

Item 3

1st November 2022



Planning Applications Committee

Report by
Executive Director of Neighbourhoods, Regeneration and Sustainability

Contact: Alan Scott Phone: 0141 287 6058

Application Type	Full Planning Permission
Recommendation	Grant Subject to Conditions and S75

Application	22/01225/FUL	Date Valid	18.05.2022
Site Address	Site Bounded By Candleriggs/Ingram Street/ Albion Street City Centre Glasgow		
Proposal	Erection of residential development with potential for Class 1 (Shops), Class 3 (Food and Drink) and Class 4 (Business) landscaping/public realm and associated works.		
Applicant	Artisan Glasgow Ingram Limited Per Mr Clive Wilding 39 St Vincent Place Glasgow G1 2ER	Agent	Porter Planning Ltd. Per Teri Porter 39 St Vincent Street Glasgow G1 2ER
Ward No(s)	10, Anderston/City/Yorkhill	Community Council	02_120, Merchant City & Trongate
Conservation Area	Central Conservation Area	Listed	
Advert Type	Affecting a Conservation Area/Listed Building Bad Neighbour Development	Published	27 May 2022
City Plan			

Representations/Consultations

Letters of Representation

A total of 146 representations were received, including 3 letters of support from members of the public and 143 letters of objection from members of the public, Depute Lord Provost Bailie Christ Mearns, from the Architectural Heritage Society of Scotland and Merchant City and Trongate Community Council.

The grounds of objection are summarised as below:

1. Cause overshadowing on Albion Street and many flats will be blocked from natural sunlight.
2. This is a residential area and construction will bring substantial additional noise and there will be traffic, access and parking issues during and post-construction.
3. Loss of mural
4. Loss of trees
5. Loss of greenspace
6. Adverse impact on conservation area and nearby listed buildings
7. Loss of parking
8. Adverse impact on drainage
9. Loss of pavement for wheelchairs / disability access
10. Design and appearance not sympathetic to local landscape
11. No need for further commercial units
12. Adverse impact on nature and wildlife
13. Proposed amenity space within development will not be accessible to public
14. Loss of privacy
15. Paved car park with EV charging more useful
16. No need / demand for further housing
17. Contrary to City Development Plan
18. Adverse impact on social community due to high concentration of one and two bed accommodation
19. Agent of change principle – inadequate detail on noise mitigation measures
20. Overshadowing / loss of light / criticism of applicants' Daylight / Sunlight Assessment
21. Architectural Heritage Society of Scotland – Concerned about scale and massing, particularly in relation to Candleriggs and listed buildings. Produce an unwelcome canyon effect. Proposed use of brick not a positive contribution to conservation area. Stone should be used on prominent Ingram Street façade with brick reserved for less important facades.
22. Merchant City and Trongate Community Council – Loss of trees, adverse impact on conservation area and listed buildings, loss of mural, loss of light to nearby buildings. The site should be turned into a park.

The grounds of support are:

1. It will repair a gap site which for many years has been an eyesore, provide modern housing in line with the city's policy to increase the number of residents in the centre, and will substantially retain public views of the Fruitmarket mural.
2. In addition, the proposed retail/catering units on the ground floor will increase the choice of shops available in the area and the public open space will replace a car park which is currently a safety hazard at a busy traffic intersection.
3. The design, with variations in height, fits in well with the surrounding buildings.
4. Loss of car park helps to tackle climate change

Consultation Responses

NRS also received the following consultation responses to the application;

Glasgow Life – Have expressed concerns with regards to the 'Agent of Change' principle and that, without a sufficiently robust approach to addressing noise mitigations from the outset, there could be complaints from future residents of the development to events held within the adjacent City Halls / Old Fruitmarket.

Scottish Water – No objection.

West of Scotland Archaeological Society (WoSAS) – No objection subject to conditions.

Historic Environment Scotland – No objection.

Site and Description

The application site sits at the junction of Ingram Street, Albion Street and Candleriggs and is currently in use as a surface level car park, covering an area of 0.25 hectares. Existing vehicle access to the site is from Ingram Street. The site is located within the Merchant City area of the City Centre which is a mixed use area consisting primarily of residential properties on upper floors with offices, retail, restaurants and bars at ground floor level. The City Halls, including the Old Fruitmarket, form the southern boundary of the site.

The site lies within the Central Conservation Area and is in close proximity to several listed buildings. Immediately to the south is the Category A listed Candleriggs City Halls and immediately to the north is the Category A listed Ramshorn Theatre, Former St Paul's and St David's Church and Churchyard, which is the principal area of open space within the Merchant City.

The site is well served by public transport with both High Street and Queen Street rail stations within close proximity, providing direct links to all major Scottish cities and the suburban Glasgow network. Further west, the Buchanan Street Underground Station provides access to the south side of the City and the West End. The principal bus corridors pass along Ingram Street onto Glassford Street and along High Street.

Planning History

Prior to the existing car park coming into operation, the site was historically occupied by tenemental housing incorporating commercial units on the ground floor together with three public houses. The site is currently under the ownership of City Property Glasgow (Investments) and was the subject of a competitive marketing exercise which included a development brief outlining the land use and various other policy criteria that were required to be taken into account in the preparation of proposals. The application before Committee is based on the successful submission.

Previous planning applications considered for this site are as follows:

07/03983/DC – Erection of 200 bed hotel including bar restaurant, café and separate retail units (Hotel Licence) – **Granted subject to Condition(s) 11/09/2008.**

18/01672/FUL – Erection of hotel (Class 7) with ancillary facilities – retail (Class 1), food and drink (Class 3), office (Class 4), leisure (Class 11) and public house (Sui Generis) – **Withdrawn 24/10/2018.**

Pre-Application Discussions

The applicant engaged with the planning authority over five pre-application meetings. During the course of these meetings, the applicant introduced the proposal, covering location factors in the city and the sites' surrounding context. Relevant planning and placemaking policies were explored in addition to consideration of key vistas, active street frontages and amenity/open space. As meetings progressed, massing proposals were discussed in relation to site context, architectural design, materiality and the content of the forthcoming application.

The applicant also presented their proposal to the Glasgow Urban Design Panel on 7th April 2022 at which the scheme was well received by all participants with the resounding sentiment being that the

building proposed is of a high quality considering it would be located within an area already rich in architecture and identity. The Panel felt that the design has a sensible character and it sits well within the conservation area. It does not dominate the historic buildings adjacent – City Halls & Old Fruitmarket and Ramshorn Theatre – across the road. The Panel considered that the proposal has the right approach to scale and massing. It is evident that the site analysis was undertaken well as all the building lines, datums and the overall geometry of the site are understood.

The Panel advised that the design needed further development in order to enhance the experience of the building at a human scale. The impression of the Panel members was that the inner courtyard seemed hidden and that the pend entrances needed to be welcoming spaces, drawing in the public. There was support for the restricted palette of materials proposed given the sites' location and conservation context. The applicants have sought to address all the points raised and contend that these have been reflected within the design scheme submitted.

Application Proposal

The proposal is to erect a seven storey residential development consisting of 109 apartments on the upper six floors, topped by a communal roof terrace, and commercial units on the ground floor. The proposed building form would step up incrementally from City Halls and the Old Fruitmarket to address the scale of the buildings to the north side of Ingram Street, namely the Todd Building and the former Ramshorn Church building. The two bookend pavilions, one on the corner of Albion Street and Ingram Street, the other at the corner of Candleriggs and Ingram Street, would be formed with distinct architectural identities and would have a strong vertical emphasis. At ground level on these corner elements, double height apertures, in particular to Ingram Street, would create active frontages to the street. There is more of a horizontal emphasis to the connecting wings along Candleriggs and Albion Street, reflecting the traditional string courses of the City Halls and Old Fruitmarket.

The building would include a large landscaped roof top communal garden space as well as other roof terraces and private balconies throughout the building at different levels. At ground floor level a publicly accessible landscaped courtyard area to the rear of the building seeks to provide a focal point for the development which can be accessed by pends on Candleriggs and Albion Street. The courtyard will also provide space for external seating for the ground floor commercial units in the event that any of these result in Class 3 (food and drink) uses, access to which is provided through the units from Ingram Street or via the pends. It is proposed that access through pend gates would be managed by the building factor and would involve electronic automation enabling 24 hour access for residents. The access to the ground floor courtyard would be closed at night to both the general public and the operators and customers of the ground floor commercial units. A management statement would be put in place to provide detail on the practicalities of this and would include other elements such as maintenance and access to the upper level private communal areas and maintenance of artwork.

The commercial space has been flexibly designed to accommodate a range of uses including Class 1 (retail), Class 3 (food and drink) or Class 4 (business). The applicant had initially applied to include the potential for Class 11 (assembly and leisure) use within the development however given the increased potential for conflict which would arise from the location of such uses directly below residential properties it has been agreed with the applicant to remove this element from the application.

The schedule of accommodation is as follows:

- 18 x 1-bed apartments;
- 81 x 2-bed apartments; and
- 10 x 3-bed apartments.

The principal elevation materials to be used on the building are brick and stone with dark fibre cement cladding and dark metal channels and flashings used elsewhere. The two bookend pavilions on Ingram Street would be clad primarily in stone incorporating darker metal flashings for contrast. The central infill building on Ingram Street and the two link blocks on Candleriggs and Albion Street would be formed in light brick, both to enhance the importance of the bookends but also to reflect the range of materials employed throughout the Merchant City area.

Policies

City Development Plan

- CDP 1: The Placemaking Principle
- CDP 2: Sustainable Spatial Strategy
- CDP 3: Economic Development
- CDP 4: Network of Centres

CDP 5: Resource Management
CDP 6: Green Belt and Green Network
CDP 7: Natural Environment
CDP 8: Water Environment
CDP 9: Historic Environment
CDP 11: Sustainable Transport
CDP 12: Delivering Development

SG 1: The Placemaking Principle
SG 2: Sustainable Spatial Strategy
IPG 3: (SG 3) Economic Development
SG 4: Network of Centres
SG 5: Resource Management
IPG 6: (SG 6) Green Belt and Green Network
SG 7: Natural Environment
SG 8: Water Environment
SG 9: Historic Environment
SG 11: Sustainable Transport
IPG 12: (SG 12) Delivering Development

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (As amended)

Central Conservation Area Appraisal (approved 20th March 2012)

SPECIFIED MATTERS

Planning legislation 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 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. Proposal is neither Schedule 1 nor Schedule 2 development.
- ii. **an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994**
Not applicable. No suitable habitats for protected species on site.
- iii. **a design and access statement.**
A Design and Access Statement, including Landscape, Ecology and Art Strategy has been submitted with the application, considered in the below assessment.
- iv. **any other report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)**
Reports submitted include: Flooding, Drainage and Surface Water Strategy; Phases 1 and 2 Site Investigation Report; and Statement of Energy; Biodiversity Matrix; Arboricultural Survey; Daylight / Sunlight Analysis; Noise Impact Assessment; Air Quality Impact Screening; and Transport Statement.

