



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 100738738-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

This proposal is for retrospective permission for an already-constructed bin store. 4 (four) waste and recycling wheelie bins previously had to be stored in the front garden of the front garden, in front of the downstairs neighbour's windows, and required the resident of Flat 1 25 Onslow drive (a petite elderly (age 89) woman to move the bins up and down a set of garden steps, risking injury. The bin store at street level avoids this risk and removes the previous unsightly appearance.

Has the work already been started and/ or completed? *

☐ No ☐ Yes - Started ☒ Yes – Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

19/04/2025

Please explain why work has taken place in advance of making this application: *
(Max 500 characters)

The need for planning permission prior to the works was not appreciated at the time, and it had become more clear that the elderly resident of Flat 1 25 Onslow Drive was having increasing difficulty moving the bins: the risk of injury prompted immediate action to progress the improvement.

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

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Sheena	Building Number:	25
Last Name: *	Fumace	Address 1 (Street): *	Onslow Drive
Company/Organisation		Address 2:	Dennistoun
Telephone Number: *		Town/City: *	Glasgow
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	G31 2LY
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	Glasgow City Council
Full postal address of the site (including postcode where available):	
Address 1:	FLAT 1
Address 2:	25 ONSLOW DRIVE
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	GLASGOW
Post Code:	G31 2LY

Please identify/describe the location of the site or sites

Northing	665418	Easting	261145
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mrs Sheena Furnace

On behalf of:

Date: 08/01/2026

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☐ Existing and Proposed elevations.
- ☐ Existing and proposed floor plans.
- ☐ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☐ Roof plan.
- ☒ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☒ Yes ☐ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mrs Sheena Furnace

Declaration Date: 08/01/2026

Payment Details

Online payment: 735900
Payment date: 08/01/2026 17:47:52

Created: 08/01/2026 17:47

Notice of Review Form - Section 8

Reasons for appeal:

Reason 01 of the Planning Decision Notice is incorrect - a 'material consideration' does in fact exist to justify variation from the Development Plan.

Reason 02 of the Planning Decision Notice failed to give due consideration to the applicant's individual circumstances as set out in the application Supporting Statement.

The decision-making process was materially flawed (including, but not limited to, negligent failure to adequately consider the applicant's physical limitations in manual handling), as set out below.

The decision is unfairly discriminatory against a vulnerable, physically-impaired householder, as explained below.

Additional new information is available for consideration, as provided below.

It would be a reasonable modification of the Development Plan to consider the applicant's personal circumstances as a 'material consideration' in the planning application process.

Important relevant additional information for consideration:

On Sunday 18th January 2026 the appellant/applicant/householder fell at home, fracturing her left upper arm. The fracture has now healed, but has resulted in persisting restriction of movement at the left shoulder joint. The appellant/applicant/householder now, at the time of appeal, has greater impairment of physical capacity than she did at the time of planning application (just ten days prior to the injury). The occurrence of this accidental injury emphasises the point made in the application supporting statement that the appellant/applicant/householder is at risk 'to life and limb' by awkward manual handling of bins from garden to pavement, and indicates that she is now a vulnerable person at even greater risk 'to life and limb' if she were obliged, by refusal of this appeal, to return to this manual handling.

Further, given the stress placed on the 'minimal screening' of the bin store in the Handling Report, screening material has been purchased for application to the gates and railings. This will significantly screen the bins from sight.

General observations:

The situation leading to the planning application arose because Glasgow City Council (GCC) has provided four wheelie bins to a property without facilities to store them, and where they can only be placed (without the constructed bin store) in a location which requires awkward manual handling to move them to and from the public pavement. The appellant/applicant/householder raises no object to the principle of recycling or to use of wheelie bins, but asserts that the council should be fair and reasonable in assessing the steps taken to address the problem its own action has created.

Comments on Report of Handling for Application 26/00044/FUL

‘Representations and Issues Raised’ and ‘Parties Consulted’

It is noted that no representations (i.e. objections) were received regarding the application. It is also noted that the only party consulted in preparation of the report was ‘DRS – HERITAGE AND WEST’ – no explanation of the abbreviation is given but it is assumed this refers to the Development and Regeneration Service of Glasgow City Council. The report’s final recommendation to refuse appears to have been made solely on the input of DRS.

The comments made by DRS are disputed, as follows:

Bullet 2: ‘Although wheeled bins are typically stored in front gardens within the street block, they are reasonably discrete and located behind boundary hedges or other planting.’

This comment implies that planting of a hedge to obscure the original placement of the bins should have been undertaken as an alternative to the built bin store. However, a hedge or other planting high enough to obscure the bins would also seriously obscure the view from the lower flat’s window. It would be unreasonable for GCC to provide multiple wheelie bins to a household without specific storage for these, and then expect the household to obscure the bins by growing a hedge (or ‘other planting’) which would itself obstruct the view from a neighbour’s window. This DRS comment is therefore unrealistic and unreasonable.

Bullet 3: ‘but no access audit and conservation statement have been undertaken, as recommended by HES’:

There is no requirement for, nor even mention of, an ‘access audit and conservation statement’ in the planning application form – it is fundamentally unfair and unreasonable to reject the application because of the absence of something which was not a requirement within the application form.

Bullet 3: ‘alternatives have not been explored, e.g. storing the bins behind the boundary wall, adjusting the ground levels to allow them to be rolled out the original gateway and providing hedging to screen them from public view’:

The refusal decision was prejudiced against the applicant by inclusion of this manifestly unfair and factually incorrect assumption. There is no requirement on the planning application form to describe alternatives to the proposed works, and the absence of a described alternative does not indicate that it was not considered. The person making this statement cannot possibly know what alternatives were or were not considered prior to the planning application submission, because they were not a party to those considerations. It is fundamentally unfair and unreasonable to reject the submitted application on the basis of an incorrect presumption about a factor which was not a requirement of the planning application form in the first place.

