

North Lanarkshire Council Report

Planning Committee

Does this report require to be approved?

Yes No

Ref:21/00982/PPPPH/GL

Date: 17/10/24

Compulsory Purchase Order 99 Stanhope Place, Gowkthrapple Town & Country Planning (Scotland) Act 1997

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Executive Summary

The purpose of this report is to seek approval to promote a Compulsory Purchase Order (CPO) in relation to a property at 99 Stanhope Place, Wishaw (“the Property”). The Property is identified in the location plan and CPO plan in Annex 2 and 5 and is part of the approved Gowkthrapple Regeneration Masterplan Framework (“the Masterplan”) for major regeneration at Gowkthrapple (See Location Plan – Masterplan Site Boundary and Indicative Concept Masterplan Drawing at Annex 1 and 3). The regeneration plans outline significant redevelopment of the area following demolition of the existing flats and will deliver new housing, landscaped open space and green corridors in four phases (as shown on the Masterplan Framework Phasing plan attached at Annex 3). The Property is situated within Phase 2 (as shown in Masterplan Framework Phasing at Annex 4).

Planning application ref. 21/00982/PPP (described as “*Residential development, ancillary retail, open space, landscaping, SUDS, access, associated works and demolition (in principle)*”) was submitted by North Lanarkshire Council for the redevelopment of Gowkthrapple and this application was approved by the Planning Committee at its meeting of 27th January 2022. The permission is to facilitate the redevelopment as noted, comprising a Masterplan for an area up to and including Stanhope Place, but also involving the demolition of existing tower blocks and low-rise flats.

It has not been possible to reach final agreement with the private owner of the Property in order to purchase their flat on a voluntary basis. This is required to allow part of the redevelopment to be implemented and the wider aims of the Masterplan achieved.

The Planning Committee approved an initial report on the 10th November 2022 to progress the CPO. In the intervening period, whilst the Statement of Reasons and relevant legal documentation has been progressed, further information has been made available and reviewed which is intrinsic to the CPO. This report provides further historical background to this information and the reasons behind the regeneration proposals at Gowkthrapple to support the CPO.

Planning legislation allows Local Authorities to exercise powers relating to the compulsory acquisition of land for development and other planning purposes under certain circumstances. Those powers apply in this instance and the following report is to seek Committee’s further approval to promote a CPO.

Recommendations

It is recommended that the Planning Committee:

- 1) Reaffirm their approval to promote a Compulsory Purchase Order to acquire the property at 99 Stanhope Place, Wishaw, together with all common rights pertaining thereto, which property is shown on the plan annexed to this Report at Annex 2 and 5, for the purpose of supporting the proper planning of the area.
- 2) Gives Authority for the Chief Officer of Legal and Democratic to prepare all Compulsory Purchase Order documentation and to take all necessary steps including publication of all statutory notices to secure Confirmation of the Order by the Scottish Ministers and the Vesting of the property in the Council.

The Plan for North Lanarkshire

Priority	Improve the health and wellbeing of our communities
Ambition statement	(1) Ensure a housing mix that supports social inclusion and economic growth

1. Background

- 1.1 A study commissioned by the Council in 2005 and carried out by consultant, Ann Flint, identified a clear scale of housing failure in Gowkthrapple, with housing voids (at that time) in excess of 35%, non-existent right to buy levels, substantial annual rent losses and high staff support costs. The housing units were identified as a poor fit with housing demands and resident's preferences. The study identified a need to change perceptions of the estate and secure a better balance of housing. The Statement of Reasons (SoR) attached to this report (Annex 6) provides a detailed account of the consultations and activities that followed.
- 1.2 The Council subsequently commissioned Ironside Farrar in 2006 to prepare a masterplan for Gowkthrapple to support an application for planning permission in principle.
- 1.3 In 2017, the Council announced a strategic change in housing policy following consultation with the residents of North Lanarkshire to agree on plans to demolish a number of towers and low-rise blocks and replace them with modern homes fit for the future. Reports were presented to and agreed by the then Housing and Social Work Services Committee on 2nd February 2017 on a Tower Strategy Action Plan and subsequently to the Enterprise and Housing Committee on 15th February 2018 on the Future Tower Strategy. These approved reports consolidated the strategy of moving away from flatted high and low rise properties with a future focus on provision of two storey homes. This strategic aim allowed the strategy for demolition of the existing towers and low-rise blocks at Gowkthrapple (previously reflected in Scenario 3 of the 2006 Masterplan) to be progressed, addressing the issue of low demand and also enabling the re-housing of a number of elderly tenants who were at that time living in the multi-storey block known as Allershaw Tower.
- 1.4 Analysis carried out by the Council in 2016/17 and 2017/18 highlighted that the Council's housing stock within Gowkthrapple remained in low demand when compared with other housing stock within North Lanarkshire. This was demonstrated by several low demand indicators, namely: a small waiting list; short waiting times for applicants; high turnover and high repeat lets within a 12 month period. This low demand was due to the age and nature of the stock as well as continuing negative perceptions of the area.
- 1.5 Following further consultation in May 2018, the Council identified the first phase of the reprovisioning strategy with 15 high-rise tower blocks and 34 low-rise blocks throughout North Lanarkshire identified to be demolished within three to five years, of which the Block (as defined at 1.13) was included.

- 1.6 A report was presented to and approved by the Enterprise and Housing Committee on 10th May 2018 on the Economic Regeneration Delivery Plan. This also approved proposals to progress the initial phase of the Council's housing re-provisioning programme following tenant consultation and approved a new target of 5,000 new build homes for delivery by 2035.
- 1.7 The Economic Regeneration Delivery Plan contributes to the priority outcome of improving economic outcomes and opportunities, including a specific objective of providing access to high quality housing across all tenures. Demolition and redevelopment of the Council's housing stock at Gowkthrapple was included within the report (including the Block) reflecting the concerns highlighted over low tenant demand which was approved by the Council at that time.
- 1.8 The Council's Local Housing Strategy (2021– 2026) supported by the Strategic Housing Investment Plan has six strategic outcomes, including priorities to (amongst others) promote supply of good quality affordable housing across all tenures, contribute to regeneration and sustainability of places and improve stock condition across all tenures. The Local Housing Strategy further supports the redevelopment at Gowkthrapple from a strategic perspective, enabling a new supply of homes fit for purpose (which are attractive to tenants), future proofing the stock and contributing to wider regeneration of an area particularly adversely affected by economic and social decline over recent decades.
- 1.9 The Gowkthrapple Regeneration Masterplan Framework was completed in May 2021. Its vision for the Regeneration Project is "*...to promote a comprehensive place transformation to create a new urban character, integrate harmoniously with adjacent (existing and planned) communities and take advantage of the wider natural environment of the Clyde Valley.*"
- 1.10 The key development objectives outlined within the Gowkthrapple Regeneration Masterplan Framework are –
 - 1.10.1 *To rehouse existing Gowkthrapple residents into appropriate housing through a phased delivery programme in line with planned/phased demolition of existing housing stock.*
 - 1.10.2 *To take the opportunity to transform perceptions of the Gowkthrapple estate through the creation of an attractive and well-connected new neighbourhood.*
 - 1.10.3 *To secure an element of open-market housing and mixed tenure into the housing mix, working closely with other housing providers. This will require a comprehensive solution which inspires confidence in neighbourhood transformation, quality, and integration with adjacent sites.*
 - 1.10.4 *To deliver a new neighbourhood that adopts best practice in sustainable design and placemaking.*
- 1.11 Planning permission in principle was granted for the Regeneration Project on 27 January 2022, (21/00982/PPP). It is a condition of the permission that the proposed development reflects the design concept and is restricted to no more than 300 homes across all phases as illustrated on the indicative concept masterplan submitted with the application (see plan attached at Annex 4). Approval of matters specified in conditions was granted for Phase 1 of the Regeneration Project on 26 April 2022.
- 1.12 Out of the 428 units across the full Gowkthrapple site earmarked for demolition, only 3 were privately owned. The rest are all owned by the Council. All tenants have now been re-housed (with the exception of the temporary housing of Ukrainian refugees at Birkshaw Tower, which is within Phase 3 of the Masterplan), including the elderly residents from Allershaw Tower who were relocated into 18 new purpose-built bungalows being constructed on the Phase 1 site. Two of the three private owners sold their property to the Council on a voluntary basis.

