

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

7 SEPTEMBER 2015

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 14/01437/LBC
OFFICER:	Julie Hayward
WARD:	Hawick and Denholm
PROPOSAL:	Demolition of Clock Tower and Gate Lodge
SITE:	Clock Tower Wilton Mill Commercial Road Hawick
APPLICANT:	Wilton Mills Ltd
AGENT:	Aitken Turnbull Architects Ltd

SITE DESCRIPTION

The site is situated on the north west side of Commercial Road Hawick, within the Hawick Conservation Area. There is a hall on the opposite side of Wilton Lane and residential properties within Laing Terrace to the north east, the A7 trunk road (Commercial Road) and River Teviot are to the south east. There is a builder's yard and two dwellinghouses to the south west and a wooded embankment to the north west with residential properties and public open space beyond.

The main High Mill building and former YM RFC Social Clubrooms were demolished in 2014 and two modern buildings relating to the previous use of the site as a Council depot were demolished several years ago. There is a stone and slate former lodge/outbuilding on the Commercial Road boundary. The Clock Tower building is a three storey sandstone and slate building with a square clock tower. The site is currently enclosed by Heras fencing and timber hoardings.

The remaining buildings within the site are category B Listed Buildings and have been on the national Buildings at Risk Register maintained by the RCAHMS for some years. There are mill lades and the original wheel pit within the site.

PROPOSED DEVELOPMENT

The proposal is to demolish the gate lodge and Clock Tower buildings.

PLANNING HISTORY

93/00768/FUL: Alterations to form function/conference hall. Wilton Mill. Refused 11th January 1994.

95/00718/FUL: Alterations and change of use to form trade showroom. Blair & Patterson Wilton Mill. Approved 5th June 1995.

02/01971/COU & 02/01975/LBC: Alterations to form retail and office premises. Blair & Patterson Wilton Mill 31 Commercial Road. Approved 19th November 2003.

04/02362/LBC & 04/02363/FUL: Partial demolition, alterations and extension to form college building. Wilton Mill and 32 Commercial Road Hawick. Approved 17th March 2005.

06/00730/LBC, 06/00731/CON & 06/00732/FUL: Demolition of three buildings, change of use to offices, alterations, extension and formation of car parking area. Wilton Mill. Withdrawn 30th November 2007.

08/01902/LBC: Demolition of un-used industrial buildings. Wilton Mill. Withdrawn before validation 15th May 2009.

09/00433/LBC & 09/00434/FUL: Demolition of lean-to, internal alterations and replacement windows. Clock Tower. Approved 28th August 2009

09/00629/FUL: Erection of twenty four flats. Wilton Mill. Withdrawn 23rd April 2014.

09/00702/LBC: Demolition of un-used industrial buildings. Approved 5th September 2011. Wilton Mill has been demolished but a condition requires that the gate lodge cannot be demolished until documentary evidence is produced to show that contracts have been entered into by the developer to ensure that building work associated with the redevelopment of the site is commenced within a period of 6 months following commencement of demolition. The planning application for the associated flats was subsequently withdrawn and so no planning permission currently exists for the redevelopment of the mill site, hence the inclusion of the gate lodge in the current Listed Building Consent application.

09/00703/CON: Demolition of un-used industrial buildings. Approved 5th September 2011. The two former Council depot buildings have been demolished.

14/00742/FUL: Erection of Class 1 retail store, formation of associated car parking and alterations to existing accesses. Land and Buildings at Wilton Mills 31 - 32 Commercial Road Hawick. Withdrawn 3rd November 2014

14/00765/LBC: Demolition of the former YM Clubrooms building and garage/outbuilding. Land and Buildings at Wilton Mills 31 - 32 Commercial Road Hawick. Withdrawn 3rd November 2014

15/00100/FUL: Erection of Class 1 retail foodstore with ancillary works including car parking, access and landscaping. Land and Buildings at Wilton Mills 31 - 32 Commercial Road Hawick. Pending consideration.

15/00747/LBCNN: Demolition of boundary wall and erection of replacement wall. Former Y M Building Wilton Mill Commercial Road Hawick. Pending consideration.

