



## PLANNING APPLICATIONS COMMITTEE

## Report by Executive Director of Development and Regeneration Services

Contact: Mr N Moran Phone: 0141 287 8684

**APPLICATION TYPE** Full Planning Permission**RECOMMENDATION** Grant subject to Condition(s) and S69

|                          |                                                                                                                           |                                 |                                                                                        |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------|
| <b>APPLICATION</b>       | 17/03297/DC                                                                                                               | <b>DATE VALID</b>               | 13.12.2017                                                                             |
| <b>SITE ADDRESS</b>      | Mount Carmel 61 Hamilton Avenue Glasgow                                                                                   |                                 |                                                                                        |
| <b>PROPOSAL</b>          | Erection of residential flats (24 units) (Sui Generis) with associated access, parking, landscaping and associated works. |                                 |                                                                                        |
| <b>APPLICANT</b>         | Westpoint Homes Ltd<br>C/o Agent<br>177 West George Street<br>GLASGOW<br>G2 2LB                                           | <b>AGENT</b>                    | Iceni Projects Ltd<br>Per Pamela Turner<br>177 West George Street<br>GLASGOW<br>G2 2LB |
| <b>WARD NO(S)</b>        | 06, Pollokshields                                                                                                         | <b>COMMUNITY COUNCIL LISTED</b> | 02_077, Pollokshields                                                                  |
| <b>CONSERVATION AREA</b> | West Pollokshields                                                                                                        |                                 |                                                                                        |
| <b>ADVERT TYPE</b>       | Affecting a Conservation Area/Listed Building                                                                             | <b>PUBLISHED</b>                | 22 December 2017                                                                       |
| <b>CITY PLAN</b>         | Residential                                                                                                               |                                 |                                                                                        |

**REPRESENTATIONS/ CONSULTATIONS**

Land and Environmental Services – Environmental Health  
 Land and Environmental Services – Waste & Recycling  
 Land and Environmental Services – Contaminated Land  
 The Coal Authority (Planning & Local Authority Liaison Dept)  
 Scottish Water

- Grant subject to conditions.  
 - No objection.  
 - No consultation response.  
 - No objection.  
 - No objection.

A total of 79 representations were received, from Councillor Molyneux, Councillor Meikle, Pollokshields Community Council, Pollokshields Heritage and members of the public. These were all objections, the matters raised can be summarised as follows:

- Appearance
- Density
- Parking
- Traffic
- Scale and massing
- Design & Materials
- Loss of mature trees and green space

- Privacy
- Drainage issues
- Contrary to SG 9
- Sunlight
- Bin storage
- Demolition and construction
- Lack of public consultation
- Low water and gas pressure
- Noise pollution
- Devalue properties in the area
- Electric vehicle charging facilities

## **SITE AND DESCRIPTION**

The application site consists of the unlisted former St. Dominic's Monastery, a late 1960s building occupying an original double and single feu within the West Pollokshields Conservation Area. The site is bounded by Hamilton Avenue to the north-west and by Sutherland Avenue to the south-east.

The proposal seeks to replace the existing monastery building with two flatted residential blocks, both of which would be three stories with dormers within a pitched roof forming a fourth storey of accommodation. The proposed design is finished in blonde sandstone and slate.

Block A, fronting to Hamilton Avenue, would incorporate four flats per floor with two within the roofspace, one of which would have an external terrace. Block B, fronting onto Sutherland Avenue, would have three flats per floor with one in the roofspace. All 24 flatted properties are three bedroom dual aspect properties.

## **PLANNING HISTORY**

Previous applications for planning permission, 17/00545/DC, and Conservation Area Consent, 17/00544/DC, did not benefit from detailed pre-application advice from Planning Officers and it was agreed that the development would need a significant level of change, which would require the neighbour notification and advertisement to be redone. It was determined that these application should be withdrawn and revised applications submitted.

## **SPECIFIED MATTERS**

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

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

#### **i. an environmental statement**

Not applicable

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

A Bat Survey was supplied.

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

A Design Statement has been provided for this application.

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

Reports submitted include: Flood Risk Assessment, Drainage Strategy Report, Tree Survey, Bat Survey, Coal Mining Risk Assessment and a Statement on Energy.

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

A legal agreement is required for a financial contribution towards IPG 12 of £23,040.

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

These Regulations enable Scottish Ministers to give directions

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

Not applicable

**ii.**

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

Not applicable

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

Not applicable

**iii.**

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

Not applicable

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

Not applicable

## **POLICIES**

CDP 1: The Placemaking Principle & IPG 1: Placemaking

CDP 2: Sustainable Spatial Strategy

CDP 5: Resource Management & SG 5: Resource Management

CDP 8: Water Environment & SG 8: Water Environment

CDP 9: Historic Environment & SG 9: Historic Environment

CDP 11: Sustainable Transport & SG 11: Sustainable Transport

CDP 12: Delivering Development & IPG 12: Delivering Development

## ASSESSMENT AND CONCLUSIONS

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that where an application is made under the Planning Acts, it shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The two main issues to consider in the assessment of this application are:-

- (a) whether the proposal accords with the Development Plan; and
- (b) whether any other material considerations have been satisfactorily addressed.

In respect of (a), the Development Plan comprises Clydeplan Strategic Development Plan and, as of 29 March 2017, the City Development Plan (CDP). There are no specific policies of relevance to the application proposal in the Strategic Development Plan.

