



OLD ABERDEEN HERITAGE SOCIETY

Planning Dept,
Aberdeen City Council,
Marischal College,
Aberdeen

11, Greenbrae Crescent,
Denmore,
Bridge of Don,
Aberdeen
AB23 8LH

25th July 2016

Dear Sirs,

160727

High Street, Old Aberdeen - Former Public Toilets
Change of use, alterations and first floor extension to form café

The Society wishes to register a firm objection to the above proposal on the following grounds:-

- (1) **The severely detrimental effect it would have on the character and appearance of the Old Aberdeen Conservation Area**; in particular on the unique character of the High Street, one of the most outstanding historic streetscapes in Scotland.
- (2) **The severely detrimental effect it would have on the setting of the adjacent and surrounding Listed Buildings**, in particular the Category 'A' listed Georgian Town House.
- (3) **The effect on the setting of the 16th Century Mercat Cross, a Scheduled Monument.**
- (4) **Inappropriate and unsympathetic design and materials.**
- (5) **Incompatibility of a proposed second storey with nature of existing building.**
- (6) **Insensitive development of historic close.**
- (7) **Potential for unacceptable impacts on adjoining uses.**
- (8) **Precedent**

* * * * *

Before expanding on these grounds for our objection, we wish to look at the context, both architectural and historical, of this proposal.

CONTEXT

The site of the proposed development is at the very heart of Old Aberdeen, which has been described as:

“one of Scotland’s most unaltered historic burghs.”

(Scottish Burgh Survey, 1997, p.97)

and as:

“one of Scotland’s most outstanding historic townscapes.”

(Historic Scotland, 2014)

High Street is indeed the heart of this burgh and a unique gem of an historic streetscape, which still retains its mediaeval pattern of central spine with lanes and closes. Most of the buildings are 18th century or early 19th century, vernacular, in granite, and this street has miraculously survived as a rare and generally unspoilt example of this ancient Scottish burgh pattern.

Much more than this, however, it should be noted that within this context the site of the proposed development occupies an especially sensitive position:-

- (a) It stands at the very focal point of the High Street - the area in front of the Town House where the street widens out to form the historic marketplace, complete with Mercat Cross. This is historically the most significant part of High Street, as yet intact and its integrity uncompromised, other than by a small, inoffensive granite building in the shape of the former public conveniences.
- (b) Its prominent position is all the more critical to an assessment of this application because of its proximity to the Category ‘C’ listed buildings immediately to the north, the category ‘B’ listed buildings immediately to the south, and the exquisite category ‘A’ listed Town House to the west; all contained within the same visual frame on the historic approach up the High Street.
Any appreciable development of the site, will, without question, have a significant impact on the setting of all these listed buildings.
- (c) It is situated between two of the High Street’s historic closes; a position which would attract particular attention to any development not in keeping with the surrounding area, where it would stand out as an intrusion.
- (d) The incorporation of Baillie’s Place (the close to the south), in to the proposed development site, has the potential to detract from the historical significance of that close.

In the light of this context, we would expand on our grounds for objection to this proposal as follows:-

(1) **Effect on Character and Appearance of Conservation Area**

The Local Development Plan, (Policy D4), in line with Scottish Planning Policy, requires that development within a conservation area should preserve or enhance its character and appearance. We hold that this proposal would do neither; rather it would seriously damage its character and appearance.

The key characteristics of this part of the Conservation Area as described in the City Council's Character Appraisal for Old Aberdeen, is one of vernacular 18th century buildings, along with historic closes and wynds.

The Character Appraisal states also (p.24) that:

"The quality of the built environment is outstanding, with the medieval burgh development pattern still very much in evidence."

Among its strengths, the Appraisal cites its "strong vernacular quality" and its "distinctive character and separate identity" (p.74).

The proposed development has nothing in common with the above. Its design is markedly 21st century 'kit-style', its materials completely untraditional, and its proportions inconsistent with those of any other building in High Street. The introduction of such a development into this gem of a streetscape would destroy the architectural integrity of the very focal point of this historic burgh.

