



## PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Regeneration and the Economy

Contact: Alison Farrell Phone: 0141 287 8683

**Item 3**

18th August 2020

<b>APPLICATION TYPE</b>	Full Planning Permission		
<b>RECOMMENDATION</b>	Refuse		
<b>APPLICATION</b>	20/00585/FUL	<b>DATE VALID</b>	18.03.2020
<b>SITE ADDRESS</b>	2-4 Hamilton Park Avenue Glasgow		
<b>PROPOSAL</b>	Formation of 6no. dormer windows, replacement windows and doors, external alterations and erection of bin store.		
<b>APPLICANT</b>	A&M Properties (Glasgow) Ltd C/o Agent 4B Craighuchty Terrace Aberfoyle FK8 3UH	<b>AGENT</b>	Gillan Consulting Norman Gillan 4B Craighuchty Terrace Aberfoyle FK8 3UH
<b>WARD NO(S)</b>	11, Hillhead	<b>COMMUNITY COUNCIL LISTED</b>	02_022, Hillhead
<b>CONSERVATION AREA</b>	Glasgow West		
<b>ADVERT TYPE</b>	Affecting a Conservation Area/Listed Building	<b>PUBLISHED</b>	3 April 2020
<b>CITY PLAN</b>			

### REPRESENTATIONS/ CONSULTATIONS

Ten letters of representation were received with respect to the Application. Seven of these were in support of the Application whilst 3 were objections – summarised as follows:

Comments in support of the proposals were received from 7 members of the public including 3 immediate neighbours of the property. Comments were in favour of the upgrading of older housing stock, improvements to the physical appearance of the building, improvements in terms of the standards of student accommodation on offer within the west end and an alternative to new purpose built blocks and that the introduction of dormers would not impact on the conservation area given their prevalence in the area.

One of the objectors welcomed the proposed investment in the property but objected due to an error in the serving of Ownership Notices relating to the proposed bin store and cycle parking being on common land however this was rectified as part of the processing of the Application.

Both the Architectural Heritage Society of Scotland and Friends of Glasgow West objected to the proposals due to the impact on the character of Glasgow West Conservation Area as a result of the alterations at roof level.

Friends of Glasgow West noting that the age and style of this particular tenement block is such that the attic storey did not feature habitable accommodation or dormer windows and that this difference should be preserved. The Architectural Heritage Society of Scotland also commented that the proposal amounts to over development of the site which would be to the detriment of local residential amenity.

Finally it was noted that the external elements (dormers) of the proposed alterations are similar to those previously refused ref 14/02003/FUL, with decision upheld at the Local Review Board.

## SITE AND DESCRIPTION

The application property consists of a three storey blonde sandstone tenement located on the corner of Great Western Road and Hamilton Park Avenue. The application site is in an established residential area of the Glasgow West Conservation Area (Kelvinside and North Kelvinside Character Area as per the Glasgow West Conservation Area Appraisal) within Ward 11, Hillhead.

Externally, it is proposed to form three splayed (3.3m wide) dormer windows to the Hamilton Park Avenue elevation with two box dormer windows (3.9m wide) to the rear elevation. A further splayed dormer also of 3.3m width is proposed to the Great Western Road elevation. The dormers would be clad in lead with timber sash and case windows. Additional works include replacement timber sash and case windows and replacement front doors to No2 and No 4 Hamilton Park Avenue together with the provision of a bin store and cycle storage to the rear.

## PROPOSAL

Planning Permission is sought for external alterations to this unlisted tenement property which is located within Glasgow West Conservation Area. The proposed works are associated with internal upgrade of the current accommodation to provide usable spaces at attic level together with provision of a bin store and cycle storage to the rear. General upgrade work including installation of timber windows to replace existing upvc fittings and new external doors are also proposed.

## PLANNING HISTORY

98/00165/DC – GC – Installation of replacement windows and stonecleaning, formation of external stair.  
98/02379/DC – GC – Subdivision of flat to form two flats and use of guest house as residential flat.  
01/03321/DC – GC – Use of flats as multiple occupancies.  
04/02081/DC – RF – Formation of two self-contained flats within attic roofspace and formation of eight dormer windows: Contrary to Policy RES 14 of the City Plan.  
14/02003/DC – RF - Formation of two self-contained flats within attic roofspace and external alterations.  
15/00009/LOCAL – APDISM - Formation of two self-contained flats within attic roofspace and external alterations.  
19/03050/PRE – CLO - Internal and external alterations including conversion of roof to create additional rooms with dormer windows, communal area, replacement windows and general upgrades.

## POLICIES

The City Development Plan consists of high level policies with statutory Supplementary Guidance providing further information or detail in respect of the policies. Some Supplementary Guidance is still under preparation and these items are considered as Interim Policy Guidance.