The City Development Plan consists of high level policies (in line with Scottish Government guidance), with statutory Supplementary Guidance providing further information or detail in respect of these policies. Some Supplementary Guidance is currently still under preparation and these items are considered as Interim Policy Guidance.

The following policies are considered particularly relevant to the application assessment:

### **CDP 1 The Placemaking Principle & IPG 1 Placemaking**

This Policy aims to improve the quality of development taking place in Glasgow by promoting a design-led approach. This will contribute towards protecting and improving the quality of the environment, improving health and reducing health inequality, making the planning process as inclusive as possible and ensuring that new development attains the highest sustainability levels.

In order to be successful, new development should aspire to achieve the six qualities of place as defined in Scottish Planning Policy, and reinforced by Creating Places and Designing Streets. These are:

- It is distinctive;
- It is safe and pleasant;
- It is easy to move around and beyond;
- It is welcoming;
- It is adaptable; and
- It is resource efficient.

The placemaking priorities in the Historic Environment Character Area are:

- a) Protecting and enhancing the unique character of historic buildings, structures and settings; &
- b) Promoting new development of the highest design and material quality which respects and integrates with the existing historic environment.

These priorities will ensure development within the historic environment does not detract from the quality and character of the existing historic environment, but instead respects and fully integrates with the existing townscape and helps to reinforce and build on the City's assets

While often recognised as a city of tenements, Glasgow has a strong tradition of lower density villas, terraces and garden suburbs. The City has a rich history of building high quality family and lower density housing that provides access to gardens and wild spaces.

The Placemaking priorities for Low Density Housing Character Areas are:

- a) Creating Sustainable communities;
- b) Providing community facilities;
- c) Delivering high quality, accessible, multifunctional blue, green and grey open space; and
- d) Fostering social interaction and mitigating social isolation.

These priorities will help reconnect existing local communities and reactivate sustainable neighbourhoods throughout the City. Improving the quality of local facilities and amenities will help to reinforce and support the development of high quality places.

The proposed development is deemed to accord with the placemaking priorities of both the Historic Environment Character Area and Low Density Character Areas. The proposal uses traditional materials, sandstone and slate, and restricts the scale and character of development to the height of the larger grand villas of Pollokshields. The layout of the proposed development would reintroduce a plot pattern more in keeping with the rhythm of villas within spacious plots.

Lower densities will generally be appropriate in the Outer Urban Area, where sites with base accessibility may be developed to a maximum of 50 dwellings per hectare (dph), and should be justified against the General Principles. These General Principles are: location; context and setting; the scale and massing of adjacent buildings; and public transport accessibilities and active travel opportunities.

The development proposal, for 24 dwellings on a 0.56 hectare site is a density of 42.8 dph. The site density has been reduced from 27 dwellings, which would have met the 50 dph of policy, in order to take account of the scale and massing of the proposed flatted blocks, taking into account the context and setting of the area. The proposed density is acceptable, having taken account of the character and scale of adjacent buildings, and accords with the General Principles of IPG 1.

The proposed site layout has evolved from a design-led approach which has significantly altered the scale of development to the benefit of the layout of services, parking and landscaping. All twenty four flats would be dual aspect and the majority would benefit from balconies or private garden space. While there is no traditional 'backcourt' given the design of the blocks replicates the villa style of development in the area, the landscaped gardens provide for both private and semi-private areas for residents to use for a variety of functions.

The proposed materials have been amended from that initially proposed. Following the advice of planning officers, a blonde sandstone external wall with slate pitch roofs will replicate the traditional materials found within the West Pollokshields Conservation Area. Areas of flat roof will be minimally visible from ground level, and allow for the incorporation of renewables in accordance with policies CDP 5 and SG 5 as addressed below.

Communal bin stores are proposed adjacent to parking courts, and as far from windows of habitable rooms of existing or proposed dwellings as is practical. Land and Environmental Services (LES) have raised no objections provided their service vehicles can enter and exit the site in a forward gear, which has been demonstrated by the applicant as able to be done.

A daylighting and sunlight test has been carried out and provided, which demonstrates that the proposed flatted blocks would have a minimal impact on the adjacent existing properties, with the orientation of the blocks resulting in shadow cast by the buildings being contained within the site for the majority of the day. The balconies proposed, and window positions, have been assessed for their potential impact on privacy for existing neighbouring properties. This has resulted in the repositioning of some balconies, to street fronting elevations, while the distance to the site boundary is sufficient that there would be no negative impact on adjacent properties in terms of overlooking or loss of privacy.

The proposal accords with the Placemaking priorities for a site in a Historic Environment and Low Density Housing Character Area, and therefore accords with policies CDP 1 & IPG 1.

## **CDP 2: Sustainable Spatial Strategy**

This policy provides a spatial representation of The Plan's strategy, with a strong emphasis on placemaking, health and wellbeing, and sustainability. To achieve the aim of the policy, it is recognised that intervention is required in some areas of the City. The Policy therefore highlights that Spatial Supplementary Guidance will be prepared for these priority areas in accordance with the Sustainable Spatial Strategy.

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

1. Accord with the current National Planning Framework and Glasgow and the Clyde Valley Strategic Development Plan's Spatial Development Strategy;

**Comment:** There are no specific policies of relevance to the application proposal in the National Planning Framework or the Clydeplan Strategic Development Plan.

2. Meet the requirements of relevant Spatial Supplementary Guidance (SDF and LDF) that supports The Plan;

**Comment:** The application site is not within one of the areas identified as a priority area requiring Sustainable Spatial Guidance.

