

Report

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Report to:	Planning Committee
Date of Meeting:	26 June 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/18/0278
Planning proposal:	Demolition of hotel (Listed Building Consent)

1 Summary application information

Application type:	Listed building application
Applicant:	New Dimension Group(Hamilton) Ltd and Whitbread PLC
Location:	Hamilton Town Hotel 29-31 Townhead Street Hamilton ML3 7BQ

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 conditions attached

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent: LMA Architects
- ◆ Council Area/Ward: 17 Hamilton North And East
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan:**
Policy 4 Development Management and Place Making
Policy 15 Natural and Historic Environment

Supplementary Guidance 9 - Natural and Historic Environment
Policy NHE3 - Listed Buildings

Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2)
Policy 5 - Development Management and Place

Making Policy
Policy 14 - Natural and Historic Environment

◆ **Representation(s):**

▶	2	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

WOSAS

Historic Environment Scotland

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located between Townhead Street and Bourne Street at the eastern edge of Hamilton town centre adjacent to the A723 trunk road. The site is currently occupied by three adjoining buildings forming the Hamilton Town Hotel with the main hotel frontage located along Townhead Street. The building, which dates from the mid and late nineteenth century, is essentially a two and a half storey building of traditional appearance and is Category C listed. Within the site there are also outbuildings located to the rear from this period and later twentieth century buildings used for hotel bedrooms and recreational space, including a large structure from the 1970's raised on columns with undercroft parking.
- 1.2 The site extends to approximately 0.25 hectares and is bounded to the north and east by Bourne Street, public car parking and commercial properties, to the south by public car parking and to the west by Townhead Street. The site is surrounded by buildings varying in scale, appearance and function. These range from a five storey contemporary hotel and residential developments to two and three storey Victorian properties incorporating ground floor retail units. The finish materials of the surrounding buildings also vary and include traditional sandstone, slate, render and cladding. Pedestrian access to the site is via Townhead Street with vehicular access off Bourne Street.
- 1.3 The site has been considerably altered to the rear as it faces Bourne Street and incorporates open surface car parking for the former hotel. A retaining wall dating from the twentieth century defines the site edges to the east and south as the land drops away sharply to the surface public car park.

2 Proposal(s)

- 2.1 The applicant seeks listed building consent for the demolition of the existing unlisted elements of the hotel building within the site. A detailed planning application for the demolition of the buildings on the site and its replacement with a 96 bedroom hotel was submitted to the Council in March 2018 (P/18/0264). The applicant also submitted an application for conservation area consent for the demolition of the unlisted elements of the existing hotel within the site (P/18/0265). Due to the heritage designations associated with the site the proposed hotel development could only proceed if listed building and conservation area consents for demolition are also granted along with the detailed planning permission sought.
- 2.6 A Preliminary Heritage Report on Proposals to Demolish Existing Buildings and a Structural Condition Survey were submitted with the application as supporting documents.

3 Background

3.1 Local Plan Policy

- 3.1.1 The application site is located within Hamilton Town Centre in the adopted South Lanarkshire Local Development Plan. The site is also located within the Hamilton Conservation Area. The proposal is affected by Policy 4 - Development Management and Place Making and Policy 15 – Natural and Historic Environment. Supplementary

guidance relating to listed buildings is provided in Supplementary Guidance 9 - Natural and Historic Environment and in particular Policy NHE3 – Listed Buildings of the Council’s Supplementary Guidance. Additional design guidance is provided in the Development Management, Place Making and Design Supplementary Guidance. The above policies and how they relate to the proposal are discussed in detail in Section 6 of this report.

3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policy 1 - Spatial Strategy, Policy 5 - Development Management and Place Making Policy, Policy 8 - Employment, Policy 9 - Network of Centres and retailing, Policy 10 - New Retail/Commercial Proposals, Policy 14 - Natural and Historic Environment, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding are relevant. Volume 2 of the Proposed Plan contains further policy guidance that will be used when assessing planning applications. In this instance, Policy DM1 - New Development Design, Policy NHE3 - Listed Buildings and Policy NHE6 - Conservation Areas are relevant.

3.2 **Relevant Government Advice/Policy**

3.2.1 Scottish Planning Policy (SPP) states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

3.2.2 Historic Environment Scotland Policy Statement June 2016 states that, where the application proposes the demolition of a listed building, applicants will be expected to provide evidence to show that:

- a) the building is not of special interest; or
- b) the building is incapable of repair; or
- c) the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d) the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

3.3 **Planning Background**

3.3.1 The applicant submitted a detailed planning application for the demolition of existing hotel and erection of 96 bedroom hotel with ancillary restaurant and additional Class 3 unit within the site. This application was registered by the Council on 14 March

2018 and is also under consideration as a separate item at this Planning Committee (P/18/0264).

