



## Planning Applications Committee

Item 1b

18th November 2025

### Report by

Executive Director of Neighbourhoods, Regeneration and Sustainability

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

**Application Type** Listed Building Consent

**Recommendation** Refuse

**Application** 25/01128/LBA **Date Valid** 19.05.2025

**Site Address** 86 - 90 Maxwell Street/40  
Fox Street  
Glasgow

**Proposal** Demolition of category 'B' listed building at 90 Maxwell Street and erection of hotel/apart-hotel with bar/restaurant with associated facilities.

**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** B-listed building

**Advert Type** Affecting a Conservation Area/Listed Building **Published** 13 June 2025

### City Plan

### Representations/Consultations

There were 53 objections from Paul Sweeney MSP, Merchant City & Trongate Community Council and members of the public. The points of objection are summarised below:

- *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;
- This design goes against the principles of #retrofirst, the Architects' Journal campaign to prioritise retrofit over demolition and rebuild, for the greenest building already exists;
- Embodied carbon within the existing buildings;

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 design respects the surrounding conservation area, with careful attention to scale, materials, and architectural character to ensure the new building complements its historic context;
- 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;
- This development would also support the regeneration of the Clyde. The proposals create an important piece between the city centre and the Clyde creating a safer more attractive route and adding footfall and vibrancy to the area. The rooftop restaurant bar will afford views of the river and add to a growing range of options and spaces that are celebrating the river;

**Historic Environment Scotland** – 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 15 August. We expressed the view that this application does not make a sufficiently robust case to demonstrate that repair of this building, or part of it, is not economically viable. 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 submitted by the applicant provide more clarity than the previous appraisals, which were somewhat out of date. The updated appraisals show only one marginally viable option, whereas previously there were three. This option involves new construction at a scale that we consider would not protect the established character of the conservation area.*

## Site and Description

### Application Site

The site subject of this application for listed building consent for complete demolition is a Category 'B' listed 4-storey blonde sandstone building at 86-90 Maxwell Street. In association with the adjoining unlisted 2 storey traditional blonde sandstone building at 40 Fox Street, subject of a separate application seeking conservation area consent for demolition (25/01127/CON), 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. Totalalling 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.

The building, subject of this application was placed on the Buildings at Risk Register (BARR) in June 2024 due to its noted deteriorating condition at that time.

### **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 Street 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.

### **Proposed Development**

The application seeks listed building consent for the demolition of the category 'B' listed building at 90 Maxwell 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 conservation area consent for the demolition of the adjoining unlisted building at 40 Fox Street (25/01127/CON) has also been submitted and is also subject of a separate report.

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:

#### **National Planning Framework 4**

##### **Policy 7 - Historic Assets and Places**

#### **Glasgow City Development Plan 2017**

**CDP9 - Historic Environment**

**SG9 - Historic Environment**

### **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 14(2) of the Act requires that in determining applications for listed building consent, special regard must be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is also required by section 64(1) of that act to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in which the building is located.

The purpose of listing is to provide statutory protection to buildings that are considered to have special historic or architectural interest from damage or loss that would affect their special interest. Section 59 of the Act places a duty of care on the local planning authority (LPA) when considering development proposals affecting a listed building or its setting to have special regard to preserving a building or its setting or any features of special architectural or historic interest which it possess.

Section 61 of the Act gives local 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. The Act gives the LPA powers to control demolition of buildings (excluding listed buildings) within a conservation area. Conservation Area Consent is required for the demolition of unlisted buildings within a conservation area. This is discussed in the associated report on the associated application for demolition of the adjoining unlisted building at 40 Fox Street.

**National Planning Framework 4 (NPF4)** was adopted on 13<sup>th</sup> February 2023. NPF4 is the national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments

and national planning policy for Scotland. Due to the scale, nature and location of the proposed development, the following policies are considered relevant:

**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 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. In particular, it states that:

- a) *Development proposals with a potentially significant impact on historic assets or places will 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.*

*Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.*

- b) *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.*

**The Glasgow City Development Plan (CDP)** was adopted on 29 March 2017. The City Development Plan contains two overarching policies: CDP 1 The Placemaking Principle and CDP 2 Sustainable Spatial Strategy, which must be considered in relation to all development proposals. Other policies and associated supplementary guidance provide more details on specific land uses or environments which contribute to meeting the requirements of the overarching policies.