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

A financial contribution of £110,199 towards IPG 12 Open Space Provision requires to be secured. A management arrangement is also required to be put in place through the legal agreement in order that the publicly accessible ground floor courtyard, upper floor private communal amenity spaces and artwork are properly managed.

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 subsequently amended) require that planning applications be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 places a duty of care on the Planning Authority in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The issues to be taken into account in the determination of this application are considered to be:-

- i) Whether the proposal accords with the provisions of the Development Plan; and
- ii) Whether the proposals are appropriate having regard to the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- iii) Whether any other material considerations have been raised during the application process to outweigh the provisions of the statutory Development Plan.

i) DEVELOPMENT PLAN POLICY CONSIDERATIONS

In respect of i), the Development Plan consists of The Clydeplan Strategic Development Plan 2017 and the adopted Glasgow City Development Plan 2017. The proposal does not raise issues of strategic significance and the relevant policy impacts are outlined below.

City Development Plan 2017

Policy CDP 1: The Placemaking Principle 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.

It advises that in order to be successful, new development should aspire to achieve the six qualities of place as defined in draft Scottish Planning Policy and reinforced by Creating Places and Designing Streets.

- 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.

CDP 1 also advises that the associated supplementary guidance SG1 will provide guidance to promote the overarching Placemaking Principle specifically it offers guidance on Cultural Heritage,

Community Facilities, Residential Development, Amenity, Energy Efficient Buildings, Waste Storage, recycling and collection and detailed design guidance on building materials.

Supplementary Guidance SG1: The Placemaking Principle 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.

The Council will expect to see a site appraisal submitted for all new major residential, leisure, educational, social and commercial developments. In addition, a site appraisal will be required for any other smaller scale but 'sensitive' planning applications, including those affecting Conservation Areas.

Applicants and developers should be able to demonstrate what characteristics of the proposal have been influenced by the Site Analysis, Urban Design Strategy and, where appropriate, local community engagement in developing the design concept.

Part 2 of SG1 provides more detailed guidance on a number of topic based aspects of development. In particular, it establishes guidance for the design, layout, density, amenity, building materials, waste and recycling storage and energy efficiency of new buildings. 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.

Energy Efficient Buildings

1.63 *All new development in Glasgow will be expected to incorporate a range of resource efficiency measures in order to minimise energy consumption, reduce CO2 emissions and make best use of the City's natural resources, see also SG5 - Resource Management. In order to achieve a resource efficient development, developers should consider the following:*

- a) *Development and Building Layout;*
- b) *Building Design; and*
- c) *Landscaping.*

Comment: In terms of energy efficient buildings the project has been designed to maximise the energy efficiency of the building fabric in order to minimise energy consumption, reduce CO2 emissions and make best use of the City's natural resources. The detail of this is considered under SG 5: Resource Management below.

2. Residential Development

2.10 *The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' second edition (PJ Littlefair, 2011) will be used to assess any impact upon daylight or sunlight.*

Residential Layouts

2.39 *In order to meet placemaking principles, the Council seeks to promote the delivery of high quality residential environments that:*

- a) *are informed by a design-led approach that promotes sustainable development objectives;*
- b) *promote the creation of safe and integrated neighbourhoods that offer choices of movements/travel for all users and support healthy active lifestyles; and*
- c) *encourage overall quality and provide distinctiveness in new developments.*

2.40 **General Standards** - *All residential developments must take into account the Placemaking Principles set out in SG1 - Placemaking, Part 1, as well as the guidance and standards set out*

in the Residential Design Guide (RDG). These criteria should be read in conjunction with the RDG and SG9 – The Historic Environment, where appropriate.

2.41 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');
- b) make appropriate provision for refuse and recycling storage areas;
- c) wherever possible, retain all significant trees on sites, unless removal is necessary, e.g. for good arboricultural reasons;
- d) have roads designed to the standards set out in RDG;
- e) incorporate a SUDS strategy to take account of the space and design requirements of the required SUDS scheme; and
- f) ensure that all new homes do not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts.
- 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.

2.43 **Additional Standards for Flatted Developments** - In terms of communal private garden space, flatted developments should:

- a) provide usable communal private garden spaces as “backcourts”. Design and layouts should ensure privacy, particularly for ground floor residents (see RDG for guidance); and
- b) where a site’s configuration or particular characteristics limits the ability to provide private garden space, then developers will be expected to:
 - i. provide creative alternative solutions (e.g. shared roof garden, usable balconies); and
 - ii. bring forward mitigation measures to improve internal amenity (e.g. more generous room sizes).
 - iii. make outside provision for clothes drying, in areas screened from public view and not subject to excessive overshadowing.

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

- a) Ideally all flats should have dual aspect (where single aspect is proposed developers will require to show that the amenity enjoyed by the flats is similar, if not better than that of dual aspect flats in a similar location. This will include consideration of the flat’s outlook);
- b) 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
- c) 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 residential layouts on each floor of the proposed development have been carefully considered in order to maximise residential amenity and daylight / sunlight requirements, both internally and externally. The Daylight and Sunlight assessment submitted in support of the application presents the results from daylight and sun path modelling of the proposal when assessed against BRE Guidance and the guidance contained within SG 1. The proposals have been assessed against the BRE Guidance to determine the impact of the development on neighbouring residential properties, in terms of daylight and sunlight amenity. The results from the analysis conclude that the proposed development complies against the BRE Guidance daylight criteria.

When considered against the residential layout section of the policy, the proposed development complies with the design principles by creating two prominent bookend features at the northern corners of the site. This architectural distinction reinforces the end of the urban block and takes advantage of the distance views along Ingram Street from Queen Street. The overall design of the building is well considered within its context in terms of scale, setting, relationship to surrounding built forms, detailed form and materials. The proposed development would complete the urban block and

would reinstate the traditional building line on the site while at the same time filling what is largely an unattractive gap site in a key viewpoint location.

When considering residential developments in city centre locations such as this, the number of storeys proposed is not considered to be excessive. The stepped form of the building and the setting back of the upper storeys at various points also help to ensure that the building would not have an overly dominant presence in the surrounding area. The majority (62%) of the residential units benefit from dual aspect with the remainder being single aspect. The smaller single-bed units would primarily be located facing onto the street fronts of Ingram Street and Albion Street in order to give greater visual amenity and variety to occupants. These smaller units would also benefit from external balconies directly off the living space.

Residential Density

2.46 *General Principles – The appropriate density of residential development will vary according to:*

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

2.47 *Variations in the general density standards may be permitted where a justification is provided based on the factors listed above or for developments of exceptional urban design quality, provided that other CDP and SG standards are met. The guidance should be read in the conjunction with SG1 – Placemaking, Part 1, in particular the Character Environments section and in conjunction with SG11 – Sustainable Transport. In terms of the latter, the Public Transport Accessibility Zones Map identifies different parts of the City; these are explained in the General Standards which provide more detailed guidance below.*

2.48 **General Density Standards –**

A. Higher densities will, generally, be appropriate, in the:

- i. *City Centre – Densities will be determined by design, heritage and townscape considerations along with the City Centre Strategic Development Framework and associated Local Development Framework Guidance once it emerges (see additional Detailed Guidance on Residential Development in the City Centre and Tall Buildings).*

Residential Development in the City Centre

2.70 *The Council generally encourages new residential development in the City Centre. This guidance seeks to ensure that the amenity of new residential development in the City Centre is of good quality in relation to its location and surrounding uses. Emerging spatial guidance relating to the City Centre, which seeks to encourage more residential development in the City Centre in order to increase the resident population is being produced. This guidance will be temporary until the spatial guidance provided by SDF's and LDF's are produced.*

2.71 *New housing developments will continue to be encouraged in areas where there is existing residential development (Garnethill, Townhead and Merchant City), subject to meeting the guidance below.*

2.72 *In areas with less residential activity, particularly at ground floor, in the City Centre, residential development (including the use of vacant upper floor accommodation) will be supported, where this will achieve an acceptable standard of residential amenity and will not prejudice the operation of existing uses (see also SG11 – Sustainable Transport (Car Free Housing)).*

2.73 *General Standards - All new residential developments in the City Centre, whether new build or conversions, should meet the requirements of SG1 - Placemaking, Part 2, Detailed Guidance - Residential Density, Policy CDP9 and SG9 - Historic Environment where relevant, as well as meeting all of the following criteria:*

- a) *townscape considerations will demand developments of medium to high density which should be reflected in a suitable urban scale. Family accommodation is encouraged in appropriate locations;*
- b) *good outlooks or views should be provided wherever possible from habitable rooms. Design solutions should ideally provide for dual aspect accommodation. Proposals will be assessed in relation to individual circumstances, taking account of the adaptability of the building (if a conversion), the size of the flats and the general amenity;*

- c) *space for amenity areas is limited in the City Centre. Proposals are expected to provide on-site green infrastructure (See SG6 - Green Belt and Green Network) where possible and, where this may not be possible, priority should be given to increasing the internal amenity of flats to compensate for lack of external open space. This should include increased internal space standards and where feasible and appropriate, the provision of balconies or roof gardens.*
- d) *the level of parking should not prejudice the design or integrity of housing development in the City Centre. If parking is required, the preferred location is off-street within the curtilage of the development and if possible, within basement parking areas;*
- e) *reduction in noise can be attained by means of locating habitable rooms away from street frontages, although care should be taken to ensure that developments do not present a 'blank' frontage. Developments should be designed to achieve the maximum possible daylight penetration particularly in relation to habitable rooms;*
- f) *taking into account the privacy and prospect of the development. Care should be taken in relation to ground floor accommodation and the avoidance of overlooking of habitable rooms;*
- g) *to improve the convenience and attractiveness of the development, the provision of common drying, storage and refuse/recycling facilities will be required (see also SG1- Placemaking, Part 2, Detailed Guidance - Waste Storage, Recycling and Collection. Although kitchens are usually fitted with tumble dryers, if the development is large enough consideration should also be given to other facilities such as a communal laundry/drying room. Common storage facilities, at ground floor level, will be required for cycles (see also SG11 - Sustainable Transport: Cycle Parking); and*
- h) *the City Centre has been designated an Air Quality Management Area in response to high levels of nitrogen dioxide from vehicle emissions. For developments within the declared City Centre Air Quality Management Area, the Council will look for clear evidence that the development has taken account of air quality issues (see also SG1 – Placemaking, Part 2, Detailed Guidance - Air Quality).*

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

Comment: Both SG1 and the City Centre Living Strategy support and encourage residential development in the City Centre, particularly in established residential neighbourhoods such as the Merchant City. The proposed development is considered to be an appropriate height, scale and mass for its city centre location and is in keeping with the established building heights in the surrounding area. The proposed development has not sought to overdevelop the site and has sought to promote a sustainable approach to its overall design. There are no residential properties located at ground floor and all external amenity spaces have been designed in order to both maximise use and privacy.

