

## Report of Handling for Application 24/01671/FUL

<b>ADDRESS:</b>	321 Great Western Road Glasgow G4 9HR	<b>Item 3</b>  18th February 2025
<b>PROPOSAL:</b>	Erection of outbuilding store to rear of restaurant (Retrospective).	

<b>DATE OF ADVERT:</b>	23 August 2024
<b>NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED</b>	<p>Four letters of objection were received against the proposal. The grounds of objection are as follows:</p> <ul style="list-style-type: none"> <li>Impact on fire safety/ evacuation routes. <u>Response:</u> This is a Building Standards issue and it is not a material planning consideration.</li> <li>Lack of detail for the proposed use of the building/ food hygiene risk <u>Response:</u> This is a consideration for Public Health and it is not a material planning consideration.</li> <li>Land ownership. <u>Response:</u> This is not a material planning consideration</li> <li>Impact on the communal backcourt. <u>Response:</u> Agreed, this would lead to an unacceptable reduction of the residential backcourt and is contrary to the Development Plan as explained in the 'Other Comments' section of this report.</li> <li>Design <u>Response:</u> Agreed, the current design would negatively impact the special character of the surrounding conservation area.</li> </ul>
<b>PARTIES CONSULTED AND RESPONSES</b>	None required.
<b>PRE-APPLICATION COMMENTS</b>	No pre-application advice was sought.

<b>EIA - MAIN ISSUES</b>	NONE
<b>CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES</b>	NOT APPLICABLE
<b>DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES</b>	NOT APPLICABLE
<b>IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES</b>	NOT APPLICABLE
<b>S75 AGREEMENT SUMMARY</b>	NOT APPLICABLE
<b>DETAILS OF DIRECTION UNDER REGS 30/31/32</b>	NOT APPLICABLE
<b>NPF4 POLICIES</b>	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

	<p>must assess all proposed development against its policies. The following policies are considered relevant to the application:</p> <p><b>Policy 1</b> Tackling the Climate and Nature Crisis  <b>Policy 2</b> Climate Mitigation and Adaptation  <b>Policy 7</b> Historic Assets and Places</p>
<b>CITY DEVELOPMENT PLAN POLICIES</b>	<p>The City Development Plan consists of high-level policies with statutory supplementary guidance providing further information or detail in respect of the policies. The following are considered relevant to the application:</p> <p><b>CDP1</b> The Placemaking Principle  <b>CDP2</b> Sustainable Spatial Strategy  <b>CDP9</b> Historic Environment  <b>SG1</b> Placemaking  <b>SG9</b> Historic Environment</p> <p>DP 1 and CDP2 are overarching policies which must be considered for all development proposals.</p>
<b>OTHER MATERIAL CONSIDERATIONS</b>	Glasgow West Conservation Area
<b>REASON FOR DECISION</b>	The proposal was not considered to be in accordance with the Development Plan and there were material considerations which outweighed the proposal's variance with the Development Plan.

## Comments

<b>Planning History</b>	<b>Development Management</b>
	07/00328/DC   Use of premises as extension to restaurant with outside seating area (with original restaurant at 315 Great Western Road and extension operating with Refreshment Licence)   Grant, subject to conditions on 23.04.2007
	13/00528/DC   Alterations to shopfront   Grant, subject to conditions on 10.05.2013
	13/01128/DC   Display of two illuminated fascia signs   Grant, subject to conditions on 05.07.2013
	18/02048/FUL   Erection of flue to rear of property   Grant, subject to conditions on 29.11.2018
	<b>Enforcement</b>
	21/00676/EN   Vent installed to rear of tenement that terminates at flat level   Pending
<b>Site Visits (Dates)</b>	23/00401/EN   Vents   Pending
	24/00186/EN   Outbuilding and flue   Pending
	The application was assessed using the photographic schedule provided by the applicant. The planning officer is familiar with the site and the surrounding area.
<b>Siting</b>	<p>The application site is a restaurant (Class 3) located at the ground floor level of a three-storey blond sandstone tenemental block. The site occupies a corner position with frontages on both Great Western Road and Barrington Drive. The site shares a rear backcourt with the flatted dwellings located above.</p> <p>The site is located within Glasgow West Conservation Area and in Ward 11 – Hillhead.</p>
<b>Design and Materials</b>	The proposal is a retrospective application for the erection of an outbuilding in the backcourt area. The outbuilding occupies circa 3.6 sqm and is located directly adjacent to a flying staircase leading to the first floor. It is constructed of a grey metal cladding with some black metal frames around the edges.
<b>Daylight</b>	N/A
<b>Aspect</b>	N/A
<b>Privacy</b>	N/A