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’** supports the above policy by providing detailed guidance on the Historic Environment. It explains that there is a presumption in favour of retention of all listed buildings, with encouragement given to adaption and creative design and reiterates the criteria set out in Historic Environment Scotland Policy Statement 2016 (now superseded by Historic Environment Policy Statement 2019).

In cases where demolition is proposed, applicants are required to show that they have made all reasonable efforts to retain Listed Buildings in accordance with Historic Environment Scotland Policy Statement 2019 and will need to meet at least one of the tests to justify demolition. In this regard, 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.

Conservation Area Consent is required for the demolition of unlisted buildings within Conservation Areas. Proposals for the demolition of an unlisted building which contributes to the character or appearance of a Conservation Area will be required 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.

SG9 advises that where a listed building forms an important visual element in a street, any development within that street should be considered as being in the setting of the building, and that new development should seek to preserve and enhance the setting of the existing listed building.

Proposals for infill developments in Conservation Areas should maintain or enhance the character and appearance of their historic context by using high quality design and materials. Subject to the Plan's development and design policies and development guides, proposals for infill or gap development in Conservation Areas should reinforce local distinctiveness and historic character and seek to:

- a) respect the established building lines of the street where this is an identified feature;
- b) ensure that the scale and massing respects and responds to the existing adjacent properties; and
- c) harmonise external finishes with those of existing adjacent properties, although alternative materials may be considered.

In particular, new development within the City Centre should:

- a) respect the built form, maintain (or re-instate) continuity of building lines, street containment, street pattern and elevational proportions;
- b) maintain variation of plot width and grid-iron street pattern in the Victorian business area;
- c) design roofscapes which do not compete with the original building design; and
- d) use high quality materials and utilise sandstone on prominent elevations.

The Historic Environment Policy for Scotland 2019 (HEPS) forms part of the national planning policy suite of documents, providing specific policy guidance on matters concerning the historic environment and was produced to take account of the changes resulting from the Historic Environment Scotland Act 2014, which created Historic Environment Scotland (HES).

HEPS is a policy statement directing decision-making that affects the historic environment. It is non-statutory, which means that it is not required to be followed as a matter of law or statute but is a material consideration for planning proposals that might affect the historic environment. It is relevant to a wide range of decision-making at national and local levels and is supported by more specific guidance on individual topics, known as the Managing Change Guidance (MCG).

Managing Change in the Historic Environment is a series of guidance notes about making changes to the historic environment. Each Managing Change guidance note looks at a different theme. Of relevance to the application proposal is the 'Managing Change in the Historic Environment: Demolition of Listed Buildings' 2019 document which explains what information is needed in order to satisfy the case for demolition. It states that if one of the following situations applies, demolition is likely to be justified, provided this is clearly demonstrated and justified:

- Is the building no longer of special interest?
- Is the building incapable of meaningful repair?
- Is the demolition of the building essential to delivering significant benefits to economic growth or the wider Community?

When considering the 'special interest of the building', the guidance states that:

*'In some circumstances a listed building may no longer be of special architectural or historic interest. This might include where there has been a significant loss of fabric or features of interest, or where there have been later alterations which have affected the character of the building.'*

In relation to 'meaningful repair', it is explained that:

*'There are occasions when repairing and reusing a listed building would lead to extensive loss or replacement of fabric, which would have a consequent effect on its special interest. If repairing a building cannot preserve its special interest, it is not capable of meaningful 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.'*

The guidance recognises that in some exceptional circumstances, the demolition of a building may be 'essential to delivering significant benefits to economic growth or the wider community'. In such cases:

*'An LBC application for demolition on these grounds should provide evidence to demonstrate why the loss of the building is essential in order to obtain these benefits.'*

**Comment:** The application proposal seeks listed building consent for the demolition of the category 'B' listed building at 90 Maxwell Street to enable the erection of a 19 storey erection of hotel/apart-hotel with bar/restaurant with associated facilities.

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 principal justification provided for the demolition of Category 'B' listed building at 86-90 Maxwell Street is that due to its severely dilapidated physical condition the repair and re-use of the building is not economically viable and that the desire to preserve the Listed Building is effectively preventing the beneficial redevelopment of the site. Whilst the Heritage Statement acknowledges that the loss of the listed building will be regrettable, it states that the impact will be mitigated by enabling the viable redevelopment of the site as part of the ongoing regeneration of the wider Broomielaw, St Enoch and River Clyde Character Area of Glasgow Central Conservation Area at this location.

