



PLANNING APPLICATIONS COMMITTEE

Report by Director of Development and Regeneration Services

Contact: Mr N Stevenson Phone: 0141 287 6056

APPLICATION TYPE Full Planning Permission

RECOMMENDATION Grant Subject to Condition(s) and Section 69 Agreement

APPLICATION 06/02450/DC

DATE VALID 14.08.2006

SITE ADDRESS Site At 626-630 Keppochhill Road Glasgow

PROPOSAL Erection of mixed use residential and office (Class 4) development

APPLICANT McDonald Homes
30 Mitchell Grove
East Kilbride
G72 1QZ

AGENT Jewitt Arschavir And Wilkie
Architects
38 New City Road
Glasgow
G4 9JT

WARD NO(S) 26, Keppochhill

COMMUNITY COUNCIL 02_028, Possilpark

CONSERVATION AREA

LISTED

ADVERT TYPE

PUBLISHED

CITY PLAN Residential

REPRESENTATIONS/ CONSULTATIONS

Environmental Protection Services – No objection subject to conditions, further comments.
Land Services – Objection.
West of Scotland Archaeology Service – No archaeological issues raised.
Patricia Ferguson MSP – Request for information.

SITE AND DESCRIPTION

The application site is identified in the City Plan as having a Residential Land Use Designation; (Development Policy Principle DEV 2 – Residential). The site is at the junction of Keppochhill Road, Saracen Street, Craighall Road and Possil Road on the north-east corner of Possil Cross. It is currently occupied by a former filling station/garage, and is bounded to the north by a show people's site, and to the east by Keppochhill Park. Booker Cash and Carry is to the south of the site, and a 4/5 storey residential development is under construction is on the south west corner of Possil Cross. See Woo Cash and Carry lies on the north west corner of Possil Cross. The total site is 0.133 hectares in area. The site is in the Keppochhill Ward.

PROPOSAL

The proposed development would comprise of 27 flats and 2 office units (Class 4) in a 4/5 storey block. The ground floor would comprise of a 3 bedroom flat and a 2 bedroom flat facing onto Saracen Street, and on Keppochhill Road two offices of 38m² and 58.4m² floorspace respectively along with a pend access to car parking, and refuse storage. At first and second floor levels seven 2 bedroom flats and one 3 bedroom flat respectively per floor are proposed. The third and fourth floors comprise of three 2 bedroom maisonettes and six 2 bedroom flats. A total of 27 car parking spaces would be provided at ground level accessed through a pend. The applicant proposes the formation of a decked amenity area at first floor level above the car parking provision which represents 100% residential parking provision. Servicing of the office units will be taken off Keppochhill Road.

POLICIES

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

The Development Plan comprises the Glasgow and the Clyde Valley Joint Structure Plan and the Glasgow City Plan, adopted August 2003.

The Structure Plan contains no Policies of relevance to the proposal under consideration.

The City Plan identifies the application site as having a Residential land use designation. This being the case, Development Policy Principle DEV 2 - Residential applies.

Development Policy Principle DEV 2 - Residential identifies the City's housing districts.

City Plan Policies considered of relevance include:

- Policy RES 1 - Residential Density
- Policy RES 2 - Residential Site Layouts
- Policy RES 3 - Residential Greenspace Standards
- DES 1 - Reinforcing Local Character and Identity
- DES 2 - Urban Design
- DES 3 - Building Design and Materials
- TRANS 4 - Vehicle Parking Guidelines.

In addition Planning Advice Note PAN 56 – Planning and Noise is considered of relevance.

ASSESSMENT AND CONCLUSIONS

The principal planning issues to be considered in this application are considered to be:

1. whether the proposals are in conformity with the Development Plan; and
2. whether the proposals are acceptable having regard to any other material considerations.

1. Development Plan

The City Plan identifies the application site as having Residential land use designation. Development Policy Principle DEV 2 - Residential applies.

Development Policy Principle DEV 2 - RESIDENTIAL identifies the City's housing districts. This Development Policy Principle states:

“The areas designated ‘RESIDENTIAL’ are the City's housing districts. In addition to housing, they include facilities such as schools, local shops, public buildings, small businesses, light industry, local community, health, social and recreational facilities and local greenspaces.”

