



Planning Services 231 George Street GLASGOW G1 1RX Tel: 0141 287 8555 Email: onlineplanning@glasgow.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100662668-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Russell"/>	Building Number:	<input type="text" value="15"/>
Last Name: *	<input type="text" value="Kennedy"/>	Address 1 (Street): *	<input type="text" value="Ledcameroch Crescent"/>
Company/Organisation	<input type="text" value="Bauteil Property Services Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text" value="REDACTED"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G61 4AD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:

Glasgow City Council

Full postal address of the site (including postcode where available):

Address 1:

31A BUCKINGHAM TERRACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G12 8ED

Please identify/describe the location of the site or sites

Northing

667333

Easting

256905

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *

(Max 500 characters)

I wish to appeal the rejection of the application for planning permission for 31 Buckingham Terrace to be used a short term let accommodation. I wish to submit my appeal statement as a written response.

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? * <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Refusal Notice. </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Grant of permission with Conditions imposed. </div> <div style="margin-top: 5px;"> <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal. </div>	
<h3 style="margin: 0;">Statement of reasons for seeking review</h3> <p style="margin: 5px 0;">You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p style="margin: 5px 0;">Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p style="margin: 5px 0;">You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px; min-height: 40px;"> Within my appeal statement I have addressed the concerns of planning policies highlighted by the case officer. I have shown how the property aligns with the requirements of Glasgow City Councils National Planning Framework 4 and the City Development Plans. </div>	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <div style="float: right;"> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </div>	
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; padding: 10px; margin-top: 10px; min-height: 40px;"> Concerns raised by the Case Officer was the occupancy, refuse arrangements, and the management plan. We are willing to reduce the occupancy and to arrange for private refuse removal. This addresses the concerns around other residents being affected. We have added a full management plan as before submitting my proposal we were mistakenly told by a Glasgow city council employee that an operations note was adequate. </div>	
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters) <div style="border: 1px solid black; padding: 10px; margin-top: 10px; min-height: 40px;"> 1. Appeal Statement 2. Management Plan 3. Refusal Notice 4. Floor Plan 5. Site Plan 6. Report of Handling </div>	
<h3 style="margin: 0;">Application Details</h3> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div style="width: 60%;"> <p style="margin: 5px 0;">Please provide the application reference no. given to you by your planning authority for your previous application.</p> <p style="margin: 5px 0;">What date was the application submitted to the planning authority? *</p> <p style="margin: 5px 0;">What date was the decision issued by the planning authority? *</p> </div> <div style="width: 35%;"> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px; text-align: center;">23/02244/FUL</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px; text-align: center;">06/10/2023</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">04/12/2023</div> </div> </div>	

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

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

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

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

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

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

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Russell Kennedy

Declaration Date: 27/02/2024

Appeal for 31 Buckingham Terrace - REPORT OF HANDLING FOR APPLICATION 23/02244/FUL

This appeal is for the proposal of use of main door flatted dwelling (Sui Generis) as short term let (Sui Generis) at 31 Buckingham Terrace Glasgow G12 8ED. The persuader for my appeal is a written response. This will highlight solutions to the two representatives from Hillhead Community Council, Friends of Glasgow West amenity group concerns. Within the report of handling it states:

‘The National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland up to 2045. Unlike previous national planning documents, the NPF4 is part of the statutory development plan and Glasgow City Council as planning authority must assess all proposed development against its policies. The following policies are considered relevant to this application:

Policy 1: Tackling the climate and nature crises

Policy 2: Climate mitigation and adaption

Policy 23: Health and Safety

Policy 30: Tourism

Policy1: Tackling the climate and nature crises

As part of our commitment to environmental responsibility, we have implemented a dedicated waste management system at 31 Buckingham Terrace. We will coordinate our own waste pick-up, ensuring that all disposed materials are appropriately sorted and delivered to the local Dawsholm Recycling Centre. This proactive approach not only contributes to community sustainability but also reflects our conscientious effort to minimise the environmental impact of short-term stays at our property.

In light of CDP 11 and Supplementary Guidance SG 11, our property aligns seamlessly with the principles of promoting sustainable transport. Located in close proximity to the Hillhead subway station and within walking distance of various Glasgow attractions, our development inherently encourages walking and public transportation. Additionally, the presence of nearby bus stops further supports the idea of minimising reliance on private cars. The strategic location of our property not only complements but exceeds the envisioned goals of CDP 11 and SG 11 by offering convenient access to alternative modes of sustainable travel, contributing positively to the low carbon economy transition.