In terms of density, the above policy and guidance seeks to ensure that all new developments have an appropriate urban scale and townscape form. Given the sites' location within the City Centre, a higher density would be considered appropriate, however, as stated above, the applicant has not sought to overdevelop the site.

The proposed development does not include any car parking provision. As they would benefit from excellent public transport / active travel accessibility, it is to be expected that few residents or visitors would travel by car and that any demand should be met by nearby car parks and on-street parking provision. As such, the absence of car parking spaces is supportable in this instance and complies with CDP11 and SG11 – Sustainable Transport.

The waste storage proposals within the development have been assessed and are considered acceptable and further comment on this aspect is provided later in this report. The proposals for cycle parking within the development have also been reviewed and accepted with further detailed consideration included within CDP 11 / SG 11 analysis later in this report.

As is recommended by the above guidance, it is intended that, should the application be approved, it will be subject to a legal agreement which includes the requirement for a scheme for the management, repair and maintenance of the building to be put in place prior to occupation of the building. This will include the procedures for opening and closing the publicly accessible ground floor courtyard area as well as the upper floor private communal amenity spaces.

4. Amenity

Noise

4.4 *Further guidance on Noise Management will help to ensure that developers:*

- a) *understand the impact not only of noise but also vibration on the community; and*
- b) *realise the role they can play in mitigating the intrusion of such nuisance on a development's surroundings, in order to reduce the loss of any public amenity.*

4.5 *This further guidance will:*

- a) *give developers the relevant information on noise and vibration when dealing with the planning process;*
- b) *takes account of current policy and legislation in relation to planning and noise; and*
- c) *provide information about undertaking a noise assessment, where this is required to determine a planning application.*

4.6 *It is advised that developers liaise with the Council's Environmental Health Service in the early stages of the planning process. Preplanning application discussions can be very useful to determine the risk of noise being a significant consideration and to identify the supporting information and detail on noise likely to be required.*

4.7 *Prior to commencing any noise impact assessment, the appointed noise consultant should contact the Council's Environmental Health Service to agree the relevant noise assessment methodology and establish appropriate noise assessment criteria to avoid unnecessary delay in the planning process.*

Comment: The applicant has submitted a Noise Impact Assessment in support of the application and this has been reviewed and its content and findings accepted by the Councils' Environmental Health section. The Report contains various recommendations with regards to noise mitigation measures given the location of the application site immediately adjacent to an established music and events venue – the City Halls and Old Fruitmarket. After consultation with the Councils' Environmental Health section, a suitably worded condition has been attached ensuring compliance with these measures.

Furthermore, in terms of noise, appropriate safeguarding conditions regarding the ground floor uses and the acoustic performance of the proposed flats have been included. There is also a condition regarding the submission of a Construction Environment Management Plan which should include measures to contain noise impacts during the construction process.

5. Detailed Design

Building Materials

5.2 *The variety of materials, colours and textures seen throughout the City's built environment contributes to the overall character and attractiveness of Glasgow's commercial and residential districts, as described in SG 1 - Placemaking, Part 1. All new development will be expected to respect and enhance Glasgow's existing identity and character through its overall design, the choice of materials and the way in which these materials are used.*

5.3 *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: Extensive discussions, including on site assessment with the applicant, Planning and City Design, were undertaken to discuss and agree the building height, form, architectural design and material palette with comments from the Glasgow Urban Design panel also influencing the design development and final solution. As such, the building design is considered appropriate for its location and uses high quality materials suitable for the context in which the building would be positioned.

7. Waste Storage, Recycling and Collection

Designing New Development

7.1 *All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City's wider placemaking objectives, see also SG 1 -*

Placemaking, Part 1. All waste/recycling areas must be located discreetly, so as to have no adverse visual impact or cause traffic/noise nuisance to neighbours. Applicants must provide full details of the provision for waste storage, recycling and collection in the initial submission for planning permission.

7.2 *Housing developers should provide all refuse bins, of a design acceptable to the Council, prior to the occupation of any dwelling, with recycling bins being provided by the Council. Provision should be made such that where bins are to be located temporarily for kerbside collection, there remains adequate space for continued use of the footway/road.*

7.4 *Flatted Development - The following guidance applies:*

- a) *the bins/recycling stores should be as unobtrusive as possible. Large wheeled containers should be located conveniently in relation to where the collection vehicle will park. This should ideally be no more than 20 metres from the location of the waste containers. External stores should be constructed in materials to match the flats;*
- b) *to calculate the area required for recycling, communal recycling bins will usually be allocated by the Council on the basis of 3 x 240 litre bins per traditional close and up to 2 x 1,280 litre communal waste bins per new build flatted stairway. 2x Blue 240lt bins for mixed recycling and 1 x Grey 240lt bin for food waste;*
- c) *advice should be sought from the Council's Land and Environmental Services, prior to drawing up details of the waste/recycling area;*
- d) *developers are encouraged to consider one of the underground systems, where the waste/recycling containers are underground beneath waste and recycling bins and the underground containers are elevated to ground level for vehicular collection. Again, advice should be sought from the Council's Land and Environmental Services prior to drawing up details of these systems; and*
- e) *privacy is important to the rear of flats, where ambient noise levels are lower. Habitable rooms should not be located immediately above waste/recycling storage areas.*

Comment: The proposals in this instance would accommodate refuse and recycling provision in dedicated storage arrangements to the rear of the building at ground floor level. These would be serviced from both Albion Street and Candleriggs with rolling distances for the bins having been reviewed and considered acceptable.

Taking all of the above into consideration, the building design is considered appropriate in this location. The materials proposed are of a suitably high quality and entirely appropriate for the context and the building scale, whilst prominent, is considered to be justified at this significant city centre location. The rigorous daylighting assessment process (aided by set-backs to various elements on the upper floors) has established that the scheme will not result in daylighting failures for existing properties. The housing mix proposed contains a significant amount of larger 3 bedroom accommodation and the developer has sought to maximise the provision of amenity open space within the constrained site boundary. The proposal is therefore considered to meet the aims of Policy CDP 1: The Placemaking Principle.

CDP 2 – Sustainable Spatial Strategy

This 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;

Comment: In summary, the proposed development is considered to comply with this policy insofar as the proposed development makes use of a brownfield site, will help strengthen the residential character of the area by reintroducing housing onto a site which once housed tenement style flatted properties whilst maintaining the city's natural environment by providing landscaped areas both at ground level and over various upper floors. The applicant has adopted a set of sustainability commitments as set out in their Statement of Energy and includes their intended approach to water,

materials / embodied carbon, surface water run-off, waste, pollution, health and well-being and land-use and ecology.

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

Policy CDP 3 and Interim Planning Guidance IPG 3 (SG 3) – Economic Development aim to promote the creation of economic opportunity for all the City's residents and businesses and encourage sustained economic growth.

The City Centre is of strategic importance on a number of scales, including national (NPF3), regional (Clydeplan SDP) and local significance. In light of this, it has been designated as a Strategic Economic Investment Location (SEIL), primarily focussing on the sectors of business and financial services; green technologies; higher and further education; and visitor economy.

Comment: Despite this primary focus, the Council is actively encouraging the re-densification of the city centre for residential use at appropriate locations through the City Centre Living Strategy 2035, subject to adherence to City Development Plan policy considerations. The principle of residential development at this location would be consistent with this approach and there are no uses in the immediate vicinity that would otherwise conflict with or be injurious to a residential use. The principle of residential development at this location is therefore fully supportable.

Policy CDP 4 and Supplementary Guidance SG 4 – Network of Centres aim to ensure that all of Glasgow's residents and visitors have good access to a network of centres which are vibrant, multi-functional and sustainable destinations providing a range of goods and services. It advises that this will be achieved by;

- protecting and revitalising all Town Centres within the Network;
- supporting the 'Town Centres First' principle by directing appropriate footfall generating uses to Town Centres;
- embracing the principles of placemaking and building on the strengths of each Centre.

Comment: The application site is located in the City Centre Edge – Zone 1 area. Whilst not representing one of the commercial orientated uses discussed in SG4, residential development is nevertheless an important land use in the context of repopulation and a renewed vibrancy for the City Centre, as discussed in the City Centre Living Strategy 2035. The proposals are considered to be appropriately located and compatible with surrounding uses, with excellent links to sustainable transport facilities and pedestrian connectivity and therefore consistent with the aims of CDP4.

The two units at ground floor level have been designed to accommodate a range of commercial uses. Both units would be double fronted offering access to the proposed rear courtyard area. Unit 1 would extend to 434.7sqm with Unit 2 measuring 367.9sqm. The potential uses which would include Class 1 (Retail), Class 3 (Food and Drink) and Class 4 (Business). Such ground floor commercial uses would reinforce street level activity and would be consistent with the character of the Merchant City.

Policy CDP 5 – Resource Management aims to ensure that Glasgow promotes energy efficient design and use of low and zero carbon generating technologies in new development. It states that;

All buildings must receive an appropriate sustainability label as per the Building Standards Technical Handbook Section 7: Sustainability.

As a minimum, the specified level of sustainability for a dwelling or non-domestic property, at the planning application submission date (2018 onwards) should be Gold – where the building complies with the Gold level in each of the 8 aspects in the handbook and includes a minimum 20% carbon dioxide emissions abatement through the use of LZCGT.

Policy CDP 5 then directs that supplementary guidance will include advice on designing new development to reduce energy use and the use of low carbon generating technologies in new development.

Supplementary Guidance SG 5 – Resource Management offers guidance on low and zero carbon generating technologies (LZCGT) and on the preparation of Energy Statements. SG 5 advises as follows;

- 4.6 *A Statement on Energy will be required to support all applications to which this policy applies (for exceptions see paragraph 4.8). Further information on the requirements of a Statement on Energy can be found in Section 7.*

7.2 A Statement on Energy shall include:

- LZCGT feasibility report (including a summary of LZCGTs considered and a justification for the chosen technologies, including a consideration of design and visual impact);
- A SAP/SBEM calculation output showing a compliant DER/BER with LZCGT included;
- A SAP/SBEM calculation output indicating the DER/BER with the renewables removed allowing the percentage reduction due to renewables to be calculated;
- An explanation of key energy efficient design measures implemented, including materials;
- Reductions of CO2 emissions through the use of renewable energy technologies;
- Details of the viability of the installation of new, or connection to existing, District Heating networks as set out in Section 5 of this guidance; and
- Where developments are unable to meet low and zero carbon targets, a clear explanation of the technical and practical constraints of the development. Economic factors alone are unlikely to be accepted as a constraint to the inclusion of low and zero carbon generating technologies in new development. (This would not lessen the applicant's obligation to deliver the LZCGTs needed to meet the requirements of the applicable technical standards).

