

# Listed Building Application: Report of Handling



Application No. 17/0456/PP

Renfrewshire  
Council

## KEY INFORMATION

### Ward

4 Paisley Northwest

### Applicant

R H Contracts  
18 Woodside Place  
Glasgow  
G3 7QL

**Registered:** 03/08/2017

Report by Director of Development and Housing Services

**PROPOSAL:** ERECTION OF 40 FLATS, FORMATION OF PARKING AND LANDSCAPING

**LOCATION:** THE INSTITUTE, MAXWELTON STREET, PAISLEY

**APPLICATION FOR:** PLANNING PERMISSION - FULL



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## RECOMMENDATION

Grant subject to conditions.

Fraser Carlin  
Head of Planning and  
Housing

## SUMMARY OF REPORT

- The proposals accord with the adopted Renfrewshire Local Development Plan land use designation Policy P1 'Places'.
- There have been four letters of objection on the grounds that the building is architecturally and historically important and should be retained; the existing facade and other parts of the building should be incorporated into the proposals; and the proposals would result in overlooking and affect privacy.
- Historic Environment Scotland has not objected to the proposed demolition of the listed building and accept that its retention and refurbishment are unviable.
- The form, siting, design, density, external finish and layout of the proposed development are considered to be acceptable.
- The removal of the remains of the Half Time School would present the opportunity for the redevelopment of a derelict building and site which detracts from the general amenity of the surrounding area.

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**Description**

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This application seeks planning permission for the erection of a block of 40 flats, with associated parking and landscaping, on the site of the former Half Time School, situated on Maxwellton Street, Paisley. The building currently occupying the site was significantly damaged by a fire in 1997, which left only the masonry standing and was subsequently further damaged by high winds in 1998, which blew down the eastern gable elevation. As such, the building now lies in a derelict state, with some walls partially standing and no roof or any interior walls, partitions, or finishes remain. The limited remaining exterior walls are supported by temporary propping and all are substantially affected by prolonged vandalism and coated with spray paint and graffiti. The building retains its category B listed status and was originally constructed as a school; and was latterly in use as a nightclub.

The site extends to 0.4 hectares, and is bounded to the north by St Mary's Primary School, to the east by amenity open space and a cycle route with residential uses beyond, to the south lies an area of housing beyond the former canal, and to the west the Spinners Gate Adult Day Centre.

The proposal comprises the erection of a flatted block containing 40 units, which would be constructed in a single 'U-shaped' plan form, extend to four storeys in height, and which would be positioned towards the south of the site. The principal elevation would front onto Maxwellton Street, with the secondary, side elevation fronting onto Maxwellton Road. The building would measure 46.5m in width by 30m in depth, the total site area measures 0.39ha. Car parking is proposed within the curtilage of the site to accommodate 53 vehicles and cycle storage for 20 cycles is proposed at the courtyard/entrance to the building. The building will be of a modern design, which will incorporate some salvaged stone from

the listed building. A hard landscaping scheme around the site is also proposed, and this is proposed to include boundary treatments which incorporate decorative stone elements/materials from the existing building on site.

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**History**

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99/748/LB - Demolition of former school building - Refused.

99/1009/PP - Demolition of existing structure and erection of replacement buildings - Refused.

99/1142/LB - Demolition of existing structure and erection of replacement buildings - Refused.

00/377/PP - Reinstatement of existing structure to form residential flats, conversion of outbuilding and erection of lodge house - Disposed to Grant subject to Section 75 Agreement. Subsequent refusal following failure to conclude legal agreement. Appeal in respect of refusal of listed building consent - Dismissed.

00/378/LB - Reinstatement of existing structure to form residential flats, conversion of outbuilding and erection of lodge house - Disposed to Grant subject to Section 75 Agreement. Subsequent refusal following failure to conclude legal agreement. Appeal in respect of refusal of listed building consent - Dismissed.

04/1015/PP - Reinstatement of existing structure to 16 residential flats, conversion of outbuildings to form 2 flats and erection of lodge house - Withdrawn.

04/1016/LB - Reinstatement of existing structure to 16 residential flats, conversion of outbuildings to form 2 flats and erection of lodge house - Withdrawn.

07/0282/PP - Restoration and conservation of existing facade to Maxwellton Street and incorporation within new build residential development of 40 flatted dwellings and associated landscaping and parking - Granted.

07/0283/LB - Restoration and conservation of existing facade to Maxwellton Street and incorporation within new build residential development of 40 flatted dwellings and associated landscaping and parking - Granted.

09/0700/PP - Extension of planning consent 07/0282/PP for restoration and conservation of existing facade to Maxwellton Street and incorporation within new build residential development of 40 flatted dwellings and associated landscaping and parking for a further 2 years - Granted.