3. Protect & promote the City Centre's diverse functions and role as the sustainable regional centre of the West of Scotland;

**Comment:** The proposal would not impact on the City Centre, or its role as the sustainable regional centre of the West of Scotland.

4. Support the regeneration of the River Clyde Development Corridor, which includes Clyde Waterfront and Clyde Gateway strategic priority areas;

**Comment:** The development site is out with the River Clyde Development Corridor.

5. Protect and reinforce town centres as the preferred locations for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities;

**Comment:** The development site is not in a town centre.

6. Support the regeneration and redevelopment of key housing investment areas;

**Comment:** The development site is not in a key housing investment area.

7. Utilise brownfield sites in preference to greenfield sites;

**Comment:** The development site is a brownfield site.

8. Prioritise the remediation and reuse of vacant and derelict land;

**Comment:** The development site has been vacant since the closure of the monastery, although demolition works have not commenced.

9. Focus economic development in Strategic Economic Investment Locations, the City's Safeguarded Economic Development Areas, town centres and other appropriate sustainable locations;

**Comment:** The proposal is not an economic development proposal.

10. Contribute to the development of vibrant and accessible residential neighbourhoods;

**Comment:** The proposed development would contribute towards the creation of a vibrant and accessible residential neighbourhood.

11. Support higher residential densities in sustainable locations;

**Comment:** The development site is not a high density residential development, and is within the maximum density deemed appropriate under policy IPG 1.

12. Protect and enhance the function and integrity of the Green Belt and contribute towards the development of an integrated green infrastructure;

**Comment:** The site is not within the Green Belt; however the proposal retains existing mature trees, while adding landscaped spaces to create interconnected green spaces with the generous garden plots of adjacent properties.

13. Meet the requirements of the Metropolitan Glasgow Strategic Drainage Partnership Scheme;

**Comment:** The proposal has been assessed against policies CDP 8 and SG 8 'Water Environment', as addressed below, and will accord with the requirements of the Metropolitan Glasgow Strategic Drainage Partnership.

14. Support the use of, and improved access to, the City's waterways for a range of uses including leisure, transport, drainage and nature conservation;

**Comment:** The site is not adjacent to, and does not contain, a waterway.

The proposal accords with the Sustainable Spatial Strategy, and therefore accords with policy CDP 2.

#### **CDP 5: Resource Management & SG 5: Resource Management**

Policy CDP5 Resource Management requires all new developments to be designed to reduce the need for energy from the outset. This can be done through careful siting, layout and design and should make the best use of energy efficiency techniques and materials.

All new domestic and non-domestic developments are required to make use of low and zero carbon generating technologies in order to contribute to meeting greenhouse emission targets and to meet the appropriate sustainability level. In order to achieve this, a range of low and zero carbon generating technologies may be implemented. A Statement on Energy will be required to support all applications to which this policy applies.

The applicant has provided a Statement on Energy which details that the proposal incorporates measures to meet the Silver Active Standard of the Technical Handbook, and constitutes the type of detail that can reasonably be expected at the planning stage. It is proposed to use photovoltaics and air source heat pumps to provide the required level of renewables onsite. A condition is proposed to ensure that the formal confirmation of the constructed development's compliance with the Statement on Energy, carried out by a suitably qualified professional, is obtained by the Planning Authority as the development goes through the Building Warrant process.

The proposal accords with policies CDP 5 & SG 5.

#### **CDP 8: Water Environment & SG 8: Water Environment**

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. The Council considers flood risk to be a key consideration which may significantly influence the acceptability, nature, design and capacity of a development.

If any flood risks are identified during the screening exercise, there will be a requirement to carry out a Flood Risk Assessment (FRA) in accordance with supplementary guidance. Where an FRA is deemed necessary, the Council will expect both the FRA to be undertaken and its findings to be incorporated into the proposed development. Where this is not the case, planning permission will not be granted.

The FRA must clearly identify specific flood risks and quantify issues that need to be addressed. The FRA will also require to demonstrate that the flood mitigation strategy can be delivered, in compliance with all other relevant legislative requirements of Scottish Planning Policy, the Flood Risk Management (Scotland) Act 2009 and SEPA.

The creation of a surface water drainage strategy is fundamentally important to the design development for any new development of 5 or more dwellings. This strategy will set out the key principles of the surface water drainage strategy and demonstrate appropriate spatial planning.

The site drainage strategy will require to set out the following: to which network/waterbody will surface water will be discharged; water quality treatment requirements (Sustainable Drainage Systems (SuDS)); strategy to manage in-curtilage, roads and open space drainage; percentage of permeable area within in the development; attenuation requirements; and attenuation measures.

The applicant will require to demonstrate that key principles of the proposed drainage strategy are acceptable to the relevant authorities (The Council, Scottish Water and SEPA).

The applicant has provided a Flood Risk Assessment and Drainage Impact Assessment which has been reviewed by Development & Regeneration Services' Flood Risk Management Team. The proposal incorporates SuDS and onsite attenuation before discharging into the existing sewer. These have been deemed to accord with the relevant technical supplementary guidance.

Subject to confirmation of final written approval of Scottish Water for the drainage strategy, the proposal accords with policies CDP 8 and SG 8 'Water Environment'.

