



Glasgow City Council	
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**DECISION BY GLASGOW CITY COUNCIL LOCAL REVIEW COMMITTEE UNDER REGULATION 12 OF THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008**

**Request for Review by: Sim Building Group**

**Review Reference Number: 22/00009/LOCAL**

**Planning Application Reference: 20/03380/FUL**

**Site Address: Belvidere Bowling Club, 23 Silverdale Street, Glasgow**

**Proposal: Erection of residential development of 24 no. flatted units with associated car parking and landscaping**

**Reason for seeking review: Refusal of application by appointed officer**

**DECISION**

**1. Introduction**

Having undertaken the review, the Local Review Committee (LRC) has decided to grant planning permission subject to conditions.

The LRC had been in receipt of a folio of documents. This included the material required by the Development Management Regulations and other background information which included scanned images of the application plans and photographs of the application site. In light of the information provided, the LRC decided further information was required in the form of written submissions from the applicant. This information was submitted, allowing the LRC to determine the Review.

**2. Description of Proposal**

The site is a one of two bowling greens at Belvidere Bowling Club, and the application site is the northern green, located at the junction of Silverdale Street and London Road. The area is residential in character with 4-storey sandstone tenements and a children's nursery to the west, 3 blocks of multi-storey flats to the north, modern 4-storey tenements to the east and the clubhouse and the second bowling green of Belvidere Bowling Club to the south.

It is in the Inner Urban Area and has below base accessibility by public transport.

The site is identified as PAN65 Open Space, sports area - bowling green and the area of planting on the south-east border is also identified as PAN65 Open Space – Sports area.

It is proposed to demolish the bowling green and erect 24 flats in a 4-storey U-shaped block with 6 flats on each floor accessed from 2 stairwells. 16 flats will be 73.5sqm 2-bed, with 2 to bed wheelchair accessible (87.5sqm) and 8 are to be 48.5sqm 1-bed.

The site is accessed from Silverdale Street, with an additional stepped pedestrian access from London road, utilising the existing gate in the stone wall along this boundary.

2 bin stores and bicycle storage are also provided which are accessed externally.

A combined sewer runs beneath the site, with a 7.5 metre exclusion zone to either side. This area is to be used for parking, with 24 parking spaces proposed, 2 of which are to be disabled spaces and one of which is to be an electric charging space.

The stone wall on the London Road boundary is to be retained up to the pedestrian access point. Beyond this, to the boundary with Silverdale Street, the wall is to be replaced with black metal railings to allow more natural light into the ground floor flats facing London Road, with trees to provide screening as required.

### **3. Relevant Policies**

The relevant National Planning Framework 4 (NPF4) policies are Policy 3 Biodiversity; Policy 16 Quality Homes; Policy 20 Blue and Green Infrastructure; and Policy 21 Play, recreation and sport. The relevant City Development Plan policies are CDP1: The Placemaking Principle; CDP2: Sustainable Spatial Strategy; CDP5: Resource Management; CDP6: Green Belt and Green Network; CDP7: Natural Environment; CDP8: Water Environment; CDP11: Sustainable Transport; and CDP12: Delivering Development. These are supported by Supplementary Guidance which provides the detailed considerations for determining applications for planning permission.

The relevant considerations in this case are as follows.

#### **NPF4 Policy 3 Biodiversity**

Policy Intent:

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.

#### **NPF4 Policy 16 Quality Homes**

Policy Intent:

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:

- i. self-provided homes;
- ii. accessible, adaptable and wheelchair accessible homes;
- iii. build to rent;
- iv. affordable homes;
- v. a range of size of homes such as those for larger families;
- vi. homes for older people, including supported accommodation, care homes and sheltered housing;
- vii. homes for people undertaking further and higher education; and
- viii. homes for other specialist groups such as service personnel.

e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need.

#### **NPF4 Policy 20 Blue and Green Infrastructure**

Policy Intent:

To protect and enhance blue and green infrastructure and their networks.

a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.

b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.

Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multifunctional and well integrated into the overall proposals.

e) Development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.

