



Planning Services 231 George Street GLASGOW G1 1RX Tel: 0141 287 8555 Email: 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 100705875-001

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: Andrew Bennie Planning Limited

Ref. Number:

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

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1
(Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

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" value="Mr"/>	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" value="Gumit"/>	Building Number:	<input type="text" value="376"/>
Last Name: *	<input type="text" value="Bassi"/>	Address 1 (Street): *	<input type="text" value="Great Western Road"/>
Company/Organisation	<input type="text"/>	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 9HT"/>
Fax Number:	<input type="text"/>		
Email Address: *	<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="FLAT 1"/>
Address 2:	<input type="text" value="376 GREAT WESTERN ROAD"/>
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 9HT"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="666866"/>	Easting	<input type="text" value="257671"/>
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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)

Sub-division of flatted dwelling to form 2no flatted dwellings.

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.

Please refer to the matters set out within the Statement of Review which accompanies and forms part of this Request to Review.

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)

1: Decision Notice 2: Report of Handling 3: Existing and Demolition 1st Floor Plan 4: Proposed Site Location and 1st Floor Plan 5: Existing 2nd and 3rd Floor Plans 6: Marketing Appraisal 7: Planning Statement 8: Supporting Statement 9: Location Plan 10: Review Statement

Application Details

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

24/02490/FUL

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

18/12/2024

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

17/02/2025

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)

A site visit is considered to be essential in order that Members of the LRB can see the inside of the flat in question, the external space associated therewith and also the 2nd and 3rd floors of the property which have already been split into two flats per floor.

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

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 Andrew Bennie

Declaration Date: 23/03/2025

STATEMENT IN SUPPORT OF
REQUEST TO REVIEW THE REFUSAL
BY GLASGOW CITY COUNCIL OF
PLANNING APPLICATION REFERENCE
24/02490/FUL

ANDREW BENNIE

PLANNING LIMITED

STATEMENT IN SUPPORT OF
REQUEST TO REVIEW THE REFUSAL
BY GLASGOW CITY COUNCIL OF
PLANNING APPLICATION REFERENCE
24/02490/FUL

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March 2025

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1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Andrew Bennie Planning Limited on behalf of Mr G Bassi in support of his request that the Planning Authority, under the provisions of Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 review the decision of the Appointed Person to refuse planning permission in respect of planning application reference 24/02490/FUL.
- 1.2 This Statement should be read in conjunction with the matters set out within the completed Notice of Review Form.
- 1.3 In considering the merits of this Request to Review the refusal of this planning application, members of the Local Review Body are asked to take cognisance of the ongoing housing emergency within Glasgow, as declared by the Council towards the end of 2023 and that with this in mind any opportunities to contribute towards addressing this emergency, no matter how small, should not be overlooked.

2.0 PROPOSALS SUBJECT TO REVIEW

- 2.1 Under the terms of planning application reference 24/0290/FUL, full planning permission was sought for the subdivision of the existing three-bedroom flat which is located on the first floor of the property at 376 Great Western Road, Glasgow to form two separate flatted properties, one featuring one bedroom and the other featuring two bedrooms.
- 2.2 Flat 1 extends to 74m² and would provide the following accommodation:
Living room;
Kitchen;
2 bedrooms; and,
Bathroom
- 2.3 Flat 2 extends to 51m² and would provide the following accommodation:
Living room;
Kitchen;
1 bedroom; and,
Bathroom
- 2.4 Flat 1 has a dual aspect to both the front and the rear of the Site with Flat 2 having an aspect to the front of the Site only.
- 2.5 Both of these flats would take access off the existing communal stairwell which serves the overall property at 376 Great Western Road.
- 2.6 The proposed subdivision works involve no external alterations to the existing property.
- 2.7 It should be noted that the works proposed under this application will mirror the form of accommodation which has been successfully delivered on the second and third floors of the property within which the Review site is located, these works representing the effective initial phase of the comprehensive redevelopment of the whole block of flatted properties.

