



PLANNING APPLICATIONS COMMITTEE
Report by Head of Planning and Building Standards
Contact: Neil Moran Phone: 0141 287 8684

Item 3
1st June 2021

APPLICATION TYPE:	Full Planning Permission
RECOMMENDATION:	Granted Subject to Conditon and S75

APPLICATION	19/02394/FUL	DATE VALID	08.08.2019
SITE ADDRESS	48 Tinto Road Glasgow G43 2AH		
PROPOSAL	Erection of residential development (6 units).		
APPLICANT	IAM Developments Ltd 46 Greenhill Avenue Glasgow G46 6QQ	AGENT	Rebecchi Architectural Services Ltd Marco Rebecchi 55 Kempock Street Gourock Inverclyde PA19 1NF
WARD NO(S)	02, Newlands/Auldburn	COMMUNITY COUNCIL	02_093, Mansewood & Hillpark
CONSERVATION AREA		LISTED	
ADVERT TYPE		PUBLISHED	
CITY PLAN			

INTRODUCTION

On the 4th of May 2021 the Planning Applications Committee voted to continue the above Application. The Committee sought further information on how compensation for the loss of three tennis courts at Hillpark Bowling Club could be used by Glasgow Life, to adequately compensate for the loss of these courts.

As instructed, further information has been provided by Glasgow Life on how the financial compensation could be spent. The Committee Report as presented on the 4th of May 2021 is also appended below for reference.

GLASGOW LIFE'S STATEMENT

"I refer to our recent telephone conversation in which you requested Glasgow Life's comments on the potential opportunities for use of the tennis compensation funds (£150,000) that are expected to arise from the disposition of the above planning application at Hillpark Bowling and Tennis Club.

Given that the planning policy requirement for compensation relates to the loss of tennis courts, this money is required to be used by GCC to deliver replacement tennis capacity. This investment will need to be made on City Council owned land which will prioritise community accessibility to any new or enhanced provision.

Glasgow Life is in agreement with **sportscotland** that there should be flexibility on how and where replacement tennis capacity is provided, and that this should be determined in consultation with the relevant key sporting stakeholders. Glasgow Life will seek early discussions with both **sportscotland** and Tennis Scotland in order to identify suitable locations where investment in new or upgraded tennis provision can make an effective contribution to the development of the sport in Glasgow. Reference will also be made to the Supply / Demand Assessment Report of the emerging Pitch Strategy, which is due for completion this summer.

Clearly the ideal scenario will be to enhance tennis capacity within the south sector of the city and there are a number of publicly owned venues that will clearly form part of our deliberations. This includes the existing artificial grass court facility at Queens Park – home to Queens Park Community Tennis Club - and the existing poor quality blaes / macadam courts at Newlands Park which have proved popular as a free play facility throughout the Covid-19 pandemic. It should also be noted however that the joint stakeholders will take into consideration a city-wide review of facility needs in case the urgent need for additional tennis provision in areas of acute deficiency may require the diversion of a proportion of compensation funds in support of new or upgraded provision elsewhere.

Once a recommendation as to where best to invest compensatory funds is identified, any elected member briefings, advisory notes and/or consultation exercises can be conducted as required. With that in mind, it would be helpful if you could advise if there will be a need for any formal reporting and/or approval required to ratify the identification of spend at selected locations?.

I trust that the above is helpful but please come back to me with any further queries.”

CONCLUSION

The above demonstrates that there is scope within the local area for the financial compensation to be spent on improving access to tennis within Council owned facilities. The final decision making process of where to invest the money would be taken in accordance with the emerging Pitch Strategy but would take what is a private members only facility and provide access to the public through Glasgow Life.

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 this confirmation from Glasgow Life that there is scope to improve tennis facilities in the local area, it is recommended that the application for full Planning Permission be granted subject to conditions and a legal agreement.



