



Planning Applications Committee

Report by
Executive Director of Neighbourhoods, Regeneration and Sustainability

Item 1(a)

11th March 2025

Contact: Laura Johnston Phone: 0141 287 8485

Application Type Full Planning Permission
Recommendation Grant subject to conditions

Application	24/02042/FUL	Date Valid	17.09.2024
Site Address	114 Festival Court Glasgow G51 1BF		
Proposal	Use of main door flatted dwelling (Sui Generis) as short term let (Sui Generis)		
Applicant	Mr Jingxiang Gao 114 Festival Court Glasgow G51 1BF	Agent	
Ward No(s)	05, Govan	Community Council	02_074, Govan East
Conservation Area	Not applicable	Listed	Not applicable
Advert Type	Bad Neighbour Development	Published	27.09.2024
City Plan	City Development Plan		

Representations/Consultations

Representations

17 representations were received against the application objecting to the proposal. The material grounds of objection can be summarised as follows:

- Impact on parking
- Noise and disturbance
- Improper waste disposal
- Privacy concerns
- Cycle storage concerns
- The proposal brings no economic benefits to the area, which is already well-served by hotels.
- It reduces the availability of local housing, which is unwelcome given the current Glasgow Council housing crisis
- The applicant has stated "minimum stay for this accommodation is 2 days". Airbnb or other related companies do not stipulate a minimum 2 night stay and so there is no guarantee that this would be the case.

As well as a number of material grounds, the objections also contained a number of comments which are not material to this assessment:

- The title deeds for all properties on the estate prohibit the use of any unit as a short term let
- Security Concerns
- Impact property values
- Buildings insurance concerns
- Lack of Community Cohesion

- Impact on shared facilities
- Owner has not communicated the proposal with neighbours
- Could undermine local businesses
- Should this planning application be granted, it will set a precedent for short term let
- Concerns regarding the applicant's description with regards to "main door flat" and "vertical block of only two flats"

Concerns have also been raised with respect to the publication of the application. The application has been subject to the standard neighbour notification but during processing of the application it was found that the red line boundary provided by the applicant was incorrect. This triggered a further round of neighbour notifications and as statutorily required, all neighbours within 20 metres of the application site received neighbour notifications. The application was also advertised in the local press as a potential 'Bad Neighbour'.

Consultations:

No external consultations were requested or required

Site and Description

The application site consists of a modern main door residential flat located on the ground floor of a three storey flatted building on Festival Court. The site fronts an internal road to the west and is bound by residential flats to the north and south and Govan Road to the east. There is a duplex flat on the floor above the application site.

The application site includes 1 private parking space.

Site History

18/00191/FUL - Erection of residential development and associated works. Granted subject to conditions

19/02548/FUL - Erection of residential development and associated works. Section 42 application for non-compliance with Condition 6 of planning permission 18/00191/FUL. Granted subject to conditions.

Proposal

The application seeks consent for a change of use from a main door flatted dwelling (Sui Generis) to short term let (Sui Generis).

The proposed unit would be set over one floor with a main door access positioned on the front elevation. The apartment would provide 2 bedrooms with a combined kitchen and living space.

No external alterations have been proposed.

Specified Matters

Planning legislation now 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 obligation 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

ii. an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable

iii. a design statement or a design and access statement

Not applicable

iv. any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)

Not applicable

B. Summary of the terms of any Section 75 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

Not applicable

iii.

1. requiring the Council to consider imposing a condition specified by Scottish Ministers

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

Policies

NPF 4 Policies

The relevant NPF 4 policies covered in the assessment below are as follows:

Policy 1 - Tackling the climate and nature crises

Policy 2 - Climate mitigation and adaptation

Policy 30 - Tourism

City Development Plan Policies

The Glasgow City Development Plan (CDP) was adopted on 29 March 2017 of which the following policies and supporting guidance are relevant:

CDP 1 & SG 1 – Placemaking

CDP 10 & SG 10 – Meeting Housing Needs

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.

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

(a) whether the proposal accords with the Development Plan; and,

(b) whether any other material considerations (including objections) have been satisfactorily addressed.

In respect of (a) the Development Plan comprises National Planning Framework 4 (NPF4) which was adopted on 13th February 2023 and the Glasgow City Development Plan which was adopted on 29th March 2017.

National Planning Framework 4:

The National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland up to 2045. Unlike previous national planning documents, the NPF4 is part of the statutory Development Plan and Glasgow City Council as planning authority must assess all proposed development against its policies.

The following policies are considered relevant to the application:

Policy 1 (Tackling the climate and nature crises) and Policy 2 (Climate mitigation and adaptation) are applicable to all new development and must be considered in light of the proposals impact on the environment.