In seriously damaging both the character and appearance of this pivotal part of the Old Aberdeen Conservation Area, the proposed development would not comply with Policy D4 of the Local Development Plan, nor with Scottish Planning Policy. Further it would deal a serious blow to those strengths of the area identified in the Council's Character Appraisal for Old Aberdeen.

(2) **Effect on the setting of adjacent listed buildings**

The Local Development Plan (Policy D4) in line with Scottish Planning Policy, requires that the layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting, should be appropriate to the character and appearance of the building and its setting. (SPP, para 141).

The local authority has, of course, a statutory duty to preserve and enhance the setting of listed buildings. This is highlighted in Policy D4 of the proposed Local Development Plan, which requires proposed development to respect the character, appearance and setting of the historic environment.

The current proposal would undoubtedly have a very significant effect on the setting of at least three listed buildings.

The houses a few feet to the north, on Market Lane (Cat. C) would clearly be affected as the proposed building would be seen rising up in front of their south elevation; the (Cat.

B listed) former shop/office and dwelling house at nos.108-110 High Street (dated 1757), a few feet to the south would have the setting of their primary frontage radically altered, and of course the Town House of Old Aberdeen (Cat. A listed) (1787) which is only a few feet away also, would have its setting hugely compromised by the introduction of a stridently modern development.

We would stress at this point that our concern is not only for the setting of the individual listed buildings, but also on this group of listed buildings at this pivotal north end of the High Street. We believe that the proposed development would detract from the integrity of the setting of this cluster of historic buildings. It should also be noted that all the listed buildings surrounding the proposed site for development are actually listed Category 'A' as a group. (Details of this group listing by Historic Scotland can be found in the Council's Character Appraisal, p.11).

In particular, of course, the proposed development would have a significant impact on the setting of one of Scotland's most important historic buildings, the former Town House of Old Aberdeen. The Council's Character Appraisal describes it thus. (p.26):-

"The classical Georgian elegance and proportions of the 18th century Category 'A' listed Town House is the focal point of Old Aberdeen's original town centre."

The outstanding architectural and historical importance of the Town House can not be overemphasised; not only is it a well-known landmark for visitors to Aberdeen, but it also features in countless historical books and guides to the area. It should be noted also that its architectural importance was so highly regarded by the Architectural Heritage Society for Scotland (formerly the Scottish Georgian Society), that this exquisite building was adopted as their national emblem.

More recently, another tribute has been paid to its outstanding significance. This last year saw the long-awaited publication of the latest volume in the "Buildings of Scotland" Pevsner Series of architectural reference books. The authors of this volume, which covers not only the whole of the City of Aberdeen in extensive detail, but also the whole of south Aberdeenshire, have chosen to single out the Town House of Old Aberdeen for the illustration on the front cover of this prestigious book. This is surely an indication of the high regard in which it is held by the acknowledged experts in the field.

Our Society believes that it is crucial that the setting of this wonderful building should not be compromised in any way, and we believe that the proposed erection of a stridently modern two-storey building only feet away, and in the same visual frame looking up the historic High Street, would be very damaging to its setting.

We refer to Historic Environment Scotland's guidance document in its "Managing Change" series, entitled "Setting", which is a highly relevant material consideration with regard to this application. As Historic Environment Scotland are no longer in a position to comment on how this proposal would affect the setting of the adjacent listed buildings, and have made it clear that it is, rather, the local authority's responsibility to assess its impact, its guidance note on "Setting" is therefore all the more important, and also one which, we understand, the Planning Authority is obliged to consult.

“Setting” is defined here as:

“the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated.”

Factors which contribute include:-

“current landscape and townscape context”

“visual envelope, incorporating view to, from and across the historic asset or place”

“the prominence of the historic asset or place in views throughout the surrounding area”

“character of the surrounding landscape”

“general and specific views including foregrounds and backdrops”

“aesthetic qualities”

The process, laid down by Historic Environment Scotland in this Guidance document, for assessing the impact of a proposal on surrounding historic assets is invaluable, and highly relevant to the current application. Such an assessment would clearly identify all the listed buildings as well as the historic streetscape as affected, with regard to key viewpoints and broader views.

The guidance also points out that relatively small changes in the wider landscape may affect the setting of a historic asset.