- 3.3.2 The applicant submitted an application for conservation area consent for the demolition of the existing hotel within the site. This application was registered by the Council on 3 May 2018 and is also under consideration as a separate item at this Planning Committee (P/18/0265).

4 Consultation(s)

- 4.1 **Historic Environment Scotland** – The application for demolition of the C listed Hamilton Town Hotel (former Commercial Hotel) is accompanied by a number of supporting documents including a 'Preliminary Heritage Report' prepared by Turley Heritage May 2018', this has given us a good understanding of the history of the site, context, and structural condition. The report identifies that a number of elements present imminent concern in regard to structural stability and safety, in particular the failing internal floor structure and roof structure to the original 4-bay section of the building, and the adjacent oriel window which is highlighted as showing signs of movement. It is clear to us that the site is in very poor repair, suffering from water ingress, timber infestation, partial collapse of internal fabric, and vandalism. It is also clear that the historic interest and special character of the site has been affected by the lack of maintenance and worsening condition of the building. The submission, however, stops short of fully justifying the demolition of the Hotel, noting in Preliminary Heritage Report 3.26 - 'The evidence to demonstrate that the buildings are not economically viable for repair (HESPS Text c) has not been proven, but it can be assumed based on the very poor condition of the buildings. However, further evidence should be provided to demonstrate that the building has been marketed appropriately. While HES do not wish to raise a formal objection in this instance, our view is that the further information set out above would be required to conclusively demonstrate that options for reuse have been fully explored and that the demolition is justified against national policy as set out in 3.42 of HESPS.

Response:- Noted.

- 4.2 **West of Scotland Archaeology Service (WOSAS)** – have no objections to the application subject to the developer securing the implementation of an archaeological watching brief, to be carried out by an archaeological organisation during all ground disturbance in order to safeguard any archaeological items of interest or finds. The retained archaeological organisation should be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief should be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council prior to commencement of the watching brief.

Response: Noted. Any consent granted would incorporate an appropriately worded condition to address the above matter.

5 Representation(s)

- 5.1 The application was advertised in the Hamilton Advertiser and the Edinburgh Gazette as a proposal requiring listed building consent. Two letters of representation have been received in relation to the application. The grounds of objection are summarised below:

- a) **Failure by the developer to investigate the reuse and redevelopment of the building, in any part or retain any of the existing frontage. The hotel building facing onto Townhead Street in three parts may be in**

poor condition, but is restorable. It has some very attractive features that contribute to the townscape and identity of the urban spaces so formed. The other sections of building to the side and rear of very much less heritage value and could be considered separately for demolition. This would leave the older front building intact and better defined while also enabling other more suitable options to the rear.

Response: It is considered that the retention of the listed building is not economically viable and that its demolition has been sufficiently justified through the qualified supporting information submitted. This matter is discussed further in Section 6 of this report.

- b) Removal of the key building will have a detrimental effect on the scale, style and massing along the street existing and the character of the Hamilton Conservation Area.**

Response: It is considered that the historic interest and special character of the site has been affected by the lack of maintenance and worsening condition of the building to a degree that justifies its demolition. This matter is discussed further in Section 6 of this report.

- c) Loss of street frontage to a street already decimated by previous developments.**

Response: It is considered that the building's demolition has been sufficiently justified through the qualified supporting information submitted. This matter is discussed further in Section 6 of this report.

- d) Does not align with South Lanarkshire conservation guides and fails to deliver the key aspirations of these guides to protect and enhance the historic built environment.**

Response: It is considered that a sufficient level of supporting information has been submitted to justify the demolition of the existing building. This matter is discussed further in Section 6 of this report.

- e) The front of the existing building is of a very suitable scale, texture and detail level for the street. That street currently has reduced traffic access and recently upgraded paving. Townhead Street should be considered a primary pedestrian route and any changes along it need to be appropriate to this. The neighbouring buildings are of similar scale and at least some of them of similar level of detail.**

Response: Whilst the application site is located within the Conservation Area and the proposed building is of contemporary appearance it is considered that the building has been designed appropriately to be in keeping with the Conservation Area and that it is sympathetic and complimentary to the existing character of the area.

