

Planning Statement

Planning Application for Extension to
Dwellinghouse and Associated Works

at

24 Weymouth Drive, Kelvindale, Glasgow G12
0LX

On behalf of **Aliah Chowdhury**

Date of Report: **March 2021**

Contents

- 1 Introduction and Background
- 2 Application Site
- 3 Pre-Application Discussions
- 4 Planning History
- 5 Proposed Development
- 6 Development Plan and Planning Policy Analysis
- 7 Material Considerations
- 8 Conclusions

Tracy Hughes, Director



The Contents of this document must not be copied or reproduced in whole or in part without the written consent of Tracy Hughes Consulting Limited.

1 Introduction and Background

- 1.1 This Planning Supporting Statement has been prepared by Tracy Hughes Consulting (“THC”) Chartered Planning Consultants, on behalf of Aliah Chowdhury (“the Applicants”). The Statement is prepared in support of a planning application for the erection of a side and rear extension to the property at 24 Weymouth Drive, Glasgow (“the Property”).
- 1.2 The Property is a semi-detached period property located in Kelvindale, an affluent suburb of Glasgow and it is proposed to be the main home the parents of the Client. The Property was purchased given the potential for redevelopment to meet the disability needs of the occupants and their live-in carer.
- 1.3 This planning statement assesses the proposals against the relevant statutory requirements, development plan policies and material considerations.

Background

- 1.4 The Applicant’s parents have resided in Glasgow’s West End for a considerable time. Throughout the course of pre-application discussions with the Council, the Applicants has openly shared the pressing requirement to find suitable accommodation that will allow her parents to continue to live in familiar surroundings whilst remaining safe and cared for.
- 1.5 There is a scarcity of disability-friendly properties in the West End of Glasgow. This means that a whole section of society is prejudiced against in being able to live amongst and enjoy the same benefits of a diverse and cosmopolitan society that the West End is renowned for.
- 1.6 The proposals consider common issues that are critical to daily quality of life for disabled people, such that individual needs are easier to implement or adapt to with minimal change to the Property. We have outlined these in greater detail in the following sections.
- 1.7 When considering designs for this Property the Applicants has been constantly mindful that that the Property should provide a much-needed disability-friendly home which could meet future needs for other families when time comes to sell the property on.
- 1.8 While the personal circumstances of an Applicants are not usually of relevance in the determination of a planning application, they can be a material consideration and one of articular relevance in this instance.

2 Application Site

- 2.1 The Property is located within the established residential area of Kelvindale, to the north of Glasgow's West End. The wider area was built in the 1930's and reflects the architecture of that era. Most of the surrounding properties have been extended in recent years to respond to changes in modern living requirements.
- 2.2 The area is characterised by semi-detached villas, positioned on a steep slope, overlooking Kelvinside School playing fields. The Property is not within a Conservation Area.



