



Glasgow City Council

Local Review Committee

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

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Item 1

6th September 2022

**22/00003/LOCAL – Erection of residential development (49 units) and
associated works at 65-77 Otago Street.**

Purpose of Report:

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

Ward No(s): 11

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1 LOCATION AND DEVELOPMENT PLAN DESIGNATIONS

- 1.1 The site consists of areas of hardstanding associated with the former car parking and refuse storage areas, as well as landscaped amenity space, for the flats at 65-77 Otago Street; Otago Lane and part of Otago Street where it meets Otago Lane; an external seating area which serves an Class 3 tea shop on Otago Lane; and an area of riverbank on the west side of the River Kelvin

It is bounded to the west by the rear elevation of the flats at 65-77 Otago Street, to the east by the River Kelvin, to the north by parking associated with the flats at 51-53 Otago Street and to the south by Mews properties with commercial uses on the ground floor and flats above on Otago Lane and the backcourt of flats at 12-18 Gibson Street and a block of student accommodation to the east of these flats.

The River Kelvin is identified as a Site of Importance for Nature Conservation, a green corridor and PAN65 Natural/Semi Natural greenspace (open water), while an area of the riverbank is also identified as a green corridor riparian route. The site also includes areas identified as PAN65 amenity greenspace (transport) and the eastern edge of the site is a SEPA defined flood area.

The site is within the Inner Urban Area, Glasgow West Conservation Area, and is identified as highly accessible by public transport.

2 DEVELOPMENT PLAN POLICIES

- 2.1 The relevant City Development Plan policies and Supplementary Guidance are:

CDP1 The Placemaking Principle
CDP2 Sustainable Spatial Strategy
CDP5 Resource Management
CDP6 Green Belt and Green Network
CDP7 Natural Environment
CDP8 Water Environment
CDP9 Historic Environment
CDP11 Sustainable Transport
CDP12 Delivering Development

SG1 Placemaking (part 1)
SG1 Placemaking (part 2)
SG5 Resource Management
IPG6 Green Belt and Green Network
SG7 Natural Environment
SG8 Water Environment
SG9 Historic Environment
SG11 Sustainable Transport
IPG12 Delivering Development

3 REASONS FOR REFUSAL / RELEVANT CONDITION(S)

3.1 The reasons for refusal are set out below:

01. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.

02. The proposal is contrary to Policies CDP 1 The Placemaking Principle and CDP 9 Historic Environment, the associated Supplementary Guidance SG 1 Placemaking and SG 9 Historic Environment of the Glasgow City Development Plan 2017 as specified in the reasons below and there were no material considerations which outweighed the proposal's variance with the Development Plan.

03. The proposed development will unacceptably impede daylight to adjacent properties and detrimentally impact upon the daylighting standards of existing residents and is contrary to Policy CDP 1 The Placemaking Principle and the associated Supplementary Guidance SG1: Placemaking both of the Glasgow City Development Plan 2017.

04. Due to the location of the proposed refuse and recycling storage for the existing flats at 65-77 Otago Street, its distance from the flats it would serve, to the concentration of bins for 48 flats in close proximity to windows of a neighbouring tenement and to the roll distances to the bin collection point from all the proposed refuse and recycling stores, but especially from that proposed for the existing flats, the proposed waste and recycling storage and collection strategy would detract from the residential amenity of existing and future residents and is contrary to Policy CDP 1 The Placemaking Principle and the associated Supplementary Guidance SG1: Placemaking both of the Glasgow City Development Plan 2017.

05. The buildings will adversely impact upon the privacy of existing and proposed residents to the detriment of residential amenity contrary to Policy CDP 1 The Placemaking Principle and the associated Supplementary Guidance SG1: Placemaking both of the Glasgow City Development Plan 2017.

06. Due to the design of its layout and access, the proposed development would give rise to conflict between service vehicles and pedestrians, particularly at the junction between Otago Lane and the proposed private access road, and adjacent to the proposed loading bay/vehicle turning area which would be on the eastern side of the proposed private access road, which would adversely affect pedestrian safety and the amenity of existing and future residents and also of existing businesses on Otago Lane and therefore it is contrary to Policy CDP 1 The Placemaking Principle and the associated Supplementary Guidance SG1: Placemaking both of the Glasgow City Development Plan 2017.

4 APPEAL STATEMENT AND OTHER RELEVANT DOCUMENTS

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

The current proposal offers an opportunity to address some of the issues associated with the extant permission.

Green Corridor/Biodiversity

Significant enhancement of the existing green corridor along the banks of the River Kelvin through extensive new tree planting beyond the provision included in the extant permission, which will provide biodiversity gains whilst avoiding encroachment on the existing riverbank floodplain.

Addresses the presence of non-native, invasive species currently affecting biodiversity at the site, and enhances local wildlife;

Landscaping/Outlook

High quality landscaping to reflect the setting of the River Kelvin and retains existing mature trees which the extant permission would remove and enhances the outlook for existing residents compared to extant permission

Improvements to the townscape through maintaining the established building line along Otago Lane, as well as reinstating the edge of the lane

The area taken up by roads has been reduced

The scale and massing references existing buildings, therefore it is considered that the proposal would preserve and enhance the character of the Glasgow West Conservation Area and is therefore in line with CDP 9 & SG 9. ensures active frontage and informal surveillance to improve safety

Public realm/Access

facilitate public access through the site and to the banks of the river, New pedestrianised public realm space with a viewing area and seating extending out towards the River Kelvin will activate the river's edge and offer the potential for the commercial premises in the lane to create outdoor seating opportunities for visitors.

Open Space/Amenity Space

Removal of surface level car parking to create more open space areas for existing & proposed residents. These include seating and natural children's play areas and would provide more amenity space than the extant permission; increased amenity space incorporating two viewing areas and new trees and planted areas.

Transport/Safety

Turning facility controlled by collapsible bollards to avoid parking issues provided for refuse vehicles to avoid the need for lengthy reverse manoeuvres. Along with the revised refuse and servicing management strategy, this provides an opportunity to address existing pedestrian safety concerns at Otago Lane resulting from the current refuse strategy, as well as a betterment to the extant permission

Refuse

proposed refuse strategy ensures refuse/recycling facilities are located within the buildings or private, rear courtyard, enhancing the shared open space amenity. Storage for the existing properties is also provided, offering a clear enhancement to the existing situation and the extant permission.

the proposed location of the refuse/recycling store for 65-77 Otago Street is immediately adjacent to the original location of one of the refuse stores that formerly served 65-77 Otago Street. It is also proposed to adjust the refuse store position to locate it a minimum of 2m away from the shared boundary condition, thus providing a clear and defined separating zone between the existing building and the fence that will screen the refuse/recycling store from view. This can be secured via an appropriately worded planning condition.

With regards to rolling distances, a revised refuse & servicing management strategy is proposed that would see all refuse and recycling bins for the proposed and existing developments, presented at waste collection points on the scheduled bin collection day by the factoring management company for the proposed development.

CDP9/SG9 Historic Environment

The Application is deemed to be contrary to Policy CDP 9 and SG 9 Historic Environment, however this policy is not referred to in any other reason for refusal and there is no detailed assessment of the Proposed Development against this policy within the Report of Handling.

Daylight

Following the demolition of the previous buildings, the application site currently lies vacant, resulting in the existing residents of the adjacent properties currently experiencing levels of daylight unusual within an urban context like this. This means that any new development of scale, is likely to have an impact on the daylighting levels of the surrounding properties.

Privacy

The issue of privacy is considered in the Report of Handling. concluding that “there would be no unacceptable loss of privacy”. It is therefore considered that this may have been included as a reason for refusal in error.

The distance between Block B and the properties on Otago Lane is much improved compared with the extant consent (by 2.1m), due to the inclusion of a new green buffer space with trees proposed to soften this edge.

The officer’s Report of Handling confirms that the proposal meets the terms of the Council’s transport policy, CDP 11 & SG 11 Sustainable Transport.

- 4.2 A summary of the material considerations set out in the Glasgow West Conservation Area Appraisal are set out below:

Otago Lane is identified as a light industrial lane that is well maintained and generally in good condition.