This report focuses on the case for demolition of the Category 'B' listed building at 90 Maxwell Street and the impact of the loss of the building on this part of the Central Conservation Area (Broomielaw, St Enoch and River Clyde Character Area of Glasgow Central Conservation Area) and on the setting of adjacent listed buildings, with the potential impacts of the proposed 19 storey hotel building being considered in the associated reports for full planning permission for the replacement building and

conservation area consent for the demolition of the unlisted building.

The listed building is described as a classically fronted warehouse style typical of this period in Glasgow. The building is T-plan in shape with the principal classically styled facade facing onto Maxwell Street. It is explained that while the original form of the building remains largely unchanged, the following alterations over the course of its life include:

- Internal cast-iron frame with timber floor construction;
- Alterations to the south and north masonry walls with large openings formed;
- Introduction of masonry stair to all levels in the southeast corner of the rear;
- Centrally placed entrance with masonry stair to first floor level and commercial units at ground floor;
- Connecting (block) openings on south elevation of front section to 96 Maxwell Street including at third floor level;
- 'Linostone' repairs to front elevation ashlar masonry;
- Alteration to ground floor unit's fenestration and materials;
- Previously enclosed lightwells opened to the rear part of the building;
- Chimney stacks have been reduced in height;
- Slate roof replaced with concrete tiles;
- Windows have been removed in their entirety

The Stone Report provides a comprehensive assessment of the building condition and highlights that numerous previous attempts to repair the building have been inappropriate, unsuccessful and, as a consequence, have resulted in further deterioration of the stonework which is most likely irreparable without substantial indentation and stone replacement.

In addition, the façade is currently supported in part by an internal steel girder tie system fastened through the facade stonework on the 1st, 2nd and 3rd floors and to the inner structure, which itself is in very poor condition which further complicates the option of façade retention or substantive repair. The façade also displays obvious structural defects.

The report concludes that, at best, the facade could be cosmetically enhanced to provide a short term copy of the original facade, however, stone replacement would eventually be required and this option does not address the extent of stone repair or interdependency between the deteriorating building structure and the façade.

The Timber Survey Report details that both wet rot and dry rot are visible throughout the building, as well as fire damage from the 1<sup>st</sup> floor upwards to the loft area, providing further evidence of its deteriorating condition.

The Building Condition Survey Report again provides a detailed account of the building condition recognising that, as a whole, it is considered to be in poor condition with significant upgrading and remedial works required, including to the building structures, which will incur significant remedial costs. Detailed comments are provided on all building components including structure, stonework, chimneyheads, roof areas, rainwater goods and windows.

Estimated costs in relation to the repairs identified within the report, include internal repairs at a cost of £290,542 and external repairs at £447,114, totalling £737,656 excluding VAT. Additional sums have been added for contingencies, preliminaries and professional fees, which substantially add to the costs. Provisional sums have been allocated to the majority of items until such time as a full scope of repairs is agreed and disruptive investigations carried out, therefore costs are expected to increase.

The Structural Survey also provides a comprehensive account of the building condition and makes recommendations for further intrusive investigations and extensive repair.

An updated Development Options and Appraisal was prepared by Rettie in September 2025 and in total considered 16 options which included retention of the listed façade (notwithstanding the conclusions of the various condition reports undertaken). In all development options considered, with land value assumed to be of nil value, the report concludes that no option reaches the required profit hurdle of 20% on cost that is considered the minimum necessary incentive for a private sector developer to implement a development and states that, even with a nil land value, all variants are negative in terms of profitability. Two of the A4 options do have positive profit margins, but are unlikely to be at a level for a developer to take on the site and build out, especially given the risks of development of a relatively dense site where some demolition would be required and given current market conditions, where the costs of development are continuing to escalate. On this basis, the report considers that all above retention options are financially unviable and would not be considered for implementation by a developer / investor.

Historic Environment Scotland were consulted informally at pre-application stage and subsequently formally as part of the statutory planning application process. Their initial response, on the 15<sup>th</sup> August recognised that the building has architectural value for the quality of its street frontage, which appears to have been influenced by the work of Alexander Thomson. Their view was that the building not only contributes positively to the streetscape in its own right, but the adjacent buildings were also designed to match it. They accepted that the building is in poor condition and that substantial investment would be required to bring it (in all or part) back into a viable use. However, they considered that the application did not make a sufficiently robust case to demonstrate that repair of this building, or part of it, is not economically viable.