The following policies are considered particularly relevant to the application assessment:

CDP 1 The Placemaking Principle  
CDP 2 Sustainable Spatial Strategy  
CDP 9 Historic Environment

Relevant Supplementary Guidance:

SG 1 The Placemaking Principle  
SG 9 Historic Environment

The City Development Plan contains two overarching policies: CDP 1 The Placemaking Principle and CDP 2 Sustainable Spatial Strategy, which must be considered in relation to all development proposals. Other policies and associated supplementary guidance provide more detail on specific land uses or environments which contribute to meeting the requirements of the overarching policies.

### **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

Not applicable

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

Not applicable

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

Not required for this application

- 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)

Not applicable

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

Not applicable

#### **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

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that where an application is made under the Planning Acts, it shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.

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

- (a) whether the proposal accords with the Development Plan;
- (b) whether the proposal preserves or enhances the character or the appearance of the Conservation Area and;
- (c) whether any other material considerations have been satisfactorily addressed.

## DEVELOPMENT PLAN

In respect of (a), the Development Plan comprises the Glasgow and Clyde Strategic Development Plan and the City Development Plan. There are no specific policies of relevance to the application proposal in the Strategic Development Plan. In addition, under the terms of Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the Council is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

The following City Development Plan policies are considered particularly relevant to the application assessment:

**CDP 1 – The Placemaking Principle**  
**CDP 2 – Sustainable Spatial Strategy**  
**CDP 9 – Historic Environment**

Relevant Supplementary Guidance:

**SG 1 – The Placemaking Principle**  
**SG 9 – Historic Environment**

The principal planning issues to be addressed in this instance are considered to be whether the proposal would have any detrimental impact on the character and appearance of the unlisted building or the surrounding Glasgow West Conservation Area.

### **CDP 1 The Placemaking Principle and SPG 1 Placemaking**

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.

SG 1 Part 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. It identifies six qualities of place: character and identity, successful open space, legibility and safety, ease of movement, vibrancy and diversity, adaptability and sustainability which are supported by a series of placemaking principles to guide development proposals.

New development should not have an undue adverse impact on the amenity of adjacent land or property but should relate and respond to its surroundings. It should have a high quality contemporary design and sympathetic palette of materials. It should help to reinforce the legibility of local areas by responding to local features and characteristics and reflecting a clear understanding of neighbouring urban forms.

Placemaking priorities in the Historic Environment include: a) Protecting and enhancing the unique character of historic buildings, structures and settings; b) Promoting new development of the highest design and material quality which respects and integrates with the existing historic environment.

SG 1 Part 2 has detailed assessment criteria for development, with guidance for alterations to dwellings and gardens, dormer windows, residential layouts, residential development in lanes, building materials, energy efficient buildings, materials, waste and recycling storage and collection.

Comment:

The application property has at various times in its history operated as a hotel and guesthouse, and currently operates as HMO flats. The planning unit (Nos 2-4) is currently licensed for 30 residents across 22 rooms. The Applicants state that the proposal would result in the same amount of residents being housed across 30 rooms, rather than 22, with an increase in amenity space as unused spaces in the building will be brought into use. The current licence HMO runs until 30/09/2022. This application will not increase the number of residents and there will be no intensification of this authorised use.

The focus of this Application is therefore limited to the external alterations. Whilst the upgrading of the property including removal of non-conforming upvc windows to be replaced with appropriate timber sash and case windows and new external doors would be welcomed – the dormers to the front elevation(s) as proposed would impact on the character and visual amenity of Glasgow West Conservation Area and would be an over dominant feature. As noted within the representation from Friends of Glasgow West – the tenement was not designed to incorporate dormers and the existence of these within the neighbouring B listed terrace should not be used as justification for their addition to this property. It is noted that previous internal feedback from the Council's former City Design team had noted that dormers *may* be acceptable however this was following negotiation on the previous scheme and related to dormers of considerably reduced dimensions to what is currently proposed. For example the maximum proposed splayed dormer previously proposed to the Hamilton Park Avenue elevation was 2.5m whereas here we have 4 No 3.3m width dormers on front roof slopes. The proposal as first submitted also sought to remove chimneys from the roof slope to Hamilton Park Avenue however subsequent revisions have these reinstated. Nonetheless despite various revisions it is still considered that the introduction of the dormers to the front roof slopes in particular would impact on the character and appearance of the Glasgow West Conservation Area and would erode from the variation of form in tenement stock as was originally constructed and intended. It is relevant that specific pre-application guidance was also provided to this effect.

