



Planning Applications Committee

Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability

Contact: Lorna Bonnes

Item 1

4th June 2024

Application Type	Full Planning Permission
Recommendation	Grant Subject to Condition(s) and S69

Application	23/00796/FUL	Date Valid	30.03.2023
Site Address	Site Adjacent To 1017 Argyle Street Glasgow		
Proposal	Erection of flatted residential development (14 units), with 2no. ground floor commercial units, includes formation of amenity decking and landscaping to rear.		
Applicant	HJV Consultants Ltd. 102 Bath Street C/o Ailsa TH Glasgow G2 2EN	Agent	Elder And Cannon Architects Johnny Togneri 40 Berkeley Street Glasgow G3 7DW
Ward No(s)	10, Anderston/City/Yorkhill	Community Council	02_021, Yorkhill & Kelvingrove
Conservation Area	St Vincent Crescent	Listed	
Advert Type	Affecting a Conservation Area/Listed Building Affecting a Conservation Area/Listed Building Affecting a Conservation Area/Listed Building	Published	9 February 2024
City Plan	Residential		

Representations/Consultations

Over several neighbour notification periods, the application received 33 representations. The representations included objections from River Clyde Environment Group, Architectural Heritage Society of Scotland, Friends of St Vincent

Crescent Conservation Area, St Vincent Crescent, Corunna and Minerva Street Residents Association, Kaukab Stewart MSP, Councillor Angus Millar and from those who live near the application site. The main grounds of objection are as follows, though will be discussed in the Assessment and Conclusions section of this report:

- Due to its inappropriate siting and design, the proposed development fails to meet highest standards of design and fails to respect the quality and character of the local built environment. Furthermore, concern that the proposed materials will weather considerably.
- Drainage report is insufficient, Independent SUDs cross-check refers to the previous planning application and there is no evidence of consultation between the applicant and Scottish Water resulting in the proposal exacerbating existing drainage issues in the surrounding area.
- Projecting balconies do not respect the building line of Argyle Street.
- The storage of items on the Juliette balconies will make the façade look cluttered impact on the character of the Conservation Area.
- Risk of instability and movement in adjacent buildings during construction.
- Design (including balconies, facings etc), scale, massing and materials of building is not sympathetic to the adjacent listed building and will impact on the character and amenity of the conservation area. Concern that the proposed materials will weather considerably.
- The proposal exceeds the footprint of the previous tenement to the rear resulting in loss of daylight and overshadowing of neighbouring flats.
- Concerns of overlooking/privacy issues from the proposed roof terraces and design of the fence on the raised amenity decking.
- Concerns over disturbance and noise from the amenity deck.
- Overdevelopment of site and the overall scale of the building would dominate the adjacent listed tenement.
- Development would jeopardise the reinstatement of Finnieston Station
- Development will add pressure to parking provision in local area.
- The building height and in particular the top floor element disrupts the roofline of the adjacent tenements, remaining dominant and continues to conceal the chimney breast and is does not comply with Placemaking Principles.
- West side of proposed development takes away the open feeling on this section of Argyle Street.
- Absence of Noise or Vibration Impact Survey and impact on prospective residents.
- Planning application documentation was incomplete and misleading.
- Insufficient amenity space is provided for prospective residents within a Council

Ward which has existing low levels of open space.

- The originally submitted Sunpath diagrams were not accurate.
- The proposed development does not provide appropriate biodiversity solutions.
- A number of the proposed flatted dwellings are single aspect.
- The proposed development does not include a mix of housing types as advised in Glasgow City Council guidelines.

Consultation Responses

Scottish Water- No response, comments from previous application relevant to this application.

Network Rail- No objection subject to suggested conditions/advisory notes.

Site and Description

The application site is a gap site next to an active railway line on the south side of Argyle Street directly opposite its junction with Kent Road, adjacent to an existing Category B-listed 4-storey tenement. The gap site extends into the traditional back court area, narrowing as it proceeds to the south. The site boundary to the east runs along the boundary of the backcourt of the adjacent building which extends beyond the width of the existing tenement building, which was once a shared backcourt between the adjacent building and the tenement that previously occupied the site. Surrounding the backcourt are rear courts and elevations of the listed buildings on Minerva Street and St Vincent Crescent. The site is within the St Vincent Crescent Conservation Area and Ward 1- Anderston/City/Yorkhill.

Planning History

Previously an application for the erection of a mixed-use development including flatted residential (Sui Generis) 2No. commercial units with associated landscaping (reference 22/00721/FUL) was refused at a Committee meeting of 29th November 2022 for the following reasons:

1. The proposal is contrary to Policy CDP9- Historic Environment and the associated Supplementary Guidance SG9- Historic Environment of the Glasgow City Development Plan 2017 by virtue of the design of the building, its roof, scale and choice of materials meaning the proposed building would not respect the setting of the adjacent Category "B" listed building and would neither preserve nor enhance the character of the listed building or the St Vincent Crescent Conservation Area.
2. The proposal would create a dominant and harmful impact upon the setting of the adjacent category B listed tenement building's roof, gable and chimney and the Conservation Area contrary to the requirements of Supplementary Guidance SG9- Historic Environment.
3. The potential loss of the rear brick boundary wall to the adjacent category B listed building would result in an unacceptable impact upon the special character of the listed building and is contrary to Supplementary Guidance SG9- Historic Environment.

Appeal to Scottish Government (DPEA)

Following committee's refusal of the application, the applicant submitted an appeal to the Planning and Environmental Appeals Division on 4th April 2023. The Council provided a response to the appeal on 7th June 2023 citing the reasons above for the refusal of the application at Committee. The Reporter undertook an unaccompanied site visit of the application site on 9th August 2023.

The Reporter dismissed the appeal and refused planning permission, issuing their decision notice on 27th September 2023. Their conclusions for this decision were as follows:

- The design and projecting roof feature would be in stark contrast to the regular pattern of pitched roofs in the immediate and wider vicinity and would fail to preserve or respect the architectural and historic character of the conservation area.
- Looking at the appeal proposal from the north site of Argyle Street, it would appear as having a flat roof level with the tenement ridge and just below the head of the chimney stack. Although set back from the main façade it would give the appearance of having a substantial box dormer extending across the front face of the roof line and completely out of scale with the tenement roof.
- The overall scale of the proposed building, with six storeys to the tenement's four would dominate the latter.
- The choice of materials would contrast with the sandstone of the tenement and be alien to this part of the street.
- The Reporter found no evidence of attention to detail of the local architectural styles being interpreted into the designs of the proposed development to reinforce their identity. As the proposed design would be such a complete contrast to the adjacent listed tenement, it would dominate it, the overall result would be an adverse impact on its setting.
- Tenements still dominate the area with 995-1017 Argyle Street, adjacent to the appeal site and 8-20 Minerva Street together forming a gusset, or triangular building that the appraisal describes as the main focal point of the conservation area. Whilst there are a significant number of modern buildings, some of imaginative modern design, these are in general individual plots separated from the traditional buildings. This is different from the appeal proposal which, for the reasons set out above, would not respect the appearance of the area.
- The Reporter notes the misunderstanding about the brick wall to the rear of the building. The Council has accepted this and withdrew the reason.
- The Report accepts the findings of the Overshadowing Study demonstrating there would be no increase in overshadowing to neighbouring gardens even if the time clocks uses on the study were in error.

Revised Application Proposal

In order to address the Reporter's conclusions and the Committee's reasons for refusal an amended proposal was submitted on 30 March 2023.

As with the previous scheme a L-shaped 6 storey residential building with two ground floor commercial premises and amenity to the rear (split over two levels), with bin stores and cycle storage at lower level is proposed. At ground floor level two commercial units flank the close entrance to the building, which also leads to the lower courtyard, bin and bike storage areas to the rear. A secondary entrance to the rear accessed via a pend as the building returns toward the railway line. The upper floors of the building extend beyond the rear building line of the existing adjacent tenement row, though this extension is drawn away from the boundary with the adjacent backcourt and towards the western boundary towards the railway. A second amenity area is provided in the form of a raised amenity deck accessed from first floor level. Internally, in addition to the ground floor retail units, 14 flats are proposed (3 each on floors 1-4 and 2 on the 5th floor), resulting in 8x 1 bedroom flats and 6x 2 bedroom flats.

At the front elevation, the proposal lines through with the front elevation of the existing tenement with the projecting balconies being replaced with Juliette balconies. The anodised aluminium elevation has been replaced with a sandstone elevation, set flush with the existing neighbouring building line. This contrasts with the previous scheme where metal framing previously pushed out to projecting cornice line. The street elevations have been changed to stone and the solid to void ratio of sandstone to window adjusted to better reflect the ratio and proportions of the adjacent listed building. The shopfront glazing has been brought forward.

The revised application has sets the 6th storey (5th floor) further back on the Argyle Street (north east elevation) and is return elevation (north elevation) compared to the previous scheme, thus reducing the footprint at this level. The gable end (which previously abutted the tenement chimney) has been held away from the existing chimney gable on the adjacent tenement affording light, view and access between front and rear terraces of the apartment at this level. In addition the overall height of the building been reduced to below the ridge line of the existing tenement which allows for the existing chimney to be left clear to view.

The top floor penthouse is fully glazed with curtain walling on it street facing (north east and north) elevations to give it a more reflective glass appearance. On the ground floor, the shopfront glazing has been brought forward and the portico entrance now has an anodised bronze/aluminium design.

External to the building it is proposed to retain and stabilise the existing brick wall which is located at the western rear boundary.

Specified Matters

Planning legislation 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. Proposal is neither Schedule 1 nor Schedule 2 development.

ii. an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable. No suitable habitats for protected species on site.

iii. a design and access statement.

Submitted with the application, considered in the below assessment.

iv. any other report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)

Reports submitted include Drainage Strategy and Statement on Energy.

B. Summary of the terms of any Section 69 planning agreement

A financial contribution of £12,000 towards IPG 12 Open Space Provision needs to be secured.

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 Minister

Not applicable

2. requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either be imposed or need not be imposed

Not applicable.