Policy 2: Climate mitigation and adaption

Our short-term rental property takes a sustainable approach by offering a dedicated parking space for securely locking up bicycles, in accordance with Policy 2 of NPF 4 (National Planning Framework 4). This policy underscores the importance of minimising lifecycle greenhouse gas emissions, adapting to current and future climate change risks, and supporting retrofit measures for existing developments that contribute to emission reduction and climate adaptation. By providing a secure space for bicycles, we not only encourage eco-friendly transportation but also align with the framework's goals of promoting sustainable development and reducing environmental impact.

Policy 23: Health and Safety

31 Buckingham Terrace stands out as an excellent choice for a short-term let, aligning seamlessly with Glasgow City Council guidelines. The main door access contribute to a secure living environment while adhering to safety protocols. This unique feature ensures emergency exit options without compromising the peace of neighbours, as the communal spaces are exclusively reserved for emergencies and not accessible for casual entry.

Moreover, the intentional absence of communal spaces for guests aligns with the council's emphasis on minimising disturbances in residential areas. Neighbours can rest assured that the property's layout discourages social gatherings in shared spaces, maintaining the privacy and comfort of the entire community.

In essence, 31 Buckingham Terrace not only offers a convenient and secure living space but also aligns with the guidelines set forth by Glasgow City Council, ensuring a harmonious coexistence within the neighbourhood.

The strategic placement of 31 Buckingham Terrace becomes even more significant when considering its location along a thoroughfare dotted with hotels and businesses. This underscores a deliberate persistence in establishing a residence that complements the existing landscape of short-term accommodations and commercial enterprises along Buckingham Terrace.

Policy 30: Tourism

‘Section b) i. The contribution made to the local economy;’

- 31 Buckingham Terrace stands prominently in the centre of Glasgow's West End, contributing to the vibrancy of the local area. As a short-term let property, it plays a role in fostering economic growth by attracting visitors who, in turn, contribute to the local economy. Its central location provides easy access to nearby businesses, shops, and attractions, thereby supporting the West End's economic ecosystem. Whether guests explore local shops or dine at nearby restaurants, their presence at 31 Buckingham Terrace positively impacts and bolsters the economic vitality of the Glasgow West End community. We also intend to use La Belle Laundrette LTD for the cleaning of all our linens. They are based a short walk from the property so we will not need to use their delivery option again showing ways we are reducing carbon emissions. The Cleaning Company Glasgow will also be hired to clean after every guest departs. By using local Glasgow business we are also following CDP 3: Economic Development as both businesses are based in the SEIL and Economic Development areas.

ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;

- The location of 31 Buckingham Terrace proves to be ideal for a short-term let, especially given its proximity to businesses that depend on tourist traffic. These businesses are prepared and built for a large number of tourists reducing any impact of increased visitors. Notably, the property is situated across the road from the Oran Mor, a popular wedding and gig venue. This positioning allows guests at 31 Buckingham Terrace to easily access and contribute to the growth of local businesses, supporting the hospitality industry, shops, arts and attractions that cater to both tourists and residents. The property becomes a convenient and desirable choice for those attending weddings or gigs, fostering a symbiotic relationship between the short-term let and the surrounding businesses that rely on tourism-driven activities.

iii. Impacts on communities, for example by hindering the provision of homes and services for local people;

- The flat at 31 Buckingham Terrace is designed for a maximum of four guests, ensuring a limited and considerate impact on the local community. This small group size is intentionally chosen to mitigate any potential strain on the provision of homes and services for local residents. By maintaining a modest occupancy, we aim to contribute positively to the neighbourhood, respecting the balance between welcoming guests and preserving the residential character of the area. Guests would be reminded that they are in a residential building and to be considerate at all times. This approach aligns with the goal of being a responsible and community-conscious short-term let, fostering harmony within the local environment.

iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas; -

31 Buckingham Terrace offers a designated parking space, addressing any potential parking issues and ensuring convenience for guests arriving by car. Additionally, its proximity to Hillhead Subway Station and various bus stops encourages the use of public transport, promoting sustainable and eco-friendly travel. The strategic location not only caters to the needs of guests but also aligns with a commitment to reduce traffic impact in the area. Furthermore, the flat's accessibility on foot to numerous tourist attractions underscores its suitability for those seeking a well-connected and environmentally conscious accommodation option in Glasgow's West End.

vi. Measures taken to minimise carbon emissions; -

The measures we have taken within the flat to minimise carbon emissions is provide and promote the use of recycling bins and a plan to take all refuse to Dawsholm Recycling Centre. We have also replaced all lights with LED fixtures, and all windows have double glazing preventing any heat loss.

vii. Opportunities to provide access to the natural environment.-

The property is directly across the road from The Glasgow Botanic Gardens and a short walk from Kelvingrove Park. We will also be providing information on other nature locations and public transport available to reach those destinations.

In conclusion, 31 Buckingham Terrace is meticulously aligned with the principles outlined in NPF 4. By offering a designated parking space and promoting public transport access, the property contributes to reducing the carbon footprint, in line with the framework's environmental objectives. Its strategic location near businesses catering to tourists supports the local economy, aligning with policies promoting sustainable development. Importantly, with a limited guest capacity, the flat ensures a minimal impact on the provision of homes and services for local residents. This conscientious approach highlights 31 Buckingham Terrace as a responsible short-term let that harmoniously integrates with the community, embodying the spirit of NPF 4's policies for both economic prosperity and environmental sustainability.

From pages 5-7 of the REPROT OF HANDLING the case DM manager refers to City Development Plan. I will now go through the relevant policies and overcome concerns for 31 Buckingham Terrace as a short term let.

CDP Policy 1: The Place Making Principals

Contrary to concerns raised, 31 Buckingham Terrace aligns with the principles of CDP Policy 1 and SG 1 Place Making. Already within the property there is a doctor's practice, constituting a non-residential development within the building. Our commitment to preserving the city's character is evident, as we maintain the original exterior to showcase the unique charm that makes Glasgow special. By adhering to a maximum of 4 guests, utilising a main door entrance, and only one exterior communal space if guests use the car park, we ensure minimal impact on residents and residential developments nearby. In accordance to CDP Policy 1 Principle 4 by making the development more attractive improves the quality of life for everyone in the building. We have been highlighting concerns in the building that have been overlooked. Determined to make the surroundings of the property attractive we have met with the buildings factor Ross and Liddell and highlighted all the issues. Notably, the garden area was overgrown and messy. After our meeting a contractor was appointed to carry out the work required and this area, including the car park, is now tidy and clean. As previously stated, the West End of Glasgow is a popular tourist hub. The arts, businesses and attractions depend on tourists to sustain it's unique atmosphere and

economic growth. Having a small occupancy short term let would not adversely impact local amenities in the area. We would deal with all refuse collection privately and sustainably with no requirement by Glasgow City Council to uplift waste.

Policy CDP 10 and Supplementary Guidance SG 10: Meeting Housing Needs

The DM Manager is in favour of our property for a lot of the points raised by Policy 10 as you can see below its not until d) where I will appeal for 31 Buckingham Terrace.

Policy CDP 10 aims to ensure that the City's growing and diverse population has access to a choice of housing of appropriate quality and affordability across all tenures. The Policy is supported by supplementary guidance, in this instance SG10 which states that proposals requiring planning permission for short-stay accommodation must be considered against key criteria for tourist accommodation in Section 4 and the additional detailed criteria outlined in paragraph 4.16.

4.5 The Council will generally support tourist accommodation:

- a) *In locations with active travel routes and a frequent public transport service with high accessibility.* **Case Officer Comment:** The site is located within a 'High Accessibility' area in terms of public transport.
- b) *In locations with good access to shops and services, where these are not provided on site;* **Case Officer Comment:** The site is located a short walking distance from shops, supermarkets and other services.
- c) *That can demonstrate that it will not place additional pressure on local amenities and facilities;* **Case Officer Comment:** It is considered that the scale of the proposal would be unlikely to place additional pressure on local amenities and facilities.
- d) *That can demonstrate there will be no adverse impact on the character and amenity of the area;* **Case Officer Comment:** It has not been demonstrated that the proposal will not adversely impact on the character and amenity of the area.

