
Kelbourne Street, Glasgow

Notice of Review - Executive Summary

Erection of flatted residential development
(39no. units) and associated parking

Local Review Appeal against Non-Determination of
Planning Application Ref: 20/02110/FUL

Prepared on behalf of Nevis Properties Limited

November 2020

EXECUTIVE SUMMARY

Introduction

Nevis Properties (the Appellant) are seeking to deliver a development solution to the long standing vacant and derelict land at the corner of Kelbourne Street and Queen Margaret Drive in the Kelvinside area of Glasgow.

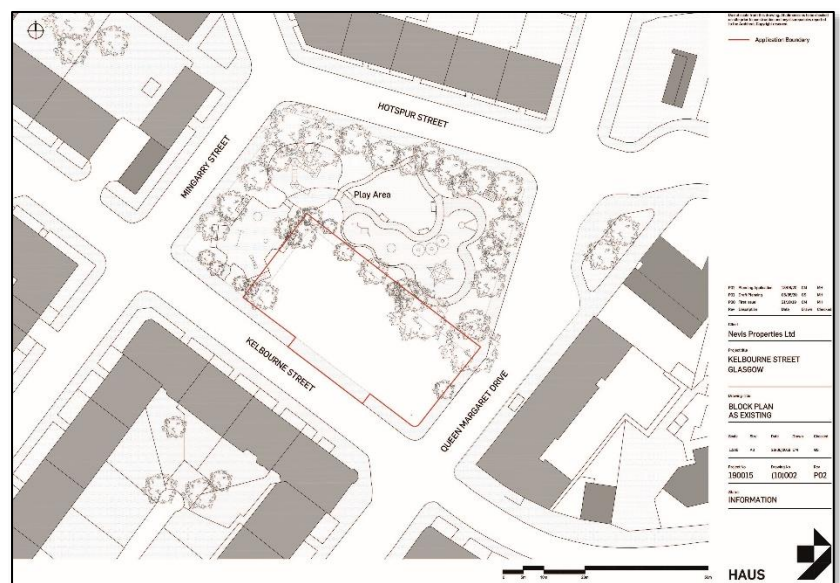
Engagement with Glasgow City Council (GCC) has taken place in relation to the delivery of this solution since September 2019. This engagement led to constructive discussions which shaped the eventual design solution and Planning Application submission. Despite original positive discussions, GCC's position supporting the proposed development changed immediately prior to submission of the application, to an unsupportive position.

Planning Application reference 20/02110/FUL was validated on 25 August 2020. The planning application was a 'Local' Application under the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and therefore the statutory determination period for the application expired on 23 October 2020, with no agreement sought to extend the determination period

Given feedback received to date following submission of the application, and the negative position of GCC prior to submission, the appellant has taken the decision to appeal against the non-determination or deemed refusal of the application. Given the Local nature of the application, this appeal is to the Local Review Committee (LRC) of GCC.

Site

The site sits on the southern corner of a block, bounded by Kelbourne Street, Queen Margaret Drive, Hotspur Street and Mingarry Street to the west. The block is surrounded on all sides by residential flatted blocks varying in height from 4 to 6 storeys and the remainder of it accommodates a large children's play park which is overlooked by some of those flatted dwellings.



The site is brownfield in nature having previously been the location of North Kelvinside Parish Church. This church was demolished in 1987. An annex building was also demolished more recently in 2014. The site has therefore lain fully vacant for over 6 years, but the majority of the site has been derelict for over 30 years and is fenced off to the public. It has become overgrown with a series of small trees and shrubs growing within it.



Proposed Development

The proposed development comprises a flatted residential development and associated works including access, infrastructure, and landscaping. The key components are as follows:

- Residential development for 39 flatted dwellings (24x2-bed & 15x3-bed) in a single building off two access cores;
- Basement car park providing 27 car parking spaces;
- Vehicular access to the basement via car lift accessed from Kelbourne Street;
- Resident and visitor cycle parking within apartments;
- Ground floor garden space and balconies for every upper floor apartment; and
- South facing external rooftop amenity space for residents and visitor use



Whilst the proposed development is within a single building it has three separate building heights, with the eastern part G+6 storeys, a central block at G+4 storeys and the western block of G+5 storeys.



The primary open space being provided to the proposed development is through the provision of private garden amenity space for ground floor flats and balconies for each of the upper flats. A communal rooftop terrace is proposed on the five and six storey parts of the development, providing an excellent area that allows for a variety of amenity uses.



