, particularly at the rear of the property where bedrooms are generally located, and where there is a greater expectation of quiet.

The proposed opening hours are within the limits of policy, however, these are still subject to the caveat of being agreed with the Council. Such opening hours may be considered appropriate for a restaurant use, but not a composite/Sui Generis Use due to the increased intensification of the proposed use. Less issue when restaurant, but now with more intensive use, more issues.

Overall, the proposed use being located below existing residential properties is not considered to be appropriate, and will create a negative impact on residential amenity by virtue of increased noise and activity.

NPF4 Policy 13: Sustainable transport and CDP11/SG11: Sustainable Transport

These policies seek to ensure all new development is delivered with consideration for active travel, promoting the use of walking, wheeling and cycling and reducing dependence on cars. SG11 provides the following guidance:

Cycle Parking

The Council shall require the provision of cycle parking, in line with the minimum cycle parking standards specified (below), as well as the following guidance:

- a) Wherever possible, employee cycle parking should be located within buildings or a secure compound. Where such a location is not feasible, provision should be close to areas of high activity, such as the main entrance of developments, to ensure cycling is encouraged through enhanced security provided by passive surveillance.
- b) Visitor parking should be located at an easily accessible location close to, or within, the entrance area of the development in order to enhance security through surveillance.
- c) Cycle parking should always be safe, sheltered and secure. The form of cycle parking provided should facilitate the securing of the frame of the bike to the "stand". "Sheffield" racks are a good, and preferred, example of such provision.
- d) Employment sites shall provide on-site showers, lockers, changing and drying facilities, as a means of promoting walking and cycling to work. These are important trip-end facilities that can positively affect an individual's decision to walk, run or cycle regularly.

Minimum standard for Restaurants, Cafes, Social Clubs, Licensed Clubs and Function Rooms:

Staff: 1 space per 10 staff

Customer: 1 space per 50sqm public floor area

Vehicle Parking

Vehicle parking provision should be assessed against the standards set out below.

Maximum standard for Restaurants, Cafes, Social Clubs, Licensed Clubs and Function Rooms:

High Accessibility: 2 spaces per 100sqm public floor area

Comment: The public floor area of this property is approximately 400sqm, therefore the expected standard would be:

Cycle parking: 8 spaces for customers. Despite the business being operational, no information has been provided regarding staff numbers.

Vehicle parking: 8 spaces

The application form states there are no vehicle parking spaces proposed, and no information has been provided regarding cycle parking spaces.

The nearest public cycle rack is to the south (rear) of the property at the Mitchell Library, on Berkeley Street, but this is not visible from the property.

The property is located within the Sandyford Restricted Parking Zone, and it can be seen that there are existing on-street parking pressures in the area. Although the site is located within a highly accessible area, a number of the proposed uses (such as market/craft fairs) are generally car dependent. There will be traders travelling to the site with their goods and needing nearby access to unload and park during the event, which is likely to further increase traffic and parking congestion in the area, to the detriment of residential amenity.

Overall, it is considered that this proposal does not comply with these policies as no provision has been made to promote active or sustainable travel.

MATERIAL CONSIDERATIONS

In respect of d), with regard to material considerations, other material considerations include the views of statutory and other consultees and the contents of letters of objection and letters of support. The consultee for this application (GCC Environmental Health) objected to this application.

As noted above in total 118 letters of representation have been received in time in relation to the application, with a further 33 received out of time.

The letters of **objection** can be summarised and addressed as follows. It is noted that the letters of objection have been received from residents within the tenement block of the venue who are immediate neighbours to the application. These are people who are likely to be directly impacted by the proposals. Whilst anyone can comment on any application, submissions from those likely to be directly impacted by relevant amenity issues such as noise, should be given weight in determining the application.

- **Retrospective Application:** The business has operated unlawfully, hosting events which are not in keeping with their Class 3 use. This is the second application from this business, following rejection in February 2023 due to strong resident objections. Since then, the business has not implemented any physical or operation mitigation measures that are substantial enough to address residents or Environmental Health's concerns.