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REPRESENTATIONS/ CONSULTATIONS

Scottish Water	- No objection
Scottish Environmental Protection Agency	- No objection
SportScotland	- No objection subject to compensation

A total of six objections were received from members of the public, the points of objection raised are summarised below:

- Contrary to City Development Plan and Scottish Planning Policy
- Open space
- Massing
- Garden Ground
- Parking
- Visual amenity
- Materials
- Trees
- Anti-social behaviour and litter

BACKGROUND INFORMATION & SITE HISTORY

In 2005, under planning consent 03/00239/DC, permission for the erection of 15 flatted dwellings on bowling greens on the corner of Tinto Road and Ledi Road.

This consent was given subject to a legal agreement that the Bowling Club change their status to a Community Amateur Sports Club, to ensure that the proceeds of the sale of the site would be used for the benefit of the club, with specific works and repairs to the clubhouse listed in the legal agreement.

The applicant previously submitted an application for the tennis courts at Hillpark Bowling & Tennis Club, 48 Tinto Road, reference 19/00277/FUL, for "Erection of residential development (6 units)". Due to the number of edits required to be made to the justification for the loss of open space, this application was withdrawn by the applicant and resubmitted for consideration in August 2019.

SITE AND DESCRIPTION

The application site consists of the three tennis courts at Hillpark Bowling & Tennis Club. The site fronts onto Rostan Road and is bounded by the clubhouse to the north and residential properties to the east and south.

The proposal seeks permission for the erection of 6 semi-detached properties fronting onto Rostan Road. The accommodation proposed would provide six 3 bedroom houses. The proposed dwellings would be two storey onto Rostan Road, with a lower ground floor forming three storeys in height to the rear. The properties would be finished in a mixture of buff stone, white render and Marley Cedral Cladding in grey.

Each dwelling would have a single off street parking space on Rostan Road, rear gardens with binstore enclosure accessed via a path and gated access onto Cairngorm Road. A bin collection point has been provided for at this gated access for collection.

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 applicable

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 and Drainage statement have been submitted.

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

A single Section 75 legal agreement to secure from the applicant and Hillpark Bowling Club:

- Hillpark Bowling Club maintaining their Community Amateur Sports Club obligations
- Obligation to carry out specific works to the club areas
- Restriction on how profits from sale of residential development site should be spent by Hillpark Bowling Club
- Prohibition on construction and occupation of the residential development until trigger points have been reached in respect to the works at the club
- Payment of £150,000 for financial compensation to mitigate for the loss of the tennis courts, for investment in another space of that type, in the vicinity of the development 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

POLICIES

City Development Plan Policies

- CDP 1 & SG 1 – Placemaking
- CDP 2 – Sustainable Spatial Strategy
- CDP 5 & SG 5 – Resource Management
- CDP 6 & IPG 6 – Green Belt & Green Network
- CDP 8 & SG 8 – Water Environment
- CDP 11 & SG 11 – Sustainable Transport

Other Material Considerations

- Glasgow's Open Space Strategy (Adopted February 2020)
- Design Guide for New Residential Areas (Adopted March 2013)
- Flood Risk Assessment and Drainage Impact Assessment: Planning Guidance for Developers (2011)

ASSESSMENT AND CONCLUSIONS

Sections 25 and 37 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 two main issues to consider in the assessment of this application are:-

- (a) whether the proposal accords with the Development Plan; and
- (b) whether any other material considerations have been satisfactorily addressed.

In respect of (a), the Development Plan comprises Clydeplan (SDP) and the City Development Plan (CDP). There are no specific policies of relevance to the application proposal in the Strategic Development Plan.

The City Development Plan consists of high level policies (in line with Scottish Government guidance), with statutory Supplementary Guidance providing further information or detail in respect of these policies.

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

CDP 1 – The Placemaking Principle & SG 1 – Placemaking

This Policy aims to improve the quality of development taking place in Glasgow by promoting a design-led approach. This will contribute towards protecting and improving the quality of the environment, improving health and reducing health inequality, making the planning process as inclusive as possible and ensuring that new development attains the highest sustainability levels.

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 'Placemaking' comprises two parts. Part 1 provides the context and approach of Placemaking established in Policy CDP1 and Part 2 contains detailed assessment criteria relating to physical design.

Part 1 explains the 'placemaking principle' concept and how it will apply to new development in the City, stipulating that the onus will be on developers to fully consider, evaluate and apply the principles of Placemaking to individual schemes, as appropriate. Applicants must be able to show how their proposals meet placemaking requirements and how they have responded to relevant local development plan policies and associated supplementary guidance.

