



Planning Applications Committee

Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability

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Item 2

20th August 2024

Application Type Listed Building Consent
Recommendation Grant Subject to Condition(s)

Application	19/00266/LBA	Date Valid	15.02.2019
Site Address	326 Sauchiehall Street Glasgow G2 3JA		
Proposal	Complete demolition of fire damaged listed building		
Applicant	Obarcs No1 LLP 34 Jubilee Rd Newtownards Co. Down Northern Ireland BT23 4YH	Agent	Iceni Projects Ramsay McMichael Consulting
Ward No(s)	10, Anderston/City/Yorkhill	Community Council	02_032, Garnethill
Conservation Area	Central	Listed	C
Advert Type	Affecting a Conservation Area/Listed Building	Published	1 st March 2019

Representations/Consultations

54 objections were received, including representations by Sweeney MP, Thewliss MP, White MSP, Cllr Braat, Bailie Mearns, Cllr Millar, Garnethill Community Council, and Blythswood and Broomielaw Community Council.

A summary of the content of the objections is included in a later section of this report.

Historic Environment Scotland – No objection

Site and Description

The subject property consists of the C Listed 'O2 ABC' and 'ABC2' venue located on the north of Sauchiehall Street, and within the Central Conservation Area. Immediately to the north of the property is the A Listed Glasgow School of Art (GSoA) Mackintosh Building, which forms the northern boundary to the application property. The site levels increase from south to north, with the Mackintosh Building sitting significantly higher than the application property.

To the east of the subject property on Sauchiehall Street is a relatively modern addition which completes the block (former Jumpin Jaks). This modern building is unlisted, therefore no demolition of the unlisted building is proposed as part of this listed building consent application.

The listing description of the building comprises:

“1875 origins as entertainment venue, largely rebuilt Neil C Duff, 1927 as Waldorf Palais Dance hall and converted C J McNair, 1929 to cinema. Early 21st century converted to bar and music venue. 3-storey 8-bay (left bay added early 21st century) classical building with round-arched arcaded top storey and dominant full height Classical Modern entrance by McNair. Painted smooth render. Cornice divides 1st and 2nd storey. Angle pilasters.

FURTHER DESCRIPTION: off-centre slightly advanced entrance with full-height opening; flanking pilasters with flagpoles break wallhead. Cornice surmounted by anthemion motif. 6 small square-plan openings above and long slender openings to pilasters now blocked. Recessed entrance with 3 pairs of non-traditional 2-leaf timber doors. Large glazed area above now blocked. Shop and bar premises flank ground floor entrance.

Non-traditional glazing to shopfronts and bar. Multi-pane glazing with mullions to 1st floor. Mullioned and transomed timber multi-pane windows to top storey. Complex multi-pitch roof, semicircular to W with corrugated metal covering.

INTERIOR: comprehensively remodelled early 21st century. Coloured terrazzo starburst floor to entrance foyer. Black and white terrazzo floor to upper landing. Exposed curved steel roof structure to principal venue space.”

Background

The property has a complex history. The listing description notes the history of the building as follows: *Built in 1875 as the Diorama it became the Panorama in 1878 and Hubner's Ice Skating Palace in 1885. It hosted Glasgow's first public film showing in May 1896. Hengler's Circus operated from the building from 1904 to 1927 when it was rebuilt as the Waldorf Palais dance hall. The arcaded top storey windows date from this period.*

The Waldorf Palais de Danse was bought by Associated British Cinemas (ABC), which had been recently established by John Maxwell. The building was greatly altered once again by leading cinema architect Charles J. McNair. McNair plans of 1929 clearly show the footprint of the building and much of the fabric, including the new steel-truss roof. However, the mezzanine was removed, the entire interior was completely remodelled, and the new entrance portico was constructed. The alterations introduced an asymmetry onto the main elevation, with two bays of the original facade remaining to the left hand side of the entrance portico, and a single bay to the right hand side.

The cinema underwent various alterations before closing on the 14th of October 1999. The venue later reopened as a music venue after significant remodelling which included the introduction of an additional cosmetically similar ‘bay’ to the western end of the main Sauchiehall Street elevation. The addition of the bay necessitated the remodelling of the western elevation onto Scott Street, as the building footprint was now wider.

Most recently, the building operated two music venues, “O2 ABC” and “ABC2”, until 16 June 2018, when a large fire started in the Glasgow School of Art’s Mackintosh Building. This fire spread to the application property, causing significant damage to the buildings within the street block. The ‘O2 ABC’ suffered extensive fire, smoke and water damage whilst “ABC2” suffered significant smoke and water damage. The impact of the fire on these buildings is further complicated by the likely interdependencies of the structures within the streetblock.