3.0 REASONS FOR REQUESTING THE REVIEW

- 3.1 On the basis of the Grounds of Review, which are set out within Section 5.0 of this Statement, it is submitted that the Appointed Person has failed to provide sufficient reasons to reasonably justify the refusal of this planning application when considered against the relevant provisions of the development plan.
- 3.2 It is submitted that the application proposals can be both fully and reasonably justified against the relevant provisions of the development plan and that the proposed development would not give rise to any demonstrable adverse impacts upon the residential amenity of either the adjacent residential properties to the immediate south of the Site or of the wider area within which the Site is located and that as such, the proposed development can be fully and reasonably justified.
- 3.3 Consequently, this Review is put forward on the basis of the unreasonable and unjustifiable grounds for the refusal of the planning application in question.

4.0 REVIEW PROCEDURE

- 4.1 In addition to consideration of those matters, which are set out within the Notice of Review Form and this Statement, it is requested that the Local Review Body also carry out an inspection of the Site prior to their consideration and determination of this Review.
- 4.2 An inspection of the Site is considered to be necessary in this instance in order that the members of the Local Review Body can view firsthand the nature of the Site and its relationship to the adjacent residential properties and to consider also the issue of the lack of impact associated with the proposed sub-division of the existing flat.

5.0 GROUNDS OF REVIEW

5.1 The application, which forms the basis of this Review was refused planning permission by Notice dated 17th February 2025, with the stated reasons for the application being as follows:

- 1. The proposal is contrary to the NPF4 Policy 14 (adopted February 2023) and CDP1 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) as specified below, and there is no overriding reason to depart therefrom.***
- 2. By reason that the proposed subdivision would result in the loss of a large single-floor flatted unit which has not been sufficiently justified.***
- 3. By reason that the level of the proposed one-bedroom flatted dwelling would have a low level of aspect and a poor-quality outlook which would have an unacceptable impact on the residential amenity of the dwelling.***
- 4. The proposal is contrary to the NPF4 Policy 12 (adopted February 2023) and CDP1 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) in so far as the proposed development has failed to include appropriate and well- designed provisions for waste and recycling facilities for all dwellings.***
- 5. The proposal is contrary to the NPF4 Policy 13 (adopted February 2023) CDP11 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) in so far as the proposed development does not make any provision for vehicle or cycle parking and as proposed, would exacerbate parking conflicts in the surrounding area to the detriment of road safety and residential amenity.***

5.2 A full copy of the Decision Notice on this application is submitted as part of the suite of Documents submitted in support of this Request to Review.

5.3 Our responses to the stated reasons for the refusal of planning application reference 24/02490/FUL are set out below.

Reason for Refusal 1

The proposal is contrary to the NPF4 Policy 14 (adopted February 2023) and CDP1 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) as specified below, and there is no overriding reason to depart therefrom.

- 5.4 In the sense that this reason for the refusal of the application simply states that the application proposals are considered not to be in accordance with the provisions of the Glasgow City Development Plan, noting that there are no material considerations which outweighed the proposal's variance with the City Development Plan, with there being no details provided as regards which specific provisions of the City Development Plan it is considered that the proposals cannot be favourably assessed against, this reason for the refusal of the application does not provide the basis upon which any informed response can be offered as part of this Request to Review.
- 5.5 Consequently, it is open to question as to whether this reason for the refusal of the application can be legitimately founded upon in terms of its ability to form part of the justification for the refusal of the application and as such, it is submitted that in terms of the consideration of this Request to Review, no regard should be had to the terms of reason for refusal.

Reason for Refusal 2

By reason that the proposed subdivision would result in the loss of a large single-floor flatted unit which has not been sufficiently justified.

- 5.6 Given the way this Reason for Refusal is worded, it is clear that it does not make reference to any policies contained within the City Development Plan and as is the case for Reason for Refusal 1 it is questionable whether this reason for the refusal of the application can be legitimately founded upon in terms of its ability to form part of the justification for the refusal of the application and as such, it is submitted that in terms of the consideration of this Request to Review, no regard should be had to the terms of this Reason for Refusal.
- 5.7 This point having been made, it is submitted that within the context of the Councils declared "housing emergency", due regard must, of necessity, be had to the wider benefits of the additional residential unit that would be created as a direct result of this proposed development.
- 5.8 Whilst stating simply that the loss has not been justified, this statement fails to make clear what "justification" is required in this regard.
- 5.9 In responding to this issue, it is submitted that cognisance must be had of the marketing information which has been lodged in support of the application which forms the basis of this Request to Review, the terms of which make clear that the strongest demand for housing within this area is for one and two bed properties.

