



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 100688910-001

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: Zest Eco

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

First Name: * Matthew Building Name: Bond House

Last Name: * Stimpson Building Number:

Telephone Number: * Address 1 (Street): * Bond House

Extension Number: Address 2: The Bourse, Boar Lane

Mobile Number: Town/City: * Leeds

Fax Number: Country: * United Kingdom

Postcode: * LS1 5EN

Email Address: *

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

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Bond House
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	The Bourse
Company/Organisation	Zest Eco	Address 2:	Boar Lane
Telephone Number: *		Town/City: *	Leeds
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	LS1 5EN
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	Glasgow City Council
Full postal address of the site (including postcode where available):	
Address 1:	
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	
Post Code:	

Please identify/describe the location of the site or sites

Land adjacent to 2 Fernleigh Road, Glasgow.

Northing	660146	Easting	256514
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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)

Use of land for charging of electric vehicles, installation of EV chargers, feeder pillar, access and associated works.

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 see appeal statement, uploaded as part of this application.

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)

Appeal Statement, Planning Statement, Proposed Layouts and Elevations, Swept Path Analysis

Application Details

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

24/00926/FUL

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

03/04/2024

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

26/07/2024

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

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 Matthew Stimpson

Declaration Date: 17/10/2024

Appeal Statement

Project: Fernleigh Road, Glasgow

Note Title: Appeal Statement

Planning Ref: Glasgow CC; 24/00926/FUL

Job No.: ZST-517

Author: Matt Stimpson

Introduction

- 1.1 This Appeal Statement has been prepared to support an appeal to an application for the installation of EV charging equipment at an existing hardstanding area accessed from Fernleigh Road, Glasgow.

Objectives of the Planning Application

- 1.2 The supplied planning statement and plans provides more background to the development however the core aims of the development are as follows:
- To create an accessible and considered location suitable for EV charging that does not further any existing on-street parking pressures that may presently exist;
 - To utilise a space that otherwise has no practical alternative purpose in serving the local area, which would likely otherwise have a negative amenity value to the local community;
 - To provide a community EV charging facility as part of our community charging network for local residents and nearby businesses that may already have a demand for the service, or would consider owning an EV in the future but whom do not have a suitable alternative service nor access to off-road parking; and,
 - To encourage the uptake of EV's in line with guidance provided by the NPF4 and national objectives.

The Merits of the Application

- 1.3 There is clearly a need for additional EV charging infrastructure to help with the existing pent-up demand and to help with the government's wider goals of transitioning to the use of cleaner fuels.
- 1.4 The site is evidently suitable for EV charging as it is a derelict brownfield site that has been vacant for many years currently in a derelict condition not offering much to the local streetscene or community.

2 NATIONAL POLICY

National Policy

National Planning Framework 4, Policy 13

- 2.1 Policy to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.

Switched on Scotland

- 2.2 The Scottish Government published this paper in 2016 which sets out a comprehensive strategy and actions to realise the vision to free Scotland's towns, cities and communities from the damaging emissions from petrol and diesel fuelled cars by 2050.

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Climate Adaptation Plan

- 2.3 Glasgow CC have responded to the climate emergency by publishing Glasgow's Climate Adaptation Plan (2022-2030).

"Glasgow City Council and our city partners are strongly committed to climate mitigation action. By setting out our ambition to reduce the city's carbon footprint, we are therefore addressing the causes of climate change, and avoiding further irreversible and catastrophic effects. Our climate mitigation ambition is boldly outlined in the Glasgow Climate Plan published in 2020. The City also acknowledges the urgent need to take action to ADAPT to Climate Change, preparing for the inevitable local impacts of our global changing climate, now and in the future.

This was reiterated by the commitment under the Climate Plan, action 19, to develop a Climate Adaptation Plan for the city and embedded in city planning policy. The focus of this plan is therefore Climate Adaptation. Climate Adaptation is defined by the Intergovernmental Panel on Climate Change (IPCC) as: "Adjustments in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities".

Glasgow has already established through "Our Resilient Glasgow" strategy that climate change involves visible, immediate impacts for our environment (natural and built) and local communities. These are often witnessed as extreme weather events (shocks) but also less visible, indirect, and longer-term impacts (stresses), such as changes in wider food and energy costs."