Following this, an updated options appraisal was submitted and HES provided a further response stating that although the updated appraisals provided more clarity, they remain of the view that the case for demolition is not very strong. In particular, they refer to the inclusion of an unexplained additional £50,000 in each appraisal in respect of façade retention, though relatively insignificant as a proportion of the overall development costs, causes them some doubt over the competence of the submitted figures. They add:

*'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.'*

Notwithstanding their concerns, they did not feel it was proportionate to object to the application.

Assessment of the proposed demolition against NPF4 Policy 7 set out above, reflects the assessment criteria of supplementary guidance SG 9: Historic Environment and the Managing Change in the Historic Environment: Demolition of Listed Buildings' 2019 document. In this regard, where the demolition of a Listed Building is proposed, applicants will be expected to provide evidence to show that:

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

In terms of a) is the building of special interest?

90 Maxwell Street is considered to have special architectural or historic interest as a major example of a particular period, style or building type. Specifically, as noted in the Heritage Statement, the building has special architectural interest as a good example of the typical, classically treated facadal warehouse architecture constructed in this part of Glasgow during the mid-19th century, and of special social historic interest in its association with the evolution of the McCorquodale works.

The Heritage Statement also acknowledges that Annex 2 to the Designation Policy and Selection Guidance for listing published by HES in 2019, notes that the condition of the surviving fabric is not a factor when deciding whether a building is of special architectural or historic interest. However, it emphasises that the alterations noted above, in particular the deterioration of the stonework on the principal façade, the loss of all of the original windows and the replacement of the slate roof with concrete tiles, are all issues that affect the authenticity of 90 Maxwell Street and detract from its special interest. There is also the associated question of the extent of the repairs required to enable the building to be brought back into active use and how this would affect the originality of the building and its special character.

While this is a definite dilemma and the Council is sympathetic to the costs of repairing the building, the condition of the building does not affect its architectural or historic interest or its listed status. As such, without detailed evidence to demonstrate that the required repairs would undermine or diminish its special interest, the Council concludes that the building continues to retain its special interest characteristics and, despite its condition, the building contributes positively to the character and appearance of the conservation area and to the cohesiveness of the street block within which it sits.

With regard to b) is the building incapable of repair?

The Heritage Statement does not argue that the building cannot be repaired, although it is acknowledged that the repairs would be significant, with the substantial introduction of new materials internally and externally, and the process itself complex. These observations are consistent across the submitted reports and do lend weight to the argument that the extent of repairs required would represent a more significant intervention in the building, which again could factor in to whether or not the building would retain its special architectural and historic interest. Notwithstanding, the applicant has not definitively demonstrated that the building is incapable of repair at this time.

In relation to c), is the demolition of the building is essential to delivering significant benefits to economic growth for the wider community?

The case for demolition does not suggest that this criteria is relevant to the consideration of the application, however, it is argued that the loss of the building would be significantly outweighed by the cultural, social and economic benefits that will be derived from the proposed development.

It is agreed that there is no justification for the proposed demolition against criteria c). The merits of the proposed new building on the site are addressed in the associated planning application report.

With respect to d) is the repair of the building economically viable and has it been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period?

It has been demonstrated that the building was actively marketed for a period of around a year in 2017 which was unsuccessful. It has since been marketed both as part of the overall Regent Property landholding and as an individual entity for a period of approximately 30 months during which time no offers have been received from potential restoring purchasers. This aspect of the criteria is therefore accepted.

The Heritage Statement explains that the repair of the building itself is economically unviable and would result in a significant 'conservation deficit' which cannot be reconciled or funded. The definition of 'repair' under this criteria, given the extent of interventions already undertaken and required, potentially questions the authenticity of the completed building, again relating back to criteria a) and criteria b). In itself, under criteria d), the Council is unable to disagree with the applicant's case for demolition on the basis of repair and re-use, despite the specific reservations of Historic Environment Scotland. However, there are further related matters that require to be considered.

