



Glasgow City Council

Planning Local Review Committee

**Report by Executive Director of Neighbourhoods, Regeneration
and Sustainability**

Item 1

4th March 2025

Contact: Sam Taylor Ext: 78654

24/00214/LOCAL – 48 Melville Street, Glasgow

**Use of house in multiple occupancy (Sui generis) as apart-hotel (Sui
Generis) (Retrospective).**

Purpose of Report:

To provide the Committee with a summary of the relevant considerations in the above review.

Recommendations:

That Committee consider the content of this report in coming to their decision.

Ward No(s): 06

Citywide: N/A

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

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1 LOCATION AND DEVELOPMENT PLAN DESIGNATIONS

- 1.1 The site consists of the basement and ground floors of a three storey plus basement blond sandstone tenement on the north side of Melville Street near its junction with Shields Road.
- 1.2 The surrounding area is residential in character, with adjoining buildings on either side and those opposite predominantly in residential use.
- 1.3 It is in the Inner Urban Area, within East Pollokshields Conservation Area. It has base accessibility by public transport.
- 1.4 It is proposed to change the use of house in multiple occupancy (Sui generis) as apart-hotel (Sui Generis). As the change of use has already taken place, the application is in retrospect.

2. DEVELOPMENT PLAN POLICIES

- 2.1 NPF4 was adopted by the Scottish Ministers on 13 February 2023 and is part of the statutory Development Plan. Where there is an area of incompatibility it is expected that the newest policy document will take precedence, which will be NPF4 for the time being.

In this case, the relevant policies from NPF4 are:

- Policy 23: Health and Safety
- Policy 30: Tourism

- 2.2 The relevant City Development Plan policies are:

- CDP1: The Placemaking Principle
- CDP2: Sustainable Spatial Strategy
- CDP3: Economic Development
- CDP9: Historic Environment
- CDP10: Meeting Housing Needs
- CDP11: Sustainable Transport

- 2.3 The relevant Supplementary Guidance is:

- SG1: Placemaking
- SG10: Meeting Housing needs

3 REASONS FOR REFUSAL / RELEVANT CONDITION(S)

- 3.1 The reasons for refusal are set out below:

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. The development proposal is contrary to NPF4 Policy 30, as well as CDP1: The Placemaking Principle and the corresponding Supplementary Guidance SG1 (Part 2) and CDP10: Meeting Housing Needs and the corresponding Supplementary Guidance SG10: Meeting Housing Needs of the Glasgow City Development Plan (adopted March 2017) for the reasons specified below, and there is no overriding reason to depart therefrom.
03. The proposal is contrary to NPF4 Policy 30, CDP 1 & SG1 and CDP10 & SG10 of the City Development Plan (adopted 2017) due to its potential impact on the amenity of the surrounding area owing to the proposed use and scale of that proposed use.
04. The proposal is contrary to NPF4 Policy 30, it is not considered that there are demonstrable local economic benefits from the proposal which would outweigh the loss of mainstream residential accommodation.

4 APPEAL STATEMENT

- 4.1 A summary of the material points raised in the appeal statement is given below.

01. The proposed change of use is considered by the appellant to be to an 'Aparthotel' (Class 7) and even were it accepted that the use does not fall within Class 7, the application property is NOT within one of the listed Conservation Areas where the change of use of properties to short-stay flats will be strongly resisted.
02. With respect to the management and operation of the proposed Aparthotel the following will apply:
 - i) A letting company will be used for the advertising, management of bookings and maintenance of the apartments. Booking arrangements would be made via online platforms, e-mail and telephone. The likely number of guests per apartment would be 2 people.
 - ii) Staff members will be on-site 24 hours at the reception desk, managing check-in and housekeeping. Guests can check in at their convenience at any time. However, the recommended check in times is between 2pm-5pm, check out is 11am.
 - iii) Noise-controlled devices are installed throughout the property which will alert management and receptionists if the noise level exceeds the limit.
 - iv) The quality of the residential character of the area and the amenity of neighbouring properties will not be prejudiced, and where the property (if a flat) has private direct access to the street.

