



## Planning Applications Committee

Report by  
Executive Director of Neighbourhoods, Regeneration  
and Sustainability

**Item 2(b)**

17th June 2025

Contact: Megan Reid Phone:

**Application Type** Full Planning Permission

**Recommendation** Refuse

<b>Application</b>	25/00617/FUL	<b>Date Valid</b>	20.03.2025
<b>Site Address</b>	Flat 0/1 11 Park Circus Glasgow G3 6AX		
<b>Proposal</b>	Use of office as 1No. flatted dwelling and associated external alterations		
<b>Applicant</b>	Detail Mr Gordon Russell Studio 201, The Axiom Building 54 Washington Street Detail Developments Glasgow G3 8AZ	<b>Agent</b>	Detail Residential Developments Gordon Russell Studio 201 54 The Axiom Building Washington Street Glasgow G3 8AZ
<b>Ward No(s)</b>	11, Hillhead	<b>Community Council</b>	02_030, Woodlands & Park
<b>Conservation Area</b>	Park	<b>Listed</b>	A
<b>Advert Type</b>	Affecting a Conservation Area/Listed Building	<b>Published</b>	4 April 2025
<b>City Plan</b>	City Development Plan		

### Representations/Consultations

A total of 19 public comments were received in relation to this application: 12 representations were made in support, and 7 were received in objection. However, a letter of support was submitted by the Agent acting on behalf of the Applicant and will not be considered in the assessment of this application. It should be noted that the Agent did not introduce any additional matters beyond those already raised in the other 11 letters of support. The key points raised in the representations are summarised below.

#### Supports (11)

- Return building to its original use.
- Residential use of building enhances conservation area.
- Increased sense of community and local neighbourhood.
- Local area is well served by amenities, including shops, education, medical facilities, transport infrastructure, and publicly usable open space.
- Heritage of the area preserved.

### Objects (7)

- Poor residential amenity due to lack of suitable access arrangements to rear garden area.
- No right to access the basement staircase.
- Formation of internal rear access through the basement property as referenced in their Design Statement is not deliverable.
- The basement property is outwith the ownership of the applicant and the owners of the basement property object to the proposed potential access formed through the basement flat (as per the Applicant's Design Statement).
- Plans submitted in support of this application were copied from elsewhere on the Planning Portal without permission to do so.
- Several plans were not available on the public portal and the application should not be valid.
- Providing internal rear access would have an adverse impact on the structural integrity, character and appearance of the Category A Listed Building.
- Storage and uplift of domestic waste in the absence of internal rear access.

### Consultations

- Historic Environment Scotland (HES) were consulted on this application and did not have any comments to make.
- NRS Cleansing were consulted on this application and had no objection to the proposal. Kerbside collections of domestic waste on Park Circus are available multiple times per week.

### **Site and Description**

The application site comprises the ground, first and second floor premises at 11 Park Circus. The 3-storey and basement, mid-terrace property, constructed between 1857 and 1859, is a Category 'A' Listed Building and is within the Park Conservation Area. 11 Park Circus was originally in use as one residential townhouse and, similar to other properties in Park Circus, it was previously converted to Class 4 (Office) use. The surrounding area is characterized by a mix of commercial and residential properties.

The ground floor application property is accessed from the flying staircase on Park Circus. Internally a grand entrance hall leads to three rooms at ground floor level. A stair leads up to the former L-shaped drawing room at first floor level, with two further rooms to the rear. At second floor level a series of 5 smaller rooms are found.

There is no internal access between the basement premises and the application property; while the original staircase linking the basement to the ground and upper floors remains in place, access is restricted by a sealed door at the top of the basement stairs. As such, there is no internal access from the application property to the rear garden.

The applicant has access rights to the rear court and currently owns 75% of the rear garden space. As there is no direct internal access to the rear garden, the owner has to walk along Park Circus then down Park Circus Lane and enter via stairs from the lane to access the garden. This is a distance of approximately 200 metres. The former washhouse in the rear garden is outwith the ownership of the applicant and is part of the basement property. A standalone bin store is provided in the rear garden; however, it is currently designated for the exclusive use of the basement property.

