



Planning Applications Committee

Item 1c

18th November 2025

Report by
Executive Director of Neighbourhoods, Regeneration and Sustainability

Contact: Alan Shand **Phone:** Alan.Shand@glasgow.gov.uk

Application Type Conservation Area Consent

Recommendation **Refuse**

Application	25/01127/CON	Date Valid	16.05.2025
Site Address	86 - 90 Maxwell Street/40 Fox Street Glasgow		
Proposal	Complete Demolition in a Conservation Area.		
Applicant	Regent Property Ltd Mr Jay Singh 39 St Vincent Place Glasgow G1 2ER	Agent	Porter Planning Ltd. Teri Porter 39 St Vincent Street Glasgow G1 2ER
Ward No(s)	10, Anderston/City/Yorkhill	Community Council	02_120, Merchant City & Trongate
Conservation Area	Central	Listed	
Advert Type	Affecting a Conservation Area/Listed Building Affecting a Conservation Area/Listed Building Bad Neighbour Development	Published	13 June 2025
City Plan			

Representations/Consultations

Representations

A total of 53 objections were received including representation from Merchant City and Trongate Community Council.

The principal matters raised by the objections can be summarised as:

- *The applicant's justification for complete demolition—that the stonework is degraded beyond reasonable repair—is neither credible nor consistent with best practice in conservation-led redevelopment;*
- *£300,000 for specialist stone repairs is not disproportionate in the context of the likely total development value of a substantial city centre site;*
- *the applicant has not demonstrated that any serious efforts have been made to address this*

- conservation deficit through the range of grant funding opportunities available;
- *By failing to properly explore grant funding options and proven engineering methods, the applicant cannot credibly argue that all reasonable efforts to retain the building have been made. This failure to exhaust reasonable alternatives means the proposal does not meet the stringent policy tests for listed building demolition under NPF4 Policy 7, and it also breaches Glasgow City Development Plan Policy 9, which seeks to protect and enhance the city's historic environment;*
- *Demolishing this distinctive façade (of the Listed Building) would result in the permanent loss of important architectural character and would erode the identity of the area;*
- *Demolition would likely threaten the attractive and unusual curved corner tenement adjoining the site.*

A total of 27 letters of support were also received.

The principal matters raised by the letters of support can be summarised as:

- *Opportunity to develop a long-term derelict site into a vibrant, contextually sensitive, and economically resilient destination that will bring lasting benefit to the city centre at a crucial time;*
- *The development introduces a contemporary yet respectful architectural language that complements the area's heritage without competing with it;*
- *The development repairs a long-standing visual and functional gap in the urban landscape which presently diminishes the character and experience of adjacent historic assets;*
- *the involvement of a major international hotel brand adds credibility, financial strength, and a long-term commitment to Glasgow's city centre economy;*
- *The proposal demonstrates strong alignment with the city's economic strategy. By offering both standard hotel rooms and serviced apartments, it caters to a wide range of visitor types and supports midweek and off-season occupancy. Its inclusion of public amenities such as a publicly accessible rooftop bar, gym, and business facilities makes it a versatile, future-proofed asset for Glasgow's hospitality infrastructure;*
- *the development provides a regulated and sustainable alternative to short-term lets, reducing pressure on local housing and reinforcing the city's ability to host large-scale events without displacing residents.*

Consultations

Historic Environment Scotland: HES do not formally object but have offered detailed comments on the proposal, which can be summarised as follows:

We previously commented on this proposal in a letter of 14th August. In that response we expressed the view that this building contributes positively to the character of the conservation area and that this application does not make a sufficiently robust case to demonstrate that its demolition was justified against policy. However, in light of the evidence provided and our own observations of the building, we did not consider it proportionate to object to the application.

We remain of the view that the case for demolition is not very strong. However, updated appraisals provide more clarity on the financial viability of retaining this building than the previous appraisals, which were somewhat out of date. The updated appraisals show only one marginally viable option, whereas previously there were three. We also note that this option involves new construction at a scale that we consider would not protect the established character of the conservation area.

One option, A4-E (façade retention, within 18-storey hotel) appears to be profitable at a rate that's just below the RICS lower guideline figure for profit on cost. We do not consider this makes it financially unviable, but we do accept that such a development would not be palatable to most commercial developers. As noted previously, we accept that the site has been adequately marketed to other potential restoring purchasers. The scale of this option would have detrimental impacts on the conservation area and the setting of neighbouring listed buildings. While we would not rule out accepting such a scheme, we recognise that its heritage value would be marginal.