<b>Adjacent Levels</b>	N/A
<b>Landscaping (Including Garden Ground)</b>	N/A
<b>Access and Parking</b>	N/A
<b>Site Constraints</b>	Glasgow West Conservation Area
<b>Other Comments</b>	<p><b><u>Assessment of Planning Application</u></b></p> <p>When an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise. By Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving the special character and interest of conservation areas.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <ul style="list-style-type: none"> <li>a) whether the proposal accords with the statutory Development Plan;</li> <li>b) whether the proposal preserves or enhances the character or the appearance of the Conservation Area;</li> <li>c) whether any other material considerations (including objections) have been satisfactorily addressed.</li> </ul> <p>In respect of (a), the Development Plan comprises NPF4 adopted on the 13th of February 2023 and the Glasgow City Development Plan adopted on the 29th of March 2017.</p> <p><b>NATIONAL PLANNING FRAMEWORK 4, ADOPTED 2023</b></p> <p><b><u>Policy 1 - Tackling the Climate and Nature Crisis &amp; Policy 2 - Climate Mitigation and Adaptation</u></b></p> <p>Policy 1 intends to encourage, promote and facilitate the development that addresses the global climate emergency and nature crises. When considering all development proposals significant weight will be given to the global climate and nature crises. Furthermore, Policy 2 intends to encourage, promote and facilitate development that minimises emissions and adapts to the urgent and future impacts of climate change.</p> <p><b>Officers' Comments</b></p> <p>The proposed works would not cause significant threats to the climate and nature crisis and comply with the overall aims of both policies.</p> <p><b><u>Policy 7 – Historic Assets and Places</u></b></p> <p>The intent of the policy is to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.</p> <p><b>Officer's Comments</b></p> <p>The proposed works would negatively impact on the special character of the Conservation Area and do not comply with the policy.</p> <p><b>GLASGOW CITY DEVELOPMENT PLAN, ADOPTED 2017</b></p> <p>Policies CDP 1 (The Placemaking Principle) and CDP 2 (Sustainable Spatial Strategy) are overarching policies which, together with their associated Supplementary Guidance, must be considered for all development proposals to help achieve the key aims of the City Development Plan.</p> <p><b><u>CDP1 &amp; SG1 Placemaking Principle</u></b></p>

	<p>CDP1 seeks a holistic, design-led approach to development. SG 1 Part 1 states placemaking priorities in the Historic Environment are:</p> <p><i>a) Protecting and enhancing the unique character of historic buildings, structures and settings;</i></p> <p><i>b) Promoting new development of the highest design and material quality which respects and integrates with the existing historic environment.</i></p> <p>In respect to alterations to shops and commercial property, SG1 Placemaking Principle Part 2 sets out guidance relating to the development.</p> <p><b>Rear Alterations or Extensions</b> - <i>The following guidance applies:</i></p> <p><i>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;</i></p> <p><i>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; and</i></p> <p><i>c) the introduction of outdoor seating areas to the rear of food and drink premises can also have adverse impacts on the amenity of neighbouring residents. This issue is addressed in policy relating to food and drink uses.</i></p> <p><b>Officer's Comments</b></p> <p>The erection of the outbuilding in the communal backcourt directly goes against this aspect of the policy as it would have an adverse impact on the residential amenity. The presence of the outbuilding would lead to an unacceptable reduction in the residential amenity. The development is therefore contrary to the policy.</p> <p><b><u>CDP9 and SG9 Historic Environment</u></b></p> <p>CDP 9 Historic Environment and its supplementary guidance SG9 specifically target the historic environment and alteration to listed buildings. SG9 has specific guidance for development affecting properties located on conservation areas.</p> <p><i>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.</i></p> <p><b>Officer's Comments</b></p> <p>The outbuilding materials and design are at odds with the character of the surrounding Glasgow West conservation and do not contribute to preserve and enhance the special character and interest of the Conservation Area.</p> <p>In respect to b), the proposal will not preserve the special character of the surrounding conservation area by virtue of its design and materials.</p> <p>In respect to c), material considerations which include objections have been addressed earlier in this report.</p> <p>Overall, and for the reasons listed above it is recommended that the application is refused.</p>
<b>Recommendation</b>	Refuse

Date: 10.10.2024	DM Officer	<b>Constance Damiani</b>
Date: <u>16/10/2024</u>	DM Manager	Mark Thomson

## **Reasons for Refusal**

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.