The erection of some 96 sq m of Class 4 office accommodation within a residential area is seen as compatible with the proposed residential development on the application site, and the residential development policy principle.

With regard to Policy RES 1 - Residential Density, the site has high accessibility to public transport and is within the Inner Urban Area Boundary as such this Policy sets no prescribed maximum density but does suggest that along main routes densities in excess of 100 dwellings per hectare will be permitted. The proposed density of 208 dwellings per hectare would accord with this aspect of Policy

RES 2 specifies the guidelines for new build housing units with regard to privacy, boundary distances, ground levels and overshadowing. With regard to privacy the sills of ground floor flat windows on Saracen Street have been raised to a height above the 1.75m above ground level required by this Policy. With regard to boundary distances the four storey element of the development is a minimum of 9 metres from the common boundary with the maximum being 12 metres from the boundary. The Policy normally requires a minimum of 13m for 4 storey buildings to avoid overshadowing. The proposal does not therefore meet this element of policy. However, it is considered that the proposals would be desirable in land use planning terms by providing a built form which in terms of scale and design would enhance the area. The proposal would complement the approved residential development currently under construction on the opposite side of Possil Cross. The Cross is identified in the City Plan as a major node; (based on the city's historic crosses and tolls these are major or visually significant road junctions which are often the focus for community activity and services). It is further considered that the proposal would not preclude any future development of the show people's site to the north of the application site

With regard to Policy RES 3 - Residential Greenspace Standards a payment of £45,600 would be to be secured by legal agreement, in terms of Section 69 of the Local Government (Scotland) Act 1973 to meet the requirements regarding Amenity Green Space, Children's Play and Outdoor Sport – Kick-about.

With regard to Policy DES 1, the introduction of a flatted residential built form over four and five storeys will create a strong sense of place at this major node.

Policy DES 2 - Urban Design, seeks to create a successful, meaningful and memorable built environment. It is considered that the proposed design would satisfactorily address the aims of this Policy.

The palette of materials proposed for the development: buff and blue facing brick, mineral fibre board and single ply polymer roofing are considered appropriate materials to strengthen the City's identity and image as required by Policy DES 3 - Building Design and Materials.

The parking provision included with this proposal is considered to accord with the terms of Policy TRANS 4 - Vehicle Parking Guidelines.

Planning Advice Note (PAN) 56 Planning and Noise, April 1999, states:

*'...This advice note suggests the use of **Noise Exposure Categories (NECs)** to help planning authorities determine applications for **residential** development on sites subjected to noise from road, rail, air, and "mixed" transportation noise. The noise category method does not take industrial noise into account. When assessing a proposal for residential development, planning authorities can determine into which category the proposed site falls, taking account of average day and night-time noise levels, as well as a maximum upper night time value. The categories identify the need for development proposals to address noise issues and put forward recommended standards for noise exposure to which new housing development must comply through, for example, the introduction of noise mitigation measures.*

51. For category A sites noise is unlikely to be a determining factor, while for Category D sites refusal of planning permission is likely to be the most appropriate solution. Categories B and C deal with situations where noise mitigation measures may make development acceptable. The table below explains the categories in more detail. The NECs will carry more weight if incorporated into development briefs etc. and adopted as supplementary planning guidance. Annex 1 sets out the approach in more detail and puts forward a range of recommended values.

- A** *Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as desirable.*
- B** *Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. For proposed development subject to the high end of the category a Noise Impact Assessment will assist authorities in identifying appropriate noise mitigation measures.*
- C** *Planning permission should not normally be granted. Based upon the evidence contained within a Noise Impact Assessment, however, it may be possible to grant permission subject to measures that ensure an adequate level of protection against noise*
- D** *Planning permission should generally be refused.*

An adequate level of protection should normally be interpreted to mean commensurate with Category A levels. Where development is desirable in terms of the overall planning strategy for the area but where local circumstances or excessive costs prohibit the effective mitigation of noise commensurate with category A levels consideration may need to be given to relaxing noise standards. In such cases, internal noise levels within individual living apartments should be less than 45dB(A) during the day and 35dB(A) during the night. Levels should be predicted using appropriate time periods and the L_{Aeq} parameter. ...'

