

Item 7

24th September 2024

Planning Services 231 George Street GLASGOW G1 1RX Tel: 0141 287 8555 Email: onlineplanning@glasgow.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE

100644310-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Agent Details

Company/Organisation:	lucid architecture limited		
Ref. Number:		You must enter a B	uilding Name or Number, or both: *
First Name: *	Andy	Building Name:	Unit 1
_ast Name: *	Whyte	Building Number:	55
Telephone Number: *		Address 1 (Street): *	Ruthven Lane
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G12 9BG
Email Address: *			
ls the applicant an individ	ual or an organisation/corpo	prate entity? *	
🗵 Individual 🗌 Orga	nisation/Corporate entity		

Applicant Details						
Please enter Applicant details						
Title:	Mr	You must enter a Bu	You must enter a Building Name or Number, or both: *			
Other Title:		Building Name:				
First Name: *	Marco	Building Number:	35			
Last Name: *	Guidi	Address 1 (Street): *	Ruskin Lane			
Company/Organisation		Address 2:				
Telephone Number: *		Town/City: *	Glasgow			
Extension Number:		Country: *	Scotland			
Mobile Number:		Postcode: *	G12 8EA			
Fax Number:						
Email Address: *						
Site Address Details						
Planning Authority:	Glasgow City Council					
Full postal address of the site (including postcode where available):						
Address 1:	35 RUSKIN LANE					
Address 2:						
Address 3:						
Address 4:						
Address 5:						
Town/City/Settlement:	GLASGOW					
Post Code:	G12 8EA					
Please identify/describe the location of the site or sites						
Northing	667263	Easting	257127			

Description of Proposal
Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: * (Max 500 characters)
Change of use for part time short term lettings.
Type of Application
What type of application did you submit to the planning authority? *
Application for planning permission (including householder application but excluding application to work minerals). Application for planning permission in principle. Further application. Application for approval of matters specified in conditions.
What does your review relate to? *
Refusal Notice. Grant of permission with Conditions imposed. No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.
Statement of reasons for seeking review
You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.
Please see attached supporting statement for appeal and statement of facts from the applicant.
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to rely on in support of your review. You can attach these documents electronically later in t					
000-rusn-planning appeal supporting statement 001-rusn-refusal de002-rusn-planning applanning application forms as completed 003-rusn-supporting statement for planning applanning 005-rusn-001-planning-site info 006-rusn-010-planning-plan as existing 007-rus rusn-applicant statement of facts for planning appeal	lication 004-rusn-drawing	register for			
Application Details					
Please provide the application reference no. given to you by your planning authority for your previous application.	23/02764/FUL				
What date was the application submitted to the planning authority? *	20/09/2023				
What date was the decision issued by the planning authority? *	07/03/2024				
Review Procedure					
The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.					
Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. * Yes X No					
Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.					
Please select a further procedure *					
By means of inspection of the land to which the review relates					
Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)					
We think it is very important that a proper site visit is carried out for this planning appeal. This has not been done to date as far as we can make out and there are constant references in the documents to this being a tenement flat and so on and so forth. Therefore a site visit from the appeal body is imperative to understand the very good set of circumstances here on this very private, main door, converted town-house, garden flat with its own access, parking and private garden.					
In the event that the Local Review Body appointed to consider your application decides to it	nspect the site, in your op	oinion:			
Can the site be clearly seen from a road or public land? *					
Is it possible for the site to be accessed safely and without barriers to entry? * \qquad \text{Yes \textsize No}					
If there are reasons why you think the local Review Body would be unable to undertake an explain here. (Max 500 characters)	unaccompanied site insp	ection, please			
Private access so simple arrangements need to be made to set this up.					

Checklist - App	lication for Notice of Review				
Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.					
Have you provided the name	X Yes ☐ No				
Have you provided the date a review? *	Ⅺ Yes □ No				
If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *		X Yes ☐ No ☐ N/A			
Have you provided a stateme procedure (or combination of	Ⅺ Yes □ No				
Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.					
Please attach a copy of all do (e.g. plans and Drawings) whi	X Yes □ No				
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.					
Declare – Notice of Review					
I/We the applicant/agent certify that this is an application for review on the grounds stated.					
Declaration Name:	Mr Andy Whyte				
Declaration Date:	28/05/2024				

Statement of facts from applicant—Planning Application 35 Ruskin Lane 22nd May 2024, Glasgow

