



PLANNING APPLICATIONS COMMITTEE

**Supplemental Report by Head of Planning and Building Standards
Development and Regeneration Services**

Contact: David Russell Phone: 0141 287 6034

Item 4
1st December 2020

APPLICATION TYPE:	Full Planning Permission
RECOMMENDATION:	Approved by Planning Application Committee on 06/11/2020

APPLICATION	19/03487/FUL	DATE VALID	19.12.2019
SITE ADDRESS	Site To The West Of 120 Govan Road Glasgow		
PROPOSAL	Erection of hotel with associated uses (Sui Generis), access, car parking and landscaping: potentially contrary to Policy CDP 3: Economic Development of the Glasgow City Development Plan 2017.		
APPLICANT	Pacific Quay Developments (Glasgow) Ltd c/o agent 177 West George Street Glasgow UK G2 2LB	AGENT	Iceni Projects Ltd Pamela Turner 177 West George Street Glasgow UK G2 2LB
WARD NO(S)	05, Govan	COMMUNITY COUNCIL	02_076, Kinning Park
CONSERVATION AREA	Saint Vincent Crescent	LISTED	
ADVERT TYPE	Contrary to Development Plan Affecting a Conservation Area/Listed Building Bad Neighbour Development	PUBLISHED	
CITY PLAN			

INTRODUCTION

On the 6th of November 2020 the Planning Applications Committee voted for the approval of the above Application, subject to a referral to the Scottish Government as required by the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.

As this decision was contrary to the recommendation of Planning and Building Standards the Planning Applications Committee requested that planning conditions be prepared to be attached to the referral.

In response to that request, DRS Planning and Building Standards met with the Chair and Vice Chair of the Planning Applications Committee who set out the matters that Committee wished to see addressed via condition. Following that discussion DRS Planning and Building Standards, as instructed, compiled the below list of standard conditions for the Committees deliberation however no conditions have been included that could either be considered to conflict with the decision of the Committee on the 6th of November or with the established position of the Council's professional planning staff regarding the application.

The Committee Report as presented on the 6th of November 2020 is also appended below for reference.

CONDITIONS

01. Before any work on the site is begun, a comprehensive site investigation for ground contamination shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The investigation of potentially contaminated sites – Code of Practice" (BS10175:2001). The investigation report shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN 33 Revised 2000 Development of Contaminated Land. Where a risk assessment identifies any unacceptable risk or risks, it shall include a detailed remediation strategy. The approved remediation works shall be carried out prior to the commencement of development on site other than that required to carry out remediation.

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

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

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

03. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

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

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

- (b) A ventilation and filtration system incorporating at least the following elements shall be installed and operational before the use commences. The elements to be included are:
- (i) Canopies - A canopy (or canopies) shall be located above all cooking appliances.
 - (ii) Air Flow - The canopy face velocity shall be not less than 0.5 m/s.
 - (iii) Primary Grease Filtration - Labyrinth (baffle) grease filters shall be installed within the canopy or canopies.
 - (iv) Air Input – An air input system shall be provided by means of a pleated inlet filter, supplying clean filtered air equivalent to at least 80% 'make-up' of the extracted air.
- (c) A maintenance/management scheme for the ventilation and filtration system, including all aspects referred to in (a) and (b) above shall be submitted to and approved in writing by the planning authority before the use commences and shall be implemented as approved for the duration of the use.
- (d) Mechanical and electrical installations shall be arranged to ensure that the ventilation system is in operation during periods when the premises are open for the preparation and/or cooking of food.

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

05. Before any work on the site is begun, details of refuse and recycling storage areas and bins shall be submitted to and approved in writing by the planning authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: To ensure the proper disposal of waste and to safeguard the environment of the development.

06. Before any work on the site is begun, a maintenance schedule for the landscaping scheme/open space, and details of maintenance arrangements, including the responsibilities of relevant parties, shall be submitted to and approved in writing by the planning authority.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

07. The minimum depth of topsoil shall be 150mm for grass areas, 450mm for shrub areas and 900mm for trees on clean subsoil free from builder's rubble and other deleterious materials. Topsoil shall be free from pernicious weeds and shall have a pH value of approximately 7.0.

Reason: To ensure that favourable conditions are created for survival of the planting.

08. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

09. External materials shall comply with the requirements for materials set out in Glasgow City Plan 2 policy DES 1 Development Design Principles.

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

Drawings

The development has been approved in relation to the following drawing(s)

1. AL(0)1000 – Amended Location Plan Received 19 December 2019
2. AL(0)050 – Amended Site Plan As Proposed Received 19 December 2019
3. AL(0)100 – Ground Floor Plan Received 27 November 2019
4. AL(0)101 – First Floor Plan Received 27 November 2019

5. AL(0)102 – Typical Floor Plan Received 19 November 2019
6. AL(0)107 – Seventh Floor Plan Received 27 November 2019
7. AL(0)200 – Proposed Elevations Received 27 November 2017
8. AL(0)210 – Proposed Elevations 2 Received 27 November 2017
9. AL(0)250 - Proposed Sections Received 27 November 2017

ADVISORY NOTES TO COUNCIL

01. This application has been identified as being either a departure or potential departure from the development plan. All third party objectors require to be notified of the decision and the reasons for it.
02. This application requires to be notified to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009. (NOTDIR)

for Executive Director of Development and Regeneration Services

DC/ DRU/
16/03/2020

BACKGROUND PAPERS

The below report was presented to the Glasgow City Council Planning Applications Committee on the 6th of November 2020.



PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Regeneration and the Economy

Contact: David Russell Phone: 0141 287 6034

APPLICATION TYPE	Full Planning Permission		
RECOMMENDATION	Refuse		
APPLICATION	19/03487/FUL	DATE VALID	19.12.2019
SITE ADDRESS	Site To The West Of 120 Govan Road Glasgow		
PROPOSAL	Erection of hotel with associated uses (Sui Generis), access, car parking and landscaping: potentially contrary to Policy CDP 3: Economic Development of the Glasgow City Development Plan 2017.		
APPLICANT	Pacific Quay Developments (Glasgow) Ltd c/o agent 177 West George Street Glasgow UK G2 2LB	AGENT	Iceni Projects Ltd Pamela Turner 177 West George Street Glasgow UK G2 2LB
WARD NO(S)	05, Govan	COMMUNITY COUNCIL LISTED	02_076, Kinning Park
CONSERVATION AREA			
ADVERT TYPE	Contrary to Development Plan Affecting a Conservation Area/Listed Building Bad Neighbour Development	PUBLISHED	
CITY PLAN	Residential		

REPRESENTATIONS/ CONSULTATIONS

Letters of representation – The application has received 13 public comments within the various periods. Of those comments 12 are in support of the proposals, including a representation from Cllr Stephen Dornan one of the local ward members.

The grounds of support are as follows;

1. The proposed hotel will absorb some of the people currently using short-term provision through AirBnB which causes a whole myriad of problems for local residents and communities.
2. The riverside restaurant terrace and rooftop bar offer good facilities for the general public and local businesses
3. The land has been vacant and undeveloped for many years despite marketing for office development.
4. The economic regeneration of a redundant site would be a positive addition to the area and should be a material consideration in the determination of the planning application
5. The council has stated its desire to see more hotel beds in the city
6. The proposal would deliver leisure and social facilities that the area is in dire need of.
7. Office space is included within the development
8. Hotel operators are interested in the site

The neutral representation raised the following issue;

1. STV require a commitment from the developer towards the maintenance and upkeep of the access road, currently the sole responsibility of STV.

Consultation Responses

DRS also received the following consultation responses to the application;

NS Strategic Flooding – Objection. Site represents development within the functional flood plain and is contrary to City Development Plan policy on Flood Risk. Proposal is unacceptable in principle.

Scottish Environmental Protection Agency (SEPA) – Objection. Objection due to a material risk of flooding. Site lies within the Functional Flood Plain (FFP) of the River Clyde and proposed hotel development will increase flood risk on this site and elsewhere within the FFP and as such is contrary to national guidance on flood risk.

Scottish Natural Heritage – No comment (does not meet the threshold at which they engage in the planning process).

SITE AND DESCRIPTION

The application site is an area of stone setts on the South bank of the River Clyde (the east side open and the west side part of the landscaped, lit space forming the setting of adjacent buildings), a section of cleared ground adjacent to the Four Winds listed building and an unnamed access road connecting the site to Pacific Drive. The site lies within the Pacific Quay area and is positioned between the STV Building to the East, the Scottish Criminal Record Office building and Category A listed Four Winds pavilion to the West (a former hydraulic power station for Prince's Dock) and the River Clyde and Clyde Walkway to the North. The access road connecting the site to Pacific Drive is not adopted. The site excludes the Clyde Walkway which, although badly in need of upgrading at this location, is therefore outwith the scope of this application.

The majority of the application site is protected open space and classed as 6.9 Civic Space on the PAN 65 Map with a rectangular section of landscaped space with semi-mature trees being classed as 6.3 Amenity Greenspace.

The site lies within the Creative Clyde SEIL as set out in both Clydeplan and Glasgow City Plan 2. The site also lies within the Creative Clyde Enterprise Area as designated by the Scottish Government in 2012. The Creative Clyde Enterprise Area remains Glasgow's only Enterprise Area.

The last use of the site was as the location for a temporary studio for the Glasgow Commonwealth Games in 2014 (14/00058/DC – Erection of temporary broadcasting studios and ancillary buildings, boundary screening and formation of new vehicular access).