15/00971/LBCNN: Wilton Mill 31 Commercial Road Hawick. Infill of former mill lade wheel pit. Pending consideration.

REPRESENTATION SUMMARY

A total of 24 representations have been received, 21 objecting to the proposal and three in support, and these are available to view on the Public Access System of the Council's website. The main planning issues raised are summarised as follows:

- The President of Hawick Archaeological Society objects as it is the remit of the organisation to preserve the rich heritage and history of Hawick. The

building should be saved and used as another asset to the town to compliment award winning projects like Tower Mill, the Heritage Hub and Drumlanrig Tower. Without vision, effort and forward thinking these building would also have been demolished.

- There is no structural report proving demolition is necessary; the iconic Clock Tower should be retained as a feature, either within the site or elsewhere in the town as part of Hawick's industrial heritage.
- The Clock Tower is an iconic feature of Hawick's industrial landscape and a landmark building and in a better economic climate in the future it could find a new use. It is a B listed structure of regional historical importance.
- The Alchemy Film Festival, an annual international film festival based in Hawick, has used many of Hawick's beautiful buildings for projects and sees great value in key buildings being maintained. There are no finances for the building by owners or the public purse. The building should be offered to a community group to raise the funds for its development and maintenance.
- This is a beautiful building, full of character and interest. Hawick needs to enhance its visual appeal not destroy it so it becomes a faceless boring town. The beauty of these types of buildings makes Hawick with all its manufacturing history a more interesting and attractive place to visit and to live.
- This is one of the last remaining buildings of the historic mills sited in Hawick's Commercial Road area. Many of the old mill buildings in the town have been lost, and it would be a travesty if the most iconic of the remaining buildings is knocked down to allow for another portal frame supermarket building. It is essential that Hawick retains some of its industrial architecture for future generations.
- The Border towns are already sad with empty shops and mills but to take away all sight of the heritage is destroying the heart of the town.
- The Structural Engineers report was based on a visual study; a tell-study is required to determine if cracks are current or historic and so prove if the building is structurally sound or not to determine if demolition is required. Lottery funding would be available for redevelopment if the building was not in private use so the Council could purchase it for a nominal sum and gain lottery funding to redevelop and restore it similar to the Tower Mill site.
- Project Hawick favours the preservation of Listed Buildings. Having been left to the elements it is now deemed an unsafe structure. A suitable use can be found for this Listed Building. Three listed structures have been demolished in Hawick in the past six months. Historic Scotland's listing states that the central block is "an extensive complex of 19th century mill buildings with prominent clock tower and some fine detailing, which dominates the riverside streetscape of Commercial Road and demonstrates the development of the textiles industry that is central to the history of Hawick". Without forethought and due consideration, Tower Mill, Drumlanrig Tower, the Exchange Buildings, Saint John's Kirk, the Victoria Laundry and many other fine buildings would be lost to time. Instead, each was preserved in some form; the Heart of Hawick being one of the most successful renovation projects.

- Such heritage buildings should be protected and incorporated into any new design. Demolition is short-sighted, permanent and irrecoverable.
- The condition of the building rests with the Council as well as the owners. The recent demolition nearby following decades of neglect could have impacted negatively on its condition.
- Once demolished the building cannot be replaced and the people of Hawick will regret the decision in the future.
- This Clock Tower should be made safe by the owner and converted into offices or homes.
- The buildings have considerable townscape merit and presence and their loss would represent a significant degradation of the urban environment of the town; Listed Buildings are a finite resource and their destruction can rarely be justified. That justification has manifestly not been made; the application lacks any proper assessment of the buildings' historic, townscape, cultural and social significance. As such it is impossible to properly weigh the balance between the potential loss of the heritage asset and the financial costs of its retention. The application should not be considered valid until a comprehensive historical significance study has been commissioned from independent, impartial and suitably qualified consultants.
- The building has been listed since 1977 and the opportunity to carry out preventative maintenance in the intervening period was available but not taken. Had it been the estimated cost of repairs would have been considerably reduced. The owner should not now be able to benefit from this neglect.
- The economic assessment of the viability of retention is flawed because it fails to place the costs of repair and conversion in the context of the wider development of the site. A proper approach would treat the proposed supermarket as an enabling development to allow the heritage asset to be conserved. Treating it in isolation allows revenue from the commercial development to be maximised by relieving the developer of their obligations as custodians of these Listed Buildings.
- The structural assessments indicate that repairs are possible, albeit at some cost. In one of the structural reports it is noted, without supporting evidence, that these costs would render repairs uneconomic. That is a conclusion which is beyond the scope of a structural assessment and that has not been adequately made within the limited scope of the cost appraisal
- The building should not be demolished to make way for a supermarket.
- The building is on the tourist route from Carlisle to Edinburgh and visitors will pass Lidl, Sainsbury's and Aldi when they pass through the town rather than this impressive building of stunning stone architecture.
- Having reviewed both the SHEP test and the supporting information that accompanies the application, it falls short of the standard required under the