- 5.10 Whilst the retention of the larger single floor flatted unit is clearly an idealistic situation on the part of the Appointed Person, it is clearly one that is not supported by the identified market demand nor is it one that will assist the Council in addressing the housing emergency.
- 5.11 If this Review is not successful, the stance that the Appointed Person has adopted will simply result in this property not being utilised in a manner that offers the best chances of it providing accommodation for which there is a proven demand.
- 5.12 In the interests of assisting in addressing the housing emergency, it is respectfully submitted that this Reason for the Refusal cannot be reasonably justified or supported.
- 5.13 It is also of relevance to note that in practical terms, the development proposed under the application which forms the basis of this Request to Review accords with the aims and objectives of paragraph 2.55 part (b)(i) of SG1 The Place Making Principle (Part 2) which states that:

".....proposals for the sub-division of single floor flats will only be acceptable where the applicants can demonstrate one or more of the following:

- i) The proposal forms part of a comprehensive refurbishment of the entire building or group of buildings....."*

- 5.14 As is demonstrated by those plans submitted as part of the overall application submission, the second and third floors of the block within which the Review site is located have already been sub-divided to form a number of smaller units similar to those which are proposed under this Review.
- 5.15 Whilst not undertaken contemporaneously with these earlier sub-division works, the Review proposals would nevertheless secure the "comprehensive" refurbishment of all three floors of the tenemental property within which the Review site is located and within the context of the ongoing housing emergency it is considered wholly unreasonable to resist the proposed development on the basis of the timing of the works in question.

Reason for Refusal 3

By reason that the level of the proposed one-bedroom flatted dwelling would have a low level of aspect and a poor-quality outlook which would have an unacceptable impact on the residential amenity of the dwelling.

- 5.16 Once again it is submitted that this Reason for Refusal fails to refer to any policies contained within the Development Plan and as is the case for Reason for Refusal 2 above, it is submitted that no regard should be had to this Reason for Refusal.
- 5.17 This point having been made, it is submitted that the proposed one-bedroom flat has a southerly aspect thus ensuring that it would be afforded with the maximum possible level of sunlight entering its windows. In terms of its aspect, whilst accepting that it would not be afforded an outlook to the rear of the property, it is not accepted that in and of itself this is sufficient to either support or justify the statement that the property would have "poor quality outlook".
- 5.18 What constitutes poor quality in terms of outlook is and can only be a matter of individual perception with it being a simple fact of human nature that what one person views as being unacceptable may be viewed by another as being wholly acceptable.
- 5.19 It is our submission that it is not the role of the planning system to remove the ability and right of individuals to make a personal choice as to whether residential accommodation and its associated outlook is acceptable to them or not. If an individual does not like the outlook from this proposed flat (or in general terms the outlook from any other properties that they may view) they have the choice to walk away.
- 5.20 The important consideration here being, especially considering the ongoing housing emergency, is that this potential choice is available and that it is not removed based on this untenable reason.

Reason for Refusal 4

The proposal is contrary to the NPF4 Policy 12 (adopted February 2023) and CDP1 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) in so far as the proposed development has failed to include appropriate and well - designed provisions for waste and recycling facilities for all dwellings.

- 5.21 The existing flat which forms the basis of this Request to Review, in common with the other flats within this block, and those other tenemental properties across the wider city, has access to a communal bin storage area to the rear of the property, which provides for appropriate recycling and general waste disposal requirements.
- 5.22 The existing flat benefits from these waste disposal facilities and it is intended that the two proposed units would share this existing provision.