PROPOSAL

The applicant's proposal is to erect an eight storey hotel on the site with ancillary bar, restaurant and office/meeting space. The hotel building takes up almost the full width of the northern part of the site with space for the walkway and landscaping to the north and a landscaped strip to the south. At the eastern end a dry swale is formed with some sloped landscaping to resolve the level difference with adjacent sites. The building has strong east west orientation and the floorplate is approximately 63m wide by 16m deep, with a two storey cantilever at the east end of the building where a Scottish Water asset traverses the site. The existing spine road is to be extended into the civic space to form a vehicular turning circle and the southern part of the site set out as a vehicular car park with space for 20 vehicles (including 3 accessible spaces).

The proposed hotel has 150 bedrooms spread across 5 floors and sandwiched by office/meeting space and a gym on the 1st floor and a rooftop bar/terrace and large plant area on the top floor. The ground floor contains the reception, lounge, restaurant, kitchen and back of house areas.

The existing public realm to the west is to be converted into a vehicle turning circle for pick up/drop off of guests and a lay-by formed to the west of the main entrance. The car park (shown unsecured on the plans) is in the triangular section of ground to the south with the cycle parking and an electrical substation being located at the far southern end of the car park.

PRE-APPLICATION DISCUSSIONS

Pre-application discussions have been held over several years regarding a hotel use on this site with DRS Planning senior management and confirming to the planning agent in writing (albeit for a different client) in March 2017 that they had failed to make the case for a policy exception on this site (that would permit a hotel use). In the run up to the current proposal there has been no detailed pre-application discussions on the specifics of the building or layout as DRS Planning had already made their position on the proposed use clear to the planning agent and in such circumstances (where a use is unacceptable in principle) we do not then engage in discussions on the design and detail of the built form. We advised the applicant, via their agent, of this position in August 2019 when approach again for pre-application discussions on the site.

POLICIES

Clydeplan

Policy 5 – Strategic Economic Investment Locations

Policy 16 – Improving the Water Quality Environment and Managing Flood Risk and Drainage

Specifics

Glasgow City Plan 2

CDP 1: The Placemaking Principle

CDP 3: Economic Development

CDP 5: Resource Management

CDP6: Green Space and the Green Network

CDP 7: Natural Environment

CDP 8: Water Environment

CDP 9: Historic Environment

CDP 10: Meeting Housing Needs

CDP 11: Sustainable Transport

SG 1: The Placemaking Principle

IPG 3: Economic Development

SG 5: Resource Management

IPG 6: Green Space and the Green Network

SG 7: Natural Environment

SG 8: Water Environment

SG 9: Historic Environment

SG 10: Meeting Housing Needs

SG 11: Sustainable Transport

Scottish Planning Policy 2014

SEPA Guidance

Land Use Vulnerability Guidance February 2018
 Technical Flood Risk Guidance for Stakeholders May 2019

The Flood Risk Management (Scotland) Act 2009

SPECIFIED MATTERS

Planning legislation requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report.

The remainder of the information, and a response to each of the points to be addressed, is detailed below.

A. Summary of the main issues raised where the following were submitted or carried out

- i. **an environmental statement**
Not applicable. Proposal is neither Schedule 1 nor Schedule 2 development.
- ii. **an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994**
Not applicable.
- iii. **a design and access statement.**
Submitted with the application, considered in the below assessment.
- iv. **any other report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)**
Reports submitted include: Flood Risk Assessment; Drainage Impact Assessment; Transport Statement; Pre-application Consultation Report; Geo-Environmental desk-top Study Report; and Statement on Energy;

B. Summary of the terms of any Section 69 planning agreement

Not applicable.

C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable Scottish Ministers to give directions

- i. **with regard to Environmental Impact Assessment Regulations (Regulation 30)**
Not applicable
- ii. **1. requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)**
Not applicable
 - 2. restricting the grant of planning permission**
The Town and Country Planning (Notification of Applications)(Scotland) Direction 2009 specifically restricts the granting of an application by a local planning authority where an objection on flooding grounds has been received from the Scottish Environment Protection Agency has been received, as is the case with this application. As such rather than issuing an approval the Planning Application Committee, should it be so minded, can only agree to notify the application to Scottish Ministers under the procedure set out under the 2009 direction.
- iii. **1. requiring the Council to consider imposing a condition specified by Scottish Minister**

Not applicable

2. requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either imposed or need not be imposed.

Not applicable

ASSESSMENT AND CONCLUSIONS

Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (As subsequently amended) require that planning applications be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

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

In terms of this application therefore, the determining issues are considered to be:

- i) whether the proposals accord with the provisions of the Development Plan, and
- ii) whether the proposals are appropriate having regard to the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- iii) whether material considerations warrant a departure from the development plan.

i) DEVELOPMENT PLAN POLICY CONSIDERATIONS

In respect of i), the Development Plan consists of The Clydeplan Strategic Development Plan 2017 and the adopted Glasgow City Development Plan 2019. The policy impacts are outlined below.

Clydeplan 2017

Policy 5

Strategic Economic Investment Locations

The Strategic Economic Investment Locations (SEILs) set out in Schedule 3 and Diagram 4 are the city regions strategic response to delivering long-term sustainable economic growth. To support the Vision and Spatial Development Strategy, Local Authorities should

- *safeguard and promote investment in the SEILs to support their dominant role and function and to address the opportunities/challenges as identified in Schedule 3. This may include providing opportunities for the expansion or consolidation of these locations, where appropriate; and,*
- *identify the locations and circumstances when other uses commensurate to the scale of the SEILs non-dominant role and function will be supported. The Implementing the Plan and Development Management section of the Plan should be taken into account when considering non-dominant role/function uses within the SEILs.*

Creative Clyde Enterprise Area (Incorporating Hydro/SECC and Pacific Quay)

Creative and digital industries; visitor economy. This location provides development opportunities on both banks of the River Clyde. On the south bank, its Enterprise Zone status provides incentives to encourage further development for businesses operating within the creative and digital industries, as

will the improved accessibility provided by Fastlink. City Deal investment will provide improvements in pedestrian/cycle accessibility.

The Scottish Enterprise masterplan seeks a range of complementary uses such as retail, leisure, and residential, in order to create a night-time economy. Visitor economy activity is focused on the Science Centre. On the north bank, the Hydro/SECC is an established high quality location which focuses on visitor economy, including business tourism.

Comment: The application site is on the southern bank of the River Clyde, in an area designated for further development of businesses operating within the creative and digital industries. It is outwith the Scottish enterprise Masterplan boundary (which in any event, has now expired) and both Clydeplan and the Council have sought to direct hotels and other business tourism uses to the northern part of the SEIL. Approval of the proposal would fail to safeguard the site for investment in the SEILs dominant role, namely industry and business development associated with creative and digital industries. Other than the Science Centre

Policy 16

Improving the Water Quality Environment and Managing Flood Risk and Drainage

To support the Vision and Spatial Development Strategy and to achieve the objectives set out in paragraph 8.28 Local Development Plans and development proposals should protect and enhance the water environment by

- adopting a precautionary approach to the reduction of flood risk;*
- supporting the delivery of the Metropolitan Glasgow Strategic Drainage Plan;*
- supporting the delivery of the Glasgow and the Clyde Valley Green Network; and,*
- safeguarding the storage capacity of the functional floodplain and higher lying areas for attenuation.*

Comment: The site lies within the functional flood plain of the River Clyde and both SEPA and Neighbourhood Services - Strategic Flooding have objected to the proposals on the grounds of increased flood risk. Clydeplan requires that the Council take a precautionary approach to the reduction of flood risk and that we safeguard the storage capacity of the functional floodplain. Approval of this proposal would do neither and the proposal is contrary to Policy 16 of Clydeplan (adopted July 2017)

City Development Plan 2017

Policy CDP 1: The Placemaking Principle aims to improve the quality of development taking place in Glasgow by promoting a design-led approach. It advises that in order to be successful, new development should aspire to achieve the six qualities of place as defined in draft Scottish Planning Policy, and reinforced by Creating Places and Designing Streets.

- It is distinctive;*
- It is safe and pleasant;*
- It is easy to move around and beyond;*
- It is welcoming;*
- It is adaptable; and*
- It is resource efficient.*

CDP 1 also advises that the associated supplementary guidance SG1 will provide guidance to promote the overarching Placemaking Principle specifically it offers guidance on Amenity, Energy Efficient Buildings, Public Realm, Waste Storage, recycling and collection and detailed design guidance on building materials.

Supplementary Guidance SG1: The Placemaking Principle offers the following guidance which is applicable to this development proposal;

Cultural Heritage

- 1.3 *As outlined in SG1 - Placemaking, Part 1 and SG9 - Historic Environment, in terms of the development process, it is essential that there is a full understanding, appreciation and interpretation of all the City's historic and cultural assets and their wider settings.*
- 1.5 *The cultural, social, environmental and economic value of the City's heritage should be maximised in order to ensure that it continues to make a major contribution to Glaswegians well-being and to the City's continued economic success.*
- 1.9 *In order to achieve the aims outlined above, applicants and developers will be encouraged to demonstrate that sufficient research has been undertaken in relation to their site's historic assets, both in terms of the tangible and intangible heritage, where appropriate. In addition, there may be a further requirement to demonstrate that proposals have acknowledged, respected and interpreted the value of a site's historic assets and have meaningfully contributed towards an enhanced understanding of the asset.*

Energy Efficient Buildings

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

Building Materials

- 5.2 *The variety of materials, colours and textures seen throughout the City's built environment contributes to the overall character and attractiveness of Glasgow's commercial and residential districts, as described in SG 1 - Placemaking, Part 1. All new development will be expected to respect and enhance Glasgow's existing identity and character through its overall design, the choice of materials and the way in which these materials are used.*
- 5.3 *It is expected that all new development, depending on the nature and scale of the development, will:*
- a) employ high quality facing and roofing materials that complement and, where appropriate, enhance the architectural character and townscape quality of the surrounding area;*
 - b) use robust and durable materials that fit their context and are capable of retaining their appearance over time and in Glasgow's climate; and*
 - c) acknowledge the local architectural and historic context through the use of appropriate materials.*

