



Item 6
7th December 2021

Planning Services 231 George Street GLASGOW G1 1RX Tel: 0141 287 8555 Email: onlineplanning@glasgow.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100445185-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Barton Willmore		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	Centrum Business Centre
Last Name: *	Woodrow	Building Number:	38
Telephone Number: *		Address 1 (Street): *	Queen Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G1 3DX
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Gordon Chambers"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="90"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="6th Floor Gordon Chambers"/>
Company/Organisation	<input type="text" value="Kelvin Properties"/>	Address 2:	<input type="text" value="90 Mitchell Street"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G1 3NQ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Glasgow City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="63 HOULDSWORTH STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G3 8ED"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="665535"/>	Easting	<input type="text" value="257537"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed flatted residential development with associated infrastructure and open space and including demolition of existing buildings (the proposed development) on land at 63 Houldsworth Street, Glasgow (the site).

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The proposed development is compliant with all relevant planning policies. Please see supporting Notice of Review Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

A Building Inspection Survey has been provided. This is in response to many of the objections raised, which sought for the building to be retained. The survey highlights the costs associated with retaining and converting the existing building, which are prohibitive. The development proposals have not changed as a consequence of this report, and remain as submitted.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Full drawing pack Bat Activity Survey Daylight and Sunlight Report Design and Access Statement Drainage Assessment Fee Calculator Flood Risk Letter Floor Plan Pack Location Plan Desktop Pack Planning Permission 1 Planning Permission 2 Planning Statement Preliminary Ecological Appraisal Roof Plan Sections Socio-Economic Statement Statement of Energy Transport Statement Building Inspection Report Pre-Application Submission Document

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/02423/FUL

What date was the application submitted to the planning authority? *

27/07/2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Andrew Woodrow

Declaration Date: 07/10/2021

63 Houldsworth Street, Glasgow

Notice of Review Statement

Erection of flatted residential development (34 units) with associated works.

Local Review against Non-Determination

Prepared on behalf of Kelvin Properties

October 2021

63 Houldsworth Street

Notice of Review Statement

Erection of flatted residential development (34 units) with associated works.

Local Review against Non-Determination

Prepared on behalf of Kelvin Properties

Project Ref:	33025	33025
Status:	Draft	Final
Issue/Rev:	1	2
Date:	Sept 2021	Oct 2021
Prepared by:	AW	AW
Checked by:	CL	CL
Authorised by:	CL	CL

Barton Willmore
Centrum Business Centre
38 Queen Street
GLASGOW
G1 3DX

Tel: 0141 548 8240

Email: andrew.woodrow@bartonwillmore.co.uk

Ref: 33025

Date: October 2021

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CONTENTS

1.0	Introduction.....	1
2.0	The Site & Surroundings.....	3
3.0	Proposed Development.....	8
4.0	Background to Local Review Request	12
5.0	Planning Policy Context	15
6.0	Planning Assessment	24
7.0	Conclusions	24

1.0 INTRODUCTION

- 1.1 This Notice of Review Statement has been prepared by Barton Willmore on behalf of Kelvin Properties (**'the Appellant'**) to support the submission of a Notice of Review (**'Review'**) under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 1.2 A Review has been sought in relation to the non-**determination or 'deemed refusal'** by Glasgow City Council (GCC) of application reference 21/02423/FUL, as the planning application has not been determined within the statutory period. Nor has there been any communication in relation **to the application since it's submission, despite attempts by the Appellant to communicate with GCC.**
- 1.3 The application was submitted for the *'Erection of flatted residential development (34 units) with associated works'* (**'the proposed development'**) on a site currently occupied by partially used factory building known as 63 Houldsworth Street, Glasgow (**'the site'**).
- 1.4 Kelvin Properties own the site and have a tenant within the building in the form of a fishmonger operation on the ground and first floor mezzanine. The upper floors are currently vacant, although attempts are under way to secure a short term let.
- 1.5 This statement describes the extent of the site and immediate surroundings; provides a description of the proposed development; the background to the Review proposals and an assessment of it against the provisions of the Development Plan and other material considerations.
- 1.6 The Appellant sought to engage formally with GCC in pre-application discussions about the project with the submission of a pre-application enquiry on 22nd June 2021, along with the associated fee for this service. This submission was acknowledged by GCC on 25th June and given the reference number 21/02038/PRE. Within that acknowledgement, it was noted that a response would be provided within 21 days of the acknowledgement. No response to this formal pre-application request was received.
- 1.7 Planning Application reference 21/02423/FUL was therefore submitted on 27th July 2021 and validated on 2 August 2021. **The planning application was a 'Local' Application under the** Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and therefore the statutory determination period for the application expired on Friday 1st October 2021.
- 1.8 With no request for an extension for determination received from GCC, and given the lack of feedback received to date, the Appellant has taken the decision to Review against the non-determination, or deemed refusal, of the application. Given the local nature of the application, this Review is submitted to the Local Review Committee (LRC) of GCC.

1.9 This statement seeks to provide justification for the proposed development in planning policy and design terms, and it is intended to assist the LRC in making a full and proper assessment of the proposed development, as required by Section 25 of the Town & Country Planning (Scotland) Act 1997 (as amended).

1.10 Section 25 requires that determination of proposals be made in accordance with the Development Plan unless material considerations indicate otherwise. In compliance with this, material considerations relevant to the proposed development will also be assessed.

1.11 The statement is structured as follows:

[Chapter 2: The Site & Surroundings](#) - Provides a review of the existing site and immediate surroundings;

[Chapter 3: The Proposed Development](#) - Sets out the development components associated with the proposed development;

[Chapter 4: Background to Local Review Request](#) - Provides a description of the activities that have taken place in the build up to the submission of this Local Review and key aspects affecting the proposals following submission;

[Chapter 5: Planning Policy Context](#) - Identifies the applicable Development Plan and supporting planning policy context relevant to the proposed development as well as notable material considerations;

[Chapter 6: Planning Assessment](#) - Provides a detailed assessment against planning policy and the material considerations that should be afforded weight in the determination of this Local Review Request; and

[Chapter 7: Conclusions](#) - Summarises the outcomes of the document and the key planning considerations, demonstrating that the proposed development complies with the Development Plan and should be approved.

2.0 THE SITE & SURROUNDINGS

- 2.1 The site extends to 706sqm (c.0.07 hectares) and is located within the popular Finnieston Area in Glasgow's West End. It is broadly rectangular in shape with flatted residential development located on three sides and bounded by a Territorial Army hall on the eastern boundary (with Anderston Primary School beyond). Please refer to drawing 4440-HML-ZZ-ZZ-DR-A-10001-P03 which shows the Application Site Boundary outline in red. An extract of that drawing is shown below:



Figure 1: Site Location Extract

Description of Site & Surrounding Area

- 2.2 Finnieston is a popular edge of centre district which sits to the west of Glasgow City Centre and is characterised by a wide mix of development. Having experienced significant investment over the past 10-15 years, it is now considered locally as the gateway to the City's West End.
- 2.3 The area is characterised by a mix of high-density residential properties sitting alongside, and often above, a vibrant collection of commercial units that house a variety of uses, such as restaurants, cafes, public houses and shops of national and independent retailers. The residential properties include a mix of traditional tenements, terraces and villas built from red

or blonde sandstone, with a series of more modern flatted developments built throughout this sought-after area.

