



Glasgow City Council

Planning Local Review Committee

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

Item 1

9th of September 2025

Contact: Sam Taylor Ext: 78654

**25/00051/LOCAL – 252 Dumbarton Road Glasgow G11 6TU
Use of vacant retail unit (Class 1A) as restaurant (Class 3) and erection of
flue.**

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): 23

Citywide: N/A

Local member(s) advised: Yes o No o

consulted: Yes o No o

1 LOCATION AND DEVELOPMENT PLAN DESIGNATIONS AND PROPOSAL

Location

- 1.1 The proposal site is located on the northern side of Dumbarton Road, within a mid-terraced four-storey blonde sandstone tenement block. The ground floor of the block is a retail commercial use, with residential units in the upper floors. The last use of the unit was as a Superdrug.
- 1.2 The site is located within the Partick/Byres Road Major Town Centre, outside of the core retail area.
- 1.3 The site is located in an area of High Public Transport Accessibility.

Proposal

- 1.4 The proposal (25/00366/FUL) seeks consent for a change of use from a vacant retail unit (Class 1A) to a Class 3 restaurant Use with the erection of a 500mm extraction flue to the rear elevation.
- 1.5 The proposed opening hours of the restaurant are 10:00-23:00, Sunday to Thursday; and 08:00-00:00, Friday & Saturday.
- 1.6 The appellants appeal documents set out the methods of cooking/heating in detail along with the ventilation methods, detailed below. Cooking methods include deep fryers, griddles, ovens and wok cooking for stir frying and steaming.
- 1.7 Externally, changes proposed include the installation of an extraction flue to the rear of the property, terminating 1m above the eaves of the tenement and affixed by anti-vibration mountings. There are no proposed frontage alterations as part of the application. Internally, there are alterations to the property which include converting the back room into a preparation area/kitchen with cooking equipment and an extract duct for the flue vent, which will pass through a wall to the rear of the building. A refuse and recycling store with 2 exits is proposed.

2. DEVELOPMENT PLAN POLICIES

- 2.1 NPF4 was adopted by the Scottish Ministers on 13 February 2023 and is part of the statutory Development Plan. Where there is an area of incompatibility it is expected that the newest policy document will take precedence, which will be NPF4 for the time being.

In this case, the relevant policies from NPF4 are:

- Policy 1: Tackling the climate and nature crises
- Policy 12: Zero waste
- Policy 13: Sustainable transport
- Policy 14: Design, quality and place
- Policy 27: City, town, local and commercial centres

- 2.2 The relevant City Development Plan policies are:

- CDP1: The Placemaking Principle
- CDP4: Network of Centres
- CDP11: Sustainable Transport

- 2.3 The relevant Supplementary Guidance is:

- SG1: The Placemaking Principle (Parts 1 & 2)
- SG4: Network of Centres
- SG11: Sustainable Transport

- 2.4 Other relevant guidance is:

- Glasgow Central Conservation Area Appraisal 2012
- The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984
- Institution of Lighting Professionals, Professional Lighting Guide 2014

3 REASONS FOR REFUSAL

- 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 National Planning Framework 4 Policies 27 (adopted February 2023) and CDP4 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) in so far it would result in the unacceptable loss of Class 1A retail units with 33.3% of the units on the street block frontage and 31.9% of the units in the wider town centre being in non Class-1A use, without demonstrating that the shop is a long term vacant unit, which would erode the retail character of the Major Town Centre to the detriment of its vitality and viability.
03. The proposal is contrary to National Planning Framework 4 Policies 27 (adopted February 2023) and CDP4 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) in so

far as the proposed use would result in increased noise, activity and cooking fumes, to the detriment of residential amenity.

04. The proposal is contrary to CDP4: Network of Centres and its associated Supplementary Guidance of the Glasgow City Development Plan (adopted March 2017) is so far as no information has been provided in relation to proposed cooking/heating equipment and method(s) or the maintenance schedule of the proposed ventilation system.
05. The proposal is contrary to National Planning Framework 4 Policy 13: Sustainable transport and CDP11 and SG11: Sustainable Transport of the Glasgow City Development Plan (adopted March 2017) in so far as the proposal does not include any provision for cycle parking.