Public Realm

- 6.6 *In order to improve the quality of the public realm throughout the City, whilst strengthening Glasgow's unique character and sense of place, new public realm improvements will be expected to be designed with boldness, simplicity of style and elegance, whilst providing inclusive, healthy and safe places for citizens to enjoy.*

- 6.7 Layout and Design - In addition to the broad open space requirements described in SG1 - Placemaking, Part 1, all proposals for public realm works should:
- a) *improve the provision, layout and comfort of spaces for pedestrian, and where appropriate, cycle flows, taking cognisance of the needs of people with a visual and/or mobility impairment, whilst retaining good accessibility for public transport and other essential vehicles, see also SG1 – Placemaking, Part 2, Detailed Guidance - Inclusive Design;*
 - b) *display an integrated approach to the design and siting of street furniture;*
 - c) *ensure public artworks and street furniture are installed out of the line of pedestrian and cycle flows, and do not obstruct main shopping thoroughfares, or cause a hazard to people with a visual and/or mobility impairment;*
 - d) *respond to cues found in the architecture, public realm and cultural history of the surrounding area, see also SG1 - Placemaking, Part 1, Site and Area Analysis;*
 - e) *incorporate tree planting and soft landscaping, wherever possible, see also SG6 - Green Belt and Green Network;*
 - f) *integrate sustainable drainage solutions, which slow the release of rain waters to the sewer system, see also SG8 - Water Management,*
 - g) *take account of future mass transit proposals, where appropriate (including provision for maintenance and electrical hazard zones); and*
 - h) *be designed to minimise the maintenance burden by using materials that are hardwearing and easy to replace, see also SG1 - Placemaking, Part 2, Detailed Guidance - Building Materials.*
- 6.8 *Any improvement to the public realm must find a successful balance between promoting best practice in contemporary design and retaining a harmony with the City's historic environment. This should enable high quality schemes where the design, materials and specification are appropriate to the specific context and location.*
- 6.10 *New public realm proposals should:*
- a) *use a selective palette of good quality robust materials to provide a unifying theme and add a distinctive sense of identity to the locality; and*
 - b) *retain and repair historic street surfaces including setts, paving, and whinstone or granite kerbs across entire streets, lanes or footpath widths (exceptions may be considered where these involve modifications to improve accessibility, for example for wheelchairs)*
- 6.12 Safety and Security - *Proposals for new public realm or proposals that involve upgrading existing public realm will be expected to incorporate crime prevention and community safety measures within the overall layout and design. Using 'Secured by Design' principles, proposals will be expected to provide natural surveillance, visibility and appropriate levels of lighting to help contribute to a safe and secure environment whilst respecting the surrounding context and maintaining pedestrian and cycle permeability, see also SG1 – Placemaking, Part 2, Detailed Guidance - Community Safety.*

Waste Storage, Recycling & Collection

- 7.1 *All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City's wider placemaking objectives, see also SG 1 - Placemaking, Part 1. All waste/recycling areas must be located discreetly, so as to have no*

adverse visual impact or cause traffic/noise nuisance to neighbours. Applicants must provide full details of the provision for waste storage, recycling and collection in the initial submission for planning permission.

Comment: The proposed building detrimentally impacts upon the setting of the category B listed trade winds building and is inappropriate with regards to the cultural heritage guidance in the above policy. The scale and position of the building is such that from the walkway and the north bank of the River Clyde the listed pump station building will be lost entirely obscured from view. What views remain will be dominated by the height of the hotel slab towering above the pumping station tower (currently the highest object between the BBC building and the Clyde Arc). This is discussed in further detail under CDP 9 & SG 9 later in this report. The proposed building materials are pre-cast concrete panels, a glazed curtain walling system at the ground and first floors with aluminium framed glazing and grey PPC Aluminium cladding on the upper floors. There is no explanation in the design statement as to why these materials have been chosen for this location nor how they relate to the surrounding sites and listed buildings. The pre-cast concrete is not an existing material in the surrounding context and it is unclear why the applicant considers it to be appropriate given the existing listed buildings are brick and the contemporary office buildings (disclosure Scotland and STV) primarily a mix of glazing and metal cladding systems. The submitted design and access statement does not assess the materiality of the surrounding area and simply states that the design uses “*a high quality, robust materials palette which acknowledges the buildings riverside setting*” without providing any context or justification. It should be noted that the applicant submitted correspondence with Scottish Water which discloses that the reason the building cantilevers at the eastern end it due to the presence of Scottish Water infrastructure

With regard to the public realm proposals, the applicant is proposing to build over a significant section of existing public realm to both construct their building and their soft landscaping. A large part of the public realm that remains they intend to utilise as a vehicular turning circle for their vehicle pick up and drop off at the proposed hotel. The applicant has recognised the status of the public realm, (and indeed the majority of the site) as protected open space yet their proposal to build over the existing public realm and utilise a large section of it for vehicle movements is directly contrary to the City Development Plan aspirations for such land. No detailed justification for this has been put forward by the applicant and the impact upon the setting of the category A listed building from the loss of this space is significant. Approached with sensitivity and an understanding of the characteristics and history of the space, there would have been an opportunity to improve on the existing public space and benefit not just the application proposals but also the adjacent buildings. Unfortunately, the applicant’s desire to build as large a floorplate as possible in the northern part of the site has led to the very unsympathetic proposals in front of us which not only fail to enhance the public realm but also reduce it both in size (building across over 300m² of it) and quality (utilising a large portion of the remainder for vehicular turning to service the hotel rather than as a dedicated public space). In terms of waste storage and recycling, no details have been proposed in the submission, contrary to SG 1, and the drawings do not detail any refuse storage arrangements (the planning statement advises you to check the drawings which don’t detail any arrangements and the management statement advises that refuse will be collected via an external bin store in the service yard, despite the proposals not including one). The applicant has therefore failed to demonstrate that the development includes appropriate and well designed provision for waste storage recycling and collection.

Policy CDP 3: Economic Development aims to promote the creation of economic opportunity for all of the City’s residents and businesses and encourage sustained economic growth. The Policy goes on to advise that the plan will support development proposals which safeguard the City’s SEILs for Industry and Business Uses. CDP 3 states that the associated supplementary guidance SG 3 will support the above policy and include advice on SEILs and Areas of City-Wide Economic Importance. The site lies within the Pacific Quay/Creative Clyde Enterprise Area SEIL.

Supplementary Guidance IPG3: Economic Development sets out the following guidance with regards to SEILs and proposals for non-conforming uses within SEILs

2 Strategic Economic Investment Locations (SEILs) and Areas of City Wide Economic Importance (ACWEIs)

- 2.1 *The Council’s Economic Development strategy aims to foster businesses and industry by supporting and directing key growth sector development in the city. In particular the Economic Strategy (2016) seeks to attract, invest and grow in the Food and Drink, Financial and Business Services, Life Sciences, Energy, Tourism and Creative Industries Sectors. In doing so, the City*

aims to meet the Scottish Government's objectives of investing in people, infrastructure and assets, fostering innovation, enabling international opportunities and promoting inclusive growth in order to prioritise sustainable growth, increasing competitiveness and tackling inequality.

- 2.2 *Clydeplan, the Strategic Development Plan for the Glasgow and the Clyde Valley city-region, identified various Strategic Economic Investment Locations (SEILs). These are considered vital locations in delivering economic development in the key sectors identified by the Scottish Government. Glasgow has six SEILs within the city boundary (see map). The Strategic Development Plan identifies that SEILs are areas which will support the long term vision of a rebalanced low carbon economy, while at the same time boosting competitiveness and tackling inequality. They promote Scottish Government's key economic sectors, Scottish Enterprise's locational priorities, and are in sustainable locations.*

Strategic Economic Investment Locations (SEIL) and Areas of City Wide Economic Importance (ACWEI) outside the City Centre

- 2.7 *These locations benefit from a number of advantages which contribute towards their strategic importance to the City. The high quality of their existing businesses and physical environment, their accessibility to transport infrastructure, and their alignment with the Scottish Government's economic priorities, all combine to make them attractive to existing, incoming and relocating businesses.*
- 2.8 *The Council will:*
- (i) safeguard these areas principally to meet the requirements of key economic sectors; and*
 - (ii) support development proposals within Use Classes 4, 5, 6 and appropriate ancillary uses.*
- 2.9 *The Council will support investment in SEILs and ACWEIs (see map which:*
- (i) is consistent with the Scottish Government/ Glasgow Economic Leadership and Glasgow City Council key economic sectors;*
 - (ii) improves infrastructure, environment and operating conditions;*
 - (iii) provides suitable sites and premises to attract incoming businesses;*
 - (iv) provides suitable sites and premises to accommodate relocating businesses, from elsewhere in the City; and*
 - (v) is compatible with existing uses.*

Alternative Uses

- 2.10 *The locational and environmental advantages offered in these areas also make them attractive to other uses, such as retail, commercial leisure and housing. The Council will resist encroachment of uses which would undermine the attractiveness and viability of the areas and weaken the City's ability to retain and attract investment.*
- 2.13 *In order to protect the status of these locations, the Council will:*
- (i) generally resist uses outwith Classes 4 'Business', 5 'General Industrial' and 6 'Storage or Distribution', of the Town and Country Planning (Use Classes)(Scotland) Order 1997.*
- 2.14 *Ancillary facilities that support industrial and business uses may be permitted where they enhance the attraction and sustainability of the area for industrial and business investment. Such facilities should be of a scale that is aimed primarily at meeting the needs of businesses and employees within the EDA.*

Comment: The proposed hotel use does not fall within use class 4, 5 or 6 and, as set out in 2.13 above, and policy states that the Council will generally resist such proposals. The applicant has therefore sought to argue that the hotel use will benefit the area and constitute "ancillary facilities that support industrial and business uses" and are

at “a scale this is aimed primarily at meeting the needs of businesses and employees”.