SHEP test particularly for marketing, methodology adopted and for costing of repairs.

- The buildings are an eyesore and should be demolished.
- Something that is unsafe is not worth the money to make it safe if no-one will make use of it.

APPLICANTS' SUPPORTING INFORMATION

- Structural Report December 2014
- Office Development Cost Plan January 2015
- SHEP Test January 2015
- Supporting Information for SHEP Test January 2015
- Structural Assessment January 2015
- Bat and Bird Survey March 2015
- Redevelopment Appraisal (Appendix 1) May 2015
- Conservation Deficit (Appendix 2) May 2015
- Marketing Strategy (Appendix 3) April 2015
- Valuation Report April 2015
- Sales Details July 2015

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Principal Officer (Heritage and Design): Wilton Mills in Hawick dated back to the earlier part of the 19th century with the mill being extensively rebuilt after a fire in 1867. The High Mill building at the south end of the site was demolished in recent years and the current applicant has assemble land ownership of the whole site over a number of years and is exploring redevelopment of the site.

Wilton Mills were added to the statutory list at category B in 1977 and the listing was reconfirmed and the description revised in 2008 as part of the resurvey of Hawick Burgh.

There has been considerable recent activity at Wilton Mill, including the demolition of the YM and associated building at the north east corner of the site by the applicant under Section 29 of the Building Scotland Act because of a collapse and more recently concern has been raised about the condition of the Clock Tower building, but the most recent review by Building Standards concluded that there was no immediate danger.

I have attended a number of meetings with the applicant and agent and stressed the need to provide robust evidence in support of an application to demolish. I am aware that some work has been carried out to assess condition and costs and that limited marketing may have been carried out.

The application does not provide any information to support the proposals for demolition. In order to be able to give serious consideration to the proposals, and in particular consider whether the applicant has provided sufficient evidence to address the justification for demolition set out Scottish Historic Environment Policy (SHEP), sufficient supporting information must be submitted.

There are four “tests” set out in SHEP for demolition of a Listed Building to be supported:

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

Test “d” that is the most relevant to be addressed as a justification for demolition.

The applicant has not submitted any justification for the proposed demolition of these buildings as required by the “SHEP” test and as such I cannot support the application and recommend refusal.

Re-consultation:

Since the site meeting in June, the agent and applicant have undertaken further work to satisfy the requirements of the SHEP test.

“the repair of the building is not economically viable”

The applicant has provided further information (Appendix 2: Conservation Deficit) to demonstrate there is no surplus from the proposed redevelopment of the site for a supermarket to provide a cross subsidy. The applicant has also provided Appendix 1: Redevelopment Appraisal to show up-to-date projected values for conversion to offices or flats; both show a substantial deficit set against the projected costs of works to the existing building. In addition, the agent has confirmed that they have not been successful in seeking a range of grants towards the works to “close the gap”.

I confirm that I am satisfied that the applicant has met the first part of the SHEP test.