All new development in Glasgow should be primarily design led and should be determined by the nature of a site, the wider site context and the City's broad urban design objectives. All significant new development is encouraged to adopt the Placemaking Design Process set out in the guidance.

SG 1 Part 1 states that while often recognised as a city of tenements, Glasgow has a strong tradition of lower density villas, terraces and garden suburbs. The City has a rich history of building high quality family and lower density housing that provides access to gardens and wild spaces.

The Placemaking priorities for Low Density Housing Character Areas are:

- a) Creating Sustainable communities;
- b) Providing community facilities;
- c) Delivering high quality, accessible, multifunctional blue, green and grey open space; and
- d) Fostering social interaction and mitigating social isolation.

These priorities will help reconnect existing local communities and reactivate sustainable neighbourhoods throughout the City. Improving the quality of local facilities and amenities will help to reinforce and support the development of high quality places.

The proposed development is deemed to accord with the placemaking priorities of the Low Density Character Area. The proposal utilises the change in levels to present two storeys to the street and provide accommodation over three storeys. The proposal uses high quality modern materials, a mixture of buff stone, white render and Marley Cedral Cladding in grey. The layout introduces three semi-detached pairs of dwellings to Rostan Road, reinforcing the street edge.

Part 2 of SG 1 'Placemaking' states that:

It is the Council's aim that all residential development should be served by good quality, accessible community infrastructure. As part of this aspiration, wherever possible all existing community facilities and services should be retained. The Council will:

- a) safeguard against the loss of community recreational and sports facilities, unless it can be demonstrated that they are no longer needed by the community they serve and are not needed for other community or recreational use;
- b) encourage the flexible use of community facilities and recreational venues and the co-location of services;
- c) encourage the cultivation of food locally by protecting existing allotments and supporting the delivery of new allotments and the increased provision of informal food growing spaces; and
- d) seek to ensure that facilities are well located and easily accessible.

Proposals which involve the loss of land and/or buildings valued as a community facility will only be permitted if evidence can be provided to prove:

- a) there is adequate existing local provision of facilities of equivalent community value; or
 - b) the facility can be replaced, to at least its existing level and quality, within the new development;
- or
- c) suitable replacement community facilities of equivalent quality, quantity and community value will be provided at new locations accessible in terms of active travel and public transport; or
 - d) there is no longer a need within the local community for the facility.

In terms of (d), developers will be expected to provide evidence to prove the lack of current and future local need in order to justify the loss of a community facility. The following information will be required:

- a) details of attempts made to attract other community uses for which the premises are suitable;
- b) details of the current or most recent use of the facility;
- c) evidence of spare capacity or an agreement to accommodate displaced users at other equivalent facilities and evidence that users will be able to easily access the replacement facility by sustainable and active transport methods; and
- d) evidence that community engagement was undertaken to gauge the level of interest in and viability of the continued use of the premises as a community facility.

The application site is a well-established Bowling and Tennis Club with two bowling greens and three tennis courts which are identified on the Council's Open Space map. The site is therefore an existing community recreational and sports facility, which the above policy seeks to safeguard unless there is no longer a need by the community.

The applicant has made the case that the clubhouse serves as a community facility, with use by a range of local groups throughout the week during the day and evenings. The proposal seeks to sell off, and permit the development of, the now unused tennis courts in order to secure the long term financial future of the Club.

Through consultation with Sports Scotland, who have consulted Tennis Scotland, it has been established that there is a lack of tennis provision in the local area for the level of demand. As a result, Sport Scotland have raised no objection to the loss of the tennis courts subject to the securing of a financial contribution in order to upgrade capacity for tennis in the area. The proposed legal agreement seeks to secure that financial contribution of £150,000.

Subject to the securing of this financial contribution, it is deemed that the loss of the tennis courts can be adequately compensated and the benefit of securing the future of the Bowling Club and its contribution to the wider community would safeguard against the loss of a community facility.

