

	<h1>Report</h1>	Agenda Item <h2>8</h2>
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Report to: **Planning Committee**
 Date of Meeting: **07 September 2010**
 Report by: **Executive Director (Enterprise Resources)**

Application No: HM/10/0211
 Planning Proposal: Renovation and Extension of Existing Listed Building to Form 2 Units as Part of Residential Development Proposals (Listed Building Consent)

1 Summary Application Information

- Application Type : Listed Building Application
- Applicant : McCarthy and Stone Retirement Lifestyles Ltd
- Location : Blackswell Lane/Staneacre Park
Hamilton

2 Recommendation(s)

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

- (1) Grant Listed Building Consent – Subject to Conditions (Based on the Conditions Attached)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) In accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, this application, if approved, requires to be referred to the Scottish Ministers as it relates to works carried out to a listed building.

3 Other Information

- ◆ Applicant's Agent: The Planning Bureau Ltd
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan**
Policy ENV4 – Protection of the Natural and Built Environment
Policy ENV24 – Listed Buildings
- ◆ Representation(s):
 - ▶ 2 Objection Letters
- ◆ Consultation(s):

Scottish Civic Trust

Historic Scotland

Planning Application Report

1 Application Site

- 1.1 This application relates to works being proposed to a category B listed building at 5 Blackswell Lane, Hamilton. The property itself dates from the mid to late 18th century with later additions (attached garage) and alterations. It is two storey with attic accommodation and historically has been used as a manse and an Factor's house for the Duke of Hamilton's estate.
- 1.2 The building is rectangular in form with a central entrance and a spiral staircase to the rear. It has been vacant (and deteriorating) since the 1990's and sits within a larger development site which includes the existing residential property at 16 Staneacre Park. The complete site is bound by Blackswell Lane to the west and north, beyond which public car parks can be found. The eastern boundary of the site is formed by The Hamilton Lawn Tennis Club, located on Blackswell Lane, and residential properties at Staneacre Park and Avonside Grove. A commercial photographer, which sits at the corner of Staneacre Park and Townhead Street, is located to the south of the application site. The site is split level, rising to the south towards the town centre of Hamilton.
- 1.3 Blackswell Lane forms a main travel link to and from Hamilton Town Centre to the motorway and beyond.

2 Proposal(s)

- 2.1 The application seeks Listed Building Consent in respect of work to the category B listed property at 5 Blackswell Lane. The applicants propose the renovation of the property to provide two flatted units. These renovation works include major rot works, removal and replacement of the roof structure, structural repairs and removal of a single storey garage extension and timber porches. In addition to the above works, to achieve the necessary accommodation to accord with modern living requirements, two new extensions are proposed to the rear of the property and the installation of two new rear dormers. A new window opening would also be formed in the ground floor east elevation.
- 2.2 In terms of external finishes, it is proposed that the existing stonework will be cleaned and re-pointed with lime mortar and the front elevation would be re-rendered with traditional wet dash. The roof and dormers would be reroofed using the existing slates. The existing windows would be replaced with new sash and case timber to match existing and all rain water good would be new cast aluminium. The new rear extensions would have gable walls of sandstone to match the stonework of the existing building, with the roof and rear elevations being clad in pre-weathered zinc.
- 2.3 The remainder of the site would accommodate a new flatted block, in the form of retirement flats (64 units) and associated car parking and landscaping. These development proposals are the subject of a separate application (HM/10/0223) for planning approval, presented for consideration separately at this Committee.
- 2.4 In support of the overall proposals a number of supporting documents have been submitted, including a Written Statement in respect of the renovation proposals for the Listed Building, a Design, Access and Sustainability Statement, Pre- Application Consultation Report, Executive Summary and Site Investigation Report.

3 Background

3.1 Local Plan Policy

- 3.1.1 In terms of this Listed Building Consent application, policies ENV4 – Protection of the Natural and Built Environment and ENV24 – Listed Buildings of the adopted South Lanarkshire Local Plan apply. Through these policies the Council has a general presumption against development which would destroy, adversely impinge or significantly damage any heritage feature, including listed buildings.