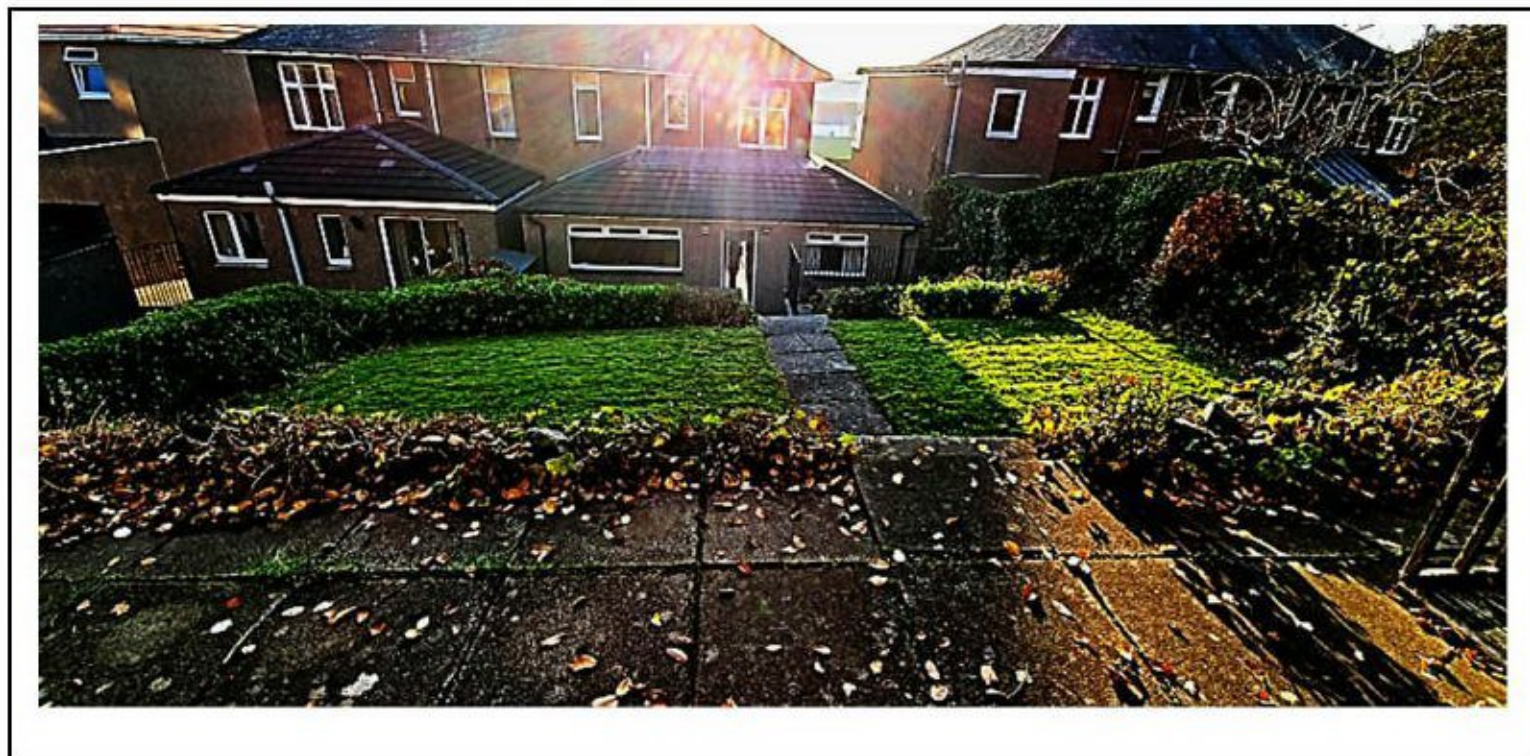
- 2.3 As evidenced from the google maps extract above, and the photographs overleaf, Weymouth Drive curves as it follows the perimeter of the school playing fields. As such each pairing of properties is positioned to ensure the built form replicates this curve. As a consequence, the rear gardens benefit from being slightly splayed. This also results in a reduction in potential overlooking issues from neighbouring properties. There are no immediate neighbours to the rear. No 24 is positioned midway along Weymouth Drive.



- 2.4 Weymouth Drive is also on an incline and this is evidenced from the photograph above and below. No 24 is positioned at the right hand side. The photograph below illustrates the resulting differential in height between no. 26 and no. 24. This change in level extends through the site and becomes more pronounced in the rear garden.
- 2.5 No 26 benefits from a double height side extension that spans the driveway with the gable wall sitting on the boundary of the two properties with the gutters hanging over the Applicants land. The double height side extension at no. 26 protrudes from the rear elevation resulting in a 'L' shaped formation to the rear of that property. There is a single window at ground and first floor of the double height side extension, but these are flush with the building line and face to the rear of the property. There are no windows to the gable.



- 2.6 The photographs below show the front and rear of the property at no. 24 as it currently appears. The property was extended by a single storey side and rear extension following granting of planning permission ref 01/00569/DC.



- 2.7 The photograph of the rear garden shows there is an abundance of mature foliage surrounding the boundaries to all rear gardens. In addition, a wall and tall hedge provides a significant degree of natural screening of the boundary with No. 26.

- 2.8 The rear gardens are also tiered as a consequence of the significant incline, meaning the area of garden closest to the properties is generally shaded at all times.
- 2.9 The existing floorplan extract below is taken from the supporting Design Statement prepared by Karen Parry Architects. This document contains further analysis of the existing Property and should be referred to in the determination of this application.



3 Pre-application Discussions

- 3.1 We have carried out a series of pre-application discussions with Glasgow City Council ("the Council") prior to the submission of this application. Our clients, owing to the necessity of the application, submitted a planning application to the Council on the 30th of October 2020 (ref 20/02879/FUL). The Applicants chose to submit this application without pre-application advice.
- 3.2 The Case Officer provided comments on the 23 November 2021, summarised in the table below. It was suggested the Applicants withdraw the submission and seek pre-application advice in the first instance. The Applicants duly complied, and the application was withdrawn on the 26th of January 2021.

Glasgow City Council response to 20/02879/FUL

Extension size. The extension is excessive in size and will need to be reduced significantly before it is acceptable.

Daylight analysis. I would also be concerned about the impact of the extension on sunlight to the garden area of 26 Weymouth Drive;

Please provide information regarding the impact of daylight on the neighbouring properties.
1m Set back. There is no set back as per policy guidance.
Window size/ position. The windows of the side extension do not tie in with those of the original dwelling house.
Rear Balcony. It is unlikely that a balcony will be acceptable given the likelihood of over-looking; (Should the client wish to pursue this then supporting evidence that demonstrates that there will be no over-looking should be provided).
Block Plan. The block plan does not clearly/accurately indicate the extent of the extension. The original dwelling should be indicated, followed by the 2-storey element, followed by the single storey element.