Comment: The applicants have advised that the domestic part of the development can be designed to meet domestic Option 1 Gold Hybrid, which incorporates Gold Aspect 1 and Silver Level 2-8 requirements and a minimum of 20% carbon emissions reduction due to LZCGT. They propose to do this through fabric improvements, passive design and the use of individual mechanical ventilation heat recovery air source heat pumps (MVHR ASHP) within each flat. This delivers a 21% reduction in carbon emissions due to LZCGT.

The identified measures demonstrate a commitment to reducing greenhouse gas emissions in line with CDP5/SG5 which would require to be further safeguarded by condition in the event of a grant of planning permission to ensure their delivery.

Policy CDP 6 – Green Belt and Green Network aims to ensure the development and enhancement of Glasgow's Green Network by:

- protecting and extending the Green Network and linking habitat networks;
- providing for the delivery of multifunctional open space to support new development;
- protecting the Green Belt; and
- supporting development proposals that safeguard and enhance the Green network.

It advises that the Council will support the retention, as open space, of the categories of open space identified on the Council's Open Space Map. Development that is likely to adversely impact on open spaces identified on the Council's Open Space Map and/or on the existing Green Network will not be supported unless it includes appropriate mitigation, as detailed in associated Supplementary Guidance. CDP 6 also advises that open space provision standards will be set out in Policy CDP 12 – Delivering Development.

Supplementary Guidance IPG (SG6) 6 – Green Belt and Green Network sets out criteria to assess any proposals for the loss or replacement of Protected Open Space.

4.1 *Open space forms a key component of the wider Green Network that includes green (eg parks), grey (eg civic space) and blue (eg burns) spaces and smaller Green Network elements such as green roofs.*

4.2 *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:*

Table 3: Protected Open Space

“Publicly Usable” Categories

1. Public parks and gardens
2. Communal private gardens (gardens in multiple private ownership, such as are found in the West End of the City)
3. Amenity space
4. Playspace for children and teenagers
5. Green corridors
6. Natural/Semi-natural greenspace
7. Civic space

“Demand-led” Categories

8. *Sports areas (inc multi-games courts)*
9. *Allotments/community growing spaces*
10. *Other functional greenspaces (including churchyards and cemeteries)*

Note: New open space in these categories, created in accordance with this SG, will be incorporated into the Glasgow Open Space Map and will be protected by policy CDP6.

Comment: The site for the proposal includes two areas of open space shown on the Council’s Open Space Map and protected, as open space, by the above policy. The areas are identified as “6.33 Amenity Greenspace – Transport”, with the larger of the two (in the centre of the site and measuring around 300sqm) being a mound which contains a number of mature trees and the other, smaller area of landscaping (around 100sqm in area) running down the western edge of the site and including a further 6 mature trees. In addition, there are a number of additional trees on the site, outwith the areas of designated open space.

Interim Planning Guidance IPG6 (para 4.3) states that there may be some circumstances in which the Council will permit development on open space, including (for open spaces in a “publicly usable” category such as these) ... “c) the proposal would be brought forward in conjunction with a proposal for an equivalent, or higher quality, new open space to replace that being lost. The replacement space should be in an acceptable location which would better serve local needs”. In this instance, the application proposes a landscaped courtyard, publicly accessible (via three pends) during daylight hours. The Open Space Strategy (OSS) defines publicly usable open spaces as those which, in general terms, are accessible to the public with relatively few restrictions. The applicant proposes that the landscaped courtyard would be managed in such a way that residents would still be able to gain access using a secure system during the times that it would not be accessible to the public. It is considered that this ground floor space would provide a suitable, if not vastly improved, replacement for those areas within an operational car park that would be lost should the development proceed.

The amenity spaces have been designed with specific purposes and uses in mind. These areas seek to embed public realm features alongside ecological planting. The positioning of the open spaces throughout the development have been considered from sunlight perspective with more than 60% of the communal garden areas and amenity spaces within the proposed development receiving more than 2 hours of direct sunlight during the Spring equinox.

Policy CDP 7 – Natural Environment aims to ensure that Glasgow’s natural environments, including its ecosystems and protected species, are safeguarded and, whenever possible, enhanced through new development. It states that;

New development should not have an unacceptable effect, either directly, indirectly, or cumulatively, on:

1. *the purpose, integrity or character of areas designated for their landscape importance;*
2. *sites, habitats, species or ecosystems protected by law or which are designated as important for their nature conservation value;*
3. *sites designated as important for their geodiversity value; or*
4. *trees, woodlands or hedgerows that are of importance.*

Supplementary Guidance SG7 – Natural Environment sets out guidance for developers on site appraisals and ecological surveys for development sites, stating;

2.2 A typical site appraisal should:

- a) *highlight any designations (including Local Geodiversity Sites) on or near to the site;*
- b) *identify potential important habitats (mature trees, woodland, hedgerows, ponds or watercourses);*
- c) *identify if protected species are likely to be in, or near, the site;*
- d) *give an indication of the ecological data required for progressing a planning application;*
and
- e) *recommend if more detailed surveys will be necessary.*

Comment: The Ramshorn Churchyard, located directly across Ingram Street from the application site, is designated as a Site of Special Landscape Importance. The site itself currently comprises a large area of hardstanding used as a car park with rows of planted semi-mature cherry and horse chestnut trees as well as a young elder tree and several saplings. The majority of these trees were planted as a result of implementation of the car park a number of years ago. The application does include for the

planting of new trees within the ground level courtyard as well as areas for planting / growing on the rooftop.

The application has been subject of a comprehensive landscape and biodiversity strategy which seeks to enhance the amenity and ecological value of the proposed development. This would be achieved through the introduction of a series of green areas at different levels with a native planting palette considered appropriate for the site's urban setting. It is envisaged that this would contribute to creating better connected habitats with a higher biodiverse rating. A combination of new native trees and flowering specimen shrubs within the courtyard, the new green roof space and terraces, and the installation of integrated bird and bat boxes aim to significantly increase biodiversity on site by providing habitat for birds, bats, and invertebrates. The inclusion of nectar rich, pollinator friendly plants will contribute towards Glasgow City Council's Glasgow Pollinator Plan for a robust, healthy, and diverse population of pollinating invertebrates in Glasgow.

Policy CDP 8 – Water Environment and Supplementary Guidance SG8 recognise the increased likelihood of flooding from pluvial, fluvial and costal sources, and with the interconnectedness of sewerage and drainage infrastructure, an increased likelihood of flooding from sewers also. Applicants will therefore need to demonstrate that proposals minimise and reduce the risk of flooding; avoid any increased risk of flooding from other sources, either within or outwith the site as a consequence of the development; and avoid any increase in the quantity and rate of surface water runoff. The Council has developed a 'Flood Risk and Drainage Impact Assessment: Planning Guidance for Developers' to assist deliver these policy requirements.

Policy CDP8 therefore aims to;

- *aid adaptation to climate change;*
- *protect and improve the water environment;*
- *support the development of integrated green infrastructure throughout the City;*
- *meet the requirements of the Flood Risk Management (Scotland) Act 2009 and Scottish Planning Policy 2014;*
- *help deliver the Metropolitan Glasgow Strategic Drainage Partnership (MGSDP) Scheme, a National Development in NPF3; and*
- *contribute to the reduction of overall flood risk and make satisfactory provision for SUDS.*

It advises that applicants will be required to demonstrate that proposals contribute to;

- *minimising and reducing flood risk;*
- *avoiding any increased risk of flooding from any source either within the development site, or outwith the site as a consequence of the development; and*
- *avoiding any increase in the quantity and rate of surface water run-off from any site.*

Supplementary Guidance SG 8 – Water Environment sets out criteria for developments to meet in order to achieve the aims of Policy CDP 8.

6. Flood Risk Assessments (FRA)

6.1 *If any flood risks are identified during the flood risk screening process, there will be a requirement to carry out a detailed flood risk assessment in accordance with the Council's Flood Risk and Drainage Impact Assessment: Planning Guidance for Developers and the requirements of SEPA.*

6.2 *The FRA must clearly identify specific flood risks and quantify issues that need to be addressed. The FRA will also require to demonstrate that the flood mitigation strategy can be delivered, in compliance with all other relevant legislative requirements of Scottish Planning Policy, the Flood Risk Management (Scotland) Act 2009 and SEPA.*

8. Surface Water Drainage Strategy

8.1 *The creation of a surface water drainage strategy is fundamentally important to the design development for any new development of 5 or more dwellings or introducing a new building of more than 250 sq metres ground floor area. This strategy will set out the key principles of the surface water drainage strategy and demonstrate appropriate spatial planning.*

8.2 *The site drainage strategy will require to set out the following:*

- *To which network/waterbody will surface water will be discharged;*
- *Water quality treatment requirements (Sustainable Drainage Systems (SuDS));*
- *Strategy to manage in-curtilage, roads and open space drainage;*
- *Percentage of permeable area within in the development;*

- *Attenuation requirements;*

9. Scottish Water

9.6 Planning Requirements

To demonstrate that the development can be effectively drained the applicant will be required to provide:

- a) Approval in principle*
- b) Drainage Impact Assessment Application (if required)*
- c) Scottish Water Drainage Impact Assessment Output (If required)*

9.7 *Prior to the commencement of development works the applicant will be required to submit to the Council a copy of the appropriate technical approval or consent to discharge to a Scottish Water asset.*

Comment: The applicant has submitted a Flooding, Drainage and Surface Water Strategy for the proposed development. While considered to be largely acceptable, the assessment suggested that there would be a low risk of surface water flooding entering the site from Ingram Street. It stated that the site should still be designed to limit the risk of surface water entering the site. As it was initially unclear what these mitigation measures would be, in the scenario that the commercial units are located on the ground floor, further information was provided by the applicant in this regard. Also, as the intention is to direct runoff to the Scottish Water sewer, written confirmation was required that appropriate capacity exists in the drainage network and that this would have Scottish Water approval.

The applicant provided further information confirming that the recommendation from their consultants was that the internal floor levels are to be set above adjoining pavement levels where access doors are proposed providing level access to the proposed commercial units. The proposed development has incorporated these recommendations within its design. The site proposals do not propose to divert any site flows into the Scottish Water Network without suitable treatment and attenuation. The applicant has confirmed that Scottish Water have considered the proposed site foul and surface water drainage flows, all of which are contained within the site footprint including appropriate Climate Change allowances and attenuation volumes. Scottish Water have conducted a capacity review and confirmed that there is sufficient capacity in their network to service the development.

