



## Strategic Place Planning

Report of Handling by Development Management Manager

<b>Site Address:</b>	Warehouse, 22 Virginia Street, Aberdeen AB11 5AU
<b>Application Description:</b>	Replacement of external door with flood mitigation door and installation of barrier to an existing roller shutters
<b>Application Ref:</b>	240296/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	11 March 2024
<b>Applicant:</b>	Scottish Water
<b>Ward:</b>	George Street/Harbour
<b>Community Council:</b>	Castlehill and Pittodrie

### **DECISION**

Refuse

### **APPLICATION BACKGROUND**

#### **Site Description**

The application site relates to a 2½ storey 19<sup>th</sup> century warehouse set within a terrace of traditional warehouse buildings on the southern side of Virginia Street, between James Street and Shore Lane. The application site building is constructed with grey granite blockwork walls and a slate pitched roof, incorporating a half dormer on the front elevation. The proposal relates to a timber pedestrian access door and a larger roller shutter door at ground floor level on the front (northwest) elevation of the building. The application site lies in the City Centre Conservation Area.

#### **Relevant Planning History**

240298/LBC – 12/12a Virginia Street - Replacement of external door with flood mitigation doors and installation of barrier to an existing roller shutters. Refused 28/06/2024.

240297/DPP – 12/12a Virginia Street - Replacement of external door with flood mitigation doors and installation of barrier to an existing roller shutters. Refused 28/06/2024.

240294/DPP – 24 Virginia Street - Replacement of external doors with flood mitigation doors. Pending determination.

240299/LBC – 46 Marischal Street - Replacement of external door with flood mitigation door. Pending determination.

240300/DPP - 46 Marischal Street - Replacement of external door with flood mitigation door. Pending determination.

240301/LBC – 48 Marischal Street - Replacement of external basement door with flood mitigation door. Pending determination.

240302/DPP - 48 Marischal Street - Replacement of external basement door with flood mitigation door. Pending determination.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Detailed planning permission is sought for the installation of a replacement door for the existing timber door on the front (northwest) elevation. The proposed door would be a steel-reinforced uPVC flood door finished in RAL 7045 Grey. The door would be fitted with a black letterbox and brown pull handle with no moulding details. The proposal also seeks to install a rapid assembly floor barrier to the front of the existing roller shutter door which would measure 720mm in height from the ground level. This would be formed of two permanent aluminium side tracks fixed to the building and a removable barrier with one post which can be deployed when required.

The works are proposed by Scottish Water in order to provide mitigation against sewer flooding on Virginia Street, which they advise occurs on an increasingly frequent basis due to climate change, and has seen the building's interior flooded in recent years.

### **Amendments**

None.

### **Supporting Documents**

All drawings and supporting documents listed below can be viewed on the Council's website at – <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SA1DT4BZL0J00>

- Design and Access Statement

## **CONSULTATIONS**

**ACC - Roads Development Management Team** – No objection to the application. The proposed works would have no impact from a roads perspective.

**Castlehill and Pittodrie Community Council** – No comments received.

## **REPRESENTATIONS**

None

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

## **Development Plan**

### National Planning Framework 4 (NPF4)

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and Place)
- Policy 22 (Flood Risk and Water Management)

### Aberdeen Local Development Plan 2023 (ALDP)

- Policy H2 (Mixed Use Areas)
- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy D8 (Windows and Doors)

## **Aberdeen Planning Guidance**

- Repair and Replacement of Windows and Doors

## **Other National Policy and Guidance**

- Historic Environment Policy for Scotland (HEPS)
- Managing Change in the Historic Environment: Doorways

## **Other Material Considerations**

- City Centre Conservation Area Character Appraisal

## **EVALUATION**

### **Necessity of the proposed works**

The applicant, Scottish Water, advises that the proposed replacement door and demountable flood barrier are required in order to provide protection to the building's interior from sewer flooding on Virginia Street, which has occurred several times in recent years and they advise is likely to increase in frequency in the future, due to climate change.

SEPA's flood hazard maps show that the section of Virginia Street immediately in front of the building at no. 22 has a high likelihood of surface water flooding (a 10% chance each year). As such, the Planning Service does not dispute the applicant's claim that some form of flood mitigation / protection is required.

The existing door is a non-original unit of timber construction, without any incorporated flood prevention measures. It is proposed to replace the existing door with a steel-reinforced unit with

uPVC external facings. The applicant advises that the proposed door would provide enhanced protection for the building from any future flooding on Virginia Street.

