



PLANNING APPLICATIONS COMMITTEE

Report by Head of Planning and Building Standards Neighbourhoods, Regeneration and Sustainability

Item 2 (b)

18th June 2024

Contact: Peter Fusco Phone: 0141 287 8496

APPLICATION TYPE	Full Planning Permission		
RECOMMENDATION	Grant Subject to Conditions		

APPLICATION	23/01167/FUL	DATE VALID	28.02.2024
SITE ADDRESS	9 Caldercuilt Road, Glasgow, G20 0AE		
PROPOSAL	Erection of two storey detached garage with residential accommodation above		
APPLICANT	Mr Jasdeep Singh 9 Caldercuilt Road Glasgow G20 0AE	AGENT	Mr James Stirling 10 Kirby Gardens Glasgow G72 7ES
WARD NO(S)	15 - Maryhill	COMMUNITY COUNCIL	Maryhill & Summerston
CONSERVATION AREA	N/A	LISTED	N/A
ADVERT TYPE	N/A	PUBLISHED	N/A
CITY PLAN	Glasgow City Development Plan		

REPRESENTATIONS/ CONSULTATIONS

Representations

In total 15 representations have been received, all of which object to the planning application. One of the representations is from the co-chair of the 12 Dollar Terrace Residents Association. The reasons for objection can be summarised as follows:

- The scale and siting of the building is such that it would have a negative impact on the area. It will block views and sunlight for properties behind it. The design of the roof is out of keeping with the area. The proposal does not meet the goals of City Development Plan Placemaking Policy. The close proximity of the building to the flatted dwellings on Dollar Terrace shall result in loss of amenity. The building is considered to be unsympathetic to its surrounds in terms of its design and materiality, and it is also considered to be over-dominant;
- The proposal includes habitable accommodation which could be rented or sold separately.

The proposal cannot be simply considered as a garage. An objector specifically questions why such a large detached dwellinghouse should require additional accommodation;

- The building will impact on protected trees. There are more appropriate locations within the grounds of the property for the proposed building than the site which has been chosen;
- Excessive noise levels from construction of the building and disturbance as regards digging up of roads next to the site in order that the building can be serviced by water, electricity etc. / the proposal shall devalue existing residential properties on Dollar Terrace / fire risk from the proposed building on the application site and the adjacent Dollar Terrace;
- The proposal would create a blind spot for vehicles exiting Dollar Terrace. There is sufficient space elsewhere in the garden to park vehicles;
- The revised proposal does not adequately address the issues with the previous proposals and all grounds of objection still apply. Significant consideration must be given to the volume of objection from the local community;
- There is already a single storey structure in this side garden area of the property which has been built without the benefit of planning permission;
- Neighbouring residents have a lack of awareness of the process which resulted in this revised proposal under application 23/01167/FUL from the original proposal which was submitted for this application in May 2023, and as such are at a disadvantage. None of the local residents have had meaningful dialogue with the applicant or their agent on the proposal;
- The proposal is not deemed to be in accordance with relevant policy criteria from the North Glasgow Strategic Development Framework;
- The proposed development is not covered by the permitted development rights as currently stated.

Consultations

No external consultations were requested or required.

SITE AND DESCRIPTION

The application site is a detached Victorian sandstone dwellinghouse and its grounds, the curtilage of which is bounded by Dollar Terrace to the north, Caldercuilt Road to the south, and Crosbie Street to the west. A railway line is beyond Caldercuilt Road.

Traditional tenement buildings are to the west and north of the site on Crosbie Street and Dollar Terrace respectively. Typical materiality and features include blonde sandstone, black metal railings and stone boundary walls. Hedgerows and mature trees are also plentiful in this locale.

The site is generally level; however, the land rises gradually to the north which is most noticeable on Crosbie Street. The property is located within an established residential area in Local Ward 15 – Maryhill.

