

Item 1
14th April 2026



Glasgow City Council

Planning Local Review Committee

**Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability**

Contact: Sam Taylor Ext: 78654

22/00022/LOCAL – 57 West Regent Street, Glasgow

Use of public house (Sui generis) as nightclub (Class 11)

Purpose of Report:

To provide the Committee with a summary of the relevant considerations in the above review.

Recommendations:

That Committee consider the content of this report in coming to their decision.

Ward No(s): 10 - Anderston/City/Yorkhill Citywide: n/a

Local member(s) advised: Yes No consulted: Yes No

PLEASE NOTE THE FOLLOWING:

Any Ordnance Survey mapping included within this Report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. The OS web site can be found at <<http://www.ordnancesurvey.co.uk>> "

If accessing this Report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale

1 LOCATION, DEVELOPMENT PLAN DESIGNATIONS AND PROPOSAL

Location

- 1.1 The application site is a sui generis unit within a commercial building. The property is a category B listed building is located in the Central Conservation Area within the City Centre. It is close to the junction of West Regent Street and Renfield Street.
- 1.2 The area is characterised by a range of Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink), and public houses (Sui Generis). There are residential flats (Sui Generis) within the building at 55 West Regent Street/65 Renfield Street which are accessed from Renfield street. The adjoining property, 55 West Regent Street has recently received planning permission for 96 serviced apartments (sui generis). A Class 11 Nightclub operates within the basement of a nearby building to the east.

Proposal

- 1.3 The development proposed is the use of the existing public house (Sui generis) as a nightclub (Class 11), no external alterations are proposed to the fabric of the building.

Further Information

- 1.4 At Local Review Committee (LRC) meeting of 25th October 2022, the LRC requested further information to allow them to consider a review for the Use of public house (Sui generis) as nightclub (Class 11). The proposal did not include details of a revised noise impact assessment in response to comments by the Environmental Health Team. These comments requested:
 - 1.1.1 Noise measurements from sensitive nearby dwellings should be included
 - 1.1.2 Additional effective mitigation measures approved by the Public Health Team
- 1.5 A noise impact assessment was received in February 2024 and sent to Environmental Health for Assessment. On the 19th of September 2025, clarification on this was sought and on the 5th of February 2026 an official response from Environmental Health was given. Details of the Noise Impact Assessment comments are below under the 7. Committee Considerations. Due to changes in legislation, this item has been reconsidered in light of the adoption of NPF4 and other policy changes.

2 DEVELOPMENT PLAN POLICIES

- 2.1 The relevant National Planning Framework 4 (NPF4) and City Development Plan (CDP) policies and Supplementary Guidance are:
 - **Policy 1:** Tackling the climate and nature crises

- **Policy 2:** Climate mitigation and adaption
- **Policy 7:** Historic assets and places
- **Policy 23:** Health and Safety

2.2 The relevant City Development Plan policies and Supplementary Guidance are:

- **CDP 1 & SG 1:** The Placemaking Principle
- **CDP4 & SG4:** Network of Centres
- **CDP 9 & SG9:** Historic Environment

3 REASONS FOR REFUSAL / RELEVANT CONDITION(S)

3.1 The reasons for refusal are set out below:

01. 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.
02. The proposal is contrary to policy CDP 1 'Placemaking' & Supplementary Guidance SG 1 'Placemaking' of the Glasgow City Development Plan 2017 insofar as the proposed Class 11 Nightclub operating beyond 24.00 hours, would have a significant adverse impact on residential amenity through unacceptable noise and disturbance and considered at unsociable hours contrary to the Council Placemaking principle.
03. The proposed nightclub, including hours of operation after midnight, is contrary to Policy CDP2 'Sustainable Spatial Strategy' of the Glasgow City Development Plan 2017, insofar as it would have a significant detrimental impact on residents' wellbeing and amenity and is not considered sustainable development.
04. The proposal would therefore be contrary to policy CDP4 'Network of Centres' and Supplementary Guidance SG4 'Network of Centres' of the Glasgow City Development Plan 2017 insofar as the proposed Class 11 Nightclub operating beyond 24.00 hours within block comprising residential development would intensify the negative impact on residents amenity through unacceptable noise and disturbance.