Policies

National Planning Framework 4 (NPF4)

Policy 1: Tackling the Climate and Nature Crises

Policy 2: Climate Mitigation and Adaptation

Policy 7: Historic Assets

Policy 9: Brownfield, vacant and derelict land and empty buildings

Policy 12: Zero Waste

Policy 13: Sustainable Transport

Policy 14: Design, quality and place
Policy 15: Local Living and 20-minute neighbourhoods
Policy 16: Quality Homes
Policy 18: Infrastructure First
Policy 19: Heat and Cooling
Policy 22: Flood Risk
Policy 23: Health and Safety
Policy 27: City, town, local and commercial centres

City Development Plan

CDP1 & SG1: The Placemaking Principle
CDP2: Sustainable Spatial Strategy
CDP4 & SG4: Network of Centres
CDP5 & SG5: Resource Management
CDP8 & SG8: Water Environment
CDP9 & SG9: Historic Environment
CDP11 & SG11: Sustainable Transport
CDP12 & IPG12: Delivering Development

St Vincent Crescent Conservation Area Appraisal (2005)

Assessment and Conclusions

Sections 25 and 27 of the Town and Country Planning (Scotland) Act 1997 (as subsequently amended) require that planning applications be determined in accordance with the provisions of the Development Plan unless material considerations indicated otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty of care on the Planning Authority in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In terms of this application therefore, the determining issues are considered to be:

- i. whether the proposals accord with the provisions of the Development Plan,
- ii. whether the proposals are appropriate having regard to the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; and
- iii. whether material considerations warrant a departure from the Development Plan.

i) DEVELOPMENT PLAN POLICY CONSIDERATIONS

In respect of i), the Development Plan consists of National Planning Framework 4 (NPF4) and the adopted Glasgow City Development Plan. The policy impacts are outlined below.

National Planning Framework 4

Policy 1. Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

Comment: The application site is a vacant brownfield site and the proposal will see the site brought back into a sustainable use. The proposals has included energy efficiency measures and includes the creation of a lower courtyard and roof terrace that would provide for biodiversity enhancement. The installation of photovoltaic panels, air source heat pumps, heat recovery technologies and double-glazed windows will reduce the carbon emissions of the development, thus contributing to addressing the climate emergency.

Subject to conditions, the proposal accords with Policy 1 on tackling the climate and nature crises.

Policy 2. Climate Mitigation and Adaptation

- a) Development proposals will be sited and designed to minimise the lifecycle greenhouse gas emissions as far as possible.*
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.*
- c) Development proposals to retrofit measure to existing developments that reduce emissions or support adaptation to climate change will be supported.*

Comment: The proposal will bring a vacant brownfield site back into sustainable use and will create a roof terrace and lower courtyard providing biodiversity enhancements. Conditions will ensure their ongoing contribution to tackling the nature crises. It is proposed to install photovoltaic panels, air source heat pumps, heat recovery technologies and double-glazed windows which will reduce the carbon emissions of the development and allow for the development to adapt to the current and future risks of climate change.

Subject to conditions, the proposal accords with Policy 2 on climate mitigation and adaptation.

Policy 7. Historic Assets and Places

- a) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include:
 - i. Architectural and historic character of the area;*
 - ii. Existing density, built form and layout; and*
 - iii. Context and siting, quality of design and suitable materials.**

Comment: The application site is within St Vincent Crescent Conservation Area and is adjacent to a Category B listed building. Given the constraints of site, whilst the amended proposal takes a contemporary approach to design and materials, it is considered that the building line, scale, massing and materials is acceptable and will complement the appearance and character of the Conservation Area . and the adjacent Listed Building. Further comments are contained within the assessment of Policy CDP9: Historic Environment of the City Development Plan.

Subject to conditions, the proposal accords with Policy 7 on preserving and

enhancing the appearance and character of the conservation area.

Policy 9. Brownfield, vacant and derelict land and empty buildings

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.*
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.*
- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made safe and suitable for proposed new use.*
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.*

Comment: The application site is a vacant brownfield site and the proposed development will help to strengthen the residential character of the area by reintroducing housing onto a site which once housed tenement style flatted properties. While there has been an element of naturalisation on the site, the creation of a roof terrace and lower courtyard will provide opportunities for biodiversity enhancements and conditions are proposed to ensure their ongoing contribution. The proposal will result in the sustainable reuse of brownfield land.

Subject to conditions, the proposal accords with Policy 9 on sustainably reusing brownfield land.

Policy 12. Zero Waste

Development proposals will seek to reduce, reuse or recycle materials in line with the waste hierarchy.

Development proposals that are likely to generate waste when operational, including residential, commercial and industrial properties, will set out how the proposal is expected to generate and how it will be managed including:

- i. Provision to maximise waste reduction and waste separation at source, and*
- ii. Measures to minimise the cross-contamination of materials, through appropriate degradation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.*

Comment: Waste storage is provided in a secure residential bin store at ground floor level to the rear of the block. The proposed design of the waste storage provides the appropriate segregation and convenient access for the collection of waste.

Subject to condition, the proposal accords with Policy 12.

Policy 13. Sustainable Transport

- b) *Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:*
- i. *Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;*
 - ii. *Will be accessible by public transport, ideally supporting the use of existing services;*
 - iii. *Integrate transport modes;*
 - iv. *Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards*
 - v. *Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;*
 - vi. *Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;*
 - vii. *Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and*
 - viii. *Adequately mitigate any impact on local public access routes.*
- e) *Development proposal which are ambitious in terms of low/no parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.*

Comment: The application site is within an area of high public transport accessibility and is located on one of the main commercial streets of Glasgow providing access to the city centre and west end by public transport and active travel. Given its urban location, the proposal is being considered as a “no parking” development. In close proximity to the site is Exhibition Centre train station and there are many bus stops along Argyle Street and it is considered that the proposal will support the use of existing public transport services. Resident and visitor cycle provision is proposed to be provided within the development encouraging residents to use the active travel network within the City.

Subject to condition, the proposal accords with Policy 13.

Policy 14. Design, quality and place

- a) *Development proposals will be designed to improve the quality of an area whether in urban or rural locations regardless of scale.*
- b) *Development proposals will be supported where they are consistent with the six qualities of successful places;*
- *Healthy: Supporting the prioritisation of women’s safety and improving physical and mental health.*
 - *Pleasant: Supporting attractive natural and built spaces.*
 - *Connected: Supporting well connected networks that make moving around easy and reduce car dependency.*
 - *Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.*

- *Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience and integrating nature positive, biodiversity solutions.*
- *Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.*

c) *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 current vacant brownfield site contributes nothing to the quality of the place in Finnieston. Redevelopment of the site will help to enhance the quality of the area by bringing a vacant brownfield site back into a sustainable use and by completing the existing tenemental row. The proposal is designed to be energy efficient and will reduce carbon emissions with the installation of low and zero-carbon generating technologies. The proposal is well connected to public transport and no car parking is proposed, which will encourage residents to use existing public transport and active travel networks. The design and materials of the proposal have been amended to ensure the building design better relates to that of the adjacent Listed Building and context of the surrounding conservation area. It is considered that the proposal is generally consistent with the six qualities of a successful place and a further detailed assessment of the proposed design and materials can be found in the assessment of Policies CDP1 and SG1.

Subject to conditions, the proposal accords with Policy 14 on design, quality and place.

Policy 15. Local living and 20 minute neighbourhoods

- a) *Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:*
- *Sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;*
 - *Employment;*
 - *Shopping;*
 - *Health and social care facilities;*
 - *Childcare, schools and lifelong learning opportunities;*
 - *Playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;*
 - *Publicly accessible toilets;*
 - *Affordable and accessible housing options, ability to age in place and housing diversity.*

Comment: The application site is within Cranstonhill/Yorkhill and Argyle Street local town centre and has a number of retail and other services which can be accessed by walking or wheeling. The application site is well served by public transport links with a number of bus stops along Argyle Street providing access to the City Centre and the wider West End area for opportunities of employment, shopping, education and health care facilities. The application site is in close proximity to Exhibition Centre train station and Kelvingrove Park is within a 5 minute walking distance of the

application site allowing for residents to access play opportunities and green spaces.

Subject to conditions, the proposal accords with Policy 15 on local living and 20 minute neighbourhoods.

Policy 16. Quality Homes

- a) *Development proposals for new homes on land allocated for housing in LDPs will be supported.*
- b) *Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:*
 - i. *Meeting local housing requirements, including affordable homes;*
 - ii. *Providing or enhancing local infrastructure, facilities and services; and*
 - iii. *Improving the residential amenity of the surrounding area.*
- c) *Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs and which address identified gaps in provision will be supported. This could include:*
 - i. *Self-provided homes;*
 - ii. *Accessible, adaptable and wheelchair accessible homes;*
 - iii. *Build to rent;*
 - iv. *Affordable homes;*
 - v. *A range of size of homes such as those*
 - *For larger families*
 - *Homes for older people, including supported accommodation, care homes and sheltered housing;*
 - *Homes for people undertaking further and higher education; and*
 - *Homes for other specialist groups such as service personnel.*
- d) *Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:*
 - i. *A higher contribution is justified by evidence of need, or*
 - ii. *A lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.*
- e) *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.*

Comment: The application site is not an allocated housing site in the City Development Plan. The proposal is for the erection of 14 one and two bedroom flatted dwellings with two commercial units on the ground floor.

Policy 16 introduces a requirement for market housing developments to include 25% affordable housing, based upon need in the local area informed by the Local Development Plan. At the moment, the Local Development Plan has established a position that affordable housing should be met through the Strategic Housing Investment Programme and that viability implications have meant that it would not be appropriate to apply an affordable housing policy. Therefore, it is not considered appropriate to apply a percentage affordable housing requirement relative to NPF4 for the time being, until the Council has agreed in more detail how this can be applied across different areas in the City, based on need. This does not rule out any emerging policy informing the future assessment of detailed proposals should the position change in the intervening period.

A condition is proposed which will require the consent to be begun within three years of planning consent being granted, which will ensure that the build-out of the proposed development does not impact on the housing land pipeline which will be delivered through the next City Development Plan. The condition would result in an agreed timescale for build-out of the development, ensuring that the proposal is consistent with the Plan spatial strategy.

The proposal is consistent with other relevant NPF4 policies including local living and 20-minute neighbourhoods, as set out in this report.

Subject to conditions, the proposal accords with Policy 16 on quality homes.

Policy 18. Infrastructure First

The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests apply.

Comment: Due to the scale of the proposed development, it is not considered to have an adverse impact on infrastructure, with the exception of existing open space facilities, which are considered in detail under IPG12 of the City Development Plan.

However, it is noted that requirements for children's play, outdoor sport and allotments cannot be met on site due to the size of the site. The shortfall in on-site provision can be mitigated by an equivalent financial contribution towards off-site provision. In this case, the sum of £12,000, which would be secured by a Section 69 legal agreement between the developer and the Council.

Subject to conditions, the proposal accords with Policy 18.

Policy 19. Heat and cooling

- a) *Development proposals within or adjacent to a Heat Network Zone identified in a LDP will only be supported where they are designed and constructed to connect to the existing heat network.*
- b) *Proposals for retrofitting a connection to a heat network will be supported.*
- c) *Where a heat network is planned but not yet in place, development proposals will only be supported where they are designed and constructed to allow for cost-effective connection at a later date.*
- d) *National and major development that will generate waste or surplus heat and which are located in areas of heat demand, will be supported providing wider considerations, including residential amenity, are not adversely impacted. A Heat and Power Plan should demonstrate how energy recovered from the development will be used to produce electricity and heat.*
- f) *Development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.*

Comment: The application site is not within or adjacent to a Heat Network Zone. The application has met the City Development Plan requirement for a Statement on Energy, as addressed below under CDP 5 and SG5: Resource Management. The Statement on Energy (SoE) has demonstrated that the intention is to meet Gold Hybrid of the three options to meet the requirements of SG5. The SoE identified air source heat pumps, photovoltaics and heat recovery technologies could be used onsite to provide space and water heating and renewable energy generation. The proposed development is not likely to generate waste or surplus heat.

