



**PLANNING APPLICATIONS COMMITTEE**

**Report by Executive Director of Regeneration and the Economy**

**Contact: Ian Briggs Phone: 0141 287 6051**

**Item 1**  
**17th September 2019**

<b>APPLICATION TYPE</b>	Full Planning Permission
<b>RECOMMENDATION</b>	<b>Grant subject to Conditions and S69 agreement</b>

<b>APPLICATION</b>	18/02629/FUL	<b>DATE VALID</b>	25.09.2018
<b>SITE ADDRESS</b>	Site Bounded By Maryhill Road/Whitelaw Street/Cowal Road Glasgow		
<b>PROPOSAL</b>	Erection of residential development (62 units) with associated parking, amenity space and landscaping.		
<b>APPLICANT</b>	Maryhill Housing Association 45 Garrioch Road GLASGOW G20 8RG	<b>AGENT</b>	Elder And Cannon Architects Per John Docherty 40 Berkeley Street GLASGOW G3 7DW
<b>WARD NO(S)</b>	15, Maryhill	<b>COMMUNITY COUNCIL</b>	Maryhill and Summerston
<b>CONSERVATION AREA</b>	None	<b>LISTED</b>	Not Listed
<b>Advert Type</b>	Neighbour Notification & Bad Neighbour	<b>PUBLISHED</b>	05 October 2018

**REPRESENTATIONS/ CONSULTATIONS**

Neighbourhoods and Sustainability – Waste & Recycling	- No objection.
Scottish Water	- No objection.
Scottish Environmental Protection Agency (SEPA)	- No objection.
The Coal Authority	- No objection.
GCC Flood Risk Management	- No objection.

There have been 17 representations from local residents objecting to the application. The reasons for objection may be summarised as follows, and are discussed in detail in the Assessment and Conclusions section of this report:

1. Excessive scale and overdevelopment
2. Design and materials not in keeping with the surrounding buildings.
3. Loss of existing open space, and concern about pedestrian access to Maryhill Road.
4. Loss of privacy to neighbouring properties.
5. Loss of view from neighbouring properties.
6. Unacceptable loss of an apple tree on this site.
7. Insufficient car parking for new residents (contrary to SG 11: Sustainable Transport), and concern about additional on-street parking pressure on Whitelaw Street.
8. Increased traffic pressure on the existing junction with Cowal Road.
9. The Council should consider more shared ownership within the development.

Bob Doris MSP submitted a letter on 07 November 2018, after the deadline for representations had passed. Notwithstanding, the material considerations raised by Mr Doris are summarised below and are discussed in detail in the Assessment and Conclusions section of this report:

1. My main concern is that the proposed number of car parking spaces may prove insufficient. The Design and Access Statement indicates that an additional 12 spaces could be accommodated on the site, by removing amenity space. I wish to seek assurances that, should the capacity of the proposed car park prove to be insufficient, conditions will require there be no delay in extending it.
2. Concern about the capacity of Cowal Street as the sole vehicular access to the flats.

## **SITE AND DESCRIPTION**

The application site is an area of vacant land (approx 5066 sq m) with temporary landscaping within an established residential area in Maryhill (Ward 15 - Maryhill). The site is to the north of the prominent junction of Cowal Road and Maryhill Road, and is bounded by Maryhill Road to the east, Cowal Road to the south and Whitelaw Street to the west. To the northern boundary, there is a single storey shop unit (Class 1) fronting Maryhill Road, and two storey terraced houses on Whitelaw Street. To the south of Cowal Road, the locks and basins on the Forth and Clyde Canal form a significant and distinctive landscape feature. There is a bus shelter adjacent to the site on the footpath on Maryhill Road. The site slopes steeply down from west to east, and from south to north. There is a difference in levels of approximately 9m.

The most recent building on the site was a row of tenement flats which fronted Maryhill Road and addressed the corner with Cowal Road. These tenements have long since been demolished (circa 1970s), and the rest of the Botany (to the north west of the site) has also undergone phased redevelopment in recent years for terraced housing and flats. The site is currently predominantly grassed, with tree planting to the perimeter with Maryhill Road and Cowal Road. There is an unadopted footpath linking Whitelaw Street and Cowal Road, as well as unadopted paths through the site linking Whitelaw Street and Cowal Road with Maryhill Road. There is an existing apple tree towards the centre of the site. There is also a formal row of birch trees adjacent to the boundary with the terraced housing on Whitelaw Street.

The site is identified as part of the Housing Land Supply, and is within the Maryhill Transformational Regeneration Area. The site has no environmental designations. Interim policy guidance IPG 6 'Green Belt and Green Network' identifies the site as a 'Development Site containing open space'. This designation requires no compensation for loss of the existing temporary landscaping. The area is identified as having a high risk of unrecorded historic mine workings.

The site is in the inner urban area, and has high accessibility for public transport. Maryhill Road functions as one of Glasgow's main arterial routes, and is a high frequency bus corridor. Maryhill rail station is approximately 400m walking distance to the north. There are also pedestrian links and active travel routes along the green corridors of both Kelvin Way and the Forth and Clyde Canal. There are local shopping opportunities adjacent to the site on Maryhill Road.

During the processing of this application, the applicant has submitted amended proposals as a result of technical considerations (fire safety regulations, and construction methodology). These changes may be summarised as follows:

- Reduction in height of Block 2 by one full storey (reduction in number of units from 65 to 62 units)
- Reduction in car parking spaces from 54 to 52 (taking account of the reduction in units, the net impact of the changes is to slightly increase the actual proportion of parking provision from 83% to 84%).
- Moving the footprint of Block 1 approximately 1.5m to the west and 1m to the south, thus providing an increased landscape buffer between the footway and the building on Maryhill Road.
- Minor Elevation Changes to all three blocks.

These changes have been accepted as a variation to the application in accordance with section 32A of the Town and County Planning (Scotland) Act 1997 (as amended), and are not considered to be sufficiently material to require re-notification of interested parties.

## Proposal

It is proposed to build a total of 62 residential flats within 3 blocks. Maryhill Housing Association has confirmed that 26 flats will be for social rent (Block 1), 18 flats will be sold as shared equity (Block 2), and 18 flats will be for mid-market rent (Block 3). The accommodation is as follows:

### Block 1

12x 1 bed flats (including 1 x wheelchair adapted)  
14x 2 bed flats (including 2 x wheelchair adapted)

### Block 2

6x 1 bed flats  
12x 2 bed flats

### Block 3

6x 1 bed flats  
12x 2 bed flats

In total there are 24x 1 bed flats and 38x 2 bed flats within the development.

The Design and Access Statement explains that the design intent is to provide an appropriately scaled and detailed grouping of three buildings around a walled common garden and courtyard space. The intention is to repair the urban block and celebrate an important road junction, while at the same time allowing some visual permeability through the site.

All three blocks share the same restrained contemporary architectural language. The buildings are simple cuboid forms, and present as flat roofed (i.e. shallow roof pitches behind a brick parapet). The positioning of the buildings within the site provides some dramatic geometries between the buildings and allows view corridors through the site (particularly to either side of Block 2).

Responding to the site's prominence and open outlook, the buildings are designed as object buildings to be viewed 'in the round'. The buildings are finished in facing brick and incorporate generous glazing, with an ordered repetition of full height windows and recessed balconies to prominent corners. Articulation of the facades is provided by the incorporation of full brick depth window reveals, recessed balconies and colour galvanised balustrade railings. The top floors are celebrated with greater floor to ceiling heights. All flats in the development have dual aspect, and 54 out of the 62 flats have an external recessed balcony.

Block 1 fronts on to Maryhill Road to the north west of the site, and steps between 5 storey and 7 storey elements (reading as 4 and 6 storeys from Maryhill Road), thus mediating with the scale of the tenement block to the north. At ground floor level, a common close entrance provides direct access from Maryhill Road, with a colonnade and raised planter in front providing the ground floor flats with a privacy buffer from the pavement. From ground to third floor level, there are 5 flats per floor. The fourth and fifth floors have 3 flats per floor.