#### **NPF4 Policy 21 Play, Recreation and Sport**

Policy Intent:

To encourage, promote and facilitate spaces and opportunities for play, recreation and sport.

a) Development proposals which result in the loss of outdoor sports facilities will only be supported where the proposal:

- i. is ancillary to the principal use of the site as an outdoor sports facility; or
- ii. involves only a minor part of the facility and would not affect its use; or
- iii. meets a requirement to replace the facility which would be lost, either by a new facility or by upgrading an existing facility to provide a better quality facility. The location will be convenient for users and the overall playing capacity of the area will be maintained; or
- iv. can demonstrate that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

This should be informed by the local authority's Open Space Strategy and/or Play Sufficiency Assessment and in consultation with sportscotland where appropriate.

d) Development proposals likely to be occupied or used by children and young people will be supported where they incorporate well designed, good quality provision for play, recreation, and relaxation that is proportionate to the scale and nature of the development and existing provision in the area.

## **SG1 The Placemaking Principle**

### Residential Development

#### *Residential Layouts*

Residential Layouts should:

- a) 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 (see RDG, Page 60 and the BRE 'Site Layout Planning for Daylight and Sunlight');
- b) make appropriate provision for refuse and recycling storage areas;
- c) wherever possible, retain all significant trees on sites, unless removal is necessary, e.g. for good arboricultural reasons;
- d) have roads designed to the standards set out in RDG;
- e) incorporate a SUDS strategy to take account of the space and design requirements of the required SUDS scheme; and
- f) ensure that all new homes do not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts.
- g) 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.

#### Additional Standards for Flatted Developments –

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 (see RDG for guidance); 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, the following guidance applies:

- a) Ideally all flats should have dual aspect (where single aspect is proposed developers will require to show that the amenity enjoyed by the flats is similar, if not better than that of dual aspect flats in a similar location. This will include consideration of the flat's outlook);
- b) privacy is also important to the rear of flats, where ambient noise levels are lower. Habitable rooms, therefore, should be set back from public or common footpaths or areas of open space, parking or waste storage (this could be secured, for example, by the formation of private garden space between habitable rooms and any such use); 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 Density

The guidance seeks to ensure that all new development has an appropriate urban scale and townscape form which will consolidate and/or enhance the traditional urban structure and contribute towards creating high quality, sustainable, new environments

### *General Principles*

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.

Variations in the general density standards may be permitted where a justification is provided based on the factors listed above or for developments of exceptional urban design quality, provided that other CDP and SG standards are met.

Inner Urban Area - Density may vary between 30 and 100 DPH in base accessibility locations, whilst higher densities will be expected in high accessibility locations and should be justified against the General Principles outlined above. Account will also be taken of the availability and capacity of broader infrastructure and community facilities to accommodate increased use.

## 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.

## Waste Storage, Recycling & Collection

### *Designing New Development*

All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City's wider placemaking objectives.

Flatted Development - The following guidance applies:

- a) the 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. This should ideally be no more than 20 metres from the location of the waste containers. External stores should be constructed in materials to match the flats;
- b) to calculate the area required for recycling, communal recycling bins will usually be allocated by the Council on the basis of 3 x 240 litre bins per traditional close and up to 2 x 1,280 litre communal waste bins per new build flatted stairway. 2x Blue 240lt bins for mixed recycling and 1 x Grey 240lt bin for food waste;
- c) advice should be sought from the Council's Land and Environmental Services, prior to drawing up details of the waste/recycling area;

- d) developers are encouraged to consider one of the underground systems, where the waste/recycling containers are underground beneath waste and recycling bins and the underground containers are elevated to ground level for vehicular collection. Again, advice should be sought from the Council's Land and Environmental Services prior to drawing up details of these systems; and
- e) privacy is important to the rear of flats, where ambient noise levels are lower. Habitable rooms should not be located immediately above waste/recycling storage areas.

## **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. This can be done through careful siting, layout and design and should make the best use of energy efficiency techniques and materials.