“it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period”

Since our meeting in June the applicant has provided further information about a specific marketing campaign encompassing the whole of the site and not just the Clock Tower in isolation, which has included advertising in “The Scotsman”, web based marketing and targeted approaches to potential developers. This had not elicited any serious inquires. Whilst is only some two months since we requested that a fresh marketing approach was required, I am now content that that the applicant has met both the spirit and intent of this requirement, but request that the

applicant ensures that an update is provided on marketing prior to this application being considered by the Planning Committee.

Ecology Officer: The proposed development and type of structure proposed for demolition conforms to the type of development requiring a bat survey and breeding bird survey

Re-consultation:

I am satisfied with the bat and bird survey carried out by Stone's Wildlife Management (March 2015). No signs of previous use by bats and breeding birds were found. It is possible that birds have accessed the site since the survey was undertaken. If demolition is to occur within the breeding season (March-August) then a supplementary survey for breeding birds will be required.

Economic Development: It is disappointing to note that this application follows on so closely from the submitted application 14/00742/FUL, where comments were made requesting proposals such that 'redevelopment of the overall site should be tied to ensuring this Listed Building is properly restored and made wind and watertight for future re-use'. The redevelopment of this site should be tied to and correspond with the 2009 Commercial Road SPG, which recognises the strong links with the town's industrial history. Within the development vision it is recognised that one of the strengths of the site is that the existing Listed Buildings can be retained and enhanced and the opportunities are to redevelop the existing Listed Building revitalise and regenerate the local area and provide commercial... opportunity in Hawick. The SPG further states that 'The Listed Buildings in the northern part of Commercial Road should be redeveloped in such a way that they contribute not only to the Commercial Road area but to the wider riverside townscape within the Conservation Area'.

This building has been used as offices in the past, when formerly owned by the Council, and could readily be converted, due to the layout and extent of natural light, and would be suitable once upgraded to modern standards. It is accepted, however, that currently there is little market demand, but that should not be the main reason for demolition. There are examples in the town where old substantial stone buildings can be given a new lease of life. The appropriate investment should be made to protect and seal this landmark building awaiting demand in the future, rather than continue to let it deteriorate.

Archaeology Officer: This application includes insufficient information to make a recommendation on what, if any, mitigation is required for both the tower and the lead system below. As such, I recommend refusal.

Re-consultation:

Since my initial comments on this scheme, I have reviewed the more recent submissions as well as the documents submitted with the adjoining application. There are two issues: the preservation by record of the Clock Tower and the preservation of the underlying mill lead and wheel pits. The application has not stated how the loss of these intrinsically important heritage assets will be mitigated.

The preservation of the mill lead and wheel pits is desirable, as is their incorporation into redevelopment of the site as visible features where practicable to promote the heritage of the site and Hawick. The recording of the Clock Tower prior to

demolitions is required to retain a record of the building to mitigate its loss for the region.

The applicant has yet to provide sufficient evidence for what mitigation is proposed for either the Clock Tower or the lead system/wheel pits below the site. As such, I maintain my objection to this proposal.

Statutory Consultees

Historic Scotland: It is Scottish Ministers' policy that no Listed Building should be demolished unless it can be clearly demonstrated that every effort has been made to retain it. There are four tests in Scottish Historic Environment Policy regarding demolition, at least one of which must be met if the loss of a Listed Building is to be considered.

Information made available to us indicates that the applicant wishes to focus on SHEP Test d. The first part of the test may well be met, that the building is not economically viable in its own right, but in a larger site one must take into account whether the conservation deficit can be met by development on the remainder of the site. The building should not be separated from the remainder of the site. Some contact with our Building Repair Grants Team could also be provided.

In order to meet this test the building (and site) should be marketed to potential restoring purchasers. In practice this means specific marketing information should be provided on who has been approached and the breadth of marketing. The marketing details should make clear the site is being marketed 'as it stands' and with the retention of the Listed Building presumed, and that any reasonable offer will be entertained to anyone who can rescue the building. In the past the secrecy of 'price on application' has been used to hide an inflated value for an asset which, from the valuation report included, is judged to have no economic value.

