

Glasgow City Council
Planning Department
45 John Street
Glasgow
G1 1JE

Date: 4 August 2023

Our ref: 62237/02/NWO/ASl/26846971v1

Your ref: 20/01876/FUL

Dear Sir/Madam

Town and Country Planning (Scotland) Act 1997, as Amended

Application under Section 42 for non-compliance with Condition 3 of Planning Permission Ref. 20/01876/FUL - 335 Sauchiehall Street Glasgow G2 3HW

On behalf of our client, Luxury Leisure, we have today submitted via the planning portal (ref. 100637655-001) an application under section 42 of the Town and Country Planning (Scotland) Act 1997 (as Amended) for non-compliance with Condition 3 of planning permission ref. 20/01876/FUL.

In addition to the completed application forms and ownership certificate, the application comprises this covering letter/supporting statement.

The requisite planning application fee is £300.00. This payment has been made by credit card.

Background and Policy Context

Planning application ref. 20/01876/FUL for the change of use of the property from a betting office (sui generis) to an adult gaming centre (AGC) was granted planning permission on 11 December 2020. Planning permission has been implemented and the change of use has taken place. The applicant has been operating as an adult gaming centre since 05 June 2021. Condition 3 on the planning permission restricts the opening hours to 8:00-24:00.

The applicant's aspiration at the point of applying for change of use was for 24-hour opening arrangements. However, before discussions with the case officer on this matter were concluded the application was determined with the restrictive condition in place. The officer's Report of Handling acknowledges the aspiration for 24hr opening, but simply stated "*the proposed hours of operation (24 hours a day) do not comply with placemaking policy and an alternative set of operating hours has been conditioned.*" This comment is attributed to the consideration of the proposals against CDP 1 & SG 1 The Placemaking Principle.

The relevant policies referred to above are components of the Glasgow City Development Plan, the former being part of the Local Development Plan itself, and the latter being adopted Supplementary Guidance which also forms part of the development plan.

CDP1 confirms that the policy seeks to achieve a range of outcomes, including “*Ensuring new activity does not introduce unacceptable additional noise particularly in, or adjacent to, Noise Management Areas nor have an adverse effect on Quiet Areas*”.

SG1 provides further detail to CDP1 and provides guidance, as is referenced in the officer’s report, on managing noise and protecting residential amenity, also noting that alterations to commercial buildings “*should... not adversely affect residential amenity as a result of noise, vibration etc*”.

The assessment in this regard does not extend beyond the aforementioned comment that the proposed hours do not comply with the placemaking policy.

However, the site lies within the City Centre, and of relevance are Policy CDP4 – (Principal Retail Area) and SG4 – Network of Centres.

CDP4 states that the Council will favour proposals that support the primary retail, office, and leisure functions of the City Centre.

SG4 confirms that, across the City Centre, proposals for entertainment uses must not result in a detrimental effect on the amenity of residents through the effects of increased noise and activity. It states “*Hours of operation will be limited to between 08:00 hours and 24:00 hours, depending on local circumstances. Uses, such as public houses, night clubs, and casinos, wishing to operate beyond 24:00 hours will be assessed on their individual merits and location within the City Centre.*” (Lichfields emphasis)

It is clear therefore that an assessment of the individual merits of each proposal should be undertaken to determine whether opening hours past midnight are acceptable. However, it is not evident that this took place for application 20/01876/FUL.

The applicant's other premises, 34 Queen Street, also had a restrictive condition in relation to hours of operation. Similar to this application, the case officer noted within the Report of Handling “*the proposed hours of operation (24 hours a day) do not comply with the policy and an alternative set of operating hours has been conditioned*”.

In 2022 Lichfields on behalf of the applicant made an application under Section 42 (ref. 20/02513/FUL) to remove Condition 3 which restricted hours of operation between 08:00 – 24:00. The application included additional case studies and evidence in relation to noise and disturbance. The application was found to be acceptable by Glasgow City Council and planning permission was granted without restriction on the hours of operation.

The same evidence and site-specific information for 335 Sauchiehall Street is included in the assessment section of this cover letter below.

Proposed Amendment

The applicant seeks the ability to operate its business from the property on a 24/7 basis without any restriction on trading hours.

On this basis, the application seeks the deletion of Condition 3. If the Council has reservations regarding 24-hour opening hours, then the applicant requests the opportunity to discuss this further with officers prior to a determination being made.

Assessment

The Noise Assessment that accompanied the original application was produced in anticipation that the proposed gaming centre would operate 24 hours a day. It concluded that the amount of noise generated by typical Admiral adult gaming centres is modest. The area is commercial in character and there are no apartments within the building nor in the immediate vicinity of the site. Overall, the assessment concluded that there would be no significant noise impact from the proposed development.

The same conclusion had been reached in the Noise Assessment which accompanied the applicant for change of use at the applicant's other premises, 34 Queen Street. Following the approval of the s.42 application on 11 Nov 2022 removing the hours of operation, the premises moved to a 24/7 opening period.

The applicant made a Freedom of Information request to establish if there have been any incidents of antisocial behaviour at the establishment since the 24-hour opening times have been in place.

As part of this FOI request, the applicant also queried whether there have been any complaints or records of antisocial behaviour since the change of use of the application site from a betting to an adult gaming centre in December 2020. A response to the FOI request was received on 2 August 2023, This confirms that Glasgow City Council:

“... hold no record of any complaint about noise or anti-social behaviour relating to the premises at 335 Sauchiehall Street in the period from 14 December 2020 until 31 July 2023, neither has the Council taken any action in this regard during that time.”

and

“... hold no record of any complaint about noise or anti-social behaviour relating to the premises at 34 Queen Street in the period from 15 October 2020 until 31 July 2023, neither has the Council taken any action in this regard during that time.”