4 APPEAL STATEMENT

4.1 A summary of the material points raised in the appeal statement is given below:

01. The property has been vacant for many years and the building is in a poor state of repair with many broken windows and vegetation growing from the roof while the buildings on both sides of the premises are vacant and in need of repair.
02. Collectively the City Development Plan policies seek to ensure that any proposal makes a positive contribution to the overall well being of the city; The

proposed nightclub will contribute to the 24 hour economy in an area popular with numerous bars, diners and clubs,

03. SG4 Network of Centres is not relevant as there would be no loss of retail floorspace; Response to reason for refusal 04: policy CDP4 Network of Centres does not consider that residential use is a serious consideration and even if it were it would not be at the expense of legitimate businesses;
04. Existing waste/refuse arrangements will remain;
05. In terms of SG1 The Placemaking Principle, a rich combination of uses creates the dynamic and animated ambience so essential in the formation of Place; No external or internal alterations are proposed, so the streetscape and local ambience will not be affected.
06. While four reasons for refusal are given, they are essentially aspects of the same policy, relating to the need to protect residential amenity from unacceptable noise and disturbance; There is no residential accommodation in the building or the adjoining buildings. This is significant as the basis for refusal is the alleged impact on residential amenity;
07. Other European cities, such as Barcelona and Paris, have a fairly high level of residential living within the central area yet continue to offer a robust city centre experience with cafes, bars diners and other hospitality/entertainment uses operating well into the early hours; These cities accept that residential amenity in the city centre could not be the same as might be expected in a less urban environment;
08. The Council's Environmental Services Department has not received complaints regarding existing noise, so this claim is without foundation;
09. Response to reason for refusal 02: in the heart of the largest city in Scotland that any noise after 12 midnight constitutes anti social behaviour. The impact of the proposal on the recently approved nearby 96 room serviced apartments application is immaterial.
10. Response to reason for refusal 03: as there are no residents within the building and none in the adjacent buildings, the introduction of residential would be unsustainable and would have the potential to destroy the economic wellbeing of the city centre;

5 RELEVANT PLANNING HISTORY

5.1 The previous planning application history for the property includes the following:

- 98/00086/DC - Use of retail units as restaurant (restaurant license). - Grant with Conditions

- 98/00090/DC - Internal alterations and display of signage in association with use of premises as licensed restaurant. - Grant with Conditions
- 99/01248/DC - Internal and external alterations to listed building associated with use of premises as public house with micro brewery and erection of rear ventilation duct. - Grant with Conditions
- 99/01249/DC - Use of shop units as public house with micro brewery and erection of rear flue. - Grant with Conditions
- 01/02299/DC - Use of public house/microbrewery (99/01249) and restaurant/public house (97/00249) (both Public House Licences) as a single restaurant and public house (Public House Licence) - The Use is Lawful
- 02/00433/EN - Enforcement Enquiry: Unauthorised display of spot-lit projecting sign, advertising on wrought iron lamp and over hanging lights at 1st floor level (advertisement) - Not Expedient.
- 02/00434/EN - Enforcement Enquiry: Unauthorised display of spot-lit projecting sign, advertising on wrought iron lamp and over hanging lights on a category B Listed Building. - Not Expedient.
- 07/00472/EN - Enforcement Enquiry: Unauthorised erection of signage to listed building - Breach Satisfied.
- 07/00473/EN - Enforcement Enquiry: unauthorised erection of signage - Breach Satisfied.

6 REPRESENTATIONS AND CONSULTATIONS

6.1 There were two representations received to the application, both in support. The following points were raised:

- The proposal offers an energy-efficient replacement for old double glazing by removing two unnecessary and draughty central opening windows, simplifying the design.

6.2 There were no representations received to the review.

7 COMMITTEE CONSIDERATIONS

7.1 Committee should consider if the following are in accordance with NPF4, the relevant City Development Plan policies and Supplementary Guidance, and if there are material considerations which outweigh the Development Plan considerations.

7.2 The following are the relevant policy considerations:

7.3 Climate change and mitigation

National Planning Framework 4: NPF4 Policy 1 Tackling the climate and nature crises and Policy 2: Climate Mitigation and Adaptation states that “when considering all development proposals significant weight will be given to the global climate and nature crises” and that “development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.”

