



**Neighbourhoods, Regeneration
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Our ref: DECISION
GCC Application Ref: **23/02748/FUL**

1 February 2024

Item 4

27th February 2024

Dear Sir/Madam

SITE: 1132 Argyle Street Glasgow G3 8TD

PROPOSAL: Use of restaurant (Class 3) as restaurant (Class 3) with hot food takeaway
(Sui Generis)

I am obliged to inform you that a decision to refuse your application, **23/02748/FUL** has now been taken.

A copy of the decision notice is attached with any appropriate notes which should be read together with the decision.

The decision notice is a legal document and should be retained for future reference.

Should you require any additional information regarding the decision, please contact the case officer **Constance Damiani** on direct phone **0141 287 8675**, or email **constance.damiani@glasgow.gov.uk**, who will be happy to help you.

Yours faithfully

Head of Planning

Encls.



PLANNING DECISION NOTICE

Full Planning Permission REFUSAL

IN RESPECT OF APPLICATION 23/02748/FUL

Use of restaurant (Class 3) as restaurant (Class 3) with hot food takeaway (Sui Generis)

AT

1132 Argyle Street Glasgow G3 8TD

AS SHOWN ON THE FOLLOWING SUBMITTED PLAN(S)

Reason(s) for decision

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 development proposal is contrary to Policy 27 - City, Town, Local and Commercial Centres of the National Planning Framework 4, adopted 2023 and Policy CDP1 & SG1 Placemaking Principle, Policy CDP4 and SG4 Network of Centres, Policy CDP11 and SG11 Sustainable Transport of the Glasgow City Development Plan, adopted 2017 as specified below, and there is no overriding reason to depart therefrom.
03. By virtue of its impact on the character and the amenity of the area and the health and wellbeing of communities, the proposed hot food takeaway use (Sui Generis) is not supported as it is contrary to Policy 27 City, Town, Local and Commercial Centres of the National Planning Framework 4, adopted 2023.
04. The proposed hot food takeaway use (Sui Generis) would negatively impact the amenity of neighbouring residents by virtue of its associated noise which is contrary to Policy CDP1 & SG1 Placemaking Principle of the Glasgow City Development Plan, adopted 2017.
05. The development would result in 80% of units in the street block frontage located below residential uses in use as Class 3, public house and hot food takeaway (Sui Generis) which is contrary to the Assessment Guideline 10 of Policy SG4 Network of Centres of the Glasgow City Development Plan, adopted 2017.

06. The proposed hot food takeaway (Sui Generis) would be sited below residential properties which would therefore result in an increase in noise, activity, cooking fumes and would unacceptably impact on the residential amenity of the neighbouring properties. This is contrary to the Assessment Guideline 10 of SG4 Network of Centres from the Glasgow City Development Plan, adopted 2017.
07. The proposal does not include the minimum cycle parking provision required for composite Class 3 use which is of 1 space per 10 staff and 1 space per 50sqm for customers. This is contrary to Policy SG11 Sustainable Transport of the Glasgow City Development Plan, adopted 2017

Drawings

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

1. A LOCATION PLAN Received 8 November 2023
2. AQ 23/002 A PROPOSED GA PLAN Received 17 November 2023

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



Dated:

Head of Planning

THIS DECISION NOTICE SHOULD BE READ WITH THE ATTACHED ADVICE NOTES

IMPORTANT NOTES ABOUT THIS REFUSAL OF PLANNING PERMISSION

BY THIS NOTICE, YOUR PROPOSAL HAS BEEN REFUSED.

RIGHTS OF APPEAL

If you are not satisfied with this refusal of planning permission, you may request a review within **three months** of the date on this notice. Please note that the right of appeal is to the Planning Local Review Committee of the Council and **not** to Scottish Ministers.

Before pursuing a review, you should consider contacting your case officer to discuss whether there are changes which could be made to the proposed development to make it acceptable. The case officer's contact details are on the letter accompanying this Decision Notice. Your case officer can also advise on how a fresh application could be submitted. Please note that if you do submit a fresh application within 12 months, you would be unlikely to have to pay a further planning fee.

Before contacting the case officer, you would be well advised to view the report on the application. It is available for inspection [online](#). The report explains how the decision was reached and should help you decide whether to proceed with further discussion or a review. If your application was granted subject to conditions, it may be clear from the terms of the report that any conditions which you might be concerned about are necessary.

A notice of review must be served on the Planning Local Review Committee by submitting online at <https://www.eplanning.scot/ePlanningClient/>

The notice of review must include a statement setting out your reasons for requiring the Planning Local Review Committee to review this case. You must state by what procedure (written representations, hearing session(s), inspection of application site) or combination of procedures you wish the review to be conducted. However, please note that the Planning Local Review Committee will decide on the review procedure to be followed.

You must also include with the notice of review a copy of this decision notice, the planning application form, the plans listed on the decision notice and any other documents forming part of the proposed development as determined. If you have a representative, you must give their name and address. Please state whether any notice or other correspondence should be sent to the representative instead of to you.