It also emphasises that a proposed change might “dominate or detract in a way that affects our ability to understand and appreciate the historic asset”, or significantly alter the character of the landscape.

Factors to be considered include:-

- (a) *the visual impact of the proposed change relative to the scale of the historic asset(s) or place and its setting.*
- (b) *its visual impact relative to the current place of the historic asset or place in the landscape.*
- (c) *the presence, extent, character and scale of the existing built environment within the surrounding of the historic asset or place and how the proposed development compares to this.*
- (d) *the magnitude and cumulative effect of the proposed change - sometimes small changes can have a major impact on our ability to appreciate a historic asset or place.*
- (e) *the effect of the proposed change on qualities of the existing setting such as ... evocation of the historical past, sense of place, cultural identity.*

It is our view that the proposal for a modern building at the top of the High Street would fail in every instance to avoid a damaging effect on the factors which contribute to the setting of both the listed buildings and the streetscape of this unique quarter. Its siting, scale, design and materials are all out of keeping with the character of this gem of an 18th century burgh marketplace. It would be clearly visible in views from several angles, and its stridently modern design would attract attention away from, and detract from, the existing historic landscape.

(3) **Effect on setting of Scheduled Monument**

The above considerations all apply to the effect the proposed development would have on the setting of the remains of the late 16th Century Mercat Cross, a Scheduled Monument which stands in front of the Town House, and would have the proposed modern café building as a backdrop when viewed from the west side of High Street.

We believe, also, that permission might be necessary from Historic Environment Scotland for any development, such as proposed, which may have an impact on the setting of this Scheduled Monument.

(4) **Inappropriate and Unsympathetic Design and Materials**

The application states that the walls and roof would be of Euroclad proprietary metal cladding, with sills and trims to match. The walls would be of “kit construction”, and the windows and doors plate-glass with grey aluminium frames.

The use of these materials is completely alien to a historic environment. The surrounding character, as we have said, is of 18th century vernacular buildings, built of granite with roofs of natural slate or pantiles and timber sash and case windows with appropriate astragals.

The design is also out of character with the area. It bears no relation to any other building in High Street in terms of its proportions or shape; there seems to be an attempt to mimic a gable-end building, but the proportions are wrong - the sloping roof should either start much lower or higher, and the presence of a central door with window on either side is not the typical pattern of any gable-end house. These had the doorway on the side of the building, away from the street, or at least to one side.

In all these respects this proposal does not show due regard for its context, and so does not comply with Policy D1 of the Local Development Plan.

Its design and materials, kit construction and absence of craftsmanship also mean that it does not comply with Scottish Planning Policy, in that it fails to preserve or enhance the character and appearance of the Conservation Area.

(5) **Incompatibility of proposed second storey with the nature of the existing building**

Although not a particularly prepossessing building, the former public conveniences have a character of their own, and if this little granite building is to be kept, its character must also be respected. Built in 1932, with a public shelter at the front, and the word "SHELTER" engraved above the entrance, it is a very plain, squat little building, something in the way of an Art Deco design.

It seems to us that to add a second storey to this little building simply brings about a clash of styles, and this would be so whatever the design. The current proposal is particularly at odds with the 1930s robust flat-roofed shelter, and looks completely out of place as a second storey. The resulting building is neither one style nor another, and the proportions and materials of the second storey are completely at variance with the proposed ground floor. It clearly does not have due regard to context, and so does not comply with Policy D1 of the LDP.

We would wish to see the building developed rather within the confines of the original one-storey building, as we believe was previously envisaged.

(6) **Insensitive development of historic close**

The City Council's Character Appraisal makes especial mention of the "threat" to the historical significance of the High Street posed by insensitive development of the historic closes. Baillie's Place, immediately adjacent to this building, is one such close. Although it is not a lane running right through to the backlands, it is a lane which historically gave access to the gable of adjoining houses, and some beyond, and it is therefore important that its significance as such is not lost.

The current proposal actually takes this close into the development site. This has been made possible by the sale of this close by the Council to the applicant, a sale much to be regretted. A legal right of access to the back of the close is still in place, and it is still very much a historic lane, if truncated, as some other closes are also.

The applicant proposes, as can be seen from the drawings, to use this lane as a form of sitting-out area, rather like a street-café, with awning and café tables and chairs for customers filling the space - an extension of the proposed café.