- f) The hotel is within the designated Conservation Area with the implications being that buildings of heritage value need to be preserved; both listed and others of similar scale, detailing and design. Conservation Areas allow for change, but that requires that preservation is foremost and alterations are in keeping with the core character of the area. Major change is not acceptable. Infill such as to gap sites or replacement of buildings deemed not worthy of retention need to still comply with these basic considerations at least in scale and relationship to the streetscape and surrounding buildings i.e. be sympathetic in design. A dramatic change to this through the**

replacement of this building with a much larger blander one as proposed would have a negative effect on the overall area.

Response: Whilst the application site is located within the Conservation Area and the proposed building is of contemporary appearance it is considered that the building has been designed appropriately to be in keeping with the Conservation Area and that it is sympathetic and complimentary to the existing character of the area.

g) The supporting documentation to meet test c) has not yet been provided. Any assumptions about economic viability based on poor condition need to be balanced with more thorough assessment of repairs/restoration, site development options etc than what is provided. The principle of retention always being the preferred option unless every other options has been thoroughly explored needs to be strictly adhered to. This needs to include considerations not only of those economic and sustainable usage, but also spacial, appropriate to the communal space.

Response: As the property has lain vacant for a significant period of time and there are no viable alternative uses for the building it is considered that the retention of the listed building is not a viable option and that its demolition has been justified sufficiently through the qualified information submitted.

5.2 These letters are available for inspection in the usual manner and on the Councils Planning Portal.

6 Assessment and Conclusions

6.1 The applicant seeks listed building consent for the demolition of an existing hotel within the site. The proposed demolition is required to facilitate the redevelopment of the site for the erection of a new 96 bedroom hotel with ancillary restaurant and additional Class 3 unit which is the subject of a separate detailed planning application under reference P/18/0264. The determining issues in consideration of this application are its compliance with national and local plan policy and its impact on the character of the Conservation Area.

6.2 In terms of national planning policy, Scottish Planning Policy (SPP) states that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

6.3 Historic Environment Scotland Policy Statement June 2016 states that where the application proposes the demolition of a listed building applicants will be expected to provide evidence to show that:

- a) the building is not of special interest; or
- b) the building is incapable of repair; or
- c) the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d) the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

- 6.4 The assessment in the following paragraphs will highlight that the proposed demolition can be justified in line with national planning guidance as the historic interest and special character of the site has been affected by the lack of maintenance and worsening condition of the building, the redevelopment of the site for a new Premier Inn hotel would add to the attraction of Hamilton town centre and encourage further economic investment in the town and it is not feasible to incorporate the buildings in the development proposed as the costs would be prohibitive and would render any redevelopment unviable.
- 6.5 In terms of local plan policy, the application site is located within Hamilton Town Centre in the adopted South Lanarkshire Local Development Plan. The site is also located within the Hamilton Conservation Area. The proposal is affected by Policy 4 - Development Management and Place Making and Policy 15 – Natural and Historic Environment. Supplementary guidance relating to listed buildings is provided in Supplementary Guidance 9 - Natural and Historic Environment and in particular Policy NHE3 – Listed Buildings of the Council’s Supplementary Guidance. Additional design guidance is provided in the Development Management, Place Making and Design Supplementary Guidance.
- 6.6 Policy 4 generally resists development that will be detrimental to amenity and seek well designed proposals which integrate successfully with their surroundings and make a positive contribution to the character and appearance of the urban environment. As the existing buildings within the site are Category C listed, Policy 15 is also relevant to the assessment of the proposal. This policy states that the Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. The Council will seek to protect important natural and historic sites and features from adverse impacts resulting from development, including cumulative impacts. The application relates to a Category C listed building and is, therefore, designated as a Category 3 site under the terms of this policy. In Category 3 areas, development which would affect these areas following the implementation of mitigation measures will only be permitted where there is no significant adverse impact on the protected resource. Where possible, any development proposals which affect natural and historic designations should include measures to enhance the conservation value of the site affected.
- 6.7 The above policy is supported by Policy NHE3 – Listed Buildings of the Council’s Supplementary Guidance. Policy NHE3 states that development affecting a listed building or its setting shall, as a first principle, seek to preserve the building and its setting, and any features of special architectural interest which it has. The layout, design, materials, scale, siting and use of any development shall be sensitive to, and respect the character and appearance of, the listed building and its setting. Any proposals for repairs, alterations, and extensions to listed buildings shall demonstrate a sound knowledge and understanding of the building, and demonstrate a full awareness of its cultural significance and all phases of its development. Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated to the satisfaction of the Council that every effort has been exerted by all concerned to find practical ways of keeping it. This will

include the provision of evidence to the Council that the building is incapable of physical repair and re-use through the submission and verification of a thorough structural report.

