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REPORT OF HANDLING FOR APPLICATION 20/00890/FUL

ADDRESS:	Site adjacent to 49 Sanquhar Road Glasgow	Item 3	
PROPOSAL:	Erection of dwellinghouse	29th April 2025	

DATE OF ADVERT:	Not applicable
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	<p>The application has received 7 objections and the main issues raised are summarised below:</p> <ul style="list-style-type: none"> • The loss of trees, particularly mature trees, will be unacceptable from an ecological and visual amenity viewpoint. • The loss of trees and greenspace will have a significant detrimental impact on wildlife habitats and bird species. • The loss of trees and greenspace will have a significant detrimental impact on the natural landscape within a residential estate. • The proposed site has a nature conservation designation and should not be developed. <p>Case Officer Comment: Noted. The application site is part of an area of structural planting between Dalmellington Road and Sanquhar Road. It is identified as "6.71 Natural/Semi Natural Greenspace - Woodland" on the Council's open space map and is, therefore, protected as open space by policy CDP6 of the City Development Plan. The trees are also covered by a Tree Preservation Order (TPO). Some of the mature trees pre-date the housing development and therefore are part of the TPO. These issues will be addressed later in this report.</p> <ul style="list-style-type: none"> • The loss of trees and greenspace in a built-up residential area should be prevented for the greater good. • The proposed development constitutes over-development. <p>Case Officer Comment: Noted. These issues will be addressed later in this report.</p> <ul style="list-style-type: none"> • Some of the content and details in the applicant's tree survey are misleading. <p>Case Officer Comment: The content of the supporting documents, including the tree survey, form part of the application submission. The case officer's overall assessment of the proposal against the development plan will take into account all of the submitted plans, drawings and documents.</p> <ul style="list-style-type: none"> • If building on this plot was viable, it would have been utilised by the original housebuilders over 20 years ago. <p>Case Officer Comment: Noted. It is not for the case officer to re-visit the assessment of an application for this housing development that has been in-situ for several years. However, it is acknowledged that the application site's function is amenity greenspace for the existing housing development.</p> <ul style="list-style-type: none"> • The proposed development, including the three parking spaces, will lead to traffic congestion. • The proposed development will overshadow neighbouring properties. • The proposed development will overlook neighbouring properties and infringe privacy. • The loss of trees will be detrimental to the current level of amenity screening provision. <p>Case Officer Comment: Noted. These issues will be addressed later in this report.</p>
PARTIES CONSULTED AND RESPONSES	<p>Neighbourhood and Sustainability Services (Biodiversity): <i>Based on the current Planning status of the ground (Natural/Semi Natural Greenspace - Woodland) in the PAN65, therefore, protected under council planning policy IPG6, NS Biodiversity object to this planning proposal. This land provides valuable wildlife (broad-leaved woodland) habitat within an otherwise predominantly built-up area and as such should be preserved to maintain the connectivity of the habitat network for biodiversity within the housing. Any release of this land for development would effectively negate the functionality of the habitat network at this location. A bat roost assessment will need to</i></p>

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	<p><i>be made prior to determination. This will need to be surveyed for bat roost potential during the summer (before end of September).</i></p> <p>Scottish Water: No objection. However, the applicant should be aware that this does not confirm that the proposed development can currently be serviced in terms of water and waste water capacity.</p> <p>Coal Authority: No response.</p> <p>Case Officer Comment: The site has been identified as being in a Coal Authority High Risk Area. Therefore, the applicant will require to submit a Coal Mining Risk Assessment Report to the Coal Authority before any development can proceed.</p>
PRE-APPLICATION COMMENTS	<p>The applicant and agent did not seek pre-application advice or discussions with Glasgow City Council prior to submission of this application. Therefore, the case officer was unable to provide advice on whether the proposed development complied with the relevant Policy and Guidance of the City Development Plan with regards the principle of building upon natural/semi-natural greenspace (woodland), which is protected open space, and also its impact on residential amenity.</p> <p>The Council has formalised the means for obtaining pre-application advice of this type in order to make this stage of the Planning process more accessible and efficient for applicants, agents and Planning staff. The Council welcomes pre-application discussions between the applicant, their agent(s) and its planning staff in advance of making an application for any scale of development. As stated above, the agent and applicant failed to avail themselves of this service.</p>

EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE
IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
STRUCTURE PLAN POLICIES	NOT APPLICABLE
CITY DEVELOPMENT PLAN POLICIES	<p>CDP 1: The Placemaking Principle CDP 2: Sustainable Spatial Strategy CDP 5: Resource Management CDP 6: Green Belt & Green Network CDP 7: Natural Environment CDP 11: Sustainable Transport SG 1: Placemaking SG 5: Resource Management IPG 6: Green Belt & Green Network SG 7: Natural Environment SG 11: Sustainable Transport</p>
OTHER MATERIAL CONSIDERATIONS	Glasgow City Council's Design Guide: New Residential Areas
REASON FOR	The proposal was not considered to be in accordance with the Development Plan and

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DECISION	there were no material considerations which outweighed the proposal's variance with the Development Plan.
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	COMMENTS
PLANNING HISTORY	None.
SITING	The application site is within an area of communal amenity greenspace at the eastern end of Sanquhar Road. The site is within a residential development comprised, mainly, of detached dwellings. To the east of the site are further detached dwellings on Ballochmyle Drive. The site is identified as "Natural/Semi-Natural Greenspace - Woodland" on the Council's open space map and is, therefore, protected as open space by policy CDP6 of the City Development Plan. The trees on the application site are also covered by a Tree Preservation Order (TPO).
DESIGN AND MATERIALS	The proposal is for the erection of a detached two-storey dwellinghouse. The front elevation is orientated to face south and will sit forward of the building-line on Sanquhar Road. The overall design and external materials proposed reflect the local architectural vernacular and comprises a mix of facing brick and render, grey roof tiles and anthracite coloured doors/windows. The space to the front of the property will be hard-surfaced and will provide 3no car-parking space which are all directly accessed from the street.
DAYLIGHT	Due to the orientation and layout of the proposed development, it will not have a significant detrimental impact on neighbouring properties in terms of overshadowing and daylight. The neighbouring properties are all detached dwellings with a suitable degree of separation between the plots.
ASPECT	The front elevation is orientated to face south onto Sanquhar Road.
PRIVACY	<p>The internal layout of the proposed dwelling has been designed in order that there are no windows of habitable rooms on the side elevations which directly border onto neighbouring properties. The windows on the rear elevation face towards, what the applicant intends to be, the residual protected open space/amenity greenspace.</p> <p>In terms of the windows in the front elevation, these are orientated to face south towards the front of the property. However, the boundary between the application site and 21 Ballochmyle Drive to the east is not a straight direct line running from north to south. The boundary at this section is a diagonal line and, consequently, the rear garden of 21 Ballochmyle Drive intersects the front of the application site at an angle. The proposed dwelling will be approximately 3 metres distant from the shared boundary with 21 Ballochmyle Drive at this part of the application site. As the proposed dwelling has bedroom windows on the upper floor, this will allow for unobstructed views into the private rear garden ground of 21 Ballochmyle Drive, albeit at a slightly oblique angle. A safeguarding condition for privacy screening to prevent overlooking of the gardens would not be appropriate or practicable in this instance. As the bedroom windows are at first-floor level, any privacy screening would have to be at such a height that it would have a detrimental impact on the amenity of the application property and neighbouring property.</p> <p>Conclusion: The proposed extension will result in an unacceptable loss of privacy to the neighbouring properties.</p>
ADJACENT LEVELS	No site section drawings have been submitted showing the relationship of the application site with the adjoining properties on Ballochmyle Drive to the east.
LANDSCAPING (INCLUDING GARDEN GROUND)	The proposed drawings show a level of private garden ground that would be commensurate with similar detached dwellings in the area.
ACCESS AND PARKING	<p>This application is for a single dwelling house fronting an adopted road. There is room for one off road parking space therefore the development meets SG11 guidance. However, it is considered that the design for three parking spaces directly behind a footway crossover is contrary to the standard of one access. In line with Glasgow City Council's Design Guide New Residential Areas (page 44) it is preferable that car parking be to the side or rear of a building. Driveways should be minimum of 6 x 3.5 metres. This site has room to design a parking area within the curtilage in line with Design Guidance, to allow vehicles to ingress and egress in a forward gear. It is assessed, therefore, that the current proposed car-parking arrangements require amendments.</p> <p>The site plan does not show any provision for safe bicycle parking.</p>