It is recognised that the condition restricting the open hours comes from a desire to mitigate potential noise and disturbance associated with the comings and goings of people to and from the premises throughout the night, at unsociable hours when background noise levels would be particularly low. However as is evident from the successful and incident free operation of both the application site as well as the applicant's 24/7 facility at Queen Street, these concerns are unfounded. This is in part due to the fact that visits to the AGCs are relatively low, as is evidenced in the case examples below.

The conclusions drawn from this evidence were found to be sound in appeal decisions Ref. APP/V2004/W/19/3233244 and APP/Q3060/W/19/3240601). Whilst these are English examples, the principle remains the same, the 24-hour opening within a recognised town centre.

Luxury Leisure Vs Hull City Council (Ref: APP/V2004/W/19/3233244 – 22nd October 2019)

The appeal site was located within a defined District centre on Primary Frontage where the Council restricted non-A1 uses to no more than 30%. The proposals involved a change of use from A1 to AGC which would have been in conflict with this threshold and hence was refused permission by the Council.

The Inspector noted at para 14 that the appeal property had been vacant for over 2 years which would mean that it would continue to depreciate from the viability and vitality of the centre even though the overall vacancy rate was low – the Inspector confirmed that this attracted significant weight in their decision.

The Inspector recognised at para 15 that the appeal site's close location to other shops and services would result in the potential for linked trips and associated footfall. In addition, there would be minor benefits for employment and the evening economy with the proposed 24/7 trading.

The Inspector concluded at para 17 that:

“When these factors are taken together, in particular that the vacant unit would be brought back into use, the proposals would be complimentary to the shopping environment as it would not undermine the vitality and viability of the centre. Likewise, when the indicators in the PPG are considered, the proposal would not detract from the health of the centre. It would maintain the diversity of uses and it would lower the proportion of vacancies. Nor would it diminish from customers’ experience and behaviours of the centre, as it would be a complimentary use that would not be unexpected in such a location and allow the potential for linked trips.”

In relation to the proposed 24/7 trading the Inspector concluded at para 22 that:

“...In relation to the proposed opening hours, the application submission indicates it would be in 24 hour operation on all days of the week. This is not unacceptable with its District centre location. Thus, a restriction of the opening hours would also not be reasonable and necessary”.

Luxury Leisure Vs City of Nottingham (Ref. APP/Q3060/W/19/3240601 - 27th February 2020)

In 2009 planning permission was granted for the use of the appeal site as a gaming centre comprising gaming machines, bingo, and betting shop with ancillary retail, catering, and tanning facilities. A condition attached to that permission restricted the opening hours of the gaming centre to 0800 to 2200 Monday to Saturday and 0900 to 1900 on Sunday. The betting shop element was restricted to 0900 to 2130 Monday to Saturday and 1000 to 1700 on Sunday.

An application to vary condition 3 to allow for the hours of operation for the gaming centre element to allow it to operate 24 hours a day every day of the week was refused by the council. The applicant sought an appeal of this judgement and the reporter allowed the appeal on the grounds that (para 26):

“I have found that 24 hour operation of the gaming centre would not have a materially harmful effect on the living conditions of neighbouring residents or on the health, social or cultural wellbeing of local citizens. Therefore, it is not reasonable or necessary to restrict the hours of operation of the gaming centre as imposed by condition 3.

In addition, in response to the headcount data provided by the applicant they stated that (para 12):

“The appellant also refers to headcount data from five other gaming centres operating over 24 hours in similar District Centres. It is apparent from that, that levels of visitors through the night are very low”.

The findings of these appeals, that visitors throughout the night are very low are consistent with other 24-hour units operated by Luxury Leisure. Set out below is a head count taken in 2019 of four Luxury Leisure units located around London showing the number of customers during the night-time opening hours:

Thursday	11:00pm	12:00am	1:00am	2:00am	3:00am	4:00am	5:00am	6:00am	7:00am	8:00am
Wood Green Q	2	4	4	3	1	1	0	0	0	0
Hackney	6	4	3	4	3	4	3	3	2	1
Basildon	2	1	2	2	0	0	0	1	1	1
Streatham	4	4	4	4	3	2	1	1	1	0

Friday	11:00pm	12:00am	1:00am	2:00am	3:00am	4:00am	5:00am	6:00am	7:00am	8:00am
Wood Green Q	7	5	6	3	2	1	1	0	0	1
Hackney	10	6	7	4	4	1	2	0	1	0
Basildon	3	3	3	3	2	2	0	0	0	0
Streatham	3	3	2	3	2	0	0	2	2	2

Saturday	11:00pm	12:00am	1:00am	2:00am	3:00am	4:00am	5:00am	6:00am	7:00am	8:00am
Wood Green Q	3	2	3	6	8	4	0	0	0	0

Hackney	8	4	4	2	4	0	0	0	0	0
Basildon	2	3	2	2	1	1	1	0	0	0
Streatham	6	4	2	2	3	1	0	1	1	1

As evidenced by the patronage figures above, the late-night use of the facilities is largely by individuals and not large noisy groups that might frequent facilities such as nightclubs during these hours. On this basis this is not a Schedule 3 use as it is not a noise generator, nor would it give rise to significant activity.

Ref. 05/02629/DC – 160 Argyle Street Glasgow

An AGC within Glasgow city centre on 160 Argyle Street has been in operation for a number of years. Cashino, operated by Merkur, was granted planning permission on appeal in November 2005 and operates on a 24hr basis.

