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REPORT OF HANDLING FOR APPLICATION 25/01166/FUL

ADDRESS:	10 Nairnside Road Glasgow G21 3RY
PROPOSAL:	Erection of outbuilding and raised deck to side/ rear of flatted dwelling (retrospective)
DATE OF ADVERT:	No advert required
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	No representations received
PARTIES CONSULTED AND RESPONSES	No consultations requested or required
PRE-APPLICATION COMMENTS	<p>There were no pre-application discussions prior to the submission of this specific application.</p> <p>In terms of the history of this proposal, there is an enforcement case associated with it – 23/00126/EN. The applicant was advised to submit a retrospective planning application by the case officer of the referenced enforcement case; however, there is no evidence of any pre-application discussions prior to construction of the outbuilding and raised timber deck. The unauthorised works were therefore undertaken at the applicant’s own risk.</p>
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
NATIONAL PLANNING FRAMEWORK 4 (NPF4) POLICIES	<p>National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland up to 2045. It was formally adopted by Scottish Ministers on 13th February 2023. Unlike previous national planning documents, NPF4 is part of the statutory Development Plan and Glasgow City Council as Planning Authority must assess all development proposals against the policies contained therein. The following policies are considered to be of relevance to the proposal subject of this application:</p> <p>Policy 14 – Design, quality and place Policy 16 - Quality homes</p>
CITY DEVELOPMENT PLAN POLICIES	<p>CDP 1 The Placemaking Principle SG 1 The Placemaking Principle (Part 2), Section 2 - Residential Development: Alterations to Dwellings and Gardens</p>

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OTHER MATERIAL CONSIDERATIONS	None
REASON FOR DECISION	V02 - The proposal is not considered to be in accordance with the Development Plan and there are no material considerations which outweigh the proposal's variance with the Development Plan.
	COMMENTS
PLANNING HISTORY	23/00126/EN - Alleged Breach: Unauthorised Erection of Raised Decking and Outbuilding. This enforcement case is still open. 24/02155/FUL - Erection of outbuilding and raised deck to side/ rear of flatted dwelling (retrospective). Application refused. The Case Officer dealt with this application also.
SITE VISITS (DATES)	29 th November 2024. The Case Officer experienced panoramic views from the raised deck towards neighbouring properties. The unacceptability of the combination of both structures on the site and in their setting was also very noticeable.
SITING	The application site is an upper floor flatted dwelling in a traditional four-in-a-block flatted residential building on the southern side of Nairnside Road and in close proximity to Broomton Road which is to the north. More specifically the application site is the private side and rear garden area of the flatted dwelling which sits to the side of the building. Northgate Road is to the west of Nairnside Road. The property is in a well-established residential area in Local Ward 17 – Springburn/ Robroyston.
DESIGN AND MATERIALS	<p>The applicant is again seeking retrospective planning permission for an already constructed outbuilding and area of raised timber deck on which this sits at the rear of the sloping side/ rear garden area adjacent to the four-in-a-block building. It is stated on the application form that construction of this was completed on 1st June 2021.</p> <p>At the outset it is important to mention that as this is a flatted dwelling, neither of the elements of the overall proposal benefit from householder permitted development rights.</p> <p>The front and rear elevations of the outbuilding are 3.2m wide, and the side elevations are 4.9m wide. The overall height of the outbuilding is 2.3m. There is a white uPVC double door unit with tall narrow windows either side of it on its south west/ garden facing elevation. The sunroom as it is described is constructed of timber kit with timber cladding walls and black finished felt roof. The outbuilding sits on a commanding position at the rear of the sloping side/ rear garden area on top of the unauthorised timber deck.</p> <p>The timber deck sits on top of what appears to be an existing low-level wall and hard landscaped area and is surrounded by 1m high timber balustrading. The height of the deck from the existing low-level wall is 0.75m and the overall height of the deck from garden level is 1.4m.</p> <p>The only alterations to the previous proposal is that the applicant is now proposing to form a screen of mature trees/ bushes on the south west facing edge of the area of raised deck and the depth of the deck from the front of the outbuilding to its outer edge has been reduced from 2.34m to 1.08m in order to accommodate this. This is a disappointing response following the previous refusal as it may partially resolve the unacceptable privacy issue (although the effectiveness and logic of the natural screen is questionable); however, it does nothing to address the unacceptable overall mass of the structure in combination with its inappropriate siting. This is further explained below.</p>
DAYLIGHT	<p>SG1 – The Placemaking Principle (Part 2), Alterations to Dwellings and Gardens states that extensions should not:</p> <ul style="list-style-type: none"> • cause a significant loss of daylight to any habitable room of neighbouring properties, or • significantly block sunlight to adjacent private garden <p>Case Officer comment: there are no concerns in respect of this as the fairly overall size of the outbuilding and raised timber deck leads to no concern that it shall have a daylight impact of any significance on neighbouring properties. This relates to both daylight impact on adjacent habitable rooms and the blocking of sunlight into adjacent private gardens.</p>

