



Planning Applications Committee

Report by Executive Director of Neighbourhoods,
Regeneration and Sustainability

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Item 3(b)

4th June 2024

Application Type	Conservation Area Consent
Recommendation	Grant Subject to Condition(s)

Application	22/01758/CON	Date Valid	04.07.2022
Site Address	11 Oswald Street Glasgow		
Proposal	Complete demolition in a conservation area		
Applicant	Riverfront Property Limited Partnership 51 9000 Academy Park Gower Street GLASGOW G52 1PR	Agent	Iceni Projects Per Pamela Wright 177 West George Street GLASGOW G2 2LB
Ward No(s)	10, Anderston/City/Yorkhill	Community Council	02_126, Blythswood & Broomielaw
Conservation Area	Central Conservation Area	Listed	
Advert Type	Affecting a Conservation Area/Listed Building	Published	22 July 2022
City Plan	City Development Plan		

Representations/Consultations

Representations

A total of 66 representations were received, consisting of 52 objections and 14 letters of support. It should be noted that 11 of the letters of support were received a day after the neighbour notification period expired.

Two neutral comments have been received from The Scottish Civic Trust and The Royal Society for the Protection of Birds. Both do not object to the proposal, but encourage the applicant to recognise relevant policy.

The objectors include Paul Sweeney MSP, Councillor Bratt, the Architectural Heritage Society of Scotland, Friends of Glasgow West, a city centre business and local residents. The letters of support came from businesses within the local area.

The issues raised within the objections can be summarised as:

- Justification for demolition is not sufficient;
- Existing building is capable of reasonable repair and reuse;

- Proposed demolition is contrary to relevant policies of NPF4 and City Development Plan;
- Impact of demolition and construction would have on climate change and related embodied carbon;
- Scale and height of new hotel is excessive;
- New hotel would impact on privacy and daylighting;
- Impact of construction works;
- Impact on traffic management.

Support for the proposal has raised the following points:

- Increased footfall;
- Active frontage;
- Existing building is in poor condition and unsafe;
- Proposal meets the objectives of City Centre Strategic Development Framework;
- Improve environment and safety of lane.

Consultations

Historic Environment Scotland - No objection

Under the Terms of the Scheme of Delegation the application requires to be determined by Planning Committee.

Site and Description

Site

The site is within Ward 10 'Anderston/City/Yorkhill' and is in the Central Conservation Area.

The site, measuring 0.041 hectares, is located on the west side of Oswald Street. The application site involves 11 Oswald Street, which was built around 1844 with a later addition in 1902 when the original roof was removed to add a fourth floor and a mansard roof with attic. The building is rectangular in shape with 3 bays and a height of 5 storeys and attic which fronts onto Oswald Street. The building was originally built as a bonded warehouse. The building is not listed but lies within the Central Conservation Area.

Adjoining the site to the north sits an eight storey development of modern design. This development was originally built as residential flats and is currently used as an aparthotel which primarily fronts onto Oswald Street and extends further to the west on Robertson Street.

To the east of the application site sits a multi storey car park which is a 7 storey building, bounded by Oswald Street and Midland Street. This building immediately backs onto Central Station.

To the south sits a 'B' listed building which fronts onto Oswald Street and the Broomielaw, and referred to as Oswald Chambers. The building ranges in height from 3 to 4 storey, and there is accommodation at attic level. The building has commercial space at ground floor level. A lane divides this building and the application site, running east to west. This site was granted consent for an aparthotel (21/01751/FUL, 21/01753/LBA and 21/01760/CON) but the permission has now lapsed.

To the west of the application site is the category 'A' listed Clydeport Navigation Trust building, which adjoins the west gable of the application property.

Planning History

The application site has the following planning history;

08/01273/DC: Use of warehouse (Class 6) as hotel (Sui Generis) and erection of three storey roof top extension to include formation of hot tubs at roof level.

20/02581/PAN: Demolition of building and erection of hotel, serviced apartments or residential development, and other associated works.

Pre-Application Process

The proposed development was originally detailed as a 'major' development given the intended floor space of the new hotel, which is the reason a Proposal of Application Notice was submitted (20/02581/PAN). However, the final design of the hotel was amended and decreased the floorspace of the hotel, therefore, moving the category of the development from 'major' to 'local', under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

The applicant has engaged in a formal pre-application discussion with the Planning Service in order to fully explore the case for demolition of the existing building and the design of the new hotel development. Formal feedback was given to the applicant offering comments on the new build and its design. Emphasis was also put on the level of information that would be required in order for the Planning Service (and associated governing bodies) to fully consider a case for demolition of the existing building.

Proposal

The proposal under consideration is for the complete demolition of the building, to facilitate new development on the site. An associated application has been submitted for the erection of a hotel with associated facilities and ancillary works (22/01759/FUL).

Associated Development Proposal (22/01759/FUL)

The proposal is for the complete demolition of the existing building on site in order to erect a new hotel.

The new hotel would be 11 storeys in height and would accommodate 174 rooms. The building would introduce an arched base with glazed opening at ground floor level, allowing for an active frontage onto Oswald Street and the side lane. The middle section of the building (levels 3-10) would be read as a single component of the building based on the treatment to the façade and window fenestrations.

The upper attic floor would be setback in order to respect the setting of the 'A' listed Clydeport building and the chimney which sits close to the application site. The design of the attic floor would also have 'soft' corners to open up further views towards the listed structure.

The hotel would also have a basement area where all necessary plant requirements would be located. This level would also accommodate a gym, co-working meeting spaces and staff areas.

In terms of materials, the base would be formed with grey granite tiles for the arches and anodised aluminium glazing system. The middle section of the building would be vertical columns of buff stone piers with anodised aluminium windows (including horizontal glazed spandrel panels). The upper attic level would have vertical bronze anodised feature mullion fins, a dark grey metal cladding flashing for the roof area and a white precast stringer to separate the floor of the upper level from the middle element of the building.

The hotel would offer a mix of room sizes from standard, premier, family to accessible.

The ground floor level would include a reception area, public seating, co-working facilities and breakfast room and dining area.

Any deliveries and servicing requirements would be utilised through the existing lane to the south of the application site.

The proposal intends to provide secure cycle parking and there would be no on-site car parking.

Policies

The following policies, advice and guidance are considered particularly relevant to the application assessment:

National Planning Framework 4
Policy 7 - Historic Assets and Places

Other Material Considerations

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
Historic Environment Policy for Scotland 2019

Assessment and Conclusions

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 provides the statutory context for the protection of listed buildings and conservation areas. Section 66 of The Act states that a building in a conservation area shall not be demolished without the consent of the appropriate authority through the Conservation Area Consent process.

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 is a series of guidance notes produced by Historic Environment Scotland. The series supports national level policy for planning and the historic environment. Within this series, the interim guidance on conservation area consent (2019) recognises that the demolition of even a single building and the construction of a new building or buildings in its place could result in harm to the character or appearance of a conservation area, or part of it.

In deciding whether conservation area consent should be granted, planning authorities should take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated. In some cases, demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult.

In instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building. Decision makers are required to have regard to the desirability of preserving or enhancing the appearance of the conservation area in exercising their responsibilities under the planning legislation, and this statutory duty should always be borne in mind when considering demolition applications.

National Planning Framework 4

Policy 7 Historic Assets and Places

This policy 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 in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the architectural and historic character of the area; existing density, built form and layout; context and siting; quality of design and suitable materials.

Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that reasonable efforts have been made to retain, repair and reuse the building; the building is of little townscape value; the structural condition of the building prevents its retention at a reasonable cost; or the form or location of the building makes its reuse extremely difficult. Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.

Glasgow City Development Plan 2017

CDP9 Historic Environment and SG9 Historic Environment

Assisting in achieving the above aims, CDP9: Historic Environment is considered. 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 planning 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.

Associated SG 9 provides guidance for properties within Conservation Areas including demolition of those buildings. Conservation Area Consent is required for the demolition of an unlisted building in a Conservation Area. Proposals for the demolition of an unlisted building, which contributes to the character or appearance of a Conservation Area, will require to demonstrate that:

- a) the existing building is incapable of viable repair and re-use; and
- b) the proposed replacement will preserve or enhance the character of the conservation area.

In order to protect townscape quality, consent for redevelopment will require the retention of existing buildings until the replacement development commences.

Comment: The subject of this Conservation Area Consent application is the demolition of the existing building on the site. The replacement building is not under consideration as part of this application, which requires to be considered under associated application 22/01759/FUL.

The existing building on the site has lain vacant for a significant period, and as such its condition has deteriorated without an active use in the building. Supporting information has been submitted in through a Structural Condition Survey, External Fabric Survey and a Report on Masonry Core Extraction, to detail the building's current condition. The conclusion from the reports concludes that the building is in a poor condition. It should be noted that the building of 11 Oswald Street is also on the Building at Risk register since 2013. Details from the last inspection (June 2023) found that the condition of the building continues to deteriorate, and mature vegetation is growing from the masonry, especially on the south boundary wall.

The application has been accompanied by an options appraisal which considers varying approaches for the site from extensive refurbishment of the existing building to complete demolition and re-development. The conclusions indicated that due to the amount of construction required there are very limited options for the re-use of the building. Through many of the options considered, it highlighted the need for significant repair and intervention works, just to bring the building into a reasonable condition, which also has an impact on construction costs.