- 6.8 For ease of reference, the structural reports submitted with the application split the existing building into various blocks dependent upon their age, structural composition or survey findings. Block A relates to a traditional built stone building circa 1850-1900. It is evident from the findings that this block appears to be in the worst condition which may be mainly due to having had many roof alterations creating weak spots at dormers which, once breached, has made water ingress more substantial. Although the facade of the block appears in relatively good condition, any collapse of an internal structure may cause an unexpected and sudden push in/out on boundary walls. It is recommended that Block A be demolished in its entirety as the general poor and rotten condition of the overall internal floor and roof structures warrants its removal. Blocks B and C relate to traditional stone buildings circa 1850-1900. It is recommended that Blocks B and C are fully tested for rot (wet & dry) prior to any attempt to re-use the structure. Due to the building's current condition, approximately 80% of finishes and 50-60% of the structural timbers are likely to need treated and strengthened or replaced. As with Block A, it may be more cost effective to demolish the buildings. Blocks D and E relate to outbuildings/coach houses, possibly contemporary with the original hotel frontage circa 1850-1900. Block D is generally of adequate condition although there is evidence of the start of water ingress via the slate tiled roof and, if not repaired, then this area will likely deteriorate in a fashion akin to the other blocks along the frontage. It is recommended that Block E be removed in its entirety as it would not be cost effective to provide a new slate roof and general repairs to this structure. Block F relates to a 1970's concrete/steel structure which is generally adequate and will take a longer time to degrade.
- 6.9 In terms of the assessment of the application, the submitted supporting information has been taken into account in addition to the information relating to the associated detailed planning application for a replacement hotel within the site (P/18/0264). The supporting documents provide a thorough understanding of the history of the site, context, and the structural condition of the building. The reports confirm that the existing buildings are in a dilapidated state and are incapable of refurbishment or redevelopment in their existing condition with several areas of concern highlighted and substantial demolition recommended. The reports highlight that a number of elements present imminent concern in relation to structural stability and safety, in particular the failing internal floor structure and roof structure to the original four bay section of the building, and the adjacent oriel window which is highlighted as showing signs of movement. It is evident that the building is in a very poor state of repair, suffering from water ingress, timber infestation, partial collapse of internal fabric, and vandalism. It is also clear that the historic interest and special character of the site has been affected by the lack of maintenance and worsening condition of the building.
- 6.10 Whilst specific marketing details have not been submitted with the application, the applicant's supporting information advises that the property has been marketed unsuccessfully by the current owners for a number of years without any credible development proposals being brought forward. It further advises that it would not be feasible to incorporate the buildings in the development proposed as the costs would be prohibitive and would render any redevelopment unviable. In view of all of the supporting information submitted in this instance, it is considered that the retention of the listed building is not economically viable and that its demolition has been sufficiently justified through the qualified evidence submitted. It is evident that the

historic interest and special character of the site has been affected by the lack of maintenance and worsening condition of the building and that the demolition of the building would enable the redevelopment of the site for a new Premier Inn hotel which would add to the attraction of Hamilton town centre and encourage further economic investment in the town. In this regard I am also satisfied that the proposed replacement building for the site has been designed appropriately to ensure that it is not out of keeping with the Conservation Area and to a degree that justifies the demolition of the existing listed building on the site. On this basis, I am satisfied that the proposal meets the terms of Policies 4, 15, NHE3 and NHE7 as outlined above.

- 6.11 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposals accords with Policy 14 - Natural and Historic Environment in the Proposed plan in addition to Policy NHE3 - Listed Buildings in the SLLDP2 Volume 2.
- 6.11 In summary, the application for the demolition of the existing hotel building within the site is considered to be acceptable as the proposal conforms with national and local plan policy and raises no significant environmental or infrastructure issues. It is, therefore, recommended that listed building consent should be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 4 and 15 of the adopted South Lanarkshire Local Development Plan and Policy NHE3 – Listed Buildings of the Council’s Supplementary Guidance. The proposal also complies with Policies 5, 14 and NHE3 of the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

15 June 2018

Previous References

- ◆ P/18/0264
- ◆ P/18/0265

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted 2015)
- ▶ Development Management, Place Making and Design Supplementary Guidance (2013)
- ▶ Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) (2018)
- ▶ Press Advertisement, Hamilton Advertiser dated 17.05 2018
- ▶ Press Advertisement, Edinburgh Gazette dated 18.05.2018

► Consultations

WOSAS 21.05.2018

HES 21.05.2018

► Representations

Architectural Heritage Society Of Scotland, Strathclyde Group
Office, Tobacco Merchants House, 42 Miller Street, Glasgow,
G1 1DT Dated: 06.06.2018

Mr Ryan Holmes, 19 Allanshaw Street, Hamilton, ML3 6NL 29.05.2018

Contact for further information

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Ext: 3657 Tel (01698 453657)
Email: jim.blake@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/18/0278

Conditions and reasons

01. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to safeguard any archaeological items of interest or finds.