Lower densities will, generally, be appropriate in the Outer Urban Area. Sites with base accessibility may be developed to a maximum of 50 dwellings per hectare (dph)

The development proposal is for 6 dwellings on a 0.2 hectare site, which is a density of 30 dph. The site is within an existing urban setting which is characterised by a mix of traditional sandstone two storey properties, modern flatted properties and bungalows. The proposal, for a three two/three storey dwellings, uses the change in levels to sit one storey below Rostan Road. The proposed density is acceptable, having taken account of the character and scale of adjacent buildings, and accords with the General Principles of SG 1.

SG 1 states that houses should provide usable private garden space large enough to serve various domestic functions; parking provision to satisfy SG11 - Sustainable Transport and Car Parking Provision and Car Parking Layout guidance in the RDG and garages and/or driveways sufficient for household needs: and adequate privacy for residents. Each property benefits from rear private gardens and private driveways for off-street parking of a single vehicle. Privacy has been demonstrated to both the proposed properties and with suitable separation to properties on Tinto Road. The applicant has provided a cross section plan which show the window to window distances, from the existing surrounding properties and the windows of the proposed development, exceed the 18 metres requirement to ensure adequate separation to protect privacy.

The proposal uses high quality modern materials, a mixture of buff stone, white render and Marley Cedral Cladding in grey. Bin stores are proposed to the rear of the gardens, with rear access to a bin collection location at the gated access to Cairngorm Road.

The proposal accords with the Placemaking priorities for a site in a Low Density Housing Character Area and the Green Network Character Area, and therefore accords with policies CDP 1 & SG 1.

CDP 2 – Sustainable Spatial Strategy

This policy provides a spatial representation of The Plan's strategy, with a strong emphasis on placemaking, health and wellbeing, and sustainability. To achieve the aim of the policy, it is recognised that intervention is required in some areas of the City. The Policy therefore highlights that Spatial Supplementary Guidance will be prepared for these priority areas in accordance with the Sustainable Spatial Strategy.

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:

1. Accord with the current National Planning Framework and Glasgow and the Clyde Valley Strategic Development Plan's Spatial Development Strategy;

Comment: There are no specific policies of relevance to the application proposal in the National Planning Framework and the proposal has been assessed against the relevant policies of the Clydeplan Strategic Development Plan above.

2. Meet the requirements of relevant Spatial Supplementary Guidance (SDF and LDF) that supports The Plan;

Comment: The application site is not within one of the areas identified as a priority area requiring Sustainable Spatial Guidance.

3. Protect & promote the City Centre's diverse functions and role as the sustainable regional centre of the West of Scotland;

Comment: The proposal would not impact on the City Centre, or its role as the sustainable regional centre of the West of Scotland.

4. Support the regeneration of the River Clyde Development Corridor, which includes Clyde Waterfront and Clyde Gateway strategic priority areas;

Comment: The development site is out with the River Clyde Development Corridor.

5. Protect and reinforce town centres as the preferred locations for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities;

Comment: The development site is not in a town centre and the proposed use is not one which would generate significant footfall.

6. Support the regeneration and redevelopment of key housing investment areas;

Comment: The development site is not in a key housing investment area.

7. Utilise brownfield sites in preference to greenfield sites;

Comment: The development site is a brownfield site, using the definition used in the City Development Plan. This definition includes land which has previously been developed and may encompass vacant or derelict land; infill land; land occupied by redundant or unused buildings; and developed land within the settlement boundary where further intensification of use is considered suitable. The application site is deemed to be a brownfield site.

8. Prioritise the remediation and reuse of vacant and derelict land;

Comment: The development site is not identified as vacant or derelict in the most recent survey.

9. Focus economic development in Strategic Economic Investment Locations, the City's Safeguarded Economic Development Areas, town centres and other appropriate sustainable locations;

Comment: The proposal is not an economic development proposal.

10. Contribute to the development of vibrant and accessible residential neighbourhoods;

Comment: The proposed development would contribute towards the creation of a vibrant and accessible residential neighbourhood.

11. Support higher residential densities in sustainable locations;

Comment: The development site is not a high density residential development, and is within the maximum density deemed appropriate under policy SG 1.

12. Protect and enhance the function and integrity of the Green Belt and contribute towards the development of an integrated green infrastructure;

Comment: The site is not within the Green Belt and as artificial tennis courts does not contribute towards green infrastructure.