In addition, neighbouring premises have the following opening hours:

- Various licenced premises on Sauchiehall Street opening until between midnight – 4 am;
- Late-night food outlets that open later between midnight - 4 am (in the immediate vicinity to the application site is Kings which is open until 4 am);
- The Genting Casino at 506/516 Sauchiehall Street is open until 4 am.

While we are not able to confirm if these units are consented to be open until this time, they are operating these hours; and

- A 24-hour newsagent at 403 Sauchiehall Street.

Development Plan

Since the time of the grant of planning permission ref. 21/01876/FUL, and since the grant of planning permission under s.42 for the relaxation of opening hours restrictions at 34 Queen Street, National Planning Framework 4 has been adopted and now forms part of the statutory development plan, alongside the Glasgow City Development Plan.

Of particular relevance to the determination of this application are NPF4's Policy 14 Design, quality and place and Policy 27 City, town, local and commercial centres.

Policy 14 relates to successful places, with one criterion outlining that proposals should support the prioritisation of women's safety. The nighttime urban environment is often a space considered hostile to women. Establishments open 24 hours contribute to increasing natural passive surveillance on the street making people more confident that they are safe in public spaces.

Policy 27 City, town, local and commercial centres states that "*development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported*".

The proposals will add to the vitality and viability of Sauchiehall Street by extending the opening hours of an existing successful business when rental voids are noticeable within this street and town centres UK wide have been struggling with economic stagnation. In addition, the proposals will contribute to the night-time economy.

Policy 27 also presumes against further provision of non-retail uses where these uses will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas. As is evident from the discussion above, the extension of the opening hours of this existing use would not have adverse impact on the character and amenity of the area, nor the wellbeing of communities. Rather, the proposals would have a positive impact through job creation, increasing passive surveillance and contributing to the city's leisure offer.

The proposals are therefore compliant with the relevant policies of NPF4.

In the context of the assessment of the individual merits of this particular proposal to extend the opening hours as described above, the proposals are clearly compliant with CDP4 and SG4. The AGC has been operating without adverse impact on residential amenity for over 2 years. The applicant's similar AGC at Queen Street operates 24/7 and has also done so without adverse impact on amenity.

The proposed extension of opening hours at the application site would not therefore give rise to adverse impacts and can be considered compliant with the adopted development plan and its supplementary guidance.

Conclusion

The premises has been operated as an AGC since opening post-grant of planning permission 20/01876/FUL in December 2020. Since its opening the AGC has not given rise to adverse impact on amenity, nor has the applicant's other AGC within the city centre, 34 Queen Street, which operates 24/7.

It is evident that it has been accepted consistently elsewhere in the UK that AGCs do not generate adverse impacts to amenity through 24/7 trading. This, combined with a range of best-practice measures to mitigate any risk of anti-social behaviour or negative social outcomes as outlined in the original submission (Luxury Leisure Talarius Security and Social Responsibility Statement repeated in annex 1 for clarity), is considered sufficient to ensure that no nuisance or disturbance will be caused to adjoining occupiers and therefore justify the extension of the opening hours to 24/7 trading.

When assessed against the terms of the development plan, specifically applying the assessment on the individual merits of the proposal as required by SG4: Network of Centres in Assessment Guideline 10: Food, Drink and Entertainment Uses b) (v), the proposals can be considered policy compliant.

We trust you have sufficient information to determine this planning application, and considering the above, we seek a favourable determination within the statutory period. If the Council has any concerns in relation to 24-hour opening hours, then the applicant requests the opportunity to discuss this further with officers prior to a determination being made.

Should you require any additional information, please contact me or my colleague Gordon Thomson.



Yours faithfully

A handwritten signature in black ink, appearing to be "ASL", written over a faint, light blue circular watermark.

Arabella Stewart-Leslie
Senior Planner
BSc (Hons) MRTPI



Annex 1: Security and Social Responsibility Statement



LUXURY LEISURE, TALARIUS LTD & RAL LTD
NOVOMATIC GROUP
362C Dukesway
Team Valley Trading Estate
Gateshead
NE11 0PZ



Luxury Leisure Talarius – Security and Social Responsibility

Dear Sir/Madam,

At Luxury Leisure Talarius, we adopt a risk based approach to security and social responsibility at all of our stores to ensure we comply with the Licensing Objectives. The security department within Luxury Leisure has seven members of staff, including three regional security managers and three auditors, and our compliance department has an additional two members of staff, including a national compliance manager, all working under the Head of Risk and Compliance. The majority of our stores are in prominent town centre locations and appeal to a wide demographic of clientele, ranging from young professionals through to retired individuals by providing a modern high street alternative to bingo clubs, casinos and bookmakers but currently our national statistics show that 65% of our customers are females aged over 45.

The assessment of risk associated with location is supported by a bespoke open source risk identification tool designed exclusively for Luxury Leisure Talarius and used to compile comprehensive risk assessments that deal with the threats local issues may present to the licensing objectives. In this way, the measures we employ to mitigate identified risks are tailored to that specific store.

We operate a 'Think 25 policy' nationally and invest heavily in staff training and independent 'Test Purchasing' by Serve Legal (a well-known and respected national company who work across all licencing sectors). Our compliance policies and processes meant that in 2018 our overall test purchase pass rate was 93.8% compared with the nearest competitor at 83% and the best of the operators in the LBO sector at 89%. (Source: Serve Legal).

We have very few issues related to crime, disorder or anti-social behaviour and where we identify individuals involved in such, they are banned from all of our stores immediately.

We are members of the two multi-operator self-exclusion schemes (MOSES) that are available in the AGC sector, Smart Exclusion and the BACTA scheme so that those who wish self-exclude can do so from all of our premises and other AGC's in the locality.