3.3 The Applicants amended the design in line with the above initial comments and submitted a request for pre-application advice on the 24th of February 2021 (Ref 21/00594/PRE). The key changes included.

- A reduction of the rear extension footprint and scaling back of the first-floor extension to reduce the width to ensure generous separation from the side of the Property.
- A sun-on-ground test that evidenced that the proposal fully complied with the requirements of the Local Plan and Supplementary Guidance.
- The revisions also included setting back from the front of the existing Property and thus fully complying with requirements.
- Windows to the front elevation of the side extension have been revised to closer match the existing fenestration.
- The rear balcony was omitted.
- The block plan was amended to clearly show the extent of the extension.

3.4 Pre-application advice was received on the 2nd of March 2021 where it was confirmed the requirements of the City Plan were now met.

3.5 The officer did comment that some concern remained in respect of the projection from the rear elevation. See below table.

Glasgow City Council Pre-Application advice 21/00594/PRE

Rear Elevation - This affects the property at number 26 Weymouth Drive in particular who will face a 7.4m long wall at single storey level (the overall height is 3.6m) and a 4m long wall at 2 storey level (the overall height is 7.64m). This will have an oppressive impact on that property and as such should be reduced in size.

- 3.6 The measurements quoted above show a potential misunderstanding and we provide clarification on these in the following section.
- 3.7 The officer also confirmed that external finishing materials were acceptable.
- 3.8 In light of the positive advice, it was considered that the right balance had been struck in terms of meeting the requirements of the Applicants and ensuring the design fully complied with the applicable planning policy.

4 Planning History

- 4.1 As stated above, whilst the area is characterised by properties built during the 1930's, it is also evident that most of the properties have benefitted from an extension of varying types over the years. There are a number of double height rear extensions in the immediate locality, we provide a note of these below.

Planning Application Reference	Address	Description of Development	Date of Approval	Comment
07/02373/DC	28 Ashburton Road	Erection of two storey side and rear extension to dwellinghouse	19 Sep 2007	Granted subject to conditions including erection of a 1.8m fence
13/00019/DC	70 Ashburton Road	Erection of two storey side and rear extension to dwellinghouse	07 Mar 2013	Granted despite officers' comments in respect of daylight - " <i>The proposal fails on floorplan however just about passes by allowing 50% of sunlight into the adjoining properties rear living room therefore resulting in an overall pass for the proposal.</i> "

- 4.2 From the above table it is clear that there is a precedent for double height rear extensions in the area.

5 Proposed Development

- 5.1 The Applicants purchased the property as they saw the potential to redevelop the floor plan following extensive research of surrounding areas. The extension is necessary to provide adequate floorspace to accommodate the required facilities across ground and first floor for occupants with a combination of mobility and other disabling health issues. The accommodation also has to accommodate a live-in carer and modest guest accommodation for family to help with assisting living needs.

- 5.2 The key requirements are:

- Adequate circulation space to allow for wheelchair/mobility support.
- Accessible storage at ground floor for space-consuming mobility aids.
- Kitchen / dining area formed to create a sunroom that offers privacy by being positioned at the rear and can open up into the garden, providing a housebound occupant with much needed access to natural surroundings and fresh air independently without having to leave the house on their own. This room doubles up as dining space given proximity to kitchen.
- Modestly sized independent recreational space on either floor, such as a study or art room, for each of the disabled occupants to maintain mental agility and positive mental health.
- Space to incorporate a lift to the occupants can move easily between floors.
- Staircase for able body access and fire escape means.
- Widening doorways and hallways to meet appropriate building regulations with respect to wheelchair accessibility.
- The upper floor will provide a generous master bedroom and en-suite facility adapted for disability, and with sufficient floor space for manoeuvre, storage and mobility assistance equipment.
- Increase bathroom sizes to allow adequate space for specialist sanitary wear; and two separate toilet facilities on each floor for quick access by either of the disabled occupants, particularly where mobility is impaired.
- A separate living space with private sanitary facilities for the carer at the rear of the property and at the same level as the adapted master bedroom for support during the night.

- Some contemporary living space for visiting family members.

