

**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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#### **1 Introduction**

- 1.1 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).
- 1.2 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).
- 1.3 On 10 November 2022 and 17 October 2024 the Council's Planning Committee resolved to make the CPO to facilitate Phase 2 of the Gowkthrapple Regeneration Project (the Regeneration Project) described at section 2 below. (An updated and refined case was considered on the second occasion).
- 1.4 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 3.16 and 3.17 below).
- 1.5 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.
- 1.6 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.
- 1.7 This Statement of Reasons sets out, amongst other things, the background to, the purpose of, and the justification for making the CPO.

#### **2 Land and Project Description**

- 2.1 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.

- 2.2 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).
- 2.3 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 cycle path provision.
- 2.4 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.
- 2.5 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.

### **3 Background to the Order**

- 3.1 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 Place 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.
- 3.2 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.

- 3.3 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.
- 3.4 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.
- 3.5 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 image<sup>1</sup>, the need for better homes and different housing that would meet local needs and help to provide new investment in community infrastructure.
- 3.6 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.
- 3.7 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.

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<sup>1</sup> Discussed in the BNSF Perceptions Study 2004 prepared for the North Lanarkshire Partnership

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

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

3.9 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.

3.10 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.

3.11 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.

- 3.12 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.
- 3.13 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.
- 3.14 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.
- 3.15 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.* "
- 3.16 The key development objectives outlined within the Gowkthrapple Regeneration Masterplan Framework are –
- 3.16.1 *To rehouse existing Gowkthrapple residents into appropriate housing through a phased delivery programme in line with planned/phased demolition of existing housing stock.*
- 3.16.2 *To take the opportunity to transform perceptions of the Gowkthrapple estate through the creation of an attractive and well-connected new neighbourhood.*

- 3.16.3 *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.*
- 3.16.4 *To deliver a new neighbourhood that adopts best practice in sustainable design and placemaking.*
- 3.17 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.
- 3.18 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 of the housing proposed for demolition within the Regeneration Area. 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 December 2024. Phase 1 comprises Council owned homes for social rent.
- 3.19 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 Secured 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.
- 3.20 Since development of Phase 1 of the Gowkthrapple Regeneration Project commenced, demand for housing within the area has significantly increased as demonstrated by the waiting list for the Common Housing Register, reflecting interest in the new build housing specifically. This contrasts sharply with the high turnover and low demand previously experienced and discussed at paragraphs 3.2, 3.3 and 3.10 above.

- 3.21 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.
- 3.22 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.
- 3.23 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.
- 3.24 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.

#### **4 Justification For Making the Compulsory Purchase Order**

- 4.1 The Scheme will provide substantial benefits as follows –
- 4.1.1 The provision of approximately 52 new, energy efficient homes in line with tenant's preferences;
- 4.1.2 The provision of community facilities, including local retail and play facilities, in line with local living principles;
- 4.1.3 Creation of a new well-connected, permeable neighbourhood in line with placemaking principles;
- 4.1.4 The provision of green infrastructure (part of the proposed green corridor lies within the Phase 2 site);
- 4.1.5 Active travel provision, including cycle paths.
- 4.2 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.
- 4.3 The CPO is required as it is unlikely that the CPO Land will be acquired voluntarily and /or within a reasonable timeframe.
- 4.4 There is therefore a compelling case in the public interest for both the Scheme and the CPO.



- 4.5 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.
- 4.6 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.
- 4.7 An Equalities Impact Assessment was carried out by the Council and the Council gave due consideration to its obligations under the Fairer Scotland Duty.

## **5 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.

## **6 Description Of Any New Rights Being Created**

No new rights are being created.

## **7 Use Of Enabling Act**

- 7.1 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 –
- 7.1.1 suitable for and required in order to secure the carrying out of development, redevelopment and improvement, and
- 7.1.2 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.
- 7.2 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):
- 7.2.1 The provisions of the development plan, so far as material – these are addressed at section 11 below;

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

and

7.2.3 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.

7.3 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.

## **8 Alternatives**

8.1 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).

8.2 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 –

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

8.2.2 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.

## **9 Engagement**

9.1 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.

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

9.3 Consultation included –

9.3.1 The issue of a newsletter with information regarding the reprovioning proposals and implications for tenants;

- 9.3.2 Open days held at each location;
- 9.3.3 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;
- 9.3.4 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.
- 9.4 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.
- 9.5 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 Agency in relation to nearby ground contamination and any necessary precautions.
- 9.6 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.
- 9.7 Following changes to the emerging masterplan and input from various supporting consultees, 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.
- 9.8 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 rehousing 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.
- 9.9 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. None of the offers have been accepted and the owner has indicated that he was not interested in any other properties which the Council might offer and would not consider a shared equity option.