- 1.13 The owner's property is situated on the ground floor of block 97 – 127, the northern most block within the Phase 2 area (the "Block") The location of the Block is shown on the Location Plan attached at Annex 2 and the CPO Plan at Annex 5. The Block contains 16 flats in total, all of which are empty apart from the property in question, with the last tenant leaving in the middle of 2021. All empty flats within the Block have windows shuttered and flat entrance doors boarded over.
- 1.14 The Council has attempted to negotiate with the owner of the Property (within the Block) for the voluntary acquisition of the property. The owner of the Property was first approached by the Council in September 2019 to begin negotiations for the voluntary acquisition of the Property. In April 2021 an offer to purchase the Property was made by the Council which the owner verbally accepted. However, in May 2021 the owner advised the Council that he no longer wished to proceed with the voluntary sale. Following the discussions in 2021, the Council has been in regular contact with the owner to attempt to negotiate the voluntary acquisition of the Property. Most recently an officer of the Council met with the owner on 13 March 2024 to offer him alternative accommodation. The owner indicated to the officer that he was not interested in the property offered or any other properties which the Council might offer and would not consider a shared equity option of another flat of similar size. The owner is not willing to sell and has intimated that he will not consider further offers of alternative accommodation from the Council. The Council will continue to attempt to negotiate with the owner for a voluntary acquisition in parallel with the CPO process.
- 1.15 Retention of the Block and incorporation into the wider layout is not an option to the Council because of its location within the Phase 2 area. The proposed development follows a well-considered master planning process and in physical terms, retention of the Block would mean that the Council would be unable to implement the redevelopment plans for the Phase 2 area following demolition. The regeneration proposals would replace the ageing flats within the area earmarked for demolition as part of our re-provisioning programme and see modern homes built for the varying and current needs of the local community.
- 1.16 If the property in question can be acquired, this will result in the removal of the flats allowing replacement with a well-formed and attractive series of residential properties in keeping with the scale and character of the surrounding area. The regeneration proposals will also remove large areas of hardstanding and allow new areas to be properly landscaped, as included in the Masterplan as a green corridor. As a condition of grant funding, the new properties will be built to the Scottish Governments Housing for Varying Needs Standards and will at least meet the Governments Silver Standard - Aspects 1 and 2 - for Energy Efficiency. They will also comply with the current building regulations at the time of tender submission. This will result in new occupants having high quality, well insulated homes with economical heating costs. The new homes will be consistent in design alignment with the North Lanarkshire Council Net Zero Carbon Target of 2030. A further condition of the grant funding stipulates that they should be Secure By Design compliant, meaning the new homes will be fit for purpose and provide a safe community space for future residents.
- 1.17 The overall redevelopment for Gowkthrapple will see around 300 new homes (a mix of single, two and three storeys), developed. The aim is to regenerate the community by demolishing the existing towers and flats and build new homes, retail, open space, play facilities and improved transport infrastructure to create a new attractive, lower density and well- connected neighbourhood.
- 1.18 Phase 1 of the masterplan is already underway to develop 97 new council homes for social rent to help progress the Council's target of delivering 5,000 new homes by 2035, replacing the flats with modern homes built for the varying needs of the local community. Residents in the Allershaw tower block have already been rehoused in the first part of the development which features 18 bungalows with specific requirements as well as an amenity centre that allows tenants to socialise and easily access care services. The overall redevelopment within Gowkthrapple would see all towers and existing blocks of flats including Stanhope Place demolished and replaced with new homes, potentially also involving private housebuilders or other housing providers.

- 1.19 The Council has various compulsory purchase powers available depending on the circumstances. In this instance, planning permission is in place for a Scheme of redevelopment for the area (21/00982/PPP), as well as more detailed permission (21/01316/MSC) on land to the west of Stanhope Place, which, as noted above, is being constructed by the Council as Phase 1 of the Masterplan. Progressing the compulsory purchase through planning legislation is considered the most appropriate means to take the matter forward and facilitate implementation of the overall redevelopment.
- 1.20 Out of approximately 400 flats currently within Phases 2, 3 and 4, this is the only property that currently remains in permanent occupation with the windows of all other blocks being shuttered and with metal security doors fitted. Without a CPO, redevelopment of the Phase 2 area would not be possible, leaving a block of 16 flats, with only one in occupation. Retention of the block is not an option for the Council. Whilst acknowledging the impact of the CPO on the owner, the significant public benefits are considered to outweigh the private interest in these circumstances. Also, it is reiterated that efforts have been made to reach voluntary agreement in respect to purchasing the property.
- 1.21 The Council owns all of the properties within Phases 2, 3 and 4 in the Masterplan area aside from the Property subject to CPO. This presents a pressing need to conclude full acquisition of all available property to allow wholesale regeneration to take place. The Council has made a commitment to replace its own ageing housing stock with more appropriate, energy efficient and Housing for Varying Needs compliant housing. This will benefit the public by providing homes that are fit for purpose, and future proofed based on the needs of residents both now and via projections of future demand and requirements. The redevelopment of Phase 2 as planned cannot be progressed without the acquisition by the Council of 99 Stanhope Place.
- 1.22 The Council has carefully considered the balance to be struck between individual rights and the wider public interest. The landowner will be appropriately compensated. For the reasons set out above, the Council considers that there is a compelling case in the public interest for promotion of the CPO. The compulsory purchase of the Property is considered necessary and proportionate in the circumstances.

2 Report

- 2.1 Part VIII of the 1997 Town and Country Planning (Scotland) Act (the "Act") sets out the process which allows Local Authorities to exercise powers relating to the compulsory acquisition of land for development and other planning purposes. Section 189(1) of the 1997 Act confers the power to the local authority to acquire compulsorily any land in its area which:
- 2.1.1 Is suitable for and required in order to secure the carrying out of development, redevelopment and improvement,
- 2.1.2 Is required for a purpose which is necessary to achieve in the interests of the proper planning of an area in which the land is situated.
- 2.2 In this instance, the Chief Officer of Place considers that the land in question is suitable for redevelopment and that without a Compulsory Purchase Order, the last property remaining within private ownership would prevent the proper planning and overall redevelopment of the area.
- 2.3 Section 189(2) requires that, in considering whether land is suitable for development, redevelopment or improvement, a local authority shall have regard to the following three criteria:
- 2.3.1 The provisions of the development plan, so far as material
- 2.3.2 Whether planning permission for any development on the land is in force, and

2.3.3 Any other considerations which would be material for the purposes of determining an application for planning permission for development on the land.

(a) The provisions of the development plan, so far as material

- 2.4 The Development Plan consists of National Planning Framework 4 (NPF4) and the North Lanarkshire Local Development Plan 2022. However, at the time of determining the application for planning permission in principle (21/00982/PPP), the Development Plan consisted of Clydeplan 2017 and the North Lanarkshire Local Plan 2012. That application, and associated application 21/01316/MSC for the Phase 1 area were considered to accord with the Development Plan and were approved on 26 April 2022. The relevant policies were Policy HCF1A Residential Areas (which aimed to protect residential amenity and supported compatible development), Policy DSP3 Impact of Development (which considered strategic impacts, e.g., a financial contribution towards school infrastructure was required), and Policy DSP4 Quality of Development (which considered design, development standards, impacts on surrounding land-uses and infrastructure). The scale of development is not of strategic significance in planning terms and assessment against Clydeplan was not required.
- 2.5 Within the current North Lanarkshire Local Development Plan 2022, the area covered by the Masterplan is primarily designated a General Urban Area. General Urban Area policy PP3 Purpose of Place aims to maintain and improve the level of amenity in urban areas, by encouraging development that is in keeping with their residential character and encouraging diversity in more mixed-use areas. The policy is supportive of redevelopment 'in principle'. Furthermore, the Phase 1 area of the Masterplan and planning permission in principle is actively promoted for residential development, designated Policy PROM LOC 3 Housing Development Sites.
- 2.6 The Local Development Plan also has more detailed technical assessment policies against which development proposals are considered - policies EDQ1 Site Appraisal, EDQ2 Specific Features for Consideration and EDQ3 Quality of Development. These policies change the way in which proposals should be assessed and the range of information required to support applications.
- 2.7 The emerging Local Development Plan was treated as a material consideration within the applications approved earlier this year. It is considered that the detail of development at the Phase 2 area via an application for Matters Specified in Conditions could comply with the Development Plan, subject to the quality of the application and design taken forward.
- 2.8 Since the issue of the CPO and planning applications were presented to Committee, as highlighted in paragraph 2.3, NPF4 now forms part of the Development Plan and Clydeplan 2017 is no longer relevant.
- 2.9 NPF is a long-term spatial plan for Scotland that sets out where development and infrastructure is needed.
- 2.10 Policy 9 of NPF4 supports proposals that will result in the sustainable reuse of brownfield land, including vacant and derelict land and buildings. Appropriate site investigations have been carried out.
- 2.11 Policy 14 Design, Quality and Places requires high standards of successful places. It is considered that the masterplanning process has achieved this, and quality would also be subject to subsequent applications.
- 2.12 Policy 16 of NPF4 supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs.
- 2.13 The principle of the Scheme, including demolition of the existing housing is already established. A detailed assessment of the Scheme against the technical requirements of NPF4 and NLLDP will be subject to the final design proposal

however there are no known technical constraints at this stage. Moreover –

- The scheme will be designed to adapt to current and future climate risks in line with policy 2.
- The green corridor and open space provision within the scheme will support the conservation, restoration and enhancement of biodiversity in line with Policy 3, as well as the enhancement of green infrastructure in terms of Policy 20.
- The new homes will include low / zero carbon technologies in line with Policy 11
- The provision of community facilities such as local retail will contribute to the principle of local living in terms of Policy 15 and meets the terms of Policy 28(c).