4 APPEAL STATEMENT

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

01. The proposal complies with NPF4 policies 1, 14, 27 and Glasgow City Development Plan policies CPD1, SG1, CPD4, and SG4.
02. The applicant disagrees with the officer's assessment regarding the loss of Class 1A units, citing their own survey that shows fewer non-Class 1A units than previously reported. The appellant cites 25% on the block while the report of handling cites 33.3%. Both agree there are 31.9% of non-Class 1A uses in the centre.
03. The proposed use complies with the principle of NPF4 and the strategic vision for Glasgow, as Class 3 uses are acceptable in Major Town Centres.
04. The applicant, an experienced restaurant operator, will address all requirements for ventilation and maintenance, as requested by the officer.
05. The proposal does not currently provide cycle parking but will offer two spaces to comply with requirements for the site's public transport accessibility.
06. The proposal would reduce vacancy levels, provide an active frontage, and enhance the vibrancy of the Town Centre.
07. The officer confirms the submitted floor plan indicates an internal waste storage area, and the supporting statement advises that waste will be uplifted from the street by an appointed contractor. The proposal does not detail the expected generated waste or how this will be segregated/recycled, as required by NPF4 Policy 12. However, this could be requested by condition.
08. Parking arrangements are acceptable due to the site's strong public transport links.

09. The applicant demonstrated that the unit would have been long-term vacant, harming the retail character of the Town Centre.
 10. The restaurant use will generate additional activity at different times of day, contributing to the overall health of the town centre. The officer confirms that the proposed operating hours are acceptable.
 11. The addition of a high-quality independent restaurant will contribute to the regeneration of Dumbarton Road, supporting the area's vitality
- 4.2 The applicant did not request any further procedure in the determination of the review.

5 REPRESENTATIONS AND CONSULTATIONS

- 5.1 There were two letters of representation received to the application. The points raised here included:
- There already many flues on this tenement and another was objected to.
 - The loss of a prime retail unit contravenes Assessment Guideline 5 of SG4.
 - The proposal is near to a tenemental block, which the consultee believes would contribute to a loss of amenity.
- 5.2 No letters of representation were received to this review.

6 COMMITTEE CONSIDERATIONS

- 6.1 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.
- 6.2. The following are relevant policy considerations:
- 6.3 **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 area has a high public transport accessibility and no cycle storage has been proposed for this site.

Committee should consider whether:

- the proposal will have a positive effect on the climate crisis?

- the climate crisis and climate mitigation have been sufficiently considered in this proposal?

6.4 **Vehicle and Cycle Parking**

NPF4 Policy 13 and CDP11/SG11: Sustainable Transport seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

SG11 provides the following detailed 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 development, to ensure cycling is encouraged through enhanced security provided by passive surveillance.
- b. 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.
- c. 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/Cafés:

Staff: 1 space per 10 staff

Customer: 1 space per 50sqm public floor area.

Committee should note that:

- The area has high public transport accessibility
- The unit has 256sqm of public floor area, therefore 5 spaces are required
- No cycle storage has been proposed for this site, contrary to policy.
- Existing cycle and car parking is nearby, which would be subject to existing controls.

Committee should consider whether:

- the lack of cycle parking provision is justified in this case?

Vehicle Parking

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

Maximum standard for Restaurants/Cafés:

High Accessibility: 2 spaces per 100sqm public floor area

Committee should note:

- No vehicle parking is proposed.
- The site is located within a High Public Transport Accessibility Area.

Committee should consider:

- whether no vehicle parking provision is acceptable for this area.

6.5 Treatment and Disposal of Cooking and Heating Fumes

SG4 Network of Centres: Assessment Guideline 12: Treatment and Disposal of Cooking/Heating Fumes

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- a. Proposals for a food and drink use will only be considered favourably if suitable arrangements for the dispersal of fumes can be provided, to the complete satisfaction of the Council. The following information will be required:
 - i. Plans to show all proposed cooking/heating equipment, with full details of the fume dispersal method. This information must be shown on both the Plan and Elevation drawings;
 - ii. Full specifications of the proposed ventilation system, including the design, size, location and finish;
 - iii. A full maintenance schedule of the ventilation system to ensure its continued effectiveness; and
 - iv. Prior to the installation of any system for the dispersal of cooking fumes or odours, a certificate from a member of the Building Engineering Services Association (BESA) shall be submitted confirming that the proposed fume/odour treatment method will operate to its fullest specification, when fitted at the application site. The requirement will be secured by a suspensive condition imposed on any relevant planning permission granted.
- b. Dispersal of cooking/heating fumes should be by an externally mounted flue, erected on the rear or side elevation to a height sufficient to disperse fumes above any nearby property.

Committee should note:

- The flue is proposed on the rear of the tenement building affixed with anti-vibration mountings. It is sited over 1m from residential windows
- In the public consultation an objection was held that the additional flue would represent an intensification of flues on the tenement.

Committee should consider whether:

- The ventilation system proposed in this case would be adequate and not negatively affect residential amenity?