Comment:

The aim of the policy is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The scale of the proposal is not such that it would have a significant enough impact on the climate and nature crises.

The proposed development does not consist of any physical changes to the property, therefore, would not impact climate change in terms of construction works. The application site is also close to public transport and amenities providing sustainable travel options.

The proposal complies with **Policies 1 and 2.**

Policy 30. Tourism

To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

Proposals for tourism related development will take into account:

- i. The contribution made to the local economy;*
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;*
- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;*
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;*
- v. Accessibility for disabled people;*
- vi. Measures taken to minimise carbon emissions;*
- vii. Opportunities to provide access to the natural environment.*

Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits*

Comment:

Recent changes in legislation mean that Planning Permission and a license are required to operate short term lets. In this case the applicant proposes the change of use of an existing dwelling to short term let accommodation.

The site is located within a new residential estate which provides private housing of varying scale and typology. The estate sits within an area of mixed character with various commercial and tourism attractions in close proximity including the Glasgow Science Centre, BBC and STV studios, Film City Glasgow, SEC and Ovo Hydro as well as various industrial and other business uses. The Village Hotel sits to the north west of the site offering various amenities such as hotel rooms, gym, pool and restaurant.

There are multiple options for sustainable travel to and from the site including subway, railway and bus links within a 20-minute walking distance. The site sits directly to the south of a National Cycle Route (no75) with various options for on road cycling. The original consent for the housing development included a provision for private cycle parking and in this case bicycles can be stored within the apartment ensuring they are safe, secure and sheltered. The cycle parking is shown on the proposed floor plan.

Overall, the housing development is well sited for amenities and provides an opportunity for city living in a sustainable location. As a result, this proposal would benefit from various sustainable travel options, providing easy access to the City Centre and surrounding areas within the city as well as access to local amenities on Paisley Road West which in turn creates an opportunity to boost local economy.

Regarding loss of housing, it is not considered that the loss of this single unit would have a significant enough impact on housing stock within the city to merit refusal, but the Council reserves the right for future applications to reconsider this position. Similarly, it is hard to gauge the economic or tourism benefit of one short term let flat but it does offer an alternative to families who do not wish to stay in a hotel. The very fact that there are various hotels within walking distance of the site as well as internationally renowned conferencing and concert facilities available at the SEC, the inclusion of a short term let at this location would fit well with the surrounding area.

It is therefore considered that due to the location and scale of the proposed development, it is a sensible location for a development of this scale and subject to assessment below it is not considered that it would lead to an unacceptable impact on local amenity.

The proposal accords with **Policy 30: Tourism**.

NFP 4 Conclusion:

Taking all the above into considerations the proposal would meet the requirements of NPF4.

Glasgow City Development Plan

The City Development Plan consists of high-level policies (in line with Scottish Government guidance), with statutory Supplementary Guidance providing further information or detail in respect of these policies. Many of the policies in NPF4 are reflected by policies and statutory guidance associated with the Glasgow City Development Plan.

The application has been assessed against the City Development Plan Policies **SG1 Placemaking Part 2** and **SG10 Meeting Housing Needs**.

Whilst **CDP1** and **SG1 Placemaking** are overarching policies, no external works are proposed. The main assessment is linked to amenity which is also considered in detail within Policy **CDP10** and **SG10 Meeting Housing Needs**, both of which aim to ensure that the City's growing and diverse population has access to a choice of housing of appropriate quality and affordability across all tenures.

Specific to this development **SG10** notes key locational and design criteria for tourist accommodation:

Key Criteria - Locational

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.*

Key Criteria – Design and Amenity Space

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.*

SG10 goes on to state that short-stay accommodation shall be assessed against the following detailed criteria, together with the key criteria for tourist accommodation above:

a) To protect residential amenity planning permission will not be granted for a change of use from a residential flat to short-stay accommodation within existing blocks of residential flats, resulting in a mix of mainstream residential flats and short-stay accommodation within a single building sharing a means of access.

b) In appropriate locations that satisfy the relevant key criteria relating to tourist accommodation (in Section 4), planning permission may be granted for the change of use of entire blocks of residential flats to short-stay accommodation, or for new purpose-built developments for this type of accommodation.

c) To protect residential amenity in areas where there are already a significant number of non-residential uses and/or problems of parking and traffic congestion, the change of use of properties to short-stay flats will be strongly resisted in the following Conservation Areas:

- Crosshill;
- Dennistoun;
- Glasgow West;
- Park;
- St Vincent Crescent; and
- Strathbungo.