Criterion c) of Policy 2 (Climate Mitigation and Adaptation) of National Planning Framework 4 (NPF4) states that: *'development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported'* whilst the intent of Policy 22 (Flood Risk and Water Management) of NPF4 is: *'To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.'*

The necessity of the proposed works, to provide enhanced flood protection for the host building and therefore also ensure its long term viable use, is thus considered to be acceptable in accordance with the aims and intent of Policies 2 and 22 of NPF4. However, assessment of the proposals against various other relevant policies of both NPF4 and the Aberdeen Local Development Plan 2023 (ALDP) are required, in order to ensure that the proposed works would be of an appropriate design that would either preserve or enhance the historic environment and the character and amenity of the surrounding area.

### **Mixed Use Areas**

In terms of the Aberdeen Local Development Plan 2023 (ALDP), the application site is located in a mixed-use area under Policy H2 (Mixed Use Areas).

Applications for development in mixed use areas must take into account the existing uses and character of the surrounding area, and avoid direct conflict with the adjacent land uses and amenity. Conversely, where new industrial, business or commercial uses are deemed appropriate, development should not adversely affect the amenity of people living and working in the area. The proposed works would comprise minor physical alterations to the existing building with no change of use proposed. The potential impact of the proposed works on the character of the surrounding area (including the City Centre Conservation Area) and amenity is assessed below.

### **Design, impact on the historic environment and the character of the area**

#### Policy Context

Policy 14 (Design, Quality and Place) of NPF4 expects development to be designed to be consistent with the six qualities of successful places and to not have an adverse impact on the amenity of the surrounding area. To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 (Quality Placemaking) of the ALDP. This policy expects all development to ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place.

Policy 7 (Historic Assets and Places) of NPF4 would only support development proposed in the conservation area where the character and appearance and its setting is preserved or enhanced. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest. Turning to the ALDP, Policy D6 (Historic Environment) expects development to protect, preserve and enhance the historic environment and requires adverse development impacts to be minimised and for development to maintain the character, appearance and setting of the historic environment and to protect the special architectural or historic interest of the conservation area. Policy D8 (Windows and Doors) requires historic doors to be retained, repaired and restored, with replacement only supported where it has been demonstrated that historic doors have deteriorated beyond practicable repair. It also notes that

further guidance can be found in the Council's Aberdeen Planning Guidance (APG) on the Repair and Replacement of Windows and Doors.

### Significance of doors towards the character and appearance of conservation areas

The Council's Windows and Doors APG notes that historic and original features add to the overall pleasant experience of buildings and their wider surroundings and that inappropriate design, proportions or materials can detract from a building and the wider streetscape and setting. On listed buildings and public elevations in conservation areas, any new door should match the original in terms of proportion, profile and material and replacement doors on public elevations of unlisted buildings in the conservation area should be in timber with the correct detailing. uPVC doors are not acceptable. The Historic Environment Scotland (HES) 'Managing Change' guidance for doorways attributes the pattern of design, materials and details of construction and finish as important considerations which contribute to the interest of a historic door. The materials and construction of doors can reveal much about local joinery traditions and stylistic fashions of the period and the historical status/use of the building. The predominant material of traditional historic doors and frames is timber and from the 18th century most timber doors were treated with a durable paint finish.

The Council's City Centre Conservation Area Character Appraisal notes the importance of the Virginia Street warehouses which provide a strong frontage to this area and a recognition of the industrial past and the harbour beyond. Warehouses were critical to Aberdeen's mercantile history and this row is crucially sited very close to the harbour. Only a handful of warehouses remain and these are an increasingly important part of the character of the harbour area. The construction and materials used in the building contribute to the traditional character of these warehouses, which should be maintained to retain the clear recognition of them as a historic part of the harbour. The edge of the conservation area, instead of following Shore Lane, diverts to include these warehouse buildings as a key feature for preservation that was mindfully included in the conservation area.

### Principle of replacement

HES's Managing Change in the Historic Environment guidance on Doorways states: *'Replacement doors may be appropriate where woodwork is beyond repair or in instances where historic doors have previously been replaced using inappropriate designs or materials. Any new replacement proposals must seek to improve the situation through designs and materials that are sympathetic to the character of the building.'*

The existing door that is proposed to be replaced, whilst being constructed of timber, is not original, nor is it historic. As such, the principle of replacement is acceptable, subject to its replacement being of an acceptable design that would either preserve or enhance the character and appearance of the conservation area.

### Design and impact on the historic environment

The neighbouring warehouse buildings are fitted with similar existing timber doors as seen on the front elevations of 8, 12 and 24 Virginia Street and along the public elevations of 7 Weigh-House Square, which contributes to the appearance of the streetscape and setting of the conservation area. The proposed PVC door would not closely match the original door and would diverge from the established historic character of this set of warehouses. The use of PVC would introduce a thick framed door owing to its modern finish and the coloured PVC would diverge from the traditional painted finish of the existing door, thus failing to maintain the historic appearance of this feature. The introduction of a PVC door would harm the appearance of the historic warehouse

building which fronts onto Virginia Street, a prominent and heavily trafficked arterial route, a large part of the southern side of which contributes to the historic character of the nearby harbour and the City Centre Conservation Area. The introduction of PVC on this elevation would also conflict with the traditional character of the neighbouring listed building, adversely impacting on its historic setting. The proposal would therefore diminish the distinctive appearance of this street, failing to maintain local architectural styles which reinforce this historic identity.

