



PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Development and Regeneration Services

Contact: Mr N Rutherford Phone: 0141 287 6055

ITEM 1 (a)

13th January 2015

APPLICATION TYPE Full Planning Permission

RECOMMENDATION Grant Subject to Condition(s)

APPLICATION 12/02254/DC

DATE VALID 12.12.2012

SITE ADDRESS Site At Findochty/ Craiglockhart Street Glasgow

PROPOSAL Erection of residential development with associated infrastructure.

APPLICANT Persimmon Homes
180 Findochty Street
GLASGOW
G33 5EP

AGENT

WARD NO(S) 21, North East

COMMUNITY COUNCIL 02_063, Garthamlock And Craigend

CONSERVATION AREA

LISTED

ADVERT TYPE

PUBLISHED 21 December 2012

CITY PLAN Residential

REPRESENTATIONS/ CONSULTATIONS

DRS Transport Planning – No objections; Conditions and Advisory Note

LES – No objections; Conditions

The Coal Authority – No objections; Advisory Note

SEPA – No objections

Scottish Water – No objections

SNH – No objections; Conditions

The application was advertised on 19th December 2012, and has generated 53 letters of objection, including one from the Garthamlock Community Group, and two petitions against the development containing 121 signatures and 272 signatures respectively.

The grounds of representation may be summarised as follows:

1. The application contains no details, especially timescales, with respect to the re-location of the shops.
2. Garthamlock needs the shops to remain and not private housing.

3. The proposal will result in the closure of five businesses with associated redundancies and increased unemployment.
4. The parade of shops includes a community shop, serviced by local volunteers, and these posts, funded by the Council, and services will be lost.
5. Residents of Barrholm Square were not neighbour notified.
6. The Garthamlock masterplan identified the site for community facilities and associated car parking, and the site should remain a community space.

SITE AND DESCRIPTION

The application site is located in Garthamlock to the north of Gartloch Road. The site is currently a parade of shops and cleared ground, measuring approximately 0.9 hectares. To the north of Barrholm Square, there is new housing, forming part of the Garthamlock New Neighbourhood. Craiglockart Street sets the western boundary, and the eastern boundary extends to just beyond Balveny Street. The site is generally level.

Indeed, the surrounding area has benefited from major regeneration. The Council approved the Garthamlock New Neighbourhood in 2002, which comprised some 800 houses, together with associated areas for recreation and community facilities. It shows a series of new residential areas linked to the existing housing and focussed on a new road forming an east-west axis north of, and parallel to Gartloch Road.

THE PROPOSAL

Full Planning Permission is sought for a residential development of 34 units. The proposal also requires the construction of a new road off Craiglockhart Street and Findochty Street to access some of the proposed dwellings.

Outline Planning Permission (09/00220/DC) was granted for this site in June 2009 for residential, as part of a mixed-use development covering a larger site. This application expired in 2012, and Persimmon subsequently submitted four separate applications covering the residential and retail elements, rather than a single Major application. Consequently, the Council has already approved two applications for residential (12/02552/DC and 12/02553/DC) comprising 73 units in total, and a retail development (13/00264/DC) comprising 5 retail units, or 960 square metres.

This development comprises 12 detached houses and 22 semi-detached units. All the houses are two storeys and materials consist of facing brick, render and concrete tiles, and typical plot treatments comprise timber fences and brick walls. All of the dwellings have driveways for car parking.