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<p>SITE CONSTRAINTS</p>	<ul style="list-style-type: none"> • The application site is identified as "Natural/Semi Natural Greenspace - Woodland" on the Council's open space map and is, therefore, protected as open space by Policy CDP6 of the City Development Plan. • The application site is covered by a Tree Preservation Order (TPO). • The application site is in an area identified by the Coal Authority as High Risk.
<p>OTHER COMMENTS</p>	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise. In addition, under the terms of Section 59 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 64 of the same Act requires the Council to pay special regard to any buildings or other land in a Conservation Area, including the desirability of preserving or enhancing the character or appearance of that area.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <ol style="list-style-type: none"> whether the proposal accords with the statutory Development Plan; and Whether any other material considerations (including objections) have been satisfactorily addressed. <p>In respect of (a), the Development Plan comprises the Clydeplan Strategic Development Plan, approved in July 2017 and the Glasgow City Development Plan adopted on the 29th March 2017. There are no specific policies of relevance to this application proposal in the Clydeplan Strategic Development Plan. The policies of relevance in the Glasgow City Development Plan are:</p> <p>Policy CDP 1: The Placemaking Principle Policy CDP 2: Sustainable Spatial Strategy Policy CDP 5: Resource Management Policy CDP 6: Green Belt & Green Network Policy CDP 7: Natural Environment Policy CDP 11: Sustainable Transport Supplementary Guidance SG 1: Placemaking Supplementary Guidance SG 5: Resource Management Supplementary Guidance IPG 6: Green Belt & Green Network Supplementary Guidance SG 7: Natural Environment Supplementary Guidance SG 11: Sustainable Transport</p> <p><u>Policy CDP 1 and Supplementary Guidance SG 1: Placemaking</u></p> <p>Policy CDP 1 is an overarching Policy which must be considered for all development proposals to help achieve the key aims of the Glasgow City Development Plan. The Policy aims to improve the quality of development taking place in Glasgow by promoting a designed approach: <i>This will contribute towards protecting and improving the quality of the environment, improving health and reducing health inequality, making the planning process as inclusive as possible and ensuring that new development attains the highest sustainability levels. New development should aspire towards the highest standards of design and should respect the environment by responding to its qualities and character.</i></p> <p>Supplementary Guidance SG 1 states (not all are applicable to this application): <i>Residential Layouts should:</i></p> <ol style="list-style-type: none"> take a design-led approach towards aspect and orientation to maximise daylight and sunlight, reduce energy use, and prevent overlooking and loss of privacy, particularly when providing balcony and/or garden spaces; make appropriate provision for refuse and recycling storage areas; wherever possible, retain all significant trees on sites, unless removal is necessary, e.g. for good arboricultural reasons; have roads designed to the standards set out in RDG; incorporate a SUDS strategy to take account of the space and design requirements of the required SUDS scheme; ensure that all new homes do not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts; ensure sufficient permeability through the provision of walking/cycling routes and open spaces connected to the wider paths network and other community facilities. Off road paths

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should be located centrally and be overlooked in order to promote public safety.

Additional standards - Houses should provide:

- a) usable private garden space large enough to serve various domestic functions;*
- b) parking provision to satisfy SG11 - Sustainable Transport and Car Parking Provision and Car Parking Layout guidance in the RDG and garages and/or driveways sufficient for household needs: and*
- c) adequate privacy for residents. Habitable rooms should be protected from public areas by privacy zones as required in the RDG. Habitable windows should be suitably separated from habitable windows in other properties to protect privacy while respecting development context.*

Case Officer Comment: Application is contrary to CDP 1 and SG 1

The proposed development incorporates the following characteristics:

- It would result in the loss of established communal amenity greenspace which serves the existing residential properties and would fail to respect the natural environment by responding to its qualities and character and encouraging its appropriate use.
- It would result in the loss of existing mature trees without good Arboricultural reason and would fail to meet placemaking principles which the Council seeks to promote in order to deliver high quality residential environments.
- It would result in the overlooking and an unacceptable loss of privacy to existing neighbouring properties, specifically 21 Ballochmyle Drive