Subject to conditions, the proposal accords with Policy 19 on heating and cooling.

Policy 22. Flood risk and water management

- c) *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.*
- d) *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.*

Comment: The applicant has submitted a Drainage Strategy document for the proposed development which adequately covers flood risk and has been self-certified and independently checked. Given its location, the site is not considered to be at risk of any pluvial or fluvial flooding and only minimal flood risk relates to surface water.

The proposal accords with Policy 22 on flood risk.

Policy 23. Health and Safety

- a) *Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.*
- b) *Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.*
- c) *Development proposals will be designed to take into account suicide risk.*

Comment: The proposed development includes a mix of amenity open space in the form of a raised amenity deck, sunken courtyard and private balconies (Juliette on Argyle Street and projecting elsewhere). The amenity deck and sunken courtyard are south facing and include a variety of landscaping, planting and useable informal recreation for the enjoyment of residents. Given its close proximity to Kelvingrove Park, the proposal offers further opportunities for exercise which will benefit the mental health and wellbeing of future residents.

The proposed development would, through the Building Warrant process, meet the Scottish Building Regulations and therefore be designed to minimise suicide risk.

A condition has been attached to ensure that the applicant undertake a Vibration survey before work on site commences. The survey will include details of any mitigation building design measures needed to ensure that the development will not be detrimentally impacted by the railway line.

Subject to conditions, the proposal accords with Policy 23.

City Development Plan 2017

Policy CDP1: The Placemaking Principle 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.

It advises that in order to be successful, new development should aspire to achieve the six qualities of place as defined in draft Scottish Planning Policy and reinforced by Creating Places and Designing Streets.

- It is distinctive;
- It is safe and pleasant;
- It is easy to move around and beyond;
- It is welcoming;
- It is adaptable; and
- It is resource efficient.

CDP1 also advises that the associated supplementary guidance SG1 will provide guidance to promote the overarching Placemaking Principle specifically it offers guidance on Cultural Heritage, Community Facilities, Residential Development, Amenity, Energy Efficient Buildings, Waste Storage, recycling and collection and detailed design guidance on building materials.

Supplementary Guidance SG1: The Placemaking Principle comprises two parts. Part 1 provides the context and approach of Placemaking established in Policy CDP1 and Part 2 contains detailed assessment criteria relating to physical design.

Part 1 explains the “placemaking principle” context and how it will apply to new development in the City, stipulating that the onus will be on developers to fully consider, evaluate and apply the principle of Placemaking to individual schemes, as appropriate. Applicants must be able to show how their proposals meet placemaking requirements and how they have responded to relevant local development plan policies and associated supplementary guidance.

Part 2 of SG1 provides more detailed guidance on a number of topic based aspects of development. In particular, it establishes guidance for the design, layout, density, amenity, building materials, waste and recycling storage and energy efficiency of new buildings. All new development in Glasgow should be primarily design led and should be determined by the nature of a site, the wider site context and the City’s broad urban design objectives.

Residential Layouts

2.39 In order to meet placemaking principles, the Council seeks to promote the delivery of high quality residential environments that:

- a) Are informed by a design-led approach that promotes sustainable development objectives;*
- b) Promote the creation of safe and integrated neighbourhoods that offer choused of movements/travel for all users and support healthy active lifestyles; and*
- c) Encourage overall quality and provide distinctiveness in new developments.*

2.40 General Standards- All residential developments must take into account the Placemaking Principles set out in SG1- Placemaking, Part 1, as well as the guidance and standards set out in the Residential Design Guide (RDG). These criteria should be read in conjunction with the RDG.

2.41 Residential layouts should:

- a) Take a design-led approach towards aspect and orientation to maximise daylight and sunlight, reduce energy use, and prevent overlooking and loss of privacy, particularly when providing balcony and/or garden spaces (see RDG, page 60 and the BRE “Site Layout Planning for Daylight and Sunlight”);*
- b) Make appropriate provision for refuse and recycling storage areas;*
- c) Wherever possible, retain all significant trees on sites, unless removal is necessary, e.g. for good arboricultural reasons;*
- d) Have roads designed to the standards set out in RDG;*
- e) Incorporate a SUDS strategy to take account of the space and design requirements of the required SUDS scheme; and*
- f) Ensure that all new homes do not have upper rooms, balconies etc which directly overlook adjacent private gardens/backcourts.*
- g) Ensure sufficient permeability through the provision of walking/cycling routes and open spaces connected to the wider paths network and other community facilities. Off road paths should be located centrally and be overlooked in order to promote public safety.*

2.43 Additional standards for Flatted Developments- In terms of communal private garden space, flatted developments should:

- a) Provide usable communal private garden spaces as “backcourts”. Design and layouts should ensure privacy, particularly for ground floor residents (see RDG for guidance);*
- b) Where a site’s configuration or particular characteristics limits the ability to provide private garden space, then developers will be expected to;*
 - i. Provide creative alternative solutions (e.g. shared roof garden, usable balconies); and*
 - ii. Bring forward mitigation measures to improve internal amenity (e.g. more generous room sizes);*
 - iii. Make outside provision for clothes drying, in areas screened from public view and not subject to excessive overshadowing.*

2.44 In terms of privacy and aspect in relation to flatted development, the following guidance applies:

- a) Ideally all flats should have dual aspect (where single aspect is proposed, developers will require to show that the amenity enjoyed by the flats is similar, if not better than that of dual aspect flats in a similar location. This will include consideration of the flat’s outlook);*
- b) Privacy is also important to the rear of flats, where ambient noise levels are lower. Habitable rooms, therefore, should be set back from public or common footpaths or areas of open space, parking or waste storage (this could be secured, for example, by the formation of private garden space between habitable rooms and any such use); and*
- c) Flatted development, built on existing street frontages, should maintain established building lines and window patterns. Where there is no established building line, development should be set back from the pavement to ensure privacy for ground floor habitable rooms.*

Residential Density

2.46 General Principles- The appropriate density of residential development will vary according to :

- a) Location;*
- b) Context and setting;*
- c) The scale and massing of adjacent buildings and;*
- d) Public transport accessibility and active travel opportunities.*

2.47 Variations in the general density standards may be permitted where a justification is provided based on the factors listed above or for developments of exceptional urban design quality, provided that other CDP and SG standards are met. The guidance should be read in conjunction with SG1- Placemaking, Part 1, in particular the Character Environments section and in conjunction with SG11- Sustainable Transport. In terms of the latter, the Public Transport Accessibility Zones Map identifies different parts of the City; these are explained in the General Standards which provide more detailed guidance below.

2.48 General Density Standards- ii) Inner Urban Area- Density may vary between 30 and 100 DPH in base accessibility locations, whilst higher densities will be expected in high accessibility locations and should be justified against the General Principles outlined above. Account will also be taken of the availability

and capacity of broader infrastructure and community facilities to accommodate increased use.

Building Materials

- 5.2 *The variety of materials, colours and textures seen throughout the City's built environment contributes to the overall character and attractiveness of Glasgow's commercial and residential districts, as described in SG1- Placemaking, Part 1. All new development will be expected to respect and enhance Glasgow's existing identity and character through its overall design, the choice of materials and the way in which these materials are used.*
- 5.3 *It is expected that all new development, depending on the nature and scale of the development will:*
- a) *Employ high quality facing and roofing materials that complement and, where appropriate, enhance the architectural character and townscape quality of the surrounding area;*
 - b) *Use robust and durable materials that fit their context and are capable of retaining their appearance over time and in Glasgow's climate; and*
 - c) *Acknowledge the local architectural and historic context through the use of appropriate materials.*

7. Waste Storage, Recycling and Collection

Designing New Development

- 7.1 *All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City's wider placemaking objectives, see also SG1- Placemaking, Part 1. All waste/recycling areas must be located discreetly, so as to have no adverse visual impact or cause traffic/noise nuisance to neighbours. Applicants must provide full details of the provision for waste storage, recycling and collection in the initial submission for planning permission.*
- 7.2 *Housing developers should provide all refuse bins, of a design acceptable to the Council, prior to the occupation of any dwelling, with recycling bins being provided by the Council. Provision should be made such that where bins are to be located temporarily for kerbside collection, there remains adequate space for continued use of the footway/road.*
- 7.4 *Flatted Development- The following guidance applies:*
- a) *The bins/recycling stores should be as unobtrusive as possible. Large wheeled containers should be located conveniently in relation to where the collection vehicle will park. This should ideally be no more than 20 metres from the location of the waste containers. External stores should be constructed in materials to match the flats;*
 - b) *To calculate the area required for recycling, communal recycling bins will usually be allocated by the Council on the basis of 3 x 240 litre bins per traditional close and up to 2 x 1,280 litre communal waste bins per new build flatted stairway. 2 x Blue 240lt bins for mixed recycling and 1 x Grey 240lt bin for food waste;*
 - c) *Advice should be sought from the Council's Land and Environmental Services, prior to drawing up details of the waste/recycling area;*
 - d) *Developers are encouraged to consider one of the underground systems, where the waste/recycling containers are underground beneath waste and*

- recycling bins and the underground containers are elevated to ground level for vehicular collection. Again, advice should be sought from the Council's Land and Environmental Services prior to drawing up details of these systems; and*
- e) *Privacy is important to the rear of flats, where ambient noise levels are lower. Habitable rooms should not be located immediately above waste/recycling storage areas.*

Comment: The applicant has made amendments to the proposal in order to address Planning Committee's concerns and in response to the appeal conclusions of the DPEA Reporter. Amendments such as the form of the windows, location of projecting balconies, articulation of the roof element and choice of materials have resulted in a proposal that is sympathetic to the adjacent listed building and help to preserve the character of the surrounding conservation area.

In terms of the building scale, though it runs over 6 storeys, this equates to 4 traditional storeys plus roof. The principal elevation to Argyle Street lines up with the eaves line of the adjacent listed tenement and the 6th floor has been set back and reduced in height so that the building now reads as 5 storeys with a roof object instead of a sixth storey. The 6th floor is also set back from the neighbouring roof to allow the regular pattern of the adjacent roofs to be read in conjunction with the chimney scape. With the reduction in how the building is read at the return into the site, this reduces the building's scale and the perceived dominance of the building. On the 6th floor, the floor to ceiling glass to the main front elevation is retained and extended to the return elevation which further articulates the lower floors as part of the tenement line and the 6th floor as part of the roofscape. The return elevation to the rear steps up to 6 storeys to show it as different to the front elevations. This is less visible from approaches to the site and is acceptable.