The site falls within Character Area 1: Hillhead, where the streets are set out in a grid pattern with a suburban character with higher levels of green space and tree planting. The predominant building types are terraces with small front gardens and large backcourts, with some villas also surviving. The site is within South Hillhead, where the urban grid is more fragmented by open spaces and the architectural character is more varied, reflecting the larger proportion of non-residential uses, with small pockets of community and specialist shops/cafes at Gibson Street and Otago Lane.

Key Challenges

- *Loss of original architectural details* including the introduction of e.g. flat roofs in areas of pitched or hipped roofs
- *Use of inappropriate materials* normally leads to a loss of character.
- *Back Lanes* often are poorly surfaced, drained and maintained.
- *Public Realm* – historic surfaces such as road setts, kerbs and flagstone paving should be retained and repaired.

Preservation and Enhancement

- *GEN 13: Promotion of sympathetic, high-quality, new development* should be sought for gap sites, taking particular account of local context, views, townscape, setting, scale, massing, materials and detail.
- *GEN15: Conserving and improving the public realm* it would be desirable to reintroduce high quality public realm surfaces and street furniture throughout the area.
- *GEN19: Protection of green space and the green network* is important in terms of townscape and local amenity and can have visual, ecological or biodiversity value.

5 REPRESENTATIONS AND CONSULTATIONS

- 5.1 753 letters of objection to the planning application were received, including from Councillor Wardrop, Hillhead Community Council, Woodlands and Park Community Council, Otago Lane Conservation Trust, Otago Lane Community Association, the Architectural Heritage Society of Scotland and Friends of Glasgow West.

A summary of the issues raised is set out below.

Design and Conservation Area

- The height, scale, massing, materials and design of the proposed flatted blocks, within a back lane and adjacent to historic mews, is inappropriate and more damaging to the character and appearance of the Conservation Area than the previous proposal.
- There is no precedent for 7-storey buildings. The buildings on the north side of the lane were no more than 3 stories high as one level was below the level of the lane and all except the mews were demolished long before the current legislation, development plan and Conservation Area came

into force. The height of the “Unite Building” should not be used as justification.

- The proposal will detract from the principal views into the conservation area, from the riverside, Woodlands, Eldon and Kelvin Bridges.
- The proposal does not respect the established building lines of the lane.

Residential Amenity and Development Layout

- The proposal will lead to a loss of daylight and overshadowing of neighbouring residential and commercial properties. The daylighting assessment provided is inadequate.
- Loss of privacy to neighbouring flats due to overlooking and increased footfall.
- Loss of bin storage in the lane for the mews premises.
- The proposed binstore for the existing flats is too far from some residents and the refuse collection vehicle; is too close to neighbouring windows and will create noise, smells, vermin, fire risk and visual disamenity, particularly as the window cill is only 600mm above ground level and; will block access to the neighbouring window for maintenance.
- The proposal will lead to Increased noise between tall buildings and from roof gardens.
- The proposal will result in reduced air quality and increased air pollution from traffic as the proposed buildings will reduce air circulation. The location of Block A will also decrease air flow and encourage damp and air pollution to rear of the mews and their basement area.

Environmental Designations and Open Space

- Loss of greenspace and trees.
- Erosion of the SINCE and River Kelvin Wildlife Corridor contrary to the Glasgow Open Space Strategy
- The proposal will adversely affect the special qualities and character of a local landscape.
- Light from the development will create light pollution at this section of the green corridor, contrary to the advice in the ecology assessment that light should be direct away from the green corridor.

Parking, Access and Traffic

- Access for residents, refuse lorries and emergency vehicles will be adversely affected.
- There will be no access to the rear of the Block A and access to the rear of mews for the emergency services and for maintenance will be removed.
- The increased traffic from the development will be to the detriment of road safety.
- The loss of parking in the lane for businesses and residents on Otago Lane will adversely affect the businesses. Although a loading bay is proposed it will have to serve 4 businesses.
- The lack of parking, turning and drop off spaces appear to disadvantage the protected characteristics of pregnancy and maternity, disability and age.

- The development is a “car free zone” but it is not clear where residents of the development will park their cars.
- The removal of the turning area will make the lane less safe for pedestrians.
- The garden wall and doorstep of Block A encroach into the lane and public right of way.
- The tracking analysis shows that bin lorries will interfere with parking in Otago Street.
- Inadequate cycle storage facilities for residents who want to prevent theft of their bicycle.

Drainage and Flood Issues

Increased risk of flooding due to increased hard standing. The developers have flouted SEPA objections which cited increased flood risk due to the proximity of the river. (NB SEPA subsequently withdrew their objection.)

Other matters

- The development, and the disruption during building works, would have an adverse impact on the businesses in Otago Lane, putting some 30 local jobs at risk and harming the local economy.
- The West End is already the most densely occupied area in Glasgow and should not be subject to more housing. Use as green space would relieve pressure on other space.
- SG 1 “is designed to put people and their experience of the City’s environment at the centre of the planning process”; but local people most directly affected by the proposed development have been largely ignored or side-lined.
- Previous applications, granted despite widespread opposition, should not be taken as a precedent for the present application which differs considerably from what was previously granted.
- Mining and unknown industrial hazards require to be investigated.
- Excavation and building into the slope of the riverbank to facilitate the development creates flooding concerns and will make access for maintenance for the proposed buildings difficult.
- Hillhead is saturated with rental accommodation and if the proposed flats are rented to students there will be an additional 100 people living in the area with no additional council tax income. New development should be designed to encourage permanent or long stay residents.

5.2 There were 18 further representations to the Notice of Review, including from Councillor Wardrop, Friends of Glasgow West, Otago Lane Conservation Trust and Woodlands and Park Community Council, all objecting to the application. The issues raised are summarised below.

- Damage to Kelvin corridor conservation area and natural environment.
- Reduction in the area of the green corridor from that promoted before the variation to the scheme under consideration.
- Impact on wildlife.

- The carbon cost of the development from source to completion represent an increase in carbon production, contrary to COP26 principles.
- The proposal is overdevelopment
- Block C is too high and would dwarf the existing buildings on Otago Street and be out of character.
- The proposed 7-storey buildings are much higher than the structures that were there in the past, are unsuitable and would detract from the historic setting.
- The 44sqm one-bed flats proposed are not high quality design, they are more the maximisation of dwellings.
- The buildings would create a canyon effect along the river walkway.
- Loss of daylight and sunlight to neighbours
- The new daylight and sunlight report submitted with the review refers to buildings that haven't existed on site for 40 years, that were built before planning regulations existed and which were never more than 3 storeys high.
- BRE have clarified that the Vertical Sky Component is the most appropriate for the proposed development.
- Even by their own standards, 69% of windows at 69 Otago Street fail the daylight test and 2 windows Otago Lane have not been assessed and 20% of windows still fail.
- No daylight and sunlight assessment of the window to the Framers has been undertaken.
- Creation of parking issues
- The proposed new bin store for existing residents is still too close to the existing building and window at 2 metres, and too far from some of the residents who are to use it. Despite amendments to the arrangements for refuse collection, significant issues remain.
- The assertion that the proposed bin store for the existing properties is immediately adjacent to the original location of one of the refuse stores that served these properties is misleading as there were originally 3 bin stores for those properties with the one referred to taking one-third of the refuse. The new proposal is triple the size, serving all of the existing properties.
- Information about the design of the new bin store is not provided
- It is unclear how access to Otago Lane will be maintained during and post development
- There are other locations that would benefit from regeneration.
- The proposal is not in line with Council policy.
- SG1 para 2.60 states that development in rear lanes should be up to a maximum of 2-storeys.
- The applicant appears to threaten that if this review is not approved a worse development would be built.

5.3 The applicant's response to the further representations is summarised below:

No new material planning matters have been raised that have not been addressed in the Notice of Review statement.

Block D is not included within the proposed development. It was removed in response to feedback in March 2020.

The superseded plans and Design and Access Statement were included in the review submission to demonstrate the evolution of the proposed development in response to feedback as is standard practice. A document list highlighting which are the latest documents/plans for approval was submitted with the review.

The revised refuse and servicing management strategy plan illustrates compliant rolling distances for bins and show that the proposal will be an improvement on the existing and consented situations through the introduction of controlled turning heads within the private lane and Otago Lane. The refuse and servicing management strategy, provision of collapsible bollards and turning areas etc can be controlled by condition.