DRS Planning have been approached for non-conforming uses several times at Pacific Quay in the last 10 years. Indeed the 2012 Scottish Executive Masterplan (now expired) proposed a variety of enabling development to attract further industry and business floorspace. Since 2012 the Council has approved two separate hotels (totalling 354 bedrooms) and a residential development of 203 new dwellings in the area all on the principle that it was enabling development. None of this ancillary, enabling development has led to new Industry and Business proposals.

Similarly, whilst you can argue that the one hotel is primarily aimed at meeting the needs of businesses and employees within the EDA, such an argument makes little sense when there are already 2 hotels in the SEIL totalling 354 bedrooms. In the view of the local authority, with the availability of development sites in the SEIL which could accommodate industry and business uses dwindling, there is no scope to accommodate further non-conforming uses within the southern section of the Creative Clyde SEIL. No information has been submitted to show why the existing six office buildings within the SEIL (BBC Scotland, the Hub, STV, BiP Solutions, Disclosure Scotland and Malin Marine) generate enough employee demand for a third hotel.

It should also be noted that, on the north bank of the Clyde where GCC is promoting entertainment and tourism uses and the land is not protected for Industry and Business Use, 3 new hotels have been consented and constructed in the last few years so there are now 6 hotels completed or under construction in the northern part of the SEIL boundary and 8 across the full SEIL area. Any argument that the additional hotel rooms are therefore required to meet the needs of businesses and employees within the SEIL does not withstand much scrutiny.

The applicant has submitted additional information setting out material considerations as to why the non-compliance with the above policy should be disregarded in any decision. Primarily this focuses upon the economic benefits of the hotel development (45 permanent jobs created) and the lack of interest in an office development on the site. Whilst the additional jobs created are of course always considered a positive development, it has to be weighed against the policy considerations set out above. Glasgow has a lot of sites where we would encourage a 150 bedroom hotel and the jobs it would bring, it does not have a lot of sites within a SEIL and an Enterprise Area that are protected for Industry and Business use.

The information submitted to demonstrate active marketing of the site for the last 25 years is lacking in detail. The submitted letter from CBRE confirms that active marketing of the application site took place in 2015 but do not highlight any details of that marketing, or indeed details of any marketing in the 20 years preceding that date. The letter from JLL advises that the site was marketed as part of the owners wider holdings at Pacific Quay in 2006, 2011 and 2013 but again no details of the marketing exercise are forthcoming (although JLL do confirm that the site was “given a lower marketing focus” compared to adjacent sites within their client’s ownership). Whilst both letters provide views on the viability of the site for office use in the current market, neither provides enough detailed information on how the site has been marketed in the past to demonstrate that the long-term vacancy is a result of a lack of interest from office occupiers.

In summary, after taking the above policy criteria, the submitted information on the economic benefits of the proposal and the information on the marketing of the site into account, the proposal is considered to be contrary to Policy CDP 3 – Economic Development and IPG 3 – Economic Development of the Glasgow City Development Plan.

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

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

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

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

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

- 4.6 *A Statement on Energy will be required to support all applications to which this policy applies (for exceptions see paragraph 4.8). Further information on the requirements of a Statement on Energy can be found in Section 7.*
- 7.2 *A Statement on Energy shall include:*
- *LZCGT feasibility report (including a summary of LZCGTs considered and a justification for the chosen technologies, including a consideration of design and visual impact);*
 - *A SAP/SBEM calculation output showing a compliant DER/BER with LZCGT included;*
 - *A SAP/SBEM calculation output indicating the DER/BER with the renewables removed allowing the percentage reduction due to renewables to be calculated;*
 - *An explanation of key energy efficient design measures implemented, including materials;*
 - *Reductions of CO2 emissions through the use of renewable energy technologies;*
 - *Details of the viability of the installation of new, or connection to existing, District Heating networks as set out in Section 5 of this guidance; and*
 - *Where developments are unable to meet low and zero carbon targets, a clear explanation of the technical and practical constraints of the development. Economic factors alone are unlikely to be accepted as a constraint to the inclusion of low and zero carbon generating technologies in new development. (This would not lessen the applicant's obligation to deliver the LZCGTs needed to meet the requirements of the applicable technical standards).*

Comment: The submitted statement on Energy indicates that the proposals will comply with attain the Gold level required by policy. The use of district heating has not been considered feasible however the applicant is proposing air source heat pumps (ASHPs) to achieve the required 20% carbon dioxide reduction through the use of LZCGT. The other technologies considered suitable on the site were CHP and PV panels however the applicant has chosen to pursue ASHP for this development as it is the most suitable in relation to the energy requirements of a hotel development. The proposal is therefore considered acceptable with regards to policy CDP 5: Resource Management and the related supplementary guidance SG5: Resource Management.

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

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

It advises that the Council will support the retention, as open space, of the categories of open space identified on the Council's Open Space Map. Development that is likely to adversely impact on open spaces identified on the Council's Open Space Map and/or on the existing Green Network will not be supported unless it includes appropriate mitigation, as detailed in associated Supplementary Guidance. The majority of the application site is protected Open Space classed under categories 6.3 – Amenity greenspace and 6.9 – Civic Space on the Council's PAN 65 Open Space Map.

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

- 4.1 *Open space forms a key component of the wider Green Network that includes green (eg parks), grey (eg civic space) and blue (eg burns) spaces and smaller Green Network elements such as green roofs.*
- 4.2 *In accordance with policy CDP6, there is a strong presumption in favour of the retention of the categories of open space shown in Table 3, as identified on the Council's Open Space Map:*

Table 3: Protected Open Space

“Publicly Usable” Categories

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

“Demand-led” Categories

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

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

- 4.3 *There may be some circumstances in which the Council will permit development on open space, including where: for open spaces in a “publicly-usable” category (see Table 3):*
- a) *the open space has little open space value when considered against the relevant criteria of BOX 1/Figure 1. In such circumstances, the Council will expect a contribution towards mitigating the loss of this open space); or*
 - b) *the proposal would be directly related to the current use(s) of the open space and would not adversely impact on its functions; or*
 - c) *the proposal would be brought forward in conjunction with a proposal for an equivalent, or higher quality, new open space to replace that being lost. The replacement space should be in an acceptable location which would better serve local needs; or*
 - d) *it is to be developed in accordance with an approved masterplan that provides for a redistribution of open space to be delivered in line with this IPG and that provides equivalent or enhanced functionality (BOX 1, 2a); for open spaces in a “demand-led” category (see Table 3):*
 - e) *the open space is in a category for which there is no longer an identifiable demand in the City and it has little other open space value (as set out in part 1 of BOX 1).*

BOX 1: OPEN SPACE VALUES

1. *Does, or could, the open space have value:*
 - a) *in providing good access to open space for local people? or*
 - b) *in contributing positively to the setting, character or appearance of the area? or*
 - c) *for nature conservation/biodiversity, landscape or geodiversity (see SG7: Natural Environment)? or*
 - d) *in terms of the connectivity and/or functionality of the Green Network? or*
 - e) *in terms of other important green infrastructure functions – particularly flood management? or*
 - f) *as a means of accessing other open spaces or other facilities for management and maintenance? or*
 - g) *as a site that meets, or could be brought into functional use to help meet demand for outdoor sports or allotments/community growing space) or another need identified in the open space strategy or other Council strategy (eg Local Biodiversity Action Plan, City Centre Strategy or Strategic Plan for Cycling)? or*
 - h) *as civic space, particularly in the city centre or town centres? or*
 - i) *as an important open space to the local community?*

2. *Where the answer to 1. is YES, use of the site for non-open space use is unlikely to be acceptable unless:*
- a) *the site lies within an area that is to be developed in accordance with an approved masterplan or similar planning strategy that provides for the loss of the open space as part of a wider redistribution of open space that will be delivered in line with agreed standards and without detriment to current open space value; or*
 - b) *the proposal would provide for a replacement open space, in the local area, that better serves the local community/enhances the current function/value of the space; or*
 - c) *the proposal would be directly related to the current use(s) of the open space or would not adversely impact on its functions/value.*

Comment: The existing open space has value, particularly the western end of the site where the amenity greenspace area is located and where it forms part of the setting of the Category A listed Four Winds Hydraulic Pump Tower building. This area is publicly accessible, lit and regularly utilised by pedestrians and occupants of the adjacent buildings. The soft landscaping and mature trees also contribute with regards to biodiversity and the wider green network. The fenced off section of site to the east and triangular ground adjacent to the Four Winds building (both classed as civic space on the PAN 65 map) are not as valuable in terms of the criteria however it is difficult to argue, as hard landscaped spaces with high quality stone sett surfaces, that the area adjacent to the river could not have open space value if it was incorporated in a suitable proposal. As the protected open space (taking the site as a whole) is considered to have value, part 2 of Box 1 should be considered. In this instance, the site does not lie within an approved masterplan area or similar strategy that provides for the wider redistribution of Open Space, it does not provide for a replacement open space that better serves the local community or enhances the function of that space and the development would adversely impact upon the functions/value of said open space (particularly at the western end of the site). As such the loss of the existing protected open space is not acceptable with regards to Policy CDP 6 and the associated supplementary guidance IPG 6: Green Network and Green Network

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

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

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

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

2.2

A typical site appraisal should:

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

Comment: The River Clyde is a designated Green Corridor and a city-wide Site of Importance to Nature Conservation (C-SINC). The criteria for assessing the impact of developments on C-SINC's is set out in supplementary guidance SG7 – Natural Environment. The existing site has not been designated of landscape importance however the proximity to the River Clyde means that *where possible we would expect the proposal to seek to enhance biodiversity*. The existing landscaping (the protected open space discussed above) is not being retained nor is the self-seeded vegetation elsewhere on the site. However the landscaped edges around the proposed hotel and the drainage features do, if properly detailed and planted, have the scope to improve biodiversity opportunities around the rest of the site. The proposals are therefore acceptable with regards to Policy CDP 7: Natural Environment and the associated supplementary guidance SG 7.