For the avoidance of doubt, the basement property at 11 Park Circus is outwith this application site and is not within the ownership of the applicant. The basement property currently has Class 4 (Office) use.

The ground and first floor office spaces were unoccupied at the time of the Applicant's purchase of the property in October 2024 and remain vacant to date. The tenancy agreement for the second-floor occupants is set to expire in November 2025 and will not be renewed. Previously all three floors were used for three different office uses. There are no controlled hours of operation on the building and it can be used 24 hours a day, 7 days a week if tenants wish to do so.

## Site History

Listed building consent for the internal and external alterations associated with this proposal are considered under the application Ref: 25/00618/LBA. This will be dealt with under delegated powers as only two objections were received.

Relevant planning history for ground, first and second floor premises at 11 Park Circus:

App Ref	Proposal	Decision
25/00618/LBA	Internal and external alterations to listed building	Pending Consideration
09/00925/DC	Use of ground, first and second floor offices as self contained flat.	Refuse

Relevant planning history for rest of building at 11 Park Circus:

App Ref	Proposal	Decision
24/00699/FUL	Use of office as flatted dwelling, replacement external doors and removal of window bars.	Pending Consideration
23/00987/FUL	Use of office as flatted dwelling, replacement external doors and removal of window bars.	Refuse
23/00986/LBA	Internal and external works associated with use of office as flatted dwelling.	Grant Subject to Conditions

## Proposal

This application seeks to convert the ground, first and second floor offices to a three-bedroom flatted dwelling. At ground floor level a living space within the front room would lead through to a kitchen to the rear. A bathroom and utility room would be created in the other rear room. At first floor level, the large L-shape drawing room would be retained as such, with a bedroom, bathroom and study to the rear. On the second floor three further bedrooms (one with en-suite) a shower room and a bathroom would be created.

Associated external alterations include the removal the security bars from 2no. windows at ground floor level on the rear elevation, and the replacement of the glazing in existing cupola with clear glass.

In terms of waste storage and collection, the Applicant has stated that: *'Waste will be stored within stores within the house and taken out on appropriate days to either the lane to the rear or the street to the front, depending on what access agreement can be reached with the owner of the Basement floor.'* Given that the basement property is outwith the application site, arrangements referencing the basement should be disregarded. NRS Cleansing have confirmed that kerbside domestic waste uplift on Park Circus is available if necessary.

With regard to refuse collection, whilst it would be preferable for the proposed dwelling to have access to a communal bin store in the rear garden, the lack of internal access to the rear garden prevents this. Therefore, it has been agreed with the Cleansing Department that kerbside collection of binbags by the Council is acceptable.

## Specified Matters

Planning legislation now requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This obligation is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

### A. Summary of the main issues raised where the following were submitted or carried out

#### i. an environmental statement

Not applicable

ii. **an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994**

Not applicable

iii. **a design statement or a design and access statement**

A design and access statement was not required due to the type and scale (local development) of the proposal, however, a Design Statement was submitted in support of this application.

iv. **any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)**

Not applicable

**B. Summary of the terms of any Section 75 planning agreement**

Not applicable

**C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32**

These Regulations enable Scottish Ministers to give directions

i. **with regard to Environmental Impact Assessment Regulations (Regulation 30)**

Not applicable

ii.

1. **requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)**

Not applicable

2. **restricting the grant of planning permission**

Not applicable

iii.