Engagement Background

The appellant engaged with GCC planning and design officers over a series of meetings between September 2019 and June 2020. These meetings found support and constructive feedback from officers in the main

In response to the constructive feedback received the following actions were taken as the proposed development evolved:

- A full daylighting analysis was carried out to present the relationship between the proposed development and the adjacent park;
- The original building footprint was reduced;
- Underground Car parking was introduced;
- Active Frontage was introduced on all sides;
- A tree survey was commissioned;
- Significant reduction in single aspect flats from 50% to 20%; and
- A schedule of supporting documents for the planning application was agreed;

Unfortunately, towards the end of the pre-application discussions, the position of the officers within GCC changed, and the discussions became less supportive and more negative towards the solution that had previously been evolving through discussions. Key aspects which had been identified as acceptable, particularly scale and massing, were now being re-visited and were now seen as a key aspect being used against the proposed development.

Following all pre-application engagement, a robust and detailed full planning application was submitted on 21 August 2020 based on the more positive and constructive comments received from GCC.

Planning Policy Assessment

The proposed development has been assessed against the planning policy context of the National Planning Framework (NPF3), Scottish Planning Policy, Clydeplan Strategic Development Plan, Glasgow City Development Plan and associated supplementary guidance.

The principle of development of this flattened residential proposal on a brownfield vacant and derelict site in a highly accessible inner urban location is considered to be compliant with all levels of planning policy. In the City Development Plan, the site is not allocated for any particular use, but is identified as part of the existing urban area. **Policy CDP2** states that the '*Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable city*' it goes on to state that the '*Council will support new development proposals that...utilise brownfield sites in preference to greenfield sites*' and

'prioritise the remediation and reuse of vacant and derelict land'. This proposed development delivers this requirement with a high quality solution.

Policy CDP1 focuses on place making and encourages the 6 criteria of 'creating place' to be adhered to as advocated by national and strategic policy. This proposed development meets all of those criteria as set out within the accompanying Design and Access Statement.

Policy CDP10 seeks for the delivery of homes within the lifetime of the plan, also referring to the use of windfall sites, such as this, as part of that delivery.

The proposed development is considered to comply with SPP, Clydeplan and Policies CDP1, 2 and 10 in terms of the principle of development.

Detailed consideration has been given to the scale, massing, layout, density and overall design approach to the proposed development. Through early pre-application discussions and an in-depth review of policy requirements, it is considered that a compliant design has been delivered when viewed in the context of the immediate surrounding area.

The submitted development proposals have sought to address all queries raised in early discussions with GCC officers and a high-quality solution has been presented for this challenging inner urban site.



It is considered that assessment of the proposed development against the City Development Plan and Strategic Planning Policy context, identifies that this is a fully policy compliant scheme with the following key attributes important to that consideration:

- The proposed development is **compliant** with the policies and principles of National and Strategic Planning Policy as well as the policies and Supplementary Guidance of the Glasgow City Development Plan.
- The site involves the redevelopment of a longstanding **vacant and derelict site** in a high density and highly accessible urban location;
- The proposed development will be a **sustainable development**;
- Development of this derelict site will **remove a safety concern** from the adjacent park through the introduction of increased passive surveillance;
- The development of this site will **support local construction jobs** in a challenging time for the City and the wider Country due to Covid restrictions;
- Flatted Development in this location will **increase the local expenditure**, providing much needed new customers to those independent local shops;
- The design has been discussed at length with officers of GCC and has been noted as being of a **scale and density that fits** with the immediate environs;
- The design has evolved through discussions with GCC planning officers and **addresses all of the technical challenges** of this site whilst respecting the immediate surroundings;
- The design is of a **high quality**, which will enhance the immediate street scene and make a key feature on this prominent corner on a key thoroughfare;
- The proposed development assists in providing **sought-after housing** which responds to market demand; and
- The proposed development is being sought by a developer who is actively building and **delivering in Glasgow** – they have recently completed developments; projects on site; and further approved proposals in the pipeline.

Conclusion

In taking account all of the matters raised in this Local Review submission, it is considered that an exceptional solution to this challenging inner urban site has been delivered in compliance with the relevant planning policy context. We therefore respectfully request that the LRC overturn the deemed refusal of this application and approve this appeal for detailed planning permission allowing the delivery of 39 new homes on this brownfield site and a major local investment at Kelbourne Street, Glasgow.