Policy CDP 8 – Water Environment aims to aid adaptation to climate change, protect and improve the water environment, contribute to the reduction of overall flood risk, make satisfactory provision for SUDS and to meet the requirements of the Flood Risk Management Act (Scotland) Act 2009 and Scottish Planning Policy 2014.

The policy aims to;

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

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

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

And goes on to state;

Development proposed in a functional flood plain is unlikely to be acceptable. Development should only take place in a functional flood plain where it can be designed to be commensurate with potential flood risk, generally without the need to raise or defend land, and where it provides for appropriate compensatory storage. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity. Supplementary Guidance will be brought forward to provide further detail Whilst avoiding development on sites liable to flooding should always be the primary objective, proposals for land raising (work that permanently raises a site above the functional flood plain of a watercourse, or elsewhere if flooding is an issue) will only be considered in exceptional circumstances, including where the developer can demonstrate that this:

1. *would have a neutral or positive effect on the probability of flooding elsewhere;*
2. *would be linked to the provision of compensatory storage; and*
3. *would not create islands of development.*

Comment: The SEPA objection to this application states their view that the overwhelming majority of the proposed building sits within the functional flood plain of the River Clyde. This is a view shared by our colleagues in GCC Neighbourhood Services – Strategic Flooding who have also objected to the application. These views are based upon the use of the only currently approved and agreed flood modelling data that the Council currently possesses, the 2005 River Clyde Flood Management Strategy. It should be noted that whilst the Design and Access statement places this lower part of the site within the Flood Plain, the submitted flood Risk Assessment (FRA) confidently states that the site does not lie within the Functional Flood Plain. This appears to be based solely on SEPA Flood Map information (despite the standard SEPA disclaimer that it cannot be used for this purpose) and is contrary to the positions of both SEPA as national flood authority and GCC Neighbourhood Services as local flood authority. Given that elsewhere in the submitted FRA the approved 2005 RCFMS figures are used when discussing the 0.5% probability, it is unclear why the consultant not then utilised them to calculate the extent of the FFP (something that both SEPA and GCC have done before issuing consultation responses).

The consultation response from SEPA even cautions against relying on the 2005 figures as they are now outdated and the model needs updated. Whilst an interim flood modelling exercise to update the model is being carried out by the local authority, no figures have yet been agreed with SEPA and as such the update has no planning status at this time (although the applicant has nevertheless, without any encouragement from the planning authority, sought to quote levels from this unapproved model to derive finished floor levels for their proposal).

As the proposed building sits within the functional flood plain, the development would have a negative effect on the probability of flooding elsewhere and the applicant has not linked the scheme to the provision of

compensatory storage elsewhere on the site. The development is therefore unacceptable in flooding terms and contrary to Policy CDP 8 – Water Environment of the Glasgow City Development Plan.

Supplementary Guidance SG 8 – Water Environment offers the following guidance regarding development proposals within the Functional Flood Plain;

7. Functional Flood Plain

- 7.1 *The Scottish Planning Policy presumes against land raising within a functional flood plain. Any proposed development within a functional flood plain should be designed to be commensurate with the potential flood risk, set out within Section 6 Flood Risk Assessment, without the need to raise or defend land. Consequently, the majority of development proposed within a functional flood plain (inclusive of fluvial and pluvial flooding) is likely to be inappropriate.*
- 7.2 *Only in exceptional circumstances will land raising or defence of a functional flood plain be considered for new development. Where land raising or land defending has been accepted, equivalent compensatory storage plus 10% must be provided and a drainage impact assessment will be required to demonstrate that there will be no increase in water level of the relevant watercourse. Land raising should not create islands of development.*
- 7.3 *The exceptional circumstances in which the Council may consider land raising or defence of a functional flood plain, in support of new development, include:*
- *Critical infrastructure*
 - *Major regeneration projects*
 - *Recreational facilities (sports fields, golf courses, cycleways etc.)*
 - *Where this would have a neutral or positive effect on the probability of flooding elsewhere.*

8. Surface Water Drainage Strategy

- 8.1 *The creation of a surface water drainage strategy is fundamentally important to the design development for any new development of 5 or more dwellings or introducing a new building of more than 250 sq metres ground floor area. This strategy will set out the key principles of the surface water drainage strategy and demonstrate appropriate spatial planning.*
- 8.2 *The site drainage strategy will require to set out the following:*
- *To which network/waterbody will surface water will be discharged;*
 - *Water quality treatment requirements (Sustainable Drainage Systems (SuDS));*
 - *Strategy to manage in-curtilage, roads and open space drainage;*
 - *Percentage of permeable area within in the development;*
 - *Attenuation requirements;*
 - *Attenuation measures (attenuation measures must take account of permissible underground storage limits contained within Table 1); and*
 - *How the design has taken account of placemaking principles, including:*
 - *how the design of the development responds to SUDS, including good development frontage onto SUDS which delivers surveillance and improves safety;*
 - *how the drainage strategy will provide for multifunctional green Infrastructure*

Comment: In terms of flooding, and similar to the comments under CDP 8 above, the Glasgow City Development Plan does not support development within the functional flood plain, especially so in the case of sensitive uses like residential or quasi-residential accommodation. As discussed above with large parts of the northern part of the site below the 0.5% probability figure from 2005, there is nothing to indicate that this part of the site is not part of the FFP.

The developer is proposing land raising across the northern part of the site to create a ground floor podium that will lift the hotel up to 6.75 AOD, approximately 1.8 - 2m above the above the height of the Clyde Walkway at this location. The existing levels of this lower part of the site are all within the 4.7m – 5.0m AOD range. The submitted drawings show this podium as solid structure however the flood risk assessment refers to it as a plant area. Given the lack of any information on a plant area at this level, we have assessed the proposal as a solid development platform raising the site. If the space was occupied by plant, the flood risk situation would likely be considered

even more unacceptable as this lower floor would be at direct risk of flooding. The land raising proposed by the applicant has not been approved by the local authority and there is no compensatory storage plus 10% as required by CDP 8 and SG 8. The proposal does not qualify for any of the exceptions listed in SG 8 section 7.3 above and is therefore directly contrary to policy.

In land use terms SEPA have confirmed that use of the site for a hotel is considered a highly vulnerable use and constitutes an increase in vulnerability as set out in their Land Use Vulnerability Guidance, discussed under Material Considerations below.

With regards to the surface water drainage strategy, the drainage impact assessment has been prepared based on the content of the flood risk assessment and thus, whilst the surface water drainage strategy put forward would normally be considered acceptable for such a proposal, calculations may need to be revisited upon the approval of any new flood risk model on the River Clyde.

Policy CDP 9 Historic Environment aims to ensure the appropriate protection, enhancement and management of Glasgow's heritage assets by providing clear guidance to applicants. It advises 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. The Council will assess the impact of proposed developments and support high quality design that respects and complements the character and appearance of the historic environment and the special architectural or historic interest of its listed buildings, conservation areas, scheduled monuments, archaeology, historic gardens and designed landscapes and their settings. The Council is unlikely to support development that would have a negative impact on the historic environment.

It states that guidance for the Historic Environment will be set out in the relevant supplementary guidance.

Comment: The proposed development detrimentally impacts upon the setting of the Category A listed Four Winds Building, a former Hydraulic Pumping Tower and one of the few pieces of historic maritime architecture left in this section of the River Clyde. The impact of the scale and position of the proposed building upon this setting will in turn impact upon the special interest of the listed building, interrupting its visual link to the River Clyde and diminishing the impact of the hydraulic pumping tower (the height of which currently sets the datum for the newer buildings which surround it).

Supplementary Guidance SG 9 – Historic Environment provides guidance on development proposals which impact upon listed buildings or their setting. The guidance also refers to the Historic Environment Scotland document Managing Change in the Historic Environment: Setting for further guidance on how to consider setting as part of the development management process. The relevant sections of SG 9 are set out below;

SECTION D: DEVELOPMENT AFFECTING THE SETTING OF LISTED BUILDINGS AND PROPERTIES IN CONSERVATION AREAS

- 2.147 *In the Glasgow context, where a large number of Listed Buildings are located in urban situations, the setting of one building may be considered to encompass a number of other properties. The setting of an individual Listed Building may often owe its character and distinctiveness to the harmony produced by a particular grouping of buildings (where the merit of each building is enhanced by association with others in the group), not necessarily all of great individual merit and to the quality of the spaces created between them.*
- 2.148 *Where a Listed Building forms an important visual element in a street, any development within that street should be considered as being in the setting of the building. The desirability of preserving and enhancing the setting of existing Listed Buildings and the character of the Conservation Area will always be primary considerations when considering new development. This includes how new development may affect townscape and streetscape.*
- 2.149 *The curtilage of a building will normally form part of the setting but, it is also important to consider land immediately adjacent to, or visible from, the Listed Building:*
- a) *no building of similar or greater scale should be erected close to the main subject of listing;*
 - b) *the principal elevations of the Listed Building should remain visible from all significant viewpoints;*

- c) *the siting, design, scale, form, density and materials of new development should be sympathetic to the main item of listing and its ancillary development; and*
- d) *new development should not restrict or obstruct views of, or from, the Listed Building(s) or rise above and behind the building so that its silhouette can no longer be seen against the sky from the more familiar viewpoints.*

Comment: The Four Winds building is category A listed and a former hydraulic power station which served the Prince's Dock and powered its associated cranes infrastructure in Glasgow's industrial heyday. Built in 1894 for the Clyde Navigation Trust and designed by Burnet, Son & Campbell, the buildings octagonal southern tower was originally over 52m tall before being cut down to its current height of just under 17m in 1927. The accumulator tower on the north remains unaltered and retains its original equipment. The Special Interest of the building lies in both its architecture and its historical connection to the maritime and industrial development of the River Clyde in the late 1800s and the engineering feats associated with that industrialisation.