It is noted in the applicant's Design and Access Statement that 'Stormeister' timber flood doors use an inappropriate door mechanism which would not meet the flood protection requirements for the applicant. However, the Planning Service is aware of other door manufacturers whom offer timber flood doors which meet the operational requirements of PAS 1188, as has been noted as a requirement by the agent. An example of heritage-style timber flood doors which meet these requirements was provided to the agent and there are other manufacturers who offer flood doors in a range of materials including timber and metal. Whilst timber would be preferred, as the most authentic material that would replicate the material of the original and existing doors, the use of an appropriate metal would be a more suitable alternative to PVC for the character and appearance of the conservation area, offering a high quality material finish which can be designed to be more streamlined and sympathetic to the appearance of the original door. As such, it is considered that suitable alternatives to the proposed PVC doors are available that would meet the operational flood prevention requirements for the building whilst preserving its character and that of the wider conservation area. The use of PVC, a modern material of inferior aesthetic quality that would be alien within the context of the historic, 19<sup>th</sup> century building, would therefore not be acceptable as it would harm, and thus fail to preserve the character and appearance of the conservation area.

#### Demountable storm barrier

The proposed rapid assembly barrier would introduce aluminium posts to the opening of the roller shutter door and the barrier itself would only be installed when in use. The proposed barrier is considered to be of an appropriate design, with an acceptable material and, due to its non-permanent, demountable design, it would not be a permanent fixture. The fixings required to accommodate the barrier when necessary in the event of any flooding would be minimal and would not have any significant impact on the building or the character and appearance of the conservation area.

#### Conclusion

In summary, whilst the replacement of the existing non-historic door is accepted, as is the proposal to replace it with a flood door, the proposed PVC flood door would introduce a modern material that would present visual harm to the appearance of the historic warehouse building and its historic significance in the setting of the neighbouring warehouse buildings, as well as the setting of the neighbouring listed building, in relation to the nearby harbour. More appropriate and sympathetic alternatives to PVC are available and as such, its use would not be acceptable in this context. The proposal would therefore fail to preserve the character and appearance of the conservation area, contrary to the aims and requirements of Historic Environment Policy for Scotland, Policies 7 and 14 of NPF4, Policies H2, D1 and D6 of the ALDP and the guidance contained in Managing Change in the Historic Environment: Doorways, and the Council's Repair and Replacement of Windows and Doors APG.

#### **Amenity**

Due to the nature of the proposed development, the replacement of the ground floor level door which fronts onto the dual carriageway of Virginia Street would not adversely affect the amenity of any neighbouring or nearby uses. The rapid assembly barrier would only be in place when

required and would not encroach on the public pavement. As such, the proposal would not present harm to the general amenity of the surrounding area or the neighbouring uses, in accordance with Policy H2 of the ALDP

### **Tackling the Climate and Nature Crises, Climate Mitigation and Biodiversity**

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires planning authorities when considering all development proposals to give significant weight to encouraging, promoting and facilitating development that addresses the global climate emergency and nature crisis. Similarly, Policy 2 (Climate Mitigation and Adaptation) of NPF4 encourages, promotes and facilitates development that minimises emissions and adapts to the current and future impacts of climate change.

The Design and Access Statement has referenced NPF4 climate change policies, proposing that assets should be resilient to current and future impacts of climate change. The principle of installing a flood protection door to the property, in order to enhance protection against flooding events only likely to worsen due to climate change, is acceptable in accordance with the aims of Policies 1 and 2.

### **DECISION**

Refuse

### **REASON FOR DECISION**

The use of PVC for the replacement of the existing timber door would fail to preserve or enhance the character and appearance of the City Centre Conservation Area. The proposed door is not of a high quality design that would be sympathetic to the historic character of the building, and it would be located on the prominently visible principal elevation, thus adversely impacting on the distinctive appearance and setting of the building within the wider street scene. The proposal would also not preserve the setting of the neighbouring listed building. The proposal is therefore contrary to Historic Environment Policy for Scotland, Policy 7 (Historic Assets and Place) and Policy 14 (Design, Quality and Place) of National Planning Framework 4, Policy H2 (Mixed Use Areas), Policy D1 (Quality Placemaking), Policy D6 (Historic Environment) and Policy D8 (Windows and Doors) of the Aberdeen Local Development Plan 2023, as well as Historic Environment Scotland's 'Managing Change in the Historic Environment' guidance on Doorways and the Council's Aberdeen Planning Guidance on The Repair and Replacement of Windows and Doors.