A summary of the damage and conclusions is provided below, as detailed within the specialist engineering reports submitted in 2019: “*Report on O2 ABC & ABC2*” dated December 2018; “*Summary of Building Damage and Recommended Works*” dated January 2019; and “*Technical Note*” dated June 2019.

Roof Structure and Steel Frame

The effect of the fire upon the roof structure is severe where it has been exposed directly to heat. The roof structure has failed and entirely collapsed onto the composite floor structure, now placing a significant imposed load onto the general structure that was not designed to cope with such loadings.

The building now relies on its steel frame to provide the remaining core skeletal support for the floors and associated structure, preventing further collapse. The collapse of the roof is creating lateral forces in the main perimeter columns. The effect of the fire on protected, remote or hidden steelwork below

roof level is not obvious and there is significant difficulty in establishing this. Whilst there is no way to conclude accurately its condition and the effect it may be having upon the current stability of the remaining building, the reports assume that the general integrity and reliability of the steel frame has been severely compromised due to the severity of the extremities of heat, water and loadings. In particular, the structural connections of the composite floor to the steel frame must now be considered compromised.

Masonry Walls

The façade of the building is a cosmetic masonry brick skin formed against a timber framed stud and steel frame whereby it gained its primary lateral support from the internal metal columns and beams. There was a connective reliance and interdependency between the skeletal frame and other support elements – with the fire destroying and undermining these connections in many locations throughout the building, and heat distorted/corroded steelwork resulting in a loss of structural stability and compromising the robustness of the masonry structure.

The masonry skin has numerous bond fractures visible internally. The nature of the failure and collapse of the roof has impacted upon the connectivity between bonding courses in the masonry components which will have weakened and displaced critical elements within the masonry structure.

The security of the timber joists providing the lateral support and stability to the front elevation has been completely lost. The instability of the front elevation has been compounded by the collapse of the roof as this is now leaning onto the elevation, placing a lateral load that the masonry structure was not designed to resist.

The internal timber framework, which was providing support and strength to the lightweight masonry façade, has lost its structural stability and the façade is now in a precarious position. This is compromised at the wallhead by the undermined steel beams above the large arched windows and is now tied minimally.

The arched timber window frames form part of the structure which acted as a supporting formwork during the façade's original construction and continues to provide critical support to the non-load bearing cosmetic external masonry leaf. These frames are badly fire damaged internally and cannot be relied upon to provide continuing support to the arched cosmetic masonry that relies on the frames for essential support.

Damage to the internal finishes also reveal that the main entrance is relying on support from heat distorted and significantly corroded lateral beams. The roof slab over the main entrance is partially collapsed. In addition, the main external east brick wall is unrestrained over its upper two storeys after failure of the connections to the retaining roof.

Given the condition and instability of the wallhead following the fire, a temporary partial RMD structural support system was installed by Glasgow City Council to parts of the Sauchiehall Street and Scott Street elevations. Internal propping was also installed.

Floors (suspended)

It is unknown what temperatures the upper composite floor structure has been exposed to, or the effect on the upper level of the significant loadings imposed by the collapsed roof structure. Due to the extent of damage suffered, it is impossible to examine the floors, though the effect of the fire on the composite steel/concrete floors is likely to have greatly impacted upon their strength, stiffness and general integrity.

Water Damage

Due to the steep gradient of the block, the buildings fronting Sauchiehall Street have been subjected to run off of all extinguishment water used. At the time of application, a large volume of water remained present within the building and has affected most parts of the structure and destroyed internal fixtures and fittings. Much of this water has seeped deep into the structure and fabric of the building completely saturating the entire building and foundations.

Other

Due to the topography of the site and the type, age, and relationships of the structures, the buildings on Sauchiehall Street are expected to provide a degree of buttressing support to the GSoA Mackintosh Building. There is concern over the stability of the large retaining wall forming the main north retaining interface with the GsoA, noting that the composite floors at the upper levels may have some restraining effect upon the Mackintosh Building rear wall.

Asbestos surveys have evidenced that there is no asbestos in the areas which are safe to access. However, original drawings specify asbestos materials within the building. When asbestos materials become damaged or disturbed they can release asbestos fibre. The asbestos, along with various plastics and polymers used through the building release toxic fumes, chemicals and particulates. Many of these harmful chemicals are flushed throughout the building during the process of fighting the fire. There is a potential threat to health and safety from the fire damaged materials and the potential toxicity of the site due to the extent of water flushing toxic by-products of combustion through the entire building.