### **CDP 9: Historic Environment & SG 9: Historic Environment**

Conservation Area Consent is required for the demolition of an unlisted building in a Conservation Area. Proposals for the demolition of an unlisted building, which contributes to the character or appearance of a Conservation Area, will require to demonstrate that: the existing building is incapable of viable repair and re-use; and the proposed replacement will preserve or enhance the character of the conservation area. In order to protect townscape quality, consent for redevelopment will require the retention of existing buildings until the replacement development commences. Partial demolition, involving the retention of the ground floor only, is unlikely to be acceptable.

A separate application for Conservation Area Consent for the demolition of the unlisted monastery building has been submitted. The Conservation Area Appraisal for the West Pollokshields Conservation Area was published in 2010. This identified the adjacent properties in both Hamilton Avenue and Sutherland Avenue as 'unlisted buildings of townscape merit' but excluded the application property from this distinction. The building has been assessed as not contributing to the character or appearance of the Conservation Area, in terms of use of materials, plot layout, design, scale and massing. The demolition of this building, with an appropriate redevelopment of the site would serve to enhance the character and appearance of the West Pollokshields Conservation Area.

The character of Glasgow's Conservation Areas consists of a variety of elements including a rich mix of architectural styles, dense groupings of buildings such as terraces and tenemental buildings, distinctive street patterns interspersed with landmark buildings and historic landscape features.

Proposals for infill developments in Conservation Areas should maintain or enhance the character and appearance of their historic context by using high quality design and materials. Subject to the Plan's development and design policies and development guides, proposals for infill or gap development in Conservation Areas should reinforce local distinctiveness and historic character and seek to: respect the established building lines of the street where this is an identified feature; ensure that the scale and massing respects and responds to the existing adjacent properties; and harmonise external finishes with those of existing adjacent properties.

Within the West Pollokshields Conservation Area, 2-storey single or semi-detached house types will be encouraged in order to ensure that any infill development reflects closely the building line of nearby structures, the height relative to adjoining buildings, the building footprint of adjoining buildings and the massing of the proposed structure relative to the plot boundaries and adjoining buildings. The use of natural stone for the front and side elevations and natural slate on all roofs is encouraged, particularly where the proposed development is visually prominent from main roads or other vantage points and where listed buildings adjoin the proposed development site.

Considerable discussion, negotiation and revision has gone into the design of the proposed development, following the original submission of a larger and more contemporary flatted scheme in early 2017. The proposal respects the character of the footprint of properties in the Conservation Area, setting large detached properties within generous garden plots, with development set away from side boundaries and therefore adjacent properties.

The scale and massing of the proposed flatted blocks has taken into consideration the height of the adjacent villas, and contextual drawings have been provided to demonstrate how the height of the proposed blocks would sit within the massing of the adjacent villas. The use of pitched roofs with dormers to facilitate accommodation within the roofspace is a common feature within the West Pollokshields Conservation, and does not result in the proposal appearing out of scale with the adjacent properties. The proposal would be finished in materials traditionally used within the West Pollokshields Conservation Area.

The proposal accords with policies CDP 9 and SG 9.

**CDP 11: Sustainable Transport & SG 11: Sustainable Transport**

CDP 11 requires new developments to be designed to promote and facilitate walking and cycling, including the provision of cycle parking and direct connections to the walking and cycling network. The Council shall require the provision of cycle parking in new development in line with the minimum cycle parking standards, at 1 space per dwelling and residential visitor parking at a rate of 1 space per four dwellings. Cycle parking should always be safe, secure and sheltered, with visitor parking located at an easily accessible location close to the entrance area of the development.

Residents' cycle parking provision, in accordance with SG 11, will be provided at a minimum level of one safe, secure and sheltered space per dwelling and one visitor space per four dwellings. Residents' cycle parking is proposed to be within a dedicated cycle store located adjacent to both blocks, with visitor cycle parking via Sheffield stands located close to entrances to the blocks.

CDP 11 states that the Council will expect parking in residential developments to minimise routine on-street parking of residents' cars. Parking should not be at street level where this would be at the expense of an active frontage onto a public street or space. 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. The basic minimum standard for parking provision for new build is: 1 allocated space per dwelling unit and an additional 0.25 unallocated spaces per dwelling unit for visitors.

The car parking provision of the development is proposed to provide 30 spaces, 24 allocated to the 24 flatted properties and 6 visitor parking spaces. Each flat shall be allocated a space, with visitor spaces clearly marked as such. New residential developments with communal off-street parking require to include passive electric vehicle (EV) charging provision for the allocated parking. This requires the infrastructure to assist future installation of charging points, should residents require charging provision. The proposed residential parking will be conditioned to ensure 100% passive EV charging provision.

Subject to proposed conditions, the proposal accords with policies CDP 11 & SG 11.

**CDP 12: Delivering Development & IPG 12: Delivering Development**

This policy aims to ensure that development contributes to a sustainable, economically successful City, through the provision of reasonable infrastructure and facilities that are necessary to mitigate the impact of change on Glasgow's resources, and that are appropriate to both the nature of the development and its location.

Through an approach which is informed by a full understanding of the site, and of the potential impact that the development will have, the Council aims to meet The Plan's objectives of: re-shaping Glasgow's employment locations for a changing economy; providing high quality, accessible, residential environments and town centres; connecting to the green network; as well as meeting our aspirations for enhanced nature and biodiversity.

The Council will require developers to undertake an assessment of the proposal site and its surroundings in order to determine the need for, and the proposed response to, the requirements specified below in this policy. In some cases, it will be appropriate to incorporate these within the development. In other circumstances, the best solution may be to take advantage of opportunities out with the site, or to meet these requirements through the payment of a financial contribution or the transfer of land.