v) Anticipated length of stays by guest(s) are expected to be 2 to 3 nights per apartment, with apartments expected to be occupied at least 250 nights per year.

vi) Good Neighbour House Rules (covering matters such as no parties, no smoking within the property and no loud music within each flat) would be applied as one of the standard terms and conditions as prepared and enforced, if necessary, by the letting agent.

vii) Each apartment contains general waste, in addition to recycling waste points. All refuse is removed from the premises on a weekly basis by Enva. When in excessive, waste disposal company will collect.

These will be rigidly enforced; therefore, it is unlikely that there would be any adverse impact upon the residential amenities of the occupiers of any neighbouring properties.

The value of tourism to Scotland's economy cannot be understated and a number of studies clearly demonstrate the significant economic benefits to the local area of short-term letting. In the current case it is considered that these will outweigh the loss of residential accommodation and that, on this basis, there will be no conflict with the requirements of the recently adopted Policy 30 (e) of the NPF4 given the high degree of accessibility to various public transport options there will be no adverse impact on traffic congestion and/or parking.

03. The applicant did not request any further procedure in the determination of the application.

5 REPRESENTATIONS AND CONSULTATIONS

- 5.1 There were 22 representations to the application, including from Councillor Molyneux and Pollokshields Heritage. All objected to the application. A summary of the points raised is below:

i) Noise and anti social behaviour: The use increases the movement to the property, with visitors arriving and leaving the premises on a regular basis throughout the year in a manner dissimilar to that of permanent residents. Guests try to use the communal tenement hallway to access the property and resident's buzzers at unsociable hours. The number of apartments facilitates groups gathering and parties to the detriment of residential amenity.

ii) Detrimental to the character of the building and Conservation Area: The proposal is not compatible with the amenity and character of the area and is inconsistent with the 6 qualities of successful places, specifically healthy, pleasant and connected aims and so is contrary to NPF4 Policy 14 and CDP1.

iii) Impact on Parking: Guests predominantly arrive by private car putting pressure on the existing parking problems in the area. The proposal is a significant intensification of use. No parking is provided, and the site is not in a

highly accessible location. The proposal is contrary to NPF4 Policy 13 and CDP11 Sustainable Transport.

iv) Waste management: No waste management contract appears to be in place with commercial waste put in the resident's bin hub. The cleaning arrangements seem to involve vans parked on the pavement outside the flats which is unacceptable.

v) Loss of residential amenity: The proposal is contrary to SG10 with regard to pressure on local amenities and facilities, impact on the character and amenity of the area, impact on traffic congestion and parking, and that this is therefore not an appropriate location for an aparthotel.

vi) Loss of residential accommodation: The proposal would remove residential accommodation at a time when there is considerable need, contrary to NPF4 Policy 30. The area is of a residential nature and the proposal has potential to profoundly alter its character, it has had a significantly detrimental impact for local residents. The area is of a residential nature and the proposal has potential to profoundly alter its character, it has had a significantly detrimental impact for local residents.

vii) Does not meet the definition of an aparthotel (there is a lack of any shared facilities or reception area): The proposal creates a mix of short-stay accommodation within an existing block of residential flats. It also shares a means of access to the communal stairwell/hall at the basement level. The proposal is contrary to CDP10.

viii) The accommodation is not easily accessible to disabled people as there is no level entry to either level of accommodation.

ix) The Management / Operational Statement is identical to the previous application and refers to 8-bedrooms. The only change to the layout is re-naming bedroom 4 as a reception. The reception could revert to become an 8th bedroom with modest changes.

- 5.2 There were 3 representations to the review which reconfirmed the representee's objections to the proposal. No consultations were undertaken.

6 COMMITTEE CONSIDERATIONS

- 6.1 Committee should consider if the following are in accordance with NPF4, the relevant City Development Plan policies and Supplementary Guidance, and if there are material considerations which outweigh the Development Plan considerations.