Quality local management, staff and training are our key strength, as this establishes strong and positive relationships with our customers, neighbours and local authorities, which ultimately leads to a solid reputation for responsible operating. It should be noted that as part of delivering our 'best in class' service and maintaining a high level of supervision, a minimum of 2 employees are always present on the shop floor. At night staff are further supported and access controlled through the employment of a door supervisor, something not found in any LBO in any location.

Alcohol is not served or consumed on any of our premises and we have robust policies and procedures in place to ensure our compliance with regards to both the law and the License Conditions and Codes of Practice so that those under the influence of alcohol cannot enter our premises. Our compliance with Social Responsibility regulation was the subject of a full in-depth Gambling Commission Corporate Assessment in 2015/2016 and no shortfalls were identified.

As a minimum standard, all of our stores have the following physical security measures and key security processes are recorded in a location security manual held on all sites.

CCTV - All of our stores are fitted for extensive CCTV coverage and our newest sites boast the latest HD cameras and digital recording equipment that ensure we retain a minimum of 28 days' footage. The CCTV can be viewed and reviewed remotely by key managers and security staff and in the event of an activation is monitored live at the Alarm Receiving Centre (ARC).

Intruder Alarm – All of our intruder alarm systems are either Dualcom or monitored by BT Redcare, ensuring that there is always a clear pathway for the alarm to communicate with the ARC and interruptions to signal are immediately reported to local management.

In this venue we will operate an enhanced security system using 'Staffguard' hold-up alarm technology where the alarm receiving centre can monitor via live CCTV footage and communicate with the venue staff via two-way audio communication, therefore removing the risk of false activations and the demand on local police resource as well as enabling live monitoring and commentary on any event.

Three safe system – Each of our stores utilises a system of 'day safe', time-lock safe and deposit safe to reduce the risk of cash loss in the event of a robbery or burglary.

Access Control – We will install a maglock to enable staff to control access during the late evening and night when required and this will be supplemented by the deployment of a Door Supervisor wearing a body-worn camera during the late afternoon and evening.

Third Party Cash in Transit (CIT) Service – Loomis, a professional and experienced CIT service provider are contracted to service all of our stores with cash collection and coin delivery.

'Know your customer', is an approach advocated by our regulator, the Gambling Commission and has been adopted as a core tenet of our customer service provision ensuring that we operate in a

way that is socially responsible by assisting our staff identify problem gambling and also minimising the risk of crimes such as theft, money laundering and fraud. There is a key focus on training, retraining and testing in these areas.

We trade a significant number of businesses 24 hours a day due to the ever-increasing demands from our customers to have extended leisure time which is simply reflective of changing working patterns and the growing night time economies in our large towns and cities.

Where they exist, we subscribe to and are active members of local town centre 'shop watch' type schemes, utilizing any radio networks and contributing to intelligence sharing.

Where we do operate in the late evening or at night we often recruit staff specifically for night working. All of our supervisors and above are required to supply a CRB disclosure and all of our staff receive training as part of their induction and regular refresh training. At these stores, we constantly review the safety of both our customers and staff by providing door to door transport as required.

Mark Thompson
Head of Risk and Compliance



Information and Data Protection Team
Chief Executive's Department
Glasgow City Council
City Chambers
George Square
Glasgow
G2 1DU

Email: FOI_CCT@glasgow.gov.uk

Our Ref: **FOI 8039435**

Your Ref: **LICH-DMS.FID436924**

2 August 2023

Arabella Stewart-Leslie
Senior Planner
Lichfields
115 George Street
Edinburgh
EH2 4JN

Send by e-mail to: arabella.stewart-leslie@lichfields.uk

Dear Ms Stewart-Leslie

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

Thank you for the Freedom of Information request which you submitted to Glasgow City Council on 5 July 2023 relating to the Admiral Adult Gaming Centres at 335 Sauchiehall Street, Glasgow, G2 3HW and at 34 Queen Street, Glasgow G1 3DX.

Thank you also for clarifying the timescales for your information request on 7 July 2023.

We confirm that Glasgow City Council ("the Council") is treating your request for this information under the terms of the Freedom of Information (Scotland) Act 2002 ("the Act").

The Freedom of Information (Scotland) Act 2002 gives applicants a right to information which is held by a public authority in a recorded form or format, provided that none of the exemptions contained within the Act apply to the requested information.

The Council's response to your information request is set out below.

In terms of section 17(1) of the Act, which is a notification that records are neither held by the Council nor by anyone else on the Council's behalf, we can advise that we hold no record of any complaint about noise or anti-social behaviour relating to the premises at 335 Sauchiehall Street in the period from 14 December 2020 until 31 July 2023, neither has the Council taken any action in this regard during that time.

We hold no record of any complaint about noise or anti-social behaviour relating to the premises at 34 Queen Street in the period from 15 October 2020 until 31 July 2023, neither has the Council taken any action in this regard during that time.

Right to Request a Review

Under the Freedom of Information (Scotland) Act 2002, if you are dissatisfied with the way in which Glasgow City Council has dealt with your information request, you can ask for this response to be formally reviewed. Please note that for a review to take place you must lodge a written request for a review within 40 working days of the date of this letter.

Please include the following information:

- Your full name;
- A correspondence address;
- The reference quoted at the top of this letter; and
- The reason(s) why you are dissatisfied with the Council's response.

Please address your request to:

The Director of Legal and Administration
Glasgow City Council
City Chambers
George Square
Glasgow G2 1DU

Email: FOIRreviews@glasgow.gov.uk

You will receive notice of the results of the review within 20 working days of receipt of your request. The notice will state the decision reached by the reviewing officer as well as details of how to appeal to the Scottish Information Commissioner if you are still dissatisfied with the Council's response.