Site and Description

The site subject of this application seeking conservation area consent for complete demolition in a conservation area is an unlisted 2 storey traditional blonde sandstone building at 40 Fox Street. In association with the adjoining Category 'B' listed 4-storey blonde sandstone building at 86-90 Maxwell Street, subject of a separate application seeking listed building consent for demolition (25/01128/LBA), these two buildings form a larger site which is subject of an associated application for full planning

permission for the demolition of the existing buildings and the erection of a 19 storey hotel/apart-hotel, with bar/restaurant and associated facilities (25/01124/FUL), which is also subject of a separate but related report.

The site forms part of a homogenous block of mid-19th century tenement style buildings located to the south of the City Centre, just north of the River Clyde and are within the Central Conservation Area. The buildings range from 2-storeys with attic on the corner of Fox Street/Maxwell Street to 6 storeys on corner of Dixon and Fox Streets. Totalling 19.3m in height along its main facade on Maxwell Street, the building continues the datums of the existing block along Howard Street, with the unlisted building at 40 Fox Street sitting lower at 13.2m in height.

The majority of buildings on the street block are traditional 4 storey tenements, with a varied typology on the streets beyond, characterised by a mixture of modern and traditional buildings, including the St Enoch Centre to the north, a multi-storey car park to the east and residential and hotel towers fronting Clyde Street, as well as traditional listed and unlisted sandstone buildings, mainly constructed of blonde sandstone, such as St Andrews Cathedral on Clyde Street.

Historic Context of Site

Buildings were first constructed on this site between 1854 and 1857. Prior to that date the site had been open ground, though it had been used as a timber yard from the 1820s. The unlisted building on this site was originally narrower and there was a wide entrance to the rear yard between the two buildings. This had been infilled by the time of the 1887 Goad map. Given the disconnect between the Maxwell and Fox Street elevations, noted in the stone report, it seems likely that the Maxwell St elevation of No 96 was rebuilt at this time, whereas its Fox St elevation probably dates to the 1850s. John Hume notes that this building was remodelled c.1868-70 by David Thomson and this work was clearly done to match the design of No 90.

It appears likely that No 90 was also re-fronted at some point, but it is unclear whether this was done at the same time or earlier. In addition to consistent masonry detailing, both buildings have matching railings to the lower ground floor. These may be by Saracen Foundry, to a design produced for them by Alexander Thomson. The Turley's report suggests that this building has been reduced in height, but the evidence for this may be questionable. They reference the 1944 Goad Map, which states that the building had 3½ storeys + basement. However, the existing Mansard roof is clearly shown in an aerial photograph of 1929 and in another of 1951. It therefore appears that the Goad Map is mistaken. The high-level opening in the gable of No 90 may have been a loading door that was blocked when the yard entrance was built over.

Planning History

The application site has an extensive planning history but a very limited recent history. Only the following applications are of particular relevance:

03/00582/DC (86-90 Maxwell Street) - Conversion of warehouse to form sixteen flats and erection of single storey rooftop extension. GC.

18/00666/FUL – (40 Fox Street) - Change of use of ground and basement floors from bar/nightclub to Class 1 (Shop) and associated storage and part change of use of first and second floors from Class 11 (Assembly and Leisure) to Class 11 (Assembly and Leisure) and Class 4 (Business). GC.

Pre Application Engagement

The applicant has engaged in pre-application discussions consisting of a number of meetings with the Planning Service, including City Design. Matters raised through the process included justification for demolition of listed and unlisted buildings; principles of development; and scale and massing. On the basis of these discussions, the applicant was advised that the development as proposed was not likely to be supported by the Planning Service on the basis of overdevelopment of the site and in particular an inappropriate scale and massing.

Notwithstanding the concerns of the Planning Service, the planning application was submitted with no substantive changes made, despite ongoing efforts to reduce the scale of the proposed building in response to its surrounding context.