Exclusive use of the proposed bin store for the existing flats at 65-77 Otago St can be secured by legal agreement, as can parking arrangements.

The proposed development is set back from the River Kelvin and will significantly enhance the green corridor and local wildlife. New tree planting will provide biodiversity gains and avoid encroachment on the riverbank floodplain.

While the area of green corridor has been reduced due to the redesign of the proposal, it is still significantly greater than the amount approved by 19/01763/FUL. The area of amenity space has also increased and is more than the approved development.

The proposed development will complement the existing buildings at 37 Otago St, Caledonia Mansions on Great Western Road and the student accommodation block on Gibson Street and enhance the river frontage when viewed from the Great Western Road and Gibson Street bridges or the River Kelvin Walkway.

The proposed development is of high quality and balconies and roof terraces will provide private amenity and activate the frontages along the river and onto Otago Lane. The 5 apartments without a balcony have large windows with Juliet balcony railings.

The central shared landscaped garden provides access to new green amenity space for new and existing residents. The quality of the lane will also be enhanced with a pedestrianised area and viewing platform.

The 1-bed apartments vary in size from 44sqm to 53sqm and are laid out to be efficient and to benefit from the riverside location.

There is an extant planning permission that could be implemented, the proposed development addresses a number of the shortcomings of this approved development and would deliver a larger green corridor and more tree planting and amenity space.

Access to Otago Lane during construction can be controlled by condition and after construction there will be a reduction in the number of parking spaces and therefore a reduction in traffic.

The refuse and servicing management strategy will also improve pedestrian and vehicle safety.

- 5.4 A summary of the comments received from consultees to the planning application is given below:

The Coal Authority – no objection based on the Report on Site Issues Investigation (J3795.11) dated December 2017 by Scott Bennett Associates.

Scottish Water – No objection

SEPA – No objection

Waste – objection due to distance from bin sets to refuse collection vehicle.

Biodiversity – Revisions to the wildlife and habitat corridor formed by the River Kelvin corridor and the c-SINC are acceptable as long as native plantings for trees, shrubs and wildflowers are used along this section and a re-survey for bats and otter undertaken.

6 COMMITTEE CONSIDERATIONS

- 6.1 The key issues for Committee to consider are:

SG1 The Placemaking Principle (part 1)

6 qualities of place are identified:

1. Character and identity
2. Successful open space
3. Legibility and safety
4. Ease of movement
5. Vibrancy and diversity
6. Adaptability and sustainability

Successful places are built for people. They have character, are safe, easy to move around, clean, appealing and are designed to thrive.

Developments in the Inner Urban Area should:

- Repair the built environment;
- Re-establish pedestrian priority and improve cycle connectivity;
- Reactivate public spaces, improve green infrastructure and encourage a mix of uses at different times of the day; and
- Build upon and strengthen the sense of place and identity within existing communities.

Developments in the Historic Environment should:

- Protect and enhance the unique character of historic buildings, structures and setting;
- Be of the highest design and material quality which respects and integrates with the existing historic environment; and
- Maximise the contribution that waterways can make in terms of the City's cultural heritage

High Density Housing should:

- Provide high quality community facilities and levels of amenity
- Create vibrant communal open spaces that seek to foster a sense of custodianship and encourage the adaptability of grey open space;
- Be of an appropriate density; and
- Integrate public transport and active travel connections.

Development within the Green Network should:

- Safeguard/maintain multi-functional quality open spaces;
- Improve accessibility to and through open space;
- Enhance the functionality, quality, biodiversity, connectivity of and access to the Green Network; and
- Consolidate and expand the extent of high quality, biodiverse open space in order to create an accessibility, well-functioning, multi-functional Green Network.

SG1 Placemaking (part 2)

Residential Development

Residential Layouts

Residential Layouts should:

- take a design-led approach towards aspect and orientation to maximise daylight and sunlight, reduce energy use, and prevent overlooking and loss of privacy, particularly when providing balcony and/or garden spaces;
- have roads designed to the standards set out in RDG;
- ensure that all new homes do not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts.
- ensure sufficient permeability through the provision of walking/cycling routes and open spaces connected to the wider paths network and other community facilities. Off road paths should be located centrally and be overlooked in order to promote public safety.

In terms of communal private garden space, flatted developments should:

- a) provide usable communal private garden spaces as “backcourts”. Design and layouts should ensure privacy, particularly for ground floor residents; and
- b) where a site's configuration or particular characteristics limits the ability to provide private garden space, then developers will be expected to:
 - i. provide creative alternative solutions (e.g. shared roof garden, usable balconies); and

- ii. bring forward mitigation measures to improve internal amenity (e.g. more generous room sizes).
- iii. make outside provision for clothes drying, in areas screened from public view and not subject to excessive overshadowing.

In terms of privacy and aspect in relation to flatted development:

- a) Ideally all flats should have dual aspect;
- b) Habitable rooms should be set back from public or common footpaths or areas of open space, parking or waste storage; and
- c) flatted development, built on existing street frontages, should maintain established building lines and window patterns. Where there is no established building line, development should be set back from the pavement to ensure privacy for ground floor habitable rooms.

Residential Development in Lanes and Gardens

Development in lanes and gardens should not result in overdevelopment and residential amenity of existing and future residents should be of a high quality. The Council will, therefore, not support residential development of any part of a residential backcourt (communal private gardens of flats, typically including bin storage for domestic waste) for new housing.

Proposals for residential development in lanes will require to meet all of the following criteria:

- the established building lines of the lane should be respected;
 - access along the lane for residents, refuse lorries and emergency vehicles should not be adversely affected;
 - private garden space with sufficient space for clothes drying and sitting out must be provided;
 - the scale and massing should be in the style of mews housing, up to a maximum height of 2-storeys, or 1 and a half-storeys with dormers in lanes with no existing mews properties;
 - existing formal parking provision for residents of adjacent buildings, which is removed as a result of the development, must be replaced
- The Design and Access Statement submitted with the planning application sets out the design approach of the proposal.
 - Although the proposal is for residential development within a residential backcourt, the principle of residential development at this location has been established through the existing and implementable planning permissions, which accepted that there is potential for blocks greater than the 2 storeys recommended due to the site's riverside location.
 - The proposal will result in a loss of daylight to the mews properties on the south side of Otago Lane, but this is considered to be moderately adverse.
 - The proposal will result in a loss of daylight to 22 of the 36 flats at 65-77 Otago Street, to the west of the site, including all the single aspect flats in this block. This is considered to be a major adverse impact.
 - Windows of habitable rooms on the south elevation in Block B are approximately 9m from those in Block A and the mews buildings on the south side of Otago Lane. Hedge and tree planting between Block B and

the 2 storey mews buildings will mitigate this and the windows in Block B are not directly opposite any windows in Block A.

- Windows of habitable rooms on the south elevation of Block A are approximately 19m from the student flats on Gibson Street.
 - Windows of habitable rooms on the west elevation of Block C are approximately 18m from facing windows on the flats on Otago Street, with tree planting between them.
 - The balconies and terraces do not overlook any private backcourts or garden ground.
 - No private communal garden space is provided for the proposed or existing flats, although Block A includes a backcourt that includes refuse and cycle storage.
 - 5 one-bed flats in block A do not have a balcony. All the other proposed flats include at least one 4.2sqm balcony or a terrace (min 5.4sqm). No outdoor clothes drying area is shown.
 - All flats have dual aspect
 - All ground floor level windows are set back by a minimum of 1.5m from communal spaces by buffer planting, with the exception of the kitchen window in the one-bed flat in block A, which looks directly on to the rear refuse/cycle storage area.
 - Block A follows the established building line on the south edge of Otago Lane, while Block B is set back from the building line to the north by approximately 2.5m to allow the widening of the pedestrianized area.
 - Existing boundary walls will not be affected.
 - Access for residents of Otago Lane and refuse vehicles will not be negatively affected by the proposal but may be impacted during construction. Similarly access for emergency vehicles may be impacted by the pedestrianisation of the eastern end of Otago Lane, as well as during construction.
 - The loading bay to the rear of the flats at Otago Street could create conflict if it is used for parking and cannot be used to allow refuse vehicles to turn which could have an adverse impact on pedestrian and vehicle safety. The applicant states that this will be avoided by the use of removable bollards to control entry to the bay. This loading bay is also part of the footpath to Block C, creating potential pedestrian/vehicle conflict.
 - Existing parking for residents and the commercial premises on Otago Lane will not be replaced, although parking for the mews flats and car club spaces are proposed along with a loading bay for the commercial premises use.
- Committee should consider whether the proposal constitutes overdevelopment and whether it will meet the Council's placemaking principles and deliver a high quality residential environment, particularly with regard to provision of garden space or suitable alternatives, privacy, parking, access, public safety and daylight.