You must request an internal review by the Council before a complaint can be directed to the Scottish Information Commissioner.

For your information at this stage, an appeal can be made to the Scottish Information Commissioner if you do remain dissatisfied with the outcome of the Council's review decision. You can access the Commissioner's online appeal service portal to make an application for decision here: www.itspublicknowledge.info/appeal

Alternatively, you can contact the Scottish Information Commissioner using the following details:

Address: Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS.
Email: enquiries@itspublicknowledge.info
Telephone: 01334 464610

If you wish to submit a complaint to the Council in relation to the manner in which it has handled your request for information, you can do so by requesting that the Council reviews its response. Details of how to request a review are set out above.

Yours sincerely

Information and Data Protection Team
Chief Executive's Department

PROPOSED ADMIRAL PREMISES, 335 SAUCHIEHALL STREET, GLASGOW

NOISE ASSESSMENT

On behalf of:
Luxury Leisure

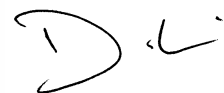
PROPOSED ADMIRAL PREMISES, 335 SAUCHIEHALL STREET, GLASGOW

NOISE ASSESSMENT

Report prepared by:
Hepworth Acoustics Ltd
21 Little Peter Street
Manchester
M15 4PS

On behalf of:
Luxury Leisure

Report prepared by:
Donald Quinn BSc FIOA – Managing Director



Report checked by:
Graham Bowland BSc MIOA – Technical Director



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1.0 INTRODUCTION

1.1 Hepworth Acoustics Ltd has been commissioned by Luxury Leisure to carry out a noise assessment in connection with a planning application for a proposed Admiral adult gaming premises in the former William Hill premises at 335 Sauchiehall Street, Glasgow G2 3HW.

1.2 This assessment has been requested in connection with a planning application for the change of use of the ground floor demise to an adult gaming centre. The gaming centre will include slot machines and other electronic gaming machines.

1.3 Glasgow City Council's typical noise control requirements are as follows:

Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows close, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

1.4 This assessment has therefore included the following:

- A site inspection, including indicative sound insulation testing of the separating floor/ceiling construction between the ground and first floor of the premises;
- Calculation of likely Admiral premises trading noise transmission to apartments directly above via the separating floor/ceiling, and via noise break-out through the premises shopfront;
- Advising on appropriate noise limits for plant/equipment; and
- Recommendation of appropriate noise control measures, where necessary.

1.5 All recommendations are given for acoustics reasons only. Compliance with other requirements (e.g. fire, structural, thermal, etc.) must be checked by others.

1.6 The various noise units and indices referred to in this report are described in Appendix I. All noise levels mentioned in the text have been rounded to the nearest decibel, as fractions of decibels are imperceptible.

2.0 SITE DESCRIPTION

- 2.1 The new Admiral adult gaming premises will be located in the former William Hill unit at 335 Sauchiehall Street. The unit is on the ground floor of a four-storey tenement building of substantial masonry external wall construction with what is understood to be concrete separating floors. There is a single storey extension to the rear with a pitched tiled roof. The site location is shown in Figure 1.
- 2.2 Whilst the weekday daytime site visit was carried out during on-going, but partially relaxed COVID-19 lockdown measures, meaning the site and surrounding area were fairly quiet, Sauchiehall Street is typically a busy centre location including during the late evening and at night. There are numerous restaurants and licensed premises in the area, including a nightclub in the basement space directly below the unit.
- 2.3 The unit has a lightweight lay-in grid ceiling with numerous luminaires, air conditioning cassettes etc. Columns within the space are encased in lightweight plasterboard or metal framing. There is an existing carpet tile floor finish.
- 2.4 On either side of the ground floor unit there are commercial units, but there is residential accommodation on the upper floors of the building, including directly above the proposed ground floor trading area. There are also apartments to the rear, on the far side of Sauchiehall Lane. These apartments have large single glazed sash windows.
- 2.5 On Sauchiehall Lane elevation to the rear, there are four existing condenser units fixed at high level to the gable end elevation of the rear extension. There are also many existing air conditioning and drinks cooling condenser units fixed to the rear elevation of, and associated with, the adjoining premises, and a kitchen extract flue that rises to roof level, as shown in the below photograph:

Photo 1: Numerous existing condenser units and kitchen extract flue from adjoining premises



- 2.6 The proposed gaming centre is expected to operate 24 hours a day. Access from Sauchiehall Street will be via a lobbied door arrangement comprising a single large outer door and double inner doors. The gaming area will occupy much of the unit floor area, with a small area midway back reserved for staff room and staff WCs, with an office and customer WCs at the rear. There will be a single fire exit door to the rear that will remain closed at all times except in emergencies. A lightweight suspended ceiling similar to the existing will be installed. The proposed shopfront and the ground floor layout provided by IBA Architects are shown in Figure 2.
- 2.7 No new plant and equipment is to be installed. Instead, the existing outdoor condenser units at the rear are to be retained. This equipment will operate on a demand basis at any time throughout 24 hours.

3.0 SOUND INSULATION TESTING

- 3.1 Indicative sound level difference testing was carried out on Thursday 16 July 2020 to establish the existing acoustic separation between the ground floor space and the residential accommodation. The measurements were carried out using a Rion NL52 'Class 1' sound analyser (serial no. 00242747). The analyser was checked calibrated before and after the measurements with no variance observed.
- 3.2 The testing was carried out between the unit and the shared living room/kitchen of Flat 2 on the first floor, as this was the largest room having the greatest common separating floor/ceiling construction with the trading area below.
- 3.3 The testing involved generating high levels of pink noise using a sound source and loudspeaker directly within the ground floor space, focused in the area below the living room/kitchen of Flat 2. Source noise levels were measured followed by the transmitted levels in the first-floor apartment above. Background noise levels (i.e. the prevailing noise levels in the absence of the transmitted noise) were also measured in the first-floor apartment. The measurements were taken as a series of short-term 1/3 octave band noise measurements with the results summarised as octave band values in Table 1 below.