New development is also required to meet the appropriate sustainability level. All new domestic and non-domestic developments should make use of low and zero carbon generating technologies in order to contribute to meeting greenhouse emission targets. Equipment may be mounted onto buildings or installed at an appropriate location within the development site.

A Statement on Energy will be required to support all applications to which this policy applies.

## **IPG6 Green Belt and Green Network**

### The Green Network - Protection And Enhancement

The Green Network is a multi-functional network of open spaces, green infrastructure and linking paths and corridors that allow people and species to move easily in the urban environment. As the site is identified as a sports area it forms part of the green network.

The Council expects that:

- development proposals will not have an adverse effect on the Green Network, including by fragmentation;
- new development will, as a minimum, deliver green infrastructure enhancements (eg landscaping, private amenity space (in residential developments), 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).

New development should not have an adverse impact on the Green Network. However, there may be instances when the social or economic benefits to be gained from a development affecting the Green Network would clearly outweigh the benefits of the Green Network as it currently exists. In such circumstances, it is important that suitable mitigation is provided to compensate for the impact of the development on the Green Network.

### Open Space Protection

There is a strong presumption in favour of the retention of the categories of open space. This includes sports areas which are identified within the 'demand-led' category.

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

for open spaces in a "demand-led" category:

- the open space is in a category for which there is no longer an identifiable demand in the City and it has little other open space value (as set out in part 1 of BOX 1).

## 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 (see SG7: Natural Environment)? 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 (eg Local Biodiversity Action Plan, City Centre Strategy or Strategic Plan for Cycling)? 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:
  - a) the site lies within an area that is to be developed in accordance with an approved masterplan or similar planning strategy that provides for the loss of the open space as part of a wider redistribution of open space that will be delivered in line with agreed standards and without detriment to current open space value; or
  - b) 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
  - c) the proposal would be directly related to the current use(s) of the open space or would not adversely impact on its functions/value.

In exceptional circumstances, where a development is considered to have value with regard to BOX1 but planning permission is approved, financial compensation will be required.

## **SG7 Natural Environment**

### Protected Species

There is a presumption against development which would have an adverse effect on a protected species, either directly, indirectly or cumulatively. This may include impact on the habitat of a protected species, including fragmentation or isolation, or other activities that result in disturbance.

Where appropriate, mitigation could be used to ensure no adverse effect on protected species.

### Enhancing Biodiversity

Development shall not result in a loss of biodiversity or habitat connectivity. Wherever possible, development shall enhance biodiversity and/or habitat connectivity. New developments shall aim to incorporate existing habitats, enhance and expand them and/or help create new habitats as well as enhancing the ecosystem services that the development site currently supports, or could support.

### Mitigation

The Council expects that development proposals be designed to prevent or avoid impacts. If this is not possible, then 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.

## Trees, Woodlands 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;
- b) 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; 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.

### *Other Trees, Woodland and Hedgerows*

Where development is acceptable in principle, proposals should retain trees, woodland and hedgerows, where they are of landscape, local amenity or biodiversity value.

Proposed tree removals or retentions should be submitted for consideration as part of the planning application.

### *Mitigation for Tree and Hedgerow Loss*

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.

## **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.

### 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.



## Impervious Surfacing

To enable the Council to fulfil its statutory obligations under the Flood Risk Management (Scotland) Act 2009 and the Vision of the MGSDP, the use of impermeable ground surfacing will be limited. The aim of this policy is to reduce the peak run-off rates and overall volume of surface water being discharge from hard standing areas.

Permissible percentage or reduction as appropriate of impervious ground level surfacing:

- a) Within new build residential developments is limited to 10% per curtilage.

## **SG11 Sustainable Transport**

### Cycle Parking

- 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 or in the basement, providing the basement has ramped access or a suitable lift.
- Visitor parking should be located at an easily accessible location close to, or within, the entrance area of the development in order to enhance security through surveillance.
- 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”. “Sheffield” racks are a good, and preferred, example of such provision.

For mainstream residential developments, 1 space per unit should be provided. Visitor parking to be provided at a rate of 0.25 spaces per unit in new residential developments where residents' cycle parking provision is provided communally.

