



Item 6

18th February 2025

Planning Services 231 George Street GLASGOW G1 1RX Tel: 0141 287 8555 Email: [onlineplanning@glasgow.gov.uk](mailto:onlineplanning@glasgow.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100689169-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

MH Planning Associates

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Michael

Building Name:

Last Name: \*

Hyde

Building Number:

63

Telephone Number: \*

Address 1  
(Street): \*

West Princes Street

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Helensburgh

Fax Number:

Country: \*

Scotland

Postcode: \*

G84 8BN

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

☐

Individual

☒

Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="321"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Great Western Road"/>
Company/Organisation	<input type="text" value="Brett"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G4 9HR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>	<input type="text"/>	

## Site Address Details

Planning Authority:	<input type="text" value="Glasgow City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="321 GREAT WESTERN ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G4 9HR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="666794"/>	Easting	<input type="text" value="257719"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of outbuilding store to rear of restaurant (Retrospective).

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Grounds for Review and submitted drawings

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

24/01671/FUL

What date was the application submitted to the planning authority? \*

27/06/2024

What date was the decision issued by the planning authority? \*

16/10/2014

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

In order to view the outbuilding in context

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

**Note:** You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

**Note:** Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Michael Hyde

Declaration Date: 18/10/2024

REQUEST FOR REVIEW IN RESPECT OF THE  
REFUSAL OF AN APPLICATION FOR  
PLANNING PERMISSION FOR THE  
ERECTION OF OUTBUILDING STORE TO  
REAR OF RESTAURANT (RETROSPECTIVE),  
321 GREAT WESTERN ROAD, GLASGOW,  
G4 9HR (LPA REFERENCE 24/01671/FUL)

GROUND FOR REVIEW

Submitted on behalf of Brett



**MH Planning**  
Associates

REQUEST FOR REVIEW IN RESPECT OF THE REFUSAL OF AN APPLICATION FOR PLANNING PERMISSION FOR THE ERECTION OF OUTBUILDING STORE TO REAR OF RESTAURANT (RETROSPECTIVE), 321 GREAT WESTERN ROAD, GLASGOW, G4 9HR (LPA REFERENCE 24/01671/FUL)

GROUND'S FOR REVIEW

1. Site Description:

1.1 The review application site is located to the rear of 'Brett', a restaurant that operates at 321 Great Western Road. It is located within the Glasgow West Conservation Area.

2. Proposed Development:

2.1 The development proposed is (in effect) the retention of a very small outbuilding (used as a store in association with the restaurant) that was constructed without the necessary planning permission.

2.2 The building measures just 1.9 metres by 1.9 metres and is clad in grey profile metal sheeting with black trim (see Figure 1 below).



Figure 1: Existing Outbuilding

3. Reasons for Refusal:

3.1 The review application was refused on 16 October 2024 for the following reasons:



01. *The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.*
  02. *For the reasons noted below, the development is contrary to Policy 7 Historic Assets and Places of the National Planning Framework 4, Policies CDP 1 The Placemaking Principle, CDP 9 Historic Environment and Supplementary Guidance SG 1 Placemaking Principle Part 2 and SG 9 Historic Environment of the adopted Glasgow City Development Plan.*
  03. *The erection of the outbuilding would lead to an acceptable reduction in the area of the communal backcourt which would adversely impact the residential amenity; this is contrary to SG1 Placemaking Principle Part 2, Alterations to Shops and Commercial Properties, Rear Alterations or Extensions from the Glasgow City Development Plan.*
  04. *By virtue of its design and materials, the outbuilding would have a negative impact on the special character and interest of the surrounding Glasgow West Conservation Area; this is contrary to Policy 7 Historic Assets and Places from the National Planning Framework and Policy SG9 Historic Environment from the Glasgow City Development Plan.*
4. Relevant Development Plan Policies:
- 4.1 Section 25 of the Town and County Planning (Scotland) Act 1997 states that “where in making any determination under the planning act regard is to be had to the Development Plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise”.
  - 4.2 The Development Plan relevant to the current planning application comprises:
    - The National Planning Framework (2023); and
    - The Glasgow City Development Plan (2017).
  - 4.3 Section 13 of the Planning (Scotland) Act 2019 is now in force. This alters Section 24 of the 1997 Act to state that in the event of ‘any incompatibility’ between a provision of the National Planning Framework (‘the NPF’) and a provision of a Local Development Plan (‘the LDP’), whichever of them is the later in date is to prevail.



