



**Neighbourhoods, Regeneration
and Sustainability**

Glasgow City Council
Exchange House
231 George Street
Glasgow, G1 1RX
www.glasgow.gov.uk

Item 4

31st March 2026

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: **25/01626/FUL**

28 November 2025

Dear Sir/Madam

SITE: 44 Sinclair Drive Glasgow G42 9QE

PROPOSAL: Use of premises (Class 1A) as cafe/restaurant (Class 3) with frontage alterations.

I am obliged to inform you that a decision to refuse your application, **25/01626/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 **Eileen Dudziak** via email eileen.dudziak@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 25/01626/FUL

Use of premises (Class 1A) as cafe/restaurant (Class 3) with frontage alterations.

AT

44 Sinclair Drive Glasgow G42 9QE

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 Policies 12-Zero Waste, 14- Design, Quality and Place, 23- Health and safety and 27- City, Town, Local and Commercial Centres of the National Planning Framework 4 and also CDP and SG 1 - Placemaking, CDP and SG 4 Network of Centres of the Glasgow City Development Plan as specified below, and there is no overriding reason to depart therefrom.
03. The proposal is contrary to Policy 12-Zero Waste of NPF 4 and SG1, Part 2, specifically Waste Storage, Recycling & Collection, Designing New Development of the City Development Plan in that no details have been provided with regards how much waste is expected to be generated and what measures will be implemented in terms of waste separation and recycling.
04. The proposal is contrary to Policy 14: Design, Quality and Place and Policy 23- Health and Safety of the National Planning Framework 4 and to CDP/SG 1, part 2: Placemaking, CDP/SG 4: Network of Centres, Assessment Guidelines 10, 12 and 14 of the City Development Plan (adopted 2017) due to the failure to consider the negative impacts created by inadequate ventilation and due to inadequate information provided in connection with waste and recycling. This negative impact on the residential amenity of the flatted properties above the site would be harmful to the health and wellbeing of current and future residents.

05. The proposed development is contrary to NPF4 Policy 14, Policy 23, Policy 27, CDP1 and SG1 (Part 2), and CDP4 and SG4 in that the use of the property as a Class 3 business would result in a significant loss of residential amenity to the adjacent residential flats above the unit and adjacent to the unit through the effects of increased noise, activity and/or cooking fumes.
06. The proposed development is contrary to NPF4 Policy 27 and CDP4 and SG4 in that the use of the property as a Class 3 would result in an overconcentration of non-Class 1A food or drink uses within this street block, at 50% or two out of four units, and as such would negatively impact on the vitality and character of the Local Town Centre and undermine its primary retail function.

Drawings

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

1. Location Plan Received 16 July 2025
2. 33092/3 Proposed Plan and Elevation to Sinclair Street Received 16 July 2025
3. 33092/4 Proposed Elevation to Overdale Street Received 16 July 2025

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



Dated: 28th November 2025

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 downloading and completing the form available at <https://www.eplanning.scot/ePlanningClient/>. It should then be emailed, along with accompanying documents, to localreviewcommittee@glasgow.gov.uk.

In most cases a fee is applicable for a notice of review and details of the relevant fee can be found here: [Decision and Appeal – Glasgow City Council](#). The notice of review must include a statement setting out your reasons for requiring the Planning Local Review Committee to review this case. The statement and any other information that the applicant wishes to rely on for the Review must be submitted with the Notice of Review as this cannot be submitted at a later date. You must state by what procedure (written representations, hearing session(s) or 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.