Comment

In terms of the locational criteria, the site is in an area of high accessibility, served by a range of public transport options and is near shops and facilities. The site is also within a 20-minute radius of tourist attractions and key employers. It is considered that the scale of the proposal would be unlikely to place additional pressure on local amenities and facilities, and there is currently no evidence of a cumulative impact from short stay accommodation in the local area. As well as cycle parking the dwelling has one designated car parking space. The change from residential to a short term let is unlikely to have any impact on the parking situation in the locale.

In terms of design and amenity criteria, points a) and b) are not relevant. In terms of point c) it is not considered that the use will result in an unacceptable intensification of activity within the residential building given the unit has a private dedicated access. In compliance with d) a management plan has also been submitted and is considered to be acceptable.

SG10 does state that there is a general presumption against the granting of planning permission for a change of use from residential flat to short-stay accommodation unless it meet certain conditions. In this case the site is relatively small scale, has its own private access and will not have a shared close access with other flats within the block.

There is no other planning application history for short stay accommodation within this block and given the scale of the proposal, it is considered that the proposal is unlikely to have an adverse impact on residential amenity at the locus. The proposal is also not within one of the Conservation Areas listed in which short-stay flats are strongly resisted.

It is suggested that consent be granted for a limited time to monitor the impact of the development. Other proposed controls include a minimum booking period and ensuring that the operator uses a private waste contractor to avoid conflict with domestic waste uplift.

As such the proposal accords with the relevant guidance of **CDP10** and **SG10 Meeting Housing Needs**.

CDP Conclusion:

Overall, it is considered that the proposal is located in an appropriate and sustainable location and subject to various controls would not have a detrimental impact on residential amenity.

The proposal therefore complies with policies CDP1, CDP3 and CDP7.

In terms of issue **(a)** the proposal is considered to accord with the Development Plan, having regard to the designated land use and all relevant policies as addressed above.

In respect of **(b)** other material considerations include the views of statutory and other consultees and the contents of letters of representations. Those concerns regarding impacts on amenity, justification for the siting of the development, general locational concerns, lack of information regarding wider economic and tourism benefits are addressed within the assessment above. Other concerns regarding security,

anti-social behaviour, property prices, title deed restrictions and buildings insurance are not material to this assessment. There is also no precedent in planning with each case assessed on its own merits.

No consultations were received and the material planning issues raised in the representations have been addressed in this report.

CONCLUSION

The above demonstrates that the proposed development complies with the Development Plan. Other material considerations have been taken into account however these do not outweigh the proposal's accordance with the Development Plan.

On the basis of the foregoing, it is recommended that the application for full planning permission be granted subject to conditions.

Approved Drawings

The development shall be implemented in accordance with the approved drawing(s)

1. LOCATION PLAN Received 21 November 2024
2. FLOOR PLAN Received 25 November 2024

As qualified by the above reason(s), or as otherwise agreed in writing with the Planning Authority

Conditions and Reasons

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this permission.

Reason: In the interests of certainty and the proper planning of the area, and to comply with section 58(1) of the Town and Country Planning (Scotland) Act 1997, as amended.

02. The use hereby approved shall only operate for a period not exceeding 2 years from the date of its first use (confirmed through the submission of a Notice of Commencement to the Planning Authority). Unless a further planning permission is granted, the use of the property for short stay accommodation shall stop and shall revert back to mainstream residential.

Reason: To allow the planning authority to assess whether the business is operating successfully within this residential context.

03. The proposal shall operate in accordance with the Management Plan titled "114 Festival Court, Glasgow, G51 1BF", dated 18th November 2024, unless otherwise stated in this consent or agreed in writing by the Planning Authority.

Reason: To safeguard the amenity of the surrounding area.

04. The short term let hereby approved shall not benefit from residential waste management and shall be subject to commercial or a private waste contract which is registered as a licensed waste carrier. Prior to its first use, evidence of this shall be submitted for the written approval of the Planning Authority. If agreed the use shall operate in compliance with those details.

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

05. The use of the property as short term let accommodation shall incorporate a minimum bookable rental period of 2 days.

Reason: To safeguard the amenity of the surrounding area.

06. Prior to its first use, the cycle parking provision shall be implemented as per the approved floor plan received 25th November 2024. For the avoidance of doubt, the cycle storage shall be located inside the hallway of the short term let apartment.

Reason: To ensure that cycle parking is available for the occupiers/users of the development.

Reason(s) for Granting this Application

The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

for Executive Director of Neighbourhoods, Regeneration and
Sustainability

LJOH/RM/25/02/2025

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