Due to heat, smoke and water damage, all services have been destroyed beyond salvage including drainage, heating, cooling, ventilation and electrical.

Post-Submission 2024 Update

Following submission in 2019, it was agreed with the applicant that the application to demolish the building should be placed on hold until a time when it was supported by a proposal for a replacement building. This would ensure that the site would not lie vacant for a significant period prior to being redeveloped. In June 2023, formal pre-application discussions for the redevelopment of the site commenced, resulting in the formal submission of the following applications in July 2024.

24/01679/CON – *Complete demolition in a conservation area* – currently invalid awaiting submission of further information

24/01680/FUL – *Erection of purpose-built student accommodation with ground floor food hall (Class 1A) Food and drink (Class 3) Public house and hot food takeaway (Sui generis) and Assembly and Leisure uses (Class 11) with associated landscaping, amenity, access and other ancillary works* – valid as of 04.07.2024 – Pending Consideration

As part of the on-going discussion regarding the redevelopment of the site and the condition of the listed building, the Head of Building Standards and Public Safety visited the building with the applicant in March 2024 to review the current condition of the building. Upon internal inspection, it was evident that there has been further deterioration of the condition of the building, leaving upper sections of the façade unrestrained and in danger of collapse. In the interest of public safety, the Council immediately erected a safety exclusion zone beneath a section of the front façade to the east of the main entrance, using powers under Section 29 of the Building (Scotland) Act 2003.

Building Standards Officers have concern regarding how long the deteriorating façade structure can survive without collapse. The provisional propping and restraining previously installed by the Council to other parts of the façade and floors, to temporarily reduce the danger posed by those parts, was never envisaged to be in place for an extended period. As a consequence of the passage of time, there is continued deterioration throughout, and to the entire façade. The internal timber floors in the associated propped areas are degrading and remain saturated and weakened by their long exposure to the elements.

Following a further site visit in June 2024, fundamental concern regarding the safety of the façade structure and threat to the public has resulted in the service of a dangerous buildings notice on the owners of the building. The notice, served 31 July 2024, requires the front and side facades to be demolished and removed, along with their immediately attached floor and roof structures and any other unstable, collapsed or affected and adjoining construction, fixtures and fittings. The notice requires that works commence by 30 September 2024, completing by 9 December 2024.

Given the service of the dangerous buildings notice, it is now necessary to expedite the determination of this listed building application rather than process all linked redevelopment applications in parallel. This will ensure that the demolition works can be contracted and instructed to meet the requirements of the notice without delay – with the removal of the façade and immediate danger being the first phase.

The determination of this application will not impact upon the detailed assessment of the full planning application nor conservation area consent application which will be subject to due planning process.

The Proposal

The applicant seeks consent for complete demolition of the fire damaged listed building. Through various professional report submissions and accompanying photographic evidence, the applicant has proven that the building is incapable of repair and that there is no scope to meaningfully retain any part of the façade. The demolition will be undertaken in a phased approach, with phase 1 being to remove the façade, as per the Dangerous Buildings Notice.

The demolition of the building is a complex task due to its structural instability and limited access options to the site. Access to undertake works is extremely difficult. Recent GCC upgrading works to Sauchiehall Street have introduced deep excavations and installed attenuation tanks to the north side of Sauchiehall Street – adjacent to the full length of the building. The weight limits of the attenuation tanks, and the site gradient, prevent the siting of large and long reach machinery at any location other than the junction at Scott Street and/or Dalhousie Street. The cost of remotely cutting and removing the steel roof structure therefore becomes unrealistically expensive, as it would require one of the largest mobile cranes available to provide the required reach. This approach would also give rise to unacceptable risks associated with the unpredictable nature of the roof.

In addition to the structural justification for demolition of the façade, the supporting information notes that the front elevation of the building will require to be demolished to allow access to the building at high level with suitable plant to shear and remove the steel roof structure. This would subsequently allow access to the east elevation for its removal, and permit access to assess and investigate the relationship between the rear wall and the Mackintosh Building.

Following partial clearance of the site, when floor assessment by structural engineers is possible, a full structural assessment of the relationship between adjacent buildings will be undertaken to establish the extent of the temporary works required to replicate the function of the building being removed. Following assessment of the adjoining perimeter walls, a comprehensive plan will be produced to ensure that any areas acting in a retaining function are left in situ and/or mitigation measures adopted.