On the basis of this assessment, developers are required to make specific provision relating to the proposed development to address the following matters: Open Space; surface water drainage and flood management requirements and transport needs.

The proposed layout shows a single area within the north-west corner of the site which is proposed to incorporate an element of natural children's play within amenity landscaping, contributing towards the requirements for amenity open space and children's play. The other categories of open space, allotments and outdoor sports, would be met by a financial contribution for offsite provision. The total financial contribution recommended for this entire proposal is £23,040 to be secured through a legal agreement.

The proposal accords with policies CDP 12 & IPG 12.

In terms of issue (a), therefore, the proposal is considered to be in line with the Development Plan, having regard to the designated land use and all relevant policies as addressed above.

In respect of (b), with regard to the letters of representation, the grounds may be summarised, with appropriate comment, as follows:

- The application site is in the West Pollokshields Conservation Area and the Council has an obligation under the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to ensure proposals 'preserve or enhance' the character and appearance of Conservation Areas. The proposal does neither and would harm the character and appearance of this garden suburb Conservation Area. The current building is part of the heritage of Pollokshields and the Council should be nurturing these buildings and heritage.

**Comment:** The Conservation Area Appraisal for the West Pollokshields Conservation Area identified the adjacent properties in both Hamilton Avenue and Sutherland Avenue as 'unlisted buildings of townscape merit' but excluded the application property from this distinction and the property has been assessed as not contributing to the character or appearance of the Conservation Area.

The proposed development has been revised to reflect the scale, massing, materials and pitched roof character of the West Pollokshields Conservation Area. The proposal sensitively introduces a flatted development into the area, and would not detract from the character and appearance of the Conservation Area.

- The proposed density is excessive and out of character with Hamilton Avenue, Sutherland Avenue and the wider West Pollokshields Conservation Area. The proposal is overdevelopment of the site.

**Comment:** The proposed density has been assessed against City Development Plan policy above, and has been deemed to be acceptable.

The proposal is a reduction of the number of proposed dwellings from the previous application, from 27 to 24 dwellings proposed, which results in an improved layout with increased landscaping and the removal of parking from the front of Block B fronting onto Sutherland Avenue. The proposal is not deemed to be an overdevelopment of the site.

- The proposed parking, one space per dwelling and four visitor spaces, is inadequate for a development of large flats and will inevitably lead to on street over spill parking which will harm the quiet character of these streets.

**Comment:** The City Development Plan policy SG 11 'Sustainable Transport' requires residential developments to include a minimum parking standard and a minimum cycle parking standard. The proposal meets both of these standards and therefore accords with the Development Plan in terms of levels of parking. The site would be accessed by vehicles only from Sutherland Avenue, where as at present there is also vehicle access from Hamilton Avenue. Sutherland Avenue is characteristic of West Pollokshields, with wide streets with no on street parking restrictions.

The inclusion of car parking over and above the minimum standard needs to be balanced against the other requirements for amenity space and the impact on the visual amenity of the surrounding area. Additional parking within the site would necessitate the introduction of parking to the front of the site, and thereby intruding into the streetscene, and a reduction in the landscaping and amenity areas for residents. Given the site is in a 'garden suburb', it has been deemed to be inappropriate to insist on additional parking within the site.

- The proposed development of large flats will inevitably lead to an increase in traffic on the surrounding residential streets which will harm the quiet character of these streets. This will increase pollution in the area and reduce the opportunity for children to play in what is a quiet and relatively safe place.

**Comment:** The proposal is for a residential development within an established residential area. The scale of development is such that a Transport Assessment is not required. The proposal also replaces a monastery which at times would have attracted a level of traffic uncommon with the residential character of the local streets.

- The proposed scale of the buildings is entirely out of keeping with the established scale and massing of the adjacent villas, which characterise the West Pollokshields Conservation Area.

**Comment:** The proposal has been amended to remove the proposed flat roof and to include a pitched roof in keeping with the surrounding area. The top floor of accommodation has been reduced in size to allow for this and utilises rooflights and dormers, as is common within the wider West Pollokshields Conservation Area. The resulting appearance is of a building which reflects the scale and massing of the adjacent villas to the street and would not detract from the streetscene.

- The design of these flatted blocks is out of keeping with the traditional architecture of the West Pollokshields Conservation Area. The elevations are bland, lack architectural detail, features or character. The large area of flat roof behind the mansard roof is out of keeping with an area characterised by pitched roofs. The proposed materials, brick and cladding, are not in keeping with the character and appearance of the West Pollokshields Conservation Area, and do not meet the requirements of policies CDP 9 & SG 9 or the Conservation Area Appraisal.

**Comment:** The design and materials proposed by the applicant have been subject to extensive discussion with officers. The proposed brick and cladding would have been out of character for the West Pollokshields Conservation Area. The proposed materials are now a blonde sandstone and slate to pitched roofs.

The elevations have been refined with detailed drawings provided to demonstrate two typical bays, one with a dormer and one without. The refinement to the elevations and the change to traditional materials are considered to accord with City Development plan policy, the character and appearance of the West Pollokshields Conservation Area, and represents a high quality addition to the character of the Conservation Area.

- The proposal would result in the loss of a number of mature trees, which should be protected in the Conservation Area, and green space. The proposal is 'garden grabbing' and would harm the character of the garden suburb, and wider West Pollokshields Conservation Area.