The proposed building is significantly larger than the listed building that it is adjacent to (19m at its closest point) and the submitted drawing AL(0)210 Proposed Elevations Contextual illustrates just how much the proposal will obscure the Four Winds building and its accumulator tower from the river (No existing site elevations were submitted). Whilst the Design and Access statement identifies the listed building, and its proximity to the development, no analysis of setting or assessment of the impact of the proposal on the listed building appears to have been submitted. The submitted planning statement also references the building however it again, with no analysis of setting or the special interest of the building, concludes that it will not crowd or obscure the principal elevations and will in fact enhance the setting of the listed building. This is an unusual conclusion to reach given the impact upon the public realm (building over a significant proportion of it and turning most of the remainder into a vehicle turning circle) and the obscuring of the north elevation of the listed building and is directly contrary to the position of the planning authority. To summarise, with regards to paragraph 2.149 above, the proposal fails all 4 of the criteria in the statutory supplementary guidance and is therefore contrary to the City Development Plan.

Policy CDP 10: Meeting Housing Needs aims to ensure that the City's growing population has access to a choice of housing of appropriate quality and affordability across all tenures. The policy primarily focuses upon new housing and quasi-residential uses however the associated supplementary guidance, as part of its emphasis on short-stay tourist accommodation, does include some guidance on tourist accommodation that can be considered relevant to hotel proposals.

Supplementary Guidance SG 10: Meeting Housing Needs sets out the following with regards to Tourist Accommodation

- 4.1 *Tourist accommodation is wide ranging and can include hotels, hostels, guest houses, bed and breakfast establishments and short-stay serviced apartments. These types of development bring positive economic benefits to the City by providing a base for the hundreds of thousands of tourists that visit Glasgow every year.*
- 4.2 *While the Council supports the promotion of tourist accommodation, there is a need to preserve the character and amenity of established residential areas and Conservation Areas.*
- 4.3 *Due to the diverse range of tourist accommodation on offer, careful consideration must be given to the site, location and design of a development proposal in order to provide high quality accommodation and associated facilities which successfully integrate with the surrounding environment.*
- 4.4 *This Supplementary Guidance applies to all types of tourist accommodation, including new build, change of use and conversion. Additional detailed guidance is provided for guest houses and short-stay accommodation in Sections 4A and 4B respectively.*
- 4.5 *The Council will generally support tourist accommodation:*
 - a) *in locations with active travel routes and a frequent public transport service and with high accessibility;*
 - b) *in locations with good access to shops and services, where these are not provided on site;*

- c) *that can demonstrate that it will not place additional pressure on local amenities and facilities;*
- d) *that can demonstrate there will be no adverse impact on the character and amenity of the area;*
- e) *that can demonstrate there will be no adverse impact on traffic congestion and parking; and*
- f) *that meets the relevant criteria in Section 4A or 4B, where appropriate.*

4.6 *Proposals for tourist accommodation will generally be supported where:*

- a) *it is of a size and scale in keeping with the surrounding environment;*
- b) *it does not introduce an incongruous or visibly intrusive addition to the surrounding area;*
- c) *it does not result in unacceptable intensification of activity, particularly in a predominantly residential building or area;*
- d) *a Management Plan for the development is provided, to the complete satisfaction of the Planning Authority (see Paragraph 4.8 below); and*
- e) *it meets the relevant criteria in Section 4A or 4B, where appropriate.*

4.8 *A Management Plan will be required to support proposals for tourist accommodation. It shall include the following information:*

- a) *Maintenance arrangements, including frequency of cleaning and laundry;*
- b) *Access arrangements for servicing and deliveries;*
- c) *Access arrangements for guests;*
- d) *Arrangements for storage and disposal of waste; and*
- e) *On-site management arrangements.*

Comment: As it relates to this proposal, the hotel addresses many of the criteria set out above satisfactorily. Criteria where the proposal can be considered unacceptable are that it is not in a location with good access to shops and services, it adversely impacts upon the character and amenity of the area (both in terms of the Category A listed building and the loss of protected open space) and in design terms it is a visibly intrusive addition to the surrounding area which is out of scale with adjacent developments. The submitted Management Plan, required by the guidance above, includes sections for all the information required by policy. Unfortunately the document, which refers to a service yard and external bin store enclosures does not align with the detail of the submitted proposals, which include neither. To summarise, the proposal fails to meet the criteria set out in SG 10: Meeting Housing Needs of the Glasgow City Development Plan.

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

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

- The design of new residential areas, interpreting the guidance set out in Designing Streets for the Glasgow context.

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

2. LOCATION OF NEW DEVELOPMENT

2.3

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

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

3. ACCESS AND ACTIVE TRAVEL

3.5

Development should not:

- prejudice the continuity of Core Paths, as defined by the Glasgow Core Paths Plan, or impact adversely on the existing walking/cycling network (including the Cycle Network that will emerge from the refresh of the Strategic Plan for Cycling), particularly routes that are part of the National Walking and Cycling Network; or*
- obstruct or adversely affect a public right of way (including paths that meet the criteria for a right of way at Common Law) unless satisfactory provision is made for its replacement.*

Aspirational Pedestrian/Cycle Link

3.12

A placemaking approach, together with the considerations set out under paragraphs 3.1-3.11 above, should help ensure that opportunities are taken to incorporate enhanced walking and cycling provision in new development. Notwithstanding this, there are some specific locations where the strategic potential of a new route (to overcome barriers to movement on foot/bicycle) is such that it has been identified in CDP11 as an aspirational pedestrian/cycle link. This is intended to highlight the particular importance of delivering such links, as part of a placemaking approach, should new development proposals come forward in these locations. The aspirational links are:

- Clyde Walkway - specifically those areas where a new section or link is required or where an upgrade to the route (including design and alignment) may be beneficial for pedestrians or cyclists;*

4. CYCLE PARKING

4.3

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

- Wherever possible, employee cycle parking should be located within buildings or a secure compound. Where such a location is not feasible, provision should be close to areas of high*

activity, such as the main entrance of developments, to ensure cycling is encouraged through enhanced security provided by passive surveillance.

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

The minimum cycle parking standards for hotel developments are set out below;

Type of Development	Minimum Standard (Customer)	Minimum Standard (Staff)
Hotels, Guest Houses and Bed and Breakfasts	1 space per 10 bed spaces	1 space per 10 staff

* With the growth in cycle tourism, it is important that, wherever possible, hotels, guest houses and bed and breakfasts provide for safe, secure, well-designed and sheltered on-site cycle parking, even where no on-site car parking is to be provided. Where basement or secure, on-site outdoor space isn’t available, provision should be made for storage space on the ground floor or other suitable location within the building.

6. VEHICLE PARKING

The maximum vehicle parking standards for hotel developments are set out below

Type of Development	Public Transport Accessibility Zone (see Annex A)	Maximum Standard (spaces per 100 sqm gross floor area unless otherwise indicated)
Hotels, Guest Houses and Bed and Breakfasts	High Accessibility	1 space per 2 bedrooms

7. ELECTRIC VEHICLES

7.2

Electric vehicles, and associated charging infrastructure, are areas where technology and best practice are evolving rapidly. In addition, there are potential complications for businesses and housing providers (including factors in private residential flatted developments or other residential developments with communal parking arrangements) in managing use of, and access to, electric vehicle charging points. Nevertheless, and reflecting national policy, the Council recognises the potential role which electric vehicles can play in helping meet the Council's ambitions for reducing greenhouse gas emissions, transport noise and, more directly, in addressing air quality concerns. As a result, the Council expects that, in accordance with Table 4, a minimum percentage of the general car parking provided in new development should be in the form of "passive" EV spaces, designed to provide for easy conversion to electric vehicle charging use ("active" spaces), should demand manifest itself.

Comment: The closest core path to the site is the Clyde Walkway, immediately adjacent to the north boundary of the site but not within the red-line boundary. As such, whilst upgrading of the walkway in this location is desirable, it is outwith the scope of this planning application. The vehicular access to the hotel development is via the private service road that connects to Pacific Drive. We understand that this road is not within the control of the applicant and as a private access, a formal legal agreement with the owner will likely be required to ensure that the development can be accessed appropriately. With regards to cycle parking provision the requirement for a 150 bed hotel with 45 staff is 20 spaces. The submitted drawing indicate a cycle parking area however there is no detail of the design of this area. The submitted planning statement advises that 16 cycle spaces will be provided but DRS Transport Planning advise that this is below the minimum standard. In any event, the location of the cycle parking area at the far end of the car park, behind a substation and over 75m from the hotel entrance with no clear pedestrian route does not accord with the policy guidance set out above. With regard to vehicular parking, the 20 spaces proposed are below the maximum standards and this is acceptable in planning terms. The design of the car park however would of course have to be to appropriate standards and the location of the substation, which will require service access, and the cycle parking do raise issues with regards to the car park design. The applicant has included 3 electric vehicle charging spaces in the car park design and this is considered acceptable in policy terms. In summary, the proposal fails to meet the cycle parking requirements of Policy CDP 11 and Supplementary Guidance SG 11 of the City Development Plan.