CDP 9 Historic Environment aims to protect, preserve and enhance the City's historic environment and heritage assets in line with Scottish Planning Policy and Scottish Historic Environment Policy. SG 9 provides detailed guidance for conservation areas. Proposals for new development in Conservation Areas must: a) preserve and enhance the special character and appearance of the area and respect its historic context; b) be of a high standard of design, respecting the local architectural and historic context and use materials appropriate to the historic environment; c) protect significant views into, and out of, the area; d) retain all existing open space, whether public or private, which contributes positively to the historic character of the area; and e) retain trees which contribute positively to the historic character of the area. SG9 Historic Environment states that:

**Dormer Windows** - The introduction of new dormer windows will generally be discouraged.

New dormer windows on the front elevation of unlisted buildings in Conservation Areas will only be acceptable where dormers form part of the original or early design of an area. Where a strong case is made for the creation of additional rooms within the roof space of an unlisted building dormers:

- a) should be located on the rear elevation and must be positioned below the ridge-line of the roof, even if the roof has a shallow pitch;
- b) should be drawn back as far as is practicable from the eaves;
- c) relate to existing traditionally designed dormers in character, proportion and alignment;
- d) mirror other traditional windows and doors in the property, in character, proportion and alignment and reflect the character and proportions of the building as a whole;
- e) The haffits and roof of the dormer should be finished in materials to match the existing roof; and
- f) where original traditionally designed dormers exist, their repair and/or replacement will be encouraged if the design and materials match the original.

Features such as finials and decorative bargeboards should be retained. Poorly designed dormers should be replaced by one of a traditional design. Dormer windows will also have to meet the privacy and overlooking standards set out in SG 1: The Placemaking Principle - Detailed Design Guidance on Development Affecting Residential Property.

It is noted that new dormers are generally discouraged with respect to listed buildings and properties within conservation areas and that to the front elevation of an unlisted building within a conservation area this would require to be justified. With regards to the particular local context of the Application site, it may be reasonably concluded that the presence of dormers immediately adjacent on the B listed terrace to Hamilton Park Avenue and to various properties on Great Western Road satisfies this element of Policy. There is however significance in the observation that the subject property is a modest tenement of a particular period and design that should be retained unaltered in terms of the preservation of the conservation area and its varied character. It is not considered that a 'strong case' has been made for the creation of some 6 No additional rooms within the attic space of the building however the desire to provide improved accommodation within the building in its use as an HMO and upgrading of historic building stock is acknowledged. During the course of considering the proposals, which were submitted despite formal pre-application advice that they would be unlikely to be supported – various revisions have been brought forward. These include the reintroduction of the chimneys which had been proposed for removal (contrary to SG9) and also some reduction in the scale of the proposed dormers. Nonetheless it is considered that in its current form whereby the dormers are considered to be an intrusive feature, the proposed development would neither preserve or enhance the character of the conservation area, or complement the architectural character of the adjacent unlisted building. Any future proposal should consider restricting the dormers to the rear as a means of providing enhanced accommodation.

In terms of SG1 - the proposed external alterations would not impact on, nor overshadow, the adjacent residential properties and the proposed dormer windows would not create, or aggravate any overlooking or loss of privacy issues. 15 cycle parking spaces are proposed to the rear together with additional bin and recycling space.

It is considered that the proposed external alterations, and specifically the introduction of the 4 No dormer windows to the front roof slopes facing Hamilton Park Avenue and Great Western Road in particular fails to accord with overarching policies CDP 1 The Placemaking Principle and CDP 2 Sustainable Spatial Strategy and relevant supporting policies and supplementary guidance of the adopted Glasgow City Development Plan and will not preserve and maintain the character or appearance of the Conservation Area but will detract therefrom.

Other material considerations, including the consultation responses and the points raised in the letters of support and objection, have been considered and there are no material considerations that would justify a departure from the Development Plan.

Accordingly, it is recommended that planning permission is refused for the following reasons

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

The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.

The development proposal as submitted is contrary to overarching Policies CDP 1 The Placemaking Principle and CDP 2 Sustainable Spatial Strategy and to Policies CDP 9 Historic Environment and Supplementary Guidance SG 1 Placemaking and SG 9 Historic Environment of the adopted Glasgow City Development Plan as detailed below.

The proposed front dormer windows, by reason of their form, design and number, would be contrary to Policy CDP 1 The Placemaking Principle and CDP 2 Sustainable Spatial Strategy and to Policies CDP 9 Historic Environment and Supplementary Guidance SG 1 Placemaking and SG 9 Historic Environment of the adopted Glasgow City Development Plan and would introduce an over dominant and obtrusive feature thereby detrimental to the character and appearance of the Glasgow West Conservation Area in general and to the setting of the adjacent Listed Buildings.

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

None

for Executive Director of Development and Regeneration Services

DC/ AFA/  
23/07/2020

## BACKGROUND PAPERS

**PLEASE NOTE THE FOLLOWING:**

*Any Ordnance Survey mapping included within this report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to license Ordnance Survey mapping/map data for their own use. The OS website can be found at [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)*

*If accessing this report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale.*



### Glasgow City Council

Development and Regeneration  
231 George Street  
Glasgow G1 1RX

Executive Director: Richard Brown

Reference No: 20/00585/FUL

### Address:

2-4 Hamilton Park Avenue

Scale: 1:1,250

Indicative Site Location

Ward: 11



Location of Site (for details refer to Report)