

Item 1

17th February 2026



Glasgow City Council

Planning Local Review Committee

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

Contact: Sam Taylor Ext: 78654

**25/00083/LOCAL – 10 Nairnside Road, Glasgow, G21 3RY
Erection of outbuilding and raised deck to side/ rear of flatted dwelling
(retrospective)**

Purpose of Report:

To provide the Committee with a summary of the relevant considerations in the above review.

Recommendations:

That Committee consider the content of this report in coming to their decision.

Ward No(s): 17 - Springburn/Robroyston Citywide: n/a

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

PLEASE NOTE THE FOLLOWING:

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1 LOCATION, DEVELOPMENT PLAN DESIGNATIONS AND PROPOSAL

Location

- 1.1 The application site is for the private rear sloping garden belonging to an upper floor flat dwelling in a four in a block residential building towards the south of Nairnside Road. The area is residential in character with the site surrounded by similar four in a block style dwellings.
- 1.2 The property is unlisted, and this address has a below base public transport accessibility. It is within the ward 17 - Springburn/ Robroyston.

Proposal

- 1.3 The retrospective development proposed is the erection of an outbuilding (4.9m by 3.2m and 2.3m tall) with raised decking. The decking has a footprint of 11.8m², raising up to 1.4m above the slope of the garden level, with 1m high balustrading.
- 1.4 The materials listed include timber, UPVC French doors and doors, black finished felt.
- 1.5 Committee should note this development is retrospective, and has been subject to a planning enforcement breach (23/00126/EN). Construction was completed on the 1st of June 2021.

2 DEVELOPMENT PLAN POLICIES

- 2.1 The relevant National Planning Framework 4 (NPF4) and City Development Plan (CDP) policies and Supplementary Guidance are:
 - **Policy 1:** Tackling the climate and nature crises
 - **Policy 2:** Climate mitigation and adaption
 - **Policy 14:** Design, Quality and Place
 - **Policy 16:** Quality Homes
- 2.2 The relevant City Development Plan policies and Supplementary Guidance are:
 - **CDP 1 & SG 1:** The Placemaking Principle

3 REASONS FOR REFUSAL / RELEVANT CONDITION(S)

3.1 The reasons for refusal are set out below:

01. 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.
02. 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.
03. 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.

4 APPEAL STATEMENT

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

01. We believe suitable mitigation measures have been proposed which will eliminate or diminish issues of overlooking, including the reduction of decking size and the addition of screening/ planting of mature trees and plants around the existing decking.
02. Further mitigation measures can be introduced to the rear of the garden by way of further planting of mature trees which would almost eliminate overlooking and offer protection to properties to the rear by creating a natural screen.
03. The site is constrained by its natural topography where overlooking is present from the property itself.

5 RELEVANT PLANNING HISTORY

5.1 Relevant planning applications for the property are detailed below:

23/00126/EN - Alleged Breach: Unauthorised Erection of Raised Decking and Outbuilding. – Case Closed

24/02155/FUL - Erection of outbuilding and raised deck to side/ rear of flatted dwelling (retrospective). Application refused.

25/00521/EN - Breach: Erection of Raised Decking and Outbuilding (Retrospective PP Refused) –

Committee should note: This enforcement case is still open.

25/01166/FUL - Erection of outbuilding and raised deck to side/rear of flatted dwelling (retrospective) - Decided - Refuse

6 REPRESENTATIONS AND CONSULTATIONS

6.1 There were no representations received the application or to the review.

7 COMMITTEE CONSIDERATIONS

7.1 Committee should consider if the following are in accordance with NPF4, the relevant City Development Plan policies and Supplementary Guidance, and if there are material considerations which outweigh the Development Plan considerations.

7.2 The following are the relevant policy considerations:

7.3 Climate change and mitigation

National Planning Framework 4: NPF4 Policy 1 Tackling the climate and nature crises and Policy 2: Climate Mitigation and Adaptation states that “when considering all development proposals significant weight will be given to the global climate and nature crises” and that “development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.”

Committee should note that:

- No information on how climate issues could be mitigated against, such as the reuse of existing materials, are provided

7.4 Residential amenity

General principles:

SG1 -The Placemaking Principle (Part 2) Alterations to Dwellings and Gardens: 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 by over-dominant extensions and that residential amenity is not reduced e.g. by the excessive reduction of useable private garden space or a loss of privacy

2.19 Decking - 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.

2.20 **Extensions and Alterations to Flats - Extensions to flats**, such as 4-in-a-blocks and subdivided villas, pose particular difficulties because of the proximity of properties and the complexity of land ownership. Although flat dwellers have less privacy in their rear garden than house dwellers, as they are directly overlooked by their immediate neighbours, this situation should not be exacerbated by a proposed extension. Good architecture and design should be able to negate any overlooking issues. The following guidance applies:

- a) extensions should not have any windows or doors immediately adjacent to garden areas outwith the ownership of the applicant/application property or in common ownership; and
- b) any overlooking should be mitigated by screen facing, and in certain cases, obscure glazing.