Application Proposal

The application seeks conservation area consent for the demolition of the unlisted building at 86 - 90 Maxwell Street/40 Fox Street in association with the related application for full planning permission for the demolition of existing listed and unlisted buildings and the erection of a 19-storey hotel (Class

7)/apart-hotel (Sui Generis) building with bar/restaurant and associated facilities (25/01124/FUL) which is subject of a separate report. Another related application for listed building consent for the demolition of the adjoining Category 'B' listed building at 90 Maxwell Street (25/01128/LBA) has also been submitted and is also subject of a separate report.

The hotel/apart-hotel would have 236 rooms in total, with a mix of hotel rooms (67%) and serviced apartments (33%) and would be managed by a single hotel operator. The building would have a basement level to house plant, back of house and cycle storage. A bar/restaurant would be located on the 18th floor with plant on the roof above.

The proposed materials utilise various concrete cladding panels, with differing colours and textures. The lower floors of the facade feature a highly textured pre-cast cladding, with a contrasting white smoother finished GRC cladding to define the entrance and to emphasise the verticality of the primary façades.

The Basement Level is comprised primarily of Mechanical & Electrical Plant and Back-of-House spaces. This level also houses a 52nr. Cycle Store.

At ground floor the building meets the street edge and corner of Maxwell Street and Fox street, and the recessed entrance opens up to the street corner. This level consists of reception, front of house amenity areas, lifts for travel to the upper floors, and a variety of back of house and plant areas.

Refuse collection and servicing is proposed directly off Fox Street. Vertical circulation throughout the building is provided by a central core, which provides:

- A dedicated, smoke vented fire-fighting lobby with direct access to the fire-fighting stair and fire-fighting lift.
- An additional three lifts, separated from the fire-fighting lobby to satisfy the volume of occupants for the building.

Levels 1&2 host a mix of serviced apartments and hotel rooms, laundry stores and a fitness suite.

Levels 3 to 8 continue the mix of serviced apartments and hotel rooms. At level 5 the first massing set back is introduced along Maxwell Street, with a further set back at level 8. At this level the building is further set back from the primary facade on the North, East and Western edges of the building.

Levels 9 &10 continue a mix of serviced apartments and hotels rooms.

Level 11 introduces the last massing offset along the North Elevation. Levels 11-16 continue a mix of serviced apartments and hotel rooms.

Level 17 houses serviced apartments and hotel rooms, and the primary Kitchen servicing the level above.

Level 18 features the Restaurant & Bar and Service Kitchen.

The Roof Level houses external plant and can be accessed via the primary core.

This application is accompanied by the following relevant supporting information;

- Planning Statement
- Design and Access Statement (Including Visual Impact Assessment)
- Heritage Statement, including:
 - Building Condition Survey Report
 - Timber Survey/Rot Report
 - External Stonework Survey & Report
 - Structural Condition Report
 - Development Options And Appraisal

Building Condition

The applications for full planning permission, listed building consent and conservation area consent applications were submitted along with supplementary information in support of the case for demolition, which included a Planning Statement, a Visual Impact Assessment (forming part of the Design and Access Statement), and a Heritage Statement, appending a number of reports on the condition of the building as well as a development options appraisal.

The purpose of the Heritage Statement is to provide an understanding of the historic environment as it relates to the application sites and significance or special interest of their assets followed by an

assessment of the development proposals on that special interest against legislation, national and local planning policy and supplementary guidance.

The findings of the reports describing the building condition and options appraisal are discussed in the assessment below.

Policies

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

Historic Environment Scotland Policy Statement 2019 (Historic Environment Scotland, April 2019)
Managing Change in the Historic Environment – Demolition (Historic Environment Scotland, February 2020).
Managing Change in the Historic Environment – Setting (Historic Environment Scotland, February 2020).

National Planning Framework 4 Policy 7 - Historic Assets and Places

Glasgow City Development Plan 2017

CDP9 Historic Environment
SG9 Historic Environment

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 61 of the Act gives planning authorities the power to designate areas that they consider to have special historic or architectural interest the character and appearance of which it is desirable to preserve and enhance, known as conservation areas.

Section 66 of The Act also establishes that a building in a conservation area shall not be demolished without the consent of the planning 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

Policy **CDP9 'Historic Environment'** aims to ensure the appropriate protection, enhancement and management of Glasgow's heritage assets by protecting, conserving and enhancing the historic environment for the benefit of existing and future generations. This will be achieved by assessing the impact of proposed developments and supporting high quality design that respects and complements the character and appearance of the historic environment and the special architectural or historic interest of its Listed Buildings, Conservation Areas, Scheduled Monuments, archaeological remains, historic gardens and designed landscapes and their settings, or by mitigating unavoidable adverse effects on them.