Table 1: Results of sound level difference testing (dB)

Description	Sound Pressure Levels (dB L _{eq}) Octave Band Centre Frequency (Hz)						
	63	125	250	500	1k	2k	4k
<i>Level difference</i>	28	39	53	64	76	82	88

- 3.4 The values in Table 3 represent a good standard of sound insulation consistent with what we understand is a concrete separating floor construction.

4.0 NOISE IMPACT ASSESSMENT

Reference Noise Levels

- 4.1 Hepworth Acoustics has previously measured typical busy trading period noise levels in a similar Admiral gaming centre. Noise measurements were taken in the existing Admiral gaming centre at 3 Seven Sisters Road, London N7 6AJ from 18.45 to 19.45 on Thursday 29th November 2018. This time was selected following consultation with staff to be representative of a typical busy period. The relevant adopted trading noise levels are shown in Table 2.

Table 2: Typical Admiral trading noise levels (dB)

Description	Octave Band Centre Frequency (Hz)							A
	63	125	250	500	1k	2k	4k	
L_{eq}	61	63	65	61	60	58	56	66

- 4.2 These are very modest noise levels when compared to the corresponding noise levels in other premises such as bars and restaurants.

Noise Break-out via Shopfront

- 4.3 The premises shopfront is understood to be formed of 6mm single glazing in timber frames. The windows of the nearest apartments are single glazed sash windows, assumed to be 4mm glass. Taking into account only the sound reduction indices (SRIs) of the shopfront glazing and then the closed apartment windows (i.e. ignoring all other noise transmission losses), it is possible to establish a worst-case estimate of trading noise break-in to apartments as follows:

Table 3: Worst case estimate of Admiral trading noise level break-out

Description	Octave Band Centre Frequency (Hz)							NR
	63	125	250	500	1k	2k	4k	
Admiral trading noise levels in L_{eq}	61	63	65	61	60	58	56	
SRI of 6mm glazing of shopfront	14	20	24	31	35	29	36	
SRI of 4mm glazing of apartment windows	14	20	22	28	33	34	28	
Resulting trading noise in apartment	33	23	19	2	<0	<0	<0	8

- 4.4 As can be seen, worst-case trading noise levels in the apartments most exposed to shopfront noise break-out will be well within the Glasgow City Council criteria for both daytime and night-time periods

- 4.5 Noise break-out via the pitched roof to the rear will be lower than via the shopfront and so trading noise break-out will also be well within the Glasgow City Council criteria within apartments to the rear.

Internal Sound Transmission

- 4.6 Based on the measured sound insulation performance of the separating floor shown in Table 1 and the reference noise levels shown in Table 2, the calculated resulting transmitted noise levels in the apartment immediately above the trading area have been calculated as follows:

Table 5: Admiral trading noise transmission through separating floor (dB)

Description	Octave Band Centre Frequency (Hz)							NR
	63	125	250	500	1k	2k	4k	
Admiral trading noise levels in L_{eq}	61	63	65	61	60	58	56	
Measured sound level difference values	28	39	53	64	76	82	88	
Resulting trading noise in apartment	33	24	12	<0	<0	<0	<0	3

- 4.7 Table 5 shows that transmitted Admiral trading noise levels will be very low indeed in the apartment directly above, and well within the Glasgow City Council criteria for both daytime and night-time periods.

External Plant Noise

- 4.8 No new external plant or equipment is to be installed as part of the development. Instead, existing equipment is to be retained and refurbished. The equipment could however operate at any time throughout 24 hours when previously it would not and so it is necessary to ensure that the equipment noise will be within the more stringent night-time noise criterion.
- 4.9 The ridge of the gable end of the extension blocks the line of sight of the equipment from the rear apartments above the Admiral unit, but the apartments that are located in the buildings opposite on the far side of Sauchiehall Lane have a view of the equipment.
- 4.10 It is not clear at this stage which of the four existing units will need to be retained/refurbished. As such, for design purposes we have assumed that as a worst case the combined sound power levels of all units operating simultaneously could be up 80 dB L_{WA} . The potential resulting internal noise levels in the nearest/most exposed apartments have been calculated taking into account hemispherical propagation distance attenuation, and the sound reduction expected from 4mm glazing as follows:

