



Glasgow City Council

Planning Local Review Committee

**Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability**

Item 1

28th May 2024

Contact: Sam Taylor Ext: 78654

21/00038/LOCAL – Kittoch Mill, 94 Busby Road: Erection of dwellinghouse within the curtilage of existing dwellinghouse.(Retrospective)

Purpose of Report:

To provide Committee with the new information supplied as requested at the Local Review Committee meeting on 21 September 2021 regarding the heritage elements of the site.

Recommendations:

It is recommended that Committee consider the additional information provided in the determination of the review.

Ward No(s): 1

Citywide: n/a

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

1 ITEM FOR LOCAL REVIEW COMMITTEE OF 28 May 2024

- 1.1 At Local Review Committee (LRC) meeting of 21 September 2021, the LRC requested further information to allow them to consider a review for the erection of a dwellinghouse within the curtilage of an existing dwellinghouse in retrospect at Kittoch Mill, 94 Busby Road, Glasgow (reference 21/00038/LOCAL).
- 1.2 Committee requested further information regarding the heritage elements of the site from the applicant, NRS Planning, Housing and Building Standards, Glasgow City Heritage Trust, Glasgow Building Preservation Trust and Historic Environment Scotland.
- 1.3 Committee continued the review to allow information to meet these criteria to be provided. Replies were received from the applicant, NRS Planning, Housing and Building Standards and Historic Environment Scotland and are included in the review papers for the Committee to consider in detail.

2 REASONS FOR REFUSAL

- 2.1
 01. 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.
 02. The proposal is contrary to CDP6 and SG6: Green Belt and Green Network as it does not meet the criteria of a development which will not affect the function and integrity of the Green Belt in the manner outlined by SG6: Green Belt and Green Network.
 03. The proposal is contrary to CDP7: Natural Environment as the application does not provide evidence that there will be no impact on the Site of Importance for Nature Conservation, nor is the proposal of city wide importance which would offset the need for this justification.

3 APPEAL STATEMENT

- 3.1 A summary of the material points raised in the appeal statement is given below:

Planning application covering letter

- A wooden barn stood on site until removed several years ago
- There is space for car parking in the wider site for visitors and carers;
- Foul water drainage – connected to the existing private drainage system, including septic tank, which serves other properties nearby.
- Surface water – water run-off from the roof discharges into soakaways;
- Water supply connection – connected to the water supply serving properties in the wider area

Supporting Statement

Residence is to allow member of family to be cared for

Appeal Statement

- Accept the proposal does not meet the criteria for justifying exceptions to Green Belt policy;
- Will not fragment the Green Network as is single storey, 38.5 sqm property;
- No areas of established woodland or landscaped area;
- There would be no adverse impact on the SINC as rainwater run-off from the roof is directed to soakaways, and foul drainage connects to the existing septic tank serving nearby properties
- **Representations to Application**
 - There was 1 representation to the planning application, from Carmunnock Community Council, objecting to the proposal. The material considerations raised can be summarised as follows:
 - It is not replacing an existing or previous habitable dwelling.;
 - The site is within the Green Belt, and there is a strong presumption against development in the Green Belt;
 - The development is close to the Kittoch Water and is within a site of importance for nature.

4 COMMITTEE CONSIDERATIONS

4.1 In summary, these responses were as follows:

The applicant had no further information on the structure that was previously on the site, other than it had been in poor condition, and was therefore taken down.

Historic Environment Scotland noted that the building was not listed, and was not in a conservation area, and therefore they had no further information.

NRS Planning found information that a corn mill had existed in this location from the early 17th century to the 18th/19th century, although the mill appeared to be outwith the red line boundary of the proposal.

City Development Plan

4.2 The following CDP supplementary guidance is relevant to the proposal. The assessment of the proposal against this guidance was presented to the Committee previously, and is summarised again below.

SG1 Placemaking

- 4.3 Does the proposal employ high quality facing and roofing materials that complement and enhance the architectural character and townscape quality of the surrounding area?
- The walls are constructed of blockwork, that has been roughcast and painted to match the existing dwelling.
 - The roof comprises lightweight steel tiles.
 - The doors and windows are uPVC.
- Does the Committee consider that the materials that have been used are high quality, and are appropriate to the location?

SG5 Resource Management

- 4.4 This guidance indicates that a Statement on Energy is required in support of planning applications to demonstrate the energy and carbon dioxide savings that can be achieved by utilising energy efficient design, practice, and technologies from the outset of a proposed development.
- No Statement on Energy has been provided by the applicant.

IPG6 Green Belt and Green Network

- 4.5 The proposal site is located within the Green Belt and the White Cart Green Corridor (part of the green network)./
- The proposal does not meet any of the exceptions that permit development in the Green Belt.
 - The proposal does not provide any of the enhancements to green infrastructure that would be anticipated to avoid an adverse effect on the green network.
- Does the Committee consider that the proposal is appropriate development within the Green Belt, and in a Green Corridor.