The initial traffic noise assessment concluded that the application site falls within Noise Exposure Category C for daytime period and the predicted Category C for night-time. PAN 56 states that planning permission for residential developments within the Category C designation should not normally be granted.

Environmental Protection Services were not content with the methodology adopted in the initial traffic noise assessment and were concerned that the noise exposure Category D for night-time might be reached.

A supplementary Night-time Noise Impact Assessment dated 7th November 2006 was submitted. This indicated the maximum noise levels reached were in the Category D (although not generally). This indicated Category A levels would be met internally with the use appropriate glazing and that there would be no more than 15 instances where the Category A noise level is exceeded internally from the hours of 23:00 to 07:00 as the result of traffic noise.

In response Environmental Protection Services stated, '*The assessment by Bureau Veritas dated 7 November 2006 advises 10 / 12 / 4 glazing on Saracen Street and Keppochill Road facades and that 4 / 12 / 4 or 6 / 12 / 6 be provided on the remaining facades, and it indicates that the maximum noise level from road traffic will be acceptable at night. The earlier acoustic report placed the site within Noise Exposure Categories C and D. I am now happy with the proposed noise internally. You may remain uncomfortable, however with amenity noise in light of the categories C and D.*'

In this context, in planning terms it is noted that:

- (i) the development would make a positive contribution to the townscape quality at the important nodal point of Possil Cross.
- (ii) the development would achieve required internal noise levels with suitable acoustic glazing and acoustic ventilation (conditioned). The proposed flats enjoy good southerly and western aspects to the front.
- (iii) the development complements recent similar scale housing to the south-west of Possil Cross.

2. Other Material Considerations

Land Services an objection as due to the access only allowing single vehicular access, that the location of the access to the car-parking is too close to the signal controlled junction, and that 125% parking would not be achieved.

Comment:

The proposals would see the existing three vehicular crossovers which are respectively; 7 metres (on Saracen Street) plus 12 and 38 metres (on Keppochhill Road) from the Possil Cross junction being replaced with a single vehicular crossover on Keppochhill Road 41 metres from the junction. This being the case it is considered that the proposal would greatly improve the existing situation with a single access replacing the existing crossovers, with a single crossover further from the junction than the existing crossovers. It is considered that refusal of the application on the grounds of the location of this proposed crossover would therefore be unreasonable. With regard to the width of the proposed pend access, this would still permit two vehicles to pass, and it is noted that the existing approved use of the application site as a filling station/garage would generate significantly greater vehicle movements than the proposal under consideration. As such the proposed pend access is considered an improvement for traffic circulation at the locus. It would therefore be considered unreasonable to refuse the proposal on the grounds of the width of the pend access. While Land Services expressed their aspiration for 125% off street parking provision it is considered that given the site has high accessibility to public transport 100% parking provision is considered acceptable.

Environmental Protection Services offered comment regarding noise issues as has been addressed above. In addition they have requested conditions to be attached relating to noise, light, ventilation, refuse storage and the removal of underground petroleum installations.

Comment:

Appropriate conditions have been attached to address these concerns.

CONCLUSION

The proposal for residential development in keeping with Development Plan Policy in that the site has a Residential Land Use Designation.

The concerns that have been expressed by Land Services and Environmental Protection Services are addressed above. There are not considered to be any material considerations that would indicate the refusal of permission would be appropriate given the proposal would provide a quality development giving a sense of place through the design and scale of the development at this major node which would promote the broad regeneration aims of City Plan Policy.

In respect of the deficit in Greenspace provision a payment of £45,600 should be required through a Section 69 legal agreement.

It is therefore considered that the proposal, subject to conditions, is acceptable and accordingly it is recommended that planning permission is granted subject to the attached conditions and subject to the completion of a Section 69 legal agreement in respect of the provision of Greenspace.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing number(s)

2513/P/920 Rev. A received 18th December,
2513/P/921 received 16th November 2006,
2513/P/922 received 7th November 2006,
2513/P/923 received 13th February 2007,
2513/P/950 Rev. A,
2513/P/951 Rev. A,
2513/P/952 and
2513/P/953

received 7th November 2006, as qualified by the undernoted condition(s), or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings constitute the approved development.