Block 2 is in the south west corner of the site. This block is adjacent to, and oriented towards, the junction of Maryhill Road and Cowal Road. Reflecting the importance of the junction, the building is 7 storeys in height (reading as 6 storeys from Maryhill Road). Again, due to the difference in site levels there is a lower ground floor level accessed from the rear courtyard to the west, which provides internal refuse storage and cycle parking and access to a common close with lift. At ground floor level, a common close entrance provides direct access from Maryhill Road, with a colonnade and raised planters providing the ground floor flats with a privacy buffer from the pavement. From ground to fifth floor level there are 3 flats per floor.

Block 3 is in the south east part of the site, and is oriented towards both Cowal Road and the footpath from Whitelaw Street. The building is 7 storeys in height (reading as 6 storeys from Cowal Road), and due to the site levels is substantially lower relative to the other two buildings. Again, due to the difference in site levels there is a lower ground floor level which provides internal refuse storage and cycle parking and access to a common close

with lift. The lower ground floor level also provides direct access from the footpath on Whitelaw Street and from the rear courtyard.

#### Landscaping:

It is proposed to upgrade the existing footpath between Whitelaw Street and Cowal Road, with the path re-finished in tarmac, and forking to provide two access points from Cowal Road. A new vehicle access is proposed from Whitelaw Street to the west of the site, with an automatic opening gate controlling access to a rear parking court for 42 vehicles. In addition, there are a further 10 parking spaces proposed on the site boundary with Whitelaw Street, which would be accessed directly from Whitelaw Street. Information hasn't been provided about how these parking spaces will be controlled. The courtyard area will not be readily accessible by the public. For residents there are external steps from lower courtyard level to Maryhill Road with a controlled access gate. The existing bus stop on Maryhill Road may need to be relocated to accommodate this access.

With respect to boundary treatments, the public and private areas are clearly defined by a brick wall and railings which wrap round the site and the buildings to Maryhill Road, Cowal Road and Whitelaw Street. The wall design varies between a 2.5m high brick wall incorporating sections of railing and openings (e.g. to Whitelaw Street and Maryhill Road), and an approx 600mm brick wall with 1.2m colour galvanised railings above (e.g. to Maryhill Road and Cowal Road). In addition, low level facing brick planters are proposed in front of Blocks 1 and 2, providing some additional privacy for ground floor flats. Low level precast cope planters are also proposed to the Cowal Road boundary, to provide an additional privacy buffer to the garden area behind the boundary wall.

The parking court is finished in Tobermore block pavements (in graphite), with porous block pavements to the parking spaces themselves. There is also generous tree planting in and around the parking court to soften its visual impact. Footpaths within the site are finished in Tobermore block pavements (Silver).

There are three key areas of amenity landscaping within the development:

1. A landscaped garden area surrounding Block 2 (approx 665 sq m), and incorporating informal children's play (timber balance beam and stepping logs, as well as feature trees, cast stone benches and nature boxes.
2. An informal children's play area to the north of Block 1 (approx 53 sqm), with balancing blocks, seating area and raised planter.
3. An area to the north of the parking court including a small raised allotment area with growing beds and a raised planter (approx 83 sqm), as well as an adjacent space providing poles for emergency clothes drying.

## **POLICIES**

The Development Plan consists of The Glasgow and the Clyde Valley Strategic Development Plan (Approved July 2017) and the City Development Plan (CDP) which was adopted on 29 March 2017.

The following CDP policies and accompanying supplementary guidance are considered particularly relevant to the application assessment:

CDP 1: The Placemaking Principle & SG 1: The Placemaking Principle  
 CDP 2: Sustainable Spatial Strategy  
 CDP 5: Resource Management & SG 5: Resource Management  
 CDP 6: Green Belt and Green Network & IPG 6: Green Belt and Green Network  
 CDP 7: Natural Environment & SG 7: Natural Environment  
 CDP 8: Water Environment & SG 8: Water Environment  
 CDP 11: Sustainable Transport & SG 11: Sustainable Transport  
 CDP 12: Delivering Development & IPG 12: Delivering Development

Other relevant policies:

Scottish Planning Policy (SPP) (2014)  
 Glasgow City Council Design Guide for New Residential Areas (2013).

## SPECIFIED MATTERS

Planning legislation now requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This obligation is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

### A. Summary of the main issues raised where the following were submitted or carried out

#### i. an environmental statement

Under the EIA regulations the proposal does not constitute a Schedule 1 development. The site area is just over 0.5 hectares, and is therefore a Schedule 2 development by reason of the land area involved. The Regulations advise that EIA will be required only where it is likely to have significant effects on the environment by virtue of factors such as physical scale, nature or location. In taking account of the relevant selection criteria listed in Schedule 3 it is the Council's view that EIA is not required.

#### ii. an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable.

#### iii. a design statement or a design and access statement

A design statement has been submitted as part of the supporting information.

#### iv. any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)

A flood risk impact assessment report, coal mining risk assessment report, and car parking justification have all been submitted as part of the supporting information.

### B. Summary of the terms of any Section 75 planning agreement

Not applicable. A S69 legal agreement is required to secure a **£16,528** IPG 12 contribution in lieu of allotment/community garden provision and children's play provision on site.

### C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable Scottish Ministers to give directions

#### i. with regard to Environmental Impact Assessment Regulations (Regulation 30)

Not applicable

#### ii. 1. requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)

Not applicable

#### 2. restricting the grant of planning permission

Not applicable

#### iii. 1. requiring the Council to consider imposing a condition specified by Scottish Ministers

Not applicable

2. requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either imposed or need not be imposed.

Not applicable

## ASSESSMENT AND CONCLUSIONS

Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997, as amended, require that when an application is made under the Planning Acts, it shall be determined in accordance with the Development Plan unless material conditions indicate otherwise.

The main issues to consider in the assessment of this application are:-

(a) Whether the proposal accords with the Development Plan; and

(b) Whether there are any other material considerations to be taken into account, including any matters raised in the consultation responses or any comments and matters arising in letters of representation, which would warrant a departure from the development plan.

In respect of (a), the Development Plan consists of The Glasgow and the Clyde Valley Strategic Development Plan (adopted July 2017) and the Glasgow City Development Plan (adopted 29 March 2017). It is considered that the proposal has no Structure Plan implications.

### City Development Plan

The City Development Plan (CDP) consists of high level policies, with statutory Supplementary Guidance providing further information or detail in respect of these policies. The Development Policies and Policy Principles considered to be relevant to the current application are discussed below.

### **CDP 1 and SG 1 - The Placemaking Principle**

Policy CDP 1 requires a holistic, design-led approach to development to achieve the City Development Plan's key aim of creating and maintaining a successful, high quality, healthy place. The Council expects new development to contribute towards making the City a better and healthier environment to live in and aspire towards the highest standards of design whilst protecting the City's heritage. This will be achieved by:

- Making the City an appealing place to live, work and visit;
- Embedding community facilities in communities and recognising the needs of all members of society;
- creating healthy and more equitable environments and promoting healthy lifestyle opportunities, including opportunities to grow food;
- Respecting the historic and natural environment.
- Providing high quality amenity to existing and new residents.
- Promoting connectivity.
- Bringing, where possible, vacant and derelict land back into effective use.

The proposal is a new residential development within an established residential area, and is identified as part of the Housing Land Supply. As discussed in detail below, it is considered that the proposal complies with the applicable standards in CDP 1 by bringing vacant and derelict land back into effective use, and by providing a high quality of amenity to new residents while safeguarding the amenity of existing residents.