As the site is in the city centre there is limited room for SUDS. It is proposed that the site footprint would have a mixture of landscape hard surface / roofs. The applicant is proposing the use of a series of SUDS proposals including blue/green roofs, porous paving and a downstream defender manhole to treat the surface water run-off prior to discharge.

Lastly the applicant has provided their up to date Professional Indemnity Insurance details for the FRA Engineer and Checker for the proposed works, in accordance with the requirements set out in the policy.

Policy CDP 9 – Historic Environment aims to ensure the appropriate protection, enhancement and management of Glasgow’s heritage assets by protecting, conserving and enhancing the historic environment for the benefit of existing and future generations. This will be achieved by assessing the impact of proposed developments and supporting high quality design that respects and complements the character and appearance of the historic environment and the special architectural or historic interest of its Listed Buildings, Conservation Areas, Scheduled Monuments, archaeological remains, historic gardens and designed landscapes and their settings, or by mitigating unavoidable adverse effects on them. The Council will protect, conserve and enhance the historic environment in line with Scottish Planning Policy. The Council is unlikely to support development that would have a negative impact upon the historic environment.

SG9 ‘Historic Environment’ supports the above policy by providing detailed guidance on the Historic Environment. This guidance aims to ensure the appropriate protection, enhancement and management of Glasgow’s heritage assets by providing clear guidance to applicants.

In particular, SG9 provides the following guidance on infill development within Conservation Areas.

2.148 Where a Listed Building forms an important visual element in a street, any development within that street should be considered as being in the setting of the building. The desirability of preserving and enhancing the setting of existing Listed Buildings and the character of the Conservation Area will always be primary considerations when considering new development. This includes how new development may affect townscape and streetscape.

2.151 The character of Glasgow’s Conservation Areas consists of a variety of elements including a rich mix or architectural styles, dense groupings of buildings such as terraces and tenemental

buildings, distinctive street patterns interspersed with landmark buildings and historic landscape features.

2.152 *Proposals for infill developments in Conservation Areas should maintain or enhance the character and appearance of their historic context by using high quality design and materials. Subject to the Plan's development and design policies and development guides, proposals for infill or gap development in Conservation Areas should reinforce local distinctiveness and historic character and seek to:*

- a) *respect the established building lines of the street where this is an identified feature;*
- b) *ensure that the scale and massing respects and responds to the existing adjacent properties; and*
- c) *harmonise external finishes with those of existing adjacent properties (while natural stone is the preferred option in areas of traditional construction, alternative materials may be acceptable dependent on the quality of the architectural design and the context of its setting).*

Comment: The development is considered to comply with the above policy and guidance given that it would re-enforce the existing street pattern, re-instate the traditional building line on the site and would take account of the terminal vistas to both the Ramshorn Kirk and to the Albion Street corner. The proposed building is of a suitably high quality design and uses both natural stone and brick on the prominent corner bookends and main elevation. It is considered that the proposed development would meet all the criteria for an appropriate conservation area infill development.

In relation to archaeological remains, it is probable that a certain amount of disturbance would be required from the current ground level, meaning that the development would have the potential to encounter and remove significant sub-surface archaeological material. Government policy recommends that planning authorities should ensure that procedures are in place in order that appropriate recording is undertaken before and/or during development. A suitably worded condition has been attached ensuring that a programme of archaeological works is implemented in accordance with an agreed written scheme of investigation.

Policy CDP 11 – Sustainable Transport aims to ensure that Glasgow is a Connected City, characterised by sustainable and active travel. The policy states that detailed advice and guidance on the following matters will be set out in the associated supplementary guidance;

- The provision and design of parking for vehicles, including the charging of electric vehicles, in new development;
- The provision and design of parking for bicycles in new development;
- Promoting active travel in new development;
- Development and design of new walking and cycling routes, including; network proposals emerging from the refresh of the Council's Strategic Plan for Cycling; The aspirational cycle routes identified in this policy; and linkages to existing and proposed routes;
- Guiding developments to locations which are accessible by public transport and active travel.
- The design of new residential areas, interpreting the guidance set out in Designing Streets for the Glasgow context.

Supplementary Guidance SG 11 – Sustainable Transport sets out criteria in relation to the above as follows;

2. **Location of New Development**

2.3 *To ensure significant travel generating development is located in the right place to deliver sustainable travel patterns, major development proposals (defined in Table 5 of this SG), and other proposals likely to have a significant cumulative impact, are required to undertake a locational assessment, as part of a Transport Assessment, where appropriate. The applicant should demonstrate that:*

- a) *high trip generating proposals (Table 1) are located so as to maximise the use of public transport, cycling and walking;*
- b) *the location of high footfall uses is informed by a sequential approach to site selection (see paragraph 68 of SPP and SG 4);*
- c) *the proposal is linked into the existing or potential public transport, walking and cycling networks (see Section 3 of this SG);*

4. **Cycle Parking**

4.3 The Council shall require the provision of cycle parking in new development and redevelopment proposals in line with the minimum cycle parking standards specified in Tables 2.1 – 2.6.

- a) Wherever possible, employee cycle parking should be located within buildings or a secure compound. Where such a location is not feasible, provision should be close to areas of high activity, such as the main entrance of developments, to ensure cycling is encouraged through enhanced security provided by passive surveillance.
- b) Cycle parking for residents should, generally, be located within, or to the rear of, the residential building to ensure it is safe and secure.
- c) Bike storage lockers/cupboards allocated to each unit, or cycle stands in a secure, covered compound, are the preferred solution for flatted developments. These should be easily accessible and usable and normally be on the ground floor or in the basement, providing the basement has ramped access or a suitable lift. This SG may be supplemented by non-statutory guidance on delivering well-designed cycle parking arrangements in new residential development – any such guidance should be taken into account in designing new residential development.
- d) Dedicated provision, in the form of well-designed cycle storage, should be provided either in the rear curtilage of houses that will not have a dedicated garage, or a garage of sufficient size to accommodate both bikes and a car. Cycle storage could be in the form of a storage facility (such as a shed) or in the form of a pulley/hoist system in garages that are not, otherwise, of sufficient size to accommodate both bikes and a car. External storage should be well located and designed so as not to impact adversely on residential amenity.
- e) Visitor parking should be located at an easily accessible location close to, or within, the entrance area of the development in order to enhance security through surveillance.
- f) Cycle parking should always be safe, sheltered and secure. The form of cycle parking provided should facilitate the securing of the frame of the bike to the “stand”. “Sheffield” racks are a good, and preferred, example of such provision.
- g) Employment sites shall provide on-site showers, lockers, changing and drying facilities, as a means of promoting walking and cycling to work. These are important trip-end facilities that can positively affect an individual’s decision to walk, run or cycle regularly.

Table 2.1: Residential Type of Development

Minimum Standard

Mainstream Residential

1 space per unit unless a dedicated garage, or other storage facility/option (see paragraph 4.3d), of sufficient size is provided.

Visitor parking to be provided at a rate of 0.25 spaces per unit in new residential developments where residents' cycle parking provision is provided communally.

6. **Vehicle Parking**

Parking provision in residential developments should be assessed against the standards set out in Table 3.1. In locations where space is restricted, (e.g. tenemental areas), the availability/provision of on-street parking can be taken into account in supply calculations for residential development, particularly for visitor parking. This does not apply to non-mainstream residential developments. All such provision should be in marked bays and this may require the Council to promote a Traffic Regulation Order, at the developer's expense.

Part A: Mainstream Housing for Sale/Rent (private, social and shared)
1(i)

New Build

The basic minimum standard for parking provision is:
1 allocated (unallocated if on-street) 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 - (see Annex A);
- density and open space considerations (see SG 1 and SG6);

- *placemaking, townscape and design requirements (see policy CDP 1: Placemaking and Design);*
- *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;*
- *existing pressure on on-street parking in the surrounding area;*
- *practical considerations in relation to conversions, redevelopments and subdivisions*

6.14 *The Council supports the development of car free housing on suitable sites. Proposals for car free housing will be considered against the following criteria. Table 3.1 Part C sets out the maximum standards for car-free housing.*

Site criteria

The Council will only be able to control parking in the surrounding area when developments are located well within existing Restricted or Controlled Parking Zones. In order for the policy to apply, developments that are to be car free must, therefore, be located within one of these areas, at least 500m walk from the nearest streets that are not covered by a CPZ or RPZ. Sites must also have high frequency public transport within walking distance (see Annex A); and convenient and safe access (400 metres) to local shops and facilities, including publicly usable open space.

Parking/servicing provision

- No parking should be provided within the site for residents, except for limited parking at the site edge for car sharing scheme use.*
- A servicing bay, large enough for a delivery lorry, should be provided, within the site, at the site edge – depending on location and circumstances, this may require promotion of a TRO to keep it free of service vehicles.*
- Entry into the site, if required for bin lorries, emergency vehicles, etc., should be by means of an access with a control gate.*
- Cycle storage should be provided at a rate of at least one space per dwelling. Car-free dwellings with more than one bedroom should provide for additional secure cycle storage at a rate of 0.5 extra spaces per additional bedroom, rounded up to the nearest whole number.*
- Parking on private internal roads/accesses and within property curtilages will be prohibited.*

Comment: The site is centrally located and is within close proximity to sustainable transport links at both High Street and Queen Street rail stations. The subway stations at both St Enoch Square and Buchanan Street are also in close proximity. Various city centre bus routes are within walking distance of the application site. The absence of on-site car parking provision is therefore fully supportable in this instance.

The site is currently occupied by a surface level car park. However, as other purpose-built multi-storey car parks serve the Merchant City (Montrose Street and Candleriggs) and the Council is looking to reduce traffic movements within the City Centre by at least 30% by 2030, there is no transport policy requirement to maintain this particular car park site.

A supporting Transport Statement has been submitted by the applicant, which demonstrates the accessibility / sustainability of the site and compliance with SG11 of the City Development Plan. In order to promote and encourage sustainable travel, a residential travel plan pack should be produced for issue to future residents of the flatted dwellings. The travel plan pack should include maps detailing the location of public transport stops, timetables and estimated journey times, walking / cycle routes to key destinations, and information about the health benefits of walking and cycling.

It is proposed that servicing of the development would be undertaken from both Albion Street and Candleriggs. The collection of refuse from Candleriggs is possible, given the absence of on-road parking along the development frontage and the adjacent loading bay opposite the City Halls entrance. For the Albion Street frontage, a loading area should be formed with any displaced car parking spaces on the Albion Street frontage for a loading area accommodated on the Ingram Street frontage in the gap where the car park access is currently located - this should result in no-net detriment in on-road car parking supply. The existing Traffic Regulation Order would require to be updated / amended in order to reflect the changes required for the future servicing of the development.