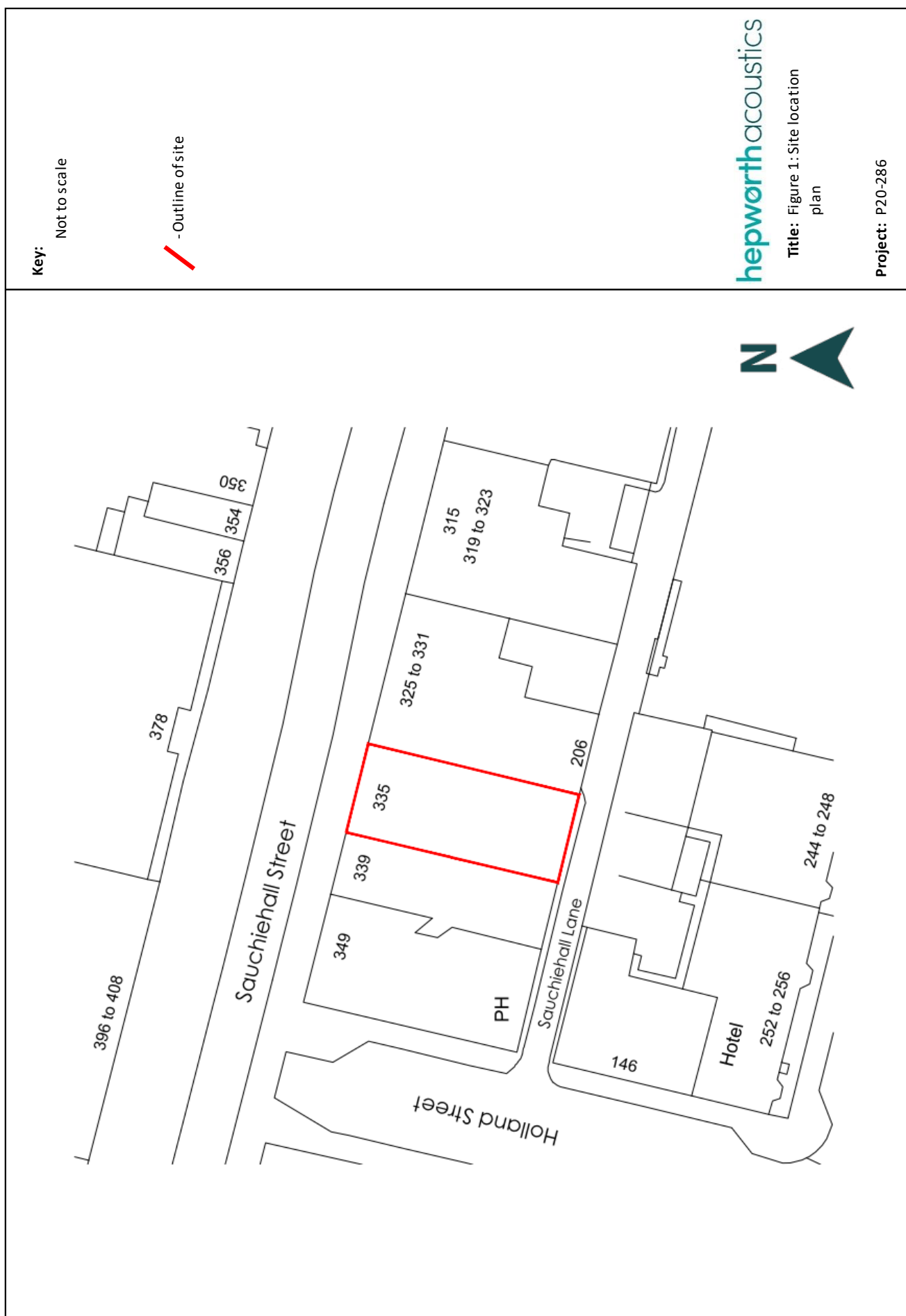
Table 5: Outline calculation of potential Admiral trading noise transmission through separating floor (dB)

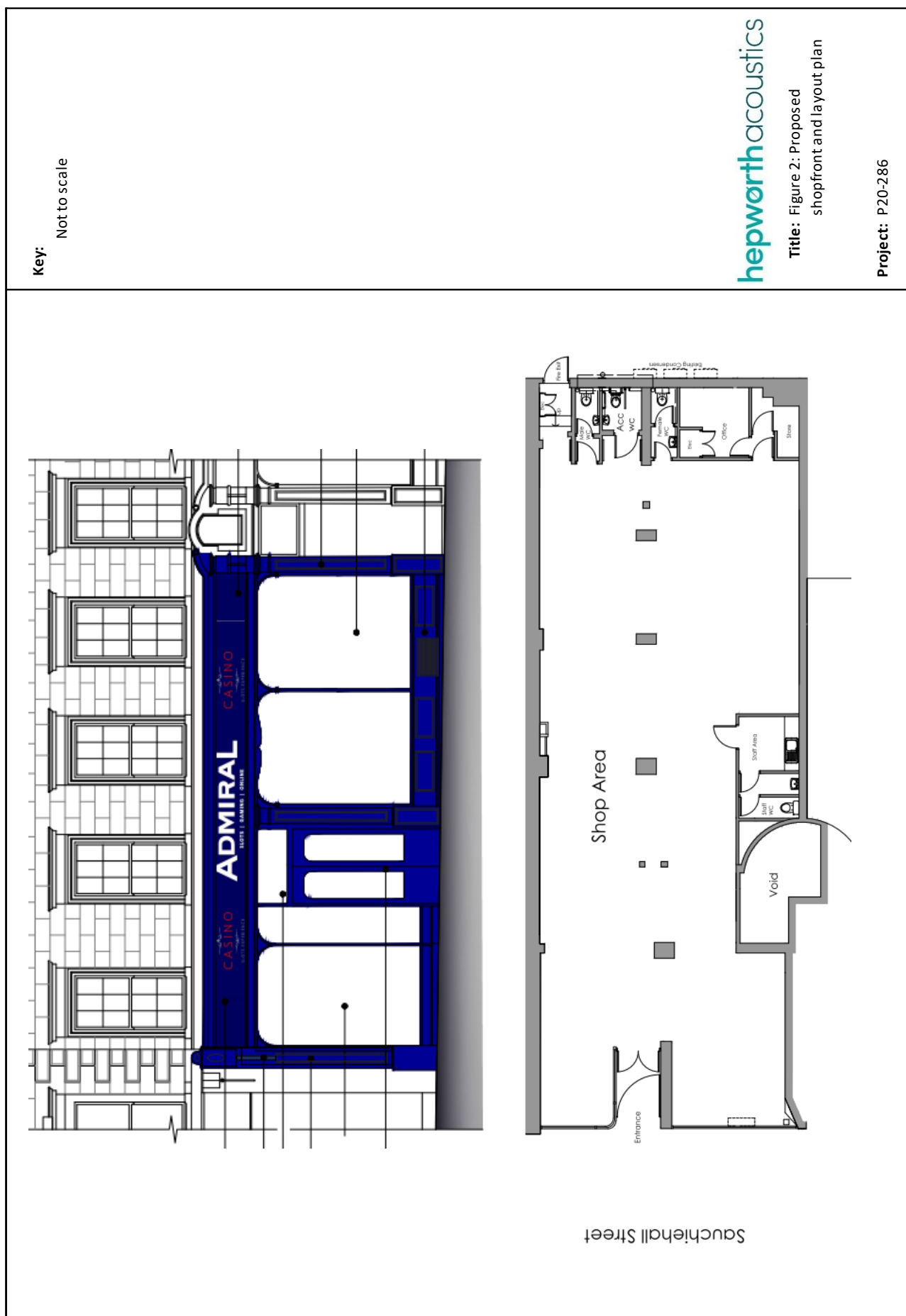
Description	Octave Band Centre Frequency (Hz)							NR
	63	125	250	500	1k	2k	4k	
Adopted worst-case combined condenser sound power levels	80	80	80	77	73	71	70	
Distance attenuation (10m minimum)	28	28	28	28	28	28	28	
SRI of 4mm glazing of apartment windows	14	20	22	28	33	34	28	
Resulting equipment noise in apartment	38	32	30	21	12	9	14	21