(b) Whether planning permission for any development on the land is in force

- 2.14 As highlighted, the Committee has already considered an application (21/00982/PPP) by North Lanarkshire Council for ‘Residential development, ancillary retail, open space, landscaping, SUDS, access, associated works and demolition (in principle)’. The Committee approved the application subject to 17 conditions and the decision notice was issued on 28 January 2022. This includes the land which is the subject of the proposed CPO and a wider Masterplan for the redevelopment of Gowkthrapple.
- 2.15 Committee considered and approved a subsequent application (21/01316/MS), also submitted by North Lanarkshire Council on directly adjacent land but within the same planning permission in principle and Masterplan. This was for Matters Specified in Conditions (MSC) of the planning permission in principle and was described as ‘Construction of 96 Dwellinghouses (Semi-Detached, Terraced, Bungalows and Cottage Flats), Day Care Unit, New Infrastructure including Roads and SUDS Drainage Systems (MSC application in relation to 21/00982/PPP)’. Initial groundworks have commenced at Phase 1.
- 2.16 A new MSC application for the Phase 2 area specifically relevant to the CPO would be required to confirm design, layout and associated works. It is not known at this stage when an application will be submitted.
- 2.17 The existing planning permissions demonstrate that the land which is the subject of the proposed CPO already has planning permission in principle and there is no obvious reason why a further application for Matters Specified in Conditions would not be granted, discussed further in paragraph 2.13.

(C) Any other considerations which would be material for the purposes of determining an application for planning permission for development on the land

- 2.18 There are a range of other possible considerations relevant to the redevelopment, including national planning policy, advice notes and planning guidance. A future MSC application would also be subject to appropriate notification procedures, advertisement, and consultation. This could result in representations and specific material considerations on final plans. It is reiterated however, that planning permission in principle has already been granted providing a robust basis for the redevelopment and promotion of the compulsory purchase. There is also commitment to the redevelopment out with the planning process, within other important Council priorities and strategies, such as the Economic Regeneration Delivery Plan, future tower strategy and provision of new social housing.
- 2.19 MSC applications would be required to consider detailed elements of all future

phases of development (including the Phase 2 area). It is not possible to prejudge the outcome of a planning application without going through that process. There is however sufficient comfort from the recent planning permission in principle and planning conditions in place, that subject to application quality the policies could be complied with. The principle of development and a Masterplan has already been granted planning permission, committing to the redevelopment of the Gowkthrapple area. Subject to approval of details, this would be in accordance with the Development Plan and is otherwise in the interests of the proper planning of the area. The Phase 2 area forms an integral part of the Masterplan and demolition of the block would be required to allow redevelopment to be physically implemented and for the over design concepts to be achieved.

- 2.20 Considering the above, the proposed Compulsory Purchase Order meets the requirements to be progressed under planning legislation and the report recommendations are provided above.

3 Measures of success

- 3.1 The acquisition of the property at 99 Stanhope Place helps the Council meet its objectives set out in the Masterplan for Gowthrapple.
- 3.2 The delivery of Phase 2 of the Masterplan will provide substantial benefits as follows:
- The provision of approximately 52 new, energy efficient homes in line with tenant's preferences
 - The provision of community facilities, including local retail and play facilities, in line with local living principles
 - Creation of a new well-connected, permeable neighbourhood in line with placemaking and active travel principles
 - The provision of green infrastructure (part of the proposed green corridor lies within the Phase 2 site)

4 Supporting documentation

- 4.1 Appendices 1 to 5 (below) shows the location of 99 Stanhope Place within the wider context including the approved masterplan area and its 4 phases.

Annex 1 – Location Plan (Masterplan Site Boundary)
Annex 2 – Location Plan (99 Stanhope Place)
Annex 3 – Indicative Concept Masterplan Drawing 105 Rev D
Annex 4 – Masterplan Framework Phasing
Annex 5 - CPO Plan
Annex 6 – Draft Statement of Reasons



Pamela Humphries
Head of Planning and Regeneration

5 **Impacts** (<http://connect/report-template-guidance>)

<p>5.1 Public Sector Equality Duty and Fairer Scotland Duty Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>If Yes, has an assessment been carried out and published on the council's website? https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>5.2 Financial impact Does the report contain any financial impacts? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant financial impacts have been discussed and agreed with Financial Solutions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>Provision has been made within the council's Housing Revenue Account to fund the purchase property at 99 Stanhope Place which will be contained within the budget for the Open Market Purchase Scheme.</p>
<p>5.3 HR policy impact Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant HR impacts have been discussed and agreed with People and Organisational Development? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p>5.4 Legal impact Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant legal impacts have been discussed and agreed with Legal and Democratic Solutions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>Legal Advice has been obtained.</p>
<p>5.5 Data protection impact Does the report / project / practice contain or involve the processing of personal data? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to dataprotection@northlan.gov.uk

Yes No

5.6 Technology / Digital impact

Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi?

Yes No

If Yes, please provide a brief summary of the impact?

Where the impact identifies a requirement for technology, has an assessment been carried out (or scheduled) by the Enterprise Architecture Governance Group (EAGG)?

Yes No

5.7 Environmental / Carbon impact

Does the report / project / practice contain information that has an impact on any environmental or carbon matters?

Yes No

If Yes, please provide a brief summary of the impact?

The wider project has environment/carbon impact to consider, however this report relates to the compulsory purchase of a remaining flat in private ownership.

5.8 Communications impact

Does the report contain any information that has an impact on the council's communications activities?

Yes No

If Yes, please provide a brief summary of the impact?

The proposal relates to the Compulsory Purchase of a private property where agreement hasn't been achieved.

5.9 Risk impact

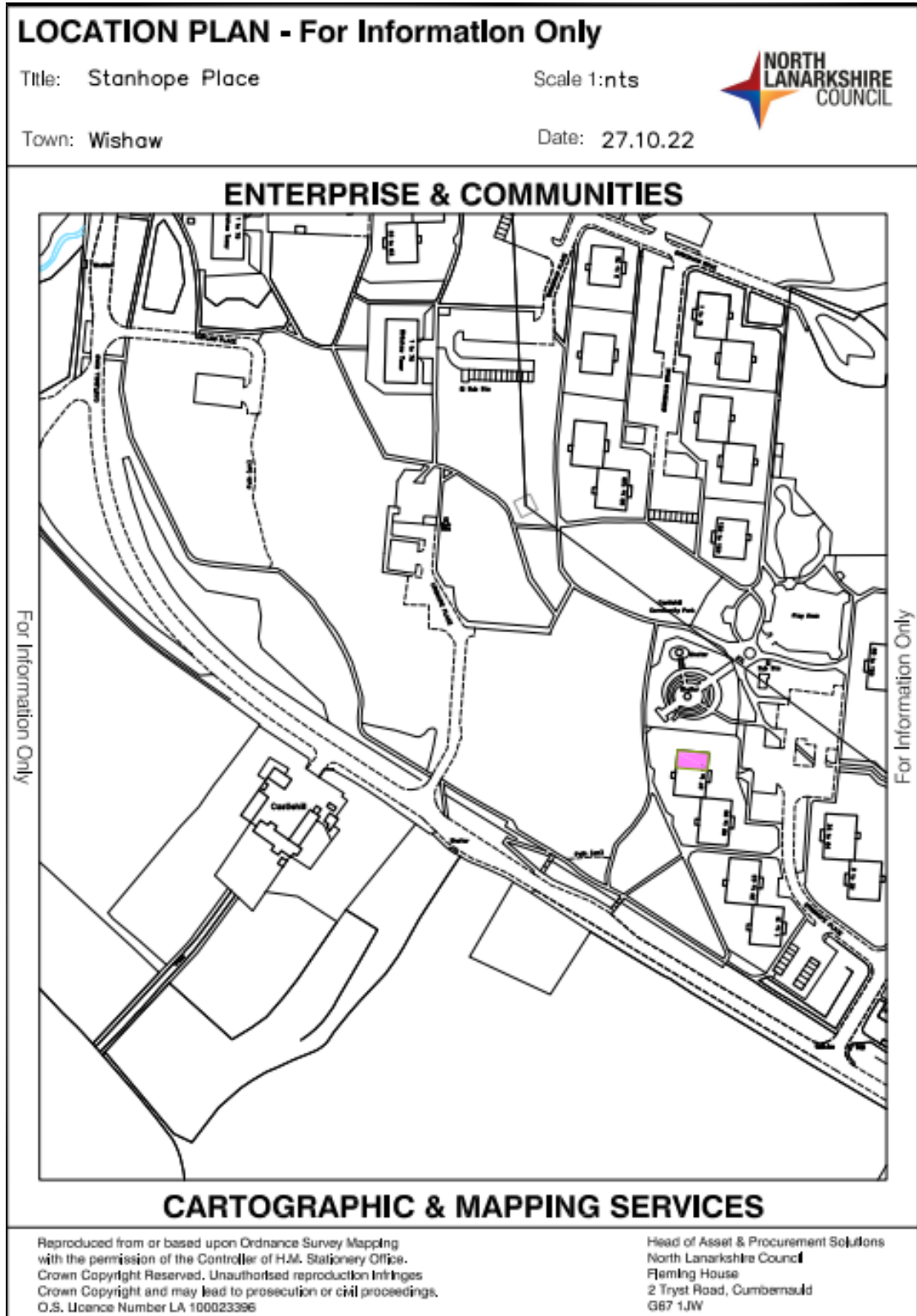
Is there a risk impact?