To the front, the proposed building lines through with the front elevation of the existing tenement with the projecting balconies being reduced to become "Juliette balconies". The stone elevation has been set flush to align with existing neighbouring building line, where previously an aluminium façade with metal framing previously pushed out to projecting cornice line. The materials on the principal street and return elevations have been revised from metal to sandstone reflecting the materiality of the adjacent listed tenement and surrounding conservation area. The fenestration proportions have been amended on the front elevation to be more inkeeping with the adjacent listed tenement windows. This makes the windows appear taller and less wide with an increase in the amount of solid material between the windows reflecting the overall arrangement of solid to void in the adjacent tenements.

The front elevation presents 5 storeys onto Argyle street before it turns a corner along the railway line to avoid developing on the railway tunnel below. On Argyle Street, at roof level, the eaves line of the top storey begins towards the back near the centre of the gable and then angles out towards the front of the building line at the corner before returning round the side and rear of the building where the roof top is integrated back within the building below. The last two bays of the return elevation and all the rear of the building are read as a 6-storey building.

The window pattern has been changed to suit a stone "grid" pattern and the top storey of the chamfered gable changed to fully glazed and stepped back to become a part of the continuous roofscape of the glazed penthouse. Projecting balconies will be retained on the return elevation.

Importantly, the footprint and height of the 6th storey has been reduced and the gable end has been set back from the existing chimney gable, affording daylight, view and access between front and rear terraces. This allows for the existing chimney to be left

clear and the overall height of the building to be reduced to below ridge line with the existing tenement. Furthermore, the top floor balustrade has been set further back. The top floor penthouse has been made highly glazed with flush curtain walling to give a reflective glass appearance and brought up and out to tighter parapet and corner flashing.

On the ground floor, the shopfront glazing has been brought forward and the portico entrance now has an anodised bronze/aluminium design.

The applicant has made amendments to the materiality of the proposal. The metal cladding has been replaced with sandstone to be more inkeeping with the materiality of the adjacent listed tenement. As the building turns the corner to the rear of the site, the elevation will be a high-quality brick to reflect the rear remanent of the boundary wall which is to be retained in its entirety.

In terms of layout of the development, the orientation of the block is clearly informed by the adjacent tenemental context as well as the specific characteristics of the site and the railway tunnel that runs along the north west boundary. While the previous layout resulted in 4 of the 14 units (29%) being single aspect, the revised scheme has changed the internal layout so that the central flat on first to fifth level have windows on the front elevation and the return elevation giving them 2 aspects. Floor to ceiling windows, open floor plans and bedroom balconies for each of the affected flats ensures they have good amenity. The peculiar characteristics of the site and the adjacent back court means that windows to the rear are limited in flat Types C to prevent overlooking issues, but dual aspect is achieved, and similar mitigation employed in addition in terms of windows, balconies and internal layouts.

Waste storage is provided in a secure residential bin store at ground floor level to the rear of the block, and the design, capacity and servicing arrangements have been agreed in principle by NRS Cleansing from the previous planning application. SUDS information was submitted and considered appropriate by NRS Flood Risk Management from the previous planning application. A planning condition will ensure submission of the final details for approval.

Regarding the additional standards set out for flatted developments, a communal back court is provided in the form of a raised amenity deck and a lower courtyard in addition to useable balconies for each flat and a roof terrace for the fifth-floor flats. This is considered an appropriate and creative solution to amenity provision on a complex site and provides varied materials, landscaping and planting to offer a good quality space for residents. Though the main amenity deck is raised above ground floor level, there are natural solutions to screening proposed along the eastern boundary to protect the privacy of residents as well as those in the backcourt of the adjacent tenement.

With regards to residential density, the applicant proposes 14 units on a 0.0608ha site. This equates to a residential density of 230 DPH. The site is a High Accessibility location for public transport in an Inner Urban Area of the city, and SG1 advises that densities over 100 DPH are expected in such locations. The scale and massing align with the tenemental scale of the surrounding area and the amenity provision is sufficient, and so the proposed density is therefore considered to be acceptable.

In terms of noise, appropriate safeguarding conditions regarding the ground floor uses and the acoustic performance of the proposed flats have been included. There is also a condition regarding the submission of a construction environment Management Plan and advisory notes on construction noise are also recommended. A condition will also be attached to ensure that the applicant undertake a vibration

survey before any work on site is begun to ensure that the proposed dwellings will not be adversely impacts by excessive magnitudes of vibration from rail traffic movements.

In terms of privacy, the proposed building is in excess of 18m from the nearest building windows on the north of Argyle Street and 24m away from the windows on Kent Road. It is separated from the nearest building to the west by the railway line and the rear elevation windows are all at least 22m away from the rear of buildings on Minerva Street. The principal privacy concerns are actually caused by the proposed amenity deck but given the tenemental context and the proposed mitigation measures this is considered acceptable.

The applicant has also provided, as part of their design statement, an assessment of the overshadowing that would be caused by the proposed development. This demonstrates the impact of the development between 7am to 6pm on the March Equinox and between 8am and 10pm on June Solstice. According to the Sunpath Diagrams, the existing rear windows of the adjacent tenement will receive sunlight for the majority of the day within the June Solstice. The proposal would lead to loss of sunlight to some of the rear adjacent windows between the hours of 6pm and 7pm. The Sunpath Diagram shows that, at 8pm on June solstice as existing, the whole of the back court would be in shadow due to the orientation of the tenement building and the buildings surrounding.

In conclusion, the building design, scale and materials are considered appropriate in this location. The proposal is therefore considered to meet the aims of Policy CDP1: The Placemaking Principle.

CDP2- Sustainable Spatial Strategy

This states that the Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable city. In doing some the Council will support new development proposals that, among other things:

- Utilise brownfield sites in preference to greenfield sites;
- Prioritise the remediation and reuse of vacant and derelict land;
- Contribute to the development of vibrant and accessible residential neighbourhoods;
- Support higher residential densities in sustainable locations;
- Protect and enhance the integrity and character of the city's historic and natural environment;
- Protect and enhance the function and integrity of the Green Belt and contribute towards the development of an integrated green infrastructure.

Comment: The proposed development is considered to comply with this policy as it will make use of a vacant brownfield site, will help strengthen the residential character of the area by reintroducing housing onto a site which one housed tenement style flatted properties and will promote higher residential density in what is a highly accessible and sustainable location.

The proposal is therefore in accordance with CDP2.

Policy CDP 4- Network of Centres aims to ensure that all of Glasgow's residents and visitors have good access to a network of centres which are vibrant, multi-

functional and sustainable destinations providing a range of goods and services. It advises that this will be achieved by;

- Protecting and revitalising all Town Centres within the Network;
- Supporting the “Town Centres First” principle by directing appropriate footfall generating uses to Town Centres;
- Embracing the principles of placemaking and building on the strengths of each Centre.

CDP4 also states the following with regards to Local Town Centres;

Local Town Centres (a subnetwork of 34 Centres): These locations serve local communities, but vary widely in scale, function and character with some being predominantly retail based and others service based. Supplementary Guidance sets out a policy approach to development that is tailored to the different types of Local Town Centre in the City.

Policy CDP4- Network of Centres

CDP4 aims to ensure that all of Glasgow’s residents and visitors have good access to a network of centres which are vibrant, multi-functional and sustainable destinations providing a range of goods and services.

Supplementary Guidance SG4- Network of Centres designates Cranstonhill/Yorkhill as a Local Town Centre, which includes this application site. SG4 aims to

- Maintain a balance between retail and non-retail uses that protects the shopping function and permits other appropriate town centre uses.
- Support investment in the built/physical environment in order to ensure that centres are desirable places to visit and attractive places to invest in.

Comment: The proposed development would fill a long-term vacant gap site in the Town Centre with a new building with ground floor retail uses and residential accommodation above. As such it supports the vibrancy and vitality of this local centre. Planning conditions will control the use, noise and hours of operation.

In terms of SG4 therefore, the proposal is wholly acceptable.

Policy CDP 5- Resource Management aims to ensure that Glasgow promotes energy efficient design and use of low and zero carbon generating technologies in new development. It states that;

All buildings must receive an appropriate sustainability label as per the Building Standards Technical Handbook Section 7: Sustainability.

As a minimum, the specified level of sustainability for a dwelling or non-domestic property, at the planning application submission date (2018 onwards) should be Gold- where the building complies with the Gold level in each of the 8 aspects in the handbook and includes a minimum 20% carbon dioxide emissions abatement through the use of LZCGT.

Policy CDP5 then directs that supplementary guidance will include advice on designing new development to reduce energy use and the use of low carbon generating technologies in new development.

Supplementary Guidance SG5- Resource Management offers guidance on low and zero carbon generating technologies (LZCGT) and on the preparation of Energy Statements, SG 5 advises as follows;

4.6 A Statement on Energy will be required to support all applications to which this policy applies (for exceptions see paragraph 4.8). Further information on the requirements of a Statement on Energy can be found in Section 7.

7.2 A Statement on Energy shall include:

- LZCGT feasibility report (including a summary of LZCGTs considered and a justification for the chosen technologies, including a consideration of design and visual impact);*
- A SAP/SBEM calculation output indicating the DER/BER with the renewables removed allowing the percentage reduction due to renewables to be calculated;*
- An explanation of key energy efficient design measures implemented, including materials;*
- Reductions of CO2 emissions through the use of renewable energy technologies;*
- Details of the viability of the installation of new, or connection to existing, District Heating networks as set out in Section 5 of this guidance; and*
- Where developments are unable to meet low and zero carbon targets, a clear explanation of the technical and practical constraints of the development. Economic factors alone are unlikely to be accepted as a constraint to the inclusion of low and zero carbon generating technologies in new development. (This would not lessen the applicant's obligation to deliver the LZCGTs needed to meet the requirements of the applicable technical standards).*

Comment: The submitted Statement on Energy checklist indicates that the applicant aims to attain the Gold Hybrid Option 1: Gold Level Aspect 1 + Silver Aspects 2 to 8 as set out in GCC policy and guidance. The submitted Statement on Energy indicates that photovoltaic panels, air source heat pumps and heat recovery technologies may be utilised to meet the required energy standards and photovoltaic panels are shown on the proposed roof plans. This has met the requirements of the first stage of the Statement on Energy process and therefore, requires to be conditioned to ensure it is updated as the technical detail of the Building Warrant progresses through to completion.

The standard condition requiring this is proposed and subject to this condition the proposal would accord with CDP5 and SG5.

Policy CDP8- Water Environment aims to;

- Aid adaptation to climate change;
- Protect and improve the water environment;
- Support the development of integrated green infrastructure throughout the City;
- Meet the requirements of the Flood Risk Management (Scotland) Act 2009 and Scottish Planning Policy 2014;
- Help deliver the Metropolitan Glasgow Strategic Drainage Partnership (MGSDP) Scheme, a National Development in NPF3; and

- Contribute to the reduction of overall flood risk and make satisfactory provision for SUDS.