As per the submitted 'Demolition Sequence Plan', the demolition strategy shall include:

- Installation of temporary structural supports to the north and east elevations;
- Utilisation of a crane and man basket to remove the roof at the north and east elevations;
- Masonry to the south and west elevations being reduced by hand prior to removal of steelwork;

A piecemeal demolition approach from Sauchiehall Street would eventually create a working curtilage which will allow vehicles to be loaded within the footprint of the site. This would also allow the traffic movements to enter onto the one-way traffic system on Sauchiehall Street, so mitigating traffic congestion on Scott Street due to the ongoing works at the Mackintosh Building. Vehicle movements at peak school times are proposed to be restricted to minimise the impact to businesses and the public. An appropriate exclusion zone shall require to be agreed with GCC regarding pedestrian access, road closures, diversions, contraflow systems, parking restrictions, alterations to street lighting etc.

Having inspected the building in conjunction with the structural engineers; and considered all options in respect of the risks to the public, operatives, and surrounding properties - demolition of the façade is considered by the contractor to be necessary to create safe access to the site. The constraints presented at the site and the structural condition of the building have informed the decision that the proposed method of demolition is the safest approach to the complex task.

It is noted that the contractor instructed to produce the submitted demolition documentation has worked with the GSoA on the Mackintosh Building restoration therefore the site and its restrictions are well understood. Of course, any contractors shall require to work closely with those of the GSoA restoration to ensure that appropriate temporary structural support systems are agreed and installed.

The application under consideration is for demolition of the Listed Building only. The redevelopment proposal, 24/01680/FUL, requires to be assessed under due planning process. It is understood that under the live redevelopment proposal, the applicant is seeking to investigate salvage/re-use of the existing cast iron panels to the front façade, to incorporate this within the interior design of the new building. An appropriate condition has been suggested regarding potential salvage and re-use of decorative features.

An application for Conservation Area Consent has been submitted with the Full Planning Application, for the demolition of the adjoining Jumpin Jaks building to the east. It is anticipated, should consent be granted, that phase 2 of the demolition works would involve the demolition of Jumpin Jaks, allowing the footprint of the site to be used to locate a crane and allow the ABC building to be reduced in height from within the site curtilage.

Specified Matters

Planning legislation requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This obligation is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and

representations that may have been received – this is considered later in the report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

A. Summary of the main issues raised where the following were submitted or carried out

i. an environmental statement

Not applicable

ii. an appropriate assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable

iii. a design statement or a design and access statement

Not applicable

iv. any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding)

Not applicable

B. Summary of the terms of any Section 75 planning agreement

Not applicable

C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable Scottish Ministers to give directions

i. with regard to Environmental Impact Assessment Regulations (Regulation 30)

Not applicable

ii.

1. requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)

Not applicable

2. restricting the grant of planning permission

Not applicable

iii.

1. requiring the Council to consider imposing a condition specified by Scottish Ministers

Not applicable

2. requiring the Council not to grant planning permission without satisfying Scottish Ministers that the Council has considered to the condition and that it will either imposed or need not be imposed.

Not applicable

Assessment and Conclusions

The Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, places a duty of care on the Planning Authority in the exercise of its Planning functions, to have regard to the desirability of preserving or enhancing the character or appearance of Listed Buildings and Conservation Areas.

The principal Planning issues to be addressed with respect to this application are considered to be:

- a) Whether the proposal is appropriate having regard to the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act with respect to the proposed development and its impact on listed buildings and the character and appearance of the Central Conservation Area;

- b) Whether any other material considerations, such as consultations or representations, have been addressed satisfactorily in the assessment of this proposal.

In respect of (a), the proposal should be considered against the relevant policies of the Development Plan, which comprises NPF4 adopted on the 13th of February 2023 and the Glasgow City Development Plan adopted on the 29th of March 2017.

National Planning Framework 4

Considering NPF4, the relevant policy with regard to the Listed Building Application is Policy 7.

Policy 7 Historic Assets and Places aims to protect and enhance the historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. Development proposals with a potentially significant impact on historic assets or places should be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:

- i) Building is no longer of special interest;
- ii) Building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
- iii) Repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
- iv) Demolition of the building is essential to delivering significant benefits to economic growth or the wider community.

Comment: The loss of the listed building will regrettably have a detrimental impact upon the existing heritage context of the site. Whilst demolition of listed buildings is not generally supported, in this case due to the extensive fire damage, it is considered that this is an exceptional circumstance in which the building has been proven to be incapable of physical repair and re-use through detailed survey reports.