Yes No

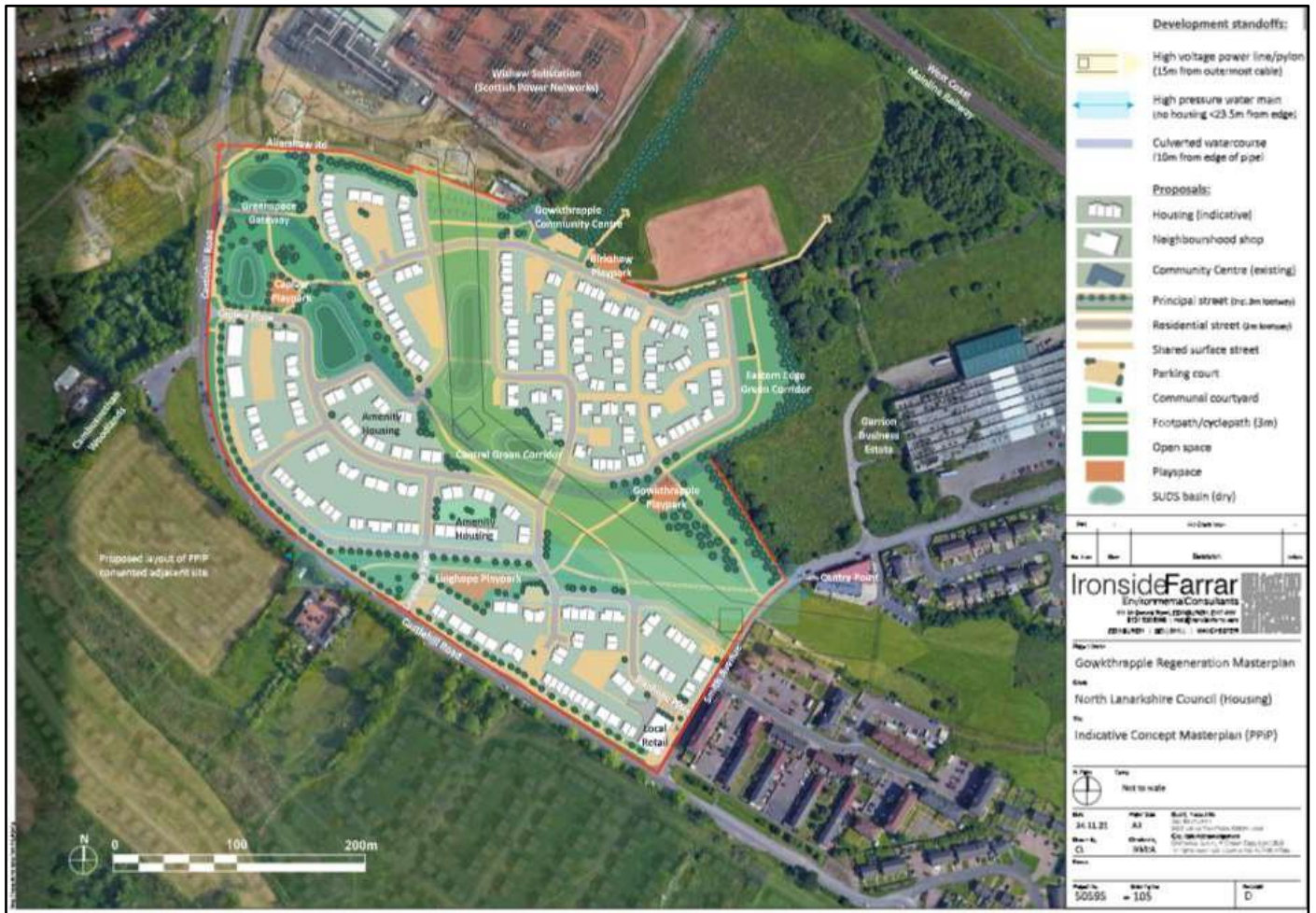
If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?

Without the ownership of the full block at Stanhope Place the re-provisioning programme will not be able to progress, this will have an adverse effect on the Gowthraple Masterplan and the local environment.

Annex 2: Location Plan (99 Stanhope Place)