SG9 'Historic Environment' highlights the requirement to obtain Conservation Area Consent for the demolition of unlisted buildings within Conservation Areas. 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, the Council will 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, the Council will always seek to achieve its retention, restoration and sympathetic conversion 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.

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: Demolition –

In order to support the case for demolition, the applicant has submitted a number of assessments and reports detailing the dilapidated condition of the building within the Heritage Statement, including a Building Condition Survey Report, a Timber Survey/Rot Report, an External Stonework Survey & Report and a Structural Condition Report, as well as a Development Options Appraisal. The findings of these reports are material to the assessment of this application and their contents and conclusions are summarised and considered below.

The Heritage Statement sets out the built heritage case reviewing the existing buildings and establishing whether a case for demolition is required to be made to enable the beneficial redevelopment of the subject site, which includes the Category 'B' listed building at 90 Maxwell Street and the adjoining listed building at 40 Fox Street.

The Heritage Statement acknowledges that the proposed development (involving the demolition of a listed and unlisted building and the erection of a 19 storey hotel building) will have the following impacts on the local designated built heritage:

- Impact of the demolition of Category B Listed 90 Maxwell Street.
- Impact on the character and appearance of the Broomielaw, St Enoch and River Clyde Character Area of Glasgow Central Conservation Area.
- Impact on the setting of listed buildings within the immediate vicinity of the site including;
 - 72-82 Howard Street (Category B Listed)
 - 64-70 Howard Street (Category C Listed)
 - 32 Fox Street (Category B Listed) - 126 Howard Street (Category B Listed)
 - 141-197 Howard Street (Category B Listed)
- Impact of the demolition of unlisted 96 Maxwell Street/40 Fox Street (within the context of the impact on the character and appearance of the Broomielaw, St Enoch and River Clyde Character Area of Glasgow Central Conservation Area).

The Heritage Statement presents a thorough review of the relevant policy context for assessment and states that 96 Maxwell Street/40 Fox Street is not recognised as having townscape value in the Conservation Area appraisal and, in its current form and condition, is of little inherent architectural and historic interest and is of negligible importance within the context of the evolving character and appearance of this part of the Broomielaw, St Enoch and River Clyde Character Area of Glasgow Central Conservation Area. It particularly views the building as an anomaly that detracts from the character and appearance of the conservation area.

While it may not have been mentioned in the Appraisal, consultation with the Council's Planning Heritage Team and Historic Environment Scotland has demonstrated that it is considered to have townscape value for the quality of its Maxwell Street frontage, which was clearly designed to match 86-90 Maxwell Street. The basic design of these two buildings was reproduced when the curved building on the corner of Howard Street was constructed at the turn of the twentieth century; and again when No 60-70 Howard Street was rebuilt in 1925. The consistent reproduction of this design makes a notable contribution to the character of the conservation area.

The Heritage Report states that building is currently in a significantly dilapidated condition and in need of substantial repair, noting that the updated Hardies report comments that the external repairs alone will be in the order of £277k, excluding an accurate cost for stone repairs and internal repairs (including extensive rot repairs), preliminaries (such as scaffolding) and contingencies, or professional fees). In this respect it is considered that the cost of repairing the building to a condition suitable for retention and reuse in its present form will vastly outstrip any projected development value (ie will result in a substantial conservation deficit). 96 Maxwell Street/40 Fox Street was unsuccessfully marketed for a period of around a year in 2017. It has since been marketed both as part of the overall Regent Property landholding and as an individual entity for a period of c. 30 months during which time no offers have been received from potential restoring purchaser

The case for demolition of the unlisted building is considered to be inextricably linked to the viability of the overall redevelopment of the site. Updated viability reporting was provided by the applicant in response to the noting by HES that the submitted appraisals dated from 2022, very much a post-covid financial environment. However, whilst this information showed a reduction in profitability of all redevelopment options, leaving only 1 option showing profitability (façade retention within 18 storey hotel), it is still not considered to demonstrate that façade retention (of the B-listed 86-90 Maxwell Street) is not economically viable.

