

REPORT OF HANDLING FOR APPLICATION 23/02558/FUL

ADDRESS:	266 Carsaig Drive Glasgow G52 1AR
PROPOSAL:	Formation of driveway and access to front of flatted dwelling (Retrospective).

DATE OF ADVERT:	No advert required.
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	No representations received.
PARTIES CONSULTED AND RESPONSES	No consultations requested.
PRE-APPLICATION COMMENTS	No pre-application request. The application was submitted further to an enforcement complaint (22/00393/EN).

EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE
IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
NPF4 POLICIES	The National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland up to 2045. Unlike previous national planning documents, the NPF4 is part of the statutory Development Plan and Glasgow City Council as planning authority must assess all proposed development against its policies. The following policies are considered relevant to the application: Policy 1 - Tackling the Climate and Nature Crises Policy 2 - Climate Mitigation and Adaptation Policy 14 Design, quality and place Policy 16 Quality homes
CITY DEVELOPMENT PLAN POLICIES	CDP 1: The Placemaking Principle SG1: Placemaking, Part 2, Section 2. Residential Development - Alterations to Dwellings and Gardens
OTHER MATERIAL CONSIDERATIONS	None.
REASON FOR DECISION	V02 The proposal is not 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.

	COMMENTS			
PLANNING HISTORY	Development Management			
	Ref	Proposal	Decision Issued	Decision
	23/02558/FUL	Formation of driveway and access to front of flatted dwelling (Retrospective).		PCO
	Enforcement			
	Ref	Proposal	Closed	Decision
	22/00393/EN	Enforcement Enquiry		PLNREC
SITE VISITS (DATES)	Viewed using Google Streetview/Photos in Enforcement File.			
SITING	The application site is a 4-in-a-block ground-floor flat on the south side of Carsaig Drive within an established residential area in Ward 06 - Pollokshields.			
DESIGN AND MATERIALS	<p>This application seeks retrospective consent for the formation of driveway and access to front of flatted dwelling</p> <p>The driveway is formed using monoblock and occupies all of the original front garden. Slate chips are then in situ from the landing of the access stair to the rear elevation of the property.</p> <p>It should also be noted that the lower flat at 264 Carsaig Drive and the adjoining property at 260 Carsaig Drive have also mono-blocked their front gardens meaning that resulting in three driveways side by side.</p>			
DAYLIGHT	No issues.			
ASPECT	No issues.			
PRIVACY	No issues			
ADJACENT LEVELS	No issues			
LANDSCAPING (INCLUDING GARDEN GROUND)	The installation of this driveway has resulted in the removal of a 1m high established hedge that enclosed the front area of the application site (and neighbouring properties). The monoblock replaces grass and occupies all of the original front garden.			
ACCESS AND PARKING	Parking is now provided off street			
SITE CONSTRAINTS	No issues.			
OTHER COMMENTS	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <ul style="list-style-type: none"> a) whether the proposal accords with the statutory Development Plan; b) whether any other material considerations (including objections) have been satisfactorily addressed. <p>In respect of (a), the Development Plan comprises of National Planning Framework 4 (NPF4) which was adopted on 13 February 2023 and the Glasgow City Development Plan which was adopted on 29 March 2017.</p> <p><u>National Planning Framework 4 (NPF4) February 2023</u></p> <p><u>Policies</u>1 and 2 are overarching policies which require that significant weight be attributed to the global climate and nature crises when considering all development proposals.</p>			

NPF4 Policy 14 on Design, quality and place requires development proposals to improve the quality of an area. Policy 16 on Quality Homes requires that householder developments encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

Comment:

Whilst the development is minor, the impact of removing all shrubs and grass from the front garden area does not make our places more resilient to climate change impacts, nor does it create a nature positive place.

The development has a detrimental impact on the character or environmental quality of the surrounding area in terms of design and materials. Furthermore, the proposed development will have a detrimental effect on the amenity of neighbouring properties due to the removal of all natural landscaping from the front garden and its replacement with hard surfacing.

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The proposal has been assessed against the City Development Plan policies, specifically the Placemaking Principle, Supplementary Guidance SG 1: Placemaking, Residential Development – Alterations to Dwellings & Gardens, which states:

2.25 Front Garden Parking (outwith Conservation Areas, in flatted development and in properties where permitted development rights have been removed) - As car ownership rises, particularly in flatted areas, owners are increasingly forming parking space within their front gardens. These areas, however, have a vital role to play in the creation of pleasant residential streets, which would be severely affected if there was a concentration of hard surfaced front gardens used for car parking.

2.26 When such development is considered acceptable:

a) The vehicular access should:

- *be a minimum of 2.5 metres wide; and*
- *be at right angles to the road.*

If gates are proposed, they should only open inwards.

b) The parking area should:

- *have a maximum gradient of 10%;*
- *have its first 2 metres hard paved across its entire width, to prevent gravel spilling on to the public footpath/road;*
- *be a minimum of 5 metres in length and 2.5 metres in width; and*
- *take up no more than 50% of the front garden area, and not fragment the garden into small unusable spaces.*

2.27 Development is unlikely to be supported where:

- a) the proposed access is located within 25 metres of a major traffic junction;*
- b) the Council's Road's Authority has recommended refusal for traffic reasons;*
- c) the proposed vehicular public footpath crossing would create more than two driveways side by side;*
- d) in tenement properties, front gardens have a vital role in the preservation of townscape and residential amenity; and*
- e) the formation of the driveway would involve the removal of, have an adverse effect on, any mature tree in either the garden or on the public footpath.*

2.28 In terms of other legal requirements, regardless of whether planning

	<p><i>permission is required or not, applicants may also require a Footway Crossing Permit from the Council's Road's Authority. When parking provision is made in the front garden area, 50% of the original front garden should be retained</i></p> <p>Comment:</p> <p>This application is not considered to be in accordance with the Development Plan as</p> <ul style="list-style-type: none"> the parking area occupies all of the original front garden. <p>Prevalence of hard surfaced front gardens used for car parking is considered to lead to an erosion of visual amenity within residential streets, hence the policy above restricting such development to 50% of the original front garden area. The installation of this driveway has resulted in the removal of a 1m high hedge and the replacement of grass/shrubs with a hard surface that covers the extent of the front garden. Two neighbouring properties have made the same alteration (which is contrary to 2.27 (c) and (d) above). The works undertaken are detrimental to the amenity of the property and surrounding area and the cumulative impact is significant. No attempt has been made to mitigate the visual amenity issues by including some form of soft landscaping. The development has transformed what was a pleasant and leafy garden that had a positive impact visually and ecologically into a hard landscape that is void of character and detrimental to climate mitigation objectives.</p> <p>The application seeks to regularise an unauthorised development. The proposal has been assessed against the specific guidance in SG1 on front garden parking and as a result it is recommended that the proposal be refused. The proposal is not 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.</p> <p>In relation to (b), whilst there have been no objections but this is not reason in itself to grant planning permission.</p> <p>Overall the proposal results in the total loss of front garden ground contrary to the guidance in SG1. The proposal therefore fails to satisfy the development plan. There are no other material considerations which would merit an approval. It is recommended that planning permission be refused.</p>
RECOMMENDATION	Refuse.

Date: 14/02/24	DM Officer	Eileen Dudziak
Date: <u>16/02/2024</u>	DM Manager	Ross Middleton