**Comment:** The majority of the existing trees are proposed to be retained, particularly along the Hamilton Avenue frontage. Where trees are proposed to be removed, this is supported by a tree survey and compensatory planting and landscaping within the proposed layout. The proposed layout would increase the landscaped green space and would better reflect the garden suburb layout of large detached properties set within landscaped gardens.

- The proposed height, four stories, with balconies, will cause overlooking and a loss of privacy to neighbouring properties.

**Comment:** The proposal has been assessed for the potential to cause an overlooking issue or loss of privacy. This has resulted in some balconies being repositioned to front towards the road and not directly overlooking neighbouring gardens. The proposed roof terrace would be 15.6m from the side boundary and faces onto a black gable of 57 Hamilton Avenue. The distances of windows to the boundary are sufficient that there would not be direct overlooking and there would not be a significant loss of privacy.

- There are existing drainage and ground water logging issues in the area, which the proposed development will aggravate.

**Comment:** The proposal has included a Drainage Impact Assessment and Flood Risk Assessment in accordance with City Development Plan policy. This requires that new flatted development be designed to plan for a 1:500 year flood event plus climate change. The Drainage Impact Assessment submitted demonstrates how the surface water drainage will be managed and it is proposed that a condition be applied requiring that Scottish Water and SEPA approve the strategy. The proposal would not aggravate or increase any existing drainage issues in the surrounding area.

- The proposal is contrary to City Development Plan Policy SG 9.

**Comment:** The proposal has been assessed against policies CDP 9 and SG 9 'Historic Environment' above and has been deemed to accord with these policies of the City Development Plan.

- The proposed height, four stories will cause overshadowing and a loss of daylight to neighbouring properties.

**Comment:** The applicant has updated their design statement to include a daylight and sunlight assessment of the proposed development for any increased impact on the adjacent properties.

This includes a 'shadowfall survey' which demonstrates the impact of the proposed flatted blocks on the sunlight on the ground, which demonstrates that the impact would be within the application site for the majority of the day throughout the year, and there would therefore not be a significant impact on the sunlight received to neighbouring properties.

An assessment of the impact on daylight to the adjacent properties is included which shows that the proposed blocks are set sufficiently far from 44 Sutherland Avenue, and there would be less impact on the blank gable of 57 Hamilton Avenue than from the existing building. The proposal would therefore not significantly impact on the daylight received to neighbouring properties.

- The siting of the binstores away from the proposed flats increases the risk that no one will take responsibility for them and they will fall into a state which will encourage rats and vermin.

**Comment:** It is City Development Plan policy to site binstores away from windows of habitable rooms, in order to preserve residential amenity. The proposed development would be factored and therefore should be managed in order to prevent the binstores to fall into a state which would result in Environmental Health issues. All binstores are easily accessible from the entrances to the flats.

- There is a risk of asbestos, from the existing building, which could impact on neighbouring residents. The site investigation report is out of date, and it is therefore not clear that the site is safe for residential use.

**Comment:** Environmental Health have requested a condition requiring the submission of a Site Investigation report, and the carrying out of any remediation measures identified as required. This condition is proposed below. Should residents be concerned regarding the demolition process, this is out with the remit of planning and is a matter for Environmental Health and the Health and Safety Executive.

- There has been a lack of public consultation on this application, with no public event and few residents notified. The timing of the application also appears timed to reduce the period for the public to consider and comment.

**Comment:** The application is a Local application, as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The requirement for a public event to be carried out is for Major and National level applications, there is no requirement for a public event to be held for a development of this size.

Neighbour notification and advertisement of applications by the Council is required by the Town and Country Planning (Development management Procedure) (Scotland) regulations 2013. This requires that land within 20m of the application site be notified. All properties within this 20m radius were notified by letter on the 15<sup>th</sup> December with a site notice posted on the 22<sup>nd</sup> December and an advert placed in the Evening Times and Edinburgh Gazette on the 22<sup>nd</sup> December. All required notification and advertisement was carried out.

The timing of the submission of an application is not something that the Council can control. When an application, with the required level of detail and supporting information, is received it must be made valid and the neighbour notification and advertisement carried out. Throughout the period for public comment the application was publically visible on the Online Planning website and representations received during the Christmas and New Year period were acknowledged and published as soon after the public holidays as possible.

- There is low water and gas pressure to neighbouring properties already, this will be worsened by this development.

**Comment:** The applicant is required to consult with utilities and where the development would have an impact on services or cannot be serviced without improvement works, this would require the developer to facilitate these works. This is not a material planning consideration, but would be addressed with Scottish Water directly prior to connection to the network being agreed. Scottish Water raised no objection when consulted on this application.

- The proposal would result in noise pollution for neighbours.

**Comment:** The proposal is for a residential development within an established residential area. Any noise would be unlikely to be out of character with this setting and would be a matter for Environmental Health if non-domestic noise were to create a noise nuisance to neighbouring properties.

- The proposal would devalue existing properties in the area.

**Comment:** Property values are not a material planning consideration.

- There is a lack of electric vehicle charging facilities, which may have been understandable in the past but to have none is not acceptable.

**Comment:** The proposal does not show proposals for electric vehicle charging, however there is a requirement for 100% passive provision under policy SG 11. This provides the infrastructure for a resident to install a charging point, should they wish to purchase an electric vehicle. This is subject of a proposed condition.