- 2.4 The site is ideally located to access public transport facilities within the local area, with bus and rail services within easy reach of the site, and underground (subway) rail services also accessible further away.
- 2.5 Bus stops are located on Argyle Street and Finnieston Street a short distance to the north and west of the site. These benefit from shelters and timetable information. The Exhibition Centre Railway Station is located to the southwest of the development site and accessible on foot within approximately 450m. Operated by Scotrail (Abellio), the station is positioned on the Glasgow Central route from the west. Anderston Rail Station is also accessible from the site being some 600m to the east and located on the same line as the Exhibition Centre Railway Station.
- 2.6 The site is accessed directly from Houldsworth Street, which connects with Elliot Street and Finnieston Street to the west and is a short walk (120metres) from Argyle Street and St. Vincent Street, key routes into the City Centre.
- 2.7 Kent Road Park, incorporating Dover Street Play Ground and sports pitches, is located 200m to the north of the site and a small play park is situated almost immediately adjacent to the site in the grounds of Anderston Primary School, it is understood that this is accessible to the public and not just for school use.
- 2.8 The site is currently in an industrial/commercial use as a fishmonger, although this use only occupies the lower floors of the building on site. The upper floors are vacant and have been for several years.
- 2.9 The existing building on the site is not listed and the site is not within a conservation area. Nor is it immediately adjacent to any such heritage designations.
- 2.10 The building is an industrial warehouse/factory type construction typical of the late 19th Century. It has elements of a historic frontage, narrowly covering half of the whole frontage, with upper floors in red common brick with buff common brick window surrounds. A window on each of the upper floors has been bricked up and the ground floor has been altered significantly from the original to leave a blank wall with a small doorway (roller shutter door) **and two small glass brick 'windows'** onto Houldsworth Street.
- 2.11 The remainder of the frontage involves a c.2.5-3m high brick wall, painted cream, with a gateway allowing access to the site yard and limited parking area.
- 2.12 The building continues in elongated fashion back into the site to the south, with a slight change in angle half way along its length. The windows on the west face are more irregular and

gradually reduce in frequency towards the rear of the site such that the back half of the building is a blank brick box. Again, several windows have been bricked over and there is evidence of several repair attempts to the building façade.

- 2.13 A lift shaft has been installed in a relatively modern (albeit decades old) addition, clad in corrugated iron. It is understood that the lift is an old shutter door style lift which no longer works. The ground floor of the building is mostly blank solid wall. Part of the yard has been built over with profiled metal cladding and a large roller shutter doorway. The roof has been re-roofed in a profiled metal sheet material.
- 2.14 To the east, the upper floors extend over the adjacent TA building with a corrugated iron build, creating larger warehouse style facilities in the upper floors.
- 2.15 To accompany this Notice of Review, a Building Inspection Report has been prepared by PMP Surveyors to present the condition of the existing building. This report highlights that the building is generally in a poor state of repair, with many alterations having taken place, and many aspects nearing, if not beyond their recognise lifespan. Further consideration will be given to the findings of this report in chapter 6.

Site Planning History & Context

- 2.16 The GCC online planning portal has been reviewed to identify any notable planning history. This review, which considers planning applications over the past 20 years, indicates that there have been no significant planning applications on the site in that time.
- 2.17 In terms of planning applications, two have been submitted in the past 20 years on the site as follows:
- Application reference 02/02849/DC – Use of office as self-contained flat. Submitted October 2002 – Granted Subject to conditions January 2003; and
 - Application reference 19/03482/FUL – Use of 3rd floor office as residential flat and external alterations. Submitted November 2019 – Refused February 2020.
- 2.18 Whilst the outcomes of these applications are contradictory, (similar proposals with different outcomes), it is considered that they are of minimal relevance to the proposed development as their nature, whilst linked to residential use, is significantly different to the proposed development.
- 2.19 In terms of the context of planning applications in the local area, there have been some notable applications in the vicinity in recent years (last 5 years) as follows:
- [Application reference: 20/00858/FUL - Demolition of vacant police station and erection of residential development \(84 units\) with 6 ground floor units \(class 1, 2 or 3\), parking,](#)

[amenity deck and associated works – Refused 21 May 2021](#). This application refers to the proposed redevelopment of the former Cranstonhill Police Station. The application by Westpoint Homes and Police Scotland was for a residential-led redevelopment proposal with ground floor commercial facilities in keeping with the nature of Argyle Street. It was refused under delegated powers with 11 reasons for refusal. The reasons are summarised as follows:

- o Contrary to various policies of the City Development Plan;
- o Daylight impact on adjacent properties;
- o Privacy Concerns;
- o Open space deficiency;
- o **Lack of 'electronic' parking (assumed meant to read 'electric') provision;**
- o Design standards of ground floor commercial units
- o Impact on existing traffic movements;
- o Refuse and cycle storage strategy;
- o Tree loss impact and insufficiency of replacement trees; and
- o Cumulative failure to meet standards on residential design, residential density, parking, and open space – **considered therefore to be 'over development'**

It is noted that this application has been appealed to the Scottish Government Planning and Environmental Appeals Division and is pending determination under reference PPA-260-2137. A target determination date for this appeal is 5 November 2021.

- [Application reference: 17/01683/DC - Erection of residential development \(57 units\) one commercial unit \(Class 1, 2, 3 or 4\) and associated works. – Granted subject to conditions and legal agreement October 2018 – Conditions also amended via applications ref: 18/03224/FUL \(granted Jan 2019\) and 19/01078/FUL \(granted June 2019\)](#). This application by Glasgow West Housing Association relates to the area of land immediately beyond Argyle Street at the northern end of Elliot Street, on the opposite side of Argyle Street to the former Police Station. This development, at 6 storeys, is for 57 units and has recently started on site.
- [Application reference: 21/01660/FUL – Erection of residential led mixed use development including Class 1 \(Retail\), Class 2 \(Financial & Professional\), Class 3 \(Food & Drink\) and Class 11 \(Leisure\) with associated access, landscaping, parking and infrastructure – Pending determination – Submitted June 2021](#). This application relates to the site at the westernmost end of Houldsworth Street, on the opposite side of Finnieston Street, which currently accommodates Lidl and Currys PC World. The proposed development that is subject of this application is significant in size and height comprising the following:
 - o 155 Residential Flats (9 storeys);

- o 967sqm of commercial floorspace;
- o Cycle parking;
- o Car Parking – 50 spaces;
- o Re-configured food store; and
- o Public Realm enhancements.

It is noted that the application has received significant local opposition, with many objections submitted to the application. It is still pending a determination, although it too **has exceeded it's target determination date.**

2.20 From the planning history of the local area, it is evident that this is an area of continued growth and evolution with a distinct focus on residential development of similar high density flatted formats to the proposed development at Houldsworth Street, which are very much in demand in this area.

2.21 It is considered therefore, that the proposed flatted development on this semi-derelict site, in an ever-evolving and improving area with a residential focus, is appropriate in general terms. Further consideration is given to the principle in planning policy terms however, within the remainder of this statement.

3.0 PROPOSED DEVELOPMENT

3.1 The proposed development comprises a flatted residential development and associated works including access, infrastructure, open space provision (**including children's play**) and landscaping. The key components are as follows:

- Residential development for 34 (11x 1bed, 22x 2bed, and 1x 3bed) in a single development block;
- Open space in the form of a rear courtyard and a rooftop amenity space;
- Sustainable Urban Drainage System (SuDS);
- Landscaping and planting within the proposed areas of open space; and
- Two electric Car Club spaces on Houldsworth Street.

3.2 The above will be delivered in a single building of 12 storeys in height, reflecting the scale of the existing residential building to the south of the site. The density is therefore comparable to the surrounding development pattern, which is characterised by predominantly flatted development blocks. The proposed development will respect the existing urban form and will consolidate and enhance the immediate neighbourhood by bringing this industrial site into residential use more akin to the surrounding buildings.

Access & Transportation

3.3 The proposed building is primarily accessed by foot from Houldsworth Street, with a primary access fronting onto the street and a path down the western side of the proposed building providing access to the rear.