6.6 Food, Drink and Entertainment use

NPF4 Policy 27 and CDP4/SG4: Food, Drink and Entertainment Uses

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.

Assessment Guideline 4: Proposed Non-Retail Uses within Major Town Centres

In assessing proposals for non-retail use within Major Town Centres the following criteria will be applied:

1. In all Major Town Centres (except Partick/Byres Road Retail Core Areas*):
 - a) If the proportion of ground floor Class 1 shop units is more than 70%** , an application for a change of use of ground floor units from Class 1 to non-Class 1 may be considered favourably where it can be demonstrated that the proposal will:
 - (i) *Contribute positively to the character and appearance of the Town Centre and provide an active frontage;*
 - (ii) *Not have an unacceptable effect on Town Centre or residential amenity; and*
 - (iii) *In the traditional shopping streets of Major Town Centres, result in not more than 30%** of the shop units within a street block frontage being in non-Class 1 use and not more than 3 adjacent non-Class 1 units within a street block. This provision does not apply to indoor mall shopping environments.*
 - b) *If the proportion of ground floor Class 1 shop units is less than 70%, further changes of use will not be supported unless it can be demonstrated that the proposal will satisfy a) above and will achieve at least one of the following:*
 - (i) *Deliver the re-use of long-term vacant units; and/or*
 - (ii) *Accord with relevant Spatial Supplementary Guidance.*
 - c) It will not be necessary to satisfy the criteria within Sections a) (iii) and b) where there is a long-term pattern of vacant units within an individual street block .

Committee should note:

- The property lies in Partick / Byres Road Major Town Centre, and is situated in the Partick Secondary Retail Area.
- There are 47.5% Class 1 shop units within the Centre as of June 2024 (47.5% are active and 4.2% are vacant), less than 70%.
- Regarding whether the proposal contributes positively to the character and appearance of the town centre, it is the case that this would create an active frontage, however 2 objections have been registered on amenity grounds; the loss of a retail unit and the addition of a flue vent. According to a retail survey from the 1st of August 2025 and the appellants statement, the proposed change of use would mean 83.3% of the units on the street

block frontage would be in non-retail use. With a bank, mortgage office, estate agents and 2 other non-retail uses to the west of the site, the addition would contribute to 6 adjacent non-class 1 units within a street block, contrary to policy.

- Plans do not indicate specific seating layouts or the number of covers to be expected so it is hard to quantify the intensity of use and therefore the amenity for the local area.
- There is not evidence of a pattern of long term vacancy within the street block in which the units are situated. The property itself is not long term vacant, marketing information has not been provided to demonstrate the units were advertised as retail use for 12 months.

Committee should consider:

- Whether they are satisfied the proposal contributes positively to the character and appearance of the town centre, and provides an active frontage.
- Whether the proposal would have an unacceptable effect on residential or town centre amenity.
- Whether a loss of retail within a major town centre would be acceptable, given the lack of long term vacancy, and the existing adjacency on non-retail uses within the street block.

6.7 Waste management

NPF4 Policy 12: Zero Waste and CDP1/SG1: The Placemaking Principle - Waste Storage, Recycling and Collection and SG4: Network of Centres

NPF4 Policy 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 provides the following detailed guidance:

All new developments must include appropriate and well-designed provision for waste storage, recycling and collection. All waste/recycling areas must be located discreetly, to have no adverse visual impact or cause traffic/noise

nuisance to neighbours. Applications must provide full details of the provision for waste storage, recycling and collection in the initial submission for planning permission.

SG4: Network of Centres - Assessment Guideline 14: Waste Management and Disposal

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:

- NPF4 and SG4 requires clarity on appropriate segregation, expected levels of waste generated and details of collection for both recycling and waste in a waste management plan.
 - There is an internal area marked for refuse on the floor plan. No further information is given regarding waste management, and no management plan has been provided.
- Committee should consider whether they are completely satisfied with the arrangements for waste management and recycling, despite the absence of a waste management plan.

6.8 Other design and amenity considerations

SG4 Assessment Guideline 10: Food Drink and Entertainment Uses – This states that 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. The hours of operation will be agreed, but shall not exceed 08:00 to 24:00 hours.

Committee should note:

- The proposed opening hours of the restaurant are: Sunday to Thursday: 10am – 11pm and Friday & Saturday: 10am – 12midnight

Committee should consider whether:

- Are the proposed hours of opening acceptable in this case?

7 COMMITTEE DECISION

7.2 The following are the relevant policy considerations:

7.1 The options available to the Committee are:

- a. Grant planning permission, with the same or different conditions from those listed below; or
- b. Refuse planning permission.

c. Continue the review to request further information.

- 7.2 *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.

8 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

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