It is our view that this aspect of the proposal is unacceptable. The Character Appraisal places a high value on the historical and visual importance of the closes of the High Street, even to the extent of including a specific policy to protect them. This proposal would simply turn this close into a form of "patio" attached to the café, and its historical significance would be destroyed.

This aspect of the proposal clearly contravenes the guidance in the Character Appraisal, as well as failing to comply with the requirement of Scottish Planning Policy to preserve the character and appearance of the Conservation Area.

(7) **Potential for unacceptable impacts on adjoining uses**

This proposal, in view of its 'kit-style construction', and therefore, presumably, less than solid walls, would in all likelihood be inefficient at containing noise from inside, thus causing disturbance to those outside, in particular to adjacent properties.

The addition of an outside seating area adjacent to the pavement would also clearly have an even greater impact from a noise disturbance point of view.

The proposed café might well also operate in the evenings and even Sundays, and the amount of noise engendered, particularly by the usual piped music, could be a nuisance.

There would also, significantly, be the potential for an adverse effect on local amenity from cooking smells emanating from the building, and also from litter dropped by those enjoying the outdoor café.

This design proposal for a café would, we hold, be in contravention of several provisions of the Local Development Plan:-

- (a) It would not comply with Policy CF1 which permits in principle changes of use "which are compatible with adjoining uses"

Although a small coffee-shop contained within the existing solid building might not be incompatible, the current proposal, because of its more flimsy structure and addition of an outdoor seating-area, would clearly have the potential to engender disturbance from noise, as well as nuisance from smell and litter.

- (b) It would, we believe, for the same reasons, fail to comply with the Council's Supplementary Guidance on "Harmony of Uses".

Although this Guidance defines "street-cafés" as those situated on a public pavement, the siting of the tables in this case is more or less on the pavement, in fact on an area contiguous with it, also formerly a public thoroughfare. Baillie's Place, the historic close which it is proposed to fill with an extension to the café, would, in effect, become a "street-café".

The Supplementary Guidance makes it clear that such street-cafés have the potential to conflict with neighbouring land-uses. The adverse effect of noise, smell and litter is particularly mentioned.

- (c) Policy D1 of the Proposed Local Development Plan also has a bearing on this application:-

This policy states that development:

"must avoid unacceptable impacts on adjoining uses, including noise, smell, ... etc."

From the point of view of residential amenity, the current proposal could certainly be a source of disturbance both for the occupants of the houses on Market Lane, and particularly for the occupants of the dwelling house (108, High St) with its gable adjoining Baillie's Place, where the proposed 'street-café' would be sited. **Although it might appear that the neighbouring property is only an office, this is not the case.** No.110, High Street occupies only the ground floor. The dwelling-house at no.108 extends to the full length of the upper floor, right up to the gable with Baillie's Place, both front and back, with several rooms adjacent to the gable, and therefore any noise or piped music emanating from the street café would be likely to be a source of disturbance to the occupants of this family home.

(8) **Precedent**

It is our view that the proposed development is of a character so unsympathetic to the surrounding historic environment that the granting of permission for this application would create an unacceptable precedent whereby it would be difficult to resist similar developments, the cumulative effect of which would have an extremely harmful effect on the character of the Conservation Area.

* * * * *

In conclusion, we wish to stress that we are not opposed to the development of this building in principle, and of course there are several possible uses, including that of a small coffee shop, but we do not believe that a second storey can be accommodated without causing a conflict with the character of the building itself, with the character of the Conservation Area, and with the setting of the Listed Buildings and Scheduled Monument in the immediate vicinity.

Further to this, we do not view the use of an historic close as an extension of the café in the form of a street-café as an acceptable development, for all the reasons stated, not least the impact on residential amenity.

This little building has certainly been neglected, and has lain empty for years, and of course our Society would like to see something done with it, but it is only one year since the City Council sold it, and there is ample opportunity for a new idea to come forward which would be compatible with adjoining uses, and do justice to the outstanding quality of the surrounding historic environment. We sincerely hope that this will happen.

Yours faithfully,



(Mrs). B. McPetrie
Planning Secretary