- 4.11 Based upon an assumed worst-case combined condenser unit sound power level of 80 dB L_{WA} , the calculated worst-case resulting noise levels inside the nearest/most exposed apartments are below NR21 and therefore within the Glasgow City Council criteria for both daytime and night-time periods.
- 4.12 We therefore conclude that trading noise break-out through the shopfront and trading noise transmission through the separating floor will be well within Glasgow City Council noise control criteria and no specific noise control measures are warranted.
- 4.13 Also, on the basis of our outline calculation as shown above, noise from retained plant and equipment that could operate throughout 24 hours will be within Glasgow City Council's requirements.

5.0 CONCLUSIONS

- 5.1 A noise assessment of the proposed new Admiral adult gaming centre at 335 Sauchiehall Street in Glasgow city centre has been carried out.
- 5.2 This assessment has involved an inspection of the site and sound insulation testing to establish the existing acoustic separation between the ground floor space and the first-floor apartments above.
- 5.3 Taking into account the anticipated Admiral trading noise levels, it has been calculated that the existing building envelope and separating floor construction will provide adequate sound insulation and no specific additional sound insulation measures are necessary in order to meet Glasgow City Council's noise criteria.
- 5.4 In respect of noise from retained plant and equipment that could operate throughout 24 hours, our calculations have indicated that even based upon a worst-case estimate of the combined equipment noise levels, the relevant noise control criterion will still be achieved.
- 5.5 We therefore conclude that there will be no significant noise impact from the proposed development.





Appendix I: Noise Units & Indices

Sound and the decibel

A sound wave is a small fluctuation of atmospheric pressure. The human ear responds to these variations in pressure, producing the sensation of hearing. The ear can detect a very wide range of pressure variations. In order to cope with this wide range of pressure variations, a logarithmic scale is used to convert the values into manageable numbers. Although it might seem unusual to use a logarithmic scale to measure a physical phenomenon, it has been found that human hearing also responds to sound in an approximately logarithmic fashion. The dB (decibel) is the logarithmic unit used to describe sound (or noise) levels. The usual range of sound pressure levels is from 0 dB (threshold of hearing) to 120 dB (threshold of pain).

Due to the logarithmic nature of decibels, when two noises of the same level are combined together, the total noise level is (under normal circumstances) 3 dB(A) higher than each of the individual noise levels e.g. 60 dB(A) plus 60 dB(A) = 63 dB(A). In terms of perceived 'loudness', a 3 dB(A) variation in noise level is a relatively small (but nevertheless just noticeable) change. An increase in noise level of 10 dB(A) generally corresponds to a doubling of perceived loudness. Likewise, a reduction in noise level of 10 dB(A) generally corresponds to a halving of perceived loudness.

The ear is not equally sensitive to sound at all frequencies. It is less sensitive to sound at low and very high frequencies, compared with the frequencies in between. Therefore, when measuring a sound made up of different frequencies, it is often useful to 'weight' each frequency appropriately, so that the measurement correlates better with what a person would actually hear. This is usually achieved by using an electronic filter called the 'A' weighting, which is built into sound level meters. Noise levels measured using the 'A' weighting are denoted dB(A) or dBA.

Frequency and Hertz (Hz)

As well as the loudness of a sound, the frequency content of a sound is also very important. Frequency is a measure of the rate of fluctuation of a sound wave. The unit used is cycles per second, or hertz (Hz). Sometimes large frequency values are written as kiloHertz (kHz), where 1 kHz = 1000 Hz.

Young people with normal hearing can hear frequencies in the range 20 Hz to 20 kHz. However, the upper frequency limit gradually reduces as a person gets older.

Glossary of Terms

- L_{eq} This is the 'equivalent continuous noise level' which is an average of the total sound energy measured over a specified time period. In other words, L_{eq} is the level of a continuous noise which has the same total energy as the real fluctuating noise, measured over the same time period.
- L_{WA} This is the A-weighted sound power level of a sound source, in decibels, which is 10 times the logarithm to the base 10 of the ratio of sound power radiated by the source to a reference power. The reference power is 1 picowatt (1×10^{-12} watt). The sound power level is the fundamental measure of the total sound energy radiated by a source per unit time.