3.4 The proposed development is to be car free, with only two on street parking spaces proposed on Houldsworth Street for shared electric car club vehicles.

3.5 The site is in an area of recognised high accessibility, with the train station being less than 400 metres walk to the south west of the site providing access to the city centre in less than 10 minutes, and regular bus services also available on Argyle Street/St. Vincent Street.

Open Space, Landscaping & Boundary Treatments

3.6 The proposed development includes a high-quality public realm scheme including a rear courtyard and rooftop amenity space. The rooftop space will include covered 'pods', which allow for the rooftop space to be used during inclement weather and increasing its usefulness. The pods will be bookable through an internet-based management system allowing all residents access. The landscaped public realm proposals will deliver a series of safe, attractive spaces for the new residents and those visiting the proposed development.

Drainage / SuDs & Waste Management

- 3.7 The SuDS strategy for the proposed development involves the introduction of a new drainage network and surface water treatment system within the site to facilitate the new development.
- 3.8 The proposed development will drain via a gravity drainage system to the combined public sewer system surrounding the site. Surface water from the roof run-off will be used within a rainwater harvesting system.
- 3.9 Due to the location of the development and the surrounding drainage infrastructure, it is not anticipated that the site will have a detrimental effect on the local drainage environment. Surface water run-off from the development will be attenuated as required within the site. This will ensure that there is no increase in combined discharge from the site for the 1:30 year return period.
- 3.10 In the event of a 1:200-year storm event surface water will be contained above ground within the existing hardstanding / courtyard area to the rear prior to eventual discharge to the combined sewer network.
- 3.11 The proposed development will discharge to the local sewer network. There is no risk to the local water environment created by this development.

Sustainability & Energy

- 3.12 A significant aspect of this proposed development is that it is to be an ultra-low carbon development, going above and beyond planning requirements, and seeking to be an exemplar city centre development.
- 3.13 It will feature a range of sustainable energy features and Low and Zero Carbon Generating Technologies. Most importantly, the proposed development will feature no gas boilers whatsoever, it will be fully serviced via renewable technologies. This is a significant step forward towards the Scottish Government target of net zero by 2045.
- 3.14 As required by Policy CDP5, a Statement of Energy has been submitted with this Review to present the proposed approach to sustainability and energy performance of the proposed development.
- 3.15 The Statement seeks to demonstrate compliance with the planning condition target for a 20% abatement in regulated CO₂ emissions using LZCGT, along with compliance with Standard 6.1 of Section 6, 2015 regulations and further achieving Gold Hybrid level for sustainability. These targets have been met for this development, with the current proposed energy strategy outlined below:

Energy – Section 6 and Aspect Gold Level 1

- Fabric first approach with improved U-values and target air permeability;
- Mechanical ventilation with heat recovery (MVHR);
- Low energy lighting;
- Low Carbon Heating and Hot Water Systems; and
- Solar PV proposed on the roof and walls of the building to further improve the carbon credentials of the proposed development in excess of the current legislation requirements; resulting in a 40% improvement over the Gold Hybrid obligation.

Space Heating and Domestic Hot Water Demand - Aspect Silver Level 2 and 3

- The use of standard accredited details for all flat types helps significantly improve the space heating demand;
- The proposal would be to improve the target air permeability of these flat types to meet this requirement; and
- The current proposed Air Source Heat Pump (ASHP) helps achieve the requirement of average annual energy demand for water heating being from renewable sources or heat recovery devices for Aspect Silver Level 3.

3.16 The results show that the proposed development dramatically exceeds the planning and regulatory requirements through on-site measures.

Economic Benefits

3.17 An Economic Impact Statement was prepared by MKA Economics to accompany the application package. This statement has been carried out in line with Scottish Government guidance on **'Net Economic benefit and Planning'**, which sets out how the net economic benefit generated by a proposed development can be considered as a material consideration in the decision-making process.

3.18 The assessment notes a series of aspects that the local area would benefit from. Some notable benefits are summarised below:

- £4.7million new capital investment;
- C.31 person years of construction employment of which c. 20 person years will accrue at the regional level injecting an additional £1.1million into the regional construction sector;
- A range of employability practices and procedures will be put in place to ensure local and regional businesses, and people, get the maximum opportunity to benefit from the considerable construction related effects expected to occur as a result of the proposed development;

- C.76 residents will occupy the proposed development, many new to the city, thereby supporting the new economic strategy of re-populating the city centre and encouraging new working residents to Glasgow;
- The proposed development will provide much needed supply to help meet the needs of both the local population as well as assisting Glasgow in achieving the priorities laid out in the 2017- 2022 Glasgow Housing Strategy,
- £113k per annum in new Council Tax receipts;
- £1.04 million per annum in total household expenditure, much of which will naturally be spent locally within the Finnieston and Glasgow City Centre Areas;
- £390k of the above will be new consumer retail spending; and
- Setting new standards for development in the city and act as a catalyst for a new, gas-free, high density, low energy future living standards.

3.19 A full schedule of the benefits achieved by the proposed development is set out within the accompanying report submitted with this Notice of Review.

4.0 BACKGROUND TO LOCAL REVIEW REQUEST

4.1 This section of the statement sets out the background to the proposed development in terms of the engagement that has taken place prior to an application being submitted, followed by consideration of activities since the submission. It identifies key aspects that have been identified throughout this engagement and the application consideration process, which then feeds into the following assessment chapters.

Pre-Application Engagement

4.2 The Appellant sought to engage with GCC in pre-application discussions about the project with the formal submission of a pre-application enquiry, with associated fee, on 22nd June 2021. This submission was acknowledged on 25th June and given the reference number 21/02038/PRE. Within that acknowledgement, it was noted that a response would be provided within 21 days of its date.

4.3 As part of the formal pre-application enquiry, the Appellant submitted a design document which provided a significant amount of information about the proposed development. This Pre-application document is provided as a supporting document submitted with this Notice of Review.

4.4 Despite the Pre-Application acknowledgement stating that a response would be provided within 21 days, there was unfortunately no response received. The Appellant unfortunately, therefore, had no constructive feedback to work with from officers of GCC.

Planning Application Submission

4.5 With the lack of response to the formal pre-application enquiry, the Appellant decided that they would have no option other than to test the consideration of the proposals through a planning application submission. In this regard, an application was submitted via ePlanning on 27 July 2021 with the following suite of supporting information:

- Completed planning application forms, notices and certificates;
- Planning application drawings prepared by Holmes Miller Architects;
- Design and Access Statement prepared by Holmes Miller;
- Drainage Assessment prepared by Ramage Young;
- Flood Risk Notification letter provided by Ramage Young;
- Preliminary Ecological Appraisal prepared by EnviroCentre;
- Bat Activity Survey prepared by EnviroCentre;
- Phase 1 Desktop Site Investigation and Mining Report prepared by Mason Evans;
- Socio-Economic Statement prepared by MKA Economics;
- Statement of Energy prepared by Butler Consulting; and

- A Draft Transport Statement prepared by ECS Transport Planning Ltd.

4.6 An update to the Transport Assessment was submitted immediately the next day.

4.7 Following payment of the application fee, the application was declared valid on 2nd August 2021, and given the reference number 21/02423/FUL. A letter dated 6 August from GCC to the **Appellant’s agent confirmed this.**

4.8 Since that validation confirmation, no further correspondence has been received from GCC officers. This is despite the Appellant’s agent emailing the planning officer on 18 August 2021, to confirm that he had everything he needed, and to request an update on proceedings with the consideration of the application.

Representations Received

4.9 Following a review of the GCC planning portal, it is noted that 10 representations have been received in relation to the application, all of which object to the proposed development. These have all been from members of the public, but also include submissions from elected members Bailie Christie Mearns and Paul Sweeney MSP.

