



Executive Director
George Gillespie BEng (Hons) CEng MICE

**Neighbourhoods, Regeneration
and Sustainability**
Glasgow City Council
Exchange House
231 George Street
Glasgow G1 1RX

Item 4

31st January 2023

Stephen McQuiston
44 Lainshaw Avenue
Kilmarnock
KA1 4RZ

Our ref:
GCC Application Ref:

DECISION
21/03290/FUL

18 March 2022

Dear Sir/Madam

SITE: 160 Carmyle Avenue Glasgow G32 8EE

PROPOSAL: Use of bookmakers (Sui Generis) as hot food takeaway (Sui Generis) and erection of extract flue

I am obliged to inform you that a decision to refuse your application, **21/03290/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 **Suzanne Cusick** on direct phone **0141 287 7993**, or email **suzanne.cusick@drs.glasgow.gov.uk**, who will be happy to help you.

Yours faithfully

for Divisional Director of Planning, Housing and Building Standards

Encls.



PLANNING DECISION NOTICE

Full Planning Permission REFUSAL

IN RESPECT OF APPLICATION **21/03290/FUL**

Use of bookmakers (Sui Generis) as hot food takeaway (Sui Generis) and erection of extract flue

AT

160 Carmyle Avenue Glasgow G32 8EE

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 proposal is contrary to Policy CDP1 and CDP2 & SG1. The principle of introducing a Sui Generis Hot Food Takeaway and flue ventilation within a residential building immediately adjacent habitable windows would conflict with the amenity and wellbeing of the residents through adverse odours/fumes and noise disturbance issues and have a detrimental impact on the wider residential area. The proposal is contrary to the placemaking and sustainability principles of the policies.
03. The introduction of a Hot Food Takeaway (Sui Generis), a Bad Neighbour development, within a building containing residential properties would exceed the 20% policy maximum. The proposed change of use and installation of a flue ventilation system under and next to habitable windows would have significant detrimental impact on residential amenity through noise, odour and disturbance. The proposal is contradictory to policy CDP4 AG10
04. The street front location of the proposed waste/recycle facilities will adversely impact resident's amenity through noise, odour and is a negative visual blight on the wider area. The proposal is contrary to policy CDP4 AG14

Drawings

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

1. AKCA102 PROPOSED GROUND FLOOR LAYOUT Received 29 October 2021
2. AKCA105 EXISTING AND PROPOSED FRONT ELEVATION Received 29 October 2021
3. AKCA106 EXISTING AND PROPOSED SIDE ELEVATIONS Received 29 October 2021

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



Dated: 17th March 2022

**for Divisional Director of Planning, Housing and
Building Standards.**

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 electronically at <https://publicaccess.glasgow.gov.uk/online-applications/> or at Planning and Building Standards, 231 George Street, Glasgow G1 1RX, Monday to Thursday 9am to 5pm and Friday 9am to 4pm (excluding public holidays). 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 on Form LR01 obtainable from:-

**Planning Local Review Committee
Corporate Services
City Chambers
GLASGOW
G2 1DU**

Tel: 0141 287 4377, Fax: 0141 287 5332

Email: committee.services@glasgow.gov.uk

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.