## CONCLUSION

The above demonstrates that the proposed development complies with the relevant policies of the Development Plan. Other material considerations including the consultation responses and letters of objection have been considered, however these do not outweigh the proposal's accordance with the Development Plan.

On the basis of the foregoing, it is recommended that the application for planning permission be granted subject to the following suggested conditions.

## CONDITIONS AND REASONS

01. Light from the development shall not give rise to:

- (a) An "Upward Waste Light Ratio" (maximum permitted percentage of luminaire lux that goes directly to the sky) in excess of 15%
- (b) A "Light Into Windows" measurement in excess of 10Ev (lux). (Ev is the vertical luminance in lux.)
- (c) "Source Intensity" measurement in excess of 100 Kcd (kilocandela). (Source Intensity applies to each source in the potentially obtrusive direction out of the area being lit.)

Reason: In the interests of limiting the effects of light pollution on the environment and the users of surrounding developments, and of energy efficiency.

02. The roof shall be covered in natural slate.

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

03. All external fittings including roof terminals, burglar alarms, air conditioning and ventilation plant, ducts and grilles, balanced flues and security fittings shall be factory finished or painted out to match the colour of the background to which they are attached.
- Reason: To safeguard the character of the surrounding conservation area.
04. 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.
05. Safe secure and sheltered cycle parking shall be provided in accordance with the minimum standard, of one cycle parking space per flat and one visitor's space per four flats.
- Reason: To ensure that cycle parking is available for the occupiers/users of the development.
06. The applicant shall provide 100% passive electric vehicle space provision for all allocated parking bays ensuring capacity in the electricity network, providing individual fuse boxes for each space and designing in cabling.
- Reason: accord with the requirements of SG11: Sustainable Transport of the City Development Plan.
07. Each dwelling shall have a clearly identified allocated parking space.
- Reason: In the interests of pedestrian and vehicular safety.
08. A flush heel kerb shall be used to delineate between public and private areas.
- Reason: In the interests of pedestrian and vehicular safety.
09. All redundant footway crossings shall be removed and the footway(s) reinstated to match the dimensions of the existing footway(s) as soon as the access(es) serving the development is/are available for use by the occupiers of the development.
- Reason: the interests of pedestrian safety.
10. The parking courts shall be accessed from Sutherland Avenue carriageway via a drop kerb access as per figure 5.8 from the GCC Design Guide for New Residential Areas.
- Reason: the interests of pedestrian and vehicular safety.
11. The development shall be constructed in compliance with the approved Statement on Energy (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: 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. To comply with City Development Plan policy CDP 5: Resource Management.

12. 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 other than that required to carry out remediation, and a verification report shall be submitted to the planning authority confirming that the approved remediation works have been carried out.

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

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

14. Before any work on the site is begun, a detailed plan which shows the location and details of a method of tree protection to comply with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations, shall be submitted to and approved in writing by the planning authority. The approved protection shall be in place prior to the commencement of any work on the site and shall be retained in place until completion of the development.

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

15. Before any work on the site is begun, a scheme of landscaping shall be submitted to and approved in writing by the planning authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, 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:ensure that the landscaping of the site contributes to the landscape quality and biodiversity of the area.

16. Prior to commencement of site works, the applicant shall submit final details of all Drainage and SUDS for the written approval of the planning authority.

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

17. Prior to commencement of site works, the applicant shall submit confirmation of Technical Approval from Scottish Water and that the Scottish Environment Protection Agency have no objection in terms of flood risk.

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

18. All external colours shall be approved in writing by the planning authority before they or any relevant materials are used on the site.

Reason:safeguard the character of the surrounding conservation area.

19. Details of design, materials and colours of the cycle store and bin stores shall be submitted to, and approved by, the planning authority prior to the commencement of this element of the works.

Reason:order to protect the appearance of both the property itself and the surrounding area

Reason:enable the Planning Authority to consider this/these aspect(s) in detail.

20. External materials shall be sandstone and natural slate. 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.

Reason:safeguard the character of the surrounding conservation area.

Reason:order to protect the appearance of both the property itself and the surrounding area

21. Notwithstanding the submitted information, the applicant shall provide detailed drawings to show the layout of the amenity open space and children's play space; which demonstrate all features, equipment and natural play used and the location of seating and any other amenity features. This information shall be approved in writing by the planning authority prior to the commencement of this element of the development.

Reason:enable the Planning Authority to consider this/these aspect(s) in detail.

#### APPROVED PLANS

1. ATR01 - Received 21 March 2018
2. 5902-00-801 Rev B Received 17 April 2018
3. 5902-20-801 Rev F Received 17 April 2018
4. 5902-20-802 Rev F Received 17 April 2018
5. 5902-20-804 Rev G Received 17 April 2018
6. 5902-20-806 Rev C Received 17 April 2018
7. 5902-20-808 Rev B Received 17 April 2018
8. 5902-20-809 Rev A Received 17 April 2018
9. 5902-20-810 Rev A Received 17 April 2018
10. 6012\_90\_101\_003 - Received 18 April 2018
11. WH-SA-TP-01 Rev A Received 19 April 2018
12. 5902-20-803 Rev G Received 19 April 2018
13. 5902-20-805 Rev F Received 19 April 2018
14. 5902-20-807 Rev B Received 19 April 2018
15. 6012\_90\_101\_001 Rev F Received 23 April 2018
16. 6012\_90\_101\_004 Rev A Received 23 April 2018

#### REASON(S) FOR GRANTING THIS APPLICATION

The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

#### ADVISORY NOTES TO APPLICANT

01. 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.