It advises that applicants will be required to demonstrate that proposals contribute to;

- Minimising and reducing flood risk;
- Avoiding any increased risk of flooding from any source either within the development site, or outwith the site as a consequence of the development; and
- Avoiding any increase in the quantity and rate of surface water run-off from any site.

Supplementary Guidance SG8- Water Environment sets out criteria for developments to meet in order to achieve the aims of Policy CDP8.

6. *Flood Risk Assessments (FRA)*

6.1 *If any flood risks are identified during the flood risk screening process, there will be a requirement to carry out a detailed flood risk assessment in accordance with the Council's Flood Risk and Drainage Impact Assessment: Planning Guidance for Developers and the requirements of SEPA.*

6.2 *The FRA must clearly identify specific flood risks and quantify issues that need to be addressed. The FRA will also require to demonstrate that the flood mitigation strategy can be delivered, in compliance with all other relevant legislative requirements of Scottish Planning Policy, the Flood Risk Management (Scotland) Act 2009 and SEPA.*

8. **Surface Water Drainage Strategy**

8.1 *The creation of a new surface water drainage strategy is fundamentally important to the design development for any new development of 5 or more dwellings or introducing a new building of more than 250 sq metres ground floor area. This strategy will set out the key principles of the surface water drainage strategy and demonstrate appropriate spatial planning.*

8.2 *The site drainage strategy will require to set out the following:*

- *To which network/waterbody will surface water will be discharged;*
- *Water quality treatment requirements (Sustainable Drainage Systems (SUDS));*
- *Strategy to manage in-curtilage, roads and open space drainage;*
- *Percentage of permeable area within in the development;*
- *Attenuation requirements.*

9. **Scottish Water**

9.6 *Planning Requirements*

To demonstrate that the development can be effectively drained the applicant will be required to provide:

- Approval in principle*
- Drainage Impact Assessment Application (if required)*
- Scottish Water Drainage Impact Assessment Output (if required).*

9.7 *Prior to the commencement of development works the applicant will be required to submit to the Council a copy of the appropriate technical approval or consent to discharge to a Scottish Water asset.*

16. *Impervious Surfacing*

16.1 *To enable the Council to fulfil its statutory obligations under the Flood Risk Management (Scotland) Act 2009 and the vision of the MGSDP, the use of impermeable ground surfacing will be limited. The aim of this policy is to reduce the peak run-off rates and overall volume of surface water being discharge from hard standing areas.*

16.2 *Permissible percentage or reduction as appropriate of impervious ground level surfacing:*

a) *Within new build residential developments is limited to 10% per curtilage.*

Comment: The applicant has submitted a Drainage Strategy document for the proposed development which adequately covers flood risk. As a result of its location the site is not considered to be at risk from any pluvial or fluvial flooding and only minimal flood risk relates to surface water. The proposals have been self-certified, independently checked and met the requirements of NRS Flood Risk Management who have recommended planning conditions. These are to ensure the submission of the final construction drawings of the drainage and confirmation of the Technical Approval from Scottish Water.

The proposal has therefore been adequately screened for flood risk and the proposal is in accordance with the surface water drainage strategy of SG8.

Policy CDP9- Historic Environment aims to ensure the appropriate protection, enhancement and management of Glasgow's heritage assets by providing clear guidance to applicants. The Council will protect, conserve and enhance the historic environment in line with Scottish Planning Policy. The Council is unlikely to support development that would have a negative impact upon the historic environment.

Supplementary Guidance SG9- Historic Environment provides the following guidance on infill development within Conservation Areas;

2.148 *Where a Listed Building forms an important visual element in a street, any development within that street should be considered as being in the setting of the building. The desirability of preserving and enhancing the setting of existing Listed Buildings and the character of the Conservation Area will always be primary considerations when considering new development. This includes how new development may affect townscape and streetscape.*

2.151 *The character of Glasgow's Conservation Areas consists of a variety of elements including a rich mix of architectural styles, dense groupings of buildings such as terraces and tenemental buildings, distinctive street patterns interspersed with landmark buildings and historic landscape features.*

2.152 *Proposals for infill developments in Conservation Areas should maintain or enhance the character and appearance of their historic context by using high quality design and materials. Subject to the Plan's development and design policies and development guides, proposals for infill or gap development in Conservation Areas should reinforce local distinctiveness and historic character and seek to:*

- a) *Respect the established building lines of the street where this is an identified feature;*
- b) *Ensure that the scale and massing respects and responds to the existing adjacent properties; and*
- c) *Harmonise external finishes with those of existing adjacent properties (while natural stone is the preferred option in areas of traditional construction, alternative materials may be acceptable dependent on the quality of the architectural design and the context of its setting).*

Comment: The application site is located within the St Vincent Crescent Conservation Area and is adjacent to a Category B Listed Building. The applicant has amended the original proposal in response to Committee's concerns and conclusions from the DPEA Reporter relating to the historic environment.

Historic Ordnance Survey maps and historical photos show that the original tenement building on the site continued the building line on Argyle Street then the end gable returned in order to avoid building over the existing railway. The proposal seeks to acknowledge and replicate this historical precedent. The main street elevation of the building will continue the historical building line of Argyle Street. The building then returns on its like the original building did. The gable return of this application is set back further from the railway than the historical building originally on the site. This acknowledges the current exclusion zones for building adjacent to railways. As such the building returns much earlier than its predecessor but to compensate returns deeper to the rear of the site.

In terms of building scale, the principal elevation to Argyle Street lines up with the eaves line of the adjacent listed tenement and the 6th floor has been considerably set back so that along Argyle Street the building reads as 5 storeys with a rooftop element above. Whilst historically the gable wall and most of the chimney would have been occluded from view by the original tenement building, the 6th floor has been set back from the neighbouring roof to allow the regular pattern of the adjacent roofs to be read in conjunction with the chimney scape. At the front the proposed elevation lines through with the rest of the Argyle Street elevation, with the projecting balconies being reduced to "Juliette balconies". The windows have been amended (on the front elevation) to be more inkeeping with the size and proportions of the adjacent listed tenement windows. This makes the windows appear taller and less wide with an increase in the amount of solid material between the windows reflecting the overall arrangement of solid to void in the adjacent tenements. As such the façade design has been informed by the proportions and windows of the adjacent listed building.

The footprint and the height of the 6th storey has been reduced and the gable end has been set back from the existing chimney gable allowing for the existing chimney (on the adjacent tenement) to be left clear and visible with the overall height of the building reduced below the ridgeline with the existing tenement.

The metal cladding has been removed and instead sandstone is proposed with the stone elevation set flush to align with the existing neighbouring building line (where previously the metal cladding pushed out to projecting cornice line). The use of sandstone reflects the materiality of the adjacent listed tenement and surrounding conservation area. High quality facing brick is proposed to the rear and side elevations reflecting the materiality of the rear boundary wall and is considered complimentary to the Conservation Area. The rear boundary wall is proposed to be retained and repaired.

While clearly taking a contemporary approach to the design of the proposal, the high

quality architectural design, the building lines on front and gable return elevations, the window sizes and proportions, the solid to void ratio of building and windows and the use of sandstone on the main facades of the building have all been developed to be sympathetic to the adjacent listed tenemental building in particular and the local design and materials of buildings within the Conservation Area in general. It is therefore concluded that the proposal will not have a detrimental impact on the appearance and character of the Listed Building and will enhance the character of the Conservation Area by redeveloping an unused gap site.

Policy CDP11- Sustainable Transport aims to ensure that Glasgow is a Connected City, characterised by sustainable and active travel. The policy states that detailed advice and guidance on the following matters will be set out in the associated supplementary guidance;

- The provision and design of parking for vehicles, including the charging of electric vehicles, in new development;
- The provision and design of parking for bicycles in new development;
- Promoting active travel in new development;
- Development and design of new walking and cycling routes including; network proposals emerging from the refresh of the Council's Strategic Plan for Cycling; the aspirational cycle routes identified in this policy; and linkages to existing and proposed routes;
- Guiding developments to locations which are accessible by public transport and active travel.
- The design of new residential areas, interpreting the guidance set out in Designing Streets for the Glasgow context.

Supplementary Guidance SG11- Sustainable Transport sets out criteria in relation to the above as follows;

Car- free housing

6.14 The Council supports the development of car free housing on suitable sites. Proposals for car free housing will be considered against the following criteria. Table 3.1 Part C sets out the maximum standards for car-free housing.

Site Criteria

The Council will only be able to control parking in the surrounding area when developments are located well within existing Restricted or Controlled Parking Zones. In order for the policy to apply, developments that are to be car free must, therefore, be located within one of these areas, at least 55m walk from the nearest streets that are not covered by a CPZ or RPZ. Sites must also have high frequency public transport within walking distance (see Annex A); and convenient and safe access (400 metres) to local shops and facilities, including publicly usable open space.

Parking/servicing provision

- a) No parking should be provided within the site for residents, except for limited parking at the site edge for car sharing scheme use.*
- b) A servicing bay, large enough for a delivery lorry, should be provided, within the site, at the side edge- depending on location and circumstances, this may require promotion of a TRO to keep it free of service vehicles.*
- c) Entry into the site, if required for bin lorries, emergency vehicles, etc., should be by means of an access with a control gate.*

- d) Cycle storage should be provided at a rate of at least one space per dwelling. Car-free dwellings with more than one bedroom should provide for additional secure cycle storage at a rate of 0.5 extra spaces per additional bedroom, rounded up to the nearest whole number.
- e) Parking on private internal roads/accesses and within property curtilages will be prohibited.

4. Cycle Parking

4.3 The Council shall require the provision of cycle parking in new development and redevelopment proposals in line with the minimum cycle parking standards specified in Tables 2.1-2.6.

- a) Wherever possible, employee cycle parking should be located within buildings or a secure compound. Where such a location is not feasible, provision should be close to areas of high activity, such as the main entrance of developments, to ensure cycling is encouraged through enhanced security provided surveillance.
- b) Cycle parking for residents should, generally, be located within, or to the rear of, the residential building to ensure it is safe and secure.
- c) Bike storage lockers/cupboards allocated to each unit, or cycle stands in a secure, covered compound, are the preferred solution for flatted developments. These should be easily accessible and usable and normally be on the ground floor or in the basement, providing the basement has ramped access or a suitable lift. This SG may be supplemented by non-statutory guidance on delivering well-designed cycle parking arrangements in new residential development- any such guidance should be taken into account in designing new residential development.
- d) Dedicated provision, in the form of well-designed cycle storage, should be provided either in the rear curtilage of houses that will not have a dedicated garage, or a garage of sufficient size to accommodate both bikes and a car. Cycle storage could be in the form of a storage facility (such as a shed) or in the form of a pulley/hoist system in garages that are not, otherwise, of sufficient size to accommodate both bikes and a car. External storage should be well located and designed so as not to impact adversely on residential amenity.
- e) Visitor parking should be located at an easily accessible location close to, or within, the entrance area of the development in order to enhance security through surveillance.
- f) Cycle parking should always be safe, sheltered and secure. The form of cycle parking provided should facilitate the securing of the frame of the bike to the "stand". "Sheffield" racks are a good and preferred, example of such provision.
- g) Employment sites shall provide on-site showers, lockers, changing and drying facilities as a means of promoting walking and cycling to work. These are important trip-end facilities that can positively affect an individual's decision to walk, run or cycle regularly.