12/0090/PP - Variation of Condition 1 attached to planning permission 09/0700/PP to extend the time period for starting the works - Granted.

16/0750/PP - Demolition of former school building - Withdrawn.

16/0812/PP - Erection of 40 flats, formation of parking and landscaping - Withdrawn.

17/0454/LB - Demolition of former school building - Pending.

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### **Policy and Material Considerations**

#### Adopted Renfrewshire Local Development Plan August 2014

Policy P1 - Renfrewshire's Places

Policy ENV3 - Built Heritage

New Development Supplementary Guidance

Delivering the Places Strategy - Places Development Criteria and Places Checklist

Listed Buildings - Demolition of Listed Buildings

#### Material considerations

Renfrewshire's Places Residential Design Guide - March 2015

Scottish Government publications on Designing Streets and Designing Places

Planning legislation requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the proposal requires to be assessed in terms of the policies set out above, and any other material considerations.

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### **Publicity**

The Council has undertaken neighbour notification in accordance with the requirements of the legislation.

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### **Objections/Representations**

Four letters of objection have been received, two from local residents, one from the Heritage Tourism Group and one from a local member (Cllr Eileen McCartin). The substance of these objections can be summarised as follows:-

- Removal of trees from site boundary.
- Privacy/overlooking at neighbouring properties.
- Loss of existing building.
- Design of proposed development is not in keeping with the existing building on site and the historical importance.
- Previous applications/site history where schemes which retained and reused the existing facade have been approved, therefore this should be proposed again.
- Reuse of existing facade/materials should form part of the proposals.

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### **Consultations**

Director of Community Resources (Traffic) - No objection. The preparation of a Transport Statement was requested and subsequently submitted and was assessed as being acceptable. A suitable level of parking and cycle storage is being provided on the site.

Director of Community Resources (Design) - No objection. The submission of a drainage and SUDS survey was requested and following submission, the content has been agreed.

Director of Community Resources (Environmental Protection) - No objection. It was requested that a noise survey be undertaken, (as the site is sensitive in terms of road noise and also from the school opposite), and this was completed and formed part of the assessment of the application. Should consent be granted,

conditions are recommended in respect of noise and potential ground contamination. West of Scotland Archaeology Service - No objection and requested that a condition be imposed on any approval issued, regarding the commissioning and completion of an archaeological survey to record the remains of the building as it currently stands.

Paisley West and Central Community Council - Accepts with regret that the retention and restoration of the building appears to be beyond hope. It notes the issues with the building following the fire in 1997, partial collapse in 1998 and storm damage in 1999. It is suggested that as many stonework features as possible should be salvaged and that this should be secured by a condition of consent. The community council also considered that the design of the new development lacks imagination; and, that there are concerns over parking provision and the potential for on-street parking in Maxwellton Road.

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### Summary of Main Issues

Environmental Statement - Not applicable

Appropriate Assessment - Not applicable

Design & Access Statement - A design and access statement was submitted with the application. This was further supplemented with additional information, including financial costings for redevelopment of the site and demolition/new build works.

Other Assessments

Transport Statement : Considers the site in terms of site layout, sustainable accessibility, vehicle access and development traffic generation, parking provision and service vehicle accessibility. The report concludes that the development would be accessible by sustainable modes of travel and would integrate well with the existing transport network.

Preliminary Site Investigation: Considers the ground characteristics of the site, its uses, and investigation results. It concludes that risks to the groundwater environment to be low; that the site was indicated to be in an area where radon

was not anticipated to be present at significant levels and that the site is at low risk from quarrying activities.

Drainage and SUDS Study: Considers that drainage matters can be satisfactorily addressed.

Noise Assessment: Considers that the key sources of noise would be road traffic and sound associated with the nearby primary school. These sources were modelled and mitigation measures were recommended in the form of standard thermal double glazing providing the specified sound reduction index which would be sufficient for all habitable rooms.

Planning Obligation Summary - Not applicable.

Scottish Ministers Direction - Not applicable.

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### Assessment

Policy P1 of the Adopted Renfrewshire Local Development Plan states that there is a presumption in favour of the built form and proposed uses should demonstrate they have no adverse impact on existing uses. As the proposal is for the erection of a block of flats within an established residential area, it is considered that the proposed development complies with this policy in principle.

The primary consideration in the assessment of the application thereafter is the extent to which the proposals complies with the New Development Supplementary Guidance, Places Development Criteria and Places Checklist, the Councils Residential Design Guide, and the Scottish Government publications on Designing Streets and Designing Places. The New Development Supplementary Guidance and associated Residential Design Guide identify a checklist of design considerations which form the basis of good places design.

The design considerations will be assessed as follows.