SG 1 sets the context and approach to placemaking established in CDP 1. It notes that the City Development Plan seeks to move away from the traditional land use based approach of previous local plans: placemaking principles should inform all development. In order to be successful, new development should aspire to achieve the six qualities of place as defined in Scottish Planning Policy, and reinforced by Creating Places and Designing Streets. These are:

- It is distinctive;
- It is safe and pleasant;
- It is easy to move around and beyond;

- It is welcoming;
- It is adaptable; and
- It is resource efficient.

SG 1 provides detailed assessment criteria for residential development. In part 1 there is specific guidance for 'small scale vacant and derelict land'. The Placemaking priorities for such sites are:

- a) Reaffirming the character and identity of places;
- b) Repairing street edges and improving legibility to make environments safer and more vibrant places to be;
- c) Developing a strong 'Glasgow-appropriate' architecture with its own distinctive identity and character;
- d) Retaining any surviving historic buildings, particularly those that relate to previous land uses, where appropriate; and
- e) Retaining informally established green infrastructure (e.g. woodland), where appropriate.

**Comment:** The site has no existing buildings. The existing apple tree and the trees to the perimeter of the site with Cowal Road and Maryhill Road would be removed to accommodate the development. The proposed landscaping includes significant tree and shrub planting, as well as 'nature boxes', and is considered to provide adequate ecological compensation. A suitable safeguarding condition is attached to ensure that nesting birds are not disturbed during construction.

All three blocks share the same restrained architectural language, while the detailed proposals respond creatively to the unique character of the site and the surrounding area. The buildings are simple cuboid forms, but the positioning of the buildings within the site provides some dramatic geometries between the buildings and allows view corridors through the site. The proposed layout re-establishes a strong and logical building line to Maryhill Road and Cowal Road, and Block 3 acknowledges the established building line on Whitelaw Street. The scale and massing of the buildings is an appropriate townscape response to this prominent site adjacent to an important road junction. While of a greater scale and massing than the terraced housing on Whitelaw Street, the buildings have a respectful relationship with surrounding buildings.

The proposal therefore meets the relevant Placemaking priorities for vacant and derelict sites.

In SG 1, part 2, there is guidance for the residential density, design, layout, building materials, waste and recycling storage, and energy efficiency of new developments. This is discussed below:

#### Residential Density

Within the Inner Urban Area, density may vary between 30 and 100 dwellings per hectare (DPH) in base accessibility locations, whilst higher densities will be expected in high accessibility locations, and should be justified in relation to the following general principles:

- a) location;
- b) context and setting;
- c) the scale and massing of adjacent buildings; and
- d) public transport accessibility and active travel opportunities.

**Comment:** The density of the development is approximately 122 DPH. The site is within an established residential area which has a mix of different housing densities including two storey terraced houses, and three and four storey tenements on Maryhill Road. The area has high public transport accessibility and excellent active travel connections. As discussed above, the scale and massing of the buildings is an appropriate townscape response to this prominent site adjacent to an important road junction. The development is considered to have a respectful relationship with surrounding buildings, and does not appear overbearing in scale and massing. The residential density is therefore considered appropriate.

## Residential Layouts

Residential Layouts should:

**a)** take a design-led approach towards aspect and orientation to maximise daylight and sunlight, reduce energy use, and prevent overlooking and loss of privacy, particularly when providing balcony and/or garden spaces (see RDG, Page 60 and the BRE 'Site Layout Planning for Daylight and Sunlight');

**Comment:** The development acknowledges these aspects within the detailed design, as evidenced in the accompanying Design statement. The overlooking/privacy relationship of the development with the existing houses at Whitelaw Street is a key consideration. With respect to Block 1, the building's nearest rear window is over 23m from the common boundary with 30 Whitelaw Street, and almost 14m from the common boundary with the commercial unit at 1829 Maryhill Road. With respect to Block 3, the building's nearest window is approximately 25m from the front elevation of 1 Whitelaw Street. The existing and proposed boundary treatments will provide appropriate screening of the parking court and garden area. There are therefore no overriding overlooking or privacy issues with adjacent properties.

With respect to privacy and overlooking within the development itself, the relationship between Blocks 2 and 3 requires particular consideration. There are no directly facing windows due to the layout out of the buildings. The west corner elevation of Block 2 would be 10m from the east corner of Block 3. These corners have inset balconies, leading in to living/dining rooms. The window to window distance between these rooms is 15m, though windows are not directly facing. The balconies already have public outlook to Cowal Road, and the privacy relationship between the two blocks is considered acceptable. It is considered that there are no overriding overlooking or privacy issues within the development

With respect to daylight and sunlight impact on neighbouring properties, proposed sunpath studies have been provided, which demonstrate that the development would have negligible impact on the number of hours of direct sunlight received by neighbouring properties.

**b)** make appropriate provision for refuse and recycling storage areas (see also SG1 - Placemaking, Part 2, Detailed Guidance - Waste Storage, Recycling and Collection and RDG, page 64);

**Comment:** Dedicated internal bin storage areas are indicated to the lower ground floor of each building.

**c)** wherever possible, retain all significant trees on sites, unless removal is necessary, e.g. for good arboricultural reasons (see SG7 - Natural Environment, Section 8);

**Comment:** The proposal will result in the loss of a mature apple tree, as well as semi-mature tree planting to the perimeter of the site. A comprehensive landscaping scheme, including generous tree planting, is proposed and this is considered to provide appropriate compensation.

**d)** have roads designed to the standards set out in RDG (see SG11 - Sustainable Transport);

**Comment:** The proposals are acceptable in this regard. SG 11 'Sustainable Transport' also provides guidance on car park design. The proposed parking area is appropriately sited to the rear of the development, and includes good quality surfacing materials, soft landscaping and boundary treatments.

**e)** incorporate a SUDS strategy to take account of the space and design requirements of the required SUDS scheme and

**Comment:** The drainage strategy is considered acceptable (see comments on SG 8 – Water Environment below).

**f)** ensure that all new homes do not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts.

**Comment:** The proposed development ensures this within the detailed design.

**g)** ensure sufficient permeability through the provision of walking/cycling routes and open spaces connected to the wider paths network and other community facilities. Off-road paths should be located centrally and be overlooked in order to promote public safety, see also SG1 - Placemaking, Part 1 and SG1 - Placemaking, Part 2, Detailed Guidance - Active Travel and SG6 - Green belt and Green Network.



**Comment:** Permeability through the private courtyard area would not be appropriate. The existing path between Whitelaw Street and Cowal Road will be upgraded, and passively overlooked from Block 2, thus ensuring continued pedestrian permeability through the site.

Additional Standards for flats:

- a) provide usable communal private garden spaces as “backcourts”. Design and layouts should ensure privacy, particularly for ground floor residents (see RDG for guidance);

**Comment:** Bin storage is contained within the buildings. The development has communal private garden areas, which provide amenity space and informal children’s play for residents. In addition, the majority of flats have inset balcony areas which provide additional external amenity space.

In terms of privacy and aspect in relation to flatted development, the following guidance applies:

- b) Ideally all flats should have dual aspect

**Comment:** All flats are dual aspect.

- c) privacy is also important to the rear of flats, where ambient noise levels are lower. Habitable rooms, therefore, should be set back from public or common footpaths or areas of open space, parking or waste storage (this could be secured, for example, by the formation of private garden space between habitable rooms and any such use); and

**Comment:** Privacy of ground floor flats is safeguarded within the design, and will be controlled through the landscaping conditions.

- d) flatted development, built on existing street frontages, should maintain established building lines and window patterns. Where there is no established building line, development should be set back from the pavement to ensure privacy for ground floor habitable rooms.

**Comment:** The proposed development establishes an appropriate building line to Maryhill Road, and responds positively to the public footways bounding the east and south of the site. The boundary treatment to Whitelaw Street also reinforces the established building line. The privacy of ground floor flats in blocks 1 and 2 are protected.