- 6.2 The following are the relevant policy considerations:

NPF4 Policy 23 Health and Safety

Policy Intent: To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

➤ Committee should consider:

- whether the proposal will have a negative impact on residential amenity, particularly by creating unacceptable noise issues.

SG1 The Placemaking Principle

Commercial Premises: Commercial Uses in Residential Properties

Residential amenity should not be adversely affected by the introduction of commercial uses or operators.

There is a presumption against granting planning permission for commercial uses of flats. Particular scrutiny will be given to conservation areas and any residential area where other considerations, including townscape, alterations to property, traffic, access and servicing, parking, noise or other environmental considerations could adversely affect local amenity or safety. The test will be the preservation or enhancement of residential amenity and the environment.

Exceptions against this presumption may be considered where the:

- i) applicant can demonstrate, to the satisfaction of the Council, that the proposed use will provide a beneficial service to the community;
- ii) quality of the residential character of the area and the amenity of neighbouring properties will not be prejudiced;
- iii) property (where a flat) has a private direct access to the street; and
- iv) use will not give rise to parking/servicing problems in the street/building.

- The proposal will result in the commercial use of flats within a residential building in a Conservation Area.
- The proposed apartments will have a shared access to the street that is not shared with the other residential flats in the tenement close.

➤ Committee should consider:

- whether it has been demonstrated that the proposal will provide a beneficial service to the community;
- whether the quality of the residential character of the area and amenity of the neighbouring properties will be prejudiced; and
- whether it will give rise to parking and/or servicing problems.

Waste Storage, Recycling & Collection:

All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City's wider placemaking objectives.

- The management plan submitted with the application states that recycling bins are to be put in each apartment which will be emptied by housekeeping on the guest's departure. This will be transported to a recycling facility by a business waste removal company. A 24 hour contact number will be available for guests to report any problems.

➤ Committee should consider whether the waste storage, recycling and collection provision is appropriate.

NPF4 Policy 30 Tourism

Policy Intent: 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.

b) 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.

e) 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.

IPG3 Economic Development

Tourism and the short-stay economy

The delivery and availability of a wide range of short-stay accommodation is important, however it is recognised that such activities need to be located in appropriate locations where the existing amenity of a particular area, especially residential areas, are not negatively impacted.

The council will continue to support this important part of the economy, and proposals will be assessed to ensure:

- i) that the location, scale, design and demand are adequately considered and appropriate to the area;
- ii) that negative impacts on the surrounding area are minimised, especially predominantly residential areas;
- iii) any car parking is of a scale, design and incorporates landscaping appropriate to the area. It should not negatively impact the amenity of the area; and
- iv) proximity to public transport.

SG10 Meeting Housing Needs

Tourist Accommodation

While the Council supports the promotion of tourist accommodation, there is a need to preserve the character and amenity of established residential areas and Conservation Areas.

Due to the diverse range of tourist accommodation on offer, careful consideration must be given to the site, location and design of a development proposal in order to provide high quality accommodation and associated facilities which successfully integrate with the surrounding environment.

Key Criteria – Locational

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, where appropriate.

Key Criteria – Design and Amenity Space

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; and

d) a Management Plan for the development is provided, to the complete satisfaction of the Planning Authority.

A Management Plan will be required to support proposals for tourist accommodation. It shall include the following information:

- a) Maintenance arrangements, including frequency of cleaning and laundry;
- b) Access arrangements for servicing and deliveries;
- c) Access arrangements for guests;
- d) Arrangements for storage and disposal of waste; and
- e) On-site management arrangements.

Short-Stay Accommodation

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.