- 4.4 The following policies of the adopted Development Plan are referred to in the reasons for refusal:

*National Planning Framework 4 (2023)*

Policy 7 (Historic Assets and Places), which states that development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i. Architectural and historic character of the area;
- ii. Existing density, built form and layout; and
- iii. Context and siting, quality of design and suitable materials.

*City Development Plan*

Policy CDP 1 (The Placemaking Principle), which states 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.

In this regard the Council expects new development to contribute towards making the City a better and healthier environment to live in by achieving the following:

- Making the City an appealing place to live, work and visit; and
- Providing high quality amenity to existing and new residents in the City.

SG1: The Placemaking Principle (Part 2) then states that with respect to alterations to shops and other commercial buildings the following guidance applies:

- a) Commercial premises should not extend into existing backcourts (see Definition), where this would lead to an unacceptable reduction in the area of the backcourt and a consequent reduction of residential amenity; and
- b) There should be no door access from a commercial unit into a backcourt or communal garden, where this would allow noise and commercial activity into the exclusively residential part of the tenement.

A “backcourt” is defined as the communal private garden of flats, typically including bin storage for domestic waste.

Policy CDP 9 (Historic Environment), which states that the Council will protect, preserve and, where appropriate, conserve and/or enhance the historic environment, in line with Scottish Planning Policy, Historic Environment Scotland Policy Statement, and this policy together with associated supplementary guidance (SG), for the benefit of our own and future generations. The Council will assess the impact of proposed developments that affect historic environment features and/or their settings according to the principles set out in relevant SG. The Council will not support development that would have an adverse impact on the historic environment, unless SG criteria are fully satisfied.

SG9: Historic Environment then contains the following advice, noting however that this relates only to domestic garages, sheds and outbuildings:

2.132 The design of garages, sheds and outbuildings should incorporate a ridged or mono-pitched roof, and walls in a material sympathetic to the main property; green roof systems or designs incorporating a contemporary modern design, and materials will be considered on their own merits.

2.133 Alternatively, a good quality timber structure with ridged felt roof may be acceptable dependent on prevailing architecture within the area. Paintwork should match the colour scheme of the dwelling.

2.134 Garages, sheds and outbuildings should be located to the rear of the property or where least open to public view. The structure should be subsidiary in scale and sympathetic in design and should respect the character of the Listed Building and/or Conservation Area.

5. Grounds for Review:

- 5.1 The Scottish Government have stated that planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.
- 5.2 With respect to the submitted application for review, having regard to the provisions of the adopted Development Plan (and the Council's Supplementary Guidance), and the relevant material considerations, the following are the key planning issues that will require to be assessed.

*Reduction in Area of Backcourt*

- 5.3 The third reason for refusal of the backcourt states that "the erection of the outbuilding would lead to an acceptable reduction in the area of the communal backcourt which would adversely impact the residential amenity". It is assumed that this is a typographical error and that the reason for refusal should have said an unacceptable reduction.
- 5.4 This reason for refusal is not accepted. The area of land where the outbuilding was constructed was little more than a 'dumping ground' for commercial bins, pallets, waste materials, gas bottles etc.

*Impact on the Conservation Area*

- 5.5 With respect to potential impact on the Conservation Area the outbuilding the subject of the current review cannot readily be seen from any public vantage points. As paragraph 2.134 of SG9 states, outbuildings should be located to the rear of the property or where least open to public view.
- 5.6 With respect to its external materials the relevant SG states that ancillary buildings should be formed of materials that respect the character of the adjacent buildings and wider area. In this regard there are a number of possible options for altering the appearance of the outbuilding; it could for example be overclad with timber boarding (either brown or a dark grey/black), or possibly with rendered boarding so as to match the adjoining outbuilding. The applicant could potentially also introduce a 'living roof' for biodiversity reasons.

6: Conclusions:

- 6.1 In conclusion this small outbuilding was erected in order to meet an urgent need for additional storage space for the adjoining restaurant. It is

not considered that the retention of the outbuilding (subject to agreed over-cladding) would impact significantly on either residential amenity, through an unacceptable reduction in the area of the communal backcourt, or the special character and interest of the wider Glasgow West Conservation Area.

- 7.2 On this basis it is not considered that the application proposal is contrary to Policy 7 (Historic Assets and Places) of National Planning Framework 4 or Policy CDP 1 (The Placemaking Principle) or Policy CDP 9 (Historic Environment) of the adopted City Development Plan.