The only marketing evidence available online, from Edwin Thompson, refers to the proposed rental of a converted office building 'scheduled for completion in 2009'. Marketing must refer to the building in its current market condition with presumption assumed, not a potential future redevelopment or conversion scheme. On further investigation Edwin Thompson indicated that the building and site were sold in mid-January 2015 and the building will now be taken off the website. It is clear, from the lack of evidence provided, that this part of the test has not been met.

Re-consultation:

From the new information submitted it appears that the repair and sustainable reuse of the Clock Tower and gate lodge is not economically viable in its own right. However, the applicant has not taken into account that the test requires that in a larger site, such as the Wilton Mill Complex, the conservation deficit must be focused on the entirety of the site. The building should not be separated from the remainder of the site. Thus, without an appraisal of the site in its entirety we are unable to assess the viability.

Furthermore, despite our last letter asking that the site and building are marketed as a total package, the building is being marketed specifically as a standalone structure. We view this as a case of enabling development where the financial outlay to repair

the building must include cross-funding from the wider site within the same ownership. If every effort is to be made to save a Listed Building then the fragmentation of the site is not acceptable.

Hawick Community Council: Wilton Mills have been an integral part of the Hawick skyline since the 1800`s and is a direct link to the town`s industrial past, which made Hawick famous all over the world. However over the past number of years the owner of the mill has let it fall into disrepair and neglect. At the present time it would cost around £1.5m to repair the structure to make it wind and water tight. We would like the Clock Tower to remain but realistically we cannot justify the spending of that amount of money. We would also comment, that if at all possible the stone lettering incorporated into the structure, the clock faces and clock tower roof be saved and reused in any new building or landscape proposed for the area, so that a link can be maintained with the town`s industrial past.

Other Consultees

Architectural Heritage Society of Scotland: No response.

DEVELOPMENT PLAN POLICIES:

SES Plan Strategic Development Plan 2013

Policy 1B: The Spatial Strategy: Development Principles

Consolidated Scottish Borders Local Plan 2011

Policy BE1: Listed Buildings

Policy BE2: Archaeological Sites and Ancient Monuments

Policy NE3: Local Biodiversity

Proposed Local Development Plan 2013

Policy EP3: Local Biodiversity

Policy EP7: Listed Buildings

Policy EP8: Archaeology

OTHER PLANNING CONSIDERATIONS:

Scottish Historic Environment Policy 2011

Supplementary Planning Guidance: Commercial Road Hawick 2009

KEY PLANNING ISSUES:

- Whether sufficient evidence to address the justification for demolition of a listed building set out in the Scottish Historic Environment Policy (SHEP) has been submitted;
- Whether the demolitions would have implications for archaeology or protected species within the site.

ASSESSMENT OF APPLICATION:

Planning Policy

Policy 1B of the SESplan states that Local Development Plans will ensure there are no significant adverse impacts on the integrity of international and national built or cultural heritage sites, including Listed Buildings.

Policy BE1 of the Scottish Borders Consolidated Local Plan Adopted 2011 states that the Council will support development proposals that protect, maintain, and enhance active use and conservation of Listed Buildings. All Listed Buildings contained in the statutory list of Buildings of Special Architectural or Historic Interest will be protected against all works which would have a detrimental effect on their listed character, integrity or setting. The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic, social or practical reasons. It must be satisfactorily demonstrated that every effort has been made to continue the present use or find a suitable new use.

The Council's Supplementary Planning Guidance for Commercial Road advises that the Listed Buildings in Commercial Road should be redeveloped in such a way that they contribute to the Commercial Road area and to the wider riverside townscape within the Conservation Area. For the Wilton Mill site in particular the guidance advises that redevelopment of the site requires a high attention to detail and design to redevelop the Listed Buildings.

The Scottish Environment Policy published by Historic Scotland in 2011 (SHEP) states that where the application proposes the demolition of a Listed Building 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 or 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.

The SHEP Test

Wilton Mills dates back to the earlier part of the 19th century and were added to the statutory list at category B in 1977. The High Mill building at the south end of the site was demolished with Listed Building Consent in 2014. The YM building was also demolished by the applicant last year under Section 29 of the Building Scotland Act due to a collapse. More recently concern has been raised about the condition of the Clock Tower building, but the most recent review by Building Standards concluded that there was no immediate danger of it collapsing.

