

## **RES 1 - RESIDENTIAL DENSITY**

### **AIM**

To ensure that all new development provides an appropriate urban scale and townscape form in order to consolidate and/or enhance the traditional urban structure and create high quality, sustainable, new environments.

### **POLICY**

#### **General Principles**

The density of development will vary according to location, context and setting, the scale and massing of adjacent buildings, public transport accessibility and other relevant Plan policies (see policies DES 1: Development Design Principles, DES 2: Sustainable Design and Construction and TRANS 2: Development Locational Requirements). Variations in the prescribed density standards may be permitted for developments of exceptional urban design quality, provided that other City Plan standards are met.

#### **General Standards**

- A. Higher densities will, generally, be appropriate, however, in the:
- i). City Centre – where densities will be determined by design, heritage and townscape considerations and other relevant policies in the Plan (see policy RES 3: Residential Development in the City Centre).
  - ii). Inner Urban Area – where, depending on the level of accessibility to public transport, density may vary from a minimum of 30 dwellings per hectare (DPH) to a maximum of 100 DPH in base accessibility locations, whilst higher densities will be expected in high accessibility locations and should be justified against the General Principles outlined above. Account will also be taken of the capacity of the transport systems to accommodate increased use.
  - iii). Outer Urban Area - Higher densities (75+) may also be considered in more limited circumstances for specific sites within High Accessibility Outer Urban Areas which form the frontage (including appropriate adjoining blocks) to main public transport routes and/or are located at key gateway or nodal points; and are clearly justifiable in terms of design quality and other relevant policies in the Plan.
- B. Lower densities will, generally, be appropriate, however, in the Outer Urban Area, where:
- i). Sites with base accessibility may be developed to a maximum of 50 DPH.
  - ii). Sites with high accessibility may be developed within a range of 20-75 DPH (see also A(iii) above).
  - iii). Sites with a net developable area greater than 1.5 hectares and less than 5.0 hectares should be developed with a mix of house types. The majority of the site area should be non-flatted and the overall density should not exceed 50 DPH, regardless of accessibility.

#### **Large Sites and Areas of Significant Change**

On sites of 5+ hectares, and in other areas of significant change (e.g. New Neighbourhoods, Community Growth Areas and Glasgow Housing Association (GHA) Regeneration Areas), the density of development will be detailed in guidance provided in a local development strategy, masterplan, etc., for the area. Account will also require to be taken of measures to provide/enhance public transport provision, where appropriate.

#### **Infill Development**

Development of infill sites (see definition) will be assessed on merit. Higher densities will generally be permitted in areas of high accessibility to public transport. Particular regard should be given, however, to townscape considerations.

Note 1 The boundaries of the City Centre and Inner/Outer Urban Areas are shown on the Public Transport Accessibility Map in development guide DG/TRANS 3: Public Transport Accessibility Zones.

Note 2 This policy should be read in conjunction with policy TRANS 2: Development Locational Requirements.

## **DEFINITIONS**

**NET DEVELOPABLE AREA:** Net developable area excludes main roads, buffer zones, structural landscaping, other uses such as local shops, school sites where required, and general open space (including important topographical features to be retained, areas for football, mini parks, etc.) and, wherever possible, features of natural heritage interest.

Net developable area includes local access roads, parking areas, footpaths and local open space such as children's play areas and amenity space.

**INFILL SITE:** A gap in a tenement frontage (whether it is in the middle or at the end) that is equivalent to an area no larger than that occupied by two tenement buildings and backcourts in that frontage.

## **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to secure appropriate residential development in the right places, having regard to the principles of sustainability, and reflects guidance contained in Scottish Planning Policy (SPP) 3: Planning for Housing (see Part 2, PEOPLE, Residential Environments and Design, paragraph 3.56 and TRANSPORT, Transport Assessments/Travel Plans/Developer Contributions/Locational Policy, paragraph 6.58).

The urban form of the City is complex and contains a variety of house types largely, but not exclusively, divided between high density tenements and flats in the City Centre and Inner Urban Area, and lower density housing in the Outer Urban Area. In parts of the Outer Urban Area, in particular the City's former peripheral estates (Castlemilk, Drumchapel, Easterhouse and Pollok), some areas of high density developments still remain. Housing renewal programmes in these four areas are generally lowering density levels and this will continue to be encouraged.

## **RES 2 - RESIDENTIAL LAYOUTS**

### **AIM**

To provide high quality residential environments that minimise environmental impacts and create neighbourhoods and buildings that are attractive to live in.

### **POLICY**

All new developments should meet the requirements of policies DES 1: Development Design Principles and DES 2: Sustainable Design and Construction.

Proposals to erect dwellings should also take account of the following.

### **GENERAL STANDARDS**

All residential layouts should:

- take account of the space and design requirements of the required SUDS scheme (see policy ENV 4: Sustainable Drainage Systems (SUDS));
- make provision for refuse and recycling storage areas (see FURTHER GUIDANCE);
- wherever possible, retain all significant trees on sites, unless removal is necessary, e.g. for good arboricultural reasons (see development guide DG/ENV 3 – Trees and Woodlands); and
- have roads designed to the standards of Planning Advice Note (PAN) 76: New Residential Streets.

All homes should:

- have large areas of clear glazing and, wherever possible, orientate with main rooms facing south/west, in order to minimise energy use.
- have no adverse impact on existing or proposed neighbours, in terms of overlooking, loss of privacy, daylight, or sunlight (see Note 1).
- not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts.

### **ADDITIONAL STANDARDS FOR DWELLING HOUSES**

Houses should provide:

- usable private garden space (see Definition) large enough to serve various domestic functions (see Note 2);
- garages and/or driveways sufficient for household needs
  - Garage sizes should allow for storage of garden equipment and bicycles, as well as a car.
  - If no garage is provided, then space should ideally be available on one side of the house for the development of a garage (or modest extension); and
- privacy for their residents
  - The distance between habitable rooms (see Definition and Note 3) and public/common footpaths should be such as to ensure privacy and allow for off-street parking in front of garage.

### **ADDITIONAL STANDARDS FOR FLATTED DEVELOPMENTS**

Communal Private Garden Space

Flatted developments should:

- provide usable communal private garden spaces as "backcourts". This is in addition to the requirements of policy ENV 2: Open Space and Public Realm Provision. Where a site limits, or makes impractical, the provision of private garden space, then developers will be expected to:
  - provide creative alternative solutions (e.g. shared roof garden, usable balconies); and
  - bring forward mitigation measures to improve internal amenity (e.g. more generous room sizes).
- make outside provision for clothes drying, in areas screened from public view and not subject to excessive overshadowing.

## Privacy and Aspect

- Ideally all flats should have dual aspect (where single aspect is proposed developers will require to show that the amenity enjoyed by the flats is similar, if not better than that of dual aspect flats in a similar location).
- Privacy is also important to the rear of flats, where ambient noise levels are lower. Habitable rooms, therefore, should not abut public/common footpaths, parking areas or waste/recycling storage (this could be secured e.g. by the formation of private garden space between habitable rooms and any such use).
- Flatted development, built on existing street frontages, should maintain established building lines and window patterns, with the new development directly abutting the pavement with full depth windows. Where there is no established building line, development should be set back from the pavement.

Note 1 Policy DES 1: Development Design Principles provides information on how sunlight/daylight issues will be assessed. There is also a need to recognise the potentially increased impact of flatted development on sunlight/daylight issues and to take account of the fact that the area behind flatted blocks will often be required to accommodate off-street parking as well as garden space. To this end, it is expected that the spaces between development (measured from the nearest point of the rear elevation of the development to the nearest boundary) will increase with size/scale e.g. as a general indication this could be from around 9m for a 2-storey development (with development above 5-storeys being judged on their merits but unlikely to be less than 15m).

Note 2 As a general indication, in relation to usable garden space, mid-terraced housing might be expected to deliver around 50 sqm; end-terraced or semi-detached 80 sqm; and detached 120 sqm or 1.5 times the footprint area (whichever is greater).

Note 3 As a general indication, windows of habitable rooms, if not suitably screened, should, when directly facing windows in other buildings, be an appropriate distance apart in order to provide an adequate level of privacy (see policies DES 1: Development Design Principles (Layout and Materials) RES 5: Conversion and Subdivision to Residential Use (General Standards) and development guide DG/RES 1: Alterations to Dwellings and Gardens (4. Privacy and Overlooking)).