Committee should note that:

- The proposal is considered to be supportive to this policy.

7.4 Noise

NPF4: Policy 23 Health and Safety intends to promote development that improves health and wellbeing. Development proposals that are likely to raise unacceptable noise issues will not be supported.

The agent of change principle applies to noise sensitive development. This 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...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.”

A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

SG4 Network of Centres

This guidance states the Council has to strike a balance between the encouragement of uses that make the City more vibrant, and the need to preserve a reasonable level of amenity for adjoining occupiers, particularly neighbouring residents.

This guidance indicates the Principal Retail and Commercial Area includes a diversity of land uses in addition to retail including housing, offices, leisure and entertainment. It further states these activities contribute to the vitality of the City Centre and will be encouraged where they comply with Assessment Guidelines 2 and 3, as well as relevant Assessment Guidelines within Section 4.

Assessment Guideline 10: Food, Drink and Entertainment Uses

This guideline seeks to protect residential amenity, and does not support uses which would have a detrimental impact on noise levels in close proximity to existing residential buildings, unless satisfactory mitigating measures enable the retention of the current levels of residential amenity. Hours of operation will be limited to between 08:00 hours and 24:00 hours, depending on local circumstances. Proposed uses, such as night clubs, wishing to operate beyond 24:00 hours will be assessed on their individual merits and location within the City Centre.

Continuance Note - Further information: On the 25th of October 2022, this appeal was taken to committee, and it was agreed to continue the item. Feedback was sought from Environmental Health who wrote the following response to the Planning team on the 5th of February, 2026:

Reviewing the Noise Impact Assessment for the proposed change of use of Cova Cocktail Bar to a nightclub with extended licensing hours, we are happy

with the content of the assessment and the conditions that were attached to form the basis of the report [under suggested conditions].

I noted that the anticipated noise ingress levels from the Cova Cocktail bar into the proposed residential rooms directly above are lower than NR25 which would meet GCC's criteria for entertainment noise. The mechanical plant visible from the first floor windows facing into the inner lightwell was of concern. This would potentially be detrimental to any proposed dwelling directly above if developed and would be required to be looked at for future purposes.

There are no outlined mitigation measure to be instigated as existing mitigation measures are in place forming part of the overall nightclub/licensed premises as existing.

Given that patron noise is existing, it is unlikely that noise in addition to Bamboo/Kokomo is unlikely to cause any significant impact.

The Environmental Health team report the types of noise complaint received emanating from neighbouring Bamboo/Kokomo and Cova when operational [from 2009 until February 2025]: As the offices above the proposal have not been developed, the main noise complaints were received from residents at 65 Renfield Street backing onto the licensed venue and also from 48 West Regent Street opposite the Licensed venue.

16 complaints related to Kokomo/Cova related to bass noise, loud noise, glass bottles being emptied at 4am (residents at 65 Renfield Street being disturbed). 4 complaints were received from residents at 48 West Regent Street related to doors being left open, patron noise and loud music, inclusive of the 16 overall complaints outlined.

No objections are given to the proposal provided that the noise condition attached is adhered to taking into account NR25/NR35 to ensure protection of occupiers of dwellings or noise sensitive buildings from excessive noise.

Committee should note:

- The premises is currently operating as a public house (a Sui Generis use);
- the area is characterised by Class 1A (Financial, Professional and Other Services), Class 3 (Food and Drink), and public houses (Sui Generis) uses.
- There are residential properties at 65 Renfield Street (on an adjacent road 40m away) and 48 West Regent Street (facing opposite, 30m away). There are 16 complaints relating to noise from residents of the above properties.
- The proposed closing time is 4am.

Committee should consider:

- if the proposal would have a detrimental effect on the amenity of residents through the effects of increased noise and activity?
- If the existing use of the property means that the agent of change proposal would apply and therefore no mitigation would be required?
- if there are circumstances related to the proposal itself and its location which justify the 4am closing time?

7.5 Waste and Amenity

SG1 The Placemaking Principal (Part 2): 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.