The applicant submitted this Listed Building Consent application to demolish the Clock Tower and gate lodge in December 2014 but submitted no supporting information, despite previous meetings with Council officials outlining what information was required. It was therefore not possible to carry out any assessment of the justification for demolition at the time of submission.

A full planning application was submitted in January 2015 (15/00100/FUL) for the erection of a Class 1 foodstore on the site, to be operated with Aldi. The drawings for this proposal showed the development required the demolition of the Clock Tower and gate lodge. Members' consideration of this proposal should, however, be treated on its own merits.

A site meeting with the applicant, agents and representatives from Historic Scotland took place in June 2015 and the applicant and agent were advised what supporting information was required in order to be able to assess the application against the SHEP test and that the re-launched marketing would need to be in place for a minimum of 2 to 3 months before the application could be reconsidered. The marketing had to be for the whole site at a realistic price and not for a specific scheme but with the preservation and restoration of the Clock Tower as part of the proposed scheme. The agent has now submitted additional information that allows the proposal to be assessed.

The SHEP test requires that only one of the four criteria listed is met. In this case Test "d" of the SHEP test is the most relevant to be addressed as a justification for demolition:

“the repair of the building is not economically viable”

The applicant has provided further information on the conservation deficit (Appendix 2) to demonstrate that there is no surplus from the proposed redevelopment of the site for a supermarket (taking into account the cost to develop the supermarket and the end profit) to provide a cross subsidy to cover the costs to repair and renovate the Clock Tower. The applicant has also provided a Redevelopment Appraisal (Appendix 1) to show up-to-date projected values for the conversion of the building to offices or flats; both show a substantial deficit set against the projected costs of works to the existing building confirming that both development schemes would not be financially viable. In addition the agent has confirmed that they have not been successful in seeking a range of grants towards the works to “close the gap”, including grants from Historic Scotland.

Based on the information submitted it is considered that the applicant has met this first part of the SHEP test.

“it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period”

Since the meeting in June the applicant has provided further information about a specific marketing campaign encompassing the whole of the Wilton Mills site and not just the Clock Tower in isolation. This included advertising in “The Scotsman”, web based marketing, sign boards on the site and targeted approaches to potential developers. This had not elicited any serious inquiries.

The applicant provided an update on the marketing on 10th August. The selling agent had followed up those developers who had originally been targeted and who had not previously either responded or been contacted following the original mailshot. They advise that they contacted 8 of the 9 developers and none are interested in pursuing the property further, with no response being received from the last developer. The selling agent confirms that there have been no direct enquiries to the office or credible offers in response to either press or internet advertisements.

Although the marketing has only taken place for two months, it is considered that the applicant has met both the spirit and intent of this requirement.

It is therefore considered that with the submission of additional information and a fresh marketing campaign the applicant has now met the SHEP test for demolition of the Clock Tower and gate lodge. It is accepted that the Clock Tower is a landmark, iconic building in Hawick and one of the few buildings left of Hawick's industrial heritage (the gate lodge being of lesser importance, with Listed Building Consent for its demolition having been granted in the past). It is also acknowledged that the building has been neglected and left to deteriorate to its current state of disrepair.

However, the SHEP Test is the only material consideration and the applicant has clearly demonstrated that, particularly in light of the limited development activity in Hawick, even with redevelopment schemes including office, residential or the proposed supermarket would not provide sufficient profits to subsidise the works to restore the Listed Building. The applicant has also marketed the site and no credible offers have been submitted.

Taking this into account and the state of the Listed Building, it must be preferable to see the building taken down in a controlled manner with appropriate recording, salvaging of stone and the preservation of important features, rather than the building being left to deteriorate further resulting in it becoming unsafe and falling down or requiring emergency demolition without the necessary Listed Building Consent, as was the case with the adjoining YM building.

If Members are minded to approve the application it will then need to be referred to Historic Scotland for determination; Historic Scotland have been involved in discussions regarding this proposal since the application was submitted and have been sent copies of the supporting information submitted by the applicant.