1. **requiring the Council to consider imposing a condition specified by Scottish Ministers**

Not applicable

2. **requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either imposed or need not be imposed.**

Not applicable

## **Policies**

### **NPF 4 Policies**

The relevant NPF 4 policies covered in the assessment below are as follows:

**Policy 1** Tackling the Climate and Nature Crises

**Policy 2** Climate Mitigation and Adaptation

**Policy 7** Historic Assets and Places

**Policy 9** Brownfield, Vacant and Derelict Land and Empty Buildings

**Policy 14** Design, Quality and Place

**Policy 16** Quality Homes

## **City Development Plan Policies**

The Glasgow City Development Plan (CDP) was adopted on 29 March 2017 of which the following policies and supporting guidance are relevant:

**CDP 1** The Placemaking Principle  
**SG 1 (Part 2)** The Placemaking Principle  
**CDP 2** Sustainable Spatial Strategy  
**CDP 9** Historic Environment  
**SG 9** Historic Environment  
**CPD11** Sustainable Transport

## **Assessment and Conclusions**

Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.

In addition, under the terms of Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 64 of the same Act requires the Council to pay special regard to any buildings or other land in a Conservation Area, including the desirability of preserving or enhancing the character or appearance of that area.

The issues to be taken into account in the determination of this application are considered to be:

- a) Whether the proposal accords with the statutory Development Plan;
- b) Whether the proposals would impact on the setting of the listed building or nearby listed buildings;
- c) Whether the proposal preserves or enhances the character or the appearance of the Conservation Area;
- d) Whether any other material considerations (including objections) have been satisfactorily addressed.

In order to assess a), b) and c) the proposal must be considered against the Development Plan comprises of NPF4 adopted 13 February 2023 and the Glasgow City Development Plan adopted 29 March 2017. In order to assess a), b), and c), the proposal is considered against the following policies:

**NPF4 Policy 1** 'Tackling the Climate and Nature Crises' and **NPF4 Policy 2** 'Climate Mitigation and Adaptation' are overarching policies which should be considered for all proposals, regardless of scale, giving weight to the climate and nature crises, and climate mitigation and adaptation.

**Case Officer Comment:** This proposal is relatively small in scale, and is not considered to negatively impact on either crises.

**NPF Policy 7** 'Historic Environment' seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. **CDP9** and the associated supplementary guidance **SG9** outlines policy seeking to protect, conserve and enhance the historic environment for the benefit of existing and future generations. While there is no specific guidance in SG9 regarding the removal of security bars, the below general guidance of alterations to listed buildings is relevant.

*The Council encourages the sensitive alteration and extension of Listed Buildings where this will not harm their special interest. To this end, proposals for the alteration of a Listed Building must:*

- a) respect the original layout and plan form of the building;*
- b) not result in the loss of historic fabric, including fixtures and fittings, which contribute to the building's special interest;*
- c) incorporate detailed design and traditional materials which reflect or complement the period, style and architectural character of the building;*
- d) replace missing traditional features, such as period doors or decorative plasterwork with good quality replicas of the originals;*
- e) follow further detailed guidance for repairs, alterations and extensions; and*
- f) seek advice at the outset as to whether the project will give rise to any archaeological issues.*

**Case Officer Comment:** It is considered that removal of the security bars will enhance the special interest of the listed building and improve the appearance of the wider conservation area. The proposed removal of the security bar is welcomed. The proposed installation of clear glazing within the existing cupola is also acceptable.

Overall, it is considered the proposed external alterations accord with NPF4 Policy 7, CDP 9 and SG 9.

**NPF4 Policy 9** 'Brownfield, Vacant and Derelict Land and Empty Buildings' seeks to support proposals for the reuse of existing buildings, while taking into account their suitability for conversion to other uses. **NPF4 Policy 14** 'Design, Quality and Place' seeks to improve the quality of an area whether in urban or rural locations and regardless of scale. **CDP2** 'Sustainable Spatial Strategy' also supports sustainable development and seeks to guide the location and form of development to create a 'compact city' form.

**Case Officer Comment:** This proposal is in accordance with the above policy intentions. The proposal seeks to re-use the partially vacant existing listed building and return it back to residential use which is considered to be sustainable and appropriate use for such a property. This proposal will improve the external appearance of the listed building and will also support the City's wider aims of increasing the residential population within the Park and city centre areas.