Table 2.1 Residential Type of Development

	Minimum Standard
Mainstream Residential	1 space per unit unless a dedicated garage, or

other storage facility/option (see paragraph 4.3d) of sufficient size is provided.

Visitor parking to be provided at a rate of 0.25 spaces per unit in new residential developments where residents' cycle parking provision is provided communally.

Comment: The site is located within the Kelvingrove Controlled Parking Zone and is surrounded by other areas of controlled parking (Cranstonhill CPZ, Sandyford RPZ and Yorkhill RPZ) and at least 500m from streets controlled by an RPZ or CPZ. It is an area of high public transport accessibility and located within the Cranstonhill/Yorkhill Local Town Centre which has a wide range of local shops and facilities and green space including Kelvingrove Park.

18 cycle parking spaces are provided in a secure area at ground floor level, adjacent to the sunken amenity space and accessed via a locked gate at the pend entrance. Visitor cycle parking (4 spaces) is located at street level in front of the pend entrance.

As with most properties along Argyle Street the development will be subject to on-street servicing.

The proposal is therefore in accordance with the car free housing and cycle parking elements of CDP11.

Policy CDP12- Delivering Development aims to ensure that development contributes to a sustainable, economically successful City, through the provision of reasonable infrastructure and appropriate to both the nature of the development and its location.

Supplementary Guidance IPG12- Delivering Development sets out guidance on open space and public realm provision, as referenced in SG6- Green Network and the Green Belt above. The minimum open space standards are defined as follows;

Flatted development- 1.25 hectares of recreational open space per 1,000 population, comprising 0.35 hectares for children's play, 0.35 hectares for outdoor sport and 0.55 hectares for amenity open space/parkland (including 0.05 hectares for allotments or community gardens).

3.2 *An appropriate proportion of the open space requirement must be located within the boundary of the site as an integral element of the development scheme.*

- a) *Where an audit identifies a relative surplus in the quantity of any of the open space categories set out in this IPG (having regard to the distance thresholds set out in Section 4) the developer may meet part of the requirement through an equivalent financial contribution. This will be directed towards:*
 - i. *Improving the quality, accessibility or management of open spaces in the local area; and/or*
 - ii. *Enhancing open space provision and management in the same sector; and/or*
 - iii. *Approved Council strategies to which the development's open space requirements could contribute.*
- b) *Where a relative shortage (either in quantity or quality) of any of these open space categories has been identified through an audit (having regard to the*

distance thresholds set out in Section 4 of this IPG), or where the proposed development could lead to such a shortage, the developer will be expected to meet this IPG's entire requirement for those categories within the development site. If it is demonstrated (to the satisfaction of the Council) that this is not feasible, then part (or, in exceptional circumstances, all) of the requirement may be met by an equivalent financial contribution. This will be directed towards:

- i. Addressing the quantitative or qualitative deficiencies in open space provision in the local area; and/or
- ii. Addressing City-wide deficiencies in the quantity or quality of open space provision in the same sector; and/or
- iii. Addressing strategic deficiencies in the quantity or quality of open space provision, as identified by approved Council strategies.

4.7 Flatted Development

- In flatted development, amenity open space should be provided in addition to usable communal garden areas or backcourts and be capable of being used by all the residents in the development. Spaces that are poorly designed or too small (i.e. less than 100sqm in area) or inappropriately located, will be treated as landscaped areas, and will not contribute towards meeting requirements.
- The amenity open space requirement for flatted development may be met by means of an amenity deck, a landscaped courtyard or a green roof, provided that it: benefits from natural sunlight and is usable for informal recreation, such as sitting outside; is capable of sustaining planting and trees;
- Where internal courtyards or amenity decks are proposed, a privacy strip of 5 metres from all ground floor windows will be deducted from the space that can contribute towards the open space requirement.

Open Space Deficiency

4.25 Where a relative deficiency (either in quantity or quality) of open space has been identified for any of these categories, or where the proposed development could lead to such a deficiency, on site provision of the entire requirement will be expected. The only exceptions to this approach would relate to the following circumstances:

- Site characteristics- it is physically impossible or inappropriate to accommodate all open space categories on the development site, e.g. formal play within small flatted development or formal sports provision; or
- Existing or proposed open space facilities- the development site is accessible to a suitable existing open space which either; requires to be enhanced or provides an opportunity to create a new facility, e.g. a local play area.

Comment: The site lies in an area which is considered deficient in open space terms and so the developer would generally be expected to meet the open space requirements on site. Amenity open space is provided in the form of a raised amenity deck and sunken courtyard. This area is south facing, includes a variety of landscaping and planting and is useable for informal recreation for the enjoyment of residents. The combined space provided is 165sqm which more than meets the requirement as demonstrated in the table below.

Open Space Category	Required on site	Proposed on site	Shortfall
Amenity open space	80m ²	165.7m ²	0m ²
Children's Play	56m ²	0m ²	56m ²
Outdoor Sport (Formal and Informal)	56m ²	0m ²	56m ²
Allotments/Community Gardens	8m ²	0m ²	8m ²
Total	200m ²	80m ²	120m ²

Given the scale and nature of the proposal, in addition to the constrained nature of the site, Outdoor Sport, Allotments and Children's Play are not able to be met on site and equivalent financial contributions will be required (£5,600 Outdoor Sport, £5,600 for Children's Play and £800 for Allotments).

The equivalent financial contribution is therefore £12,000 and will be directed towards a qualitative improvement in local provision. A legal agreement will be required to secure this financial contribution and the recommendation is therefore to approve the application subject to conditions and completion of this legal agreement.

The proposal is in accordance with CDP12.

ST VINCENT CRESCENT CONSERVATION AREA APPRAISAL

The appraisal was approved on 28th April 2005 and the purpose of this appraisal is to define what is important about its character and appearance and identifies its important characteristics.

The appraisal states that the conservation area is linear in form and can be split into two distinct parts:

- St Vincent Crescent/Minerva Street/Corunna Street - These streets are mainly residential in character, with an open southerly aspect. The curved built form is softened by abundant planting, created by the small front gardens and back courts of the flats, landscaping around the bowling greens and trees in the pavement.
- Argyle Street and all that lies to the north - This part of Argyle Street is a straight busy thoroughfare with ground floor shops and tenement flats above rising directly from the pavement creating a strong canyon effect.

The application site lies in the second part. Tenements are the typical building typology with the main character of the area being residential with ground floor commercial uses. Saloon back courts are a feature of some of the tenements on Argyle Street. The buildings possess a strong sense of uniformity in terms of design, style and materials and this is the essence of the conservation area's character.

The key features of the Conservation Area that any proposal should respond to are:

- Architectural quality which is reflected in the number of statutory listings in the area –the building design is of the highest quality of modern design.
- Uniformity in terms of scale, design, style and materials helps create a cohesive, well-defined area – whilst the proposal is of a modern design, its scale, materials,

fenestration pattern and solid to void ratio allow it to respectfully complete the tenement row.

- Use of traditional materials such as sandstone, slate, timber windows and doors and cast-iron railings – the amended proposal now uses sandstone to match the rest of the Conservation Area.
- Original building line with the St Vincent Crescent tenements creating a strong continuous curved frontage set behind small gardens, while the remaining tenements and buildings within the conservation area all emerge from the heel of the pavement – the proposal respects the historic building line of Argyle Street, including the chamfered return gable detail.
- Roofline with the rhythm of tenement roofs punctuated at regular intervals with substantial chimneystacks – whilst the proposed design does not include these details, the height, footprint and design of the roof element have been amended to be set back from the neighbouring chimney.
- Survival of original details e.g. storm doors, sash and case windows, railings, bowling green gate, signage, granite and whin setts – not applicable to this proposal.
- The scale and materials of the backland/mews property contrast with the larger scale tenements which surround them creating visual variety within the conservation area – not applicable to this proposal.
- Combination and distribution of uses play an important part in creating the special character of the area. The full occupation of shop units in Argyle Street is essential to the character of the conservation area as much as the residential character of St Vincent Crescent – the proposal includes ground floor commercial units which will add to the vibrancy and vitality of the conservation area.
- The aspect afforded by the bowling greens which contrast with the hard townscape elements mentioned above – not applicable to this proposal.
- The retention of cast iron railings and planting of front gardens enhances the setting of the buildings – not applicable to this proposal.
- Finnieston Street, Minerva Street junction is the main focal point within the conservation area. It is dominated by No 995-1017 Argyle Street/ 8-20 Minerva Street a 4 storey, 12 bay, curved, gushet building dating from 1856, formerly known as Napier Place. It stands at the entrance to the conservation area and is finely detailed with arched windows at ground floor – the proposal will complete the western end of this continuous tenement and will include its own gushet detail with the elevation returning.

The proposal respects the street and plot patterns of the conservation area and would be predominantly residential with ground floor commercial uses. The amended design of the building now better reflects the design, style and materials of the rest of the buildings in the conservation area and as such it will enhance the character of the Conservation Area.

iii) MATERIAL CONSIDERATIONS

With regards to iii), whether any other material considerations have been raised during the application process that would outweigh the provisions of the statutory Development Plan, the representations and consultation responses received for this application are material considerations and have been summarised below;

The grounds of objection are summarised as below;

- Due to its inappropriate siting and design, the proposed development fails to meet highest standards of design and fails to respect the quality and character of the local built environment. Furthermore, concern that the proposed materials will weather considerably.

Comment: The applicant has made a number of amendments to the design and materials of the proposal in order to address Committee's concerns with the previous application. The form of the windows, location of projecting balconies, introduction of Juliette balconies on the front elevation, articulation of the roof element and revising the materials to sandstone and brick have resulted in a proposal that is considered to be sympathetic to the quality and character of the local built heritage. The use of sandstone and brick are high quality materials that have been used in a number of residential developments across the City and are robust and durable enough to stand up to the local climate. Furthermore, there are a number of examples of contemporary residential developments within the local area.

- Drainage report is insufficient, Independent SUDs cross-check refers to the previous planning application and there is no evidence of consultation between the applicant and Scottish Water resulting in the proposal exacerbating existing drainage issues in the surrounding area.