Local Policy

Glasgow City Development Plan (2017)

CDP 2 Sustainable Spatial Strategy

2.4 *The Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable City. In doing so, the Council will support new development proposals that:*

- *Accord with the current National Planning Framework and Glasgow and the Clyde Valley Strategic Development Plan's Spatial Development Strategy;*
- *Protect & promote the City Centre's diverse functions and role as the sustainable regional centre of the West of Scotland;*
- *Support the regeneration and redevelopment of key housing investment areas;*
- *Utilise brownfield sites in preference to greenfield sites;*
- *Prioritise the remediation and reuse of vacant and derelict land;*
- *Focus economic development in Strategic Economic Investment Locations, the City's Safeguarded Economic Development Areas, town centres and other appropriate sustainable locations;*
- *Contribute to the development of vibrant and accessible residential neighbourhoods;*
- *Support higher residential densities in sustainable locations; and,*
- *Protect and enhance the function and integrity of the Green Belt and contribute towards the development of an integrated green infrastructure.*

CDP 5 Resource Management – Reducing Greenhouse Gas Emissions

2.5 The Council will support proposals that contribute to reducing greenhouse gas emissions and overall energy use and which facilitate the delivery of renewable energy and heat.

2.6 This includes support for a wide range of technologies that generate energy and/or heat from renewable sources, and distribute it efficiently.

2.7 Such proposals should not result in unacceptable impacts on landscape character, transport infrastructure, the amenity of surrounding uses or the water, natural or built environments, and should be acceptable when considered against the other policies of the Plan and associated Supplementary Guidance.

Site Background

2.8 The development site comprises a vacant, derelict plot of land, located at the very western extent of Fernleigh Road, Glasgow, adjacent to the junction with Fenwick Road.

2.9 It is understood that the site has been vacant since circa 2018 with its most recent use being a landscaping / driveway display area. Prior to the site being a landscaping display area, it was an area of hardstanding with a gap in the boundary fence known locally to have been used as a vehicle access for vehicle storage.

2.10 **Image 1 below**, shows the present condition of the site.



Image 1 indicating the existing condition of the site, July 2022 (courtesy of Google Maps).

2.11 **Image 2 below**, shows the site in it's last known productive use, as a landscaping display area.



Image 2 indicating the condition of the site in May 2018, showing the landscaping display area (courtesy of Google Maps).

2.12 **Image 3 below**, shows the site prior to the use as a landscaping display area.



Image 3 indicating the condition of the site in Sept 2014, showing the hard standing known locally to have been used for informal car parking (courtesy of Google Maps).

The Planning Application (Glasgow CC Ref. 24/00926/FUL)

2.13 The planning application was submitted on 3rd April 2024 and validated on 26th April 2024, Zest received a decision notice on 26th July 2024.

2.14 The planning proposal was as follows:

“Use of land for charging of electric vehicles, installation of EV chargers, feeder pillar, access and associated works.”

2.15 This application was submitted by Zest further to Glasgow application 23/02981 which Zest prepared and withdrew at the recommendation of Glasgow City Council. Following feedback from the withdrawn application, Zest made efforts to reach compromises with the LPA. This included:

- Reducing the amount of EV charging bays and chargers from the previous application 4 to 2 and including a waiting bay.
- Relocation of vehicular access to maximise junction spacing.

Refusal of the Application

2.16 Zest received the formal decision notice on the 26th July that the application had been refused with the following reasons for refusal:

1. ***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.***

Zest Response

It is the view of Zest that the proposal is in accordance with the Development Plan, as it is aligned with policies quoted earlier within this statement. The Development Plan is clearly interpretive in different ways. It is additionally observed that there is variable consistency in the interpretation of the Development Plan by Glasgow City Council applied on planning applications generally.

The generic nature of this element of the rejection is found to be unhelpful as it present no clear information to support the rejection claim. We can not identify any areas where the proposal is not in accordance with the Development Plan, however there are many where the proposal aligns with the Development Plan.

2. *The proposal is contrary to Policy 14 of NPF4 and to CDP 1 of the City Development Plan (adopted 2017) in that the location of the proposed development would have a detrimental impact on the residential amenity of the surrounding area.*

Zest Response

The site is on a main thoroughfare adjacent to a local parade of shops, it has a history of being used for commercial purposes including the aforementioned landscaping display area. It is evidently a commercial site.

The dwelling nearest to the installation, as the crow flies, is likely to be 617 Fernleigh Road which is around 20 metres from the nearest bay. This is not considered unduly near and it is quite typical for telecommunications, electrical or other equipment to be in this range of a dwelling.

Furthermore, it is not demonstrable that the nearby installation of EV charging equipment leads to undue harm to residential amenity. A case could easily be made for the opposite, that the installation of EV equipment contributes to an improvement to residential amenity through cleaner air caused by less pollutants, and quieter vehicles on the roads. The amenity is also improved through regeneration of a brownfield site that would otherwise be detrimental to the local amenity and potentially lead to social issues such as fly tipping.