Policy ENV4 requires that in areas of local/regional importance, which includes category B Listed Buildings, development should only be permitted where the integrity of the protected resource is not significantly undermined. Policy ENV24 advises that, as a first principle, the preservation of the building and its setting, or any other feature of special architectural interest, should be sought.

3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy 2010. The SPP advises that changes to listed building should be managed to protect its special interest while enabling it to remain in active use and that enabling development may be considered acceptable to achieve the retention of such structures. It further advises that government guidance is set out within the Scottish Historic Environmental Policy (SHEP).

The SHEP states that “the sustainable use and management of the historic environment means recognising the advantages to be gained from retaining the existing building and ensuring their special interest is protected”. It notes, however, that listed buildings will require alteration and adaptation if they are to remain in beneficial use, and will be at risk if such alteration and adaptation is unduly constrained.

3.3 Planning History

- 3.3.1 The development proposals were the subject to a Pre-Application Consultation in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. A Pre-Application Consultation Report has been submitted to accompany the proposal.
- 3.3.2 It is further noted that two applications, one for Planning Permission and one for Listed Buildings Consent (applications HM/08/0193 and HM/08/0192LBC) were withdrawn by the applicants in October 2008. It is understood that this was due to commercial reasons as a result of market conditions at the time. The scheme proposed by these submissions was for the demolition of 16 Staneacre Park, the formation of two units within the listed building and the erection of 61 flatted units within two new blocks, located either side of the existing listed building. The proposed design of the buildings and vehicle access arrangement (from both Blackswell Lane and Staneacre Park) was similar to the current development proposal.

4 Consultation(s)

- 4.1 **Historic Scotland** – greatly welcome the proposal to bring this important building back into a viable and sustainable use. Having said that, they have recommended that the re-rendering of the front elevation be undertaken in a natural lime harl, that all elevations be finished in this manner, confirmation of the external wall treatment

colour should be sought and that detailed drawings of replacement windows should be conditioned as part of any consent.

In addition to the above comments, Historic Scotland has advised that the retention of any surviving internal features (skirting, cornices, door/window architraves and panelled doors) should be considered rather than replacement.

With regards to the proposed extensions, Historic Scotland had raised initial concerns in respect of the impact of these on the existing stairwell. However, on the basis of additional information provided by the applicants they have now withdrawn these concerns.

Response: Noted. Where appropriate conditions can be attached to any consent in respect of the approval of external finish materials, retention of internal features etc. to address the concerns raised by Historic Scotland.

- 4.2 **Architectural Heritage Society of Scotland** – have advised that they are happy with the proposals to restore the building to beneficial use and its sub-division into two units. However, they have offered objection to the design of the proposed rear extensions, recommending that any extensions necessary should be accommodated within the footprint of the demolished garage.

Response: With regards to reservations raised in respect of the relationship of the proposed rear extensions to the stairwell, these relate to the fact that they will be directly linked externally to the existing turnpike stairwell.

In assessing these concerns against the future retention of the building, the works are considered to be acceptable in this instance. The design submitted not only provides necessary accommodation to allow the satisfactory re-use of the building but will not, in my opinion, detract from the existing building or its features. Whilst they have been designed to connect directly to the external face of the stairwell there are no proposals to create further openings into the stairwell structure and it will therefore remain intact. It is considered that the design of the new extension, whilst modern in style, will not detract from the appearance of the existing building both in terms of their design and materials proposed.

The existing building, in its current condition, represents an eyesore at this location, and has been the subject of arson attacks and anti-social activity. The proposed new build will provide the necessary funding to enable the retention and enhancement of the listed building and allow it once again to become an asset to the environment at this location, whilst bringing it back into beneficial use.

- 4.3 **Scottish Civic Trust** – have made similar comments to those above. In addition, they have expressed concerns over the removal of the internal features and replacement of existing rainwater goods.