### Vehicle Parking

#### *Car Park Design*

The following design considerations apply:

- surface car parks should not be located in front of buildings where this would be at the expense of an active frontage onto a public street or space;
- to minimise visual impact, surface level car parks should include high quality surfacing, boundary treatment and landscaping (including tree and shrub planting) within the parking area and, where appropriate, be screened with shrub or hedge planting;
- surface level car parks should provide for safe movement to and from parked cars and should not compromise pedestrian safety – pedestrian routes should be well surveyed and well-lit.

### Residential Parking - Mainstream Housing for Sale/Rent (private, social and shared)

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

- 1 allocated 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 the following:

- public transport 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

## Electric Vehicles

In new residential developments with communal off-street parking, 100% passive provision is intended to ease complications involved in managing use of, and access to, EV charging points. Such developments need only provide for safeguarding capacity in the electricity network for 20% of passive spaces.

## **IPG12 Delivering Development**

### Open Space and Public Realm Provision

New residential development (including conversions) 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, in accordance with the standards set out.

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 in this IPG (having regard to the distance thresholds set out in Section 4) 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 (having regard to the distance thresholds set out in Section 4 of this IPG), or where the proposed development could lead to such a shortage, the developer will be expected to meet this IPG's entire requirement for those categories within the development site. If it is demonstrated (to the satisfaction of the Council) that this is not feasible, then part (or, in exceptional circumstances, all) of the requirement may be met by an equivalent financial contribution

### Open Space and Public Realm Provision – Detailed Considerations

#### *Design Guidance for On-Site Open Space Provision - General*

- Spaces should have a positive use, and should be designed with a specific purpose in mind. The function of open spaces, e.g. kickabout areas, children's play areas, etc, should be clearly indicated on the layout drawings submitted with the development application and be measured in square metres.
- Areas of left over ground with no obvious function, and awkwardly shaped spaces that are created by road layouts and parking areas are unlikely to be suitable for recreation. These spaces will not contribute to meeting the development's recreational open space requirements. This IPG actively encourages the provision of well-designed spaces in good locations that are more likely to be used and valued by the residents.
- Consideration should be given as to how sunlight will affect the use of an open space. Spaces should be orientated so as to have the benefit of sunlight, with shaded spots for sitting. Particular care should be taken over the location of open spaces in multistorey flatted developments to ensure that they are not affected by shade for much of the day.
- Requirements to provide on-site Sustainable Drainage Systems (SuDS) may contribute towards meeting the recreational open space obligations of the site, provided that the space is appropriately designed, safe, accessible and capable of being used for recreation. Some facilities, such as grass kick-about areas, are unlikely to be suitable for dual use.
- Developers should note that over-provision in relation to one category of recreational open space does not compensate for under provision in any of the other categories.

- Landscaped areas, circulation spaces, access footpaths and pavements around the perimeter of the proposed development will not be considered as contributing towards the recreational open space requirement.
- All housing developments (houses with gardens and flatted development) are expected to provide both private space (i.e. gardens or communal areas/backcourts) and semi-public space (recreational open space).
- Proposals that comprise a mix of houses with gardens and flatted development will be required to make provision on a pro-rata basis, according to the appropriate standard.

#### *Flatted Development*

- In 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.
- The amenity open space requirement for flatted development may be met by means of an amenity deck, a landscaped courtyard or a green roof, provided that it:
  - benefits from natural sunlight and is usable for informal recreation, such as sitting outside;
  - is capable of sustaining planting and trees;
  - incorporates good quality hard surface materials and seating; and
  - measures at least 50% of the total recreational open space requirement.
- Where internal courtyards or amenity decks are proposed, a privacy strip of 5 metres from all ground floor windows will be deducted from the space that can contribute towards the open space requirement.

#### *Grant-Assisted Housing Proposals*

Registered Social Landlords (RSLs), such as housing associations and co-operatives, are required to take account of the overall standards set out in this IPG, in terms of on-site open space provision or the requirement to make a financial contribution towards provision, when submitting proposals.

