

Report of Handling for Application 25/02640/FUL

23rd June 2026

ADDRESS:	9A Athole Gardens Glasgow G12 9AZ
PROPOSAL:	Use of flatted property (main door) (Sui generis) as short term let (Sui generis)

DATE OF ADVERT:	30 January 2026
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	<p>A total of 5 representations have been received from a mix of neighbours and amenity groups – the contents have been combined, compared and summarised below:</p> <ul style="list-style-type: none"> – Residential Amenity Loss <ul style="list-style-type: none"> ○ Across all objections, residents stress that a short-term let will seriously harm the amenity of the building: increased noise at all hours, transient and unsupervised occupants, loss of privacy, disruption to older and long-term residents, and previous history of serious disturbance when the flat was rented to students. Bedrooms in neighbouring flats directly adjoin the basement property, making noise transmission unavoidable and highly intrusive. – Loss of Residential Accommodation <ul style="list-style-type: none"> ○ Multiple objections emphasise that at a time of severe housing pressure, converting a sizeable residential flat into ‘holiday accommodation’ removes much-needed long-term housing from the market. It undermines the area’s ongoing shift away from transient use and towards stable residential occupation. – Loss of Amenity From Shared Facilities <ul style="list-style-type: none"> ○ Objectors highlight that short-term guests would have to share the rear access, the close, and especially the bin facilities. This creates conflicts, inconvenience, hygiene issues, and additional noise, and is contrary to SG10, which discourages arrangements where STLs rely on shared residential facilities. – Use of the Front Basement Well as a Nuisance Area <ul style="list-style-type: none"> ○ The basement well is acoustically enclosed and amplifies sound, meaning that even normal conversation echoes. Residents fear it would be used by guests for smoking, drinking, or socialising, causing loud and repetitive disturbance to neighbours living immediately adjacent. It also raises concerns about loss of privacy and security for neighbouring gardens. – Flat in a Horizontally Divided Building <ul style="list-style-type: none"> ○ Across the objections, residents note that Glasgow’s planning and licensing rules state clearly that a short-term let cannot be approved in a horizontally divided building unless it is home-sharing with the owner present—something not proposed here. Therefore, the application does not meet policy requirements. – Parking, Traffic, and Access Pressures <ul style="list-style-type: none"> ○ All objections mention already-strained parking availability. Short-term occupants would add extra vehicles and loading/unloading activity. Permit-holding residents already struggle to park; adding tourist or weekend-visitor traffic makes the situation worse and unfair. – Unsafe and Inadequate Access Arrangements – Failure to Complete Approved Works / Ongoing Non-Compliance <ul style="list-style-type: none"> – Residents consistently reference the long history of: <ul style="list-style-type: none"> ▪ unauthorised works ▪ enforcement notices ▪ incomplete planning permissions ▪ long-standing temporary scaffolding ▪ missing building warrants ▪ modifications not built to approved plans

	<ul style="list-style-type: none"> - Negative Impact on the Listed Building and Conservation Area - Appearance and Visual Impact <ul style="list-style-type: none"> o Several objections note that the temporary staircase and unfinished works create an eyesore that affects the entire terrace. The poor condition and visibility of the metal structure are incompatible with the standards expected in a listed Victorian terrace. - Overlooking, Loss of Privacy, and Back-Garden Impacts <ul style="list-style-type: none"> o Residents report that the garden has been built up in a way that increases overlooking into neighbouring gardens, especially No. 10. Short-term guests using this area would further erode privacy, quiet enjoyment, and security for adjacent homes. - Negative Precedent for the Area's Character <ul style="list-style-type: none"> o Objectors point out that the area has recently improved through reduced HMOs and fewer transient residents. Allowing this STL would reverse that progress, reintroducing instability and damaging the established residential character. <p>Case Officer Comment: The authority agrees with many of the issues raised and these have been addressed through this report. Objectors are advised that if they feel a breach of planning has occurred in relation to unauthorised works or previous consents, then an enforcement form should be filled out.</p>
PARTIES CONSULTED AND RESPONSES	None
PRE-APPLICATION COMMENTS	None

EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE
IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
NPF4 POLICIES	<p>The National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland up to 2045. Unlike previous national planning documents, the NPF4 is part of the statutory Development Plan and Glasgow City Council as planning authority must assess all proposed development against its policies. The following policies are considered relevant to the application:</p> <p>Policy 1 Tackling the Climate and Nature Crisis Policy 2 Climate Mitigation and Adaptation Policy 23 Health and Safety Policy 30 Tourism</p>
CITY DEVELOPMENT PLAN POLICIES	<p>The City Development Plan consists of high-level policies with statutory supplementary guidance providing further information or detail in respect of the policies. The following are considered relevant to the application:</p> <p>CDP1 The Placemaking Principle</p>

	<p>22/00260/LBA Internal and external alterations (retrospective) 24.06.2022 RF</p> <p>22/00266/FUL External alterations including replacement windows and doors, garden alterations and erection of outbuilding. (Retrospective) 24.06.2022 RF</p> <p>22/02590/LBA Internal and external alterations (retrospective) ## WITHDRAWN - NEW APPLICATION SUBMITTED ## 08.11.2022 IW</p> <p>22/02762/LBA Internal and external alterations 17.05.2024 GC</p> <p>23/02731/FUL External alterations (Retrospective) 29.02.2024 GC</p> <p>24/00764/LBA External alterations (Retrospective) 22/02762/LBA ##WITHDRAWN## 19.04.2024 IW</p> <p>25/02640/FUL Use of flatted property (main door) (Sui generis) as short term let (Sui generis) PDE</p> <p>Appeals</p> <p>22/00028/LBAA Internal and external alterations to flatted dwelling, with installation of vent to rear 12.05.2022 APDMTB</p> <p>22/00051/LBAA Internal alterations to listed building. INPROG</p> <p>Enforcement</p> <p>21/00694/EN Enforcement Enquiry 18.02.2026 CLOSED</p> <p>21/00515/EN Enforcement Enquiry 12.02.2026 CLOSED</p>
Site Visits (Dates)	The proposal was assessed using the submitted information, the case officer also viewed the external parts of the site.
Siting	The proposal site is a basement flat within a subdivided townhouse located at 9 Athole Gardens. The property is category B-Listed and located within Glasgow West Conservation Area
Design and Materials	<p>No physical alterations are proposed to the property.</p> <p>The proposal is for a change of use from a residential flat (Sui Generis) to a short term let (Sui Generis). The drawings show an external stair from street level to basement, which is not constructed. The property is therefore currently accessed from the rear communal garden.</p>
Daylight	N/A
Aspect	N/A
Privacy	N/A
Adjacent Levels	N/A
Landscaping (Including Garden Ground)	N/A
Access and Parking	N/A
Site Constraints	Glasgow West Conservation Area Category 'B' Listed Building
Other Comments	<p><u>Assessment of Planning Application</u></p> <p>When an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p>

- a) whether the proposal accords with the statutory Development Plan;
b) whether any other material considerations (including objections) have been satisfactorily addressed.

In respect of (a), the Development Plan comprises NPF4 adopted on the 13th of February 2023 and the Glasgow City Development Plan adopted on the 29th of March 2017.

NATIONAL PLANNING FRAMEWORK 4

Policy 1 & Policy 2

The two policies are overarching policies which must be taken into consideration for all development proposals. When considering all development proposals, consideration will be given to the global climate and nature crisis.

Officer's Comments

It is considered that the proposed development would have a neutral impact of the climate crisis as no physical works are proposed and it utilise an existing site.

Policy 23 – Health and Safety

The policy seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and well-being. Development proposals that are likely to raise unacceptable noise issues will not be supported.

Officer's Comments

Due to the transitory nature of the proposed use, increased noise issue could arise which would be detrimental to the existing neighbours therefore creating an adverse impact on the residential amenity. The proposal is therefore contrary to the policy.

Policy 30 - Tourism

The policy intent is to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspire people to visit Scotland.

e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or

ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

The site is located in an area with high accessibility to public transport. The applicant has not identified any provision for cycle storage within the site. While public transport can be used, it is likely that the proposed use will increase the number of visitors that will bring vehicles which could intensify parking demand on the street.

The site is located in an area which primarily consists of residential properties. There are commercial uses within a 20-minute walk of the site. Whilst short-term let accommodation could generally increase economic benefits, it is not considered that it would provide a greater contribution to the local economy than the existing residential flat would contribute at present. As such, the loss of residential accommodation is not considered to be outweighed by demonstrable local economic benefits. No further justification on this has been supplied by the applicant.