4.10 Having review the objections, it is clear that the overarching concerns arising from the representations relate primarily to the loss of the existing building on the site. Whilst many of the representations recognise that the building is not listed, nor in a Conservation Area, many of them seek for the existing building to be retained as a historic example of traditional light industrial style building that was once common in this area.

4.11 Other points raised in objections are summarised as follows:

- Contrary to SG4 Network of Centres – removing a well-used amenity;
- Loss of Commercial Use;
- Demolition Contradicts Policy CDP5;
- Concerns over Car Free Development and associated impact on local parking;
- Privacy Concerns;
- Concerns over the tenure of the proposed flats – for rent and not ownership;
- Impact on local transport infrastructure; and
- Disruption due to construction.

4.12 In terms of the statutory consultee responses for the application, none have been posted on the GCC planning portal, and we have not been passed any of these by the officer. Therefore, it is unknown at this stage as to how the consultees consider the proposal. We reserve the right, if possible, to respond to consultee comments should these be provided by GCC in response to this Notice of Review.

Non-Determination

- 4.13 As noted above, the statutory target determination period for the application was a two-month period, which means that a determination should have been made by Friday 1st October. No determination has been made in this regard, and no request for an extension to the determination period has been sought by GCC.
- 4.14 As there has been no communication from the planning officer on this project, it is therefore the Appellants position that this has to be treated as a 'deemed refusal' and that they require to submit this Notice of Review against the non-determination of this application.

Summary

- 4.15 The Appellant has put a significant degree of consideration into the preparation of this proposed development as evidenced by the Pre-Application Consultation document and the submission of the planning application.
- 4.16 The Appellant carried out formal pre-application consultation in relation to the proposed development, which was acknowledged by GCC, but no response was ever received in the identified timescales.
- 4.17 Given the lack of constructive feedback to the formal Pre-Application submission the Appellant felt that they had no option other than to submit an application, to activate some engagement in relation to the proposed development.
- 4.18 A robust and detailed full planning application was submitted on 27 July 2021 and validated on 2nd August 2021.
- 4.19 The Local nature of the application meant that it had a two-month determination period, which has now been exceeded with no request being received from GCC officers to extend it. Therefore, the Appellant has opted to submit this Review against the non-determination of this application.
- 4.20 This Notice of Review therefore requests that the LRC consider the proposals as submitted, with further justification provided as part of this submission in response to objections raised. The remaining sections of this statement set out the planning context of the site and an assessment of the proposed development against that planning context, taking into account any relevant material considerations.

5.0 PLANNING POLICY CONTEXT

- 5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires decisions to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The current Development Plan for the site comprises the approved Glasgow and Clyde Valley **Strategic Development Plan ('Clydeplan') July 2017 and the adopted GCC Local Development Plan, the City Development Plan ('CDP') March 2017.**
- 5.3 At a national level, planning policy and guidance is provided by:
- National Planning Framework 3 (NPF) 2014; and
 - Scottish Planning Policy (SPP) 2014
- 5.4 In addition to the above national planning policy, a number of Planning Advice Notes represent a material consideration in the determination of this Review. Relevant documentation includes the following:
- PAN 67 Housing Quality;
 - PAN 68 Design Statements;
 - PAN 75 Planning for Transport;
 - PAN 79 Water and Drainage;
 - PAN 77 Designing Safer Places;
 - PAN 81 Community Engagement;
 - PAN1/2011 Planning and Noise; and
 - Outline Planning Advice on Flood Risk.

National Planning Guidance

National Planning Framework 3 (NPF)

- 5.5 The NPF was published in 2014 and sets out the long term spatial economic strategy for Scotland.
- 5.6 With regard to development in Glasgow, NPF recognises that Glasgow and the surrounding area, **is Scotland's biggest economic region and a number of ambitious growth plans** have been identified for the area. Page 10 states that *'regeneration is the central focus of planning across this city region'*.
- 5.7 In terms of Finnieston and specifically the regeneration of this site there is no reference to this within the document. However, NPF promotes sustainable economic growth, regeneration of the Glasgow city area, and the creation of well-designed places.

Scottish Planning Policy (SPP)

5.8 SPP was originally published in 2014 SPP and sets out overarching policy principles for both the creation of development plans and for development management assessment of proposals.

5.9 SPP was revised in December 2020 and intended to act as an interim policy ahead of NPF4 being adopted. However, following a legal challenge, this interim policy was quashed in July 2021. As such, the previous SPP 2014 remains the relevant national policy in the determination of Planning Applications, Local Reviews and Appeals.

5.10 SPP also sets out an overarching aim of achieving sustainable economic growth and development. Paragraphs 27-29 sets out a number of principles to inform policy and decision-making processes. The following are relevant to the proposed development:

'This SPP introduces a presumption in favour of development that contributes to sustainable development. This means that policies and decisions should be guided by the following principles:

- *Giving due weight to economic benefit;*
- *Responding to economic issues, challenges and opportunities, as outlined in local economic strategies;*
- *Supporting good design and the six qualities of successful places;*
- *Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;*
- *Improving health and wellbeing by offering opportunities for social interaction and physical activity, including sport and recreation;*
- *Having regard to the principles for sustainable land use set out in the Land Use Strategy;*
and
- *Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.'*

5.11 SPP states that within development management, the starting point for the assessment of planning applications is the Development Plan. Furthermore, Page 12 states that *'Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people's needs.'*

5.12 A key principle of SPP is that *'planning should direct the right development to the right place'* and that policy principles should include *'considering the re-use or re-development of brownfield land before new development takes place on greenfield sites'*.

- 5.13 In terms of environmental sustainability, SPP requires that green networks be accounted for as part of new development, and that easy access into green networks is considered and safeguarded.

Development Plan Context

Clydeplan Strategic Development Plan

- 5.14 The Clydeplan SDP covers the Clyde Valley and includes the following local authority areas: including East Dunbartonshire, East Renfrewshire, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire, West Dunbartonshire, and Glasgow City Council.
- 5.15 Clydeplan sets out the vision for the long-term development of the city and provides guidance on the cross-boundary issues such as housing, strategic infrastructure, transport, water supply, waste water and strategic green networks. The aim of the guidance is to set clear parameters for subsequent Local Development Plans.
- 5.16 In order to achieve the Glasgow and Clyde Valley vision of a resilient, sustainable, and compact city region which maximises its economic social and environmental assets, Clydeplan's spatial land use model states that development will be directed to sustainable brownfield locations, and includes *'maximising the use of the existing infrastructure and assets, integrate land use with sustainable transport networks, recycle previously developed land, minimal extension of the city regions built up area, and urban fabric renewed to carbon neutral standards'*.
- 5.17 Policy 1: Placemaking requires that:
- 'New development should contribute towards the creation of high-quality places across the city region. In support of the Vision and Spatial Development Strategy new development proposals should take account of the Placemaking Principles'. (page 12)*
- 5.18 In line with placemaking policies, new development should meet the six qualities of successful placemaking, which states that development should be:
- Distinctive;
 - Safe and Pleasant;
 - Easy to Move Around;
 - Welcoming;
 - Adaptable; and
 - Resource Efficient.
- 5.19 Policy 7: Joint Action Towards the Delivery of New Homes requires that *'Local Authorities, Community Planning Partners and the housebuilding and development industry will work to ensure the delivery of homes needed to support the Vision and Spatial Strategy'*. The

supporting policy text seeks proactive working to *'increase both the rate and amount of new housebuilding'*. (Page 48).