To summarise, the proposed development is contrary in both principle and detail to numerous policies in both the Strategic Development Plan and the Local Development Plan. Even if there were not development restrictions due to flood risk, the site's SEIL designation and the loss of protected Open Space, the detail of the proposal is also unacceptable. There appears to have been almost no consideration of the impact upon the adjacent category A listed building and issues around scale, mass, building design, servicing, cycle parking and pedestrian safety are also present.

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

With regards to the above legislation, Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act places a duty of care on the Planning Authority in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Historic Environment Scotland guidance note Managing Change in the Historic Environment: Setting (2016) sets out the factors to consider when determining the impact of a change on the setting of a historic asset. These include;

- *whether key views to or from the historic asset or place are interrupted*
- *whether the proposed change would dominate or detract in a way that affects our ability to understand and appreciate the historic asset*

- *the visual impact of the proposed change relative to the scale of the historic asset or place and its setting*
- *the visual impact of the proposed change relative to the current place of the historic asset in the landscape*
- *the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this*

Comment: As discussed under CDP 9: Historic Environment and SG 9: Historic Environment above, the proposed hotel detrimentally impact upon the setting of the Category A listed Four Winds building. Key views of the building are interrupted, the new building would overdominate the former hydraulic power station and the visual impact of the proposed change will negatively impact upon the setting of the listed building. As the proposed development, via its detrimental impact upon the setting, fails to preserve the special character and interest of the Category A listed building, approval of the application would be contrary to the planning authority's duty of care under Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

iii) **MATERIAL CONSIDERATIONS**

With regards to (iii), whether any other material considerations have been raised during the application process to outweigh the provisions of the statutory Development Plan, the representations received are summarised and commented on below. In addition to the letters of representation discussed earlier in this report, the following guidance and documents are also material considerations in the determination of this application for planning permission in principle.

Letters of representation – The application has received 13 public comments within the various periods. Of those comments 12 are in support of the proposals, including a representation from Cllr Stephen Dornan one of the local ward members.

The grounds of support are as follows;

1. The proposed hotel will absorb some of the people currently using short-term provision through AirBnB which causes a whole myriad of problems for local residents and communities.
Comment: There is no relation in planning terms between the proposed hotel and the use of unauthorised short-stay accommodation elsewhere in the city and this is not a material consideration in the determination of this application.
2. The riverside restaurant terrace and rooftop bar offer good facilities for the general public and local businesses
Comment: There are two existing hotels within 250m of the application site which also have restaurant and bar facilities. On the north bank of the Clyde in this location there are a further 6 hotels that also offer similar facilities.
3. The land has been vacant and undeveloped for many years despite marketing for office development.
Comment: The vacancy of the site has been discussed above. The marketing information submitted with the application acknowledges that the site owners prioritised other sites ahead of this one in their marketing exercise and also fails to detail what marketing of the site actually took place.
4. Once complete the hotel will encourage other commercial and retail activity on the south bank of the river.
Comment: It is unclear why the supporter considers that this hotel will encourage commercial and retail activity in and of itself. There are 2 existing hotels in close proximity which put forward the same arguments when approved and to date they only appear to have encouraged further proposals for other non-conforming uses.

5. The economic regeneration of a redundant site would be a positive addition to the area and should be a material consideration in the determination of the planning application
Comment: The economic benefits of the proposal have been considered in the above assessment. Whilst the creation of new jobs is welcome, it cannot be considered to outweigh the real land use planning constraints on this site.
6. The council has stated its desire to see more hotel beds in the city
Comment: This is correct however, as set out below, this goal does not supersede the primacy of the development plan in the determination of planning applications.
7. The proposal would deliver leisure and social facilities that the area is in dire need of.
Comment: To reiterate here are two existing hotels within 250m of the application site. One of which (The De Vere Urban Village) offers a substantial leisure facility compared to the application proposal. This application is not bringing any new planning uses to the area that it is currently lacking.
8. Office space is included within the development
Comment: The hotel proposal includes temporary conference and working space rather than lettable office floorspace.
9. Hotel operators are interested in the site
Comment: This is not a material planning consideration

The neutral representation raised the following issue;

2. STV require a commitment from the developer towards the maintenance and upkeep of the access road, currently the sole responsibility of STV.
Comment: The access road is not adopted and as such is outwith the control of the local authority. Whilst the hotel proposal cannot go ahead without a legal right of access from the adopted road network, subsequent legal issues between land owners regarding access rights, maintenance and upkeep of said access road are outwith the scope of this planning application.

Scottish Planning Policy 2014

The following sections of Scottish Planning Policy are considered relevant to the proposed development and in the context of the supporting information submitted with the application.

93.

The planning system should:

- *promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets;*
- *allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and*
- *give due weight to net economic benefit of proposed development.*

137.

The planning system should:

- *promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its*

contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and

- *enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.*

141.

Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

255.

The planning system should promote:

- *a precautionary approach to flood risk from all sources, including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;*
- *flood avoidance: by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas;*
- *flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and*
- *avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.*

256.

To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

Delivery

258.

Planning authorities should have regard to the probability of flooding from all sources and take flood risk into account when preparing development plans and determining planning applications. The calculated probability of flooding should be regarded as a best estimate and not a precise forecast. Authorities should avoid giving any indication that a grant of planning permission implies the absence of flood risk.

Development Management

264.

It is not possible to plan for development solely according to the calculated probability of flooding. In applying the risk framework to proposed development, the following should therefore be taken into account:

- *the characteristics of the site;*
- *the design and use of the proposed development;*
- *the size of the area likely to flood;*
- *depth of flood water, likely flow rate and path, and rate of rise and duration;*
- *the vulnerability and risk of wave action for coastal sites;*
- *committed and existing flood protection methods: extent, standard and maintenance regime;*
- *the effects of climate change, including an allowance for freeboard;*
- *surface water run-off from adjoining land;*
- *culverted watercourses, drains and field drainage;*
- *cumulative effects, especially the loss of storage capacity;*
- *cross-boundary effects and the need for consultation with adjacent authorities;*
- *effects of flood on access including by emergency services; and*
- *effects of flood on proposed open spaces including gardens.*

265.

Land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area. Compensatory storage may be required.

Comment: Scottish Planning Policy (SPP) is an overarching piece of national guidance designed to inform the Scottish planning process. Its purpose is to set out national planning policies which reflect Scottish Ministers priorities. The two main policies in the document are sustainability and placemaking. Whilst sustainable development is therefore supported by SPP, the latter parts of the document make it clear that proposals which fail to meet the criteria set out with regards to the historic environment and flood risk cannot be considered sustainable. In terms of the Historic Environment, paragraph 141 of SPP advises that special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. As advised above, the submitted application fails to achieve this. With regards to flooding, and as quoted by both SEPA and the Local Authority Flooding response, Scottish Planning Policy does not support development which would have a significant probability of flooding or would increase the probability of flooding elsewhere. Situated on an at risk site within the functional flood plain and proposing a loss of storage capacity via land raising, this proposal meets both those criteria and is therefore, despite the evident economic benefits of job creation, directly contrary to the guidance in Scottish Planning Policy.

Flood Risk Management Act (Scotland) 2009

1 General duty

(1) The Scottish Ministers, SEPA and responsible authorities must exercise their flood risk related functions with a view to reducing overall flood risk and, in particular, must exercise their functions under Part 3 so as to secure compliance with the Directive.

(2) In exercising their functions in pursuance of subsection (1), the Scottish Ministers, SEPA and responsible authorities must—

(a) so far as such exercise affects a flood risk management district, act with a view to achieving the objectives set out in the flood risk management plan for that district

as approved under section 32,

(b) have regard to the social, environmental and economic impact of such exercise of those functions,

(c) so far as is consistent with the purposes of the flood risk related function concerned—

(i) act in the way best calculated to manage flood risk in a sustainable way,

(ii) promote sustainable flood risk management,

(iii) act with a view to raising public awareness of flood risk, and

(iv) act in the way best calculated to contribute to the achievement of sustainable development, and

(d) so far as practicable, adopt an integrated approach by co-operating with each other so as to co-ordinate the exercise of their respective functions.

Comment: Whilst the requirement of the acts are generally dealt with via the application of the relevant policies in the Local Development Plan (CDP 1, CDP 8) and the functions of Glasgow City Council Neighbourhood Services as the statutory Local Flood Authority, it is worth stressing the General Duty that Glasgow City Council has, as a “*responsible authority*” as defined in the Act to reduce flood risk. Support of planning applications which, in addition to being contrary to planning guidance, would conflict with that general duty is not a position which a competent authority can take.

With both the national flooding authority and the local flood authority objecting to the development on flood risk grounds, Glasgow City Council cannot approve the application whilst still abiding by our general duty under section 2 of the Flood Risk Management Act (Scotland) 2009.

SEPA Flood Risk and Land Use Vulnerability Guidance 2018

This guidance aims to aid understanding of the relative vulnerability to flooding of different land uses. The guidance classifies land uses according to how they are impacted by flooding i.e. their relative susceptibility and resilience to flooding. Table 1 of the document classifies a hotel as a category 2 – Highly Vulnerable land use. Table 2 of the document advises that in medium to high risk locations within built up areas (>0.5% AP) such as the application site, Highly Vulnerable Uses are;

Generally not suitable for development unless one of the following apply:

Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use.

Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use.

Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim.

The site is protected by a flood protection scheme of the appropriate standard that is already in existence and maintained, is under construction, or is planned for in a current flood risk management plan.

Comment: SEPA have advised that as a previously developed but currently vacant site, the proposed hotel is considered an increase in land use vulnerability. As such none of the above exceptions apply in this instance and

the site is not considered suitable for development under the above SEPA guidance.