SITE HISTORY

The application property has a significant planning history. Details as follows:

- 94/02560/DC - Erection of two self contained flats as extension to existing care/ counselling centre (including demolition of derelict coach house). Application withdrawn
- 94/03591/DC - Erection of two bedsit flats (including demolition of derelict coach house) to form part of existing care/ counselling centre. Granted subject to condition(s)
- 95/00584/DC - Installation of replacement windows. Granted subject to condition(s)
- 14/01155/DC - Use of care /counselling centre as house in multiple occupancy for 8 people.

- Granted subject to condition(s)
- 18/01323/FUL - External alterations to House in Multiple Occupation (HMO). Granted subject to Condition(s)
- 21/01694/FUL - Erection of boundary wall, installation of gates and timber fence. Application refused
- 22/00970/FUL - Erection of two storey detached garage with residential accommodation above. Application refused
- 23/03004/FUL - Erection of garden shed within dwellinghouse curtilage (Retrospective). Granted subject to condition(s)

The property has also been subject of 3no. Enforcement enquiries:

- 21/00150/EN – complaint related to unauthorised tree removal. No further action taken as not covered by Development Control remit. Case closed
- 22/00146/EN – complaint related to earthworks and landscaping endangering protected tree. No further action as no breach found. Case closed
- 23/00673/EN – complaint related to erection of unauthorised outbuilding in grounds of dwellinghouse. Pending consideration

PROPOSAL

The applicant seeks planning permission for the erection of a two-storey detached garage with residential accommodation on the first floor. The building's use would be ancillary to the main dwelling. The structure would be in the north west corner of the garden grounds of the dwellinghouse.

The footprint of the building is 10m x 6.7m, which gives it a footprint of 67m², and the overall height is 5.1m. The roof is proposed to be dual pitched with a single 4.7m wide, 2.1m high dormer on the front/ south facing roof plane. At ground floor level on the front/ south facing elevation, a single 5.7m wide, 2m high aluminium glazed door is proposed. A single double glazed, uPVC framed door is also proposed for the front elevation.

In terms of materiality:

Walls – new engineered stone bricks, colour blonde sandstone. Facing brick on rear elevation, colour blonde/ biscuit. Precast concrete cills, colour Natural Grey.

Roof – natural slate roof tiles

Fascia's, soffits and verges – uPVC, colour Anthracite

Rainwater goods – uPVC, colour black

Dormer - standing seam zinc cladding, colour Anthracite. Window units are to be uPVC double glazed with the colour of the framing Anthracite

Door – uPVC framed, Colour Anthracite

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

Not applicable

iii. a design statement or a design and access statement

Not applicable

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)

Tree Survey Report – this presents the results of an arboricultural survey of any trees on (and where present, around) the north part of the property. The report is prepared in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'. As explained in the report, *The principal purpose is to assess tree condition and relative suitability for retention in the context of development, based mainly on quality and estimated remaining amenity contribution. The author also indicates the constraints above and below ground that trees would present (if retained) to any design and development.* The impact the specific development form would have on retained trees is assessed, to catalogue the tree pruning or removals that would be necessary and the measures that would be required to protect the retained trees before, during and after construction.

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

Not applicable

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 impose or need not be imposed.

Not applicable

POLICIES

National Planning Framework 4

- Policy 1: Tackling the climate and nature crisis
- Policy 2: Climate mitigation and adaption
- Policy 6: Forestry, woodland and trees

- Policy 14: Design, quality and place
- Policy 16: Quality Homes

City Development Plan Policies

CDP 1 & SG 1. Placemaking
CDP 7 & SG 7. Natural Environment

ASSESSMENT AND CONCLUSIONS

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.

The issues to be taken into account in the determination of this application are therefore considered to be:

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

In respect of (a), the Development Plan comprises of National Planning Framework 4 (NPF4) which was adopted on 13th February 2023 and the Glasgow City Development Plan which was adopted on 29th March 2017.

National Planning Framework 4 (NPF4) February 2023

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) and Policy 2 (Climate mitigation and adaptation) are applicable to all new development and must be considered in light of the proposals impact on the environment.