POLICIES

Glasgow City Plan 2

DEV2 Residential and Supporting Uses
RES1 Residential Density
RES2 Residential Layouts
DES1 Development Design Principles
DES2 Sustainable Design and Construction
TRANS4 Vehicle Parking Standards
ENV2 Open Space and Public Realm Provision
ENV4 SUDS
ENV5 Flood Prevention and Drainage
ENV6 Biodiversity

SPECIFIED MATTERS

Planning legislation now 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 to this application
 - ii. An appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994 - Not applicable to this application.
 - iii. A design statement or a design and access statement – Not applicable to this application.
 - iv. Any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding) - A flood risk and drainage impact assessment have been submitted by the applicant in support of the application.
- B. Summary of the terms of any Section 75 planning agreement
- Not applicable to this application.
- 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) - No direction has been made by Scottish Ministers/Not applicable.
 - ii.
 1. Requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31) - No direction has been made by Scottish Ministers/Not applicable.
 2. Restricting the grant of planning permission - No direction has been made by Scottish Ministers/Not applicable.
 - iii.
 1. Requiring the Council to consider imposing a condition specified by Scottish Ministers - Not applicable to this application.
 2. Requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered the condition - Not applicable to this application.

ASSESSMENT AND CONCLUSIONS

Section 25 of the 1997 Planning Act requires the determination of this application in accordance with the Development Plan unless material considerations indicate otherwise.

The application accords with the Residential Development Policy Principle. In addition, the principle of the development has been agreed on site with the Council approved Masterplan in 2002, and the previous planning permission now expired. Consequently, the proposal is acceptable in land-use policy terms.

Other material considerations include:

- Density:

The development has a density of 38 dwellings per hectare, which accords with the City Plan policy of a maximum of 50 dwellings per hectare. The development incorporates a housing mix of semi-detached and detached houses, thus addressing the requirement of New Neighbourhoods to provide a range of family houses. There are also terraces incorporated within the other residential planning permissions outlined above, and further increasing housing choice.

- Residential Layout:

The layout accords with the privacy and amenity requirements of Policy RES 2, and corresponds to the principles of the original Masterplan, rather than the Design Guide for New Residential Areas (approved in 2013) in view of the length of time in delivering the New Neighbourhood project.

- Parking

All dwellings have integral garages and driveways meeting the minimum requirement for a minimum of one off road car parking space per dwelling, in accords with TRASN4 parking standards.

- Design

The proposed layout will create a high quality of development. The proposal entails a new road off Craiglockhart Street and Findochty Street to access a number of the new dwellings. This has resulted in a simple block form enclosed by standard house types. The materials conform to City Plan policy, comprising a mix of facing bricks, render, and concrete roof tiles. In order to secure continuity with the previous phases of the Masterplan, the development adheres to this rather than being compliant with the Design Guide for New Residential Areas.

- Environment

Although the application contains no communal open space or landscaping, such greenspaces together with play provision are spread throughout the Garthamlock New Neighbourhood, with accessible access for residents. Indeed, in determining planning permission 07/01046/DC for the central site, it was noted that Garthamlock contained more open space than originally set out in the Masterplan.

The applicant has already paid a contribution of £237,816 towards recreational greenspace as part of planning permission 12/02552/DC at Gartloch Road/Craiglockhart Street. This also covers the financial requirement for this site, and planning permission 12/02253/DC at Gartloch Road/Redcastle Square/Craiglockhart Street.

Due to the presence on site of water voles, the applicant has carried out a Water Vole Management Strategy. In order to manage voles, the planning permission will be carried out in accordance with the mitigation measures identified in the Water Vole Strategy. Consequently, SNH does not object to the application.

The drainage solution for the project sits within the overall Drainage Strategy developed by the Council, Scottish Water and the applicant for the wider Garthamlock Regeneration Area. The drainage falls to an underground storage facility, where it discharges at a controlled rate into the existing SUDS structure adjacent to Gartloch Road. The discharge from the existing SUDS structure is to the existing combined surface water sewer in Gartloch road by way of a controlled discharge.

In response to the points of objection, the following points are offered:

1. Timescales were not known when the application was submitted. However, the development agreement between the Council and Persimmon Homes stipulates that the shops be demolished once the new neighbourhood retail facility is operational. The applicant has confirmed that this is not likely until the autumn 2015 at the earliest.
2. Planning permission has been granted for a new neighbourhood retail development comprising approximately 9,000 square metres floorspace (5 retail units) is anticipated to open in autumn 2015.
3. It is understood that the Development Agreement between the Council and Persimmon Homes offered existing tenants of Barrholm Square the opportunity to re-locate to the new neighbourhood retail facility.

