



Executive Director
Richard Brown

Development and Regeneration
Services
Glasgow City Council
231 George Street
Glasgow G1 1RX
Phone 0141 287 8555
Fax 0141 287 8444

Our ref: DECISION
GCC Application Ref: 18/01529/FUL

14 November 2018

[REDACTED]

Dear Sir/Madam

SITE: Site At Kelbourne Street/Sanda Street/ Clouston Street Glasgow

PROPOSAL: Alteration and extension of existing building, and use as day care nursery (class 10) and storage facility (potentially contrary to City Development Plan policies CDP 6: 'Green Belt and Green Network' and CDP 7: 'Natural Environment').

I am pleased to inform you that a decision to approve your application, 18/01529/FUL has now been taken.

A copy of the decision notice is attached with any appropriate conditions/notes which should be read together with the decision.

The decision notice is a legal document and should be retained for future reference.

Should you require any additional information regarding the decision, please contact the case officer [REDACTED] on direct phone [REDACTED], or email [REDACTED] who will be happy to help you.

Yours faithfully

[REDACTED]

for Executive Director of Development and Regeneration Services

Encls.



PLANNING DECISION NOTICE

Full Planning Permission GRANTED SUBJECT TO CONDITION(S)

IN RESPECT OF APPLICATION 18/01529/FUL

Alteration and extension of existing building, and use as day care nursery (class 10) and storage facility (potentially contrary to City Development Plan policies CDP 6: 'Green Belt and Green Network' and CDP 7: 'Natural Environment').

AT

Site At Kelbourne Street/Sanda Street/ Clouston Street Glasgow

AS SHOWN ON THE APPROVED PLAN(S)

This consent is granted subject to the following **condition(s)** and **reason(s)**:

01. For the avoidance of doubt, the use of smooth render as a finishing material is not hereby approved. Before development commences on site full details of all external materials, including suitably annotated elevation drawings, shall be submitted to and approved by the Planning Authority. Thereafter 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: To safeguard the character of the surrounding conservation area.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.
02. Before any work on the site is begun, full details of all hard and soft landscaping works, including boundary treatment(s), shall be submitted to and approved in writing by the planning authority. All landscaping shall thereafter be completed in accordance with the approved scheme.

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

Reason: To safeguard the character of the surrounding conservation area.
03. The use of the premises shall be restricted to the following days and hours of operation: 08:00 - 22:00 daily.

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

04. Before any work on the site is begun, a detailed plan which shows the location and details of a method of tree protection to comply with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations, shall be submitted to and approved in writing by the planning authority. The approved protection shall be in place prior to the commencement of any work on the site and shall be retained in place until completion of the development.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

05. With the exception of tree works detailed in the approved application, existing trees on the site shall not be lopped, topped, felled or removed without the prior written approval of the planning authority. Details of such trees and the proposed operations on each of them shall be submitted to the planning authority. Any proposals for felling or removal shall include proposals, including a programme, for replacement tree planting.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

06. 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. For the avoidance of doubt the bins shall not be stored to the front (south) side of the building. 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.

07. Provision shall be made within the development for the parking of cycles at a minimum of 1 space per 5 pupils, and 1 space per 10 staff. Full details of the safe, sheltered and secured cycle parking provision shall be submitted to and approved in writing by the planning authority. Thereafter this provision shall be in place before the development is occupied.

Reason: To ensure that cycle parking is available for the occupiers/users of the development.

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.

Approved Drawings

The development shall be implemented in accordance with the approved drawing(s)

1. 2 Location Plan and Proposed Elevations Received 9 July 2018
2. 3 Proposed Elevations, Section and Floor Plan Received 9 July 2018
3. 4 Plan Showing Trees Received 9 July 2018
4. 6 Block Plan as Proposed Received 26 July 2018
5. 2016_006/01 Tree Survey Plan Received 6 July 2018

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



Dated: 14 November 2018

***For Executive Director
Development and Regeneration Services
Glasgow City Council***

THIS DECISION NOTICE SHOULD BE READ WITH THE ATTACHED ADVICE NOTES

IMPORTANT NOTES ABOUT THIS GRANT OF PLANNING PERMISSION

IT IS YOUR RESPONSIBILITY TO SATISFY YOURSELF WITH REGARD TO THE MATTERS LISTED BELOW PRIOR TO IMPLEMENTATION OF THE WORKS WHICH ARE THE SUBJECT OF THIS CONSENT.

CONDITIONS OF THIS NOTICE

By this notice Glasgow City Council, as planning authority, has approved this proposal subject to conditions which the Council consider necessary to ensure the satisfactory implementation of the proposal. **It is important that these conditions are adhered to and the Council will actively monitor the implementation of the development to ensure this. Failure to comply with conditions may result in enforcement action being taken.**

DURATION OF PLANNING PERMISSION

This permission lapses **3 years** from the date on this notice unless the development is begun before then and unless this notice specifies a longer or shorter period. Where there is such a specification, the permission lapses the specified number of years from the date on this notice unless the development is begun before then.

RIGHTS OF APPEAL

If you are not satisfied with the conditions which have been imposed you may appeal to the Scottish Ministers within **three months** of the date on this notice.

A notice of appeal must be lodged in writing on a form supplied by the Scottish Ministers and the grounds of appeal must be clearly stated. Appeal form P/PPA can be obtained by writing to:

Directorate for Planning and Environmental Appeals

4 The Courtyard

Callendar Business Park

Callendar Road

FALKIRK

FK1 1XR

Tel: 01324 696 400

Fax: 01324 696 444

E-mail: DPEA@scotland.gsi.gov.uk

The appeal form should be accompanied by copies of this notice, the application forms, plans and any other documents submitted along with the application. **Copies of all these documents should, at the same time, be submitted to Glasgow City Council, Development and Regeneration Services, Development Management, 231 George Street, Glasgow G1 1RX.**

You are required to indicate whether you wish the appeal to be determined on the basis of written submissions or whether you wish a public local inquiry to be held. In most cases an appeal will be dealt with by a person appointed by the Scottish Ministers called a 'Reporter' and the decision which is reached will be final, subject to the right to apply to the Court of Session and petition for judicial review on legal grounds.

NOTICES OF INITIATION AND COMPLETION

Under Section 27A of the Act, the person undertaking the development is required to give the planning authority written notification of the date on which it is intended to commence the development. Failure to comply with this statutory requirement would constitute a breach of planning control under Section 123(1) of the Act, which may result in enforcement action being taken. A pro-forma is attached to this decision which can be used for this purpose.

As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Act to give the planning authority written notice of that position. A pro-forma is attached to this decision which can be used for this purpose.

OWNERSHIP OF THE SITE

This consent only grants permission to develop on land of which you are the owner or have obtained the necessary consents from the owners of land or buildings.

If permission to develop land is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the planning authority a purchase notice requiring the purchase of his/her interest in the land in accordance with the provisions of Part V of the Town and Country Planning (Scotland) Act 1997.

BUILDING WARRANT

This permission does not exempt you from obtaining a Building Warrant under the Building (Scotland) Acts. For further information, please contact Building Control within Development and Regeneration Services, 231 George Street, Glasgow, G1 1RX on 0141 287 5937.

ROADS CONSTRUCTION CONSENT

This permission does not exempt you from obtaining a Roads Construction Consent under the Roads Scotland Act 1984. For further information please contact Roads and Transportation, within Land and Environmental Services, 20 Cadogan Street, Glasgow, G2 7AD on 0141 287 9000

DISABLED ACCESS

You are reminded that in providing premises (including university and school buildings, offices, shops, railway premises, factories and toilets) which are open to the public, you should make provision, where reasonably and practicable, for the means of access and parking to be designed to meet the needs of disabled people. This should include appropriate signposting indicating the availability of these facilities. Your attention is specifically drawn to the BSI Code of Practice on Access for the Disabled to Buildings (BS 5810:1979) which explains the manner in which appropriate provision can be made for the needs of disabled people in the design of buildings. For further information please contact Building Control on 0141 287 5937.

WORK INVOLVING GROUND EXCAVATION

The attention of any applicant proposing works involving ground excavation is drawn to the DIAL BEFORE YOU DIG website at www.national-one-call.co.uk. This provides access to information regarding the location of services to prevent damage to plant from uninformed ground excavation.

SMALL FORMAT POSTERS

The City Council acknowledges the contribution that tourism, cultural, leisure and entertainment activities including film and theatre, music and dance, make to the economy and vitality of the City. Such activities tend to be advertised in small poster format (flyposting) which, if uncontrolled, can seriously detract from the appearance of the City. The City Council is working with the postering industry to prevent this, whilst accommodating the aspirations of the industry. It has approved a report stating that, where developments incorporate site screening panels prior to or during building operations, developers are encouraged to be receptive to approaches by the postering industry to accommodate an element of posting, in a controlled way, on the screen panels. It should be noted that any such posting will require separate Express Consent, usually sought by the advertiser, from the City Council to ensure that an acceptable standard of display is achieved. Developers are invited to assist the Council's initiative with the postering industry by making suitable sites available, as indicated above.

COMMUNITY BENEFIT

Glasgow City Council (GCC) has developed a policy on Community Benefit to ensure that Glasgow secures the maximum economic and social benefit for residents and businesses from planned investment being made in the city.