13. Meet the requirements of the Metropolitan Glasgow Strategic Drainage Partnership Scheme;

Comment: The proposal has been assessed against policies CDP 8 and SG 8 'Water Environment', as addressed below, and will accord with the requirements of the Metropolitan Glasgow Strategic Drainage Partnership.

14. Support the use of, and improved access to, the City's waterways for a range of uses including leisure, transport, drainage and nature conservation;

Comment: The site is not adjacent to, and does not contain, a waterway.

The proposal accords with the Sustainable Spatial Strategy, and therefore accords with policy CDP 2.

CDP 5 – Resource Management & 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

A Statement on Energy (SoE) has been provided demonstrating that the intention is to meet Gold Hybrid of the three options to meet the requirements of SG 5. This has met the requirements of the first stage of the Statement on energy process and therefore requires to be conditioned to ensure it is updated as the technical detail of the Building Warrant progresses through to completion. The standard condition requiring this is proposed and subject to this condition the proposal would accord with CDP 5 and SG 5.

CDP 6 – Green Belt & Green Network & IPG 6 – Green Belt & Green Network

In accordance with policy CDP6, there is a strong presumption in favour of the retention of the categories of open space shown in Table 3, as identified on the Council's Open Space Map. The application site is identified on the PAN 65 Open Space Map as 'Sports Areas – Bowling Green'. The method of assessing demand in the City is to consult SportScotland, who as a Statutory Consultee will advise on demand and object to proposals where there is demand for that category of sport.

In this instance Sport Scotland have advised that there is a demand for tennis with a lack of capacity in the local area. Sport Scotland have accepted that the tennis courts are unlikely to be brought back into active use and have therefore not objected to their loss, subject to a payment of £150,000 was suggested in order to upgrade capacity for tennis in the area. This equates to £50,000 for the loss of each tennis court, based on a notional cost for their replacement.

IPG6 states that "Figure 1 Open Space Protection" illustrates the key considerations when considering proposals for development on protected open space". The starting point of Figure 1 is whether "the site is a Demand-led open space? (ie allotments/growing spaces, sports pitches or cemeteries)" which in this case this is a Demand-led open space.

This leads to a question of "is the site an outdoor sports facility or part of an outdoor sports facility?" The application site is currently tennis courts which are an outdoor sports facility.

Figure 1 then asks that Scottish Planning Policy (SPP) paragraph 226 requires to be applied. It first asks "can the loss of the site be justified against criteria 1-3 of para 226 of SPP 2014?"

Para 226 of SPP states that "outdoor sports facilities should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;*
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;*
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area"*

The proposal doesn't meet either of the first two criteria however the third criterion is relevant given SportScotland's response, that a payment of £150,000 to upgrade capacity for tennis in the area. If this is to be spent to upgrade of an existing tennis facility in the area, and on the basis that Tennis Scotland highlighted a lack of capacity in the surrounding area, then it would meet the terms of criterion 3 of para

226. Figure 1 illustrates that where one of criteria 1-3 is met, then development of the site is likely to be acceptable providing appropriate compensation/replacement space is being provided.

Figure 1 sets out policy requirements for proposals on sports pitches for which a demand still exists, reflecting national planning policy, that aren't fully addressed in the text of IPG6. Taking the Guidance as a whole, it is considered that, on balance, the proposal is justifiable against IPG6 and SPP providing compensation is taken and invested to enhance tennis provision elsewhere in the area.

Subject to a legal agreement to secure the financial contribution, the proposal accords with policies CDP 6 and IPG 6 'Green Belt & Green Network'.

CDP 8 – Water Environment & SG 8 – Water Environment

Planning applications of 5 or more dwellings will require to be accompanied by a completed Flood Risk Screening checklist to identify any potential flood risk to the proposal. The Council considers flood risk to be a key consideration which may significantly influence the acceptability, nature, design and capacity of a development.

If any flood risks are identified during the screening exercise, there will be a requirement to carry out a Flood Risk Assessment (FRA) in accordance with supplementary guidance. Where an FRA is deemed necessary, the Council will expect both the FRA to be undertaken and its findings to be incorporated into the proposed development. Where this is not the case, planning permission will not be granted.