02. That prior to any demolition commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

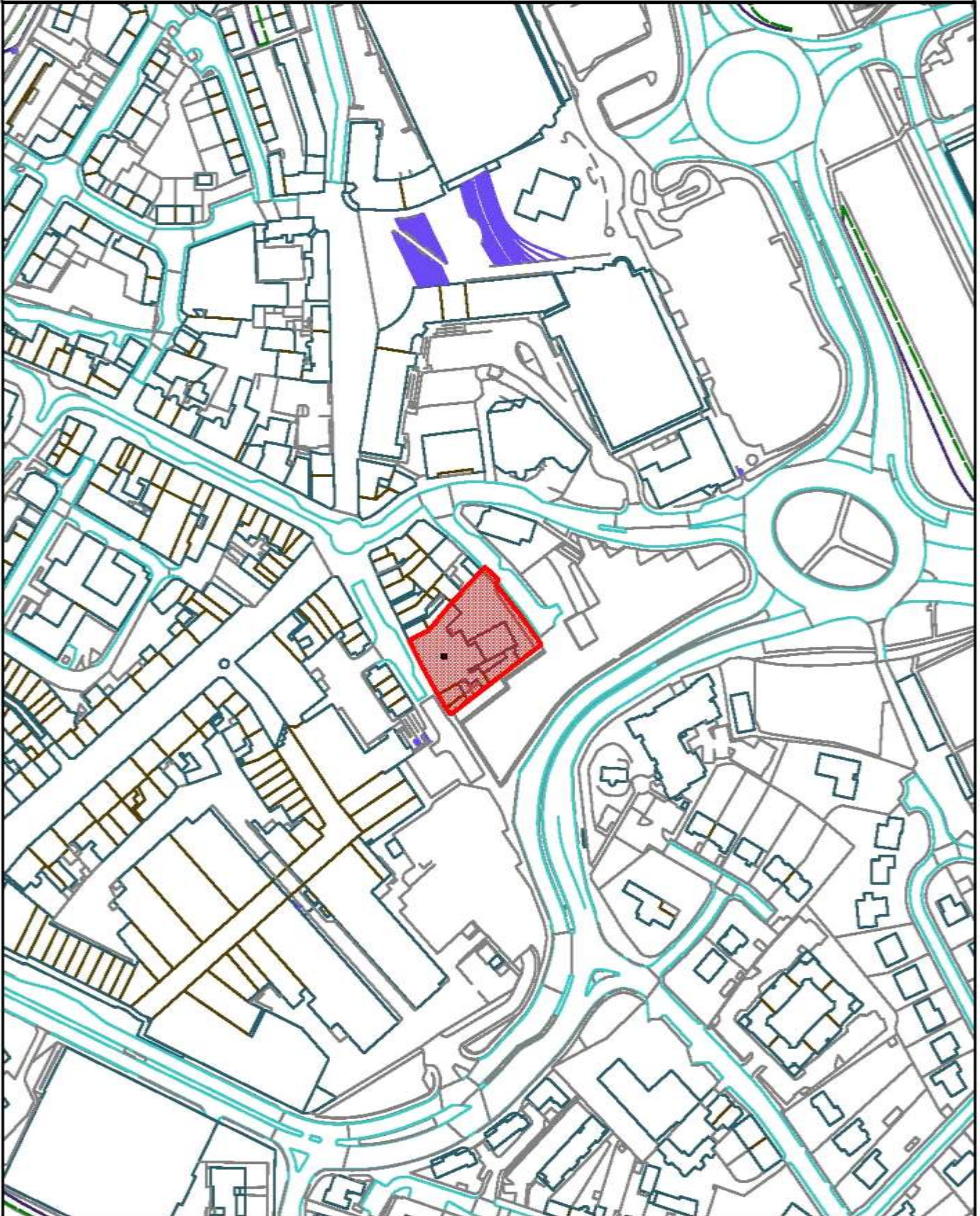
Reason: In the interests of amenity and in order to retain effective planning control.

03. That prior to any demolition commencing on site, a traffic management plan shall be submitted to and approved in writing by the Council as Planning and Roads Authority. The traffic management plan shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council.

Reason: In the interests of amenity and public safety.

P/18/0278

Hamilton Town Hotel, 29-31 Townhead Street, Hamilton



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Scale:
1:2,500
Date:
04/06/2018



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development