4. The funding of volunteer posts associated with an existing shop is not a material planning consideration in determining this application.
5. Neighbour Notification has been carried out in accordance with planning regulations, and the notifiable parties at Barrholm Square received notification letters.
6. The new neighbourhood retail development is adjacent the area surrounding the existing community centre. It is considered that this area has the potential to function as a centre for the community. There is scope to change the use of uses within the retail development to incorporate financial, professional and other services, or non-residential uses, such as day centres and nurseries, which will complement the community centre. Indeed, the council has just received an application to amend the range of uses to include office and hot-food takeaway. There is also pedestrian links created to access the new retail facility from the existing and proposed residential areas.

In view of the foregoing, it is recommended that planning permission be granted subject to the following conditions.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing number(s)

GAR5-DL-003 Rev C,
V4-TR-0799s (10) 05 Rev B,
V4-TR-0799s (10) 12 Rev A,
V4-TR-0799s (10) 13 Rev A,
V4-TR-0799s (10) 15,
TR-0805s (10) 05 Rev E,
TR-0805s (10) 12 Rev A,
TR-0805s (10) 13 Rev A,
TR-0805s (10) 26 Rev A,
TR-0805d (10) 05 Rev E,
TR-0805d (10) 12 Rev A,
TR-0805d (10) 13 Rev A,
TR-1033d (10) 05 Rev F,
TR-1033d (10) 12 Rev A,
TR-1033d (10) 13 Rev A,
TR-1033d (10) 26 Rev A,

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

Reason: As these drawings constitute the approved development.

02. Before any work on the site is begun, 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.

03. 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 the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

04. Before any work on the site is begun, a programme for the implementation/phasing of the landscaping in relation to the construction of the development 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.

05. The development hereby approved shall be carried out in accordance with the Water Vole Management Strategy Issue 2 (December 2013) prepared by JDC Ecology Limited.

Reason: In the interests of wildlife conservation.

06. External materials shall be facing brick, render and concrete tiles. Samples shall be submitted to and approved by the planning authority in writing in respect of type, colour and texture. Written approval shall be obtained before the materials are used on site.

Reason: In order to safeguard the property itself and the amenity of the surrounding area.

07. Before any work on the site is begun, a comprehensive site investigation for ground contamination shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The investigation of potentially contaminated sites - Code of Practice" (BS10175:2001). The investigation report shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN 33 Revised 2000 Development of Contaminated Land. Where a risk assessment identifies any unacceptable risk or risks, it shall include a detailed remediation strategy. The approved remediation works shall be carried out prior to the commencement of development on site other than that required to carry out remediation.

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

08. Before any work on the site is begun, details of refuse and recycling storage areas and bins 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 ensure the proper disposal of waste and to safeguard the environment of the development.

09. Before any work on the site is begun, details of perimeter and boundary fencing shall be submitted to and approved in writing by the planning authority.

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

10. Before any work on the site is begun, the applicant shall provide written confirmation from Scottish Water that they have Technical Approval and that they will accept the surface water discharge from the site into their drainage network.

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

11. The development hereby approved shall be carried out in accordance with the drainage layout drawing number 2030-20 C and the 1:200 Year Overland Flow Layout drawing number 2030-26 A.

Reason: In the interest of flood prevention.

12. No home shall be occupied until the access road to it has been constructed in accordance with the approved plans.

Reason: To make sure that the local road network can absorb the traffic that is predicted to be generated by the development.

13. Vehicular access shall be taken via a dropped kerb footway crossing in accordance with Figure 10.16 of the Glasgow City Council Roads Development Guide.

Reason: To ensure that the access complies with approved standards in the interests of pedestrian and vehicular safety.

14. Driveways shall have the first 2 metres hard paved across their entire width with hard standing, and shall have a maximum gradient not exceeding 10%, and be a minimum of 2.75 metres wide and 6 metres long and at right angles to the road.