Annex 3: Indicative Concept Masterplan Drawing 105 Rev D



Annex 4: Masterplan Framework Phasing

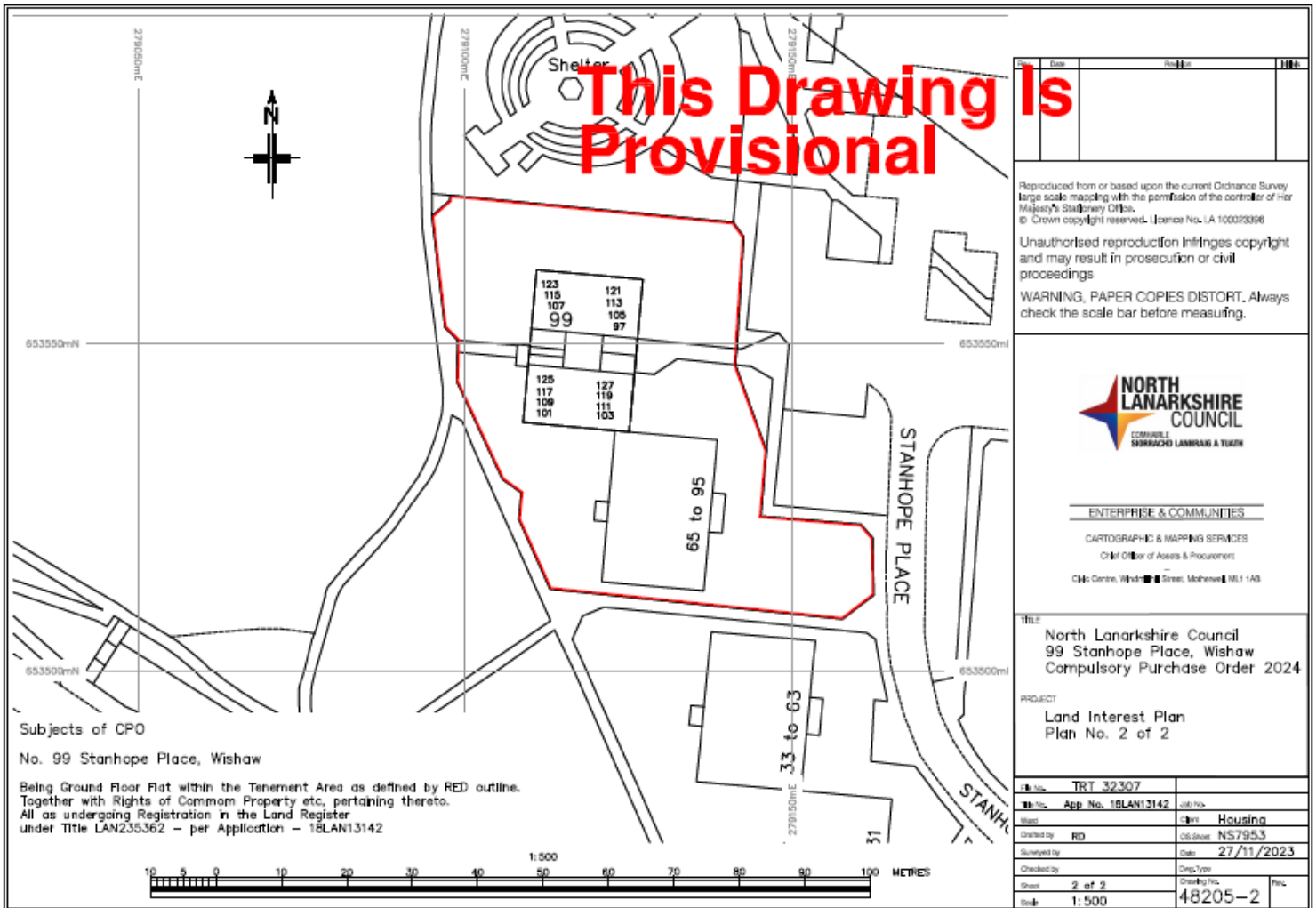
7. Proposed Phasing and Capacities



Figure 14 : Proposed Phasing and Estimated Housing Capacities

Annex 5: CPO Plan

This Drawing Is Provisional



Date	Rev	Rev

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TITLE
 North Lanarkshire Council
 99 Stanhope Place, Wishaw
 Compulsory Purchase Order 2024
 PROJECT
 Land Interest Plan
 Plan No. 2 of 2

Job No.	TRT 32307	Job No.	
App No.	18LAN13142	Job No.	Housing
Drafted by	RD	CG Sheet	NS7953
Checked by		Date	27/11/2023
Sheet	2 of 2	Dwg. Type	
Scale	1:500	Drawing No.	48205-2

Subjects of CPO
 No. 99 Stanhope Place, Wishaw
 Being Ground Floor Flat within the Tenement Area as defined by RED outline.
 Together with Rights of Common Property etc, pertaining thereto.
 All as undergoing Registration in the Land Register
 under Title LAN235362 - per Application - 18LAN13142

Annex 6: Draft Statement of Reasons

**STATEMENT OF REASONS
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947
THE NORTH LANARKSHIRE COUNCIL (99 STANHOPE PLACE, WISHAW) COMPULSORY
PURCHASE ORDER 2024**

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ENLIGHTENED THINKING

1 STATEMENT OF REASONS

2 TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

3 THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947

4 THE NORTH LANARKSHIRE COUNCIL (99 STANHOPE PLACE, WISHAW) COMPULSORY PURCHASE ORDER 2024

Introduction

4.1 This is a Statement of Reasons on behalf of North Lanarkshire Council (the Council) in relation to the North Lanarkshire Council (99 Stanhope Place, Wishaw) Compulsory Purchase Order 2024 (the CPO).

4.2 The CPO has been promoted by the Council as planning authority in terms of Section 189 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act).

4.3 On 17 October 2024 the Council resolved to make the CPO to facilitate Phase 2 of the Gowkthrapple Regeneration Project (the Regeneration Project) described at section 2 below.

4.4 Phase 2 (the Scheme) comprises the demolition of existing housing and residential development of the Phase 2 Site (as described at 2.1 below) in accordance with the Gowkthrapple Regeneration Masterplan Framework (see 3.15 and 3.16 below).

4.5 Planning permission in principle has been granted for the Scheme, and its objectives (and those of the Regeneration Project (described in section 3 below) are supported by or consistent

with national and local housing and planning policy and the development plan.

4.6 The land which is to be acquired by the CPO (the CPO Land) is reasonably required to deliver the Scheme, and there is a compelling case in the public interest for the use of compulsory purchase powers to deliver the Scheme.

4.7 This Statement of Reasons sets out, amongst other things, the background to, the purpose of, and the justification for making the CPO.

Land and Project Description

4.8 The Regeneration Project comprises the comprehensive redevelopment of the Gowkthrapple Estate (the Regeneration Area) through the demolition of 428 housing units (13 blocks) constructed in the 1970s and the delivery of approximately 300 new build homes (a mix of single, two and three storeys), ancillary retail development, landscaped open space, green corridor, SUDS, access, and associated works. The Regeneration Project is planned to take place over four phases, of which the Scheme is Phase 2.

4.9 The Regeneration Area comprises an area of land in the south of Wishaw generally located between Castlehill Road to the south and west, the Wishaw substation to the north and the Garrion Business Estate and Smith Avenue to the east, all as shown outlined in red on the Masterplan Site Boundary Plan. The Scheme is proposed to be developed on the southeastern corner of the Regeneration Area (the Scheme Land).

4.10 The Scheme comprises the demolition of 8 four storey residential blocks consisting of 128 existing flats and the development of approximately 52 new homes together with local retail provision, landscaped open space, green corridor, and transport infrastructure including footpath and cyclepath provision.

4.11 The CPO Land comprises a ground floor flatted two bedroom dwellinghouse known as 99 Stanhope Place, Wishaw and common parts relating thereto. It is the northwest flatted dwellinghouse on the ground floor of a low rise block of flats known as 97 to 127 (odd numbers only) Stanhope Place, Wishaw ("the Block"). The Block consists of sixteen flats in total over four storeys. All properties within the Block are owned by the Council with the exception of the CPO Land.

4.12 The CPO Land (a single plot) is shown shaded pink and outlined in red in the schedule to the CPO ("the Map"). All other land within the Scheme Land is owned by the Council.

Background to the Order

4.13 Gowkthrapple is a 1970s peripheral housing estate that lies on the south western edge of Wishaw characterised by residential tower blocks and low rise four storey blocks of flats. The majority of the housing stock is flatted, with almost one third of the stock contained in the three tower blocks. The estate has been adversely affected by economic and social decline over recent decades. Gowkthrapple, including the area of Stanhope where the CPO Land is located, is within the most deprived 10% in Scotland based on the Scottish Index of Multiple Deprivation. Consequently, it has been the focus of regeneration initiatives by the Council since the 1990s.

4.14 Public open space at Gowkthrapple is over provided and generally of limited functionality. The main areas of open space comprise land which is incapable of development within electricity pylon corridors, offering limited value. Play and recreational space is associated with the local school and a community garden, with the latter needing continued attention. Much of the public realm is poor being associated with garage courts, footpath links and weakly defined external space to buildings. Many of the spaces are uninviting, potentially threatening and offer little opportunity for active or passive sport, play or recreation.

4.15 An options appraisal commissioned by the Council and carried out by consultant, Ann Flint, in 2003 identified a clear scale of housing failure in Gowkthrapple, with housing voids (at that time) at 35% (compared with 4.4% voids in Wishaw generally), negligible right to buy levels, substantial annual rent losses and high staff support costs. The housing units were identified as a poor fit with housing demands and resident's preferences. Problems of poor quality housing, empty property, anti-social behaviour, poor environmental quality and local amenity, and stock generally unsuited to housing need combined to create a poor housing environment and fragmented community. The study identified a need to change perceptions of the estate and secure a better balance of housing which more closely met housing demand and resident preferences, by reducing the number of houses for rent, improving the mix of rental housing for families and introducing owner occupation through the private sector to improve tenure balance and social mix.

4.16 The estate was found to suffer from a level of housing market failure where residential demand and values were extremely low with the location blighted by place perceptions that meant Gowkthrapple was rarely considered a location of choice. It was recognised that addressing the problems needed clear strategic decision making and new investment to support a restructuring of the site and project and community building measures. Change was needed to address both physical reconfiguration and housing stock alongside the re-building of communities and neighbourhoods. Gowkthrapple was said to provide "*the wrong type of housing, of the wrong size and in the wrong place.*" The options appraisal favoured full or partial demolition of the existing housing stock with the preferred option dependent on various factors including funding.

4.17 The Council subsequently commissioned consultants Ironside Farrar in 2006 to prepare a strategic masterplan for Gowkthrapple (the 2006 Masterplan) as a key Council priority. The 2006 Masterplan was developed to address the poor estate image¹, the need for better homes and different housing that would meet local needs and help to provide new investment in community infrastructure.

4.18 The 2006 Masterplan was progressed in close consultation with a client steering group formed by elected members and officers of the Council, Scottish Enterprise Lanarkshire, Communities Scotland and the Gowkthrapple Regeneration Group. Consultation included structured workshops, community meetings, and interviews with local interests covering business, civic and special interest groups.