The creation of a surface water drainage strategy is fundamentally important to the design development for any new development of 5 or more dwellings. This strategy will set out the key principles of the surface water drainage strategy and demonstrate appropriate spatial planning.

The applicant has provided a Flood Risk Assessment and details of the proposed drainage which have been self-certified, independently checked and has met the requirements of NRS Flood Risk Management.

The application therefore has been adequately screened for flood risk and the proposal is in accordance with the surface water drainage strategy of SG 8.

CDP 11 – Sustainable Transport & SG 11 – Sustainable Transport

Parking provision in residential developments should be assessed against the standards set out in SG 11. In locations where space is restricted, the availability/provision of on-street parking can be taken into account in supply calculations for residential development, particularly for visitor parking.

On-street parking, however, will be considered where integral to the design of a development. It will also be considered for certain development types where off-street parking may be neither practical nor feasible, e.g. tenemental infill, terraced housing or the retention of listed buildings. The basic minimum standard for parking provision for new build is: 1 allocated space per dwelling unit for residents; and an additional 0.25 unallocated spaces per dwelling unit for visitors.

Variation, above or below these basic standards shall be justified against the following:

- public transport accessibility so provision below the basic standard may be considered in areas of High Accessibility;
- density and open space considerations;
- placemaking, townscape and design requirements;
- house size and house form i.e. flatted accommodation with the lowest requirement, through terraced and semi-detached, to detached with the highest requirement;
- car availability by household in the surrounding area; and
- existing pressure on on-street parking in the surrounding area.

The application site is in an area of Base Accessibility in the Outer Urban Area. The site fronts onto Rostan Road. The applicant has provided the residents requirement of one off street parking space on

a driveway. There is no visitor parking proposed, however this is deemed acceptable as there is little on-street parking pressure in the area and no parking restrictions for on-street parking.

The driveway parking will require to provide for 100% passive electric vehicle charging provision, this will be secured by way of a condition. Cycle parking has not been shown, however each property benefits from private rear garden with secure access to Cairngorm Road and cycle parking can be secured by way of a condition.

Subject to conditions it is considered that the proposal accords with CDP 11 and SG 11.

In conclusion, the proposal is considered to be in line with the relevant City Development Plan policies.

In terms of issue (a), therefore, the proposal is considered to accord with the Development Plan, having regard to the designated land use and all relevant policies as addressed above.

In respect of (b), with regard to the Material considerations, these are as follows:

A total of six objections were received from members of the public, the points of objection raised are summarised below:

- The proposal is contrary to the City Development Plan and Scottish Planning Policy. The change of use to residential use does not reflect the existing use of the area. The planning statement focuses on the community use of the club and not on the change of use to residential.

Comment: The proposal to develop residential properties on the site of the tennis courts has been assessed against the City Development Plan as detailed above.

- The planning statement refers to provision of 'associated open space' but it is unclear what this refers to. The pathway linking Cairngorm Road and the bowling club is access and not open space. No details are given of maintenance of the path or adjacent areas. There is no public amenity value.

Comment: The proposal has been assessed against CDP 6 and its associated Interim Planning Guidance as detailed above. The loss of the open space, the tennis courts, can be justified with a financial contribution for a replacement or upgraded tennis facility in the local area. The access path will be within the ownership of the houses and the maintenance of the area will be with the land owners.

- The massing of the semi-detached houses does not reflect the architectural language of the area. The proposal is in contrast to the local area where the properties are villas set in large gardens. Properties in the area are either bungalows or two storey houses, not three storey townhouses.

Comment: The proposal uses the change in levels to present a two storey frontage onto Rostan Road which has a mix of bungalows, two storey villas and three storey flatted properties. The massing to the street is deemed appropriate and not excessive.

- The plot ratio provides extremely small garden areas. The application is unclear whether the proposed gardens provide the minimum 66% rear garden area.