Reason: To ensure that the access complies with approved standards in the interests of pedestrian and vehicular safety.

15. No garage frontage shall be closer than six metres from the front boundary of the curtilage.

Reason: To ensure that in-curtilage parking does not obstruct pedestrian and vehicle movement outside the property curtilage and allows for any existing or proposed inward-opening gates.

16. Provision shall be made in the design of the development for the parking of cycles. This provision shall be in accordance with the requirements of Glasgow City Plan policy TRANS 6 Cycle Parking Standards: locations; minimum levels; safe, sheltered and secure; and in 'Sheffield' type racks. Details shall form part of the first application for approval under this planning permission in principle. 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.

17. During the construction period, wheel washing equipment shall be provided at all egress points and kept in operation during all times when vehicles are leaving the site. Before any work on the site is begun, details of the type of equipment shall be submitted to and approved in writing by the planning authority.

Reason: To ensure, in the interests of traffic and pedestrian safety, that mud from the site is not carried onto any road.

18. No work on the development shall begin until any remaining sections of Findochty Street and Balveny Street have been stopped up under the provisions of the City of Glasgow (Kincardine Square) Order 2004.

Reason: To ensure that no issues of public right of passage arise.

19. Prior to works commencing on the element of the development impinging on existing access to the community centre, the access to the retail development shall be completed in accordance with planning application 13/00264/DC, and an application shall be submitted for the formation of a vehicular and pedestrian access to the community centre. This shall be implemented before the cessation of the existing access.

Reason: In the interests of vehicular access to properties.

20. The existing parade of shops and commercial premises on site shall not be demolished until the retail development is completed in accordance with planning application 13/00264/DC, unless otherwise agreed by the Planning Authority.

Reason: In the interests of the proper planning of the area.

REASON(S) FOR GRANTING THIS APPLICATION

01. The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

ADVISORY NOTES TO APPLICANT

01. Construction and/or demolition work associated with this development should conform to the recommendations/standards laid down in BS5228 Part 1: 1997 "Noise and Vibration Control on Construction and Open Sites". Best Practicable Means as defined in Section 72 of the Control of Pollution Act 1974 should be employed at all times to ensure noise levels are kept to a minimum.
02. In order to protect local residents' amenity, noise associated with construction and demolition works in residential areas should not occur before 0800 or after 1900 Monday to Friday, and not before 0800 or after 1300 on Saturdays. Noise from construction or demolition works should be inaudible at the site's perimeter on Sundays and public holidays. The planning authority should be notified of necessary works likely to create noise outwith these hours.
03. The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:-
- Collapse of shallow coal mine workings.
 - Collapse of, or risk of entry into, mine entries (shafts and adits).
 - Gas emissions from coal mines including methane and carbon dioxide.
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
 - Transmission of gases into adjacent properties from underground sources through ground fractures.
 - Coal mining subsidence.
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out of their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

04. Prior to implementation of this permission, the applicant should contact Land and Environmental Services (Roads) at an early stage in respect of legislation administered by that Service which is likely to have implications for this development.
05. The applicant is advised that an amended Roads Construction Consent will be required. The boundary line must be correctly located otherwise a s.75 agreement should be prepared to safeguard the construction and completion of the new and improved roads to ensure that the new road can connect to the existing road.
06. The applicant is advised that swales must be a minimum of 5 metres.
07. The applicant is advised that the raised junction, speed table and overrun area shall be formed in asphalt with red chips and that all vehicles are completely on or off raised junctions when manoeuvring driveways.
08. The applicant is advised that due to the nature of Gartloch Road a Traffic Regulation Order maybe required to prevent vehicles parking on this stretch of road.
09. The applicant is advised that 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.)

10. The applicant is advised to progress measures to mitigate impacts on water voles arising as a result of future phases across Garthamlock, as per points 1-d of SNHs letter dated 16th January 2014.

for Executive Director of Development and Regeneration Services

DC/ NRU/k
05/01/2015

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