Residential Density

The appropriate density of residential development will vary according to:

- a) location;
- b) context and setting;

- c) the scale and massing of adjacent buildings; and
- d) public transport accessibility and active travel opportunities.

At this location, density is expected to be higher than 100 dwellings per hectare, to be justified on the criteria above and the availability and capacity of broader infrastructure and community facilities to accommodate increased use.

As an infill development, the appropriate density should be assessed on merit with particular regard to townscape considerations.

- The proposal has a density of approximately 215 dwellings per hectare including the flats at 65-77 Otago Street. (approx. 136 DPH without)
- Committee should consider whether the proposal has an appropriate urban scale and townscape form, which will consolidate and/or enhance the traditional urban structure and contribute toward creating high quality, sustainable new environments.

Detailed Design

Building Materials

It is expected that all new development, depending on the nature and scale of the development, will:

- a) employ high quality facing and roofing materials that complement and, where appropriate, enhance the architectural character and townscape quality of the surrounding area;
- b) use robust and durable materials that fit their context and are capable of retaining their appearance over time and in Glasgow's climate; and
- c) acknowledge the local architectural and historic context through the use of appropriate materials.

Depending on the scale and size of a proposal, the reasoning behind the selection of materials should be set out in a design statement.

In conservation areas, particular care will require to be taken regarding choice of materials.

- A design and access statement was submitted with the planning application setting out the design approach to the proposal.
- Proposed materials are light coloured high quality facing brick to the elevations with contrasting coloured high quality facing brick to the undercourse; PPC aluminium windows; spandrel panels; PPC metal balustrades; PPC aluminium capping, flashing and cills; and single-ply roofing membrane all colour to be confirmed.
- Committee should consider whether the proposed materials are of high quality; complement and enhance the architectural character and townscape quality of the surrounding area; are robust and durable; fit their context and

are capable of retaining their appearance over time; and are appropriate and acknowledge the local architectural and historic context.

Public Realm

The public realm refers to all the parts of Glasgow (whether publicly or privately owned), that are widely available for all people to use and enjoy, without charge, twenty-four hours a day. In these areas the quality of the environment impacts hugely on the image of the City and the public's sense of health, well-being and quality of life.

All proposals for public realm works should:

- display an integrated approach to the design and siting of street furniture;
- respond to cues found in the architecture, public realm and cultural history of the surrounding area
- incorporate tree planting and soft landscaping, wherever possible,
- be designed to minimise the maintenance burden by using materials that are hardwearing and easy to replace.

Safety and Security

New public realm spaces should provide natural surveillance, visibility and appropriate levels of lighting whilst respecting the surrounding context.

- New public realm areas are proposed in the form of new public space at the end of Otago Lane including a seating area, and another seating area within the development accessed via a path from Otago Lane.
 - The seating area at the east end of Otago Lane is overlooked by blocks A and B, while the other seating area is overlooked by blocks B and C.
 - The Design and Access statement sets out the design approach to the public realm areas, but the materials and detailed layout design are not provided.
- Committee should consider whether the public realm areas proposed are acceptable with reference to the above criteria.

Waste Storage, Recycling & Collection

- All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City's wider placemaking objectives.
- All waste/recycling areas must be located discreetly, so as to have no adverse visual impact or cause traffic/noise nuisance to neighbours.
- Provision should be made such that where bins are to be located temporarily for kerbside collection, there remains adequate space for continued use of the footway/road.
- Bins/recycling stores should be as unobtrusive as possible. Large wheeled containers should be located conveniently in relation to where the collection vehicle will park, ideally no more than 20 metres from the location of the waste containers.
- External stores should be constructed in materials to match the flats;

- Habitable rooms should not be located immediately above waste/recycling storage areas.
- Block A includes a bin store within the rear courtyard, directly adjacent to the kitchen window of the 1-bed ground floor flat and below the first floor 1-bed flat. Blocks B and C have internal stores within the ground floor.
- A store for the existing flats at 65-77 Otago Street is provided to the rear of 73 Otago Street, in front of the ground floor window of a picture framer's business. To mitigate against odour and noise nuisance and restriction of daylight, this is proposed to be set 2 metres from the window with soft planting between and screen fencing around the bin store, constructed from 1.8 metre high vertical timber fins, a material that is not included in the existing or proposed flats. This store would be approximately 41 metres from the rear close door at 73 Otago Street and 55 metres from the rear close door at 77 Otago Street.
- No store is provided for the 5 mews flats on Otago Lane.
- The bins are to be moved from the stores to collection points adjacent to where the refuse vehicles will park on the appropriate day and moved back after collection by the development's factor. The collection point for block C is on an area of courtyard paving adjacent to the entrance to the block; the collection point for blocks A and B appears to replace an area of hedging adjacent to Otago Lane, while the collection point for the existing flats at 65-77 Otago Street also appears to replace an area of hedging adjacent to the retained asphalt carriageway behind those flats.
- The bin collection point for blocks A and B is 2 metres from the kerb, for block C is 0.7 metres from the canopy plinth and 1.5m from the south elevation of block C, while the bin collection point for the flats at 65-77 Otago Street is 1.7m from the kerb.
- Committee should consider whether the proposed refuse and recycling stores are:
 - appropriate, well designed and meet placemaking objectives;
 - located discreetly;
 - constructed in appropriate materials; and
 - located so that they will not negatively impact on residential amenity (with regard to proximity to residential windows and distance from the flats they serve)
 and whether the proposed collection points are in an acceptable location that will not block the footway or road when bins are presented for and after collection.

SG5 Resource Management

Low and Zero Carbon Generating Technologies

All new development is required to be designed to reduce the need for energy from the outset and meet the appropriate sustainability level, making use of low and zero carbon generating technologies to contribute to meeting greenhouse emission targets.

A Statement on Energy will be required to support all applications.

- A statement on energy was submitted with the planning application that demonstrates how the proposal will meet the required sustainability level and sets out the low and zero carbon generating technologies that will be included.

IPG6 Green Belt and Green Network

The Green Network - Protection and Enhancement

Development proposals should not have an adverse effect on the Green Network, including by fragmentation. New development should, as a minimum, deliver green infrastructure enhancements (eg landscaping, private amenity space, green roofs, green walls or SuDS solutions) as an integral part of their design (or contribute to the delivery of green infrastructure off-site where otherwise appropriate).

To adequately address the need to maintain quality over the long term, provision should be made, to the Council's satisfaction, for future management and maintenance to ensure the space continues to meet the quality standard in the long-term.

- The proposal site is covered by a number of open space designations, including the River Kelvin C-SINC, a green corridor and green corridor riparian route, and PAN65 Natural/Semi Natural greenspace and amenity greenspace and as such forms part of the green network.
 - The proposal includes planting, landscaping and communal amenity space.
- Committee should consider whether the proposal will have an adverse effect on the Green Network and whether it will deliver green infrastructure enhancements that will be maintained in the long term.

Open Space Protection

There is a strong presumption in favour of the retention of the categories of open space, including "publicly usable" spaces such as the amenity space and green corridors identified within the site.

There may be some circumstances in which the Council will permit development on "publicly-usable" open space, including where:

- the open space has little value when considered against the relevant criteria of BOX 1. (In such circumstances, the Council will expect a contribution towards mitigating the loss of this open space); or
- the proposal would be brought forward in conjunction with a proposal for an equivalent, or higher quality, new open space to replace that being lost. The replacement space should be in an acceptable location which would better serve local needs.