**NPF4 Policy 16** 'Quality Homes' states that states householder proposals will be supported where they do not have a detrimental impact on the character or environmental quality of the home and the surrounding area, and do not introduce any issues of residential amenity. This is supported by **CDP1** 'The Placemaking Principle' which is overarching guidance seeking to ensure all proposals are of the highest standard of design, using high-quality and appropriate materials that respect the City's character and heritage whilst also ensuring the City is an appealing place to live, work and visit for all.

**SG1 (Part 2)** 'The Placemaking Principle' provides the following detailed guidance in relation to this proposal:

**Conversion and Subdivision to Residential Use**

*2.51 The aim of this guidance is to ensure that conversions and subdivisions result in good quality accommodation with appropriate facilities and residential amenity. All proposals to convert Listed Buildings will also have to meet the standards set out in Policy CDP9 and SG9 - Historic Environment, Section B).*

**2.52 General Standards** - Proposals for conversions and subdivisions should comply with the following general standards:

- a) *all dwellings should, ideally, have dual aspect (proposed flats with their sole aspect into a parking court or shared rear area will generally be unacceptable). Where single aspect is proposed developers will be required to demonstrate that the amenity enjoyed by the flats is similar, if not better than that of dual aspect flats in a similar location. This will include consideration of the flat's outlook). An exception may also be made in terms of Listed Buildings, where the applicant can clearly demonstrate that the special character of the building would be detrimentally affected by a dual-aspect arrangement.*
- b) *all habitable rooms (see Definition) should receive natural daylight and ventilation. No residential accommodation should be formed solely in basement cellars or under buildings. A minimum of 18 metres should be provided between habitable room windows directly facing windows in buildings on adjacent sites, wherever possible. Where the adjacent site is vacant, no new habitable room windows should be formed on an elevation less than 9 metres from the common boundary;*
- c) *access to upper floors should be provided internally. External stairs should not be visible from any public area, as they detract from the visual amenity of buildings and the surrounding streetscene;*
- d) *there should be internal access from each dwelling to both the front and rear of the building, to enable occupants to reach refuse/recycling facilities and private/communal amenity space (an exception may be made in properties where a path is provided around the side of the building; and*
- e) *parking provision should accord with SG11 - Sustainable Transport.*

**Case Officer Comment:** The proposal is not complaint with the above policy. The proposed flatted dwelling would be dual aspect, and all habitable rooms would receive a generous amount of natural daylight and ventilation, however the application property does not have internal rear access and therefore is not complaint with criterion d) above. As a result, future occupants would face difficulty accessing the rear garden for external amenity provision. Although the applicant has access rights to the rear court and owns 75% of the rear garden, accessing the rear garden would require a walk of approximately 200 meters from the property's main entrance to enter the garden via Park Cirrus Lane. This is not an appropriate or acceptable means of accessing the rear garden ground, and it is considered that the lack of internal rear access would have detrimental impact of the level of residential amenity enjoyed by the occupants of the flatted dwelling. Matters relating to parking will be assessed against SG11 'Sustainable Transport' later in this report.

*2.53 In some situations, grounds attached to the building will be feued separately, to provide a private garden for each flat. The following guidance applies:*

- a) *where this is not proposed, the developer should provide usable communal private garden space for residents; a shared "backcourt" or "backcourts". These areas should be screened from public view and secured from public access. To minimise energy use, provision in these areas should also be made for clothes poles, to allow outside clothes drying; and*
- b) *provision of garden space, refuse/recycling space, etc should not result in the removal of trees, important to the amenity of the area. On sites with mature trees, a tree survey should be submitted with the application to allow assessment of any likely impacts (see also SG7 - Natural Environment and Trees).*

**Case Officer Comment:** As stated above, there is no internal rear access, and accessing the rear garden would require a walk of approximately 200 meters from the property's main entrance to enter the garden via Park Cirrus Lane. This arrangement is not appropriate or acceptable.