3. *The proposal is contrary to Policy 13 of NPF4 and to CDP 11 of the City Development Plan (adopted 2017) in that the scale of the site and proposed access would have a detrimental impact in terms of road safety.*

Zest Response

The proposed junction location will benefit from around 15 metres of junction spacing from Fenwick Road. With the site being open at three sides, to the north, west and south, it benefits greatly with visibility onto Fenwick Road, Kilmarnock Road and Fernleigh Road and throughout the local area. It therefore doesn't present or feel like a site with substandard junction spacing as users waiting to enter and exit can see traffic, and can be seen by other traffic from quite far away

turning and moving on Fernleigh, Fenwick and Kilmarnock roads from the site access location. As illustrated on Figure 1, below.

Furthermore, the quantum of development is so small, the volume of attracted traffic is immaterial. The proposal is for 2 EV bays only on this site, attracting a maximum of 4 vehicle movements in one hour (assuming 100% occupancy which is clearly unrealistic). The likely upper maximum vehicle movements will be around 2 per hour, or one vehicle movement per thirty minutes during peak utilisation. Due to the present absence of EV's the likely utilisation for the next five years is less than 5 vehicle movements per day.

It is therefore considered that the quantum of development is so minor that it will not give rise to any new highway safety concerns.

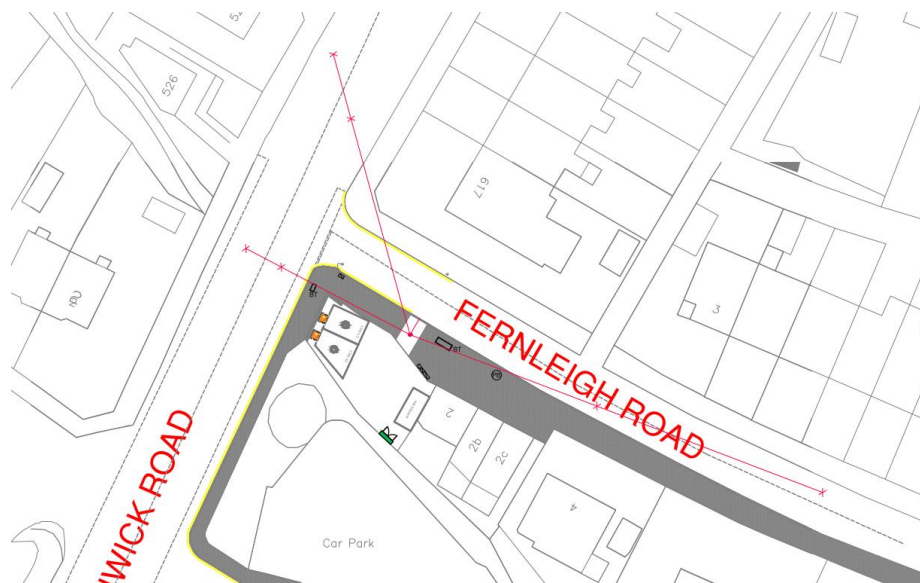


Figure 1: Indicating the visibility from the site access.

4. *The proposal is contrary to Policy 22 of NPF4 and to CDP 8 of the City Development Plan (adopted 2017) in that sufficient information has not been provided in relation to the proposed surface water drainage strategy.*

Zest Response:

As the site is currently covered by hardstanding and will continue to be hard surfaced, the proposed development, of equipping an existing area of hardstanding, with EV charging equipment will not make any material difference to the flood risk, the surface run off or the severity of any flooding event.

Notwithstanding the above, Zest is willing for drainage details to be conditioned as part of any planning approval. We note that this issue was never raised as a matter of concern prior to the issuing of the rejection notice.

Conclusion

- 2.17 It is therefore concluded that there are no reasonable grounds to uphold reasons for refusal Glasgow City Council provided in the determination of this application, and it should be overturned.
- 2.18 It is of concern that the policies and mandates from central government planning policy to support applications for Electric Vehicle charging infrastructure are not being adhered.
- 2.19 Zest would highlight that no valid specific objections to the planning application are being provided, either in the absence of valid concerns, or to prevent any valid issues from being addressed by future planning applications or design changes.
- 2.20 Furthermore, we believe that the rejection reasons provided are so ambiguous that in themselves they create a dangerous reference precedence that could be used in the future to block and delay similar valid planning applications for these vital environmental infrastructure deployments.