The applicant has commissioned a development options appraisal to support the case for demolition under this criteria and this was recently updated to reflect current market circumstances. Whilst the Council would, as a last resort before demolition, in principle, support the retention of the building façade as part of the redevelopment of the current application site, this, for reasons that will be more explicitly explained in the associated reports for full planning permission and listed building consent, would require to be integrated within a more appropriately scaled building, respectful of its conservation area context and sympathetic to the compact homogeneous block to which it directly relates and responsive to its street environment.

The case for the scale and massing for the replacement building, whilst not directly relevant to the consideration of this application for listed building consent to demolish, is interrelated insofar as its implementation will considerably alter the composition and form of the block within which it will be contained. The negative impacts of the proposed replacement building was consistently conveyed in detail to the applicant and their design team, however, as with the Development Options Appraisal, a building of height was presented as the only viable option, with no evidence to demonstrate that a more modestly scaled building, potentially including façade retention (or façade dismantling, repair and rebuild), could or couldn't be an attractive proposition to a developer or investor. Furthermore, there is no submitted evidence that avenues for grant funding for repairs to the building have been considered or pursued.

The Council is obliged to consider the full economic case for demolition and therefore, without sufficient evidence being presented to the contrary, the Council agrees that, on balance, the case for demolition under criteria d) has not been fully explored or demonstrated.

#### Letters of Objection

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.

**Comment:** The matters above relate to the case for demolishing the listed building on site and are addressed in the policy assessment above and lead broadly to the conclusion that the demolition of the B-listed building has not been adequately justified.

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 for City Centre recovery;
- The development introduces a contemporary yet respectful architectural language that complements the area's heritage without competing with it;
- The design respects the surrounding conservation area, with careful attention to scale, materials, and architectural character to ensure the new building complements its historic context;
- 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;
- This development would also support the regeneration of the Clyde. The proposals create an important piece between the city centre and the Clyde creating a safer more attractive environment and adding footfall and vibrancy to the area. The rooftop restaurant bar will afford views of the river and add to a growing range of options and spaces that are celebrating the river;
- By offering serviced apartments, the development reduces short-term let pressure on residential housing stock (e.g. Airbnb units in traditional tenements), especially during major events;
- Car free development which helps to reinforce sustainable transport aspirations.

**Comment:** The matters above do not directly relate to the demolition of the B-listed building on the site and are of greater relevance to the associated application for planning permission and are accordingly addressed in the relevant report.

## CONCLUSION

The above assessment is considered to demonstrate that the proposed development fails to accord with the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in that the Planning Authority has given regard to preserving the category B Listed Building, and having determined that the building was not shown to be incapable of being subject to an economically viable physical repair and reuse, has given regard to the retention of features of special architectural or historic interest as addressed in the policy assessment above.

In conclusion, while the supporting condition reports demonstrate that the building is in a severely poor condition and that repair will be expensive and complex, the development options appraisal has failed to fully demonstrate that all repair or development options have been fully considered or that all potential sources of funding have been explored and exhausted. As such, the application fails to fully demonstrate that the building is incapable of being retained, subject to an economically viable repair or partial retention. For these reasons, and because of the potential implications of the scale, massing and design of the proposed replacement building which, it is argued is required to make the development viable, the Council is unable to support the application for demolition of the building at 90 Maxwell Street and it is therefore recommended that the application be refused listed building consent for the undernoted reasons below.

However, it is noted that this position is marginal and consequently there may be scope for the case to be more convincingly made in the future, particularly if accompanied by a more acceptable and less aggressive redevelopment proposal for the site.

### Conditions and Reasons

01. The proposed development fails to accord with the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, NPF4, Policy 7 'Historic Assets', Policy CDP9 and supplementary guidance SG 9 'Historic Environment' and Historic Environment: Demolition of Listed Buildings' 2019 insofar as the Category 'B' listed building at 90 Maxwell Street:
  - a) remains to be of special architectural and historic interest;
  - b) was not shown to be incapable of repair;
  - c) is not essential to be demolished to deliver significant benefits to economic growth for the wider community;
  - d) has not been subject of an exercise that fully demonstrates that its repair is not economically viable.

### Advisory Notes to Applicant

### Advisory Notes to Council

for Executive Director of Neighbourhoods, Regeneration and Sustainability

DC/ALS/25/09/2025

### BACKGROUND PAPERS

#### **PLEASE NOTE THE FOLLOWING:**

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