Response: Noted. In response to the concerns raised in respect of the proposed extensions, I would reiterate the comments made in the response at 4.2 above. With regards to the removal of internal features, these concerns are supported and it is intended to attach a condition, should consent be granted, requiring that an assessment of these features be undertaken and, where appropriate, their retention be considered.

5 Representation(s)

- 5.1 The application was advertised in the both the local press and Edinburgh Gazette, for both Listed Building Consent and as a Development Affecting the Setting of a Listed Building, following which two letters of representation were received.

- 5.2 The first letter was submitted on behalf of the West of Scotland Archaeology Service. This representation highlights that the development of the building and adjoining land raises archaeological issues. However, to accord with government guidance it is considered appropriate in this to secure that any archaeological issues are addressed through the use of an appropriate condition, the wording of which has been provided by WOSAS.

Response: Noted. Given the historic significance of the existing building it is intended to attach the suggested condition, should consent be granted.

- 5.3 The second letter was lodged by an adjoining resident which raised objections to the overall impact the development would have on the listed building and sought confirmation that Historic Scotland had been consulted on the proposals, raised concerns over the proposed material of the new building being out of character with the listed building and that the scale of the proposed building overwhelms the listed building.

Response: It is confirmed that Historic Scotland have been consulted on the proposals. It is noted that no concerns were raised in respect of the impact of the proposed building on the listed building in terms of the scale of works proposed or proposed finish materials of the new build element.

6 Assessment and Conclusions

- 6.1 This application for Listed Building Consent seeks permission for the renovation the existing structure to provide two units. These works include the replacement of the roof structure, structural repairs and the demolition of existing extensions. Two new extensions are proposed to the rear of the property and the installation of two new rear dormers. Externally, the building will have its existing stonework re-pointed/re-rendered, as appropriate. The new rear extensions will be finished in a combination of sandstone to match existing and pre-weathered zinc. The remainder of the site will accommodate a new flatted development, in the form of retirement flats (64 units) and associated car parking and landscaping. These works are the subject of a separate application (HM/10/0223) for planning approval, presented separately for consideration at this Committee.
- 6.2 The main determining issues when assessing this proposal are whether the proposed works accord with national and local plan policy and the impact on the existing listed building and its setting.
- 6.3 In terms of national planning policy guidance, as detailed within Scottish Planning Policy 2010, the proposals raise no significant issues or conflicts with the general aims of the guidance with the Scottish Historic Environmental Policy (SHEP).
- 6.4 In terms of applicable local plan policies, which generally aim to protect historical and ecological resources/assets within the built environment, the proposals are considered to be in accordance with the requirements of these policies.
- 6.5 None of the statutory consultees have offered an objection to the principle of the conversion of the property to form two residential flats or raised any concerns in terms of the impact of the proposed new build on the setting of the existing building. The proposals are therefore considered to be acceptable in this regard.
- 6.6 However, whilst noting that the some consultees have raised concerns over the proposed extensions and elements of external finishing materials it is considered that on balance these works do not represent a form of development, which would justify

the refusal of the application. The external finishes can be controlled through the use of conditions, where appropriate. Furthermore, it is considered that the proposed extensions have been designed, not only to provide the required accommodation but in an effort to integrate them into the building and preserving the stairwell feature intact, albeit enclosed at lower level by the proposed extensions. The stairwell feature will therefore retain its dominance on the rear elevation of the building.

- 6.7 In terms of the third party representations received these are either unsupported or can be addressed through the use of conditions, where appropriate.
- 6.8 The proposed new build element will provide the necessary funding to enable the retention and enhancement of the listed building. In addition the proposed works to the listed building will not, in my opinion detract from the building or impact negatively on its designation as a listed property. Indeed through the use of appropriate materials the building can again be an asset to the environment as it will be brought back into beneficial use. This is not only advantageous for the building itself but will also be beneficial to the wider surrounding area.
- 6.9 I therefore recommend that Listed Building Consent be granted, subject to referral to the Scottish Ministers.