The Council will, nevertheless, seek to find the most appropriate open space solution according to the circumstances of the proposal. This could include varying specific standards between categories according to the intended client group, and using off site solutions or financial contributions.

In assessing the extent to which RSLs are required to make additional provision for open space as part of their development proposals, the Council will take account of evidence submitted by RSLs which demonstrates their overall contribution to local open space projects.

## **4. Material Considerations**

The following is a summary of the material considerations in this case:

### **Representations to the application**

There was one representation to the application, which raised the following issues:

- Parking on Silverdale Street is already reduced for residents due to overspill parking from nearby streets, the bowling club, the nursery and also during football matches. The proposed entrance will further reduce spaces, as will the lack of visitor parking proposed;
- Green space in the area would be reduced;
- The proposal will bring more cars to the area, thereby increasing air pollution

## Consultation responses

- The Coal Authority response to Phase 1 desk Study: Objection, based on the Phase 1 desk study. Historic, unrecorded coal mining is likely to have occurred at shallow depth. The draft Phase 1 Desk Study Report does not identify what further measures are required to address any land instability issues to ensure the development is made safe and stable.
- The Coal Authority: response to Phase 2 desk study: no objection, subject to conditions;
- SportScotland: No objection. The sale of one green is justifiable, and would not be detrimental to the sport.

## Issues raised by the applicant

- Representations: Of 143 neighbours notified, there was only one letter of objection, indicating the level of support for the proposal. SportScotland had no objection to the loss of the green;
- Parking: 100% parking provision is on balance supportable in planning terms as:
  - around 60% of households in the Parkhead area do not own a car.
  - the Society for Chief Officers of Transport in Scotland's 'National Roads Development Guide' indicates a 50% to 80% parking provision is sufficient for housing association developments;
  - the site is within walking distance of several local shops, Parkhead Forge Shopping Centre, sports centres/venues and parks. It is approximately 200m from various bus stops, and around 1.5km from Dalmarnock and Bridgeton rail stations;
- Open space provision: On-site landscaping and open space would be supplemented by the plethora of accessible open space and recreational opportunities around the site. The proposal has excellent access to good quality recreational open space;
- Affordable housing: The proposal would contribute towards Glasgow's Affordable Housing Supply Programme (AHSP);
- In-fill development: The proposal can be absorbed into the immediate area's existing form and pattern of development and fill the gap between the existing flatted developments along London Road.
- Flood risk: Flood Risk Assessment has been completed with a self-certification and independent check certification. The site is not predicted to be located within the 500-year functional flood plain of the River Clyde
- Cycle parking: The required 30 cycle parking spaces is excessive as it does not reflect the limited demand for such facilities from residents in other developments;

## 5. Assessment

Vehicle parking provision was discussed. Committee noted that the maximum standard set could be varied based on a number of criteria, including levels of car ownership, and that Parkhead HA had indicated that approximately 60% in the area do not own a car. On this basis it was decided that the proposed parking provision below the minimum set out in SG11 was acceptable in this case.

Committee considered the condition requiring the provision of 1 metre of hardstanding at the end of the parking bays, observing that this would remove areas of landscaping. It was decided that the priority should be to maximise the amount of landscaping within the development in order to address the biodiversity crisis and that this condition should therefore be deleted. Related to this, it was also decided that an additional condition should be inserted to protect the street trees on Silverdale Street whose roots would likely fall within the site and be impacted by the development.

The potential for the bowling green to be used for food growing was debated. Committee noted that there are other allotments within the vicinity and that the use of the site for housing would help address the ongoing housing emergency.

Overall, it was decided that the provision of affordable housing, including wheelchair accessible housing, was strong mitigation for the development of the open space and that the proposal would reuse a vacant site to the benefit of residential and visual amenity in the area. It was also felt that, while financial compensation should be provided for the loss of the open space, as well as for the underprovision of open space on the site, this should not be of a level that would make the development financially unviable and that the compensation figures set out in IPG6 should be used in preference to those in the draft SG6. The application was therefore granted subject to a legal agreement for financial compensation of £150,000 for the loss of open space as set out in IPG6 Green Belt and Green Network and £13,040 for the underprovision of open space within the development as set out in IPG12 Delivering Development, and subject to the conditions set out below.