02. 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.
03. 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.
04. The applicant is advised that they will require to apply to this office, and be granted, approval under Section 56 of the Roads (Scotland) Act 1984 prior to any work commencing on site. This can be incorporated in the Roads Construction Consent.
05. The applicant is advised that it is not permissible to allow water to drain from a private area onto the public road and to do so is an offence under Section 99 (1) of the Roads (Scotland) Act 1984.
06. All on street loading and or waiting will comply with existing and /or any future changes to Traffic Regulation Orders.
07. Land and Environmental Services Cleansing to be contacted via arrangements for refuse collection.
08. The applicant is advised that private lighting will be required within the development.
09. Before the lighting system is installed, the applicant should submit certification from a member of the Institute of Lighting Engineers, or other suitably qualified person, to the planning authority confirming that the proposed system will satisfy the requirements of the light pollution condition.
10. Before the use commences, the applicant should, following the testing of the installed lighting system, submit certification from a member of the Institute of Lighting Engineers, or other suitably qualified person, to the planning authority confirming that the system complies with its design specification.

for Executive Director of Development and Regeneration Services

DC/ NMO/  
09/04/2018

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**Glasgow City Council**

Development and Regeneration  
231 George Street  
Glasgow G1 1RX

Executive Director: Richard Brown

**Reference No:** 17/03297/DC

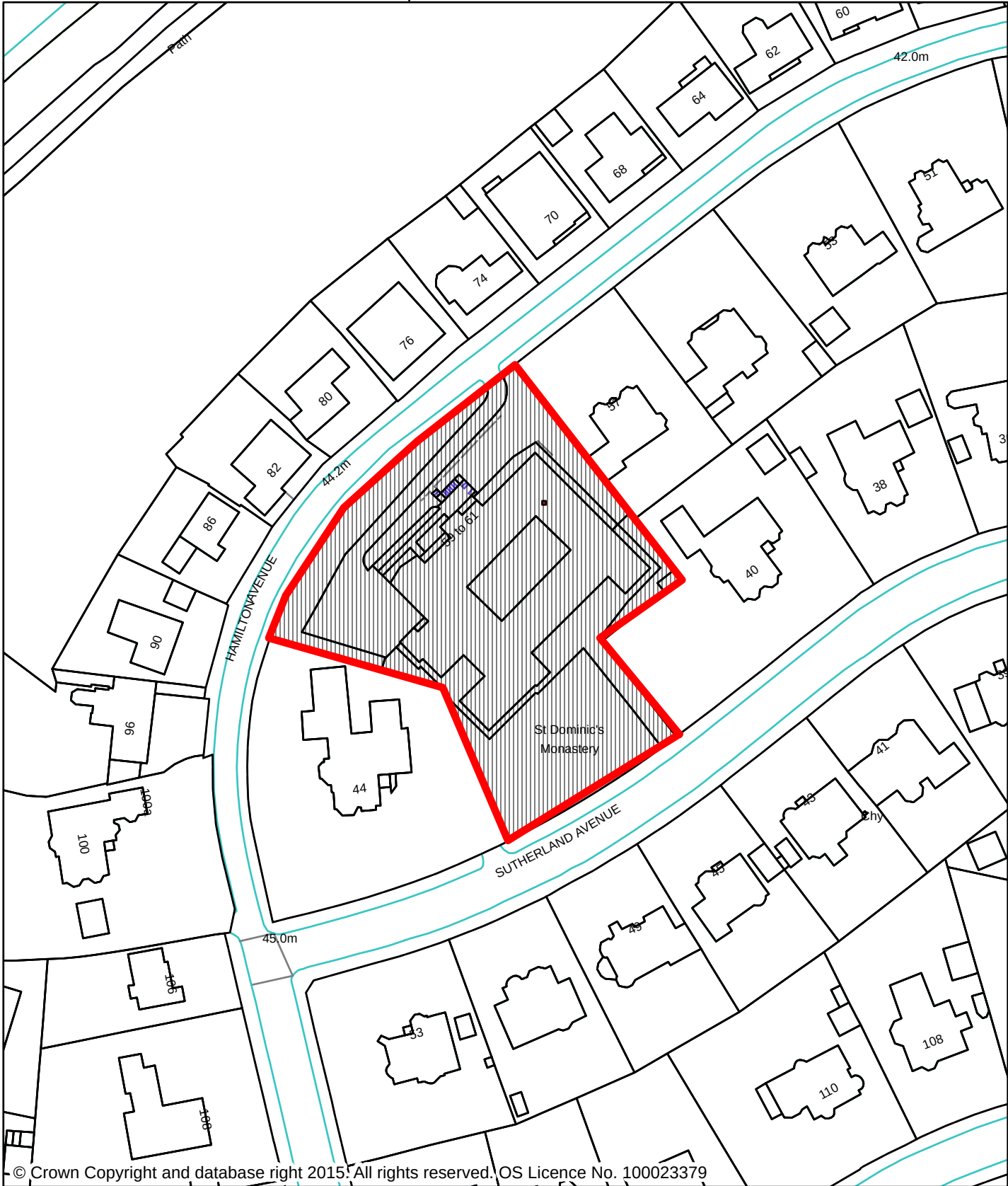
**Address:**

Mount Carmel 61 Hamilton Avenue

**Scale:** 1:1,250

**Indicative Site Location**

**Ward:** 06



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Location of Site (for details refer to Report)