The proposed development, by virtue of the loss of communal amenity greenspace, including trees protected by a Tree Preservation Order, its siting and detailed design will have a significant detrimental impact on residential amenity and will detract from the quality, character and appearance of the area and the street-scape. The proposed development will have a significant negative impact upon residential amenity, on the application site and the local area and fails to respect the natural environment. Consequently, the proposed development fails to meet the highest standards of design while providing high quality amenity to existing and new residents in the City. Furthermore, the proposed development fails to respect and will significantly harm the quality and character of the City's protected natural environment. This application is, therefore, contrary to CDP 1.

Policy CDP 2: Sustainable Spatial Strategy

The Sustainable Spatial Strategy outlines a variety of criteria where the Council will support new development proposals. These are the relevant criteria for the proposed residential development:

The Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable City. In doing so, the Council will support new development proposals that:

- *Contribute to the development of vibrant and accessible residential neighbourhoods; and*
- *Protect open space and provide for the development and expansion of the multifunctional green/blue network.*

Case Officer Comment: Application is contrary to CDP 2

As identified above, and covered in more detail under assessment against CDP 6 and CDP 7, the proposal would develop protected open space and a site covered by a Tree Preservation Order. The proposal would also result in the loss of an area of communal amenity greenspace that serves the properties on Sanquhar Road. The proposal, therefore, is considered to be detrimental to the regeneration and development of the existing urban area and would not contribute towards the creation of a sustainable City. The proposal therefore does not accord with the Sustainable Spatial Strategy and is contrary to CDP 2.

Policy CDP 5 and Supplementary Guidance SG 5: Resource Management

CDP 5 and SG 5 aim to ensure that new developments minimise their energy requirements to reduce costs and greenhouse gas emissions and help ensure certainty of supply in the future. New developments require to meet Gold Level Compliance plus 20% Low and Zero Carbon Generating Technologies (LZCGT).

Case Officer Comment: The agent has submitted a Statement of Energy (SoE) using the

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template provided by the Council. The statement submitted is sufficient to satisfy the requirements of the policy to meet the carbon emissions reductions in line with Gold standards. If this application was recommended for approval, a condition would have to be attached to the decision notice to ensure that the development will incorporate low and zero-carbon generating technologies to achieve this standard in line with Building Standards requirements.

Policy CDP 6 and Supplementary Guidance IPG6: Green Belt & Green Network

IPG6 has been approved by Committee as non-statutory Interim Planning Guidance to support policy CDP6 of the City Development Plan until such times as SG6 has been approved. Para 4.2 of IPG6 reiterates **the strong presumption in favour of the retention of open space** set out in CDP6. Paragraph 4.3 of IPG 6 states that *there may be some circumstances in which the Council will permit development on open space, including where, for publicly usable open spaces such as these:*

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);*

Case Officer Comment: in this instance, it is considered that the space has, or could have, value in relation to the following criteria of BOX 1 of IPG6:

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?*

b) *The proposal would be directly related to the current use(s) of the open space and would not adversely impact on its functions;*

Case Officer Comment: This is not the case in this instance.

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;*

Case Officer Comment: This is not the case in this instance.

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.*

Case Officer Comment: This is not the case in this instance.

Case Officer Comment: Application is contrary to CDP 6 and IPG 6

The application site is part of an area of communal amenity greenspace serving the local residential properties. It is identified as "6.71 Natural / Semi Natural Greenspace - Woodland" on the open space map and is, therefore, protected as open space by policy CDP6 of the City Development Plan. The proposed development will not contribute positively to the setting, character or appearance of the area. It has no value in terms of nature conservation/biodiversity, landscape or geodiversity and does not perform any positive function in terms of the City's open space or green network. The proposed development is not related to the open space use, there is no enhancement proposed and there is no approved masterplan. The proposal therefore does not meet any of the criteria where the Council would support an exemption to the strong presumption in favour of the retention of these areas of Open Space. It is assessed that the proposed development would result in the loss of protected Open Space, with a significant adverse impact on the functions of the Open Space. The proposal is, therefore, contrary to the strong presumption in favour of the retention of protected open space which makes a valuable contribution to the setting, character, appearance, nature conservation/biodiversity, landscape and geodiversity of the area.