Glasgow Economic Strategy (2016-2023)

The Glasgow Economic Strategy sets out a series of goals that the city hopes to achieve by 2023 with the aim of making Glasgow the most productive major city economy in the UK. Whilst there are targets in the document relating to both job creation and the tourism sector, the strategy also reinforces the primacy of the Glasgow City Development Plan and advises that “*Future planning applications will be determined according to the policies in the CDP*”.

Comment: The applicant has advised that the completed hotel will result in 45 new permanent jobs for the city (figure taken from the management statement as the planning statement says 50 jobs, but is not backed up by a list of posts). They have also advised that the city is generally promoting the delivery of more tourist accommodation as part the above strategy. We do not disagree with either of these points however given that the same strategy advises that applications must be determined in accordance with the City Development Plan, we do not see how aligning with the broader goals of the strategy can be considered enough of a material consideration to set aside any non-compliance with that same City Development Plan.

CONCLUSION

The proposed hotel use is unacceptable in land use planning terms and this was communicated to the planning agents prior to the submission of this application. The principle of developing a site within the functional flood plain is unacceptable in policy terms and has been objected to by both the national and local flooding authorities. Even if the flooding position was different, the restrictions on non-industry and business uses imposed by the SEIL status of the site also means that the principle of hotel use in this location would be unacceptable. Thirdly, placing a building upon protected open space that has value is strongly resisted in principle by the Glasgow City Development Plan so there are three different issues why this application is unacceptable in principle. When considered in detail, the detrimental impact of the scheme on the Category A listed Four Winds former hydraulic power station are also unacceptable as are the various specific policy failures with regards to cycle parking provision, servicing & refuse and the management statement.

Given all of the above the letters of support received and the material considerations highlighted by the applicant are not sufficient to outweigh the developments failure to accord with the development plan and the duties placed upon Glasgow City Council under the Town and Country Planning (Scotland) Act, the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Flood Risk Management (Scotland) Act 1997.

On the basis of the above it is recommended that planning permission be refused for the reasons below. Should the Committee be minded to approve the application, please be aware that due to the objection by a government agency (SEPA) Glasgow City Council cannot determine the application prior to referring the proposal to the Scottish Government as required by the Town and Country Planning (Notification of Applications)(Scotland) Direction 2009.

REASONS FOR REFUSAL

01. The development proposal is contrary to Policy CDP 1: The Placemaking Principle, Policy CDP 3: Economic Development, CDP 6: Green Belt and the Green Network, Policy CDP 8: Water Environment, Policy CDP 9: Historic Environment, Policy CDP 10: Meeting Housing Needs, Policy CDP 11: Sustainable Transport, Supplementary Guidance SG 1: Placemaking Part 2, Supplementary Guidance IPG 3: Economic Development, Supplementary Guidance SG6: Green Belt and the Green Network, Supplementary Guidance SG 8: Water Environment, Supplementary Guidance SG 9: Historic Environment, Supplementary Guidance SG 10: Meeting Housing Needs and Supplementary Guidance SG 11: Sustainable Transport of the City Development Plan 2017 as detailed below. The proposal is also considered to be contrary to Policies 5 and 16 of the Clydeplan Strategic Development Plan 2017 and Scottish Planning Policy 2014.

02. The proposed development, located within the functional flood plain, is generally not suitable for development and the proposal would not minimise flood risk. The site has a significant probability of flooding and its development in the manner proposed would also increase the probability of flooding elsewhere.
03. The proposed hotel use would fail to safeguard the Strategic Economic Investment Location for Industry and Business use as required by the Development Plan.
04. The application site is classed as a Protected Open Space in the Glasgow City Development Plan 2017 and is considered to have open space value under the criteria set out in Supplementary Guidance SG 6 - Green Space and Green Network. The proposed development is not considered to enhance the value of the space and is therefore contrary to City Development Plan policy.
05. By reason of its scale, massing and position, the proposed development fails to preserve the special architectural and historic interest of the Category A listed Four Winds building and detrimentally impacts upon its setting.
06. The proposed development fails to achieve minimum cycle parking standards and does not accord with Glasgow City Council sustainable transport policy and guidance.
07. The applicant has failed to demonstrate that the proposal meets the standards for tourist accommodation set out in the City Development Plan and the associated supplementary guidance.
08. The applicant has failed to demonstrate appropriate and well designed provision for waste storage, recycling and collection as required by the City Development Plan and the associated supplementary guidance.

Drawings

The development has been refused in relation to the following drawing(s)

- 10.AL(0)1000 – Amended Location Plan Received 19 December 2019
- 11.AL(0)050 – Amended Site Plan As Proposed Received 19 December 2019
- 12.AL(0)100 – Ground Floor Plan Received 27 November 2019
- 13.AL(0)101 – First Floor Plan Received 27 November 2019
- 14.AL(0)102 – Typical Floor Plan Received 19 November 2019
- 15.AL(0)107 – Seventh Floor Plan Received 27 November 2019
- 16.AL(0)200 – Proposed Elevations Received 27 November 2017
- 17.AL(0)210 – Proposed Elevations 2 Received 27 November 2017
- 18.AL(0)250 - Proposed Sections Received 27 November 2017

ADVISORY NOTES TO COUNCIL

03. This application has been identified as being either a departure or potential departure from the development plan. All third party objectors require to be notified of the decision and the reasons for it.
04. This application requires to be notified to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009. (NOTDIR)

PLEASE NOTE THE FOLLOWING:

Any Ordnance Survey mapping included within this report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to license Ordnance Survey mapping/map data for their own use. The OS website can be found at www.ordnancesurvey.co.uk

If accessing this report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale.



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

*Head of Planning &
Building Standards:
Forbes Barron*

Reference No: 19/03487/FUL

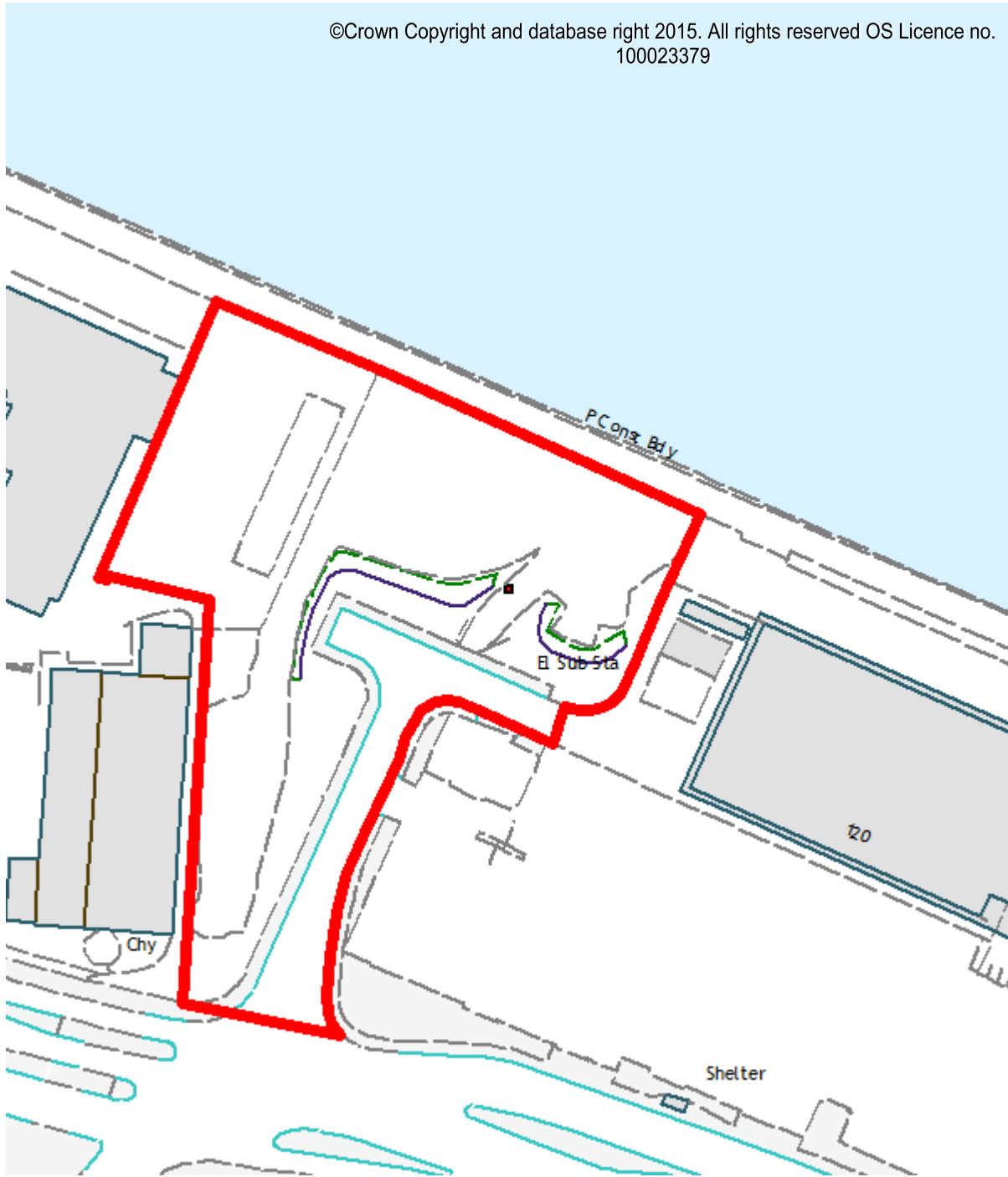
Address: Site To The West Of 120 Govan Road Glasgow

Ward: 05

Scale: 1:1250

Indicative Site Location

©Crown Copyright and database right 2015. All rights reserved OS Licence no. 100023379



Location of Site (for details refer to Report)