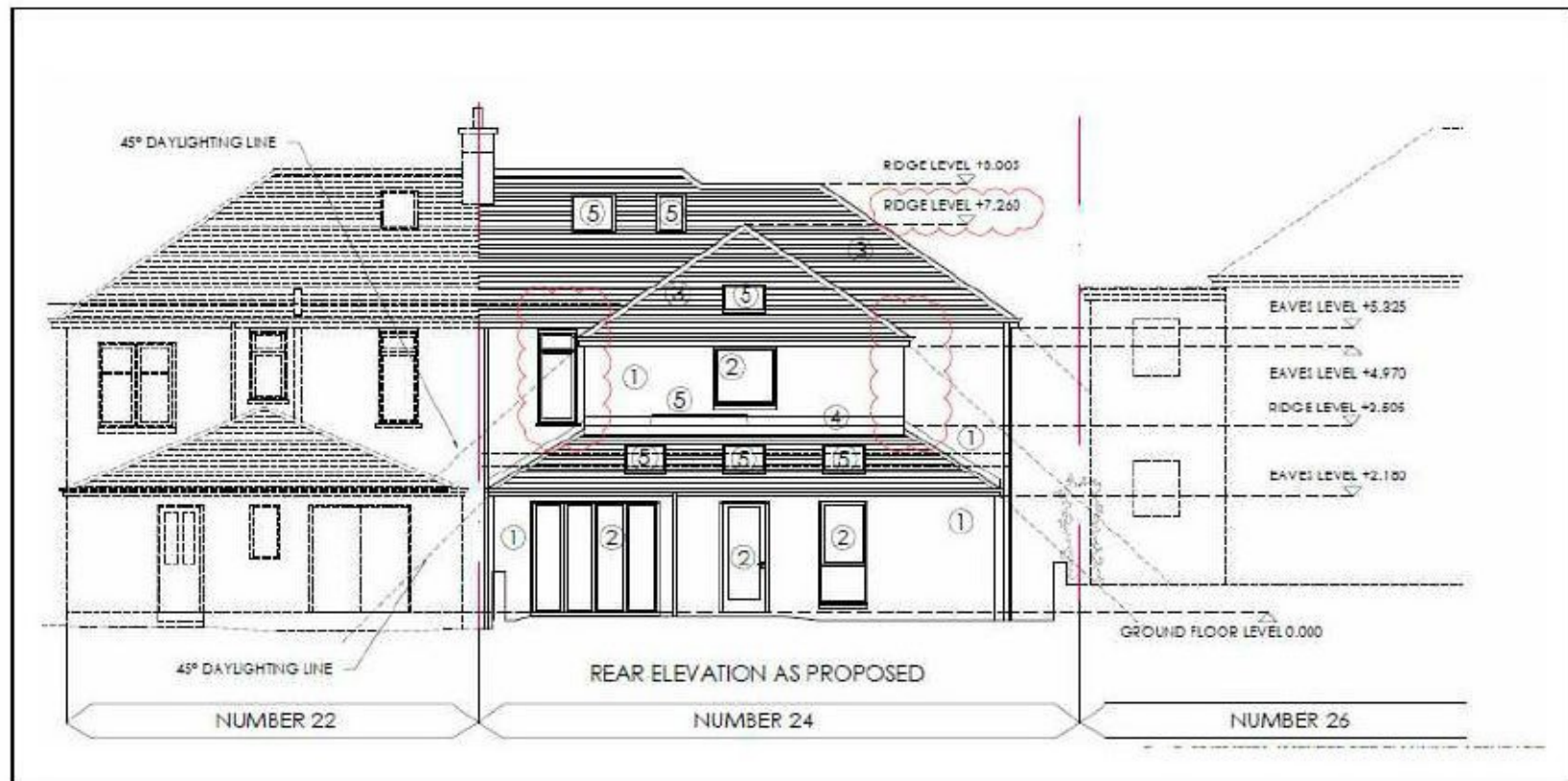
- 5.3 The proposed development involves the erection of a 2-storey extension to the side and a stepped two-storey extension to the rear. Given the site constraints posed by the side extension of no. 26 being built onto the boundary, and policy requirement to avoid a terracing effect, it has been necessary to develop out above the rear extension.
- 5.4 The extracts below are taken from drawing titled Proposed Elevations revision 08b and show the proposed side and rear elevations.

Side Extension



- 5.5 A 2-storey side extension is proposed.
- 5.6 The side extension will project the existing side elevation by 3.5m and is stepped back 1m from the front of the Property, thereafter the side extension follows the length of the existing property(7.1m).
- 5.7 The height to the eaves is approximately 5.3m. The roof forms a new lower hip end roof with the front elevation. This ensures the extension is visually subservient to the existing house. This also sits comfortably alongside the existing 2-storey flat roof extension to number 26.
- 5.8 Materials are to match that of the existing house.

Rear Extension



- 5.9 The existing rear single storey wraparound extension of 47.3sqm is retained and extended to the rear by 3.3m at the length of 9.4m which is set in from the existing rear wall. The first-floor rear extension is built out to the line of the existing single storey extension (4m) but is narrower at 6m and stepped in either side.
- 5.10 The rear extension will have a new hipped roof sat down from the existing back elevation. This ensures the extension is visually subservient to the existing house. Both footprints are centralised to the back of the property giving a visual balance to the single and upper storey extensions. Again, the materials will match the existing house.
- 5.11 The supporting drawings and visualisations demonstrate that the proposed extension will sit well within the existing context. This section should be read alongside the Design Statement, which sets out detailed visual information on design evolution and approach to integration of the development.

6 Development Plan and Planning Policy Analysis

- 6.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that “*where in making any determination under the planning act regard is to be had to the Development Plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise*”. This section of the Planning Statement provides an assessment of the relevant provisions of the Development Plan and associated Material Considerations.

Development Plan

- 6.2 The Statutory Development Plan for the area comprises the following.

- Clydeplan Strategic Development Plan (Approved 2017); and

- Glasgow City Development Plan (Adopted 2017).

6.3 The planning application is not of regional significance and therefore we have assessed the proposals against the applicable policy of the City Development Plan (“CDP”) below.

CDP 1 – the Placemaking Principle

6.4 This overarching policy seeks maintain Glasgow as a high quality, healthy place, and is applied to all development proposals throughout the City. The Council expects new residential development to meet a number of criteria. We have those that are applicable below and provided a response:

1. Making the City an appealing place to live, work and visit.

The proposed extension will sit within the existing built environment. The simple style complements the existing 1930's style and will ensure the occupants can continue to live within the comforts of their own home with live-in care when required.

3. Creating healthy and more equitable environments and promoting healthy lifestyle opportunities, including opportunities for communities to grow food.

The proposals will provide a much-needed home suitable for disabled living into the West End of Glasgow, the epitome of creating a more equitable environment and promoting healthy lifestyle opportunities.

The proposed extension will improve the immediate amenity areas and allow level access to the rear of the property and the levelling of the garden proposed will allow the occupants to enjoy outdoor space independently and not rely on assistance.

Every care has been taken to balance achieving planning policy requirements while providing a much-needed suitable disability friendly home.

4. Delivering sustainable buildings, areas and spaces that are attractive and enhance the quality of life for everyone.

The building has been designed to allow for future disabled occupants and their families in the long term, not just the immediate family requirements of the Applicants.

The proposal will be built to achieve current building sustainability targets. The landscaping to the rear will be completely re-terraced to provide maximum enjoyment of the garden for the occupants but also providing an additional level of privacy to the neighbours either side.

5. Demonstrating efforts to responsively engage with all stakeholders.

Following the initial submission to Glasgow City Council the Applicants has engaged with the planning department and taken the feedback on board. This is evidenced in the evolution of the drawings. The Applicants has also engaged with adjacent neighbours as a courtesy to inform them of the proposals.

6. Demonstrating a creative and iterative process in developing proposals.

The project evolution is demonstrated in the pre-application request submitted ref 21/00594/PRE.

8. Respecting the historic and natural environment by responding to its qualities and character and encouraging their appropriate use.

The proposals are not located within a conservation area nor are they affecting a listed building so this section is not applicable. However, the design is sympathetic to the 1930's style in terms of built form and materials and this has been accepted by GCC in the response to our pre-application advice request.

9. Providing high quality amenity to existing and new residents in the City.

The proposal include improvement works to the rear garden area which includes pushing back the existing tiered garden to provide more light to the rear of the property.

Policy CDP 2 – Sustainable Spatial Strategy

- 6.5 The Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable City. In doing so, the Council will support new development proposals that meet a number of criteria. We have responded to the applicable criteria (10) below.

10. Contribute to the development of vibrant and accessible residential neighbourhoods;

Approving the proposals will allow general improvement of the property to be sustainably accessible for disabled residents in the present and the future, which is limited in supply within the West End of Glasgow.

Policy CDP 10 Meeting Housing Needs

- 6.6 This policy aims to ensure that the City's growing and diverse population has access to a choice of housing of appropriate quality and affordability across all tenures. CDP 10 recognises Housing needs vary in different parts of the City and affect particular household groups differently. The approach taken in GHS, and the Strategic Housing Investment Plan which supports the delivery of the GHS, has therefore been to focus on a variety of investment and policy responses to housing need in the City. Housing stock adaptation or improvement to meet particular needs is included.
- 6.7 The proposals support the aims of policy CDP 10.

SG1 Placemaking – Part 2

- 6.8 While this Supplementary Guidance forms part of the development plan and has statutory status. It is important to keep in mind this is simply design advice to support CDP1 rather than strict requirements, thus the SG allows for flexibility when responding to site requirements. It also ensures that “each case is determined on its own merits” is applied in the decision-making process.
- 6.9 The guidance sets out how developers will be expected to incorporate a design-led approach within the context of the Placemaking Principle CDP1 above and Glasgow’s interpretation of the Six Qualities of Place. This SG provides a toolkit, designed to illustrate how development should seek to respond to the physical and spatial context of the Citywide area. We provide an assessment of the applicable guidance below.

Design and Materials

a) the siting, form, scale, proportions, detailed design and use of materials should be in keeping with the existing building and wider area;
--

Siting – side and rear extensions are commonplace in this area of Glasgow. A planning history search has determined that rear two storey extensions have also been accepted at various sites in the local area.

Form – The massing is proportionate to the site, and meets requirements of SG1
--

Scale – the scale has been adjusted and is now appropriate to the site while still functioning internally.
--

Proportions – proportions are appropriate to the area. the feedback from planners has been taken on board and the current designs now present a proportionate solution.

Detailed Design – The design is appropriate to the area.
--

Use of materials – materials also maintain continuity between original and new.

b) high quality innovative design is encouraged where it will complement the property;

The proposals represent a carefully considered intervention which we feel offers a balanced addition to this semi-detached property permitting the householder and any other occupants (temporary or otherwise); to navigate through the dwelling safely. They create desirable and flexible accommodation, fit for modern living, ensuring a long-term provision of accessible dwelling fit for common disabilities, which is hard to find in much of the West End of Glasgow.

c) extensions and other alterations to dwellings should be designed so they do not dominate the existing building, or neighbouring buildings;
--

We do not consider the proposal will dominate the neighbouring buildings either side of the Property.

Two storey side extensions are commonly accepted in the area.

The ridge height of the side extension is comparable with that of the flat roofed double height extension adjacent (no.26) and continues to the rear ensuring continuity.

The single storey rear extension with stepped upper extension has been scaled back from the original scheme design and again, a stepped pitched roof has been designed to ensure smooth integration on the proposed rear ground floor extension and the original roof. And to allow light to penetrate to either side of the new roofline.

The adjacent building (no.26) has a rear side extension that protrudes from the rear elevation, as if to turn its back on the application property. As mentioned above, the existing gable elevation (no.26) sits on the adjoining boundary and as such reduces the amount of development space available to the side of no.24.

The proposals ensure that balance is regained in the streetscape.

The topography of the site requires that the rear garden ground be excavated to maximise ground level garden space and allowing safe movement for the occupants with mobility issues.

The remainder of the existing terracing will also be re-terraced. This will have the effect of opening up the rear garden and also providing some increased privacy from neighbours given the change to existing garden levels.

.

The rear of the property is not overlooked and sits well below the road level behind.

We have prepared a visualisation to demonstrate how the proposal will sit within the existing context. This should be read in conjunction with the sun-on-ground analysis which demonstrates there will be no impact on the adjacent property.

The client would be happy to accept any condition to retain the existing natural screening.

Please see extract below – we have focussed on the relationship between 24 and 26 as this has been picked up by the Planning Officer in pre-application advice.



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

The building materials will be pebble dash render to match the existing, U-VPC windows and doors, slate roof to match existing and Velux in the roof. The planning officer confirmed these materials to be acceptable.

Front to Rear Access

a) extensions should not be built up to a common boundary thereby blocking off the only route around the house for garden equipment and refuse bins. All extensions garages etc. should be set back from the side property boundary by at least 900 mm to allow external movement of refuse bins garden equipment etc from the front to the rear of the property;

The front to rear access will be maintained.

Usable Private Garden Space

A minimum of 66% of the original useable private garden space (see Definition) should be retained in all house plots after extensions, garages, and outbuildings, etc., have been built, to avoid over development of the site. Adequate car parking shall be maintained within the curtilage of the property after any extension or structure is erected.

The accompanying drawings confirm we are within the requirements.

Original garden area (prior to historic extension) – 265sqm

66% to be retained = 175sqm

Potential Development Area = 90sqm – Actual Development Area = 82sqm

Privacy and Overlooking

a) there should be no adverse impact on existing or proposed accommodation.

Whilst we acknowledge that the proposals will change the external appearance of the property, there will be no adverse impact and the supporting documents provide the necessary evidence to support this in terms of supporting drawings and the sun-on-ground analysis.

b) windows of habitable rooms (see Definition) should not increase direct overlooking into adjacent private gardens or rooms;

Habitable rooms are defined as all rooms other than halls, landings, bathrooms, toilets, and small utility rooms.

The supporting drawings illustrate that there are currently 4 windows at first floor. Two are located at the hall, one at the bathroom and one at the existing bedroom.

The proposals indicate three windows at first floor level, one at the staircase, one at the bedroom and another at the study area. Overall, the number of windows will be reduced. It is acknowledged that two of the windows will be associated with habitable rooms (bedroom and study). The positioning of the study window is unaltered being that is its set back into the current building line, as per the current position. The single window associated with the new rear bedroom has been positioned purposefully in the centre of the whole building to ensure maximum distances from neighbouring gardens and mitigate any overlooking.

c) at ground floor level, screening of 1.8 metre high will usually be required along boundaries where new windows face neighbouring properties:

There will be one window on the ground floor to satisfy building regulations; however, the neighbouring property at 26 is built onto the boundary line so no screening is required.

d) above ground floor level, windows of habitable rooms which directly face each other, including dormers, should be at least 18m apart and at least 10m from the site boundary. These distances do not apply to rooflights;

The property fully complies with this being there are no properties located at the rear.

e) Obscure glazing in windows of habitable rooms (see Definition) is not considered an acceptable means to mitigate against privacy issues.

There are no privacy issues.

Daylight and Sunlight

There should be no significant adverse impact on either existing adjacent properties or the proposed accommodation.

A sun-on-ground test has been undertaken to measure the impact of the proposal on the overshadowing of the neighbouring rear gardens.

When the 'current proposal' is modelled, the area of garden at 24 Weymouth Drive that receives ≥ 2 hours of sunlight on the 21st of March is only predicted to reduce by a

maximum of 5%, which is within the limits of BR 209. There is no reduction in area to the gardens of 22 Weymouth Drive that currently receive sunlight.

Therefore, the proposed extensions comply with best practice industry guidance and the analysis demonstrates that any loss of sunlight to the gardens of 22 and 26 Weymouth drive is unlikely to be significant if the proposed extensions are constructed. The sun-on-ground test data and results are submitted with this application.

One and a Half and Two Storey Extensions

Side Extensions

To ensure extensions are subordinate to the existing house and avoid a terracing effect, 1.5 and 2-storey side extensions should generally:

- Not double the footprint of the house
- Be set back a minimum of 1.5 metres from the building line; and
- incorporate a roof style which carries through the line of the eaves of the existing house and has a ridgeline lower than the ridge of the roof of the house.

The proposals fully comply with these requirements and are considered subordinate.

The existing footprint measures 113sqm and the proposed footprint will measure 150sqm this represents an increase of 37sqm and this is well within the requirements.

The side extension will not project from the front of the building line.

The roof will be pitched and stepped down to ensure the original structure remains clearly defined. The use of materials will ensure a streamlined transition between the original building and proposed extension.

Rear Extensions

To reduce the dominance of the extension two storey rear extensions should also have a ridgeline well below the ridge of the existing house and should not generally be deeper than half the depth of the house.

The first-floor extension is stepped back either side and set well beneath the existing ridge line.

The stepped ridgeline to the first floor and then ground floor eases the transition from the original building to the ground floor extension and makes for an attractive design.

The remaining garden ground is well within the limit set by SG which implies that the total build cannot be considered overdevelopment.

7 Material Considerations

Scottish Planning Policy ("SPP")

- 7.1 SPP was updated in December 2020. Paragraph 29 confirms that planning policies and decision-making should support sustainable development. In determining whether a policy of proposal supports sustainable development, thirteen principles are to be considered, one of which is supporting the delivery of accessible housing.
- 7.2 Paragraph 44 recognises that people use places differently depending on their individual circumstances, including their degree of personal mobility.
- 7.3 Paragraph 132 requires local authorities to consider the need for specialist provision of accessible and adapted housing; wheelchair housing and supported accommodation which supports independent living for those with a disability.

Personal Circumstances of the Appellant

- 7.4 Case law has long established that the personal circumstances of an Applicants are a material consideration which can outweigh the terms of the development plan. In Westminster City Council v Great Portland Estates plc, the Court held that "Personal circumstances of an occupier, personal hardship.....are not to be ignored in the administration of planning control."
- 7.5 In AZ v Secretary of State for Communities and Local Government, an Inspector's decision dismissing an appeal against the refusal of planning permission for a mobile home in the green belt was quashed on the grounds that the Inspector had failed to consider the psychiatric evidence and the rights of the appellant and family members under Article 8 of the European Convention of Human Rights

European Convention on Human Rights

- 7.6 Under Article 8 of the ECHR, everyone has the right to respect for their private and family life, home and correspondence. There shall be no interference by a public authority with the exercise of that right except in accordance with law and to the extent that it is necessary in a democratic society in the interests of national security; public safety; economic wellbeing of the country; for the prevention of disorder or crime; for the protection of health or morals; or for the protection of the rights and freedoms of others.
- 7.7 Article 14 prevents discrimination on any grounds.
- 7.8 These rights are embodied in the Equality Act 2010.

A Fairer Scotland for Disabled People

- 7.9 The Delivery Plan sets out the Scottish Government's approach to policy for disabled people. It states that it "is based unequivocally on the social model of disability as opposed

to the medical model, which lays the blame on the impairment, rather than on society's inability to provide for their needs, rights, and aspirations.