### **Context and Character**

The application site is located within an existing built up area which is predominantly residential in nature, and which is characterised by a range of house types ranging from two-storey detached and semi-detached at the Moorings, to two, three and four storey flats at Maxwellton Road, and a multi-storey block at Maxwellton Street. The proposal involves the erection of a four storey block of flats (in a similar form to those fronting onto Maxwellton Street), and which is assessed as being proportionate in scale to the building formerly occupying the site. The proposal is therefore considered to respond to its context. The site is relatively isolated in terms of other residential buildings and the closest structures are a school, and care facility to the rear of the site, which are both single storey buildings. Therefore, in terms of context and character the opportunity for a single block, of individual design and materials is appropriate, without the development resulting in an incongruous, over-dominant or discordant feature on the streetscene. Therefore, it is considered that the proposal will make a positive contribution to the character of the area, and contribute to the creation of a successful place.

### **Access and Connectivity**

The proposed development integrates with the existing street network, and there is walkable access from the site to public transport and local amenities. The supporting Transport Statement notes that the site is well located in terms of access to local bus services, the rail network and national cycle routes and is considered to be satisfactory. The parking capacity originally proposed would have accommodated 42 vehicles, and this has since been increased to 53 spaces to meet the minimum parking requirements and this level is considered to be acceptable.

### **Layout and Built Form**

The layout incorporates a single block which provides definition to the surrounding street network, the principal elevation of which fronts onto Maxwellton Street and is considered to respond to the generally level topography of the site. It is also considered that the siting, scale, massing and positioning of the proposed block will not have an unacceptably detrimental impact on the residential amenity of the neighbouring properties to the south with regard to overshadowing and overlooking, as it will be located approximately 40m from the closest neighbouring dwelling at The Moorings.

### **Environment and Community**

There is no formal open space requirement for a development of this scale, in terms of play provision, passive open space etc. However, it is recognised that the site is relatively compact and a significant portion of the available land is dedicated to meeting off-street parking provision. Notwithstanding this, the site is well served by public and private open space, parks and children's play provision in the immediate vicinity. To the east is a cycle path, which is surrounded by open amenity space and to the north, beyond the school, is Maxwellton Park, which contains a children's play area. In respect of existing landscape and ecological features, the site has a number of trees of varying quality on and around the boundary with Maxwellton Street and Maxwellton Road. Some trees within the site require to be felled, however a row of mature trees out with the site boundary along Maxwellton Street will remain. The proposal is therefore considered to comply with Policy ENV2 and the associated Environment Strategy.

In terms of drainage, the Director of Community Resources (Head of Roads - Drainage) has offered no objection to the proposal, based on the findings within the supporting information. The Noise Survey, has been assessed and the Director of Community Resources

(Environmental) has no objections in terms of noise, provided a condition be placed on any approval to safeguard prospective residents against noise levels within the development. It is not considered that the development would result in an increase in noise levels to the detriment of amenity, and there are no surrounding land uses which would have a significant adverse effect on the proposed development with regard to visual amenity, smell or hours of operation.

Whilst the remains of the listed building are now of limited architectural importance, the derelict, unkempt and neglected condition of the site detracts from the general amenity of the surrounding area and redevelopment would contribute to the visual enhancement of the immediate area.

### **Buildings and Design**

In terms of design and buildings, the proposal involves the demolition of a listed building to facilitate the proposed development (which will be fully considered in the corresponding listed building application). The existing building on site comprises the remains of the 'Half Time School', which is an important and historic building within Paisley. The site has an extensive history in terms of previous development proposals, applications and approvals. Permission has been granted for a number of schemes over the years and none of these have come to fruition. Previously, consent has been granted for 40 flats, which incorporated the existing façade of the building into the design. This scheme was never progressed to implementation as the costs to allow the restoration of the existing building proved to be prohibitive and rendered the scheme economically unviable. In the circumstances, the current applicant has proposed to remove the entire building and replace it with an entirely new-build structure. As such, the proposed design and features of the proposed building require to be assessed in terms of their suitability in the context of

the demolition of the listed building should this be agreed.

As noted above, there is an extensive history for this site in terms of applications and what has previously been considered to be acceptable. The applicant has engaged with the Council from an early stage with regard to this and other proposals and their suitability. Several differing schemes were proposed and discounted, with the current proposal being generally the appropriate option. The building itself would use some salvaged stone from the existing derelict structure as a means of representing the history of the site. Options were discussed with regards to further inclusion of existing stone work and features into the building's design, however it was decided these would appear incongruous within the context of the modern design of the building. As an alternative, it was considered that a hard landscaping scheme would be a more appropriate method to give recognition to the heritage of the existing building and the site it occupies. This would include the reuse of a number of features of the remains of the building, to form boundary features leading from the entrance to the building, with pillar features and the decorative stone urns being positioned at the entrance to the building. The use of such features around the boundaries would give a more public context to the previous history of the site. The detail and extent of incorporating these architectural salvage elements into the finished scheme are matters that should be safeguarded through the imposition of a condition.

