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REPORT OF HANDLING FOR APPLICATION 20/01094/FUL

8th September 2020

ADDRESS:	162 Monifieth Avenue Glasgow G52 3DJ
PROPOSAL:	Use of flatted dwelling (sui generis) as short-term let (sui generis) (retrospective)
DATE OF ADVERT:	No advert required
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	No representations received
PARTIES CONSULTED AND RESPONSES	No consultations requested
PRE-APPLICATION COMMENTS	There were no pre-application discussions
EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE
IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
STRUCTURE PLAN POLICIES	NOT APPLICABLE
CITY DEVELOPMENT PLAN POLICIES	CDP 1 The Placemaking Principle SG 1 The Placemaking Principle - Part 1 and Part 2 CDP 10 Meeting Housing Needs SG 10 Meeting Housing Needs
OTHER MATERIAL CONSIDERATIONS	None
REASON FOR DECISION	V02 – The proposal has been assessed as not in accordance with the relevant policies from the adopted City Development Plan and there are no material considerations which outweigh this.

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	COMMENTS
PLANNING HISTORY	There is no record of any previous planning applications for this property
SITE VISITS (DATES)	The Case Officer has been unable to undertake a site visit due to the Coronavirus crisis restrictions but has still been able to undertake a full assessment based on the information provided and resources available.
SITING	The application site is one of the ground floor flats in a traditional four flats in a block residential building located at the southern end of Monifieth Avenue in close proximity to Mossbank Drive. The property is on the western side of Monifieth Avenue. The site is in Ward 4 – Cardonald.
DESIGN AND MATERIALS	<p>The applicant proposes to use the flat as a short-term let property. As explained in the supporting statement:</p> <ul style="list-style-type: none"> • the applicant will be using a serviced accommodation management company that will manage private, short-term bookings of the property. This company will advertise the property, arrange each booking, maintain the property and provide a cleaning and laundry service weekly. They will also take care of the refuse/ recycling accrued both during and after each booking; • the existing property will not be subdivided with its existing layout remaining the same. It is intended that the flat will be rented to one individual (or company) who will be responsible for the entire flat; • check-ins/ check-outs are managed remotely by a team of staff that are contactable 24 hours a day. A cleaning team are employed by a third party to visit the property to clean it and change the linen. It is proposed that this would be done weekly and/ or at check-out once the guest(s) have departed; • the short-term guest(s) would have access to all of the facilities within the flat and would also have access to the gardens; • it is intended that the proposed serviced accommodation would be used as an alternative to a hotel or bed and breakfast. <p>It goes on to explain in the question and answer section in the supporting statement that typically short stays can range from 3-7 nights to longer periods for corporate guests/ insurance claims which can be for several weeks. It is stated that the property has five single beds so the maximum amount of guests could be five, however, the expected number of guests would be three – i.e. one guest per room.</p> <p>No physical alterations to the flat are proposed.</p> <p>N.B. this is a retrospective application, on the application form the box for <i>Has the work already been started and/ or completed</i> has been ticked yes. A date of 1/2/20 has been given in relation to this. It is explained that a change of use was not necessarily required at this stage.</p>
PRIVACY	<p>The application proposes a commercial use for a flat in a traditional four flats in a block residential building. The flat has its own direct access door at the side of the building at ground floor level; however, it shares a communal access point and path from Monifieth Avenue with the upper floor flat.</p> <p>It is considered that a privacy conflict is created as a result of the sharing of access to the communal entrance and access path to the building from Monifieth Avenue between the longer-term private resident of the upper floor flat (no.160 Monifieth Avenue), and the short-term nature of the proposal. The Case Officer is not aware that 160 Monifieth Avenue is a short-term let property so it is understood that this is occupied by longer-term private resident(s).</p>
LANDSCAPING (INCLUDING GARDEN GROUND)	From the plans which have been provided with the application and from looking at satellite imagery it appears that the rear garden space to the ground and upper floor flats is subdivided between the two flats. The details of this subdivision are not clear so there are concerns that there could be a privacy conflict in relation to the use of this overall private