In line with SG11 of the City Development Plan, safe secure and sheltered cycle parking / storage shall be provided for future staff, residents and visitors to the development. Based upon the proposed and indicative development content, the following provision is required:

Element	Min Standard (Resident)	Min Standard (Staff)	Min Standard (Visitor)
Mainstream Residential	1 space per unit	-	0.25 spaces per unit
Bar & Restaurant	-	1 per 10 staff	1 per 50m ² GFA

Based upon the indicative development content, this equates to a minimum of 136 spaces for the residential element and 16 (+staff) for the likely bar & restaurant element. The applicant has proposed 132 internal secure spaces within the block and 15-30 external spaces within the courtyard (based upon the enhanced SG11 standard for 'car free' development). The provision of charging points for electric bikes is welcomed. We are therefore satisfied that sufficient cycle parking provision has been provided.

It is therefore accepted that the proposals do not present any policy issues for CDP 11 and SG 11.

Policy CDP 12 – Delivering Development aims to ensure that development contributes to a sustainable, economically successful City, through the provision of reasonable infrastructure and facilities that are necessary to mitigate the impact of change on Glasgow's resources, and that are appropriate to both the nature of the development and its location.

Supplementary Guidance IPG 12 – Delivering Development sets out guidance on open space and public realm provision, as referenced in SG 6 – Green Network and the Green Belt above. The minimum open space standards are defined as follows;

Flatted development - 1.25 hectares of recreational open space per 1,000 population, comprising 0.35 hectares for children's play, 0.35 hectares for outdoor sport and 0.55 hectares for amenity open space/parkland (including 0.05 hectares for allotments or community gardens).

3.2 *An appropriate proportion of the open space requirement must be located within the boundary of the site, as an integral element of the development scheme.*

- a) *Where an audit identifies a relative surplus in the quantity of any of the open space categories set out in this IPG (having regard to the distance thresholds set out in Section 4) the developer may meet part of the requirement through an equivalent financial contribution. This will be directed towards:

 - i) *improving the quality, accessibility or management of open spaces in the local area; and/or*
 - ii) *enhancing open space provision and management in the same sector; and/or*
 - iii) *approved Council strategies to which the development's open space requirements could contribute.**

- b) *Where a relative shortage (either in quantity or quality) of any of these open space categories has been identified through an audit (having regard to the distance thresholds set out in Section 4 of this IPG), or where the proposed development could lead to such a shortage, the developer will be expected to meet this IPG's entire requirement for those categories within the development site. If it is demonstrated (to the satisfaction of the Council) that this is not feasible, then part (or, in exceptional circumstances, all) of the requirement may be met by an equivalent financial contribution. This will be directed towards:

 - i) *addressing the quantitative or qualitative deficiencies in open space provision in the local area; and/or*
 - ii) *addressing City-wide deficiencies in the quantity or quality of open space provision in the same sector; and/or*
 - iii) *addressing strategic deficiencies in the quantity or quality of open space provision, as identified by approved Council strategies.**

4.7 *Flatted Development*

- *In flatted development, amenity open space should be provided in addition to usable communal garden areas or backcourts and be capable of being used by all the residents in the development. Spaces that are poorly designed or too small (i.e. less than 100 sqm in area) or inappropriately located, will be treated as landscaped areas, and will not contribute towards meeting requirements.*

- The amenity open space requirement for flatted development may be met by means of an amenity deck, a landscaped courtyard or a green roof, provided that it:
- benefits from natural sunlight and is usable for informal recreation, such as sitting outside;
- is capable of sustaining planting and trees;
- Where internal courtyards or amenity decks are proposed, a privacy strip of 5 metres from all ground floor windows will be deducted from the space that can contribute towards the open space requirement.

Open Space Deficiency

4.25 Where a relative deficiency (either in quantity or quality) of open space has been identified for any of these categories, or where the proposed development could lead to such a deficiency, on site provision of the entire requirement will be expected. The only exceptions to this approach would relate to the following circumstances:

- Site characteristics - it is physically impossible or inappropriate to accommodate all open space categories on the development site, e.g. formal play within small flatted development or formal sports provision; or
- Existing or proposed open space facilities - the development site is accessible to a suitable existing open space which either; requires to be enhanced, or provides an opportunity to create a new facility, e.g. a local play area.

Comment: In terms of amenity space, there are no local parks within the 400 metres 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 deficient. In relation to children's play facilities, there are no play areas within the 300 metres threshold which are accessible from the proposal site. As such, the overall level of provision within the area is considered deficient. In terms of outdoor sport this area is also deficient in provision of both formal and informal sport.

Open Space Category	Required on site	Proposed on site	Shortfall
Amenity Open Space	840m ²	1198m ²	0m ²
Children's Play	588m ²	74 m ²	514m ²
Outdoor Sport (Formal and Informal)	588m ² (420m ² Formal / 168m ² Informal)	0m ²	588m ²
Allotments/Community Gardens	84m ²	122m ²	0m ²
Total	2100m ²	1394m ²	1102m²

The proposal delivers fully in the Amenity Open Space and Allotments/Community Gardens categories and as such the proposal is only liable for contributions towards the Children's Play and Outdoor Sport categories. This equates to a combined financial contribution of £110,199. The applicant has indicated that, to secure this sum, they would be happy to enter into a S75 agreement with the local authority attached to any planning permission being issued.

ii) PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997

With regards to the above legislation, it is necessary to consider the council's responsibilities under the above Act whilst also considering the proposals suitability against any national guidance predicated upon said legislation. The relevant guidance is considered to be the Historic Environment Scotland Policy Statement 2016 and Historic Environment Scotland's guidance Managing Change: Demolition.

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act places a duty of care on the Planning Authority in considering whether to grant planning permission for development which affects a conservation area or its character, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In order to assess that impact, and in accordance with provision 63 of the same statutory instrument, the Council has an existing Conservation Area Appraisal for the St Vincent Crescent Conservation Area that sets out the unique character of the conservation area and its key features to be preserved and enhanced.

Central Conservation Area Appraisal 2012

According to the Central Conservation Area Appraisal, the street layout in the Merchant City consists of a closed off-set grid pattern that defines the building edges and provides opportunities for the location of important buildings as visual end stops along main streets. This principle can be seen at the Gallery of Modern Art as an end stop to Ingram Street, the Hutcheson Hospital building at the end of Hutcheson Street and the Trades Hall at the end of Garth Street. On Candleriggs, the scheme subject of the application completes the corner in a regular street-edge fashion of varying scale, re-creating the framed view of the Ramshorn Kirk at the end of Candleriggs. The distinctive bookend corner proposed at Albion Street would create a new terminal vista when viewed south from George Street along the off-set northern section of Albion Street.

As such, it is considered that the proposed development enhances the character of the Central Conservation area within the sites' Merchant City setting.

iii) MATERIAL CONSIDERATIONS

With regards to iii), whether any other material considerations have been raised during the application process that would outweigh the provisions of the statutory Development Plan, the representations and consultation responses received for this application are material considerations and have been summarised below;

The Glasgow City Development Plan (CDP) identifies six key areas where a strategic approach is needed to co-ordinate development activity, direct investment and address emerging opportunities. The areas identified are: River Clyde Development Corridor, Govan Partick, City Centre, Glasgow North, Inner East and Greater Easterhouse. Strategic Development Frameworks (SDF) have been prepared for each area to provide a long-term vision for regeneration. The SDFs have the status of Supplementary Guidance, and thereby form part of the statutory City Development Plan.

The Glasgow City Centre Strategic Development Framework (SDF) was approved in May 2021 by GCC. The SDF forms part of the adopted SDP and seeks to guide the development of the city centre over the next 30 years, setting out the following vision:-

“In 2050, the city centre will be a vibrant, inclusive, sustainable, and liveable place. A green, attractive, and walkable city centre that will create a people-centred place that is climate resilient, fosters creativity and opportunity and promotes social cohesion, health and wellbeing and economic prosperity”.

To achieve this vision, the SDF identifies six ambitions to make the city centre more vibrant, liveable, connected, green and resilient:-

- Reinforce the centre's economic competitiveness;
- Re-populate the centre and ensure liveable and sustainable neighbourhoods that promote health, wellbeing, and social cohesion;
- Reconnect the centre with surrounding communities and its riverside;
- Reduce traffic dominance and car dependency and create a pedestrian and cycle friendly centre, with improved public transport, that is healthier and cleaner (commented upon in CDP11 section);
- Green the centre and make it climate resilient with a network of high-quality public spaces and green-blue infrastructure that caters for a variety of human and climatic needs (commented upon in CDP8 section); and
- Repair, restore and enhance the urban fabric to reconnect streets and reinforce the city's distinctive heritage and character.

Comment: The proposed development would provide 109 residential private for sale units within the Merchant City Area. This would contribute towards the Council's aim of repopulating the City Centre and would support its economic competitiveness through increased population supporting local businesses and facilities. The proposal would also include a publicly accessible courtyard enabling the surrounding community to connect with the development. The proposal is car-free, making full use of the sites' central location close to public transport infrastructure. As well as providing its own amenity spaces, both public and private, the site is well located to benefit from other existing green spaces in and around the city centre. Lastly, in terms of repair, restoring and enhancing the urban fabric, the applicant has provided evidence that the site had previously accommodated built development. The replacement of a surface level car park with the proposed residential development seeks to restore that historic urban form.

The grounds of objection are summarised below;

1. Cause overshadowing on Albion Street and many flats will be blocked from natural sunlight.

Comment: The applicant has submitted a Daylight and Sunlight Assessment in support of the application which concludes that the proposed development would be in compliance with the relevant BRE Guidance daylight criteria.

2. This is a residential area and construction will bring substantial additional noise and there will be traffic, access and parking issues during and post-construction.

Comment: Suitable noise conditions are recommended for the operational phase of the development. Issues of noise during construction are handled by NRS Environmental Health under the Control of Pollution Act rather than being a planning matter. Nevertheless, a condition about a Construction Environment Management Plan is recommended to try and mitigate any disturbance to neighbouring properties.

3. Loss of mural

Comment: While a small area of the existing mural would be lost due to the proposed development, the majority of the mural would be preserved in place for the appreciation of both the public and future residents of the development. The new ground floor courtyard green space would be fully accessible to the public and it is envisaged that this would create a unique space which would be integrated into the existing art trail. The applicants propose that the entrance pends would feature artwork as well as the incorporation of artwork to the rear (south-facing) elevation on the building.