The site has its own private front door into the lightwell of the property, however upon inspection the proposed access to this door has not been constructed and therefore cannot be counted in this assessment. For the purposes of this assessment it is determined that access is solely through the rear garden as no internal access is

shown. It is unclear what is the arrangement for the rear garden and how is the access/ownership between residents organised.

Overall, the introduction of short-term let in the property is considered significantly out of character with the predominant use of the flats on this building. It is considered that the transitory nature of the proposed use would have an unacceptable impact of residential character. The proposal is therefore contrary to the policy.

GLASGOW CITY DEVELOPMENT PLAN

CDP 1 and SG 1 The Placemaking Principle

Policy CDP 1 requires a holistic, design-led approach to development to achieve the City Development Plan's key aim of creating and maintaining a successful, high quality, healthy place.

SG 1 Part 1 sets the context and approach to placemaking established in CDP 1. It notes that the City Development Plan seeks to move away from the traditional land use-based approach of previous local plans: placemaking principles should inform all development. New development should not have an undue adverse impact on the amenity of adjacent land or property.

The Policy 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. CDP 1 states that new development should provide high quality amenity to existing and new residents and respect the environment by responding to its qualities and character.

Officer's Comments

The proposed development, by virtue of its significant detrimental impact on residential amenity and the character of the building, fails to provide high-quality amenity to existing and new residents in the City. Furthermore, the proposed development fails to respect the quality and character of the local environment. The proposal is considered to be contrary to Policy CDP 1.

Non-Residential Development Affecting Residential Areas

This guidance aims to ensure that any non-residential development in proximity to residential development does not harm residential amenity or erode the character of residential neighbourhoods, see also SG1, Part 2, Detailed Guidance - Section 4 (Amenity).

Residential areas are supported by a range of uses that help to reinforce the community by creating focal points as well as reducing the need to travel. Generally the following uses are deemed to be compatible and complementary to residential areas and will be encouraged:

- a) schools;*
- b) local shops;*
- c) community facilities;*
- d) public buildings;*
- e) small businesses (particularly Class 2);*
- f) health facilities; and*
- g) social and recreational facilities.*

Officer's Comment

The proposed development is located in close proximity to a residential area and would have a negative impact the residential amenity of neighbouring residents by virtue of the transitory nature of the proposed use.

CD10 and SG10 Meeting Housing Needs

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. The relevant policy has been quoted below.

Tourist Accommodation

Key Criteria - Locational

The Council will generally support tourist accommodation:

- a) in locations with active travel routes and a frequent public transport service and with high accessibility;*
- b) in locations with good access to shops and services, where these are not provided on site;*
- c) that can demonstrate that it will not 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;*
- e) that can demonstrate there will be no adverse impact on traffic congestion and parking; and*
- f) that meets the relevant criteria in Section 4A or 4B, where appropriate.*

Key Criteria – Design and Amenity Space

Proposals for tourist accommodation will generally be supported where:

- a) it is of a size and scale in keeping with the surrounding environment;*
- b) it does not introduce an incongruous or visibly intrusive addition to the surrounding area;*
- c) it does not result in unacceptable intensification of activity, particularly in a predominantly residential building or area;*
- d) a Management Plan for the development is provided, to the complete satisfaction of the Planning Authority (see Paragraph 4.8 below); and*
- e) it meets the relevant criteria in Section 4A or 4B, where appropriate.*

The Planning Authority may use conditions to ensure that proposals for tourist accommodation remain solely in use for that purpose and cannot be transferred to another Class 7 use or other Use Class without the consent of the Planning Authority.

Supporting Information

A Management Plan will be required to support proposals for tourist accommodation. It shall include the following information:

- a) Maintenance arrangements, including frequency of cleaning and laundry;*
- b) Access arrangements for servicing and deliveries;*
- c) Access arrangements for guests;*
- d) Arrangements for storage and disposal of waste; and*
- e) On-site management arrangements.*

Officer's Comments

In terms of the locational criteria, the site is located within a 20-minute walk to shops and other services. Due to its small scale, it is unlikely that the proposal would put additional pressure on local amenities and facilities. It is located in an area with high accessibility to public transport. There are opportunities to use public transport nearby, however there is a concern that visitors will take vehicles to the accommodation which could increase on-street parking pressure. The introduction of a non-residential use into an otherwise residential area will have a negative impact on the character of the area, the proposal fails to meet the criteria in 4B

