

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead, Regulatory and Regeneration****Planning Committee: 16 November 2022**

Subject: Planning appeal decision – coffee shop with drive-through, Morrisons car park, 36 Glasgow Road, Dumbarton

1. Purpose

- 1.1** The purpose of this report is to advise the Committee that an appeal relating to a Committee decision to refuse planning permission for a drive-through coffee shop on part of the Morrisons supermarket car park on Glasgow Road, Dumbarton has been dismissed.

2. Recommendations

- 2.1** It is recommended that the Committee note the outcome of the appeal.

3. Background

- 3.1** Planning application DC21/176/FUL for a drive-through coffee shop was refused at Planning Committee on 8 December 2021. The reasons for the refusal were that the proposed development was contrary to the development plan as it would have a detrimental impact on Dumbarton town centre, and as it did not prioritise active travel and would promote use of the private car.

4. Main Issues

- 4.1** The applicant submitted an appeal against the refusal of planning permission and a claim for award of expenses to the Scottish Government Directorate for Planning and Environmental Appeals. The Council's Planning Service responded to the appeal and claim for expenses.
- 4.2** The appeal decision was published on 1 November 2022. The Reporter dismissed the appeal and refused planning permission. In doing so, the Reporter considered the main issues to be the effects on: the network of centres in Dumbarton; traffic and transportation; the historic environment; residential amenity; design; and economic benefits.
- 4.3** With regards to the network of centres, the Reporter accepted that, given specific design requirements in relation to the drive-through layout, finding a suitable site in the town centre had not been possible in this case. However, the Reporter found there to be insufficient evidence to

demonstrate that the proposal would not undermine Dumbarton town centre, or that its function would complement other centres within the network of centres, specifically the town centre and Dumbarton East.

- 4.4 On traffic and transportation, the Reporter found that whilst adequate provision appears to have been made for pedestrians and cyclists, the development would not maximise the extent to which travel demands are met through walking, cycling and public transport.
- 4.5 The Reporter found that the proposed development would not affect the special interest or setting of the adjacent C-listed church and that impact on residential development could be adequately controlled by planning conditions. The design of the proposed building was found to be of a high quality and respecting its surroundings. The employment and economic benefits of the proposal were also recognised by the Reporter.
- 4.6 On balance, the Reporter found that the positive benefits of the proposal did not outweigh concerns relating to impact on the town and local centre.
- 4.7 The appellant's claim for expenses was also dismissed.

5. People Implications

- 5.1 There are no people implications associated with this report.

6. Financial and Procurement Implications

- 6.1 There are no financial or procurement issues associated with this report.

7. Risk Analysis

- 7.1 There are no risks associated with this report.

8. Equalities Impact Assessment (EIA)

- 8.1 There are no equalities issues associated with this report.

9. Consultation

- 9.1 Consultation was undertaken during the consideration of the planning application.

10. Strategic Assessment

- 10.1 The Council decision on this planning application is considered to have been consistent with the following strategic priorities:

- Our Environment - Greener Future strategic - with regard to supporting sustainable travel
- Our Economy – Strong and Flourishing – with regard to supporting local businesses.

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Date: 16 November 2022

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Appendices: None

Background Papers: Report to Planning Committee, 8 December, 2021 – DC21/176/FUL - Proposed coffee shop with drive-through facility etc at Morrisons Supermarket, 36 Glasgow Road, Dumbarton
Planning appeal decision - <https://www.dpea.scotland.gov.uk/Document.aspx?id=895680>

Wards Affected: Ward 3