- The applicant sets out their views of local economic benefits of the proposal in the Review Statement.
- The proposal is a residential area that has base accessibility by public transport and is not within a controlled parking area.
- The proposed site is approx. 500m from Albert Drive Local Town Centre, which includes a wide range of shops, takeaways and facilities and approx. 275m from Pollokshields South local shopping facilities, which includes restaurants, cafes, a butcher, dry cleaners and an alteration shop.
- A management plan was submitted with the application, this sets out on-site check-in and check-out arrangements, which states both that staff will be on-site to greet guests and that a self check-in service will be available to allow check-in at any time utilising lock-boxes; emergency maintenance arrangements; that recycling bins are in each apartment and emptied when guests leave by housekeeping staff and then transported to a recycling facility by a business waste removal company. Same-day clean-up by a licensed waste disposal company is available if required, with a 24 hour contact line for guests to report any issues. Housekeeping examine communal areas and bin storage daily. Details of access for servicing and deliveries, and frequency of cleaning and laundry for longer stays are not included.
- The proposal will result in a mix of mainstream residential and short stay accommodation within a single building. These do not share an access to the street but do share a communal close to the rear garden.

➤ Committee should consider whether:

- the proposal will benefit local people and the local economy;
- the proposal is appropriately located with regard to public transport and shops and services and is of a scale that is compatible with the surrounding area;
- the proposal is consistent with net zero commitments;

- the impact of the proposal on the community, local amenity and the character of the area,
- whether the loss of residential accommodation is outweighed by demonstrable local economic benefits. And if so, if this has been justified;
- whether any negative impacts on the surrounding area are minimised;
- whether it has been demonstrated that there will be no adverse impact on traffic congestion and parking;
- whether the proposal will result in an unacceptable intensification of activity in a residential area; and
- the impact of the proposal on residential amenity within the tenement block and surrounding residential area.

➤ Committee should also consider whether they are completely satisfied with the submitted management plan.

SG11 Sustainable Transport

Cycle Parking

The Council shall require the provision of cycle parking in new development and redevelopment proposals in line with the minimum cycle parking standards.

For Hotels, Guest Houses and Bed and Breakfasts, a minimum of 1 space per 10 bed spaces and 1 space per 10 staff should be provided.

- Wherever possible, employee cycle parking should be located within buildings or a secure compound. Where such a location is not feasible, provision should be close to areas of high activity, such as the main entrance of developments, to ensure cycling is encouraged through enhanced security provided by passive surveillance.
 - Cycle parking for residents should, generally, be located within, or to the rear of, the residential building to ensure it is safe and secure.
 - Bike storage lockers/cupboards allocated to each unit, or cycle stands in a secure, covered compound, are the preferred solution for flatted developments. These should be easily accessible and usable and normally be on the ground floor or in the basement, providing the basement has ramped access or a suitable lift.
 - Visitor parking should be located at an easily accessible location close to, or within, the entrance area of the development in order to enhance security through surveillance.
 - Cycle parking should always be safe, sheltered and secure. The form of cycle parking provided should facilitate the securing of the frame of the bike to the "stand". "Sheffield" racks are a good, and preferred, example of such provision.
- 16 bed spaces are proposed, giving a minimum requirement of 1 space for residents.
 - The number of staff is not stated.
 - No cycle parking is shown.

➤ Committee should consider whether:

- the lack of cycle parking provision, contrary to policy, is acceptable in this case.
- adequate vehicle parking is provided.

7 COMMITTEE DECISION

7.1 The options available to the Committee are:

- Grant planning permission, with the same or different conditions from those listed; or
- Refuse planning permission.
- Continue the review to request further information.

8 Policy and Resource Implications

Resource Implications:

Financial: n/a

Legal: n/a

Personnel: n/a

Procurement: n/a

Council Strategic Plan: n/a

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2021-25? Please specify. n/a

What are the potential equality impacts as a result of this report? no significant impact

Please highlight if the policy/proposal will help address socio-economic disadvantage. n/a

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify: n/a

What are the potential climate impacts as a result of this proposal? n/a

Will the proposal contribute to Glasgow's net zero carbon target? n/a

Privacy and Data Protection Impacts:

Are there any potential data protection impacts as a result of this report
N

If yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

9 Recommendations

That Committee consider the content of this report in coming to their decision.