

Appeal Decision Notice

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Decision by John H Martin, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-260-2013
- Site address: formerly 341 Great Western Road, Glasgow G3 7DW
- Appeal by Crème Developments Ltd against the decision by Glasgow City Council
- Application for planning permission dated 4 December 2009 refused by notice dated 6 April 2010
- The development proposed: erection of a mixed use development comprising 49 flats and one retail unit, including vehicular access and 8 car parking spaces
- Date of site visit by Reporter: 18 August 2010

Date of appeal decision: 7 September 2010

Decision

I dismiss the appeal and refuse planning permission for the above development.

Reasoning

1. The key issues in this appeal are whether the proposal would amount to an overdevelopment of the site by reason of density, scale, massing and layout and, if so, its effect on the character and appearance of the surrounding area, all in the light of the relevant development plan policies.
2. The appeal site lies on the corner of Great Western Road and Montague Street within the St George's Cross/Great Western Road local town centre and the Woodlands Conservation Area. The character of the area, which is designated a Tier 3 local town centre, is defined by the 4 storey late Victorian blocks of stone built tenements that form the side streets and line the main road, where the ground floors are mainly in retail use. The site was previously occupied by Woodside Church until the 1970s when it became a petrol filling station which was demolished in 2004 and it has since lain vacant.

The Development Plan

3. This comprises the Glasgow and Clyde Valley Joint Structure Plan 2006, which encourages the re-use of vacant land with sustainable new development, and the Glasgow City Plan 2 adopted in 2009. City plan policy DEV 2 supports proposals which enhance residential amenity in the city's main housing districts, while DEV 4 similarly encourages the



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vitality and viability of retail areas within local town centres such as this. In the report to committee, the planning officer explores the relevant City Plan 2 policies in some detail and found the proposal to be generally in compliance. Of these, DES 1 – Development Design Principles; DES2 – Sustainable Design and Construction; DES 3 – Protecting and Enhancing the City’s Historic Environment; RES 1 – Residential Density and RES2 – Residential Layouts are the most relevant in this appeal.

The proposal

4. The land has never been in residential use but, as this is the predominant use in the area, I agree with the Planning Applications Committee that residential development would be acceptable on this gap site. There is nothing to prevent a contemporary design within the conservation area, provided its character or appearance are preserved or enhanced. The proposal would replace a petrol filling station with a scheme of 1 and 2 bedroom flats over a retail unit at the front, reflecting the established form of development along Great Western Road.

Density

5. Under policy RES 1, the development lies within the Inner Urban Area Boundary as defined in City Plan 2, where densities ranging from 30-100 dwellings per hectare (DPH) are permissible depending on the accessibility to public transport. Great Western Road is a quality bus corridor and the appeal site is within walking distance of Kelvin Bridge and St George’s Cross subway stations, which makes it a high accessibility location where, being also an infill site, higher densities are expected. However, as a starting point, were the site to be developed with matching tenements, assuming 2 per floor off a traditional close entry and shops across the frontage, only 18 units would result, producing a density of 91DPH. While there is clearly some scope on this site for the density to be higher than the upper base of 100DPH, at 249DPH, the proposal is nearly 2½ times greater. This would result in a substantial 7 storey development in close proximity to the traditional 4 storey tenements. Although I note that there is no upper limit in Inner Urban Areas under policy RES 1A(ii), I feel that such an intensification cannot be justified even in a high accessibility location.

Scale and Massing

6. The development comprises a base of retail, parking and servicing, 3 and 4 storeys of flats aligned with the adjoining tenement blocks and 2 upper floors stepped back from the frontages. With the differential in floor heights, I have no objection to the 4 and 5 storey elements which rightly reflect the form of the tenement blocks in rounding off the corner, but I find that the upper floors, in having no regard to the predominant pitched roofs in the area would appear over dominant. The development would make a powerful contemporary statement on this corner, rising above the consistent height and massing of the majority of the tenement blocks in the vicinity to the detriment of the street scene.

7. The proposed modern design seeks to reflect the repetitive fenestration of the adjoining tenements but without echoing the strong bay window forms of the tenements, preferring to rely on small projecting balconies. The building form and selected materials

would provide a strong contrast with the dressed stone facades and slate roofed tenements nearby, but only the use of natural stone panels would preserve any visual link with the old buildings. I therefore find that although the scheme need not replicate the traditional tenement forms and details, it is primarily the flat roofed upper floors that would appear out of keeping with the historic setting.

8. I note the appellants' commitment to sustainable design and construction to contribute 15% reduction in CO₂ emissions over the Building Regulations standards, all in accordance with policy DES 2. By redeveloping an unsightly open plot, this proposal has the potential to be imaginative, innovative and sympathetic to local traditions as required by policy DES1. However, even with high quality contemporary design, by disregarding the roof form of adjoining tenements and by excess height and bulk, the proposal would appear dominant and incongruous within the established street scene in Great Western Road and Montague Street. I consider that, despite promoting a sustainable environment, this development would neither preserve nor enhance the character or appearance of the conservation area, contrary to policies DES 1 and 3.

Layout

9. The plan form proposed is dictated by the physical limitations of the tenements on either side and would result in a mix of 1 and 2 bedroom flats. While several objectors feel that there should be a wider choice of larger units, with 2, 3 and even 4 bedroom tenements nearby, these smaller units would offer a greater variety. In addition, the restricted on-site parking has meant that the majority of units would be "car free" and therefore more suited to 1 bedroom accommodation. The residential layouts are well considered, providing dual aspect in most flats, private balconies and shared green deck space, together with off-street parking for the 2 bedroom flats. However, while much will depend on the final details of the shop-front itself, I consider that the full width retail unit proposed would not be sympathetic to the smaller scale of the shops in this local town centre, and might encourage larger retailers to the detriment of the existing retail character, contrary to policy DEV 4.

Other material considerations

10. I have taken account of the planning officer's report and consultation replies on all other matters, such as vehicle and cycle parking standards, sustainable drainage systems, refuse facilities, landscaping and open space, which could be covered by the schedule of conditions suggested by the council. I have also noted the willingness of both parties to complete an agreement under section 69 of the Local Government (Scotland) Act 1973 for the payment of a contribution towards the provision for access to and for the maintenance of civic spaces and recreational green space, to compensate for the under provision of open space within the development.

11. The proposal would result in the loss of a protected lime tree in the south west corner of the site. Although the loss of such a tree is regrettable, it would be difficult to retain in any development of this site, so its amenity value would have to be restored by means of replacement landscaping along the frontage.

Additional matters.

12. I have taken account of the written submissions received from the 66 objectors to the proposal and 1 supporter, in particular, those from The Woodlands and Park Community Council, Councillor Martha Wardrop and The Architectural Heritage Society of Scotland, the most relevant of which have been addressed in this decision.

13. I acknowledge that the submitted scheme has taken account of the criteria in policy RES 2, but share the concerns of local residents that a 7 storey building on this site could have an adverse impact on their living conditions. Close entry tenements are the norm in the area, formed in blocks around rear gardens and consistently 4 storeys in height. Residents have become used to the levels of overlooking, loss of privacy, daylight and sunlight that are inherent in such blocks.

14. The submitted scheme departs from the tenement concept and relies on open balcony access at the back, which would allow some overlooking into the private garden areas, albeit only from entrances and bedrooms. Despite being on the same building lines and no closer to facing habitable room windows, the provision of continuous open balconies along the upper floors, would result in unacceptable levels of overlooking and a perceived loss of privacy in nearby tenements. While many of the other objections raised would apply to any form of development on this site, I agree with the local residents that, in its present form, the proposal would have an adverse impact on their living conditions, which new proposals are encouraged to enhance in policy DEV 2.

Conclusion

15. For the reasons stated above, I conclude that the proposal would amount to an overdevelopment of the site by reason of density, scale and massing, if not of layout, which would have an adverse effect on the street scene, the character and appearance of the Woodlands Conservation Area and residential amenity.

This is a true and certified copy as issued to parties on 7 September 2010

JOHN H MARTIN
Reporter