Comment:

The aim of these policies is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The purpose of the proposal is to provide a garage and ancillary accommodation. The proposal is such that it would not have a significant impact on the climate.

The proposal complies with **Policies 1 and 2.**

Policy 14. Design, quality and place

Policy 14 aims to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle. It states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Comment:

The application is assessed in more detail below, under SG1, however it is considered that the proposal would not have a detrimental impact on the host dwellinghouse or the established residential setting. It is acknowledged that the site is not within a conservation area; however, there is a certain degree of

heritage value to the local streetscene which the proposal is sympathetic with. The application property and other similar dwellings in the neighbourhood as well as the boundary treatments are well maintained and the gardens contribute to a high standard of urban environment. The proposal shall not have a detrimental impact on the character of the surrounding residential area in terms of the siting, scale and design of the proposed building.

The proposal has gone through a process of refinement per pre-application discussions with the Planning Authority in order to reach the point that the scale; design (including materiality) and appearance of the ancillary building were all considered to be of an acceptable and supportable standard.

The proposal complies with **Policy 14 Design, quality and place**

Policy 16 Quality Homes

Policy 16 states that householder development proposals will be supported where they do not have a detrimental impact on the amenity of neighbours and do not impact detrimentally the character or environmental quality of the home and the surrounding area in terms of size, design and materials.

Comment:

The application is assessed in more detail below, under SG1, however it is considered that owing to the proposals design, scale and positioning it would not have a detrimental impact on the character of the house or the wider area.

The proposal complies with **Policy 16 Quality Homes**

NPF4 Conclusion

Taking into account the assessment below, owing to the siting, scale, design and materials of the proposed development accords with **Policy 1 Tackling the climate and nature crises, Policy 2 Climate mitigation and adaptation, Policy 14 Design, quality and place and Policy 16 Quality Homes.**

Glasgow City Development Plan March 2017

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. Many of the policies in NPF4 are reflected by policies and statutory guidance associated with the Glasgow City Development Plan.

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

CDP1: The Placemaking Principle & SG 1 – Placemaking

Policy CDP1 is an overarching Policy which must be considered for all development proposals to help achieve the key aims of the Glasgow City Development Plan. 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.

Supplementary Guidance **SG1 ‘Placemaking’** supports CDP1 and comprises two parts. Part 1 provides the context and approach of Placemaking established in Policy CDP1 and Part 2 contains detailed assessment criteria for small-scale development.

Comment:

The proposed detached building would be located in the corner of the plot adjacent to Crosbie Street and Dollar Terrace in a prominent location adjacent to a well-used road. However, its impact on the visual amenity of the application site and the wider locale is considered to be limited due to its acceptable scale and massing, overall height and design.

It is acknowledged that the application site is prominent but owing to the acceptability of the revised building's design, it is not considered that it shall be an over-dominant or inharmonious addition to the host dwellinghouse. It is also located on the site of an original coachhouse which was demolished in the 1990's. The design of the building, including materiality, is deemed to be sympathetic to its setting. Consequently, the proposed development meets high standards of design while providing high quality amenity to existing residents in the City and is therefore deemed to be in accordance with CDP1 and SG1 Part 1.

Supplementary Guidance SG 1: Placemaking (Part 2), Alterations to Dwellings and Gardens

This guidance sets out the planning requirements for alterations to dwellings and gardens for particular types of householder developments, such as extensions and dormer windows. It outlines the criteria that must be met in relation to, for example design and daylighting. It seeks to ensure that extensions and alterations to houses are carefully designed, so that the visual amenity of residential buildings and areas is not adversely affected by over-dominant extensions and that residential amenity is not reduced. The siting, form, scale, proportions, detailed design and use of materials should be in keeping with the existing building and wider area. ;

As it is a two-storey detached garage that is being proposed, the following policy guidance applies:

2.24 Free-standing Garages - Garages should:

- a) be set a minimum of 6 metres back from the rear edge of the public/ common footpath, except in private lanes where they may be set on the boundary;
- b) have a pitched roof, unless well screened from public view;
- c) not extend in front of the established building line; and
- d) be finished in materials to match the original house.