As the existing original stair remains within the building, it would be feasible to create this direct access. However, the part of the stair required to access the rear garden is in the ownership of the basement office and not the applicant. If the two parties were minded, they could come to agreement on creating this access. The Council has encouraged them to do so, but they have not been able to come to any agreement. This is unfortunate and as such the proposed dwelling under consideration here continues to fail the requirements of SG1 to have a direct access to the garden and as such it cannot be supported.

#### **Local Area Policies - Park Conservation Areas**

This location-specific guidance expects proposals to make minimal disruption to the internal fabric, where possible; and should improve the townscape of rear lanes such as reinstating solid boundaries and limiting parking. There must be a maximum of two dwellings in a four-storey terraced property.

**Case Officer Comment:** The proposed conversion and external alterations are complaint with the Park Conservation Area - local area policy.

To summarise, there is no internal rear access, and therefore the proposal does not provide an acceptable means of accessing the rear garden ground for external amenity provision. For the reasons outlined above, it is considered that the proposed flatted dwelling would not benefit from an acceptable level of residential amenity. Overall, the proposal is contrary to NPF4 Policy 16, CPD1 and SG1 (Part 2).

**CPD11** and **SG11** seek to ensure development supports sustainable transport and active travel. This policy provides the following guidance in relation to this proposal:

**Cycle Parking** - Mainstream residential development should provide one cycle parking space per unit, and this should generally be provided within or the rear of the building to ensure it is safe and secure.

**Case Officer Comment:** No cycle parking provision has been indicated on the plans. However, it is anticipated that adequate storage space could be provided internally or within the rear garden area for cycle storage.

**Vehicle Parking** - The basis minimum standard for parking provision is one space per dwelling unit. Variation above or below this figure may be acceptable if this can be justified, such as on the basis of public transport accessibility, car availability within the surrounding area, house size and form, or placemaking and design requirements.

**Case Officer Comment:** It is not proposed to provide off-street parking within the application due to the constraints of the site. The application site is located within a high accessibility area for public transport, therefore variation below the minimum standard can be considered. In this instance, due to the high accessibility of the site in terms of public transport, it is acceptable for the proposed development to have no off-street parking. Overall, the proposal is generally compliant with SG11.

With regard to d) other material considerations, a total of 19 public representations have been received in support of this application. 12 representations were made in support, and 7 were received in objection. As stated previously, a letter of support was submitted by the Agent acting on behalf of the Applicant and will not be considered in the assessment of this application; it should be noted that the Agent did not introduce any additional matters beyond those already raised in the other 11 letters of support.

The points raised in the letters of support and objection are summarised and addressed as follows:

#### Supports (11)

- Return building to its original use.
- Residential use of building enhances conservation area.
- Local area is well served by amenities, including shops, education, medical facilities, transport infrastructure, and publicly usable open space.
- Increased sense of community and local neighbourhood.

**Case Officer Comment:** The above points are noted. In general, the principle of the conversion to residential in Park Circus is supportable and welcomed. However, in this instance approval of the conversion would lead to a substantial 3 storey property that is unable to directly access its own back garden. This is prohibited from a Policy perspective, but from a common-sense perspective it is neither practical or appropriate to have to walk 200 metres via the street and a lane.

- Heritage of the area preserved.

**Case Officer Comments:** The use and continued maintenance of the listed building is welcomed.

#### Objects (7)

- Poor residential amenity due to lack of suitable access arrangements to rear garden area.

**Case Officer Comment:** The proposal does not comply with Policy SG1 as there is no direct access from the proposed dwelling to its own rear garden.

- No right to access the basement staircase.
- Formation of internal rear access through the basement property as referenced in their Design Statement is not deliverable.
- The basement property is outwith the ownership of the applicant and the owners of the basement property object to the proposed potential access formed through the basement flat (as per the Applicant's Design Statement).

**Case Officer Comment:** The basement property is outwith the application site and is not relevant to this application. Matters relating to access and ownership are a private civil matter and are not a material planning consideration.

- Plans submitted in support of this application were copied from elsewhere on the Planning Portal without permission to do so.