4.19 In developing the 2006 Masterplan, four strategic development scenarios were developed, in consultation with stakeholders, and assessed. These comprised –

- Scenario 1: Major Contraction – Extensive demolition of the Estate removing the worst properties and promoting a green space forming a carbon sink through new planting and urban fringe woodland development.
- Scenario 2: Limited Housing re-structuring – Developing Gowkthrapple to address the biggest housing challenges offering new housing elements to better reflect market need / housing demand and demolishing the worst blocks and areas of housing failure.
- Scenario 3: Comprehensive Housing re-structuring round new neighbourhoods – A vibrant smaller community offering a mix of housing types built around 4 neighbourhoods and offering good local facilities and improved design quality and amenity with new homes adding to the strength of the community.
- Scenario 4: Major Expansion – A larger community offering a broad mix of housing extending both sides of Castlehill Road, offering 5 or more neighbourhoods with new school

¹ Discussed in the BNSF Perceptions Study 2004 prepared for the North Lanarkshire Partnership

community facilities, new sense of place but with impacts on protected greenspace.

4.20 Following appraisal, Scenarios 2 and 3 were considered to be more sustainable options and were further assessed through SWOT analysis. Scenario 4 was adopted as the recommended strategy due to its greater strengths and the additional opportunities which it presented (see 2006 Masterplan, p28).

4.21 The 2006 Masterplan was then developed into a detailed masterplan and design brief in 2009. The Council's Regeneration Services Committee approved the submission of the detailed masterplan as an outline planning application. This was granted planning permission in principle on 2 February 2011. Delivery of the detailed masterplan was to have been achieved through public / private partnership, including Garrion Housing Co-operative, a registered social landlord operating in the area. However the intervention of the 2008 economic crash had a significant impact on private developer interest in the area, and the plans were unable to progress at that time.

4.22 Consistent with that previous work, analysis carried out by the Council in 2016/17 and 2017/18 highlighted that the Council's housing stock within Gowkthrapple remained in low demand when compared with other housing stock within North Lanarkshire. This was demonstrated by several low demand indicators, namely: a small waiting list; short waiting times for applicants; high turnover and high repeat lets within a 12 month period. This low demand was due to the age and nature of the stock as well as continuing negative perceptions of the area (as described above). The analysis concluded that the future sustainability of the housing at

Gowkthrapple was high risk, and that it (together with other high risk areas) should be the focus for further assessment and the development of appropriate action plans / interventions.

4.23 Against that background, in 2017, the Council announced a strategic change in housing policy to demolish a number of towers and low-rise blocks and replace them with modern homes fit for the future. Reports were presented to and agreed by the then Housing and Social Work Services Committee on 2nd February 2017 (the Tower Strategy Action Plan) and subsequently the Enterprise and Housing Committee on 15th February 2018 (the Future Tower Strategy). These approved reports consolidated the strategy of moving away from flatted high and low rise properties focussing on provision of two storey homes. This strategic aim allowed the strategy for demolition of the existing towers and low-rise blocks at Gowkthrapple (previously reflected in Scenario 3 of the 2006 Masterplan) to be progressed, addressing the issue of low demand and also enabling the re-housing of a number of elderly tenants who were at that time living in the multi-storey block known as Allershaw Tower within Gowkthrapple.

4.24 A report was presented to and approved by the Enterprise and Housing Committee on 10th May 2018 updating members on the Council's Economic Regeneration Delivery Plan which contributes to the priority outcome of improving economic outcomes and opportunities, including a specific objective of providing access to high quality housing across all tenures. This also approved proposals to progress the initial phase of the Council's housing re-

provisioning programme to demolish 15 high-rise tower blocks and 34 low-rise blocks throughout North Lanarkshire within three to five years and develop new build following tenant consultation (see section 9 below) and approved a new target of 5,000 new build homes for delivery by 2035. The Block (containing the CPO Land) was included within the blocks identified for demolition.

4.25 The Council's Local Housing Strategy (2021– 2026) supported by the Strategic Housing Investment Plan has six strategic outcomes, including priorities to (amongst others) promote supply of good quality affordable housing across all tenures, contribute to regeneration and sustainability of places and improve stock condition across all tenures. The Local Housing Strategy (see section 11) further supports the redevelopment at Gowkthrapple from a strategic perspective, enabling a new supply of homes fit for purpose (which are attractive to tenants), future proofing the stock and contributing to wider regeneration of an area particularly adversely affected by economic and social decline over recent decades.

4.26 In 2019 the Council commissioned Ironside Farrar to prepare a masterplan framework for the Regeneration Area including an indicative concept masterplan to support an application for planning permission in principle.

4.27 The Gowkthrapple Regeneration Masterplan Framework was completed in May 2021. Its vision for the Regeneration Project is *"...to promote a comprehensive place transformation to create a new urban character, integrate harmoniously with adjacent (existing and planned) communities and take advantage of the wider natural environment of the Clyde Valley.*

"

4.28 The key development objectives outlined within the Gowkthrapple Regeneration Masterplan Framework are –

4.28.1 *To rehouse existing Gowkthrapple residents into appropriate housing through a phased delivery programme in line with planned/phased demolition of existing housing stock.*

4.28.2 *To take the opportunity to transform perceptions of the Gowkthrapple estate through the creation of an attractive and well-connected new neighbourhood.*

4.28.3 *To secure an element of open-market housing and mixed tenure into the housing mix, working closely with other housing providers. This will require a comprehensive solution which inspires confidence in neighbourhood transformation, quality, and integration with adjacent sites.*

4.28.4 *To deliver a new neighbourhood that adopts best practice in sustainable design and placemaking.*

4.29 Planning permission in principle was granted for the Regeneration Project on 27 January 2022. It is a condition of the permission that the proposed development reflects the design concept and is restricted to no more than 300 homes as illustrated on the indicative concept masterplan submitted with the application. Approval of matters specified in conditions was granted for Phase 1 of the Regeneration Project on 26 April 2022.

4.30 All tenants from the existing housing within the Regeneration Area have been re-housed, including the elderly residents from Allershaw Tower who were relocated into 18 new purpose-built bungalows being

constructed on the Phase 1 site. A number of Ukrainian refugees have been accommodated by the Council on a temporary basis within Birkshaw Tower which forms part of Phase 3 of the Regeneration Area but will be relocated by the Council if still requiring accommodation once the Phase 3 area is to be redeveloped (as the penultimate phase of the Regeneration Project). The owner of the CPO Land is the only remaining occupant within the existing flats on the Phase 2 Site and, with the exception of the Ukrainian refugees, is the only remaining occupant within the Regeneration Area.

4.31 Construction of Phase 1 commenced on 13 October 2022 and is being carried out in two (sub) phases. The first phase of Phase 1 is complete with the second phase of Phase 1 due to complete in August 2024. Phase 1 comprises Council owned homes for social rent.

4.32 As a condition of grant funding, the proposed new properties (including the Scheme) will be built to the Scottish Government's Housing for Varying Needs Standards and will at least meet the Government's Silver Standard - Aspects 1 and 2 - for Energy Efficiency. They will also comply with the current building regulations at the time of tender submission. This will result in new occupants having high quality, well insulated homes with economical heating costs. The design of the new homes will be consistent with the Council's Net Zero Carbon Target of 2030. A further condition of the grant funding stipulates that the homes should be Secure By Design compliant, meaning that the new homes will provide a safe community space for future residents. It is anticipated that the new properties within the Scheme, or a proportion of them, will be affordable.

4.33 As detailed at section 9 below, the Council has attempted to negotiate with the owner of the CPO Land for the voluntary acquisition of the property. The owner is not willing to sell and has intimated that he will not consider further offers of alternative accommodation from the Council.

4.34 The Regeneration Project follows a well-considered master planning process. In physical and design terms, retention of the Block would mean that the Council would be unable to implement the redevelopment plans for Phase 2 following demolition of the blocks within Council ownership. Demolition of the existing blocks within the sites for Phases 2-4 (with the exception of the Block) is ongoing (six of the 13 blocks have now been demolished) but cannot complete without the acquisition of the CPO Land with the risk of additional cost to the Council under contract.

4.35 The Council is also incurring additional insurance, maintenance and property costs while the Block remains on site as the Council remains liable for the common areas and Council owned properties within the Block until demolition proceeds.

4.36 Compulsory purchase of the CPO Land is therefore necessary to deliver the Scheme and facilitate the comprehensive delivery of the Regeneration Project, tackling the longstanding issues of housing failure identified at Gowkthrapple Estate.

Justification For Making the Compulsory Purchase Order

4.37 The Scheme will provide substantial benefits as follows –

4.37.1 The provision of approximately 52 new, energy efficient homes in line with tenant's preferences;

4.37.2 The provision of community facilities, including local retail and play facilities, in line with local living principles;

4.37.3 Creation of a new well-connected, permeable neighbourhood in line with placemaking principles;

4.37.4 The provision of green infrastructure (part of the proposed green corridor lies within the Phase 2 site);

4.37.5 Active travel provision, including cycle paths.

4.38 The Scheme has the benefit of planning permission in principle, and is supported by or consistent with relevant planning, and other policy and strategies at a national and local level.