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ASPECT	The sunroom and raised timber deck are located adjacent to the host four-in-a-block building beside its north west facing elevation and to the rear of the sloped garden which is under the ownership of 10 Nairnside Road.
PRIVACY	<p>The following is the policy for decking in SG1 – The Placemaking Principle (Part 2): <i>Decking is only likely to be acceptable where there is no overlooking of neighbouring windows or gardens, or where suitable permanent screening exists or can be erected. Proposals for screening should not have an adverse impact on the visual/ residential amenity of the application property or neighbouring properties.</i> The proposal is considered to be at odds with this policy.</p> <p>Case Officer comment: in total the floor level of the raised timber deck sits a significant height of 1.4m from garden level and this is best illustrated by the photograph provided with the original application which shows a view of the deck and sunroom from the rear garden of 10 Nairnside Road. It is also important to note that both are located at the upper area of the sloping garden ground. This allows for clear, unobstructed views from the deck into neighbouring rear gardens and a further photographic image provided with the original application helps to give an indication of this. This is not in accordance with the policy above. When visiting the property, the Case Officer experienced panoramic views from the raised deck, and towards the rear garden area of 12, 14 and 16 Nairnside Road in particular.</p> <p>It is acknowledged that the proposed natural screen formed of mature trees/ bushes could partially address the unacceptable privacy issue which has been created by the raised deck and outbuilding, however, it is noticeable from the proposed elevation drawings that this would only sit marginally above the existing timber balustrade and therefore overlooking from the deck into neighbouring gardens by an adult of average height would still be entirely possible. The effectiveness of the screen, and also the logic behind it, is therefore not positively considered and it would also have an adverse impact on the visual/ residential amenity of the application property and its setting. The Planning Authority would not welcome a natural screen of increased height.</p> <p>The outbuilding only serves to exacerbate this issue as the French door unit on the rear elevation of the outbuilding opens onto the area of raised timber deck.</p>
ADJACENT LEVELS	The garden area in which the outbuilding and raised timber deck are located slopes downwards at a relatively steep gradient in a north east to south west direction.
LANDSCAPING (INCLUDING GARDEN GROUND)	<p>SG1 – The Placemaking Principle (Part 2), Alterations to Dwellings and Gardens states that a minimum of 66% of the original useable private garden space should be retained in all house plots after extensions, garages and outbuildings etc. have been built to avoid over-development of the site.</p> <p>Case Officer comment: the proposal complies with this policy as only a modest proportion of the side/ rear garden area under the ownership of 10 Nairnside Gardens is occupied by the timber deck and outbuilding.</p>
ACCESS & CAR PARKING	Front to rear access is not impeded and the proposal has had no impact on the existing car parking arrangements.
SITE CONSTRAINTS	There are no constraints which are of relevance to the proposal
ASSESSMENT	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <p>a) whether the proposal accords with the statutory Development Plan; and</p> <p>b) whether any other material considerations (including objections) have been satisfactorily addressed.</p>

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In respect of (a), the Development Plan comprises of National Planning Framework 4 (NPF4) which was adopted on 13th February 2023 and the Glasgow City Development Plan which was adopted on 29th March 2017.

National Planning Framework 4 (NPF4) February 2023

The proposal is not considered to be generally consistent with the aims and above-mentioned policies of NPF4, and this relates to Policy 14 – Design, quality and place in particular. The overall structure is sited in a commanding position at the rear of the sloping side/ rear garden area at its highest gradient and as such allows for direct overlooking from the area of raised deck towards neighbouring properties. This is evidenced by the photographic images which were submitted with the original application – 24/02155/FUL. As explained in the Privacy section above, the proposed natural screen being considered under this application does not resolve the issues with the unauthorised raised timber deck and outbuilding.

As such it is still the determination of the Planning Authority that the privacy of neighbouring properties is compromised by the raised deck and the outbuilding which has been sited on top of it. This impact does not appear to have been considered when the deck and outbuilding were constructed. The siting of the outbuilding has not been sensitively considered.

The application is a local development which does not raise any strategic issues.

Glasgow City Development Plan March 2017

The City Development Plan seeks to move away from the traditional land-use based approach of previous local plans and instead promotes a place-based design led approach. Glasgow is therefore no longer covered by broad land-use designations meaning this is not the starting point for development proposals.