- 5.20 Policy 8: Housing Land Requirements identifies how the housing land requirements are to be met and require local authorities to identify a range of sites, including brownfield land which are effective or expected to become effective. A total of 42,550 units is identified as the housing supply target for Glasgow City to 2029.
- 5.21 Policy 10: Delivering Heat and Electricity recognises the transition to a low carbon economy, and states that *'support should be given, where appropriate, to alternative renewable technologies and associated infrastructure'* (Page 66).
- 5.22 Policy 12: Green Network and Green Infrastructure states that *'local authorities should identify, protect, promote and enhance the Green Network'* (Page 71).
- 5.23 Policy 16: Improving the Water Quality Environment and Managing Flood Risk and Drainage requires that LDPs and development proposals should protect and enhance water environments. This includes *'safeguarding the storage capacity of the functional floodplain and higher lying areas for attenuation'* (Page 79).
- 5.24 Policy 17: Promoting Sustainable Transport requires that consideration is given to the strategic options and interventions identified in Schedule 13 on Page 86. Neither Finnieston, nor the West end are specifically mentioned in the schedule. Nevertheless, the connectivity of the area to the City Centre is widely recognised given the proximity of the Exhibition Centre and key connecting routes into the Centre.
- 5.25 Policy 18: Strategic Walking and Cycling Network requires that LDPs *'identify and safeguard existing walking and cycling networks and to promote opportunities for the enhancement of the strategic walking and cycling network'* (Page 87).

Glasgow City Development Plan (CDP)

- 5.26 The CDP sets out how Glasgow will grow and develop over the plan period to 2027. The key aims of the CDP are to create and maintain a high-quality healthy place and develop a compact city form that supports sustainable development.
- 5.27 **The site is covered by the citywide policies of CDP1 'Placemaking Principle' and CDP2 'Sustainable Spatial Strategy.'**
- 5.28 In terms of other site-specific aspects, under supplementary guidance SG11, the site is located **within the 'Inner Urban' area and is in a location which is considered to be of 'High' public transport accessibility.**

- 5.29 Policy CDP1 is a city-wide, all-encompassing policy, which seeks to ensure that all new development considers the principle of place making at an early stage in proposals. In essence, this policy seeks for developments to respect and enhance the character of the areas in which they are situated and improve the city with every development. The policy starts out by promoting the six qualities of place as defined by SPP. These qualities seek for development to be distinctive; safe and pleasant; easy to move around and beyond; welcoming; adaptable; and resource efficient.
- 5.30 Importantly, Policy CDP1 is accompanied by relatively detailed Supplementary Guidance (SG) in the form of SG1 Part 1 and Part 2. Part 1 sets out a step-by-step guide to the way in which new developments should be approached, from the carrying out of a site and context appraisal, and setting and considering an urban design strategy, through to the consideration of engagement requirements and detailed matters for the period following consent.
- 5.31 Part 2 provides detailed criteria for development proposals to take into account, with guidance on various aspects such as layout, density and materials, right down to the waste strategy.
- 5.32 Paragraphs 2.39 to 2.44 of SG1 Part 2 refer to residential layouts, including flatted development proposals. In this regard, some key matters from these paragraphs seek for new developments to:
- Be informed by a design led approach;
 - Promote sustainable development objectives;
 - Promote safe and integrated neighbourhoods offering a choice of active travel opportunities;
 - Encourage quality and distinctiveness;
 - Make provision for refuse management;
 - Incorporate an appropriate sustainable drainage strategy;
 - Take privacy and overlooking into account;
 - Provide usable private garden space (in the form of backcourts for flats);
 - Provide adequate parking provision;
 - Provide adequate privacy for residents;
 - For flatted developments, alternative solutions and mitigation may be required in relation to the ability to provide private space, whether that be through rooftop amenity space, private balconies, or generous room sizes;
 - Ideally all flats should be dual aspect;
 - Single aspect flats will require to demonstrate amenity benefits on a similar level to dual aspect; and
 - Flatted developments should maintain established building lines and window patterns.

- 5.33 Paragraphs 2.45 – 2.50 of SG1 Part 2 relate to residential density. These highlight that the appropriate densities of a development will be guided by their location; their context and setting; the scale and massing of adjacent buildings; and the accessibility of sites and opportunities for active travel.
- 5.34 **The general density standards for the inner urban area indicate that ‘Density may vary between 30 and 100 DPH in base accessibility locations, whilst higher densities will be expected in high accessibility locations and should be justified against the General Principles outlined above. Account will also be taken of the availability and capacity of broader infrastructure and community facilities to accommodate increased use.’**
- 5.35 SG1 Part 2 also provides guidance on amenity aspects such as air quality, noise, outdoor access and play, community safety, lighting, and waste storage. A detailed section also considers appropriate building materials, facades and roofing.
- 5.36 Policy CDP2 seeks to promote a sustainable city, with the use of brownfield sites in accessible locations being at the heart of this approach. Regeneration and the redevelopment of the existing urban area is key to creating a sustainable city. With this in mind, the policy highlights that the Council will support developments that:
- **Promote the City’s diverse functions;**
 - Support regeneration of the River Clyde Development Corridor;
 - Protect and Reinforce Town Centres;
 - Utilise brownfield sites in preference to greenfield sites;
 - Contribute to vibrant and accessible residential neighbourhoods; and
 - Support higher residential densities in sustainable locations
- 5.37 Policy CDP5 of the CDP states that the Council will support proposals that contribute to reducing greenhouse gas emissions and overall energy use and which facilitate the delivery of renewable energy and heat. Primary to this, the policy states that new buildings should include low and zero-carbon generating technologies to offset a proportion of emissions arising from the use of the buildings. It states that the specified sustainability for a dwelling should meet gold standards.
- 5.38 Policy CDP6 seeks to provide an appropriate degree of open space for every development, taking into consideration the open space strategy for the city and considering the site-specific requirements of each development. The open space strategy seeks to ensure that every Glasgow resident is within 400 metres of an area of open space at least 0.3ha in size.
- 5.39 For residential developments, there is a set requirement for the provision of open space, with this being set out in IPG12. For flatted developments, all developments comprising 10 units or more require providing 1.25ha of recreational open space per 1000 population, which equates

to 12.5sqm per person. 44% of this should be amenity open space, including allotments. The **remaining 56% should be for the provision of outdoor sports and children’s play, split evenly.** Every residential development in Glasgow has an IPG12 calculation carried out and applicants for planning permission need to present the way in which they seek to provide the requirement.

- 5.40 Whilst it is preferred to deliver the provision on site, especially where there is a local deficit of open space, it is recognised that this provision is not always achievable on site and GCC do accept a financial contribution which will go towards existing local facilities.
- 5.41 Policy CDP9 ‘**Historic Environment**’ aims to ensure the appropriate protection, enhancement and management of Glasgow’s heritage assets by providing clear guidance to applicants. It states that the Council will protect, conserve and enhance the historic environment in line with Scottish Planning Policy/Scottish Historic Environment Policy for the benefit of our own and future generations.
- 5.42 The policy goes on to state, *‘For clarity, historic environment encompasses, in this context, world heritage sites, listed buildings, conservation areas, scheduled monuments, archaeological sites, Inventory and non-Inventory gardens and designed landscapes and Inventory battlefields’*. It is important to note, in the context of this Review and the objections made, that the site comprises none of the above.
- 5.43 **CDP11 ‘Sustainable Transport’** seeks to safeguard the City’s transport network and ensure that it is not impacted detrimentally by new development. This covers a variety of aspects, from internal road layouts to wider road improvements and importantly for this proposed development, appropriate parking levels.
- 5.44 SG11 is the SG document which supports the policy above. In terms of car parking for flatted residential development, table 3.1 of SG11 sets out that the basic minimum parking standard which is 1 allocated space per dwelling for residents with 0.25 unallocated spaces per dwelling for visitors (125% provision). Importantly, the table also highlights where variations can be justified with the following aspects being taken into account:
- Public transport accessibility;
 - Density and open space considerations;
 - Place making, town scape and design requirements;
 - House size and form;
 - Car availability in the surrounding area; and
 - Pressure on existing on street parking in the surrounding area
- 5.45 **Significantly, paragraph 6.14 of SG11 states that GCC will support ‘Car-Free’ housing on suitable sites.** To meet the requirements for car-free housing, sites must be situated as follows:

- Within an existing Restricted or Controlled Parking Zone;
- At least 500metres walk from the nearest unrestricted zone;
- Have a high frequency of public transport within walking distance; and
- Have convenient and safe access to local shops and facilities, including publicly usable open space.

