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REPORT OF HANDLING FOR APPLICATION 20/03130/FUL

Item 3

28th May 2024

ADDRESS:	Kittochmill 94 Busby Road, Glasgow, G7 9BJ
PROPOSAL:	Application for Retrospective Planning Permission for a new cottage being formed within the grounds of Kittoch Mill, 94 Busby Road, Glasgow, G76 9BJ
DATE OF ADVERT:	No advert required
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	One representation received: <ul style="list-style-type: none">- Site is within a SINC- Site blocks a public right of way
PARTIES CONSULTED AND RESPONSES	Outdoor Access Consulted <ul style="list-style-type: none">- Nil response Development Plan team Consulted <ul style="list-style-type: none">- Proposal fails to meet the requirements of IPG6 and SG7 – Refusal Recommended
PRE-APPLICATION COMMENTS	There were no pre-application discussions
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
STRUCTURE PLAN POLICIES	NOT APPLICABLE
CITY DEVELOPMENT PLAN POLICIES	CDP6: Green Belt and Green Network IPG6: Green Belt and Green Network CDP7: Natural Environment SG7: Natural Environment
OTHER MATERIAL CONSIDERATIONS	None
REASON FOR DECISION	V02 - 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.

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	COMMENTS
PLANNING HISTORY	20/00357/EN – Enforcement case opened due to structure erected without planning permission
SITE VISITS (DATES)	A site visit was not deemed to be necessary; the site had previously been visited in conjunction with the enforcement case and a large quantity of photographs of the structure taken.
SITING	The application site is a converted single width static caravan with additional cladding on the exterior. Property is located within a large area which is associated with the landowners main residence. Site is within a Site of Importance to Nature Conservation.
DESIGN AND MATERIALS	The exterior walls of the new building are faced with roughcast which is painted to match the existing dwelling house. The roof is tiled with lightweight steel tiles. The windows, doors and drainage are formed from UPVC and there is a white render band surrounding the windows and door. The access ramp railing is formed from timber. .
ASPECT	The main elevation of the property faces towards the West.
ADJACENT LEVELS	The site and surrounding area is sloped which descends towards the West.
ACCESS	Proposal is accessed from an existing track, an access ramp and path are installed as part of the proposal.
SITE CONSTRAINTS	Site is within a Site of Importance for Nature Conservation
ASSESSMENT	<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. The issues to be taken into account in the determination of this application are therefore considered to be:</p> <p>a) whether the proposal accords with the statutory Development Plan; and</p> <p>b) whether any other material considerations (including objections) have been satisfactorily addressed.</p> <p>a) The Development Plan comprises the Clydeplan Strategic Development Plan, approved in July 2017 and the Glasgow City Development Plan adopted on the 29th March 2017. The application proposal is a minor local development and therefore raises no issues of strategic significance which require to be addressed.</p> <p>The site in question lies within the Green Belt, within the White Cart Water Green Corridor and within the White Cart Water Site of Importance for Nature Conservation. It therefore requires assessment against CDP6/IPG6 and against CDP7/SG7.</p> <p>CDP6 and IPG6: Green Belt and Green Network</p> <p>CDP6 deals with the Green Belt. It states that "the Council will not support development that would adversely affect the function and integrity of the Green Belt. Some forms of development (as set out in Supplementary Guidance) may be acceptable in the Green Belt provided other considerations can be satisfactorily addressed".</p> <p>The Development Plan team were consulted as part of this application, the outcome of this consultation was that the proposal does not correspond to the above policy and therefore cannot be justified. The reasons for this are outlined below:</p> <p>IPG6: Green Belt & Green Network has been approved by Committee as non-statutory Interim Planning Guidance to support policy CDP6 of the plan until such times as SG6 has been approved. Part 1 deals with the Green Belt and states that it is important that the Council continues to exercise a strong presumption against development that would adversely affect the function and integrity of the remaining Green Belt, but that exceptions to this general presumption will be considered where the proposal meets one or more of a number of criteria set out under para 3.2:</p>

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	<p>a) supports the Plan's Development Strategy and is promoted through the Strategic Development Plan – this proposal does not meet the Plan's regeneration strategy, including its focus on directing new development and regeneration towards brownfield land, nor is it supported through the SDP;</p> <p>b) is directly associated with, and required for, agriculture, horticulture or forestry – the proposal is for residential development and not agriculture, horticulture or forestry;</p> <p>c) is for leisure or recreational development, of a scale and form appropriate to a countryside location, or other development previously accepted as consistent with a green belt location (such as dog or cat kennels) - the proposal is for residential development and not leisure or recreational development or other development previously accepted as consistent with a green belt location;</p> <p>d) is for a dwelling house to replace an occupied or recently vacated dwelling house – not applicable;</p> <p>e) is directly associated with telecommunications - not applicable;</p> <p>f) is required for existing approved uses - not applicable;</p> <p>g) is related to the generation of renewable energy and/or heat - not applicable; or</p> <p>h) is for the extraction of minerals, including coal - not applicable.</p> <p>As the proposal does not meet the above criteria, it cannot be justified against Part 1 of IPG6.</p> <p>Part 2 of IPG6 addresses the green network and Table 1 identified Green Corridors, SINC's and the Green Belt as forming part of the Council's green network. IPG6 para 2.10 states that "the Council expects that ... development proposals will not have an adverse effect on the Green Network, including by fragmentation". Though this is a small proposal, it is considered to have a fragmenting effect on the Green Network.</p> <p>CDP7 and SG7: Natural Environment</p> <p>CDP7 states that "3.8 There is a presumption against development which would have an adverse effect, directly, indirectly or cumulatively*, on a LNR or a SINC, unless it can be clearly shown that:</p> <p>a) the objectives and integrity of the area will not be compromised, including, where appropriate, objectives for water quality. For LNRs, it will be necessary to demonstrate that the development proposal would accord with the Council's Management Plan; or</p> <p>b) there are social or economic benefits to be gained from the development that are of city-wide importance and clearly and significantly outweigh the conservation interest of the site – in such circumstances, suitable mitigation (see Section 6) shall be provided in the form of compensatory nature conservation and water environment/quality measures.</p> <p>The applicant has not submitted any information which would demonstrate that the development would have no adverse effect on the SINC and therefore cannot be justified against criteria a). Furthermore, the proposal is not of City Wide importance and therefore fails criteria b).</p> <p>As a consequence of the above policies, it is recommended that this application be refused.</p>
RECOMMENDATION	Refuse

Date: 17/02/2021

DM Officer

Mr S Mackeddle

Date

DM Manager

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