Bullet 3: this acknowledges that the appellant/applicant/householder is ‘elderly’, but completely ignores the Supporting Statement observations that she is also ‘petite’ and ‘of limited physical capacity’. The appellant/applicant/householder’s physical limitations are a fundamentally material reason for the application and failure to mention these is frank and convincing evidence of an unfairly superficial and inadequate assessment by DRS of the health and safety aspects of the manual handling task of moving the bins from their prior position. The refusal decision has been unfairly prejudiced against the appellant/applicant/householder by the failure of DRS to consider a fundamentally material aspect of the application.

Bullet 4: Whether or not ‘removal of part of the boundary wall and formation of a highly visible bin storage to the front boundary’ is more ‘detrimental to the historic character and visual amenity of the conservation area’ than the prior arrangement of storing the bins in the garden is a matter of opinion, and the stated view is not shared by the appellant/applicant/householder. However, this sentence clearly prioritises the appearance of ‘the terrace boundary’ over the health and safety of the appellant/applicant/householder, and is therefore both unreasonable and discriminatory.

Bullet 5: This is logically and factually incorrect. Logically, approval of the application on the basis that the health and safety risk to the applicant from the prior arrangement is a ‘material consideration’ justifying variance from the Development Plan would be implementation of a reasonable modification within the planning decision process, which would not of itself provide a precedent for multiple or universal similar developments where the same material consideration did not exist. It is unfair and discriminatory to refuse the application in the presence of a material consideration, on the basis that approval might lead to other planning applications requiring due consideration. Furthermore, observation of other properties on the section of Onslow Drive between Whitehill Street and Craigpark shows that several have had sections of boundary wall removed (typically to allow for vehicle access from the road into the property garden, it would appear), the finishing of which suggests that the absent sections were not an original feature when the properties were first constructed. In simple terms, there is clearly already existing precedent for the removal of boundary wall sections, so the statement at bullet 5 is factually incorrect, and the decision to refuse the application was therefore unfairly and unreasonably influenced by this incorrect statement.

Regarding ‘Parties Consulted’, the Supporting Statement supplied with the application clearly identified the appellant/applicant/householder as being a person at risk of fall and injury as a result of the manual handling required by the prior storage arrangement. This should have prompted the decision maker to consult a party able to conduct an adequate risk assessment of this hazard. This was not done, unfairly prejudicing the decision against her.

‘Other Comments’

It is noted that paragraph 3 of this section recognises that ‘material considerations’ are relevant in planning decisions. However, no consideration has been given to the obvious material consideration of the appellant/applicant/householder’s physical impairment in manual handling of bins. This lack of consideration has inappropriately adversely affected assessment of the application.

The report comments twice (at paragraphs 6 and 11) on ‘minimal screening of the bin store’ – it is accepted that the application did not include mention of screening measures between the bins and enclosing gates, and that these are not visible on the photograph supplied with the application. However, suitable screening material has been obtained and when applied to the gates and railings of the bin store provides significant screening of the bins from public view. It is unfair and unreasonable to refuse planning permission where a simple measure such as this is available to address this reason for refusal.

Paragraph 12 of the Report notes that Policy 16 ‘supports development relating to health conditions that lead to particular accommodation needs’ but then repeats the DRS bullet 3 comment that ‘no access audit and conservation statement have been undertaken, as recommended by HES’. There is no requirement for, nor even mention of, an ‘access audit and conservation statement’ in the planning application form – it was fundamentally unfair and unreasonable to recommend rejection of the application because of the absence of something which was not a requirement within the application form. The Supporting Statement supplied with the application clearly identified the appellant/applicant/householder as being at risk of fall and/or injury as a result of awkward manual

handling of bins up and down the garden steps. In the Report, no reference whatsoever is made to the Supporting Statement, and it is unclear that this aspect of the application has been understood by the Report author: the HES document on Accessibility shows illustrations of ramps, lifts etc. to enable wheelchair users (for example) to access sites – this is not an appropriate reference because the applicant is capable of access and egress to and from her flat and no structural alteration to the building or garden was proposed for access/egress reasons. The problem being addressed is awkward manual handling of bins up and down steps, so a more appropriate reference would be an HES document dealing with loading docks, delivery bays etc. Failure to understand and appreciate the significance of the content of the Supporting Statement has unfairly and unreasonably prejudiced the assessment of the application.

The Conclusion of the Handling Report says ‘Recommendation: Refuse’ because there ‘are no material considerations which outweighed the proposal’s deviation from the Development Plan’. This statement is fundamentally incorrect because of a wholly negligent and incompetent failure to adequately take into account the information in the Supporting Statement.

Summary:

For the reasons outlined above, the appellant/applicant/householder contends that:

Reason 01 of the Planning Decision Notice is incorrect – the appellant/applicant/householder’s individual circumstances are an existing ‘material consideration’ which justify variation from the Development Plan.

Reason 02 of the Planning Decision Notice failed to give due consideration to the appellant/applicant/householder’s individual circumstances as set out in the application Supporting Statement.

The decision-making process was materially flawed (including, but not limited to, negligent failure to adequately consider the appellant/applicant/householder’s physical limitations in manual handling).

The decision was unfairly discriminatory against a vulnerable, physically-impaired applicant/householder.

Additional new information is available for consideration. This information emphasises the ‘material consideration’ nature of the appellant/applicant/householder’s physical impairment in manual handling.

It would be a reasonable modification of the Development Plan to consider the appellant/applicant/householder’s personal circumstances as a ‘material consideration’ in the planning application process.