5.46 Should sites meet the above requirements, they are then to design their layout to actively discourage the use of private cars unless linked to a car club or similar.

Material Considerations

5.47 Design Guide – New Residential Areas is a detailed design document prepared by GCC to set out the key aspects that developers require to take into account when preparing development proposals within the city.

5.48 The guide sets out the core principles of design for new developments, considering the strategic stages that developers and designers should go through when identifying and setting out initial proposals for development. It then goes on to identify some detailed guidance on several design aspects such as, site layout, parking, drainage, landscaping, open space, accessibility, building lines, aspect, orientation, daylight, privacy, garden sizes, services, utilities, materials, street furniture and waste management.

5.49 **The guide is considered to be a 'toolbox' for new housing** development that sets a guide for designers to work to, with examples of how, and how not to set out a new development proposal.

5.50 Glasgow City Centre Living Strategy was approved in June 2020 and is a Vision to 2035 for the repopulation of the City Centre and its surroundings. The overarching Aim of this strategy is to double the current city centre population of 20,000 by 2035. The strategy states that *'The CCLSV2035 will support the wider regeneration strategy in Glasgow city centre through actions focused on delivering a more liveable place with the necessary supporting policy and physical infrastructure.'*

5.51 Sitting alongside the Living Strategy is the City Centre Strategic Development Framework which was approved in May 2021. It refers to the transition that the city centre is experiencing at the moment and states that *'This SDF advocates an acceleration in the pace and scale of this transition, focussing on people, place and planet. As such, it proposes interventions to transform the quality of the urban environment, create more space for people and nature, and to repopulate and support its diverse communities to bring life to all areas of the City Centre.'*

- 5.52 The first priority issue of the SDF, as presented on page 16 is to ***'Increase the residential population in and around the centre to grow activity, sustain the local economy and bring life to the whole centre'***.
- 5.53 Other priority issues that are relevant in relation to this proposed development are summarised below:
- *Create a City Centre of diverse sustainable neighbourhoods that promote community cohesion, health and wellbeing;*
 - ***Reduce the dominance of the car and consequent negative environmental and 'place' impacts;***
 - *Address the climate resilience of the centre and ensure a zero-carbon future;*
 - *Manage the day to night transition and support the day and night time economies;*
 - *Repair and renew the urban fabric, including redevelop vacant land and buildings and bring cohesion to fragmented areas of townscape; and*
 - *Improve areas of poor place quality to attract people and investors to the centre;*
- 5.54 It is considered that, whilst the site is not located directly within the City Centre as such, the Finnieston Area, sitting immediately adjacent to the city centre, plays a significant role in it's future evolution, particularly as it offers an excellent opportunity to provide residential development sites.

Planning Policy Context Summary

- 5.55 This chapter has set out the policy context under which this proposed development will be assessed as part of this local review. We have identified, national, strategic and local planning policies of relevance to the review. In addition, there are material considerations in the form of SG and City Centre Strategies that have been taken into account.
- 5.56 The following chapter presents the planning assessment of the proposed development against this planning policy context. It also considers material considerations, where it is deemed that there are aspects out with planning policy that could have potential to influence the determination of the review.

6.0 PLANNING ASSESSMENT

6.1 As highlighted previously, Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 Section 37(2) of the Act further provides that, in dealing with applications for planning permission:

"... the Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations."

6.3 In order to fully assess the policy compliance of our proposal, and any additional material considerations, we have considered the proposed development against the following key issues that we believe are of primary relevance to the determination of our Notice of Review:

- The principle of the proposed development on the site;
- The design and operation of the proposed development;
- Open Space; and
- Impact on Infrastructure.

Principle of the proposed development on the site

6.4 At a national and strategic planning policy level, all policy documents and strategies point in the direction of supporting the redevelopment of brownfield land before the use of greenfield land for any kind of development.

6.5 In addition, these national and strategic policies support the 'right development in the right place' **concept**, considering the surrounding uses as part of the consideration and determination of any development proposals.

6.6 The site is currently occupied by a long-standing tenant of the building in the form of a fishmonger. It comprises an old red brick industrial style building which has been subject to several alterations over the years, with much of the upper floors no longer in use. The building and the current use are considered a blight on this increasingly popular residential area of the city and present an ideal redevelopment opportunity. The location for such a commercial use in a location of the primary routes and away from modern facilities is also considered inappropriate.

6.7 Given the location of the site, it is considered that the fishmonger does not contribute to the local centre that is focused on Argyle Street to the north west. It is removed from the centre and has no visual connection to draw people. It is considered that the fishmonger would therefore benefit from a more suitable location.

- 6.8 The building on site is not listed and nor is it within a Conservation Area or similar heritage designation location. Therefore, it is considered that the building and proposed development are not directly **affected by policy CDP9, as it clearly states the aspects that the 'Historic Environment' terminology covers.**
- 6.9 Notwithstanding the above, a number of objections have raised the issue of retaining the existing building as a heritage asset. In this regard, it is considered that whilst there are **elements of the building that link to it's history, it has undergone several redevelopments and additions** and is in a very poor state as evidenced by the submitted Building Inspection Report.
- 6.10 The building is considered unsuitable for any modern industrial use and most certainly would not be appropriate for conversion to residential use. The Building Inspection identifies very conservative costs associated with getting the building to just a shell state and these costs are significantly prohibitive to any future development opportunities. As the building has no heritage designations, the Appellant considered that it was most certainly not worth pursuing and renovation projects for this site.
- 6.11 Residential properties skirt the site on all sides apart from one, where a community hall providing facilities for the Territorial Army is located. The local area has seen significant residential development and proposals over the past 5 or more years.
- 6.12 The site is well connected to local facilities and public transport networks, is on the edge of Finnieston Local Centre and is within walking distance of Glasgow City Centre.
- 6.13 In this regard, the site is a brownfield site, in an area which is dominated by residential properties with associated local amenities to support the communities living in the area. The proposal for further residential properties on this redeveloped site is considered wholly appropriate with the priorities of those national and strategic Development Plan policies.
- 6.14 At a more local level, in terms of the principle of providing residential development on the site, Policy CDP2 states that the *'Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable city'*. Furthermore, the policy states that the *'Council will support new development proposals that...utilise brownfield sites in preference to greenfield sites'* and *'prioritise the remediation and reuse of vacant and derelict land'* (Page 40).
- 6.15 Therefore, the redevelopment of this brownfield site reflects the clear aims and objective of Policy CDP2.
- 6.16 **In addition to the above, Policy CDP1 is a 'catch all' policy covering** the entire GCC authority area. This policy does not set any specific restrictions on the redevelopment of brownfield sites on the understanding that a series of design criteria and the requirements of all policies within

the CDP are met. It encourages considering the six criteria for creating place as advocated by national planning policy and guidance documents.