Comment:

The 6m rule described in paragraph 2.24, above, is in relation to the scenario in which garages are parallel with the road and that is not the case with this proposal as the garage building shall be at right angles to the adjacent road. Through its design and siting there will be no risk of vehicles overhanging the public path as the access to the garage will be via the applicants existing, in curtilage, driveway.

The dual pitch design of the roof is deemed to be acceptable and helps keep the overall height of the building within acceptable parameters. The proposal shall have no impact on established building lines, and in this case the use of a blonde brick is considered to be sympathetic to the host building and its setting.

As well as siting and design, further issues to be considered include the potential impacts on amenity.

Daylight/ Sunlight

SG 1: Placemaking – Alterations to Dwellings & Gardens states that extensions should not:

- cause significant loss of daylight to any habitable room (see Definition) of neighbouring property from the construction of an extension; and
- block sunlight to adjacent private gardens to a significant extent.

Comment:

There are level differences between Dollar Terrace and the application site with land rising quite steeply upwards from the southern boundary of the site in a south to north direction. The building would sit at a lower level within the site. The ground floor flat dwellings to the rear of the site would sit 9m from the rear elevation of the building and would look towards a 10m wide and 3.8m high (from ground level) wall and roof plane. Owing to these factors there would be no impact on daylight within adjacent properties.

The applicant/ agent provided a Sunlight Study for the original proposal for which the overall height of the building was 1.3m higher than that of the current proposal. The report assesses the potential impacts of overshadowing during the Winter Equinox (21st December) and Summer Solstice (20th June). Both assessments demonstrate that any overshadowing caused by the structure would fall onto the public road and the applicants garden.

Overall, no unacceptable impacts in respect of daylight and sunlight have been demonstrated within the Sunlight Study and based on the 'Proposed East Elevation' gable drawing, the ground floor flat windows on Dollar Terrace would pass the 25 degree daylight test.

Privacy

SG 1: Placemaking – Alterations to Dwellings & Gardens states the following guidance which is of relevance to the assessment of this application:

- there should be no adverse impact on existing or proposed accommodation;
- at ground floor level, screening of 1.8 metre high will usually be required along boundaries where new windows face neighbouring properties.

Comment:

No privacy issues anticipated as the windows and door on the principal/ south facing elevation of the building shall look directly into the private side garden of the host dwellinghouse. There are no concerns as regards each of the windows on the side elevations which are both small in scale.

Consequently, the proposed scale, design and siting of the proposal is considered to be acceptable and would meet the requirements outlined within SG1. The proposal therefore complies with **Supplementary Guidance SG 1: Placemaking (Part 2)**.

CDP 7 & SG 7 Natural Environment

The Council has a duty to protect all trees within its area through Conservation Areas, Tree Preservation Orders and the planning process. SG 7 states that there will be a presumption in favour of retaining all healthy and structurally sound trees, woodland and hedgerows on development sites, including those that form a part of a wider green network.

Comment:

Concern regarding the potential risk to mature trees on site was raised during the assessment of previous proposals for the site. Considering the significant contribution they make to the site and its setting, these trees are subject of a Tree Preservation order (TPO GCC100). TPOs protect individual trees, groups of trees or woodlands which have particular amenity value, make a significant contribution to the landscape or townscape or because there may be a potential threat to the trees.

A Tree Survey Report has been submitted with the application and this presents the results of an arboricultural survey of any trees on (and where present, around) the north part of the property. The protection measures within the report are comprehensive in terms of protecting the trees to the northern and eastern edge of the site. Given the position of the trees adjacent to the existing entrance, it is felt that they should also be protected from accidental damage, access routes etc.

during any potential works. Safeguarding conditions have been included to protect existing trees on site.

City Development Plan Conclusion

Given the above, it is not considered that the proposed development will have a detrimental impact on the host property and its setting.