## DEFINITIONS

**HABITABLE ROOMS** - All rooms other than halls, landings, bathrooms, toilets and small utility rooms.

**SIGNIFICANT TREES** - all trees with a diameter at breast height (dbh) of greater than 75mm.

**USABLE PRIVATE GARDEN SPACE** – Land, under the exclusive control of the applicant, including decking, that has been adequately screened, usually to the rear and side of the property, but excludes the driveway, garage and any parking space.

## POLICY JUSTIFICATION

This policy supports the Plan's Development Strategy to provide attractive environments with a high level of residential amenity and which minimise environmental impact (see Part 2, PEOPLE, Residential Environments and Design, paragraph 3.56). The policy also conforms to 'A Policy Statement for Scotland: Designing Places', Scottish Planning Policy 3: Planning for Housing, National Planning Policy Guideline 14: Natural Heritage, PAN 67: Housing Quality, PAN 76: New Residential Streets and PAN 77: Designing Safer Places. These all emphasise the importance of providing quality environments through the good design of houses, spaces, roads, landscaping and supporting infrastructure.

## FURTHER GUIDANCE

For parking standards, see policies TRANS 4: Vehicle Parking Standards and TRANS 6: Cycle Parking Standards.

## **RES 3 - RESIDENTIAL DEVELOPMENT IN THE CITY CENTRE**

### **AIM**

To ensure that the amenity of new residential development in the City Centre is of good quality in relation to its location and surrounding uses.

### **POLICY**

New housing developments will continue to be encouraged in areas covered by the Development Policy Principle (DPP) designation DEV 2: Residential and Supporting Uses (see City Centre DPP Map), as well as areas that have an increasing residential presence, specifically the Merchant City and St Enoch, subject to meeting the criteria set out below.

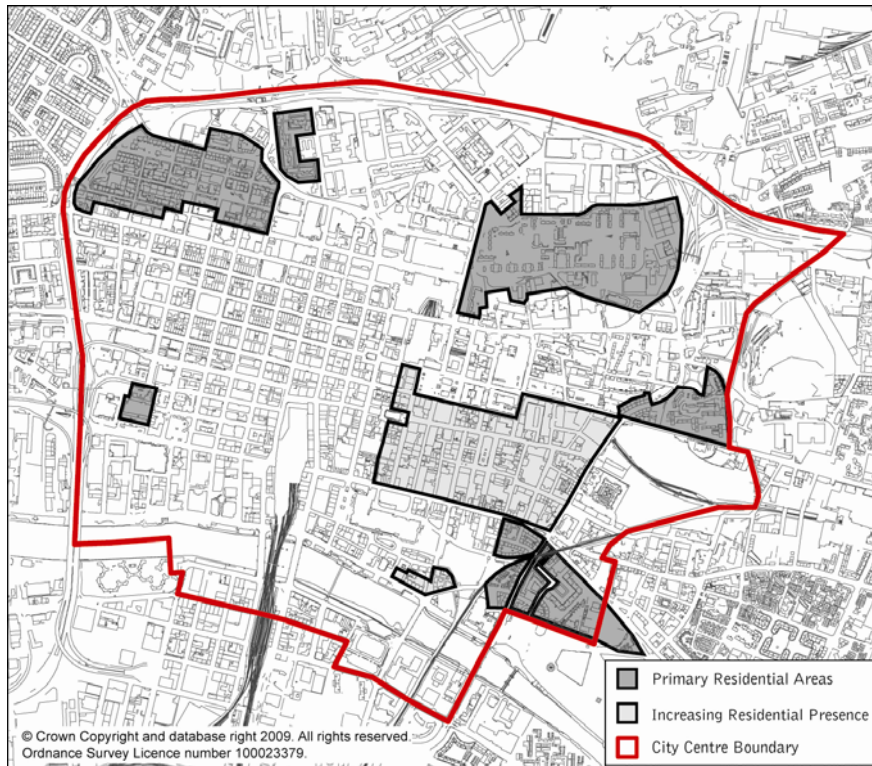
In non residential areas in the City Centre, residential development, including the use of vacant upper floor accommodation, may be acceptable, subject to the achievement of an acceptable standard of residential amenity (see also policy RES 7: Car Free Housing).

### **GENERAL STANDARDS**

All new residential developments in the City Centre, whether new build or conversions, should meet the requirements of policies DES 1: Development Design Principles, DES 2: Sustainable Design and Construction and RES 1: Residential Density, as well as meeting all of the following criteria:

- Townscape considerations will demand developments of medium to high density which should be reflected in a suitable urban scale. Family accommodation is encouraged in appropriate locations.
- Good outlooks or views should be provided wherever possible from habitable rooms. Design solutions should ideally provide for dual aspect accommodation. Proposals will be assessed in relation to individual circumstances, taking account of the adaptability of the building (if a conversion), the size of the flats and the general amenity.
- Where possible, open space should be incorporated into development (see policy ENV 2: Open Space and Public Realm Provision). Where this is not possible, priority should be given to increasing the internal amenity of flats to compensate for lack of external open space. This should include increased internal space standards and where feasible and appropriate, the provision of balconies or roof gardens.
- The level of parking should not prejudice the design or integrity of housing development in the City Centre. If parking is required, the preferred location is off-street within the curtilage of the development and if possible, within basement parking areas. Alternatively, parking could be provided within a multi storey car park by formal agreement with the operator. Parking should be an integral part of the design (see policy TRANS 4: Vehicle Parking Standards).
- Reduction in noise can be attained by means of locating habitable rooms away from street frontages, although care should be taken to ensure that developments do not present a 'blank' frontage. Developments should be designed to achieve the maximum possible daylight penetration particularly in relation to habitable rooms, taking into account the privacy and prospect of the development. Care should be taken in relation to ground floor accommodation and the avoidance of overlooking of habitable rooms.
- To improve the convenience and attractiveness of the development, the provision of common drying, storage and refuse/recycling facilities will be required (see policy DES 12: Provision of Waste and Recycling Space). Although kitchens are usually fitted with tumble dryers, if the development is large enough consideration should also be given to other facilities such as a communal laundry/drying room. Common storage facilities, at ground floor level, will be required for cycles (see policy TRANS 6: Cycle Parking Standards).
- The City Centre has been designated an Air Quality Management Area in response to high levels of nitrogen dioxide from vehicle emissions. For developments within the declared City Centre Air Quality Management Area, the Council will look for clear evidence that the development has taken account of air quality issues (see policy TRANS 9: Air Quality).

Note The Council strongly recommends that a scheme for the management, repair and maintenance of the building by a designated factoring agency should be established as part of the proposals for any residential development (new build or conversion).



*City Centre Housing Areas*

## **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to protect amenity and encourage new residential development in the City Centre (see Part 2, CITY CENTRE, Protecting Amenity and Encouraging New Residential Development, paragraphs 7.10 – 7.12) and complies with Planning Advice Note (PAN) 56: Planning and Noise and PAN 67: Housing Quality. All housing developments in the City Centre must achieve high standards of design and use of materials which respect the existing townscape and local identity and provide attractive and innovative accommodation.

Apart from long established residential communities, there is also a continuing and strong desire to live in the City Centre. This aspiration for City Centre living is based on convenient access to strategic business, shopping, and cultural facilities, and a range of development opportunities within the context of a high quality environment. Supporting such a mix of housing developments will add to the life and vitality of the City Centre as a whole.

This has resulted in areas which, over the last twenty years, have established an emerging residential character, particularly in the Merchant City and parts of the St Enoch area. While such areas will be accorded a level of amenity protection which will make residential use acceptable, they include other uses which make it impossible to achieve the same level of amenity as the Primary Residential Areas (Anderston, Garnethill, Glasgow Cross, Ladywell/High Street, St Andrews Square, Townhead and West Cowcaddens).

Other parts of the City Centre may provide individual opportunities either for new housing development or conversion to the upper floors of buildings.

## **FURTHER GUIDANCE**

See development guide DG/DES 5: Development and Design Guidance for the City Centre.

## **RES 4 - BARRIER FREE HOMES**

### **AIM**

To provide a range of housing suitable, or readily adaptable, for mobility impaired residents, within both the private as well as the public new build sector.