The policy introduces measures to encourage:

- the targeted recruitment and training of those furthest from the job market, the long-term unemployed and individuals leaving education
- the advertising of sub-contracted business opportunities
- dedicated support for small to medium sized businesses (SMEs) and social enterprises (SEs) to build capacity.

These elements have been included in the development of the Commonwealth Arena, the Commonwealth Games Athletes' Village and the Hydro Arena at the SECC, among others, with significant success to date.

The Council is now working with Private Sector developers to maximise the impact of their investment in the City, for example Land Securities, developer of Buchanan Galleries. Significant assistance is available from various Public Sector agencies to achieve these outcomes and the support private contractors.

Should you wish to discuss these opportunities in more detail, please contact the Council's Community Benefit Programme Manager on 0141 287 6014.

Further background information on the Community Benefit model can be found at;

<http://www.scotland.gov.uk/Publications/2008/02/12145623/1>

ADVISORY NOTES TO APPLICANT

01. The applicant is advised that the granting of planning permission does not remove them from the requirement to obtain the consent of the owner of the site and adjacent landowners in respect of any access required to build or maintain this approved development. Such consent should be obtained prior to the commencement of the approved development.
02. The tree protection fence should be positioned as per BS 5837 (12 x DBM of tree) to ensure the safety and condition of the TPO trees by defining the Root Protection Zone (RPZ). No Materials can be stored within that area; no vehicular movements are allowed; all excavations must be by hand; no level reductions are allowed within the area, raising levels must be restricted to 100-150mm of soft material (mulch/topsoil/compost).

Part of the new building will be within the RPZ. The best option is to carry out two or three test pits along the nearest edge of the foundation line to the trees. These must then be inspected by the Council's Arboricultural Officers to ensure the effect of the works on the trees is kept to a minimum. These restrictions also apply to access routes in and out of the site from the Clouston Street side.

03. The applicant is advised that it is not permissible to allow water to draw in from a private area onto the public road and to do so is an offence under the Roads (Scotland) Act 1984.
04. The works, as indicated, do not impact upon the public road but if there is any requirement to carry out works on the public road an application under Section 56 of the Roads (Scotland) Act 1984 will be required.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notice under Section 27A Notification of Initiation of Development

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008

Notice under Regulation 37 Notification of Initiation of Development

A person who intends to carry out development for which planning permission has been given, must, as soon as practicable after deciding on a date on which to initiate the development and in any event before commencing the development, give notice to Glasgow City Council by returning this completed Notice. It should be addressed to Glasgow City Council, Development and Regeneration Services, Development Management, 231 George Street, Glasgow G1 1RX

FAILURE TO SUBMIT THIS NOTICE PRIOR TO COMMENCING WORK IS A BREACH OF PLANNING CONTROL UNDER SECTION 123(1) OF THE 1997 ACT AND ENFORCEMENT ACTION MAY BE TAKEN.

Application Reference:	18/01529/FUL	IAB
Application Address:	Site At Kelbourne Street/Sanda Street/ Clouston Street Glasgow	
Proposal:	Alteration and extension of existing building, and use as day care nursery (class 10) and storage facility (potentially contrary to City Development Plan policies CDP 6: 'Green Belt and Green Network' and CDP 7: 'Natural Environment').	
Applicant:	The Children's Wood [REDACTED]	
Decision:	Grant Subject to Condition(s)	
Decision Date:	14 November 2018	
Full name and address of person(s), company or body carrying out the development (if different from applicant):		
Full name and address of all owner(s) of the land to be developed (if different from applicant):		
Full name, address and contact details of person(s), company or body appointed to oversee the carrying out of the development:		
START DATE:		

Signed

Date

.....
*On behalf of

.....
*Delete where inappropriate

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notice under Section 27B Notification of Completion of Development

A person who completes development for which planning permission has been given must, as soon as practicable after doing so, give notice of completion to Glasgow City Council by returning this completed Notice. It should be addressed to Glasgow City Council, Development and Regeneration Services, Development Management, 231 George Street, Glasgow G1 1RX

Application Reference:	18/01529/FUL	IAB
Application Address:	Site At Kelbourne Street/Sanda Street/ Clouston Street Glasgow	
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Applicant:	The Children's Wood [REDACTED]	
Decision:	Grant Subject to Condition(s)	
Decision Date:	14 November 2018	
COMPLETION DATE FOR DEVELOPMENT:		

If the development is to be carried out in phases then, in accordance with the relevant condition of the planning permission, this Notice must, as soon as practicable after each phase is completed, be completed and returned to the address above.

Phase 1 completed date:	
Phase 2 completed date:	
Phase 3 completed date:	
Phase 4 completed date:	

Signed

 *On behalf of

Date

 *Delete where inappropriate

