

**46 Marischal Street, Aberdeen, AB11 5AL**

**Statement of Appeal Against Refusal of Planning Permission Ref: 240302/DPP**

Planning permission was sought and refused for the installation of a replacement door to protect the building from being flooded with sewage. The flooding occurs during periods of heavy rainfall and has become an increasingly common occurrence in this part of Aberdeen in recent years due to climate change. The flood protection is therefore required to ensure that the building continues to be occupied, maintained and in viable use, which will ensure its future as an important part of the historic environment.

The justification for the use of modern materials was explained in the supporting information submitted with the application. The StormMeister uPVC doors with an 'active flood seal' mechanism are installed by Scottish Water because they provide the tried, tested and guaranteed solution which is urgently required to prevent extensive damage to the interior contents, décor and fabric of the building which happens each time it is flooded.

The Planning Officer did suggest other companies that can supply flood doors which incorporate timber materials (as mentioned in the Report of Handling) and we did investigate further. However, the companies/doors that were suggested as suitable alternatives could not provide the same guarantee of high level protection against repeat flood events; were only available as a single door style; and/or were no longer available (because they were too expensive to manufacture). The products that were suggested by the Planning Officer were also sourced via internet searches, rather than any direct experience or working knowledge of their reliability and longevity - which Scottish Water does have with StormMeister.

We did offer to negotiate and discuss further the style, colour and finish of the proposed StormMeister door to seek to address concerns. There would for example be the option to consider a simple modern style of door, rather than a copy or pastiche of an existing. A modern design could help to make it apparent that the doors are a modern intervention and then easily read as such - which is necessary to address and adapt to a modern day problem - as buildings have always done throughout history.

The Report of Handling acknowledges flood mitigation measures are required to protect the building due to surface water flooding and that retrofit measures to adapt to climate change are supported by NPF4. The reasons for refusal are however based on the proposed use of modern uPVC materials as being contrary to HES, NPF4 and LDP policies on the preservation and enhancement of the character and appearance of the area. The arguments put forward to support that refusal in the Report of Handling are also focused on the introduction of modern materials in the historic environment.

The StormMeister flood doors are a good quality product which have been specifically engineered in the UK to provide a high level of flood protection against urban surface water flooding, which is becoming increasingly common due to climate change. The reason for refusal takes into account the need to preserve the historic environment, but fails to balance this against the need to give full consideration to the need to adapt buildings to address the climate change emergency - which is given significant weight in NPF4 and in this case requires the use of modern materials in order to ensure its future long term viable use. It is for this reason that we have requested a review of the decision to refuse permission for the installation of flood mitigation measures.

The refusal of the corresponding Listed Building application (Ref: 240299/LBC) will be referred to the DPEA as required.

**August 2024**

Durn, Isla Road, Perth, PH2 7HF  
Telephone 01738 621 121 Fax 01738 630 904  
bellingram.co.uk enquires@bellingram.co.uk

**Chartered Surveyors**

A list of members is available from our Perth Office

Bell Ingram LLP Registered Office: Durn, Isla Road, Perth, PH2 7HF  
ISO 9001 Accredited Registered in Scotland No SO303737

Regulated by RICS