



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

Padrino Design
Dominic Notarangelo
The Wright Business Centre
1 Lonmay Road
Glasgow
Scotland
G33 4EL

Our ref: DECISION
GCC Application Ref: **22/00423/FUL**

23 May 2022

Dear Sir/Madam

SITE: 11 Downhill Street Glasgow G11 5QS

PROPOSAL: Use of unit (Class 1) as restaurant (Class 3) and installation of flue

I am obliged to inform you that a decision to refuse your application, **22/00423/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 **Karen Rattray** on direct phone **0141 287 6063**, or email **karen.rattray2@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 **22/00423/FUL**

Use of unit (Class 1) as restaurant (Class 3) and installation of flue

AT

11 Downhill Street Glasgow G11 5QS

AS SHOWN ON THE FOLLOWING SUBMITTED PLAN(S)

Reason(s) for decision

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.

01. For the reasons noted below, the proposed development is contrary to City Development Plan Policy CDP 4 Network of Centres and Supplementary Guidance SG 4 Network of Centres (Assessment Guideline 4: Proposed Non-Retail Uses within Major Town Centres).
02. The proposal would result in an unacceptable loss of a Class 1 retail unit in Partick/Byres Road Major Town Centre to the detriment of the retail character and retail function of the Town Centre.
03. The proposal does not demonstrate that the shop is a long term vacant unit which been appropriately marketed for a minimum of 12 months prior to the submission of the non-class 1 proposal and that the exercise has been unsuccessful in attracting Class 1 operators. Consequently, the proposal would fail to maintain the retail function of the Town Centre to the detriment of its vitality and viability.
04. The proposal would increase the proportion of non-Class 1 units in the street block from 43% to 57% and therefore would fail to maintain an appropriate balance and diversity of uses within the street block frontage and thereby detract from the vitality and viability of the Town Centre.
05. The consideration of the Planning Authority is that there is still a reasonable prospect of Class 1 use being resumed in the unit and an exception is not justified.

Drawings

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

1. 01 LOCATION PLAN Received 24 February 2022
2. 03 PLAN AND ELEVATION AS PROPOSED Received 24 February 2022

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



Dated: 23rd May 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.