Furthermore, the service of a Dangerous Buildings Notice by the Council in response to the continued deterioration of the structure of the building and concern of potential partial collapse requires action to be taken to address the threat to public safety.

The proposal is considered to be in accordance with Policy 7.

Glasgow City Development Plan

Policy CDP 9 and associated Supplementary Guidance are considered relevant to the assessment of this application.

CDP 9 Historic Environment

CDP 9 aims to ensure the appropriate protection, enhancement and management of Glasgow's heritage assets. The Council will protect, conserve and enhance the historic environment in line with Scottish Planning Policy/Scottish Historic Environment Policy for the benefit of our own and future generations. The Council will assess the impact of proposed developments and support high quality design that respects and complements the character and appearance of the historic environment and the special architectural or historic interest of its conservation areas. The Council is unlikely to support development that would have a negative impact on the historic environment.

SG 9 Historic Environment – Supplementary Guidance

SG 9 supports CDP 9 by providing detailed guidance on works to listed buildings and properties within Conservation Areas - including demolition of those buildings.

There is a presumption in favour of the retention of all listed buildings. These buildings must be allowed to adapt to new uses and the Council is willing to respond favourably to creative ideas and excellent design, in order to ensure and facilitate their retention, subject to other policies of the Plan. Consent for demolition of a listed building is only granted in exceptional circumstances.

Applicants need to show that they have made all reasonable efforts to retain Listed Buildings in accordance with Historic Environment Scotland Policy Statement, 2016. Where the demolition of a Listed Building is proposed, 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 for 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.

Façade retention may be considered, but will not be regarded as an automatic option and should be justified in line with the Historic Environment Scotland Policy Statement, 2016. The architectural value of the interior, function and use of the building must be fully assessed; evidence of the obsolescence of the interior will be part of such an assessment. Where demolition of the interior is proposed and authorised, an architectural audit should be produced and submitted to the Council's Conservation Officers to enable them to assess features and artefacts that should be salvaged, retained or re-used.

Comment: The case for listed building consent need only be made on the basis of one of the criteria (a) to (d) listed above. In justifying the demolition against the policy above, the applicant makes a primary case that the building is incapable of repair.

Following the original application submission, and in response to queries raised by the Planning Department and Historic Environment Scotland, the applicant submitted a number of additional technical reports regarding the condition of the property on Sauchiehall Street. The consensus of the professionals engaged to produce these reports is that the building is structurally damaged beyond repair, including the façade of the property.

The facade masonry is non-structural and tied to the significantly damaged steel frames within the walls. The built-in and racked vertical columns of the front elevation require to be removed due to heat distortion and corrosion - meaning that the façade will lose its restraint and support. Were repairs to be considered to the façade, all steelwork at lower levels would require to be exposed, assessed and remediated. This would involve the down taking of many or all of the internal brick and block walls and all encasements to facilitate an inspection. This is not considered a practicable exercise given the level of damage to the façade itself and elsewhere. The extent of work required to repair the building in any form would be considered to lead to the loss of the historic value of the property and require significant replacement of fabric – therefore making the building, in terms of its historic character, incapable of repair.

In consideration of the entrance portico specifically, the structure of this has been affected by the heat damage, and the roof structure is partially collapsed.

Taking into account the construction methods of the façade and the damage suffered by the structural support of the building, the Council is satisfied, based on the information presented, that the applicant has demonstrated that no part of the building is capable of being retained and as such complies with the requirements of the CDP 9 and associated SG 9 of the Development Plan.

The proposal is considered to be in accordance with CDP 9 and SG 9.

The demolition of the building has been justified in terms of the City Development Plan. The above mentioned Historic Environment Scotland Policy Statement 2016 has now been superseded. - this will be reflected in future guidance, however the current national policy is considered below.

Historic Environment Policy for Scotland May 2019

This policy statement is a material consideration and should be used to direct decision making for the whole of the historic environment. It consists of 6 policies, being:

- HEP 1 – Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance;
- HEP 2 – Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations;
- HEP 3 – Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place;
- HEP 4 – Changes to specific assets and their context should be managed in a way that protects

the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place;

HEP 5 – Decisions affecting the historic environment should contribute to the sustainable development of communities and places;

HEP 6 – Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

Managing Change in the Historic Environment – Demolition of Listed Buildings April 2019

Managing Change is a series of guidance notes produced by Historic Environment Scotland. The series supports the national level policy for planning and the historic environment. This document states that if one of the following situations applies, then the loss of the listed building is likely to be acceptable, as long as this is clearly demonstrated and justified.