Comment: A Drainage Strategy and Independent SUDs cross-check were submitted with this application and will be similar to the documents submitted for the previous application as this proposal is for an identical type of development and is proposed for the same site as the previous application. These documents were reviewed by the Council's Flood Risk Management Team under the previous application and were considered to meet the requirements of Flood Risk Management subject to conditions. An advisory note has been attached advising the applicant that they should consult with Scottish Water concerning the design of the proposal's sustainable urban drainage system and its compliance with the standards contained within Scottish Water's guidance.

- Projecting balconies do not respect the building line of Argyle Street.

Comment: On Argyle Street the balconies have been replaced by Juliette balconies reducing their projection of the building line.

- The storage of items on the Juliette balconies will make the façade look cluttered impact on the character of the Conservation Area.

Comment: This is not a material planning consideration. The use of the Juliette balconies will be the individual responsibility of residents and the Council have no control over this element.

- Risk of instability and movement in adjacent buildings during construction.

Comment: Issues of structural construction methodology and the potential impact upon adjacent properties, are considered as part of the Building Standards process, not planning applications. Notwithstanding that, any impact upon one party's property as a result of structural actions by the second party are legal matters for the court system and not the responsibility of the local planning department.

- Design (including balconies, facings etc), scale, massing and materials of building is not sympathetic to the adjacent listed building and will impact on the character and amenity of the conservation area. Concern that the proposed materials will weather considerably.

Comment: While the area is predominately characterised by traditional tenement buildings, there are also many examples of modern development in the local context. Earlier sections of this report have described how the building scale, mass, fenestration, and materials have been adapted to better relate character of the buildings within the surrounding Conservation Area. The applicant has proposed high quality materials (sandstone, brick) and it is considered that these are appropriate for this type of development. The design and materials are considered to be complimentary to the street scene and the Conservation Area.

- The proposal exceeds the footprint of the previous tenement to the rear resulting in loss of daylight and overshadowing of neighbouring flats.

Comment: The applicant submitted amended Sunpath Diagrams on 14th February 2024 which showed the daylighting levels taken in June Solstice and March Equinox. Furthermore, the applicant provided comparison diagrams (showing existing and proposed) and it is considered that the proposal will not have a detrimental impact on daylight nor overshadowing on neighbouring properties.

- Concerns of overlooking/privacy issues from the proposed roof terraces and design of the fence on the raised amenity decking.

Comment: Rear elevation windows are all at least 22m away from the rear of the buildings on Minerva Street. Furthermore, the balconies on the rear of the proposal do not look directly into any neighbouring windows. Within the raised back court amenity deck, the applicant has proposed to install a balustrade fence railing to form a secure edge and soft landscaping to provide a privacy buffer for neighbouring residents. Given the tenemental context and the proposed mitigation measures, it is considered acceptable.

- Concerns over disturbance and noise from the amenity deck.

Comment: The rear amenity area above the saloon court is similar to the external amenity areas found to the rear of many tenements in the City where there is a ground floor commercial premises that extends into the back court area. As such there is no evidence to suggest that this space will be any noisier than the surrounding back court areas. The layout and design of the raised amenity decking provides prospective residents with an area for informal seating, planting and garden/bike storage. The applicant has proposed to install railings and soft landscaping to ensure a privacy buffer between neighbouring residents which would reduce noise levels from the raised amenity deck.

- Overdevelopment of site and the overall scale of the building would dominate the adjacent listed tenement.

Comment: The first application for the site, proposed 18 units and the current proposal has been reduced and is now proposing 14 units on a 0.0608 hectare site. This equates to a residential density of 230 DPH and given the location of the proposal (Inner Urban Area), City Development Plan policy advises that densities over 100 DPH are expected in such locations. Higher densities are

supported in highly accessible locations such as this. The amendments to the proposal have resulted in the scale and massing generally aligning with the tenemental scale of the surrounding area. The amenity space provision is considered sufficient and therefore, the proposed density is considered to be acceptable.

- Development would jeopardise the reinstatement of Finnieston Station

Comment: Not a material planning consideration while there remain no plans to reinstate the station, however there was originally a tenement on the site during the operation of the original Finnieston Station. This proposal is set back further from the railway than the original building and there is additional undeveloped land to the rear of the site.

- Development will add pressure to parking provision in local area.

Comment: The proposed development is for car-free housing and is located within a Controlled Parking Zone. Additional cycle provision has been provided as required for a car-free development. Advisory notes will advise owners they are not eligible for parking permits. It is considered that the proposed development will not add pressure to parking provision.

- The building height and in particular the top floor element disrupts the roofline of the adjacent tenements, remaining dominant and continues to conceal the chimney breast and is does not comply with Placemaking Principles.

Comment: The design, materials, footprint and the height of the 6th storey have all been amended. The overall height of this level has been reduced and the gable end has been set back from the existing chimney gable allowing for the existing chimney (on the adjacent tenement) to be left clear and visible with the overall height of the building reduced below the ridgeline with the existing tenement. As such the upper storey of the proposal is acceptable when assessed against SG1 Placemaking and SG9 Historic Environment policies.

- West side of proposed development takes away the open feeling on this section of Argyle Street.

Comment: The application site has laid vacant for a considerable time however, there was originally a tenement which occupied this site. The proposal will result in a sustainable use for the site and will complete the corner of this underused section of Argyle Street.

- Absence of Noise or Vibration Impact Survey and impact on prospective residents.

Comment: Network Rail were consulted on this application and made no objections to the application subject to the suggested advisory note being attached. This advisory note can be found at the end of this committee report. A condition will be attached which will require the applicant to undertake a Vibration Survey before any work on site begins so that any adverse impacts on residents can be identified and mitigation measures in the building design can be undertaken. Appropriate safeguarding conditions have been included in this report regarding the ground floor uses and the acoustic performance of the proposed flats. There is also a condition relating to the submission of a Construction Environment Management Plan and advisory notes have been recommended on construction noise.

- Planning application documentation was incomplete and misleading.

Comment: The East Elevation drawings and revised Sunpath diagrams were submitted on 14th February 2024. The Council have undertaken a number of neighbour notification periods so that members of the public could review and provide comment on these drawings. The rear balcony on the top floor is included in the elevational drawings but has been omitted from the Sunpath Diagrams. When considering the impacts of daylighting and sunlighting, it is the building itself that is assessed for its impacts and not the projecting features of a proposal (such as projecting balconies). Furthermore, if the projecting balconies were included in the Sunpath Diagrams, their impact would be minimal.

- Insufficient amenity space is provided for prospective residents within a Council Ward which has existing low levels of open space.

Comment: As acknowledged in this report, the site is within an area which is considered deficient in open space terms. In this proposal, amenity space is provided in the form of a raised amenity deck and a sunken courtyard and the combined space provided is 165.7 sqm. Glasgow City Development Plan policy IPG12 requires 80sqm of amenity space to be provided on site which this proposal exceeds. Given the constrained nature of the site, Outdoor Sport, Allotments and Children's Play are not able to be met on site and therefore a financial contribution of £12,000 will be required from the application and this will be secured through a legal agreement. The applicant will not be able to start works on site until the legal agreement has been completed. Therefore, it is considered that the proposal meets the amenity space requirements on site.

- The originally submitted Sunpath diagrams were not accurate.

Comment: The case officer requested that the applicant review the originally submitted Sunpath diagrams to ensure that they complied with the Glasgow City Development Plan policy and BRE Guidance. The applicant submitted revised Sunpath diagrams on 14th February 2024 and a new neighbour notification consultation period was undertaken which gave the opportunity for members of the public to comment on the revised Sunpath diagrams.

- The proposed development does not provide appropriate biodiversity solutions.

Comment: The application site is not within a national or locally designated nature site and is within an urban location. The applicant has proposed a mix of soft landscaping within the lower courtyard and the raised amenity decking which will provide biodiversity enhancements to the proposal.

- A number of the proposed flatted dwellings are single aspect.

Comment: The previous proposal resulted in 4 of the 14 units being single aspect. These flats were located facing onto Argyle Street. The revised proposal has amended the internal layout of the building and now these flats benefit from a bedroom window with balcony on the return elevation. Effectively these flats are dual aspect and as such are acceptable.

- The proposed development does not include a mix of housing types as advised in Glasgow City Council guidelines.

Comment: Given its Inner Urban Area, a flatted residential development of this scale is considered suitable. The surrounding constraints (railway tunnel, existing tenement building) reduce the available area for development on the site. Therefore, individual housing plots would not be appropriate within this site.

CONCLUSIONS

In order to address the concerns of Committee and the reasons for the previous refusal, the elevations, fenestration, materials and roof design of the proposal have been amended. As such they better respect the historical street building line and plot design, have the same materials as the adjacent listed building and better match the window dimensions and solid to void ratios of its stone façade and windows. The roof top element has been reduced in height and footprint and is set back from the main elevation onto Argyle Street, much of the side return elevation and the chimney of the adjacent listed tenement building. As such the amended design is a more sympathetic addition which respects the character of its adjacent listed building and would enhance the character of this part of the Conservation Area.

The proposed redevelopment of the site will bring an unused and dilapidated site into use in a part of the city where there is demand for residential properties. The two ground floor commercial units will add to the vibrancy and vitality of a busy local centre which serves the needs of the local population and visitors to the area alike.

The proposed development has been assessed against and found to comply with the policies of NPF4 and the Development Plan and the concerns of the objector have been addressed. It is therefore recommended that planning permission is granted subject to condition and the successful conclusion of a Section 69 legal agreement to secure the required open space contribution.

Conditions and Reasons

01. Proposals for contractors' storage and compound areas and construction of vehicle access shall be submitted for the written approval of the Planning Authority prior to the commencement of these works on site.

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

02. Before any work on the site is begun, a Construction Method Statement shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the Construction Method Statement shall cover:
 - Details of the proposed phasing of works.
 - Details of all on-site construction including means of access to the site
 - A dust management plan during the construction period and;
 - Details of wheel cleaning equipment for all construction vehicles entering and leaving the site.

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

03. No development shall commence on site unless otherwise agreed with the Planning Authority, until a comprehensive contaminated land assessment has been submitted and approved by the Planning Authority. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Assessment shall be

conducted and reported in accordance with current recognised codes of practice and guidance and shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN 33 Development of Contaminated Land. Any potential risks to human health, property, the Water Environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.

Reason: To ensure the ground is suitable for the proposed development.

04. Where the contaminated land assessment has identified any unacceptable risk or risks (as defined by Part IIA of the Environmental Protection Act 1990), a remediation strategy shall be prepared and submitted to the Planning Authority that sets out all the measures necessary to bring the site to a condition suitable for the intended use by removing any unacceptable risks caused by contamination, including ground and mine gas. The strategy must be agreed with the Planning Authority in writing prior to work starting on the development. The remediation strategy shall also include a timetable and phasing plan where relevant. The approved remediation scheme must be carried out in accordance with the proposals outlined within the remediation strategy and as agreed, by the Planning Authority, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the ground is suitable for the proposed development.