### **POLICY**

The Council already requires a proportion of new social rented homes to meet the full wheelchair standard. This currently equates to around 7% of new social housing construction in the City.

The Council will now expect all housing providers to provide dwellings suitable or readily adaptable for mobility impaired residents, as follows.

All proposals for new build housing should:

- set out in their Design and Access Statement (see policy DES 1: Development Design Principles) how the needs of potential wheelchair users have been addressed; and
- provide homes, both houses and flats, to wheelchair standard, or readily adaptable to meet the standard, to the following level:
  - 19 dwellings and under: no provision required, although the developer is encouraged to make some provision.
  - 20 dwellings and over: 10% (rounding down) e.g. 30-39 dwellings - 3 properties

The adapted homes should:

- be integrated within the development both in locational and design terms; and
- be located as close as possible to routes to local amenities and public transport.

A lower proportion of wheelchair units may be negotiated where they are to be fully fitted out and marketed as such.

### **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to provide for the City's varied housing needs, including housing for the disabled (see Part 2, PEOPLE, Accessibility in Housing, paragraphs 3.59 and 3.60).

Scottish Planning Policy (SPP) 3: Planning for Housing encourages a range of housing types, providing for the needs of all in the community, including homes for people with special housing needs. Also, under the Disability Discrimination Act 2005, the Council has a duty, in carrying out its functions, to have due regard to the need to promote equality of opportunity for disabled persons.

There is evidence, from the Scottish Household Survey (1999-2004) and the Scottish House Condition Survey (SHCS) 2002, of a significant number of wheelchair users, and a far larger number with limited mobility, matched to a shortage of suitable homes. New housing development in all tenures should, therefore, aim both to provide a good level of accessibility across the whole stock, and to provide an appropriate proportion of homes in all new developments which are suitable for wheelchair users. The provision of wheelchair accessible units should provide a substantial margin above actual requirements, to allow for the fact that many of these units will not in fact be occupied by a household with a member who uses a wheelchair. Because the existing housing stock contains very few wheelchair accessible units, and a high proportion is unsuitable for adaptation at reasonable cost, most need must be met from new houses. Over the next decade, new housing supply is likely to amount to around 10%-15% of the existing stock. An appropriate provision in the whole stock, therefore, can only be reached through a higher rate of provision in the new stock.

## **FURTHER GUIDANCE**

The wheelchair standard is set out in the Housing for Varying Needs Design Guide, Part 1, <http://www.archive2.official-documents.co.uk/document/deps/cs/HousingOutput/start.htm>.

The requirements for readily adaptable to wheelchair standards are set out in development guide DG/RES 2: Barrier Free Homes.

## **RES 5 - CONVERSION AND SUBDIVISION TO RESIDENTIAL USE**

### **AIM**

To ensure that conversions and subdivisions result in good quality accommodation with the same facilities and level of residential amenity as new housing.

### **POLICY**

#### **GENERAL STANDARDS**

Proposals for conversions and subdivisions should comply with the following general standards.

- All dwellings should, ideally, have dual aspect (proposed flats with their sole aspect into a parking court or shared rear area will generally be unacceptable). An exception may be made, however, within a listed building, where the applicant can clearly demonstrate that the conversion/subdivision costs are so excessive as to necessitate a more intensive subdivision.
- All habitable rooms (see Definition) should receive natural daylight and ventilation in order to minimise energy use. No residential accommodation should be formed solely in basement cellars or under-buildings.
- A minimum of 18 metres should be provided between habitable room windows directly facing windows in buildings on adjacent sites, wherever possible. Where the adjacent site is vacant, no new habitable room windows should be formed on an elevation less than 9 metres from the common boundary.
- Access to upper floors should be provided internally. External stairs should not be visible from any public area, as they detract from the visual amenity of buildings and the surrounding streetscene.
- There should be internal access from each dwelling to both the front and rear of the building, to enable occupants to reach refuse/recycling facilities and private amenity space (an exception may be made in properties where a path is provided around the side of the building)(see policy DES 12: Provision of Waste and Recycling Space).
- Parking provision should accord with policies TRANS 4: Vehicle Parking Standards and TRANS 6: Cycle Parking Standards.

In some situations, grounds attached to the building will be feued separately, to provide a private garden for each flat.

- Where this is not proposed, the developer should provide useable communal private garden space for residents; a shared "backcourt" or "backcourts". These areas should be screened from public view and secured from public access. To minimise energy use, provision in these areas should also be made for clothes poles, to allow outside clothes drying.
- Provision of garden space, refuse/recycling space, etc should not result in the removal of trees, important to the amenity of the area. On sites with mature trees, a tree survey should be submitted with the application to allow assessment of any likely impacts (see policy ENV 8: Trees, Woodlands and Hedgerows and development guide DG/ENV 3: Trees and Woodlands).

Where the building and/or the site makes the provision of private garden space difficult, developers should look at the possibility of creative alternative solutions, such as shared roof gardens or private terraces or balconies for flats. Where little external common garden space is being provided, developers will be expected to bring forward mitigation measures to improve internal amenity, such as larger flats, more generous room sizes and the maximisation of window sizes in all habitable rooms.

#### **SUBDIVISION OF FLATS**

Maisonettes (see Definition)

The City still has many exceptionally large flats in terraces and tenements, usually in the form of maisonettes. Applications to subdivide a maisonette into 2 self-contained flats should meet the general standards set out above.

## Single Floor Flats

As well as permanently removing larger units from the housing stock, the sub-division of flats within tenements and terraces places increased pressure on parking and communal facilities, such as refuse disposal and private amenity space. This is to the detriment of the residential amenity of neighbours and the surrounding area.

Proposals for the sub-division of single floor flats will only be acceptable where applicants can demonstrate one or more of the following:

- The proposal forms part of a comprehensive refurbishment of the entire building or group of buildings.
- The property has been actively marketed as a single self-contained flat, without successful sale (applicants will be expected to provide evidence that the flat has been marketed in the Glasgow Solicitors' Property Guide, or an estate agent's list, for at least 6 months, and to provide copies to the Council of any offers received in that period).
- The repair/refurbishment costs for the flat are so great as to necessitate the intensification of residential use (applicants will be asked to submit details of the costs of refurbishment).

## LOCAL AREA POLICIES

### CONSERVATION AREAS

Strathbungo Conservation Area: With many of the terraced properties converted into flats, problems of parking congestion and pressure on refuse disposal have increased. To prevent a worsening of this situation, the subdivision of terraced houses in Queen Square, Marywood Square and Regent Park Square will be restricted to two self-contained units per original house.

The unique character of the Category 'A' listed 1-10 Moray Place, allied to the modest size of the Moray Place terraces mitigates against any subdivision. As a result:

- the subdivision of 1-10 Moray Place and the Category 'B' listed terrace at 12-16 Moray Place will not be supported;
- no further subdivision of properties, which have already been divided into self contained dwellings, will be supported; and
- no parking space should be formed in the rear garden of properties (unless there are exceptional circumstances – e.g. the need for disabled access), in order to preserve the use for garden purposes and refuse/recycling storage.

Millbrae Conservation Area: There is a need to protect the amenity of this popular family housing area. Parking and access problems, for example, have already necessitated the introduction of traffic management measures in this area. The subdivision of terraced properties at 5-25 and 2-16 Ailsa Drive and 1,3,19 and 2-46 Millbrae Crescent, therefore, will not be supported.

In addition, no further subdivision will be supported of properties which have already been divided into self contained dwellings.

Park Conservation Area: This former residential area was, until recently, almost totally converted to office use with many of the former rear gardens converted to private car parks, open to the rear lanes. There is now, however, a steady conversion of office premises back to residential use, with conversion into flats. This outstanding conservation area contains terraces which are mainly A or B listed, often with interiors of exceptional quality.

The Council will expect proposals to make minimal disruption to the internal fabric with restoration of the interiors, wherever possible. Applicants will also be required to address the improvement of the townscape of the rear lanes, with solid boundaries reinstated and limited parking in the rear garden areas.

The importance of the conservation aspects, and the physical limitations imposed by the quality of interiors, mitigates against intensive subdivisions of buildings within the Park Conservation Area and the Council will encourage a limitation to the following number of flats:

- a maximum of 2 dwellings in a 4-storey terraced property; and
- a maximum of 3 dwellings in a 5 storey, or more, terraced property.