Committee should note:

- As this is a flatted dwelling, permitted development rights for development around the curtilage do not apply.

Privacy

2.6 Privacy and Overlooking: The following guidance applies:

- a) there should be no adverse impact on existing or proposed accommodation;
- b) windows of habitable rooms (see Definition) should not increase direct overlooking into adjacent private gardens or rooms;
- c) at ground floor level, screening of 1.8 metre high will usually be required along boundaries where new windows face neighbouring properties;
- d) Obscure glazing in windows of habitable rooms (see Definition) is not considered an acceptable means to mitigate against privacy issues.

2.7 Decking is unlikely to be acceptable where, if there is a requirement for the erection of new permanent screening, the screening itself would have a detrimental impact on residential amenity.

2.19 **Decking** - 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.

Committee should note that:

- Due to the gradient of the garden, the height of the decking is above the height of the rear fence by at least 0.541m, giving the occupants uninterrupted views of the neighbouring garden. This is contrary to policy.

- As seen in site visits and photos, the position of the French doors and decking allows for clear unobstructed views into the neighbouring rear garden, contrary to policy.
- A screening of mature trees / bushes has been proposed, the height required to mitigate the privacy concerns would render these potentially in breach of the High Hedges (Scotland) Act 2013. The requirement for a screening for decking is contrary to policy.

Committee should consider whether:

- the amenity of the neighbouring residents has been sufficiently considered in this proposal?
- they are satisfied this departure from policy regarding privacy and overlooking would not erode the amenity of the neighbouring garden?

7.6 Design

- NPF4 Policy 14 Design, Quality and Place encourages a well-designed development, including six qualities of successful places, in particular: **Pleasant** (Supporting attractive natural and built spaces) and **Distinctive** (Supporting attention to detail of local architectural styles) Development inconsistent with the six qualities of successful places, will not be supported.

2.3 Design and Materials (see also SG1 - Placemaking, Part 1 and SG1 Part 2, Detailed Guidance - Building Materials)

Good design improves quality of life. Well-designed homes and neighbourhoods create better and healthier places to live, builds strong communities and can reduce crime, improve energy efficiency and provide homes that keep their value over time. Well-designed environments go further than the minimum. They enhance the sense of well-being, enable healthy lifestyles and create delight. The following guidance applies:

- a) the siting, form, scale, proportions, detailed design and use of materials should be in keeping with the existing building and wider area;
- b) high quality innovative design is encouraged where it will complement the property;
- c) extensions and other alterations to dwellings should be designed so they do not dominate the existing building, or neighbouring buildings; and
- d) external materials should reflect the character of the original building and the street and the windows and doors in an extension should match those of the existing property.

Committee should note:

- The materials used, of varnished timber cladding with black finished felt roof, does not appear typically in the local area.

Committee should consider whether:

- A high standard of design has been considered in this development?
- The architectural style employed here is complimentary to the local area?

8 COMMITTEE DECISION

8.1 The options available to the Committee are:

- a. Grant planning permission, with or without conditions;
- b. Refuse planning permission; or
- c. Continue the application for further information.

8.2 *Section 43A(12)(a) of the Town and Country Planning (Scotland) Act 1997* requires that reasoning behind why the local review body has been decided be supplied in the decision notice. Should committee be minded to grant planning permission, material considerations that justify a departure from the plan would require to be identified.

9 Policy and Resource Implications

Resource Implications:

Financial: n/a

Legal: n/a

Personnel: n/a

Procurement: n/a

Council Strategic Plan: n/a

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2021-25? Please specify. n/a

What are the potential equality impacts as a result of this report? no significant impact

Please highlight if the policy/proposal will help address socio-economic disadvantage. n/a

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify: n/a

What are the potential climate impacts as a result of this proposal? n/a

Will the proposal contribute to Glasgow's net zero carbon target? n/a

Privacy and Data Protection Impacts:

Are there any potential data protection impacts as a result of this report
N

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

10 RECOMMENDATIONS

10.1 That Committee consider the content of this report in coming to their decision.