BOX 1: OPEN SPACE VALUES

1. Does, or could, the open space have value:

- a) in providing good access to open space for local people? or
- b) in contributing positively to the setting, character or appearance of the area? or
- c) for nature conservation/biodiversity, landscape or geodiversity? or
- d) in terms of the connectivity and/or functionality of the Green Network? or
- e) in terms of other important green infrastructure functions – particularly flood management? or
- f) as a means of accessing other open spaces or other facilities for management and maintenance? or
- g) as a site that meets, or could be brought into functional use to help meet demand for outdoor sports or allotments/community growing space) or another need identified in the open space strategy or other Council strategy? or
- h) as civic space, particularly in the city centre or town centres? or
- i) as an important open space to the local community?

2. Where the answer to 1. is YES, use of the site for non-open space use is unlikely to be acceptable unless:

- the proposal would provide for a replacement open space, in the local area, that better serves the local community/enhances the current function/value of the space; or

In exceptional circumstances, where a development has been approved where it is not permitted, then financial compensation will be required.

- The proposal will result in the loss of the Amenity Greenspace - Transport open space, as well as intruding into the PAN 65 Green Corridor - Riparian Route and River Kelvin Green Corridor.
- New open space is proposed as part of the development which would replace an area of hardstanding.
- Committee should consider whether the proposal has value with regard to the criteria set out in Box 1 and if so, if it will provide replacement open space in the local area that better serves the local community and/or enhances the current function and value of the space.

SG7 Natural Environment

Site Appraisal and Ecological Surveys

Development proposals should be based on an understanding of the characteristics of the site, including any possible geodiversity, wildlife or habitat significance.

Sites Designated for their Nature Conservation Importance

Sites of Importance for Nature Conservation

There is a presumption against development which would have an adverse effect, directly, indirectly or cumulatively on a SINC, unless it can be clearly shown that:

- a) the objectives and integrity of the area will not be compromised, including, where appropriate, objectives for water quality; or
- b) there are social or economic benefits to be gained from the development that are of city-wide importance and clearly and significantly outweigh the conservation interest of the site – in such circumstances, suitable mitigation should be provided.

Protected Species

There is a presumption against development which would have an adverse effect on a protected species, either directly, indirectly or cumulatively. Where appropriate, mitigation could be used to ensure no adverse effect.

Enhancing Biodiversity

Development should not result in a loss of biodiversity or habitat connectivity, but wherever possible enhance biodiversity and/or habitat connectivity by incorporating existing habitats, enhancing and expanding them and/or creating new habitats.

Mitigation

Where it is not possible to prevent or avoid impacts, development may be acceptable if appropriate measures are put in place to minimise and reduce any unavoidable impact, such as compensatory planting or habitat provision.

On sites where wildlife features are retained, or new habitats and features are created, a mitigation plan should be produced setting out appropriate on-going management to ensure long-term effectiveness.

Trees, Woodland and Hedgerows

The Council expects that:

- a) all trees, woodland or hedgerows affected by a development proposal have been (within the recent past), or will be, surveyed for protected species prior to the granting of planning permission, licensing or advance works;
- b) fragmentation or isolation of habitats as a result of new development shall be avoided wherever possible - there will be a presumption in favour of retaining all healthy and structurally sound trees, woodland and hedgerows on development sites;
- c) where individual trees, groups of trees, woodlands or hedgerows would be lost as a result of development, compensatory planting will be provided by the applicant, either as part of the overall scheme or elsewhere in the vicinity. Compensatory planting shall be sensitively designed, located and managed to provide a range of benefits; and
- d) tree Surveys will be carried out prior to the design stage to ensure that existing woodland/tree cover is taken into account in the design process.

Tree Preservation Orders

The removal of any tree protected by a TPO, or serious damage to it, should only occur in exceptional circumstances, for example, where the tree, or part of the tree, is a danger to public safety or is diseased, and only then on the understanding that appropriate replacement planting takes place, with the number, size, species and location of new trees to be agreed with the Council.

All development proposals should take into account trees protected by TPO during the design stage. This should include a detailed tree survey (conforming to BS 5837:2012 - Trees in Relation to Construction).

Mitigation for Tree and Hedgerow Loss

Where it is not possible to retain all trees, woodland and hedgerows on development sites, mitigation will be required. Mitigation should reflect the varied roles of trees, woodland and hedgerow in the City environment, including place-setting, biodiversity and green network considerations, carbon storage, flood mitigation and water, air quality and noise management. Mitigation planting within the development site should be prioritised but, where this is not possible, off-site mitigation should be undertaken.

- The riverbank is part of the River Kelvin City-Wide Site of Importance for Nature Conservation (C-SINC).
 - As the site is within a Conservation Area, all trees are covered by a Tree Protection Order.
 - An Ecological Assessment and Arboricultural Survey were submitted with the application, with both updated in July 2020. These recommend mitigation measures for biodiversity, protected species and retained trees.
 - Trees, scrub and shrubs and non-native invasive species were removed from the site in 2019 as part of site preparation for planning permission 15/02781/DC.
 - 21 existing trees are to be removed to facilitate the proposal, some within the C-SINC and many of which were likely to be lost to Ash dieback. Native woodland tree planting is proposed within the SINC to supplement the retained trees, along with the sowing of native meadow mix understorey. On the rest of the site proposed tree and ground cover planting is mainly native species.
- Committee should consider whether:
- impact on the C-SINC is justified;
 - any impacts on protected species can be adequately mitigated;
 - the proposal will result in a loss of biodiversity and/or habitat connectivity or will enhance them;
 - the loss of healthy trees within a TPO is justified and whether the proposed compensatory planting is appropriate.

SG8 Water Environment

Flood Risk Screening

Planning applications of 5 or more dwellings will require to be accompanied by a completed Flood Risk Screening checklist to identify any potential flood risk to the proposal

Flood Risk Assessments (FRA)

If any flood risks are identified during the flood risk screening process, there will be a requirement to carry out a detailed flood risk assessment

Surface Water Drainage Strategy

The creation of a surface water drainage strategy is fundamentally important to the design development for any new development of 5 or more dwellings.

Above ground management of surface water is promoted and underground storage will be limited.

Scottish Water

Planning Requirements

To demonstrate that the development can be effectively drained the applicant will be required to provide:

- a) Approval in principle
- b) Drainage Impact Assessment Application (if required)
- c) Scottish Water Drainage Impact Assessment Output (If required)

Prior to the commencement of development works the applicant will be required to submit to the Council a copy of the appropriate technical approval or consent to discharge to a Scottish Water asset.

- The eastern edge of the site is within a SEPA defined flood area.
- A Flood Risk Assessment was submitted, with additional information submitted following revisions to the layout that moved the proposed buildings closer to the floodplain of the Kelvin.
- All the proposed buildings are outwith the floodplain with the exception of the south-east corner of block A, however the building's foundations are outwith the floodplain and the finished floor levels significantly above the predicted peak water levels.
- SUDS proposals for the drainage of surface water include porous paving with below ground attenuation and a rain garden, with a pumping station facilitating discharge of foul drainage to the combined sewer. In this case the use of below ground storage has been assessed as acceptable due to site constraints and the proposal has been assessed as acceptable subject to conditions relating to flooding and drainage.

- Committee should consider whether the proposal will increase the risk of flooding at the site or elsewhere and whether the site can be suitably drained.

SG9 Historic Environment

Design Guidance for Listed Buildings and Properties in Conservation Areas

Conservation Areas

In spatial terms, it is the whole Conservation Area (made up of all buildings and the spaces between these buildings) that is of architectural or historic interest. Planning control is, therefore, directed at maintaining the integrity of the entire Conservation Area and enhancing its special character.

All proposals for new development in, or affecting the setting of Conservation Areas, must:

- a) preserve and enhance the special character and appearance of the area and respect its historic context;
- b) be of a high standard of design, respecting the local architectural and historic context and use materials appropriate to the historic environment;
- c) protect significant views into, and out of, the area;
- d) retain all existing open space, whether public or private, which contributes positively to the historic character of the area; and
- e) retain trees which contribute positively to the historic character of the area.