Historic Environment Scotland (HES) were consulted on this application and raised no objection to the demolition on the basis that the existing structural condition of the building prevents its retention at a reasonable cost, considered against the information submitted with the application.

The case for demolition of the existing building at 11 Oswald Street is considered to meet the terms of Historic Environment Policy, NPF4 and the City Development Plan. Through considering the full

submission from the applicant has been fully demonstrated the building's current condition, and the prospect of retaining the building for future use and adaptation has to be conceded to allow for new development to come forward. Through the consideration on the related full planning application for the hotel, it has been demonstrated that the new development would respect the character of the surrounding conservation area, and the setting of nearby listed buildings. The eleven storey building would be in keeping with the mass and scale of the surrounding area, and respect the datums of both heritage and modern buildings. The intended palette of materials is in keeping with the character of the local area. It is considered that the new hotel would not only assist in regenerating the area, but improve the townscape of this stretch of Oswald Street.

Given the building's current condition, its demolition can be supported in connection with suitable measures for redevelopment of the site. Appropriate conditions have been suggested to ensure that the building is not demolished until development works are contracted.

Material Considerations

With regard to material considerations, 66 representations were received, consisting of 52 objections and 14 letters of support. It should be noted that 11 of the letters of support were received a day after the neighbour notification period expired. These representations can be summarised and addressed as follows:

- Justification for demolition is not sufficient.

Comment: The case for demolition has been fully explored through the assessment of supporting information/surveys against policy.

- Existing building is capable of reasonable repair and reuse.

Comment: The conclusion found that the current structural condition of the building prevents its retention at a reasonable cost.

- Proposed demolition is contrary to relevant policies of NPF4 and City Development Plan.

Comment: As discussed through the report, the proposal is considered to be in line with relevant policies of NPF4 and City Development Plan.

- Impact of demolition and construction would have on climate change and related embodied carbon.

Comment: A suspensive condition has been added requiring all reasonable steps to salvage materials from the demolished building for reuse, repurposing and recycling. The new development is recognised as a high performing energy efficient building.

- Scale and height of new hotel is excessive.

Comment: The height of the hotel has been considered thoroughly to ensure it does not interfere with the setting of surrounding listed buildings, and respects the surrounding context in terms of mass, scale and materiality.

- New hotel would impact on privacy and daylighting.

Comment: The design and layout of the hotel have been assessed to ensure that the development does not impact on the privacy and daylighting to surrounding properties. The layout has also been detailed to ensure it does not borrow amenity from future development surrounding the application site.

- Impact of construction works.

Comment: The construction period is subject to conditions relating to noise levels, dust and days/hours where work can commence.

- Impact on traffic management.

Comment: The redevelopment of the site would impact on the movement of traffic during demolition and construction, however, many mitigation measures would be put in place to minimise disruption. The new hotel would be car free, and all servicing would be located further down the lane on the south boundary.

Conclusion

The above assessment demonstrates that the demolition of the existing building, to allow development of the site, is in keeping with the aims of the Act and meets policy requirements. Other material considerations, including the consultation responses, have been considered however these do not outweigh the proposal's general accordance with policy.

On the basis of the foregoing, it is recommended that the application for demolition within a conservation area be granted subject to the following suggested conditions.

Drawings

6520 – SRA – ZZ – ZZ – DR – A -0200 Location Plan received 4 July 2022

Conditions and Reasons

01. No demolition of the building(s) shall take place until a contract or other agreed form of written evidence, demonstrating that construction of the new building will commence as soon as reasonably practicable following demolition, has been exhibited to and approved in writing by the Planning Authority.

Reason: To safeguard the character of the surrounding conservation area.

02. Prior to the commencement of demolition and construction works on site, a method statement/site management plan, to include:

- (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

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.

Reason: To safeguard the character of the surrounding conservation area.

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

03. Prior to the commencement of demolition work on site, a structural engineers report detailing the methodology for the demolition and construction works to be carried out in a manner that prevents damage to the adjoining building(s), shall be submitted to and approved in writing by the Planning Authority and thereafter implemented in the approved manner.

Reason: To safeguard the character of the surrounding conservation area.

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

04. Prior to work commencing on site, details of any temporary barricades proposed during construction shall be submitted to and approved in writing by the Planning Authority and shall be implemented in the approved manner. The barricades shall incorporate measures to discourage flyposting and be painted and/or maintained in good condition.

Reason: To safeguard the character of the surrounding conservation area.

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. A copy of the form you are required to send to Threatened Building Survey, Historic Environment Scotland is attached.

for Executive Director of Neighbourhoods, Regeneration and
Sustainability

DC/DDR/21/05/2024

BACKGROUND PAPERS

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