SG7 Natural Environment

- 4.6 The proposal site is located within the White Cart City-wide Site of Importance for Nature Conservation.
- There is a presumption against development that adversely affects the SINC, unless there are city-wide social or economic benefits that outweigh this impact.
- Does the Committee consider that there are such benefits that support the proposal?

National Planning Framework 4

- 4.7 Since the original committee date, National Planning Framework 4 has been adopted as part of the statutory Development Plan. The key issues for Committee to consider are:

Policy 3 Biodiversity

- 4.8 Notes that:

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- The proposal does not incorporate proposals to enhance biodiversity.
- Committee should consider whether the lack of such proposals can be justified, given the scale of the proposal?

Policy 8 Green Belts

- 4.9 Notes that:

a) Development proposals within a green belt designated within the LDP will only be supported if:

i) they are for:

- development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
- residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available;
- horticulture, including market gardening and directly connected retailing, as well as community growing;
- outdoor recreation, play and sport or leisure and tourism uses; and developments that provide opportunities for access to the open countryside (including routes for active travel and core paths);
- flood risk management (such as development of blue and green infrastructure within a “drainage catchment” to manage/mitigate flood risk and/or drainage issues);
- essential infrastructure or new cemetery provision;
- minerals operations and renewable energy developments;
- intensification of established uses, including extensions to an existing building where that is ancillary to the main use;
- the reuse, rehabilitation and conversion of historic environment assets; or
- one-for-one replacements of existing permanent homes.

and

ii) the following requirements are met:

- reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;
 - the purpose of the green belt at that location is not undermined;
 - the proposal is compatible with the surrounding established countryside and landscape character;
 - the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and
 - there will be no significant long-term impacts on the environmental quality of the green belt.
- Committee should note that the proposal does not meet any of the exceptions set out in Policy 8.
- The Committee should consider if there is a justification for the proposal, in view of the inconsistency with Policy 8.

Policy 16 Quality Homes

4.10 Notes that:

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- The proposal site is not allocated for housing in the adopted City Development Plan.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and
 - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
 - iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- Committee should note that none of the circumstances set out above are applicable to this proposal.

- Committee should consider whether there is a justification for the development of a site that is in the green belt, and is unallocated in the City Development Plan.

Policy 22 Flood Risk and Water Management

- 4.11 NPF4 Policy Intent: To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

The relevant policy guidance is:

- a) Development proposals will:
 - i. not increase the risk of surface water flooding to others, or itself be at risk.
 - ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer;
 - iii. seek to minimise the area of impermeable surface.
- b) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.

Committee should note:

- No information has been submitted in relation to flood risk and water management.
- Committee should consider whether the proposal will be resilient to flood risk by adequately managing rain and surface water.

5. COMMITTEE DECISION

- 5.1 The options available to the Committee are:

- a. Grant planning permission, subject to conditions.
- b. Refuse planning permission.

6. SUGGESTED CONDITIONS

01. Passive electric vehicle charging provision is required for 100% of car parking spaces in new residential developments with communal off-street parking provision in

accordance with Glasgow City Council City Development Plan, Supplementary Guidance 11: Sustainable Transport Section 7 Electric Vehicles

Reason: In order to promote Sustainable Transport and ensure that the proposed development conforms to the standards approved by the Council

02. When submitting the required Building Warrant application for this development an updated Statement on Energy (SoE) shall be submitted to and approved in writing by the planning authority. The SoE shall demonstrate how the development will incorporate low and zero carbon generating technologies to achieve at least a 20% cut in CO2 emissions and that the Gold Hybrid Standard are to be met, as per City Development Plan policy CDP 5: Resource Management & accompanying Supplementary Guidance SG5: Resource Management. The development shall thereafter be constructed in compliance with the approved SoE. Formal confirmation of the constructed development's compliance with the SoE, carried out by a suitably qualified professional, shall be submitted to and approved in writing by the planning authority before the development/the relevant part of the development is occupied.

Reason: To reduce energy consumption and greenhouse gas emissions by ensuring that the development is designed and constructed to be energy efficient, and utilises cleaner and more renewable sources of energy.

03. Before any work on the site is begun, details of refuse and recycling storage areas and bins shall be submitted to and approved in writing by the planning authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: To ensure the proper disposal of waste and to safeguard the environment of the development.

04. Before any work on the site is begun, details of the proposed roof tiles, window frames, and render in terms of their design, colour and texture will be submitted to and approved in writing by the Planning Authority.