Development Affecting the Setting of Listed Buildings and Properties in Conservation Areas

Rear Lanes

The following guidance applies:

- original setts should be retained, or re-laid where necessary;
 - continuous bituminous surfacing will not normally be acceptable although in some cases, a combination of materials may be acceptable, i.e. to emphasise rain channels or gutters.
 - The original sets are to be retained and re-laid where needed
 - The proposed new footpaths are to be constructed of new granite setts
 - The asphalt carriageway is to be retained
 - The proposal will not impact on the mews buildings
- Committee should consider whether the proposal:
- preserves and enhances the special character and appearance of the area and respects its historic context;
 - is of a high standard of design, respecting the local architectural and historic context and uses materials appropriate to the historic environment;
 - protects significant views into, and out of, the area;

- retains all existing open space, whether public or private, which contributes positively to the historic character of the area; and
- retains trees which contribute positively to the historic character of the area.

SG11 Sustainable Transport

Cycle Parking

Minimum standards are set out to ensure safe and secure parking at the destination for those wishing to commute, or undertake other journeys, by cycle.

For new mainstream residential developments, a minimum of 1 space per unit for residents and 0.25 spaces per unit for visitors should be provided where residents' cycle parking provision is provided communally.

Cycle parking for residents should, generally, be located within, or to the rear of, the residential building to ensure it is safe and secure. Bike storage lockers/cupboards allocated to each unit, or cycle stands in a secure, covered compound, are the preferred solution for flatted developments. These should be easily accessible and usable and normally be on the ground floor.

Visitor parking should be located at an easily accessible location close to, or within, the entrance area of the development.

Cycle parking should always be safe, sheltered, and secure. The form of cycle parking provided should facilitate the securing of the frame of the bike to the "stand".

Vehicle Parking

For new build developments, the basic minimum standard for parking provision is:

- 1 allocated (unallocated if on-street) space per dwelling unit for residents; and
- an additional 0.25 unallocated spaces per dwelling unit for visitors.

Variation, above or below these basic standards shall be justified against:

- public transport accessibility - provision below the basic standard may be considered in areas of High Accessibility;
- density and open space considerations;
- placemaking, townscape and design requirements;
- house size and house form;
- car availability by household in the surrounding area;
- existing pressure on on-street parking in the surrounding area;
- practical considerations in relation to conversions, redevelopments and subdivisions.

Wherever possible, every effort should be made to minimise the impact of on-street parking for safety reasons and to reduce visual impact in residential areas (particularly in conservation areas).

Car – free Housing

Developments that are to be car free must be located within existing Restricted or Controlled Parking Zones, at least 500m walk from the nearest streets that are not covered by a CPZ or RPZ. Sites must also have high frequency public transport within walking distance and convenient and safe access (400 metres) to local shops and facilities, including publicly usable open space.

- The site is within the Hillhead controlled parking zone, is identified as having high accessibility by public transport and is:
 - More than 500 metres from the nearest street with unrestricted parking;
 - 300 metres from publicly usable open space; and
 - 130 metres from Gibson Street local shopping facilities and 350 metres from Kelvinbridge Local Town Centre.

Parking/servicing provision

- No parking should be provided within the site for residents, except for limited parking at the site edge for car sharing scheme use.
- A servicing bay, large enough for a delivery lorry, should be provided, within the site, at the site edge.
- Entry into the site, if required for bin lorries, emergency vehicles, etc., should be by means of an access with a control gate.
- Cycle storage should be provided at a rate of at least one space per dwelling. Car-free dwellings with more than one bedroom should provide for additional secure cycle storage at a rate of 0.5 extra spaces per additional bedroom, rounded up to the nearest whole number.
- Parking on private internal roads/accesses and within property curtilages will be prohibited.
- For car free developments, a maximum of 0.1 spaces per dwelling should be provided. These should all be unallocated and for car sharing.

Parking control management

a) the design of the scheme should positively discourage car entry and provide an entry control system limiting access. The title deeds/tenant's agreement associated with property should restrict car parking within the site, other than for car sharing.

b) Residents of all new (including car free) housing developments will be excluded from obtaining residents parking permits.

c) The developer shall establish arrangements for a residents' committee to oversee the running of the development, including access control and use of car sharing spaces.

The site should be marketed to include the appropriate public transport yearly season ticket for the first year of occupation.

Site layout and design

a) The site must be designed to be generally traffic free with priority given to pedestrians and cyclists.

b) At least 50% of the reduced parking and road/access requirement needs to be shown to be used to benefit residents (through, for example, higher levels of

private open space, SuDS infrastructure and space for biodiversity/amenity) and the provision of higher space standards per dwelling.

c) Attractive pedestrian and cycle links should be provided to the pedestrian and cycle networks, public transport and to the nearest local shops and facilities.

- 12 parking spaces are provided within the site. These make use of the existing asphalt roadway that provides access to the undercroft parking for 65-77 Otago Street.
 - The spaces comprise of 6 spaces for the existing mews flats at Otago Lane, which will be bollard controlled, and 6 unallocated car club spaces for residents of the proposed development and the existing flats at 65-77 Otago Street.
 - A servicing bay is provided at the edge of the site for the commercial premises on Otago Lane, with another adjacent to the parking spaces.
 - Access to the site for refuse vehicles and cars is not controlled.
 - 68 residents cycle parking spaces are required, plus 13 visitors spaces (81 total).
 - Residents' cycle parking is provided in the rear court of block A (12 spaces) and in internal stores in blocks B and C (stated as minimum of 18 and 19 spaces respectively), with a minimum of 49 spaces provided overall. 26 visitor spaces are also proposed in 3 areas, outside the bin store for the existing flats at Otago Street (8 spaces), next to the parking spaces outside the entrance to block C (10 spaces) and within the pedestrianized area of Otago Lane, opposite block A (8 spaces).
 - 61 parking spaces would have been required if the proposed development were not car free, therefore the equivalent of 30 parking spaces (approx. 375sqm) should be provided for the benefit of residents above that required by IPG12, along with the provision of higher space standards per dwelling. No private open space beyond the balconies/terraces is provided and there is a shortfall in amenity open space provision.
- Committee should consider whether the proposal meets the requirements set out to be considered car-free.

IPG12 Delivering Development

Open Space and Public Realm Provision

New residential development is required to provide access to good quality recreational open space. This includes provision for children's play areas, amenity open space/parkland, outdoor sport facilities, allotments and community gardens.

An appropriate proportion of the open space requirement must be located within the boundary of the site, as an integral element of the development scheme.

Where an audit identifies a relative surplus in the quantity of any of the open space categories set out, the developer may meet part of the requirement through an equivalent financial contribution.

Where a relative shortage (either in quantity or quality) of any of these open space categories has been identified through an audit, or where the proposed development could lead to such a shortage, the developer will be expected to meet the entire requirement for those categories within the development site. If it is demonstrated that this is not feasible, then part (or, in exceptional circumstances, all) of the requirement may be met by an equivalent financial contribution.

Design Guidance for On-Site Open Space Provision

Spaces should have a positive use and should be designed with a specific purpose in mind. The function should be clearly indicated on the layout drawings.

Flatted Development

Amenity open space should be provided in addition to usable communal garden areas or backcourts and be capable of being used by all the residents in the development. Spaces that are poorly designed or too small (i.e. less than 100 sqm in area) or inappropriately located, will be treated as landscaped areas, and will not contribute towards meeting requirements.

- There is a quantitative surplus in amenity space in the local area.
 - 728sqm of amenity space is required, 580sqm are provided (not including circulation space, refuse and cycle storage, landscaping strips and the small paved backcourt behind block A which are not compliant with policy) therefore there is a shortfall of 148sqm that can be met through an equivalent financial contribution of £14,800.
 - There is a requirement for 73sqm of allotment space. None is provided but this can be met by an equivalent financial contribution of £7,280.
 - The children's play provision for the proposal is deficient and the developer would therefore be expected to provide some if not all of the requirement of 510sqm on site. 140sqm is proposed and the 370sqm shortfall can be met by an equivalent financial contribution of £36,971.
 - It is considered unfeasible to meet the outdoor sport requirement within the site, but the requirement can be met by a financial contribution of £50,960 (£36,400 formal, £14,560 informal).
 - The total financial contribution for amenity open space is therefore £110,011.
- Committee should consider whether it has been demonstrated to their satisfaction that it is not feasible to meet all the open space requirements on site and an equivalent financial contribution would therefore be acceptable.