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

## **10 Planning Permission**

- 10.1 Planning permission in principle (reference 21/00982/PPP) was granted by the Council on 28 January 2022 for the Regeneration Project<sup>2</sup> (the PPP) on the Regeneration Area (including the Scheme Land).
- 10.2 Approval of matters specified in conditions (reference 21/01316/MSC) for Phase 1 of the Regeneration Project<sup>3</sup> was granted on 26 April 2022 (the MSC).
- 10.3 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.
- 10.4 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.

## **11 Planning Policy**

- 11.1 The development plan for North Lanarkshire comprises the National Planning Framework 4 and the North Lanarkshire Local Development Plan 2.

### **National Planning Framework 4 (NPF) (2023)**

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

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

<sup>3</sup> 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

- 11.3 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.
- 11.4 Policy 16 of NPF supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs.
- 11.5 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 NPF will be subject to the final design proposal however there are no known technical constraints at this stage. Moreover -
- 11.5.1 The Scheme will be designed to adapt to current and future climate change risks in line with Policy 2.
- 11.5.2 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.
- 11.5.3 The new homes will include low / zero carbon technologies in line with Policy 11.
- 11.5.4 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).

#### **North Lanarkshire Local Development Plan (LDP) (2022)**

- 11.6 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.
- 11.7 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).*"
- 11.8 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".

11.9 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.

11.10 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.

#### 11.11 **Other Policy and Strategies**

##### Plan for North Lanarkshire (Plan)

11.12 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.

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

11.14 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)

11.15 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*.

11.16 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 the 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)

11.17 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.

11.18 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."*

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

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

11.21 Key actions identified include –

11.21.1 Develop and deliver the Tower Re-provisioning programme and

11.21.2 Tackle low demand issues in Council stock (carried forward from the previous local housing strategy<sup>4</sup>).

#### Local Housing Strategy Annual Progress Report 2023 (Progress Report)

11.22 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.

#### North Lanarkshire Strategic Housing Investment Plan 2024/25 – 2028/29 (SHIP)

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<sup>4</sup> 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 of low demand housing and we will continue to look at options to address low demand, including where justified, demolition and re-provisioning".

11.23 The Regeneration Project and its progress is referred to in the SHIP which states that -

*"Some of the initial re-provisioning sites are included within this SHIP, including the Gowkthrapple estate where demolition of the mid-rise blocks of council flats is currently underway, allowing regeneration of the entire area through a masterplan approach in partnership with Garrion People's Co-operative. The Masterplan (Phases 1-4) was approved in Principle in December 2021 and subsequent detailed planning permission was granted in March 2022 to develop 97 new homes (Phase 1 of the Masterplan), including 18 amenity bungalows for social rent. The bungalows were prioritised to complete first in order to re-house the elderly residents in the existing Allershaw tower, which is in the initial phase of the demolition programme. The bungalows are now complete and ready for handover, ahead of the remainder of the homes on the Phase 1 site which are due for completion in 2024. A Compulsory Purchase Order is being progressed to acquire the last remaining owner's property at 99 Stanhope Place in order to allow the entire demolition of the walk-up flats and facilitate onward development of Phase 2 of the Masterplan."*

## **12 Funding**

12.1 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.

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

12.3 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.

## **13 Barriers**

13.1 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.

13.2 Funding requirements are addressed at section 12 above.

13.3 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.



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

#### **14 Related Orders and Applications**

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

#### **15 Unknown Owners**

15.1 There are no unknown owners.

#### **16 Special Considerations**

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

#### **17 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 Wishaw First Stop Shop, Houldsworth Centre, Kenilworth Avenue, Wishaw ML2 7LP and may be seen there without payment of fee between the hours of 9.00 am and 4.00 pm on business days and have also deposited online at <https://www.northlanarkshire.gov.uk/regeneration-and-investment/investing-housing/stanhope-place-wishaw-compulsory-purchase-order> and may be seen there without payment of fee and at all times.

#### **18 CONTACT DETAILS FOR FURTHER INFORMATION**

18.1 For further information regarding the CPO and the Project, please contact –

Natalie Henry (Project Development Co-ordinator – New Supply, NLC) at [henryn@northlan.gov.uk](mailto:henryn@northlan.gov.uk) or 07583 058447

Date: 27<sup>th</sup> November 2024

*Fiona Ekinli*

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**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 (99 Stanhope Place, Wishaw) Compulsory Purchase Order 2024
- 2 CPO Map
- 3 Report to North Lanarkshire Council's Planning Committee of 17 October 2024
- 4 Report to North Lanarkshire Council's Planning Committee of 10 November 2022
- 5 Report to North Lanarkshire Council's Housing and Social Work Services Committee of 2 February 2017
- 6 Report to North Lanarkshire Council's Enterprise and Housing Committee of 15 February 2018
- 7 Report to North Lanarkshire Council's Enterprise and Housing Committee of 10 May 2018
- 8 Gowkthrapple Regeneration Masterplan Framework 2021
- 9 Planning permission in principle dated 27 January 2022

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- 10 Gowkthrapple Option Appraisal Report