**Case Officer Comment:** Matters relating to copyright infringement are a private civil matter and are not a material planning consideration.

- Several plans were not available on the public portal and the application should not be valid.

**Case Officer Comment:** The plans referred to were submitted at the point of validation and were available thereafter online for inspection. The Applicant requested that the location plan, site plan, and elevation drawings were removed from the online portal while amended drawings were prepared. The original drawings were not publicly available for approximately a 24-hour period. It is noted that this occurred within the final week of the public consultation period. The amended drawings were substantially the same as the previous drawings and it was not considered that the lack of access to the drawings for 24 hours impeded the public's ability to submit representations to this application. In fact, a total of 19 representations were submitted timeously.



- Providing internal rear access would have an adverse impact on the structural integrity, character and appearance of the Category A Listed Building.

**Case Officer Comment:** The drawings associated with this proposal does not include any proposal to form internal rear access. It should be noted that there is already the existing and original internal stair that goes from upper ground floor to basement level. This is currently blocked off but could be brought back in to use with minimal impact on the fabric of the listed building.

- Storage and uplift of domestic waste in the absence of internal rear access.

**Case Officer Comment:** NRS Cleansing have been consulted on this application and did not raise any objection to the proposal. Kerbside uplift of domestic waste on Park Circus is available if necessary.

In terms of external consultations, HES were consulted and had no comments to make on the external alterations. NRS Cleansing were consulted and had no objections to make with regard to the proposal.

Taking the above into account, it is not considered that the above material considerations, including matters raised in the eleven letters of support, are sufficient to outweigh the proposal's variance from the development plan.

## Conclusion

In conclusion, in general the Planning Authority supports and welcomes the conversion of townhouses in the Park Area back to residential use. However, in this instance the proposal cannot be supported as the proposal does not provide high quality residential accommodation due to the significant policy failures relating to the lack of direct access from the 3 storey dwelling to its own rear garden. The only option for a future resident would be to walk 200 metres along a street then a lane to access the garden. This is neither desirable nor appropriate.

As the existing original stair remains within the building it would be feasible to create this direct access. However, the part of the stair that access the rear garden is in the ownership of the basement office and not the applicant. If the two parties were minded they could come to agreement on creating this access. The Council has encouraged them to do so, but they have not been able to come to any agreement. This is unfortunate and as such the proposed dwelling under consideration here continues to fail the requirements of SG1 to have a direct access to the garden and as such it cannot be supported.

It is considered that the proposal should be refused for the reasons as set out in the main body of the report. The proposed development does not provide high quality residential accommodation due to significant policy failures relating to lack of internal rear access. The proposal does not provide an acceptable means of accessing the rear garden ground for external amenity provision.

It is therefore considered that the proposal is contrary to NPF4 Policy 16; CDP1; and SG1 as the proposed flatted dwelling would not benefit from an acceptable level of residential amenity. Other material considerations including the comments submitted by those supporting the application have been considered and addressed and do not outweigh the policies of the Development Plan. The potential internal and external impacts on the character of the listed building and conservation area have already been assessed as part of the previous listed building consent. Overall, it is considered that the proposal is contrary to the Development Plan as the proposed flatted dwelling would not benefit from an acceptable level of residential amenity, and there are no material considerations which outweigh the proposal's variance with the Development Plan.

On the basis foregoing, it is recommended that the application is refused.

## Reasons of 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.
2. The proposal is contrary to NPF4 Policy 16 Quality Homes, CDP 1 The Placemaking Principle of the City Development Plan (adopted March 2017) and associated supplementary guidance SG1 Placemaking as specified below.
3. There is no internal rear access from the building to its rear garden and the proposal does not provide an acceptable means of accessing the rear garden ground for external amenity provision.

## Advisory Notes to Applicant

## Advisory Notes to Council

for Executive Director of Neighbourhoods, Regeneration and Sustainability

DC/MREI/06/05/2025

## BACKGROUND PAPERS

### **PLEASE NOTE THE FOLLOWING:**

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