Comment: SG 1 'Placemaking does not set minimum garden ground standards, it states "houses should provide usable private garden space large enough to serve various domestic functions". There is a note that states "as a general indicator, in relation to usable garden space, mid-terraced housing might be expected to deliver around 50sqm, end terrace or semi-detached 80 sqm, and detached 120sqm". The proposed gardens are approximately 125sqm which exceeds this general indication.

The reference to 66% rear garden area is part of SG 1 but for the assessment of domestic extensions, not new build housing.

- The parking does not allow for turning a vehicle on each house plot meaning that vehicles will have to either reverse onto or out of each plot, this will obstruct the road.

Comment: The requirement to reverse from or into a residential driveway is not unusual, indeed it is a common arrangement for houses in the area, and would not cause an obstruction to traffic.

- The height of the proposed houses would significantly reduce our visual amenity.

Comment: There is no right to a view in Scottish planning legislation. The proposed dwellings would not cause a loss of daylight or sunlight to the existing properties.

- The application does not clearly state the materials to be used. The roofing material appears to be profiled metal sheeting which may allow for light reflection into neighbouring properties.

Comment: The application drawings are annotated with the proposed materials. For clarity, these would be a mixture of buff stone, white render and Marley Cedral Cladding in grey with the roof clad in slate grey Marley Modern concrete roof tiles.

- The application states that there are no trees on the site however there are trees in adjoining gardens.

Comment: There are trees in the adjacent garden, these are however outwith the proposed construction area.

- Concerns that the access path may be used by the bowling club in the evening or local youths for drinking and smoking. School children use local lanes which are strewn with rubbish.

Comment: While anti-social behaviour and litter are not material planning considerations, the applicant has shown that the access to the path will have a “secure gate access” which would be controlled by the residents of the proposed dwellings. The access to and use of the footpath would therefore be able to be managed to minimise the risk of anti-social behaviour or litter.

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 full Planning Permission be granted subject to the following conditions.

Drawings

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

1. 19-010-DRAIN-001 Received 20 November 2019
2. 19-010-PL-001 E Received 20 April 2021

As qualified by the following conditions, or as otherwise agreed in writing with the Planning Authority

CONDITIONS AND REASONS

01. 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 road traffic noise.

02. Passive electric vehicle charging provision is required for 100% of car parking spaces in new residential developments with communal off-street parking provision in accordance with SG11 of the City Development Plan.

Reason: In order to promote Sustainable Transport.

03. 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.

04. 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.

05. External materials shall be buff stone, white render and Marley Cedral Cladding. Samples shall be submitted to and approved by the Planning Authority in writing in respect of type, colour and texture. Written approval shall be obtained before the materials are used on site.

Reason: In order to protect the appearance of both the property itself and the surrounding area

Reason: In order to protect the visual amenity of the surrounding area.

06. Provision shall be made in the design of the development for the parking of cycles. This provision shall be in accordance with the requirements of Glasgow City Development Plan policy SG 11 'Sustainable Transport'. Cycle Parking Standards: locations; minimum levels; and safe, sheltered and secure. Details shall be submitted for approval prior to the completion of works. The cycle parking shall be available for use in accordance with the approved drawings before the development is occupied.

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

07. Before any work on the site is begun, details of the proposed retaining walls shall be submitted to the Planning Authority for written approval and the development shall be carried out only in full accordance with such approved details.

Reason: In order to protect the appearance of both the property itself and the surrounding area

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

08. Before any work on the site is begun, a scheme of landscaping shall be submitted to and approved in writing by the planning authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard and soft landscaping, shall 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.

09. Before any landscaping works on the site is begun, a maintenance schedule for the landscaping scheme/open space, including a calendar detailing the maintenance of each component of the landscaping scheme and the number of operations within each month, and details of 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.

10. 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 20% cut in CO2 emissions and the 'Gold' sustainability label, or better, as per the Building Standards Technical Handbook Section 7: Sustainability.

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.

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

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.

11. In the event that any previously unidentified contamination is found at any time when carrying out the approved development, it shall be reported in writing to the planning authority within one week. A comprehensive contaminated land investigation, including risk assessment and remediation strategy, shall be carried out as required by the planning authority. The approved remediation works shall be carried out prior to the recommencement of development on the affected part of the site.

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

12. Prior to commencement of works on site, the applicant shall submit final construction Drawings of all Drainage and SUDS for the written approval of the planning authority.

Reason: To minimise the risk of flooding and its adverse effects.

13. Prior to commencement of works on site, the applicant shall submit confirmation of the approval of the Scottish Environmental Protection Agency (SEPA) to confirm that a surface water drainage has been granted for the written approval of the planning authority

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

Reason: To minimise the risk of flooding and its adverse effects.

14. Surface water discharge shall, unless otherwise agreed in writing by the Planning Authority, be attenuated to the parameters outlined in the self certified IAM Developments Ltd Rostan Road, Hillpark Drainage Strategy Report (November 2020) document.

Reason: To minimise the risk of flooding and its adverse effects.

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. 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.

02. 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.
03. The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

04. 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.
05. 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.
06. The applicant is advised that presently or in the future servicing of the proposed development could be subject to traffic regulations and possible changes to existing waiting and loading restrictions.
07. The applicant is advised that a S56 order is required for works encroaching on the footway.

for Chief Executive, Glasgow City Council

DC/ NMO/
15/01/2021

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Glasgow City Council
Development &
Regeneration Services
231 George Street
Glasgow G1 1RX

*Head of Planning &
Building Standards:
Forbes Barron*

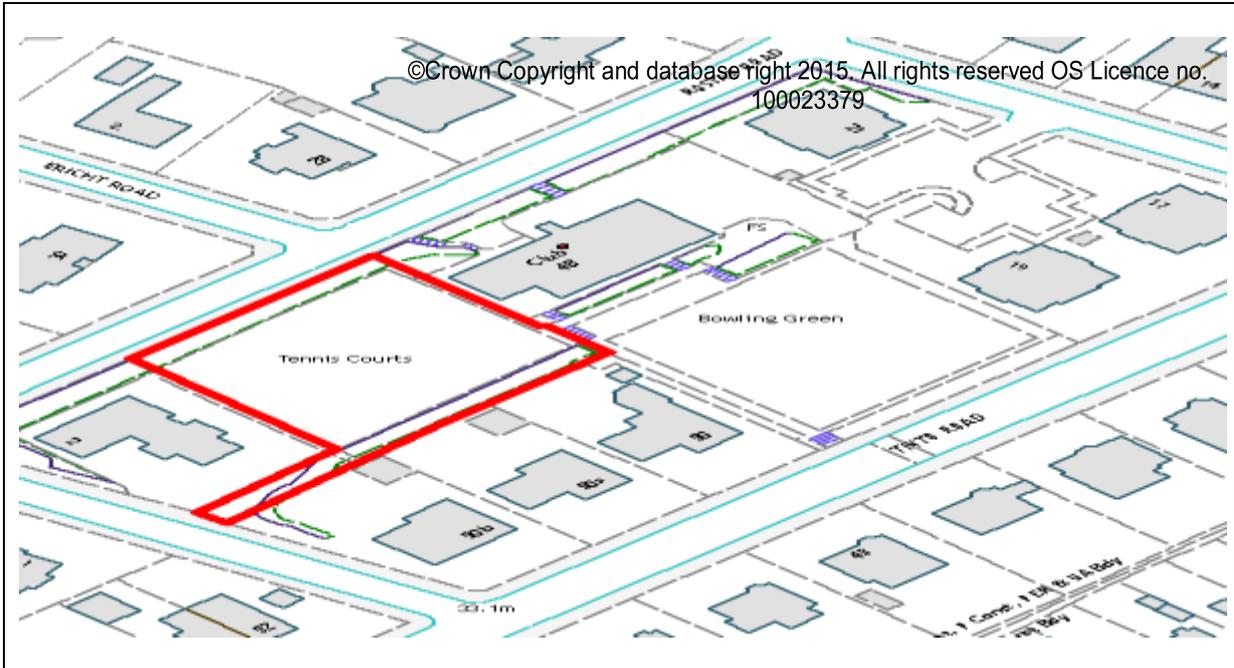
Reference No: 19/02394/FUL

Address: 48 Tinto Road Glasgow G43 2AH

Ward: 02

Scale: 1:1250

Indicative Site Location



Location of Site (for details refer to Report)