7 Reasons for Decision

- 7.1 The development accords with the policies of the adopted South Lanarkshire Local Plan (Policies ENV4 – Protection of the Natural and Built Environment, ENV24 – Listed Buildings) and does not conflict with government guidance, as set out with Scottish Planning Policy 2010 (SPP) or the Scottish Historic Environmental Policy (SHEP).

Colin McDowall
Executive Director (Enterprise Resources)

31 August 2010

Previous References

- ◆ HM/08/0192 (LBC)

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Architectural Heritage Society For Scotland 07/06/2010
 - Scottish Civic Trust 08/06/2010
 - Historic Scotland 18/06/2010
- ▶ Representations
 - Representation from : West of Scotland Archaeology Service, 20 India Street, Glasgow, G2 4PF, DATED 16/06/2010
 - Representation from : Mr & Mrs Mark Lindsay, 12 Staneacre Park, Hamilton, ML3 7BU, DATED 31/05/2010

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Contact for Further Information

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

James Watters, Planning Officer, Brandon Gate, Hamilton

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CONDITIONS

- 1 This decision relates to drawing numbers:

1708.PL2.01 Rev A – Location Plan
1708.PL2.02 – Site Survey
1708.PL2.03 – Listed Building as Existing
1708.PL2.04 – Listed Building as Proposed
1708.PL2.05 Rev A – Site Plan/Floor Plans Sheet 1 of 2
1708.PL2.06 Rev A – Site Plan/Floor Plans Sheet 2 of 2
1708.PL2.07 – Site Plan/Roof Plan
1708.PL2.08 – Elevations Sheet 1 of 2
1708.PL2.09 – Elevations Sheet 1 of 2
1708.PL2.10 – Detailed Elevations
1708.PL2.11 – Soft Landscape Proposals
6574/02 – Tree Works and Tree Protection Plan
1708.03 – Level 1 & 3 Floor Plans – Showing External Lighting
1708.04 – Ground Profiles at Boundaries and Retaining Walls
- 2 That notwithstanding the terms of Condition 7 below, works to the existing listed building on site shall accord with the following requirements:
 - a) The re-rendering of the principle elevation and all remaining elevations should be a natural lime harl.
 - b) The existing windows should be retained and refurbished where appropriate. A justification in respect of each window which is considered for replacement shall be submitted to, and agreed by the Council as Planning Authority. The detailed drawings for any window agreed for replacement shall be submitted to the Council for consideration. These should be at a scale of 1:10 with sections and profiles being provided at a scale of 1:1, or otherwise agreed with the Council, as Planning Authority.
 - c) Repair works to the roof shall be undertaken using the existing slates. Any new slates shall match the existing in terms of their size, appearance and texture, details of which should be submitted to and agreed, in writing, with the Council, as Planning Authority.
- 3 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.
- 4 That prior to the implementation of the works hereby approved, a sample panel of the proposed external finish shall be provided and no further work on the site shall be commenced until the written approval of the Council as Planning Authority has been granted for this or other such finish as may be acceptable to the Council. The approved sample panel shall remain in place throughout construction.
- 5 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.

- 6 That the existing internal features (skirting boards, cornices, door/window architraves and panelled doors etc) shall be retained and made good where necessary, unless otherwise agreed by the Council as Planning Authority.
- 7 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.
- 8 Stone repairs, including those to chimneys, shall precisely match the colour and texture of the existing stone (as cleaned).
- 9 Details of the extent of stonework repairs and details of the treatment required shall be agreed with the Council as Planning Authority once cleaning is complete and prior to the commencement of works on this aspect.
- 10 That no development shall take place within the development site outlined in red on the approved plan until the developer has secured the implementation of a programme of archeological works in accordance with a written scheme of investigation which has been submitted by the applicants, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To ensure a satisfactory integration of the proposed development with the existing building both in terms of design and materials
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 In the interests of amenity.
- 7 In the interests of amenity and in order to retain effective planning control.
- 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 order to safeguard any archaeological items of interest or finds.