- a) The building is not of special interest – this includes where there has been a significant loss of fabric or features of interest;
- b) The building is incapable of repair – instances where meaningful repair might not be possible include where the building has inherent design failures, or where a timber structure has decayed so much that no original material can be saved. It would not be possible to meaningfully repair a building where there is structural damage that cannot be repaired without complete reconstruction – such as serious corrosion of reinforced concrete frames, or extensive damage to the building;
- c) The demolition of the building is essential to delivering significant benefits to economic growth or the wider community – some projects may be of such economic or public significance that their benefits may be seen to outweigh the strong presumption in favour of retaining a listed building. Often these projects form part of wider strategies at national or regional level;
- d) The repair of the building is not economically viable – this means that the cost of retaining the listed building would be higher than its end value.

Comment: As per NPF4, there is a presumption that listed buildings should be protected from demolition. In order to obtain consent for demolition, applications will need to meet at least one of the tests of Managing Change in the Historic Environment – Demolition of Listed Buildings 2019.

The applicant has submitted a number of professional reports and photographic evidence which demonstrate that due to structural damage of the building, including the façade, the building is extensively damaged and is incapable of repair (per test b)). As the proposal meets test b), then the loss of the listed building is justified in this case and the Planning Department is satisfied that the property cannot be salvaged in a manner that retains its historical value.

The demolition of the building is justified against the above policies, having regard to the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act with respect to the proposed development and its impact on the Listed Building and the character and appearance of the Central Conservation Area.

Material Considerations

In respect of (c), other material considerations and issues raised by consultation responses or from letters of representation, the grounds may be summarised, with appropriate comment, as follows:

- The building is C Listed and located within the Central Conservation Area. The demolition of the building would therefore have a detrimental impact on the historic environment.

Comment: The loss of the listed building is regrettable, however given to the extensive damage suffered due to the fire, it has been proven to meet one of the policy tests for demolition of a listed building – being incapable of repair. The consideration of the proposal has therefore paid appropriate regard to the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act with respect to its impact on the Listed Building and the character of the Central Conservation Area. Furthermore, given the increased threat that the current structural condition poses to the public, the Council has served a Dangerous Buildings Notice on the subject.

- No conservation statement has been submitted with the application.

Comment: It is evident that the proposal will result in the loss of a listed building and impact upon the character of the Central Conservation Area. However, given the nature of the case and that demolition is sought due to extensive structural fire damage and safety concerns, the technical reports and supporting photographic evidence are considered sufficient for the purposes of the

assessment of the application.

- The building is of significant architectural merit and should therefore be retained and restored. In particular, the façade is of significant historic architectural value therefore at the least, a façade retention scheme should be implemented.

Comment: Works to listed buildings are considered on a case-by-case basis. The ability to retain a building, or otherwise, will depend on many factors and an assessment against relevant policies. In this case, following extensive discussion, the applicant has justified the demolition of the entire building due to its structural damage and being incapable of repair in a manner that retains its historical interest. Due to the construction methods of the façade, and the damage caused to this façade by the fire, it cannot be retained and salvaged. Recent internal inspection by Building Control has raised significant concern of imminent collapse of a section of this façade, warranting the service of a Dangerous Buildings Notice.

- The venue contributes towards Glasgow's Unesco 'City of Music' title. The building is an important part of Glasgow's cultural heritage that should be protected.

Comment: The loss of an operating music venue due to the fire is unfortunate. The current Listed Building application relates to the building structure only rather than its use. Proposals for redevelopment of the site will require to be assessed under due planning process, as per the application for Full Planning Consent.

- If the building is demolished, it should not be replaced with a modern building nor with residential/student accommodation. The site should be used to redevelop a similar live concert venue.

Comment: The planning use of the site is not under consideration as part of the assessment of this Listed Building application. The proposed redevelopment of the site will be assessed under application 24/01680/FUL in due course, and per due planning process.

- Demolition of the building is contrary to City Development Plan and Historic Environment Scotland policies.

Comment: Policies relevant to this Listed Building Application have been considered within the report above.

- The ABC venue was a contributor to Glasgow's economy and its loss has impacted upon businesses. Its use should therefore be returned to ensure it continues to support the local economy.

Comment: The loss of the operation of the building was due to a catastrophic fire. The current application is a Listed Building Application seeking consent for demolition of the fire damaged building only. Proposals for redevelopment of the site will require to be assessed under due planning process, as per the application for Full Planning Consent.

- A conservation consultant should assess the building to determine what can be retained and integrated into any new development. A conservation accredited engineer should complete a Structural Assessment Report.