Committee should note:

- There are no residential properties at 57 West Regent Street, but there are residential flats (Sui Generis) within the adjacent building at 55 West Regent Street/65 Renfield Street accessed via Renfield street.
- The area is characterised by Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink), and public houses (Sui Generis) uses
- The adjoining property at 55 West Regent Street has recently received planning permission for 96 serviced apartments (sui generis).
- There is a nightclub in the basement of the adjacent premises.

Committee should consider:

- If the proposed nightclub would harm residential amenity.

NPF4 Policy 12 Zero Waste: Intent: To encourage, promote and facilitate development that is consistent with the waste hierarchy. The relevant guidance is:

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 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.

SG1: Waste Storage, Recycling and Collection

This guidance indicates that all waste/recycling areas must be located discreetly, so as to have no adverse visual impact or cause traffic/noise nuisance to neighbours. It also states that applicants must provide full details of the provision for waste storage, recycling and collection in the initial submission for planning permission. See Assessment Guideline 14 Waste Management and Disposal below for considerations.

Assessment Guideline 14 Waste Management and Disposal: indicates proposals for food, drink and entertainment uses will only be considered favourably if suitable arrangements for the management and disposal of waste (including recyclables) can be provided, to the complete satisfaction of the Council. Plans to show details of on-site waste storage facilities will be required.

Committee should note:

- The applicant indicates existing waste storage and collection arrangements, whereby waste is uplifted from the rear service lane, would continue. An appropriate planning condition requiring details to be submitted could be attached if Committee are minded to grant permission.

Committee should consider:

- If the proposal would create any adverse visual impact or cause traffic/noise nuisance to neighbours;
- if Committee are minded to grant permission, should an appropriate planning condition regrading waste storage be attached.

7.5 Retail

Assessment Guideline 2: City Centre Principal Retail and Commercial Area and Zone 1

This indicates non-retail proposals within the City Centre (but excluding the Primary Retail Streets where Assessment Guideline 3 applies) will be assessed having regard to the maintenance of a range of shopping and retail facilities within any given area, particularly where residential uses dominate.

Committee should note:

- The property is not within a Primary Retail Street;
- The premises is currently operating as a public house (a Sui Generis use), not as a retail unit;
- There is a nightclub in the basement of the adjacent premises. In addition, the area is characterised by Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink), and public houses (Sui Generis) uses.

Committee should consider:

- If the proposal would have an adverse impact on the range of shopping and retail facilities within the nearby area

7.6 Historic Environment and Heritage

NPF4 Policy 7: Historic Assets and Places: Intends to protect and enhance historic assets as a catalyst for the regeneration of places. Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

SG9 Historic Environment

Design Guidance for Listed Buildings and Properties in Conservation Areas
This guidance indicates that Listed Buildings must be allowed to adapt to new uses and the Council will respond favourably to creative ideas and good design, in order to ensure their retention, subject to other policies in the Plan and supporting SG, particularly Placemaking.

The guidance also states that all proposals for new development in, or affecting the setting of Conservation Areas must, amongst other things, not erode the character of the building or Conservation Area by the use of inappropriate design details or poor quality materials.

Committee should note:

- The building is listed.
- No alterations to the exterior or interior of the property are proposed.

8 COMMITTEE DECISION

8.1 The options available to the Committee are:

- a. Grant planning permission, with or without conditions;
- b. Refuse planning permission; or
- c. Continue the application for further information.

8.2 *Section 43A(12)(a) of the Town and Country Planning (Scotland) Act 1997* requires that reasoning behind why the local review body has been decided be supplied in the decision notice. Should committee be minded to grant planning permission, material considerations that justify a departure from the plan would require to be identified.

Policy and Resource Implications

Resource Implications:

Financial: n/a

Legal: n/a

Personnel: n/a

Procurement: n/a

Council Strategic Plan: n/a

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2021-25? Please specify. n/a

What are the potential equality impacts as a result of this report? no significant impact

Please highlight if the policy/proposal will help address socio-economic disadvantage. n/a

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify: n/a

What are the potential climate impacts as a result of this proposal? n/a

Will the proposal contribute to Glasgow's net zero carbon target? n/a

Privacy and Data Protection Impacts:

Are there any potential data protection impacts as a result of this report
N

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

9 RECOMMENDATIONS

9.1 That Committee consider the content of this report in coming to their decision.