Reason: In order to protect the appearance of both the property itself and the visual amenity of the surrounding area

05. All vehicles shall be able to ingress and egress the site in a forward gear.

Reason: In the interests of pedestrian and traffic safety at the locus

06. The driveway shall be at least 3.5 metres wide over its entire length.

Reason: To ensure that the development is accessible to all.

07. Provision shall be made in the design of the development for the parking of cycles. This provision shall be in accordance with the requirements of the terms of the Glasgow City Development Plan and Supplementary Guidance 11: locations; minimum levels; safe, sheltered and secure; and in 'Sheffield' type racks. The cycle

parking shall be available for use in accordance with the approved drawings before the development is occupied.

Reason: To ensure that cycle parking is available for the occupiers/users of the development.

08. The car parking area(s)/space(s) shall be permeable but shall exclude loose material. Car parking spaces (each space measuring 2.5 x 5.0 metres) shall be clearly delineated on the ground. It/they shall be available for use before the development/the part of the development served by the car parking in question, is occupied.

Reason: To attenuate drainage from the site in the interest of flood control; to keep the road free of loose material in the interests of pedestrian and vehicular safety; and to ensure that car parking is available for the occupiers/users of the development.

09. A statement on how the development will support and enhance biodiversity shall be submitted to and approved by the planning authority before works commence. This statement shall be informed by policy guidance on biodiversity in the development plan, including City Development Plan policy CDP 7 and Supplementary Guidance SG7 Natural Environment, and shall contain specific actions and/or works demonstrating agreed mitigation measures, where necessary, along with works and/or actions that support habitat creation and improve on-site biodiversity. The statement actions and or/works shall be carried out in accordance with a detailed timetable as set out in the approved statement.

Reason: To protect and enhance the biodiversity of the area.

10. Before any work on the site is begun, a scheme of landscaping shall be submitted to and approved in writing by the planning authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard and soft landscaping, shall be completed in accordance with the approved scheme.

Reason: To ensure that the landscaping of the site contributes to the landscape quality and biodiversity of the area.

11. Before any work on the site is begun, a drainage impact assessment and a flood risk assessment shall be submitted to and approved in writing by the planning authority.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.

12. Prior to the commencement of any drainage works on site, the applicant will provide the Planning Authority with written confirmation of Technical Approval (or Permission to Connect if applicable) from Scottish Water, along with a copy of the approved drainage drawings.

Reason: To ensure that the property can be drained effectively.

13. Should surface water be discharged to a watercourse, the applicant will require to demonstrate that there will be no detrimental impact on any watercourse and that flooding will not be increased in the surrounding area upstream and downstream as a result of the development. Thereafter, the details approved at shall be implemented and retained in the approved format.

Reason: In order to ensure effective surface water drainage.

14. Prior to the commencement of works on site, drawings demonstrating the provision of facilities for outside clothes drying shall be submitted to, and approved in writing by, the Planning Authority.

Reason: To ensure that the residential accommodation minimises environmental impacts and corresponds with adopted Local Development Plan policy.

Reason(s) for Granting this Application

The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

Approved Drawings

The development shall be implemented in accordance with the approved drawing(s):

Site Location Plan as Existing Rev P2 Received 26 November 2020
Site Location Plan as Proposed Rev P2 Received 26 November 2020
Existing & Proposed Site Plans Rev P2 Received 26 November 2020
Proposed Ground Floor Plan Rev P1 Received 26 November 2020
Proposed Elevations Sheet 1 as Proposed Rev P1 Received 26 November 2020
Proposed Elevations Sheet 2 as Proposed Rev P1 Received 26 November 2020
Proposed Section and Photos Rev P1 Received 26 November 2020

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

Advisory Notes to Applicant

01. The applicant should consult Scottish Water concerning this proposal in respect of legislation administered by that organisation which is likely to affect this development.

02. The applicant is advised that, where drainage systems including SUDS are not vested in Scottish Water, it is the applicant's/developer's responsibility to maintain those systems in perpetuity or to make legal arrangements for such maintenance.

03. The primary responsibility for safeguarding land or property against flooding remains with the owner. Approval of this application does not imply the absence of

flood risk. Development at risk of flooding may face difficulties with the cost or availability of insurance and the applicant may wish to seek the views of insurers at an early stage.

04. Any proposed surface water discharge to the water environment shall be in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 and the CIRIA SuDS Manual (C753) 2015.

05. The applicants are reminded of the following policies of Neighbourhoods, Regeneration and Sustainability (Cleansing):

REFUSE CONTAINMENT

It is the responsibility of the developer/owner to purchase the agreed means of refuse containment.

WHEELED BIN REFUSE COLLECTION

Where the developer is planning a wheeled bin method of refuse containment and collection, the conditions governing this system must be complied with, i.e. that the wheeled bin is presented at/and collected from, the agreed location (kerb side, air space etc) on the advised day of refuse collection by the owner/tenant/caretaker etc.