- 5.23 The two flatted units which are proposed under the application that forms the basis of this Request to Review have a theoretical capacity of 5 people across both units (based on a double bedroom and single bedroom in one unit and a double bedroom in the second), this being the same capacity which can be applied to the existing flat (which features two double and one single bedroom) and as such, it is considered reasonable to conclude that both the existing and proposed configurations (based on maximum theoretical capacity) have the potential to generate the same levels of recycling/waste materials and that as such, the existing waste facilities would be capable of dealing with the demands of the proposed development.
- 5.24 Accordingly, it is submitted that there is no reasonable basis upon which it can be concluded that the Review proposals cannot be fully justified against the terms of NPF4 Policy 12 and Policy CDP1 of the Glasgow City Development Plan.

Reason for Refusal 5

The proposal is contrary to the NPF4 Policy 13 (adopted February 2023) CDP11 and the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) in so far as the proposed development does not make any provision for vehicle or cycle parking and as proposed, would exacerbate parking conflicts in the surrounding area to the detriment of road safety and residential amenity.

- 5.25 Dealing first with the cycle storage issue, it is a clear and unequivocal fact that across the city, traditional tenemental properties do not benefit from dedicated external cycle storage facilities and that accordingly, cycle owners who live within these areas store their cycles within their properties (as would be the case with the existing flat).
- 5.26 The beneficial impact of the proposed development, in terms of assisting in addressing the housing emergency, is considered too far outweigh any disadvantages associated with the storage of cycles within the proposed flats (especially in consideration of the fact that as noted, this practice occurs throughout the city).
- 5.27 With regards to the vehicular parking issue, this presupposes that the potential occupiers of the two proposed flats would be car owners. Whilst this may be the case, it is equally as probable that given the highly accessible location of the Review site and the well documented lack of on-street parking facilities within the surrounding area, potential occupiers may well be non-car owners, with the move towards non-car ownership being a recognised trend within the West End of the city.

- 5.28 In any event, it is entirely untenable to suggest that the creation of one additional flatted unit would in any way result in a situation that would be detrimental to road safety. Any cars that were in theory associated with the additional unit which would be created (with it being appropriate to consider only the additional unit given the existing unit could have multiple cars associated with it, over which the Council would have no control) would require to adhere to the parking restrictions which apply within the surrounding area and hence would not create any road safety issues. This requirement to adhere to parking restrictions applies to all car owners within this area and as such it is unreasonable to infer that any car(s) associated with the additional unit could not be lawfully parked.
- 5.29 On the issue of the impact that the proposed development would have upon residential amenity, linked to the cycle storage/car parking issue, it is respectfully submitted that there is simply no causal link between these two matters and again, the Appointed Person has singularly failed to articulate the basis of their concerns properly or adequately in this regard.
- 5.30 Accordingly, it is submitted that this Reason for the Refusal of the application cannot be reasonably supported or justified.

6.0 SUMMARY

- 6.1 It is our respectful submission that the Council, via the Appointed Person has failed to provide sufficient information to support and justify the stated reasons for the refusal of this planning application.
- 6.2 It is submitted that in terms of the relevant provisions of the adopted Local Development Plan, the proposed development can be fully and reasonably justified against the various policies and supplementary guidance, which have been referenced within the stated reason for the refusal of the application.
- 6.3 In considering this Request to Review, we would also wish to highlight the following statement made by the Chief Planner for Scotland within her letter of June 2024 which states that:

"The Scottish Ministers have continued to reinforce policies in NPF4 should be read and applied as a whole and that conflicts between policies are normal and to be expected. The planning system requires decision makers to weigh up all relevant policies, for example, quality homes, brownfield development and town centre living, as well as relevant material considerations in applying balanced planning judgement (section 25 of the Town and Country Planning (Scotland) Act, 1997, as amended). The introduction of NPF4 has not changed this."

- 6.4 When a proper planning balance is applied to the assessment of the proposals which form the basis of this Review, it is clear that any disbenefits which may be associated with the proposed development are far in a way outweighed by the benefits.
- 6.5 **Taking into account all of those matters set out above, I would respectfully request that the Local Review Body uphold this Review and in so doing, grant planning permission pursuant to planning application reference 24/02490/FUL.**