There would be nothing outside or around the property to suggest that it is a short term let. It would appear to be a private residence. It would be in our own interests to maintain the property and surrounding area to a high standard which in turn will benefit the other residents in the block.

- e) *That can demonstrate there will be no adverse impact on traffic congestion and parking;*

The property has a subway station and bus stops encouraging public transport. We offer a secure a designated parking space for any guest and we will be sure to implement the rule that only one car is allowed in the parking space. After revising issues with the number of people in the flat we will only allow 4 guests maximum to stay at one time.

In addition to key location criteria, the proposal is required to be assessed against the key design and amenity space criteria as follows:

4.6 Proposals for tourist accommodation will generally be supported where:

- c) *It does not introduce an incongruous or visibly intrusive addition to the surrounding area;* Our DM manager states that the property is an incongruous and intrusive addition but the building already has a non residential development in the basement as 31 B Buckingham Terrace is a

Doctor's practice. The whole street is a mix of hotels and doctors practices for example 30 Buckingham Terrace is Georgian House Hotel which we share a wall with. Further along at 27 Buckingham terrace is The Clifton Hotel. So not only does the building itself already have a non residential development in the basement but also two hotels adjacent and as such could not be considered incongruous or visibly intrusive.

- d) *It does not result in unacceptable intensification of activity, particularly in a predominantly residential building or area;* As stated before we are willing to comply with this and drop the maximum number of guest to 4 rather than 6.
- e) *Management Plan for the development is provided, to the complete satisfaction of the Planning Authority (details on a Management Plan can be found in SG10 Section 4.8);* As we were not given any advice or shown where to find any help with the management plan we were told by a Glasgow City Council advisor to write an 'Operations Note'. Please see supporting documentation for our Management Plan.

Section 4B: Additional detailed criteria (from paragraph 4.16)

- a) *to protect residential amenity planning permission will not be granted for a change of use from a residential flat to short stay accommodation within existing blocks of residential flats, resulting in a mix of mainstream residential flats and short-stay accommodation within a single building sharing a means of access:* As stated before the guest will not have access to the shared means of access. No key will be provided meaning the only way to enter the flat will be the main door entrance which is private and leads straight into the property. Guests will be advised to never use the communal entrance as a means of access because they will not have the key to enter. After receiving guidance, we will not use Glasgow City Refuse Services. With reference to our new management plan we will provide our own bins and dispose of the waste at Dawsholm Recycling Centre. There is a shared car park but the property has a designated space so guests will not be taking a space from any other resident and it means no parking issues that NPF4 policy 30 iv) and CDP policy 10 section 4 e) highlight. There is no other communal spaces, other than the car park, that the residents can have access to.

Policy CDP 11 and Supplementary Guidance SG 11: Sustainable Transport

CDP 11 and SG 11 promote more sustainable patterns of transport and travel as part of the transition to a low carbon economy. Consequently, new development should maximise the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars:

As stated at the start of my appeal our property aligns seamlessly with the principles of promoting sustainable transport. Located in close proximity to the Hillhead subway station and within walking distance of various Glasgow attractions, our development inherently encourages walking and public transportation. Additionally, the presence of nearby bus stops further supports the idea of minimising reliance on private cars. The strategic location of our property not only complements but exceeds the envisioned goals of CDP 11 and SG 11 by offering convenient access to alternative modes of sustainable travel, contributing positively to the low carbon economy transition.

In response to concerns outlined in the Report of Handling regarding the change of use for 31 Buckingham Terrace, our comprehensive rebuttal underscores our commitment to responsible practices. By aligning with local policies, we have reduced our maximum guest occupancy to 4, emphasising a balance between accommodating tourists and respecting the residential context.

The enforcement of noise limits and specific time constraints further demonstrates our dedication to minimising any potential disruption. The unique layout of the flat, sharing no walls with residential properties except the flat above, positions it as an ideal choice for tourists. It's proximity to businesses benefiting from tourist traffic and accessibility to public transport enhances its appeal. Additionally, our decision to engage local cleaning and laundry businesses reflects our commitment to supporting and integrating with the community. In essence, 31 Buckingham Terrace not only addresses concerns but also contributes positively to the neighbourhood, aligning with local policies while providing a valuable and considerate short-term let option in Glasgow's West End.