4. Loss of trees

Comment: The trees on site were planted in the past to screen the poor environmental condition of the car-park to pedestrians. Historically, the site was densely developed, accommodating a number of buildings and shops. It was never in its history a green space. Although the trees have environmental and health benefits, the current use of the site as an open air car-park encourages car-use and has environmental drawbacks. On balance, the presence of the trees on the site is circumstantial due to its use as an open air car-park and landscaping will be provided both in the public courtyard and on the building itself. As such, it is not considered reasonable to refuse permission on this basis. A number of mature trees also exist in the vicinity, in the Ramshorn Kirkyard.

5. Loss of greenspace

Comment: The site has been a surface car park for some considerable time and is currently in a poor environmental condition. Trees were planted around the perimeter a number of years ago. However these were planted as a temporary measure to provide an edge containment to the car park and to screen it from passers-by. While parts of the site do have open space designation, the proposed ground level courtyard space is considered to be a vast improvement to what are essentially existing small areas of amenity space within a functioning car park. A designated open space is provided in the Ramshorn Kirkyard across the road.

6. Adverse impact on conservation area and nearby listed buildings

Comment: The impact upon the Central Conservation Area is considered in detail in the policy analysis above and in the context of the Central Conservation Area appraisal. In both instances the scheme was found to enhance the character of the conservation area, rather than to detract from it. Historic Environment Scotland were consulted as part of the application process and offered no comment in relation to the impact of the proposed development upon the nearby Category A listed buildings.

7. Loss of parking

Comment: The area is already well provisioned in terms of multi-storey car parks in close proximity.

8. Adverse impact on drainage

Comment: The development has been assessed by both the Councils' Flood Risk officers and Scottish Water and neither have raised any objection to the proposal in relation to drainage.

9. Loss of pavement for wheelchairs / disability access

Comment: The proposed development does not include any proposals to remove existing publicly accessible pavement areas around the site. On the contrary, through implementation of the development, pavement provision would be increased and pavement surfaces would be improved to the benefit of disability access around and through the site.

10. Design and appearance not sympathetic to local landscape

Comment: The scale of the building, its position, design and materiality and the reasoning for these have been fully considered under CDP 1 – The Placemaking Policy analysis earlier in this report and found to be acceptable.

11. No need for further commercial units

Comment: The proposal incorporates the potential for a range of ground floor uses which would activate the street and further contribute to the vibrancy of this part of the City Centre. No overprovision of commercial uses has been identified in this area.

12. Adverse impact on nature and wildlife

Comment: The proposal includes a range of public and private areas which will include planting designed to encourage biodiversity, details of which would be secured by planning condition.

13. Proposed amenity space within development will not be accessible to public

Comment: The applicant has advised that the ground level courtyard area would be accessible to the public during certain hours and this would be the subject of a specifically worded condition attached to any planning permission, if granted.

14. Loss of privacy

Comment: In accordance with sound urban design principles and the advice provided in SG9, in particular, the development respects the traditional grid arrangement and building lines. Often, in the City Centre, streets are narrower than they would be in a modern setting and a balance must be struck between achieving these objectives and ensuring that privacy for existing and new residents is protected as far as practicable. In this instance, the width of the surrounding streets ensures that there are no privacy failures of this nature.

15. Paved car park with EV charging more useful

Comment: The loss of this car park is considered to be beneficial in terms of the subsequent environmental benefits to the city centre and its resident population. EV charging spaces are located on-street within the vicinity of the application site.

16. No need / demand for further housing

Comment: The Councils' own strategies (Glasgow City Centre Strategy and City Centre Living Strategy) seek to repopulate the city centre and this proposal would assist in meeting the aspirations contained within these strategies. It should be noted that the residential apartments proposed are for sale and there have been few new build for sale residential developments in the City Centre for several years.

17. Adverse impact on social community due to high concentration of one and two bed accommodation

Comment: The Councils' City Centre Living Strategy does seek to encourage residential development for professionals and families. Similarly, SG1 encourages provision of family accommodation in appropriate locations and whilst a greater diversity of accommodation is always encouraged, there is no specific criteria on where they should be directed and the extent of makeup of provision. The proposal includes 81, two bedroom and 10, three bedroom apartments which are suitable for families.

18. Agent of change principle – inadequate detail on noise mitigation measures

Comment: The proposal has been reviewed by the Councils' Environmental Health section and an appropriately worded condition has been proposed in order to ensure that the development as implemented fully complies with the noise mitigation measures recommended.

19. Architectural Heritage Society of Scotland – Concerned about scale and massing, particularly in relation to Candleriggs and listed buildings. Produce an unwelcome canyon effect. Proposed use of brick not a positive contribution to conservation area. Stone should be used on prominent Ingram Street façade with brick reserved for less important facades.

Comment: These issues have already been addressed within the above Policy consideration and response to representations.

20. Merchant City and Trongate Community Council – Loss of trees, adverse impact on conservation area and listed buildings, loss of mural, loss of light to nearby buildings. The site should be turned into a park.

Comment: These issues have already been addressed within the above Policy consideration and response to representations.

The grounds of support are;

1. It will repair a gap site which for many years has been an eyesore, provide modern housing in line with the city's policy to increase the number of residents in the centre, and will substantially retain public views of the Fruitmarket mural.

Comment: The policy analysis detailed above would concur with this.

2. In addition, the proposed retail/catering units on the ground floor will increase the choice of shops available in the area and the public open space will replace a car park which is currently a safety hazard at a busy traffic intersection.

Comment: The issue of commercial space within the City Centre is addressed through the above policy analysis, as is the loss of the car park provision.

3. The design, with variations in height, fits in well with the surrounding buildings.

Comment: The design of the proposed development has been the subject of rigorous development and review over the course of both pre-application discussions with the planning authority, Urban Design Panel members and the wider public and is considered to be acceptable.

4. Loss of car park helps to tackle climate change

Comment: The policy analysis detailed above would concur with this.

Consultation Responses

NRS also received the following consultation responses to the application:

Glasgow Life – Have expressed concerns with regards to the 'Agent of Change' principle and that, without a sufficiently robust approach to addressing noise mitigations from the outset, there could be complaints from future residents of the development to events held within the adjacent City Halls / Old Fruitmarket.

Comment: The concerns raised by Glasgow Life have been reviewed and commented upon by the Councils' Environmental Health section. The design mitigations proposed by the applicant in terms of noise impact from the adjacent music and events venue upon the future residents of the development have been assessed as acceptable, provided that these are implemented in full.

Agent of Change principle –

The Chief Planner's letter dated 16th February 2018 stated that "The Agent of Change principle clearly places the responsibility for mitigating any detrimental impact of noise on neighbours with those carrying out the new development or operations. So, for example, where a new residential property is to be developed within the vicinity of an existing music venue, the responsibility for mitigating adverse effects should sit with the housing developer, as the 'agent of change'."

Furthermore, Section 41A of the Town and Country Planning (Scotland) Act 1997 Conditional grant of planning permission: noise-sensitive developments states:

1. A development that is the subject of an application for planning permission is a “noise-sensitive development” if residents or occupiers of the development are likely to be affected by significant noise from existing activity in the vicinity of the development (a “noise source”).
2. Without prejudice to the generality of section 41(1), a planning authority—
 - (a) must, when considering under section 37 whether to grant planning permission for a noise-sensitive development subject to conditions, take particular account of whether the development includes sufficient measures to mitigate, minimise or manage the effect of noise between the development and any existing cultural venues or facilities (including in particular, but not limited to, live music venues), or dwellings or businesses in the vicinity of the development, and
 - (b) may not, as a condition of granting planning permission for a noise-sensitive development, impose on a noise source additional costs relating to acoustic design measures to mitigate, minimise or manage the effects of noise.

Comment: A suitably worded condition has been attached to this report which requires the developer to implement the development in compliance with all noise mitigation measures as approved within the applicants’ Noise Impact Assessment. There is also a requirement that the scheme of mitigation measures shall be agreed between all parties prior to implementation.

CONCLUSIONS

In summary, the proposed development is considered acceptable with regards to the policies of the Glasgow City Development Plan 2017, subject to the successful conclusion of a Section 75 legal agreement which is considered necessary in order to secure the required open space contribution and a management statement detailing various elements including the long-term maintenance of the building, communal amenity spaces (including planting) and publicly accessible courtyard space.

Conditions and Reasons

01. Prior to the commencement of demolition works on site, details of any temporary barricades proposed during the works involved shall be submitted to and approved in writing by the Planning Authority. The barricades shall be implemented in the approved manner and painted and/or maintained in good condition and kept free of advertisements.

Reason: In the interests of pedestrian and vehicular safety.

02. No development shall commence on site unless otherwise agreed with the Planning Authority, until a comprehensive contaminated land assessment has been submitted and approved by the Planning Authority. The assessment must incorporate results of previous phases of site investigation and must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Assessments shall be conducted and reported in accordance with current recognised codes of practice and guidance and shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN33 Development of Contaminated Land. Any potential risks to human health, property, the Water Environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.

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

03. Where the contaminated land assessment has identified any unacceptable risk or risks (as defined by Part IIA of the Environmental Protection Act 1990), a remediation strategy shall be prepared and submitted to the Planning Authority that sets out all the measures necessary to bring the site to a condition suitable for the intended use by removing any unacceptable risks caused by contamination, including ground and mine gas. The strategy 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 must be carried out in accordance with the proposals outlined within the remediation strategy, and as agreed by the Planning Authority, unless otherwise agreed in writing by the Planning Authority.

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

04. Upon completion of the remediation works, and prior to the any part of the development site

being occupied, a remediation completion / validation report which demonstrates the execution and effectiveness 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.

05. 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 remediation 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 remediation completion / validation 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.

06. Upon completion of site investigations and gas monitoring and following agreement on the findings of these with the planning authority; all boreholes, probeholes or monitoring wells completed across the subject site are to be decommissioned (backfilled) and sealed in a manner that prevents them acting as a migration pathway. Works should be completed in accordance with Scottish Environment Protection Agency 2014 good practice guidance and BS 8576: 2013.

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

07. When submitting the required Building Warrant application for this development, an updated Statement on Energy (SoE) shall be submitted to and approved in writing by the planning authority. The SoE shall demonstrate how the development will incorporate low and zero-carbon generating technologies to achieve at least a 20% cut in CO2 emissions and that the Gold Hybrid Standard are to be met, as per City Development Plan policy CDP 5: Resource Management & accompanying Supplementary Guidance SG5: Resource Management. 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.

08. Prior to the commencement of works on site, details of the final drainage design and SUDS (Sustainable Urban Drainage Systems) features shall be submitted and approved in writing by the planning authority. The submitted details on any large SUDS basins shall include information on landscaping proposals and a planting strategy which goes beyond the minimum design standards for Scottish Water and benefits visual amenity and biodiversity.