- 7.10 The first ambition of the Delivery Plan is to "Support services that promote independent living, meet needs and work together to enable a life of choices, opportunities and participation."
- 7.11 The third ambition is "Places that are accessible to everyone. Housing and transport and the wider environment are fully accessible to enable disabled people to participate as full and equal citizens."
- 7.12 There is a strong focus on independent living and the Plan notes that without an accessible home it is impossible for disabled people to live as equal citizens.

Scotland's Wellbeing: Measuring the national outcomes for disabled people 2019

- 7.13 This report advises that "Disability is defined in the Equality Act 2010 as 'a long-term limiting mental or physical health condition, that has a substantial negative effect on your ability to do normal daily activities that has lasted, or is expected to last, more than 12 months. The key elements of this definition are that there is a long-lasting health condition and that this condition limits daily activity'." As is the case in this instance for the proposed occupants.
- 7.14 In terms of accessible housing, the report notes that "The EHRC, in 2018, reported that:
- 55% of Scottish councils said a lack of funding for adaptations was a challenge.
 - Only 17% of Scottish councils set a target for accessible and/or adaptable housing.
 - Only 24% of Scottish councils said the data they held about disabled people's housing requirements was 'good' or 'very good'.
 - 61,000 people in Scotland need adaptations to their home.
 - Only 0.7 per cent of Scottish local authority housing, and 1.5 per cent of housing managed by Registered Social Landlords, is accessible for wheelchair users.
 - Almost 10,000 disabled Scots are on housing waiting lists.
 - 41% of Scottish local authorities delivered an adaptation within eight weeks of a decision, although some disabled people waited for six months or more."

Planning (Scotland) Act 2019

- 7.15 The Planning (Scotland) Act 2019 received Royal Assent on 25 July 2019. Under the Act there is a statutory requirement to meet the housing needs of disabled people living in Scotland; improve the health and wellbeing of people living in Scotland; increase the population of rural areas of Scotland; and improve equality and eliminate discrimination.
- 7.16 The spatial strategies within Local Development Plans must include policies and proposals which address the housing needs of disabled people; details of the availability of land for such housing; the health needs and likely effects of development and use of land on those

health needs. The LDP must be supported by an evidence report which explains the steps which have been taken to support and promote construction and adaptation of housing to meet the housing needs of disabled people in the LDP area.

Summary

- 7.17 Further material considerations which support granting consent are the Appellant's personal circumstances; the need for a safe, appropriate home that meets specific needs related to health and disability needs; the lack of appropriate accommodation in the West end of Glasgow; the considerable national guidance on providing independent living for disabled people; and legislation ensuring that disabled people are treated equally.
- 7.18 Article 8 of the ECHR states that everyone has the right to respect for their private and family life, their home and their correspondence. A Planning Authority may only interfere with this right where it is in accordance with the law and necessary in a democratic society
- 7.19 The Scottish Government strongly supports "the aim of the independent living movement, which is that disabled people can live the life they choose, participating equally alongside other citizens in their families, communities, workplaces and wider society, with the support they need".
- 7.20 The Appellant has demonstrated a medical and social need for specialist housing in Glasgow's West End that cannot currently be met.
- 7.21 These material considerations carry significant weight when determining this application.

8 Conclusion

- 8.1 This Planning Statement has demonstrated via a robust analysis of all valid policy and application of relevant case law, that the proposals accord with the requirements of the adopted Local Development Plan. The extension will complement the existing property in terms of scale and proportion. The design reflects the character of the area. The supporting information has demonstrated there will be no detrimental impact on adjacent properties.
- 8.2 The proposals are appropriate when considered against the setting being a semi-detached property in an area where extensions including double storey rear extensions are commonplace, there are no rear neighbours, and the proposals meet all expectations in terms of planning policy and .
- 8.3 The side extension will mirror those double height extensions already in the localised area. Double storey rear extensions are also permitted provided the planning policy and guidance requirements are met and we have demonstrated above this is the case.
- 8.4 We have also provided a Sun-On-Ground analysis that concludes the proposed extension complies with best practice industry guidance and the analysis shows the loss of sunlight

to the gardens of 22 and 26 Weymouth Drive is unlikely to be noticeable if the proposed extension is constructed.

- 8.5 The design proposals have been the subject of significant and iterative development work and the focus of pre-application discussions with the council such that the impact of the development upon neighbouring properties has reduced and meets the requirements set by planning policy and supplementary guidance. This is also acknowledged by the planning officer in their response.
- 8.6 The proposals are a thoughtful and well-designed development that relates sensitively to the existing quality and character the area. The design and use of materials are appropriate to the character of the area.
- 8.7 The Scottish Government is committed to ensuring equality and inclusion and meeting the health and wellbeing needs of disabled people in Scotland.
- 8.8 There are considerable material considerations which weigh heavily in favour of granting consent, especially the Appellant's personal circumstances.
- 8.9 For the reasons set out above and in all other supporting documentation, it is considered that planning permission be approved.