- 6.17 Furthermore, Policy CDP 10 identifies that windfall sites can come forward in addition to those sites specifically allocated for housing and that brownfield sites will offer appropriate opportunities for further residential development. Glasgow has several sites allocated for housing, which have been allocated for decades and never delivered. Therefore, it is important for sites such as the Review site, to come forward and fill the gap that those non-effective allocated sites create in terms of housing delivery.
- 6.18 In this regard, the site is located within the Urban Area of the city and offers excellent potential to provide 34 new flatted dwellings as part of a sustainable and attractive residential development of a high design quality, on what is a brownfield site that is no longer fit for its current use.
- 6.19 The principle of providing residential development on the site is considered to be in compliance with national and strategic planning policy and Policies CDP1 and CDP10 of the GCC CDP. This is obviously subject to the consideration of further associated LDP policies which are set out above and considered fully in the sections below.
- 6.20 As such, the proposed development is considered to comply with SPP, Clydeplan and Policies CDP1, 2 and 10 in terms of the principle of development.
- 6.21 In addition to the Development Plan, the proposed development reflects the vision and ambitions of the City Centre Living Strategy and the City Centre Strategic Development Framework. These both present significant focus on the repopulation of the City Centre and **it's surroundings over the next 15 years**. As these documents post date the adoption of the CDP, it is considered that they are more relevant to current applications and therefore a material consideration in the determination of any planning applications, reviews and appeals.

Design & Operation of the Proposed Development

- 6.22 The design process for the proposed development as set out in the accompanying Design and Access Statement (DAS) has examined the context of the site and its surrounding area and considered the specific elements of the GCC Design Guidance for new residential areas, in order to propose an attractive and contemporary residential development that is considered appropriate for the site and its setting.
- 6.23 Considering the six qualities of place as advocated by national, strategic, and local planning policy, the redevelopment of the site will re-invigorate this part of the city and re-establish the urban form of this site which is considered to be out of context with more recent development around it. As a result, the proposed development will replace the partially vacant site that is

no longer fit for purpose, with a high-quality residential development including private amenity space.

6.24 The scale and height of the proposed development has been designed to reflect the height of the buildings in the local area, taking into account the existing twelve storey flatted block to the south and the seven storey properties to the west and north. The contextual analysis as set out within the accompanying DAS sets out the ways in which the proposed development integrates effectively with its heavily urbanised and city form surroundings. Given the surrounding features, despite the height of the proposed development, it is considered that the tall buildings policy within the CDP is not relevant.

6.25 The density of the development is at a level in excess of 400 dwellings per hectare. A High density, which is considered appropriate for an extremely urban and edge of City Centre location. Given the high accessibility status of this edge of City Centre area as well as it being within the inner urban area in policy terms, this is considered to be in keeping with policy and guidance as set out within paragraph 2.48 of SG1 prt2, which states:

Density may vary between 30 and 100 DPH in base accessibility locations, whilst higher densities will be expected in high accessibility locations and should be justified against the General Principles outlined above. (Emphasis added).

6.26 The general principles referred to in the paragraph above are set out in paragraph 2.46 of the same guidance document. This paragraph states:

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.

6.27 In this regard, it is considered that the proposed density is appropriate to all of the above guiding principles. The site is in an area of high accessibility and of high density flatted residential development. In terms of context and setting, the accompanying Design Statement shows that the building fits within its surroundings with other similar height developments in the area.

6.28 The adjacent residential buildings vary from 7 to 12 storeys in height, with the commercial Skypark building being higher again. In terms of massing, the Skypark building significantly exceeds the proposed building, but the adjacent 12 storey residential tower is of a similar scale.

6.29 Not only is the density considered to be in keeping with policy, but it is also considered that it complements and enhances the existing density of the local area without having any detrimental impact. This area is dominated and therefore characterised by high-density

buildings with limited open space directly associated and limited allocated parking. The proposed development provides similar space standards internally to traditional large tenement units, but also provides excellent rooftop and rear garden amenity space appropriate for this central location.

- 6.30 The City Centre Living Strategy also advocates notably high residential development densities as presented on page 15. This highlights that comparable city centres are developing developments at densities in excess of 500 dwellings per hectare, and notes that this is an area where Glasgow can develop. This highly accessible location at Houldsworth Street presents an excellent opportunity to meet such aspirations, whilst being sensitive to surrounding developments and the needs of the future residents with appropriate amenity space.
- 6.31 The layout and positioning of the buildings within the site has also been configured to ensure appropriate stand-off distances in relation to overlooking, privacy, daylight and sunlight. A Daylight and Sunlight Report accompanies this Review, which summarises that there will be no negative impacts upon existing residential amenity as a result of this proposed development.
- 6.32 In light of the above, it is considered that the proposed development complies with SPP, Clydeplan and importantly policy CDP1 and SG1 of the GCC CDP.
- 6.33 The high design quality of the proposed development and its role in re-establishing a building line on the frontage of Houldsworth Street, with associated amenity space is considered to offer an improved visual amenity to that of the existing former depot building and painted walling.
- 6.34 The proposed development will offer amenity space to its own residents and provision of internal cycle storage and appropriate recycling and refuse facilities. The inclusion of solar panels and other low and zero carbon generating technologies within the proposed development help to promote sustainability in an effort to tackle climate change following the declared climate emergency in the city.
- 6.35 The submitted drawings and DAS demonstrate that two key usable areas of amenity space will be provided. A more private, rooftop amenity space area is included as required by the GCC design guide for residential developments. In addition, a more accessible ground floor rear amenity space will be available to the public to visit, but will primarily be used by the residents.
- 6.36 The proposed development will incorporate accessible, secure cycle storage that will meet the **Council's requirements on cycle parking storage of 1.25 spaces per dwelling 125%**.

- 6.37 The proposed development will be a car free development other than two allocated electric on-street car club spaces located immediately in front of the proposed building. This car free approach, as presented within the accompanying Transport Statement is in keeping with Council Policy where the site is within a restricted parking zone, such as this.
- 6.38 As such, the transportation and accessibility provisions of the proposed development are considered to comply with SPP, Clydeplan, and Policy CDP11 of the GCC CDP.
- 6.39 Overall, it is considered that the principle, design and operation of the proposed development will comply with all relevant national, regional and local planning policies, as well as associated supplementary planning guidance.

Open Space

- 6.40 The proposed development incorporates open space within the site, from the more private rooftop amenity space and individual balconies for every unit, to the wider communal amenity space located to the rear of the site, accessible along a side lane, which abuts the western edge of the site.
- 6.41 Interim Guidance document IPG12 requires the provision of certain types of open space, and at certain levels as set out in chapter 5 above.
- 6.42 With the proposed unit numbers of 34 flats (11no. 1 bed, 22no. 2 bed and 1no. 3Bed) we understand that the open space provision now required to be as follows:
- Amenity Green Space 232m²
 - **Children’s Play** 162m²
 - Allotments/Community Garden 23m² or c.£2,320 off-site contribution
 - Outdoor Sport (Informal and Formal) 162m² or c.£16,240 off-site contribution
- 6.43 Holmes Miller have provided a plan (ref: Amenity Plan - 4440-HML-ZZ-XX-DR-A-10121) highlighting the open space provision on site. This plan highlights that there is c.250sqm of amenity space provided on site (108% of requirement), exceeding the site requirements for this aspect, and 150sqm of play space, (93% of requirement) falling only 12m short of the standard site requirements. The amenity space exceedance therefore counteracts the minor deficiency of the play space.
- 6.44 With regards the shortfall of open space provided on site, it is considered that the accessible urban location makes this very difficult and policy allows for offsite contributions to be provided in such situations.
- 6.45 The GCC Open Space Strategy requires all residential properties to be within 400 metres of an area no less than 0.3ha of open space. In this regard, Kent Road Park, incorporating Dover

Street Play Ground and sports pitches, is located 200m to the north of the site and a small play park is situated almost immediately adjacent to the site in the grounds of Anderston Primary School, which is understood to be accessible to the public. With this availability of existing open space, it is considered appropriate that the proposed development provide a financial contribution for the remaining open space provision required, which can be used on these existing facilities.