7 COMMITTEE DECISION

6.1 The options available to the Committee are:

- a. Grant planning permission, with or without conditions (see over for draft conditions); or
- b. Refuse planning permission.

6.2 If a grant of planning permission is recommended a S75 legal agreement will be required to:

- Secure a financial contribution £110,011 towards the provision or improvement of off-site amenity space to overcome the on-site deficit in meeting IPG 12 requirements for open space.
- Ensure the development is marketed as car free and that residents of the new development will not be able to apply for a parking permit within the Controlled Parking Zone.
- Secure formation of a car share club for residents of the development and of the existing flats at 65, 69, 73 and 77 Otago Street and an in perpetuity right of access to the car parking spaces for residents of the existing flats.
- Ensure designation of six car parking spaces for the exclusive use of car club vehicles.
- Ensure designation of five car parking spaces, each with a lockable bollard, for the exclusive use of the five residential mews flats at Flats 1, 2, 4, 5, and 6, 24 Otago Lane and in perpetuity right of access to the car parking spaces for residents of the existing flats.
- Ensure provision of a communal refuse and recycling store for the exclusive use of residents of the existing flats at 65, 69, 73 and 77 Otago Street and an in perpetuity right of access to the bin store for residents of the existing flats.
- Ensure designation of the proposed shared amenity space and children's play area for the use of residents of the development and of the existing flats at 65, 69, 73 and 77 Otago Street and an in perpetuity right of access to the shared amenity space and children's play area for residents of the existing flats.

DRAFT CONDITIONS

01. No development shall commence until a Phasing Plan is submitted to and approved in writing by the planning authority. The Phasing Plan shall set out the programme and sequencing of the development. Following approval, the development shall be implemented in accordance with the approved phasing. No material departure shall be made from the Approved Phasing Plan without the written approval of the planning authority.

Reason: To enable the planning authority to monitor the implementation of the development.

02. No development shall commence, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period and shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of noise, dust and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii) measures to ensure safe access to existing residential and commercial properties in Otago Lane during the construction period of the development in accordance with the Phasing Plan;
- ix) temporary refuse and recycling storage for the existing residential flats 65-77 Otago Street, which shall be maintained at all times during the construction period of the development in accordance with the Phasing Plan.
- x) temporary car parking for the existing residential mews flats in Otago Lane which shall be maintained at all times during the construction period of the development in accordance with the Phasing Plan.
- xi) temporary servicing/offloading provision for the existing commercial properties in Otago Lane which shall be maintained at all times during the construction period of the development in accordance with the Phasing Plan, and
- xii) access for refuse collection vehicles and emergency vehicles to Otago Lane, which shall be maintained at all times during the construction period of the development

Reason: In order to safeguard the amenity of neighbouring properties.

03. Prior to the commencement of any works on site, written details of the steps to be taken to inform the owners and occupiers of the existing premises in Otago Lane and Otago Street of the parking, refuse and recycling storage and servicing arrangements during the construction period and of the timescales for the start and end of each sequence as detailed in the Phasing Plan Construction Management Plan, shall be submitted for the written approval of the planning authority and shall be implemented as approved thereafter.

Reason: In order to safeguard residential amenity.

04. Before any work on the site is begun, a comprehensive site investigation for ground contamination shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The investigation of potentially contaminated sites - Code of Practice" (BS10175:2001). The investigation report shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN 33 Revised 2000 Development of Contaminated Land. Where a risk assessment identifies any unacceptable risk or risks, it shall include a detailed remediation strategy. The approved remediation works shall be carried out prior to the commencement of development on site.

Reason: To ensure the ground is suitable for the proposed development.

05. On completion of the approved remediation works and prior to occupation of the development, a verification report confirming that the works have been carried out in accordance with the approved remediation strategy shall be submitted to and approved in writing by the planning authority.

Reason: To ensure the ground is suitable for the proposed development.

06. Before any work begins on site, a detailed remediation strategy in respect of non-native invasive species identified in the Ecological Assessment, by JDC Ecology, dated February 2019 and updated July 2020 shall be submitted for the written approval of the Planning Authority and shall be implemented as approved before any construction begins on site.

Reason: To protect the natural heritage of the area.

07. Before development commences on site a Statement on Energy (SoE) shall be submitted to and approved in writing by the planning authority. The SoE shall analyse the energy and CO₂ savings that can be achieved in the development by utilising energy efficient design, practice and technologies. It shall demonstrate how the development will incorporate low and zero-carbon generating technologies to achieve at least a 20% cut in CO₂ emissions and the 'Gold' sustainability label, or better, as per the Building Standards Technical Handbook Section 7: Sustainability. The development shall thereafter be constructed in compliance with the approved SoE. Formal confirmation of the constructed development's compliance with the SoE, carried out by a suitably qualified professional, shall be submitted to and approved in writing by the planning authority before the development/the relevant part of the development is occupied.

Reason: To reduce energy consumption and greenhouse gas emissions by ensuring that the development is designed and constructed to be energy efficient, and utilises cleaner and more renewable sources of energy.

08. Prior to the commencement of works on site, a meeting shall be held on site for the inspection by the Planning Authority of all tree protection measures, in order to ensure they have been installed in accordance with the approved tree protection plan.

The development shall thereafter be carried out in accordance with the approved details or as otherwise agreed in writing by the Planning Authority.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

09. Before any work on the site is begun, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority to reflect alterations to gradients on the river frontage. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, adaptation measures for wildlife including bat and bird boxes, details of external seating, details of the provision for children's play including the provision of equipment, details of lighting and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard landscaping, shall be completed in accordance with the approved scheme.

Reason: To ensure that the landscaping on the site contributes to the landscape quality and biodiversity of the area.

10. Prior to commencement of works on site, an overland flood routing drawing shall be submitted to and approved in writing by the planning authority.

Reason: To minimise the risk of flooding and its adverse effects.

11. Before any work on the site is begun, details of refuse and recycling storage areas and bins shall be submitted to and approved in writing by the planning authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: To ensure the proper disposal of waste and to safeguard the environment of the development.

12. The final finished floor level shall be constructed in accordance with the criteria outlined in the self certified 'Queensberry Properties Ltd - Proposed development at Otago Lane, Glasgow Flood Risk Assessment (Feb 2019)'.

Reason: To minimise the risk of flooding and its adverse effects.

13. Surface water discharge shall be attenuated to the parameters outlined in the self certified 'Queensberry Properties Ltd - Proposed development at Otago Lane, Glasgow Flood Risk Assessment (Feb 2019)'

Reason: To minimise the risk of flooding and its adverse effects.

14. All works shall be undertaken in accordance with the recommendations in the Ecological Assessment, by JDC Ecology, dated February 2019 and updated July 2020 unless otherwise agreed in writing with the planning authority.

Reason: To protect the natural heritage of the area.

15. All works shall be carried out in accordance with the Bat Method Statement, Otter Method Statement and Birds Method Statement in the Ecological Assessment, by JDC Ecology, dated February 2019 and updated July 2020.

Reason: In order to prevent any activities harmful to otters, bats and nesting birds.

16. With the exception of tree works detailed in the approved application, existing trees on the site shall not be lopped, topped, felled or removed without the prior written approval of the planning authority. Details of such trees and the proposed operations on each of them shall be submitted to the planning authority. Any proposals for felling or removal shall include proposals, including a programme, for replacement tree planting.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

17. The minimum depth of topsoil shall be 150mm for grass areas, 450mm for shrub areas and 900mm for trees on clean subsoil free from builder's rubble and other deleterious materials. Topsoil shall be free from pernicious weeds and shall have a pH value of approximately 7.0.

Reason: To ensure that favourable conditions are created for survival of the planting.

18. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

19. Topsoil, subsoil and overburden shall be carefully stored in separate heaps so as to preclude mixing. Topsoil mounds shall not exceed 2 metres in height. Subsoil mounds shall not exceed 3 metres in height. Overburden mounds shall not exceed 6 metres in height. Topsoil, subsoil and overburden shall be re-laid over the site in their natural sequence.

Reason: To ensure that favourable conditions are created for survival of the planting.