Comment: As the building has been significantly fire damaged - including structural damage to the façade and collapse of the roof which are principle features of the listing - the professional reports submitted are considered sufficient for the purposes of assessing the application.

- Claims made by the applicant regarding asbestos and site contamination from water and smoke do not warrant demolition.

Comment: Whilst these are public health matters that would require to be addressed appropriately by the applicant, they have not contributed to the justification of the recommendation for approval of the application.

- An online petition with 12,426 signatures has been submitted as an objection (no longer available to view online)

Comment: The petition has been noted and treated as an objection. GCC has a Public Petitions Process to guide residents submitting a petition. The petition has not been submitted as per the

Petitions Process. Petitions should not refer to any current court, legislative or regulatory proceedings, for example planning applications. Planning and Listed Building applications have their own legislative processes for submitting public comment. As the petition relates to a live application, it is ineligible under the terms of paragraph 2.4 of the Petitions Guidance.

- Any works on site shall require to be in conjunction with Glasgow School of Art works and to prevent further risk/damage to this building.

Comment: The applicant has noted within the submitted reports that investigative works shall be undertaken to further understand the nature of the relationship between the buildings within the block, and to take appropriate measures, in discussion with the GSoA to mitigate against any further structural issues. It is understood that the applicant is in close dialogue with the GSoA regarding the demolition and future redevelopment proposals.

Consultee

Historic Environment Scotland – No objection

HES originally (27/03/19) objected to the application as the case had not been adequately justified against national policy, as set out in the Historic Environment Scotland Policy Statement. In their original response, they encouraged a scheme that retained the street-facing elevation and entrance foyer. At the time, it was not considered that the applicant had sufficiently explored the potential for retaining and repairing the building, either in whole or in part. Furthermore, claims made to justify demolition were not supported by evidence.

Having received further supporting information based on their objection (26/09/19), HES maintained their position and remained of the view that insufficient evidence had been provided to demonstrate that the building was incapable of repair. The claims that the damage to the steel-framed roof had weakened the entire structure, and that the façade was not capable of being retained on its own, were considered by HES to continue to be unjustified nor substantiated. HES again encouraged a façade retention scheme.

In a third consultation response (13/11/19), and having gained further supporting documents and evidence from the applicant, HES accepted that there are limited options for the meaningful repair of the majority of the building, including the arcaded parts of the front elevation. They note that it is clear from the information submitted that the front parts of the building are in worse condition than they appear externally, stating: *“Weighing the reduced merit of the building in its current condition against the clear requirement to demolish the severely-damaged auditorium, the site constraints that make this difficult, the concerns about the ongoing safety of the front part of the building, and the doubts about the possibility of installing a full-façade retention system, we no longer consider it proportionate to maintain our objection to this application for demolition.”*

Whilst HES no longer object to the demolition of the building, they do encourage the retention of the entrance portico.

Comment: The Planning Department agree with the conclusion of HES, being that the buildings condition, the site constraints, and safety concerns mean that it is not appropriate to refuse the application. The Council has been satisfied by the numerous documents submitted that the entrance portico cannot be retained in a manner that restores and salvages the existing materials nor character.

CONCLUSION

The proposal to demolish the building is a result of a significant fire which has severely damaged the structural integrity of the listed building. Due to the extent of the damage, and the relationship of the building with the remaining streetblock, Planning Officers have been convinced by the case made by the applicant that full or partial retention of the building is, unfortunately, not viable in this case and that the unsafe building should be carefully demolished. Historic Environment Scotland have also accepted the case put forward by the applicant and do not object to the demolition proposal.

The demolition of the building has been considered against relevant policies of the Development Plan and other national policy guidance and has been found to comply. Other material considerations including letters of objection have been considered and addressed though are not considered to outweigh the justification for demolition of the structurally damaged listed building.

The service of a Dangerous Buildings Notice by the Council, in light of the continued and significant deterioration of the condition of the building, has formally required action to ensure the threat to public safety is removed without further delay.

It is recommended that listed building consent is granted subject to the following suggested conditions.

Drawings

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

Location Plan LBC01 received 31/01/19

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

Conditions and Reasons

01. Prior to the commencement of demolition works on site, a detailed phasing plan for the demolition shall be submitted to and approved in writing by the Planning Authority. Thereafter, phasing of the demolition works shall be implemented in the approved manner, unless otherwise agreed in writing by the Planning Authority.

Reason: To enable the planning authority to monitor the implementation of the works.