02. All redundant footway crossings shall be removed and the footway reinstated to a standard acceptable to the Planning Authority before the use of the premises commences.

Reason: In the interests of pedestrian safety.

03. All existing footways shall be repaired before the use of the premises commences.

Reason: In the interests of traffic safety at the locus.

04. Twenty-seven car parking spaces shall be provided for the use of residents only before the use of the premises commences.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

05. Provision shall be made for the parking of bicycles in Sheffield Type racks. Details, including number and location, shall be submitted to and approved by the Planning Authority prior to the commencement of works. The facilities hereby approved shall be provided before the use of the premises commences.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area.

Reason: In the interest of the safety of the users of the premises.

06. Details of the removal of the petroleum installations on site shall be submitted for the written approval of the Planning Authority prior to the commencement of works

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

07. Glazing to a standard of 10 / 12 / 4 on Saracen Street and Keppochhill Road facades and glazing to a standard of 4 / 12 / 4 or 6 / 12 / 6 be provided on the remaining facades, details of which along with acoustic ventilation shall be submitted for the written approval of the Planning authority prior to the commencement of works.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

08. Light from the use of the facility 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) A "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 order to safeguard the property itself and the amenity of the surrounding area.

09. 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 (NRC) 35 between the hours of 0700 hours and 2200 hours and Noise Rating Curve (NRC) 25 at all other times.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

10. All mechanical ventilation and air conditioning plant shall be suitably isolated from the structure of the building and fan units positioned in a ducted system shall be isolated from the ducting by means of flexible connections.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

11. Suitable provision shall be made for refuse storage facilities including provision of appropriate refuse bins. Full details shall be submitted to and approved by the Planning Authority prior to the commencement of works.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

12. A scheme of landscaping including boundary treatment(s) and details of trees and other features which are to be retained, shall be submitted to and approved by the Planning Authority in writing prior to the commencement of works on site.

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

13. A maintenance management schedule for the landscaping scheme shall be submitted to and approved by the Planning Authority prior to the commencement of any works. The landscaping shall be maintained in accordance with the approved management schedule.

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

14. External materials shall be buff and blue facing brick, eternit board and standing seam roofing. Samples shall be submitted to and approved by the Planning Authority in writing in respect of type, colour and texture. Written approval shall be obtained before the materials are used on site.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

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

15. Details of a proposed scheme to protect the privacy of the windows of habitable rooms facing the first floor amenity deck shall be subject to and approved in writing by the Planning Authority prior to any works commencing on site, and shall thereafter be implemented as agreed prior to the occupation of any residential flat.

Reason: In order to protect residential privacy and amenity.

16. Any gates to the pend access/egress shall be of an automatic design. Details of the gates shall be submitted for the written approval of the Planning Authority prior to the commencement of works and shall be operational prior to the occupation of the proposed development.

Reason: In the interests of traffic safety at the locus.

17. Details of the boundary treatment to the decked area shall be submitted for the written approval of the Planning Authority prior to the commencement of works.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

ADVISORY NOTES TO APPLICANT

01. Prior to the installation of the lighting system, the applicant should submit certification from a member of the Institute of Lighting Engineers, or other suitably qualified person, to the Planning Authority confirming that the proposed system will satisfy the requirements of the above condition.
02. Prior to commencement of use of the facility, the applicant should, following the testing of the lighting system, submit certification from a member of the Institute of Lighting Engineers, or other suitably qualified person to the Planning Authority confirming that the system complies with its design specification.
03. The applicant is advised that the decision notice hereby attached should be accompanied by docketed plans.
04. All road specifications will require to be constructed in accordance with the Glasgow City Council Roads Development Guide.
05. The layout of parking bays should be in accordance with the Glasgow City Council Roads Development Guide
06. It is recommended that the applicant should consult with Scottish Water concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development.
07. The applicant is advised that the decision notice hereby attached should be accompanied by docketed plans.
08. The applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site.

ADVISORY NOTES TO COUNCIL

01. This proposal requires that docketed plans should accompany the decision notice in the case of this application.

for Director of Development and Regeneration Services

DC/ NST/p/1
14/02/2007

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