Archaeology

Policy BE2 states that where development proposals impact on an archaeological or historic site developers will be required to carry out detailed investigation.

The Council's Archaeology Officer has objected to the proposal. He raises two issues: the preservation by record of the Clock Tower and the preservation (either in situ or by record) of the underlying mill lade and wheel pits. No information has been submitted in respect of these issues by the agent.

A separate Listed Building Consent application has been submitted for the mill lade and wheel pit and so that issue is not dealt with as part of this application. The recording of the Clock Tower prior to demolition is required to retain a record of the building to mitigate its loss for the region. This can be secured by a condition.

Natural heritage

Policy NE3 states that the Council will seek to safeguard the integrity of habitats within and outwith settlements which are of importance for the maintenance and enhancement of local biodiversity.

The agent has submitted a bat and bird survey and no evidence was found of bats and breeding birds. The Council's Ecology Officer accepts these conclusions but advises that it is possible that birds may have accessed the site since the survey was undertaken. If demolition is to occur within the breeding season (March-August) then

a supplementary survey for breeding birds will be required. This will be controlled by a condition.

CONCLUSION

It is considered that with the submission of additional information and a fresh marketing campaign the applicant has now met the SHEP test to justify demolition.

RECOMMENDATION BY SERVICE DIRECTOR (REGULATORY SERVICES):

I recommend the application is approved subject to the approval Historic Scotland and the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. The Clock Tower cupola, clock faces and the carved stone lettering just below eaves shall be carefully taken down and set aside for incorporation in a feature within any proposed new development on the Wilton Mills site; a secure temporary store shall be provided and its location and form approved in writing by the Planning Authority before the demolition takes place and these elements to be stored until a time when they can be reused.
Reason: To protect and preserve features of the Listed Building that are worthy of retention.
3. Coursed sandstone and dressed stone details from the Clock Tower building, boundary wall and gate lodge shall be taken down with care and set aside for incorporation in a feature or use in a new boundary wall within any proposed new development on the Wilton Mills site in accordance with a scheme of details that has first been approved in writing by the Planning Authority; a secure temporary store shall be provided and its location and form approved in writing by the Planning Authority before the demolition takes place and these elements to be stored until a time when they can be reused.
Reason: To protect and preserve the stone of the Listed Buildings that is worthy of retention.
4. The Clock Tower building shall be the subject of a historic building recording exercise, which should incorporate “as existing” drawings and photographs as well as record photos showing the demolition (and hence a record of the method of construction). This to be submitted in the form of a report to the Planning Authority within 28 days of the date of the completion of the demolition.
Reason: To retain a record of the building to mitigate its loss for the region
5. A method statement for demolition to be submitted to and approved in writing by the Planning Authority before the demolition commences. The demolition of the gate lodge and Clock Tower then to be completed in accordance with the approved statement unless otherwise agreed with the Planning Authority. This is to include:
 - i) Works for the demolition of the buildings;
 - ii) The phasing of the demolitions;

- iii) Details of measures to retain and protect the mill lade and wheel pit area during and after demolition of the buildings, if necessary;
- iv) Details of the ongoing future management and maintenance of the site following demolition until the redevelopment of the site commences.

The demolition works then to proceed in accordance with the approved scheme.

Reason: To ensure the works are carried out in a practical and safe way and to safeguard the character and appearance of the Conservation Area.

- 6. If demolition is to occur within the breeding bird season (March-August), a supplementary survey for breeding birds is required, to be carried out by a suitably qualified person. The results of this survey and any mitigation to be submitted to and approved in writing by the Planning Authority before the demolition occurs. Any works shall thereafter be carried out in accordance with the approved scheme of mitigation.

Reason: To protect protected species within the site.

DRAWING NUMBERS

- AT2342-LOC-01 Location Plan
- AT2342-LBC-EX-01 Existing Site Plan
- AT2342-LBC-EX-02 Existing Plans and Elevations
- AT2342-LBC-01 Demolition Plan as Proposed
Photos

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Julie Hayward	Lead Planning Officer



14/01437/LBC
Clock Tower
Wilton Mill
Commercial Road
Hawick