4.39 The CPO is required as it is unlikely that the CPO Land will be acquired voluntarily and /or within a reasonable timeframe.

4.40 There is therefore a compelling case in the public interest for both the Scheme and the CPO.

4.41 The Council is aware that it is a public authority for the purposes of the Human Rights Act 1998 and that it may not act in a manner that is incompatible with the European Convention on Human Rights (ECHR). The Council acknowledges that Article 1 Protocol 1 (protection of property) of the ECHR is engaged where powers of compulsory purchase are exercised. It also acknowledges that Article 8 of the ECHR (right to respect for private and family life) may be engaged where powers of compulsory purchase are engaged. It is acknowledged that as a

consequence of the CPO the owner will be deprived of his land and his current home. However, there are compelling arguments in favour of the Scheme that outweigh the interests of the individual landowner who will be affected by it, thereby justifying the use of powers of compulsory purchase.

4.42 The Council has offered suitable alternative accommodation to the owner and remains willing to discuss such arrangements to mitigate the impact of the CPO on the owner. The owner of the CPO Land will receive appropriate compensation in accordance with the provisions of the statutory code.

4.43 An Equalities Impact Assessment was carried out by the Council in October 2024 and the Council gave due consideration to its obligations under the Fairer Scotland Duty.

Use of the Land After Acquisition

The CPO Land is to be used for the purposes of the Scheme including the construction of new homes, landscaped open space and a green corridor.

Description Of Land Made For Any New Rights Being Created

No new rights are being created.

Use Of Enabling Act

4.44 The CPO is promoted by the Council as the planning authority using the powers contained in Section 189 of the 1997 Act to compulsorily acquire land which is –

4.44.1 suitable for and required in order to secure the carrying out of development, redevelopment and improvement, and

4.44.2 required for a purpose which is necessary to achieve in the interests of the proper planning of an area in which the land is situated.

4.45 Section 189(2) of the 1997 Act requires that, in considering whether land is suitable for development, redevelopment or improvement, a local authority shall have regard to the following three criteria (each of which was considered by the Council before resolving to proceed with the CPO):

4.45.1 The provisions of the development plan, so far as material – these are addressed at section 11 below;

4.45.2 Whether planning permission for any development on the land is in force – this is addressed at section 10 below;

and

4.45.3 Any other considerations which would be material for the purposes of determining an application for planning permission for development on the land - these matters are addressed generally at section 3 above.

4.46 As set out in this Statement of Reasons, the Council considers that the powers under the 1997 Act are the most relevant powers to use to secure the CPO Land. While it is recognised that the powers of compulsory purchase contained in the Housing (Scotland) Act 1987 may also be considered relevant, the planning status of, and policy support for the Scheme and the Regeneration Project support reliance on the powers within the 1997 Act.

Alternatives

4.1 The Council has explored alternative means of implementing its objectives through the 2003 Options Appraisal and through the 2006 strategic development scenario review undertaken as part of the development of the 2006 Masterplan, when Scenario 3 was identified as the recommended strategy (see section 3).

4.2 Alternative designs were also considered through the development of the Framework taking account of physical constraints as well as stakeholder feedback. Design changes at this stage included –

4.2.1 Retaining the existing alignment of Castlehill Road as the originally proposed roundabout was prohibitively expensive rendering the redevelopment proposals unviable, and

4.2.2 Creation of a smaller SUDs basin within Phase 1 of the Regeneration Project rather than amalgamating surface water drainage into the northwest corner of the Regeneration Area, in response to residents' concerns about disruption.

5 Engagement

5.1 Throughout the long history of regeneration initiatives at Gowkthrapple, the community has been consulted on multiple occasions. This section focusses on more recent consultation exercises.

5.2 In May 2018, the Council consulted with tenants of housing stock in the relevant communities before identifying the first phase of its re-provisioning strategy (discussed at section 3 above).

5.3 Consultation included –

5.3.1 The issue of a newsletter with information regarding the re-provisioning proposals and implications for tenants;

5.3.2 Open days held at each location;

5.3.3 Carrying out a survey of all tenants to gather information regarding housing circumstances to help inform future plans and establish the level of support for the proposals;

5.3.4 Attempts by Council housing officers to visit every tenant in the relevant blocks to gather survey returns and answer any questions the tenants might have

5.4 The majority of the consultation responses (81%) supported the Council's proposals. Within the Gowkthrapple area, 77% of responses received supported the re-provisioning strategy. The majority of all those responding (70%) wished to remain in the same area of North Lanarkshire and 86% of those responding wished to reside in a house. .

5.5 In October 2019 tenants and residents of the Regeneration Area attended a “drop-in” event to discuss the (then) proposed conceptual

masterplan. Feedback was generally positive with the majority of comments focused on future housing types/mix, community facilities, higher quality accessibility and child friendly open spaces. Attendees expressed support for a mix of housing types and sizes, with particular support expressed for lower density terraced properties and 3-bedroom family properties.

5.6 A workshop was held for officers of the Council from a range of departments to discuss the Regeneration Area's challenges and opportunities. Utility providers were also contacted in relation to cross-site infrastructure and necessary stand-off distances. Discussions were also held with the Scottish Environment Protection Area in relation to nearby ground contamination and any necessary precautions.

5.7 Following changes to the emerging masterplan and input from various supporting studies, a second community consultation event was held in June 2020, which formed part of the pre-application consultation process. This was carried out online, due to COVID-19 pandemic restrictions. Online attendees could select each presentation board to enlarge/view/download and were able to leave comments. This event was advertised locally, including by the delivery of 1,000 fliers to local homes and businesses, and accessed 349 times by 279 people over the three-week consultation period. Consultation responses were generally positive.

5.8 The Council has been in contact with the owner of the CPO Land regarding the Regeneration Project since 2018. In September 2019 the Council approached the

owner to begin negotiations for the voluntary acquisition of the CPO Land and to discuss re-housing options and requirements. The Council's attempts to engage with the owner (including through communications with his son) continued thereafter and a survey was arranged. In May 2021 an offer to purchase the CPO Land was made by the Council which the owner verbally accepted. However the owner advised the Council a week later that he no longer wished to proceed with the voluntary sale.

5.9 Following the discussions in 2021, the Council has been in regular contact with the owner to attempt to negotiate the voluntary acquisition of the CPO Land. All attempts have been unsuccessful with the owner seeking a price far in excess of market value. A number of meetings have taken place between senior Council officers and the owner, where the owner has been offered different tenures of accommodation within the local area. Specific re-housing offers have included tenancies with the Council and shared equity opportunities. Most recently an officer of the Council met with the owner on 13 March 2024 to offer him alternative accommodation in Wishaw on a shared equity basis. The owner indicated to the officer that he was not interested in the property offered or any other properties which the Council might offer and would not consider a shared equity option.

5.10 The offer of a voluntary sale remains open to the owner as does the offer of suitable alternative accommodation, whether this be temporary or permanent. The Council has remained in touch with the owner to this effect,

² The development permitted by the PPP is residential development, ancillary retail, open space, landscaping, SUDS, access, associated works and demolition (in principle).

however as matters stand there is no indication that the owner's position will change.

Planning Permission

5.11 Planning permission in principle (reference 21/00982/PPP) was granted by the Council on 28 January 2022 for the Regeneration Project² (the PPP) on the Regeneration Area (including the Scheme Land).

5.12 Approval of matters specified in conditions (reference 21/01316/MSC) for Phase 1 of the Regeneration Project³ was granted on 26 April 2022 (the MSC).

5.13 An application for detailed planning permission or approval of matters specified in conditions relating to the Scheme (aligned with the Gowkthrapple Regeneration Masterplan Framework) will require to be submitted to the Council as planning authority. The Council does not intend to submit such an application until the CPO Land has been secured.

5.14 Given the existence of the PPP and the MSC, and based on the policy position set out below, it is reasonably assumed that detailed planning permission (or approval of matters specified in conditions) would be granted for the Scheme.

Planning Policy

5.15 The development plan for North Lanarkshire comprises the National Planning

³ The development permitted by the MSC is 96 dwellinghouses (semi-detached, terraced, bungalows and cottage flats), day care unit, new infrastructure including roads and SUDS drainage systems

Framework 4 and the North Lanarkshire Local Development Plan 2.

