

REPORT OF HANDLING FOR APPLICATION 23/02458/FUL

ADDRESS:	Flat 2 12 Royal Terrace Glasgow G3 7NY
PROPOSAL:	Use of office (Class 1a) as flatted dwelling (Sui Generis) with external alterations including installation of replacement windows.

DATE OF ADVERT:	27 October 2023
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	<p>49 neighbour notification letters were issued. The application was advertised in the local press and was included on the Weekly List of Applications.</p> <p>One public representation was received from the Architectural Heritage Society for Scotland which was to note concern regarding the lack of information in relation to the window proposals.</p> <p>Comment: Agreed. The agent was contacted to discuss this and they confirmed that the replacement windows will be double-glazed timber-framed sash-and-case to match the existing.</p>
PARTIES CONSULTED AND RESPONSES	None.
PRE-APPLICATION COMMENTS	No formal pre-application advice was sought.

EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE
IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
NPF4 POLICIES	<p>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.</p> <p>The following policies are considered relevant to the application:</p> <p>Policy 1: Tackling the climate and nature crises</p> <p>Policy 2: Climate mitigation and adaptation</p> <p>Policy 7: Historic assets and places</p> <p>Policy 9: Brownfield, vacant and derelict land and empty buildings</p> <p>Policy 12: Zero waste</p> <p>Policy 14: Design, quality and place</p> <p>Policy 16: Quality homes</p>

CITY DEVELOPMENT PLAN POLICIES	<p>The City Development Plan consists of high-level policies with statutory Supplementary Guidance.</p> <p>The following policies were considered when assessing the application: CDP1: The Placemaking Principle and SG1: The Placemaking Principle (Part 2) CDP2: Sustainable Spatial Strategy CDP9 and SG9: Historic Environment CDP11 and SG11: Sustainable Transport</p>
OTHER MATERIAL CONSIDERATIONS	Design Guidance for the Repair and Replacement of Windows in Listed Buildings and Properties in Conservation Areas (approved 28th June 2012).
REASON FOR DECISION	The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.

	COMMENTS
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PLANNING HISTORY	No relevant planning history for this address.
SITE VISITS (DATES)	Not required. The application was determined using the information supplied by the applicant.
SITING	<p>The application site is a second (top) floor flat located on the southern side of Royal Terrace.</p> <p>This property was originally constructed as a flatted terrace, with number 12 being formed of the first and second floors, and number 13 being the ground and basement levels. This property was most recently in use as an office. The other properties within the block are in residential use.</p> <p>The property is located within the Park Conservation Area and is within Ward 10.</p>
DESIGN AND MATERIALS	<p>The application seeks to convert the second floor of the property back into residential use as a single flatted dwelling (Sui Generis use).</p> <p>Externally, the only alteration proposed is to replace the existing four windows to the front elevation with double-glazed timber-framed sash and case windows to match the existing. At the rear, the existing windows will remain.</p> <p>Internally, the alterations proposed will be considered under the associated Listed Building Consent application 23/02457/LBA.</p>
DAYLIGHT	No development plan issues.
ASPECT	The property has both a north and south aspect.
PRIVACY	No development plan issues.
ADJACENT LEVELS	NOT APPLICABLE
LANDSCAPING (INCLUDING GARDEN GROUND)	<p>No alterations to the rear garden area are proposed, and the new residents will have no rear garden access.</p> <p>This rear garden area is under different ownership (that of the neighbouring properties at 13 Royal Terrace). The agent has confirmed that there is a right of access to the rear lane via the garden in order to access the bins that are located in the rear lane, however, there will be no communal garden access for the residents of this proposed flat.</p> <p>It is proposed to create a four-bedroomed property, and this lack of any outside space would not be considered to offer a high level of residential amenity for these new residents due to the lack of sitting out space and external drying space.</p>