Policy CDP 7 and Supplementary Guidance SG 7: Natural Environment

This policy and guidance sets out how the biodiversity (wildlife, habitats and ecosystems), landscape and geodiversity of Glasgow will be taken into account when considering development proposals. In terms of sites such as this application, with trees protected by a Tree Preservation Order, SG 7 states: *Tree Preservation Orders (TPOs) can be made in*

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the interest of amenity and/or where a tree, group of trees or woodland is of cultural or historical significance. It is an offence for any person, in contravention of a TPO, to remove or damage a tree without the consent of the Council. TPOs in Glasgow are identified in the Council's on-line mapping resource. There is a Council policy to treat trees, woodland and hedgerows, which are on Council owned land, as if they are covered by a TPO. Trees, woodland or hedgerows protected by a TPO, or as if covered by a TPO (Council Owned Land), must not be removed without the explicit written consent of the Council. The removal of any tree protected by a TPO, or as if covered by a TPO (Council Owned Land), or serious damage to it, should only occur in exceptional circumstances, for example, where the tree, or part of the tree, is a danger to public safety or is diseased, and only then on the understanding that appropriate replacement planting takes place, with the number, size, species and location of new trees to be agreed with the Council.

In terms of protected species, bats have special protection from disturbance and harm under legislation, and are known as European Protected Species (EPS). Any development proposals that affect sites such as this application site, it must be demonstrated, to satisfaction of the planning authority, that either the protected species will not be affected by the development proposal or, where this is not possible, that the necessary SNH licenses are likely to be granted when applied for. The planning authority must be satisfied, after consultation with SNH, that a future species licence is likely to be granted prior to granting any consents.

Case Officer Comment: Application is contrary to CDP 7 and SG 7

The proposed development would not retain all significant trees and no good arboricultural reasons have been provided to justify their removal. This would result in the loss of mature trees, with a significant adverse impact on the amenity of the surrounding residential neighbourhood. The proposal is therefore contrary to the strong presumption in favour of the retention of trees protected by a Tree Preservation Order and is contrary to CDP 7 and SG 7.

With regards to protected species, Neighbourhood and Sustainability Services (Biodiversity) have stated that a bat roost assessment will need to be made prior to determination. The site will need to be surveyed for bat roost potential during the summer (before end of September). It is noted that a bat roost survey was not submitted with this application.

CDP 11 and SG 11: Sustainable Transport

CDP 11 and SG 11 promote more sustainable patterns of transport and travel as part of the transition to a low carbon economy. Consequently, new development should maximise the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars. For residential development, SG 11 sets a minimum cycle parking standard of 1 space per unit and a minimum of one car parking space per dwelling. Passive electric vehicle charging provision is required for 100% of car parking spaces in new residential developments.

Case Officer Comment: As noted above, it is considered that the design for three parking spaces directly behind a footway crossover is contrary to the standard of one access. In line with Glasgow City Council's Design Guide New Residential Areas (page 44) it is preferable that car parking be to the side or rear of a building. Driveways should be minimum of 6 x 3.5 metres. This site has room to design a parking area within the curtilage in line with Design Guidance, to allow vehicles to ingress and egress in a forward gear. It is assessed, therefore, that the current proposed car-parking arrangements require amendments. The site plan does not show any provision for safe bicycle parking or electric vehicle charging.

Other Material Considerations

In respect of (b) other material considerations include the views of statutory and other consultees and the contents of letters of representations. It is considered that the representations and consultation responses have been suitably addressed above at the relevant sections of this report.

Case Officer Conclusion

It is considered, for the reasons outlined in the report above, this application is not in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan. Therefore, on the basis of

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	the foregoing, it is recommended that this application for Full Planning permission be <u>refused</u> .
RECOMMENDATION	Refuse

Date: 20.10.2020	DM Officer	Jamie McArdle
Date: <u>22.10.2020</u>	DM Manager	Susan Connelly

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