## **6. Decision**

Following the considerations described above, the LRC granted planning permission for the following reason:

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.

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this permission.

**Reason:** To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

02. No development shall commence until remedial treatment works to address land instability arising from coal mining legacy have been carried out in full. The remedial works shall be carried out in accordance with authoritative UK guidance.

**Reason:** In order to ensure that the site is made safe and stable for the proposed development as a whole.

03. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

**Reason:** In order to ensure that the site is made safe and stable for the proposed development as a whole.

04. Unless otherwise agreed in writing with the Planning Authority, no development shall commence on site until a comprehensive contaminated land assessment has been submitted to and approved in writing by the Planning Authority.

The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. The site is located in or close to a Coal Authority Development High Risk Area and therefore the potential for mine gas must be included within the assessment.

The assessment shall be conducted and reported in accordance with current recognised codes of practice and guidance and shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN33 'Development of Contaminated Land'. Any potential risks to human health, property, the Water Environment and designated ecological sites shall be determined.

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

05. Where the contaminated land assessment has identified any unacceptable risk or risks (as defined by Part IIA of the Environmental Protection Act 1990), a remediation strategy shall be submitted to and approved in writing by the Planning Authority prior to development commencing on site, and shall thereafter be implemented as approved. The strategy shall set out all the measures necessary to bring the site to a condition suitable for the intended use by removing any unacceptable risks caused by contamination, including ground and mine gas. The remediation strategy shall also include a timetable and phasing plan where relevant.

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

06. Upon completion of the approved remediation strategy, and prior to any part of the development site being occupied, a remediation completion / validation report shall be submitted to and approved in writing by the Planning Authority. The report shall be completed by a suitably qualified Engineer and shall demonstrate the execution and effectiveness of the completed remediation works in accordance with the approved remediation strategy.

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

07. In the event that any previously unsuspected or unencountered contamination is found at any time when carrying out the approved development, it shall be reported to the Planning Authority within one week and work on the affected area shall cease. Unless otherwise agreed in writing with the Planning Authority, no development shall recommence on the affected area of the site until a comprehensive contaminated land investigation and assessment to determine the revised contamination status of the site has been submitted to and approved in writing by the Planning Authority.

Where required by the approved assessment, a remediation strategy shall be prepared and agreed in writing with the Planning Authority before work recommences on the affected area of the site. Upon completion of any approved remediation strategy and prior to the site being occupied, a remediation completion / validation report which demonstrates the effectiveness of the completed remediation works shall be submitted and approved in writing by the Planning Authority.

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

08. Upon completion of site investigations and gas monitoring and following agreement on the findings of these with the planning authority; all boreholes, probeholes or monitoring wells completed across the subject site are to be decommissioned (backfilled) and sealed in a manner that prevents them acting as a migration pathway. Works shall be completed in accordance with Scottish Environment Protection Agency 2014 good practice guidance and BS 8576: 2013.

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

09. All works shall be undertaken in accordance with the recommendations in the Flood Risk Assessment, by Kaya Consulting Limited dated January 2022 unless otherwise agreed in writing with the planning authority.

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

10. Prior to the commencement of construction works on site the applicant is required to submit final details of the drainage arrangements, including the connection point to the Scottish Water combined sewer for the written approval of the Planning Authority. All works shall then be undertaken in accordance with the approved drainage arrangements.

**Reason:** In order to ensure effective drainage of the site.

11. Provision shall be made in the design of the development for the parking of cycles. This provision shall be in accordance with the requirements of City Development Plan, Supplementary Guidance 11: Sustainable Transport, Section 4 Cycle Parking: locations; minimum levels; safe, sheltered and secure; and in 'sheffield' type racks. The cycle parking shall be available for use before the development is occupied.

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

12. 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

13. 1 no. passive electric vehicle parking space per dwelling shall be provided, ensuring 20% capacity in the electricity network, providing individual fuse boxes for each space and designing in ducting for future cabling.