Comment: This is correct, and the application has been subject to the retrospective fee surcharge.

- **Noise:** There is regular noise nuisance, which have generated several complaints which have been logged with GCC. The visiting officers deemed the noise experienced within the flats to be excessive and a nuisance. There is a lack of soundproofing, particularly towards the rear due to the roof, where bedrooms are generally located.

Comment: Agreed. The potential for noise disturbance has been considered by both Environmental Health colleagues and from a planning perspective. The submitted Noise Impact Assessments and Management Plans have been reviewed and are not considered to adequately address the issues raised. The continued operation of the venue will continue to have an impact on the amenity of the residents in the building. The applicant has not demonstrated that the Agent of Change Principle can be met, and therefore this proposal fails to comply with the relevant policies and cannot be supported.

- **Anti-Social Behaviour and Disturbance:** There is also more likelihood of people leaving an event in large groups, at the end of the night, than there would be with restaurant uses, where customers would be expected to drift away in smaller groups. There are issues of people gathering waiting for taxis, with littering, smoking and fighting, causing a significant loss of amenity to residents.

Comment: Agreed. The potential for such disturbance has been considered above. The street block is currently dominated by Class 3 Uses, with 58% of the units (7 out of 12) being in Class 3 use. The proposed change of use will alter the character and use of the property. Rather than restaurants where patrons will generally leave as smaller groups, function/event spaces will have large groups of patrons leaving together once the space closes. This can result in a peak of activity late at night where large numbers of patrons are gathered outside, which can be more impactful in terms of noise or disturbance. Additionally, due to the varied and unpredictable use, there is daily potential for such late-night noise and disturbance.

- **Parking:** Parking and traffic are already strained in this area. The business relies on on-street parking shared with residents, further exacerbating local issues.

Comment: Agreed. The property is located within the Sandyford Restricted Parking Zone, and it can be seen that there are existing on-street parking pressures in the area. Although the site is located within

a highly accessible area, a number of the proposed uses (such as market/craft fairs) are generally car dependent. There will be traders travelling to the site with their goods and needing nearby access to unload and park during the event, which is likely to further increase traffic and parking congestion in the area, to the detriment of residential amenity.

The letters of **support** can be summarised and addressed as follows. It is noted that a large number of these letters of support were variants of template letters, signed and submitted individually. These appear to be sent by clients of the venue who have had a positive experience of the venue.

- **Regeneration of Sauchiehall Street:** The part use of The Haberdashery will contribute to the ongoing revitalisation of Sauchiehall Street by increasing footfall, encouraging spending, and supporting local businesses in the area.

Comment: The potential socio-economic benefit of this proposal must be balanced against the needs of existing residents to ensure their continuing amenity. This has been addressed above and the impact of such a use within close proximity to residents has not been considered to be acceptable.

- **Cultural Enrichment for Glasgow:** The incorporation of an art gallery space will enhance the city's rich cultural scene by providing a platform for local artists and small businesses to showcase their work. The venue will foster creative expression and artistic engagement for both residents and visitors.

Comment: This proposal seeks consent for a number of uses, of which an art gallery is only one. Any consent of planning permission cannot guarantee the use of an art gallery, and must consider the impact of all proposed uses.

- **A Vibrant Community Hub:** The Haberdashery will serve as a versatile venue for community events, weddings, and corporate functions, creating a social space that brings people together and fosters stronger community ties in the heart of Glasgow.

Comment: Any potential community benefit of this proposal must be balanced against the needs of existing residents to ensure their continuing amenity. This has been addressed above and the impact of such a use within close proximity to residents has not been considered to be acceptable due to the negative impact this is likely to have on their residential enjoyment and comfort.

- **Extended Opening Hours Supporting Evening Economy:** By extending its opening hours until midnight on Fridays and Saturdays, The Haberdashery will contribute to Glasgow's diverse range of evening activities that cater to different age groups and interests, whilst remaining respectful to neighbouring occupiers.