Furthermore, the justification which has been provided in terms of removing the existing structure and constructing a new building has been accepted by Historic Environment Scotland (and this is fully assessed and explained in the accompanying listed building application).

In the light of the foregoing, the design of the building proposed, is considered

suitable and appropriate to fulfil the criteria of the Adopted Renfrewshire Local Development Plan and associated Supplementary Guidance.

With regard to responses from consultees which have not been addressed above, a condition requiring the submission of a Site Investigation, Remediation Method Statement and Verification Report can be attached should a favourable recommendation be made.

In terms of the issues raised by the objectors; the impact on privacy/overlooking and the issues relating to the design of the proposed building, previous site history, loss of existing and re-use of materials have all been addressed above. With regards the removal of any trees, the site is not covered by a Tree Preservation Order and a number of trees will remain both within the site itself and the immediate vicinity. However a condition is recommended to ensure the protection of those trees remaining on site during construction activities.

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### **Recommendation and Reasons for Decision**

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In light of the above assessment, the proposed development is considered to comply with the Adopted Renfrewshire Local Development Plan and New Development Supplementary Guidance, and will not be detrimental to the amenity of the area by virtue of its design, form and siting. Therefore, it is recommended that planning permission is granted, subject to conditions.

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### **Recommendation**

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GRANT SUBJECT TO CONDITIONS

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### **Conditions & Reasons**

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#### **Reason for Decision**

1. The proposal accords with the provisions of the Development Plan and there were no material considerations which outweighed the presumption in favour of development according with the Development Plan.

2. That before development starts, full details and/or samples of the facing materials to be used on all external walls and roofs shall be submitted to, and approved in writing by, the Planning Authority. Thereafter only the approved materials shall be used in the development of the site.

Reason: These details have not been submitted.

3. That notwithstanding the plans hereby approved, and before any development commences on site, revised details of the hard and soft landscaping of the site, and all boundary treatments including walling and decorative ironwork shall be submitted for the written approval of the Planning Authority. These details shall fully demonstrate the elements of the listed structure to be salvaged for re-use and which are to be incorporated into the development hereby approved. Thereafter, and before the first unit within the development hereby approved is occupied, all of the hard and soft landscaping and boundary treatments as agreed shall be fully implemented in accordance with the approved plans, to the satisfaction of the Planning Authority.

Reason: In the interests of amenity.

4. That an acoustic ventilation system shall be installed in the window openings that does not allow noise levels to exceed 40dB during daytime hours and 30dB during night time hours. The details of the acoustic ventilation system shall be submitted for the written approval of the Planning Authority prior to its installation.

Reason: In the interests of residential amenity.

5. No development shall commence on site until written approval of:

a) a Site Investigation report (characterising the nature and extent of any soil, water and

gas contamination within the site); and, if remedial works are recommended therein;

b) a Remediation Strategy and Implementation Plan identifying the proposed methods for implementing all remedial recommendations contained within the Site Investigation Report prepared in accordance with current authoritative technical guidance, has been submitted to, and approved in writing by, the Planning Authority.

Reason: To ensure that the site will be made suitable for its proposed use.

6. That prior to the occupation of any residential unit hereby approved;

a) a Verification Report confirming completion of the works specified within the approved remediation Strategy and Implementation Plan; or

b) where remediation works are not required but soils are to be imported to site, a verification Report confirming imported materials are suitable for use,

shall be submitted to, and approved in writing by, the Planning Authority.

Reason: To demonstrate that works required to make the site suitable for use have been completed.

7. Prior to development commencing on site, the developer shall secure the implementation of an archaeological standing building survey of the extant structures, to be carried out by an archaeological organisation acceptable to the Planning Authority. The scope of the archaeological standing building survey will be set by the West of Scotland Archaeology Service on behalf of the Planning Authority. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing, not less than 14 days before the survey commences. Copies of the resulting survey shall be deposited in the National Monuments Record for Scotland and in the local Sites and Monuments Record upon completion.

Reason: To preserve a record of the buildings heritage.

8. That before development commences on site, a tree survey shall be submitted for the

prior written approval of the Planning Authority detailing the size, age, condition, species, location and canopy spread of all trees on site and those which are to be retained and those which it is intended to be removed. The details shall include a methodology for the protection of all trees which are to be retained on site against the effects of construction activities. The methodology thereafter agreed shall be fully implemented on site in the approved manner and shall be maintained as such for the duration of construction activities to the satisfaction of the Planning Authority.

Reason: In the interest of the amenity of the area.

Local Government (Access to Information) Act 1985 - Background Papers: For further information or to inspect any letters of objection and other background papers, please contact David Bryce on 0141 618 7892.

The site has been visited and the photographs archived.