**Reason:** In order to promote Sustainable Transport and ensure that the proposed development conforms to the standards approved by the Council.

14. The developer shall provide lighting within the car parking areas before any of the housing units are occupied. Before any work on site is begun, details of positions and types of lighting, and of maintenance arrangements shall be submitted to and approved in writing by the planning authority.

**Reason:** To enhance safety and security during hours of darkness.

15. Detailed plans showing disabled car parking spaces which do not intrude into the aisle shall be submitted to the planning authority and written approval obtained prior to work on site commencing.

**Reason:** In the interests of the safety of users of the premises.

16. Vehicular access from Silverdale Street shall be taken via a dropped kerb footway crossing in accordance with Figure 5.8 of the Glasgow City Council Design Guide New Residential Areas and shall be a minimum of 5.5 metres in width for shared pedestrian and vehicular access.

**Reason:** To ensure that the access complies with approved standards in the interests of pedestrian and vehicular safety.

17. The approved bin stores shall be constructed prior to the occupation of any dwelling on site.

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

18. Written confirmation of the strategy for presentation of bins for collection shall be submitted to and approved by the Planning Authority prior to any part of the development being occupied.

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

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

**Reason:** In the interests of pedestrian safety.

20. 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) including walls and railings, 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 and soft landscaping, shall be completed in accordance with the approved scheme.

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

21. Before any landscaping works on the site is begun, a maintenance schedule for the landscaping scheme/open space, including a calendar detailing the maintenance of each component of the landscaping scheme and the number of operations within each month, and details of the responsibilities of relevant parties, shall be submitted to and approved in writing by the planning authority.

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

22. A statement on how the development will support and enhance biodiversity shall be submitted to and approved by the planning authority before works commence. This statement shall be informed by policy guidance on biodiversity in the development plan, including City Development Plan policy CDP 7 and Supplementary Guidance SG7 Natural Environment, and shall contain specific actions and/or works demonstrating agreed mitigation measures, where necessary, along with works and/or actions that support habitat creation and improve on-site biodiversity. For the avoidance of doubt, this should include the incorporation of external bat boxes in the design of the flats or on surrounding mature trees; swift boxes/bricks incorporated into the design of the development at an appropriate height; and the inclusion of pollinator friendly plants, native trees and wildlife friendly hedgerow within the landscaping of the development, as well as provision for hedgehogs to move through and around the site. The statement actions and or/works shall be carried out in accordance with a detailed timetable as set out in the approved statement.

**Reason:** To protect and enhance the biodiversity of the area.



23. Prior to the commencement of works on site, drawings demonstrating the provision of facilities for outside clothes drying shall be submitted to, and approved in writing by, the Planning Authority.

**Reason:** To ensure that the residential accommodation minimises environmental impacts and corresponds with adopted Local Development Plan policy.

24. Details of the external material to be used on the proposed residential building shall be submitted to and approved by the planning authority in writing in respect of their type, colour and texture. Written approval shall be obtained before the materials are used on site.

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

25. 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 CO<sub>2</sub> 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 CO<sub>2</sub> emissions and the 'Gold Hybrid' 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 enable the Planning Authority to consider this/these aspect(s) in detail.

**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.

26. Details of temporary barricades, which shall be erected around the demolition/ construction site and which should be fitted with wooden fillets to prevent flyposting, 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:** In order to protect the visual amenity of the surrounding area.

27. 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.

28. 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.

29. Details of the proposed 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.

30. A Construction and Demolition Management Plan & Strategy shall be developed and submitted for the written approval of the Planning Authority. This shall include measures to mitigate against the effects of noise, dust, safety etc. on the local community (reflecting the provision for 'Good Neighbour Agreements' in the Planning (Scotland) Act 2019), including site management, construction and operational measures, including hours of working, site safety and vehicle access shall be submitted to the Planning Authority for its agreement as part of the first application for Approval of Matters Specified in Conditions and thereafter implemented in the agreed manner.

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

**Reason:** In order to safeguard residential amenity.

31. All dwellings shall be designed and constructed so that noise from road traffic does not give rise to internal noise levels, with windows closed, greater than 45 dB(A) daytime and 35 dB(A) night time when measured as LAeqT.