05. Upon completion of the remediation works, and prior to any part of the development site being occupied, a remediation completion/validation report which demonstrates the execution and effectiveness of the completed remediation works in accordance with the approved remediation scheme shall be completed by a suitably qualified Engineer and submitted for approval in writing by the Planning Authority.

Reason: To ensure the ground is suitable for the proposed development.

06. In the event that any previously unsuspected or unencountered contamination is found at any time when carrying out the approved development, it shall be reported to the Planning Authority within one week and work on the affected area shall cease unless otherwise agreed by the Planning Authority in writing. A comprehensive contaminated land investigation and assessment shall be conducted to determine the revised contamination status of the site and a remediation strategy where required shall be prepared and agreed in writing with the Planning Authority before work recommences on site. Upon completion of the remediation works and prior to the site being occupied, a remediation completion / validation report which demonstrates the effectiveness of the completed remediation works shall be submitted and approved in writing by the Planning Authority

Reason: To ensure the ground is suitable for the proposed development.

07. Prior to the commencement of works on site, details of the final drainage design and SUDS (Sustainable Urban Drainage Systems) features shall be submitted and approved in writing by the planning authority.

Reason: To ensure the proper drainage of the development.

08. 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 the proper drainage of the development

09. Before any work on the site is begun, a vibration survey demonstrating the impact of rail traffic vibration on the development and carried out by a method agreed by the planning authority shall be submitted to and approved in writing by the planning authority. Where any adverse impacts are identified, a scheme which demonstrates that the construction and design of any dwelling will ensure that it will not be adversely affected by excessive magnitudes of vibration from rail traffic movements as detailed in BS6472:1992, "Evaluation of Human Exposure to Vibration in Buildings, (1 Hertz to 80 Hertz)" shall be submitted together with the survey report. All works which form part of the approved scheme shall be completed before any of the dwellings are occupied.

Reason: To protect residents in the development from rail traffic vibration.

10. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

11. All dwellings shall be designed and constructed so that noise from road traffic does not give rise to internal noise levels, with windows closed, greater than 45 dB(A) daytime and 35 dB(A) night time when measured as LAeqT.

Reason: To protect residents in the development from road traffic noise.

12. Light from the development shall not give rise to: (a) An "Upward Waste Light Ratio" (maximum permitted percentage of luminaire lux that goes directly to the sky) in excess of 15%, (b) A "Light Into Windows" measurement in excess of 10Ev (lux). (Ev is the vertical luminance in lux.), (c) "Source Intensity" measurement in excess of 100 Kcd (kilocandela). (Source Intensity applies to each source in the potentially obtrusive direction out of the area being lit.)

Reason: In the interests of limiting the effects of light pollution on the environment and the users of surrounding developments, and of energy efficiency.

13. Prior to the commencement of construction works on site, elevational and sectional drawing(s) at 1:20 scale illustrating: A typical elevation bay with balcony; roof top elevation bay; ground floor entrance shall be submitted to and approved in writing by the Planning Authority and shall be implemented in the approved manner.

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

14. External elevation materials shall be sandstone, high-quality facing brick, galvanised metal balustrades and aluminium framed windows. Samples of all external materials shall be submitted and approved in writing by the planning authority. Prior to the commencement of construction works a sample panel of the approved materials to be used on the external elevations of the building shall be erected for the inspection by and written approval of the Planning Authority. The approved sample panel shall remain in place throughout construction unless otherwise agreed by the Planning Authority.

Reason: In order to protect the visual amenity of the surrounding area.

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

15. No vents, flues, aerials or other such external fittings are approved on the external elevations facing Argyle Street. Before any work on the site is begun, full details of the design and location of external rainwater goods, external vents, flues and any other similar fixings to the building shall be submitted to and approved in writing by the planning authority. Where reasonably practical it is expected that all requirement for vents, flues and similar fittings shall be accommodated via rising internal service ducts which terminate at roof level. No vents, flues, aerials or other such external fittings are approved on the external elevations facing Argyle Street.

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

16. No lift housing, plant or equipment shall project through the roof profile, such that it is visible from a public street. Full details of any proposed roof plant and enclosure and lift overruns shall be submitted for the written approval of the Planning Authority prior to the commencement of construction works on that part of the site. For the avoidance of doubt these shall be designed in a manner that integrates with the rest of the building design.

Reason: In order that the works do not detract from the appearance of the building.

17. Prior to the commencement of construction, detailed plans of the proposed amenity spaces, shall be provided for the written approval of the Planning Authority. The plans shall include the design, layout of spaces, equipment and location of areas of seating and other amenity features that are to be incorporated within the proposal. Given the function of this space these should be of high specification to encourage use. If agreed the development shall be completed in accordance with the approved scheme and maintained in perpetuity. Any equipment, seating or landscape features which are damaged, removed and/or rendered unusable shall be replaced by the responsible parties. Unless otherwise agreed in writing replacement shall be replaced like for like.

Reason: To ensure the development meets the requirements of IPG12 and ensure the continued contribution of the amenity space in the wider area.

18. Details of the proposed design and materiality for the pend entrance gate, along with proposed security arrangements, shall be submitted to the Planning Authority prior to any installation work.

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

19. Prior to above ground construction works commencing on site, details of the structural design of amenity deck shall be submitted for the written approval of the planning authority. The amenity deck shall be designed so that there are defined areas where more substantial planting can be achieved.

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

20. Prior to above ground construction works commencing on site, 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 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.

21. Prior to the commencement of above ground construction works on site, a maintenance schedule for the landscaping scheme/open space, and details of maintenance arrangements, including the responsibilities of relevant parties, shall be submitted to and approved in writing by the planning authority.

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

22. Prior to above ground construction works commencing on site, full details including appropriate section drawings shall be submitted of the proposed boundary treatment around the rear backcourt/amenity deck area, for the written approval of the planning authority. Where the proposed mitigation relies upon soft landscaping and planting, the plants and specimens utilised must, at the time of planting, be of a suitable scale and size to ensure privacy.

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

23. Prior to above ground construction works commencing on site, samples of the proposed hard landscaping materials will be submitted to and approved in writing by the planning authority prior to the commencement of works on site.

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

24. Before any work on the site is begun, a detailed plan which shows the location and details of a method of tree protection to comply with BS 5837:2012 Trees in relation to design, demolition and construction- Recommendations shall be submitted to and approved in writing by the planning authority. The approved protection shall be in place prior to the commencement of any work on the site and shall be retained in place until completion of the development.

Reason: To maintain the contribution of existing trees to the landscape quality

and biodiversity of the area.

25. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of similar size and species.

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

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

27. Prior to above ground construction works commencing on site, details of refuse and recycling storage areas and bins, including details of the future maintenance and management of these areas, 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 enable the Planning Authority to consider this/these aspect(s) in detail.

28. Final details of refuse and recycling storage areas and bins and operational arrangements for their collection shall be submitted for the written approval of the Planning Authority prior to the occupation of the development.

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

29. The use of the ground floor premises shall be restricted to the following days and hours of operation: 0800 hours until 2300 hours, 7 days a week.

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

30. Servicing of the commercial premises within the development shall be restricted to the following days and hours of operation: 0700 hours until 2000 hours 7 days a week. Full details of the servicing of the proposed units shall be submitted for the written approval of the planning authority prior to the commencement of the use.

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

31. On completion of the development, the commercial units created shall not be used for any purpose other than within Classes 1 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order.

Reason: To enable the use to be adequately controlled and to remain compatible with the character of the surrounding area/residential uses above.

32. A shopfront design guide for the frontages to the ground floor commercial units shall be submitted for the written approval of the Planning Authority prior to the commencement of this aspect of the works on site.

Reason: In order that the works do not detract from the appearance of the building.

33. Clear glass shall be used for all windows of commercial units, which shall be kept free of advertisements, fixed furniture or large pieces of equipment such as refrigeration units. Where 'modesty' screening or obscure glass is required, the details of such proposals shall be submitted for the written approval of the Planning Authority.

Reason: In order that the works do not detract from the appearance of the building.

34. No solid roller shutters or projecting roller shutter housings shall be included in the development including the commercial unit. Full details of external security features proposed for use on the premises shall be submitted to the Planning Authority for written approval in respect of design, colour and location. Written approval from the Planning Authority shall be obtained prior to any installation work.

Reason: In order that the works do not detract from the appearance of the building.

35. The flatted dwellings hereby approved shall be marketed as "car-free" as a condition of sale. Prior to occupation of the first unit, a Residential Travel Pack including maps detailing public transport stops, timetables, links to travel website, estimated journey times, walking/cycle routes to key destinations, health benefits of walking / cycling etc. shall be submitted for the written approval of the Planning Authority. Thereafter, the approved Residential Travel Pack shall be issued to the new owners of each unit prior to their occupation. Consideration should be given to the provisions of complementary pass for new residents for a short introductory period of time could be a beneficial measure to encourage usage of cycle and car sharing schemes.

Reason: In order to promote Sustainable Transport.

36. Safe, sheltered and secure cycle parking shall be provided in accordance with Policy CDP 11: Sustainable Transport and supplementary guidance SG 11: Sustainable Transport of the Glasgow City Development Plan 2017, or any subsequent replacement development plan guidance. Details shall be submitted for approval prior to the completion of works. 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.

37. Clear delineation between adoptable areas of road/footway and unadoptable/private areas is required. Details of the delineation shall be submitted to, and approved in writing by, the Planning Authority prior to the commencement of this aspect of the works.

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

38. Full details of the proposed surfacing materials for the pedestrian area at the north west corner of the site 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

Advisory Notes to Applicant

01. The developer should advise each prospective purchaser that residents may not be eligible to purchase a resident's on-road parking permit if such permits are introduced in line with Glasgow City Council policy.
02. The applicant should contact Waste Management & Recycling regarding the collection of bins from the proposed residential development.
03. All servicing of the proposed development will be subject to traffic regulations and existing waiting and loading restrictions and any future amendments to same.
04. The applicant is advised that it is not permissible to allow water to drain from a private area onto the public road and to do so is an offence under Section 99 (1) of the Roads (Scotland) Act 1984
05. There must be no additional loading/surcharge on Finnieston Tunnel (including sidewalls) by the proposed development. All proposed works adjacent to the tunnel must be subject to further discussions and agreement with Network Rail.

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

Details of all changes in ground levels, laying of foundations, piling works and operation of mechanical plant in proximity to Finnieston Tunnel must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

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

development. In particular, sustainable drainage systems (SUDS) should be designed and constructed in accordance with the vestment standards contained in "Sewers for Scotland", 3rd edition 2016.

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.

Advisory Notes to Council

for Executive Director of Neighbourhoods,
Regeneration and Sustainability

DC/LBO/21/05/2024

BACKGROUND PAPERS

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.