CDP 1 & SG 1 The Placemaking Principle – this 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. SG 1 supports CDP 1 by providing guidance to promote the overarching Placemaking Principle being applied to all development in the city. The guidance sets out how developers will be expected to incorporate a design-led approach within the context of the Placemaking Principle and Glasgow's interpretation of the Six Qualities of Place.

Within the City Development Plan, **SG 1 The Placemaking Principle (Part 2)** outlines guidance for Alterations to Residential Dwellings and Gardens. This guidance sets out the planning requirements for alterations to dwellings and gardens for particular types of householder developments, such as extensions. It outlines the criteria that must be met in relation to, for example design and materials, privacy and overlooking and daylighting and sunlight. It seeks to ensure that extensions and alterations to houses and flats are carefully designed, so that the visual amenity of residential buildings and areas is not adversely affected.

The proposal has been assessed against the relevant detailed policy criteria in Supplementary Guidance SG 1 The Placemaking Principle (Part 2), Section 2 - Residential Development: Alterations to Dwellings and Gardens from the City Development Plan. Again the policy for areas of raised decking is as follows:

'Decking is only likely to be acceptable where there is no overlooking of neighbouring windows or gardens, or where suitable permanent screening exists or can be erected. Proposals for screening should not have an adverse impact on the visual/ residential amenity of the application property or neighbouring properties.'

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	<p>Case Officer comment: the proposal is not in accordance with this policy. In total the floor level of the raised timber deck sits a significant height of 1.4m from garden level and this sizeable difference in levels can be seen from the photographic images submitted with the original application. Both the timber deck and outbuilding are sited at the highest point of the sloping garden ground thus exacerbating the overlooking issue. There are clear views from the deck into neighbouring rear gardens (this concerns the rear gardens of 12, 14 and 16 Nairnside Road in particular) and again the photographs help to give an indication of this. The outbuilding only serves to exacerbate this issue as the French door unit on the rear elevation of the outbuilding opens onto the area of raised timber deck. This compromises the privacy of adjacent rear gardens.</p> <p>As explained above, the proposed natural screen formed of mature trees/ bushes could partially address the unacceptable privacy issue which has been created by the raised deck and outbuilding, however, it is noticeable from the proposed elevation drawings that this would only sit marginally above the existing timber balustrade and therefore overlooking from the deck into neighbouring gardens by an adult of average height would still be entirely possible. The effectiveness of the screen is therefore not positively considered and the logic behind it is also questionable. It would also have an adverse impact on the visual/ residential amenity of the application property and its setting. The Planning Authority would not welcome a natural screen of increased height.</p> <p>b) No objections have been received and there are no other material considerations which would lead to the Planning Authority being able to support the proposal. This in itself does not override the proposal variance with the Development Plan.</p> <p>For the reasons outlined in this report of handling it is considered that the proposal is not acceptable when assessed against the relevant Development Plan policies and it is therefore recommended that planning permission should be refused.</p>
RECOMMENDATION	Refuse

Date: 2/10/25	DM Officer	Mr P Fusco
Date: <u>15/10/2025</u>	DM Manager	Ian Briggs

REASONS FOR REFUSAL:

1. The proposal is not considered to be in accordance with the Development Plan and there are no material considerations which outweigh the proposal's variance with the Development Plan.
2. The development proposal is contrary to Policy 14: Design, quality & place and Policy 16: Quality homes of National Planning Framework 4, and also with CDP 1: The Placemaking Principle and SG 1: The Placemaking Principle (Part 2) of the Glasgow City Development Plan as specified below, and there is no overriding reason to depart therefrom.
3. Due to the height of the raised timber deck from ground level, some 1.4m, in combination with its siting at the upper part of the sloping rear garden ground, it allows for panoramic views towards neighbouring properties and this impact is most clearly evidenced by clear views from the raised deck towards the rear gardens of 12, 14 and 16 Nairnside Road. It is the determination of the Planning Authority that the privacy of neighbouring properties has been unacceptably compromised by the overall structure which includes the raised deck and outbuilding. The proposed natural screen formed of mature trees and bushes does not satisfactorily overcome this.

Refused Drawings

The development shall not be implemented in accordance with the following drawings:

1. AM 01 LOCATION & BLOCK PLANS Received 18.6.25
2. AL 01 PROPOSED OVERALL PLAN Received 22.5.25

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3. AL 02 PROPOSED ELEVATIONS & SECTION A-A Received 22.5.25
4. LA 01 LAND ALLOCATION Received 18.6.25

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

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