



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 100611460-012

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)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: Block Architects Ltd

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Kimberley Building Name: International House

Last Name: * Hughes Building Number:

Telephone Number: * Address 1 (Street): * Hamilton International Park

Extension Number: Address 2: Stanley Boulevard

Mobile Number: Town/City: * Hamilton

Fax Number: Country: * United Kingdom

Postcode: * G72 0BN

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="John"/>	Building Number:	<input type="text" value="12"/>
Last Name: *	<input type="text" value="Beaton"/>	Address 1 (Street): *	<input type="text" value="Royal Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G3 7NY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Glasgow City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="FLAT 2"/>
Address 2:	<input type="text" value="12 ROYAL TERRACE"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G3 7NY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="666066"/>	Easting	<input type="text" value="257275"/>
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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)

'Use of office (Class 1a) as flatted dwelling (Sui Generis) with external alterations including installation of replacement windows' – Planning Appeal in respect of Planning Application 23/02458/FUL

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 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.

It is submitted that the Appointed Person has failed to give enough weight to material considerations which would reasonably justify the approval of this planning application when considered against the relevant provisions of the development plan. Please see the supporting statement within the additional documents for matters which should be taken into account for the planning appeal.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

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 submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Statement for Grounds of Appeal, The relevant drawings that were submitted in support of the planning application.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

23/02458/FUL

What date was the application submitted to the planning authority? *

13/10/2023

What date was the decision issued by the planning authority? *

19/01/2024

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 ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☐ Yes ☒ No

Checklist – Application 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 and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ 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? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ 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 documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ 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: Miss Kimberley Hughes

Declaration Date: 07/03/2024



LTR/22-059/SA01/15/KMcC

01 March 2024

Claire Hunt
Building Control Officer
Glasgow City Council
Development & Regeneration Services
Building Control & Public Safety
231 George Street
Glasgow
G1 1RX

Dear Claire Hunt,

'Use of office (Class 1a) as flatted dwelling (Sui Generis) with external alterations including installation of replacement windows' – Planning Appeal in respect of Planning Application 23/02458/FUL

Flat 2, 12 Royal Terrace, Glasgow G3 7NY

Supporting Statement

Introduction

This Statement is in support of the request that GCC, under the provisions of Section 43A(8) of the Town and Country Planning (Scotland) Act 1997, Review the decision of the Appointed Person to refuse planning permission in respect of planning application 23/02458/FUL. This Statement should be read in conjunction with the matters set out within the completed Notice of Review Form.

Proposal

Full planning permission was sought for the conversion of an existing office to a flatted dwelling with external alterations, including the replacement of windows. Indeed, the only external alteration is to replace the existing five windows to the front elevation with double-glazed timber-framed sash and case windows to match the existing. A co-joined application 23/02457/LBA for Listed Building Consent has already approved the associated internal and external alterations.

The main element of the proposal involves the conversion of the top floor office into a flatted dwelling. The flat would be accessed from the existing entrance at 12 Royal Terrace. The flat would be approximately 163 square metres and comprise four bedrooms, lounge, kitchen and laundry/storeroom, as well as bicycle storage room. The property has both a north and south aspect and raises no issues with privacy or daylighting, having a multi-aspect. There are three existing flats below the property.

Due to the rear garden area not being within the ownership of this property it is not possible to include a bin store within the curtilage of the property.



Grounds for Review

It is submitted that the Appointed Person has failed to give enough weight to material considerations which would reasonably justify the approval of this planning application when considered against the relevant provisions of the development plan. Consequently, it is submitted that the proposal can be both fully and reasonably justified against the relevant provisions.

The application which forms the basis of this Request to Review was refused planning permission by Decision Notice dated 19th January 2024, with the stated reasons for the refusal of the application being as follows:

Reason(s) for refusal:

- 0.1 The proposal is contrary to the National Planning Framework 4 (adopted February 2023) Policies 14 and 16, and CDP1 the associated supplementary guidance of the Glasgow City Development Plan (adopted March 2017) as specified below, and there is no overriding reason to depart therefrom.
- 0.2 By reason that the lack of any garden space or outside drying area would have an unacceptable impact on the residential amenity of the dwelling.
- 0.3 By reason that the development has failed to include appropriate and well-designed provisions for waste and recycling facilities for the dwelling. The proposed conversion would result in waste facilities being stored in the lane to the detriment of the residential amenity of neighbours and the surrounding area.

Reason(s) for decision:

Glasgow City Development Plan

The application has been refused on the grounds that no garden space is provided. However, Assessment Guideline SG1 Part 2 *Conversion and Sub-Division to Residential Use*, notes that there is the possibility of creative solutions to address this problem where the provision of garden spaces is difficult.

Report of Handling

Within the report of handling, creative solutions and suitable mitigation for the garden and bin storage will be outlined further below:

Garden Space

- 0.1 It is acknowledged that there is no garden space associated with the residential conversion. However, access to Kelvingrove Park is considered to compensate for the lack of direct access to adequate garden space. The flat directly overlooks the Park and the park entrance is approximately 50 metres from the entrance to the property, which is less than a one-minute walk. There are ample opportunities for children to play and for prospective residents to sit out and enjoy open space and outdoor recreation, therefore. Concerning the lack of an outdoor drying green, internal drying space is provided within the proposed flat. The proposal includes a dedicated laundry room, measuring approximately 4 square metres, which includes both a washer and dryer facility. In the

past the Council has included a planning condition that required flats without drying greens to include suitable internal drying facilities and such a condition would be welcomed in this instance. In view of the above, it is considered that there is suitable mitigation for the absence of amenity space to serve the flat.