Short-Stay Accommodation

Detailed Criteria

Short-stay accommodation shall be assessed against the following detailed criteria, together with the key criteria for tourist accommodation in Section 4.

a) To protect residential amenity planning permission will not be granted for a change of use from residential 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.

b) In appropriate locations that satisfy the relevant key criteria relating to tourist accommodation (in Section 4), planning permission may be granted for the change of use of entire blocks of residential flats to short-stay accommodation, or for new purpose-built developments for this type of accommodation.

c) To protect residential amenity in areas where there are already a significant number of non-residential uses and/or problems of parking and traffic congestion, the change of use of properties to short-stay flats will be strongly resisted in the following Conservation Areas:

- Crosshill;
- Dennistoun;
- Glasgow West;
- Park;
- St Vincent Crescent; and
- Strathbungo.

Officer's Comments

While the property is proposed to be accessed via a main door and does not share access to the building with other residents, the external stairs permitting this have not been constructed and the access is through a shared garden area. It is assumed that the flat shares a recycling/ refuse bin storage area with other residents. This would result in mixing of transient guests and mainstream residents which is contrary to policy. There is also uncertainty regarding the rear garden and if this is shared amongst residents.

The site is located within Glasgow West Conservation Area where the change of use from residential to short-stay flats is strongly resisted.

CDP11 and SG11 Sustainable Transport

CDP11 and SG11 promote 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 the use of private cars.

Officer's Comments

No information has been provided regarding parking arrangement and the provision of a safe and secure bicycle parking. The proposal is therefore considered to be contrary to the policy.

In relation to b), no consultations were done and the five representations have been acknowledged above.

Overall, and for the reasons listed above it is recommended that the application is refused.

Recommendation	Refuse
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Date: 05/03/2026	DM Officer	Harry Wilson
Date: <u>5/3/2026</u>	DM Manager	Mark Thomson

Reasons for Refusal

01. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. The development proposal is contrary to Policy 23: Health and Safety and Policy 30: Tourism of the National Planning Framework 4, CDP 1: The Placemaking Principle, SG 1: Placemaking, CDP 10: Meeting Housing Needs, SG 10: Meeting Housing Needs, CDP11: Sustainable Transport and SG11: Sustainable Transport of the Glasgow City Development Plan as specified below, and there is no overriding reason to depart therefrom.
03. The proposal is contrary to Policy 23: Health and Safety of National Planning Framework 4 in that, due to the transitory nature of the proposed development, the use of a residential flat as short-stay accommodation is likely to raise unacceptable noise issues, which would be detrimental to the existing neighbours within the flatted block, thereby creating an adverse impact on residential amenity.
04. The proposal is contrary to Policy 30: Tourism of National Planning Framework 4 in that, the introduction of a short-term letting use at this property is considered to be significantly out of character with the predominant use of the mainstream flats in this building.
05. The proposal is contrary to Policy CDP1 and SG1 of the Glasgow City Development Plan in that the introduction of the transitory nature of the short-stay accommodation to a mainstream residential property fails to provide high quality amenity to existing and new residents in the City.
06. The proposal is contrary to CDP10 and SG10 of the Glasgow City Development Plan in that the proposal would result in a change of use from a residential flat to short-stay accommodation within an existing block of residential flats, resulting in a mix of mainstream residential flats and short-stay accommodation within a single building. As such, the introduction of the proposed use would adversely affect the residential character of the flatted block to the detriment of the amenity of residents occupying mainstream residential flats
07. The proposal is contrary to Policy CDP10 and SG10 of the Glasgow City Development Plan as the transitory nature of the short-stay accommodation would intensify the use of the property to the detriment of the residential character and amenity of neighbouring properties and Glasgow West Conservation Area.
08. The proposal is contrary to SG10 of the Glasgow City Development Plan as it is located within Glasgow West Conservation Area
09. The proposal is contrary to CDP11 and SG11 of the Glasgow City Development Plan in that the application does not include any provision for cycle parking.
10. The submitted drawing A101 STL shows external stairs at the front of the property to street level. These stairs have not been constructed thereby rendering the only access through the communal garden to the rear. This sharing of communal access space with the other residential flats in the building is detrimental to the amenity of the other flats. This is contrary to CDP1, SG1(Part 2), CDP10 and SG10 of the Glasgow City Development Plan.