Dear Planning Appeals Body,

I have owned my garden flat at 35 Ruskin Lane which is part of converted townhouse (35 Hamilton Drive) since 2006, i.e. I have owned and lived in my flat for 18 years. I am owneroccupier of the above flat and I work in Glasgow and have stayed in Glasgow most of my life. I am a full-time lecturer at Glasgow University, and I work/live in the flat most of the year. I only do STL (short-term letting/lets) during the few months I am away from the flat, so it is not empty for long periods (which may encourage criminals to break into the flat/building) and it brings much needed income for renovation/repair/maintenance of the flat/Listed building. I only rent out the flat for a few months to upkeep the place financially, which if I don't have this source of income will severely impact my ability to pay my share of the upkeep the listed building (which is more costly than non-listed buildings). That is, the money I have made from STL has been used mainly to upgrade the flat/listed building: internal includes bathroom, kitchen, doors, skirting, replaster of walls, electrics, and so on; External includes custom-made ornate iron gate (which also deters criminals), traditional garden paving and kerbing, continuous roof and building repairs (e.g. repointing walls that caused wet rot within our sandstone building and repaired/painted cast iron downpipes/guttering), major repair work to imperial brick garden walls and so on. Further, the flat has private access to the front door through a gated private garden/parking area, which means that neighbours especially other proprietors of the building (35 Hamilton Drive) are not negatively impacted by my STLs. Furthermore, I have been a long-standing member of the 35 Hamilton Drive residence association with the other proprietors since 2006, which self-factors our building (35 Hamilton Drive/converted townhouse). Thus, I am in continuous communication with the other proprietors that stay/own our listed building and they have not a single had issue with my STL, i.e. I have never had a complaint about my undertaking STL or about any STL guest staying in my flat at any time from the other proprietors or any of the neighbours in my conservation area.

I will not sell or undertake long-term letting of my flat since I work, live and will retire in Glasgow. Further, I have care responsibilities here. Thus, not granting me STL planning permission (and STL licence) will not increase housing supply in Glasgow since my flat will not be sold or be used as a long-term let. Further, I have lived in the west end most of my life and appreciate its unique nature as a conservation area and my mother (who suffers from dementia, and I am her main carer with my brother) still stays in her flat in Oban Drive (where I grew up) for over 60 years. I would like to reiterate I have my own gated private parking area and private garden with private front door entrance to my flat via Ruskin Lane (the back of the building at 35 Hamilton Drive). Thus, there is minimum to no impact on this conservation area and on my listed building since there is no access, intrusion, or possible nuisance issues in relation to my garden flat as part of the building (35 Hamilton Drive) since

I am the (title deed) owner of said (private) back garden which I get sole use of. Further, the other proprietors of 35 Hamilton Drive have their access to their flats through the front of said building at 35 Hamilton Drive (i.e. they cannot access the building via 35 Ruskin Lane) and thus, will not directly meet and encounter any of my STL guests.

I have been hosting STL for well over 7 years without a single complaint from neighbours or the other proprietors of my building (35 Hamilton Drive). I only rent out my flat to guests for a short number of months in the year, i.e. mainly during the summer months so as not to leave it empty when I am on holiday in Italy and visiting family in the Isle of Skye. I stay in the flat most of the year (i.e. around 9 months) and only away visiting family in the Isle of Skye some weekends during the rest of the year since I work full-time at Glasgow University. Further, I pay council tax on my flat to Glasgow City Council (GCC). Furthermore, I screen potential guests to mitigate adverse selection/moral hazard issues and I require all guests to put in a request to book a stay, i.e. I do not allow automatic bookings which mitigates unsociable STL guests stays (evidence from lack of complaints from other proprietors or neighbours over the 7 years I have been undertaking STLs). Further still, there are no parties or pets allowed during the guests stay, which further mitigates nuisance and inconvenience to my fellow proprietors of my building (35 Hamilton drive) and to my neighbours in the surrounding conservation area.

Letting (long-term and multiple occupancy) per se does not seem to be considered an access, intrusion, or possible nuisance issue in this conservation area. For example, Kelvin Properties (private limited liability company) own and rent out a whole building (converted townhouse as individual flats) including a garden cabin/hut next to my building (35 Hamilton Drive). Further, Kelvin Properties Limited tenants continuously enter and leave their building/flats on a daily basis via the backdoor fire escape to access Ruskin Lane/Great Western Road. Furthermore, there are many multiple occupancies very near my flat, e.g. in Ruskin Place - literally a few steps from my gates/flat, which increases footfall which GCC willingness to issue multiple occupancy licences indicate that this increase in potential footfall does not pose potential nuisance issues from long-term guests that are not owners/proprietors or surrounding conservation area.

Yours faithfully,

Marco G. D. Guidi