Reason: To ensure the proper drainage of the development.

09. Prior to the commencement of any drainage works on site, the applicant will provide the Planning Authority with written confirmation of Technical Approval (or Permission to Connect if applicable) from Scottish Water, along with a copy of the approved drainage drawings.

Reason: To ensure the proper drainage of the development.

10. Prior to above ground works commencing on site, details of all materials to be used on the external elevations, including samples, shall be submitted to and approved in writing by the Planning Authority in respect of type, size, colour and texture. Thereafter, a sample panel of the materials shall be made available on site for inspection and shall be retained in situ throughout the development process as far as practicable.

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.

11. Prior to above ground construction works commencing on site, a shopfront design guide shall be submitted to, and approved in writing by, the Planning Authority. The shopfront design guide shall set out: signage zones for each unit; fascia proportions: stallriser and framing materials; areas of clear glazing; and internal ceiling heights. Shopfronts will then be required to accord with the content of the shopfront design guide thereafter.

Reason: In order for the planning authority to consider these aspects in detail.

Reason: In order to protect the visual amenity of the surrounding area.
12. Prior to above ground construction works commencing on site, details of the public art strategy to be implemented throughout the development shall be submitted to, and approved in writing by, the Planning Authority. The agreed art strategy shall be implemented in full prior to first occupation of the residential element of the development.

Reason: In order for the planning authority to consider these aspects in detail.

Reason: In order to protect the visual amenity of the surrounding area.
13. Prior to above ground construction works commencing on site, details of refuse and recycling storage areas and bins, including details of the future maintenance and management of these areas, shall be submitted to and approved in writing by the Planning Authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: To ensure the proper disposal of waste and to safeguard the environment of the development.
14. Prior to the commencement of above ground construction works, detailed drawings at a scale of not less than 1/20 shall be submitted to and approved in writing by the Planning Authority in respect of the block size, joint sizes and coursing pattern of the elevations to be finished in natural stone. The submitted drawings shall also indicate the cill and reveal details proposed within the stonework along with proposed soffit details for the different parts of the building.

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

Reason: To enable the Planning Authority to monitor the implementation of the development.
15. Prior to above ground construction works commencing on site, samples of the proposed hard landscaping materials will be submitted to and approved in writing by the Planning Authority prior to the commencement of works on site.

Reason: In order to protect the appearance of both the property itself and the surrounding area.
16. Prior to above ground construction works commencing on site, details of the structural design of the ground floor courtyard and upper floor and rooftop terraces shall be submitted for the written approval of the planning authority. The ground level courtyard shall be designed so that there are defined areas where more substantial planting can be achieved (i.e. large shrubs, small trees) and the roof terraces so that the planting medium is deep enough to sustain plants large enough to break up wind and create green screens between areas of the terrace.

Reason: To ensure that the landscaping of the site contributes to the landscape quality and biodiversity of the area.
17. Prior to above ground construction works commencing on site, a scheme of landscaping for the public courtyard and on-building amenity spaces 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 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.
18. Prior to above ground construction works commencing on site, a programme for the

implementation/phasing of the landscaping in relation to the construction of the development shall be submitted to and approved in writing by the planning authority. Prior to the occupation of any of the dwellings hereby approved, the landscaping for the relevant section of development (including private garden ground), as shown on the approved programme, must have been installed and completed as approved in Condition 16.

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

19. Prior to the commencement of above ground construction works on site, 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.

20. 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.

21. 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.

22. Prior to the commencement of this aspect of the works, details of the proposed lighting schemes (architectural and/or pedestrian), including the type, dimensions, locations and colour of fittings, cable routes and associated electrical equipment shall be submitted to and approved in writing by the planning authority before any lighting works begin.

Reason: To enhance safety and security during hours of darkness.

Reason: In order that the works do not detract from the appearance of the building.

23. No vents, flues, aerials or other such external fittings are approved on the external elevations facing Ingram Street, Candleriggs or Albion Street. Details of ventilation proposals and a strategy for the positioning of discrete ventilation locations shall be submitted to, and approved in writing by, the planning authority prior to the commencement of works on site.

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

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

24. Prior to the commencement of any of the ground floor premises as either a Class 1, Class 3 or Class 4 use, the developer shall confirm the use class of the premises in writing to the planning authority. Upon commencement of operations, that use will become the established planning use of the premises and any subsequent changes of use will require separate applications for planning permission.

Reason: To enable the planning authority to monitor the implementation of the development.

25. The use of the ground floor commercial premises shall be restricted to the following days and hours of operation:

0800 hours until 2300 hours, 7 days a week.

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

26. Servicing of the commercial premises within the development shall be restricted to the following days and hours of operation:

0700 hours until 2000 hours, 7 days a week.

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

27. Entrances and access to the ground floor landscaped courtyard shall be open to the public during the hours of:

0700 hours until 2200 hours, 7 days a week

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

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

28. 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.

29. Acoustic/amplified music from the premises 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.

30. 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.

31. Light from the development shall not give rise to: (a) An "Upward Waste Light Ratio" (maximum permitted percentage of luminaire lux that goes directly to the sky) in excess of 15% (b) A "Light Into Windows" measurement in excess of 10Ev (lux). (Ev is the vertical luminance in lux.) (c) "Source Intensity" measurement in excess of 100 Kcd (kilocandela). (Source Intensity applies to each source in the potentially obtrusive direction out of the area being lit.)

Reason: In the interests of limiting the effects of light pollution on the environment and the users of surrounding developments, and of energy efficiency.

32. Disposal of Cooking Odours/Fumes

(a) All cooking smells, noxious fumes or vapours from the premises shall be disposed of by means of a duct carried up through the building and terminating at a point 1 metre above the green roof. The duct shall be free from any obstruction such as a plate, cowl, cap or any other deflection at its termination point.

(b) A ventilation and filtration system incorporating at least the following elements shall be installed and operational before the use commences. The elements to be included are:

- (i) Canopies - A canopy (or canopies) shall be located above all cooking appliances.
- (ii) Air Flow - The canopy face velocity shall be not less than 0.5 m/s.
- (iii) Primary Grease Filtration - Labyrinth (baffle) grease filters shall be installed within the canopy or canopies.
- (iv) Air Input – An air input system shall be provided by means of a pleated inlet filter, supplying clean filtered air equivalent to at least 80% 'make-up' of the extracted air.

(c) A maintenance/management scheme for the ventilation and filtration system, including all aspects referred to in (a) and (b) above shall be submitted to and approved in writing by the planning authority before the use commences and shall be implemented as approved for the duration of the use.

(d) Mechanical and electrical installations shall be arranged to ensure that the ventilation system is in operation during periods when the premises are open for the preparation and/or

cooking of food.

Reason: To protect local residents from nuisance resulting from the disposal of cooking odours.

33. 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.

34. Safe, sheltered and secure cycle parking shall be provided in accordance with Policy CDP 11: Sustainable Transport and supplementary guidance SG 11: Sustainable Transport of the Glasgow City Development Plan 2017, or any subsequent replacement development plan guidance.

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

35. Detailed proposals for the footway / public realm works around the development site shall be submitted to the Planning Authority for approval, prior to the commencement of works.

Reason: To enable the Planning Authority to monitor the implementation of the development.

36. Vehicular access to the pends off Candleriggs and Albion Street shall be taken via a dropped kerb footway crossing (with a granite sett construction crossover) in accordance with Figure 5.6 of the Design Guide for New Residential Areas and the City Centre public realm standards.

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

37. Details of the final reinstatement of the surface of the surrounding footways shall be submitted to and approved in writing by the Planning Authority. The approved reinstatement shall be completed as approved before any part of the development is occupied.

Reason: In the interests of pedestrian safety.

38. Clear delineation between the public (adopted) and private (non-adopted) areas shall be provided by means of a flush heel kerb, with any steps / ramps located in private (non-adopted) areas.

Reason: In the interests of pedestrian safety.

39. All pedestrian and vehicular access levels shall be compatible with existing footway levels, with appropriate footway gradients and crossfalls provided. All doors / gates shall open inwards or be recessed and not open outwards over the public footway, in line with Section 67 of the Road (Scotland) Act 1984.

Reason: In the interests of pedestrian safety.

40. Existing street furniture (including signs, lighting columns, electrical control boxes etc) shall be maintained / relocated to suit the new footway / access arrangements as appropriate and to the approval of GCC Neighbourhoods, Regeneration & Sustainability.

Reason: To enable the Planning Authority to monitor the implementation of the development.

41. A residential travel pack shall be provided for each dwelling prior to occupation. A draft pack shall be submitted to and approved in writing by the Planning Authority. The pack shall include maps detailing the location of public transport stops, timetables and estimated journey times, walking / cycle routes to key destinations, and information about the health / environmental benefits of walking and cycling.

Reason: To ensure that sustainable transport outcomes are achieved.

Reason: To ensure that the development is accessible to all in accordance with the principles

of inclusive design.

42. The approved noise mitigation measures shall be completed in compliance with the recommendations within the RMP Noise Impact Assessment R-9122C-RGM-RRM dated 8th May 2022 before the use of the development commences. A scheme of mitigation measures shall be submitted by the developer and agreed between all relevant parties. The mitigation measures should include glazing specifications, structural build-ups (Walls/Floors/Ceilings) where required and details of linings to mitigate against structural-borne noise transmission. Correct execution of the detailing should be checked on site and the completed development should be fully commissioned where required before handover. As a result, post completion testing/reporting would be required and include noise measurements of the indoor environment once the development is completed. This should be a main consideration and advisory at all times in terms of mitigation issues.

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

43. The approved recommendations and mitigation measures as contained within the Direct Ecology 'Preliminary Ecological Appraisal Report and Bat Activity Survey' dated 9th May 2022 shall be implemented prior to occupation/commencement of use of any part of the development. Certification by a suitably qualified person regarding the completion/achievement of these measures/recommendations shall be submitted and approved in writing by the planning authority before occupation/use of the site commences.

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

Reason: To enable the Planning Authority to consider these aspects in detail.

44. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To enable the Planning Authority to consider these aspects in detail.

45. Prior to the commencement of works on site, a statement in relation to the management of construction traffic and large equipment to and from the site, the siting of employee facilities and other associated servicing of the site, shall be submitted to and approved in writing by the Planning Authority and shall be implemented in accordance with the agreed statement.

Reason: In order to minimise the potential impacts of noise, disturbance and dust on the surrounding area.

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 Council

01. The completion of a satisfactory Agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 is a pre-requisite to the issue of planning permission by the planning authority. Please consult the planning authority regarding the detailed terms of the Agreement.

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