Where applicants wish to form parking spaces for the flats, this should not cover more than 50% of the former garden area and a boundary and gate to the rear lane should be reinstated.

Glasgow West Conservation Area: This area is characterised by Victorian terraces, among other building types, many of which were subdivided over the last thirty years into self contained small flats, one or more on each floor of the property. The area is one of the City's most popular residential areas with both families and other groups, due to its provision of employment, excellent public transport, schools, parks and range of shopping and leisure uses. As car ownership has risen, however, the West End has experienced problems of traffic and parking congestion.

To attempt to address these problems and provide a greater range of dwelling size, the Council will not support proposals which:

- subdivide 3 storey terraced property (or any terraced property in Westbourne Gardens, Kingsborough Gardens and Kirklee Terrace);
- exceed a maximum of 2 dwellings in a 4 storey terraced property;
- exceed a maximum of 3 dwellings in terraced properties of 5, or more, storeys;
- seek to form parking space(s) in the rear of terraced properties (in order to preserve the use for garden purposes and refuse/recycling storage); or
- subdivide, further, properties which have already been divided into self contained dwellings.

It will be the responsibility of the developer to demonstrate where a scheme may not be viable on economic grounds, to the complete satisfaction of the Council.

## LISTED BUILDINGS AND CONSERVATION AREAS

Proposals to subdivide listed buildings and/or buildings in conservation areas will also have to meet the standards set out in policy DES 3: Protecting and Enhancing the City's Historic Environment (supplemented by development guide DG/DES 3 – Design Guidance for Listed Buildings and Properties in Conservation Areas).

Note: Residents of all new subdivisions or conversions within Controlled Parking Zones (see Map in policy RES 7: Car Free Housing) will be excluded from obtaining Residents' Parking Permits.

## DEFINITION

**HABITABLE ROOMS** - All rooms apart from halls, landings, bathrooms and small utility rooms.

**MAISONETTE** – a dwelling on more than one storey, forming part of a building from some other part of which it is divided horizontally (Source: The Building (Scotland) Regulations 2004).

## POLICY JUSTIFICATION

This policy supports the Plan's Development Strategy to protect residential amenity and to ensure such development meets high standards of design (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62).

As well as subdivision of residential buildings, some of the new housing stock across the City is increasingly provided by the conversion of non-residential properties, such as churches and warehouses.

## **RES 6 - RESIDENTIAL DEVELOPMENT IN LANES AND GARDENS**

### **AIM**

To ensure that development in lanes and gardens does not result in overdevelopment and that residential amenity for existing and future residents is of a high quality.

### **POLICY**

The Council will not support residential development of any part of a residential backcourt (see Definition) for new housing.

Proposals for both conversion and new build in lanes and gardens will be considered against the following criteria:

#### **1. RESIDENTIAL DEVELOPMENT IN LANES**

Proposals for residential development will require to meet all of the following criteria:

- the established building lines of the lane (see Definition) should be respected;
- access along the lane for residents, refuse lorries and emergency vehicles should not be adversely affected;
- private garden space for clothes drying and sitting out must be provided;
- existing boundary walls with the adjoining backcourt/garden should be retained and repaired with any gaps rebuilt to match;
- the scale and massing should be in the style of mews housing, up to a maximum height of 2-storeys, or 2-storeys with dormers in lanes with no mews houses;
- high quality design and materials require to be used;
- existing formal parking provision for residents of adjacent buildings, which is removed as a result of the development, must be replaced; and
- potential issues of noise and air pollution that could arise in developments between tall tenement blocks should be avoided.

#### **2. RESIDENTIAL DEVELOPMENT IN GARDENS**

The City contains many detached and semi-detached houses with generous gardens to the side and/or rear of the properties. Development of part of these gardens for additional dwellings, however, can often result in over-development of the site, to the detriment of the residential amenity of both the existing and the new properties.

Proposals for residential development will require to meet all the following criteria:

- the new plot(s) being created should comply with the average residential plot size of similar dwellings in the surrounding area;
- the development should match the scale and massing of adjacent residential property;
- the development must have a frontage on to a public street; and
- all other relevant standards should be met.

#### **Conservation Areas**

Many of these areas have a spacious, leafy character with houses sitting in generous plots. The subdivision of a garden will often result in housing plots much smaller than those in the surrounding area. This over-intensive development of plots is likely to detract from the visual appearance of the conservation area.

- Development in side and rear gardens will not be supported unless the proposal complies with the criteria set out in 1. and 2. above.
- All properties, resulting from the splitting of the feu, should have gardens in scale with the established pattern in the area.

### 3. ADDITIONAL LOCAL AREA POLICY

#### Park Conservation Area

The construction of new mews houses in lanes in this area could adversely affect the residential amenity of the flats in the main buildings, e.g., by restricting daylight to the lower floors of the main building, presenting an outlook to the residents of a nearly blank rear wall or, when proposed as part of the subdivision of the main building, restricting their amenity space to a very small rear yard.

New mews houses are only likely to be acceptable if historical O.S. maps show a mews house on the site originally, or if the proposal is for a site between original mews buildings. The conversion of existing mews properties to residential use, however, is encouraged, and any alterations should also comply with the following criteria.

New mews houses should meet all the following criteria:

- the scale and massing should match the original standard for the lane, with ridge and eaves height to match;
- houses should have pitched roofs, clad in slate, with gable ends;
- elevations facing on to the lane, and on to the main property, should both be finished in stone, with all windows having a vertical emphasis and being framed in timber; and
- any windows proposed in the roof to be conservation style rooflights only.

#### LISTED BUILDINGS AND CONSERVATION AREAS

Proposals for residential development in lanes and gardens within conservation areas or affecting listed buildings will also have to meet the standards set out in policy DES 3: Protecting and Enhancing the City's Historic Environment (supplemented by development guide DG/DES 3: Design Guidance for Listed Buildings and Properties in Conservation Areas).

Note: Residents of all new housing developments will be excluded from obtaining residents' parking permits

#### **DEFINITIONS**

**BACKCOURT** - The communal private garden of flats, typically including bin storage for domestic waste.

**LANE** - A narrow street, usually located at the rear of properties. A lane can adjoin boundary walls, rear gardens, hedges or fences on both or one side, or provide access to backcourts and gardens.

#### **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to ensure sites are not overdeveloped and that residential amenity for existing and future residents is of a high quality (see Part 2, PEOPLE, Residential Environments and Design, paragraph 3.56) and reflects guidance contained in Scottish Planning Policy 3: Planning for Housing and Planning Advice Note 71: Conservation Area Management.

#### **FURTHER GUIDANCE**

For parking standards, see policies TRANS 4: Vehicle Parking Standards and TRANS 6: Cycle Parking Standards.

## **RES 7 - CAR FREE HOUSING**

### **AIM**

To provide a range of residential accommodation, while minimising traffic generation and enabling space which would otherwise be used to park cars to be used for other purposes.

### **POLICY**

The Council supports the development of car free housing on suitable sites. Proposals for car free housing will be considered against the following criteria.

### **SITE CRITERIA**

The Council will only be able to control parking in the surrounding area when developments are located within existing restricted or controlled parking zones (see Controlled Parking Zones Map). In order for the policy to apply, developments that are to be car free must therefore be located within one of these areas.

Sites must also have:

- high frequency public transport within walking distance (300 metres) (see development guide DG/TRANS 3: Public Transport Accessibility Zones and associated Public Transport Accessibility Map);
- convenient and safe access to local shops and facilities (400 metres); and
- capacity for 20 dwellings or more.

### **PARKING/SERVICING PROVISION**

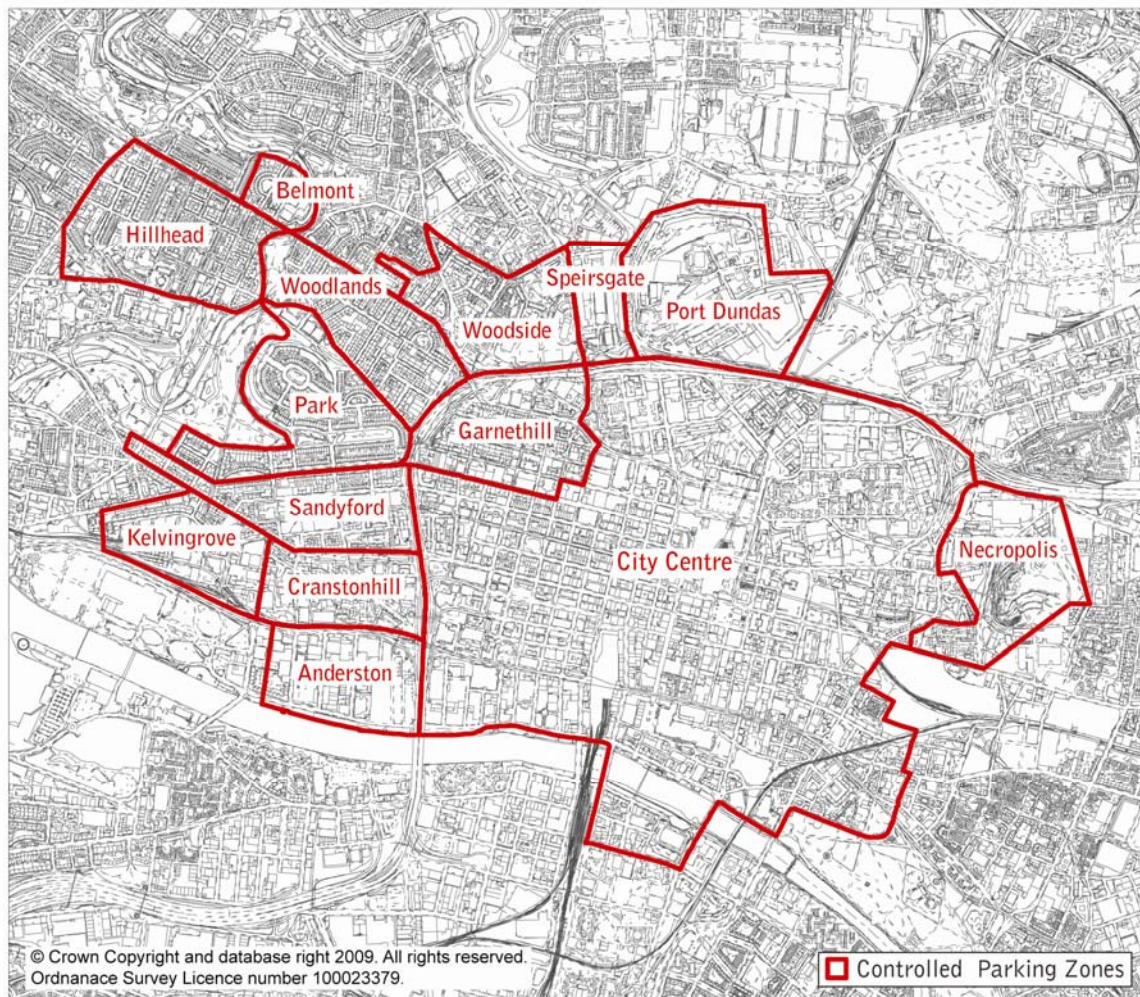
- No parking should be provided within the site for residents, except for limited parking at the site edge for car sharing scheme use (see policy TRANS 4: Vehicle Parking Standards).
- A servicing bay, large enough for a delivery lorry, should be provided at the site edge.
- Entry into the site, if required for bin lorries, emergency vehicles, etc., should be by means of an access with a control gate.
- Cycle storage should be provided at a rate of at least one space per dwelling.
- Parking on private internal roads and within property curtilages will be prohibited.

### **PARKING CONTROL MANAGEMENT**

- Within site - the design of the scheme should positively discourage car entry and provide an entry control system limiting access. The title deeds/tenant's agreement associated with property should restrict car parking within the site, other than for car sharing.
- Surrounding area - this is the responsibility of the Council through Controlled Parking Zone powers. Residents of all new (including car free) housing developments will be excluded from obtaining residents parking permits.
- The developer should establish arrangements for a residents' committee to oversee the running of the development including access control and use of car sharing spaces. Consideration should also be given to arrangements for the occasional use of a car by residents, at short notice, for journeys where walking, cycling and public transport are unsuitable. This might take the form of a car sharing scheme or links to a local car hire company. The site could also be marketed to include the appropriate public transport yearly season ticket for the first year of occupation.

## SITE LAYOUT AND DESIGN

- The site must be designed to be generally traffic free with priority given to pedestrians and cyclists.
- At least 50% of the reduced parking and road requirement needs to be shown to be used to benefit residents through, for example, higher levels of private and communal open space and the provision of higher space standards per dwelling. A high standard of green space provision for residents, including play facilities, where appropriate, must be provided.
- Safe pedestrian and cycle links should be provided to the pedestrian and cycle networks, public transport and to the nearest local shops and facilities.



*Controlled Parking Zones*

## POLICY JUSTIFICATION

The policy supports the Plan's Development Strategy to encourage the use of non-car transport modes (see Part 2, TRANSPORT, Vehicle Parking, paragraph 6.56). Scottish Planning Policy 17: Planning for Transport supports car free housing in appropriate locations. The reduction in road space and parking infrastructure within the development gives the opportunity for higher space standards and additional landscaping, which will provide a safer and more attractive environment for residents.

## **RES 8 - SHORT-STAY SERVICED APARTMENTS**

### **AIM**

To ensure that residential amenity within a block of flats is not adversely affected by the introduction of flats used principally as a form of hotel accommodation.

### **POLICY**

- Planning permission will not be granted for a change of use to short-stay serviced apartments, within existing blocks of residential flats, resulting in a mixed use.
- In appropriate locations, planning permission may be granted for the change of use of entire blocks of residential flats to short-stay serviced apartments, or for purpose-built developments for this type of accommodation.

### **DEFINITION**

**SHORT-STAY SERVICED APARTMENTS:** Residential flats used as quasi hotel accommodation, where periods of occupation are generally less than 90 days, and services such as cleaning and laundry are provided, either on a daily basis or between periods of occupation.

### **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to maintain and protect residential amenity within existing residential areas (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62). Glasgow has experienced a boom in hotel development in recent years, fuelled by its international importance as a business centre and as a growing destination for tourists. This has resulted in the emergence of short-stay serviced apartments (or "Hotel Apartments" as they are often advertised) within blocks of flats in residential use. These apartments have the characteristics of a hotel, in that residents stay for a very short period of time (see Definition). The flats are cleaned either daily or between periods of occupation, and other facilities akin to a hotel use are often provided (some flats are used as overspill accommodation to existing hotels nearby). As fully furnished flats with all mod cons, they provide an authentic "city living" environment for guests. Short-stay serviced apartments are also capable of providing cheaper, hotel-standard accommodation for larger groups where the cost of accommodation can be reduced by sharing with a large group of people.

Whilst the Council encourages the provision of such accommodation as a single use in appropriate locations, it is clear that amenity problems arise where short-stay serviced apartments are intermingled within blocks of residential flats. The resulting "mixed use" conflicts with the amenity enjoyed by permanent residents through the regular influx of temporary residents. Increased strain is placed upon existing infrastructure (such as increased use of lifts) and shared areas. The high turnover of residents also results in an intensification of activity which would not normally be associated with residential occupancy, such as the regular servicing of flats which is essential to their operation (i.e. cleaning of flats and linen collection, either on a daily basis or between periods of occupation by guests). Occupation by guests themselves can be the most significant factor in terms of the negative impact on residential amenity because of the difference in life-styles of the two groups. The attractiveness of short-stay serviced apartments to large groups sharing a single flat in particular may result in acute problems of noise, keeping late hours, overcrowding and a lack of care for the common areas. Given the transient nature of occupation there is often little, if any, concern for how such problems may impact on the amenity of surrounding long-term residents.

## **RES 9 - RETENTION OF TRADITIONAL SANDSTONE BUILDINGS OUTSIDE CONSERVATION AREAS**

### **AIM**

To retain and enhance the City's historic environment, townscape and areas of character.

### **POLICY**

The Council supports the retention and improvement of Glasgow's traditional sandstone buildings, particularly on main road corridors and in areas whose character is formed predominantly by sandstone tenements, terraces and villas, both within and outwith conservation areas.

Development proposals to demolish listed buildings, and properties within conservation areas, are covered by policy DES 3: Protecting and Enhancing the City's Historic Environment. In other areas, the Council will encourage the retention of traditional sandstone buildings. An application to redevelop a site occupied by an existing sandstone building will have to provide a reasoned justification addressing the structural condition and economic viability of the building and the architectural and urban design merits of the proposal.

### **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to retain and enhance high quality City townscapes, outwith conservation areas (see Part 2, HERITAGE AND THE BUILT ENVIRONMENT, Landscapes and Townscapes, paragraph 5.19). Much of Glasgow's character in the Inner Urban Area, in particular, is owed to the form and quality of the traditional sandstone buildings, regardless of whether or not these are listed or in conservation areas. Such buildings occasionally come under pressure for redevelopment from more intensive forms of housing (such as flats). Their removal has the potential to adversely affect the character of neighbouring buildings and the surrounding area by over-development of the site. The Council's preference is that these buildings should be retained and improved, wherever possible.

## **RES 10 - MULTIPLE OCCUPANCY**

### **AIM**

To strike a balance between the demand for multiple occupancy and the need to ensure that the stability of neighbourhoods and the residential amenity of properties and streets is not adversely affected by a concentration of multiple occupancies.

### **POLICY**

The legal controls over this type of housing use are complex. Multiple occupancy in a flat, for example, needs 2 legal permissions before it can operate – planning permission, and a licence for a house in multiple occupation (HMO Licence). The two sections below, DEFINING WHAT REQUIRES PLANNING PERMISSION and LICENSING REQUIREMENTS, set out these requirements. Failure to obtain planning permission lays the owner open to enforcement action under planning legislation, and failure to obtain a Licence can lead to prosecution, under housing legislation.

Planning applications for multiple occupancy will be judged against the following:

- There must be individual access to a lit street. This will include main door flats (see Definition) and undivided terraced houses, but will exclude most properties served by a tenement close (see Definition) and/or communal stairs and properties which have already been subdivided.
- There must be direct access to a refuse store and a drying area to the rear of the building (recycling space should be provided in accordance with policy DES 12: Provision of Waste and Recycling Space).
- The need for car parking will be assessed, in each case, in accordance with policy TRANS 4: Vehicle Parking Standards.
- Within a given street or block (or other readily identifiable unit)<sup>1</sup> the proportion of multiple occupancies should not exceed 5% of the total number of dwellings comprising that unit (exemptions from this rule may include properties that have become completely isolated from family accommodation).

Applications for purpose built student accommodation are encouraged, particularly on appropriate sites, in areas reasonably accessible to the city's colleges and universities, provided other relevant plan policies are met.

### **CERTIFICATES OF LAWFULNESS**

When an application is submitted for a Certificate of Existing Lawful Use as a multiple occupancy, the applicant is required to demonstrate that the use has been in operation continuously for 10 years preceding the date of the application.

Examples of evidence which may be submitted are as follows:

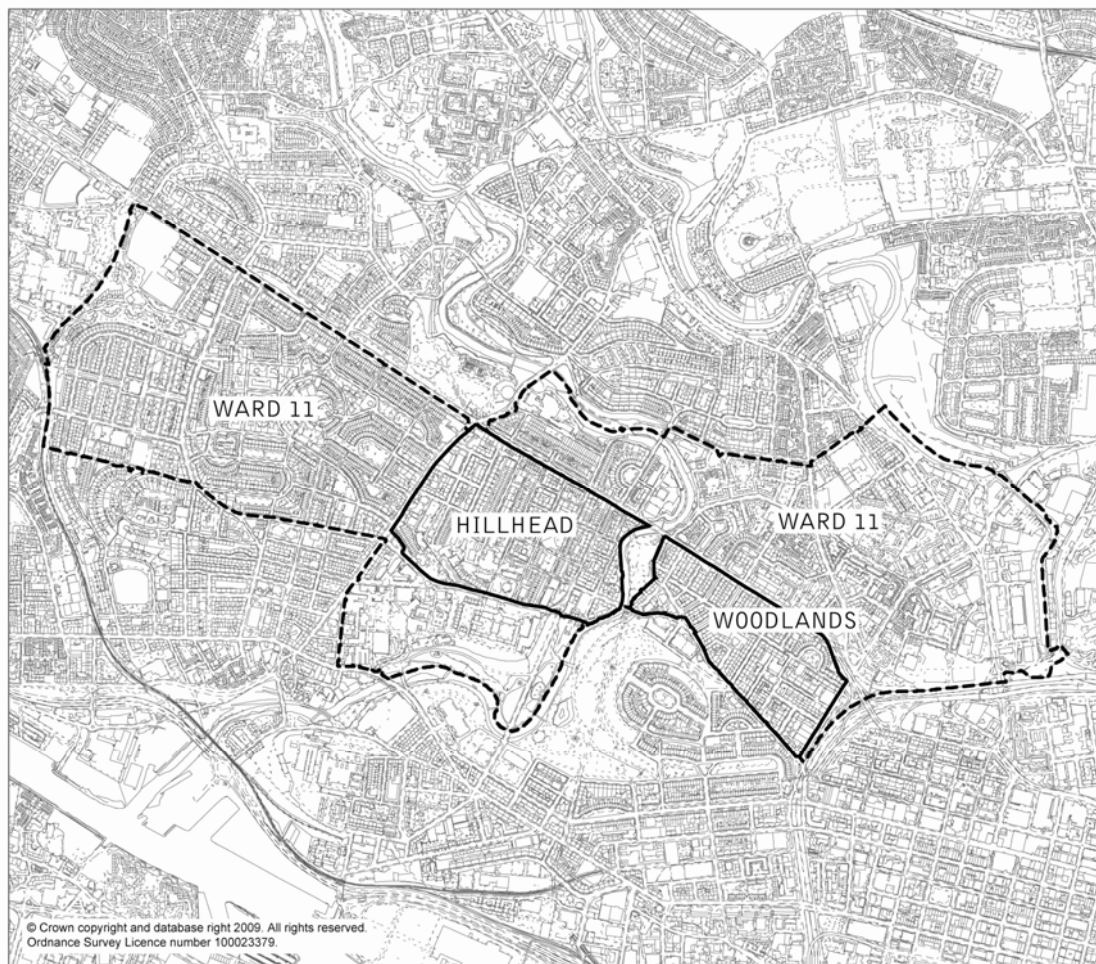
- rent books or equivalent relating to the premises for the past 10 years where payments have been acknowledged by tenants;
- copies of letting agreements with tenants for every year for the past 10 years;
- copies of gas/electricity bills indicating that the premises have been let in multiple occupation for the past 10 years;
- extracts from the Council Tax Register;
- evidence of the registration of rents for the premises indicating that they were used as multiple occupancies for the past 10 years;
- copies of returns to, or certificates from, HM Revenue and Customs indicating that the premises had been rated as commercial, as a result of their being used as multiple occupancies for the past 10 years; and
- pre-registration records held by the Council's Land and Environmental Services (Environmental Health).

The list of criteria is not exhaustive and it is possible for satisfactory evidence to come from other sources. The onus to produce such evidence lies with the applicant.

## LOCAL AREA POLICIES

A concentration of flats in multiple occupancy within a particular neighbourhood has the potential to change the dynamics of a community and undermine its stability in regard to schools and shops. High turnover of residents and under-occupied buildings during university/college holidays, along with the potential for lack of routine maintenance of properties in these areas, can discourage owner occupation and detract from residential amenity.

Historically, multiple occupancy has been concentrated within parts of the West End, close to Glasgow University and with easy access to the other universities and colleges in the City. The density of flats with an HMO licence in Hillhead and Woodlands, in the heart of Ward 11, has now reached such a level that no further planning applications for multiple occupancies will be supported in these areas (see Map accompanying this policy).



*West End Multiple Occupancy*

## DEFINING WHAT REQUIRES PLANNING PERMISSION

### HOUSES, OTHER THAN FLATS

Permission is required for a house:

- containing more than five unrelated residents living together, including a household where care is provided for the residents; and
- let out in 'bed-sits'.

## FLATS

Permission is required for a flat (see Definition) where three or more unrelated persons live.

Planning permission is deemed not to be required where only one lodger is accommodated in addition to one resident family (see Definition).

## LICENSING REQUIREMENT

If granted planning permission or a certificate of lawfulness, applicants will also have to obtain a licence for a House in Multiple Occupation (HMO). An application form and guidance notes can be obtained from the Licensing Section, Chief Executive's Department, 235 George Street, Glasgow, G1 1QZ, or downloaded from [glasgow.gov.uk](http://glasgow.gov.uk).

Applicants should note that possession of a planning permission or certificate of lawfulness will not guarantee the grant of an HMO licence, where Licensing addresses different matters, such as fire safety.

## DEFINITIONS

**FAMILY** - A person is a member of the same family, if married to each other or living together as a couple, or one of them is the parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece of the other (including step and half relations) (Source: Article 2(5) of The Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000).

**FLAT** - A separate set of premises whether or not on the same floor and forming part of a building from some other part of which it is divided horizontally (Source: The Town and Country Planning (General Permitted Development)(Scotland) Order 1992).

**MAIN DOOR FLAT** - A ground floor flat within a residential building with a direct access to the street through a private front garden.

**MULTIPLE OCCUPANCY** - The only, or principle, residence of more than 2 persons who are not all members either of the same family or of one or other of 2 families (Source: Guidance to the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupancy) Order 2000).

**TENEMENT CLOSE** - The shared entrance and stairway within a traditional flatted residential building, with or without commercial units on the ground floor.

## POLICY JUSTIFICATION

This policy supports the Plan's Development Strategy to maintain and protect residential amenity within existing residential areas (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62). Multiple occupancy provides an essential form of accommodation for many people, particularly students. When concentrated in a particular street or building, however, it can give rise to environmental problems due to increased activity, noise, pressure on car parking and refuse disposal.

There is no definition of multiple occupancy in planning legislation, nor any commonly accepted definition for multiple occupancy of a flat. The guidance to the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupancy) Order 2000 does, however, define multiple occupancy (see Definition). A planning policy requires such a definition to highlight why multiple occupancy of a flat (see Definitions) is different from family (see Definition) occupancy of a flat to the extent that it constitutes a material change of use requiring planning permission. It must also provide clarity for the purposes of enforcement.

On the basis of the above, and other factors such as upkeep of gardens and property, multiple occupancy is regarded by the Council as being sufficiently different from family occupancy, in fact and degree, to allow a change from the latter to the former to be regarded as a material change of use requiring planning permission.

Note Given the historic and continuing concentration of multiple occupancy in the West End, and the need to protect residential amenity/encourage stable communities, the Council has decided to tighten its definition of multiple occupancy to bring the previous policy for multiple occupation in the West End (City Plan 1) into line with that for the rest of the City. This will add clarity to the application of planning policy and discourage concentrations within the West End. This definition would also align with the definition of an HMO under Licensing Legislation.

<sup>1</sup> The flexibility provided by the phrase “given street or block (or other readily identifiable unit)” was recognised as “helpful and appropriate” by the Reporter at the Local Plan Inquiry into City Plan 1.

## **RES 11 - COMMERCIAL USES IN RESIDENTIAL PROPERTY**

### **AIM**

To ensure residential amenity is not adversely affected by the introduction of commercial uses or operators.

### **POLICY**

There is a presumption against granting planning permission for commercial uses of dwelling houses, including flats. In following this policy, particular scrutiny will be given to conservation areas and any residential area where other considerations, including townscape, alterations to property, traffic, access and servicing, parking, noise or other environmental considerations could adversely affect local amenity or safety. The test will be the conservation or enhancement of residential amenity and the environment.

Exceptions against this presumption may be considered where the:

- applicant can demonstrate, to the satisfaction of the Council, that the proposed use will provide a beneficial service to the public;
- quality of the residential character of the area and the amenity of neighbouring properties will not be prejudiced;
- property, where a flat, has a private direct access to the street; and
- use will not give rise to parking/servicing problems in the street/building.

Some businesses can operate within residential property, where the primary use remains residential and the subordinate commercial use has little impact on the residential amenity of the building. In considering whether a part change of use would occur, the Council will have regard to:

- the number of rooms which will be used for commercial use;
- whether any staff will be employed to work in the dwelling;
- the type of equipment which will be used;
- the hours of operation;
- whether the development will attract visitors and the frequency of visits, including deliveries; and
- whether there will be a need for increased parking/servicing.

Note This policy deals with all proposals for changes of use of a dwelling (including a flat), with the exception of multiple occupancy which will be assessed against policy RES 10: Multiple Occupancy.

### **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to maintain and protect residential amenity within residential areas (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62). It aims to strike a balance between supporting the need to protect residential amenity and provide accessible local amenities, by ensuring that amenity is not prejudiced through increased parking, servicing, noise and activity.

## **RES 12 - NON RESIDENTIAL DEVELOPMENT WITHIN RESIDENTIAL AREAS**

### **AIM**

To ensure that any type of development proposed within a residential area is compatible with the area and does not lead to an unacceptable erosion in the area's residential amenity.

### **POLICY**

- Permission will not normally be granted for uses that would generate unacceptable levels of traffic, noise, vibration, and emissions (particularly outside normal working hours) or which propose the storage of quantities of hazardous substances in close proximity to housing.
- Uses which prove acceptable to the Council will require to provide adequate screening for any outside storage of materials and introduce traffic mitigation measures, where appropriate, in order to preserve the amenity of the surrounding residential area.

### **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to maintain and protect residential amenity within residential areas (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62). While some uses, such as retail and Class 4 business use, can operate in residential areas without detriment to amenity, other uses can generate noise, vibration, dust, and heavy goods traffic movement, often outside normal working hours, which can have an adverse impact on residential areas.

## **RES 13 - DAY CARE NURSERIES**

### **AIM**

To ensure that nurseries provide satisfactory accommodation for children, while not detracting from the amenity of neighbours or from pedestrian or traffic safety.

### **POLICY**

Proposals, including extensions to nurseries, will be considered against the following:

#### **LOCATION**

Nurseries should not be located:

- close to industrial or noisy commercial uses;
- on main roads with stopping restrictions, or immediately adjacent to bus stops;
- in flats, semi-detached or terraced properties, in residential use; and
- where the use would result in parking and traffic congestion.

#### **EXTERNAL PLAYSPACE**

- There should be access to a safe external play space, exclusively for the use of the children, either within the curtilage of the property or within reasonable walking distance for young children. The use of the private communal gardens of flats will not be accepted, as this would introduce a noisy commercial use into private garden spaces.
- In commercial buildings, nurseries will only be accepted on the ground or basement floors to ensure direct access to external play space.
- The play space should have a solid boundary and good levels of natural daylight.

#### **PARKING**

- If off-street parking is required within the curtilage of the day care nursery, on what was formerly garden space, then not less than 50% of the front garden should be retained after the formation of the parking spaces.
- Provision of off-street parking shall not involve the removal of any trees or shrubs that are considered important to the amenity of the property or street.

#### **CATERING**

As nurseries can provide extensive catering facilities, applicants will be expected to meet the technical standards for dispersal of cooking fumes set out in policy SC 11: Food, Drink and Entertainment Uses.

#### **ACCESS AND LAYOUT**

- To prevent disamenity to other uses within multi use buildings, access from the nursery, suitable for pushchairs, etc., should be directly on to the street and not taken through another use in the same building.
- In buildings with other users, a clear physical separation of the day care nursery from these uses will be required.
- Except where it is required to provide access to a basement property, permission will not be granted for the erection of any external staircases.

## **LOCAL AREA POLICIES**

The conversion of a property in residential use into a nursery can greatly increase traffic movements and parking demand, particularly at peak hours. In several of the City's conservation areas, however, there is already a problem of narrow streets and parking congestion. The change of use of dwellinghouses, therefore, will be strongly resisted in the following Conservation Areas:

- Dennistoun;
- Glasgow West;
- Millbrae; and
- Strathbungo.

## **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to maintain and protect residential amenity (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62) whilst providing accessible local amenities (which, in this case, provide childcare facilities and help to support people in work) in appropriate locations. While nurseries provide a valuable service, they have the potential to be detrimental to the amenity of residential and commercial areas because of problems such as noise, parking and traffic problems. As some nurseries can approach the size of small primary schools, the cooking fumes generated by the catering requirements can also detract from local amenity.

## **RES 14 - CARE IN THE COMMUNITY DEVELOPMENTS**

### **AIM**

To ensure that all developments enjoy a high level of residential amenity and do not detract from the amenity of neighbours.

### **POLICY**

Proposals, including extensions to care homes (see Definition), will be considered against the following:

- Developments should be sited in areas designated Residential (see policy DEV 2: Residential and Supporting Uses) and should avoid proximity to areas designated Industry and Business (see policy DEV 3: Industry and Business).
- Developments should be located in High Accessibility areas to provide for easy access by visitors and to allow residents access to the wider community (see development guide DG/TRANS 3: Public Transport Accessibility Zones and associated Public Transport Accessibility Map).
- Care homes should not be located in semi-detached, terraced or flatted properties, to preserve the residential amenity of neighbouring residents.
- Small care homes, with 10 bedrooms or less, will be quasi residential in character, with the appearance of a large house and should meet the standards set out in policy RES 2: Residential Layouts. Any extensions to these homes will be assessed against policy RES 16: Alterations to Dwellings and Gardens, as appropriate.
- Homes, above 10 bedrooms in size, will be sited on larger sites and should meet the standards of policy RES 2, as appropriate. Open space provided on the site should include a spacious garden for sitting-out, which should be sheltered from the wind, screened from public view and should receive sunlight for a significant portion of the day. It should comprise a mixture of soft landscaping and seating and be accessible to the disabled. Extensions to these homes should not adversely affect this garden area or the sunlight it receives.
- "Office" flats for supported accommodation will usually require planning permission. When located in a tenement or a multi-storey block, they should be on the ground or lowest floor, ideally with their own entrance, to protect the residential amenity in the building.

### **DEFINING WHAT REQUIRES PLANNING PERMISSION**

**SUPPORTED ACCOMMODATION IN A DWELLING HOUSE** - the use will no longer remain within Class 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 and will require planning permission, if there will be more than 5 unrelated persons, including any resident staff.

**SUPPORTED ACCOMMODATION IN A FLAT** - planning permission will be required for a change of use if there are more than three unrelated persons, including any resident staff (see Definition) in the flat. This reflects the Council's view of where planning permission is required in flats and does not emanate from planning legislation.

### **DEFINITIONS**

**CARE HOME** - Any property which falls within Class 8 (Residential Institutions) of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

**RESIDENT STAFF** - Staff who live with the residents as a single household, who have the accommodation as their principal home and are registered at that address in the Voters Roll. Staff working shifts are not considered resident.

## **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy to maintain and protect residential amenity (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62) whilst providing a choice of residential accommodation for all sectors of the community. Rationalisation of the care of the elderly and other groups (e.g. people with learning disabilities and children in care) has led to an expansion of care homes of various sizes and small group supported accommodation. This usually consists of purpose built accommodation, but also includes conversion of existing property to provide self-contained flats for residents, supported by staff in separate accommodation comprising sleep-over space, offices, laundry, etc.

## **RES 15 - GUEST HOUSES**

### **AIM**

To support the promotion of appropriate tourist facilities in the City while ensuring the preservation of residential amenity in housing areas.

### **POLICY**

Proposals for guest houses will be considered against the following:

- Guest houses and bed and breakfast establishments, where appropriate, should be located in detached, semi-detached or end-terraced properties. Conversions from former dwellinghouses (see Definition) now in non-mainstream residential use, such as offices, may be considered favourably, provided they would not reduce local amenity due to noise, traffic movements or other material considerations.
- Guest houses should be located near to railway stations, Subway stations or main bus routes in order to make it easy for visitors to the City to use public transport.

### **LOCAL AREA POLICIES**

To protect residential amenity in areas where there are already a significant number of non-residential uses and/or problems of parking and traffic congestion, the change of use of dwellinghouses/flats will be strongly resisted in the following Conservation Areas:

- Crosshill;
- Dennistoun;
- Glasgow West;
- Park;
- St Vincent Crescent; and
- Strathbungo.

### **GUIDANCE NOTES**

To ensure that the property remains as a facility for visiting tourists and business people only, a Section 75 Agreement (see Definition) must be entered into. The Agreement will require that:

- the applicant becomes and remains a member of the Scottish Tourist Board or successor organisation;
- residents must be charged by invoice;
- meals must be available to residents, if required;
- catering, including the provision of liquor, must be provided to residents only;
- the establishment must have a resident owner/manager;
- rooms and communal areas must be cleaned daily by the management; and
- guest house and bed and breakfast establishments must become and remain a member of the National Quality Assurance Scheme (a condition of membership of Scottish Tourist Board) and satisfy the minimum criteria for their appropriate accommodation classification (as defined by the Scottish Tourist Board or successor organisation).

## **DEFINITIONS**

**DWELLINGHOUSE** - Does not include a building containing one or more flats, or a flat contained within such a building (Source: The Town and Country Planning (General Permitted Development) (Scotland) Order 1992).

**NON-MAINSTREAM RESIDENTIAL USE** - Any use, other than a mainstream dwelling, including multiple occupancies, institutions, and offices, that is made of a property whose original purpose was as a dwelling unit for families or individuals.

**SECTION 75 AGREEMENT** - A legal agreement, under Section 75 of the Town and Country Planning (Scotland) Act 1997, which is used to control the use or development of land. Such an agreement is entered in the Land Register of Scotland and can be enforced against the successors in title.

## **POLICY JUSTIFICATION**

This policy supports the Plan's Development Strategy by seeking to strike a balance between promoting tourism in the City and ensuring that residential amenity is not adversely affected by the intensification of uses within housing areas (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62).

## **RES 16 - ALTERATIONS TO DWELLINGS AND GARDENS**

### **AIM**

To ensure that the visual amenity of residential buildings and areas is not adversely affected by over-dominant extensions and that residential amenity is maintained both for the property itself and for neighbouring properties.

### **POLICY**

Proposals for alterations to dwellings, including flats, and their gardens, will be considered against the following (see also development guide DG/RES 1: Alterations to Dwellings and Gardens):

- The siting, form, scale, proportions, detailed design and use of materials should be in keeping with the existing building and wider area.
- There should be no adverse impact on existing or proposed accommodation in terms of overlooking, loss of privacy, daylight, sunlight or residential amenity.
- Adequate car parking, front garden and useable private garden ground must be retained within the site.
- There should be satisfactory access provided from the front to the rear of properties.
- There should be no adverse impact on traffic or public safety.
- Proposed developments within the “medium to high” flood risk area of the City should be designed to mitigate against the effects of flooding (see policy ENV 5: Flood Prevention and Land Drainage, particularly section on Water Resistant Building Materials).
- Parking in front gardens, where acceptable, will be required to meet the standards set out in development guide DG/RES 1, section 18 Front Garden Parking outwith Conservation Areas.

Applications to convert or subdivide a property into self contained flats will be assessed against policy RES 5: Conversion and Subdivision to Residential Use, to build a house in a garden against RES 6: Residential Development in Lanes and Gardens and to form a multiple occupancy against RES 10: Multiple Occupancy.

### **POLICY JUSTIFICATION**

This policy supports the Plan’s Development Strategy to maintain and protect residential amenity (see Part 2, PEOPLE, Existing Residential Areas, paragraph 3.62).

Many house buyers buy a property with a view to carrying out alterations or extending it in the future to create additional living space. More intensive use is often made of rear gardens with the addition of conservatories, decking and garages. By ensuring that extensions and alterations to houses and flats are carefully designed, the Council aims to ensure that the visual amenity of residential buildings and areas is not adversely affected by over-dominant extensions and that residential amenity is not reduced by e.g. the excessive reduction of useable private garden space or a loss of privacy. To ensure the visual amenity of residential streets, the Council will also, where it is able, seek to limit the areas of front gardens given over to car parking.

### **FURTHER GUIDANCE**

Further guidance on the following topics is set out in development guide DG/RES 1: Alterations to Dwellings and Gardens:

- design and materials;
- rear access;
- usable private garden space;
- privacy and overlooking; and
- daylighting and sunlight.

DG/RES 1 also sets out more detail on dormers, front extensions, side extensions, rear extensions, conservatories, decking, balconies, roof terraces, extensions to flats, access from flats to communal backcourts/gardens, window replacement in flats, re-roofing, conversion of garages to living accommodation, free-standing garages, front garden parking outwith conservation areas, access ramps, fences, walls and pigeon lofts.

For dwellings which are listed buildings, or are located inside a conservation area, applicants will have to meet additional requirements, set out in policy DES 3: Protecting and Enhancing the City's Historic Environment and development guide DG/DES 3: Design Guidance for Listed Buildings and Properties in Conservation Areas.