02. The demolition works must mitigate all potential impact on the Mackintosh Building. Prior to commencement of demolition works on site, details shall be submitted for the written approval of the Planning Authority setting out the method of ensuring the structural integrity of adjacent building(s) throughout the phases of demolition. Such safeguarding details are to include structural engineering drawings and a method statement. The work shall thereafter be carried out fully in accordance with the method statement approved unless otherwise agreed in writing by the Planning Authority.

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

Reason: To safeguard the character of the listed buildings.

03. Prior to the commencement of demolition works on site, a method statement detailing the anticipated programming and agreed methodology for demolition of the existing building and including information relating to:

(a) measures for the control of noise dust and vibration;

(b) areas for the delivery and storage of equipment and materials;

(c) management of site traffic;

(d) method statement and programme for demolition works,

(e) measures for control, limitation, and repair of damage to the Avenues public realm on Sauchiehall Street and;

(f) proposals for contractors storage,

in a manner that minimises disruption to the local community and associated road network and maintains the safe movement of pedestrians and traffic, shall be submitted to and approved in writing by the Planning Authority. Thereafter, the programming, methodology and site management shall be implemented and maintained in the approved manner throughout the demolition works.

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

04. Prior to demolition of the building, the applicant shall submit written confirmation of items and materials to be salvaged from the listed building. All reasonable steps to salvage materials from the demolished building for reuse, repurposing and recycling shall be taken. Unless otherwise agreed in writing by the Planning Authority, the existing cast iron screen to the front façade shall be carefully dismantled and securely stored for later re-erection/re-use/disposal, together with any other identified viable materials/fixtures/fittings forming part of the historic building. The salvaged materials shall be secured until the redevelopment of the site commences or a further use for the materials is found. Details of the storage of the salvaged materials and the future use of the salvaged materials shall be submitted for the written approval of the Planning Authority. The salvaged materials shall be used for the approved use unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the retention of features of special architectural or historic interest

05. Prior to demolition works commencing on site, full details of a post-demolition scheme of landscaping and/or boundary treatment for the site shall be submitted for the written approval of the Planning Authority and thereafter implemented within two months of the Completion Certificate for the demolition works to Building Standards. Thereafter, the approved scheme shall be maintained in the approved manner until a time that the site is redeveloped.

Reason: To safeguard the character of the surrounding Conservation Area.

06. Prior to demolition works commencing on site, a final demolition sequence plan shall be submitted for the written approval of the Planning Authority and thereafter implemented on site in the agreed manner during the demolition of the building.

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

07. Prior to demolition works commencing on site, a final traffic management plan shall be submitted for the written approval of the Planning Authority and thereafter implemented on site in the agreed manner during the demolition of the building.

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

08. Prior to demolition works commencing on site, a final operational risk plan shall be submitted for the written approval of the Planning Authority and thereafter implemented on site in the agreed manner during the demolition of the building.

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

09. Details of temporary barricades proposed during the works shall be submitted for the written approval of the Planning Authority prior to erection. Thereafter, the barricades shall be implemented in the approved manner. The barricades shall be painted and/or maintained in good condition and kept free of advertisements.

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

Advisory Notes to Applicant

01. In cases where a Listed Building Consent/Conservation Area consent authorises a measure of demolition the applicant(s) must give notice of intention to carry out the works to Threatened Building Survey, Historic Environment Scotland, John Sinclair House, 16 Bernard Terrace, Edinburgh EH8 9NX, and thereafter allow HES a period of up to three months for recording purposes, during which period demolition may not be undertaken unless the HES has indicated in writing that its record has been completed. The relevant Historic Environment Scotland Team can be contacted at tbs@hes.scot, or 0131 662 1456.
02. Construction and/or demolition work associated with this development should conform to the recommendations/standards laid down in BS5228 Part 1: 1997 "Noise and Vibration Control on Construction and Open Sites". Best Practicable Means as defined in Section 72 of the Control of Pollution Act 1974 should be employed at all times to ensure noise levels are kept to a minimum.
03. In order to protect local residents' amenity, noise associated with construction and demolition works in residential areas should not occur before 0800 or after 1900 Monday to Friday, and not before 0800 or after 1300 on Saturdays. Noise from construction or demolition works should be inaudible at the site's perimeter on Sundays and public holidays. The planning authority should be notified of necessary works likely to create noise outwith these hours.

for Executive Director of Neighbourhoods, Regeneration and
Sustainability

DC/ NMR/09/07/2024

BACKGROUND PAPERS

PLEASE NOTE THE FOLLOWING:

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