Bin storage

- 0.1 It is acknowledged that inadequate refuse storage facilities in new residential development is undesirable. However, in this case, provision is possible to the back of the flats in the rear lane and given the characteristics of the street this could be considered as an acceptable solution. The provision of one bin is not considered excessive residential paraphernalia and will not result in unacceptable additional clutter in the lane to the detriment of access, appearance or residential amenity for neighbours. The impact on the surrounding area and neighbouring property is negligible, therefore.
- 0.2 It should also be recognised that refuse and recyclable material will be generated by the property whatever its use, either office or residential. The quantity generated by a single household will be significantly less than that generated by an office. The current arrangement for the office allows for the deposit of bulk refuse on the roadway to the front of the property. Should pavement bin storage continue under the use as an office, it is considered that this would have a greater impact and be more detrimental to residential amenity and the character of the conservation area. In essence, this entails industrial size sacks which are often opened by foxes with resultant litter strewn across the street.
- 0.3 It is also noted that there is a precedent of approving the conversion of former office properties to residential use in the Park Conservation Area where there are no rear courts to accommodate refuse facilities. Residents of many of these properties have arrangements to use communal bins or bulk refuse containers on the street. In view of this, it is considered unreasonable not to consider the use of the rear lane in order to restore residential use to this residential area. Based on the planning history of the surrounding area, it will not result in the creation of an undesirable precedent.
- 0.4 Finally, a suitable planning condition could also be used in this instance to control the provision of bin storage and waste collection. For instance, LRB decision 19/00058/LOCAL for the conversion of offices to residential at 2 Clairmont Gardens concluded that residential waste could be collected by special arrangement and a condition could be attached to the grant of planning permission. The LRB committee decided to grant planning permission subject to a condition regarding the need to provide details of internal bin storage and arrangements for the uplift of refuse and recycling. It reads as follows: *All new and future occupants of the flats hereby approved must, prior to occupation, provide evidence to the Planning Authority's satisfaction that they have entered into a suitable agreement with Neighbourhoods and Sustainability to ensure the uplift of refuse and recycling.* A similar condition would be accepted in this instance.

PTO

NPF4

NPF4 Policies 14 and 16 are concerned with Liveable Places and Quality Homes, respectively. Policy 16 however is not relevant to this proposal as it deals with the implications of new residential developments, either on allocated or non-allocated housing sites, issues concerning affordability, travellers' sites, and householder developments. Notwithstanding, under the terms of Policy 14 the proposal was not considered to be of high-quality residential amenity because no garden space or bin storage was provided within the curtilage of the property, as explained earlier in the Statement.

It is considered inevitable there will be some conflicts between policies and outcomes, and it may not be possible to satisfy every eventuality in NPF4. Factors for and against development need to be weighed up in the balance of planning judgement. In this case, the proposed development complies with a significant number of NPF4 policies. These include the following: Policy 1 *Tackling the Climate and Nature Crises*; Policy 2 *Climate Mitigation and Adaptation*; Policy 7 *Historic Assets and Places*; and Policy 9 *Brownfield, Vacant and Derelict Land and Empty Buildings*. This is concluded in the Report of Handling associated with the application.

Policy 1 is the only overarching approach included in the National Policies and applied to the assessment of every proposal. This states that when considering all development proposals significant weight will be given to the global climate and nature crises. It is considered that compliance with Policy 1 outweighs the weight given to Policy 14, especially in this case where there are several material planning considerations addressing the lack of garden space and bin storage justifying a different approach.

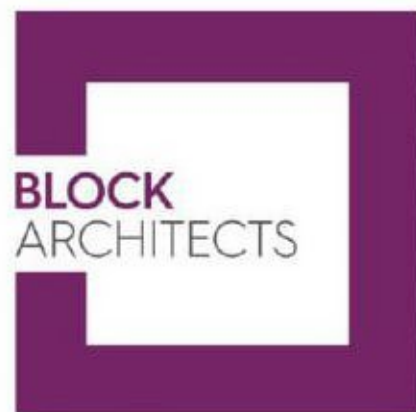
Furthermore, supporting the proposal will facilitate the re-introduction of mainstream residential use and family accommodation. The office market in the park area is poor and there is little demand for office space in this part of the city. Regardless, the impact of the refuse arrangements on the streetscape are more harmful with office use in any case, as already mentioned in this Statement. Rather than having a vacant property which will blight the conservation area and listed building over time, there is a clear benefit to the residential amenity of the area by converting the vacant office to a flat. Indeed, the applicant intends to invest in the external appearance of the building and replace the traditional windows should this application be approved.

In view of the above, it is considered that the material considerations and benefits of the proposal outweigh the concerns associated with Policy 14.

Summary

There are material considerations which outweigh the proposals variance with the development plan. These are outlined earlier in this Statement and include: the planning history of the site, precedent, impact, and planning benefits to the area in re-using a vacant listed building and restoring the property to mainstream residential use.

It is submitted that in terms of the relevant provisions of the development plan, the proposed development can be reasonably justified against the policies which have been referenced within the reasons for the refusal of the application. Indeed, it is also possible to approve and condition the application along the lines of a similar conversion nearby.



Considering all those matters set out above, I would respectfully request that the Local Review Body uphold this Review and in so doing, grant planning permission to planning application reference 23/02458/FUL.

Yours sincerely



Kylie McCabe
Architects Assistant
for and on behalf of
Block Architects Ltd