Building Materials

It is expected that all new development, depending on the nature and scale of the development, will:

- a) employ high quality facing and roofing materials that complement and, where appropriate, enhance the architectural character and townscape quality of the surrounding area;
- b) use robust and durable materials that fit their context and are capable of retaining their appearance over time and in Glasgow’s climate; and
- c) acknowledge the local architectural and historic context through the use of appropriate materials.

**Comment:** The applicant proposes a limited material palette of facing brick, timber framed windows and screens, and colour galvanised steel balustrades. It is understood the inset balconies shall be lined in aluminium cladding and concrete, though further details are required. The brick choice indicated in the provided 3D visuals is a grey brick with a good level of tonal variation. Notwithstanding, the Department has expressed concern about the darkness of the brick, which may be somewhat oppressive particularly in low light. Officers have suggested that a warmer tone would be preferred. The final brick choice is recommended to be subject to a safeguarding condition.

The hard landscaping within the development includes tarmac footpaths, Tobermore block paving in Silver and Graphite, and brick walls with railings.

Given the restrained architectural design it will be particularly important that the finishing materials and building detailing are of a high quality. A safeguarding condition is recommended requiring approval of the detailed materials specification. A further condition is recommended requiring approval of 1:20 elevation details.

With regard to the foregoing, the proposal is considered to comply with relevant design guidance in SG 1 – The Placemaking Principle.

### **CDP 2: Sustainable Spatial Strategy**

This policy states that the council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable city. In doing so, the Council will support new development proposals that, among other things:

- Utilise brownfield sites in preference to greenfield sites;
- Prioritise the remediation and reuse of vacant and derelict land;
- Contribute to the development of vibrant and accessible residential neighbourhoods;
- Support higher residential densities in sustainable locations;
- Protect and enhance the integrity and character of the city's historic and natural environment.
- Protect and enhance the function and integrity of the Green Belt and contribute towards the development of an integrated green infrastructure;

In summary, the proposed development is considered to comply with CDP 2 in so far as the proposed development will help strengthen the urban and residential character of the area and utilise an existing brownfield site.

### **CDP 5 and SG 5 Resource Management**

Policy CDP5 Resource Management requires all new developments to be designed to reduce the need for energy from the outset. This can be done through careful siting, layout and design and should make the best use of energy efficiency techniques and materials.

All new domestic and non-domestic developments are required to make use of low and zero carbon generating technologies in order to contribute to meeting greenhouse emission targets and to meet the appropriate sustainability level. In order to achieve this, a range of low and zero carbon generating technologies may be implemented. A Statement on Energy will be required to support all applications to which this policy applies.

This application was submitted in advance of the deadline of 01 September 2018, and therefore requires to meet Silver Active Standard of the Technical Handbook plus 15% carbon dioxide emissions abatement through the use of low and zero carbon generating technologies.

**Comment:** The applicant has submitted a Statement on Energy which advises that the proposal will incorporate measures to meet the Silver Active Standard of the Technical Handbook plus 15% carbon dioxide emissions abatement through the use of low and zero carbon generating technologies. This constitutes the type of detail that can reasonably be expected at planning stage.

The developer has adopted a 'fabric first' approach to reduce energy demand, and the SoE advises that a wide range of different Low and Zero Carbon Generating Technologies (LZCGT) have been considered for the development. Following this review, the applicant proposes to use natural gas-fired combi boilers, and photovoltaics. Flue gas heat recovery is also proposed. A centralised solution was considered, using an LZCGT (and back up boilers) to generate heat before transferring it to dwellings via a heat network, but was ruled out due to the space requirements. A condition is proposed to ensure that the formal confirmation of the constructed development's compliance with the Statement on Energy, carried out by a suitably qualified professional, is obtained by the Planning Authority as the development goes through the Building Warrant process.

The proposal is considered to comply with CDP 5 and SG 5 Resource Management.

### **CDP 7 and SG 7 Natural Environment**

CDP 7 aims to ensure that Glasgow's natural environments, including its ecosystems and protected species, are safeguarded and, wherever possible, enhanced through development.

**Comment:** The site has no national or local environmental designations, and there is no habitat within the site boundary which is considered a constraint for development. A safeguarding condition is attached requiring

protection of nesting birds during construction. The proposed landscape strategy introduces a number of trees, hedges and shrubs, and creates opportunity for habitat creation, including Nature Boxes. Suitable conditions are attached to control the landscaping proposals.

The proposal is considered to comply with CDP 7 and SG 7 Natural Environment.

**CDP 8 / SG 8 – Water Environment** provides detailed guidance on Flood Risk Assessments and Drainage Strategies for new development.

The Department is satisfied with the submitted flood risk information.

It is recognised that there is a greater level of underground storage proposed for the site than permitted by the policy guidance. In addition to the below ground storage, the applicant is proposing porous pavements in car parking spaces to treat and attenuate surface water. It is proposed to discharge the site's attenuated surface water to the combined sewer. With regard to the overall balance between hard and soft landscaping, and the provision of useable amenity space, it is considered that the proposed drainage solution is acceptable for this physically constrained site.

### **CDP 11 and SG 11: Sustainable Transport**

CDP 11 aims to ensure that Glasgow is a connected City, characterised by sustainable and active travel. SG 11 includes detailed guidance on vehicle and cycle parking standards as well as electric vehicle charging standards for new development.

#### Car Parking

SG 11 requires a holistic assessment of car parking, and the policy contains both vehicle parking standards and design guidance. SG 11 advises that final parking provision should be determined through a placemaking approach to the design of the development. Every effort should be made to minimise the impact of on-street parking for safety reasons and to reduce visual impact in residential areas.

SG 11 advises that parking provision in residential developments should be assessed against the standards set out in Table 3.1. Table 3.1 advises a 'new build' basic minimum standard of 1 allocated space per dwelling unit for residents and an additional 0.25 unallocated spaces per dwelling unit for visitors (125% provision). For this development this would equate to 62 parking spaces for residents, plus 16 spaces for visitors (78 spaces total). However, the applicant proposes to provide only 52 off-street spaces (84% provision). Access to 42 of these spaces would be within the parking court, and controlled by an automatic access gate. 10 spaces would be accessed from Whitelaw Street, and further details will need to be provided about the detailed design and method of control for these spaces.

Table 3.1 advises that variation above or below these basic standards shall be justified against the following relevant criteria:

- public transport accessibility so provision below the basic standard may be considered in areas of High Accessibility

**Comment:** The site is in the inner urban area, and has high accessibility for public transport. Maryhill Road functions as one of Glasgow's main arterial routes, and is a high frequency bus corridor. Maryhill rail station is approximately 400m walking distance to the north. There are also pedestrian links and active travel routes along the green corridors of both Kelvin Way and the Forth and Clyde Canal. There are local shopping opportunities adjacent to the site on Maryhill Road. The site is a location where provision below the basic standard may be considered.

- density and open space considerations (see SG 1 and SG6);

**Comment:** As discussed in relation to SG1, the proposed density is considered acceptable, and is comparable with tenement flatted development in the immediate area. It is considered that providing a greater level of parking provision on site would unacceptably reduce the available communal garden space for future residents of this development, to the detriment of residential amenity.

- placemaking, townscape and design requirements;

**Comment:** As discussed in relation to CDP 1 / SG 1 – The Placemaking Principle, the proposed development is considered to demonstrate an appropriate townscape response, while providing sufficient levels of amenity space for future residents.

- house size and house form (i.e. flatted accommodation with the lowest requirement, through terraced and semi-detached, to detached with the highest requirement);

**Comment:** The development would provide a combination of one and two bedroom flats. The smaller households in one and two bedroom flats are statistically less likely to have access to a car.

- car availability by household in the surrounding area;

**Comment:** The most recent available Census figures from the Scotland Census 2011 show that the overall level of car availability for households in the Glasgow Maryhill and Springburn Scottish Parliamentary Constituency for social tenants was only 29%. Car availability over all tenures was only 49%. Maryhill Housing Association's allocation policies for new social rented lets prioritise those in greatest need, and its tenant base tends to include either the lowest income earners or tenants on benefits. The Association has found that car ownership is low within its existing tenant base.

The Association has completed a number of similar and larger sized developments, some of which are mixed tenure, where overall parking was approved at 100% or less. The most direct example is at Maryhill Locks Phase 2 which is situated 0.5 miles from the site. This development provides 125 Units in total, 19 of which are Shared Equity (i.e. 15%) with the remaining 106 as social rent. Car parking on this site was approved at 106% (133 spaces) including visitor spaces. 65% (87 Spaces) were in-curtilage or allocated, with 35% (46) unallocated. Three parking surveys were carried out by Maryhill Housing Association in February 2019 in order to assess the parking use in the development. These surveys were carried out in the evening and on a Sunday, at times when most flats would be expected to be occupied. The maximum parking level identified over the three survey days was 66 cars parked. As a percentage (relative to the 125 housing units in the development) this is 53% occupancy, inclusive of any visitor parking. Maryhill Housing Association has remarked that if this figure was used as a guide for future car parking requirements for the proposed development at Cowal Road, this would equate to 33 parking spaces.

Notwithstanding, the tenure mix in the proposed development includes a greater proportion of mid-market rent and shared equity units (58% of units), and it is recognised that those residents are likely to have greater income and greater levels of car availability than encountered in the Maryhill Locks development.

- existing pressure on on-street parking in the surrounding area;

**Comment:** Maryhill Road has parking restrictions, and Cowal Road has no available parking. Whitelaw Street has no parking restrictions, and local residents have complained and provided photographic evidence of recent parking pressures on this street. It is likely that the parking pressure has been exacerbated in recent months by the construction traffic and vehicles of construction workers building the final phase of residential development on nearby Lochgilp Street. Should on-street parking continue to be an issue within the Botany, there may be a need to introduce parking restrictions to the public roads.

#### Conclusion:

Consideration has been given to the low car availability by household in the surrounding area, the high accessibility to public transport, the good active travel connections and access to local services. Consideration has also been given to proposed mix of tenures (social rented accommodation, mid-market rent and shared ownership), the unit sizes (one and two bedroom flats), the on-street parking pressure in the surrounding streets, and the evidence from a similar development delivered by Maryhill Housing Association in the local area.

It is considered that the proposed parking provision of 52 car parking spaces (84% provision), is likely to be sufficient for the car parking requirements of the future residents and visitors to the development, and is unlikely to result in unacceptable pressure on on-street parking in the local area. The proposed level of off-street parking provision is therefore considered justified for this development.

It is recommended that a safeguarding condition is attached requiring that the developer provides appropriate management of the parking spaces, with spaces allocated to individual flats, and the remainder of the units marketed as 'car-free'. In addition, it is recommended that the developer prepares a Travel Pack for new residents to encourage sustainable transport and active travel.

### Cycle Parking

SG 11 advises that Cycle parking provision should be provided at a minimum standard of 1 space per unit, plus visitor parking at a rate of 0.25 spaces per unit in new residential developments where resident's cycle parking provision is provided communally.

For this development this would equate to a requirement for 78 spaces. Cycle parking is indicated within the lower ground floor of each building. An appropriate safeguarding condition is attached requiring details of a minimum provision of 78 cycle parking spaces within the development, including spaces of visitors.

### Electric Vehicle charging

Electric Vehicle charging (passive provision) should be provided for all off-street parking spaces in new residential development, and a suitable safeguarding condition is therefore recommended.

With regard to the foregoing, the proposal is considered to comply with CDP 11 and SG 11 Sustainable Transport.

## **IPG 12: Delivering Development**

IPG 12 provides guidance on the provision of open space in association with new development. It sets out an interim approach to open space provision based on policy ENV 2 (and the associated development guide DG/ENV 2) of City Plan 2. This approach will remain in place until the final SG 6 policy guidance has been consulted on and adopted. New residential development (including conversions) is required to provide access to good quality recreational open space. This includes provision for children's play areas, amenity open space/parkland, outdoor sport facilities, allotments and community gardens

### Existing Open Space Facilities

In terms of amenity space, there are no parks within the 400 metre threshold specified in the policy. As such, and using the methodology agreed for assessment of amenity space, the level of provision in this area is considered to be deficient.

In relation to children's play facilities, there are some play areas within the 300m threshold which are accessible from the proposal site. However, the overall level of provision within the area is still considered to be deficient.

### On Site Provision

This proposal is for a mixed number of flats and houses on what is a relatively constrained site in terms of area. The general amenity space obligation is 420 sq m. The developer's layout shows three amenity areas which have been measured at 542, 83 and 53 square metres, allowing these spaces to potentially be off-set against the amenity requirement. The children's play provision requirement is 588 sq m. The developer has incorporated 3 small areas of play totalling 123 square metres as on-site provision. Whilst the play provision is welcomed the requirement for this proposal at 588 square metres which results in a shortfall in provision of 465 square metres. The provision for allotments/community gardens is for 42 sq m, which is not met on site.

The proposal provides a communal garden area, but requires a financial contribution in relation to allotments/community gardens, and children's play provision. The financial contribution has been calculated as £16,528, and the applicant has agreed to pay this through a S69 legal agreement.

The proposal is considered to comply with SG 12, subject to safeguarding conditions to ensure the quality of the landscaping, and the completion of a S69 agreement to secure the required financial contribution.

In terms of issue (a), therefore, the proposal is considered to be in line with the Development Plan, having regard to all relevant policies as addressed above.

In respect of (b), whether any other material considerations, including the matters raised in the consultation responses and letters of representation, have been satisfactorily addressed. With regard to the letters of representation, the grounds may be summarised, with appropriate comment, as follows:

1. Excessive scale and overdevelopment.

**Comment:** The density of the development is approximately 122 DPH. The site is within an established residential area which has a mix of different housing densities including two storey terraced houses, and three and four storey tenements on Maryhill Road. The area has high public transport accessibility and excellent active travel connections. As discussed above, the scale and massing of the buildings is an appropriate townscape response to this prominent site adjacent to an important road junction. The development is considered to have a respectful relationship with surrounding buildings, and does not appear overbearing in scale and massing. The residential density is therefore considered appropriate.

2. Design and materials is not in keeping with the surrounding buildings.

**Comment:** As discussed above in relation to SG1: The Placemaking Principle, all three blocks share the same restrained contemporary architectural language, while the detailed proposals respond creatively to the unique character of the site and the surrounding area. The buildings are simple cuboid forms, but the positioning of the buildings within the site provides some dramatic geometries between the buildings and allows view corridors through the site. It is considered that the architectural language is appropriate, and that the design responds positively to the site's distinctive character.

A brick specification has not been provided at this stage, and a suitable safeguarding condition is attached requiring approval of the brick specification. The CGIs indicate a multi-tonal grey facing brick. It is recognised that grey facing brick is not used elsewhere on Maryhill Road /Cowal Road, though there are contemporary brick buildings in the Botany to the west. The Department has expressed concern about the darkness of the brick, which may be somewhat oppressive particularly in low light. Officers have suggested that a warmer tone would be preferred.

3. Loss of existing open space, and concern about pedestrian access to Maryhill Road.

**Comment:** The existing site is an area of open space, though this is of limited amenity value and the site has no environmental designations. The site has been identified as a site for housing in the Development Plan, and forms part of the Housing Land Supply. Interim policy guidance IPG 6 'Green Belt and Green Network' identifies the site as a 'Development Site containing open space'. This designation requires no compensation for loss of the existing temporary landscaping.