North Lanarkshire Local Development Plan (LDP) (2022)

National Planning Framework 4 (NPF) (2023)

5.16 NPF is a long-term spatial plan for Scotland that sets out where development and infrastructure is needed.

5.17 Policy 16 of NPF4 supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs.

5.18 The principle of the Scheme, including demolition of the existing housing is already established. A detailed assessment of the Scheme against the technical requirements of NPF4 will be subject to the final design proposal however there are no known technical constraints at this stage. Moreover -

5.18.1 The Scheme will be designed to adapt to current and future climate change risks in line with Policy 2.

5.18.2 The green corridor and open space provision within the Scheme will support the conservation, restoration and enhancement of biodiversity in line with Policy 3, as well as the enhancement of green infrastructure in terms of Policy 20.

5.18.3 The new homes will include low / zero carbon technologies in line with Policy 11.

5.18.4 The provision of community facilities such as local retail will contribute to the principle of local living in terms of policy 15 and meets the terms of retail Policy 28(c).

5.19 The Regeneration Area is primarily designated as a General Urban Area within the LDP. General Urban Area policy PP3 Purpose of Place aims to maintain and improve the level of amenity in urban areas, by encouraging development that is in keeping with their residential character and encouraging diversity in more mixed-use areas. The policy is supportive of redevelopment 'in principle'. Furthermore, the Phase 1 area of the Regeneration Area is actively promoted for residential development, being designated under the Policy PROM LOC 3 Housing Development Sites.

5.20 The LDP states at p24 that "*Regeneration proposals emerging from the North Lanarkshire Council Ambition and Economic Regeneration Delivery Plan will be brought forward during the Plan Period, including Housing regeneration/re-provisioning (including residential towers and Gowkthrapple).*"

5.21 The LDP also contains more detailed technical assessment policies against which development proposals are considered - policies EDQ1 Site Appraisal, EDQ2 Specific Features for Consideration and EDQ3 Quality of Development. It is considered that an appropriately designed proposal for the scheme aligned with the Gowkthrapple Regeneration Masterplan Framework and the PPP requirements would be capable of meeting the detailed requirements of these technical policies and that there are no known "showstoppers".

5.22 The LDP in its then emerging form was treated as a material consideration when the applications for PPP and MSC were assessed and then approved in 2022. This further supports the conclusion that an appropriately designed Scheme in line with the PPP is likely to be compliant with the LDP.

5.23 The principle of the Scheme is already established and is in keeping with the development plan. In light of the above, it is concluded that a detailed design of the Scheme which is consistent with the PPP and the Gowkthrapple Regeneration Masterplan Framework will generally accord with the development plan.

5.24 **Other Policy and Strategies**

Plan for North Lanarkshire (Plan)

5.25 The introduction to the Plan notes that the Council has big ambitions in terms of realising large-scale regeneration and infrastructure projects that will continue to bring fresh opportunities.

5.26 Priorities of the Plan include improving the health and well-being of North Lanarkshire's communities.

5.27 The Plan sets out various Ambition Statements, which include improving economic opportunities and outcomes. The first limb of the latter is "*to ensure a housing mix that supports social inclusion and economic growth*".

Economic Regeneration Delivery Plan 2023-28 (ERDP)

5.28 The ERDP supports the Programme of Work for the Plan for North Lanarkshire (see below). It has 4 key goals including *developing*

housing that promotes improved quality of life and creates a better place to live.

5.29 The ERDP notes that in 2018, the Council pledged to deliver 5,000 affordable homes by 2035. This is not simply about delivering new properties but also about creating improved quality of homes following through on commitment to replace ageing tower blocks with modern, energy efficient and accessible properties, whilst recognising that young people, families and the elderly need the right homes in the right places.

Local Housing Strategy 2021-26 (LHS)

5.30 Table 2 within the LHS notes the successes achieved through the previous local housing strategy (2016-21) which include commencing the re-provisioning programme for multi-storey towers and low demand low rise flats. The programme in question includes the Regeneration Project.

5.31 The LHS notes (p34) that the re-provisioning programme aims to demolish and replace low demand and unsuitable housing stock. The issue of low demand stock is discussed further at p58 of the LHS which states that –

"We carry out low demand analysis annually to identify areas of low demand housing stock and help set out an action plan to address low demand. The evidence tells us that there are pockets of low demand council properties across North Lanarkshire that continue to cause management and maintenance issues. These are predominantly flatted properties in areas with below

average pressure on social housing and include several multi-storey flats, which have continued to decline over recent years, an important factor influencing the tower re-provisioning programme. We also know from our current low demand analysis that there a number of inter-related and complex factors that influence low demand and work is ongoing currently to help identify new measures which could more accurately inform our understanding of low demand council stock across North Lanarkshire.

Making the most of our housing assets is of importance if we are to realise our shared ambition. The council's housing asset management plan 'Homes Fit for the Future 2021-2026' sets out the importance of effective strategic asset management which includes addressing low demand stock through systematic options appraisal. Work is being progressed as set out in this plan to comprehensively review our approach to managing council housing and this will help identify further ways in which to address low demand stock."

5.32 Key issues and challenges identified within the LHS (p67) include addressing pockets of low demand stock. The LHS goes on to state that –

5.33 *"This is being addressed in part through the Tower Re-provisioning Programme but also requires a longer-term approach to address low demand and inform investment decisions....The Tower Re-provisioning Programme is progressing well with phase 1 well underway.*

⁴ The Local Housing Strategy 2016-21 contained a section entitled Key Issues and Priorities Identified through Evidence and Consultation, which stated that "within our stock there are pockets

Further consultation and research will be required to inform to subsequent phases."

5.34 Key actions identified include –

5.34.1 Develop and deliver the Tower Re-provisioning programme and

5.34.2 Tackle low demand issues in Council stock (carried forward from the previous local housing strategy⁴).

Local Housing Strategy Annual Progress Report 2023 (Progress Report)

5.35 The Progress Report discusses progress made on Phase 1 of the Re-provisioning programme, and states that, in 2022/23 the Council demolished or was in the process of demolishing 831 properties with a spend of £24.3m across the Towers Reprovisioning Programme. The Progress Report goes on to state that the Council is on site at various locations, including Gowkthrapple low rise in Wishaw.

Funding

5.36 Provision has been made within the Council's Housing Revenue Account to fund the purchase of the CPO Land which will be contained within the budget for the Open Market Purchase Scheme.

5.37 If the Order Land can be acquired, the Council will then market the Scheme Land and work with development partners to bring forward an application for detailed planning permission or approval of matters specified in conditions. At this point, grant funding from

of low demand housing and we will continue to look at options to address low demand, including where justified, demolition and re-provisioning".

the Scottish Government will be sought to deliver affordable homes within the Scheme.

5.38 It is reasonably indicated that Scottish Government More Homes Grant funding will be awarded given previous funding made available for the regeneration of Gowkthrapple (e.g. Housing Estate Regeneration Funding) in recognition of the issues identified and the need for intervention. Officers are in regular contact with Scottish Government officials within the More Homes Division in respect of the Regeneration Project.

Barriers

5.39 As described above at section 10 detailed planning permission for the Scheme has yet to be obtained. For the reasons outlined in section 11 of this Statement, the Council considers that there are reasonable prospects of this being secured within a reasonable timeframe.

5.40 Funding requirements are addressed at section 12 above.

5.41 A development partner for the Scheme has not yet been secured. However based on interest expressed in the Regeneration Project to date by developers / registered social landlords, the Council reasonably anticipates that an appropriate partner will be secured within a reasonable period of time.

5.42 There are no other known barriers to the delivery of the Scheme.

Related Orders and Applications

No other orders require to be obtained and no other applications require be made in order to deliver the Scheme.

Unknown Owners

5.43 There are no unknown owners.

Special Considerations

There is no special category land and no other special considerations known to the Council.

6 INSPECTION OF DOCUMENTS

A copy of the CPO, the Map, and the documents referred to in the documents list appended to this Statement of Reasons have been deposited at [] and may be seen there without payment of fee between the hours of [] on [].

7 CONTACT DETAILS FOR FURTHER INFORMATION

7.1 For further information regarding the CPO and the Project, please contact -

7.1.1 []

**THE NORTH LANARKSHIRE COUNCIL (99
STANHOPE PLACE, WISHAW)
COMPULSORY PURCHASE ORDER 2024**

**TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997**

**THE ACQUISITION OF LAND
(AUTHORISATION PROCEDURE)
(SCOTLAND) ACT 1947**

**LIST OF DOCUMENTS ACCOMPANYING
STATEMENT OF REASONS**

- 1 The North Lanarkshire Council (B714 No.1)
Compulsory Purchase Order 2024
- 2 CPO Map
- 3 Statement of Reasons
- 4 Equalities impact assessment dated []
- 5 [various committee reports]