Building condition and occupancy – On the basis of information held by Scottish Assessors, the upper floors at 40 Fox Street remain in active use as offices.

It is accepted that this building is in poor condition and that investment would be required to refurbish it for an ongoing viable use. Neither the structural survey, engineering report, nor the stone report demonstrates that repair of the building would not be possible. The building has dry rot internally, but no evidence has been provided to demonstrate that cracks identified in the elevations are the result of anything other than historic settlement. It is also accepted that extensive stone repair or replacement would be required, along with internal structural work.

On balance, despite the building's undoubted townscape value and the submitted case for demolition failing to demonstrate the building as being incapable of viable repair and re-use, it is considered that the demolition of the unlisted building at 40 Fox Street could potentially be accepted as enabling development to support the full or partial retention of the B-listed building (86-90 Maxwell Street), but only in circumstances where the redeveloped site would protect the character and appearance of the surrounding conservation area and the setting of adjacent listed buildings. It is important to note that the retention of 86-90 Maxwell Street is not proposed under the current applications.

Overall Redevelopment

The site forms part of a homogenous block of mid-19th century tenement style buildings. These range from 3-storeys on corner of Fox Street/Maxwell Street to 6 storeys on corner of Dixon and Fox Streets. The majority of buildings are traditional 4 storey tenements. The Heritage Statement places emphasis on the 'emerging character' of the Conservation Area to justify the proposed 19-storey building. This is not a relevant consideration, since the Conservation Area designation is intended to protect the established historic character of the townscape and the adjacent building heights form the established character of this part of the conservation area.

As noted above, consideration must also be given to the impact of new development on the character of the conservation area.

Assessment of the linked planning application (25/01124/FUL) against Policies CDP1 The Placemaking Principle and CDP9 Historic Environment, alongside the corresponding supplementary guidance contained in SG1 The Placemaking Principle and SG9 Historic Environment, has established that the redevelopment proposals are substantially over-scaled for their setting, creating a harmful impact upon the setting of, and views into and out of, the Central Conservation Area, and consequently would fail to enhance the Central Conservation Area and have an over-dominant impact upon the setting of nearby listed buildings.

As such, by virtue of its scale and height, the proposal would not preserve or enhance the character of this part of the conservation area and is therefore contrary to policy CDP 9 and supplementary guidance SG 9: Historic Environment.

Representations

Turning to the representations received to the overall proposals, these can be summarised and addressed as follows;

The principal matters raised by the objections can be summarised as:

- *The applicant's justification for complete demolition—that the stonework is degraded beyond reasonable repair—is neither credible nor consistent with best practice in conservation-led redevelopment;*
- *£300,000 for specialist stone repairs is not disproportionate in the context of the likely total development value of a substantial city centre site;*
- *the applicant has not demonstrated that any serious efforts have been made to address this conservation deficit through the range of grant funding opportunities available;*
- *By failing to properly explore grant funding options and proven engineering methods, the applicant cannot credibly argue that all reasonable efforts to retain the building have been made. This failure to exhaust reasonable alternatives means the proposal does not meet the stringent policy tests for listed building demolition under NPF4 Policy 7, and it also breaches Glasgow City Development Plan Policy 9, which seeks to protect and enhance the city's historic environment;*
- *Demolishing this distinctive façade (of the Listed Building) would result in the permanent loss of important architectural character and would erode the identity of the area;*
- *Demolition would likely threaten the attractive and unusual curved corner tenement adjoining the site.*
- *Embodied carbon within the existing buildings:*

Comment: National and Local policy requires that the demolition of unlisted buildings in conservation areas cannot be supported unless it is demonstrated that the building is not capable of viable repair and re-use and the proposed replacement building will preserve or enhance the character of the conservation area. In this case, these tests have not been sufficiently met, as detailed in the assessment above.

The principal matters raised by the letters of support can be summarised as:

- *The development introduces a contemporary yet respectful architectural language that complements the area's heritage without competing with it;*

Comment: The architectural language is not considered to be inherently problematic in itself and could be suitably refined, should a more appropriate scale and massing be developed. However, as described in the policy assessment above, the current proposal aggressively overdevelops the site to the significant detriment of the character of this part of the conservation area.

