



**Neighbourhoods, Regeneration
and Sustainability**
Glasgow City Council
Exchange House
231 George Street
Glasgow, G1 1RX
www.glasgow.gov.uk

Item 4

10th December 2024

Executive Director
George Gillespie
BEng (Hons) CEng MICE

Bennett Developments And Consulting
Don Bennett
10 Park Court
Glasgow
G46 7PB

Our ref: DECISION
GCC Application Ref: **24/00531/FUL**

26 July 2024

Dear Sir/Madam

SITE: Site At Nitshill Road/ Corselet Road Glasgow

PROPOSAL: Part use of car park for siting of two steel container units for use as hot food takeaway (Sui generis) and ancillary storage, alterations to units include installation of flue extract (part retrospective).

I am obliged to inform you that a decision to refuse your application, **24/00531/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 **Lauren Springfield** on direct phone **0141 287 8487**, or email lauren.springfield@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 24/00531/FUL

Part use of car park for siting of two steel container units for use as hot food takeaway (Sui generis) and ancillary storage, alterations to units include installation of flue extract (part retrospective).

AT

Site At Nitshill Road/ Corselet Road Glasgow

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. For the reasons noted below, the proposed development is contrary to NPF4 Policy 1: Tackling the Climate and Nature Crises, Policy 2: Climate Mitigation and Adaptation, Policy 3: Biodiversity, Policy 4: Natural Places, Policy 7: Historic Assets and Places, Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings, Policy 12: Zero Waste, Policy 13: Sustainable Transport, Policy 14: Design, Quality and Place, Policy 23: Health and Safety, and Policy 27: City, Town, Local and Commercial Centres. It is also contrary to City Development Plan Policies CDP1 and SG1 Part 2: The Placemaking Principle, CDP2: Sustainable Spatial Strategy, CDP4 and SG4: Network of Centres, CDP5 and SG5: Resource Management, CDP6 and IPG6: Green Belt and Green Network, CDP7 and SG7: Natural Environment, CDP9 and SG9: Historic Environment, and CDP11 and SG11: Sustainable Transport.
03. The proposed development is contrary to NPF4 Policy 1: Tackling the Climate and Nature Crises, NPF4 Policy 2: Climate Mitigation and Adaptation as well as CDP5 and SG5: Resource Management of the City Development Plan (adopted 2017) in that the development does not demonstrate that it has been sited and designed to minimised lifecycle greenhouse gas emissions as far as possible. A Statement of Energy has not been submitted in support of the application and does not provide evidence that the proposal achieves the Gold Standard as required by CDP5 and SG5. The proposal therefore fails to demonstrate a commitment to

achieve the required energy efficient design, practice and technologies to make energy and CO2 savings for new development.

04. The proposed development is contrary to NPF4 Policy 3 (a) and (c), NPF4 Policy 4 (a) and (d) as well as CDP6 and IPG6, CDP7 and SG7 of the City Development Plan (adopted 2017) in that the development does not demonstrate that it will conserve, restore or enhance the existing biodiversity and habitat connectivity of the site and the area or that it will protect the designated nature sites within and adjacent to the site.
05. The proposed development is contrary to NPF4 Policy 7, NPF4 Policy 14, and CDP1 and SG1 Part 2: The Placemaking Principle of the City Development Plan (adopted 2017) in that the proposal uses inappropriate, poor quality building materials which would significantly detract from the character, special architectural or historic interest, and setting of the category B Darnley Mill Listed Building (LB33589) and the surrounding area.
06. The proposed development is contrary to NPF4 Policy 7 and CDP9 and SG9: Historic Environment of the City Development Plan (adopted 2017) in that the proposal, by virtue of its siting, detailed design and materials, would be significantly detrimental to the special architectural and historic interest of the category B Darnley Mill Listed Building (LB33589). The proposal would result in development within the listed building's curtilage that would crowd and obscure significant views of the principal elevations of the Listed Building and compromise the historical context of its position in the landscape and the built environment. The proposal does not relate to the main building in terms of materials or design and would therefore significantly detract from its character, special architectural or historic interest, and setting.
07. The proposed development is contrary to NPF4 Policy 12, NPF4 Policy 27, CDP1 and SG1 Part 2: The Placemaking Principle, and CDP4 and SG4: Network of Centres specifically Assessment Guideline 14: Waste Management and Disposal of the City Development Plan (adopted 2017) in that the proposal does not demonstrate to the satisfaction of the Council that waste storage, recycling and collection will be sufficiently managed on the site, and that it will not create public amenity (noise, visual, traffic, littering) issues for visitors and residential neighbours.
08. The proposed development is contrary to NPF4 Policy 13, and to CDP11 and SG11: Sustainable Transport of the City Development Plan (adopted 2017) in that the maximum vehicle parking standard is exceeded by 17 bays, and the minimum cycle parking standard is not met and does not demonstrate where, and what type of, safe, sheltered, and secure provision can be provided on site.
09. The proposed development is contrary to NPF4 Policy 23 and CDP1 of the City Development Plan (adopted 2017) in that the change of use to hot food takeaway in this location will directly result in an increase in vehicle trips to and from the site and will likely cause an increase in air, noise and light pollution in a principally residential area, and as such will negatively affect the existing public and residential amenity of the site and the surrounding area. No information has been submitted to demonstrate that the proposed development is seeking to mitigate these issues.
10. The proposed development is contrary to NPF4 Policy 27, CDP4 and SG4: Network of Centres of the City Development Plan (adopted 2017) as it does not meet the requirements of Assessment Guideline 12: Treatment and Disposal of Cooking/Heating Fumes in that the applicant has failed to demonstrate to the satisfaction of the Council that suitable arrangements for the dispersal of cooking/heating fumes are in place to the detriment of public and residential amenity.
11. The proposed development is contrary to NPF4 Policy 27, CDP4 and SG4: Network of Centres of the City Development Plan (adopted 2017) as it does not meet Assessment Guideline 13: Parking and Servicing Requirements in that the proposal does not comply with the parking standards associated with proposed food uses as required by SG11.

Drawings

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

1. LOCATION PLAN - AS PROPOSED CR/TM/1/1 REV A Received 29 April 2024
2. BLOCK PLAN - AS PROPOSED CR/TM/1/3 REV A Received 29 April 2024
3. BLOCK PLAN - AS PROPOSED CR/TM/1/4 REV A Received 29 April 2024
4. SITE PLAN - AS PROPOSED CR/TM/1/5 REV A Received 19 April 2024
5. FLOOR PLANS - AS PROPOSED CR/TM/2/2 Received 23 February 2024
6. ELEVATIONS AS PROPOSED CR/TM/3/2 Received 23 February 2024
7. ELEVATIONS AS PROPOSED CR/TM/3/3 Received 23 February 2024
8. ELEVATIONS AS PROPOSED - SECOND CONTAINER - STORAGE CR/TM/4/2 Received 23 February 2024

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



Dated: 26th July 2024

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.

ADVISORY NOTES TO APPLICANT

01. The applicant is advised that one further application, by the same applicant, for a development of the same character or description, and for the same part of that site (as this refusal) within 12 months of the date of this notice is exempt from planning fee charges.
02. Should, for any reason, the applicant be unclear about the reasons for the refusal of permission in this case, or if further information is desired concerning the reason for refusal, the applicant is requested to contact the planning authority to seek clarification.