- 6.46 The Applicant is willing to pay the contributions sought in relation to offsite provision of play, sports and allotment related open space.
- 6.47 In terms of on-site play provision, at this stage, we have provided 150sqm for play, which is just short (shortfall of just 7%) of the 162sqm requirement. Given the proximity of existing parks, it may be that Glasgow City Council prefer not to provide play facilities on site, but the applicant recognises that the starting point is to provide on-site facilities at the outset.
- 6.48 It is considered that the proposed development, with the full provision of amenity space on site and the majority of the necessary play facilities, as well as the offer of contributions to other aspects of open space, meets the requirements of policy CDP6 and IPG12 of the CDP.
- 6.49 Policy CDP5 requires the provision of an Energy Statement identifying the ways in which the proposed development may seek to lower the impact upon climate change with the use of Low and Zero Carbon Technology. In this regard, the Appellant has had a statement of Energy prepared which addresses the various ways in which the proposed development will contribute to reducing environmental impact of development in this area and how it meets and exceeds policy requirements.
- 6.50 As stated previously, it is considered that this proposed development will be an ultra-low carbon development, vastly exceeding energy related requirements to provide an exemplar development in the current climate emergency that the city is facing. Most importantly, this will be a gas free development, using renewable sources for all the energy requirements of the building.

Impact on Infrastructure

- 6.51 The consideration of whether development is acceptable in principle on this site also relates to whether it can be delivered without increasing a risk of flooding or be at risk of flooding itself. In this regard, a letter has been provided by Ramage Young, which notes that, by virtue of the site not being affected by any flood risk areas) a Flood Risk Assessment is not required.
- 6.52 The submitted Drainage Strategy and Surface Water Management Plan details the SuDS features that will be incorporated to ensure the proposed development will not increase the

risk of flooding in the local area, and how the proposed development will fit into the existing drainage network.

- 6.53 In terms of the local road infrastructure, and the impact of the proposed development, a Transport Statement was prepared for the planning application which highlighted that the impact of the proposed development upon the local road network is not expected to be detrimental, particularly given the highly accessible nature of the area by public transport and the car free approach being adopted in this instance.
- 6.54 The vehicle parking standards of CDP ideally seek 1 allocated (unallocated if on-street) space per dwelling unit for residents and an additional 0.25 unallocated spaces per dwelling unit for visitors. However, paragraph 6.14 of SG11 Sustainable Transport sets out the circumstances **whereby 'car free' housing is considered appropriate**. It is considered that this site meets those requirements and therefore, in the interests of sustainable transport initiatives, the proposed development proposes no parking on site, with only two electric car club spaces located on street adjacent to the site.
- 6.55 Due to the highly accessible nature of the location of the proposed flats, and proximity of the site to excellent public transport facilities, it is envisaged that car ownership is likely to be low.

Material Considerations

- 6.56 We see no material considerations that would lead to a determination against the approval of this proposed development.
- 6.57 On the contrary, we consider there to be several material considerations which add further justification for the approval of the proposed development.
- 6.58 The proposal to redevelop this partially vacant urban location on the edge of the city centre will help to deliver the aims and objectives of repopulating and invigorating the city centre as set out in the City Centre Living Strategy and City Centre Strategic Development Framework.
- 6.59 These recently approved strategic policy documents fully advocate developments such as this, which will reinvigorate unattractive sites in the central urban area, and bring people and investment into the centre of the city.
- 6.60 Further to the above, we consider that the significant material considerations of the economic benefit, alongside the sustainability assets of the proposed development add further weight to the positive determination of this Review.
- 6.61 This proposed development will bring significant benefits to the local area and the wider city as noted in chapter 5 above and within the accompanying Economic Impact Assessment, in terms of financial expenditure being created by the development.

- 6.62 Not only will the benefits be financial, but the proposed development shall use a significant level of technologies to avoid and reduce carbon emissions, making the development better than the required gold hybrid level in terms of energy efficiency. The Gas Free approach is ahead of it's time and an exemplar approach for the future of housing in the city. This is an important factor that can set a new standard for developments in the city, to tackle the climate emergency that it is experiencing.
- 6.63 Climate Change is clearly high on the agenda of GCC with the COP26 conference taking place in the City in November 2021 and a climate emergency being declared across the City. It is considered that development such as this are required to push the boundaries. This development encourages the use of sustainable transport through the no car approach and incorporates a significant level of green energy technology **to ensure it's sustainability.**
- 6.64 Development like this should be encouraged across the city, but especially within the highly accessible locations in and around the city centre.

Planning Assessment Summary

- 6.65 In this chapter we have emphasised that the proposed development addresses the planning policy context of the national and strategic planning policy as well as more specifically the policies of the City Development Plan.
- 6.66 Overall, it is considered that the principle, design and operation of the proposed development complies with all relevant national, regional and local planning policies, as well as associated supplementary planning guidance. It is considered that there will be no detrimental impact of the proposed development on the local amenity or infrastructure and as such the proposed development is considered acceptable in planning terms.
- 6.67 In addition, we are of the view that material considerations indicate that GCC should determine this proposed development positively.

7.0 CONCLUSIONS

- 7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires decisions to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 7.2 This Notice of Review Statement has set out the background to this Review, and sets out a clear timeline and process which explains why the Appellant has arrived in the position that they are in, seeking a Review against the non-determination (or deemed refusal) of this application.
- 7.3 The statement has examined the planning context of the site, the character of its surroundings, and the detail of the proposed development. It has then assessed the acceptability of the proposed development against all relevant planning policy and material considerations.
- 7.4 The proposed development looks to redevelop a partially vacant brownfield site which is considered suitable for residential development **and no longer suitable for its current use**. The proposed development will provide a high quality, sustainable and accessible residential development of 34 apartments. This will provide a choice of attractive accommodation for city living close to local services and public transport, less than 10 minutes by train from Glasgow City Centre.
- 7.5 Whilst objections have raised concerns in relation to the loss of the existing building on site, it has been highlighted that the building is not listed, or in a location of any wider heritage designation. It has also been highlighted that the building is not in a fit state for re-use, as presented in an accompanying condition survey.
- 7.6 This residential development will re-invigorate the urban form of this part of Finnieston with a building of high-quality design, incorporating sustainable features such as solar panels for renewable energy, electric vehicle car club spaces, and secure cycle storage.
- 7.7 **The design and layout of the proposed development is considered appropriate for the site's** high level of public transport accessibility and will also ensure a high standard of amenity for new residents, without affecting the character of the surrounding predominately residential area or the amenity of neighbouring properties.
- 7.8 We consider that the proposed development reflects the character of the surrounding area and the proposed height - at 12 storeys - would not be out of keeping with the area; dominate any adjacent buildings; or adversely affect the street scene.
- 7.9 In addition to the above, it is considered that the economic benefits of the proposed development should be taken into account as a material consideration in the determination of

this planning application. There are significant benefits to the City as a whole and to the local area from the investment and expenditure associated with this project.

- 7.10 Finally, it must not be ignored that the proposed development is to significantly exceed the energy related requirements, and an ultra-low carbon, gas free development is being presented. This is considered to be an exemplar proposal which will help GCC in tackling the climate emergency that has recently been declared in the City.
- 7.11 In conclusion, we consider that the proposed development, the design of which considers the existing developments in the immediate locale, and the benefits of which will improve the local area economy and environmental aspects, complies with national, regional and local planning policy.
- 7.12 Accordingly, in taking account of the matters raised in this statement and the accompanying submission documents, we respectfully request that the LRC approve this application for detailed planning permission and allow the delivery of 34 new homes at land to the south of Houldsworth Street in Finnieston, Glasgow.