- *The development repairs a long-standing visual and functional gap in the urban landscape which presently diminishes the character and experience of adjacent historic assets;*

Comment: Whilst the site is underutilised and suffers from a degree of disrepair, it is not a gap site in either sense.

- *Opportunity to develop a long-term derelict site into a vibrant, contextually sensitive, and economically resilient destination that will bring lasting benefit to the city centre at a crucial time;*
- *the involvement of a major international hotel brand adds credibility, financial strength, and a long-term commitment to Glasgow's city centre economy;*
- *The proposal demonstrates strong alignment with the city's economic strategy. By offering both standard hotel rooms and serviced apartments, it caters to a wide range of visitor types and supports midweek and off-season occupancy. Its inclusion of public amenities such as a publicly accessible rooftop bar, gym, and business facilities makes it a versatile, future-proofed asset for Glasgow's hospitality infrastructure;*
- *the development provides a regulated and sustainable alternative to short-term lets, reducing pressure on local housing and reinforcing the city's ability to host large-scale events without displacing residents.*

Comment: The proposed use as a hotel/aparthotel is considered to be acceptable in principle in this location. The economic benefits of the proposal are recognised but are not considered to outweigh the Planning Authority's concerns regarding the height, overall scale and massing of the proposed building and its negative impact on the character and appearance of the conservation area and the setting of adjacent listed buildings.

CONCLUSION

The above assessment is considered to demonstrate that the proposed demolition fails to accord with the requirements of the Development Plan or Historic Environment Policy for Scotland, principally on account of the failure of the proposed replacement building to preserve or enhance the character of this part of the conservation area, as a result of the indicated footprint, height, scale and massing.

It is also noted that the assessment above indicates the following:

- this building has townscape value for the quality of its Maxwell Street frontage, which was clearly designed to match 86-90 Maxwell Street;
- that it has not been demonstrated that the building is incapable of repair, and;
- that the viability optioneering shows that retention of the main façade of the B-listed building at 86-90 Maxwell Street could return a profit.

Whilst the failure to demonstrate that the unlisted building is incapable of repair is a policy test failure, the fact that the unlisted and listed buildings on the site are connected physically, visually and historically makes it important to consider the case for demolition of each building with reference to the other. In this regard there is considered to be scope in principle to accept demolition of 40 Fox Street as enabling development through cross funding for the partial retention of 86-90 Maxwell Street, should an acceptable proposal be brought forward in the future.

However, as this is not considered to be the case for the proposal as submitted for the reasons listed above, nor would the façade retention with 18-storey building option which could return a developer profit be considered acceptable in townscape terms, demolition is not accepted on this basis.

Reasons for Refusal

01. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. The proposed demolition of the unlisted building at 96 Maxwell Street/40 Fox Street is contrary to Policy CDP 9 and supplementary guidance SG 9 Historic Environment of the Glasgow City Development Plan insofar as it has not been demonstrated that the building is incapable of viable repair and re-use.
03. The proposal is contrary to policies CDP1 The Placemaking Principle and CDP9 Historic Environment and the accompanying supplementary guidance within SG1 The Placemaking Principle and SG9 Historic Environment of the Glasgow City Development Plan 2017 as, by reason of the indicated footprint, height, scale and massing of the proposed replacement building, the proposal would erode the established historic character of the townscape of this part of the Conservation Area, which consists predominantly of 4-storey tenements. Therefore, the proposed replacement development is considered significant overdevelopment of the site which would not respect its historic context but would detract from the special character of the Glasgow Central Conservation Area.
04. The proposed demolition of the building is contrary to Policy CDP9 and supplementary guidance SG9 Historic Environment, which requires the retention of existing buildings until the replacement development commences in order to protect townscape quality. In this instance, the proposed replacement building is considered to have a harmful impact upon the setting of, and views into and out of, the Central Conservation Area, would fail to enhance the Central Conservation Area and have an over-dominant impact upon nearby listed buildings and, as a consequence, has been refused planning permission.
05. No acceptable proposals are in place for the re-development of the site and therefore the proposed demolition would be contrary to both local and national guidance which requires retention of buildings in Conservation Areas until an acceptable redevelopment proposal is in place and ready to proceed.

for Executive Director of Neighbourhoods, Regeneration and Sustainability

DC/ALS/12/09/2025

BACKGROUND PAPERS

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