ACCESS AND PARKING	<p>No alterations are proposed. No vehicle parking provision is proposed and the agent has advised that cycle parking is proposed to be internal to the flat only (one cycle).</p> <p>The flatted property will have both front and rear access.</p>
SITE CONSTRAINTS	<p>The property is B-Listed (HES33121) and is located within the Park Conservation Area. The application site is located within an area of Base Public Transport Accessibility.</p>
OTHER COMMENTS	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p> <p>In addition, under the terms of Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 64 of the same Act requires the Council to pay special regard to any buildings or other land in a Conservation Area, including the desirability of preserving or enhancing the character or appearance of that area.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <ul style="list-style-type: none"> a) whether the proposal accords with the statutory Development Plan; b) whether the proposals would impact on the setting of the listed building or nearby listed buildings; c) Whether the proposal preserves or enhances the character or the appearance of the Conservation Area; d) whether any other material considerations (including objections) have been satisfactorily addressed. <p>In respect of a), the Development Plan comprises of NPF4 adopted 13th February 2023 and the Glasgow City Development Plan adopted 29th March 2017. In order to assess a), b), and c), the proposal is considered against the following policies:</p> <p>NPF4 Policies 1: Tackling and the climate and nature crises and 2: Climate mitigation and adaptation are overarching policies which must be considered for all development. It is considered that this proposal will have a neutral impact on these policies due to the limited alterations.</p> <p>NPF4 Policy 9: Brownfield, vacant and derelict land and empty buildings – This proposal is in accordance with this policy as will re-use/convert an existing building to a sustainable use.</p> <p>CDP2: Sustainable Spatial Strategy - The application site is for a residential conversion of a vacant office within a previously residential building. The proposed change of use is in keeping with the compact city form.</p> <p>NPF4 Policy 14: Design, quality and place and NPF4 Policy 16: Quality homes – This proposal will return a property to residential use. However, with no garden space offered and no bin store within the curtilage of the property, this is not considered to be of high quality residential amenity for either the new or existing residents. Therefore, this proposal does not comply with these policies.</p> <p>SG1: The Placemaking Principle (Part 2): Waste Storage, Recycling and Collection and NPF4 Policy 12: Zero waste – Policy requires that all new developments provide appropriate and well-designed provision for waste storage, recycling and collection. The plans provided indicate that existing waste bins are stored to the rear of the property within the rear access lane, and it is proposed to continue this use. 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. However, the intensification of bins being stored within the rear access lane would be detrimental to the amenity of the surrounding area.</p> <p>SG1: The Placemaking Principle (Part 2) – Conversion and Subdivision to Residential Use – This proposal has dual aspect (north and south); all habitable rooms will receive natural daylight and ventilation; access to the property is internal; and the property has access to both the front and rear of the building. However, no garden or outside drying area has been proposed. As the property was original in residential use, the proposal to convert</p>

	<p>this back to residential use could generally be supported. However, as above, there are concerns in regards to the level of residential amenity being provided.</p> <p>SG11: Sustainable Transport: Cycle Parking – It would be expected that this property provides a minimum of one space for residents, and this storage should be safe, sheltered and secure. Following contact with the agent, they have advised that it is proposed to store any cycles internally within the flat.</p> <p>Vehicle Parking – No vehicle parking provision is proposed. This property is located within a Restricted Parking Zone and therefore the new residents would not be eligible to purchase a Residents Parking Permit.</p> <p>As a B-Listed property within the Park Conservation Area, this must also be assessed against the following policies which provide detailed guidance in order to preserve the character and special architectural interest of the property and wider area: SG9: Historic Environment and NPF4 Policy 7: Historic assets and places:</p> <p>Repair and Replacement of Windows – It is proposed to replace the four windows to the front elevation of the property with double-glazed timber-framed sash-and-case windows to match the existing. The applicant has not provided a window condition survey, but has provided photographs showing the window frames being in poor condition. The replacement of the windows would be supported and controlled by condition.</p> <p>In respect of d) other material considerations, no consultations were required and the concern raised within the representation received have been addressed above and a safeguarding condition will be attached to secure this.</p> <p>On the balance of policy considerations, whilst the proposed conversion to residential use is welcomed, the proposal would not offer a high quality level of residential amenity for new residents due to the lack of any outside space, for such a large property. Similarly, the lack of dedicated bin store, with bins being stored in the rear access lane, would result in a negative impact for visual and residential amenity for neighbouring residents, and would harm the character and appearance of the Park Conservation Area.</p> <p>On this basis it is recommended that this application for planning permission be refused.</p>
RECOMMENDATION	Refuse

Date: 17/01/2024	DM Officer	Claire Hunt
Date: <u>19/01/2024</u>	DM Manager	Mark Thomson

CONDITIONS AND REASONS

1. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
2. 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.
3. 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.
4. 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.

Drawings

The development has been refused in relation to the following drawing(s)

1. 22-059-PL101-D LOCATION AND BLOCK PLAN AS EXISTING AND PROPOSED; Received 03 October 2023
2. 22-059-PL102-E FLOOR PLAN AS PROPOSED; Received 03 October 2023
3. 22-059-PL104-A FRONT AND REAR ELEVATIONS AS PRPOSED; Received 13 October 2023

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