The development would preserve and upgrade the existing pedestrian footpath connection between Whitelaw Street and Cowal Road. While the footpath connection to Maryhill Road would be lost, the walking distance would not be greatly increased. Permeability through the private courtyard area would not be appropriate.

4. Loss of privacy to neighbouring properties.

**Comment:** As discussed above in relation to SG1: The Placemaking Principle, the development has an acceptable privacy relationship with surrounding properties. The window to window distances exceed 20 metres. There are therefore no overriding overlooking or privacy issues with adjacent properties.

5. Loss of view from neighbouring properties.

**Comment:** Loss of view is not a material planning consideration. Notwithstanding, the development does allow views through the site.

6. Unacceptable loss of an apple tree on this site.

**Comment:** A mature apple tree would be lost. Notwithstanding, the tree has no statutory protection and the proposed landscaping scheme is considered to provide sufficient ecological compensation.

7. Insufficient car parking for new residents (contrary to SG 11: Sustainable Transport), and concern about

additional on-street parking pressure on Whitelaw Street.

**Comment:** SG 11: Sustainable Transport requires a holistic assessment of car parking provision. The proposed parking provision is 52 spaces (84% provision), which is below the recommended minimum of 125% provision.

Consideration has been given to the low car availability by household in the surrounding area, the high accessibility to public transport, the good active travel connections and access to local services. Consideration has also been given to proposed mix of tenures (social rented accommodation, mid-market rent and shared ownership), the unit sizes (one and two bedroom flats), on-street parking pressure in the surrounding streets, and the evidence from a similar development delivered by Maryhill Housing Association in the local area. It is considered that the proposed parking provision of 52 car parking spaces (84% provision), is likely to be sufficient for the car parking requirements of the future residents and visitors to the development, and is unlikely to result in unacceptable pressure on on-street parking in the local area. The reduced level of off-street parking provision is therefore considered justified for this development.

8. Increased traffic pressure on the existing junction with Cowal Road.

The applicant has submitted a transport statement in support of their application which includes some analysis of the junction onto Cowal Road. The Department has reviewed this statement, and agrees that the anticipated number of vehicles can be accommodated.

9. The Council should consider more shared ownership within the development.

**Comment:** The Council is not the applicant for this development. The proposed mix of tenure has been decided by Maryhill Housing Association.

The material considerations raised by Mr Doris are summarised below:

1. My main concern is that the proposed number of car parking spaces may prove insufficient. The Design and Access Statement indicates that an additional 12 spaces could be accommodated on the site, by removing amenity space. I wish to seek assurances that, should the capacity of the proposed car park prove to be insufficient, conditions will require there be no delay in extending it.

**Comment:** The applicant has indicated in the Design and Access statement that an additional 12 spaces could be physically accommodated on the site. However, this would be at the expense of private garden space, and it is considered that this would unacceptably reduce residential amenity. No conditions have been recommended which require additional parking. If there were future proposals to increase the level of car parking on the site at this would require planning permission, and would be assessed against the Development Plan policies. The impact on residential amenity would be a key consideration.

2. Concern about the capacity of Cowal Street as the sole vehicular access to the flats.

**Comment:** The applicant has submitted a transport statement in support of their application which includes some analysis of the junction onto Cowal Road. The Department has reviewed this statement, and agrees that the anticipated number of vehicles can be accommodated.

## CONCLUSION

The above demonstrates that the proposed development complies with the relevant policies of the Development Plan. Other material considerations including the consultation responses and letters of objection have been considered, however these do not outweigh the proposal's accordance with the Development Plan.

On the basis of the foregoing, it is recommended that the application for planning permission be granted subject to the following suggested conditions, and the completion of a S69 legal agreement to secure a financial contribution of £16,528 in lieu of on-site amenity provision.

**CONDITIONS AND REASONS**Approved Drawings:

D(--)005 - Location Plan  
D(--)006 REV C Wider Site Plan - Lower Ground Level  
D(--)007 REV D Wider Site Plan - Ground Level

D(--)009 REV C Site Plan - Landscape Layout  
D(--)010 REV E Site Plan - Lower Ground Level  
D(--)011 REV D Site Plan - Ground Floor  
D(--)012 REV C Site Plan - Typical Upper Floor  
D(--)018 REV B Site Plan - Roof Plan

D(--)020 REV D Block 1 - Lower Ground Floor  
D(--)021 REV D Block 1 - Ground Floor Plan  
D(--)022 REV D Block 1 - 1st Floor Plan  
D(--)023 REV D Block 1 - 4th to 5th Plan

D(--)030 REV C Block 2 - Lower Ground Floor  
D(--)031 REV C Block 2 - Ground Floor Plan  
D(--)032 REV C Block 2 - 1st to 6th Floor Plan

D(--)040 REV C Block 3 - Lower Ground Floor  
D(--)041 REV C Block 3 - Ground Floor Plan  
D(--)042 REV C Block 3 - 1st to 5th Floor Plan

D(--)050 REV B Plot Schedule Sheet 1  
D(--)051 REV B Plot Schedule Sheet 2  
D(--)052 REV B Plot Schedule Sheet 3  
D(--)053 REV B Plot Schedule Sheet 4

D(--)100 REV A Block 1 - East Elevation  
D(--)101 REV A Block 1 - South Elevation  
D(--)102 REV A Block 1 - West Elevation  
D(--)103 REV A Block 1 - North Elevation

D(--)105 REV B Block 2 - South - East Elevation  
D(--)106 REV B Block 2 - South - West Elevation  
D(--)107 REV B Block 2 - North - West Elevation  
D(--)108 REV B Block 2 - North - East Elevation

D(--)110 REV A Block 3 - South Elevation  
D(--)111 REV B Block 3 - East Elevation  
D(--)112 REV A Block 3 - West Elevation  
D(--)113 REV A Block 3 - North Elevation

D(--)201 REV A Block 1 - Section AA  
D(--)202 REV A Block 1 - Section BB  
D(--)203 REV A Block 1 - Section CC

D(--)206 REV A Block 2 - Section DD  
D(--)207 REV A Block 2 - Section EE

D(--)0210 - Block 3 - Section FF  
D(--)0212 - Block 3 - Section GG

D(--)210 REV A Contextual Elevations - West  
D(--)211 REV A Contextual Elevations - East



D(--)-212 REV A Contextual Elevations - South  
 D(--)-213 REV A Contextual Elevations - North  
 D(--)-214 REV A Contextual Sections - North  
 D(--)-215 REV A Contextual Sections - North 2  
 D(--)-216 REV A Wide Scale Contextual Site Section - North  
 D(--)-217 REV A Wide Scale Contextual Site Elevation - North & South  
 D(--)-218 REV A Wide Scale Contextual Site Elevation - East & West

A(90)001 - Low level wall with metal railing  
 A(90)002 - Whitelaw St boundary wall  
 A(90)003 - Maryhill Rd boundary wall  
 A(90)101 - Maryhill Rd boundary wall elevation & plan  
 A(90)102 - Whitelaw St boundary wall elevation & plan

L(90)001 REV B Hard/Soft Landscaping Drawing  
 SK(190705)001 - Site Section - Block 1 and 2 - Long Elevation  
 SK(190705)001 - Site Section - Block 1 - Long Elevation  
 SK(190705)003 - Site Section - Block 2 and 3 - Long Elevation

E2643 L(52)03 Proposed Drainage Layout  
 E2643 L(52)07 Proposed Attenuation Tank Detail  
 Proposed topographical Survey dated December 2017

Conditions:

01. Unless otherwise formally agreed in writing with the Planning Authority, external materials shall be:

Buildings:

- facing brick
- dark grey concrete roof tiles
- dark grey single ply membrane low pitch roofing
- timber framed windows and screens
- aluminium framed glazed screen to common closes
- ppc aluminium cills
- colour galvanised steel juliet balcony balustrades
- colour galvanised steel or cast stone planter

Hard Landscaping:

- facing brick perimeter walls and low level planters to match the buildings
- low level precast cope planters
- Tobermore Hydropave Sienna Block Paving in Graphite
- Tobermore Sienna Block Paving in Graphite and Silver

Samples and/or product literature of all proposed external materials, including for the inset balconies and colonnades, shall be submitted to and approved by the Planning Authority in writing in respect of type, format, colour and texture. This written approval shall be obtained for all external materials before their use on site. A sample panel of the facing brick, including mortar joints, shall be erected for inspection and written approval of the Planning Authority. This written approval shall be obtained before the facing brick is used on site, and the approved sample panel shall remain in place throughout construction.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.

02. Before any work on the site is begun, full details of the design and location of external rainwater goods, external vents, flues and any other similar fixings to the building shall be submitted to and approved in writing by the planning authority. Where reasonably practical it is expected that all requirement for vents, flues and similar fittings shall be accommodated via rising internal service ducts which terminate at roof level.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.

03. Before any work on the site is begun detailed section and elevation drawings of the following elements of the building facades, to a scale of 1:20, shall be submitted to and approved in writing by the planning authority:

- typical window and juliet balcony detail, demonstrating a minimum 215mm brick reveal depth
- typical recessed balcony detail
- typical colonnade detail
- typical entrance recess details.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.

04. Before any work on the site is begun, further details of the approved external landscaping scheme shall be submitted to and approved by the planning authority. This shall include details of the following aspects:

- external lighting
- low level brick and precast cope planters
- automatic opening gate for vehicle access
- the 10 parking spaces accessed directly from Whitelaw Street
- Colour galvanised mild steel gate and railings
- benches, clothes drying area and natural play equipment
- nature boxes
- a detailed planting schedule, including information of all tree types and sizes, and shrub planting specification and numbers.

Details shall also include a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard landscaping, shall thereafter be completed in accordance with the approved scheme.

Reason: To ensure that the landscaping of the site contributes to the landscape quality and biodiversity of the area.

05. The minimum depth of topsoil shall be 150mm for grass areas, 450mm for shrub areas and 900mm for trees on clean subsoil free from builder's rubble and other deleterious materials. Topsoil shall be free from pernicious weeds and shall have a pH value of approximately 7.0.

Reason: To ensure that favourable conditions are created for survival of the planting.

06. Before any of the dwellings are occupied, a maintenance schedule for the landscaping scheme/open space, and details of maintenance arrangements, including the responsibilities of relevant parties, shall be submitted to and approved in writing by the planning authority.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

07. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

08. Before any work on the site is begun, a detailed plan which shows the location and details of a method of tree protection to comply with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations shall be submitted to and approved in writing by the planning authority. The approved

protection shall be in place prior to the commencement of any work on the site and shall be retained in place until completion of the development.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

09. Any felling or cutting back of trees, scrub or bushes shall be undertaken outside the main bird breeding season (March-July inclusive), unless a survey by a suitably experienced surveyor has shown that no nests, in use or being built, could be damaged, destroyed or obstructed.

Reason: To ensure that the landscape works do not disturb nesting birds.

10. Before any work on the site is begun, a comprehensive site investigation report shall be submitted for the written approval of the Planning Authority. Site investigations shall be conducted and reported in accordance with current and recognised codes of practice such as British Standards Institution "The investigation of potentially contaminated sites – Code of Practice" and BS ISO 18400 Series of Standards. The investigation reports shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN33 Development of Contaminated Land. Where a risk assessment identifies any unacceptable risk or risks, a remediation strategy shall be prepared that sets out all the measures necessary to bring the site to a condition suitable for the intended use and must be agreed with the Planning Authority in writing prior to work starting on the development. The remediation strategy shall also include a timetable and phasing plan where relevant.

The approved remediation scheme shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Planning Authority. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the execution of the completed remediation works in accordance with the approved remediation scheme shall be completed by a suitably qualified Engineer and submitted for approval in writing by the Planning Authority.

Reason: To ensure the ground is suitable for the proposed development.

11. In the event that any previously unsuspected or unencountered contamination is found at any time when carrying out the approved development, it shall be reported to the Planning Authority within one week and work on the affected area shall cease unless otherwise agreed by the Planning Authority in writing. A comprehensive contaminated land investigation and assessment shall be conducted to determine the revised contamination status of the site and a remedial strategy where required shall be prepared and agreed in writing with the Planning Authority before work recommences on site. Upon completion of the remediation works and prior to the site being occupied, a verification report which demonstrates the effectiveness of the completed remediation works shall be submitted and approved in writing by the Planning Authority.

Reason: To ensure the ground is suitable for the proposed development.

12. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

13. All dwellings shall be designed and constructed so that noise from road traffic does not give rise to internal noise levels, with windows closed, greater than 45 dB(A) daytime and 35 dB(A) night time when measured as LAeqT.

Reason: To protect residents in the development from rail traffic noise.

14. Vehicular access into and from the parking court shall be taken via a dropped kerb footway crossing in accordance with Figure 5.8 of the Design Guide for New Residential Areas.

Reason: To ensure that the access complies with approved standards in the interests of pedestrian and

vehicular safety.

15. The applicant shall provide a residential travel pack in each dwelling prior to occupation; a draft pack shall be submitted to this office for approval; pack should include maps detailing public transport stops, timetable and estimated journey times, walking / cycle routes to key destinations, health benefits of walking / cycling etc.

Reason: To ensure that the development is accessible to all in accordance with the principles of inclusive design.

16. All parking spaces within the development shall be designed and constructed as passive electric vehicle charging spaces, ensuring 20% capacity in the electricity network, providing individual fuse boxes for each space, and designing in ducting for future cabling.

Reason: To support the provision of electric vehicle charging infrastructure, and thus accord with the aims and requirements of City Development Plan policy CDP 11: Sustainable transport, and supplementary guidance SG11: Sustainable Transport.

17. The car parking area(s) shall be permeable but shall exclude loose material. Car parking spaces (each space measuring 2.5 x 5.0 metres) and aisles (6 metres wide) shall be clearly delineated on the ground. The car parking area shall be available for use before the development is occupied.

Reason: To attenuate drainage from the site in the interest of flood control; to keep the road free of loose material in the interests of pedestrian and vehicular safety; and to ensure that car parking is available for the occupiers/users of the development.

18. The off-street car parking spaces within the development shall be allocated to individual flats, with the remainder of the properties marketed as car-free. Details of the proposed management arrangements for the car parking areas, including control of the car parking spaces accessed directly from Whitelaw Street, shall be submitted to and approved in writing by the Planning Authority prior to occupation of the first dwelling.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

19. Before development commences on site a Statement on Energy (SoE) shall be submitted to and approved in writing by the planning authority.

The SoE shall analyse the energy and CO2 savings that can be achieved in the development by utilising energy efficient design, practice and technologies. It shall demonstrate how the development will incorporate low and zero-carbon generating technologies to achieve at least a 15% cut in CO2 emissions and the 'Silver Active' sustainability label, or better, as per the Building Standards Technical Handbook Section 7: Sustainability Standard.

The development shall thereafter be constructed in compliance with the approved SoE. Formal confirmation of the constructed development's compliance with the SoE, carried out by a suitably qualified professional, shall be submitted to and approved in writing by the planning authority before the development/the relevant part of the development is occupied. See also advisory note 07.

Reason: To reduce energy consumption and greenhouse gas emissions by ensuring that the development is designed and constructed to be energy efficient, and utilises cleaner and more renewable sources of energy. To comply with City Development Plan policy CDP 5: Resource Management.

20. Safe, secure and sheltered cycle parking for residents and visitors shall be provided within the development for a minimum of 76 bicycles. Before development commences on site full details of the cycle parking shall be submitted to, and approved by, the planning authority. Thereafter the approved provision shall be in place before the development is occupied.

Reason: To ensure that cycle parking is available for the occupiers/users of the development.

21. During the construction period, wheel washing equipment shall be provided at all egress points and kept in operation during all times when vehicles are leaving the site. Before any work on the site is begun, details of the type of equipment shall be submitted to and approved in writing by the planning authority.

Reason: To ensure, in the interests of traffic and pedestrian safety, that mud from the site is not carried onto any road.

#### **REASON(S) FOR GRANTING THIS APPLICATION**

01. The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

#### **ADVISORY NOTES TO APPLICANT**

01. The applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build or maintain this approved development. Such consent should be obtained prior to the commencement of works on site
02. The applicant should consult Scottish Water concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development. In particular, sustainable drainage systems (SUDS) should be designed and constructed in accordance with the vestment standards contained in "Sewers for Scotland", 3rd edition 2016. The applicant is advised that, where drainage systems including SUDS are not vested in Scottish Water, it is the applicant's/developer's responsibility to maintain those systems in perpetuity or to make legal arrangements for such maintenance.
03. Construction and/or demolition work associated with this development should conform to the recommendations/standards laid down in BS5228 Part 1: 1997 "Noise and Vibration Control on Construction and Open Sites". Best Practicable Means as defined in Section 72 of the Control of Pollution Act 1974 should be employed at all times to ensure noise levels are kept to a minimum.
04. In order to protect local residents' amenity, noise associated with construction and demolition works in residential areas should not occur before 0800 or after 1900 Monday to Friday, and not before 0800 or after 1300 on Saturdays. Noise from construction or demolition works should be inaudible at the site's perimeter on Sundays and public holidays. The planning authority should be notified of necessary works likely to create noise outwith these hours.
05. The applicant is advised to consider registering the site with the Considerate Constructors Scheme, which aims to improve the image of the construction industry. For further details, please contact the scheme directly. Considerate Constructors Scheme, PO Box 75, Ware, Hertfordshire SG12 0YX. Telephone: 01920 485959 Fax: 01920 485958 Freephone: 0800 7831423 [www.ccscheme.org.uk](http://www.ccscheme.org.uk) email:enquiries@ccscheme.org.uk
06. The applicant is advised that it is not permissible to allow water to drain from a private area onto the public road and to do so is an offence under Section 99(1) of the Roads (Scotland) Act 1984.
07. Prior to implementation of this permission, the applicant should contact Development and Regeneration Services (Transport) at an early stage in respect of legislation administered by that Service which is likely to have implications for this development.
08. It is recommended that the required Statement of Energy is submitted using the format set out in Annex A of City Development Plan supplementary guidance SG 5: Resource Management.

The development is required to meet a level of environmental sustainability set out in Building Standards Technical Handbook Section 7: Sustainability Standards. The developer will be reminded of this requirement on submission of subsequent Building Warrant(s) for the development. It is expected that the formal confirmation of compliance with the SoE which is required by this Decision Notice shall be satisfied by submission of the Certificate of Sustainability to the planning authority.

09. Early engagement should be undertaken with Neighbourhoods & Sustainability (Roadworks Control) on agreeing a suitable construction methodology / mitigation strategy.
10. Section 56 of the Roads (Scotland) Act 1984 will be required. For any extension to the existing road network an application will be required under section 21 of the Roads (Scotland) Act 1984.

#### ADVISORY NOTES TO COUNCIL

This application requires the completion of a S69 Legal Agreement.

for Executive Director of Regeneration and the Economy


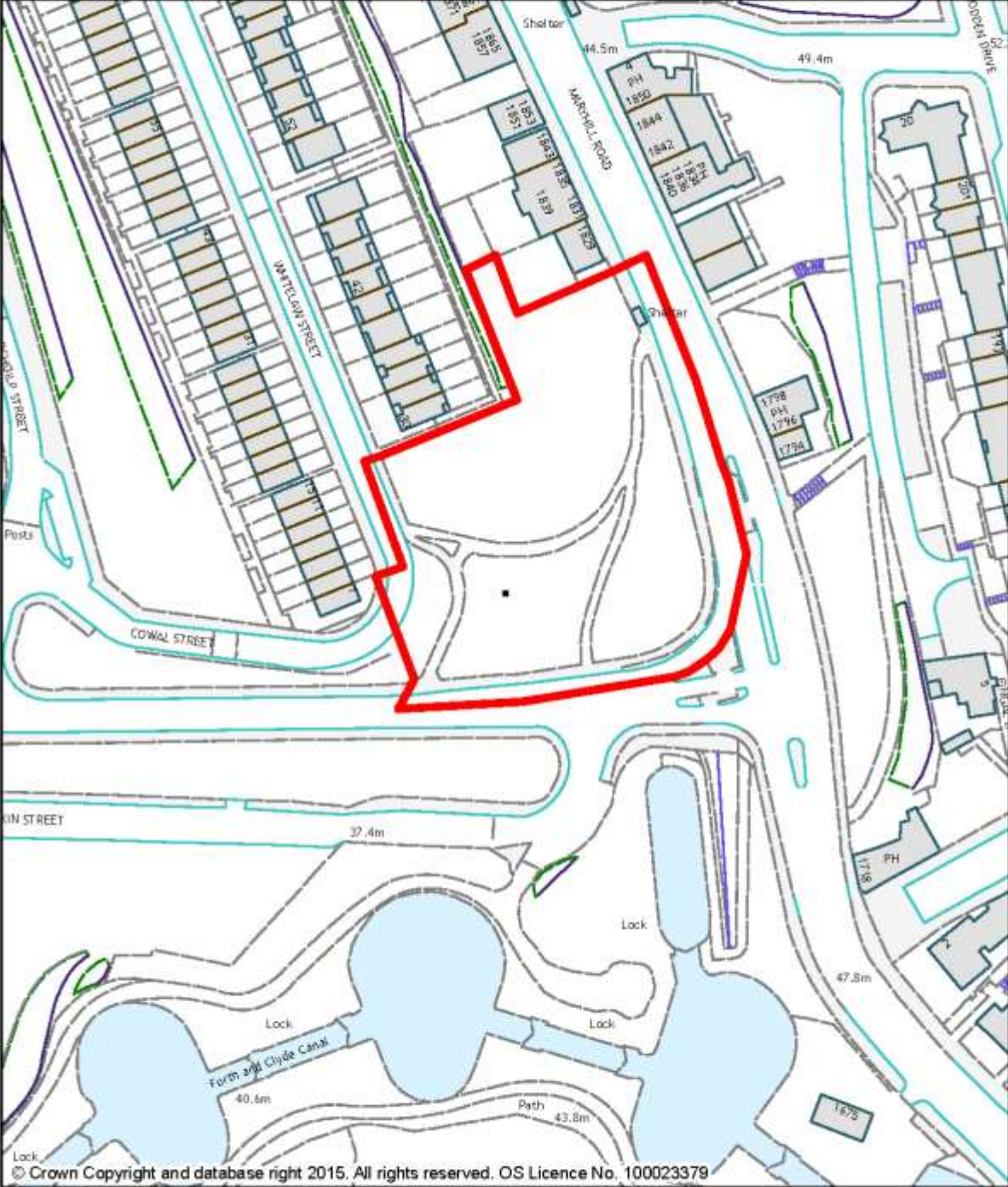

DC/ IAB/  
21/08/2019

#### BACKGROUND PAPERS

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 <p><b>Glasgow City Council</b> Development and Regeneration 231 George Street Glasgow G1 1RX <i>Executive Director: Richard Brown</i></p>	<p><b>Reference No:</b> 18/02629/FUL</p> <p><b>Address:</b> Site bounded by Maryhill Rd/Whitelaw St/Cowal Rd</p>
<p><b>Scale:</b> 1:1,250</p>	<p><b>Indicative Site Location</b>      <b>Ward: 15</b></p>
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<p> Location of Site (for details refer to Report)</p>	