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	rear garden area between the occupants of both flats.
ACCESS AND PARKING	The access arrangements and concerns in respect of this have been discussed in the Privacy section of this report. From the details which have been provided it is understood that both flats utilise on-street parking. No changes to the existing parking arrangements are proposed.
SITE CONSTRAINTS	No site constraints which are of relevance to the proposal
DISCUSSION	<p>It is required that the application is assessed against the relevant policies and supplementary guidance from the City Development Plan; these are outlined in the City Development Plan Policies section of this report.</p> <p>In terms of CDP 1 The Placemaking Principle, 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 the Policy Statements Creating Places and Designing Streets. Below are the six qualities of place:</p> <ul style="list-style-type: none"> • 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. <p>Generally speaking it is considered that it is entirely possible to apply these six qualities of place to the proposal. It is also considered that the proposal falls short in terms of the requirements for one that can be considered as safe and pleasant. As has been illustrated by the analysis of the proposal against SG 10 below, the use of properties for short-term lets is not suitable in blocks containing mainstream residential uses. Due to the transitory nature of those using the lets it is considered that there is less of an onus on users being good neighbours to existing residents who are longer-term private occupants. Therefore, it is considered that there may be a negative impact in relation to quality of space (both use of the communal areas between 160 and 162 Monifieth Avenue and the enjoyment of the resident(s) of 160 Monifieth Avenue's own flat) if this proposal was approved. Subsequently, this would also impact on the quality of space being welcoming should associated anti-social issues arise from short-term users of the property.</p> <p>The Council has provided specific policy for short-stay accommodation in the City Development Plan, this falls under CDP 10 Meeting Housing Needs and the policy is detailed in SG 10 Meeting Housing Needs. The overarching aim of CDP 10 is to ensure that the City's growing and diverse population has access to a choice of housing of appropriate quality and affordability across all tenures. As outlined in 4.12 of SG 10:</p> <p><i>The use of a flat as short-stay accommodation has the potential to result in conflict with mainstream residential flats in a block through regular influx of temporary residents as well as increased pressure on infrastructure and shared space. Evidence has shown that amenity issues can arise through the introduction of short-stay accommodation and illustrates the need to effectively control the activity taking place.</i></p> <p>Short-stay accommodation proposals are assessed against the following detailed criteria in SG 10, together with the key criteria for tourist accommodation in Section 4 of this policy document:</p> <p><i>a) To protect residential amenity planning permission will not be granted for a change of use from a residential flat to short-stay accommodation within existing blocks of residential flats, resulting in a mix of mainstream residential flats and short-stay accommodation within a single building sharing a means of access.</i></p> <p><i>b) In appropriate locations that satisfy the relevant key criteria relating to tourist</i></p>

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	<p><i>accommodation (in Section 4), planning permission may be granted for the change of use of entire blocks of residential flats to short-stay accommodation, or for new purpose-built developments for this type of accommodation.</i></p> <p>In terms of assessing the proposal, (b) above does not apply. As regards (a), the property is located within an existing four flats in a block residential building and would result in a mix of mainstream and short-stay use. It is noted that the application site has its own means of access; however, it shares the main access to the building from Monifieth Avenue with the upper floor flat. This main access includes a small gate in the hedgerow at the front boundary of the building, and the path which leads from this to the building.</p> <p>Given the well-established concerns with siting this type of proposed development amongst mainstream residential uses and also the noted access conflict whereby the flat utilises the same gated access and path from Monifieth Avenue with the mainstream upper floor flat, it is considered that this proposal fails to meet the standards as outlined in City Development Plan policy and associated supplementary guidance as regards qualities of place. Of concern is also the transient nature of personnel tasked with maintaining the property on a regular basis and their use of the shared access to the building from Monifieth Avenue and any potential impact that short-stay users of the accommodation could have on established resident's enjoyment of the private garden space to the rear of the building.</p> <p>For the reasons discussed in this section of the report of handling it is considered that the proposal does not comply with the relevant policies from the City Development Plan and therefore it is recommended that planning permission is refused.</p>
RECOMMENDATION	Refuse

Date: 5/6/20	DM Officer	Peter Fusco
Date <u>08/06/2020</u>	DM Manager	Susan Connelly

REASON FOR REFUSAL

01. V02

02. The proposal is contrary to CDP 1 and supplementary guidance SG10 'Meeting Housing Needs' of the Glasgow City Development Plan 2017 insofar as the proposal would result in a change of use from a residential flat to short-stay accommodation within an existing blocks of residential flats, resulting in a mix of mainstream residential flats and short-stay accommodation within a single building sharing a means of access from Monifieth Avenue. As such, the access would be compromised by users and maintenance personal visiting the short-term let flat to the detriment of the enjoyment of the use of the access by mainstream residents.

03. The proposal is contrary to CDP 1 and supplementary guidance SG10 'Meeting Housing Needs' of the Glasgow City Development Plan 2017 insofar as the proposal would result in a change of use from a residential flat to short-stay accommodation within an existing blocks of residential flats, resulting in a mix of mainstream residential flats and short-stay accommodation within a single building. As such, the introduction of the proposed use would adversely affect the residential character of the flatted block to the detriment of the amenity of residents occupying mainstream residential flats.

Refused Drawings

The development shall not be implemented in accordance with the following drawing(s)

1. 20-010-PL 001-1st EXISTING AND PROPOSED PLANS Dated 20/3/20 Received 17/4/20

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