The appropriate scale and massing, height, and design of the proposed building (including materiality) accords with the relevant policy criteria of the Development Plan. The application site is not a Listed Building and is not located within a Conservation Area; however, the application property and other similar dwellings in this established residential neighbourhood as well as the boundary treatments and gardens are well maintained, and contribute to a high standard of urban environment.

It is considered that the proposed building will be an acceptable addition for the host dwellinghouse and will not negatively impact neighbouring properties to any significant degree. The proposal respects the character of the application property and its setting.

The proposal therefore satisfies assessment criteria **(a)**

In respect of **(b)**, other material considerations include the views of statutory and other consultees and the contents of letters of objection and letters of support. This application did not require or generate any consultee comments. As noted above, in total 15 representations have been received, all of which object to the planning application.

In responding to the concerns raised the proposal has been subject to various revisions as well as refusals where the scale and siting was deemed to be to the detriment of the site and surroundings. The height of the proposal has been reduced with the general scale/ design of the proposal also amended. To address any concerns regarding the use of the ancillary accommodation a condition would be applied to ensure that the upper level habitable accommodation shall be used only as domestic space incidental to the enjoyment of the host dwellinghouse and for no other purpose, including separate letting or sale. Safeguarding conditions are also proposed to protect mature trees around the site.

Planning are satisfied with the notification that has been undertaken as part of this application as there was a re-notification to take account of changes to the development. Those matters relating to excessive noise levels from construction of the building, disturbance as regards digging up of roads to service the building, the level of objection, impact on property values and fire risk from the proposed building are not material to this application.

CONCLUSION

The above demonstrates that the proposed development complies with the Development Plan. Other material considerations 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 full planning permission be granted subject to conditions.

Approved Drawings

The development shall be implemented in accordance with the following approved drawings:

1. L(20)001 RevA LOCATION PLAN & BLOCK PLAN AS PROPOSED Dated 28.2.24 Received 28.2.24
2. L(20)005 RevC PROPOSED FLOOR PLANS & ELEVATIONS Dated 15.2.24 Received

23.2.24

As qualified by the above condition(s), or as otherwise agreed in writing with the Planning Authority

CONDITIONS & REASONS

1. 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: In the interests of certainty and the proper planning of the area, and to comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997, as amended.

2. Prior to commencement of development full details of all external materials shall be submitted for the written approval of the Planning Authority. If agreed the development shall proceed in compliance with these details.

Reason: In order to safeguard the appearance of the building and the surrounding residential area.

3. No development shall commence on site until the method of tree protection and ground protection outlined and shown within Section 7, the attached tree protection plan and as described in Appendix 7 of the Tree Survey Report (submitted with the application) dated April 2023 are in place. For the avoidance of doubt any tree protection should comply with BS 5837:2012 Trees in relation to design, demolition and construction, shall not be movable and shall be retained in situ until such time as the development is completed. No materials or machinery shall be stored within the root protection area of any tree on site. The tree protection measures shall be inspected by a qualified arboriculturist prior to commencement of development and be monitored during construction works.

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

4. Existing trees on the site shall not be lopped, topped, felled or removed without the prior written approval of the Planning Authority.

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

5. The garage and associated accommodation shall only be used as space incidental to the enjoyment of the dwelling house as such and for no other purpose without the prior written approval of the Planning Authority. For the avoidance of doubt the building hereby approved shall not be sold or let out separately (on a long or short term basis) or used for commercial business purposes.

Reason: In order to safeguard residential amenity

REASON FOR APPROVING THIS APPLICATION

01. The proposal is considered to be in accordance with the Development Plan and there are no material considerations which outweigh the proposal's accordance with the Development Plan.

for Chief Executive, Glasgow City Council

IB/ PF/ RM

PLEASE NOTE THE FOLLOWING:

Any Ordnance Survey mapping included within this report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to license Ordnance Survey mapping/map data for their own use. The OS website can be found at www.ordnancesurvey.co.uk

If accessing this report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale.