

	<h1>Report</h1>	Agenda Item <h1>7</h1>
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Report to:	Planning Committee
Date of Meeting:	7 June 2005
Report by:	Executive Director (Enterprise Resources)

Application No	HM/04/0802
Planning Proposal:	Retention and Renovation of Facade, Demolition of Remainder of Building and Erection of Extension to Form Entertainment Complex (Listed Building Consent)

1 Summary Application Information

- Application Type : Listed Building Application
- Applicant : Lynnham Properties Ltd
- Location : Former Vogue Bingo Hall
Keith Street
Hamilton

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Permission (Subject to Conditions – based on the conditions attached).

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Russell Paterson Associates
- ◆ Council Area/Ward: 38 Whitehill
- ◆ Policy Reference(s): **Hamilton District Local Plan**
Policy ED13b – Town Centre Expansion
Policy EN4 – Conservation Areas
Policy EN25 – Heritage Preservation

- ◆ Representation(s):
 - ▶ 0 Objection Letters

- ◆ Consultation(s):

Historic Scotland

AHSS

Scottish Civic Trust

Hamilton Civic Society

RCHAMS

Planning Application Report

1 Application Site

- 1.1 The application relates to the Vogue Building on the north side of Keith Street, Hamilton. The Vogue was originally built as a cinema in the 1920s and was latterly in use as a bingo hall until its closure several years ago. Since then it has remained vacant. It is a category B listed building and is within the outer limit of the Hamilton Conservation Area. The main feature of the building is the front elevation onto Keith Street which is of an Art Deco classical design. There are few internal features of note, the exception being the proscenium arch around the stage.
- 1.2 The Hamilton Palace nightclub is located immediately to the east, while the land on the opposite side of Keith Street is occupied by the Salvation Army Hall, a bar and residential properties at upper floor level. Remaining land to the north and west is currently vacant.

2 Proposal(s)

- 2.1 The application is for the retention and renovation of the frontage of the Vogue building, the demolition of the main part of the building to the rear and the erection of a new structure behind the retained façade to form an entertainment complex.
- 2.2 The new building to the rear will accommodate a pub/club in the rear portion, together with associated kitchen, bars and storage facilities. The front section immediately behind the Keith Street frontage will provide a deli/bar, childrens play zone and candy shop, ice cream bar servery and pizza take away facility. A heated, external seating area will be provided outside the building adjacent to its eastern boundary. Toilet and ancillary facilities will be provided at upper level. The existing Keith Street frontage will be retained and made good to a high quality specification.
- 2.3 The new building will extend approximately 27 metres in length, 18 metres in width and 8.5 metres in height. It will be finished externally in metal cladding paneled walls with a facing brick basecourse and a metal cladding roof. It is anticipated that this elevation will be hidden by a future development on the land between the proposed extension and Town Square.
- 2.4 The development will be serviced to the rear of the building from the service road that serves the cinema complex at Hamilton Palace Road together with an existing service area between the Vogue and Palace nightclub which currently serves the latter.
- 2.5 An associated planning application for the use and new build elements of the development has also been submitted and is considered on this agenda under HM/04/804.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is covered by policy ED13b in the adopted Hamilton District Local Plan. This states that the Council proposes to redevelop the Palace Grounds as an extension to the Town Centre to provide modern commercial facilities including shops, community and cultural facilities and sports and leisure provision.

- 3.1.2 In addition, policy EN4 advises that the Council will protect and enhance the built environment through control of development within conservation areas, while policy EN25 states that there will be a general presumption against development that will destroy, adversely impinge or significantly damage any heritage feature, including listed buildings.

3.2 Relevant Government Advice

- 3.2.1 National Planning Policy Guidance 18 on Planning and the Historic Environment states that the primary consideration in the determination of applications for listed building consent is the statutory requirement to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest. NPPG 18 sets out the issues generally relevant to the consideration of all applications for listed building consent and applications for planning permission affecting listed buildings. It states that there should be a presumption against development that adversely affects the character of a listed building or its setting

3.3 Site History

- 3.3.1 Listed building consent was granted in January 1999 for the demolition of the Vogue building, retention of its Keith Street façade and the erection of an arts centre library and theatre (planning application no. HM/98/0426). Listed building consent for the conversion of the Vogue to form a nightclub and an extension on vacant land in Castle Street to provide a licensed bar and food court was granted in May 2001 (HM/01/0114). Amendments were latterly made to this application under HM/03/0740 for alterations and repairs to the frontage.

4 **Consultation(s)**

- 4.1 **Historic Scotland** - advise that the building is a rare and high quality survivor of the Art Deco period in architecture. If the Council is satisfied that the case for demolition has been made, then restoration of the front of the building should be undertaken with careful attention to detail. Further details are required on the treatment of the front elevation.

Response: Noted. Submission of full details on the proposed restoration of the frontage of the building will be required prior to work commencing on site.

- 4.2 **Architectural Heritage Society for Scotland** – consider the proposals to be acceptable.

Response: Noted.

- 4.3 **RCHAMS:** advise that they must be notified by the applicants if consent is granted for demolition and they intend to carry out the work in order that they can record details of the building.

Response: Noted – an appropriate condition can be imposed on any consent issued.

- 4.4 **Hamilton Civic Society** – no response.

Response: Noted.