Comment: The potential economic benefit of this proposal must be balanced against the needs of existing residents to ensure their continuing amenity. Although the proposed opening hours are within the limits of the policy, the siting of this venue in such close proximity to existing residential properties would cause harm to existing and future residents.

- **Job Creation and Skills Development:** The expanded use of The Haberdashery will create additional employment opportunities in the hospitality and events sectors, contributing to local job creation and offering valuable skills development.

Comment: This is possible; however, this does not negate the requirement for the development to comply with planning policies and not cause harm to residential amenity for neighbouring properties.

- **Boost to Local Tourism:** The multifunctional nature of The Haberdashery makes it an attractive venue for tourists seeking unique experiences. This will draw more visitors to Glasgow and contribute to the city's economy.

Comment: The potential benefit of this proposal must be balanced against the needs of existing residents to ensure their continuing amenity. This has been addressed above and the impact of such a use within close proximity to residents has not been considered to be acceptable.

CONCLUSION

In conclusion the premises have been operating as a Sui Generis late-night use without planning permission for three years. In that time there have been numerous complaints to the Council's Environmental Health Departments from residents within the building about noise and other issues. Their Officers have visited the premises out-of hours and can attest to these levels being a nuisance to the neighbouring residents.

Despite being asked to demonstrate how these issues could be satisfactorily addressed, the applicant has been unable to do so. Two noise impact assessments have only managed to confirm that the noise levels being experienced by residents are above the acceptable standards. Approval of this application would continue to erode the residential amenity of the neighbouring apartments in the building to an unacceptable level.

The application has been assessed against the policies of the Development Plan and the above demonstrates that the proposed development does not comply with the relevant policies. The proposal, through increased noise and disturbance, will negatively impact the amenity of neighbouring residents, and the Noise Impact Assessment and proposed Management Plan have not demonstrated that such noise nuisance can be minimised or effectively mitigated against.

The matters raised in the letters of support have been addressed above. Overall, these do not outweigh the failures against policy, nor do they justify the negative impact such a proposal would have on the amenity of neighbouring residential properties. On this basis, it is recommended that the application for planning permission be refused for the reasons below.

REASONS FOR REFUSAL

The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.

1. The proposal is contrary to Policy 23 of National Planning Framework 4 (adopted February 2023) and CDP1 and SG1 of the Glasgow City Development Plan (adopted March 2017) insofar as the Agent of Change Principle has not been effectively demonstrated. The change of use is likely to raise unacceptable noise issues which would be detrimental to the amenity of neighbouring properties.

2. The proposal is contrary to CDP4 and SG4 of the Glasgow City Development Plan (adopted March 2017) insofar as the proposed Sui Generis Use is located within an existing residential building, and their residential amenity will be negatively impacted by issues of increased noise, anti-social behaviour, and traffic and parking congestion.

3. The proposal is contrary to the NPF4 Policy 12 (adopted February 2023) and CDP1 and SG1 of the Glasgow City Development Plan (adopted March 2017) in so far as the proposal has not submitted an acceptable waste storage, recycling and management strategy.

4. The proposal is contrary to Policy 13 of National Planning Framework 4 (adopted February 2023) and CDP11 and SG11 of the Glasgow City Development Plan (adopted March 2017) insofar as the proposal does make provision for sustainable or active transport options.

DRAWINGS

The development has been refused in relation to the following drawing(s)

1. A1134.14.01 A LOCATION PLAN ; Received 15 October 2024
2. NF01 PROPOSED FLOOR PLANS ; Received 15 October 2024
3. NF02 REV D PROPOSED LAYOUTS ; Received 30 October 2024

As qualified by the above reason(s), or as otherwise agreed in writing with the Planning Authority.

ADVISORY NOTES TO APPLICANT

None

ADVISORY NOTES TO COUNCIL

None

for Executive Director of Neighbourhoods, Regeneration and Sustainability

DC/CHU/04/08/2025

BACKGROUND PAPERS

PLEASE NOTE THE FOLLOWING:

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