20. During the period of the works on site quarterly inspection reports, prepared by a suitably qualified professionals on Arboricultural matters, shall be submitted to the Planning Authority for written approval. These reports shall deal with the integrity of tree protection measures, any planned and agreed works within the root protection areas (RPA), service works, and any other site access issues that may impact on the trees to be retained. No further tree removals shall be carried out without the submission of a tree replacement plan submitted to the Planning Authority for prior written approval.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

21. All tree works shall be carried out in accordance with the specifications detailed in Arboricultural Survey, Otago Lane Glasgow dated 03.02.2019 by C.A. Calvey unless otherwise agreed in writing by the Planning Authority.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

22. Before any work on the site is begun, a programme for the implementation/phasing of the landscaping in relation to the construction of the development shall be submitted to and approved in writing by the planning authority.

Reason: To ensure that the landscaping of the site contributes to the landscape quality and biodiversity of the area.

23. External materials shall be facing brick, precast stone stringer courses and PPC aluminium to the buildings and stone setts to match existing on the lane surface. Samples shall be submitted to and approved by the Planning Authority in writing in respect of type, colour and texture. Written approval shall be obtained before the materials are used on site. Development shall be carried out in accordance with the approved materials.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

24. Details of the metal balustrades for the proposed balconies and shall be submitted to and approved in writing by the planning authority prior to the commencement of this aspect of the works.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

25. Details on plan, section and elevation at a scale 1:20 of the proposed entrance canopies shall be submitted for the written approval of the planning authority prior to the commencement of this aspect of the works.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

26. Details including scale drawings of the proposed pumping station proposed below ground next to the proposed loading bay on the north side of Otago Lane shall be submitted for the written approval of the Planning Authority prior to the commencement of this aspect of the works.

Reason: In order to protect the visual amenity of the surrounding area.

27. Details including scale drawings of the new electricity sub-station to be located next to the proposed loading bay for the refuse collection vehicle shall be submitted for the written approval of the Planning Authority prior to the commencement of this aspect of the works.

Reason: In order to protect the visual amenity of the surrounding area.

28. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise

29. Refuse and recycling storage facilities shall be provided for the existing flatted dwellings at 65-77 Otago Street in accordance with details to be submitted to and approved in writing prior to any works taking place on site and thereafter the approved refuse and recycling storage facilities shall be completed before the development is occupied and retained in perpetuity.

Reason: To ensure the proper disposal of waste and to safeguard the environment of residents of 65-77 Otago Street

30. The proposed parking spaces shall be reduced to eleven and six car parking spaces shall be designated for the exclusive use of car club vehicles and five parking spaces shall be allocated to and enure solely for the five existing residential mews on Otago Lane. The five spaces for the mews shall be provided before the development is occupied. Thereafter, the car parking spaces shall remain available for their designated use in perpetuity unless otherwise agreed in writing with the planning authority.

Reason: In order to promote the use of sustainable transport alternatives and to safeguard the amenity of existing residential mews on Otago Lane.

31. The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details, including stands and numbers, to be submitted to and approved in writing by the planning authority. Thereafter, the cycle parking shall be available for use in accordance with the approved drawings before the development is occupied and shall be retained in perpetuity.

Reason: To ensure that cycle parking is available for the occupiers/users of the development.

32. Details of fixed and lockable bollards including numbers, positions and design shall be submitted for the written approval of the planning authority prior to the commencement of this aspect of the development and shall be installed as approved thereafter.

Reason: In order to ensure that sufficient facilities of this type are available in the development.

33. Clear delineation between the public (adopted) and private (non-adopted) areas shall be provided by means of a flush heel kerb, with any steps and /or ramps located in private (nonadopted) areas.

Reason: In the interests of pedestrian safety.

34. The granite sett surface of Otago Lane shall be retained or renewed to match existing.

Reason: To safeguard the character of the surrounding conservation area.

35. Before work commences on site details shall be submitted for the written approval of the Planning Authority regarding the passive provision of electric vehicle (EV) charging points for the development. These details shall include the possible locations of EV charging points along with the proposed ducting, associated infrastructure and electrical capacity. The details approved shall be implemented before any dwelling unit is occupied.

Reason: To order to promote the use of sustainable transport alternatives

36. Prior to occupation of the first unit, a Residential Travel Plan including maps detailing public transport stops, timetables and estimated journey times, walking / cycle routes to key destinations, health benefits of walking / cycling etc. shall be submitted for the written approval of the Planning Authority. Thereafter, the approved Residential Travel Plan shall be issued to the new owners of each unit prior to their occupation.

Reason: To ensure that the development is accessible to all in accordance with the principles of inclusive design.

37. During the construction period, wheel washing equipment shall be provided at all egress points and kept in operation during all times when vehicles are leaving the site. Before any work on the site is begun, details of the type of equipment shall be submitted to and approved in writing by the planning authority.

Reason: To ensure, in the interests of traffic and pedestrian safety, that mud from the site is not carried onto any road.

38. No part of the development shall be occupied until that part is accessible by pedestrians and vehicles in accordance with the approved drawings.

Reason: To ensure that occupiers have safe access to their property.

39. Details of temporary barricades, which shall be erected around the demolition/construction site and which should be fitted with wooden fillets to prevent fly-posting, shall be submitted to the Planning Authority for written approval. The barricades shall be implemented as approved and shall be painted and maintained in good condition and kept free of advertisements.

Reason: To safeguard the character of the surrounding conservation area.

Advisory Notes

1. The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2. The applicant is advised that authorisation from the Scottish Environment Protection Agency (SEPA) is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

3. The applicant is advised to consider registering the site with the Considerate Constructors Scheme, which aims to improve the image of the construction industry. For further details, please contact the scheme directly. Considerate Constructors Scheme, PO Box 75, Ware, Hertfordshire SG12 0YX. Telephone: 01920 485959 Fax: 01920 485958 Freephone: 0800 7831423 www.ccscheme.org.uk email: enquiries@ccscheme.org.uk

4. Construction and/or demolition work associated with this development should conform to the recommendations/standards laid down in BS5228 Part 1: 1997 "Noise and Vibration Control on Construction and Open Sites". Best Practicable Means as

defined in Section 72 of the Control of Pollution Act 1974 should be employed at all times to ensure noise levels are kept to a minimum.

5. In order to protect local residents' amenity, noise associated with construction and demolition works in residential areas should not occur before 0800 or after 1900 Monday to Friday, and not before 0800 or after 1300 on Saturdays. Noise from construction or demolition works should be inaudible at the site's perimeter on Sundays and public holidays. The planning authority should be notified of necessary works likely to create noise outwith these hours.

6. The area in which this application site is located has been identified as one in which the bird, the swift, has traditionally nested during the summer months. Glasgow City Council has adopted the Swift Species Action Plan, which is part of the Local Biodiversity Action Plan. Glasgow City Council is a partner with Concern for Swifts (Scotland) in the implementation of the action plan. You are therefore advised to contact Concern for Swifts (Scotland) to discuss provisions for swifts within the development. Contact them at Concern for Swifts (Scotland), 287 Onslow Drive, Dennistoun, Glasgow G31 2QG. Tel: 07900 637452, email: swiftscot@yahoo.co.uk

7. Prior to implementation of this permission, the applicant should contact Development and Regeneration Services (Transport) at an early stage in respect of legislation administered by that Service which is likely to have implications for this development

8. The applicants are reminded of the following policies of Land and Environmental Services (Cleansing):

REFUSE CONTAINMENT

It is the responsibility of the developer/owner to purchase the agreed means of refuse containment.

WHEELED BIN REFUSE COLLECTION

Where the developer is planning a wheeled bin method of refuse containment and collection, the conditions governing this system must be complied with, ie that the wheeled bin is presented at/and collected from, the agreed location (kerb side, air space etc) on the advised day of refuse collection by the owner/tenant/caretaker etc.

9. The developer should advise each prospective purchaser that residents in this development will not be eligible to purchase a resident's on-road parking permit, in accordance with the provisions of the existing traffic order.

10. Due to the proximity of the development to a major watercourse it is strongly recommended that the applicant consult with the Glasgow Humane Society, Glasgow Green, Glasgow G40 1BA (phone 0141 429 2492) on matters relating to water safety.