- 4.5 **Scottish Civic Trust** – consider the proposals to be more appropriate than the previously approved scheme. No concern is raised over the plain and functional new build element to the rear, as the setting in this location has been redeveloped with retail park buildings.

Response: Noted.

5 Representation(s)

- 5.1 The application was advertised in the local press and no representations have been received.

6 Assessment and Conclusions

- 6.1 The application is for the retention and renovation of the façade, the demolition of the remainder of the building and erection of a new build area behind the facade of the existing vacant Vogue building. This is a category B listed building and as such, the primary consideration in the determination of the application is the statutory requirement to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest.

Where demolition is involved, consideration must be given to the:

- importance of the building,
- condition of the building
- the adequacy of efforts made to retain the building in use
- the extent to which the community would benefit from redevelopment.

In addition, the main issues to be considered when assessing the listed building proposals include:

- the impact of the proposals upon particular physical features of the building that justify its listed status;
- the building's setting and its contribution to the townscape or landscape, having particular regard to the impact of the proposals upon the views to and from the listed building
- the extent to which the proposed works would bring benefits to the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings)

- 6.2 The main feature of the building is the front elevation which is of an Art Deco classical design and which makes a notable contribution to the street. There are few internal features of note. The applicant has advised that the building is badly affected by dry rot and is in poor condition. The existing structure comprises an exposed steel frame with single brick infill panels which support the roof. This all rests on small, close to the surface foundations. The applicants engineers advise that the existing structure is unable to take any further load and that the cost of structurally altering the frame and recladding the outer surfaces would be so costly as to make the proposals unviable. It is therefore proposed that the rear section be demolished and replaced with a smaller structure designed to meet current standards. The frontage, which is the building's area of greatest importance, will be retained and restored.

- 6.3 I therefore consider that the demolition of the rear part of the building is justified due to its poor condition and as its demolition will not have any significant impact on the main physical features of the building that justify its listed status (its frontage). The contribution which the building makes to the townscape will be largely unaffected by the demolition and new build proposals, while significant improvements to the facade can be achieved by the reinstatement of windows and doors, removal of

inappropriate signage and sympathetic stone and render repairs. None of the amenity bodies consulted on the proposal have raised any objection to it.

- 6.4 In addition, the proposed club, deli/bar and ancillary childrens play zone will add to the wide range of leisure and entertainment facilities already found in Hamilton Town Centre and in the Keith Street area in particular. The proposals will help to enhance the role of Hamilton for entertainment purposes and contribute to the local economy.
- 6.5 In view of the above, it is considered that the demolition is justified and that the proposals for rebuild to the rear and renovation of the existing frontage are acceptable and will not adversely affect the character or setting of the listed building. It is therefore recommended that the application be approved.

Iain Urquhart
Executive Director (Enterprise Resources)

19 May 2005

Previous References

- ? HM/98/0426
- ? HM/01/0114
- ? HM/03/0740

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - AHSS 10/11/2004
 - Historic Scotland 17/11/2004
 - Scottish Civic Trust 08/12/2004
 - RCHMS 11/11/2004

- ▶ Representations
 - None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Karen Brown, Planning Officer, Brandon Gate, Hamilton
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CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the Royal Commission on the Ancient and Historical Monuments of Scotland shall be notified of the intention to commence works and shall be afforded a period of 3 months from the date of notification to record the buildings, during which time no demolition may be undertaken unless RCHAMS has indicated in writing that its record has been completed.
- 3 That no part of the building shall be demolished until it has been demonstrated to the satisfaction of the Council as Planning Authority that contracts have been placed for the redevelopment of the site as an entertainment complex.
- 4 That prior to the commencement of any demolition works, the applicant shall agree in writing with the Council as Planning Authority, a schedule of any materials and architectural features to be salvaged, together with appropriate measures to recover and restore these items.
- 5 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 6 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.
- 7 That the external rainwater goods shall be painted black.
- 8 That before any work starts on site, detailed drawings at a scale of not less than 1:50 shall be submitted which illustrate a historically accurate refurbishment of the front elevation of the Vogue building, including reinstatement of Art Deco timber windows and doors, sympathetic stone and render repairs and removal of inappropriate signage. No work shall commence on site until these details have been agreed in writing with the Council as Planning Authority and the works shall thereafter be implemented in accordance with the approved plans.
- 9 That before any work starts on site, a detailed specification of the method of cleaning the front elevation of the Vogue building shall be submitted for approval by the Council as Planning Authority. A sample panel on an inconspicuous part of the building shall be prepared for inspection and written approval prior to the commencement of cleaning.

- 10 Details of the extent of stonework repairs and details of the treatment required shall be submitted to and agreed in writing with the Council as Planning Authority once cleaning is complete and prior to commencement of this aspect of the work. A sample panel of stonework repairs shall be prepared to match the cleaned stonework in colour, texture and coursing for inspection and written approval from the Council as Planning Authority prior to the commencement of this aspect of the works.
- 11 That notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, no fascia signs, adverts or projecting signs shall be erected on the premises without the prior written consent of the Council as Planning Authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To allow for the recording of the building(s) to be demolished.
- 3 To ensure the satisfactory redevelopment of the site.
- 4 In order to enable the re-use of any important features within the building.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 In the interests of amenity.
- 8 In the interests of amenity and in order to retain effective planning control.
- 9 In the interests of amenity and in order to retain effective planning control.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 To safeguard the amenity of the area.

For information only

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