**Reason:** To protect residents in the development from road traffic noise.

32. No vegetation (trees and shrubs) clearance or other works (including ground investigation) should be completed within the breeding bird season (March to August inclusive), unless a comprehensive nest check is completed by a competent ecologist within 48 hours of the works being carried out. Any confirmed active bird nests should be delineated with an appropriate buffer with no works in this exclusion area until breeding has been completed.

**Reason:** In order to protect any nesting birds present.

33. 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.

34. 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. For the avoidance of doubt, any damage or loss of street trees shall be compensated under the CAVAT full method.

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

35. 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.

36. Before any work on the site is begun full details of any tree works shall be submitted for the written approval of the Planning Authority, including the submission of an Arboricultural Impact Assessment, method statement, design details of hard surfacing within the Root Protection Area and an accompanying schedule including information on species, height, canopy spread, base level and condition. A detailed plan shall be submitted which shows the exact location of all existing trees at the site and the location and details of a method of tree protection, to comply with BS 5837:2012 Trees in relation to design, demolition and construction, for the written approval of 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:** To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

37. Before any work on the site is begun, a detailed plan to comply with BS 5837:2012 Trees in relation to design, demolition and construction, which shows the exact location of all existing trees on the site and within 100 metres of the site boundary, including their root protection area (RPA), shall be submitted to and approved in writing by the planning authority. An accompanying schedule shall include information on species, height, canopy spread, base level and condition. The plan and schedule, ie the tree survey, shall also indicate those trees which it is intended to retain and those which it is intended to remove and details of any tree works to retained trees.

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

38. With the exception of tree works detailed in the approved application, existing trees on the site and on Silverdale Street 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.

39. Before any work on the site is begun, a detailed plan which shows the root protection area (RPA), the location and details of a method of tree protection and temporary works, including scaffolding and access routes, 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, shall be inspected by the Planning Authority and shall be retained in place until completion of the development. For the avoidance of doubt, this shall include any trees on Silverdale Street included in the tree survey required by condition 38.

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

#### Drawings

The development shall be implemented in accordance with the following drawing numbers:

1. J3329-C-08 - PROPOSED AUTOTRACK LAYOUT REFUSE VEHICLE REV A Received 18 March 2021
2. J3329-C-04 - Proposed Drainage Layout REV A Received 18 March 2021
3. J3329-C-1 - Proposed Drainage Longsection REV B Received 18 March 2021
4. L(0-)02 PROPOSED SITE LAYOUT Received 11 January 2021
5. L(02)04 PROPOSED ELEVATIONS Received 11 January 2021
6. L(2-)01 GROUND FLOOR PLAN Received 11 January 2021
7. L(2-)02 FIRST AND SECOND FLOOR PLAN Received 11 January 2021
8. L(2-)03 THIRD FLOOR PLAN Received 11 January 2021
9. L(2-)05 LONDON ROAD STREETSCAPE EXISTING AND PROPOSED Received 11 January 2021
10. L(2-)06 INTERNAL COURTYARD ELEVATIONS Received 11 January 2021
11. L(2-)01 - GROUND FLOOR PLAN Dated 18.12.2020 Received 18 December 2020
12. L(0-)00 - LOCATION PLAN Dated 18.12.2020 Received 18 December 2020
13. L(0-)02 - PROPOSED SITE LAYOUT Dated 18.12.2020 Received 18 December 2020

- 14. L(2-)02 - FIRST AND SECOND FLOOR PLAN Dated 18.12.2020 Received 18 December 2020
- 15.L(2-)03 - THIRD FLOOR PLAN Dated 18.12.2020 Received 18 December 2020
- 16.L(2-)04 - PROPOSED ELEVATIONS Dated 18.12.2020 Received 18 December 2020
- 17.L(2-)05 - EXISTING & PROPOSED LONDON ROAD STREETSCAPE Dated 18.12.2020 Received 18 December 2020

Mairi Millar  
Director of Legal and Administration  
Glasgow City Council

Date: