

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 4 MARCH 2024**

**1-5 AMERICA STREET, MONTROSE**

**REPORT BY THE DIRECTOR OF LEGAL, GOVERNANCE & CHANGE**

**1. ABSTRACT**

The Committee is asked to consider an application for a review of the decision taken by the planning authority in respect the refusal of planning permission for redevelopment of site including alternation of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, application No 20/00574/FULL, at 1-5 America Street, Montrose.

**2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES**

This Report contributes to the following local outcomes contained within the Angus Council Plan 2023-2028:

- Caring for our people
- Caring for our place

**3. RECOMMENDATIONS**

It is recommended that the Committee:-

- (i) consider and determine if further procedure is required as detailed in at Section 4;
- (ii) if further procedure is required, the manner in which the review is to be conducted;
- (iii) if no further procedure is required:
  - (a) review the case submitted by the Planning Authority (**Appendix 1**);
  - (b) review the case submitted by the Applicant (**Appendix 2**); and
  - (c) consider the further lodged representations (**Appendix 3**).

**4. CURRENT POSITION**

The Development Management Review Committee is required to determine if they have sufficient information to determine the Review without further procedure. If members do not determine the review without further procedure, the Review Committee must determine the manner in which the review is to be conducted. The procedures available in terms of the regulations are: written submissions, hearing sessions or inspection of the land to which the review relates.

**5. FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from the recommendations in this Report.

**6. RISK MANAGEMENT**

There are no issues arising from the recommendations of this Report.

**7. ENVIRONMENTAL IMPLICATIONS**

There are no direct environmental implications arising from the recommendations of this report.

## **8. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY**

An equality impact assessment is not required.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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Appendix 1 – Submission by Planning Authority

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## ANGUS COUNCIL'S SUBMISSION ON GROUNDS OF REFUSAL

APPLICATION NUMBER – 20/00574/FULL

APPLICANT – J R RIX &amp; SONS LTD

PROPOSAL & ADDRESS – REDEVELOPMENT OF SITE INCLUDING ALTERATION OF THE EXISTING BUILDING ON THE SITE TO REMOVE ITS ROOF AND THE SOUTHWESTERN BOUNDARY SECTION OF THE BUILDING AND TO ERECT A STORE/OFFICES AND A 2 STOREY CAR PARKING STRUCTURE AT 1 – 5 AMERICA STREET MONTROSE

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## Angus Council

<b>Application Number:</b>	20/00574/FULL
<b>Description of Development:</b>	Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices.
<b>Site Address:</b>	1 - 5 America Street Montrose DD10 8DN
<b>Grid Ref:</b>	371445 : 757211
<b>Applicant Name:</b>	J R Rix & Sons Ltd

## Report of Handling

### Proposal

The application proposes the substantial demolition of the category C listed former Joseph Johnston & Sons fish curing works, involving the removal of buildings within the site with the exception of part of the external perimeter walls, including the 2 storey façade of the building (to wall head height) along America Street. The cleared buildings would enable the erection of a new 2 storey steel portal building located to the southwest of the site. The proposed new building would contain storage space on its southwest side (with two roller door openings facing southwest) and a two-storey office block on its northeast side. A yard area would be formed to the northeast of the new building which would contain car parking. Access to the parking area would be taken from America Street to the northwest, with an exit proposed onto River Street to the northeast.

The application form indicates that the proposed development would connect to the public water supply and drainage network. Surface water drainage proposals are unclear, but the application form indicates that sustainable drainage is not proposed. The application form also indicates that the proposed use class of the development would be classes 4 (business) and 6 (storage and distribution).

### Amendments

The application has been varied to delete the proposal to form a two-level car parking structure in the yard area to the northeast of the site. Project Management Scotland Limited Proposed Site Plan Drawing No. PMS 2315 - 201 PL (July 2020) revision C amends and supersedes all previous versions of that plan; and Project Management Scotland Limited Drawing No. PMS 2315 - 205 PL (August 2020) revision B amends and supersedes all previous versions of that plan.

### Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 11 September 2020 for the following reasons:

- Development Affecting a Listed Building

A site notice was posted for development affecting a Listed Building.

### Planning History

1. 1-5 America Street was listed as a building of special architectural or historic interest on 30 March 1999. It is described in the listing as a 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.

The statement of special interest indicates (amongst other things) that:

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978.*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

2. A proposal was submitted to HES remove the listed designation of 1-5 America Street in May 2020. The review of the listing confirmed the special interest of the building and its listed status was retained (Category C) (decision dated 9 September 2020).

3. Application **20/00599/LBC** for listed building consent for alteration of the existing buildings at 1-5 America Street to remove its roof and the southwestern boundary section of the building (substantial demolition) was refused on 3 August 2023 for the following reason:-

*The substantial demolition of the fish curing works at 1-5 America Street would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance.*

#### **Planning history relevant to other listed buildings referred to in statement of special interest for 4 Meridian Street**

4. Planning permission (22/00779/FULL) and listed building consent (22/00781/LBC) for refurbishment and extension of Custom House to accommodate offices for Whittaker Group was approved subject to conditions on 22 March 2023. This listed building (LB38222) is located around 100m to the east of the site.

5. Planning permission (19/00551/FULL) and listed building consent (19/00552/LBC) for change of use and extension of the Grain Store House to form offices for Whittaker Group were approved subject to conditions on 4 November 2019. This listed building (LB38222) is located around 100m to the east of the site.

6. Planning permission (21/00177/FULL) and listed building consent (21/00178/LBC) applications for demolition of the category C listed 4 Meridian Street building and erection of a Class 5 and 6 general industrial warehouse for J R Rix & Sons Ltd were refused planning permission and listed building consent in June 2023. The proposal was considered to be contrary to National Planning Framework 4 (2023) Policy 7, Angus Local Development Plan (2016) Policy PV8, and Historic Environment Scotland's

Managing Change in the Historic Environment: Demolition of Listed Buildings (April 2019) because the development involved the demolition of a listed building and it had not been demonstrated that there were exceptional circumstances justifying demolition and that all reasonable efforts had been made to retain, reuse and/or adapt the listed building. 4 Meridian Street is located around 95m southeast of the site.

### **Applicant's Case**

Supporting Statement (undated) – indicates that its purpose is to provide an assessment of the proposal against guidance from Historic Environment Scotland. It indicates that the listed building has been empty for 22 years and is in a state of disrepair. The site has been targeted for regeneration because of its quayside position, and the project aims to develop Rix Renewables Ltd, and Rix Sea Shuttle Ltd. in the Montrose Port Area. The statement indicates that it is not economically viable to try and repair and reuse the whole building, indicating that doing so would exceed the end value (*end value unspecified*) and would not give the applicant the useful workspace they require. The statement indicates that selective demolition of the property would allow Rix to build a modern workspace in an important quayside position. The statement indicates that the proposal would bring 50 jobs to the area, and suggests that selective demolition is essential to deliver significant benefits to economic growth to Montrose Port. The statement opines that the economic benefit of this potential development outweighs the strong presumption of retaining the whole building. Retaining the façade allows an important piece of Montrose Port heritage to be retained whilst also providing modern work facilities and a large economic boost to the town.

Planning Statement (February 2021) - includes a planning assessment of the proposal in support of the applications for planning permission and listed building consent. It indicates that the proposal represents a £1.6 million investment to regenerate a vacant site, preserve its history through façade retention and create new employment to help sustain the Montrose economy. The statement indicates that the redevelopment is sought to provide an operations and maintenance (O&M) base for offshore windfarms over the next 25 years, and the applicant is bidding for live tenders relating to this service provision.

In respect of impacts on the listed building, the statement indicates that full consideration has been given to exploring lesser interventions on the site and retaining more of the historic buildings. It suggests that the limiting nature of room configurations, the building positioning on the site and the costs of repair, adaptation and assimilation into a modern architectural solution is non-viable. The statement considers the proposal against the managing change in the historic environment guidance note on the demolition of listed buildings. The statement notes that HES confirmed that the building retains special interest in a recent listing review requested by the applicant, and does not argue that the building is not of special interest. In respect of whether the building is capable of meaningful repair, the statement suggests that meaningful repair is not possible given the contemporary nature of port requirements for buildings along the north quay and specifically those to meet the operation and maintenance requirements for the offshore renewables sector. In respect of whether demolition is essential to delivering significant benefits to economic growth or the wider community, it suggests that the demolition is essential to enable to economic reuse of the site for modern day port related activities. The economic growth benefits listed in the statement include delivery of a commercially viable development, providing a strategic site for O&M facilities with job creation of a peak workforce of 60 staff (plus 12 ad-hoc staff), a £1.6m investment in the site by the applicant. Wider community benefits are described as tidying up the site to the benefit of neighbouring residents, restoration and preservation of the America Street façade and the heritage storey of the building.

Building Condition Report (Griffin Design, undated) – the report considers the condition of 4 different sections of the listed quadrangle – the managers house, the America Street offices, the old workshop/stores (northeast), and the new workshop (southwest). The report describes the condition of the buildings as having a roof in fair condition, and noting that the rendering of the external walls makes it hard to assess their true condition. It suggests that rendering is usually a sign of water ingress. The report identifies interventions required to enable reuse of the building but suggests its reuse would limit the potential for modern equipment. It identifies measures required to enable façade retention of external walls. The report concludes that the existing buildings are in a fair condition, but suggests that repair and re-use of the buildings is thought to be an unrealistic option. It suggests that removal and replacement of the buildings with modern purpose-built structure and façade retention scheme is the preferred option.

Heritage and Design Statement (MF Planning, February 2021) – describes the design and heritage principles relating to the proposed development. It assesses the proposal against three of the four demolition tests set out in HES managing change demolition guidance; and suggests that it has been demonstrated that the building is not capable of meaningful repair, it would not be economically viable to retain the building and it suggests that the proposed façade retention scheme would secure wider economic and community benefits. The statement indicates that the existing rooms fronting onto America Street are akin in size to the proposed new office units, but discounts their reuse on account of the lack of a separate corridor circulation space, suggesting that the building would not meet the needs of contemporary office spaces. The report considers alternative restoration proposals which would save more of the listed building which includes a number of assumptions relating to the type of construction material that would be required for an extension of the listed building. The statement suggests that this would cost in the region of £200k more and is therefore not viable. The report opines that the proposal has been justified in terms of the HES demolition tests and suggests that the proposal would be beneficial in delivering sustainable economic growth while preserving the listed façade of the building and boundary walls.

Costing information and Rix Shipping Supporting Confidential Letter (April 2021) – provides detailed projected restoration costs relating to proposals to restore the offices, the storage space, façade retention and new build and an overall summary comparing the two cost projections. In response to a request for information relating to potential occupiers of the proposed development, the applicant has indicated that further information cannot be provided due to commercial confidentiality.

Redevelopment Report (Griffen Design) – this outlines the probable works related to retention, refurbishment and re-use of the existing building. It notes that the building is in fair condition for its age with areas requiring repair. The comments within the report are based on a visual inspection of the building and it recommends that a more thorough invasive survey is carried out to fully determine structural layout and condition.

Marketing particulars (Shepherd Commercial) – provides marketing information on the buildings subject of the application. Indicates that offers are invited for the site.

Marketing update letter and supporting letter from marketing agent (January 2022) – the site has been marketed since July 2021 to ascertain if there is any party who would purchase the property and be able to retain more of the listed structures which are of special interest and make the site work financially. The applicant is unaware of any parties having approached the council or HES directly regarding purchase of the property, and suggests that no party has approached the selling agent.

The letter from the selling agent indicates that from the initial marketing campaign some limited enquiries were made, mainly from local businesses and individuals seeking to utilise only part of the subjects. They suggest that they have had no enquiries from anyone seeking to use the main office/workshop buildings to the south. The letter indicates that the selling agent has received enquiries from parties seeking an asking price for the property, but the parties were unwilling to discuss their proposed future use with the selling agent. The letter states that the site owner sought enhanced dialogue with such parties to ascertain whether their proposed use would be supported by the local authority and Historic Environment Scotland (HES).

Level 1 Standing Building Survey (November 2020) - the construction of the main group of buildings dates to c.1850 and was in use until c.2000. The structures comprising 3-5 America Street in themselves represent a once-bustling complex of residential, commercial and industrial areas which primarily served in direct support of the salmon or greater fishing industry in Montrose, being situated immediately on the old quayside. The quality and high expense associated with their robust, well-made construction is still evident today.

Bat Survey (September 2020) – indicates that no faecal droppings, staining or any other signs of bat occupancy were observed around the outside or inside of the building. There was no bats recorded leaving or entering any roosts, and no bats commuting or foraging in the general area were recorded during the dawn and dusk emergence surveys. Whilst no bats were recorded, it is considered that mitigation will be required. Given the age and design of the buildings and that substantial demolition is proposed and that in particular, pipistrelle roosts can be transient and bats will change roosts frequently,

mitigation is required including all slates and roof coverings are to be removed by hand; and if any bats are found work should stop in the immediate area and GLM Ecology contacted who will deal with the issue in the appropriate manner.

Letter from Applicant (24 January 2023) – provides commentary relating to the noise information provided, and suggests that the information submitted in support of the application provides a strong justification for demolition of the listed building. It suggests that a restoration saving the buildings would be cost prohibitive and 21% more expensive than the submitted scheme, rendering it unviable. The letter provides information relating to the increase in development costs between 2021 and 2023. The letter suggests that alternative redevelopment proposals for the site may come forward as a separate planning and listed building consent applications at some stage in the future and should this be the case this would be done in discussion with the planning authority.

Noise Impact Assessment (revised March 2023) – indicates that the offices and warehousing will require 24-hour access, but suggests that deliveries and movement of materials from the warehouse is understood to be limited to between 0700 and 1900 hours. The report indicates that the nearest noise sensitive receptors are adjacent to the site on California Street. The report indicates that it has been shown that noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest noise sensitive receptors in the context of what they are already exposed to. Items of fixed plant will be designed to meet a worst-case scenario of NR25 at the nearest NSR as agreed with AC.

## Consultations

**Aberdeenshire Council Archaeology Service** - The above application affects the archaeology site NO75NW0391, a category C-listed former fishing curing works dating to the 19th Century. The archaeology service advocates reused of historic building such as this, but if planning permission is granted they request a planning condition to secure a Level 1 archaeological standing building survey.

**Community Council** - There was no response from this consultee at the time of report preparation.

**Roads (Traffic)** - No objection subject to conditions.

**Scottish Water** - There was no response from this consultee at the time of report preparation.

**Environmental Health (Arbroath)** - **object** to the proposal, identifying issues with the methodology used in the noise assessment and indicating that they are concerned that the predicted noise levels could be higher than that reported in the NIA. They are not satisfied that it has not been demonstrated that noise from the development will not impact on existing background noise levels and the nearest noise sensitive properties.

**Health & Safety Executive** - There was no response from this consultee at the time of report preparation.

**SEPA** – No objection on the basis that the dockside building proposed is considered to be a water compatible use, and provided there would be no land raising within the site or tanking to prevent water entering the building, then there will be no impact elsewhere on fluvial and tidal reach.

**Flood Prevention Authority** - The application site is located with an area which SEPA flood maps identify as being at medium to high risk of coastal flooding but is within the same use class as the existing use and as such is in accordance with SEPAs land use vulnerability guidance.

## Representations

4 letters of representation were received in connection with the proposal, of which 3 neither supported nor objected and 1 offers support for the proposal. The comments received can be summarised as follows:-



- Impact on availability of sunlight for garden in California Street
- Potential damage to neighbouring property during construction works
- Amenity, noise and air pollution impacts
- Plans unclear how proposal will affect mutual boundary with neighbours
- Concerns about creation of new access onto River Street and impact on road safety
- The proposal is consistent with the Montrose Port Authority strategy to develop Montrose as the port and logistics hub for North East Scotland.
- Many original buildings have had to be demolished and redeveloped for larger warehousing and storage sheds to meet the needs of Montrose Port Authority's stakeholders.
- The application site has a strategic position with adjacent berthing facilities which renders it an important quayside site.
- The economic benefits of potential job creation, investment in an underused and decaying building, supporting growth to Montrose Port following the £1m investment by the applicant Rix Shipping Ltd are welcomed by Montrose Port Authority.

## **Development Plan Policies**

### **NPF4 – national planning policies**

Policy 1 Tackling the climate and nature crises

Policy 2 Climate mitigation and adaptation

Policy 3 Biodiversity

Policy 4 Natural places

Policy 7 Historic assets and places

Policy 9 Brownfield, vacant and derelict land and empty buildings

Policy 10 Coastal development

Policy 12 Zero waste

Policy 13 Sustainable transport

Policy 14 Design, quality and place

Policy 18 Infrastructure first

Policy 22 Flood risk and water management

Policy 23 Health and safety

Policy 25 Community wealth building

Policy 26 Business and industry

### **Angus Local Development Plan 2016**

Policy DS1 : Development Boundaries and Priorities

Policy DS2 : Accessible Development

Policy DS3 : Design Quality and Placemaking

Policy DS4 : Amenity

Policy TC12 : Freight Facilities

Policy TC15 : Employment Development

Policy PV5 : Protected Species

Policy PV8 : Built and Cultural Heritage

Policy PV12 : Managing Flood Risk

Policy PV15 : Drainage Infrastructure

Policy PV18 : Waste Management in New Development

Policy PV21 : Pipeline Consultation Zones

M6 Working – Montrose Port

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

## **Assessment**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the

planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In this case the development plan comprises: -  
- National Planning Framework 4 (NPF4) (Adopted 2023)  
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the determination of the planning application are reproduced at Appendix 1 and have been taken into account in preparing this report.

The ALDP was adopted in September 2016 while NPF4 was adopted in February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

The site is located in the development boundary of Montrose. The ALDP development strategy for Montrose supports the redevelopment of vacant, underused or brownfield sites within the development boundary. It also seeks (amongst other things) to support the continued development of the Strategic Development Area at Montrose Port. Policy DS1 also states that proposals on sites not allocated or otherwise identified for development within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

The site is located outwith but adjacent to the ALDP M6 Montrose Port designation, where land is safeguarded for port related uses. The M6 designation states that (amongst other things) development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses. NPF4 recognises that Montrose Port is a key site in Angus Council's Mercury Programme. It indicates that there are further opportunities for a range of economic activities and investment in ports associated with a green economy at Montrose.

Both NPF4 and the ALDP seek to encourage the reuse of brownfield land and buildings to help reduce the need for greenfield development. NPF4 Policy 9 indicates that development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, it indicates that demolition will be regarded as the least preferred option.

NPF4 Policy 7 seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. The policy indicates that development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Part (b) of the policy indicates that development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building.

ALDP Policy PV8 states that development proposal which affect a listed building will only be supported where the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated; any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and appropriate measures are provided to mitigate any identified adverse impacts.

The key issues in this case are whether there are any exceptional circumstances which justify substantial demolition of the listed building and whether all reasonable efforts have been made to retain, reuse and/or adapt the listed building. If such exceptional circumstances are demonstrated to exist, it is also necessary to consider whether the proposed replacement building complies with other development plan policies, including consideration of whether sufficient information has been submitted to demonstrate that the proposal can co-exist with adjacent residential receptors.

## **Demolition of the listed building**

The application proposes the removal of the majority of the listed buildings within the site, with the site proposed for clearance with the exception of retention of part of the building façade (primarily along the America Street site frontage) as well the majority of other perimeter walls surrounding the site. HES Guidance considers demolition of a listed building to be the total or substantial demolition of the building; and suggests that a proposal would be considered to be demolition if the proposed works would result in the loss of the majority of the building. HES has commented on the parallel application for listed building consent, indicating that they consider the proposal to represent the substantial demolition of the listed building. Accordingly, the policy tests which apply to the demolition of a listed building are applicable in this case.

As noted above, development plan policy seeks to safeguard listed buildings. Where demolition is proposed, NPF4 Policy 7 indicates that **demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building**. It lists considerations to be applied when assessing proposals for demolition, which include whether the building is no longer of special interest (i); is incapable of physical repair and re-use as verified through a detailed structural condition survey report (ii); repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers (iii); or demolition of the building is essential to delivering significant benefits to economic growth or the wider community (iv).

Historic Environment Scotland's Managing Change in the Historic Environment: Demolition of Listed Buildings (April 2019) provides relevant government guidance on the assessment of proposals which involve the demolition of listed buildings. It identifies a number of key issues to consider and indicates that there is a strong presumption in favour of retaining listed buildings; and states that applications to demolish listed buildings should be refused unless their loss has been fully considered and justified.

Where an application proposes demolition, the managing change document indicates that applicants need to clearly demonstrate and justify that one of the following situations applies to the listed building to be demolished. The tests are similar to those identified in NPF4 Policy 7(b) and are as follows:-

- o Is the building no longer of special interest; or*
- o Is the building incapable of meaningful repair; or*
- o Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community; or*
- o Is repair or reuse of the building not economically viable?*

It is also worth noting that HES Guidance on the Use and Adaptation of Listed Buildings (April 2019) indicates that **façade retention schemes will not normally be appropriate because of the degree of loss they entail**.

Historic Environment Scotland (HES) has commented on the parallel application for listed building consent (**20/00599/LBC**) which was recently refused. They have reviewed the supporting information submitted by the applicant, and have visited the building proposed for demolition. The advice they provide is relevant to the consideration of the planning application as well as the parallel listed building consent application and is referred to where relevant in the below assessment.

The applicant's evidence and lines of argument speak primarily to the proposition that the buildings are incapable of meaningful repair, that demolition of the building is essential to delivering significant benefits to economic growth and the wider community, and that repair or reuse of the building not economically viable. They do not suggest that the building is no longer of special interest. Each test is addressed below in turn.

#### ***Is the building no longer of special interest?***

The 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard at 1-5 America Street was listed (Category C) on 30 March 1999.

The statement of special interest which accompanies the listing describes the buildings as a *rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour*. It suggests that few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component. It indicates that the former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business - Joseph Johnston & Sons Ltd -, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century. The statement indicates that the building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining dockside warehouse at 4 Meridian Street (LB46221). It states that together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.

The planning statement submitted on behalf of the applicant notes the special interest of the building and does not argue that demolition of the building meets this test. The special interest of the building is clearly set out in the statement of significance which accompanies the listing, as referenced above. A proposal was submitted by the applicant to remove the listed designation in May 2020. The review confirmed the special interest of the building and its listed status was retained (Category C).

Demolition of the building is not justified on the basis that the building is no longer of special interest.

### ***Is the building incapable of meaningful repair?***

HES Guidance indicates that most traditionally-built buildings, even those in an advanced state of decay, can be repaired. It states that *there are occasions when repairing and reusing a listed building would lead to extensive loss or replacement of fabric, which would have a consequent effect on its special interest. If repairing a building cannot preserve its special interest, it is not capable of meaningful repair.*

The Building Condition Report describes the buildings as being in *fair condition*. It describes the Managers House as *generally quite robust* and the America Street Offices as being in a *similar condition to the Managers House*. It identifies areas where the building is in need of repair and maintenance; and it lists defects in the structure. While it indicates that the repair and reuse of the building is thought to be an unrealistic option and suggests that removal and replacement with a modern purpose built structure and façade retention is the preferred option; it does not demonstrate or suggest that the building is incapable of being repaired without extensive loss of or replacement of fabric.

Other supporting information contends that the buildings are not capable of meaningful repair because the repaired structure would not be compatible with the applicant's proposed use for the listed building without extensive, adverse alterations. While the applicant's proposal for substantial demolition involves alteration which would not preserve the special interest of the building, this does not mean that the building is incapable of meaningful repair; or that a different proposal could not come forward without extensive loss of fabric. As noted above, the applicants engineer describes the buildings as being in *fair condition* and the evidence does not support the contention that the buildings are incapable of meaningful repair. The applicant's proposed redevelopment is not the only potential solution for development of this site.

HES reviewed the supporting information submitted as part of their consideration of the parallel application for listed building consent. They indicate that they are not satisfied that the evidence submitted demonstrates that the building is incapable of meaningful repair, and suggest that the listed building's special interest could be preserved with an alternative, more sympathetic scheme or use for the site.

While the applicant's supporting information sets out difficulties associated with repair of the listed building, it suggests the buildings are in fair condition and does not demonstrate that the building is incapable of meaningful repair. Having regard to the content of the supporting information and the advice provided by HES for the parallel application for listed building consent, the demolition of the listed building is not justified on the basis that it is incapable of meaningful repair.

***Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?***

HES guidance acknowledges that some projects may be of such economic or public significance that their benefits may be seen to outweigh the strong presumption in favour of retaining a listed building. Examples may include major transportation schemes or significant regeneration projects. It suggests that an application for demolition on these grounds should provide evidence to demonstrate why the loss of the building is essential in order to obtain these benefits. It should make clear why these, or similar, benefits cannot be achieved with retention of the building.

The supporting information submitted suggests that the redevelopment of the site through the demolition of the buildings is essential to enable the economic reuse of the site for modern day port related activities. It describes the economic growth benefits of the proposal as delivering a commercially viable development on a site which has been vacant for decades; delivering regeneration at the port; providing a strategic site for operational and maintenance facilities with potential job creation of 60 staff plus up to 12 ad-hoc staff (figure based on similar scale proposals elsewhere); and suggests that the applicant's investment would be in the region of £1.6 million. Wider community benefits are described as demolition of redundant buildings and tidying up the site to the benefit of adjacent residential property; the repair or restoration of the America Street façade and part of the Fish Quay façade and perimeter walls would improve visual amenity; and preservation of the heritage storey of the site.

While it is acknowledged that a more modern building on the site could offer more flexibility for port related activities, particularly in relation to improved storage and access; the evidence submitted does not demonstrate that the demolition of the entire listed building complex is essential to achieving these aims. It may be possible to provide a similar level of office accommodation using and adapting more of the listed Managers House and adjacent America Street offices, while erecting a more suitable storage and maintenance space in the area to the southeast of the quadrangle (next to the Managers House). An alternative approach of that nature may achieve similar economic benefits, while securing greater community benefit by safeguarding the future of a listed building. An alternative approach to development which would achieve similar aims has been suggested to the applicant by Angus Council and HES officers during the consideration of this application, but the applicant has not been receptive to a compromise approach which would save more of the listed building.

The HES consultation response on the parallel listed building consent application indicates that they do not consider demolition under this test has been justified. They indicate that they do not consider the proposed demolition is essential to delivering significant benefits to economic growth to Montrose Harbour and the wider community of Montrose, as argued by the applicant. They consider that it would be possible to adapt and/or reuse more of the existing internal and external spaces of this quayside complex for the applicant's desired storage and office requirements.

Having regard to the content of the supporting information and the advice provided by HES on the parallel application for listed building consent, the demolition of the listed building is not justified on the basis that it is essential to delivering significant benefits to economic growth or the wider community.

***Is repair or reuse of the building not economically viable?***

The Managing Change document provides guidance on the consideration of the economic viability demolition test. It indicates that in some instances the repair and reuse of a listed building is not economically viable. This means that the cost of retaining the listed building would be higher than its end value. Where the cost of works is higher than the end value, the difference is referred to as the 'conservation deficit'. The guidance states that the principle of demolition should only be accepted where it has been demonstrated that all reasonable efforts have been made to retain the listed building. This includes undertaking pro-active marketing measures to demonstrate that every effort has been made to secure a buyer who would retain the building. A building should be marketed to potential restoring purchasers for a reasonable period, at a price reflecting its location and condition. This should normally be at least six months, although in some circumstances a longer or shorter time period may be appropriate.

The supporting information submitted suggests that the façade retention and new build proposal is a less costly and more viable option for the applicant than a redevelopment proposal which retains the America Street offices and Fish Quay storage space. They suggest that the retention and restoration approach to redevelopment would cost around £190k more. Information relating to the end value of the two completed development approaches is not provided, and no conclusion can therefore be reached on whether there would be a conservation deficit. The information submitted also indicates that the site has also been subject to marketing by the applicant to potential restoring purchasers since July 2021. The applicant indicated in January 2022 that the exercise had secured no interest from a restoring purchaser.

Firstly (and as noted above), it is not possible to conclude whether the retention of the listed building is not economically viable. Information has been submitted in relation to development cost comparing the cost of façade retention and new build option against an approach which restores the America Street offices and Fish Quay storage space. While it is acknowledged that there is a cost difference of around £190k between the two approaches, there is no information relating to the end value to judge whether there would be a conservation deficit. The two approaches outlined in the supporting information are not the only possible approaches to redevelopment of the site; and a proposal which combines a new build warehouse/maintenance building with a restored Managers House/America Street offices to provide office accommodation may be acceptable and may reduce the cost gap. HES has also indicated that the applicant could consider HES grant assistance if the repair and reuse cost of the building is higher than its end value.

Secondly, following the marketing of the site by the applicant, Angus Council and HES have been contacted by a potential purchaser who has indicated that they offered market value to purchase the site from the applicant in or around July 2022. That party has indicated that the applicant rejected their offer. It is not clear what the intentions of the prospective purchaser for the site would have been, but the rejection of an offer to purchase the property from a potentially restoring purchaser does not support demolition when policy requires all reasonable efforts to be made to retain the listed building.

HES has also provided comment on the proposed demolition against this demolition test. They indicate that they have consulted their conservation quantity surveyor on the costings provided by the applicant. While they agree the proposed façade retention scheme would likely be cheaper than restoration, they consider the cost difference between this option and the option to repair and extend is comparatively small, and may in fact be smaller than has been suggested in the costings submitted. HES was also critical of the methodology used by the applicant in marketing the premises to restoring purchasers.

HES guidance is clear that when considering proposals against this test, it must be demonstrated that all reasonable efforts have been made to save the building. While the information submitted suggests that the costs of restoration are likely to exceed the façade retention and new build approach, a conservation deficit has not been demonstrated. In addition to that, there may be alternative schemes which are more financially viable, and HES has suggested grant funding could be available for restoration if a conservation deficit exists. Had a conservation deficit been demonstrated, there is also evidence that there was serious interest from a potential purchaser who has indicated that they offered market value for the site, and may have been prepared to reuse rather than demolish the listed building. In light of these factors, the evidence does not demonstrate that repair and reuse of the building is not economically viable or that all reasonable efforts have been made to retain the listed building. Accordingly, demolition of the building is not justified under this test.

In summary, the evidence presented by the applicant does not demonstrate that there are exceptional circumstances justifying demolition and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. The proposal does not comply with any of the four demolition tests set out in HES guidance or in NPF4 Policy 7(b). HES has objected to the parallel application for listed building consent on the basis that demolition of the listed building has not been justified against these tests. The proposal does not comply with development plan policy aimed at protecting and enhancing historic environment assets and places.

Alternatives approaches to redevelopment of the site which may meet the applicant's brief and would save more of the listed building have been suggested by HES and Angus Council staff. The applicant has not been receptive to a compromise approach to redevelopment, but that option remains available, and the development proposed in this application is not the only potential redevelopment solution for the site.

## **Noise and impact on residential amenity**

NPF4 Policy 14 indicates that development proposals which are poorly designed, detrimental to the amenity of the surrounding area will not be supported. NPF4 Policy 23 indicates that proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development which requires an applicant to demonstrate both that they have assessed the potential impact on occupants of the proposed development and that the proposed design incorporates appropriate measures to mitigate this impact. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

ALDP Policy DS4 relates to amenity and indicates that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties. It indicates that consideration will be given to the impact of development on (amongst other things) noise levels and the time disturbances are likely to occur, and residential amenity. It suggests that applicants may be required to submit detailed assessments and suggests conditions can be used to ensure appropriate mitigation.

The applicant has submitted a noise impact assessment (March 2023) which indicates that the offices and warehousing will require 24-hour access. The applicant's report indicates that it has been shown that noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. It suggests that this would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest noise sensitive receptors in the context of what they are already exposed to.

Environmental health has been consulted on the application and has reviewed the noise information, including revised noise information submitted in March 2023. They have identified concerns with the methodology used in the applicant's assessment and are concerned that operational noise could be higher than predicted and background noise levels could be lower than that calculated. They are also concerned that the perimeter wall of the premises which is used in the assessment as a noise barrier is lower than windows serving second floor property on California Street to the southeast and wouldn't be an effective barrier to noise. Environmental health object to the application on the basis that it has not been demonstrated that noise from the proposed development would not result in adverse impacts on residential amenity.

While it is acknowledged that this is a site which has historically contained a fish curing business, and is in an area where commercial activity associated with the adjacent port and other neighbouring uses is likely to result in a level of noise and disturbance above and beyond what might be expected in an exclusively residential area; planning policy indicates that proposals that are likely to raise unacceptable noise issues will not be supported. Environmental health is concerned that it has not been demonstrated by the applicant that the proposed development would not worsen noise impacts on adjacent residential property on California Street and object to the proposal. On that basis, it cannot be concluded that the proposed development would not raise unacceptable noise issues or that the proposal would not be detrimental to the amenity of the surrounding area and the proposal is therefore contrary to NPF4 policies 14 and 23 and ALDP Policy DS4.

## **Other development plan policy**

The remaining development policies require consideration of impacts on the natural environment, flooding and drainage; accessibility, traffic and parking; design quality.

The application is accompanied by a bat survey report which did not identify any bats present in the buildings. It includes recommendations on the demolition methodology in recognition of the transient nature of pipistrelle bats (hand removal of roof slates), which should ensure no unacceptable impact on that species. The site is not subject of any natural heritage designation and there is no evidence to suggest that the proposal (subject to the above mitigation) would adversely impact on protected sites, species and biodiversity more generally.

The SEPA Flood maps indicate that the site is located within an area which is subject to a medium to high

risk of coastal flooding. NPF4 Policy 22 indicates that development proposals at risk of flooding or in flood risk areas will only be supported if they are for (amongst other things) water compatible uses or redevelopment of an existing building or site for an equal or less vulnerable use. ALDP Policy PV12 requires consideration of potential risk from flooding and indicates that flood risk assessment may be required in areas subject to flood risk.

The development proposes an operations and maintenance depot associated with port related activities. The site contains existing buildings and the replacement building does not have a greater footprint than the building it replaces. SEPA has been consulted on the proposal and has indicated that the development proposes a water compatible use and accordingly has no objection to the proposal provided that there is no land raising and there would be no tanking to prevent water entering the building. Subject to that, they consider that there will be no impact elsewhere on fluvial and tidal reach. Those controls could be secured via planning condition were the proposal otherwise acceptable.

The proposal involves foul and surface water drainage being discharged into the public sewer, to replicate the current situation on site. NPF4 Policy 22 indicates that development proposals will manage all rain and surface water through sustainable drainage systems. ALDP Policy PV15 indicates that all new development will be required to provide sustainable drainage to accommodate surface water drainage. Scottish Water has been consulted on the proposal but has not commented on the application or the proposed drainage arrangements. Appropriate details of the management of surface water could be secured by planning condition, were the proposal otherwise acceptable.

In terms of accessibility, traffic and parking, the site is located within an area which is reasonably well located for access via sustainable means of travel. Car, motorcycle, cycle and disabled user parking would be provided within the site with separate access (America Street) and egress (River Street) provided to and from the proposed parking area. The roads service has reviewed the proposal in respect of road traffic and pedestrian safety and has no objection subject to planning conditions. The proposal raises no significant issues against the sustainable travel and accessible development policies of the development plan. Potential amenity issues in respect of noise impact on residential receptors are identified above but there are no other significant amenity issues likely to result from the proposal. There are no significant issues relating to the design of the proposed new building. The new building has a similar appearance to other commercial buildings nearby and much of the new build aspects would sit behind a retained boundary wall.

NPF4 Policy 1 indicates that when considering all development proposals significant weight will be given to the global climate and nature crises. NPF4 Policy 2 requires proposals to be sited and designed to adapt to current and future risks from climate change. Some parts of the proposal are more consistent with the aims of these policies than others. The demolition of the building would result in the loss of the embodied energy used in its construction, and development plan policy (NPF4 Policy 9) promotes reuse of buildings over demolition and replacement. Notwithstanding that, the re-use of brownfield land for a new employment generating use in an accessible location within a development boundary attracts some support from NPF4 policies 1 and 2.

## **Development plan conclusion**

While the proposal attracts some support from development plan policies seeking to strengthen the role of Montrose Port, that support is not unqualified. It must be balanced against other development plan policies aimed at safeguarding the historic environment and protecting amenity. Of particular importance is the strong policy presumption against the demolition of listed buildings, and demolition has not been justified in the applicant's submissions resulting in an HES objection to the parallel application for listed building consent. In this case it is considered that many of the economic and employment benefits that the proposal could deliver could also be achieved with a more considered approach to the development of the site and its listed buildings. Reuse and adaptation of the Managers House and America Street offices supported by selective demolition and new build, for example, has been suggested by HES but the applicant has been unwilling to compromise. The noise information submitted also fails to show that full regard has been given to maintaining the amenity of adjacent residents. While noise issues are likely to be resolvable with appropriate supporting information, the substantial demolition of the listed building is not. The proposal is contrary to development plan policy.



In respect of material considerations, the applicants supporting statement refers the Historic Environment Policy for Scotland, Scottish Planning Policy (2014) and the Managing Change Guidance notes on Demolition, and on Use and Adaptation of Listed Buildings as relevant material considerations. The proposal is also subject to representation from third parties.

Matters relating to the approach to assessing proposals for demolition of listed buildings are covered in detail above. It is concluded that the proposal is not consistent with government guidance on the demolition of listed buildings. References to façade retention in other HES guidance do not lend support to the proposal. Scottish Planning Policy (2014) has been replaced by NPF4 in 2023 and is not relevant to the consideration of the proposal.

In relation to representations, impacts on sunlight and daylight of property on California Street are unlikely to be significantly different for those currently experienced, and the proposed building is a similar height to the existing buildings on site. Potential damage caused by construction works is not a material planning consideration. Road safety impacts are considered above, and issues associated with illegal parking in the surrounding area are not controlled by planning legislation. The comments of the port authority are noted and an appropriate redevelopment proposal on the site would be consistent with the local development plan aspirations for the port area. However, this site contains a listed building and any proposal must carefully consider how it can be incorporated into the redevelopment of the site. Both HES and council staff have suggested a compromise approach which saves more of the listed building but allows the applicant to deliver a very similar brief, which could secure all the benefits described by the port.

The application is contrary to the development plan. The listed buildings are of special interest and it would be desirable to preserve them to a greater extent than is proposed in the application. There are no material considerations which justify approval of planning permission contrary to the provisions of the development plan.

## **Human Rights Implications**

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

## **Decision**

The application is refused.

## **Reason(s) for Decision:**

1. The substantial demolition of the fish curing works would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance and the proposal is contrary to National Planning Framework 4 (2023) Policy 7 and Angus Local Development Plan (2016) Policy PV8.

2. The information submitted in support of the application does not demonstrate that that the proposed development would not result in unacceptable noise impacts on neighbouring residents and the proposal is therefore contrary to National Planning Framework 4 (2023) policies 14 and 23 and Angus Local Development Plan (2016) Policy DS4.

## **Notes:**

Case Officer: Ed Taylor  
Date: 18 September 2023

## Appendix 1 - Development Plan Policies

### NPF4 – national planning policies

#### Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

#### Policy 2 Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

#### Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
  - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
  - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
  - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
  - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long- term retention and monitoring should be included, wherever appropriate; and
  - v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

#### Policy 4 Natural places

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.

c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:

- i. The objectives of designation and the overall integrity of the areas will not be compromised; or
- ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.

d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.

f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:

- i) will support meeting renewable energy targets; or,
- ii) is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

#### Policy 7 Historic assets and places

a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:

- i. building is no longer of special interest;
- ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
- iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
- iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.

- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
- i. architectural and historic character of the area;
  - ii. existing density, built form and layout; and
  - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.
- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
- i. reasonable efforts have been made to retain, repair and reuse the building;
  - ii. the building is of little townscape value;
  - iii. the structural condition of the building prevents its retention at a reasonable cost; or
  - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
- i. direct impacts on the scheduled monument are avoided;
  - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided;
- or
- iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.
- l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.
- m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.
- n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:
- i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
  - ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic

environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.

When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

#### Policy 9 Brownfield, vacant and derelict land and empty buildings

a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.

c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

#### Policy 12 Zero waste

a) Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.

b) Development proposals will be supported where they:

i. reuse existing buildings and infrastructure;

ii. minimise demolition and salvage materials for reuse;

iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;

iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;

v. use materials that are suitable for reuse with minimal reprocessing.

c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:

i. provision to maximise waste reduction and waste separation at source, and

ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

d) Development proposals for waste infrastructure and facilities (except landfill and energy from waste facilities) will be only supported where:

i. there are no unacceptable impacts (including cumulative) on the residential amenity of nearby dwellings, local communities; the transport network; and natural and historic environment assets;

ii. environmental (including cumulative) impacts relating to noise, dust, smells, pest control and pollution of land, air and water are acceptable;

- iii. any greenhouse gas emissions resulting from the processing and transportation of waste to and from the facility are minimised;
  - iv. an adequate buffer zone between sites and sensitive uses such as homes is provided taking account of the various environmental effects likely to arise;
  - v. a restoration and aftercare scheme (including appropriate financial mechanisms) is provided and agreed to ensure the site is restored;
  - vi. consideration has been given to co-location with end users of outputs.
- e) Development proposals for new or extended landfill sites will only be supported if:
- i. there is demonstrable need for additional landfill capacity taking into account Scottish Government objectives on waste management; and
  - ii. waste heat and/or electricity generation is included. Where this is considered impractical, evidence and justification will require to be provided.
- f) Proposals for the capture, distribution or use of gases captured from landfill sites or waste water treatment plant will be supported.
- g) Development proposals for energy-from-waste facilities will not be supported except under limited circumstances where a national or local need has been sufficiently demonstrated (e.g. in terms of capacity need or carbon benefits) as part of a strategic approach to residual waste management and where the proposal:
- i. is consistent with climate change mitigation targets and in line with circular economy principles;
  - ii. can demonstrate that a functional heat network can be created and provided within the site for appropriate infrastructure to allow a heat network to be developed and potential local consumers have been identified;
  - iii. is supported by a heat and power plan, which demonstrates how energy recovered from the development would be used to provide electricity and heat and where consideration is given to methods to reduce carbon emissions of the facility (for example through carbon capture and storage)
  - iv. complies with relevant guidelines published by Scottish Environment Protection Agency (SEPA); and
  - v. has supplied an acceptable decarbonisation strategy aligned with Scottish Government decarbonisation goals.

#### Policy 13 Sustainable transport

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
  - ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
  - iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
  - ii. Will be accessible by public transport, ideally supporting the use of existing services;
  - iii. Integrate transport modes;
  - iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
  - v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
  - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
  - vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
  - viii. Adequately mitigate any impact on local public access routes.

- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

#### Policy 14 Design, quality and place

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

#### Policy 18 Infrastructure first



- a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.
- b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

#### Policy 22 Flood risk and water management

- a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
  - i. essential infrastructure where the location is required for operational reasons;
  - ii. water compatible uses;
  - iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
  - iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long- term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- o all risks of flooding are understood and addressed;
- o there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- o the development remains safe and operational during floods;
- o flood resistant and resilient materials and construction methods are used; and
- o future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- o the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- o that the proposal does not create an island of development and that safe access/ egress can be achieved.

- b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.
- c) Development proposals will:
  - i. not increase the risk of surface water flooding to others, or itself be at risk.
  - ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue- green infrastructure. All proposals should presume no surface water connection to the combined sewer;

- iii. seek to minimise the area of impermeable surface.
- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.
- e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

#### Policy 23 Health and safety

- a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.
- b) Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- c) Development proposals for health and social care facilities and infrastructure will be supported.
- d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.
- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- f) Development proposals will be designed to take into account suicide risk.
- g) Development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.
- h) Applications for hazardous substances consent will consider the likely potential impacts on surrounding populations and the environment.
- i) Any advice from Health and Safety Executive, the Office of Nuclear Regulation or the Scottish Environment Protection Agency that planning permission or hazardous substances consent should be refused, or conditions to be attached to a grant of consent, should not be overridden by the decision maker without the most careful consideration.
- j) Similar considerations apply in respect of development proposals either for or near licensed explosive sites (including military explosive storage sites).

#### Policy 25 Community wealth building

- a) Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.
- b) Development proposals linked to community ownership and management of land will be supported.

#### Policy 26 Business and industry

- a) Development proposals for business and industry uses on sites allocated for those uses in the

LDP will be supported.

- b) Development proposals for home working, live-work units and micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.
- c) Development proposals for business and industry uses will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area.
- d) Development proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where:
  - i. It is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit; and
  - ii. The nature and scale of the activity will be compatible with the surrounding area.
- e) Development proposals for business and industry will take into account:
  - i. Impact on surrounding residential amenity; sensitive uses and the natural and historic environment;
  - ii. The need for appropriate site restoration at the end of a period of commercial use.
- f) Major developments for manufacturing or industry will be accompanied by a decarbonisation strategy to demonstrate how greenhouse gas emissions from the process are appropriately abated. The strategy may include carbon capture and storage.

## **Angus Local Development Plan 2016**

### Policy DS1 : Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous\* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

\*Sharing an edge or boundary, neighbouring or adjacent

## Policy DS2 : Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- o are or can be made accessible to existing or proposed public transport networks;
- o make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;
- o allow easy access for people with restricted mobility;
- o provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- o are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- o the submission of a Travel Plan and/or a Transport Assessment.
- o appropriate planning obligations in line with Policy DS5 Developer Contributions.

## Policy DS3 : Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- o **Distinct in Character and Identity:** Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- o **Safe and Pleasant:** Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- o **Well Connected:** Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- o **Adaptable:** Where development is designed to support a mix of compatible uses and accommodate changing needs.
- o **Resource Efficient:** Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

## Policy DS4 : Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and

overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

### Policy TC12 : Freight Facilities

Angus Council will encourage a modal shift from road-based freight to rail and sea.

The Railway Sidings at Montrose Railway Station and Helen Street Goods Yard, Arbroath are safeguarded for rail related activities. There is a requirement for the developer to undertake a flood risk assessment of Montrose railway sidings prior to the consideration of the development of that land.

In addition, Policy M6 safeguards Montrose Port for port related uses which could include sea freight facilities. Development proposals at Montrose Port should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

Outwith these locations, proposals for freight related activities should be located on or adjacent to land identified for Class 6 (storage or distribution) use and where possible be well connected to the strategic/local road network, rail network and / or port facilities.

Proposals must demonstrate that they will have no detrimental impact on adjacent land uses and be in accordance with Policy DS4 Amenity.

### Policy TC15 : Employment Development

Proposals for new employment development (consisting of Class 4, 5, or 6) will be directed to employment land allocations or existing employment areas within development boundaries, subject to the application of the sequential approach required by Policy TC19 Retail and Town Centre Uses for office developments of over 1,000 square metres gross floorspace.

Proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:

- o there are no suitable or viable sites available within an employment land allocation or existing employment area; or
- o the use is considered to be acceptable in that location; and
- o there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for employment development (consisting of Class 4, 5, or 6) outwith development boundaries will only be supported where:

- o the criteria relating to employment development within development boundaries are met;
- o the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and
- o the proposal constitutes rural diversification where:
  - o the development is to be used directly for agricultural, equestrian, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
  - o the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the location.

## Policy PV5 : Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

### European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- o there is no satisfactory alternative; and
- o there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- o the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

### Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

## Policy PV12 : Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- o on the functional floodplain;
- o which involve land raising resulting in the loss of the functional flood plain; or
- o which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- o that flood risk can be adequately managed both within and outwith the site;
- o that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- o access and egress to the site can be provided that is free of flood risk; and
- o where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- o assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- o considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

## Policy PV15 : Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater

capacity to accommodate development if the Developer can meet the 5 Criteria\*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

\*Enabling Development and our 5 Criteria (<http://scotland.gov.uk/Resource/0040/00409361.pdf>)

#### Policy PV18 : Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.

#### Policy PV21 : Pipeline Consultation Zones

Decisions on whether to grant planning permission for development proposals within the pipeline consultation zones shown on the proposals map will be taken in light of the views and advice of the Health and Safety Executive.

#### M6 Working - Montrose Port

Montrose Port is safeguarded for port related uses. Development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses. Development proposals should be supported by a Flood Risk Assessment and a Drainage Impact Assessment.

Development proposals at Montrose Port should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

**From:**Claire Herbert  
**Sent:**16 Sep 2020 16:40:46 +0100  
**To:**PLNProcessing  
**Cc:**BrennanDG  
**Subject:**Planning application 20/00574/FULL - Archaeology comments

**Planning Reference:** 20/00574/FULL

**Case Officer Name:** Damian Brennan

**Proposal:** Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure

**Site Address:** 3 - 5 America Street Montrose

**Site Post Code:** DD10 8DN

**Grid Reference:** NO 7144 5721

The above application affects the archaeology site NO75NW0391, a category C-listed former fishing curing works dating to the 19th Century. Where possible, we would advocate reused of historic building such as this. However we note the current condition of the buildings, and their vacant state. I would therefore ask that the following condition is applied to all buildings affected by the proposed development:

### ***Level 1 Standing Buildings Survey***

*No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.*



**Reason:** *To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.*

Please also add the following informative, should the application be minded for approval:

### ***Level 1 Standing Building Survey***

*A full photographic survey of the interior and exterior of the building, including all exterior elevations and the building's setting, with the addition of measured floor plans and elevations and a written account of the building's plan, form, function, age and development sequence. Surveys must be submitted in a digital format. A more detailed specification of the survey can be obtained from the Council's Archaeology Service.*

Should you have any comments or queries regarding the above, please do not hesitate to contact me.

Kind regards,

Claire

**Claire Herbert MA(Hons) MA MCIfA**

#### **Archaeologist**

Archaeology Service  
Infrastructure Services  
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Archaeology Service for Aberdeenshire, Moray, Angus & Aberdeen City Councils

<https://www.aberdeenshire.gov.uk/leisure-sport-and-culture/archaeology/>

<https://online.aberdeenshire.gov.uk/smrpub/>

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Dhù fhaodadh fiosrachadh sochaire, a tha a-mhàin airson an neach gu bheil am post-dealain air a chur, a bhith an seo. Ma tha thu air am post-dealain fhaighinn mar mhearachd, gabh ar leisgeul agus cuir fios chun an neach a chuir am post-dealain agus dubh às am post-dealain an dèidh sin.

☐ S e beachdan an neach a chuir am post-dealain a tha ann an gin sam bith a thèid a chur an cèill agus chan eil e a ☐ ciallachadh gu bheil iad a ☐ riochdachadh beachdan Chomhairle Shiorrachd Obar Dheathain.

[www.aberdeenshire.gov.uk](http://www.aberdeenshire.gov.uk)

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## ANGUS COUNCIL

### PLACE PLANNING

#### CONSULTATION SHEET

PLANNING APPLICATION NO

20/00574/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

23	09	20
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# Memorandum

Infrastructure  
Roads & Transportation

TO: DEVELOPMENT STANDARDS MANAGER, PLANNING

FROM: TRAFFIC MANAGER, ROADS

YOUR REF:

OUR REF: CH/AG/ TD1.3

DATE: 09 OCTOBER 2020

SUBJECT: **PLANNING APPLICATION REF. NO. 20/00574/FULL – PROPOSED ALTERATION OF EXISTING CATEGORY C LISTED BUILDING AND ERECTION OF TWO STOREY CAR PARK AT AMERICA STREET, MONTROSE**

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I refer to the above planning application.

The National Roads Development Guide, adopted by the Council as its road standards, is relative to the consideration of the application and the following comments take due cognisance of that document.

The site is located on the south-east side of America Street which is a cul-de-sac that borders Montrose Port. The proposal seeks permission for a new steel portal building, including offices and car park, whilst retaining the façade of the Category C listed building that is currently on the site.

Submitted drawing no. PMS 2315 - 205 PL shows that proposed offices will be provided on two floors with a gross floor area of 520m<sup>2</sup>. A further 240m<sup>2</sup> of storage space will occupy the remainder of the ground floor of the new building.

The parking provision has been assessed against the council's parking standards and is in excess of that required for cars but no provision is indicated for cyclists, motorcyclist or disabled users. Montrose has an extensive cycle network.

The submitted drawing also indicates that the existing vehicle access on America Street will be widened to 6.0 metres to accommodate the movement of vehicles in and out of the proposed car park. An access to the car park is also proposed on River Street but this access will only be 3.5 metres wide. As the building line will abut the footway on River Street, no sightlines will be available for drivers exiting this access, particularly with respect to passing pedestrians. This is not acceptable and therefore this access should be widened, removed from the proposal or introduced as an "entry only" access. If used

as an entry only access, details of the signing proposed within the car park should be submitted for approval.

I have considered the application in terms of the traffic likely to be generated by it, and its impact on the public road network. As a result, I do not object to the application but would recommend that any consent granted shall be subject to the following conditions:

- 1 That, further plans and particulars showing details relating to the access to the proposed car park on the south-west side of River Street shall be submitted for approval by the planning authority. The development shall not commence until the planning authority has agreed the details in writing. The access shall thereafter be completed in accordance with the approved details.

*Reason: to ensure provision of a safe and satisfactory means of vehicle access and/or egress to/from the car park.*

- 2 That, prior to the occupation or use of the building, parking spaces shall be provided within the site curtilage in accordance with the following standards:

<b>Mode</b>	<b>Minimum Number of Spaces</b>
Bicycles	10 spaces
Motorcycles	4 spaces
Cars	22 spaces
Disabled Users	3 spaces

The provision for cyclists shall be conveniently located for the main public entrance to the development and shall be covered, lit and adequately signed.

*Reason: to ensure that suitable parking arrangements are provided in a timely manner and in order to encourage multi-modal means of travel.*

- 3 That, any damage caused to the adjacent public footways on America Street and River Street shall be repaired to the satisfaction of the Roads Authority within a reasonable period, as notified by either the Roads or Planning Authority.

- 4 That, an advisory, informative note be added to the decision notice to inform the applicant that the footway crossing at the proposed access widenings must be formed and constructed in accordance with the standards of Angus Council. An application form can be downloaded from the Angus Council website for the purpose.

*Reason: to maintain the integrity and condition of the public road.*

I trust the above comments are of assistance, but should you have any queries, please contact Adrian Gwynne on extension 2036.

**From:** [AkroydL](#)  
**To:** [BrennanDG](#)  
**Subject:** RE: Consultation for 3 - 5 America Street Montrose - 20/00574/FULL  
**Date:** 09 October 2020 11:05:15

---

Damian,

**20/00574/FULL**

**Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, 3 - 5 America Street, Montrose, DD10 8DN**

I refer to the above application and can advise that I have seen the submitted plans and visited the site.

I understand that it is the intention to retain the outer walls to the existing building, which are approximately 5 metres high, which will provide an envelope around the proposed new two storey steel portal building on three sides. The new building will be used for storage and office accommodation and there will be a carparking area for 19 vehicles which will be located within the existing building envelope. Further carparking will be created in the area immediately to the North East of the site in the form of a two storey carpark for an additional 31 cars.

I would advise that having reviewed the proposal I have the following questions;

1. What will the new industrial unit be used for and how will it be operated?

I understand that office accommodation will occupy an area of the first and second floor levels and the rest of the unit will be used as storage. It is unclear what will be stored in the building, if any equipment/machinery will be operated and the likely hours of use of the building/times of deliveries etc.

2. What the proposed hours of operation for the two storey carpark will be?
3. The retaining wall of the existing building has a number of openings, windows and ventilation grills/flues. Could it be confirmed if any alteration will be made to the wall facing the houses on California Street, and whether the opening will be bricked up etc?

Once I have received the above additional information, I will be able to comment further.

Kind Regards

**Louise Akroyd**  
**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

**From:** [Steven Robb](#)  
**To:** [mark.cessford@rix.co.uk](mailto:mark.cessford@rix.co.uk)  
**Cc:** [Damian G Brennan](#); [CoweyK@angus.gov.uk](mailto:CoweyK@angus.gov.uk); [phil@pm-scot.com](mailto:phil@pm-scot.com); [maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk); [Merlyn Dunn](#); [Alison J Smith](#); [Mario Cariello](#)  
**Subject:** Montrose  
**Date:** 07 September 2021 12:59:45  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Mark

Thank you for your email which Mario passed me.

Firstly, am sorry to hear about Maria.

At our virtual meeting we explained that the marketing of the building is clearly focussed on finding a potential new owner who will not demolish it. We did offer to be involved in the marketing process, and in the past have found it useful for the planners and ourselves to talk through any potential bids – especially if they involve proposals for the buildings. A planning contact is normally added to particulars – as you say this is not a normal sales process.

The guide price should be freely advertised and should reflect the current market value of the site – taking into account its condition and location. It is not a redevelopment value – it must be based on the presumed retention of the listed buildings. That is why it can often be a low price – it assumes – as you have argued – that you - as owner - have found no viable option to reuse the buildings – so is inviting others to see whether they can.

You have a right to investigate the credibility of any bids – the process is not intended to transfer property – the main priority is the retention of the buildings – which national planning policy supports. It is appropriate for potential owners to set out their intentions regarding the building's retention. We can assist to see whether their intentions would be acceptable in LBC terms.

I can assure you our main priority is to see the site reused with the retention of the buildings that make up the special interest of the site. At our meeting we suggested that you could look again at how you might reuse the site – retaining the buildings of interest and redeveloping others.

I hope that this might remain an option.

Regards

Steven

**Steven Robb IHBC MRTPI | Deputy Head:Historic Buildings | Planning, Consents and Advice Service | Heritage Directorate**

Historic Environment Scotland | Àrainneachd Eachdraidheil Alba

Longmore House, Salisbury Place, Edinburgh EH9 1SH

T: 0131 668 8089

M: [REDACTED]

E: [steven.robbs@hes.scot](mailto:steven.robbs@hes.scot)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

East Team – Historic Buildings. Aberdeen, Aberdeenshire, Angus, City of Dundee, City of Edinburgh, Clackmannan, Comhairle nan Eilean Siar, East Lothian, Fife, Midlothian, Scottish Borders, West Lothian

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**Two years on from the introduction of the Historic Environment Policy for Scotland (HEPS), we'd like your thoughts on the policy. Have your say by taking part in our short survey here: [HEPS survey](#)**

Please note I am currently working at home due to the Coronavirus outbreak. I will do my best to respond to you, but please bear with us at this difficult time. I can be contacted on my work number 0131 668 8089.



**From:** Mark Cessford

<[mark.cessford@rix.co.uk](mailto:mark.cessford@rix.co.uk)>

**Sent:** 06 September 2021 13:12

**To:** Mario Cariello

<[mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)>; Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>; 'CoweyK@angus.gov.uk'

<[CoweyK@angus.gov.uk](mailto:CoweyK@angus.gov.uk)>

**Cc:** 'phil@pm-scot.com' <[phil@pm-scot.com](mailto:phil@pm-scot.com)>; [maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk); Merlyn Dunn <[DunnM@angus.gov.uk](mailto:DunnM@angus.gov.uk)>; 'Alison J Smith'

<[SmithAJ@angus.gov.uk](mailto:SmithAJ@angus.gov.uk)>

**Subject:** RE: 21/00177/FULL & 21/00178/LBC - Demolition and erection of warehouse

Historic Environment  
Scotland - Scottish Charity No.  
SC045925  
Registered office: Longmore  
House, Salisbury Place,  
Edinburgh, EH9 1SH  
Historic Environment  
Scotland Enterprises Ltd –  
Company No. SC510997  
Registered office: Longmore  
House, Salisbury Place,  
Edinburgh, EH9 1SH  
Scran Ltd – Company No.  
SC163518  
Registered office: John  
Sinclair House, 16 Bernard  
Terrace, Edinburgh, EH8 9NX

Good Day Everyone,

I am finding it really hard to contain my frustrations, but for the sake of good order I will try. I understand that Maria is having to deal with a sad bereavement, so I feel compelled to intervene in the first instance.

I can confirm that one of the first parties to request details was quick to ask for a selling price, acutely aware of the need to ensure that any prospective purchaser fully understood what they

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were potentially buying, I advised them that once they had understood the particular peculiarities or challenges with this site and they were still interested, then we would be prepared to discuss the sale price.

I was politely told that it was up to them what they did with the site and they just wanted to know a price. With this sort of response, I doubt if this exercise will achieve as much as others may think.

I am further dismayed that three months down the line, H.E.S. now wish to consider having an input, why was this not stated at the time, and in particular before the selling particulars were created?

We have issued a guide price. Anyone who has enquired has been encouraged to speak directly to both Angus Council planning and or H.E.S. as I feel there is no point in hiding the fact that, this, is not your normal property sale.

The one thing that I have drawn from the tone of these messages, is that, I will be in a better place to seek the transfer of Rix Capital spend away from properties and transferred to plant and machinery purchases, as it is pretty obvious that there is no real appetite within HES or Angus Council for Rix to re-develop the site any time soon.

I wouldn't worry, I have plenty things that I can suggest spending £1.5 million on. My staff will be delighted to hear that it looks like some of their wish lists may well become reality.

I would urge extreme caution regarding the suggestion that the sale of the property should be £1. The Rix family through J R Rix & Sons, having invested in Montrose for over 65years, might just

see that as personally insulting.

Maria will likely respond in due course,  
but I would ask that she be given  
sufficient time given her personal  
situation.

Without prejudice

Best Regards

Mark J Cessford  
General Manager  
Rix Shipping (Scotland) Limited  
and on behalf of J R Rix & Sons Ltd.

Meridian Street  
Montrose  
01674 672827



**From:** Louise Akroyd  
**To:** [Ed Taylor](#)  
**Cc:** [Steven D Thomson](#); [Damian G Brennan](#)  
**Subject:** RE: 1 - 5 America Street Montrose DD10 8DN, Reference: 20/00574/FULL & 20/00599/LBC  
**Date:** 06 July 2022 16:22:07

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Hi Ed

As previously advised, while the walls to the former managers house facing the quay side will be retained on either side of the new warehouse unit, it will terminate well below the height of the building and there is a residential property immediately adjacent to the proposed industrial unit which has first and second floor windows which are above the height of the retaining stone wall. I am concerned that as the building will be accessible 24 hours a day that noise at unsocial hours of the day/night could seriously impact on the residential amenity of the adjacent property from material being loaded and unloaded to and from the unit.

The additional information provided does not address this issue and my comments in terms of suitability of the site, due to location of the warehouse unit to people's windows, remains the same.

If the warehouse industrial unit is to be used on a 24 hour access basis and with forklift truck movements operating so close to residential properties, this department would have no option but to object and recommend refusal, unless a NIA can be provided to demonstrate, that noise can be adequately controlled which may require further mitigation measures to be implemented.


I hope this assists

Kind Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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**From:** Ed Taylor <TaylorE@angus.gov.uk>  
**Sent:** 05 July 2022 17:17  
**To:** Louise Akroyd <AkroydL@angus.gov.uk>  
**Cc:** Damian G Brennan <BrennanDG@angus.gov.uk>  
**Subject:** FW: 1 - 5 America Street Montrose DD10 8DN, Reference: 20/00574/FULL & 20/00599/LBC

Hi Louise

I hope you're well.

We have received the attached response to the EH comments relating to the application at 1-5 America Street, Montrose (20/00574/FULL).

The response sets out more information in relation to the nature of the proposed use and I understand it is the applicants hope this this would be sufficient clarification to avoid the necessity to carry out a noise assessment.

Would you be able to review this document and get back to us (Damian – I will be on leave shortly) on whether it addresses your concerns?

Thanks for your help

Ed Taylor | Team Leader - Development Standards | Angus Council | 01307 492533 | [TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)

---

**From:** [maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk) <[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)>  
**Sent:** 05 July 2022 15:07  
**To:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>  
**Cc:** 'Phil Birse' <[phil@pm-scot.com](mailto:phil@pm-scot.com)>; Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>  
**Subject:** RE: 1 - 5 America Street Montrose DD10 8DN, Reference: 20/00574/FULL & 20/00599/LBC

Ed

Further to our discussion, please find attached a statement addressing the noise concerns for the Council's consideration.

Kind regards

Maria



maria francké planning

[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk) | [www.mfplanning.co.uk](http://www.mfplanning.co.uk)

My working days are Monday to Thursday

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**From:** Louise Akroyd [AkroydL@angus.gov.uk](mailto:AkroydL@angus.gov.uk)  
**Sent:** 07 May 2021 12:22  
**To:** Damian G Brennan [BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)  
**Cc:** Steven D Thomson [ThomsonSD@angus.gov.uk](mailto:ThomsonSD@angus.gov.uk)  
**Subject:** RE: Consultation for 3 - 5 America Street Montrose - 20/00574/FULL

Damian,

**20/00574/FULL**

**Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, 3 - 5 America Street, Montrose, DD10 8DN**

I refer to the above and can advise that I have reviewed the additional information submitted.

I note that the carpark will now be located on the ground floor level only and I would advise that I would have no concerns about this use. However, I understand that the new warehousing/storage unit will be used for the Seagreen offshore renewables project for operations and maintenance activities. The new warehouse unit will be used to store tools, spare parts and equipment and provide welfare facilities at the quayside and will require 24 hour access.

This site has laid unoccupied since 1998 and the last use as I understand was as office accommodation. While the walls to the former managers house facing the quay side will be retained on either side of the new warehouse unit, it will terminate well below the height of the building and there is a residential property immediately adjacent to the proposed industrial unit which has first and second floor windows which are also above the height of the stone wall. I am therefore, concerned that as the building will be accessible 24 hours a day that noise at unsocial hours of the day/night could seriously impact on the residential amenity of the adjacent property from material being loaded and unloaded to and from the unit.

In light of the above, I would advise that Environmental Health would be objecting to the proposal as it stands at present.

However, if an noise impact assessment can be submitted to support the application, further consideration will be given. The noise impact assessment would need to be undertaken by a suitably qualified noise consultant, to assess the impact of the proposed use on nearby residential properties. The report shall include any noise mitigation measures that will be implemented to ensure that noise from the site is adequately controlled.

I would ask that the noise methodology for the assessment be agreed in writing with Environmental Health prior to any on-site monitoring to avoid any unnecessary work.

For avoidance of doubt;

- Noise monitoring needs to include attended/manned measurements.
- Cover a sufficient duration of both daytime and night time periods (for industrial noise this needs to cover a representative period when the specific noise will be operational)
- Details of the proposed monitoring location(s) and justification for selecting these positions needs to be provided and agreed prior to noise monitoring being undertaken.

If you have any queries about the above, please let me know

Kind Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

**From:** Louise Akroyd  
**To:** Shenzhi Su  
**Cc:** Steven D Thomson; Ed Taylor; Damian G Brennan  
**Subject:** RE: 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)  
**Date:** 29 September 2022 14:34:36  
**Attachments:** [image012.gif](#)  
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[image019.jpg](#)  
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[image022.jpg](#)  
[image023.jpg](#)  
[image024.png](#)

Good Afternoon,

I would advise that I have reviewed the submitted noise methodology and have the following comments to make;

Noise Monitoring

I would agree that the two monitoring location selected would be acceptable.

I understand that only a 1 hour manned monitoring period will be undertaken on the site and I don't think this is sufficient given the varied and intermittent activities that take place in the port.

In terms of the unmanned noise monitoring, I note that this will only be for a period of 3-5 days. As activity in the port is largely dictated by the tides, I am concerned that this may compromise the data as it is likely that high and low tides will occur at roughly the same time each day during this monitoring period. The data should cover both high and low tides at night and during the day. I am also concerned as to how unmanned noise data will be given some context i.e., how will you know what the source was, is it typical for the area and how will weather be taken into account. I would expect that infrequent noise events and data affected by weather would be excluded.

Noise Criteria

The noise assessment needs to be undertaken in accordance with BS4142:2014+A1:2019 but regard also needs to be taken for WHO internal daytime and night-time criteria for sleep disturbance and rest and relaxation for bedrooms and living rooms, assessed with windows partially open for ventilation.

I am concerned that noise levels at residential properties on Californian Street may already be experiencing levels above the WHO guidelines for rest and relaxation, which may warrant no increase in noise levels from new developments when assessed in accordance with BS4142.

Any fixed plant and equipment i.e., air conditioning units, mechanical ventilation from the industrial unit and offices/staff kitchen needs to be assessed against Noise Rating Curve NR 35 between 0700 and 2300 hours and NR 25 between 2300 and 0700 hours, calculated within the nearest noise sensitive property with windows open.

Noise Sources

The report needs to adequately cover all possible types of noise sources from the proposed development. In particular, it will be vital to identify how vehicle movements will travel to and from the unit and how loading and unloading will take place from the unit e.g. the route of travel for vehicles, will there be an increase in vehicle movements that will travel past residential properties, what types of vehicle movements will take place (HGV, lorries, forklift trucks), how will vehicles enter and egress the building (manoeuvres may be tight due to limited space and require to reverse into the building and therefore reverse beepers noise needs to be considered), uneven road surface which would lead to more noise from forklift truck movements etc.

Noise prediction including mitigation measures

Full details of any calculations should be provided, and any assumptions should be justified.

In light of the above, the proposed noise assessment methodology is not agreed by this service.

Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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**From:** Shenzhi Su <Shenzhis@cspacoustics.co.uk>  
**Sent:** 09 September 2022 15:10  
**To:** Louise Akroyd <AkroydL@angus.gov.uk>  
**Cc:** cspacoustics@emailmyjob.com; Alec Higgins <AlecH@cspacoustics.co.uk>  
**Subject:** 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

Dear Louise,

**20/00574/FULL Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, 3 - 5 America Street, Montrose, DD10 8DN**

CSP Acoustics have been appointed to carry out a Noise Impact Assessment for the development above and wish to agree our methodology and criteria with Angus Council.

The development seeks to demolish the existing buildings, leaving the perimeter external walls. The listed façade will be retained and incorporated into the design of the new development. The development will comprise of O&M office spaces, welfare facilities and storage/warehouse space.

It is understood that Angus Council has concerns regarding the 24 hr nature of the activity at the proposed warehouse impacting upon existing residential receptors.

It is not clear what will be stored in the warehouse. However, it has been made clear that it is not anticipated that any industrial operations will be carried out, and the use of any large-scale machinery or equipment has been ruled out. It is recognised that Angus council's concerns are specifically regarding the loading/unloading of material from the warehouse.

According to the proposed site plan, the most-affected residential properties are likely to be 8 at ground floor and 6B at 1st and 2nd floor of California St. Due to the nature of the noise to be introduced by the proposed development, a BS4142 assessment is proposed.

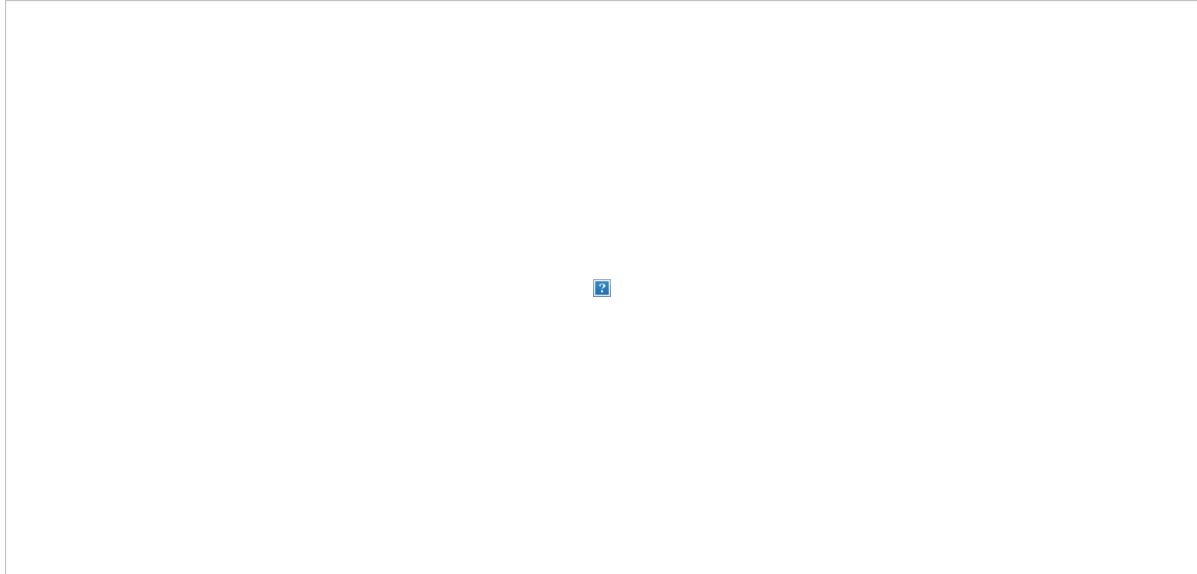
The detailed methodology and criteria are proposed as below:

- A walk around noise survey would be carried out to understand noise climate of the site and residential properties facing California St. Carry out a one-hour attended noise measurement at the boundaries of the garden of 8 California St. as marked as NMP1 (1.5m above the ground) on the drawing below. Comprehensive notes will be taken whilst

the surveyor is on site.

- Carry out an unattended noise survey at the two locations (1.5m - 3m above the ground depending on practicality of the installation of meters and subject to the agreements of the residents) marked as NMP1 and NMP2 on the drawing over the course of 3-5 days covering both weekdays and weekends to establish representative background noise levels for 8 and 6B California St. for the sides facing towards and away the quay respectively.
- As the warehouse does not exist currently, it is impossible to measure loading and unloading noise directly. CSP Acoustics' library data obtained from a typical warehouse would be used to predict the warehouse noise levels emitted from its doors and envelopes in the garden of 8 California St and at windows of 6B and 8 California St.
- The predicted noise from warehouse activity will be assessed following guidance set out in BS 4142:2014+A1:2019.
- Should the assessment predict excess of rating over background sound level more than +5dB then appropriate noise mitigation measures will be proposed in order not to exceed by +5dB.

Please let me know if you agree with the above methodology and criteria or if you wish to make any changes. I look forward to hearing from you.



Regards,

Su

Shenzhi Su *B.Sc, M.Arch, M.Phil, Ph.D, MIOA*  
Senior Acoustic Consultant  
CSP Acoustics LLP

- [Redacted]
- +44(0)1382 768 665 (Direct dial)
- [shenzhis@cspacoustics.co.uk](mailto:shenzhis@cspacoustics.co.uk)
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A list of members is available from the registered office. We use the word partner to refer to a member of CSP Acoustics LLP.





**From:** Louise Akroyd [AkroydL@angus.gov.uk](mailto:AkroydL@angus.gov.uk)

**Sent:** 07 May 2021 12:22

**To:** Damian G Brennan [BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)

**Cc:** Steven D Thomson [ThomsonSD@angus.gov.uk](mailto:ThomsonSD@angus.gov.uk)

**Subject:** RE: Consultation for 3 - 5 America Street Montrose - 20/00574/FULL

Damian,

**20/00574/FULL**

**Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, 3 - 5 America Street, Montrose, DD10 8DN**

I refer to the above and can advise that I have reviewed the additional information submitted.

I note that the carpark will now be located on the ground floor level only and I would advise that I would have no concerns about this use. However, I understand that the new warehousing/storage unit will be used for the Seagreen offshore renewables project for operations and maintenance activities. The new warehouse unit will be used to store tools, spare parts and equipment and provide welfare facilities at the quayside and will require 24 hour access.

This site has laid unoccupied since 1998 and the last use as I understand was as office accommodation. While the walls to the former managers house facing the quay side will be retained on either side of the new warehouse unit, it will terminate well below the height of the building and there is a residential property immediately adjacent to the proposed industrial unit which has first and second floor windows which are also above the height of the stone wall. I am therefore, concerned that as the building will be accessible 24 hours a day that noise at unsocial hours of the day/night could seriously impact on the residential amenity of the adjacent property from material being loaded and unloaded to and from the unit.

In light of the above, I would advise that Environmental Health would be objecting to the proposal as it stands at present.

However, if an noise impact assessment can be submitted to support the application, further consideration will be given. The noise impact assessment would need to be undertaken by a suitably qualified noise consultant, to assess the impact of the proposed use on nearby residential properties. The report shall include any noise mitigation measures that will be implemented to ensure that noise from the site is adequately controlled.

I would ask that the noise methodology for the assessment be agreed in writing with Environmental Health prior to any on-site monitoring to avoid any unnecessary work.

For avoidance of doubt;

- Noise monitoring needs to include attended/manned measurements.
- Cover a sufficient duration of both daytime and night time periods (for industrial noise this needs to cover a representative period when the specific noise will be operational)
- Details of the proposed monitoring location(s) and justification for selecting these positions needs to be provided and agreed prior to noise monitoring being undertaken.

If you have any queries about the above, please let me know

Kind Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

**From:** Louise Akroyd  
**To:** Damian G Brennan  
**Cc:** Steven D Thomson  
**Subject:** FW: 20/00574/FULL & 20/00599/LBC - 1 - 5 America Street Montrose DD10 8DN  
**Date:** 28 April 2023 16:02:58  
**Attachments:** image001.png  
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 Outlook-hb4rtn.png  
 1/1/1 - 1-5 America Street, Montrose Background Noise Survey.xlsx  
 1/1/1 2021 V1 - 1-5 America Street, Montrose.pdf

Damian,

**20/00574/FULL**  
**Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, 1 - 5 America Street, Montrose, DD10 8DN**

I refer to the above application and to the noise impact assessment (NIA) and additional information submitted by the noise consultant.

I would advise that I have reviewed the NIA and have the following comments to make:

The agreed methodology for the assessment identified that the most affected residential properties are likely to be at 8 California Street at ground floor level and 6B California Street at 1st and 2nd floor level and therefore assessments at these locations would be required. However, the initial assessment submitted only predicted noise levels at 1.5 metres and while additional noise maps have now been submitted at my request, they still only cover first floor level windows at 4 metres height. This is a concern as the retained stone barrier used in the calculations for the predicted noise levels is to a height of 4 metres and 2<sup>nd</sup> floor windows to 6B California Street are above this barrier and therefore will not benefit from the same amount of noise reduction as ground and first floor levels. I am therefore concerned that the predicted noise levels could be higher than that reported in the NIA.

The report also identifies that the nearest residential properties are already exposed to high levels of noise from the existing part. This being the case it is important that any new developments situated close to the existing residential properties will not contribute to the overall noise levels of the area. It had been assessed that based on the existing noise climate, noise from the proposed development should not increase the existing background, however, this is very much dependant on how noise penalties are applied for character correction (which can be much higher than +5dB) in terms of the assessment under BS4142:2014, which is difficult to predict. Another concern is that as the predicted operational noise has only been assessed at ground and first floor, noise levels at 2<sup>nd</sup> floor windows could also be higher than that predicted in the report.

In terms of the noise monitoring data, I am concerned that two separate methods have been applied to average the noise data with LAeq levels being logarithmically averaged and LA90 levels being arithmetically averaged, and no explanation has been provided to validate this method. I did request that the raw data for the LAeq and LA90 levels collected during the survey be provided but the raw data submitted appears only to include the LAeq data and I can therefore not assess the impact of using differing methods to average the noise data. It was also stressed when agreeing the noise methodology for the assessment, that using unannounced noise monitoring would add an extra measurement uncertainty to the data, however, I can find no reference within the report to uncertainty being accounted for in the noise calculations.

Given that the operational noise levels during the daytime when assessed at 6B California Street at ground floor level, have been predicted to be 48dB LAeq with a + 5 dB(A) penalty giving an overall Rating level of 53 dB(A) and background noise measurements being calculated at 53dB LA90, I am concerned that given the issues identified above that background noise levels could have been over predicted and operation noise levels could have been underpredicted.

I would advise that given the current predicted noise levels have already been calculated as being at the limits of exceeding the current background levels, and taking into consideration the validity issues raised above, I am concerned that operation noise could be higher than predicted and background noise levels could be lower than that calculated. This would result in noise levels from the development to exceed the current background noise levels and I will therefore be unable to support this application at this stage as it has not been demonstrated that noise from the development will not impact on existing background noise levels and the nearest noise sensitive properties. I would therefore have no option but to object to the application at this time.

If you have any queries, please let me know

Kind Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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**From:** Alec Higgins <AlecH@cspacoustics.co.uk>  
**Sent:** 05 April 2023 09:57  
**To:** Louise Akroyd <AkroydL@angus.gov.uk>  
**Cc:** cspacoustics@emalmyjob.com; James Tee <jamest@cspacoustics.co.uk>; Phil Birse <phil@pm-scot.com>  
**Subject:** Re: 20/00574/FULL & 20/00599/LBC - 1 - 5 America Street Montrose DD10 8DN

Hi Louise,

I can provide additional information within this email listed below:

The ambient soundscape on site either side of the unattended monitoring period comprised of movement of materials, either within the dock area or to and from docked vessels. This is noted in paragraph 3.05. Sound recordings made during the unattended survey also backed up this observation. To elaborate further on these points, the movement of materials consisted of many different sources of noise: consistent through all of them was machinery noise. This was mostly generated by cranes, but also forklifts and other vehicles within the dock area. The movement of materials also evidently consisted of impulsive noise from materials being dropped/lowered onto hard surfaces. The materials that were observed on site were pipes, sheets and other construction materials. The impulsive sources of noise were the largest contributors toward L<sub>max</sub> levels. The cranes also used heavy duty chains to hold some of these materials. These were also a large source of noise and were potentially one of the most noticeable sources against background along with the impulsive dropping of materials due to the peaks and troughs associated with the noise of the chains "clinking".

The survey was conducted from 14:00 on 1<sup>st</sup> December 2022 - 12:00 on 5<sup>th</sup> December 2022. I have attached the data along with weather data and periods of exclusion.

The 16hr window mentioned in Table 4 is an error. It should display 1hr for daytime as there will be no industrial sources of noise operational during the night-time period. I have updated this in our report.

Noise maps have only been included as a visual reference for the propagation of noise. We have not used noise maps for our calculations. That being said, I've also included a noise map for first floor levels (4m) in our updated report.

Warm Regards,

**Alec Higgins**  
 CSP Acoustics LLP  
 Acoustic Consultant

Fort Street House  
 Broughty Ferry  
 Dundee  
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 +44(0)141 375 9899 (DDI)  
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**From:** Louise Akroyd <AkroydL@angus.gov.uk>  
**Sent:** Thursday, March 16, 2023, 2:29 PM  
**To:** Alec Higgins <AlecH@cspacoustics.co.uk>  
**Cc:** z2\_Shenzhi Su <Shenzhis@cspacoustics.co.uk>; cspacoustics@emalmyjob.com <cspacoustics@emalmyjob.com>  
**Subject:** 20/00574/FULL & 20/00599/LBC - 1 - 5 America Street Montrose DD10 8DN

Good Afternoon Alec,

I have reviewed the above noise impact assessment and would ask if the following additional information could be provided.

I understand that noise monitoring was undertaken from 1<sup>st</sup> – 5<sup>th</sup> December, which included two hours of manned monitoring at the start and end. Could you please provide details of the start and finish time for the survey and detail the observations you recorded of the ambient sound for these two hour periods.

Table 4 gives the predicted noise levels averaged on a 16-hour period. Any assessment under BS4142 should be assessed over a 1-hour period for daytime and 15 min period for night-time, could this be explained and corrected.

Table 1 & 2 shows the LAeq logarithmically averaged noise levels and arithmetically averaged LA90 levels of the overall survey, but it does not specify over what measurement period noise levels during the survey were logged i.e. 1hr or reason for methods of averaging data. I also note that some measurement data was excluded as atypical. I would ask that the raw data for the LAeq and LA90 data collected during the survey be provided and that all excluded data be provided together with the reason why it was excluded. I would also ask for the weather data for the wind and rain etc for this period and show any data excluded for this as well.

Proposed methodology agreed stated that. Appendix C shows the map produced from the noise model/calculator. I note that this has been based over 1.5 metre, but consideration appears to have been given to 1<sup>st</sup> and 2nd floor levels which would not benefit from the same barrier attenuation as ground floor levels. Could additional noise maps, therefore, be provided showing the different receptor levels.

Once this has been provided, I will be in a position to send comments back to planning.

Kind Regards

Louise Akroyd

Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |

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**From:** Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>  
**Sent:** 26 January 2023 11:54  
**To:** Louise Akroyd <[AkroydL@angus.gov.uk](mailto:AkroydL@angus.gov.uk)>  
**Cc:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>  
**Subject:** FW: 20/00574/FULL & 20/00599/LBC - 1 - 5 America Street Montrose DD10 8DN

Louise,

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**  
**Location: 1 - 5 America Street Montrose DD10 8DN**  
**Reference: 20/00574/FULL & 20/00599/LBC**

Further to your comments regarding the Noise information required in relation to this application I can advise that we have now received the attached information.

Can I please ask you to review the information submitted and I would also ask for a timescale for a response given the request from the agent for a determination timeline.

Many thanks,

Damian.

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [brennandg@angus.gov.uk](mailto:brennandg@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)  
 (My pronouns are he/him)

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---

**From:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>  
**Sent:** 26 January 2023 10:08  
**To:** Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>  
**Cc:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>; Mark Cessford <[mark.cessford@rix.co.uk](mailto:mark.cessford@rix.co.uk)>; Maria Francké Planning <[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)>; Project Management Enquiries <[engs@pm-scot.com](mailto:engs@pm-scot.com)>  
**Subject:** 20/00574/FULL & 20/00599/LBC - 1 - 5 America Street Montrose DD10 8DN

**20/00574/FULL & 20/00599/LBC - 1 - 5 America Street Montrose DD10 8DN**

Damian,

Please find attached NIA in conjunction with the 2020 submitted design. It is our understanding that the submission of the NIA positions Angus Council planning to confirm that all relevant documentation as part of the 2020 submission has now been lodged, enabling determination to be formally progressed.

Please additionally find attached our response letter concluding the application submission documents from our team's side and on behalf of our client.

We respectfully now ask that the application be determined at the earliest opportunity and seek to request that this be by [Development Standards committee](#).

We kindly ask that you update us asap on the determination timeline.

Regards

Phil Birse  
 Project Management Scotland Ltd  
 26 Montrose Road  
 Forfar  
 DD8 2HT

Tel: [REDACTED]  
 Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)




---

**From:** Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>  
**Sent:** 24 January 2023 09:35  
**To:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>  
**Subject:** Re: America Street and Warehouse 4 Meridian Street

Phil,

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**  
**Location: 1 - 5 America Street Montrose DD10 8DN**  
**Reference: 20/00574/FULL & 20/00599/LBC**

Can I please ask for an update regarding the submission of an alternate proposal that retains more of the historic plan-form and interior of the building and the submission of an NIA.

I have pushed the determination date for the above applications back to 31 March 2023 in the interim and hope that we can achieve a satisfactory resolution to these applications within this timeframe.

**Proposal: Proposed Demolition of building and erection of a Class 5 and 6 general industrial warehouse**  
**Location: Warehouse 4 Meridian Street Montrose**  
**Reference: 21/00177/FULL & 21/00178/LBC**

Can I please ask for an update regarding the submission of the additional information in relation to these applications.

I have pushed the determination date for the above applications back to 31 March 2023 in the interim and hope that we can achieve a satisfactory resolution to these applications within this timeframe.

I trust the above is helpful in the meantime and look forward to your observations in relation to the above applications.

Regards,

Damian.

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [brennandg@angus.gov.uk](mailto:brennandg@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)  
 (My pronouns are he/him)

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Good Morning Su,

I can confirm that I am happy with the proposed noise methodology based on the noise sources for daytime and night-time indicated below (points 1-6) in your response dated 11 October 2022.

In terms of the noise survey, I would advise that my concern in regarding to unmanned monitoring is that you cannot identify the activities taking place and therefore cannot determine how representative noise from these activities are in terms of normal/regular port activities. This will therefore increase uncertainty of the measurement, however, I note that you will be increasing the period of manned monitoring but would stress that this needs to also include quieter periods on the port.

I hope this assists

Kind Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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**From:** Shenzi Su <[Shenzi@cspaceoustics.co.uk](mailto:Shenzi@cspaceoustics.co.uk)>  
**Sent:** 11 October 2022 12:57  
**To:** Louise Akroyd <[akroydl@angus.gov.uk](mailto:akroydl@angus.gov.uk)>  
**Cc:** Steven D Thomson <[thomsonSD@angus.gov.uk](mailto:thomsonSD@angus.gov.uk)>; Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>; Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>; [cspaceoustics@emailmyjob.com](mailto:cspaceoustics@emailmyjob.com)  
**Subject:** RE: 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

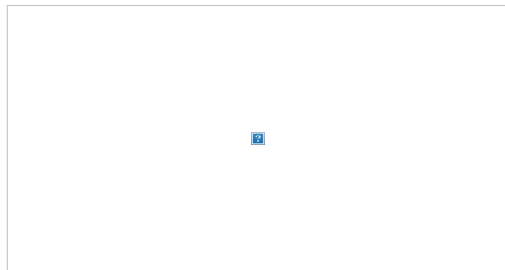
Hi, Louise,

Many thanks for getting back to us sooner than I expected. Your comments are very helpful.

After reflecting on your concerns and communicating with our client, I supply the following information and revised methodology for you to consider.

#### **New noise sources**

I were informed by our client that vehicles would travel to and from the building from North West on the port and not travel past the properties on California St as shown below. The speed could be lower to 1mph when approaching the warehouse. Delivery lorries will not enter the warehouse and only forklifts will. The port in front of the proposed ware house have sufficient space for lorries to turn around. It's not a gravel surface they would drive over. Port unloading / loading working hours would be endeavoured to be done between 7am – 7pm though the port operates 24/7. Land deliveries to the building would be between the hours of 8am – 5pm.



Thus the new noise sources would be:

1. Movement of delivery lorries
2. Movement of forklifts outside and inside the building
3. Movements of roller doors of the proposed warehouse
4. Loading and unloading activity noise outside roller doors
5. Loading and unloading activity noise at the port
6. Any fixed plant and equipment associated with the proposed development, as you pointed out

For new noise sources 1 to 5, they would only occur during daytime. So only daytime assessment would be carried out for these sources.

#### **Manned survey**

The manned survey is to be adopted only to help us understand better existing noise climate of the port. Existing activities at the port are not new noise sources. The objective of the noise survey is to catch representative background noise levels during daytime for assessing new sources, not existing port activity noise specifically. So, we don't see the necessary to catch every activity at the port during the manned survey. However, we are willing to extend our manned survey to 2 hours.

#### **Unmanned noise monitoring**

There are two tides a day. So within 3-5 days it is possible to have both high and low tides within day hours. In the case the 3-5 day survey does not include both high and low tides within day hours, we'll carry out additional unmanned noise monitoring for another 2 days.

As our standard practice, a weather station and audio recordings setting with an appropriate trigger level would be used along with monitoring sound meters. Abnormal data would be excluded in the post-analysis.

#### **Noise Criteria**

We agree that rating levels should not be higher than background levels for the BS4142 assessment.

As you mentioned the existing noise levels inside the nearby residential properties are likely exceeding BS8233 criteria with windows open. If rating levels of new sources are not higher than existing background noise levels, noise from new sources are likely to be masked largely by existing noise. If so they are unlikely to cause complaints. In addition, BS8233 states that their indoor ambient noise criteria "generally apply to steady sources" (page 22 of BS8233). It is expected noise from new sources are unsteady. Therefore, we don't see the BS8233 assessment is appropriate for this project.

We will assess noise from fixed plant and equipment as you suggested.

I hope that the above revisions with additional information are acceptable. Please me know if you have further comments. If the above explanation and revisions are unsatisfactory, could I suggest a telephone discussion at your convenience? Then I can understand your concerns better.

Regards,

Su

Shenzi Su B.Sc, M.Arch, M.Phil, Ph.D, MIOA  
 Senior Acoustic Consultant  
 CSP Acoustics LLP

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**From:** Louise Akroyd <[akroydl@angus.gov.uk](mailto:akroydl@angus.gov.uk)>  
**Sent:** Thursday, September 29, 2022 2:35 PM  
**To:** Shenzi Su <[Shenzi@cspaceoustics.co.uk](mailto:Shenzi@cspaceoustics.co.uk)>  
**Cc:** Steven D Thomson <[thomsonSD@angus.gov.uk](mailto:thomsonSD@angus.gov.uk)>; Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>; Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>  
**Subject:** RE: 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

Good Afternoon,

I would advise that I have reviewed the submitted noise methodology and have the following comments to make:

Noise Monitoring

I would agree that the two monitoring location selected would be acceptable.

I understand that only a 1 hour manned monitoring period will be undertaken on the site and I don't think this is sufficient given the varied and intermittent activities that take place in the port.

In terms of the unmanned noise monitoring, I note that this will only be for a period of 3-5 days. As activity in the port is largely dictated by the tides, I am concerned that this may compromise the data as it is likely that high and low tides will occur at roughly the same time each day during this monitoring period. The data should cover both high and low tides at night and during the day. I am also concerned as to how unmonitored noise data will be given some context i.e., how will you know what the source was, is it typical for the area and how will weather be taken into account. I would expect that infrequent noise events and data affected by weather would be excluded.

Noise Criteria

The noise assessment needs to be undertaken in accordance with BS4142:2014+A1:2019 but regard also needs to be taken for WHO internal daytime and night-time criteria for sleep disturbance and rest and relaxation for bedrooms and living rooms, assessed with windows partially open for ventilation.

I am concerned that noise levels at residential properties on Californian Street may already be experiencing levels above the WHO guidelines for rest and relaxation, which may warrant no increase in noise

levels from new developments when assessed in accordance with BS4142.

Any fixed plant and equipment i.e., air conditioning units, mechanical ventilation from the industrial unit and offices/staff kitchen needs to be assessed against Noise Rating Curve NR 35 between 0700 and 2300 hours and NR 25 between 2300 and 0700 hours, calculated within the nearest noise sensitive property with windows open.

#### Noise Sources

The report needs to adequately cover all possible types of noise sources from the proposed development. In particular, it will be vital to identify how vehicle movements will travel to and from the unit and how loading and unloading will take place from the unit e.g. the route of travel for vehicles, will there be an increase in vehicle movements that will travel past residential properties, what types of vehicle movements will take place (HGV, lorries, forklift trucks), how will vehicles enter and egress the building (manoeuvres may be tight due to limited space and require to reverse into the building and therefore reverse beepers noise needs to be considered), uneven road surface which would lead to more noise from forklift truck movements etc.

Noise prediction including mitigation measures

Full details of any calculations should be provided, and any assumptions should be justified.

In light of the above, the proposed noise assessment methodology is not agreed by this service.

Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection | Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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**From:** Shenzi Su <[Shenzi@cspaceoustics.co.uk](mailto:Shenzi@cspaceoustics.co.uk)>  
**Sent:** 09 September 2022 15:10  
**To:** Louise Akroyd <[akroydl@angus.gov.uk](mailto:akroydl@angus.gov.uk)>  
**Cc:** [cspaceoustics@emailmyjob.com](mailto:cspaceoustics@emailmyjob.com); Alec Higgins <[AlecH@cspaceoustics.co.uk](mailto:AlecH@cspaceoustics.co.uk)>  
**Subject:** 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

Dear Louise,

**20/00574/FULL Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure, 3 - 5 America Street, Montrose, DD10 8DN**

CSP Acoustics have been appointed to carry out a Noise Impact Assessment for the development above and wish to agree our methodology and criteria with Angus Council.

The development seeks to demolish the existing buildings, leaving the perimeter external walls. The listed façade will be retained and incorporated into the design of the new development. The development will comprise of O&M office spaces, welfare facilities and storage/warehouse space.

It is understood that Angus Council has concerns regarding the 24 hr nature of the activity at the proposed warehouse impacting upon existing residential receptors.

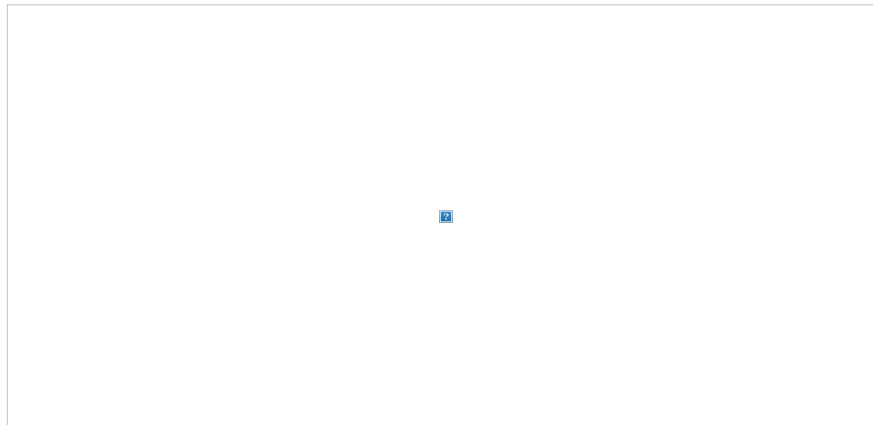
It is not clear what will be stored in the warehouse. However, it has been made clear that it is not anticipated that any industrial operations will be carried out, and the use of any large-scale machinery or equipment has been ruled out. It is recognised that Angus council's concerns are specifically regarding the loading/unloading of material from the warehouse.

According to the proposed site plan, the most-affected residential properties are likely to be 8 at ground floor and 6B at 1st and 2nd floor of California St. Due to the nature of the noise to be introduced by the proposed development, a BS4142 assessment is proposed.

The detailed methodology and criteria are proposed as below:

- A walk around noise survey would be carried out to understand noise climate of the site and residential properties facing California St. Carry out a one-hour attended noise measurement at the boundaries of the garden of 8 California St. as marked as NMP1 (1.5m above the ground) on the drawing below. Comprehensive notes will be taken whilst the surveyor is on site.
- Carry out an unattended noise survey at the two locations (1.5m - 3m above the ground depending on practicality of the installation of meters and subject to the agreements of the residents) marked as NMP1 and NMP2 on the drawing over the course of 3-5 days covering both weekdays and weekends to establish representative background noise levels for 8 and 6B California St. for the sides facing towards and away the quay respectively.
- As the warehouse does not exist currently, it is impossible to measure loading and unloading noise directly. CSP Acoustics' library data obtained from a typical warehouse would be used to predict the warehouse noise levels emitted from its doors and envelopes in the garden of 8 California St and at windows of 6B and 8 California St.
- The predicted noise from warehouse activity will be assessed following guidance set out in BS 4142:2014+A1:2019.
- Should the assessment predict excess of rating over background sound level more than +5dB then appropriate noise mitigation measures will be proposed in order not to exceed by +5dB.

Please let me know if you agree with the above methodology and criteria or if you wish to make any changes. I look forward to hearing from you.



Regards,

Su

Shenzi Su *B.Sc, M.Arch, M.Phil, Ph.D, MIOA*  
Senior Acoustic Consultant  
CSP Acoustics LLP

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**Ed Taylor**

---

**Subject:** FW: 1-5 America Street, Montrose - 20/00574/FULL

---

**From:** Andrew Brown <BrownA@angus.gov.uk>  
**Sent:** 03 August 2023 12:18  
**To:** Ed Taylor <TaylorE@angus.gov.uk>  
**Subject:** RE: 1-5 America Street, Montrose - 20/00574/FULL

Hi Ed,

Thank you, I confirm that I am content with this approach, although can you please amend to "medium to high" risk of coastal flooding?

I also note that the re-development is within the same use class as the existing infrastructure and as such is in accordance with SEPA's land use vulnerability guidance.

<https://www.sepa.org.uk/media/143416/land-use-vulnerability-guidance.pdf>

Kind regards,

Andrew

**Andrew Brown | Design Engineer – Coastal, Flood Risk and Structures Team | Angus Council | Tel: 01307 491824 | [BrownA@angus.gov.uk](mailto:BrownA@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)**



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**From:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>  
**Sent:** 03 August 2023 12:07  
**To:** Andrew Brown <[BrownA@angus.gov.uk](mailto:BrownA@angus.gov.uk)>  
**Subject:** 1-5 America Street, Montrose - 20/00574/FULL

Hi Andrew

1-5 America Street, Montrose - 20/00574/FULL

Further to telephone conversation, I would summarise the situation in a handling report as follows:-

**The application site is located with an area which SEPA flood maps identify as being at medium to high risk of coastal flooding. The application is not supported by a flood risk assessment, which would normally be expected where a new building is proposed in the functional flood plain. It is noted that the overall building footprint on site is likely to reduce as a result of the proposed demolition and redevelopment, which may help to reduce flood risk elsewhere in the area. Were the proposal otherwise acceptable, a flood risk assessment would be required which considers all sources of flooding and illustrates how the proposed building has been designed to take account of flood risk and resilience.**

Can you confirm if you agree this this paragraph accurately summarises the situation?

Appreciate your help , cheers

Ed Taylor | Team Leader - Development Standards | Angus Council | 01307 492533 | [TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)



**From:** [Ed Taylor](#)  
**To:** [Andrew Brown](#)  
**Subject:** FW: 20/00574/FULL | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America St  
**Date:** 18 September 2023 08:29:00

---

Hi Andrew

SEPA has responded to the America Street proposal for Rix Shipping as detailed below. As a result of their response I've amended my summary of the road flooding response to read as follows:-

**SEPA** – No objection on the basis that the dockside building proposed is considered to be a water compatible use, and provided there would be no land raising within the site or tanking to prevent water entering the building, then there will be no impact elsewhere on fluvial and tidal reach.

**Flood Prevention Authority** - The application site is located with an area which SEPA flood maps identify as being at medium to high risk of coastal flooding but is within the same use class as the existing use and as such is in accordance with SEPA's land use vulnerability guidance.

Thanks for your help. I was keen to get SEPA's input because despite the proposal we are currently considering being unacceptable, we are extremely keen to find a solution for the site which has a lesser impact on listed buildings within it.

Decision to go out today.

Thanks for your help

Regards, Ed

Ed Taylor | Team Leader - Development Standards | Angus Council | 01307 492533 | [TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)

---

**From:** Milne, Alasdair <[alasdair.milne@SEPA.org.uk](mailto:alasdair.milne@SEPA.org.uk)>  
**Sent:** Monday, August 21, 2023 10:24 AM  
**To:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>  
**Subject:** RE:20/00574/FULL | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America Str

OFFICIAL

Hi Ed.

Further to your email of last Tuesday.

We would have no concerns with regard to flood risk – as this needs to be here for operational reasons given what it is we would see it as 'water compatible' – as long as it is not landraised or

tanked to prevent water entering the building, then there will be no impact elsewhere on this fluvial and tidal reach.

Trust this is of assistance.

Regards  
Alasdair

Alasdair Milne  
Senior Planning Officer  
SEPA, Angus Smith Building, 6 Parklands Avenue, Eurocentral, Holytown, North Lanarkshire, ML1 4WQ  
Mobile [REDACTED]

---

OFFICIAL

**From:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>  
**Sent:** Tuesday, August 15, 2023 2:48 PM  
**To:** Milne, Alasdair <[alasdair.milne@SEPA.org.uk](mailto:alasdair.milne@SEPA.org.uk)>  
**Subject:** 20/00574/FULL | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America Street

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Hi Alasdair

**[20/00574/FULL](#) | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America Street Montrose DD10 8DN**

Thanks for your call.

The application is for redevelopment of the site for a dock facing storage shed and an office block at the rear. The building would be used for purposes associated with the port and the applicant has described it as an operation and maintenance building.

The existing buildings on site are listed and comprise the former Joseph Johnston & Sons fish curing works, which accommodates a manager's house, offices and storage/fish processing buildings.

The site is located in an area of medium to high risk of coastal flooding but the application is **not** accompanied by a flood risk assessment.

The application is being refused due to it involving substantial demolition of a listed building and because the noise information doesn't demonstrate no adverse impact on residential receptors, but I'm looking to square off flooding issues and to establish whether SEPA would have any interest in the proposal. Any comment you can provide would be appreciated.

Thanks for your help.

Regards, Ed

**From:** Mario Cariello  
**To:** Phil Birse; Damian G Brennan  
**Cc:** Maria Francké Planning; Project Management Enquiries; Steven Robb  
**Subject:** RE: 20/00574/FULL & 20/00599/LBC, 1 - 5 America Street Montrose DD10 8DN, Montrose - Marketing Update  
**Date:** 02 February 2022 17:38:49  
**Attachments:** image005.png  
 image006.png  
 image007.png  
 image008.png  
 image009.png  
 image010.jpg  
 image011.jpg

Dear Damian and Phil,

We have considered the additional information submitted about the ongoing marketing of 1 – 5 America Street, Montrose, and would like to make the following comments.

While we note the listed building has now been marketed for six months, the marketing particulars were updated to reflect some of the advice from us and Angus Council (AC) back in October (2021). Furthermore, we are concerned that a price, or guide price, has not since been included, which we have previously advised should be added (as per our guidance) – most recently in our email dated 07/12/2021. The value of the building in its current condition should be determined to inform the price advertised. Working out that there is no viable scheme for the site is a prerequisite for marketing, but we don't seem to have received any site valuations throughout this process. If the site, with retention of the listed buildings, is worth a nominal fee then this should be noted on the guide price.

It is possible the absence of a guide price may be having a detrimental impact on potential interest from a restoring purchaser. Shepherd Commercial's letter (dated 19/01/2022) indicates that there were a couple of interested parties seeking an asking price for the property and that they were unwilling to discuss their proposals for the listed building. Where appropriate, we suggest AC approaches these interested parties directly to investigate their proposals before they are discounted as a possible purchaser. A development brief may help encourage interest. A distressed sale should not be discounted, particularly if a potential purchaser proposes a sympathetic scheme for the listed building's development. The applicant has already explained that the building has a conservation deficit, therefore - from our understanding of a distressed sale - this should be acceptable.

Following our Managing Change guidance on the Demolition of Listed Buildings, we therefore consider these are circumstances in which a longer period of marketing (i.e. more than six months) is appropriate. Specifically, we suggest marketing of the building could extend to the beginning of April (marking six months since the updated marketing brochure of October 2021) with consideration made to a further extension given the current absence of a guide price.

As the designated contact for Historic Environment Scotland on the marketing brochure, I can confirm I have not as yet received any enquiry regarding the potential purchase or development of 1 – 5 America Street. Alternative purchasers to consider approaching may include community groups or art collectives (e.g. WASPS).

To conclude, we would like to repeat that this marketing process is different from the normal marketing of a building for sale. It is specifically undertaken to find whether any purchasers are willing to use the (significant) buildings on the site without recourse to complete or substantial demolition. If the applicant's argument is that nothing can be done with the site, e.g. there is a significant conservation deficit (even with selective demolition on the site), then the guide price should be nominal. Having an open guide price would help establish beyond doubt whether or not there is any interest in taking on the buildings. It goes without saying that the applicant is not bound to accept any price, and our hope remains that the applicant brings forward their own scheme with partial demolition and reuse.

I hope the response above makes our view clear, though my manager and I are happy to help clarify any comments if necessary.

Kind regards,  
 Mario

**Mario Cariello | Historic Buildings Adviser**  
 Planning, Consents and Advice Service (PCAS) | Heritage Directorate  
 Historic Environment Scotland | Àrainneachd Eachdraidheil Alba  
 Longmore House, Salisbury Place, Edinburgh EH9 1SH  
 T: 0131 668 8917

M: [REDACTED] [Find out more about our work via our quarterly Heritage Newsletter: LINTEL](#)  
 E: [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

East Team – Historic Buildings: Aberdeen, Aberdeenshire, Angus, City of Dundee, City of Edinburgh, Clackmannan, Comhairle nan Eilean Siar, East Lothian, Fife, Midlothian, Scottish Borders, West Lothian

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**From:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>  
**Sent:** 26 January 2022 10:38  
**To:** BrennanDG <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>; Mario Cariello <[mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)>  
**Cc:** Maria Francké Planning <[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)>; Project Management Enquiries <[enq@pm-scot.com](mailto:enq@pm-scot.com)>  
**Subject:** FW: 20/00574/FULL & 20/00599/LBC, 1 - 5 America Street Montrose DD10 8DN, Montrose - Marketing Update

Morning Damian,

Please find attached letter and marketing update on 1 – 5 America Street. We would appreciate a timely response back to understand outlook from AC planning and HES.

Kind Regards

Phil  
 Project Management Scotland Ltd  
 26 Montrose Road  
 Forfar  
 DD8 2HT

Tel: [REDACTED]  
 Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)



**From:** Damian G Brennan [<mailto:BrennanDG@angus.gov.uk>]  
**Sent:** 02 September 2021 15:06  
**To:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>; [maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)  
**Subject:** RE: 20/00574/FULL & 20/00599/LBC, 1 - 5 America Street Montrose DD10 8DN, Montrose - Marketing Update

Dear Ms Francke & Mr Birse,

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**  
**Location: 1 - 5 America Street Montrose DD10 8DN**  
**Reference: 20/00574/FULL & 20/00599/LBC**

Further to your email below regarding the marketing of the above property I can confirm that I have been able to review and discuss the marketing of the property further and have also received the attached consultation response from Historic Environment Scotland (HES) in relation to the marketing of the property.

The response received from HES suggests a number of revisions which include recommendations in relation to the length of time the building should be marketed for (6 months), price (£1 not uncommon), marketing information should specify that any development must retain the majority of the building; adding HES contact details to the marketing information and our contact details to the marketing information to advise what is achievable; and the marketing of the building directly to potential restoring purchasers.

I would ask that you review the response received from HES and confirm what actions you will seek to take to incorporate their comments into the marketing of the building.

I have now recorded an extension of time with the amended timescales as set out below against the applications to allow for the marketing of the building in the manner advised by HES and to allow for the determination of the applications.

This processing agreement is provisional and can be adapted on confirmation of a timescale for the marketing of the building in the manner advised.

In accordance with Regulation 24 and Regulation 26 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, I would propose the following revised timescales:

Required Information/Processes to be Completed	Timescale
Arrange for the marketing of the building in the manner advised by HES.	on or before 30 September 2021

Angus Council will undertake the following activities within the specified timescales:

Processes to be Completed	Timescale
Consult HES on any additional information that has been submitted on or before 30 September 2021 if required.	on or before 1 October 2021
Allow interested parties and consultees a period of 21 days to make further comment.	
Determine the planning application	on or before 27 May 2022

I will record this correspondence against the application to allow for the submission of the information requested and trust this is an acceptable course of action.

I have allowed for a relatively long timeframe for the determination of the application in response to the comments received from HES. If additional time is required in relation to the marketing of the building, I would be happy to revise the timescales set out.

I hope that the above is of assistance and look forward to the submission of the information indicated.

Yours sincerely,

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [brennandg@angus.gov.uk](mailto:brennandg@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)  
 (My pronouns are he/him)

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**From:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>  
**Sent:** 16 August 2021 09:19  
**To:** Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>; Mario Cariello <[mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)>  
**Cc:** Project Management Enquiries <[enq@pm-scot.com](mailto:enq@pm-scot.com)>  
**Subject:** 20/00574/FULL & 20/00599/LBC, 1 - 5 America Street Montrose DD10 8DN, Montrose - Marketing Update

Damian / Mario,

please see below from Maria to keep you updated on America St, Marketing progress.

Kind Regards

Phil Birse  
 Project Management Scotland Ltd  
 26 Montrose Road  
 Forfar

DD8 2HT

Tel: [REDACTED]  
Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)



---

**Location: 1 - 5 America Street Montrose DD10 8DN**  
**Reference: 20/00574/FULL & 20/00599/LBC**

Marketing Activity

The property is being marketed by J&E Shepherd. Marketing commenced on 13<sup>th</sup> July 2021. There is a sign board erected on the site and the details of the property are live on the company's website and various public commercial agency websites (including Novaloca, EGi, CoStar). <https://www.shepherd.co.uk/commercial/property/details/5919>  
J&E Shepherd has also sent emails directly to local and national heritage groups/trusts advising them of the property's availability and attaching the property details.

Expressions of Interest or Enquiry

J&E Shepherd advise that to date, there have been 5 parties noting interest and making enquiries. One party was only interested in the yard area. Another party viewed the site. There has been no further interest following the enquires or site visit.



maria francké planning

[REDACTED]  
[maria@mfpplanning.co.uk](mailto:maria@mfpplanning.co.uk) | [www.mfpplanning.co.uk](http://www.mfpplanning.co.uk)

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Historic Environment Scotland - Scottish Charity No. SC045925  
Registered office: Longmore House, Salisbury Place, Edinburgh, EH9 1SH  
Historic Environment Scotland Enterprises Ltd – Company No. SC510997  
Registered office: Longmore House, Salisbury Place, Edinburgh, EH9 1SH  
Scran Ltd – Company No. SC163518  
Registered office: John Sinclair House, 16 Bernard Terrace, Edinburgh, EH8 9NX

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**From:** [Milne, Alasdair](#)  
**To:** [Ed Taylor](#)  
**Subject:** RE:20/00574/FULL | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America Str  
**Date:** 21 August 2023 10:24:15

---

OFFICIAL

Hi Ed.

Further to your email of last Tuesday.

We would have no concerns with regard to flood risk – as this needs to be here for operational reasons given what it is we would see it as ‘water compatible’ – as long as it is not landraised or tanked to prevent water entering the building, then there will be no impact elsewhere on this fluvial and tidal reach.

Trust this is of assistance.

Regards  
Alasdair

Alasdair Milne  
Senior Planning Officer  
SEPA, Angus Smith Building, 6 Parklands Avenue, Eurocentral, Holytown, North Lanarkshire, ML1 4WQ  
Mobile [REDACTED]

---

OFFICIAL

**From:** Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>  
**Sent:** Tuesday, August 15, 2023 2:48 PM  
**To:** Milne, Alasdair <[alasdair.milne@SEPA.org.uk](mailto:alasdair.milne@SEPA.org.uk)>  
**Subject:** 20/00574/FULL | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America Street

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Hi Alasdair

**[20/00574/FULL](#) | Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure | 1 - 5 America Street Montrose DD10 8DN**

Thanks for your call.

The application is for redevelopment of the site for a dock facing storage shed and an office block at the rear. The building would be used for purposes associated with the port and the applicant has described it as an operation and maintenance building.

The existing buildings on site are listed and comprise the former Joseph Johnston & Sons fish curing works, which accommodates a manager's house, offices and storage/fish processing buildings.

The site is located in an area of medium to high risk of coastal flooding but the application is **not** accompanied by a flood risk assessment.

The application is being refused due to it involving substantial demolition of a listed building and because the noise information doesn't demonstrate no adverse impact on residential receptors, but I'm looking to square off flooding issues and to establish whether SEPA would have any interest in the proposal. Any comment you can provide would be appreciated.

Thanks for your help.

Regards, Ed

Ed Taylor | Team Leader - Development Standards | Angus Council | 01307 492533 |  
[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)

## Comments for Planning Application 20/00574/FULL

### Application Summary

Application Number: 20/00574/FULL

Address: 1 - 5 America Street Montrose DD10 8DN

Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure|cr|

Case Officer: Damian Brennan

### Customer Details

Name: Mr Robert Hall

Address: 6b California Street Montrose DD10 8DW

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Couple of concerns as resident, with new proposed building, will it impact on sun in our shared garden as it is limited primarily by our own property, but will it now be further impeded by new building.

Will building works take into account our joined buildings, namely the main property, which may affect insulation/structure as I believe they are joined. Also the 2 wash-houses which we now use as our shed, have already poor roofing any works close may make this worse until we are able ourselves to have it repaired properly, which now seems no point as building works will no doubt require some removal on this side (California Street) of the building.



# **Comments for Planning Application 20/00574/FULL**

## **Application Summary**

Application Number: 20/00574/FULL

Address: 1 - 5 America Street Montrose DD10 8DN

Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure|cr|

Case Officer: Damian Brennan

## **Customer Details**

Name: Miss Charlotte May

Address: 16 River Street Montrose DD10 8DL

## **Comment Details**

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Although I agree the proposal will bring in jobs and will make the area look better, I have real concerns about the entrance of the lower floor car park. The entrance/exit onto River Street is not a good idea. There is a bend which cannot be seen around and cars do fly around it. Due to the cars being parked on the double yellow lines and pavement at the garage opposite regularly lorries have to go round the bend on the wrong side of the road. There is already 3 roads coming onto River Street within a short distance (our house, California street and America street) so adding another would add to how busy it can be. Due to the garage opposite the lorries coming out of the harbour via America street struggle and one day as a car was also parked in America street the lorry physically could not turn out onto the road till the car outside the garage was moved. I think having the entrance/exit where proposed is an accident waiting to happen. If it does go ahead then something must be done to stop the garage parking on the double yellows/pavement, cars parking in America Street and to ensure the safety of everyone around that bend. As it is you need to be careful where you cross the road so you can see up and down the road (my daughter and others have to cross in order to go to the Academy) so throwing into the mix another place where cars will be going in and out of is a concern.

With exception of the lower car park entrance from what I have seen I am okay with the proposal although would like to know more about noise/hours being worked/numbers of people in order to know the impact on myself and others around; also the structural impact on buildings in the area.

## Comments for Planning Application 20/00574/FULL

### Application Summary

Application Number: 20/00574/FULL

Address: 1 - 5 America Street Montrose DD10 8DN

Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure|cr|

Case Officer: Damian Brennan

### Customer Details

Name: Mr Andrew Stephen

Address: 4 California Street Montrose DD10 8DW

### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

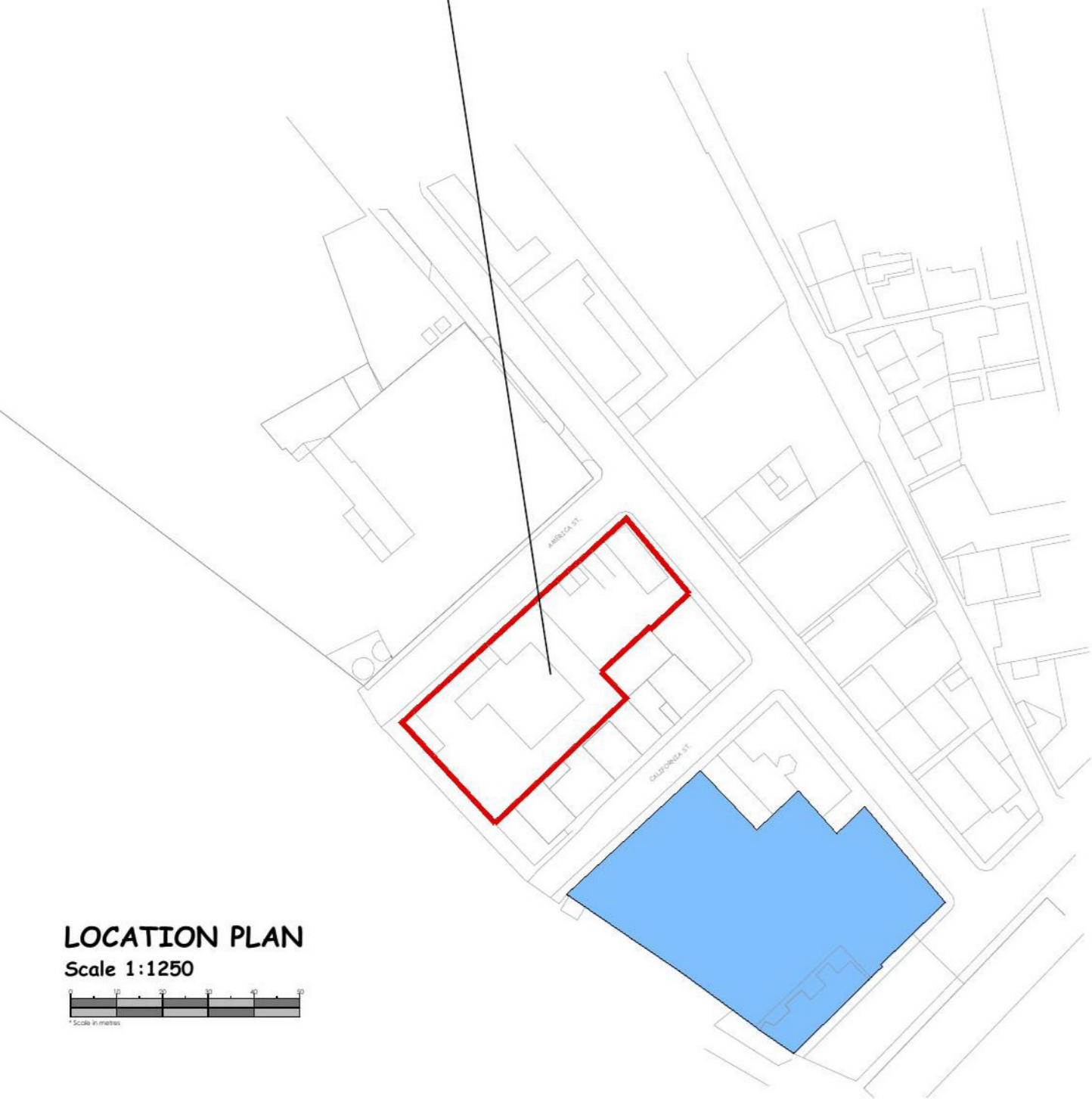
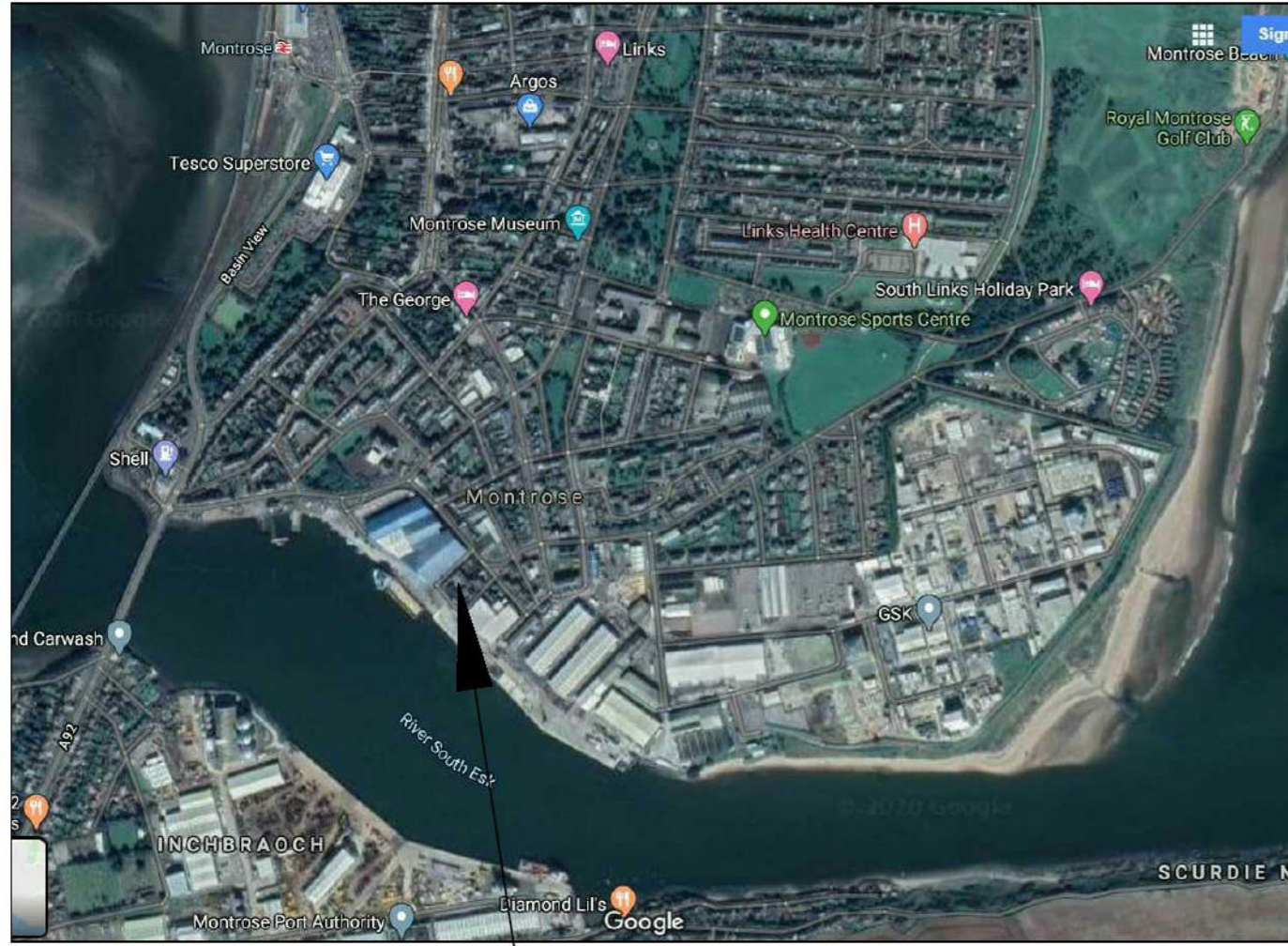
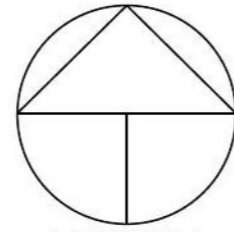
Comment Reasons:

Comment:Concerns what noise and air pollution there would be due to the proposed car park.

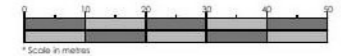
We have an outhouse which is attached to the outer wall of proposed car park what impact will this have on use when work is undertaken?

What will be happening to the two windows and old flue pipe in our garden which are on proposed car park wall





LOCATION PLAN  
Scale 1:1250



EXISTING SITE PLAN  
Scale 1:500



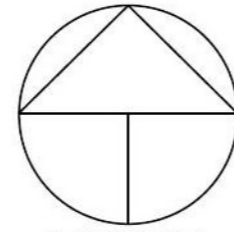
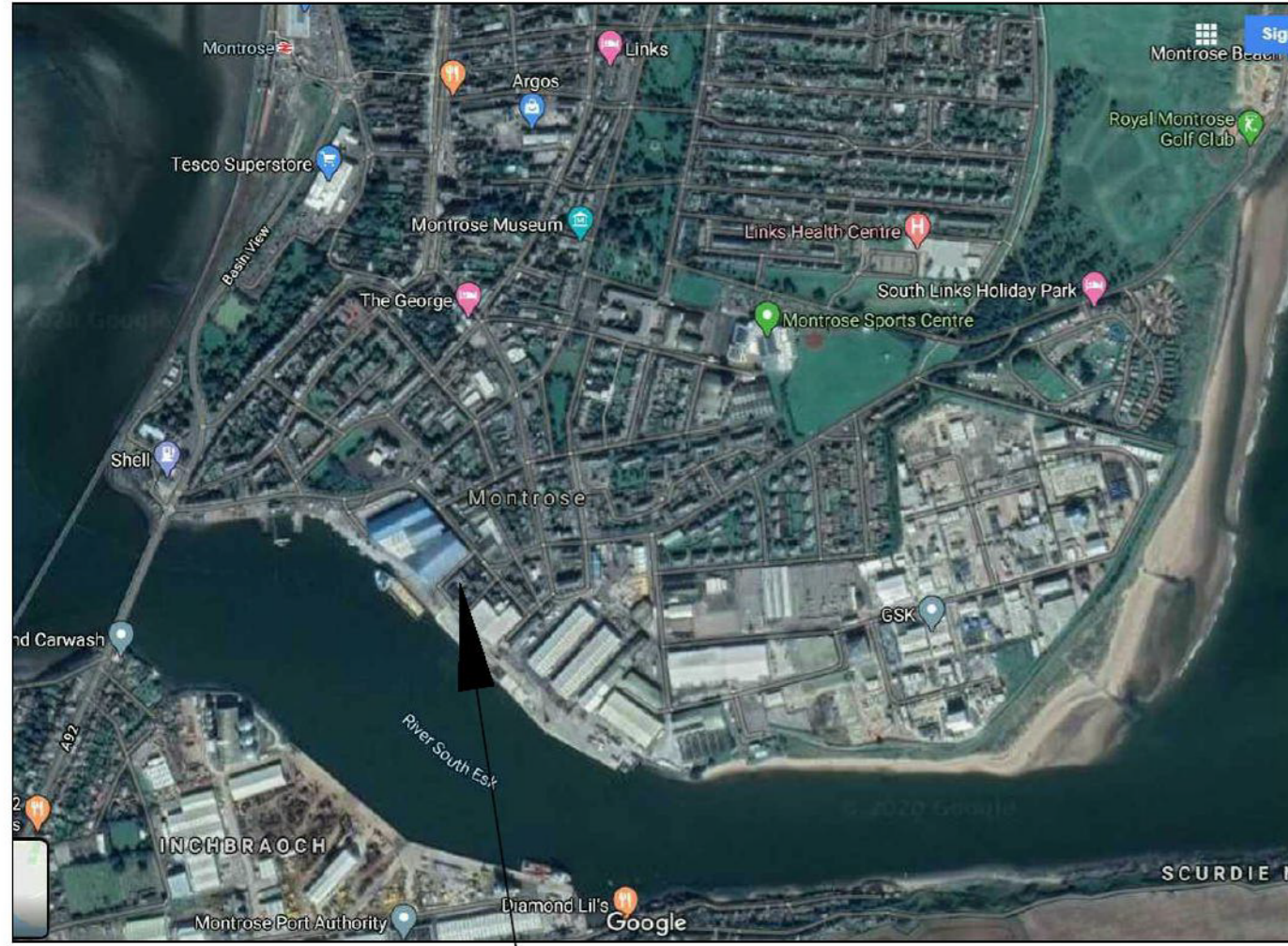
LAND OWNED BY APPLICANT IN PROXIMITY TO THE APPLICATION SITE

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CLIENT	RIX
PROJECT	RE DEVELOPMENT OF SITE
ADDRESS	1 - 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 -100 PL
Revision A - 20.08.20 *land owned by applicant added	
SCALE	1:1250 & 1:500 FOR A2 PRINT
DATE	JULY 2020
DRAWN BY	



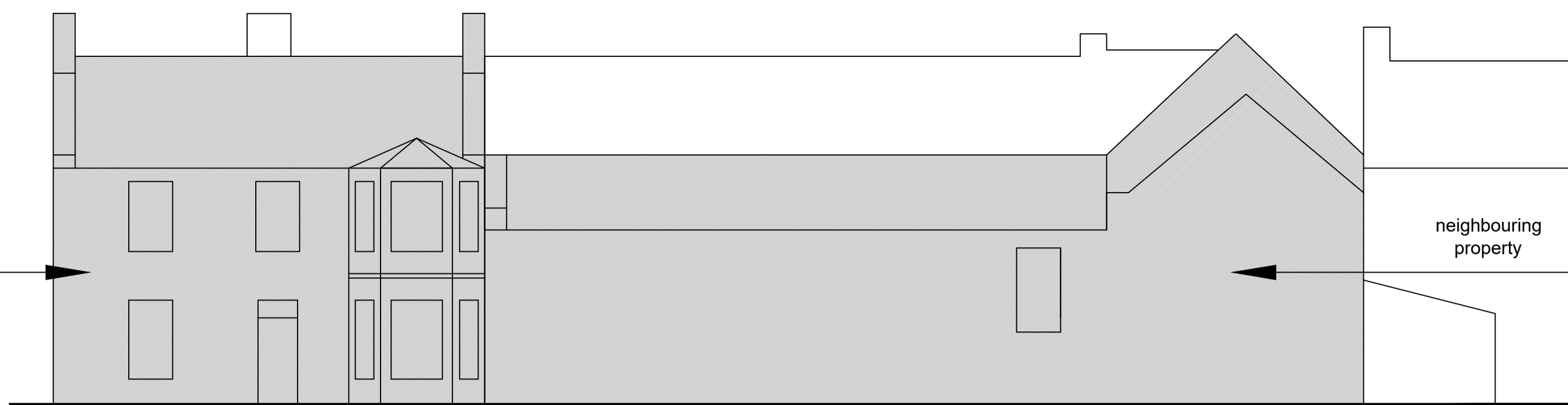


■ LAND OWNED BY APPLICANT IN PROXIMITY TO THE APPLICATION SITE

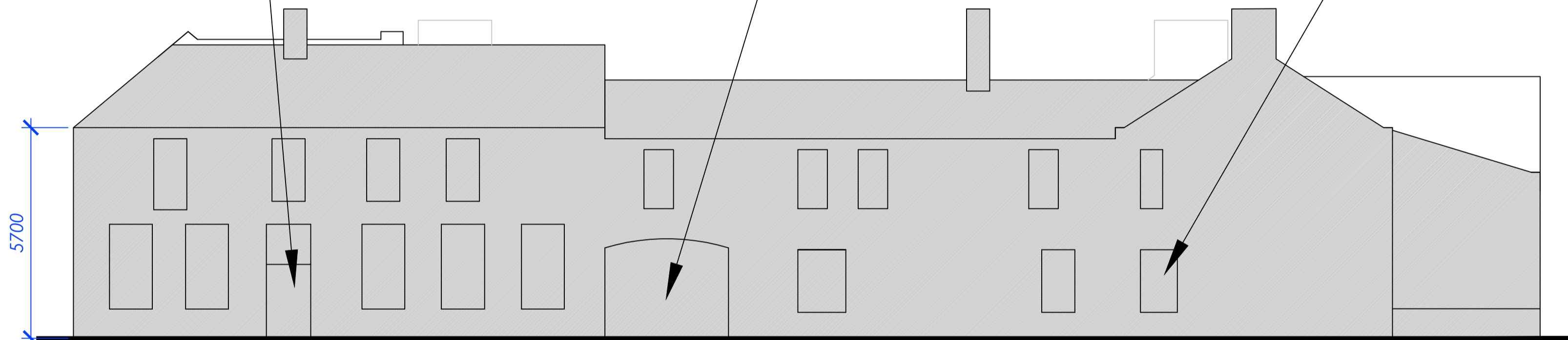
Revision A - 20.08.20  
 \*land owned by applicant added  
 Revision B - 29.08.20  
 \*plan updated to inc. neighbouring garage  
 Revision C - 15.12.20  
 \*site boundary updated against title deeds

CLIENT	RIX
PROJECT	RE DEVELOPMENT OF SITE
ADDRESS	1 - 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 -100 PL
SCALE	1:1250 & 1:500 FOR A2 PRINT
DATE	JULY 2020
DRAWN BY	[REDACTED]

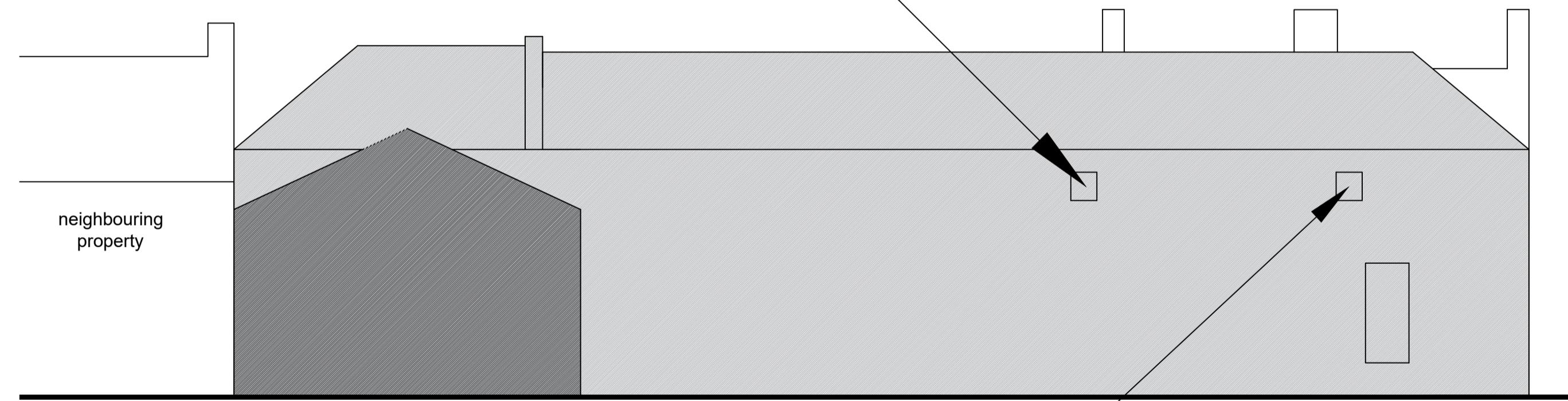




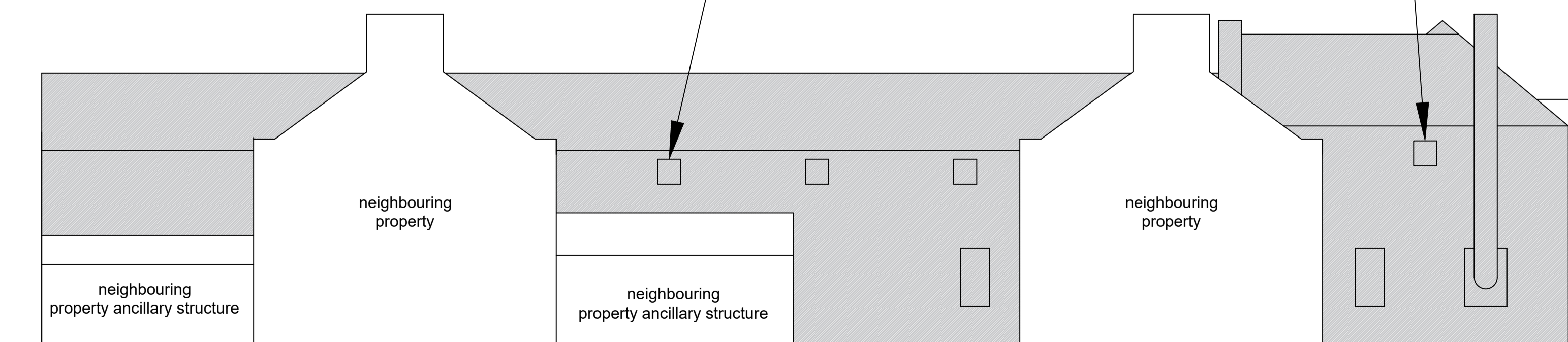
**EXISTING SOUTH WEST ELEVATION (Port Side)**  
Scale 1:100



**EXISTING NORTH WEST ELEVATION (America St Side)**  
Scale 1:100



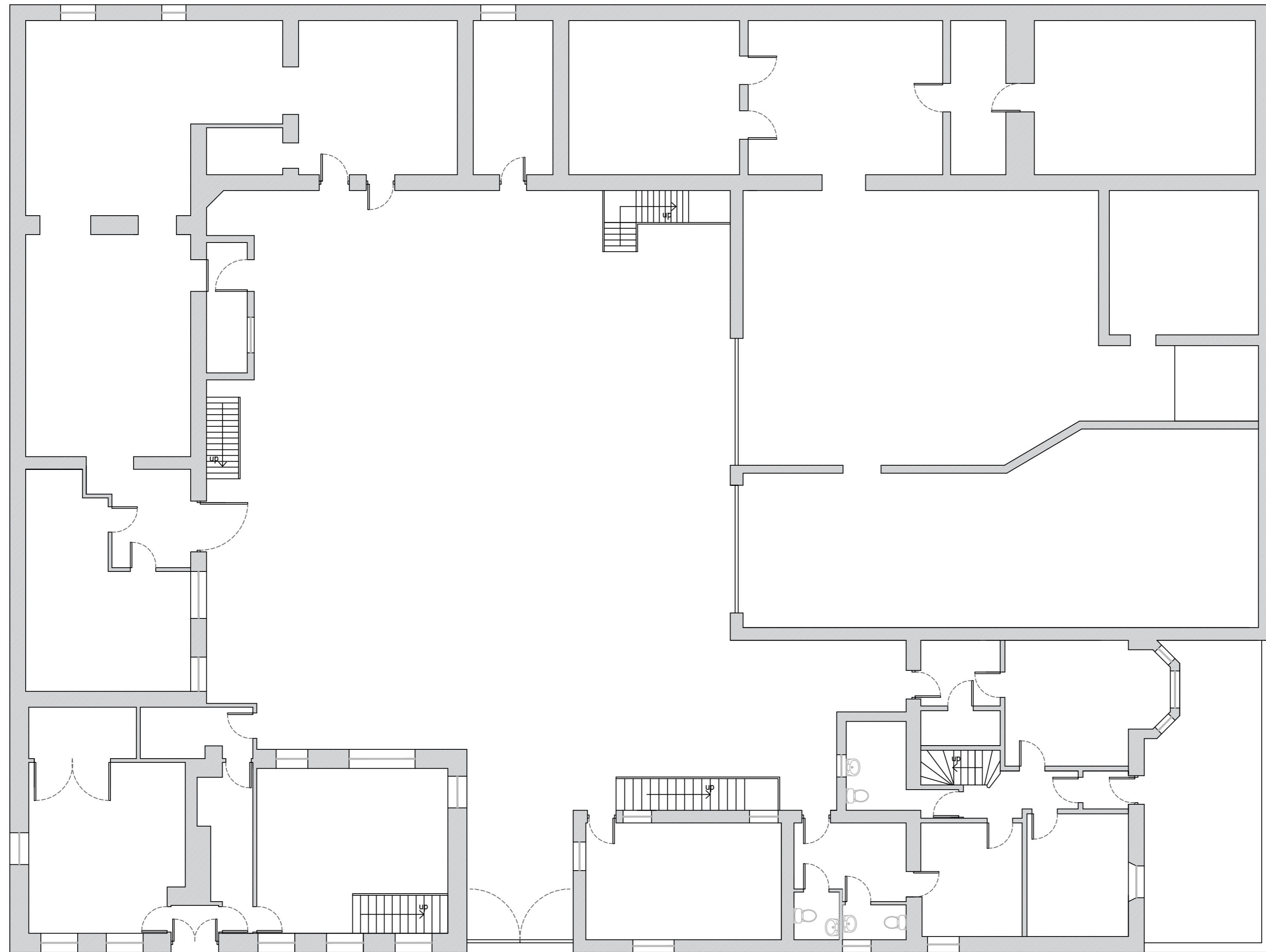
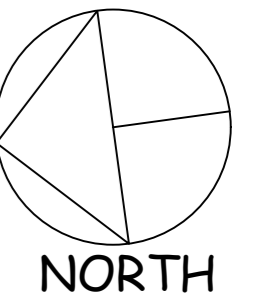
**EXISTING NORTH EAST ELEVATION (Yard Side)**  
Scale 1:100



**EXISTING SOUTH EAST ELEVATION (California St Side)**  
Scale 1:100

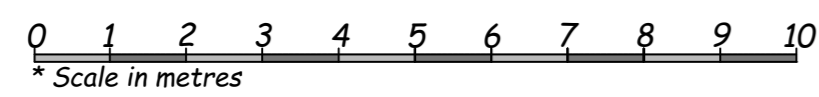
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PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 116 PL
SCALE	1:100 FOR A1 PRINT
DATE	DECEMBER 2020
DRAWN BY	





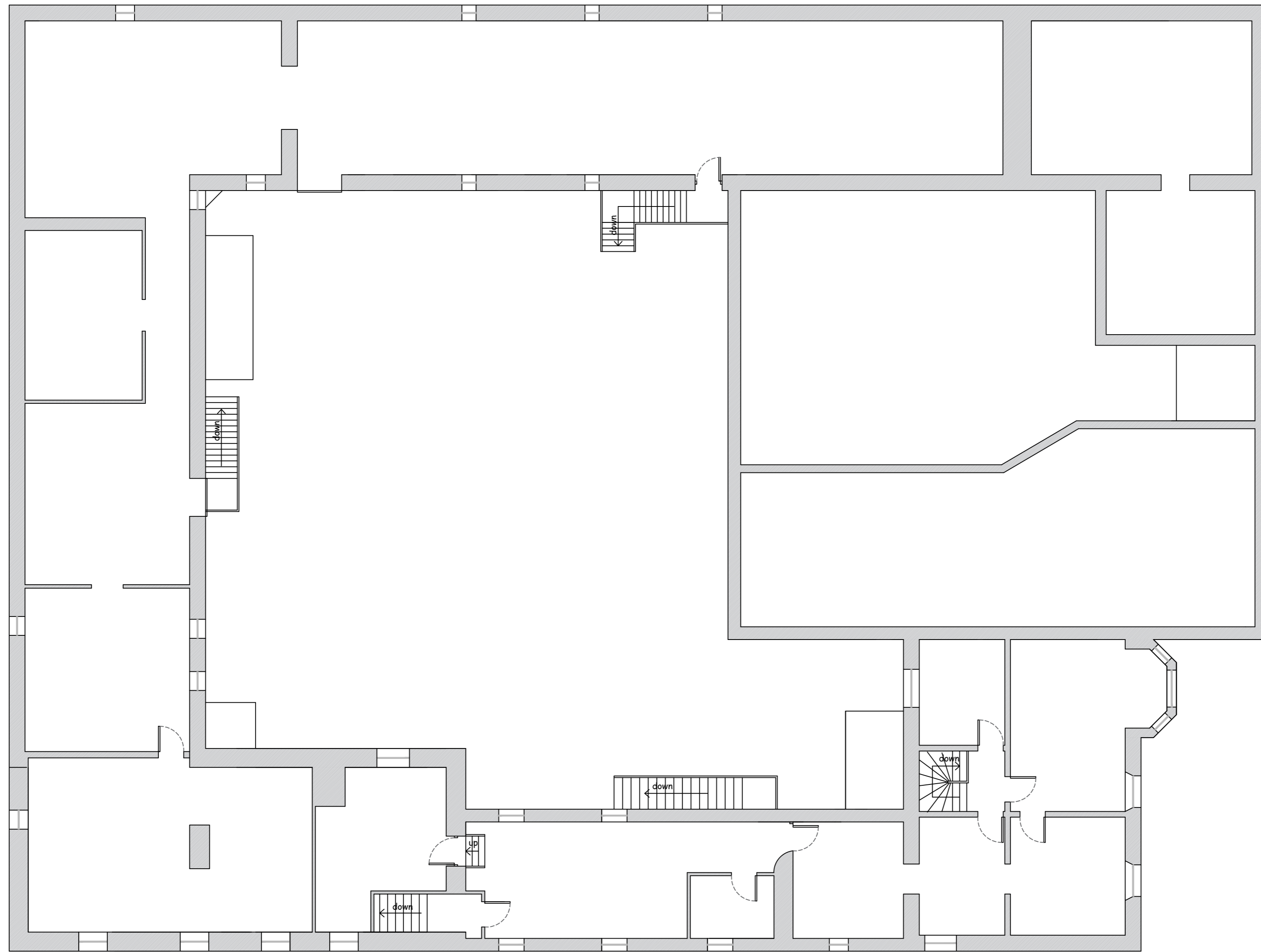
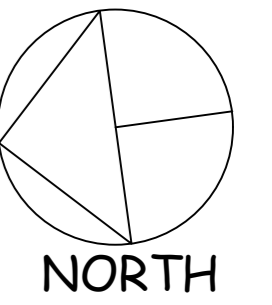
**EXISTING GROUND FLOOR**

Scale 1:100



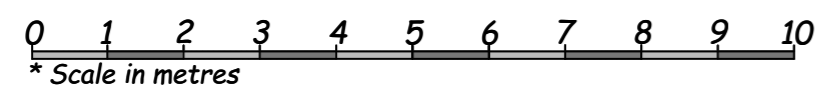
\* Scale in metres


CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 105 PL
SCALE	1:100 FOR A2 PRINT
DATE	DECEMBER 2020
DRAWN BY	



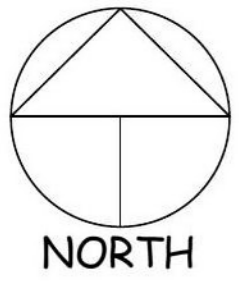
**EXISTING FIRST FLOOR**

Scale 1:100

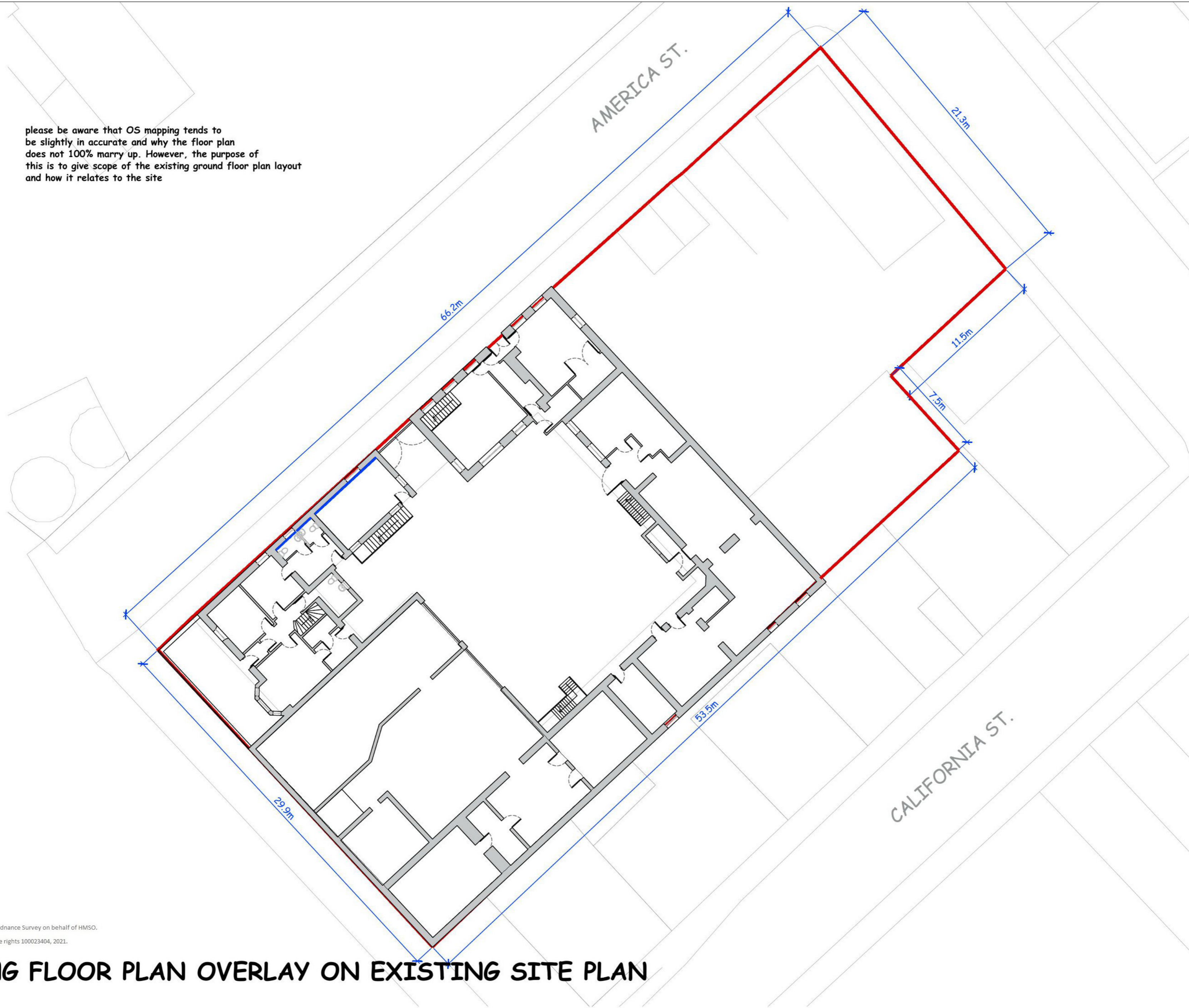


CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
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SCALE	1:100 FOR A2 PRINT
DATE	DECEMBER 2020
DRAWN BY	





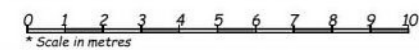
please be aware that OS mapping tends to be slightly inaccurate and why the floor plan does not 100% marry up. However, the purpose of this is to give scope of the existing ground floor plan layout and how it relates to the site



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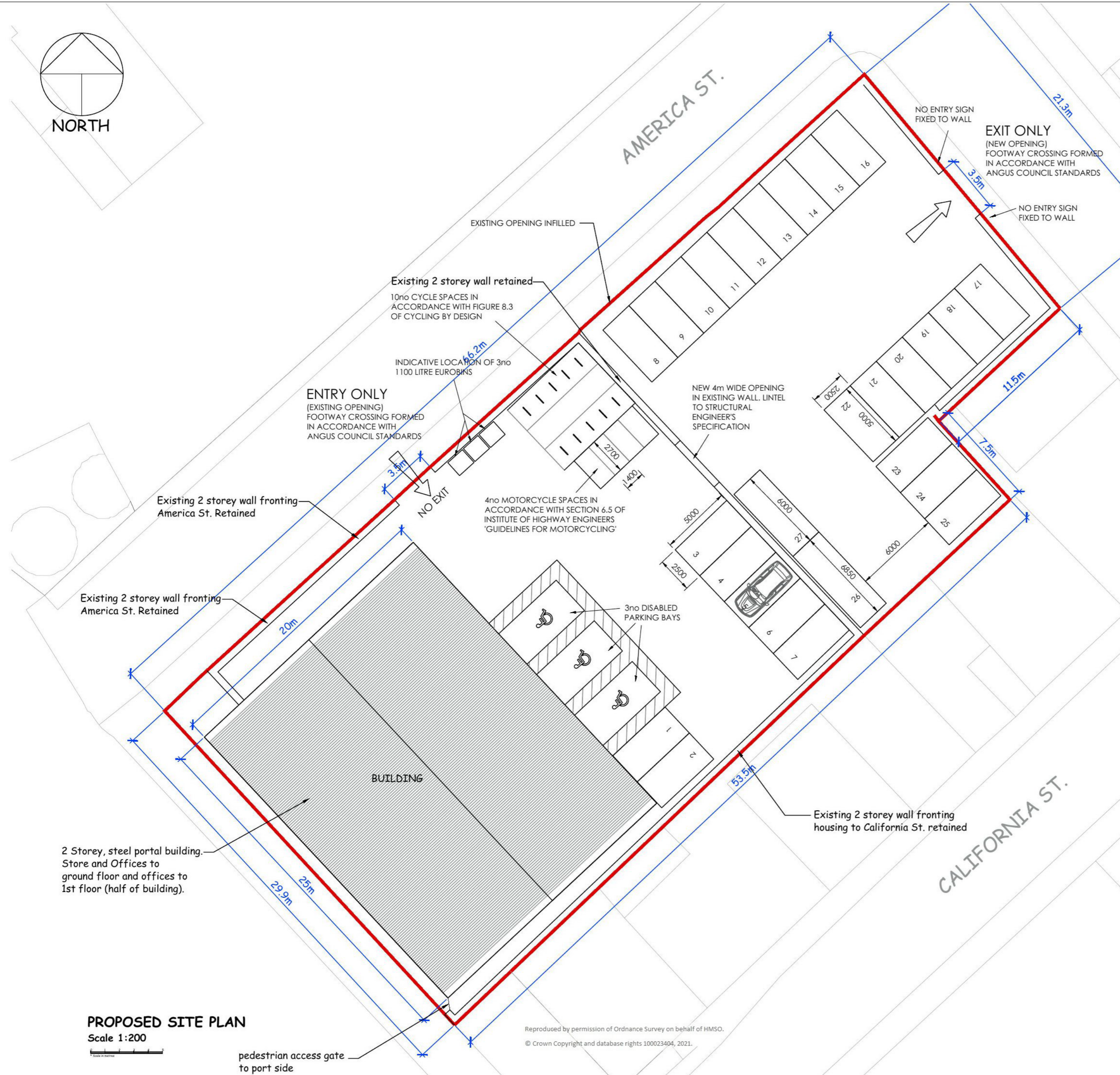
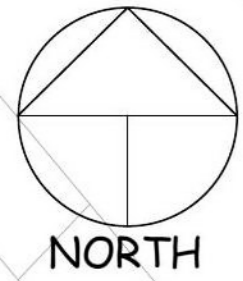
# EXISTING FLOOR PLAN OVERLAY ON EXISTING SITE PLAN

Scale 1:200



CLIENT	RIX
PROJECT	RE DEVELOPMENT OF SITE
ADDRESS	1 - 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 -112 PL
SCALE	1:200 FOR A2 PRINT
DATE	DECEMBER 2020
DRAWN BY	[REDACTED]





Revision A -29.08.20  
 \*plan updated to inc. neighbouring garage  
 Revision B -15.12.20  
 \*site boundary updated against title deeds  
 Revision c -26.01.21  
 \*Carpark scheme updated against  
 AC roads comments

**PROPOSED SITE PLAN**  
 Scale 1:200

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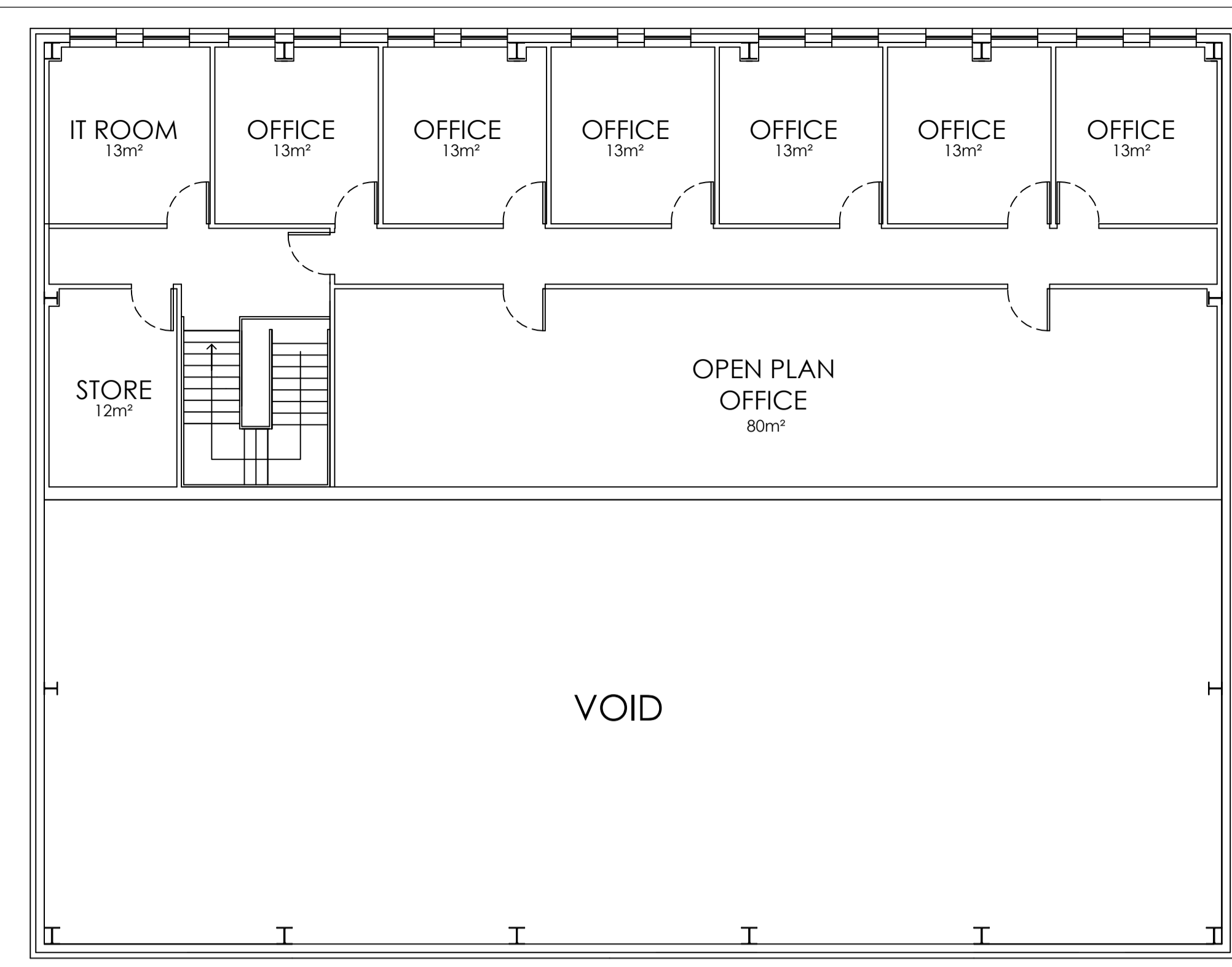
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PROJECT	REDEVELOPMENT OF SITE
ADDRESS	AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 201 PL
SCALE	1:200 FOR A2 PRINT
DATE	JULY 2020
DRAWN BY	[REDACTED]





**PROPOSED GROUND FLOOR**

Scale 1:100  
0 1 2 3 4 5 6 7 8 9 10  
Scale in metres

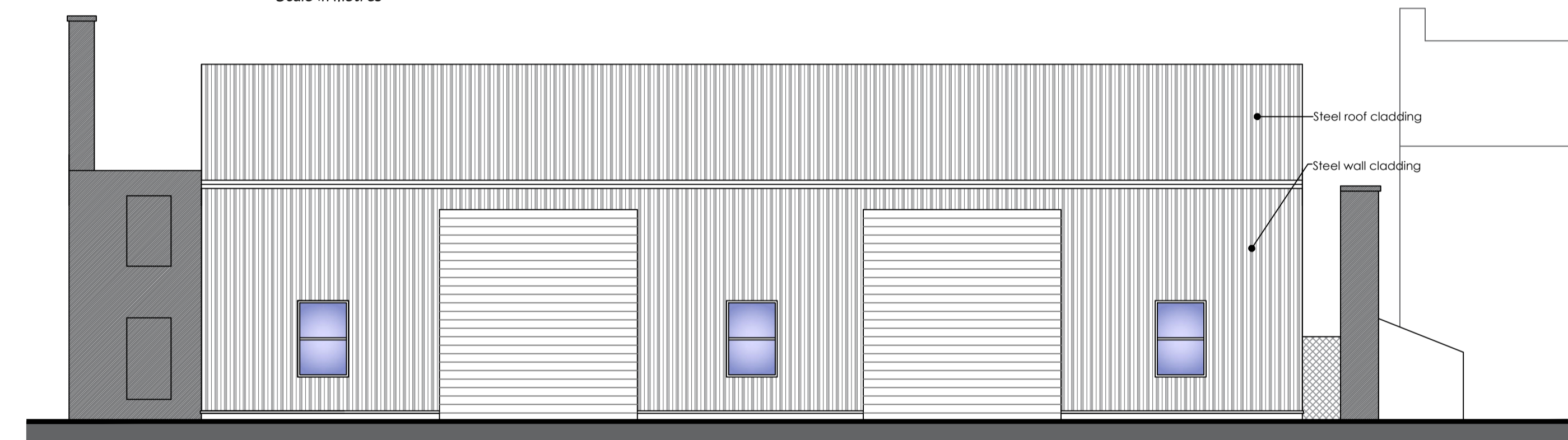


**PROPOSED FIRST FLOOR**

Scale 1:100

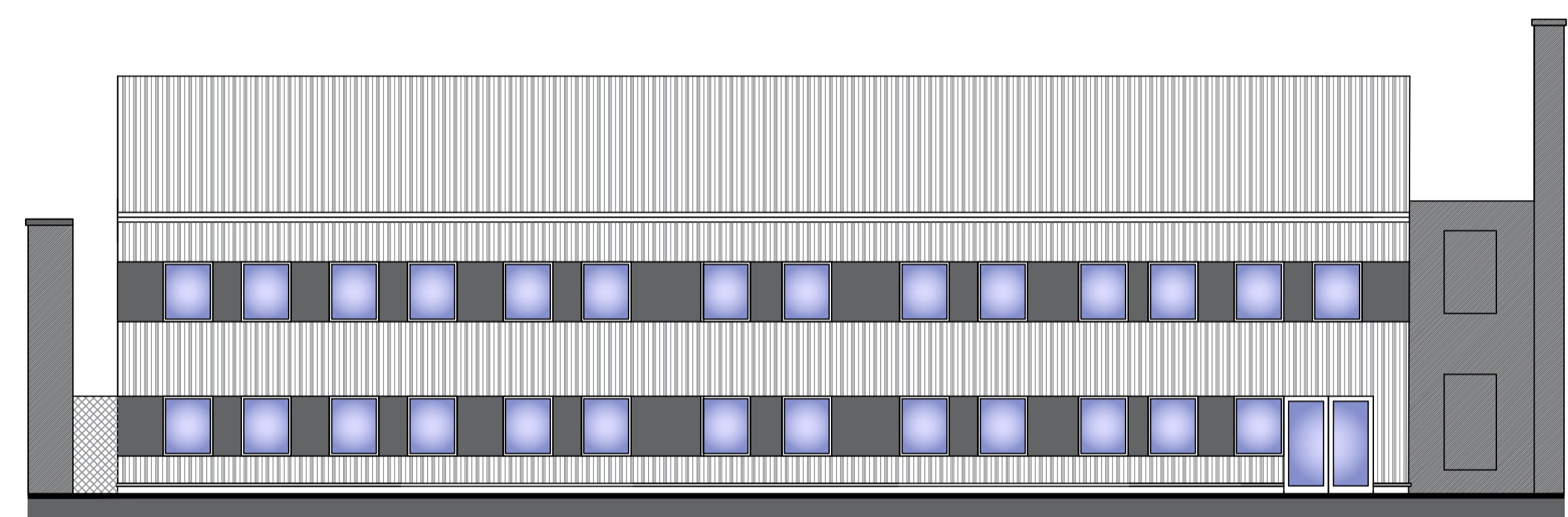


**VIEW FROM SOUTH WEST**



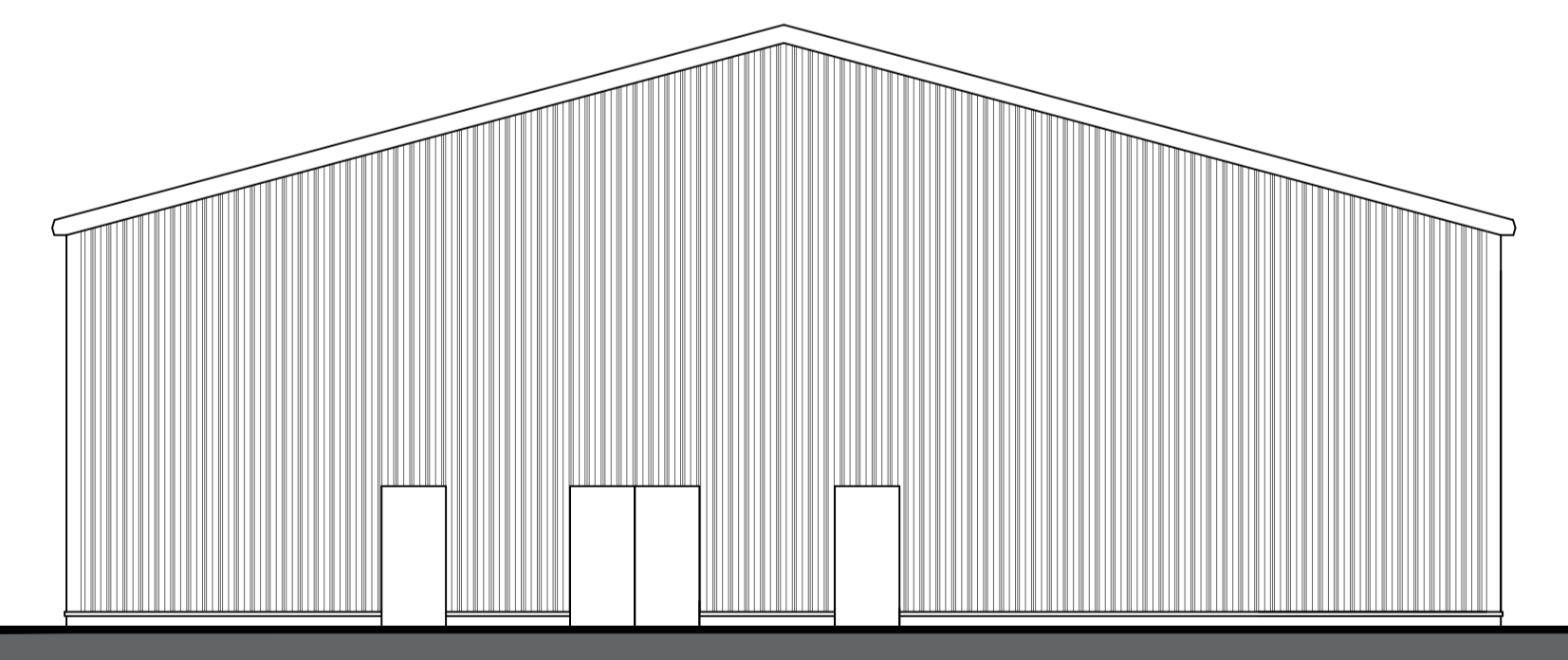
**PROPOSED SOUTH WEST ELEVATION**

Scale 1:100



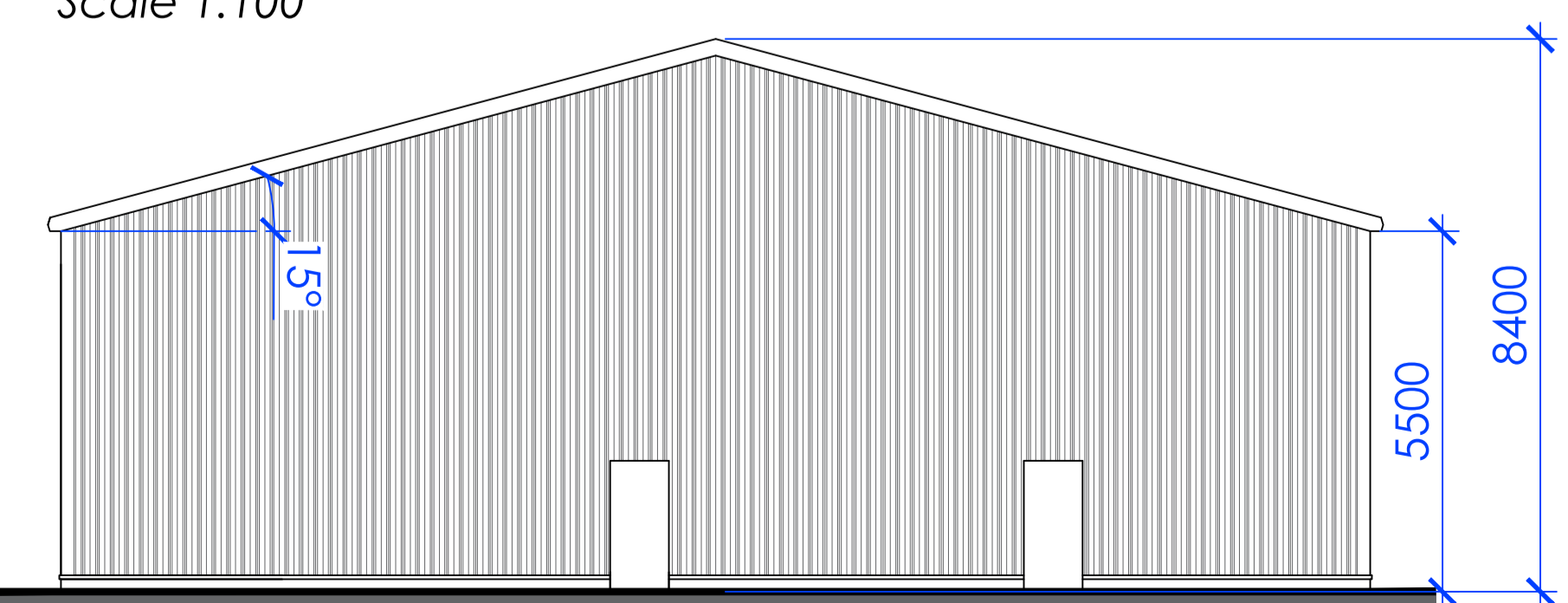
**PROPOSED NORTH EAST ELEVATION**

Scale 1:100



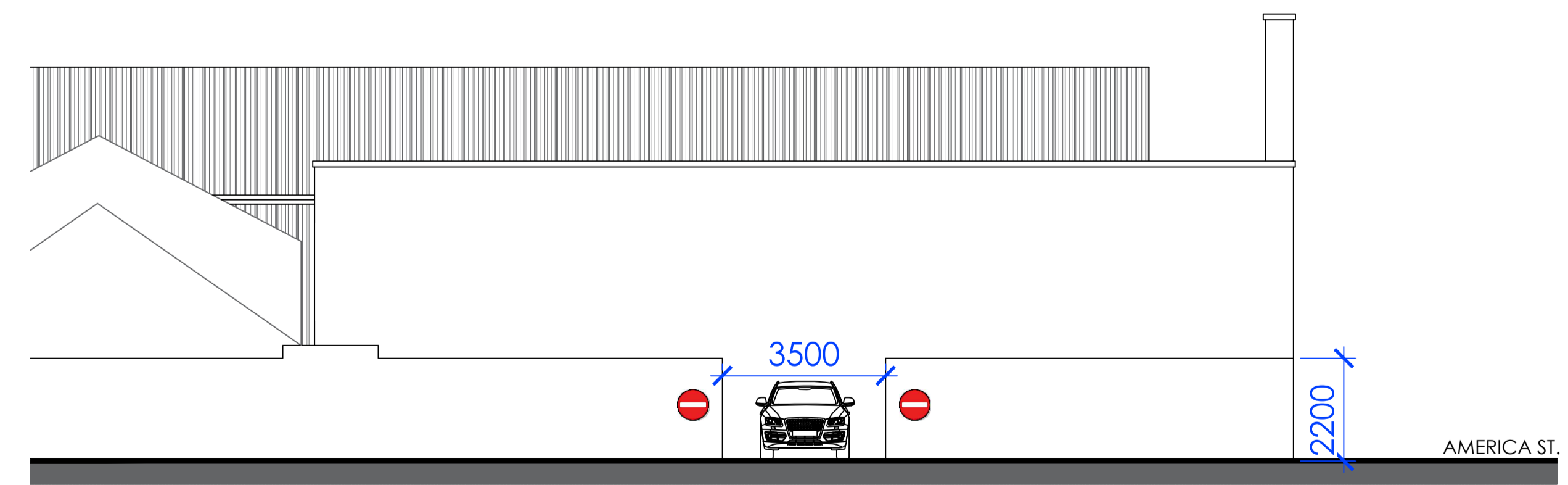
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Scale 1:100



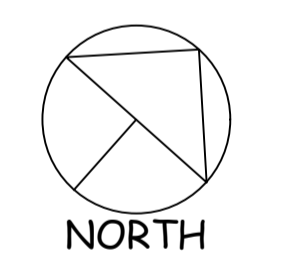
**PROPOSED SOUTH EAST ELEVATION**

Scale 1:100



**PROPOSED NORTH EAST(RIVER ST.) CAR PARK ELEVATION**

Scale 1:100



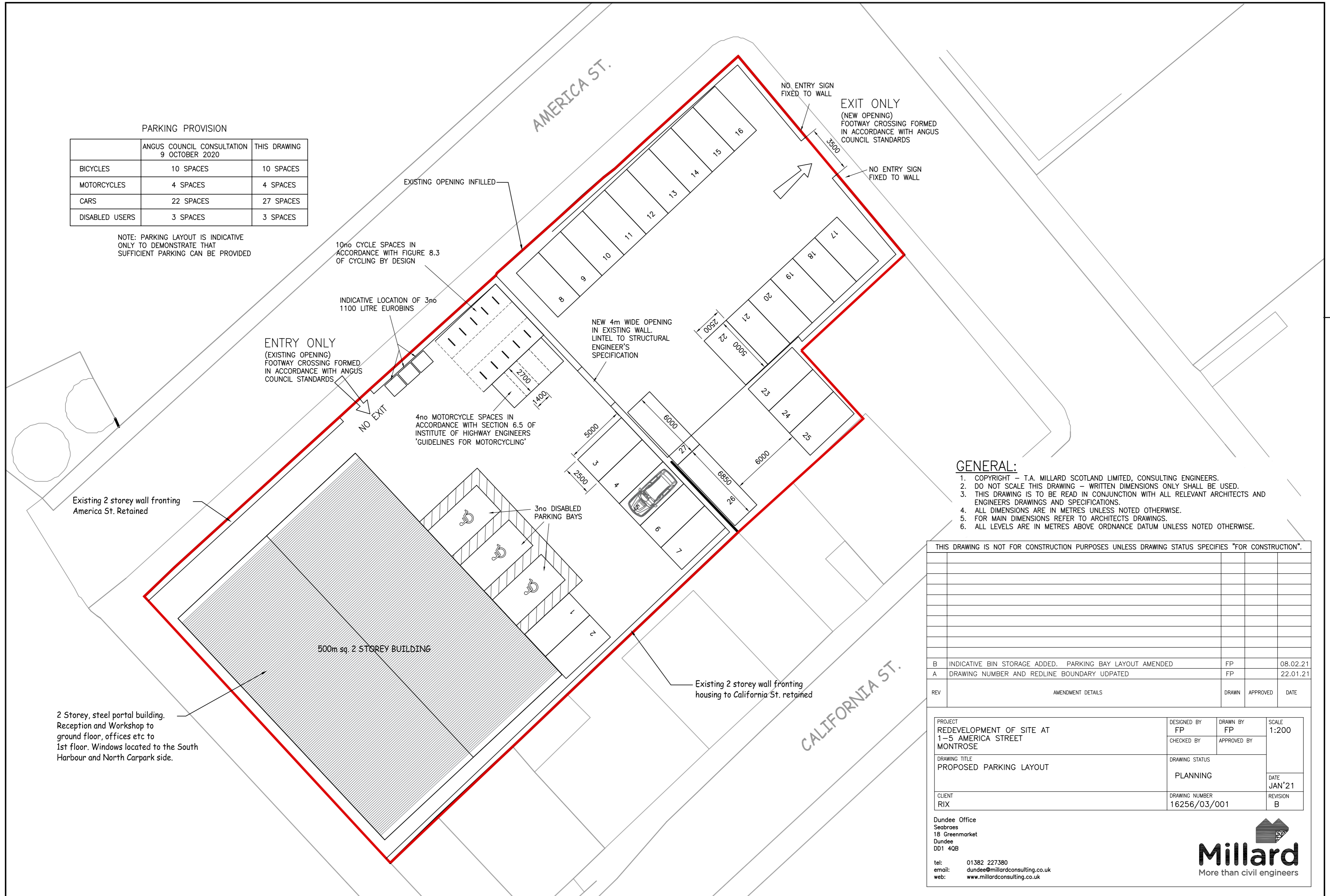
Revision A -29.08.20  
\*elevation views updated  
\*south east car park elevation added  
Revision B -26.01.21  
\*north east car park elevation updated  
\*south east car park elevation removed  
\*north west car park elevation removed

CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 205 PL
SCALE	1:100 / 1:200 FOR A1 PRINT
DATE	AUGUST 2020
DRAWN BY	



PARKING PROVISION		
	ANGUS COUNCIL CONSULTATION 9 OCTOBER 2020	THIS DRAWING
BICYCLES	10 SPACES	10 SPACES
MOTORCYCLES	4 SPACES	4 SPACES
CARS	22 SPACES	27 SPACES
DISABLED USERS	3 SPACES	3 SPACES

NOTE: PARKING LAYOUT IS INDICATIVE ONLY TO DEMONSTRATE THAT SUFFICIENT PARKING CAN BE PROVIDED



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REV	AMENDMENT DETAILS	DRAWN	APPROVED	DATE
B	INDICATIVE BIN STORAGE ADDED. PARKING BAY LAYOUT AMENDED	FP		08.02.21
A	DRAWING NUMBER AND REDLINE BOUNDARY UPDATED	FP		22.01.21

PROJECT REDEVELOPMENT OF SITE AT 1-5 AMERICA STREET MONTROSE	DESIGNED BY FP	DRAWN BY FP	SCALE 1:200
DRAWING TITLE PROPOSED PARKING LAYOUT	CHECKED BY	APPROVED BY	DATE JAN '21
CLIENT RIX	DRAWING NUMBER 16256/03/001	DRAWING STATUS PLANNING	REVISION B

Dundee Office  
Seabraes  
18 Greenmarket  
Dundee  
DD1 4QB

tel: 01382 227380  
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web: www.millardconsulting.co.uk



## ANGUS COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND)  
REGULATIONS 2013



PLANNING PERMISSION REFUSAL  
REFERENCE : 20/00574/FULL

To **J R Rix & Sons Ltd**  
**c/o Project Management Scotland Ltd**  
**26 Montrose Road**  
**Forfar**  
**DD8 2HT**

With reference to your application dated 2 September 2020 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

**Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**

at **1 - 5 America Street Montrose DD10 8DN** for **J R Rix & Sons Ltd**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as refused on the Public Access portal.

**The reasons for the Council's decision are:-**

- 1 The substantial demolition of the fish curing works would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance and the proposal is contrary to National Planning Framework 4 (2023) Policy 7 and Angus Local Development Plan (2016) Policy PV8.
- 2 The information submitted in support of the application does not demonstrate that that the proposed development would not result in unacceptable noise impacts on neighbouring residents and the proposal is therefore contrary to National Planning Framework 4 (2023) policies 14 and 23 and Angus Local Development Plan (2016) Policy DS4.

**Amendments:**

- 1 The application has been varied to delete the proposal to form a two-level car parking structure in the yard area to the northeast of the site. Project Management Scotland Limited Proposed Site Plan Drawing No. PMS 2315 - 201 PL (July 2020) revision C amends and supersedes all previous versions of that plan; and Project Management Scotland Limited Drawing No. PMS 2315 - 205 PL (August 2020) revision B amends and supersedes all previous versions of that plan.

Dated this **22 September 2023**

Jill Paterson  
Service Lead  
Planning and Sustainable Growth  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

J R Rix and Sons Ltd

Supporting Statement

1-5 America Street  
Montrose Port  
Montrose  
Angus

## INTRODUCTION

This Statement has been prepared by Project Management Scotland Ltd., on behalf of J R Rix and Sons Ltd., and their subsidiary companies Rix Renewables Ltd., and Rix Sea Shuttle Ltd., in respect of a planning application seeking Planning Permission for the Erection of New Steel Portal Building, including offices and car park, whilst retaining the façade of the Category C Listed Building that is currently on the site.

The purpose of this statement to provide an assessment of the proposal against the guidance from Historic Environment Scotland.

The guidance used from Historic Environment Scotland include:

Managing Change in the Historic Environment: Demolition of Listed Buildings <sup>1</sup>

Interim Guidance on the Principles of Listed Building Consent <sup>2</sup>

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings <sup>3</sup>

<sup>1</sup> <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=e43c3b07-7f42-4d1d-b2d2-aa24011bfee9>

<sup>2</sup> <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationid=22c40a5c-5497-45c3-8083-aa3a010e0b2d>

<sup>3</sup> <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=8ab1f9c9-521a-435e-a3f2-aa240119b5e1>

## **ABOUT J R RIX AND SONS**

J R Rix and Sons started out as ship owners in the 1870's however it is only a small part of what they do today. With their diverse activities across the UK ranging from stevedoring, warehousing, and car retailing through to fuel distribution, manufacturing, and property development they offer a range of skills and assets.

J R Rix and Sons is one of the oldest remaining family owned independent fuel distributors in the UK. They distribute and retail petroleum to homes and businesses from local branches through out the UK, and they have depots throughout Scotland located at Grangemouth, Aberdeen, and Montrose.

Rix Shipping (Scotland) are specialists in providing port side services in the Port of Montrose. Rix have operated out of the Montrose Port for over 65 years and offers substantial Warehouse storage, stevedoring with the ability to handle multiple types of cargoes through the facility, container services, freight forwarding, modern cargo handling facilities, secure facilities, and fast efficient loading and unloading.

Subsidiary companies Rix Renewables Ltd., and Rix Sea Shuttle Ltd. specialise in providing managed services to the offshore wind industry, supplying strategic assets and services including crew transfer vessels, skilled technicians, and engineers for all aspects of wind farm construction and maintenance, from sea and ground level up. They have experience in delivering managed services to offshore construction and operations.

Rix has been working over the years to help develop the Montrose Port into an economically thriving Port.

## **DESCRIPTION OF SITE AND SURROUNDINGS**

The application site lies between California Street and America Street in the Montrose Port Authority area (Reference to planning drawing no. PMS 2315 – 100 PL – location plan).

Coordinates of the property: 371451, 757205

The site is currently a Category C Listed building, added as a listed building on 30<sup>th</sup> March 1999.

The history of the property on the site can be found on the Historic Environment Scotland website (<http://portal.historicenvironment.scot/designation/LB46164>). The property is a 2 storeys building built mid-19<sup>th</sup> Century, and was originally a Fish Curing Works, stores, offices, and domestic house forming a quadrangle, and was the property of Joseph Johnston Salmon Fishers.

It is listed on the Historic Scotland website as a completely intact, purpose-built property with an important quayside position, however the property has now been sitting empty for 22 years and is in disrepair. It does still however hold an important quayside position which is why it has been targeted for regeneration.



Information regarding Montrose Port can be found at [https://www.montroseport.co.uk/port\\_services.html](https://www.montroseport.co.uk/port_services.html). Montrose Port is known as the 'Gateway to the North Sea'. Montrose Port Authority is a leading support, logistics, and service hub for the North Sea energy industry and general cargo market. Rix (Shipping) Scotland is a trusted partner of the Montrose Port Authority and has provided its services to the Montrose Port Authority for a number of decades.

The Montrose Port has one offshore wind developer (Seagreen) that have chosen Montrose as their operational base for the next 25 years, and this initial wind farm has development rights for a further 2 wind arrays, which would likely extend the operational requirements in Montrose for a further 50 years.

## **PLANNING HISTORY OF THE SITE**

There is no previous planning history to the site.

## **PROJECT AIM**

Rix have initiated a design for a new steel portal building for storage, offices, and car park space whilst retaining the external façade of the original building to preserve the character of the street scene. The historic façade will be kept, and a modern office and storage facility will extend behind the frontage. The projects aim is to mix both conservation and new build elements to secure the future of a listed building but allow for the economic development of the Montrose Port area.

The façade retention allows for the impact on the area to be minimised, respecting the history of the area, so as not to adversely affect the integrity of the area, and so the history of the area can be remembered.

The aim of the building is to develop Rix Renewables Ltd, and Rix Sea Shuttle Ltd., in the Montrose Port Area. These two companies are well established in the offshore wind sector, and understand the needs for businesses to begin to re-locate closer to these offshore developments.

## **ECONOMIC VIABILITY**

Rix have investigated the reuse of the building, but the building has been sitting empty for 22 years and is now derelict. It is not economically viable to try and repair and reuse the whole building. The cost of retaining all the Category C Listed Building would be higher than the end value and would not give Rix the useful workspace they require. As listed on the Historic Scotland website the building was purpose built for its use in the mid 19's century, it does not lend itself to the workings of the modern world. The cost of retaining the whole building outweighs the benefit. Selective Demolition of the property would allow Rix to build a modern workspace in an important quayside position so they can operate to their optimum level of production, and in return continue to develop and invest in the area.

## **CONCLUSIONS**

Should J R Rix & Sons Ltd. obtain Planning Permission at this location it will enhance the current production they have in this area, it will bring 50 jobs to the area of Montrose and Angus. The Selective Demolition of this Category C Listed Building is essential to deliver significant benefits of economic growth to the Montrose Port, Montrose, Angus, and the wider community.

As the Rix business grows so does the requirement for modern functioning facilities, and with Rix Renewables Ltd., and Rix Sea Shuttle Ltd., firmly investing its money and future in the Montrose and Angus area this site has been highlighted as a prime development site in the Montrose Port for economic growth, and the economic benefit of this potential development outweigh the strong presumption of retaining the whole building. Retaining the façade allows an important piece of Montrose Port heritage to be retained whilst also providing modern work facilities and a large economic boost to the town.



**Robert Lenfert Archaeology**  
Heritage Consultant

# 3-5 America Street Montrose, Angus

Level 1 Standing Building Survey  
Data Structure Report  
20/00574/FULL  
Project Code RLA-108-20

Dr Robert Lenfert, ACIfA  
Robert Lenfert Archaeology  
October/November 2020

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## Summary

A Level 1 standing building survey was undertaken in October of 2020 at 3-5 America St, Montrose, Angus in advance of demolition of the buildings, minus the external façade, under planning application 20/00574/FULL. The C-listed substantial granite structures form a rectangular 40m x 30.2m footprint with an internal courtyard. The complex of structures lie in the historic core of old Montrose, along the quayside between America and California Streets, and served for many years as a salmon processing and curing plant. The construction of the main group of buildings dates to c.1850 and was in use until c.2000.

## 1 Introduction

1.1 Robert Lenfert Archaeology (RLA) was commissioned by Rix Shipping, Scotland to carry out a Level 1 standing building survey at 3-5 America Street.

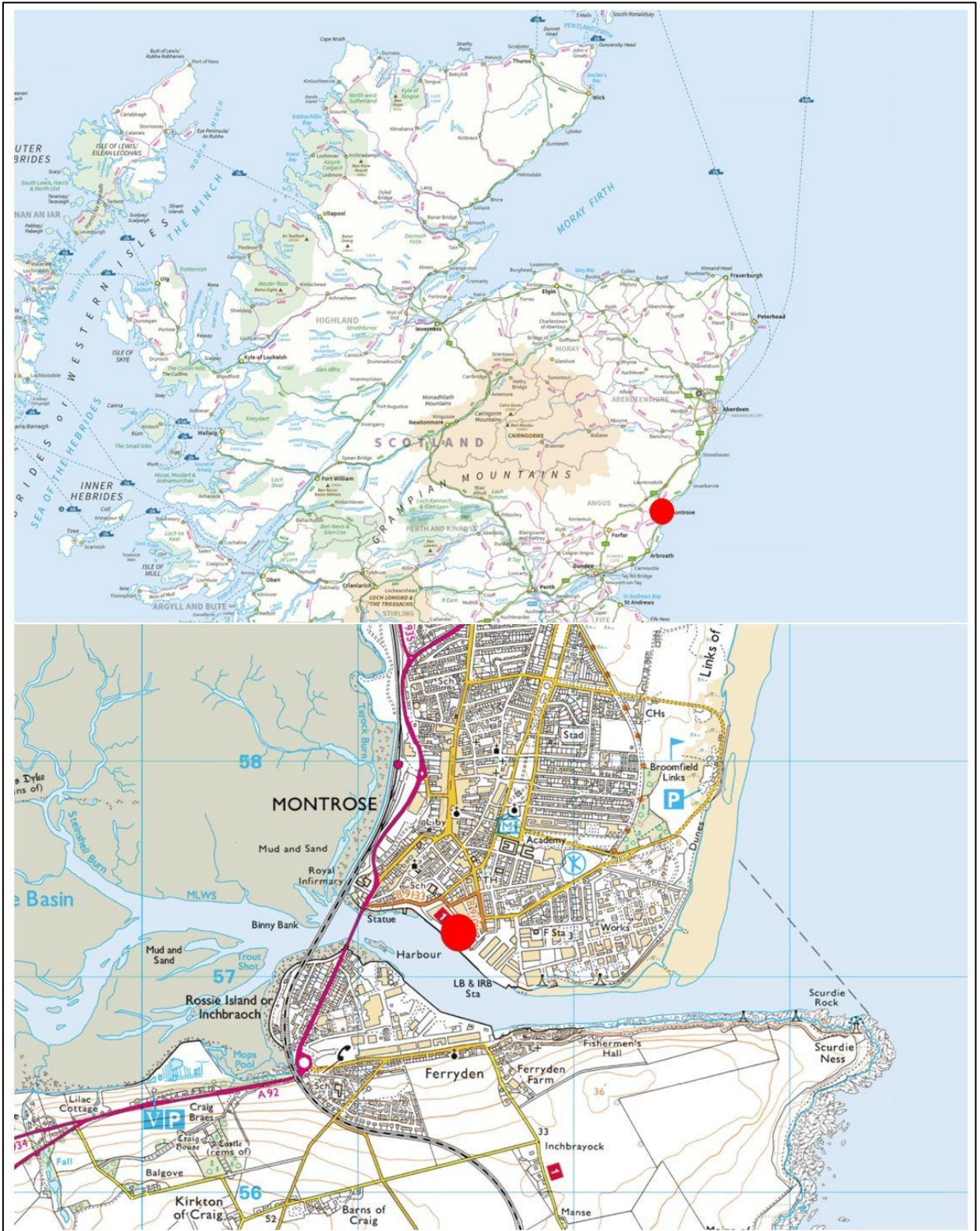
1.2 The proposed development site is situated at 1-5 America Street, Montrose, Angus. (note: 1-2 America Street is an open lot with small sheds). It is situated in the historic core of the old town in an urban location, centred on NGR NO 7145 5721 at >5m OD. The structures in this report are located at 3-5 America Street, bounded on the south east by California Street, on the north east by Rover Street and to the south west, the site faces Fish Quay with the River South Esk and Montrose Harbour in the background.

1.3 A Planning Application (Ref No 20/00574/FULL) is pending for the partial demolition of the existent structures.

1.4 All work specified in this brief was carried out in the context of Scottish Planning Policy (SPP), Planning Advice Note 2/2011 (PAN 2/2011), and Historic Environment Policy for Scotland (HEPS), which states that archaeological remains should be regarded as part of the environment to be protected and managed.

1.5 The council archaeology service has requested that the developer must undertake a Level 1 Standing Building Survey prior to demolition or development works.

1.6 The project code for 3-5 America Street is RLA-108-20.



*Illus 1 Location of 3-5 America Street, Montrose. Contains Ordnance Survey data © Crown copyright and database right 2020.*

## 2 Background

2.1 The structures at 3-5 America Street served variously as residential dwellings and a salmon/fish processing and curing works from c.1850 onwards and was in use until approximately the year 2000.

Roy's Military Survey of Scotland 1747-1755 was the oldest map consulted for this survey. No structures are reliably depicted here at this time, though the total accuracy of the Roy Map regarding this location cannot be considered definitive.

By the publication of the 1st edition Ordnance Survey maps, the area around America Street had become a bustling centre of maritime activity, including a number of surrounding boatbuilding sheds, shipyards and curing plants for the local fishing industry.

## 3 The Level 1 Standing Building Survey

### 3.1 Recording and Survey methods

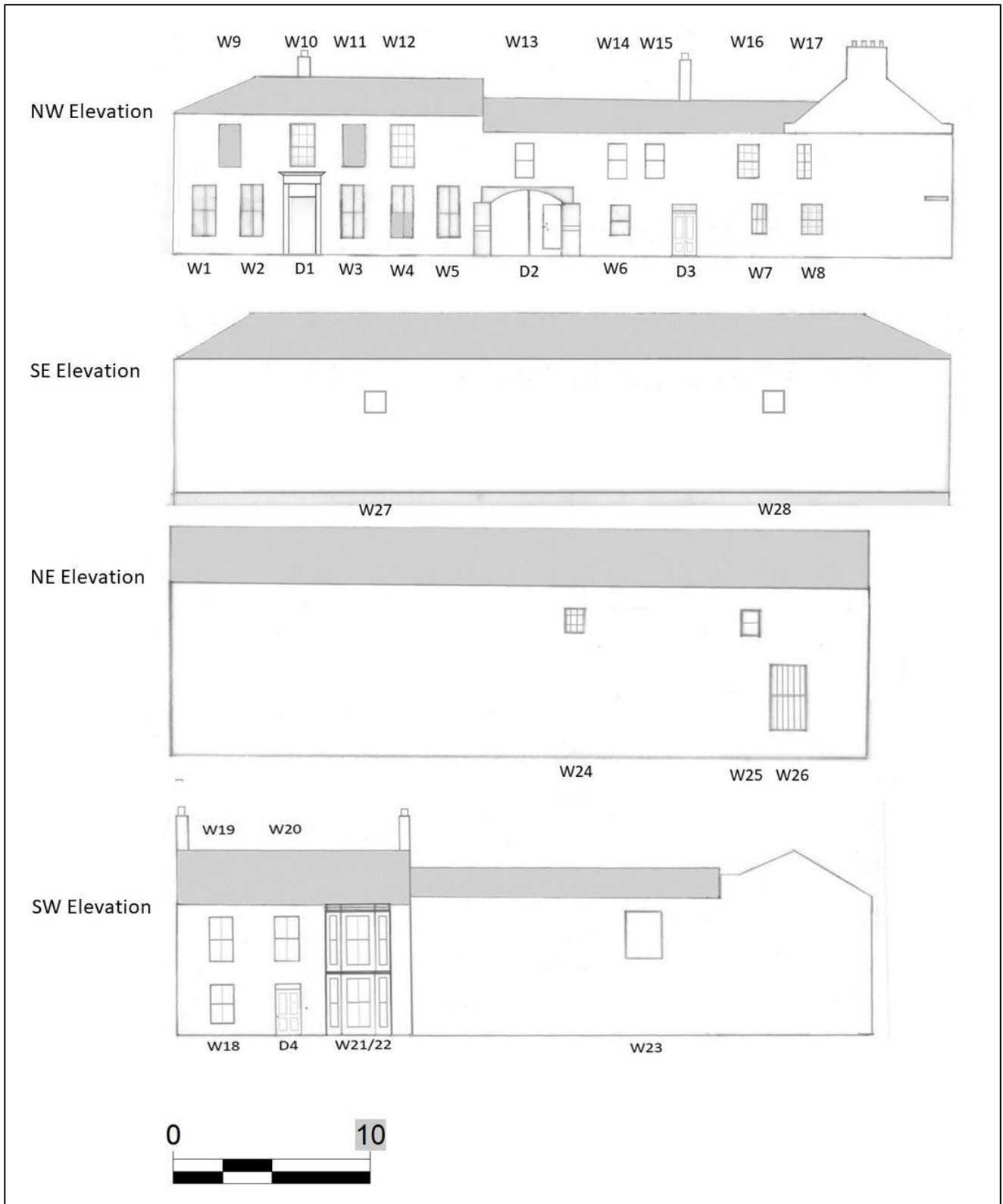
The building survey was performed on October 20<sup>th</sup> and 21<sup>st</sup>, 2020. Photos were taken with a 24mp Nikon DSLR with a 10-24mm wide angle lens, employing an external high-power strobe for unlit interior areas. In some instances, perspective correction was applied with image processing software to mimic a tilt-shift lens and obtain a more correctly rectified image.

The majority of measurements were taken with a Bosch GLM 120C professional digital laser measure and tripod, while a small number were taken using 50m and 3m tapes. The plans and elevations were drawn to 1:100 scale on site using A3 graph paper overlain with drafting film, then scanned, revised and annotated in the office. This method was chosen over modern drafting software such as AutoCAD due to the varying nature of the structures and numerous rooms within.

### 3.2 The Structures

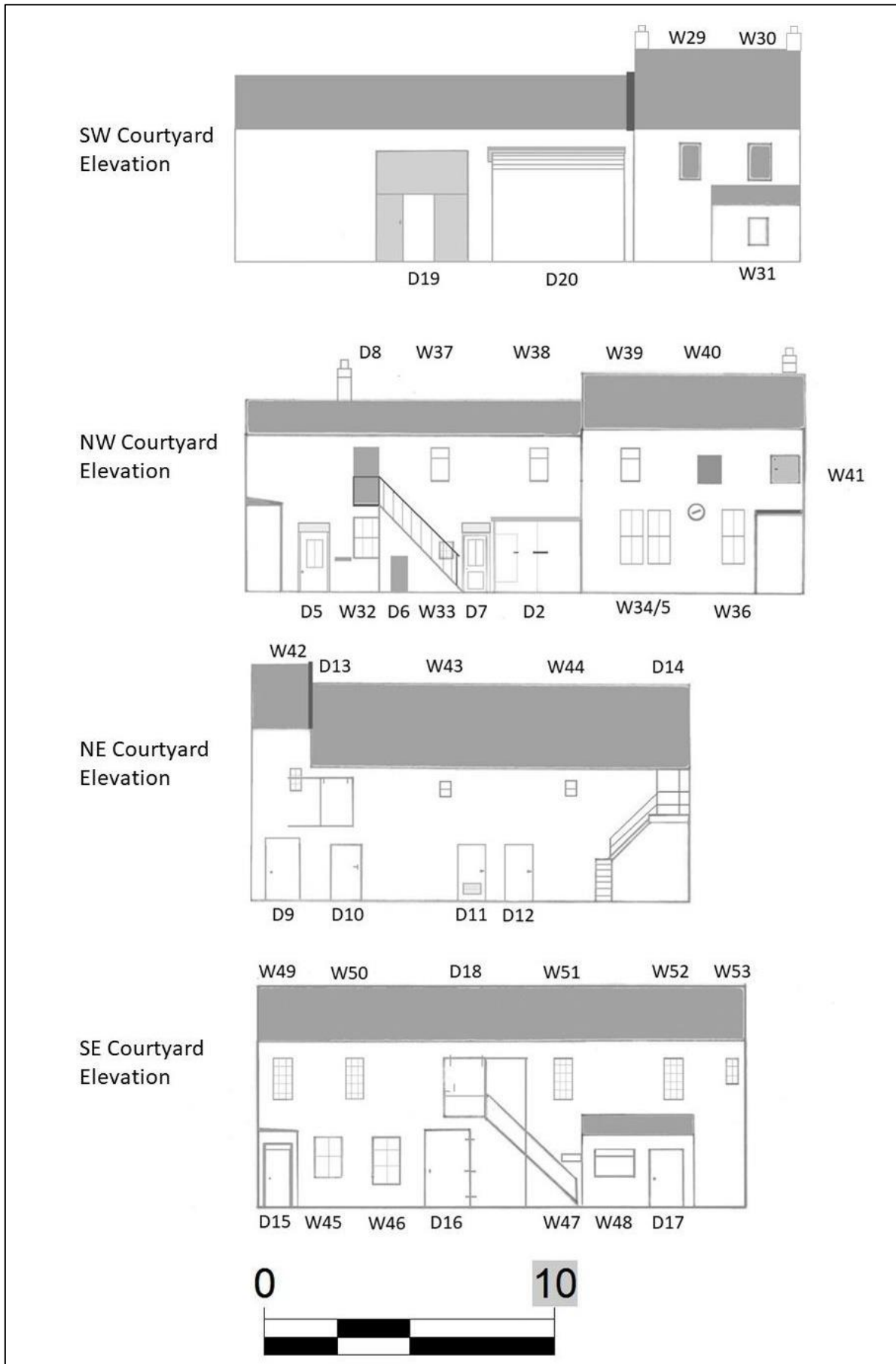
3-5 America Street comprises an enclosed courtyard surrounded by four robust cojoined granite structures forming an overall footprint of 40m x 30.2m (Illus 2-5). The façade along America Street is constructed of well-dressed granite blocks with neat granite return quoins. The entire structure as seen from America Street appears at first glance largely residential in nature, though the substantial red wooden double doors - still painted Jo Johnston and Sons Salmon Fishers - hint at the primarily industrial nature of the complex. The America Street façade can be described as late- or post-Georgian with a high degree of symmetry in the location and placement of doors and windows, with only later alterations skewing this architectural balance. The residential aspect continues along the unnamed gravel lane which runs between the modern quayside and the south-west facing exterior, where a two-story façade houses double bay windows which overlook a small front garden bounded by a low, neatly-dressed granite wall. This also appears late- or post-Georgian in nature (cont p.9).



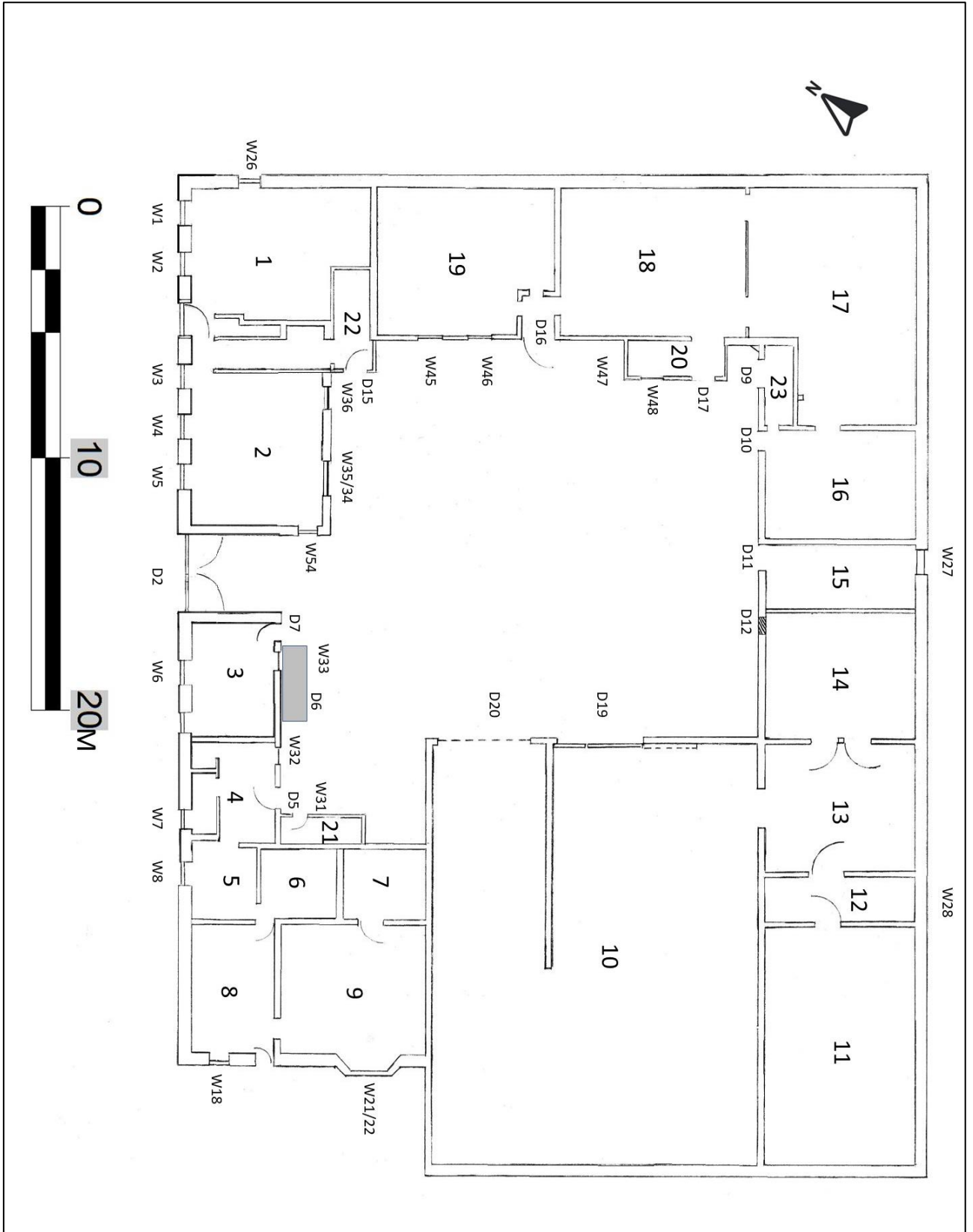


Illus 2 Exterior elevations for 3-5 America Street, Montrose. Copyright RLA 2020.

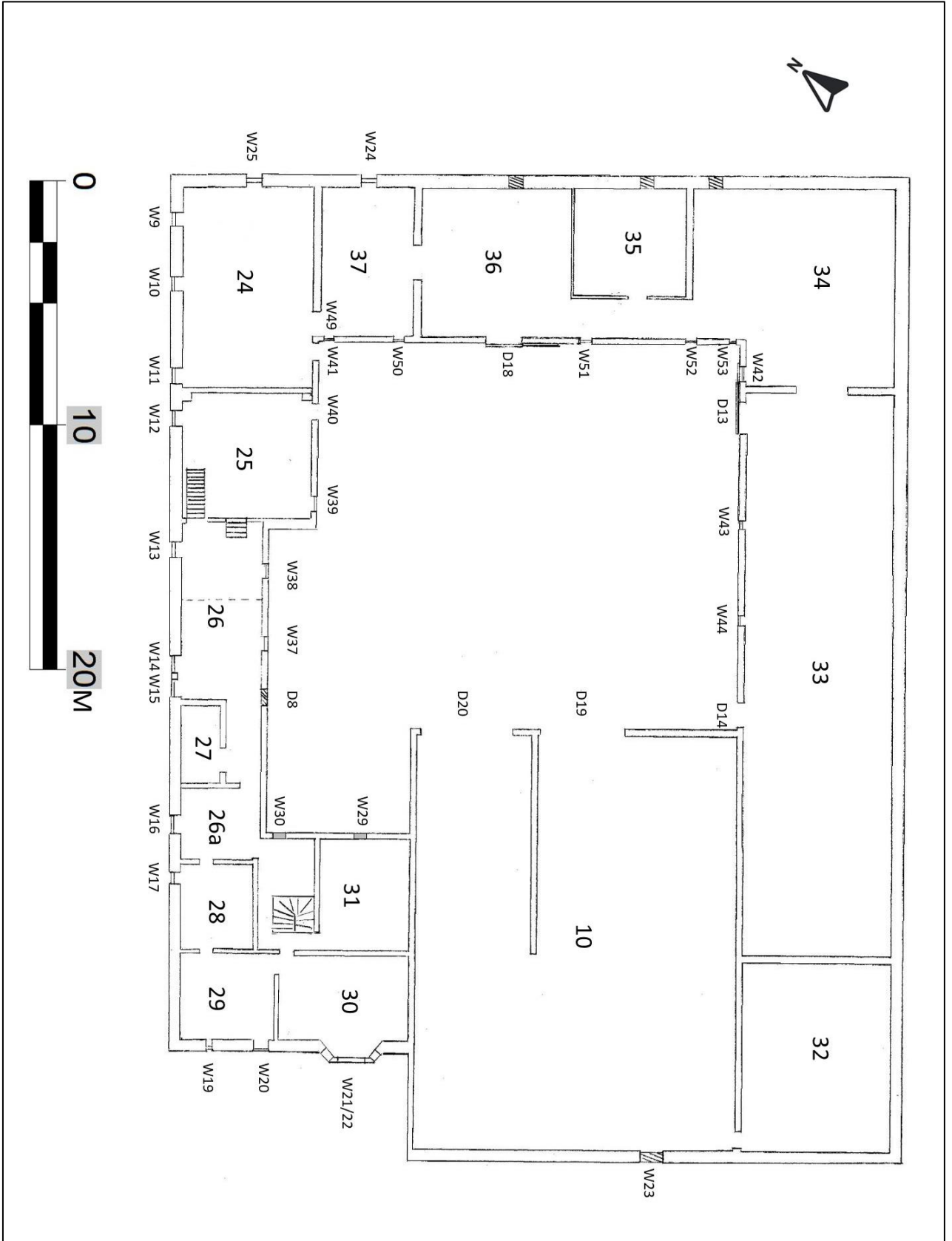




Illus 3 Courtyard elevations for 3-5 America Street, Montrose. Copyright RLA 2020.



Illus 4 Ground floor plan for 3-5 America Street, Montrose. Copyright RLA 2020.



Illus 5 First floor plan for 3-5 America Street, Montrose. Copyright RLA 2020.

(cont from p.4)

The nature of the complex is mixed between residential and commercial/industrial, with the commercial nature appearing to expand and take over residential areas later in the building's life. Specifically, rooms 1-9 on the ground floor (Illus 4) and rooms 24-31 (Illus 5) on the first floor, that is to say all the rooms which face America Street, appear to have been solely residential in earlier phases, later becoming repurposed primarily as offices. This is evidenced by the installation of a large safe and wooden/glass partition in room 2, lintels for visitors' seating areas (alcove/room 22) and maps and other commercial trappings left behind throughout these areas.

Alternatively, rooms 10-19 on the ground floor (Illus 4) and rooms 32-37 on the first floor (Illus 5) appear to have remained true to initial purposes, having solely been employed for industrial activities associated with the salmon processing and storage operations. The smell of wood-smoke, presumably from fish-smoking activities, still remains strong in the first-floor rooms facing the SE (i.e. rooms 32-34). Rooms 11 and 14 are large walk-in freezers on the ground floor on the south east facing portion of the complex which would have been used to store fish.



*Illus 6 Nos 3 & 4, America Street, façade.*



*Illus 7 Nos 4 & 5, America Street, façade.*





*Illus 8 Detail view of D2, main entranceway to courtyard.*



*Illus 9 View of 3-5 America Street, from corner of America Street and Quayside alley (R of frame).*





*Illus 10 SW façade of 5 America Street along the quayside alley.*



*Illus 11 General view of NE elevation, adjacent to lots comprising 1 & 2 America Street.*





*Illus 12 Internal courtyard – general view of SE and NE Elevations.*



*Illus 13 General view of NW and NE courtyard elevations.*





*Illus 14 The SW courtyard elevation comprising the substantial garage or warehouse extension (room 10).*



*Illus 15 Room 30, general view with bay window W22 on left overlooking quayside.*





*Illus 16 Side by side robust safes located in Room 2, ground floor.*



*Illus 17 Room 14 - one of two large walk-in freezers (view from room 13).*

The garage is a later addition, appearing sometime between the First and Second-edition Ordnance Survey maps, though the two main external doors (D19 and D20, Illus 3 & 14) are later additions or replacements, as is the corrugated roof.

Other than the residential nature of the façade along America Street, and the arguably elegant westerly portion along Fish Quay (facing south west), the rest of the external nature of the structure is quite imposing, almost fortress-like, with featureless, blank granite-block walls, largely void of ground floor windows with the exception of the north east elevation which contains W26 (Illus 2) a heavily-barred window which now faces the largely open lot comprising 1-2 America Street.

Along the south east facing elevation, the building's exterior walls were directly inaccessible, with current residential properties comprising 2-8 California Street blocking open views or access. These structures either directly abutted the walls or were spaced approximately one foot from the rear of 3-5 America Street.

#### Walls:

The robust exterior walls are mainly composed of well-finished, neat granite construction. The corners are composed of equally well-made granite return quoins. The exterior walls measure some 0.60m in thickness.

#### Roof and Chimneys:

The roofs (with the exception of the garage, room 10, Illus 5) consist of slate tiles rising to a ceramic-tile crest along America Street, with a lead-sheathed crest along the NE-facing structures with granite coping at the ends, while the garage appears to be either corrugated fibreglass or possibly asbestos. There are five chimney-stacks, one at each gabled end of the SW facing frontage of 5 America Street, one over the SW end of 4 America Street, and one centrally-located along the roofline of 3 America Street. The last one is located at the SW end of the rear row of structures, which would be located in room 32, Illus 5.

#### Windows:

ID	Dimensions (w x h)	Description
W1	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W2	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W3	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W4	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W5	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W6	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W7	0.8m x 1.45m	Wooden frame, no surround or sill.
W8	0.95m x 1.6m	Wooden frame, no surround or sill.
W9	1.05m x 2.0m	Neatly boarded up, possible reused door trimmed to fit, no surround or sill
W10	0.92m x 1.84m	Wooden frame, neat granite sill.
W11	0.92m x 1.84m	Boarded over with horizontal planking
W12	0.92m x 1.84m	Wooden frame, neat granite sill.
W13	0.95m x 1.6m	Wooden frame, neat granite sill.
W14	0.95m x 1.6m	Wooden frame, neat granite sill.
W15	0.95m x 1.6m	Wooden frame, neat granite sill.
W16	0.95m x 1.6m	Wooden frame, neat granite sill.
W17	0.5m x 1.6m	Wooden frame, neat granite sill.
W18	0.95m x 1.6m	Wooden frame, neat granite sill.
W19	0.95m x 1.6m	Wooden frame, neat granite sill.
W20	0.8m x 1.6m	Wooden frame, neat granite sill.

W21	1.1m x 2.0m (main) 0.55 x 2.0m (side bay windows)	Wooden frame bay window, no projecting sill but bevelled inset in neat granite rybat.
W22	1.1m x 2.0m (main) 0.55 x 2.0m (side bay windows)	Wooden frame bay window, no projecting sill but bevelled inset in neat granite rybat.
W23	1.75m x 2.0m	Blocked with corrugated steel sheet with plywood sheet over centre. Neat granite sill.
W24	0.75m x 1.0m	Wooden frame, six-panel glass, poor condition, one pane missing. No sill or surround.
W25	0.75m x 1.0m	Wooden frame, sliding glass, two panel, presumably a newer replacement window as same dimensions as W24, above. No sill or surround.
W26	1.0m x 2.0m	Wooden frame, four-pane glass. Heavy iron security bars on outside. No sill or surround.
W27	0.75m x 1.0m	Now neatly blocked with granite. Slight repair scar.
W28	0.75m x 1.0m	Now neatly blocked with granite. Slight repair scar.
W29	0.95m x 1.6m	Crudely boarded over with plywood sheeting.
W30	0.8m x 1.6m	Crudely boarded over with plywood sheeting.
W31	0.8m x 1.6m	Wooden frame with transom window at top. Neat granite sill.
W32	0.95m x 1.4m	Wooden frame, neat granite sill.
W33	0.8m x 0.8m	Wooden frame, neat granite sill.
W34	0.8m x 2.1m	Wooden frame, neat granite sill.
W35	0.8m x 2.1m	Wooden frame, neat granite sill.
W36	0.8m x 2.1m	Wooden frame, neat granite sill.
W37	0.8m x 1.6m	Wooden frame, neat granite sill.
W38	0.8m x 1.6m	Wooden frame, neat granite sill.
W39	0.8m x 1.6m	Wooden frame, neat granite sill. Was originally same size as W34-36, but bottom end was neatly blocked in granite to reduce height. Old sill from the original 2.1m high window still present.
W40	0.95m x 1.4m	Blocked by wooden door which has been neatly cut to size. Neat granite sill.
W41	1.2m x 1.4m	Also blocked by wooden door neatly cut to size with granite sill.
W42	0.8m x 1.4m	Wooden frame, no sill or surround.
W43	0.75m x 1.0m	Wooden frame, sliding glass, two panel. No sill or surround.
W44	0.75m x 1.0m	Wooden frame, sliding glass, two panel. No sill or surround.
W45	0.95m x 1.4m	Wooden frame, no sill or surround. Was originally 0.95 x 1.6m as W46, below, but base was neatly block up to reduce window height.
W46	0.95m x 1.6m	Wooden frame, no sill or surround.
W47	1.2m x 0.25m	A small 'slot' window with wooden frame and partially blocked with a piece of plywood sheeting.
W48	1.2m x 1.0m	Wooden frame, small transom window at top. Concrete sill.
W49	0.5m x 1.6m	Wooden frame, no sill or surround.
W50	0.5m x 1.6m	Wooden frame, no sill or surround.
W51	0.5m x 1.6m	Wooden frame, no sill or surround.
W52	0.5m x 1.6m	Wooden frame, no sill or surround.
W53	0.5m x 0.8m	'Half-height' version of W49-52. Wooden frame, no sill or surround.

## Doors

ID	Dimensions (w x h)	Comments
D1	1.0m x 2.0m (2.7m with transom window)	Double wooden door, neat granite rybat and hood. Primary entrance for 3 America Street.
D2	3.3m x 2.6m	Robust wooden double doors serving as primary service entrance to inner courtyard for vehicles or wagons. Slight arched top. Smaller 'pedestrian' door set within R door half, measuring 0.9m x 2.0m. Heavy iron hinges and prop rod on interior to fix doors in open position, presumably against wind gusts. Heavy wooden plank in slider to lock from interior, also smaller but heavy steel slider across inner door. Marked with hand-painted 'Jos Johnston & Sons Salmon Fishers' – this appears to be painted over the original script in relatively recent years.
D3	1.0 x 2.0m (2.4 with transom window)	Same design as D1, double wooden doors, granite rybats, however this entrance lacks the ornamentation of D1 with no hood or surround. Transom window at top.
D4	1.00m x 2.00m (2.3m with transom window)	Wooden single door, granite forestep, granite rybats with transom window at top. Victorian-style lever for internal door knocker or chime to R of door at shoulder height. No exterior hood or other ornamentation. Primary entrance to No.5, America Street.
D5	1.0 x 2.0m (2.3 with transom)	Single wooden door set within wooden frame, upper half of door contains a two-pane window.
D6	0.8m x 1.1m	Small entryway for crawl-space below external staircase. Now blocked with painted brickwork.
D7	1.0 x 2.0m	Single wooden door set within wooden frame, upper half of door contains a two-pane window.
D8	1.0m x 2.0m	Doorway now sealed by neat granite blocks. Scar is slightly visible due to lighter shade of infill stone, although quality of job is high and was done with care.
D9	1.2m x 2.0m	Heavy wooden service door, set within wooden frame. Period cast-iron doorknob.
D10	1.0m x 1.8m	Wooden service door and wooden doorframe. Modern aluminium replacement handle.
D11	1.0m x 1.8m	Wooden service door and wooden doorframe. Lower half of door contains large metal louvered vent. Granite forestep.
D12	1.0m x 1.8m	Wooden service door and wooden doorframe. Granite forestep.
D13	1.6m x 2.0m	Large wooden sliding door located on first floor with wooden frame and mechanism, although the upper slide has been replaced with a more modern galvanised steel slider. This is a loading door for carts or wagons parked on the courtyard below and not used for pedestrian access unless there were

		removable steps in use at some point (no stairs!)
D14	0.9m x 2.0m	Recessed wooden door, no frame, Neat granite rybats.
D15	1.0 x 2.0m (2.15 with transom)	Wooden door set within wooden frame. Small transom window set above.
D16	1.6 x 2.0m	Heavy wooden service door, wooden frame.
D17	1.1m x 1.8m	Wooden service door for alcove, set within wooden frame. Period cast-iron doorknob.

## 4 Discussion and Conclusions

While there is no reliable indication of structures in the vicinity of America Street on Roy's Military Map of 1747-1755, there is little doubt that the area was prime commercial property by the late 18<sup>th</sup>/early 19<sup>th</sup> centuries as development as fishing and merchant trade rapidly expanded in and around Montrose Basin and in particular, the deep-water anchorage for larger vessels provided along the quayside adjacent to America Street. By the First-edition Ordnance Survey map of 1862, the entire area is a complex, well-developed series of commercial and industrial structures, including ship-building yards, an iron foundry, starch works, a flax mill and a fish curing works. The structures comprising 3-5 America Street in themselves represent a once-bustling complex of residential, commercial and industrial areas which primarily served in direct support of the salmon or greater fishing industry in Montrose, being situated immediately on the old quayside. The quality and high expense associated with their robust, well-made construction is still evident today. While the original residential nature of many of the rooms is greatly diminished or gone altogether, the more utilitarian areas are currently used as storage.

The overall footprint of the entire complex is largely unchanged in plan from the layout depicted on the 1<sup>st</sup> edition Ordnance Survey maps. The only exception to this is the second-edition Ordnance Survey map, at which point the garage area had been extended inward into the courtyard (Illus 7 & 8). From this point onwards, the overall footprint of the structures remained consistent up to the present day.



*Illus 18 Shaded area depicting the original footprint of the complex, c.1850-1862. Only the garage extension (room 10) was later added sometime between the 1<sup>st</sup> and 2<sup>nd</sup> Edition Ordnance Survey maps, replacing a smaller rectangular structure which is depicted on the earliest map.*

## 5 Acknowledgements

Thanks to Mark Cessford of Rix Shipping, Scotland for commissioning this project, and to Claire Herbert of the Aberdeenshire Council Archaeology Service for her help and advice.

## 6 References

### Electronic References

[www.nls.uk](http://www.nls.uk)

[www.pastmap.org.uk](http://www.pastmap.org.uk)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

[www.canmore.org.uk](http://www.canmore.org.uk)

<https://online.aberdeenshire.gov.uk/smrpub/default.aspx>



## Appendix 1 Historical Map Regression

### Historical Map Regression

Maps consulted include:

Roy's 'Military Survey of Scotland' 1747-1752.

Ordnance Survey Maps:

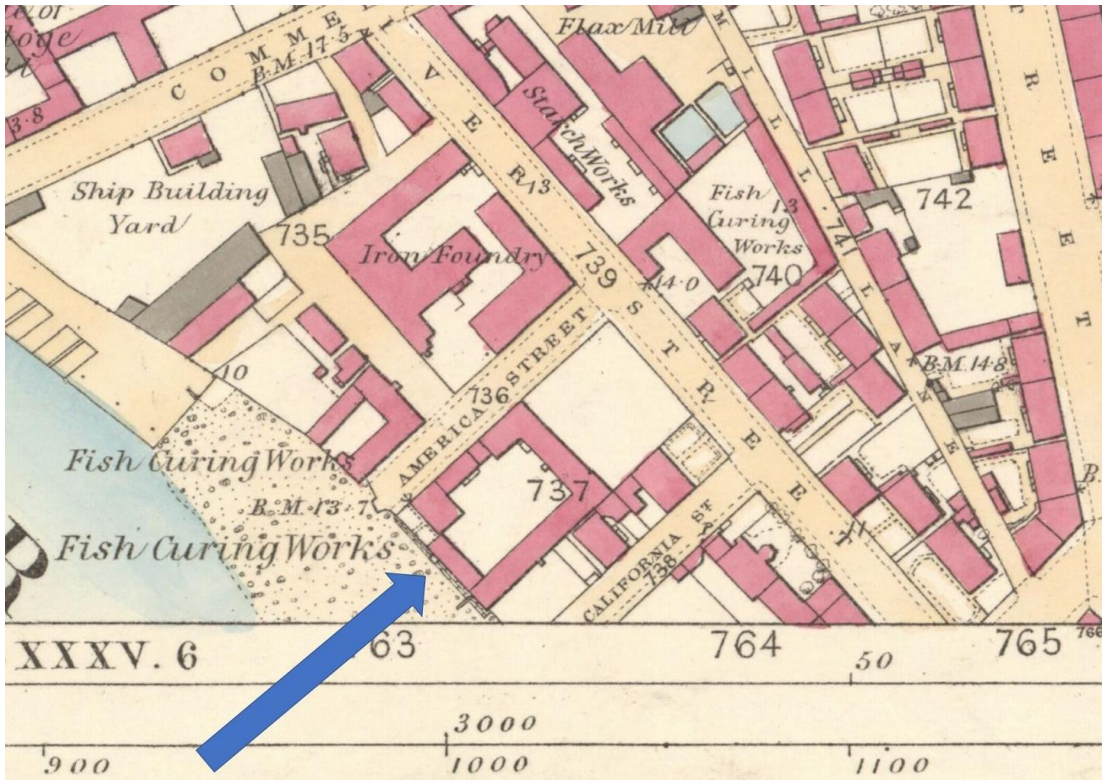
25 inch to the mile, 1st edition Forfarshire XXXV.2 (Montrose) Survey date: 1862 Publication date: 1863

25 inch to the mile, 2nd edition Forfarshire XXXV.2 (Montrose) Publication date: 1903 Revised: 1901 to 1902

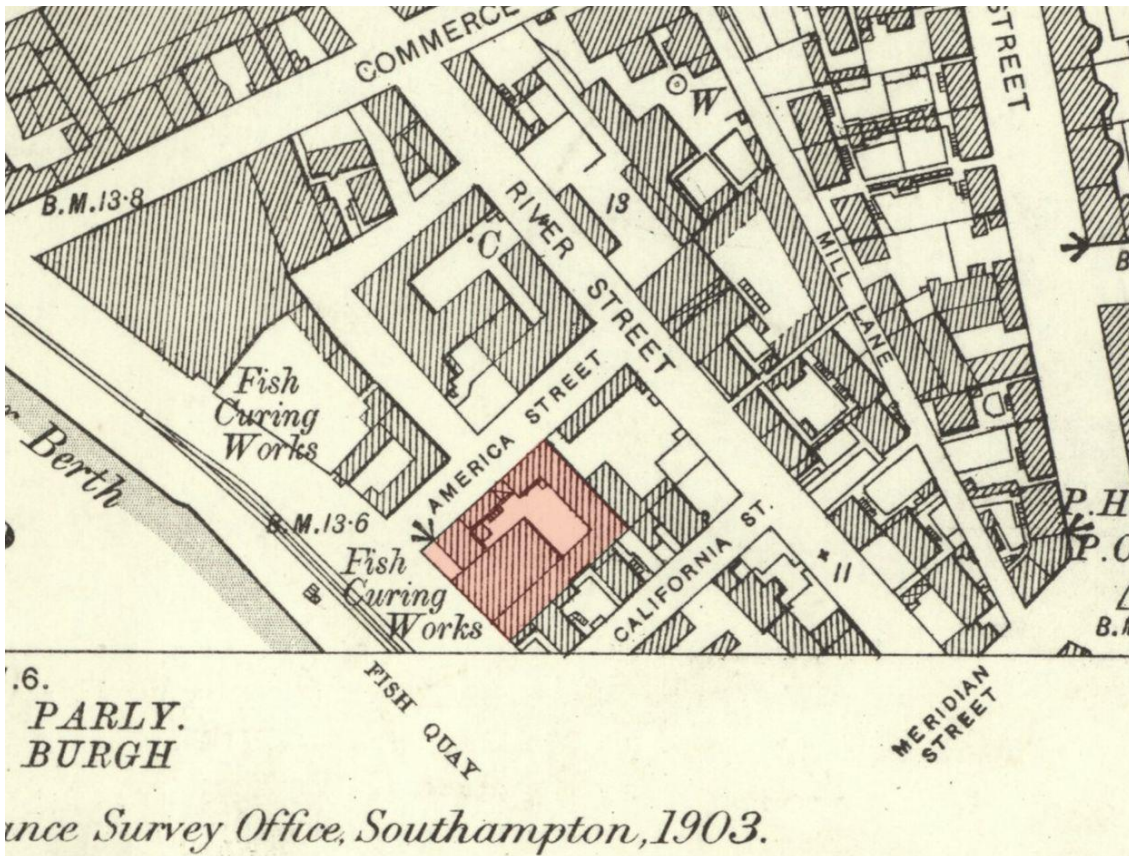
25 inch to the mile, 3rd edition Forfarshire XXXV.2 (Montrose) Publication date: 1924 Revised: 1922 to 1923 Levelled: 1901



*Illus 19 Roy's Military Survey of Scotland 1747-1752 showing approximate location of site. Image c. National Library of Scotland 2020.*

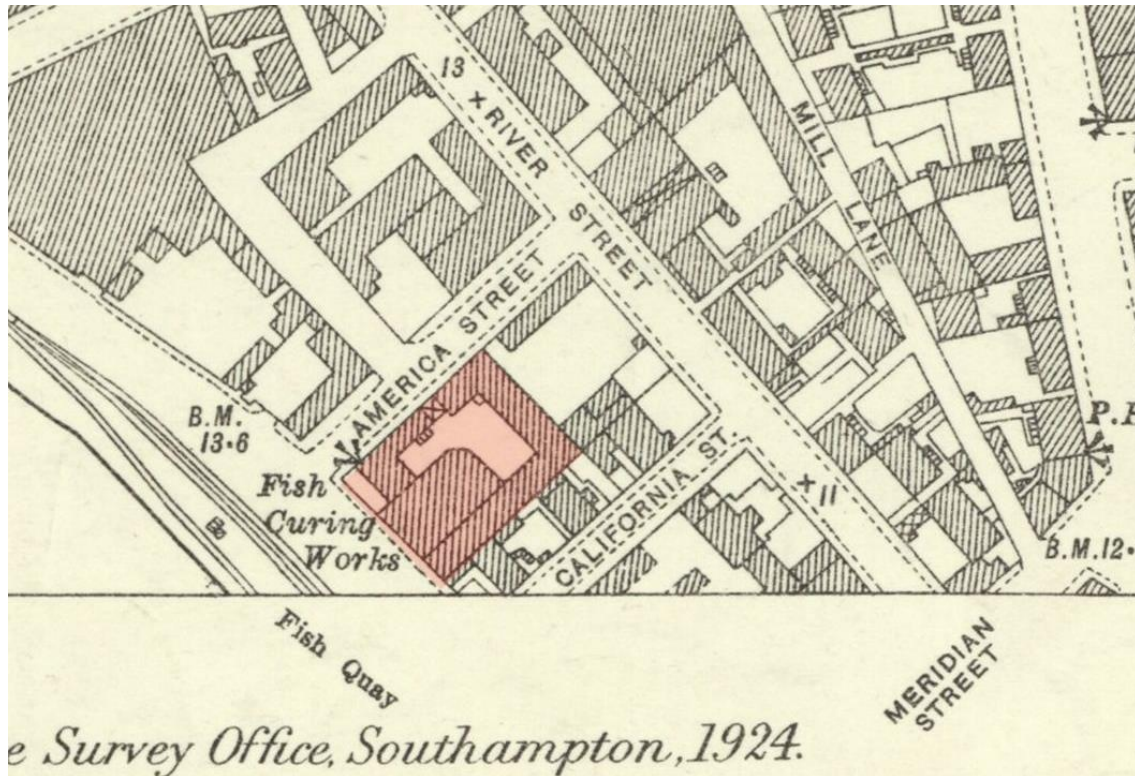


Illus 20 First Edition Ordnance Survey 25 inch to the mile map, Forfarshire XXXV.2 (Montrose) Surveyed 1862, published 1863. Copyright National Library of Scotland 2020.



Illus 21 Second Edition Ordnance Survey 25 inch to the mile map, Forfarshire XXXV.2 (Montrose) Published 1903, revised 1901 to 1902. Copyright National Library of Scotland 2020.





Illus 22 Third Edition Ordnance Survey 25 inch to the mile map, Forfarshire XXXV.2 (Montrose) Published 1924, revised 1922 to 1923, levelled 1901. Copyright National Library of Scotland 2020.

## Appendix 2: Photographs

Photo ID	Comments
RLA-108-1	General NE view of 3-5 America St on corner of America Street and the quayside alley.
RLA-108-2	General NNE view of 3-5 America St on corner of America Street and the quayside alley.
RLA-108-3	3/4 America Street façade, overlapping photo 1
RLA-108-4	3/4 America Street façade, overlapping photo 2
RLA-108-5	3/4/5 America Street façade, overlapping photo 3
RLA-108-6	3/4/5 America Street façade, overlapping photo 4
RLA-108-7	4/5 America Street façade, overlapping photo 5
RLA-108-8	External view of robust courtyard entrance doors (D2)
RLA-108-9	SW Façade of 5 America Street, as viewed from quayside fence opposite alleyway.
RLA-108-10	Detail of bay window W21 with door D4 to left of frame
RLA-108-11	Detail of door D4 with windows W18-20
RLA-108-12	Detail of external doorbell mechanism, to R of D4.
RLA-108-13	View of SW facing elevation adjacent to 5 America Street
RLA-108-14	View of SW facing elevation adjacent to 5 America Street looking towards California Street
RLA-108-15	Internal view of door D2 from courtyard
RLA-108-16	Internal view of NW courtyard elevation
RLA-108-17	Internal view of NW courtyard elevation
RLA-108-18	Internal view of SE/NE courtyard elevations

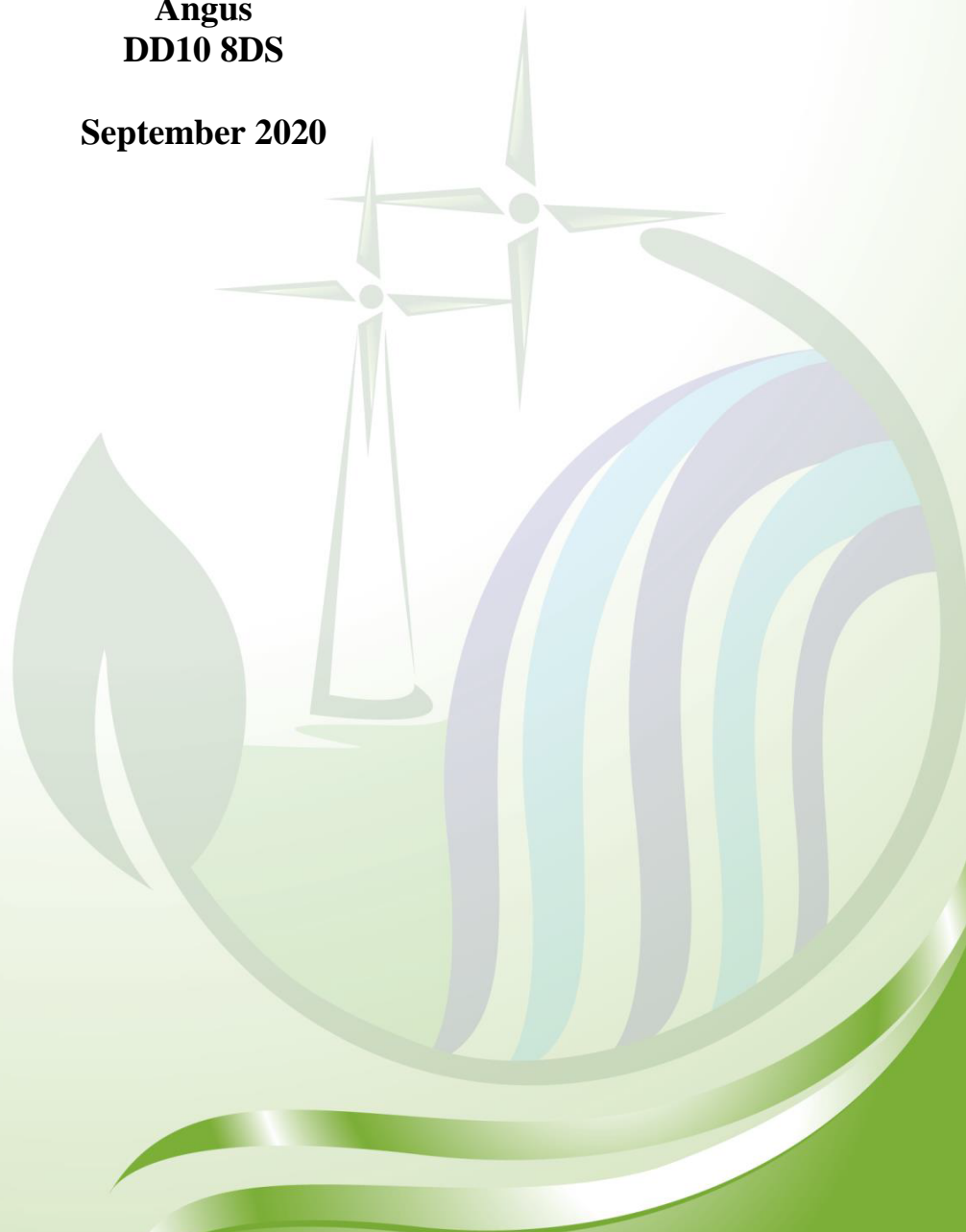
RLA-108-19	Internal view of SE courtyard elevation
RLA-108-20	View of SW courtyard elevation, entrance to garage
RLA-108-21	NW elevation adjacent to lot comprising 1-2 America Street
RLA-108-22	View of room 10, garage, from door D20
RLA-108-23	Doorway connecting room 13 to 12, freezer area
RLA-108-24	View into room 14, large walk-in freezer, photo from room 13
RLA-108-25	Staircase rising from room 6, leading upstairs to foyer in 26a
RLA-108-26	Wood-panelled bathroom/toilet from room 4
RLA-108-27	Room 8, looking to quayside. Note period maps affixed to walls.
RLA-108-28	Room 8, looking to quayside. Note period maps affixed to walls.
RLA-108-29	Room 9, ground floor, view of bay window W21
RLA-108-30.1	Room 30, first floor, general view
RLA-108-30	Room 30, first floor, view from bay window W22
RLA-108-31	Room 28, with doorway to room 29 open.
RLA-108-32	Room 29, with view of quayside visible through W17
RLA-108-33	Room 26a leading to rooms 26/27
RLA-108-34	Room 26 with staircase on L leading down to ground floor and centre steps leading to R25
RLA-108-35	Room 26 with staircase on L leading down to ground floor and centre steps leading to R25
RLA-108-36	Room 25 looking towards R26
RLA-108-37	Heavy pair of safes located in R2, next to wood and glass partition
RLA-108-38	General view of Room 2. America Street lies outside W3-5 to left of frame
RLA-108-39	View of Room 1 with wood-panelled alcove
RLA-108-40	Windows 1 & 2 out to America Street, Room 1
RLA-108-41	Alcove, entryway and seating area (bench), Room 22. Safe is behind wood/glass partition to L of frame
RLA-108-42	Room 19, looking towards courtyard through W45 & 46
RLA-108-43	Room 18, currently tyre/wheel storage
RLA-108-44	Room 16, machine and tool storage
RLA-108-45	Room 15 with modern concrete floor and fuse/circuit breaker boxes
RLA-108-46	External detail view of NE courtyard elevation, sliding door D13
RLA-108-47	Detail of NW courtyard elevation
RLA-108-48	General view of courtyard SW elevation, from elevated landing outside D18
RLA-108-49	General view of courtyard NW/SW elevation, from elevated landing outside D18
RLA-108-50	General view of courtyard NW/SW elevation, from elevated landing outside D18
RLA-108-51	Room 37, general view
RLA-108-52	Room 36, general view
RLA-108-53	Room 34, workshop area
RLA-108-54	Room 34, workshop area with corridor and entrance to later panelled room 35 to left of frame
RLA-108-55	Room 34, looking towards substantial room 'Great hall' 33

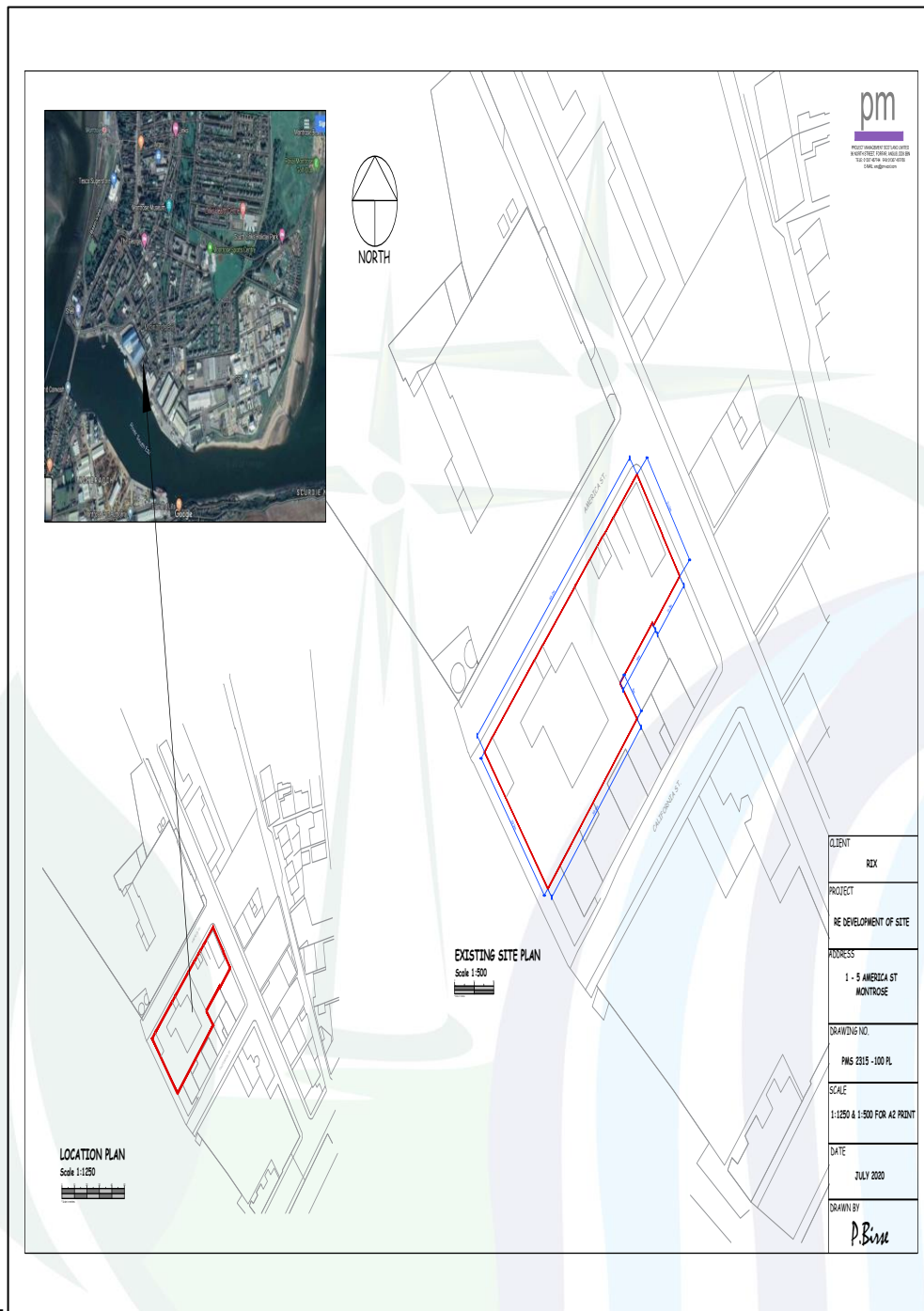
RLA-108-56	View of 'Great hall' room 33 from 34.
RLA-108-57	'Great hall' room 33, a substantial industrial space
RLA-108-58	Internal view of D2, with pedestrian entrance open.

**Bat Survey Report**

**1-5 America Street  
Montrose  
Angus  
DD10 8DS**

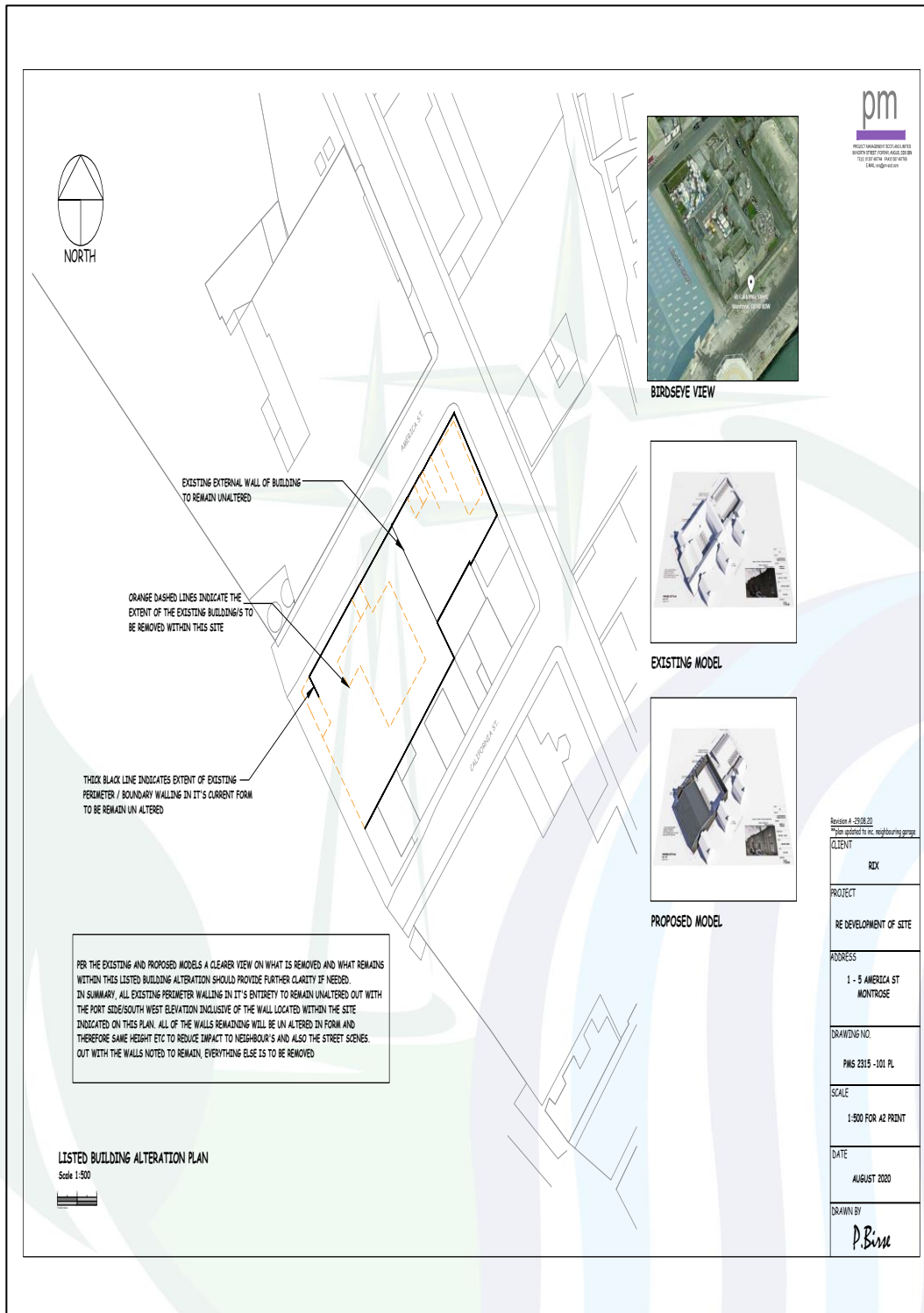
**September 2020**





**Figure 1. Site plan 1-5 America Street Montrose**





**Figure 2. Site plan 1-5 America Street Montrose showing extent of roofs to be removed.**



**Figure 3. Architects image for redevelopment from southwest with only original façade remaining.**



**Figure 4. Architects image for redevelopment from northeast.**

## Introduction

**1.1** Licensed bat worker Dr Garry Mortimer was commissioned to carry out building bat roost and bat activity surveys for the demolition and development of disused residential houses and offices/store areas working warehouse situated in the Montrose dock area at 1-5 America Street Montrose DD10 8DS in August 2020 (Figures 1 & 2). These surveys are as required by Council in regards to a potential planning application.

## 1.2 Aims and Objectives

To determine if any bat roosts are present in the building to be demolished/developed.

## 1.3 Bats Legal Status

Bats are protected under Annex IIa and IVa of the EC Habitats Directive (92/43/EC) as applied in Scotland under the Conservation (Natural Habitats &c.) Regulations 1994, as amended by the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations of 2004, 2007 and 2009. This creates a series of criminal offences that can result in substantial fines and/or imprisonment. These offences are listed below and make it illegal;

- To deliberately or recklessly capture, injure or kill bats
- To deliberately or recklessly harass a bat or group of bats
- To deliberately or recklessly disturb a bat wherever they occur in a <sup>[1]</sup><sub>[SEP]</sub> manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young
- To deliberately or recklessly disturb a bat while it is hibernating or migrating
- To deliberately or recklessly disturb a bat in a manner that is, or is likely to significantly affect the local distribution or abundance of the species to which it belongs
- To deliberately or recklessly disturb a bat while it is rearing or otherwise caring for its young
- To deliberately or recklessly disturb a bat while it is occupying a structure or place which it used for shelter or protection
- To deliberately or recklessly obstruct access to a breeding site or resting place of a bat, or otherwise deny the animal use of the breeding site or resting place



(note that this protection exists even when the bat is not in occupation)

- To damage or destroy a breeding site or resting place (Note this is a strict liability offence and the prosecution do not have to prove deliberate or reckless intent, merely that the roost was damaged or destroyed)
- To possess or control or transport any live or dead bat which has been taken from the wild or anything derived from a bat or any such part of a bat
- In addition to the above offences it is an offence to knowingly cause or permit such offences to be committed.

### Site Description

**1.4** America Street is a block of empty residential buildings, some of which are listed and offices situated in the docks area at Montrose. There is an interior courtyard present. The buildings are generally of solid stone construction with slates onto sarking. It would appear that all of the buildings and roofs are to be demolished apart from the facade of the Listed Category C building in America Street. Plans are to construct an on site car park (Figures 1-4). Existing buildings are as shown in Figures 5-11.



**Figure 5. Façade in America Street to be retained.**



**Figure 6. Stonework in good condition.**



**Figure 7. Gable ends with no bat roost potential.**





**Figure 8. Interior courtyard to be demolished.**



**Figure 9. Interior courtyard to be demolished.**



**Figure 10. Interior roof detail of slates laid onto sarking.**



**Figure 11. Interior detail with no ceiling or roof cavities present.**

### **1.5 Standards and Guidance Followed for Bat Surveys**

In August 2020 Dr. G Mortimer and surveyors carried out a Potential Roost Assessment (PRA) looking for signs of roosting bats to in accordance with guidance from the BCT.

### **1.6 Building Inspections**

The outside and inside of the buildings were inspected utilizing ladders, 10 x 40 binoculars and an endoscope where appropriate. The buildings were checked for any potential bat access points, droppings on walls, urine stains, grease marks or other indications that a roost was present. All interior roof and loft spaces were accessible and surveyed.

## **Results**

### **1.7 Signs of bats**

No faecal droppings, staining or any other signs of bat occupancy were observed around the outside or inside of the building.

**1.8** Following BCT Guidance it was considered that bat roost potential was low and that dawn and dusk activity surveys would be required. Various parts of the buildings were scoped out due to having negligible bat roost potential e.g. Figures 6 & 7. Surveys were carried out from both the outside from the streets and also from inside the courtyard (Figure 7).

### **1.9 Dusk & Dawn Emergence Surveys**

In August & September four bat surveyors carried out dawn and dusk bat emergence/re-entry surveys in suitable conditions

August 28 Dawn - Start 03.30 – End 06.45; Sunrise 06.08; Weather: 2/8 Oktas cloud cover; Wind: NE 1, Temperature: 19 Celsius.

August 29 Dusk - Start 19.30 – End 23.07; Sunset 20.17; Weather: 3/8 Oktas cloud cover; Wind: Calm, Temperature: 11 Celsius.

September 8 Dawn - Start 04.30 – End 07.00; Sunrise 06.34; Weather: 5/8 Oktas cloud cover; Wind: Force 2 SW, Temperature: 13 Celsius.



September 24 Dusk - Start 18.40 – End 21.00; Sunset 19.08; Weather: 4/8 Oktas cloud cover; Wind: Force 2 N, Temperature: 9 Celsius.

**1.10** BATBOX Duet Heterodyne / Frequency Division bat detectors and MP3 recording devices were used to enable bat detection and record any bat echolocations for subsequent analysis using Batsound software. Handheld GPS units were used to determine positions and radio receivers were used to communicate between surveyors. Information recorded included species, time seen, location, flight direction, habitat associations & behaviour.

## **Results**

**1.11** There was no bats recorded leaving or entering any roosts. No bats commuting or foraging in the general area were recorded.

## **Discussion of Bat Survey Results**

**1.12** The bat surveys were undertaken to assess whether there were roosting bats present in the collection of buildings at 1-5 America Street Montrose.

**1.13** No bat droppings or other potential signs of bats were recorded inside or outside of the buildings.

**1.14** No bats were recorded leaving or roosts during dawn and dusk bat activity surveys.

**1.15** No bats were recorded in the general areas during surveys.

**1.16** The buildings have been maintained and visited regularly by the previous owner. He has not recorded bats within the building apart from finding a dead bat several years ago. The buildings are not heated and lack cavities so would not be very suitable for maternity roosts and the construction technology means that bat roost potential is very limited in the stonework.

Given the dockside location suitable foraging habitat is not present, however there is always a chance of transient bats arriving on ships. It appears from the surveys on America Street and nearby Meriden Street that the dockside is not good foraging habitat and is very poorly used. There is always a small chance that given the age and the dockside locations of the buildings that the odd transient bat could occur at any time.

## **1.17 Mitigation**

Whilst no bats were recorded, it is considered that mitigation will be required. Given the age and design of the buildings and that substantial demolition is proposed and that in particular, pipistrelle roosts can be transient and bats will change roosts frequently the following mitigation is required.

- That all slates and roof coverings are to be removed by hand.
- If any bats are found work should stop in the immediate area and GLM Ecology contacted who will deal with the issue in the appropriate manner.

## **Conclusion**

**1.18** A negligible risk of death or disturbance to European Protected Species is expected and it is safe to proceed if the above mitigation is followed.



- **DISCLAIMER**

This report has been prepared by Dr Garry Mortimer of GLM Ecology, with all reasonable skill and care within the terms of the agreement with the client. Dr Mortimer disclaims any responsibility to any parties in respect of matters outside this scope.

Best efforts were made to meet the objectives of this study through desktop study and field survey.

Information supplied by the client or any other parties and used in this report is assumed to be correct and GLM Ecology accepts no responsibility for inaccuracies in the data supplied.

It should be noted, that whilst every endeavour is made to meet the client's brief, no site investigation can guarantee absolute assessment or prediction of the natural environment. Numerous species are extremely mobile or only evident at certain times of year and habitats are subject to seasonal and temporal change.

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Document Prepared By  
Dr Garry Mortimer  
GLM Ecology



# 1-5 AMERICA STREET MONTROSE

Job No. 204027

## BUILDING CONDITION REPORT

Interpretive report and recommendations from site observations and desk top study.

**Nathan D. Murray**

BEng (hons) MSc. CEng MIStructE



## **INTRODUCTION**

### **Project Brief**

At the request of Project Management (Scotland) Ltd., on behalf of Rix Shipping (Scotland) Ltd., Griffen Design Ltd. visited the properties at America Street, Montrose to inspect the structural condition on Monday 9<sup>th</sup> November 2020. It is proposed that the disused buildings at 1-5 America Street are redeveloped to provide modern and usable facilities for Rix Shipping (Scotland) Ltd.

### **Site Location & Overview**

The site is located between the Harbour (South) and River Street (North), and between America Street (West) and California Street (East). The properties accessed on California Street are private dwellings and are not part of the redevelopment works.

There are predominantly 4 distinct sections of buildings on site.

1. Managers House occupying the corner between America St. and the Harbour.
2. Offices occupying 1-5 America St.
3. Workshops & Stores forming the North and East buildings
4. Workshop/Store forming the infill in the Harbour elevation between the Managers house and the older workshops and stores southern gable.

## **HISTORY**

### **Historical Maps**

The quadrangle of buildings was constructed between 1840 and 1860 and are shown on the OS map of 1865. The buildings were originally built as a fish curing works and Managers House for Joseph Johnston & Sons Ltd.

The OS map published in 1904 shows a several changes to the footprint as follows

1. A row of buildings extending beyond No5 America Street to River Street.
2. New buildings on California Street
3. A section of the south elevation adjacent to the Managers House has been increased in depth (forming section 4 noted above).

The OS maps published in 1927 and ca1950 do not appear to show any significant changes.

In the intervening period the buildings extending beyond No5 America Street to River Street have been demolished. There is also a series of newer buildings within the yard bounded by River Street.

The surrounding buildings along the Harbour frontage from Wharf Street to Cobden Street have all been redeveloped to provide more functional space. The Wet Dock, shown on the OS maps up to ca1950, to the east of Meridian Street has been filled in and new buildings constructed.



## **BUILDING OBSERVATIONS**

For the purposes of clarity, the quadrangle of buildings is split into the 4 sections, noted in the overview, as follows.

1. Managers House
2. America Street Offices
3. Old Workshop/Stores (River Street (north) & California Street (east))
4. New Workshop/Store (Harbour)

### **1 Managers House**

#### **1.1 Description**

The Managers House is typical of mid-19<sup>th</sup> century construction. Two storey dressed stone elevations, now rendered, with timber duo-pitch trussed roof and timber floors. The external stone walls, approximately 500mm thk, are presumed to be rendered for weatherproofing and covering repairs. The front elevation has a double height bay window to the east and a small distance to the newer workshop (Section 4). The floor to ceiling height is 2750mm.



**Photograph 1.01 Managers House**

#### **1.2 Observations**

These buildings are generally quite robust and this example is consistent with others of this period.



### 1.2.1 Roof

The roof is a timber A frame at approx. 400mm to 450mm c/c and appears to be in reasonably good condition for its age, the ridge looks level and straight as observed in photograph 1.01, as do the gutters. The gutters have rusted over the years and look to be needing some repair and maintenance.

Internally the roof appears to have had a number of leaks which is not uncommon for a building of this era. As shown in photograph 1.04 the sarking and rafters are stained as evidence of moisture/water ingress.



**Photograph 1.02 Managers House – Roof Trusses**

### 1.2.2 External Elevations

There two areas of cracks on the front elevation.

The first, shown in photograph 1.02, is a vertical crack from the upper floor cill down through the ground floor lintel. The crack is not very wide, approx. 2.0mm, and may be limited to the render only but we cannot confirm from our visual inspection and further inspection is required.





**Photograph 1.02 Managers House - External Wall - Crack 1**

The second area of cracking is around the bay window. There are numerous cracks at the ground floor lintel and 1<sup>st</sup> floor cill with the concrete/stone shown to be cracked right through in places. A mullion also appears to be damaged. The photograph also shows localised staining to the cill and wall recess.



**Photograph 1.03 Managers House - External Wall - Crack 2**

The gable is in fair condition. The gutter unusually runs across the gable at eaves height meeting the downpipe at the rear eaves, the downpipe runs down the wall into a channel in the pavement.





**Photograph 1.04 Managers House - External Wall – Gable Drain**

The chimney exhibits light cracking and the render appears very damp at ground floor level and the render is stained green at the base. The base render is also cracked and chipped away in segments.



**Photograph 1.05 Managers House - External Wall - Gable**

The rear elevation was covered with storage items proving difficult to see. There is also a lean-to extension to the right on the ground floor.



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**Photograph 1.06 Managers House - External Wall – Rear Elevation**

### 1.2.3 Internal

The floors are fairly even and only a slight unevenness to the upper timber floor, there is some patchwork to the floorboards but nothing serious. The ground floor is concrete/screed, we do not know the build-up or thickness of the floor.



**Photograph 1.07 Managers House – 1<sup>st</sup> Floor**



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The current occupiers have cleared and ventilated the building. There is some condensation internally and there is dampness in the air, evident on the walls. Externally the dampness is shown at ground level and the window cills where the walls have darkened and turned green, see photograph 1.01 & 1.04. Internally there is dampness rising at ground level, see photograph 1.08, and also on the fireplace wall, see photograph 1.09.



**Photograph 1.08 Managers House - Internal Wall Dampness**



**Photograph 1.09 Managers House - Internal Wall Fireplace & Dampness**



There is evidence of some settlement within the building. This is highlighted at internal wall junctions, see photograph 1.10, where the wallpaper has moved relative to the adjacent wall.



**Photograph 1.10 Managers House - Internal Wall - Settlement**

There is also cracking around the bay window internally replicating the cracks observed externally, see photograph 1.11.



**Photograph 1.11 Managers House - Internal Wall – Bay Window Cracking**



## 2 America Street Offices

### 2.1 Description

The terrace is split in two sections. Section 2a located between the Managers House and the arch has the same eaves height as the Managers House and beyond the arch, section 2b, the eaves height steps up, see photograph 2.01.

The offices on America Street are of similar construction to the Managers House. The roof is a timber A Frame with hipped roof at north end and finished in slate. The floors are timber joists and the walls are 500mm thk stone, now rendered. The ground floor is concrete throughout. Section 2a had a hole exposed showing the slab to be at least 150mm thick and the stone extending 400mm below floor level, the base of the wall was not exposed.



**Photograph 2.01 America Street Offices - External Elevation**

### 2.2 Observations

#### 2.2.1 Roof

The roof is in fair condition. The ridge is reasonably level and only a couple of minor bumps to the ridge capping. A slight sag is evident at each side of the change in height. Also observed are distorted slates and damp patches along the gutter line. The slates are also discoloured green.

Internally the roof is a raised tie, the sarking and rafters are discoloured showing possible water ingress and leaks.



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**Photograph 2.02 America Street Offices – Roof Internal**

### 2.2.2 External Elevations

America Street elevation is in similar condition to the Managers House. The stone has been rendered, likely for waterproofing and repair work. The base is damp and green and there are numerous areas along the base that have weathered, cracked and spalled off.



**Photograph 2.03 America Street Offices - External Elevation – Base Render Spalling**



At the north end of the arch there is a crack emanating from the bottom north side of the lintel down into the arch. There is also a crack located on the north end of the lintel.



**Photograph 2.04 America Street Offices - External Elevation – Crack at Arch**

Within the archway there is a vertical crack approx. 2.0mm wide and 600mm back from America Street. This indicates that there has been some movement due to the archway and possibly from vibration caused by vehicles passing through the archway or along America Street.



**Photograph 2.05 America Street Offices - External Elevation – Crack in Archway**



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The internal quadrangle has had some changes. There was clearly a structure located where the stairs are located, the discoloured render raking up the wall signifies a structure was there. The doors and windows are all at varying heights. We also observed the slates along the gutter line are patchy, see photograph 2.06 to the north of the window.



**Photograph 2.06 America Street Offices - Quadrangle External Elevation – Section 2a**

The lintel over the archway to on the inner quadrangle side has failed, see photographs 2.07, 2.08 & 2.09. There is excessive deflection at midspan resulting in the step at the base of the wall and cracking from the window cill to the lintel.



**Photograph 2.07 America Street Offices - Quadrangle External Elevation – Arch Lintel**



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The support condition has also failed and in a dangerous condition. There is excessive crushing and movement at the support.



**Photograph 2.08 America Street Offices - Quadrangle External Elevation – Arch Lintel Support**



**Photograph 2.09 America Street Offices - Quadrangle External Elevation – Arch Lintel Support**





**Photograph 2.10 America Street Offices - Quadrangle External Elevation – Section 2b**

This section of offices has a higher eaves height and deeper building resulting in an increased ridge height. The general construction remains as per section 2a, timber truss roof and timber joists with stone walls.



**Photograph 2.11 America Street Offices - Quadrangle External Elevation – Section 2b – Corner Crack**

On the wall projecting out from the archway there is a vertical crack at higher level. It coincides with the cable fixings but is also evident at lower level and also tails off towards the window lintel.



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**Photograph 2.12 America Street Offices – Internal - Stairs**

There are numerous cracks internally. Particularly over the archway. The remainder are likely to be cosmetic from a lack of heating and excessive moisture.



**Photograph 2.13 America Street Offices – Internal - Cracks**





**Photograph 2.14 America Street Offices – Internal - Cracks**

### **3 OLD WORKSHOP/STORES**

#### **3.1 Description**

The construction is consistent with the previous sections. Timber truss roof with slate finish and timber intermediate floor. The external walls are stone which has been rendered. The ground floor layout is split into rooms of various sizes, in some areas the headroom is limited. There are some rooms fitted out as cold stores. There are several steel beams supporting the intermediate floor further compromising the headroom.

#### **3.2 Observations**

The different previous uses of areas in this section of the building have rendered the ground floor quite inconsistent, various different floor levels and ceiling heights. There are also little or no windows on the elevations leaving very dark and damp areas. It can be seen from photograph 3.01 that some windows to the upper floor have been blocked up.

The east wall could not be observed from California Street and so the condition of this wall remains unclear.



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**Photograph 3.01 Old Workshop/Store – Rear Elevation**

### 3.2.1 Roof

The roof is a timber A-frame with timber sarking and slate finish. At each end the roof hips at the corners. The ridgeline is in fair condition. The eaves is similar to the previous, damp patches, loose slates and rusted gutters. There are several rooflights along the length of the roof.

The central section beside the loft stairs has undergone some damage. The trusses in this area are blackened, the sarking is stained, several damp patches on the ceiling and some ceiling panels missing.



**Photograph 3.02 - Old Workshop/Store - Roof**

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### 3.2.2 External Elevations

The rear elevation appears to be in good condition. The render is in its best condition of all sections of the building. There remain the damp patches at the eaves and base with green staining at the base. Some window openings have been blocked up and there are only 2 small windows on the rear elevation.

The California Street elevation was only observed at a distance and internally as no permission was granted to neighbours properties. There are however a few vertical cracks observed to the upper level above the garden lean-to at the Harbour end of California Street.



**Photograph 3.03 - Old Workshop/Store – California Street Elevation**

The quadrangle elevations have two single storey lean-to additions and we can see a structure has been removed from one elevation, see photograph 3.06 where a line from the red door diagonally to the window above. This photograph also shows blocked up and altered openings.

The damage to the walls appears worse on this elevation. There are several cracks emanating from the gutter line (see photograph 3.04), in particular at the head of the downpipe where several large cracks are observed and a vertical crack the full upper level. There is another diagonal crack from eaves to lintel at the second window and another at the sliding door.

The ground floor has more cracks around the head of each window and door shown in photograph 3.04. The 6 pane window may have been a door previously noting the lower cill and vertical cracks each side from cill to ground. However, there is little consistency in door and window sizes and levels.



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**Photograph 3.04 - Old Workshop/Store – Quadrangle Elevation 1**



**Photograph 3.05 - Old Workshop/Store – Quadrangle Elevation 2**



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**Photograph 3.06 - Old Workshop/Store – Quadrangle Elevation 2**

### 3.2.3 Internal

The ground floor is concrete throughout but there are steps, ramps and run-off slopes in various locations throughout the ground floor.



**Photograph 3.07 - Old Workshop/Store – Ground Floor**





**Photograph 3.08 - Old Workshop/Store – Ground Floor**

The intermediate floor is supported on the existing walls and several steel beams. The internal room arrangement is likely to have been altered over the years incorporating the steel beams. The beam supports look slightly compromised. There is rust staining indicating water penetration. This could be from the fish curing process or a building defect. There are also cracks observed at the support, see photograph 3.09, indicating either accidental damage or a building defect.



**Photograph 3.09 - Old Workshop/Store – Steel Beams**



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**Photograph 3.10 - Old Workshop/Store – Steel Beams Support**

The ground floor room configuration comprises a number of smaller compartments some of which have been specially constructed, possible cold stores etc. We note the prop in specialist room 2, photograph 3.13, which is supporting the plasterboard, no corresponding movement was noted above.



**Photograph 3.11 - Old Workshop/Store – Steel Beams / Brick Walls / Floor Joists**





**Photograph 3.12 - Old Workshop/Store – Specialist Room 1**



**Photograph 3.13 - Old Workshop/Store – Specialist Room 2**

The upper level consists of larger rooms separated by a combination of stone and timber walls. The rooms at each side of the building, on the America and California Street elevations, have been stripped back to reveal the roof truss and stone walls. The central or north section has retained the plasterboard to the walls and ceiling.

The roof truss type varies from a raised tie at the America Street end to an A frame through the remainder. It can be seen that the wallhead height varies from 3.1m in the central section to a low of



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approx. 2.0m at the California Street elevation. There is a step in the floor of 800mm going into the America Street floor area.

In many areas the stone and brick walls are tired and friable. They have been whitewashed possibly to provide some protection but this is worn or eroded off.



**Photograph 3.14 - Old Workshop/Store – Upper Floor America Street**



**Photograph 3.15 - Old Workshop/Store – Upper Floor Central Section**



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**Photograph 3.16 - Old Workshop/Store – Upper Floor Central Section / California Street Corner**



**Photograph 3.17 - Old Workshop/Store –California Street**

The roof is in a fair condition, similar to other sections of the roof observed, some moisture staining observed on the sarking and some leaching on the wall surfaces.





**Photograph 3.18 - Old Workshop/Store –America Street Roof**



**Photograph 3.19 - Old Workshop/Store –California Street Roof**

There are alterations and repairs carried out on the elevations, as shown in photograph 3.20. Brickwork shown to form new door opening. Photograph 3.21 shows a vertical crack at the junction between the internal and external wall. It appears that the internal and external wall are separating. The photograph also shows some brick infill and a new lintel.





**Photograph 3.20 - Old Workshop/Store –California Street Wall**



**Photograph 3.21 - Old Workshop/Store –California Street Wall Crack**

The lintels are timber. This is an area of concern when there is evidence of moisture. The lintel can rot causing a loss of structure around the opening.





**Photograph 3.22 - Old Workshop/Store –California Street Wall Lintel**

#### **4 NEW WORKSHOP/STORE**

##### **4.1 Description**

This section of the quadrangle is of a very different and newer construction. The roof is a double span duo-pitch metal truss with timber purlins spanning between trusses and a corrugated sheet roof. A steel beam supports the trusses at the internal valley. The walls are brick with piers below truss ends. The ground floor is a ground bearing concrete slab and there is a concrete intermediate floor, partially precast slabs and partial reinforced concrete.



**Photograph 4.01 - New Workshop/Store**



## 4.2 Observations

### 4.2.1 Roof

The roof is a corrugated sheet. It is likely that this is a form of asbestos sheeting. Internally there are no significant or obvious signs of water damage.



**Photograph 4.02 - New Workshop/Store - Roof**

### 4.2.2 External Elevations

The Harbour elevation has a forming opening blocked up. There is a horizontal crack along the length of this lintel and also a vertical crack from the end bearing up to the eaves. There is a similar crack over the right hand opening in the quadrangle. This indicates there is a poor detail or fixing used on both sides leading to a fault.

The return elevation to the Managers House is bulging and has several cracks. There appears to have been something bolted to this wall which may have caused the damage.



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**Photograph 4.03 - New Workshop/Store – Harbour Elevation**



**Photograph 4.04 - New Workshop/Store – Return to Managers Office**





**Photograph 4.05 - New Workshop/Store – Quadrangle Opening**

#### **4.2.3 Internal**

There is a series of brick walls forming smaller offices/stores/toilets. The ceilings over are precast concrete on the California Street side and reinforced concrete towards the Managers House. The reinforced concrete ceiling has been partially removed and in sections is in a precarious condition.



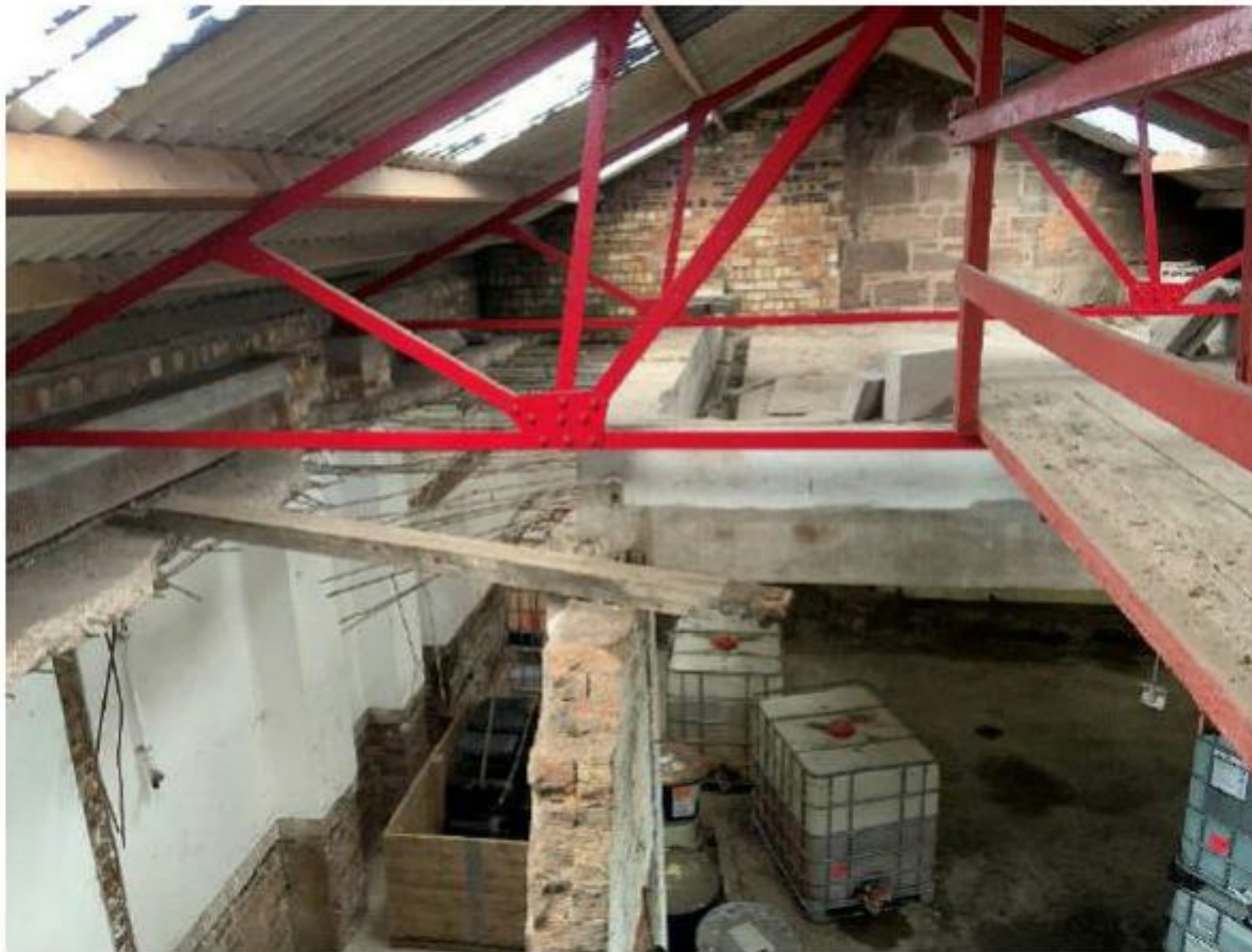
**Photograph 4.06 - New Workshop/Store – Internal**



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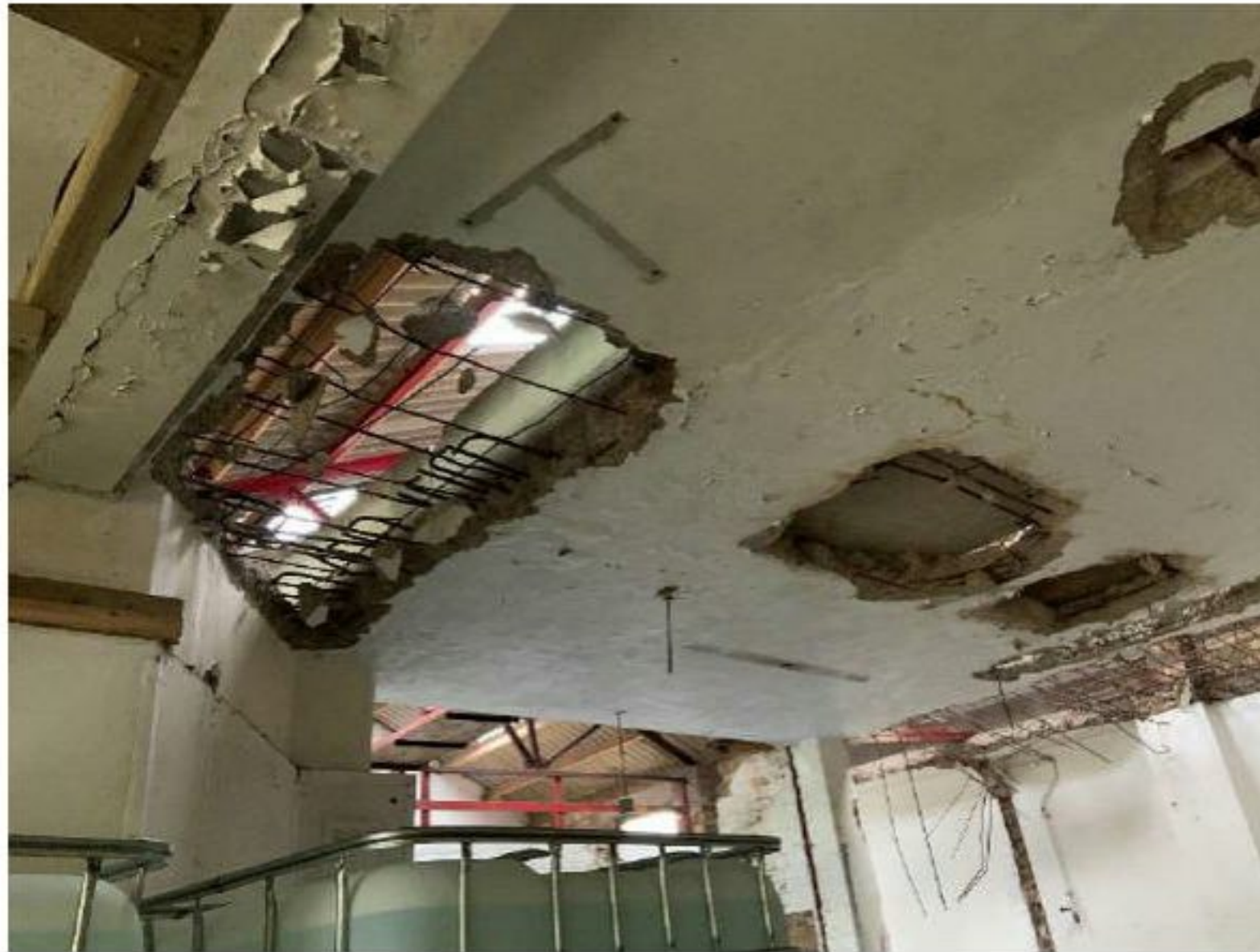


**Photograph 4.07 - New Workshop/Store – Precast Ceiling/Floor**



**Photograph 4.08 - New Workshop/Store – Reinforced Concrete/Floor**





**Photograph 4.09 - New Workshop/Store – Reinforced Concrete/Floor**

## DISCUSSION

### **Overview**

It can be seen from our observations that the buildings have undergone several changes during their lifetime. From minor alterations to the layout and door/window openings to major changes such as the addition and removal of the structures within the quadrangle, the addition and subsequent removal of buildings projecting north of No5 America Street and demolition and construction of the new workshop/store on the Harbour Elevation.

### **Condition**

The roof throughout is in fair condition. There are several patches where the ridge and slates require minor repairs. Also, the gutters need maintenance. The external walls are all rendered which usually is sign of trying to repair or protect against water penetration and there are signs throughout of damp, moisture and water. Given the Harbour location, the exposure to driving wind and rain could lead to this type of problem. Further to this the previous use as a Fish Curing works was likely to use a lot of water.

It is possible that the render is hiding the true condition of the walls. The areas exposed appear worn and the mortar crumbly. This could have a detrimental effect on the wall strength.

The timber floors seem in good condition. There will be areas needing repaired but generally we did not observe excessive deflection, bounce or vibration.

The support leading into the quadrangle from America Street needs to be removed and replaced. The supports need to be repaired. This should be attended to as a matter of urgency.



### **Re-Use**

The ground floor layout in particular is split into a number of small rooms and compartments. The floor level is not consistent throughout, there are a number of small steps, ramps and slopes. This must be in connection with the fish curing and ease of washing out the floors. The section of the ground floor exposed did not reveal any insulation or damp proof membrane.

The intermediate floor level varies little across the site. The Managers House stepping up at the arch and then dropping 800mm into the central section and maintaining this level through the California Street elevation.

In order to re-use the building the ground floor would need to be removed and replaced with a suitable ground bearing slab with insulation and damp proofing. The timber intermediate floors would need to be designed to up to date standards and floor loadings. This will likely require additional joists and steel floor beams to meet current standards.

All masonry cracks should be exposed and repaired. Given the number and location of the cracks this would be a massive undertaking.

The re-use of the building would limit the works suitable for occupying the building. The modern plant, machinery and size and weight of storage products have increased in size. The re-use of the building would limit the potential for modern equipment.

### **Replacement**

The current proposal shows the demolition of the internal structure leaving the perimeter external walls, façade, and part of the Managers House. A new purpose-built portal frame structure constructed within the site and car parking to the rear.

The perimeter walls are tall, in excess of 5.0m in places. It is unlikely that such a tall slender wall would be structurally adequate. Currently the masonry walls are split into panels, horizontally by the roof and floor and vertically by return walls (rooms).

The façade retention can be constructed either in masonry, steelwork or a combination of both. The buttresses should be between 1.8m and 2.4m in length and the full height of the wall. These should be located where existing walls are located, long wall sections may need to be subdivided. A steel lattice could be fixed at floor and wall level between buttresses. Special consideration would need to be made of the chimney located on the Managers House gable which is to be retained.

Provided an analysis of the façade is carried out a suitable façade retention scheme can be produced. This scheme will provide safe reuse of the external walls and there will be no impact to the houses located on California street.



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## **RECOMMENDATIONS**

We would recommend that the buildings are removed and replaced as per the proposed plans. A façade retention scheme will need to be designed with special consideration of the Managers House chimney on the America Street gable.

The perimeter wall should be stripped of all existing render and all cracks repaired, wall repointed on both externally and internally (current position) and rendering re-applied to both sides.

In the intervening period we further recommend that the timber lintel leading into the quadrangle off America Street is temporarily propped at the south end and at mid-span.

We recommend the reinforced concrete ceiling within the new workshop/store is carefully removed.

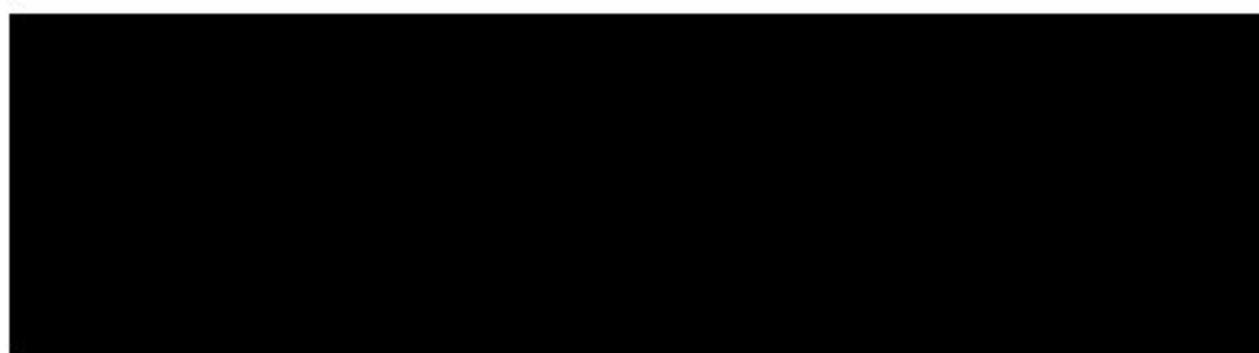
## **SUMMARY**

The existing buildings are in a fair condition. Repair and re-use of the buildings is thought to be an unrealistic option. Remove and replace with modern purpose-built structure and façade retention scheme is the preferred option.

Lintel into quadrangle to be propped at south end and mid-span, and the reinforced concrete ceiling is removed in the intervening period.

This report has been prepared based on the observations from our site visit on Monday 9<sup>th</sup> November 2020 and desk top study.

Yours faithfully,



Nathan D. Murray  
BEng(hons) MSc CEng MIStructE  
For Griffen Design Ltd.



# Heritage & Design Statement



## **Application Ref: 20/00574/FULL & 20/00599/LBC**

Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking, 1 - 5 America Street, Montrose, DD10 8DN

February 2021

Prepared on behalf of **Rix Shipping (Scotland) Ltd**





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## 1. Introduction

### Purpose of Heritage & Design Statement

Maria Francké Planning has been commissioned by Rix Shipping (Scotland) Ltd to prepare this Heritage & Design Statement (HDS) in support of the application for Planning Permission submitted under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) for the 'Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos. 1 - 5 America Street, Montrose, Angus, DD10 8DN'.

There is a statutory requirement under Regulation 13 of the Town and Country Planning (Development Management Procedure) Regulations 2013 for either a DAS or a Design Statement to accompany a planning application in certain circumstances. DAS's are required to accompany applications for planning permission for 'National' and 'Major' developments; however, the requirement only applies to certain categories of applications for Local Development. None of the categories are applicable to this application however the applicant has chosen to submit this as a matter of good practice and to aid the general understanding of the project and its underlying design and heritage principles.

The purpose of this document is to describe the design and heritage principles relating to the proposed development to ensure that the design rationale can be understood when the application is assessed.

The following information has been provided in support of this application and should be read in conjunction with this report:

- Planning Statement, Maria Francké Planning
- Building Condition Report, Griffen Design Ltd
- Redevelopment Report, Griffen Design Ltd
- Level 1 Standing Building Survey, Robert Lenfert Archaeology
- Bat Survey, GLM Ecology

### Relevant Planning History

There is no planning history associated with the site.



Figure 1: Location Plan



## 2. Settlement Context

### History

The town of Montrose is situated on a flat peninsula at the north bank of Montrose Basin at the mouth of the River Esk on the east coast of Scotland, 31 miles north east of Dundee. The basin is a broad tidal lagoon and a landlocked nature reserve and is the largest inland saltwater basin in the UK. Historically the town's principal industries were flax spinning, the weaving of canvas, floorcloths, sailcloths and other fabrics. The harbour, comprising the reach of the river from the suspension bridge to the sea is naturally deep and well sheltered. The port has grown steadily since the creation of the royal burgh of Montrose in the 12<sup>th</sup> century. It was hub for fishing from salmon, cod, whaling and herring and has also been an important timber port. For many centuries it was also one of Scotland's largest exporters of wool.

### Joseph Johnston and Sons

Joseph Johnston arrived in Montrose at the age of 25 in about the year 1826. He had worked for a firm of tacksmen at Berwick-upon-Tweed. Later he acquired salmon fishing's of his own and began to build up the family business of Joseph Johnston & Sons Ltd, a company synonymous with salmon fishing and fish curing. The fish-curing business was carried on solely for cod, salted in barrels and smoked haddock for the English markets. The business continued to trade into the early part of the 21st century.

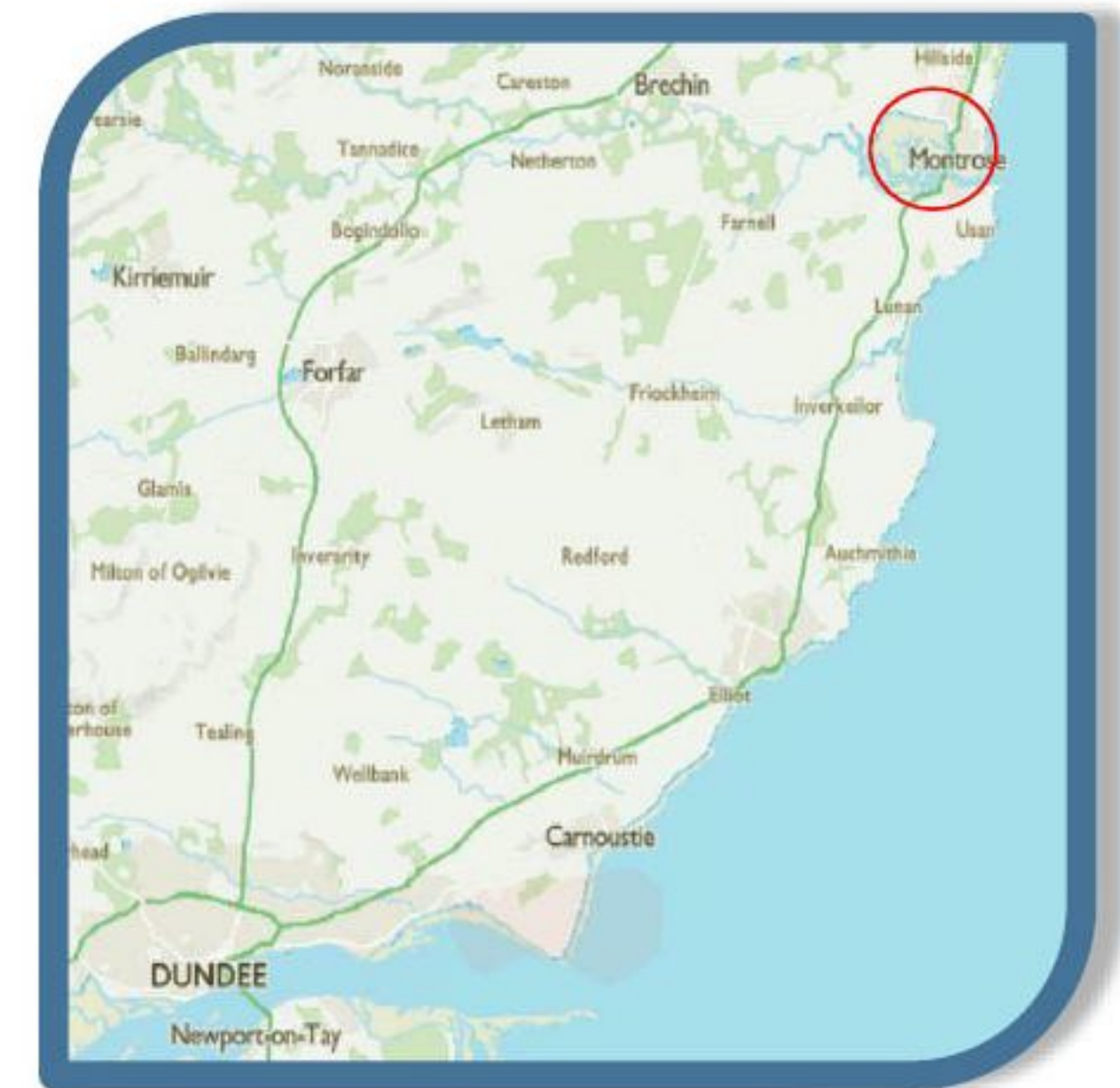


Figure 2: Location Map - Montrose



Source: All photographs courtesy of ANGUS Alive Museums, Galleries and Archives



## Growth and Investment

The port of Montrose remains the maritime gateway for its essentially agricultural hinterland in Angus and the Mearns. Montrose Port Authority's strategy is to diversify and attract more renewable and decommissioning work in addition to developing Montrose as the port and logistics hub for North East Scotland. With three major offshore projects under construction and in the pipeline (Seagreen, NnG and Inch Cape) the investment in Scotland's energy infrastructure has opened up opportunities for Angus, making a significant contribution to addressing climate change and energy security and providing economic opportunities for the settlement of Montrose.

The Crown Estate Scotland's purchase of the 123 acre 'Zero Four' site in Montrose will also bring new investment into Montrose with the site considered to have strong potential for further supporting the offshore renewables sector.

At Montrose Port, the development of modern quayside storage facilities has gradually replaced many of the traditional buildings associated with the town's former industries of boat building and salmon fish curing. The wet dock, completed in 1843, was infilled in 1981 to create more storage space and improved quay facilities to handle larger vessels. Large warehousing and transit sheds along with open ground (for general storage and/or fabrication and repair work) now line the North and South Quays.

*...the greatest economic growth within Angus is likely to centre around the Montrose area over the next few years due to a combination of factors including recent and planned improvement to the road, rail and sea networks and new inward investments.*

*We are focusing on the development of Offshore Wind Farms off the coast of Angus and 7 other major businesses to develop a clean growth area in and around the town. This will create new and well-paid jobs which will benefit the whole of Angus and beyond.*

Angus Council Plan 2019-2024



Source: Photographs courtesy of RIX Shipping (Scotland) Ltd





### 3. Description of the Site

The application site at Nos.1-5 America Street is bounded by America Street to the northwest, residential properties on California Street to the southeast, River Street to the northeast and Fish Quay and Montrose Harbour to the southwest. The site can be divided into two sections; the south western part of the site at Nos. 3-5 America Street comprises of the historic buildings which are in the form of a quadrangle of office and storage buildings arranged around a central yard area and the north eastern part of the site at Nos. 1-2 America Street is an open yard area with small sheds.

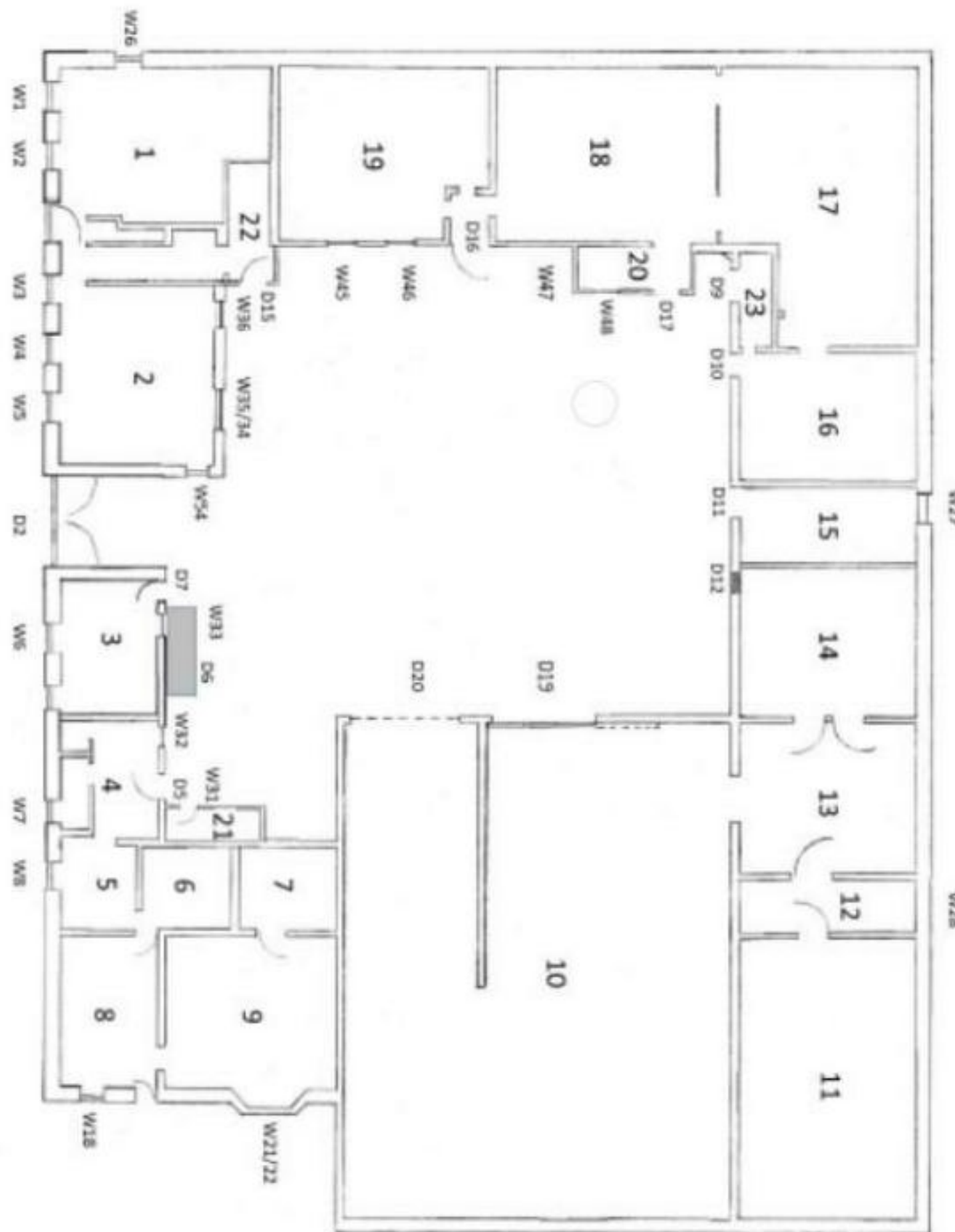


Figure 3: Existing Ground Floor Plan (courtesy of Robert Lenfert Archaeology)

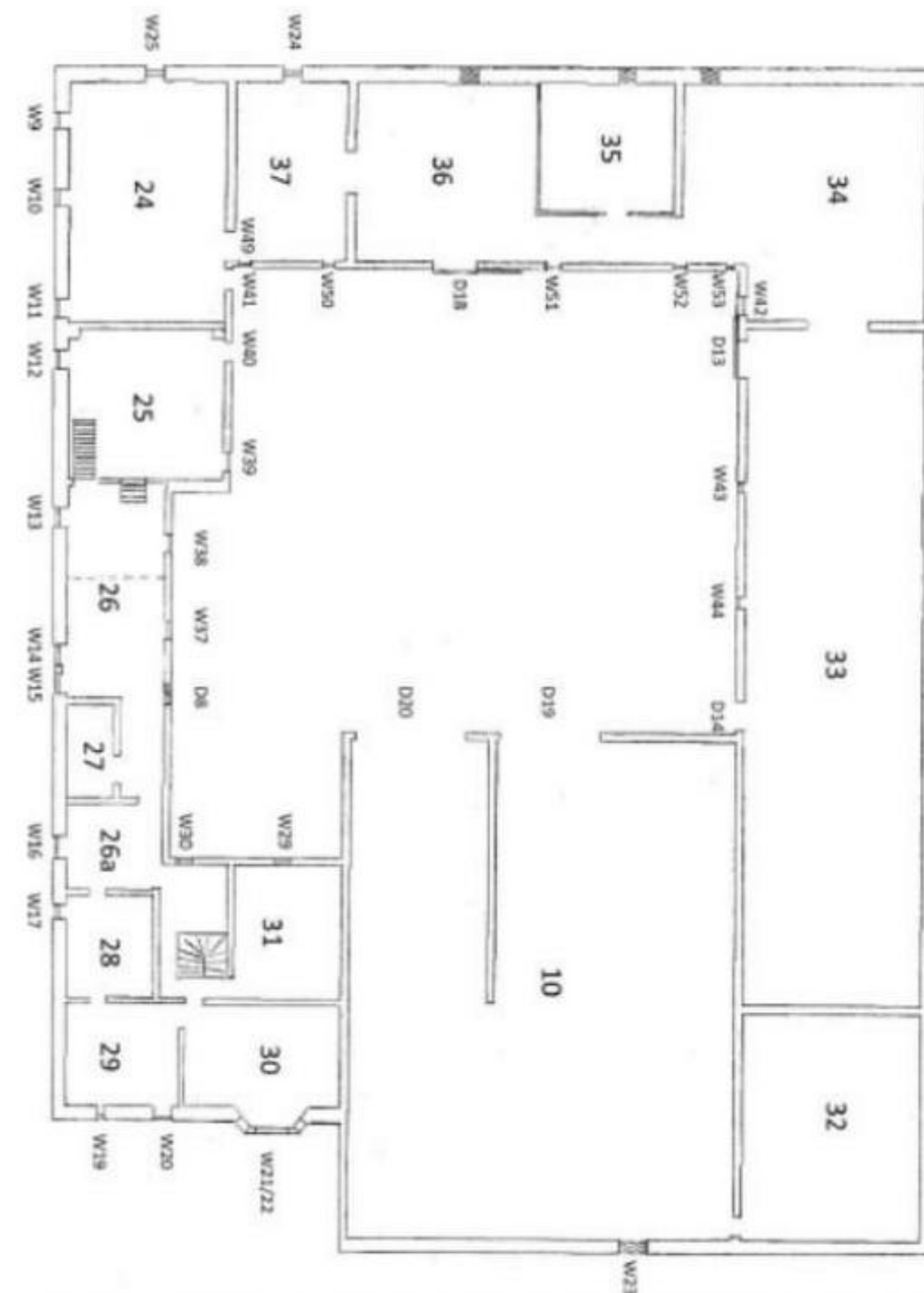


Figure 4: Existing First Floor Plan (courtesy of Robert Lenfert Archaeology)



The buildings at Nos. 3-5 America Street are category C listed and were built for Joseph Johnston & Sons Ltd for fish curing during the 19<sup>th</sup> and 20<sup>th</sup> century at Montrose Harbour. The buildings date from around 1840 to 1860. A copy of the HES statutory listing is attached at Appendix 1. They were last occupied in 1998 and since then have remained unoccupied.

### Existing Building Condition

The Building Condition Report (Griffen Design Ltd) provides a structural assessment of the quadrangle of buildings and should be referred to for a detailed account of the integrity of the various sections of the site and buildings. In addition to the Building Condition Report, a Level 1 Standing Building Survey has been undertaken by Robert Lenfert Archaeology to fully understand the building's form and function and the configuration of the different buildings on the site. The report contains a detailed historical mapping of the site supported by scaled plans, elevations and site photographs.

For this report, we have divided the site into 5 sections with a summary commentary drawn from the findings of the two reports mentioned above:

1. Managers House
2. America Street Offices
3. Old Workshop/Stores (River Street (north) and California Street (east))
4. New Workshop/Store (Harbour)
5. External Yard

#### Managers House

The Managers house is situated at the corner of America Street and Fish Quay and is typical mid-19<sup>th</sup> century construction with double bay window to Fish Quay. The stone walls have been rendered for weatherproofing and covering repairs. The roof is timber with evidence of moisture/water ingress. The elevation exhibits cracking in various locations, cills, lintels and chimney. Internally the floors are concrete/screed on the ground floor and timber at first floor level. There are some original features present – cornicing, shuttering and a fireplace. There is evidence of dampness and settlement.





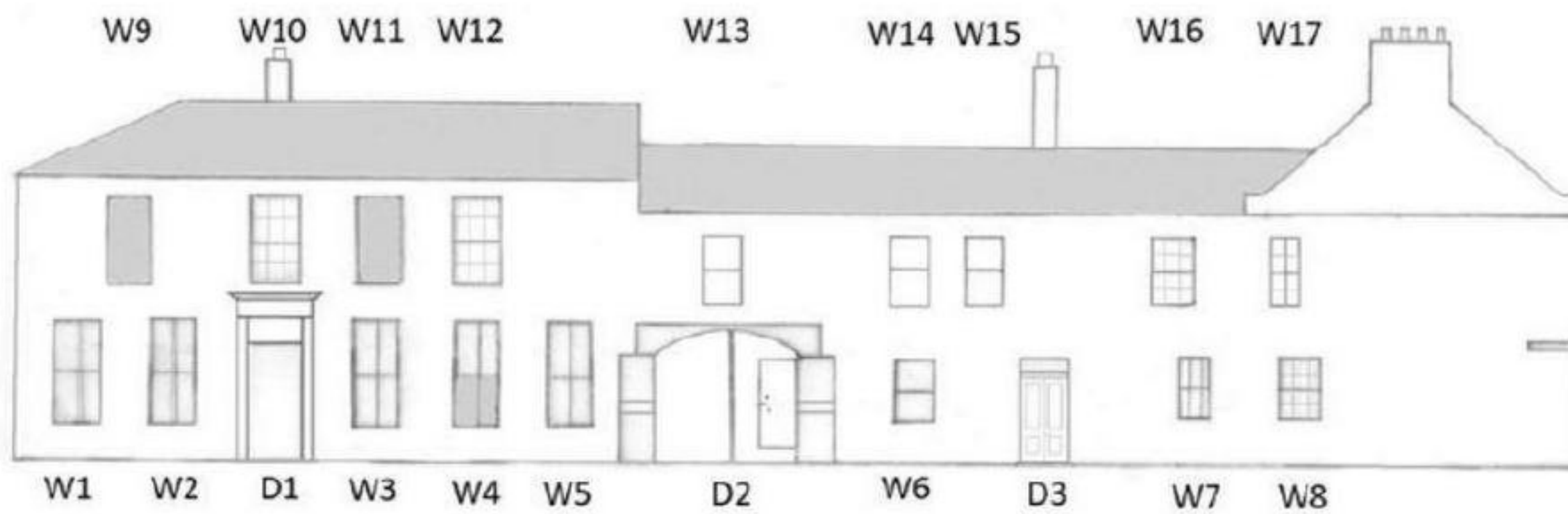
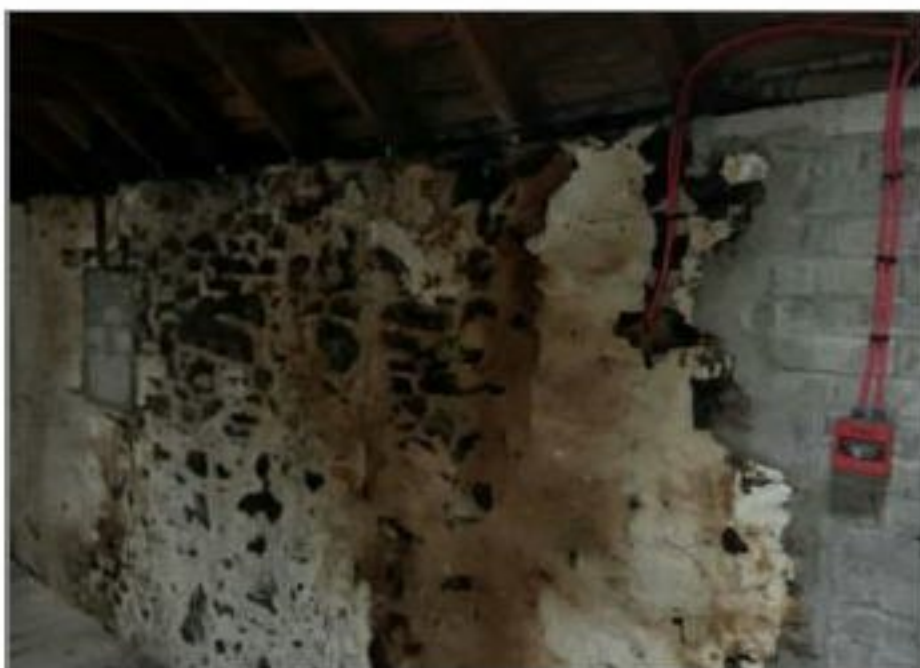


Figure 5: America Street Elevation (courtesy of Robert Lenfert Archaeology)

### America Street Offices

The America Street terrace is split in two sections with different eaves heights; the first running from the Managers House to the arched entrance and the second from the arch to the north eastern end of the terrace (see Figure 5 elevation). As with the Managers House, the stone has been rendered and the roof is in a similar condition with moisture/water ingress. There are cracks around the archway and a failed lintel which the Building Condition Report advises is in need of immediate support. From the quadrangle, it is evident that changes in the building have taken place as there used to be a structure where the external stairs are located. Internally, there are changes in the floor level at first floor level to take account of the differing eaves height with stepped access to the rooms. All the rooms are interconnected. There are numerous cracks in the wall and ceiling plasterwork.



### Old Workshop/Stores - River Street (north) and California Street (east)

The construction of this section of the buildings is again rendered stone with timber truss roof with slate finish. The configuration of rooms includes large walk-in freezers and cold stores associated with the buildings former use for fish curing and processing. Floors are concrete with steps, ramps and run-off slopes. The headroom is limited and there are several steel beams supporting an intermediate floor which further restrict headroom. There are a few very small windows, resulting in very dark and damp accommodation. There is damage to one section of the roof with missing panels.



The Building Condition Report notes that the internal room arrangement here is likely to have been altered over the years incorporating the steel beams. It advises that some of the beams look compromised. The report also notes that this section of the site has undergone numerous changes evident from the quadrangle elevations. The elevations here exhibit the most damage with substantial cracking.

### **New Workshop/Store (Harbour)**

This section of the site fronting Fish Quay is of newer construction, with brick walls, concrete slab floor and concrete intermediate floor. The roof is corrugated sheet (likely asbestos). The external harbour elevation has a forming opening blocked up and vertical and horizontal cracking. The survey notes that the return to the Managers House is bulging and has several cracks.

### **External Yard**

The north eastern end of the site is an open yard area with sheds. Access to this part of the site is through a separate gated entrance on America Street.



## 4. Historic Map Regression

The historic map regression exercise shows the development of the site and the surrounding area from its traditional fish curing/processing and ship building harbour roots to the modern-day character of Montrose Port with larger warehousing.

The early maps show the buildings including the application site associated with the fish curing works and there is little change in the urban street pattern between 1843 and 1922. The development of the wet dock to the east was built in 1843 and remained in use until 1981, when it was infilled to serve as a timber storage area. The map regression shows the transition of the traditional buildings from Wharf Street in the west to Cobden Street in the east redeveloped to provide more functional space for contemporary port activities.

1843



The quadrangle of buildings in America Street can be seen in this map from 1843.

1892



By 1892 there has been considerable infilling in the quadrangle.



1902



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1922



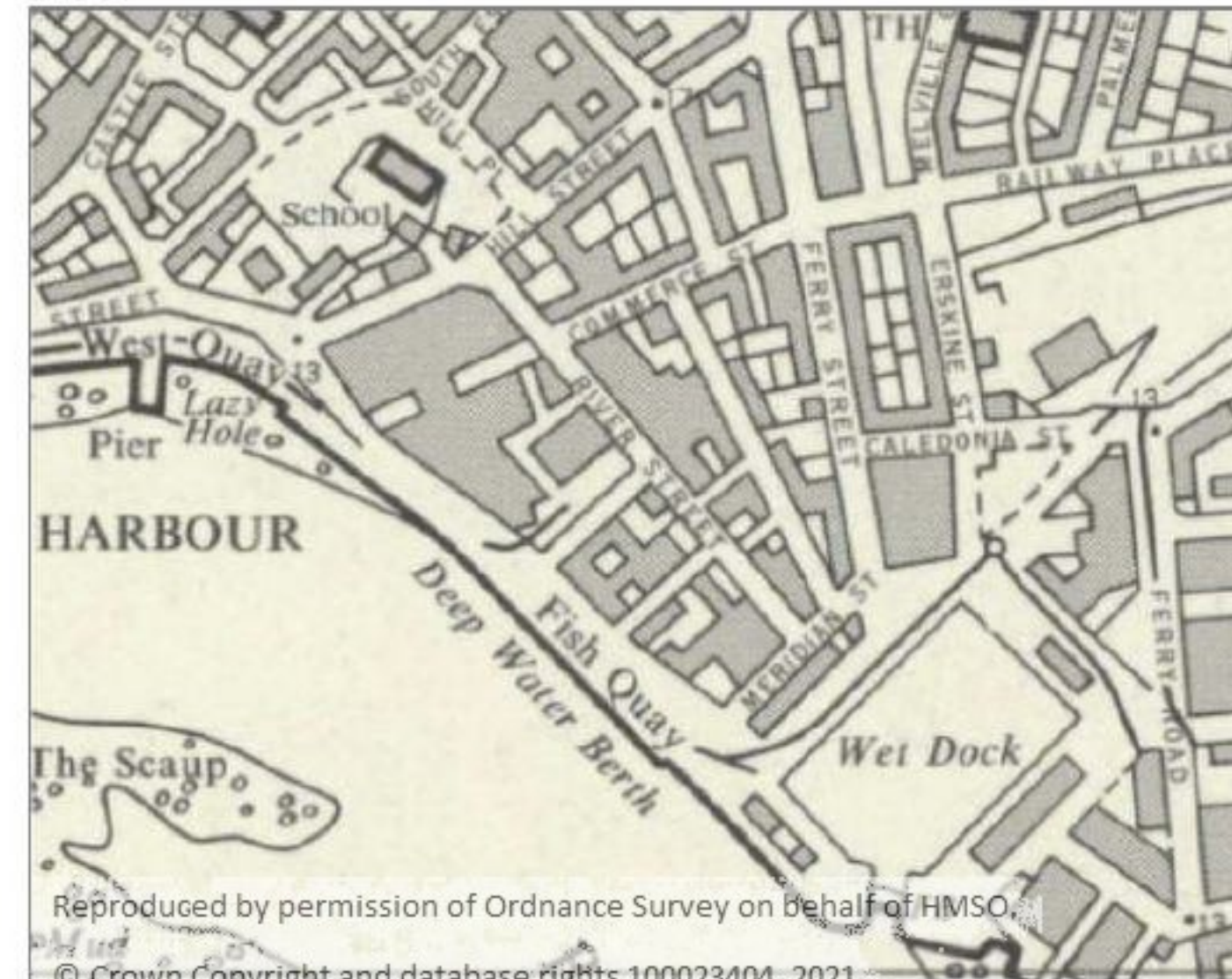
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1950



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1970



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## 5. Heritage Policy Context

### Legislation

Listed Buildings are afforded statutory protection through the Planning (Listed Buildings and Conservation Areas (Scotland) Act 1997 and any amendments set out in the Historic Environment Scotland Act 2014. Sections 14 and 59 require local planning authorities to have special regard to the desirability of preserving their significance and any contribution made by their setting.

This legislative framework is supported by the principles set out in Historic Environment Policy for Scotland (HEPS) which provides specific policy guidance on the historic environment and the Managing Change series of guidance documents which provide more specific topic-based guidance.

The proposals for the site have been prepared within this policy and guidance framework provided at the national and local level. A detailed Planning Statement has been submitted to accompany the planning application which contains a full assessment of the application against all relevant policies in the adopted Angus Local Development Plan (ALDP) and the HES guidance. The section of this report contains only a summary of the relevant design and heritage policies and reference should be made to the Planning Statement for the full policy appraisal.

### Angus Local Development Plan

The main issue in relation to this application is whether the proposed development accords with relevant Angus Local Development Plan policies and whether there are any material considerations that justify a departure from the development plan. The application site is within the settlement of Montrose and has no specific land use designation but lies adjacent to the area of Montrose Port (Policy M6). Whilst the site is not allocated employment land it is an established employment area. The scale and nature of the application proposals are for employment related uses and are in line with the wider port related activities at Montrose Harbour. The

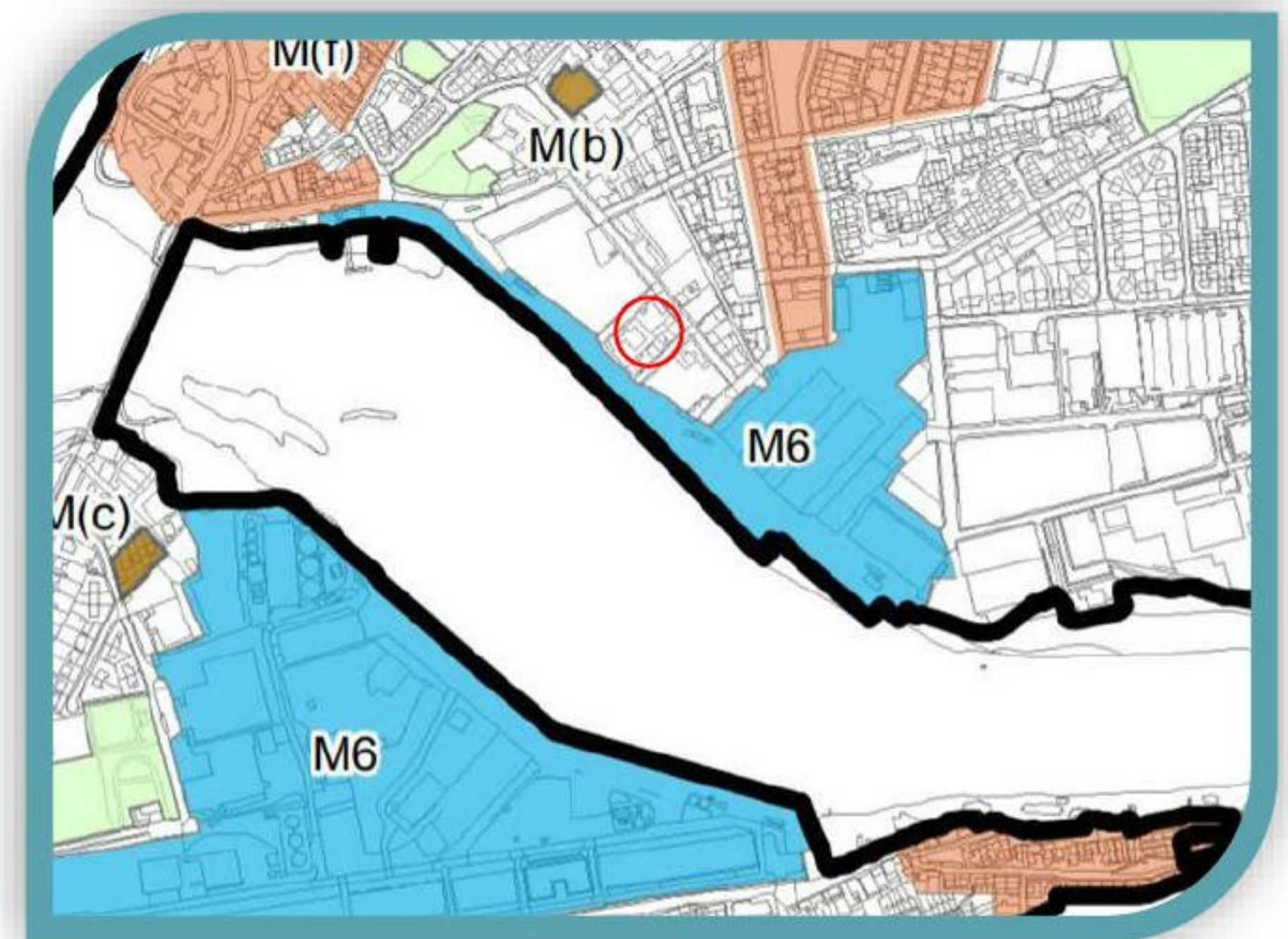


Figure 6: Local Development Plan – Montrose Settlement Map



development of the offices, welfare facilities and warehousing for O&M related activities supports the continued development of Montrose Port particularly in relation to the growth in the offshore renewables sector.

In terms of [Policy DS3: Design Quality and Placemaking](#) the proposals have given due consideration to the principles of Designing Places in developing the scheme for America Street. It involves the façade retention of the entire length of the America Street frontage and part of the Fish Quay frontage and the retention of all the boundary walls to the site. The preservation of the façade maintains the contribution that the listed building currently provides to the local streetscape with its arched entrance, maintaining the historic character and identity of the port area. This is notwithstanding the tremendous urban changes that have occurred in the wider Montrose Port area - with traditional buildings formerly associated with fish curing, fish processing and ship building being replaced with modern warehouses and sheds.

With residential properties adjoining the site on California Street, cognisance has also been given to the impact of bringing a site back into active use that has lain occupied for the past two decades. These residential properties are surrounded by similar uses associated with the port and will be used to the daily noise and bustle of 24-hour port related activities. The design of the new building has windows that face into the existing quadrangle and the retention of the high 5m site boundary walls will provide mitigation against potential adverse impacts on residential amenity. The high boundary walls will provide both a noise buffer and screening to prevent overlooking and there is no conflict with the required window to window separation distances between the proposed new building and the existing residential houses' windows on California Street, in line with council guidance. The existing openings on the wall facing onto California Street (seen in the photograph in Figure 7) will also be bricked up. The proposed car park area is also fully contained within the retained boundary walls to the site which will help to mitigate against any noise disturbance.



Figure 7: High boundary walls of site fronting California Street

It is considered that the position of the new building on the site and the associated car parking activities will not give rise to any unacceptable impacts on the neighbouring houses in line with [Policy DS4 Amenity](#).



**Policy PV8: Built and Cultural Heritage** states that development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime. For proposals that affect listed buildings, the policy states that these will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Historic Environment Scotland (HES) has commented on the application for listed building consent in its letter of 21 October 2020 (Ref.300046856). It advises that a review was completed in September 2020 and concluded that the building continues to meet the criteria for listing and that the present category C is the most appropriate level of listing. HES advises that:

*“This listed building retains its special interest as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function.”*

Appendix 1 of the Level 1 Standing Building Survey (Robert Lenfert Archaeology) shows the historic map regression of the site and Section 2 of this statement on Settlement Context along with the Planning Statement have set out the changing nature of Montrose Port over the past 100 years, evidencing how modern shipping and portside requirements have necessitated the gradual replacement of the historic buildings in the wider area of Montrose Port by large, modern sheds. It is acknowledged that these changes do not alter the historical significance of the site, but they demonstrate that the reasons for which the site was originally designated (i.e., ‘as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function’) have been overtaken by the need for larger warehousing to meet the needs of the oil and gas industry and the growing offshore renewables sector. Preserving these buildings for an historic end use that is no longer a core activity of Montrose Port is unrealistic longer term option and is not considered to be in the proper planning interests of the area. The integrity of the site can be however preserved in a meaningful and workable manner through allowing some necessary change to take place which enables the principal public face of the building – the America Street façade – to be sympathetically repaired and conserved in recognition of the site’s historic use and function. The retention of the site boundary walls described by Robert Lenfert Archaeology in the Level 1 Standing Building Survey as ‘almost fortress like, with featureless, blank granite walls largely void of ground floor windows’, will also lend themselves to contributing to the preservation of the site’s former cultural identity.

It is contended that the demolition of the internal building structures and the retention of the sizeable façade and external site building walls will not adversely affect the overall integrity of the site.



The social, environmental and/or economic benefits of the redevelopment of the site are set out in the Planning Statement and reproduced here:

### ECONOMIC BENEFITS

- Demolition of the listed building is essential to **deliver a sustainable economic development** on a site which has been vacant for decades.
- The redevelopment of the site is **in line with the Montrose Port related regeneration initiatives** and the strategic intent of the adopted Local Development Plan policy for Montrose Port (notwithstanding the fact that the site lies outwith the M6 designation)
- The redevelopment of the site is in line and the objectives of Montrose Port Authority to develop Montrose as the port and logistics hub for North East Scotland and **strengthen its position in the growing offshore renewables and decommissioning sectors.**
- Providing a strategic site for O&M facilities which will result in **job creation with a potential peak workforce of 60 staff** plus up to 12 additional ad-hoc staff. These anticipated staffing levels are based on O&M facility requirements of the same scale as the application proposal.
- **A total site investment by the Applicant of £1.6m** in site acquisition and redevelopment costs which includes the repair and preservation of the listed America Street façade and the listed boundary walls.

### ENVIRONMENTAL / SOCIAL BENEFITS

- **Demolition of redundant buildings and tidying up the entire site to the benefit of the amenity of adjacent residential properties** on California Street and River Street
- The **repair and restoration of the America Street façade and part of the Fish Quay façade** along with all the sizeable perimeter walls will provide a significant improvement to the visual amenity of the area.
- The **preservation in perpetuity** of the ‘heritage story’ relating to the former use of the site for fish curing through the preservation of the America Street façade and perimeter boundary walls.

The final part of policy PV8 asks for appropriate measures to mitigate any identified adverse impacts. Consideration has been given to potential impact on residential amenity which has been respected in the positioning of the new building on the site and the retention of the high perimeter walls. The compromise solution of the façade retention represents a commitment from the Applicant to help mitigate any adverse effect of the loss of this category C listed building. As evidenced in the submitted Building Condition Report, the external elevations of the property exhibit a multitude of structural problems including cracking, failed lintels and water ingress. The Applicant is committing to a significant capital investment to restore and preserve the America Street façade and site boundary walls in perpetuity. For the above reasons it is considered that there is no conflict with Policy PV8.



### Managing Change in the Historic Environment – Demolition of Listed Buildings, April 2019

The Planning Statement considers the tests set out in *'Managing Change in the Historic Environment – Demolition of Listed Buildings'* in detail. The following paragraphs provide only a brief overview of the outcomes of the heritage analysis against the three tests stated below:

- Is the building no longer of special interest?
- Is the building incapable of meaningful repair?
- Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?

#### **Is the building no longer of special interest?**

The building is category C listed and as noted by HES is therefore considered to have been of special interest in lieu of its former 19<sup>th</sup> century use associated with the fish curing industry of Montrose. Whilst the special interest is noted, the Building Condition Survey confirms that different parts of the building have undergone physical alterations both externally and internally to facilitate its use for fish curing, offices and storage. The cultural significance of the buildings is therefore considered to derive predominantly from its historic use – rather than its architectural interest.

The Building Condition Report has also assessed the feasibility of the re-use of the buildings and the level of improvements that would be necessary to meet current building standards regulations. The report considers that the works required would limit the use of the building for future occupiers, given the increases in both weight and size of modern plant, equipment and machinery and harbour related storage requirements. These changes together with the physical requirements for more modern office and large-scale warehousing accommodation, specifically to meet the growing industry requirements for O&M facilities, limit the reuse of the buildings in their current form. These limitations are in addition to the considerable costs required to adapt the building for modern day usage (see Section 6 of this statement) which are non-viable.

#### **Is the building incapable of meaningful repair?**

The Building Condition Report and the Redevelopment Report have assessed the structural condition of the entire building based on a visual inspection survey. To reuse the building two factors would need to be adhered to relating to building condition and current building standards. The reports observe the scale of repair needed for the various sections of the site. The old workshop stores facing River Street and California Street would need significant repair and upgrading to become usable space. This section of the site has also seen substantial structural interventions over the period with the insertion of steel frames, reducing its ultimate heritage value. The southwestern section of buildings are the workshop/stores facing the harbour area and these are of newer construction, with likely asbestos roofing and cracking internally and on the external elevations. The managers house and offices along America Street are largely intact and the



elevations exhibit cracking in various locations, cills, lintels and chimney. Internally, there are few surviving original architectural features. The architecture of the building, whilst distinct within the surrounding modern harbour townscape, has undergone extensive alterations, resulting in limited survival of the historic fabric within the buildings which further reduces its architectural value.

Extensive repairs and major structural works are required externally throughout all sections of the site to facilitate conversion to modern building standards, together with a full internal refit to make the property safe, secure, watertight and useable. The totality of the scale of repair required to restore these buildings to their original condition in any event is not a meaningful exercise, as the use for which they were originally built has long since past. To be meaningful, would require a viable end purpose to justify the scale of repair. It is therefore considered that any 'meaningful repair' is simply not possible, given the contemporary nature of port requirements for modern buildings along north quay and specifically those to meet the O&M requirements for the offshore renewables sector.

The core principles of Managing Change in the Historic Environment recognise that some change is inevitable and that it can be necessary for places to thrive. It is considered to be in the proper planning interests of the area and a good decision – taking a long-term view of the changes in the Montrose Port area - to enable this redevelopment scheme to take place.

### **Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?**

In tandem with the justification provided in this section under Policy PV8, the redevelopment of the site will result in considerable benefits to the Montrose economy and the local area.

The conclusions of this heritage analysis are informed by supporting planning application documents and provide a robust basis for the case for demolition. They demonstrate that the building is not capable of meaningful repair, it would not be economically viable to retain the building and its demolition and the proposed façade and boundary walls retention scheme would secure wider economic and community benefits. This meets the criteria for demolition as required by both local and national heritage planning policy.

### Core principles on managing change

- **Some change is inevitable.**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

Ref: HES, Managing Change: Policies and Principles



## 6. Feasibility Considerations

### Adaptation and Extension

Guidance on the reuse of listed buildings provided in the HES document *'Managing Change in The Historic Environment Use and Adaptation of Listed Buildings'* (April 2019) was followed in considering the potential for adaptation of the building. The guidance states:

*'Adaptation will normally involve working within the existing building envelope, focusing more on internal alterations. The first step towards finding a practical scheme of adaptation is to look critically at the existing building to see what alterations are necessary to make the building work.'*

The feasibility of adapting the building to accommodate the application requirements has been investigated by the project architects taking the Managing Change guidance into account. As noted in the Building Condition Report and summarised in Section 3 of this statement, the building has seen considerable internal and external alterations over its lifetime. The old workshop and store rooms on two sides of the quadrangle i.e. those facing the River Street and California Street frontages, have undergone the most internal changes and structural alterations which have left this section of the site in a convoluted state for reuse, with differing floor levels and ceiling heights, moisture ingress resulting in leaching and potential rot. The stone and brick walls are described in the Building Condition Report as *'tired and friable'*. Coupled with the inherent characteristics of the accommodation – smaller cold storage rooms, freezer rooms, restricted headroom and limited, if any fenestration in the external facades, renders the potential reuse of this part of the site to be very limited for any form of modern port and harbour storage requirements.

Notwithstanding the level of internal repairs and refit required to bring the buildings up to meet current building standards regulations, consideration has nonetheless been given to the trying to reuse and adapt the other L-shaped part of the site – namely the America Street offices, part of the managers house and the more modern storage accommodation which front onto Fish Quay and abuts a residential property on California Street.



The architects have looked critically at the existing buildings and considered the footprint of the new build and the required configuration of office and storage space for the new O&M facility. The existing rooms fronting America Street are akin in size to the proposed new office units. There is however no separate corridor circulation space in the existing building and access to the rooms is by an interconnection taken through each room. Contemporary office requirements ordinarily demand an external corridor providing separate door access to each self-contained office.

The existing storage space fronting Fish Quay is of newer construction and consideration has been given as to whether it is feasible to keep the shell of this storage space for the required new warehouse space in this location. As noted in the Building Condition Report however, this section of store buildings also exhibit structural defects, including major issues such as the return elevation to the Managers House is bulging and has several cracks and the reinforced concrete ceiling has been partially removed and is described as being in a precarious condition.

The feasibility and design exercise has therefore considered the reuse of parts of this L-shaped section of the site (shaded green in Figure 8) through adaptation and extension. This alternative redevelopment option utilises the retention of the America Street frontage and the existing America Street accommodation and the old storage and freezer rooms fronting onto the lane and Fish Quay.

Through this feasibility process, two slight variations in the options have been assessed as shown in Figures 9 and 10 overleaf.



Figure 8: Feasibility Area





Figure 9: Indicative Overlay 1

Figure 9 Indicative Overlay 1 shows the blue shaded area of the existing office space and Managers House fronting America Street and Fish Quay being retained with a new access corridor (shaded green) running the length of the building and new office accommodation (shaded purple) as an extension to the rear of the building.

The access corridor is not only required to meet modern office requirements for circulation space and fire regulations but is also a standard occupier end user requirement. Whilst the overlay plan is shown in Figure 9 at ground floor level, the proposed accommodation would also be provided at first floor level.

The yellow shaded area shows the proposed storage area of 310 sq.m which would be the overall capacity of the space without the restricting internal walls of the smaller freezer rooms located towards California Street.



A slight variation in this design is illustrated in Figure 10 Indicative Overlay 2. This shows the same retention of the historic buildings (shown in blue and yellow shading) but a slight amendment in the configuration of the new access corridor space and office floorspace to provide a differentiated external elevation on the new build.



Figure 10: Indicative Overlay 2



These options have been assessed in terms of:

- a) the structural potential for the re-use and adaptation of the buildings given the condition of the building fabric
- b) the indicative costings for adaptation
- c) the business requirements for the O&M facility accommodation, and finally
- d) the overall impact on the listed building.

#### *The Structural Potential for the Re-use and Adaptation of the Buildings*

The Griffen Design Ltd Redevelopment Report and the Building Condition Report advise that substantial levels of intervention would be required to the building to bring it up to current building standard regulations, to the extent that the works would result in the wholesale replacement of much of the internal structure of the building. The reports provide detail on the schedule of works which would be required to secure the property for future use which would include:

#### America Street

- Removal of ground floor and replace with suitable ground bearing slab with insulation and damp proofing
- Intermediate timber floors to be designed to up to date standards and floor loadings requiring additional joists and steel floor beams
- All timbers inspected for rot by a specialist
- Managers House window lintels must be repaired
- Timber lintels to be replaced with concrete lintels as good practice
- All masonry cracks should be exposed and repaired. Given the number and location of the cracks this would be a massive undertaking

#### Harbour Stores

- The asbestos corrugated sheeting on the roof would need to be replaced
- All timbers inspected for rot by a specialist
- Gables need repairing
- Sizeable bulge in Managers House elevation requires investigation and repair
- Internal floors to be removed.

The structural instability of the existing archway on America Street and the need to provide an access corridor for the existing and new office accommodation would also result in having to close off the vennel and archway to make this structurally safe.



The Redevelopment Report advises that a more thorough invasive survey would be necessary given the scale of intervention required and that this would necessitate:

- i. removing the render to inspect the masonry and lintels
- ii. coring concrete floors to inspect the ground floor construction
- iii. stripping the floors to inspect and confirm floor joist and supporting structure.

The scale of works noted above are considered urgently necessary to simply secure the long-term preservation of this section of the building before any redevelopment and office refit works are undertaken.

#### *Indicative Costings for Adaptation*

The feasibility options have been fully costed by Project Management Scotland Ltd with input from structural engineers, Griffen Design Ltd. Several cost assumptions have had to be made to undertake this exercise. As the building is listed, the extension walls to the rear of the building would all be in stonework to match existing along with matched materials of slate for the roof. For the doors and windows, the specification would be for timber to match existing.

The detailed schedule of costings for the feasibility option and the application proposals can be provided to Angus Council on a commercially sensitive basis. A summary of the costings is included as Appendix 2 and shown in Table 1.

Table 1: Project Costings for Partial Re-Use and Adaption

Project Option	Estimated Cost (£)
<b>1) Feasibility Option – retaining America Street Offices and Storage Space</b>	
• To restore offices (America Street)	998,999.83
• To restore storage space (Fish Quay)	171,426.00
<b>Total</b>	<b>1,170,425.83</b>
<b>2) Application Proposal – to keep America Street Façade and Build New Office Block and Storage Area</b>	
• Demolition of buildings and keep external facade	185,568.00
• To build new purpose-built office block	624,000.00
• To build new purpose-built storage area	155,000.00
<b>Total</b>	<b>964,568.00</b>



The findings demonstrate that there is a 21% uplift in the cost differential between retaining and adapting some of the existing buildings and the application proposals. This estimated differential of £205,000 is substantial and renders the feasibility option as non-viable. These costs also exclude any additional repair works that may be necessary following the recommended invasive survey. It is concluded that the building is not capable of meaningful repair through retention, adaptation and extension of the office units fronting onto America Street and the adaptation of the existing storage rooms at the south western end of the site.

#### *The Business Requirements for the O&M Facility Accommodation*

The Planning Statement has set out in Section 2 the business requirements for the proposed O&M facility accommodation which is in direct response to live tenders for supporting accommodation for the O&M phases of the offshore windfarm projects. Pivotal to these requirements is the need for direct quayside access and berths for vessels on a long term and dedicated basis. Crew Transfer Vessels will travel to the windfarm each day (weather permitting) to undertake maintenance tasks. Vessels will typically work offshore 7 days per week for 12 hours per day during the daytime returning to port at the end of each day. There is no other allocated employment site in Montrose that can provide this essential business requirement. A quayside site with berthing facilities is a pre-requisite.

In terms of the required accommodation, the need is for a self-contained site with modern office accommodation with full services including mains electricity, gas and data/fibre optic telecommunications cables. The required office space will include offices, control room, kitchen facilities and meeting rooms. Welfare facilities will include changing rooms, toilets, showers, drying room and locker areas. The storage space requirement needs to have an overhead door with minimum dimensions of 4.5m x 4.5m and there should, as a minimum, be a height clearance of six meters to the floor to lowest point of roof for storage of components. Car parking is also required with a desired number for 50 spaces.

Meeting these specific requirements necessitates the demolition of the internal buildings on the site to provide the high-end specification of modern office and storage accommodation required along with providing ample yard area for essential car parking. The feasibility exercise which retains a L-shaped portion of the site further restricts the remaining site area available for car parking for project staff. The considerable economic benefits set out in this statement in Section 4 cannot also be realised with the retention of part of the buildings on the site.

#### *The Overall Impact on the Listed Building*

The feasibility option investigates the possible retention and adaptation of a greater proportion of the listed building. Despite this being the only feasible option (given the structural condition of the other half of the quadrangle, i.e., the River Street and California Street facing buildings), it is considered that this partial retention of the site is not to the benefit of the overall integrity of the listed building.



The option requires that much of the historic ‘special interest’ of the site would be lost through the demolition of the actual fish curing works stores and freezer rooms – rooms that provide the link to the site’s historic use. Their demolition would result in the erosion of the special interest of the building, possibly to the point where its special interest would no longer be preserved. As noted in the Building Condition Report, these rooms however are virtually unusable in their current format and even with extensive upgrading, they would have limited options for reuse. They do not meet modern port and harbour warehousing requirements in terms of accessibility, floor loading requirements and headroom.

Retention of only part of the site (i.e., the L shape comprising America Street and Fish Quay) results in the loss of the quadrangle of buildings, the enclosed central courtyard and erodes the historic understanding and link to these buildings past. The archway and vennel on America Street would also require to be closed off to facilitate a new build office scheme that runs the length of the America Street frontage. Despite the fact that considerable structural repair works would be needed to retain this entrance, its loss in the America Street elevation on the feasibility option would also arguably impact on the buildings historic character and appearance and its impact on the streetscape. The redevelopment of the site is also for a private end use where there is no public access to the building beyond the site entrance.

On balance, it is considered that the feasibility option would not be in the interests of the listed building.

## Conclusions

To meet the criteria set out in the HES guidance the feasibility study and associated cost analysis has explored options for the redevelopment of the site, whilst retaining and adapting a proportion of the buildings to try to marry these with the operational and physical requirements of the application proposals for O&M facility space. As set out in this statement (and the supporting reports), there is only one feasible alternative option, given the existing building limitations on parts of the site. This alternative option retains an L-shaped section of the site and requires significant intervention and reconstruction of the buildings to facilitate their conversion for contemporary use. The alternative option also requires a significant amount of demolition and overall, is considered to be technically challenging and cost prohibitive. The feasibility study costings suggest that the alternative scheme would be significantly more costly to implement, estimated at being around 21% more costly than the application proposals. This additional uplift in cost to retain part of the site cannot be funded through any alternative means.

In undertaking this feasibility exercise we conclude that the application proposals for a traditional façade retention scheme would be the most appropriate solution of preserving the existing America Street façade and site boundary walls and integrating these into the new site design. Whilst it is unlikely that the buildings are technically incapable of repair, the cost of these repairs would be vastly disproportionate to any inherent economic value that the original accommodation could yield.



## 7. Design Proposals

The proposed building design has been achieved as a result of a considered design development process and has enabled the preservation of the category C listed America Street façade, part of the Fish Quay façade and site boundary walls in a sensitive and complimentary manner.

In terms of selective demolition, the HES guidance on the Use and Adaptation of Listed Buildings states:

*Most buildings have a primary 'display' frontage or principal façade, and often the building's side elevations were also intended to be seen. Important frontages were often the most elaborate or expensively treated and make a particular contribution to special interest. Changes to these areas are likely to have a higher impact on character.*

*Façade retention schemes will not normally be appropriate because of the degree of loss they entail. However, in the right place, a façade retention scheme might be an appropriate course of action when no other options are feasible. This is usually in an urban context, particularly when the façades are of such special interest that they could continue to be a listed building in their own right, or where they make an important contribution to the surrounding townscape.*

The principal façade of the buildings is the America Street frontage which is constructed of well-dressed granite blocks with neat granite return quoins. The Level 1 Standing Building Survey undertaken by Robert Lenfert Archaeology states that:

*The entire structure as seen from America Street appears at first glance largely residential in nature, though the substantial red wooden double doors - still painted Jo Johnston and Sons Salmon Fishers – hint at the primarily industrial nature of the complex. The America Street façade can be described as late- or post-Georgian with a high degree of symmetry in the location and placement of doors and windows, with only later alterations skewing this architectural balance.*



Figure 11: Arched entrance – America Street



### Approach to the Integration of the Retained Facade

The proposal will integrate the America Street facade of the building and part of the former managers house which fronts onto Fish Quay. The conservation of the façade will perform an important role in helping to preserve the heritage story of the site as a former fish curing works dating back to the mid nineteenth century.

The proposals will integrate the facade into the new build by positioning the new steel portal framed building at the south-eastern end of the site. As can be seen from the proposed south west elevation drawing and architectural impression, the gable wall of the manager's house serves to hide the apex of the new build roof from view.

Its connection to the new building is concealed from the America Street view, enabling a more embedded integration with the proposed architecture whilst clearly differentiating historic and contemporary elements of the building. The portion of the facade of the managers house is set back to differentiate it from the new building whilst still giving the clear impression of an integrated site. This ensures the listed facade is suitably pronounced when viewed from America Street and Fish Quay, ensuring that it is properly integrated into the wider portside blocks.

The conservation scheme to which the facade retention relates, is significant in scale and adopts a holistic design approach to the entirety of the scheme. It demonstrates a deep understanding of place



Figure 12: Artistic impression of retained frontage and new build



and the role of the existing built environment. This approach, which involves retaining the perimeter site walls and an internal wall currently separating the quadrangle of buildings from the yard area to the north east of the site, would be compromised by trying to retain the listed buildings.

The listed building façade will form a prominent street frontage onto America Street and corner onto Fish Quay. There is a set back of the listed building highlighting the connection between old and new and emphasising the presence and contrast of the listed facade with the more modern street frontage of the warehouse on the proposed south west elevation.

### Integration of Building Layout

The proposed building has been carefully designed to integrate with the setting out and composition of the retained America Street and Fish Quay facade in plan and section.

This ensures the retained facade relates meaningfully with the proposed building internal spaces – with office accommodation facing into the site and the warehousing and storage facing towards the harbour.



Figure 13: Proposed south west elevation



Figure 14: Proposed north east elevation – from quadrangle



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Figure 15: Proposed Site Plan



The principle of the proposed development is considered to be in line with SPP and local planning policy and guidance and the presumption in favour of sustainable economic growth and well-designed places.

The form and layout of the site takes on the board the guidance in 'Creating Places', the Scottish Government's policy statement on design, drawing on the principles of Designing Places and Designing Streets. It relates to the principles of context, identity and character and promotes the principles of good architecture and places.

Good design is not merely how a building looks, it is an innovative and creative process that delivers value. Design provides value by delivering good buildings and places that enhance the quality of our lives. This can be:

- physical value – enhances a setting;
- functional value – meets and adapts to the long-term needs of all users;
- viability – provides good value for money;
- social value – develops a positive sense of identity and community; and
- environmental value - efficient and responsible use of our resources.

Ref: Creating Places – A policy statement on architecture and place for Scotland

The application proposals for demolition of the internal buildings and the conservation of the America Street façade and perimeter site walls would naturally impact on the historic fabric of the listed structures. However, in terms of the characteristics of good design they tick all the boxes through:

- **physical value** – enhancing the streetscape setting through the repair and conservation of the America Street façade and site boundary walls
- **functional value** – meets and adapts to the long-term needs of Montrose Port
- **viability** – provides good value for money as evidenced in the estimated costings which considered an alternative redevelopment scheme
- **social value** – develops a positive sense of identity and community through the preservation of the heritage story of the former Joseph Johnston and Sons fish curing site by retaining the America Street façade and arched site entrance
- **environmental value** – demonstrates an efficient and responsible use of resources by integrating the new build proposal within the site boundary walls.



## 8. Conclusion

This Heritage and Design Statement should be considered alongside the other supporting information that has been submitted to Angus Council for this planning application. It provides reasoned justification for the demolition of the buildings at Nos. 1-5 America Street including the repair and conservation of the America Street façade, part of the Fish Quay façade and perimeter site walls. This justification has been provided in line with the Historic Environment Policy for Scotland 2019 (HEPS) which forms part of the national planning policy suite of documents. Managing Change in the Historic Environment is a series of guidance notes about making changes to the historic environment. Of relevance to the application proposal is the 'Managing Change in the Historic Environment: Demolition of Listed Buildings' 2019 document which explains what information is needed in order to satisfy the case for demolition. It states that if one of the following situations applies, demolition is likely to be acceptable, provided this is clearly demonstrated and justified:

- Is the building no longer of special interest?
- Is the building incapable of meaningful repair?
- Is the demolition of the building essential to delivering significant benefits to economic growth or the wider Community?

This report, in conjunction with the Planning Statement and technical reports has provided justification against each of the headings above.

Detailed architectural consideration has been given to trying to redevelop the site for the required accommodation requirements (modern offices, warehousing and car parking) whilst retaining and adapting part of the listed building complex. The retention and integration of even parts of the listed building in its current form would impose a significant constraint on the viability of development, both in terms of the level of structural repair that would be necessary and its impact on the feasibility of being able to utilise the building for contemporary port related uses. A feasibility option exploring retention of an L-shaped part of the site would entail a substantial investment in the order of £1.17m. These costs are an estimated 21% higher than the development application proposals and would render the alternative as economically unviable.

The site now sits within a wider port related development area of the North Quay which has changed dramatically since these buildings were built over 150 years ago. The site has lain vacant for the past 22 years and the current dilapidated state of the site has a negative impact on the character and appearance of the streetscape. The expansion of the offshore renewables sector in Montrose has created new opportunities for sustainable economic growth, opportunities which the application proposals seek to capitalise on, resulting in job creation, economic growth and wider community benefits. The preservation of the listed façade and boundary walls of the site in perpetuity will have a regenerative effect on the surrounding townscape, enhancing the streetscene and improving the visual amenity of the area for neighbouring residents.



## **Appendix 1**

### Statutory Listing





## Summary

Category C	Local Authority Angus	NGR NO 71451 57205
Date Added 30/03/1999	Planning Authority Angus	Coordinates 371451, 757205
Supplementary Information Updated 09/09/2020	Burgh Montrose	

## Description

*A 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.*

*The street frontage has simple classical detailing including a pilastered door-piece to the office and a segmental arched entrance pend with timber doors accessing the courtyard. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves. The managers house at the southwest angle has a small garden area facing the quay. The roofs are slated. The interiors have been largely refurbished with some features of 19th century character remaining in the managers house including fireplaces, moulded cornices and timber panelled shutters.*

## Statement of Special Interest

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978 and are not currently in use (2020).*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

*Listed building record revised in 2020.*



## Appendix 2

### Indicative Costings



**SUMMARY**

To Keep Façade and Build New Office Block and Storage Area

Demolition of buildings and keep external façade

Sum 185,568.00

To build new purpose built office block

Sum 624,000.00

To build new purpose built storage area

Sum 155,000.00

964,568.00

To Restore the Buildings to Create Office Space and Storage Space

To restore offices

Sum 998,999.83

To restore storage space

Sum 171,426.00

1,170,425.83

Exclusive of

Clients equipment

VAT

Furniture and Fitments

Landscape Planting

Local Authority Statutory Charges

Professional Fees



Structural Engineer report effecting the cost and the method used to arrive at the Probable Cost.

1 Visual Observation - no in-depth structural integrity could be established. We therefore assumed that the front wall of the building would be saved in both the reconstruction of the offices and in the building of the new structure behind.

2 The roof is stated to be in a 'fair condition', and for a building of this age could mean that the wall plates and roof timber are rotten at the ends and we have therefore assumed that a new roof is required and would be reslated using the existing slates. Also a new roof could level all ceilings and this gives the office building continuity.

3 Ground floor - the existing ground floors would require to be replaced to meet current building regulations with regard to damp proof courses, insulation, and strength. We have therefore removed the existing floors and replaced throughout. To facilitate the removal we assumed that the best way would be to remove the existing back wall and internal walls and thus allow the contractor to install all new floors.

4 Upper floors - the new floor would be level throughout the building including over the pend. Again the floor would be installed to the current building regulations including fire proof, sound insulation, and all joist would be to the Engineers specification with supporting steel beams which would be supported on the new timber inner skin of the external walls.

5 Walls - The engineers specification for repairs to the front external wall have been included in both costs and new windows have been inserted into the cost of the free standing front external walls. The Engineer would also, with the new floor design, be able to incorporate a diaphragm action of the upper floor.

6 The External Render - We have allowed for the removal and replacement of the cement render and replacement of the cement render. The Engineer has assumed the render is for weatherproofing and covering repairs.

7 Design - We have included in our renovation cost for all new steel supports, and any existing steel will be removed.

8 Harbour Store - This have been costed as a repair and as a new build attached to the new offices all as the Engineers specification





# Planning Statement

**Application Ref: 20/00574/FULL & 20/00599/LBC**

Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos.1 - 5 America Street, Montrose, DD10 8DN

*Prepared on behalf of*  
Rix Shipping (Scotland) Ltd

February 2021



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### Appendices

Appendix 1 Historic Environment Scotland Statutory Listing



# 1. Introduction

- 1.1 This statement has been prepared by Maria Francké Planning on behalf of Rix Shipping (Scotland) Ltd (“the applicant) and provides an assessment of the proposals seeking Planning and Listed Building Consent for:

*“Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos. 1 - 5 America Street, Montrose, DD10 8DN.”*

- 1.2 The purpose of this Planning Statement is to provide an assessment of the proposal against the relevant provisions of the Development Plan, relevant national planning policy and other material considerations and to reach conclusions to inform the determination of the application by Angus Council.
- 1.3 For the avoidance of doubt, this Planning Statement is submitted in respect of both the planning application (Ref. 20/00574/FULL) and the listed building consent application (Ref. 20/00599/LBC) and should be read in conjunction with the Design and Heritage Statement prepared by Maria Francké Planning to allow for a full understanding of the proposed development and the planning policy considerations.
- 1.4 In addition to this statement, a number of reports are submitted in support of the proposed development. These are:
- Structural Building Survey Report, Griffen Design Ltd
  - Redevelopment Report, Griffen Design Ltd
  - Level 1 Standing Building Survey, Robert Lenfert Archaeology
  - Bat Survey, GLM Ecology
  - Design and Heritage Assessment, Maria Francké Planning
- 1.5 A number of architectural drawings are also submitted to support the application. These are listed below.

Drawing No.	Description	Scale	Size
PMS 2315-100 PL_ Rev C	Location Plan	1:1250	A2
PMS 2315-100 PL_ Rev C	Existing Site Plan	1:500	A2
PMS 2315-101 PL_ Rev B	Listed Building Alteration Plan	1:500	A2
PMS 2315-201 PL_ Rev C	Proposed Site Plan	1:200	A2
PMS 2315-205 PL_ Rev B	Floor Plans and Elevations	1:100	A1
16256/03/001_ Rev B	Proposed Parking Layout	1:200	A2

- 1.6 The Statement is structured as follows:
- Section 2 provides information about the applicant and the specific business requirements for the development
  - Section 3 sets the context of the application proposal, including its site and surroundings
  - Section 4 describes the proposed development



- Section 5 assesses the relevant planning policy context
- Section 6 considers other material considerations, and
- Section 7 sets out our conclusions on the scheme.



## 2. Rix Shipping (Scotland) Ltd

### About the Applicant

- 2.1 J. R. Rix and Sons Ltd is a family-owned business with a 140-year history. The groups portfolio includes Rix Renewables which provides managed solutions to the offshore wind industry and Rix Petroleum, which provides commercial and domestic fuel supply and distribution and is one of the largest independent operators in the country. Rix Shipping Co Ltd & Rix Shipping (Scotland) Ltd.'s operations include the owning and operation of oil tankers, estuarial barges and crew transfer vessels. The company also operates as ship's agents and brokers, and as a warehouse and stevedoring operator at Hull, Montrose and Great Yarmouth where it also holds strategic land and quayside assets.
- 2.2 Under Rix Shipping's operations the division of Rix Sea Shuttle owns and manages six vessels ranging in size from 19m to 27m. The vessels work throughout the UK and Northern Europe providing support to operators during the construction, operation and maintenance phases of windfarms. Rix Sea Shuttle had three vessels working on the SSE Beatrice Offshore Wind Farm during 2019; this farm is located off the coast at Wick.
- 2.3 Rix Shipping has invested significantly in Montrose in recent years including:
- £1m investment in 2015 to replace a rundown building in Meridian Street and develop a modern bulk storage facility
  - £1.6m investment in 2016 to develop a 42,000 sq.ft. cereals and commodities warehouse, and
  - £1.2m investment in 2019 in extending the cereal and commodity warehouse, increasing the size from 42,000 sq. ft. to 72,000 sq. ft. and bringing the biggest materials handler to the east coast of Scotland – a German made Liebherr LH110.
- 2.4 The redevelopment proposals for the America Street site represent a further £1.6m investment by the applicant to regenerate a vacant site, preserve its history through a proposed façade and boundary walls retention scheme and create new employment opportunities to help sustain the Montrose economy.

### The Business Requirement

- 2.5 The proposed redevelopment of the application site is in response to business requirements needed to support the 1,075MW offshore renewables project, Seagreen. The Seagreen project is a £3bn joint venture between SSE Renewables and Total and will be Scotland's single largest source of renewable energy<sup>1</sup>. Seagreen has chosen Montrose as its operational base for the next 25 years and an Operations and Maintenance (O&M) base is to be constructed at Montrose Port's South Quay. This will include an operations building, repurposed warehouse, 50m

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<sup>1</sup> The 114 off-shore turbine development will provide a significant contribution to Scotland's net-zero ambition and enough clean, renewable energy to power 1.3 million homes



communications tower, and a pontoon for crew transfer vessels travelling to the Seagreen site offshore. Seagreen also has development rights for a further two wind arrays, which could extend the operational requirements in Montrose for a further 50 years.

- 2.6 In addition to the O&M base, supporting O&M facilities are needed for activities including the berthing, loading and use of crew transfer vessels to access the windfarm by project staff and contractors.
- 2.7 During the operational life of the project of at least 25 years, contractors will undertake O&M activities to ensure the windfarm is kept in a good state of repair, to undertake planned maintenance work and carry out repairs, improvements and project work. These activities will require the transport of people, tools and spare parts to the windfarm where they will be transferred to the turbines and offshore substations. Rix Shipping can facilitate these activities through its sister company Rix Sea Shuttle which has a fleet of offshore support vessels to transfer both crew and equipment to and from the offshore wind farm developments.
- 2.8 Competitive tenders have already been issued by NnG Offshore Wind (i.e. the company developing the Neart na Gaoithe (NnG) Wind Farm) for the provision of port services for the O&M phase of the project which is expected to start around Q2 2022 as well as for support during the construction and commissioning phase which is around Q3 2021. The Operations and Maintenance activities required include vessel berthing, access and loading facilities, warehouse, office and welfare facilities.
- 2.9 Rix Shipping acquired the application site with the sole intention of providing essential O&M services for the Seagreen project over the next 25 year plus period. It should be noted that Seagreen has planning approval for three individual arrays, and phases 2 and 3 will ensure that the initial 25 year phase will extend by a minimum of a further 20 years. The applicant is bidding for live tenders relating to this service provision. The application site will provide a location for the storage and management of spare parts, project offices, welfare facilities and car parking during the O&M phase. Direct quayside access is required 24/7, with berths, access pontoons and load out quays needed to be located a maximum of 75m to the proposed O&M offices and warehouse to avoid delays in mobilising teams.
- 2.10 The application site meets all the required operational and locational criteria for O&M support facilities. It is ideally suited for these activities as it provides the essential quayside area access and berthing for crew transfer vessel access.



## 3. The Site and Surroundings

### The Surroundings

- 3.1 The application site is in Montrose Harbour on the south bank of the River South Esk at Nos.1-5 America Street. It is part of the North Quay which provides 558m of berthing. A further 475m of berthing is available at the South Quay, which opened in 1975 primarily to serve the North Sea oil and gas industry.
- 3.2 It is one of a few remaining redundant historical sites on the North Quay; many original buildings adjacent to the quayside having been demolished and redeveloped for larger warehousing and storage sheds to meet the growing needs of the harbour and Montrose Port Authority. The Design and Heritage Statement and the Level 1 Standing Building Survey (Robert Lenfert Archaeology) provide an historical map regression showing the changing urban characteristics of the port over a 150-year period. Modern quayside storage facilities comprise open ground (for general storage and/or fabrication and repair work), warehousing and transit sheds and a purpose-built grain store. Further conversion of warehouse facilities has provided additional stores for 9000t of animal feed and 10,000t of grain on the South and North shores respectively.
- 3.3 The juxtaposition of the older buildings of the application site sitting amidst the modern warehouses to the north, south and east can be clearly seen from the aerial photograph image in Figure 1 and the OS base map in Figure 2.

Figure 1: North Quay Aerial Photograph (source: Google Earth)



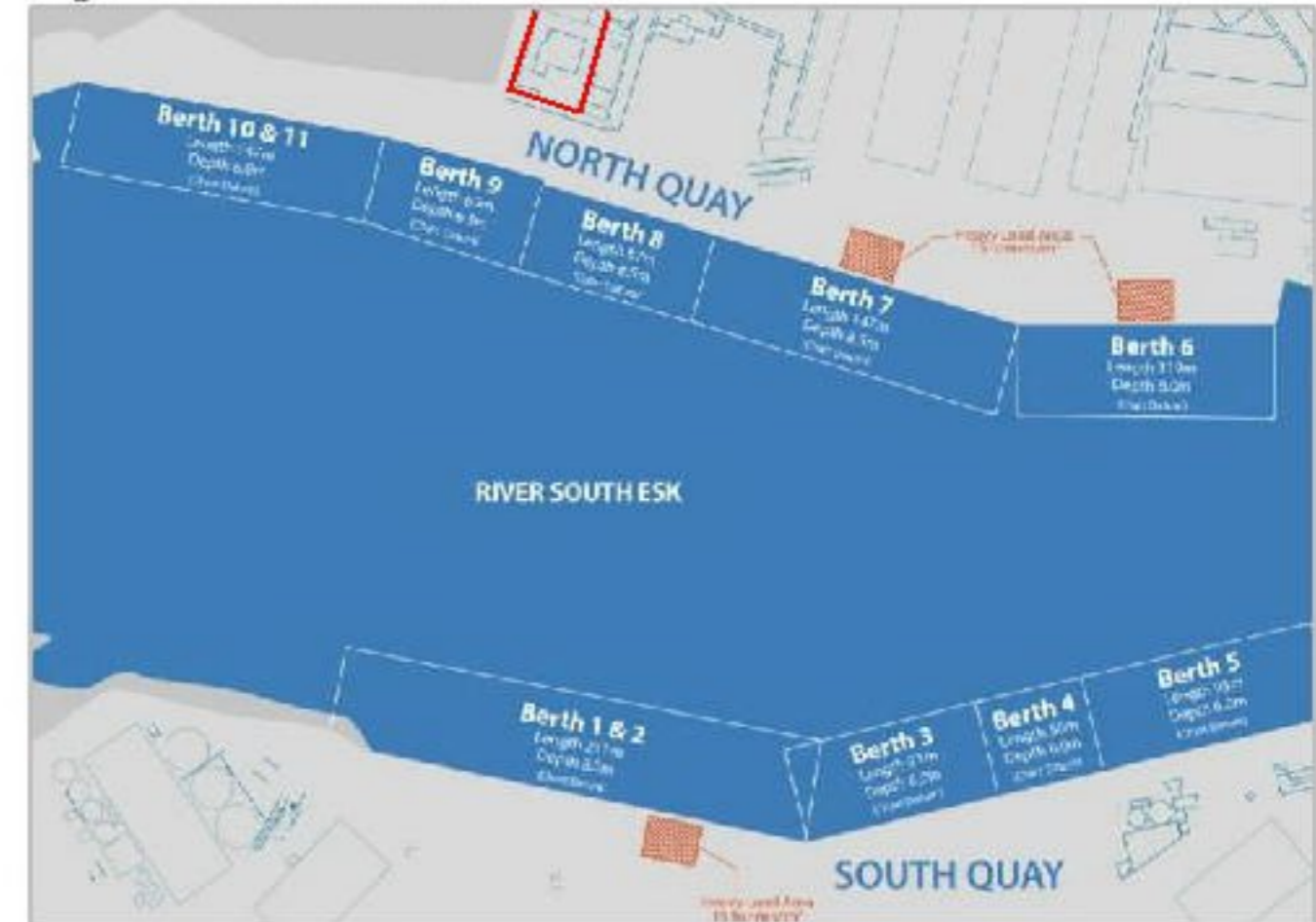
- 3.4 Following the investment of Seagreen in Montrose, the Port Authority's strategy is to diversify and attract more renewable and decommissioning work in addition to developing Montrose as the port and logistics hub for North East Scotland.
- 3.5 Strategically, the application site is adjacent to Berths 9 and Berth 8 as shown in Figure 3.



Figure 2: North Quay



Figure 3: Port Berths



## The Site

- 3.6 The application site at Nos. 1-5 America Street is bounded by America Street to the northwest, residential properties on California Street to the southeast, River Street to the northeast and Fish Quay and Montrose Harbour to the southwest. The site can be divided into two sections; the south western part of the site at Nos. 3-5 America Street comprises of the historic buildings which are in the form of a quadrangle of office and storage buildings arranged around a central yard area and the north eastern part of the site at Nos. 1-2 America Street is an open yard area with small sheds. The residential properties on California Street do not form part of the application site.

Figure 4: Site Location



- 3.7 The buildings at Nos. 3-5 America Street are category C listed and were built for Joseph Johnston & Sons Ltd for fish curing during the 19<sup>th</sup> and 20<sup>th</sup> century at Montrose Harbour. The buildings date from around 1840 to 1860. They were last occupied in 1998 and since then have remained unoccupied.
- 3.8 Given the age and condition of the buildings and to support the application for Listed Building Consent a Level 1 Standing Building Survey has been undertaken by Robert



Lenfert Archaeology (RLA). A copy of this report accompanies the application and should be referred to for a more detailed description of the constituent parts of the site. The survey was requested by the Archaeology Service for Aberdeenshire, Moray, Angus & Aberdeen City Councils in its consultation response on the application dated 16 September 2020. The brief and scope of the survey have been agreed with the Archaeology Service and the report contains a detailed historical mapping of the site supported by scaled plans, elevations and site photographs.

- 3.9 A Building Condition Report has also been undertaken by Griffen Design Ltd to assess the structural condition of the buildings and their suitability for reuse. A copy of this report is included with the application submission. The report advises that the buildings have undergone several changes during their lifetime. This has included minor alterations to the layout and door/window openings and major changes such as the addition and removal of the structures within the quadrangle, the addition and subsequent removal of buildings projecting north of No. 5 America Street and demolition and construction of the new workshop/store on the harbour (Fish Quay) elevation.

### Planning History of the Site

- 3.10 There is no previous planning history to the site.



## 4. Proposed Development

- 4.1 The application site was acquired by Rix Shipping in 2020 to provide O&M facilities following the Seagreen development. The applicant has taken into consideration the age and condition of the buildings on site in formulating the development proposals. The design has been made to work by retaining the America Street façade and boundary walls in respect to the site's historical past, whilst delivering the necessary modern office and storage accommodation necessary to meet O&M operational requirements and making the scheme financially viable.

### Site and Building Design

- 4.2 The scheme is for the demolition of the existing buildings leaving the perimeter external walls, America Street facade and part of the former managers house fronting onto Fish Quay. A significant investment is being made by the applicant to incorporate the listed facade within the development through a sensitive and innovative design solution which fully utilises the facade in the composition of the America Street and Fish Quay streetscape.
- 4.3 A new purpose-built portal frame building is to be constructed at the southwestern end of the site within the retained facade and site boundary walls. The new building is to be used for O&M offices, welfare facilities and storage/warehousing space.
- 4.4 The office part of the building is self-contained and is provided over two floors with a gross floor area of 520 sq.m. An adjoining storage/warehouse space of 240 sq.m. occupies the ground floor with the south west elevation fronting onto the lane adjoining Fish Quay. At this stage, it is unknown as to what renewables components will be stored in the warehouse aside from being able to advise that it will be for the storage and management of spare parts. It is not anticipated that any industrial operations will be carried out in the warehouse or the use of any large-scale equipment or machinery. The primary purpose of the warehouse is for storage.
- 4.5 The external walls of the existing buildings on site are all rendered which the Building Survey Report notes is usually a sign of trying to repair or protect against water penetration. Given the previous use of the buildings for fish curing and its harbour location, exposure to driving wind and rain is not unexpected. In retaining the perimeter wall of the site these would be stripped of all existing render and all cracks repaired, the walls would be repointed on both external and internal (current) sides and rendering re-applied to both sides.
- 4.6 Within the archway entrance to the site on America Street there is a vertical crack and the lintel over the archway on the inner quadrangle side has failed (see photo nos. 2.05, 2.06, 2.07, 2.08 and 2.09 of Building Condition Report). The support condition has also failed and is in a dangerous condition with excessive crushing and movement at the support. The report recommends that the timber lintel leading into the quadrangle from America Street is temporarily supported at the south end and mid span. The archway will be repaired with the entrance forming the main vehicular access into the site.



- 4.7 The retained perimeter walls will be braced with piers and buttresses, with the buttress locations to be agreed with a structural engineer and subject to the approval of the local authority building control.
- 4.8 The listed building façade will form a prominent street frontage onto America Street and corner onto Fish Quay. There is a set back of the listed building highlighting the connection between old and new and emphasising the presence and contrast of the listed facade with the more modern street frontage of the warehouse on the proposed south west elevation.

### Demolition

- 4.9 An architectural and building feasibility study has been undertaken to investigate if any partial demolition of the buildings or lesser interventions could have been feasible to enable retention of more of the listed buildings on site. This study is contained in the accompanying Design and Heritage Statement. The analysis is supported by project costings. The feasibility exercise concludes that the requirements for modern offices and warehousing cannot be accommodated within the framework of the listed buildings due to their configuration and condition and the costs of needing to undertake major interventions which render the alternative options as economically unviable.
- 4.10 Demolition of the internal quadrangle of buildings is necessary to provide the modern office accommodation and storage facilities required for the O&M facilities. The perimeter external walls, America Street facade and part of the Managers House are retained. The Building Survey Report notes that the facade retention can be constructed either in masonry, steelwork or a combination of both. The buttresses should be between 1.8m and 2.4m in length and full height of the wall. They would be located along all retained walls and long wall sections may need to be subdivided. A steel lattice could be fixed at floor and wall level between buttresses.
- 4.11 The facade retention scheme can be conditioned on the grant of any planning and listed building consent.

### Car Parking

- 4.12 The original application proposals were to provide a two-storey car park design on the north eastern section of the site. Following further review of the proposals, the applicant has amended this scheme and the car park has been scaled back to a surface level only facility. This reduces the impact of the scale of the structure on the amenity of the site and its surroundings.
- 4.13 Car parking for staff is provided across the site to support the O&M facility. Car parking numbers will be provided in line with Angus Council guidance and the proposed provision is show in Table 1.



Table 1: Parking Provision

<b>Provision</b>	<b>Angus Council Guidance on Minimum Number of Spaces <sup>1</sup></b>	<b>Application Provision</b>
Bicycles	10 spaces	10 spaces
Motorcycles	4 spaces	4 spaces
Cars	22 spaces	27 spaces
Disabled Users	3 spaces	3 spaces

Notes: 1) Set out in application correspondence dated 9 October 2020

- 4.14 Access into the north eastern section of the car park area site will be through a new 4m opening in the existing building wall which separates the quadrangle of buildings from the yard area.

### Access

- 4.15 A one-way internal circulation route is proposed. Access into the application site for all pedestrian and vehicular traffic from the existing America Street access and egress will be from a new 3500mm wall opening onto River Street as shown on Drawing No.1011/03/001, Rev B. A 'No Entry' sign will be fixed to the wall on River Street. Footway crossings will be formed at the access and egress in line with Angus Council standards. Lining within the car park area will provide a safe access route for cyclists and pedestrians to the O&M facility building entrance.
- 4.16 The proposed storage area fronts onto the lane running parallel with Fish Quay and the 2 no. roller doors are positioned to ensure safe and direct access for delivery vehicles. The lane is not an adopted lane and is owned by Montrose Port Authority and the applicant has access rights across the lane.

### Hours of Operation

- 4.17 The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and renewables equipment to and from the offshore wind farm developments. In common with port side warehousing facilities, access is required 24/7 on all days of the year.
- 4.18 Flexibility is required in the hours of operation of the site to meet the O&M facility requirements.



## 5. Planning Policy Assessment

- 5.1 The purpose of this section is to assess the policies that are relevant to the determination of the planning application.

### Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 5.2 Primary legislation relating to listed buildings is found in the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The Act requires the Historic Environment Scotland (HES) to compile a statutory list of buildings of special architectural or historic interest. In undertaking this duty HES must have regard to not only the building itself but also:

- a) *any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part, and*
- b) *the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.*

- 5.3 The HES listing for the property is reproduced in Appendix 1.

### Development Plan

- 5.4 Section 25 of the Town and Country Planning (Scotland) Act 1997 sets out the status of development plans and states that:

*“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”*

- 5.5 In this case, the Development Plan framework comprises of the Angus Local Development Plan which was adopted in 2016 and the TAYplan Strategic Development Plan (SDP).

### TAYplan Strategic Development Plan (SDP)

- 5.6 Montrose Port is identified in TAYplan SDP as a Strategic Development Area for port related uses. Two key policies are pertinent to the application: Policy 3 - A First Choice for Investment and Policy 10 – Connection People.

- 5.7 Policy 3 - A First Choice for Investment states that:

*‘Local Development Plans should:*

*D. continue to support the development of the Strategic Development Areas set out in Map 3’*

- 5.8 Policy 10 - Connecting People, Places and Markets states that:



*'Local Development Plans should enhance connectivity of people, places and markets by:*

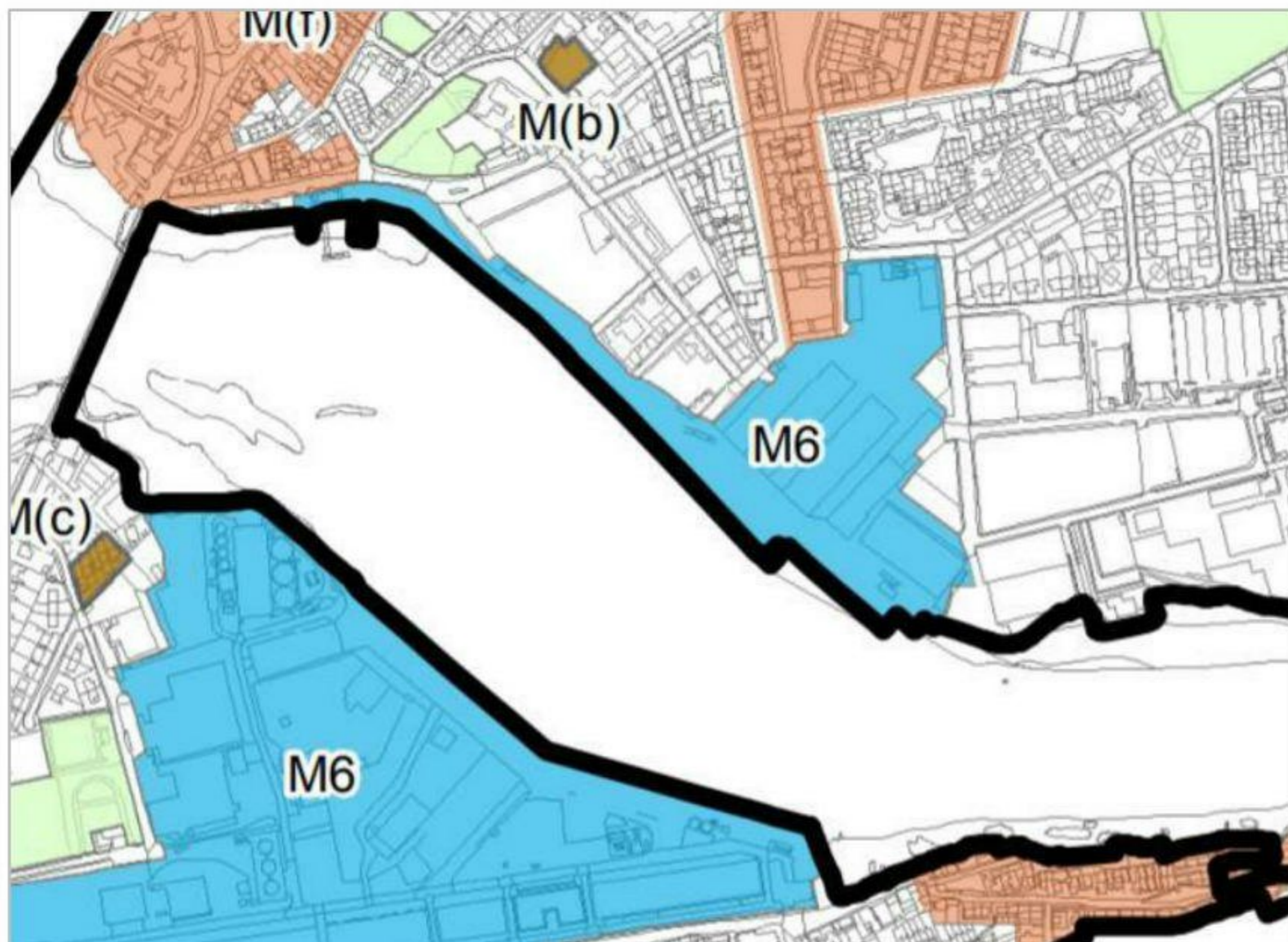
*A. safeguarding land at Dundee and Montrose Ports, and other harbours as appropriate, for port related uses to support sea freight, economic growth in the port, offshore renewable energy and offshore oil and gas sectors, and, maritime trade, recreation and tourism;'*

- 5.9 The supporting text to both Policy 3 and Policy 10 states that Dundee and Montrose Ports will play a major role in Britain's east coast energy cluster as envisaged by National Planning Framework 3 and the National Renewables Infrastructure Plan (2011). They are increasingly attractive for oil, gas and wider offshore energy businesses. This is exactly the intention of the application site which is being redeveloped to support the offshore energy businesses.

### **Angus Local Development Plan**

- 5.10 The main issues in relation to this application are whether the proposed development accords with relevant Angus Local Development Plan policies and whether there are any material considerations that justify a departure from the development plan.
- 5.11 The application site is within the settlement of Montrose and has no specific land use designation but lies adjacent to the area of Montrose Port (Policy M6). Whilst the site is not allocated employment land it is an established employment area. The LDP map extract is shown in Figure 5.

Figure 5: LDP map extract





## 5.12 Policy M6 states:

*Montrose Port is safeguarded for port related uses. Development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses. Development proposals should be supported by a Flood Risk Assessment and a Drainage Impact Assessment.*

*Development proposals at Montrose Port should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.*

## 5.13 The following policies also apply within the LDP:

- Policy DS1: Development Boundaries and Priorities
- Policy DS2: Accessible Development
- Policy DS3: Design Quality and Placemaking
- Policy DS4: Amenity
- Policy TC15: Employment development
- Policy PV5: Protected Species
- Policy PV8: Built and Cultural Heritage
- Policy PV12: Managing Flood Risk
- Policy PV15: Drainage Infrastructure
- Policy PV18: Waste Management in New Development

5.14 [Policy DS1: Development Boundaries and Priorities](#) states that all proposals will be expected to support delivery of the Development Strategy. Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

5.15 In terms of the Development Strategy for Montrose, the objectives pertinent to this application are that it supports the redevelopment of vacant, underused and brownfield sites; supports the continued development of the Strategic Development Area at Montrose Port and safeguards and enhances the natural and built features which are a key part of the character and identity of Montrose.

5.16 The scale and nature of the proposals are in line with the wider port related activities at Montrose harbour. Specifically, the development of the offices, welfare facilities and warehousing for O&M related activities supports the continued development of Montrose Port particularly in relation to the growth of renewables sector.

5.17 The Design and Heritage Statement submitted in support of this application demonstrates that full and proper consideration has been given to trying to safeguard and enhance the listed buildings on the site. Supporting reports (Building Condition Survey, Level 1 Standing Building Survey) have also demonstrated the historic room configuration and overall poor condition of the existing building fabric. These findings coupled with the level of intervention that would be necessary to retain part of the site and incorporate an element of new build result in a potential site redevelopment cost



that would render such a scheme unviable. A compromise solution to retain some of the historic context of the site in its port side surroundings is made through the proposed façade retention of the America Street façade and the perimeter walls to the site. To this end, the proposals safeguard and enhance the built environment in line with the Development Strategy.

5.18 **Policy DS2: Accessible Development** states that:

*Development proposals will require to demonstrate, according to scale, type and location, that they:*

- *are or can be made accessible to existing or proposed public transport networks;*
- *make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;*
- *allow easy access for people with restricted mobility;*
- *provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and*
- *are located where there is adequate local road network capacity or where capacity can be made available*

5.19 The site is well connected to existing public transport bus stops and routes. The Roads Service has reviewed the proposals as submitted in respect of access and parking arrangements and responded on 9 October 2020. Key comments were:

- *The parking provision has been assessed against the council's parking standards and is in excess of that required for cars but no provision is indicated for cyclists, motorcyclist or disabled users.*
- *The submitted drawing also indicates that the existing vehicle access on America Street will be widened to 6.0 metres to accommodate the movement of vehicles in and out of the proposed car park. An access to the car park is also proposed on River Street but this access will only be 3.5 metres wide. As the building line will abut the footway on River Street, no sightlines will be available for drivers exiting this access, particularly with respect to passing pedestrians. This is not acceptable and therefore this access should be widened, removed from the proposal or introduced as an "entry only" access.*

5.20 The Roads Service also commented on the required parking spaces and advised that these should be in accordance with the Council standards.

5.21 As set out in our Table 1 (page 10 of this report) the Applicant has taken on board all the Roads Service recommendations and made amendments to the internal car parking layout and access arrangements into the site. These amendments are shown



in Drawing No. 16256/03/001 – Proposed Parking Layout and there is no conflict with Policy DS1.

- 5.22 **Policy DS3: Design Quality and Placemaking** aims to ensure developments deliver a high design standard and adhere to the principles of “Designing Places” which identifies six qualities of a successful place - has a strong sense of character and identity, ensuring development is well connected, is a safe and pleasant place to be in, makes good use of resources and is able to adapt to changing community needs.
- 5.23 The redevelopment proposals have given due consideration to the principles of Designing Places in developing the scheme for the site involving the preservation of the America Street and part of the Fish Quay façade and retention of the boundary walls to the site. The preservation of the façade maintains the contribution that the listed building currently provides to the local streetscape with its arched entrance, maintaining the character and identity of the port area. This is notwithstanding the tremendous urban changes that have occurred in the wider Montrose Port area - with traditional buildings formerly associated with fish curing, fish processing and ship building being replaced with modern warehouses and sheds. The Design and Heritage Statement provides more detail on the placemaking qualities of the scheme and the proposals for the façade and perimeter walls retention which accord with Designing Places principle to made good use of resources. We consider that there is no conflict with Policy DS3.
- 5.24 **Policy DS4: Amenity** needs to be considered as the site adjoins residential properties on California Street and River Street. The policy requires all proposed development to have full regard to opportunities for maintaining and improving environmental quality. It states that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.
- 5.25 The Council’s Environmental Health Officer, Ms Akroyd, has responded on the application (email response dated 9 October 2020) and requested clarification on three issues:
1. *What will the new industrial unit be used for and how will it be operated?*  
  
*I understand that office accommodation will occupy and area of the first and second floor levels and the rest of the unit will be used as storage. It is unclear what will be stored in the building, if any equipment/machinery will be operated and the likely hours of use of the building/times of deliveries etc.*
  2. *What the proposed hours of operation for the two storey carpark will be?*
  3. *The retaining wall of the existing building has a number of opening, windows and ventilation grills/flues. Could it be confirmed it any alternation will be made to the wall facing the houses on California Street, and whether the opening will be bricked up etc?*



- 5.26 Section 4 of this report explains the proposed use of the office and storage building and advises that no manufacturing or industrial operations are proposed. The warehouse component of the site is to be used for the storage and management of spare parts for the offshore windfarms. As specified, 24-hour access is required for the facility.
- 5.27 It is acknowledged that the redevelopment of the site may have some impact on the occupants of neighbouring properties. Bringing a site back into active use that has lain occupied for the past two decades will introduce some noise and activity into the site. However, the design of the building which has windows that face into the existing quadrangle and the retention of the high 3m+ site boundary walls provide mitigation against any adverse impacts on amenity. The high boundary walls which are c.5m in height adjoining the residential properties mean that there will be screening and no overlooking and no conflict with the required window to window separation distances between the proposed new building and the existing residential houses' windows on California Street, in line with council guidance. The Applicant can also confirm that the existing openings on the wall facing onto California Street will be bricked up.
- 5.28 There is also a residential property on River Street with a single storey garage which backs onto the application site. The proposed new building is at the south western end of the application site and will be screened and separated from River Street by the existing (and to be retained) 3m+ boundary wall which divides the two parts of the site.
- 5.29 The proposed car park area has also been altered from the original two storey decked proposal to a surface level car park. This is also fully contained within the retained boundary walls to the site which will help to mitigate against any noise disturbance. The warehouse component of the build has roller shutters to the lane facing the quayside. The corner property on California Street that is adjacent to the warehouse unit is set back from lane with a front garden area. The property has windows fronting onto the quayside. The occupants of this house and the other residential properties on California Street are surrounded by similar uses associated with the port and will be used to the daily noise and bustle of 24-hour port related activities. The corner property will be separated from the new building by the existing 5m high wall (of 500mm wall thickness or thereby) and then a 1.2m walkway which will have a pedestrian gated entrance to maintain security of the site. The retention of this wall and a total separation distance of around 2m between the new building and the residential property will be a substantial buffer to mitigate against noise or amenity issues.
- 5.30 It is considered that the position of the new building on the site and the associated car parking activities will not give rise to any unacceptable impacts on the neighbouring houses and there is no conflict with Policy DS4.
- 5.31 [Policy TC15: Employment Development](#) states that proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:



- *there are no suitable or viable sites available within an employment land allocation or existing employment area; or*
- *the use is considered to be acceptable in that location; and*
- *there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.*

5.32 In terms of these criteria, we respond as follows.

5.33 There is a clear rationale for the redevelopment of the site for the proposed use which necessitates a quayside location and vessel berthing facilities.

5.34 Alternative LDP designated employment sites for the O&M facility are not viable for the following reasons:

- Firstly, the application site presents a unique opportunity to development supporting O&M office accommodation and warehousing facilities associated with and complementary to the activities of Montrose Post. It is essential, therefore, that it is located on a quayside location, and on a site which has berthing facilities for 24/7 crew vessel access. No other employment designated site within the Montrose settlement boundary is therefore suitable for this use.
- The site at Nos.1-5 America Street is owned and thereby controlled by the Applicant, Rix Shipping (Scotland) Ltd. It was purposefully acquired by the Applicant following early discussions with senior officials at Angus Council regarding the future redevelopment potential of the site following the decision of Seagreen to choose Montrose as its operational base for the next 25 years.
- Rix Shipping also owns a number of modern warehouses in the port area as shown in Figure 6 but these are fully operational and in use for existing port related activities. There is no ability to meet the O&M facility requirement for offices, welfare facilities, warehousing and car parking on a single site at any of these other locations.

Figure 6: Rix Shipping warehousing facilities, Port of Montrose





- Only this site is large enough to accommodate the necessary combination of O&M office, warehouse, welfare facilities and car parking in a quayside location with adjacent berthing facilities. The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and equipment to and from the offshore wind farm developments. Access is required 24/7 on all days of the year.

- 5.35 Whilst the site is not allocated employment land it is in an established employment area where the surrounding uses are, in the main, all associated with port activities. The proposed use of offices, warehousing and car parking is therefore considered to be an acceptable land use.
- 5.36 Regarding impact on the built and natural environment, surrounding amenity, access and infrastructure, it is contended that for the reasons set out in this Statement under the assessment of planning policies DS2, DS3, DS4 and PV8, the impacts of the development are considered to be acceptable. The proposal will extend port related activities into a previously vacant and underused site and in doing so, will result in a significant capital investment in the local area and job creation at a time when the impact of the Covid-19 restrictions on the local economy are yet to be fully understood. The commitment from the Applicant to this development will serve to diversify and strengthen Montrose Port's O&M activities in the renewables sector and improve its economic well-being.
- 5.37 For all the above reasons we consider that the proposals are in accord with Policy TC15.
- 5.38 [Policy PV5: Protected Species](#) states that development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime. A Bat Survey Report has been submitted to assess the likely impacts of the proposal in relation to bats. The report concludes that there was no evidence of bats either inside or outside of the buildings and that given the dockside location, suitable foraging habitat is not present. Whilst no bats were found, the report advises that mitigation will be required given the age and design of the buildings and that substantial demolition is proposed and that in particular, pipistrelle roosts can be transient and bats will change roosts frequently. It advises:
- 'That all slates and roof coverings are to be removed by hand.'*
- 5.39 If any bats are found work should stop in the immediate area and GLM Ecology contacted who will deal with the issue in the appropriate manner.'
- 5.40 The Applicant is happy to accept these recommendations which can be imposed as a planning condition on the grant of any planning permission.
- 5.41 [Policy PV8: Built and Cultural Heritage](#) states that development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime. For proposals that affect listed buildings, the policy states that these will only be supported where:



- *the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;*
- *any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and*
- *appropriate measures are provided to mitigate any identified adverse impacts.*

- 5.42 The first two bullet points in this policy are similar to the criteria needed to be met for demolition of a listed building contained in '*Managing Change in the Historic Environment – Demolition of Listed Buildings, April 2019*'. Our detailed assessment against this HES guidance and the justification for the buildings' demolition is contained in the following section of this Planning Statement on material considerations (refer to paragraphs 6.12 to 6.32).
- 5.43 Paragraph 6.29 of this statement details the considerable economic and community benefits, and these should be read in relation to the requirements under policy PV8.
- 5.44 Whilst there is a need to demolish the listed buildings to facilitate the development of the O&M facilities on site, the proposal seeks to retain the America Street façade and part of the Fish Quay façade of the former managers house and the site's boundary walls. This is in recognition of the former historic use of the site for fish curing. The America Street façade forms an integral element of the streetscape with the original arched entrance into the site. Retaining this will ensure that the public face of the site and the building's former heritage value is restored and preserved in its existing streetscape setting.
- 5.45 The positioning of the new build tucked within the site and the retention of the site's perimeter boundary walls is considered to respect the site's historic context and local character/distinctiveness. This is explained further in the Design and Heritage Statement. This compromise solution of the façade retention represents a commitment from the Applicant to help mitigate any adverse effect of the loss of this category C listed building. It is a significant capital investment to restore and preserve the America Street façade and site boundary walls in perpetuity.
- 5.46 For these reasons and those all contained in the detailed assessment in Section 6 of this statement, we consider that the proposals are in accord with Policy PV8.
- 5.47 In terms of [Policy PV12: Managing Flood Risk](#), the SEPA flood risk map shows the site is at medium risk of coastal flooding. The Applicant is aware that Angus Council has prepared a Tay Estuary and Montrose Basin Local Flood Risk Management Plan and that flood protection studies have been prepared and a programme of actions identified to help manage flooding. The site is located in an existing built up area and the demolition of the internal buildings and the development of the new office and warehouse unit does not increase the flood risk to the local area.
- 5.48 In terms of [Policy PV15: Drainage Infrastructure](#), the proposed foul and surface water drainage would discharge to the public sewer as is currently the case.



- 5.49 Regarding [Policy PV18: Waste Management in New Development](#), the Applicant will adhere to national regulations in the demolition of the internal office and storage buildings and the segregation of wastes off site for processing into recycled aggregate where possible.

#### **Development Plan Considerations Conclusion**

- 5.50 On balance, we consider that the proposals for the redevelopment of the site at Nos. 1-5 America Street are supported by the adopted Angus Local Development Plan.



## 6. Material Considerations

6.1 The Town and Country Planning (Scotland) Act 1997 (as amended) requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The other material considerations which are considered relevant to the planning application are:

- Historic Environment Policy for Scotland (HEPS)
- Managing Change in the Historic Environment - Demolition of Listed Buildings
- Managing Change in The Historic Environment - Use and Adaptation of Listed Buildings
- Scottish Planning Policy (SPP)

### Historic Environment Policy for Scotland

6.2 Historic Environment Policy for Scotland (HEPS), published in 2019, provides policies and principles to guide development and manage change in the historic environment.

6.3 Policy HEP1 is applicable to the proposal. This policy states that decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. The proposed development has been designed based on a thorough understanding of the heritage significance of the listed buildings. This is demonstrated in the application submission through the Level 1 Standing Building Survey, Design and Heritage Statement and this Planning Statement. The proposed development is therefore in accordance with policy HEP1.

6.4 Policy HEP2 is applicable to the proposal and states that decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

6.5 Currently, the site and buildings have lain empty for 22 years. It is in private ownership and the internal site is not open to the general public; the general public benefits only from viewing the exterior of the site. The proposal will allow for investment into the vacant site and facilitate the retention and repair of the America Street façade (i.e. the public face of the building) providing the continuation of the local historical context of the site's previous use for fish curing. The boundary walls of the site will also be maintained providing the historic external footprint of the former use of the site. This investment by the Applicant will allow for the façade and building perimeter walls continued preservation, being a gain to the historic fabric of the area.

6.6 The proposed development should therefore be considered in accordance with policy HEP2.

6.7 Policy HEP4 is the key policy of relevance to the proposed development.

6.8 It states:

*“Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic*



*environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.”*

6.9 The HEPS expands on Policy HEP4 by requiring proposals to be assessed against the following:

- *Understand and analyse the historic asset and its cultural significance.*
- *Understand the background / reasons for the change.*
- *Understand the likely impact on the historic asset and make this clear, so that it can inform decision-making.*
- *Avoid negative impact where possible.*
- *Minimise any impact that cannot be avoided.*
- *Keep intervention to a minimum and ensure changes are proportionate to its cultural significance.*
- *Consider less detrimental alternatives if they can deliver the same objectives.*
- *Identify opportunities for mitigation throughout, and as early as possible.*

6.10 The demolition and redevelopment of the site will facilitate the longer-term preservation of the America Street façade and site boundary walls of a site that has been vacant for 22 years. This Planning Statement and the Design and Heritage Statement fully set out the reasons for change at this site, changes which are being driven by the growth in the renewables sector at Montrose Port and the related requirements for port side O&M facilities. Full consideration has been given to exploring lesser interventions on the site and retaining more of the historic buildings. However, the limiting nature of the room configurations, the buildings positioning on the site and the costs of repair, adaptation and assimilation into a modern architectural solution is non-viable.

6.11 The proposed development should therefore also be considered in accordance with policy HEP4.

### **Managing Change in the Historic Environment – Demolition of Listed Buildings**

6.12 HES guidance on ‘*Managing Change in the Historic Environment – Demolition of Listed Buildings, April 2019*’ states that if one of the undernoted situations applies then the loss of a listed building is likely to be acceptable, as long as this is clearly demonstrated and justified:

- *Is the building no longer of special interest?*
- *Is the building incapable of meaningful repair?*



- *Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?*

6.13 Each of these issues is examined in turn.

**Is the building no longer of special interest?**

6.14 Historic Environment Scotland (HES) has commented on the application for listed building consent in its letter of 21 October 2020 (Ref.300046856). It advises that a review was completed in September 2020 and concluded that the building continues to meet the criteria for listing and that the present category C is the most appropriate level of listing. HES advises that:

*“This listed building retains its special interest as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function.”*

6.15 We recognise that the present condition of the surviving fabric is not a factor when deciding whether a building is of special interest.

6.16 A category C listed building is defined as:

*Buildings of local importance; lesser examples of any period, style or building type, as originally constructed or moderately altered; and simple, traditional buildings that group well with other listed buildings.*

6.17 Whilst the special interest is noted, the Building Condition Survey confirms that different parts of the building have undergone physical alterations both externally and internally to facilitate its use for fish curing, offices and storage. The cultural significance of the buildings is therefore considered to derive predominantly from its historic use – rather than architectural – interest.

6.18 The Applicant notes that the advice contained in Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings which states:

*The best use of a listed building is often going to be the one for which it was designed. Keeping a building in the same use helps us to understand what the building was originally designed for. It can also help to protect any associations and special meanings that the building has – part of its intangible value*

6.19 Practically, it is not feasible to retain these buildings for the purpose for which they were designed. Their location on the port side was for fish curing of salmon and the buildings and storage accommodation was designed for this specific end use. That end use is no longer required and given that the site has lain empty for 22 years, it is difficult to see how an alternative end use for port related activities could be found that would not require substantial changes to the buildings and impact on any intangible value.

6.20 The repair and reuse of the buildings for their original function for fish curing is an unrealistic option for an end use that is no longer a core activity of Montrose Port.



The nature of activities undertaken at the port have changed dramatically since these buildings were built. The site is located on the north quayside of Montrose, surrounded by modern shipping warehouses and sheds. The modern sheds have replaced many of the original stone quayside buildings which also once lined the North Quay of Montrose Harbour. Appendix 1 of the Level 1 Standing Building Survey and the Design and Heritage Statement submitted in support of this application contain a mapping history of the changing nature of Montrose Port over the past 100 years, evidencing how modern shipping and portside requirements have necessitated the gradual replacement of the historic buildings by large, modern sheds.

- 6.21 The Building Condition Survey and the Redevelopment Report have also assessed the feasibility of the re-use of the buildings and the level of improvements that would be necessary to meet current building standards regulations. The reports consider that the works required would limit the use of the building for future occupiers given the increases in both weight and size of modern plant, equipment and machinery and harbour related storage requirements.
- 6.22 Based on the survey work undertaken, whilst the buildings are in a fair condition and although they are noted of being of special interest, their reuse in their current form is not viable given the changing nature of Montrose Port and the requirements now for more modern office and warehousing accommodation, specifically to meet the growing industry requirements for O&M facilities. The best way to retain the site's historic character has been to retain the principal façade of the building on America Street and part of the façade facing Fish Quay.
- 6.23 The site's strategic location on the port side with adjacent berthing facilities represents an opportunity for the redevelopment of the site to meet the expanding harbour requirements and specifically those of the offshore renewables sector. Retaining the buildings on the site in their current form is not considered to be in the proper planning interests of the area. The adopted local development plan has designated much of the North Quay under policy M6 for port related uses. This policy supports proposals which enhance the commercial and economic role of the port, where these are compatible with adjacent land uses. Whilst this policy does not apply to the application site, given the site's location adjacent to the M6 designated area in the local plan, we consider that it is a material consideration that the potential redevelopment of the site for O&M office and warehousing facilities for the offshore renewables sector is in line with this policy. As such, we consider that demolition is justified.

**Is the building incapable of meaningful repair?**

- 6.24 The majority of the buildings on the site are between 100 and 150 years old and over the years have had additions and several alterations and repairs. Their location on the port side was for fish curing of salmon and the buildings and storage accommodation was designed for this specific end use. That end use is no longer required and given that the site has lain empty for 22 years, it is difficult to see how an alternative end use for port related activities could be found that would not require substantial changes to the buildings.



- 6.25 The repair and reuse of the buildings for their original function for fish curing is an unrealistic option for an end use that is no longer a core activity of Montrose Port. The nature of activities undertaken at the port have changed dramatically since these buildings were built. Modern day port requirements for oil and gas suppliers and the growing offshore renewables sector necessitate larger warehousing, evidenced through the changes from the historic land use pattern to the current day modern warehouses, now lining much of the North and South Quays at Montrose Port.
- 6.26 We note that Scottish Planning Policy states that in most cases, the historic environment can accommodate change, which is informed and sensitively managed, and can be adapted to accommodate new uses whilst retaining its special character; the aim is to find an economic use that is viable over the long term with minimal impact on the special architectural and historic interest of the building or area. The Applicant has also taken cognisance of the guidance contained in Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings which states as one of its key messages:
4. *For a building to stay in use over the long term, change will be necessary. This reflects changes over time in how we use our buildings and what we expect of them. This should always be considered carefully and avoid harming the building's special interest. A building's long-term future is at risk when it becomes hard to alter and adapt it when needed.*
- 6.27 To this end, retention of the quadrangle of buildings in their current format on the application site is not viable in the long term and change is considered necessary to bring the site back into economic use.
- 6.28 The Building Condition Survey report has assessed the likely structural changes necessary to facilitate modern day usage. It advised that the ground floor would need to be removed and replaced with a suitable ground bearing slab with insulation and damp proofing. The timber intermediate floors would need to be designed to up to date standards and floor loadings. This will likely require additional joists and steel floor beams to meet current standards. The report advises that:
- "The re-use of the building would limit the works suitable for occupying the building. The modern plant, machinery and size and weight of storage products have increased in size. The re-use of the building would limit the potential for modern equipment."*
- 6.29 Angus Council would also require the building to meet with current building standards regulations that dictate load requirements. The feasibility study (contained in the Design and Heritage Assessment) for alteration of the buildings fronting onto America Street to facilitate new build office and storage as an integrated component along with new build office accommodation is an estimated cost of £1.17m. This cost far outweighs the cost of the proposed redevelopment of the site including the repair and preservation of the America Street façade and boundary walls which has been estimated at £0.96m. This is a significant cost differential.



- 6.30 Extensive repairs and major structural works are required externally throughout all sections of the site to facilitate conversion to modern building standards, together with a full internal refit to make the property safe, secure, watertight and useable. The totality of the scale of repair required to restore these buildings to their original condition is not a meaningful exercise as the use for which they were originally built has lost since past. It is therefore considered that any meaningful repair is not possible given the contemporary nature of port requirements for buildings along North Quay and specifically those to meet the O&M requirements for the offshore renewables sector. Under this criterion, we therefore conclude that their demolition is justified.

**Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?**

- 6.31 The redevelopment of the site at Nos. 1-5 America Street through the demolition of the buildings is essential to enable the economic reuse of the site for modern day port related activities. During the 22 years that the site has been unoccupied, the building has deteriorated to the extent where the cost of refurbishment and alterations to suit modern day office and storage requirements is disproportionately high.
- 6.32 The redevelopment of the site will both deliver significant benefits to economic growth and the wider community through the following:

Economic Growth Benefits

- Demolition of the listed building is essential to delivering a commercially viable development on a site which has been vacant for decades.
- The redevelopment of the site is in line with the port related regeneration initiatives and the strategic intent of the adopted Local Development Plan policy for Montrose Port (notwithstanding the fact that the site lies outwith the M6 designation)
- The redevelopment of the site is in line and the objectives of Montrose Port Authority to develop Montrose as the port and logistics hub for North East Scotland and strengthen its position in the growing offshore renewables and decommissioning sectors.
- Providing a strategic site for O&M facilities which will result in job creation with a potential peak workforce of 60 staff plus up to 12 additional ad-hoc staff. These anticipated staffing levels are based on O&M facility requirements of the same scale as the application proposal.
- A total site investment by the Applicant of £1.6m in site acquisition and redevelopment costs which includes the repair and preservation of the listed America Street façade and the listed boundary walls.



### Wider Community Benefits

- Demolition of redundant buildings and tidying up the entire site to the benefit of the adjacent residential properties on California Street and River Street
- The repair and restoration of the America Street façade and part of the Fish Quay façade along with all the sizeable perimeter walls will provide a significant improvement to the visual amenity of the area
- The preservation in perpetuity of the ‘heritage story’ relating to the former use of the site for fish curing through the preservation of the America Street façade and perimeter boundary walls.

6.33 In summary, we would argue that when assessed against this criterion, we consider that there is a strong argument to support the demolition of the quadrangle of buildings. It is acknowledged that this scale of planned intervention is extensive but options to keep the buildings in use have been thoroughly explored. This feasibility study exercise has been properly informed by the Building Condition Survey Report and Redevelopment Report, which find that the condition of the building and the configuration of the internal accommodation makes it impractical to adapt it for reasonably beneficial modern office and storage uses. The site has been unused and vacant for 22 years and all the buildings exhibit signs of deterioration. There is potential for these buildings to deteriorate further through time if the site is left unoccupied.

6.34 Under this criterion, we therefore conclude that their demolition is justified.

6.35 The above assessment against the three criteria in ‘*Managing Change in the Historic Environment – Demolition of Listed Buildings*’ demonstrates that there is the justification required for the demolition of the listed buildings.

### **Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings**

6.36 Further guidance on the reuse of listed buildings is provided in the HES document ‘Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings’.

6.37 This document covers a range of considerations. Section 4 of this document provides useful guidance on where selective demolition would be appropriate:

*“Selective demolition is a different consideration from substantial demolition, which would involve the total or substantial loss of a listed building. Selective demolition involves the removal, or demolition, of parts of a listed building in order to enable the significant parts of a listed building to be retained. Later extensions of little interest, or even less important component parts of the original building are likely to be the best options for removal.*”



*Most buildings have a primary 'display' frontage or principal façade, and often the building's side elevations were also intended to be seen. Important frontages were often the most elaborate or expensively treated and make a particular contribution to special interest. Changes to these areas are likely to have a higher impact on character."*

6.38 The guidance goes on to say:

*"...in the right place, a façade retention scheme might be an appropriate course of action when no other options are feasible. This is usually in an urban context, particularly when the façades are of such special interest that they could continue to be a listed building in their own right, or where they make an important contribution to the surrounding townscape"*

6.39 The application has adopted the guidance above by ensuring that the America Street façade is retained due to its higher impact, special interest and contribution to the surrounding townscape of Montrose Port. The architectural and design considerations are explored more fully in the Design and Heritage Statement. As stated earlier in this report the configuration of buildings behind this facade were in use for fish curing and historically were never intended to be a visible part of the building.

### Scottish Planning Policy

6.40 Scottish Planning Policy (SPP) was issued in its revised form in December 2020 and remains a material consideration that carries significant weight. In terms of Policy Principles, the SPP introduces a presumption in favour of sustainable development. SPP advises that the planning service should:

*'play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;'* (Paragraph 4)

6.41 The SPP states that decisions on planning application should be guided by a number of principles (at paragraph 29) including giving due weight to net economic benefit, supporting good design and the six qualities of successful places, should respond to economic issues, challenges and opportunities and make efficient use of existing land and supporting regeneration priorities.

6.42 In supporting business and employment, it states:

*Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits. (Paragraph 92)*

6.43 In support of economic development, planning authorities are expected to respond to the diverse range of needs and locational requirements of businesses and to take a flexible approach in accommodating changing circumstances and realising new economic opportunities. To do so, the planning system is expected to support economic development in all areas by taking account of the economic benefits of



proposed development in development plans and development management decisions. This would include supporting development which will provide new employment opportunities and enhance local competitiveness and promoting the integration of employment generation opportunities with supporting infrastructure.

- 6.44 The application proposals are consistent with the aims of Scottish Planning Policy for sustainable economic growth. They represent a regeneration opportunity through the redevelopment of an underused site which would otherwise remain vacant, leading to its further deterioration. The application proposal represents a significant investment in Montrose Port; it supports economic development and growth through the creation of new employment opportunities in the renewables sector. At the same time, it fully respects the heritage context of the site through a sensitively designed façade preservation scheme for the listed buildings America Street frontage and the site's boundary walls.

### **Material Considerations Conclusion**

- 6.45 This Planning Statement has assessed the planning application against other material considerations, all of which support the redevelopment at this site. The application should therefore be granted planning permission.



## 7. Conclusion

7.1 This application seeks planning and listed building consent for

*“Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos. 1 - 5 America Street, Montrose, DD10 8DN.”*

7.2 These proposals represent the redevelopment of a long term vacant urban brownfield site, where the Council priority is to seek the re-use or redevelopment of such sites. The proposals also necessitate the demolition and redevelopment of the category C listed buildings through the removal of the internal structures whilst preserving the façade of the America Street frontage, part of the Fish Quay facade and external site walls.

7.3 The redevelopment of the site will provide office, storage and car parking facilities for O&M operations, related to the offshore renewables project Seagreen. A quayside location is essential for this development as 24/7 quayside access is required for crew vessels. The site has been acquired by the Applicant for this specific purpose. There are no other existing or allocated employment sites in Montrose that can meet this requirement. The development will provide a high level of sustainable economic benefit for Montrose, creating new jobs in the offshore renewables sector and result in the physical renewal of a run-down site to the benefit of the port and the local area.

7.4 An application for demolition of a listed building must be assessed against the tests outlined within the Scottish Ministers Planning Policy relating to listed buildings and heritage assets, the Historic Environment Scotland Policy Statement and the HES guidance on Managing Change in the Historic Environment – Demolition of Listed Buildings. This latter document outlines a number of criteria against which proposed demolition works need to be assessed. This Planning Statement and the Design and Heritage Statement provide the necessary assessment and find that the proposed demolition of the building structures within the quadrangle can be justified under all three of the stated situations, where the guidance requires that if just one of the situations applies, then loss of the listed building is likely to be acceptable.

7.5 The proposal has also been assessed against relevant development plan policies relating to listed buildings and similarly found to be justified. It has also been demonstrated that the proposed new build office and storage unit is consistent with relevant development plan policies as well as the requirements of HES Policy Statement and the Managing Change guidance. The application proposals are considered to offer a sensitive solution in terms of scale and design and the site’s relationship with adjoining residential properties. The proposed façade retention scheme contributes in a major way to the preservation of the site’s heritage context and the development’s overall fit within the streetscape.

7.6 We consider that it is in the wider planning interests of the port area of Montrose to enable the development of the site for O&M facilities. It is therefore respectfully



requested that Angus Council grants planning and listed building consent for the proposed development.



## **Appendix 1**

### **Statutory Listing for America Street**



## Summary

Category C	Local Authority Angus	NGR NO 71451 57205
Date Added 30/03/1999	Planning Authority Angus	Coordinates 371451, 757205
Supplementary Information Updated 09/09/2020	Burgh Montrose	

## Description

*A 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.*

*The street frontage has simple classical detailing including a pilastered door-piece to the office and a segmental arched entrance pend with timber doors accessing the courtyard. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves. The managers house at the southwest angle has a small garden area facing the quay. The roofs are slated. The interiors have been largely refurbished with some features of 19th century character remaining in the managers house including fireplaces, moulded cornices and timber panelled shutters.*

## Statement of Special Interest

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978 and are not currently in use (2020).*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*



## Planning Statement

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

*Listed building record revised in 2020.*









# 1-5 AMERICA STREET MONTROSE

Job No. 204027

## REDEVELOPMENT REPORT

Redevelopment recommendations based on site observations and desk top study.

**Nathan D. Murray**

BEng (hons) MSc. CEng MIStructE



## **INTRODUCTION**

### **Project Brief**

At the request of Project Management (Scotland) Ltd., on behalf of Rix Shipping (Scotland) Ltd., Griffen Design Ltd. visited the properties at America Street, Montrose to inspect the structural condition on Monday 9<sup>th</sup> November 2020. An interpretive report (204027 Building Condition Report) was prepared based on the visual observations.

This report outlines the probable works related to retention, refurbishment and re-use of the existing building as shown in Project Management (Scotland) Ltd. drawings PMS 2315-114 PL and PMS 2315-115 PL.

## **OBSERVATIONS**

To re-use the building there are two factors the building would need to adhere to i) building condition and ii) current building standards that dictate load requirements.

### **Building Condition**

The report previously prepared indicated that the building was in fair condition for its age with areas requiring repair. It was also stated that in order to re-use the building a number of items would need to be addressed.

### **America Street Buildings**

#### **Roof**

The roof is generally seen to be in a fair condition. There are a number of small areas requiring repair, along the ridge, at eaves and to slates. The gutters also require repair in a number of locations. We would recommend that the timbers are investigated for rot given the age and nature of the damage.

#### **Floors**

##### **Ground Floor**

The ground floor is concrete throughout the America Street buildings, the level varies from section to section. Our observations indicate the slab is not constructed to current standards. We also could not confirm the slab is consistent thickness throughout.

##### **Upper Floor**

The upper floor also varies in level, stepping up through the pend. There is no passage through from above the pend beyond so we cannot confirm the level. We would recommend the timber are inspected for rot.

#### **Walls**

There are numerous cracks that require repair. The courtyard lintel to the pend must be replaced. Also in the pend there are vertical cracks near the America Street entrance which need further investigation and repair. Likewise the Managers House Bay window lintels must be repaired. There are lintels that would need to be relocated to an acceptable height should the opening be re-used. We would anticipate timber lintels which should be replaced with concrete lintels as good practice.



Further to this, the walls have a render covering which appears to be hiding defects. There are some signs of damp and it is evident that the damp proofing measures are not up to standard.

### **Design**

The building would need to be designed to current standards which will impact on the existing floors and support. Our opinion is that the floor joists would need strengthening and a series of steel floor beams forming suitable support could also be required. The existing structure could have support steel provided, this would need to be exposed and checked.

### **Harbour Stores**

The construction is more recent. The roof covering appears to be an asbestos corrugated sheeting which would need to be replaced. The roof structure is generally in good condition. We would recommend that all timbers are inspected for rot by a specialist.

It appears that an opening in the Harbour elevation has been infilled and could be re-opened. The gables need repairing, there are cracks and the Managers House side exhibits a sizeable bulge, this must be investigated and repaired.

The internal arrangement is a mix of construction and condition. The floor/ceilings are either precast concrete or in-situ concrete slab. The floors have been partially removed and left in an un-safe condition. The main supporting walls are brick and a number of smaller timber frame partitions. These floors should be removed and the internal layout altered to suit.

### **CONCLUSIONS**

The discussion above is based on our visual inspection of the building. We would recommend a more thorough invasive survey is carried out to fully determine the structural layout and condition. This would necessitate

- i) removing the render to inspect the masonry and lintels.
- ii) coring concrete floors to inspect the ground floor construction.
- iii) Stripping the floors to inspect and confirm floor joist and supporting structure.

We would also recommend that all timbers are inspected by a timber rot specialist to confirm their suitability or otherwise.

A redesign and detailing of the ground and first floors is required.

A number of necessary repairs to the roof and walls are required throughout, particularly to the pend structure and store floors.



Griffen Design Ltd.  
Structural Engineering Consultancy  
Unit 2.5 Discovery House, Technology Park, Dundee, DD2 1SW  
Tel: 01382 561112  
Email: [info@griffendesign.co.uk](mailto:info@griffendesign.co.uk)



## SUMMARY

Further inspection is required to assess the condition and loadpath.

A full design is required for the chosen remedial option.

The impact of the condition and new design must be incorporated within the package of works.

Yours faithfully,



Nathan D. Murray  
BEng(hons) MSc CEng MIStructE  
For Griffen Design Ltd.



## WAREHOUSE / OFFICES AND YARD

- > ADJACENT TO MONTROSE HARBOUR AREA
- > CATEGORY 'C' LISTED BUILDING
- > 1,266.17 SQ.M (13,629 SQ.FT) OF OFFICE/WORKSHOP SPACE OVER 2 FLOORS WITH ASSOCIATED YARD
- > OFFERS INVITED
- > REFURBISHMENT/MODERNISATION REQUIRED THROUGHOUT

**1-5 AMERICA STREET, MONTROSE, DD10 8DN**

**CONTACT:** Gavin Russell -  
Scott Robertson -

g.russell@shepherd.co.uk  
s.robertson@shepherd.co.uk

01382 878005 [www.shepherd.co.uk](http://www.shepherd.co.uk)



**FOR SALE**





ACCOMMODATION	SqM	SqFt
1 America Street	105.87	1,140
3-5 America Street - Ground	679.00	7,308
3-5 America Street – First	481.30	5,181
<b>TOTAL</b>	<b>1,226.17</b>	<b>13,629</b>

The above areas have been calculated on a gross internal area basis in accordance with the Sixth Edition of the RICS Code of Measuring Practice.



## LOCATION

Montrose has a population of circa 13,250 (source: Angus Council) and is one of the principal towns positioned on the northeast Coast of Scotland, approximately 40 km (30 miles) north of Dundee and 61 km (38 miles) south of Aberdeen. Montrose is located within the administrative authority of Angus Council.

The town sits on the East Coast Railway Line linking London and Aberdeen and connects into the trunk road network via the A92 coastal tourist route and the A935, Brechin Road.

Montrose is an important employment centre for the northeast, providing a busy commercial port for the agricultural, oil and gas industries. As well as being an attractive place to live, Montrose is also a popular destination for tourists.

The subjects are located on the east side of America Street between the junctions with River Street and Fish Quay, part of the Montrose Harbour Area.

## DESCRIPTION

The subjects comprise traditional workshop and office space over ground and first floor arranged around a central courtyard with an additional small store/workshop to the north.

The subjects have been vacant for a number of years and will require refurbishment and modernisation works both internally and externally.

## EPC

Awaiting confirmation.

## PROPOSAL

Our client is seeking offers for their freehold (heritable) interest.

## PLANNING

The site has no specific land use designation within the adopted Angus Local Development Plan.

The subjects are considered to be of special interest in the view of Historic Environment Scotland and any preservation or conversion project may be eligible for grant funding.

There are planning and heritage restrictions on making alterations to the property for which consent will be required from Angus Council. All interested parties are encouraged to make their own enquiries to Angus Council Planning Department with regards their proposed use.

## RATEABLE VALUE

The premises have been assessed for rating purposes and are entered in the Valuation Roll for the current year at:

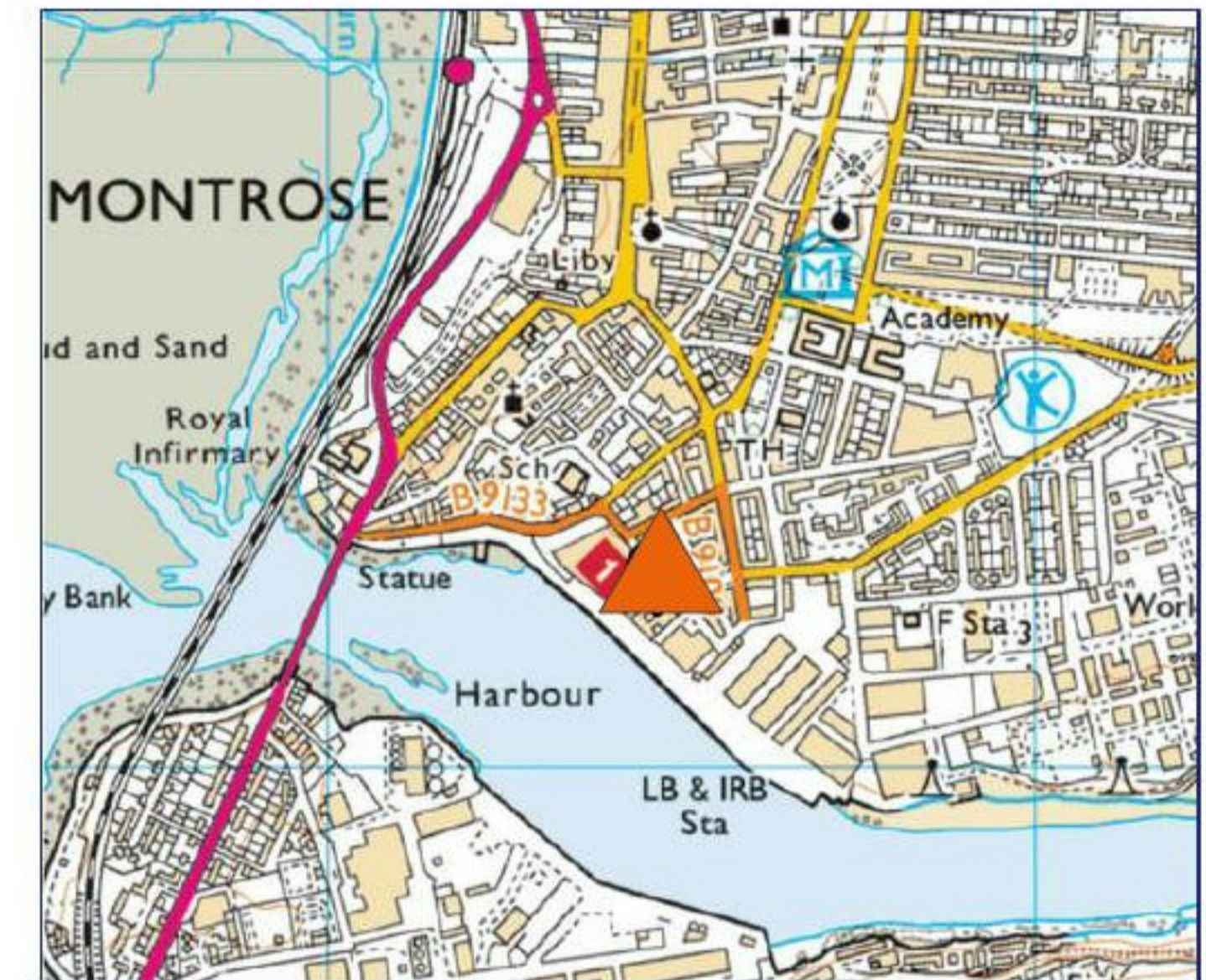
1 America Street:	£3,150
3-5 America Street:	£21,400.

The Unified Business Rate for the financial year 2021/2022 is 49 pence exclusive of water and sewerage.

## VAT

For the avoidance of doubt all prices quoted are exclusive of VAT, which may be applicable.

## AMERICA STREET, MONTROSE



Contains Ordnance Survey data.

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**For further information or viewing arrangements please contact the sole agents:**

**Shepherd Chartered Surveyors** 13 Albert Square, Meadowside, Dundee, DD1 1XA (01382) 878005

Gavin Russell – g.russell@shepherd.co.uk / Scott Robertson - s.robertson@shepherd.co.uk

[www.shepherd.co.uk](http://www.shepherd.co.uk)

J & E Shepherd for themselves and for the vendors or lessors of this property whose agents they are, give notice that: (i) the particulars and plan are set out as a general outline for the guidance of intending purchasers or lessees, and do not constitute, nor constitute part of, an offer or contract (ii) all descriptions, dimensions, references to condition and necessary permissions for use and occupation, and other details are given in good faith and are believed to be correct at the date of first issue but any intending purchasers or tenants should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them; (iii) no person in the employment of J & E Shepherd has any authority to make or give any representation or warranty whatever in relation to this property; (iv) all prices and rentals are quoted exclusive of VAT unless otherwise stated. Prospective purchasers/lessees must satisfy themselves independently as to the incidence of VAT in respect of any transaction. We comply with the Money Laundering, Terrorist Financing and Transfer of Fund Regulations 2017. **JULY 2021**





AC22

## WAREHOUSE / OFFICES AND YARD

- > ADJACENT TO MONTROSE HARBOUR AREA
- > CATEGORY 'C' LISTED BUILDING

> 1,266.17 SQ.M (13,629 SQ.FT.) OF OFFICE/WORKSHOP SPACE OVER 2 FLOORS WITH ASSOCIATED YARD

> OFFERS INVITED  
(SEE PLANNING SECTION HEREIN).

> REFURBISHMENT/MODERNISATION REQUIRED THROUGHOUT.

**1-5 AMERICA STREET, MONTROSE, DD10 8DN**

**CONTACT:** Gavin Russell - [g.russell@shepherd.co.uk](mailto:g.russell@shepherd.co.uk)  
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FOR SALE



### LOCATION

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The subjects are located on the east side of America Street between the junctions with River Street and Fish Quay, part of the Montrose Harbour Area.



ACCOMMODATION	SqM	SqFt
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3-5 America Street – First	481.30	5,181
<b>Total</b>	<b>1,266.10</b>	<b>13,629</b>

The foregoing areas have been calculated on a Gross Internal Area basis in accordance with RICS Property Measurement Professional Statement (second edition) incorporating the sixth edition of the RICS code of measuring practice..



## DESCRIPTION

The subjects comprise traditional workshop and office space over ground and first floors arranged around a central courtyard with an additional store/workshop and yard to the north.

The subjects have been vacant for a number of years and will require refurbishment and modernisation works both internally and externally.

## EPC

Awaiting confirmation.

## VAT

For the avoidance of doubt all prices quoted are exclusive of VAT, which may be applicable.

## RATEABLE VALUE

The premises have been assessed for rating purposes and are entered in the Valuation Roll for the current year at:

1 America Street	£3,150.
3-5 America Street	£21,400.

The Unified Business Rate for the financial year 2021/202 is 49 pence exclusive of water and sewerage.

## PROPOSAL

Our client is seeking offers for their heritable interest.

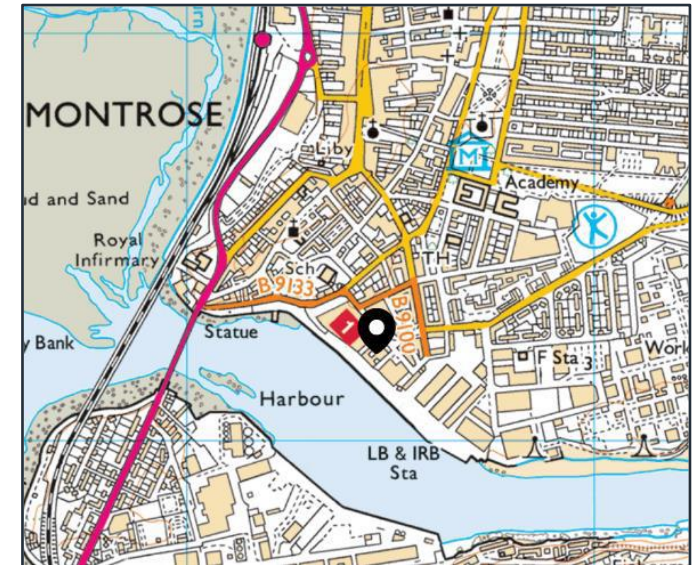
## PLANNING

The site has no specific land use designation within the adopted Angus Local Development Plan.

The subjects are considered to be of special interest in the view of Historic Environment Scotland and any preservation or conversion project may be eligible for grant funding.

Historic Environment Scotland recommends that development proposals must retain the majority of the listed buildings and advise that whilst there are planning and heritage restrictions on making alterations to the property there is scope to demolish parts of the property that are of less interest.

All interested parties are encouraged to make their own enquiries to Angus Council Planning Department (contact Damian Brennan, Planning Officer at [brennandg@angus.gov.uk](mailto:brennandg@angus.gov.uk) and Historic Environment Scotland (contact Mario Cariello at [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)) with regards to their proposals for the property.



**For further information or viewing arrangements please contact the sole agents:**

**Shepherd Chartered Surveyors** 13 Albert Square, Meadowside, Dundee, DD1 1XA (01382) 878005  
Gavin Russell – [g.russell@shepherd.co.uk](mailto:g.russell@shepherd.co.uk) / Scott Robertson – [s.robertson@shepherd.co.uk](mailto:s.robertson@shepherd.co.uk)

[www.shepherd.co.uk](http://www.shepherd.co.uk)

J & E Shepherd for themselves and for the vendors or lessors of this property whose agents they are, give notice that: (i) the particulars and plan are set out as a general outline for the guidance of intending purchasers or lessees, and do not constitute, nor constitute part of, an offer or contract (ii) all descriptions, dimensions, references to condition and necessary permissions for use and occupation, and other details are given in good faith and are believed to be correct at the date of first issue but any intending purchasers or tenants should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them; (iii) no person in the employment of J & E Shepherd has any authority to make or give any representation or warranty whatever in relation to this property; (iv) all prices and rentals are quoted exclusive of VAT unless otherwise stated. Prospective purchasers/lessees must satisfy themselves independently as to the incidence of VAT in respect of any transaction. We comply with the Money Laundering, Terrorist Financing and Transfer of Fund Regulations 2017. **OCTOBER 2021**





Project Management Scotland Ltd

25 January, 2022

Our Ref: 2315

Angus Council  
Planning Department  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Dear Sir,

**RE: Planning Application Ref: 20/00574/FULL – Rix, America Street**

Please find attached a marketing update from J&E Shepherd on America Street. Please note that all the third-party personal contact details included in the letter must be redacted prior to the letter being uploaded onto the planning portal.

- Rix has thoroughly investigated the practicalities of retaining and refurbishing the listed buildings on the site and submitted evidence to the Council to this effect. However, given the extent of structural decay and the costs of trying to augment the buildings to suit the business requirement for an O&M facility, this is simply not possible or financially viable.
- Further to discussions with AC and HES last June 2021, America Street has subsequently been marketed by J&E Shepherd Chartered Surveyors to ascertain if there is any party who would be able to retain more of the listed structures which are of special interest (as noted by HES) and make the site work financially. This marketing process commenced in July last year and HES advised Rix and the planning authority that if a purchaser could not be found at the end of at least a six-month timeframe, then it would retract its objection.
- The applicant has followed the advice issued by HES (email of 12.8.21 from Mario Cariello email of 7.9.21 from Steven Robb) and amended the marketing particulars to ensure that the marketing was based on the presumed retention of the listed buildings. Both the Council's and HES's contact details are included in the marketing information and J&E Shepherd is not aware of any parties having approached the Council or HES directly.
- The marketing of America Street has now been undertaken for six months with no interest. As per the HES letter of 27 May 2021 and verbally confirmed by Steven Robb in the subsequent virtual MS Teams meeting, the HES letter states: "If there is no interest in the acquisition of the listed building after a reasonable time period (this should normally be at least six months, although in some circumstances a longer or shorter period may be appropriate), then the



current application for substantial demolition would, in our view, become a reasonable option for consideration.”

- Given the scale of physical decay to the listed buildings and the costs of refurbishment it is considered highly unlikely that there will be future demand to enable a viable, contemporary port related use which retains the listed building structures.

Accordingly, we respectfully ask the Council to place due weight on the economic growth benefits and wider community benefits of the proposal which accord with para 4 of SPP and support this planning and listed building consent application.

Yours faithfully,

**Phil Birse**

for Project Management Scotland Ltd.

[phil@pm-scot.com](mailto:phil@pm-scot.com)





**J & E Shepherd • Chartered Surveyors • 13 Albert Square • Meadowside • Dundee • DD1 1XA • Tel 01382 878005**  
**• E-mail: g.russell@shepherd.co.uk • Website: www.shepherd.co.uk**  
**Regulated by RICS**

GR

19<sup>th</sup> January 2022

To whom it may concern

Dear Sirs,

### **1-5 America Street, Montrose – Marketing 2022**

I refer to the above and our ongoing marketing and write to provide an update on interest levels.

Marketing formally began on 10<sup>th</sup> July 2021 with the property being uploaded to our commercial property website along with various national property websites such as Novaloca, EGI Propertylink and CoStar/Realla. A “For Sale” board was also erected prominently at the junction of America Street and River Street at the same time. (see Appendix 1 below).

Prior to marketing we were asked to specifically target local, regional, and national restoring groups and building preservation trusts who may have an interest in the property. A target list was therefore drawn up and brochure details sent with a covering email. To date there has been no response from any of the parties contacted. (see Appendix 2 below).

From our initial marketing campaign we received some limited enquiries, mainly from local businesses and individuals seeking to utilise only part of the subjects, specifically the yard and workshop space to the north. Thus far we have had no enquiries from anyone seeking to use the main office/workshop buildings to the south. (see Appendix 3 below).

We have also had enquiries from a couple of parties seeking an asking price for the property. These parties were unwilling to discuss their proposed future use with us. Our clients have from the outset sought enhanced dialogue with such parties to ascertain whether their proposed use would be supported by the local authority and Historic Environment Scotland (HES). We are unaware of any party who have approached the local authority to discuss the subject property.

Further to our clients request in October 2021 and with input from both Angus Council and HES we undertook a revision of the marketing brochure to further promote the property as being suitable for partial demolition and redevelopment. Thereafter we recirculated the updated brochure which provided interested parties with direct contacts with individuals at Angus Council and HES to discuss their proposed future plans for the property. Again we are unaware of any party who have approached either of these bodies to discuss a potential acquisition.

Since the revised brochure was made available in late October 2021 we have since received only 1 new enquiry which was from a local company seeking to rent the yard area to store shipping containers whilst the subjects were marketed for sale.

Contd.../

#### *Partners*

George P Brewster FRICS  
 Ian J Fergusson BSc FRICS  
 Christopher J Grinyer BSc MRICS  
 Ian F Hannon BSc (Hons) MLE MRICS  
 Graeme Stewart Dip Surv MRICS  
 John Paul Bennett BA (Hons) Fin ACMA  
 Gerry McCluskey Dip Prop Invest MRICS  
 J Malcolm Hunter MRICS  
 Kevin I Angus MRICS  
 Paul Taylor MRICS  
 Jason Begg MRICS  
 Craig Brown BSc MRICS  
 Michael Horne BSc MRICS  
 Darren Lewis BSc (Hons) MRICS  
 Steven W Barnett BLE FRICS  
 D Niall Gunn BSc MRICS

Neil Thomson BSc MRICS  
 Martin Waite MRICS  
 Adrian Stott BA (Hons) Dip Surv FRICS  
 Lachlan G R MacFarlane BSc MRICS  
 Jonathan Reid BLE (Hons) MRICS  
 Donal Henretty BLE MRICS  
 James U Richardson MA (Hons) MRICS  
 Gregor Simpson BLE MRICS  
 Alan Fleming MRICS  
 Kevin N Bell BSc MRICS  
 Anthony Bennett BLE MRICS  
 Colin Campbell MRICS  
 Stuart Dunne BSc (Hons) MRICS  
 Andrew Neil MRICS  
 Andrew D Sykes MRICS  
 Paul J Duncan BSc (Hons) MRICS

Kristofor Hall MRICS  
 Elliot Brown BSc (Hons) MRICS  
 Alastair Buchanan BSc (Hons) MRICS  
 Neil A Calder BSc MRICS  
 Graeme Haywood MA (Hons) MRICS  
 Mark McQueen BLE MRICS  
 Christopher P Weir MRICS  
 Barry J Reid BSc (Hons) MRICS

#### *Associates*

George B Robb MRICS





I have attached a summary from one of the websites (CoStar/Realla) which shows the number of clicks and views on the property and demonstrates that unfortunately there have been little to no actual enquiries throughout the marketing campaign despite clear awareness of the opportunity.

Going forward we are of the opinion that recent announcements with regards the renewables sector and in particular the Seagreen offshore development may encourage new investment in the harbour area, however given the age and character of the subjects along with the rise in building/materials costs over the past 12 months, demand will likely be limited for development/restoration opportunities of listed buildings such as this.

I trust this is sufficient for your current purposes.

Kind Regards.

Yours sincerely,



Gavin Russell BSc (Hons) MRICS  
For J & E Shepherd

Enc.



APPENDIX 1 – BOARD





**APPENDIX 2 – TARGET LIST**

<b>Company</b>	<b>Address</b>	<b>Town</b>	<b>Postcode</b>	<b>Tel</b>	<b>Email</b>
Scottish Historic Buildings Trust	Riddle's Court, 322 Lawnmarket	Edinburgh	EH1 2PG	0131 510 8789	<a href="mailto:info@shbt.org.uk">info@shbt.org.uk</a>
Heritage Trust Network Scotland	13-15 Fleet Street	Birmingham	B3 1JP	07734395112	<a href="mailto:sarah.pearce@heritagetrustnetwork.org.uk">sarah.pearce@heritagetrustnetwork.org.uk</a>
North East Preservation Trust	Viewmount, Arduthie Road	Stonehaven	AB39 2DQ	07831580165	<a href="mailto:info@nespt.org">info@nespt.org</a>
Highland Historic Building Trust					<a href="mailto:enquiries@highlandhbt.org.uk">enquiries@highlandhbt.org.uk</a>
Montrose Heritage Trust					<a href="mailto:enquiry@bamsemontrose.co.uk">enquiry@bamsemontrose.co.uk</a>



**APPENDIX 3 – ENQUIRY SCHEDULE**

<b>Contact</b>	<b>Company</b>	<b>Tel</b>	<b>Email</b>	<b>Comments</b>
James Murphy	Safety Med	██████████	████████████████████	Only interested in asking price. Assumed distressed sale.
David Jamieson	RyBay Corrosion Services	██████████	████████████████████	viewed with M Cessford
Kevin Robertson		██████████	████████████████████	Only interested in yard area separately.
Robin Lovat			████████████████████	Retained Shepherds client who enquired but would only be interested in a distressed sale.
John Pullar		██████████	████████████████████	Only interested in rear yard.
Nicholas Bone		██████████	████████████████████	Interested in yard part only.
Mike Vettese		██████████		Looking for asking price, only interested in yard/part.



## **Consideration of Noise Issues**

### Proposed Uses on the Site

The proposed use is for an Operations and Maintenance (O&M) facility to support the offshore wind farm developments. It will comprise of a mix of uses comprising 520 sq. m of Class 4 office accommodation, 240 sq. m of Class 6 storage/warehousing space and car parking for 30 cars.

### Noise Generating Activities

There are no noise generating activities on site. No industrial processes are to take place within the storage area which will be used only for the storage of equipment and materials.

Office accommodation is the principal use on the site. This is to be provided over two floors within the building with a gross floor area of 520 sq m and will accommodate up to 40 employees.

The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and equipment to and from the offshore wind farm developments. In common with port side warehousing facilities, access is required 24/7 on all days of the year.

Activities which may occur overnight include employees working in the office overnight at computer stations – note that only a reduced number of staff will be on site overnight to cover for any emergencies offshore. This is estimated to be between 1 to 10 employees. Related to this will be employee cars entering or leaving the car park area.

Dependent on the offshore requirement, a vessel may be needed to transport people (technicians), equipment or provisions to the offshore facilities. Items in storage which may be required will necessitate the warehouse doors being opened and closed. The proposed doors to the warehouse front onto the quayside and will be fully electronically operated. They are not old-style chain link roller doors. The design and fully electric mechanisation of the doors will reduce noise from this activity. A forklift truck may be used to move equipment from the storage unit to the vessel berthed at the quayside.

### Noise from Existing Port Operations

Montrose Port is in operation 24 hours a day on all days of the year. The residential houses on California Street will be used to noises emanating from the quayside and maritime traffic at all times of the day and night. Noise produced will come from a variety of sources such as:

- vessels noise: moving or moored
- noise produced by industrial plants present in the port area
- noise produced by the port activities: loading and unloading operations, container handling, boat service operations, etc.

There is also traffic related noise at the port – internal traffic and port related external traffic.

### Noise Mitigation Measures

A 5m wall currently separates the application site from the houses on California Street. This wall is some 500mm thickness or thereby and is to remain in situ. Existing small window openings and flues in the wall are proposed to be bricked up, with the agreement of the planning authority.



**Application Reference: 20/00574/FULL & 20/00599/LBC**

**Site Address: 1 - 5 America Street, Montrose, DD10 8DN**

The retention of this wall and a total separation distance of around 2m between the new building and the closest residential property on California Street will be a substantial buffer to mitigate against any noise or amenity issues which may be generated from the application site.

During construction of the premises, a planning condition can be imposed to control the hours of construction work on site to avoid night-time working and weekends.





Project Management Scotland Ltd

24 January, 2023

Our Ref: 2315

Angus Council Planning Department  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Dear Damian

**20/00574/FULL & 20/00599/LBC - Redevelopment of site - 1 - 5 America Street, Montrose, DD10 8DN**

Noise Impact Assessment

In connection with the above referenced application, please now find attached the Noise Impact Assessment (NIA) Report undertaken by CSP Acoustics LLP.

The NIA was undertaken in consultation with the Environmental Health Officer at Angus Council and the methodology agreed.

The results of the NIA have modelled worst case noise levels and when addressing two different noise levels, if one noise level is more than 10 dB below another, the lower noise level will generally not be audible above the higher noise level. The NIA finds that the predicted noise levels are more than 20 dB below the worst-case noise levels recorded over the assessment period (1<sup>st</sup> to 5<sup>th</sup> December 2022). The planning authority can therefore safely assume that the proposed development will have little to no additional noise impact upon the nearest NSR's.

The assessment states that:

*“noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest NSR's in the context of what they are already exposed to.”*

Given that the noise from existing activities at the port far exceeds the predicted worst-case noise levels from the proposed development, any changes to the layout of the proposed development -such as altering the position of the warehouse roller door access or relocating the position of the office accommodation will make no difference to the levels of noise experienced by the nearest NSR's.

Accordingly, the Applicant considers that the submission of the NIA is the final piece of supporting information required by the planning authority to enable a determination to be made on the basis of the plans and supporting information submitted to date.



## Conclusion

We conclude that for the planning and listed building applications as presented, there is strong justification which meets the terms of the HES guidance for demolition of the Category C listed building.

The scale of repairs required to restore the listed buildings to their original condition is, in our opinion, not a meaningful or purposeful exercise, as the use for which they were originally built has long since passed. To be meaningful, would require a viable end purpose to justify the scale and costs of repair. It is therefore considered that any 'meaningful repair' is simply not possible, given the port's requirements for large, modern warehousing. This site in particular, is located on the quayside, with direct access to berthing facilities and specifically meets the O&M requirements for the offshore renewables sector.

The planning authority is aware that detailed architectural consideration has been given to trying to redevelop the site for the required accommodation requirements (modern offices, warehousing and car parking) whilst retaining and adapting part of the listed building complex. This is presented in the Heritage and Design Statement. The retention and integration of even parts of the listed building in its current form would impose a significant constraint on the viability of development, both in terms of the level of structural repair that would be necessary and its impact on the feasibility of being able to utilise the building for contemporary port related uses. The feasibility option would be technically challenging and cost prohibitive, estimated at 21% higher than the application proposals, rendering the alternative as economically unviable.

The current high inflation rates and steep increase in construction materials costs have also now sharply increased the overall project costs to £1.15M (as shown in Table 1).

**This £1.15M is a significant investment by the Applicant to deliver the regeneration of this vacant and semi-derelict site and create 60 full time jobs plus up to 12 additional ad-hoc staff.**

Table 1: Updated Project Costings for Partial Re-Use and Adaption

<b>Project Option</b>	<b>Estimated Cost (£) Feb. 2021</b>	<b>Estimated Cost (£) Jan. 2023</b>
<b>1) Feasibility Option – retaining America Street Offices and Storage Space</b>		
• To restore offices (America Street)	998,999.83	1,198,800.00
• To restore storage space (Fish Quay)	171,426.00	205,712.00
<b>Total</b>	<b>1,170,425.83</b>	<b>1,404,512.00</b>
<b>2) Application Proposal – to keep America Street Façade and Build New Office Block and Storage Area</b>		
• Demolition of buildings and keep external facade	185,568.00	222,682.00
• To build new purpose-built office block	624,000.00	748,800.00
• To build new purpose-built storage area	155,000.00	186,000.00
<b>Total</b>	<b>964,568.00</b>	<b>1,157,482.00</b>

We acknowledge that discussions have taken place in the last 6 months with the planning authority and Historic Environment Scotland with a view to the Applicant re-examining if any parts of the listed building could be reused to greater effect as opposed to the façade retention proposal. It is considered that this exercise would necessitate many months of further consideration and debate.



Given that this planning application has been validated since 2 September 2020, the Applicant now respectfully requests that both the planning and listed building applications as presented, are determined in earnest by the planning authority. Alternative redevelopment proposals for the site may come forward as a separate planning and listed building applications at some stage in the future and should this be the case, this would be done in discussion with the planning authority.

Alongside the significant economic investment into the area, the creation of new jobs for Montrose Angus Council should acknowledge that the preservation of the listed façade and boundary walls of the site in perpetuity, will have a regenerative effect on the surrounding townscape, enhancing the streetscene and improving the visual amenity of the area for neighbouring residents.

We respectfully now ask that Angus Council presents the planning and listed building consent applications to the Development Standards Committee for determination at the earliest opportunity.

We look forward to receiving your earliest written confirmation of this and the likely date for the Committee determination.

Yours faithfully

**Phil Birse**

for Project Management Scotland Ltd.

[phil@pm-scot.com](mailto:phil@pm-scot.com)





# CSP Acoustics

AC27

## NOISE IMPACT ASSESSMENT

1-5 America Street, Montrose

Prepared for:

Project Management Scotland Ltd

Ref: 1771 R001 V1.1 AH

Date: 20<sup>th</sup> March 2023

**EMAIL** INFO@CSPACOUSTICS.CO.UK  
**TEL** 01382 731813 (Dundee)  
**TEL** 01414 283906 (Glasgow)  
**WEB** CSPACOUSTICS.CO.UK







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- Fort Street House, 63 Fort Street, Broughty Ferry, Dundee DD5 2AB
- 29 Eagle Street, Craighall Business Park, Glasgow G4 9XA

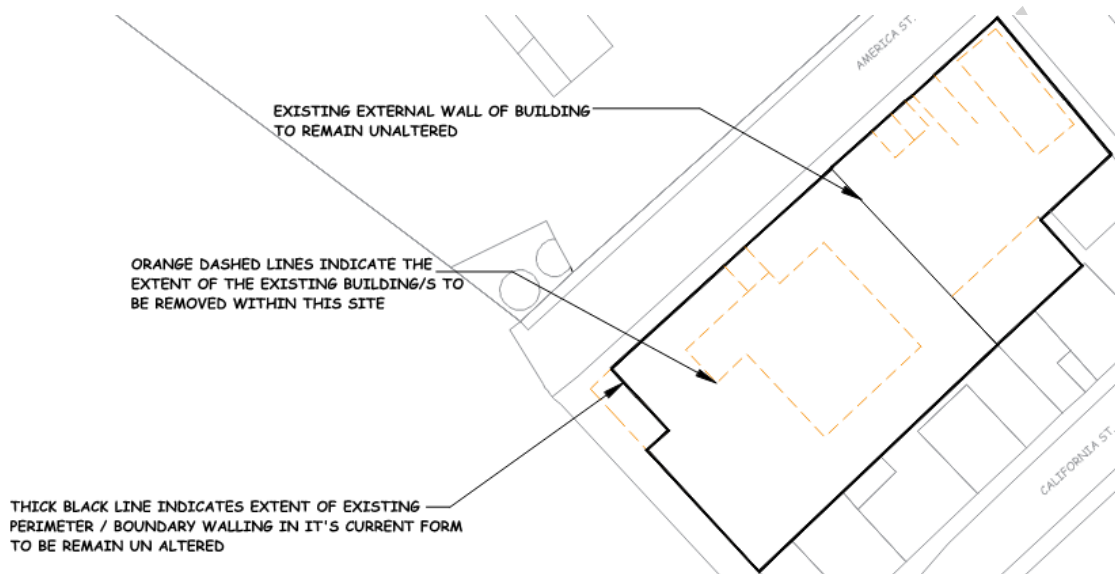
## Document Revision History

Version	Reason	Date/Edits Made By:
V1 Draft	Initial Issue	09 January 2023 AH
V1	Revised issue based on comments from client	11 January 2023 AH
V1.1	Revised issue based on comments from EHO	20 March 2023 AH



## 1.00 Introduction

- 1.01** This Report has been prepared to support a planning application on behalf of Project Management Scotland Ltd (ref. 20/00574/FULL). The application entails the demolition of the existing buildings on site. However, the existing ~5m perimeter wall is to be retained. The site location and planned demolition proposals can be seen in Figure 1.



**Figure 1: Existing Site Layout with Planned Demolition**

- 1.02** Additional buildings will then be erected within the existing perimeter walls as shown in Figure 2. The development will include two floors of office space (520 m<sup>2</sup> gross floor space, accommodating up to 40 employees), a storage warehouse and associated parking.
- 1.03** The new warehousing/storage unit will be used for a renewables sector project for operations and maintenance activities. The new warehouse unit will be used to store tools, spare parts and equipment and provide welfare facilities at the quayside and will require 24-hour access. Hence, operational hours of the office areas are understood to be 24/7. However, deliveries and movement of materials from the warehouse is understood to be limited to between 07:00 and 19:00 hours. There is no expectation for there to be any noise impacts due to deliveries or movement of materials arising from the site during night-time periods (23:00-07:00).





Noise Impact Assessment  
1-5 America Street, Montrose  
Project Management Scotland Ltd

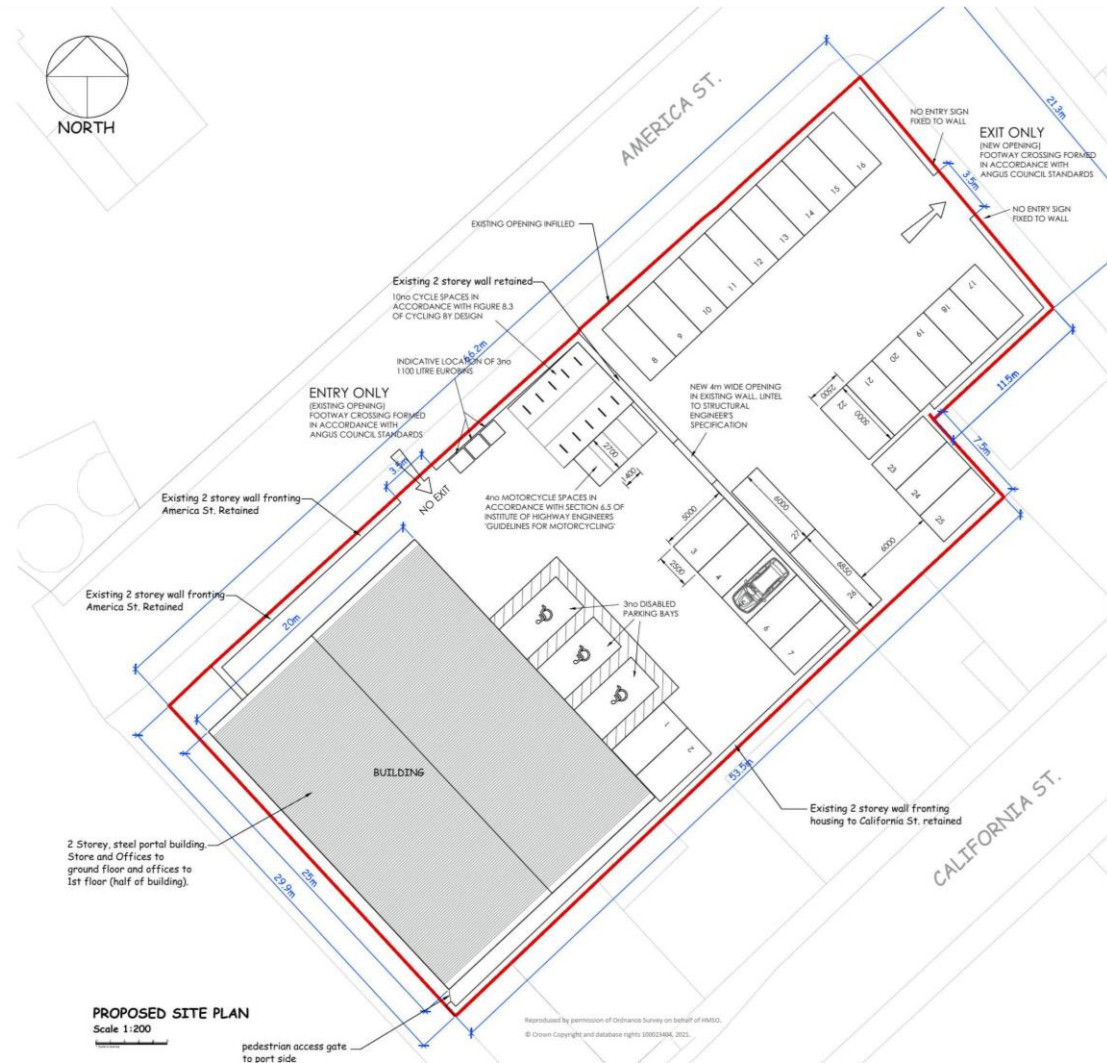


Figure 2: Proposed Site Layout

**1.04** The nearest properties are located along California Street to the south-east, adjacent to the site. Background noise measurements were completed in a representative location of each of these properties.





## 2.00 Impact Assessment Criteria

- 2.01** The Scottish Office Development Department issued SODD Circular 10/1999 and the associated Planning Advice Note - PAN 56 - "Planning and Noise" in April 1999. In March 2011, the Scottish government issued PAN1/2011 "Planning and Noise" and an associated Technical Advice Note which replaced PAN 56.
- 2.02 PAN 1/2011:** The Planning Advice Note recommends the use of Quantitative and Qualitative assessments of noise together with assessments of the level of its significance to help planning authorities determine applications for development types including residential, commercial and workshop development. The PAN and its accompanying Technical Advice Note do not however offer specific guidance with respect to the standards to be applied in assessments of noise impact.
- 2.03** In the Technical Advice Note that accompanies the PAN in Chapter 3, para 3.8 states that: "The choice of appropriate criteria noise levels and relevant time periods are the responsibility of the local authority. Although this may lead to inconsistencies between different Local Authorities and, indeed, across areas within a given Local Authority, it does provide flexibility, allowing particular circumstances to be taken into account and the use of the latest guideline values to be included where appropriate."
- 2.04** The PAN also notes, in Appendix 1, a range of Technical Standards and Codes of Practice that may be relevant to assessments including BS 4142:2014 which can be used for assessing the impact of industrial/commercial developments, BS 8233:2014 which provides general guidance on acceptable levels within buildings and WHO Guidelines for Community Noise, 1999 et alia.
- 2.05 BS 4142:2014** - provides a rating method to give an indication of the likelihood of complaints when a sound source affects dwellings. The rating level of the sound source is compared against existing levels of background noise level ( $L_{A90}$ ) present at the nearest residential properties, without the influence of the source. Where this is carried out the following guidance is given on the assessment of impact:
- 1) Typically, the greater the rating level exceeds the background noise level then the greater the magnitude of the impact will be.
  - 2) Where the rating level exceeds the background noise level by +10 dB or more then this is likely to be an indication of a significant adverse impact, depending on the context.
  - 3) Where the rating level exceeds the background noise level +5 dB this is likely to be an indication of an adverse impact, depending on the context.
  - 4) Where the rating level does not exceed the background level, this indicates a low impact.



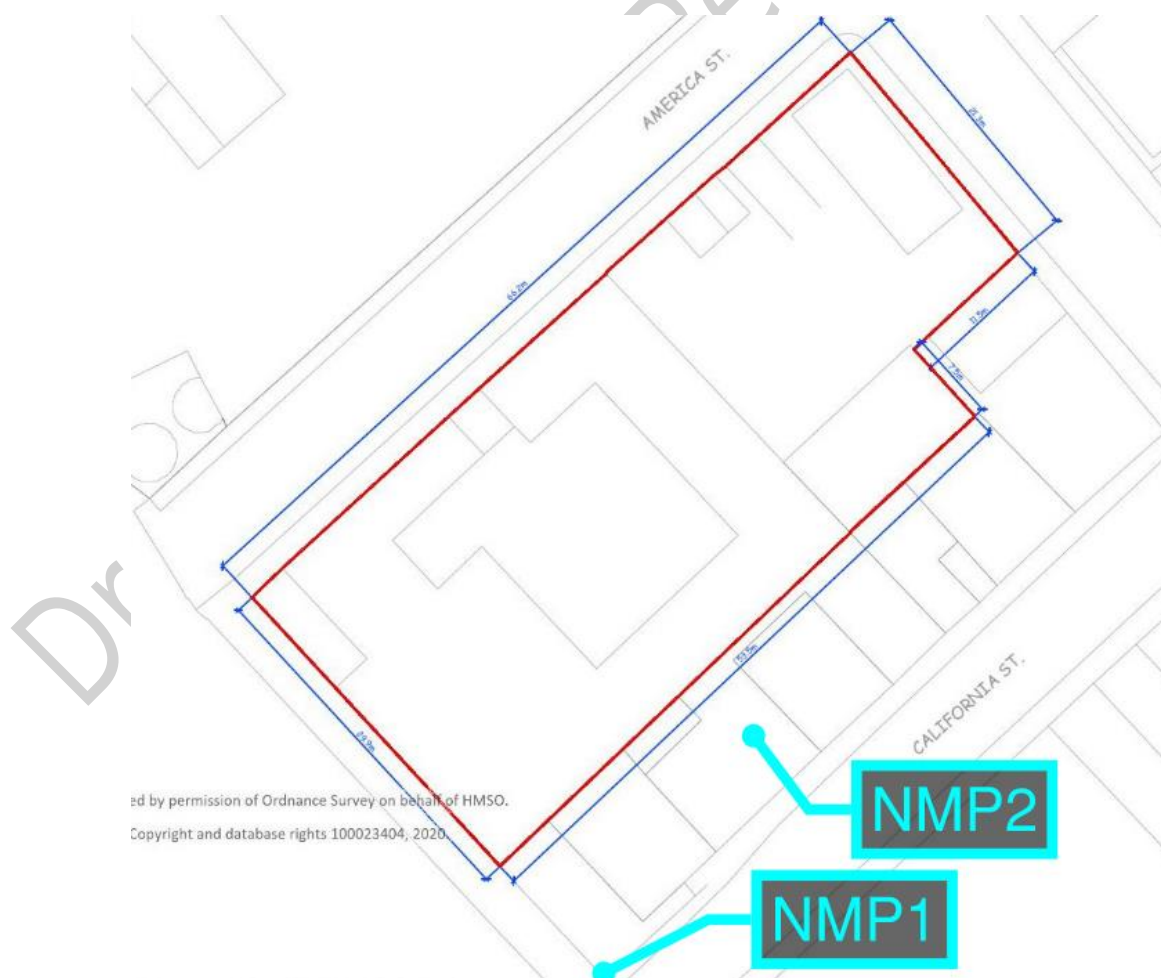


- 2.06 Angus Council:** Following consultation with Environmental Health Officer Ms Louise Akroyd, on the 28<sup>th</sup> October 2022, it was agreed that an unattended monitoring period should be accompanied by a manned monitoring period, taking note of specific noise sources over that period. It was then agreed that noise levels would be assessed to a level less than or equal to the residual background noise level of the area.
- 2.07** It was agreed that the assessment will be based on the methodology of BS4142:2014, and will consider the following noise sources from the proposed development:
- Delivery activity noise to the storage warehouse.
  - Noise from movement of materials to and from the port/warehouse.
  - Noise from the movement of roller doors at the proposed warehouse.
  - Plant noise from fixed mechanical services.
- 2.08** Plant selections have not been made at this stage, hence a rating level has been given to meet with the required criteria as described above.
- 2.09** These items will be assessed in line with BS4142 to predict a rating level at the nearest NSR. Should the rating level exceed the criteria mentioned above, mitigation methods will be considered to lower noise levels into compliance.



### 3.00 Survey

- 3.01** CSP Acoustics completed a noise survey in the area of the proposed development to measure representative noise levels at the nearest dwellings surrounding the development. Measurements were undertaken to the south/south-west of the development site, at locations considered representative of the receptors at California Street. The first location, labelled as NMP1 is representative of background noise levels at R1 (8 California Street), and the second location, labelled as NMP2 is representative of background noise levels at R2 (2, 6A and 6B California Street).
- 3.02** The survey was undertaken between Thursday 1<sup>st</sup> and Monday 5<sup>th</sup> December. The measurement positions were chosen to be representative of the dwellings in the immediate vicinity of the site. Observations of the ambient sound were made for a one-hour period at either end of the noise survey.
- 3.03** Figure 3 illustrates the representative survey location in relation to the site and noise sensitive receptors.



**Figure 3: Measurement Location and Development Location**

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**3.04** The sound level meters were positioned 1.2m above ground level in free field measurement locations. Equipment was operated in accordance with British Standard and ISO procedures. The monitoring equipment was calibrated both before and after the measurement periods using a acoustic calibrators, which have themselves been calibrated against a reference set traceable to National and International Standards. There was no significant shift in the observed calibration levels.

- Norsonic Nor140 Serial Number (s/n) (1403442 & 1404033);
- Norsonic Microphone Type 1225 (s/n 98464 & 118448);
- Norsonic Calibrator Type 1251(s/n 34637 & 34216)

**3.05** Whilst on site, it was noted that activity from the docks was the overriding source of ambient noise levels, as expected. The main source of noise was movement of materials from the dock to docked vessels and vice versa. Movement of materials within the dock area was also a large contributor to the ambient noise level.

**3.06** Tables 1 and 2 provide the measured noise levels at the representative locations of dwellings along California Street.

Date	Period	L <sub>Aeq,T</sub> mins (dB)	L <sub>A90,T</sub> mins (dB)	L <sub>A10,T</sub> mins (dB)
01/12/2022*	Daytime	60.1	53.7	58.7
	Night Time	51.6	50.3	51.9
02/12/2022	Daytime	60.0	54.7	59.2
	Night Time	51.7	50.8	52.2
03/12/2022	Daytime	54.5	51.7	54.9
	Night Time	52.0	50.5	53.0
04/12/2022	Daytime	53.0	51.0	53.9
	Night Time	52.4	50.9	53.1
05/12/2022*	Daytime	68.7	60.0	68.2
<b>Average</b>	<b>Daytime</b>	<b>58.0</b>	<b>52.8</b>	<b>56.7</b>
	<b>Night Time</b>	<b>51.9</b>	<b>50.6</b>	<b>52.6</b>

\*Partial measurements. Measurements from 05/12/2022 have been excluded from average calculations as they can be seen to be atypical.  
The reported L<sub>Aeq, T</sub> (dB) level, is the logarithmically averaged noise level, whereas the L<sub>A10, T</sub> (dB) and L<sub>A90, T</sub> (dB) levels are arithmetically averaged noise level.





Date	Period	L <sub>Aeq,T</sub> mins (dB)	L <sub>A90,T</sub> mins (dB)	L <sub>A10,T</sub> mins (dB)
01/12/2022*	Daytime	51.6	47.7	52.2
	Night Time	48.1	45.9	49.4
02/12/2022	Daytime	52.7	49.3	52.9
	Night Time	46.4	44.9	47.5
03/12/2022	Daytime	48.7	45.6	48.9
	Night Time	46.1	44.3	47.0
04/12/2022	Daytime	47.0	44.8	48.0
	Night Time	46.6	44.7	47.6
05/12/2022*	Daytime	58.2	53.6	58.2
<b>Average</b>	<b>Daytime</b>	<b>50.5</b>	<b>46.9</b>	<b>50.5</b>
	<b>Night Time</b>	<b>46.9</b>	<b>44.9</b>	<b>47.9</b>

\*Partial measurements. Measurements from 05/12/2022 have been excluded from average calculations as they can be seen to be atypical.  
The reported L<sub>Aeq,T</sub> (dB) level, is the logarithmically averaged noise level, whereas the L<sub>A10,T</sub> (dB) and L<sub>A90,T</sub> (dB) levels are arithmetically averaged noise level.



#### **4.00 Industrial Noise Assessment**

**4.01** Discussions with EH Officer Louise Akroyd have confirmed that all noise associated with the development will be assessed to meet with a level equal to or less than the residual background noise level in the area. It is understood that operating hours of the unit will be 24/7, but delivery activities and movement of materials will be limited to between 07:00 and 19:00 hours. For this reason, these activities will be assessed to average daytime background noise levels. Items of plant servicing the building have the capacity to operate 24/7, so will be assessed to meet with average background noise levels during the night-time period.

**4.02** At this stage, sufficient details of the proposed type and number of any such plant are not available. Therefore, it is appropriate to specify suitable design noise targets for plant items based on appropriate guidance and agreed criteria, which is discussed in Section 5. Noise from deliveries will be calculated based on library data from similar projects in this section.

#### **Nearest Noise Sensitive Receptor**

**4.03** The nearest noise sensitive receptors (NSR) are adjacent to the site, along California Street.

**4.04** The boundary of the proposed development is shown in Appendix B.

#### **Proposed Noise Rating Level Criteria**

**4.05** It has been stated that an appropriate rating level design criteria be determined in accordance with the guidance contained within BS 4142: 2014.

**4.06** The BS 4142 assessment method enables rating level criteria applicable to noise generating activities to be specified relative to typical background  $L_{A90,T}$  sound levels experienced at specific receptors under consideration. On this basis, within BS 4142 it is stated:

- 1) *Typically, the greater the rating level exceeds the background noise level then the greater the magnitude of the impact will be.*
- 2) *Where the rating level exceeds the background noise level by +10 dB or more then this is likely to be an indication of a significant adverse impact, depending on the context.*
- 3) *Where the rating level exceeds the background noise level by +5 dB this is likely to be an indication of an adverse impact, depending on the context.*
- 4) *The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context*





- 4.07** Based on the results shown in tables 1 and 2, a rating level of no greater than 53dB and 51dB for daytime and night-time periods respectively will be adopted for dwellings at R1, as per discussions with EHO Louise Akroyd at AC. Dwellings at R2 will adopt a rating level no greater than 47dB and 45dB for daytime and night time periods respectively.

### Noise from External Noise Sources

- 4.08** External noise sources which will have an effect on nearby NSR's have been identified as the following:

- HGV/forklift delivery routes.
- Unloading of goods from deliveries/forklifts outside storage warehouse.
- Loading of goods onto forklifts at the dock.
- Roller doors opening/closing.

- 4.09** Noise predictions have been made by means of the proprietary noise prediction software CadnaA® (Computer Aided Noise Abatement) developed by Datakustik. The model has been generated taking the following settings into consideration:

- The model was set up to apply the prediction methodology set out in the International Standard ISO 9613-2: 1996: Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation (ISO 9613-2) for the calculation of industrial/commercial sound sources.
- Google aerial photography and Ordnance Survey Mastermap Data was used to identify existing building locations and areas of soft ground. Locations of proposed buildings and vehicle routes were taken from architectural drawings received from the client on 12<sup>th</sup> August 2022.
- The heights of existing buildings in the vicinity of the site were obtained from observations made during site surveys and using Google Street View.
- Ground absorption was set to  $G = 0$  (hard ground) to best reflect local ground cover as present and proposed.
- The model was set to include second order acoustic reflections.

- 4.10** HGV and forklift movement noise has been modelled using the moving point source method within CadnaA and use a typical route HGV's and forklifts are likely to take to and from the warehouse. Typical routes have been formulated using drawings received from the client. The number of HGV movements were counted based on one event per hour. It should be noted that delivery events will not occur every hour, which would be an overestimation specifically for the purposes of creating a worst-case scenario.

- 4.11** Unloading/loading activities have been modelled as a point source at the set of roller doors closest to the residential dwellings, and assumes activities within the same hour as the HGV and forklift movements to facilitate a worst-case scenario.





- 4.12 Sound power levels from loading and unloading processes have been calculated based on projects of a similar nature, as shown in Table 3.

Noise Source	Centre Frequency of Octave Band (Hz)								dBA
	63	125	250	500	1000	2000	4000	8000	
HGV Movement at 16km/hour measured at 4m from HGV	73.8	70.8	69.0	67.1	66.6	64.8	59.5	53.7	71.4
Loading/Unloading at 5m from loading position	86.1	75.3	71.3	65.2	61.5	58.6	53.5	47.8	69.0
Roller door closing at 5m	60.6	54.1	53.1	48.4	45.7	43.1	42.7	25.7	52.0
Forklift at 3m	79.9	69.4	68.6	67.7	66.7	64.1	56.6	49.4	53.6
Forklift reverse alarm at 2m	80.7	60.9	61.4	64.4	58.9	63.1	49.7	45.9	58.5

- 4.13 Noise levels from both HGV movements and deliveries have been modelled cumulatively. Noise levels have been predicted in the rear garden of the nearest NSR's following guidance within BS4142:2014+A1:2019.
- 4.14 Criteria agreed with AC notes that rating noise levels due to the proposed development should not exceed the residual background noise level within the garden space of the nearest NSR. Table 4 shows the results of the assessment of noise using guidance within BS4142:2014+A1:2019.

Receptor	R1	R2
Period	Daytime (07:00-23:00)	Daytime (07:00-23:00)
Operational Noise Level (dB $L_{Aeq,1hr}$ )	48	36
Penalty* (dBA)	+5	+5
Rating Level dB ( $L_{A,r,Tr}$ )	53	41
Background Noise Level (dB $L_{A90,T}$ )	53	47
Exceedance of Background Noise Level (dBA)	+0	-6
Required Criteria (dB $L_{Aeq,1hr}$ )	<b>53</b>	<b>47</b>
Exceedance of Required Criteria (dBA)	<b>+0</b>	<b>-6</b>

\*Penalties were added to the rating level as the activities and equipment could be considered tonal and impulsive – a 5 dB penalty was considered appropriate. While the noise may be intermittent in nature, it is important to contextualise the site. The context of the site is that activities from the port are the dominant source of noise. This noise is intermittent and occasionally impulsive in nature, as materials are moved frequently and vessels move to and from the docks. Therefore, the noise produced from the development would not be readily distinctive against background. See Section 6 to gather an understanding of existing port activity noise relative to this proposal.

- 4.15 Table 4 shows that external noise levels within the gardens of the nearest NSR's due to on-site operations meet with agreed criteria stipulated by AC. Noise maps taken from the CadnaA noise model can be seen in Appendix C.





## Assumptions

**4.16** Assumptions have been made regarding the operating times of the relevant activities. These assumptions are stated below:

- Delivery routes have been time corrected for a single movement per hour, while forklift truck routes have been time corrected for three movements per hour. This has been calculated as a moving point source within CadnaA.
- Loading/unloading activities have been assumed as lasting no longer than 30 minutes during a one hour period.
- Forklift reverse alarms are assumed to be functional for 15 minutes during a one hour period.
- Roller doors are assumed to function for 5 minutes over a one hour period.

**4.17** These assumptions and their relevant corrections are shown in Table 5. The corrections shown in Table 5 are based on the calculation  $10 \log \frac{T}{60}$ .

<b>Activity</b>	<b>Operational On-Time, mins (T)</b>	<b>Correction</b>
Forklift Reverse Alarm	15	-6
Loading/Unloading	30	-3
Roller Doors	5	-10.8





## 5.00 Mechanical Services

- 5.01** At this stage it is understood there have been no plant selections made in relation to the development. There will be a requirement for the installation of mechanical services to the building, but the installation of such equipment will be organised later in the development schedule.
- 5.02** In the absence of plant selections, it is recommended that the noise level of any new plant should not exceed NR 35 and NR 25 during daytime and night-time hours respectively, as agreed with AC. As plant items have the capacity to operate 24/7, the lower NR curve of 25 will be utilised in the assessment to facilitate as worst-case scenario.
- 5.03** A maximum Noise Rating (NR) level criteria has been derived having regard to the nearest NSR along California Street. Noise levels have been extrapolated to receptor R2 to facilitate a worst-case scenario. It is understood any plant items will be mounted on the north-west façade of the building as to afford as much screening to the nearest NSR's as possible. Hence, the NR level within internal spaces at R2 has been back calculated to the nearest point of this façade, accounting for hemispherical radiation from a point source, flat topography and screening from the retained 5m boundary wall.
- 5.04** Calculations assume the plant items are mounted at 4m on the north-western façade, and the receptor at 4m above local ground level, 1m from the façade of receptor R2, creating a path difference of 0.103m. The levels in Table 6 represent the Noise Rating Level criteria at the closest façade point to the nearest NSR, so that the background sound level is not exceeded at R2.

<b>Table 6: Mechanical Services Plant Noise Rating Level Criteria at Development Boundary</b>	
Internal Noise Level Criteria (NR)	25
Attenuation through Open Window	15
Distance (D) from R2 to closest point of north-west façade (m)	31
Distance attenuation ( $20 \cdot \log(D)$ ) (dBA)	30
Barrier Attenuation	9
<b>Maximum Cumulative Plant Noise Rating Level Criteria at Source (NR)</b>	<b>79</b>

- 5.05** To avoid a further cumulative build-up of noise from multiple other sources, it is recommended that the maximum noise level rating criteria in Table 6 is shifted down by 5dB. On this basis it is recommended that the lowest derived criteria for mechanical services plant serving the proposed development is limited to a cumulative noise rating level of no higher than **NR 74** at source. (This estimation is based on a noise rating level as measured 1 metre from each item of plant with a distance to receptor of no less than 29m and the 5m boundary wall being retained).





## 6.00 Contextual Assessment of Existing Port Noise

- 6.01** In the context of the site, it is important to quantify the existing noise from the port upon the nearest NSR's. Through noise measurements captured on site, a BS 4142 assessment has been conducted regarding this context, and the existing noise climate. This assessment is intended for the purpose of comparing the existing permitted operations to the new operations of the proposed development. It is not intended to highlight any adverse impacts related to current operations, which are occurring as part of a functioning dock.
- 6.02** Using the unattended noise survey undertaken between 1<sup>st</sup>-5<sup>th</sup> December 2022, we can use noise levels from a worst-case one-hour period during daytime hours (07:00-23:00), and compare that to the predicted worst-case noise levels predicted within the CadnaA model mentioned earlier in this report. Table 7 shows the worst-case period of noise and the results of the assessment.

Operational Noise Level from Worst-Case Period: 08:15-09:15 (dB L <sub>Aeq</sub> )	72
Penalty* (dBA)	+5
Rating Level dB (L <sub>A,r,Tr</sub> )	77
Background Noise Level (dB L <sub>A90,T</sub> )	53
Exceedance of Background Noise Level (dBA)	+24
Predicted Worst-Case Noise Level from Proposed Development (dB L <sub>Aeq</sub> )	48
Exceedance of Predicted Noise Level from Proposed Development (dBA)	+29
*Penalties were added to the rating level as the activities and equipment are considered tonal and impulsive – a conservative 5 dB penalty was included.	

- 6.03** Through noise recordings, it is understood that the work being carried out during the period observed in Table 7 was due to movement of materials and vehicle reverse alarms.
- 6.04** As can be seen from the results in Table 7, the noise levels from the existing port operations far exceed the predicted noise levels from the proposed development. When addressing two different noise levels, if one noise level is more than 10 dB below another, the lower noise level will generally not be audible above the higher noise level. As the predicted noise levels are more than 20 dB below the worst-case noise levels recorded over the unattended monitoring period, it can be safely assumed that the proposed development will have little to no additional noise impact upon the nearest NSR's.



## 7.00 Conclusions

- 7.01** This Report has been prepared by CSP Acoustics on behalf of Project Management Scotland Ltd to support a planning application for the construction of a new office building and storage warehouse with associated parking.
- 7.02** Consideration has been given to the outcome of consultation undertaken with Angus Council and national standards and guidelines.
- 7.03** A noise survey was carried out at the site between 1<sup>st</sup>-5<sup>th</sup> December 2022, which was undertaken at locations representative of the nearest noise sensitive receptors. The results of the survey have been used to determine the ambient and 'typical' background sound levels prevailing at the site.
- 4.01** A BS 4142 rating level equal to or less than the prevailing background noise level will be adopted as per discussions with AC.
- 7.04** Through assessment of noise from movement of materials and deliveries and general operation of the warehouse, it is understood noise rating levels would meet or fall under required criteria stipulated by Angus Council at the nearest noise sensitive receptor. The results of said assessments are set out in Table 4.
- 7.05** It has also been shown that noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest NSR's in the context of what they are already exposed to.
- 7.06** Items of fixed plant will be designed to meet a worst-case scenario of NR25 at the nearest NSR as agreed with AC.
- 7.07** A Noise Rating Level criterion of **74 dBA** should be adopted for installation of fixed plant items to meet with acceptable noise levels at the nearest noise sensitive receptor, applicable at the closest point of the north-west façade of the proposed development building.





CSPAcoustics

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**Checked By:**

**James Tee**

BSc (Hons) PgDip MIOA  
*Senior Acoustic Consultant*





## Appendix A: Acoustic Glossary

Term	Description
Acoustic environment	Sound from all sound sources as modified by the environment
Ambient Noise	Totally encompassing sound at a given location, usually composed of sound from many sources near and far
Background Noise	The lowest noise level present in the absence of any identifiable noise sources. This is usually represented by the $L_{A90}$ measurement index.
Break-in	Noise transmission into a structure from outside
Break-out	Noise transmission from inside a structure to the outside
dB (decibel)	Defined as 20 times the logarithm of the ratio between the root-mean-square pressure of the sound field and a reference pressure ( $2 \times 10^{-5}$ Pa).
dBA	Level of sound across the audible spectrum with a frequency filter to compensate for the varying sensitivity of the human ear to sound at different frequencies at a lower SPL
Façade Level	A sound field determined at a distance of 1m in front of a building façade.
Free-field Level	A sound field measured at a point away from reflective surfaces other than the ground
Frequency (Hz)	Number of cycles of a wave in one second measured in Hertz.
Indoor ambient noise	Noise in a given situation at a given time, usually composed of noise from many sources, inside and outside the building, but excluding noise from activities of the occupants
$L_{Aeq,T}$	$L_{Aeq,T}$ is defined as the equivalent continuous "A"-weighted Sound Pressure Level in dB over a given period of time.
$L_{Amax}$	Maximum A - weighted sound pressure level recorded over the measurement period. Usually has a time constraint ( $L_{afmax}$ , $L_{asmax}$ )
Measurement time interval, $T_m$	Total time over which measurements are taken
Noise	Unwanted sound.
Noise criteria	Numerical indices used to define design goals in a given space



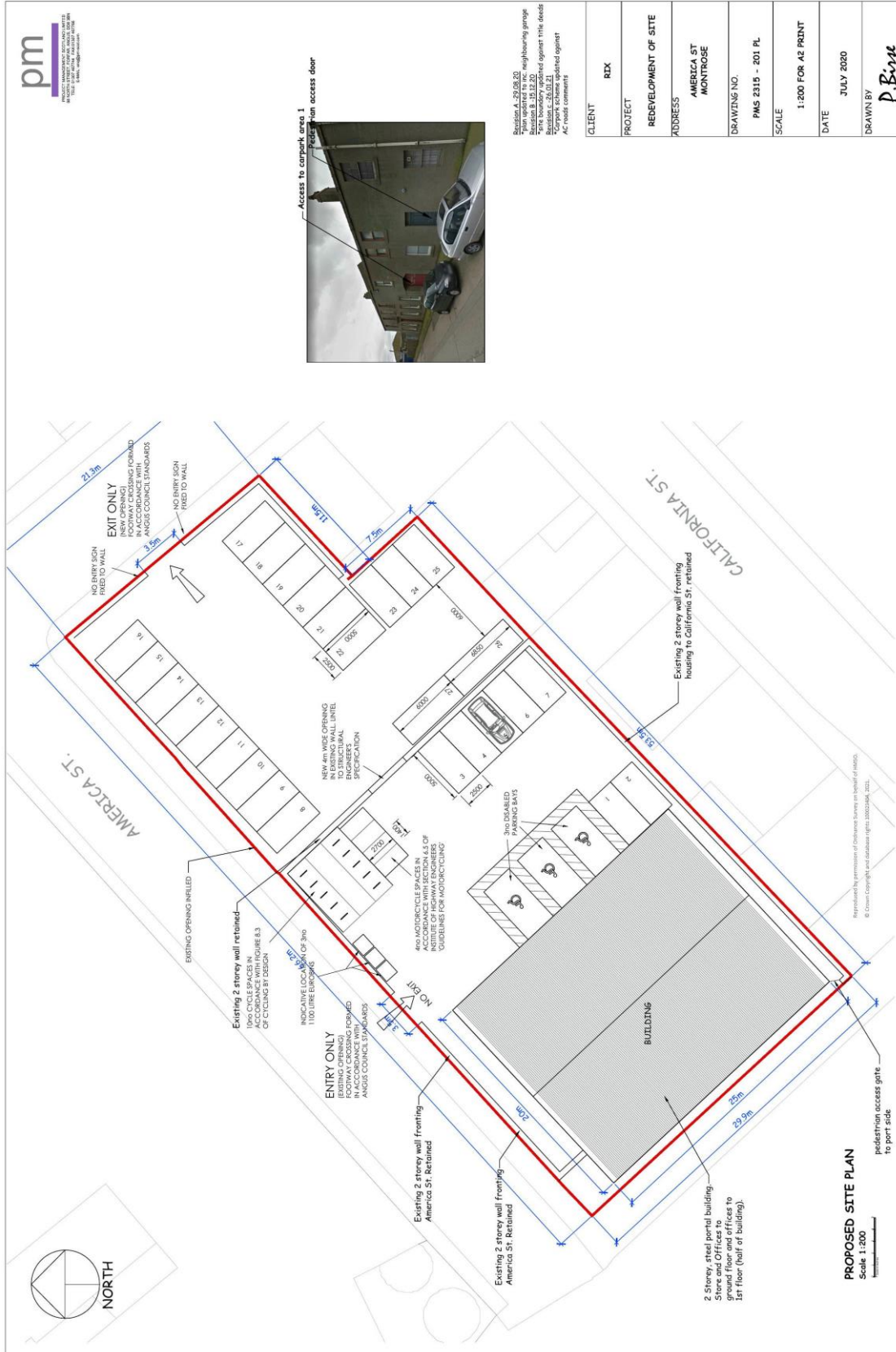
**Noise Impact Assessment**  
**1-5 America Street, Montrose**  
**Project Management Scotland Ltd**

Term	Description
Noise-sensitive premises (NSPs)	Any occupied premises outside the assessment location used as a dwelling (including gardens), place of worship, educational establishment, hospital or similar institution, or any other property likely to be adversely affected by an increase in noise level
Octave band	Band of frequencies in which the upper limit of the band is twice the frequency of the lower limit
Percentile level $L_{AN,T}$	A-weighted sound pressure level obtained using time-weighting "F", which is exceeded for N% of a specified time period
Rating level, $L_{Ar,Tr}$	Specific sound level plus any adjustment for the characteristic features of the sound
Reference time interval, $T_r$	Specified interval over which the specific sound level can be determined.
Residual sound	Ambient sound remaining at the assessment location when the specific sound source is suppressed to such a degree that it does not contribute to the ambient sound
Residual sound level, $L_r = L_{Aeq,T}$	Equivalent continuous A-weighted sound pressure level of the residual sound at the assessment location over a given time interval, T
Sound power level, LWA	Ten times the logarithm to the base 10 of the ratio of the sound power radiated by a sound source to the reference sound power, determined by use of frequency-weighting network "A"
Sound pressure level	Is the Root Mean Squared value of the instantaneous sound level over a period of time expressed in decibels, usually measured with an appropriate frequency weighting
Specific sound level, $L_S = L_{Aeq,Tr}$	Equivalent continuous A-weighted sound pressure level produced by the specific sound source at the assessment location over a given reference time interval, $T_r$
Specific sound source	The sound source which is being assessed
Third octave band	Octave bands sub-divided into three parts, equal to 23% of the centre frequency





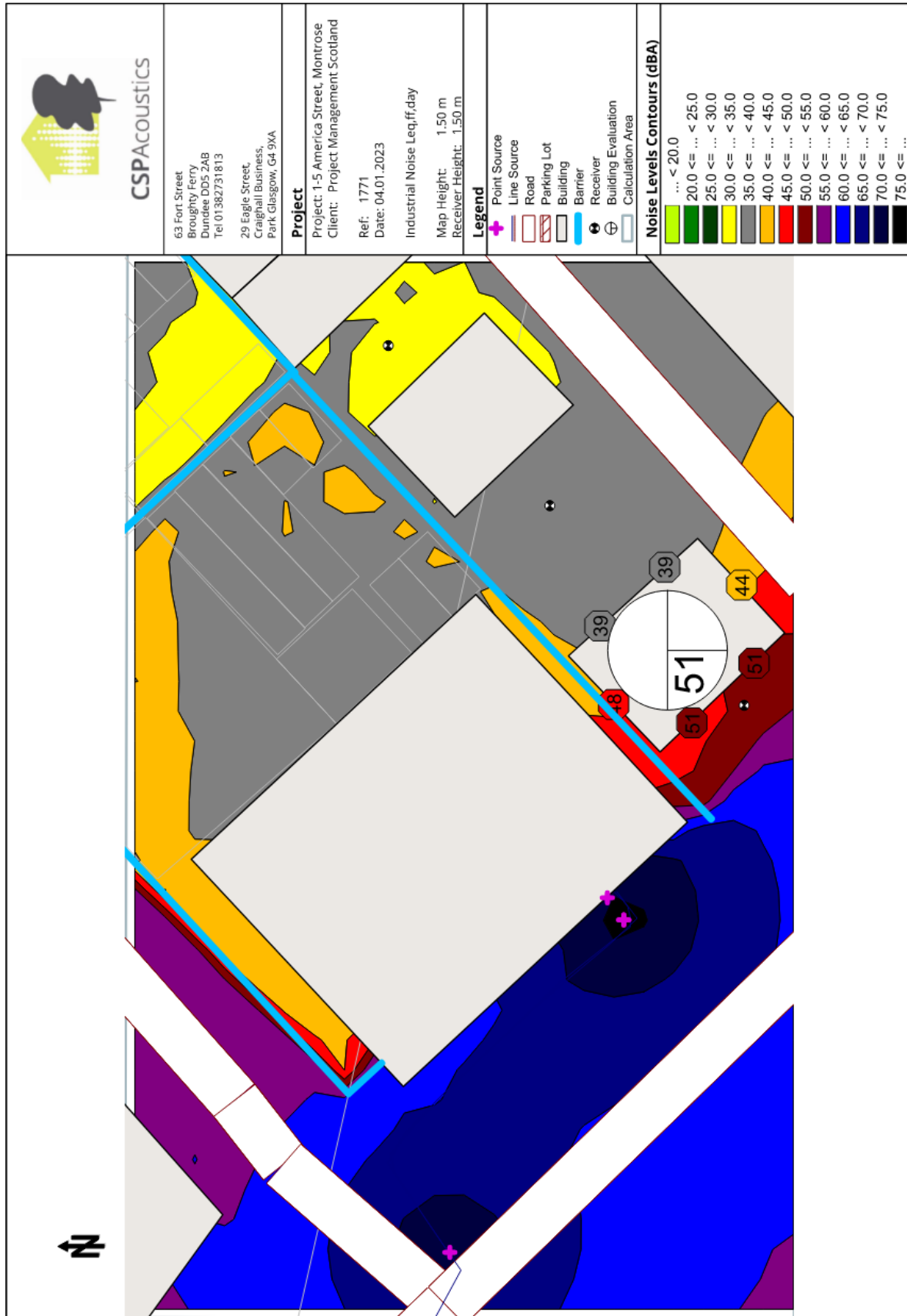
Appendix B: Drawings





Noise Impact Assessment  
 1-5 America Street, Montrose  
 Project Management Scotland Ltd

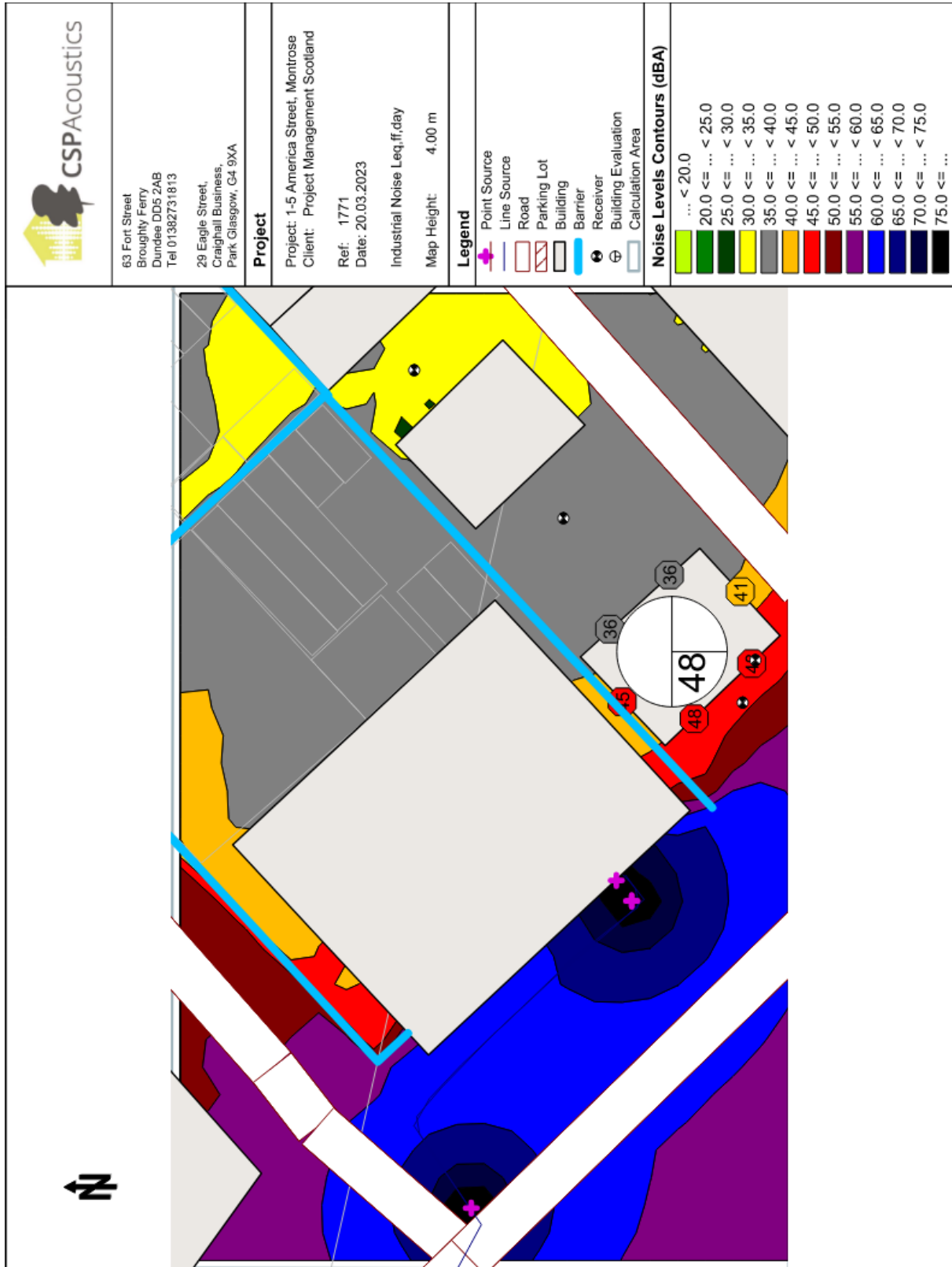
Appendix C: Noise Map








Noise Impact Assessment  
 1-5 America Street, Montrose  
 Project Management Scotland Ltd







For Client Review Only

 FORT STREET HOUSE,  
FORT ST, BROUGHTY FERRY  
DUNDEE, DD5 2AB  
01382 731813

 29 EAGLE STREET  
CRAIGHALL BUSINESS PARK  
GLASGOW  
G4 9XA  
01414 283 906

 [cspacoustics.co.uk](http://cspacoustics.co.uk)  
 [info@cspacoustics.co.uk](mailto:info@cspacoustics.co.uk)





**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE**

**APPLICATION FOR REVIEW –  
1-5 AMERICA STREET, MONTROSE**

**APPLICATION NO 20/00574/FULL**

**APPLICANT'S SUBMISSION**

**Page No**

<b>ITEM 1</b>	Notice of Review
<b>ITEM 2</b>	Statement of Appeal and Appendices



Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100655718-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

### Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity



## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="2"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Humber Quays"/>
Company/Organisation	<input type="text" value="J R Rix &amp; Sons"/>	Address 2:	<input type="text" value="Wellington Street West"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Hull"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="England"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="HU1 2BN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="mark.cessford@rix.co.uk"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Angus Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="1-5 AMERICA STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="MONTROSE"/>
Post Code:	<input type="text" value="DD10 8DN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="75721"/>	Easting	<input type="text" value="371448"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices, 1-5 America Street, Montrose

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to supporting Local Review Statement and attached Documents

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)



Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Documents listed in Review Statement and numbered D1 to D47

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00574/FULL

What date was the application submitted to the planning authority? \*

21/08/2020

What date was the decision issued by the planning authority? \*

22/09/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

An accompanied site inspection of the appeal property is essential to verify the condition of the property, it's local context and location on Montrose Port adjacent to berthing facilities

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Only the America Street and California Street external elevations can be seen from the street. Access to view the entire property externally, the internal courtyard and interior of the quadrangle of buildings is through a secure entrance.

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Maria Francke

Declaration Date: 20/12/2023



# Local Review Statement

Application Reference No. Ref. 20/00574/FULL

Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices, 1 - 5 America Street, Montrose

19 December 2023

Submitted on behalf of J R Rix & Sons Ltd



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- 6. Conclusions ..... 34



**LIST OF DOCUMENTS**

<b>Ref.</b>	<b>Description</b>
D1	Application Form and Certificates
D2	<p>Application Drawings</p> <ul style="list-style-type: none"> <li>• PMS 2325 – 100 PL Rev C, Location Plan, 1:1250 (A2 print)</li> <li>• PMS 2315 – 100 PL Rev C, Existing Site Plan, 1:500 (A2 print)</li> <li>• PMS 2315 – 116 PL, Existing Elevations 1:100 (A1 print)</li> <li>• PMS 2315 – 106 PL, Existing First Floor 1:100 (A2 print)</li> <li>• PMS 2315 – 105 PL, Existing Ground Floor 1:100 (A2 print)</li> <li>• PMS 2315 – 101 PL Rev C, Listed Building Alteration Plan, 1:500 (A2 print)</li> <li>• 16256/03/001 Rev B, Proposed Parking Layout, 1:200 (A2 print)</li> <li>• PMS 2315 – 205 PL, Rev B Proposed Floorplans and Elevations, 1:100 /1:200 (A1 print)</li> <li>• PMS 2315 – 201 PL, Rev C Proposed Site Plan, 1:200 (A2 print)</li> </ul>
D3	Bat Survey Report, GLM Ecology, September 2020
D4	Level 1 Standing Building Survey, Robert Lenfert Archaeology, February 2021
D5	Existing Building Condition Report, Griffen Design Ltd
D6	Redevelopment Report, Griffen Design Ltd
D7	Supporting Statement, PMS Ltd
D8	Planning Statement, Maria Francké Planning
D9	Heritage and Design Statement, Maria Francké Planning
D9a	Summary costs Rev A Jan 2021
D9b	Probable cost No 1 Rev A to keep façade and new build Jan 2021
D9c	Probable cost No 1 Rev A to restore offices Jan 2021
D9d	Probable cost No 1 Rev A to restore storage space Jan 2021
D10	Original Marketing Brochure, J & E Shepherd
D11	HES Consultation Response dated 21 October 2020
D12	HES Consultation Response dated 21 January 2021
D13	HES Consultation Response dated 17 March 2021
D14	Email dated 2 April 2021 from Angus Council to PMS
D15	Email dated 22 April 2021 from PMS to Angus Council re 3 points raised
D16	Email dated 27 May 2021 from Angus Council to PMS
D17	HES letter dated 27 May 2021 to Angus Council
D18	Email dated 21 June 2021 from Angus Council to PMS re additional info
D19	Email dated 15 July 2021 from PMS to Angus Council re revised marketing of site

Ref.	Description
D20	Email dated 12 August 2021 from HES to Angus Council
D21	Email dated 7 September 2021 from HES to Rix
D22	Letter dated 14 October 2021 from Gavin Russell, J & E Shepherd re marketing activities
D23	Revised Marketing Brochure Oct 2021, J & E Shepherd
D24	Letter dated 19 Jan. 2022 from Gavin Russell, J & E Shepherd re marketing activities
D25	Letter from Project Management Scotland Ltd to Angus Council dated 25 Jan 2022 re. marketing activities
D26	Email dated 2 Feb 2022 from HES to PMS Ltd and Angus Council re marketing activities
D27	Letter dated 10 Feb 2022 from PMS Ltd to Angus Council re marketing
D28	Email dated 20 May 2022 from Angus Council to PMS re site visit
D29	Email dated 17 June 2022 from PMS Ltd to Angus Council/HES re revision
D30	Listing of 1-5 America Street, Montrose Ref LB46164
D31	Extract from Inch Cape Offshore Ltd webpage (URL link: <a href="https://www.inchcapewind.com/">https://www.inchcapewind.com/</a> )
D32	Press release - Inch Cape selects Montrose Port as O&M base
D33	Extract from Invest in Angus webpage (URL link: <a href="https://investinangus.com/key-sectors/offshore-wind/">https://investinangus.com/key-sectors/offshore-wind/</a> )
D34	Extract from Seagreen webpage (URL link: <a href="https://www.seagreenwindenergy.com/">https://www.seagreenwindenergy.com/</a> )
D35	Letter dated 24 January 2023 from PMS Ltd to Angus Council
D36	Letter dated 25 October 2023 from J & E Shepherd
D37	Letter dated 1 <sup>st</sup> November 2023 from J & E Shepherd to Rix
D38	Report of Handling dated 31 July 2023 - Ref. 20/00574/FULL
D39	Decision Notice dated 22 September 2023 - Ref. 20/00574/FULL
D40	Historic Environment Policy for Scotland, Historic Environment Scotland
D41	Managing Change in the Historic Environment - Demolition of Listed Buildings, Historic Environment Scotland
D42	National Planning Framework 4
D43	Letter from Thorntons Law LLP on behalf of MPA dated 4 December 2023
D44	Consideration of Noise Issues
D45	Noise Impact Assessment dated 20 March 2023, CSP Acoustics
D46	Email dated 28 October 2022 from Environmental Health Officer to CSP Acoustics
D47	Scottish Government Chief Planner letter dated 8 February 2023 on transitional arrangements for NPF4



# 1. Introduction

- 1.1 This Local Review Statement has been prepared by Maria Francké Planning Ltd on behalf of **J R Rix & Sons** (the 'Applicant') in response to a refusal under delegated powers of Planning Application Ref. **20/00574/FULL** for the:

*“Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices at 1 - 5 America Street, Montrose for J R Rix & Sons Ltd”*

- 1.2 The application for a Review by the Local Review Body (LRB) is made under s43A of The Town and Country Planning (Scotland) Act 1997 as amended, also Regulation 9 of The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

- 1.3 This Review Statement sets out the grounds and reasoning for the requested local review.

- 1.4 A related application for Listed Building Consent (LBC) (Application Ref: 20/00599/LBC) is the subject of a separate appeal to the Scottish Ministers (DPEA). **The appeal to Scottish Ministers does not prevent the LRB from undertaking a review of the planning application independently of the outcome of the LBC appeal.**

- 1.5 The request for this Local Review should consider the various drawings, information and correspondence lodged by the applicant to support the planning application (Documents D1 to D9d, D44 and D45). These Documents were previously considered by the Appointed Officer and should be considered again by the LRB, de novo.

- 1.6 The Applicant respectfully recommends that the LRB undertakes a site visit as part of its consideration of this application. The site has been vacant and unused for 24 years. A determining issue in this review for planning permission are the wider economic and community benefits to Montrose which can only be delivered through a redevelopment of this brownfield site. Unfortunately, this necessitates the substantial demolition of the buildings, but it allows for the restoration and retention of the America Street façade and historic perimeter walls. The conservation of the façade and boundary walls is a significant investment by the Applicant to help preserve the heritage story of the site as a former 19<sup>th</sup> century fish curing works. It will make a positive contribution to the established character and amenity of the locality and is a relevant consideration for the Committee.

- 1.7 It is suggested that viewing the appeal site first hand will assist the LRB Committee in its consideration of these matters. Additionally, the redevelopment of the site to support the offshore renewables industries with an Operation and Maintenance facility, hinges on the site's portside location adjacent to berthing

facilities. Again, viewing the appeal property in the context of its proximity to the berthing facilities and the type and scale of adjacent warehousing and the day-to-day port operations undertaken at the portside would, in the Applicant's view, help inform the Committee's consideration.

1.8 The Applicant's case is that there is no evidence to support a refusal of the application on the grounds stated in the reasons for refusal and that planning permission should have been granted by the Council for the reasons set out in this Local Review Statement and the related supporting documentation.

1.9 The request for Local Review is lodged timeously within the three-month limit as prescribed by the Regulations.

1.10 This Review Statement is ordered as follows:

Section 2: Description of the Site

Section 3: Description of the Proposals

Section 4: Development Plan Assessment

Section 5: Response to the Reasons for Refusal

Section 6: Conclusions



## 2. Description of the Site

- 2.1 The appeal site is located at Nos. 1-5 America Street in Montrose Harbour on the north bank of the River South Esk. It is bounded by America Street to the northwest, residential properties on California Street to the southeast, River Street to the northeast and Fish Quay and Montrose Harbour to the southwest.

Figure 1: Site Location



- 2.2 The site has been vacant for 24 years and can be divided into two sections i) the south western part of the site at Nos. 3-5 America Street comprises a quadrangle of office and storage buildings which are Category C listed (listing number LB46164) and arranged around a central yard area and ii) the north eastern part of the site at Nos. 1-2 America Street is an open yard area with small sheds.

Figure 2: Site Photographs





2.3 The condition of the appeal property has been informed by specialist reports and site investigations, as required by HES policy and planning policy. Professional experts in the field of archaeological recording and preservation and structural engineering have been engaged and the following building related assessments accompanied the planning and listed building consent applications:

- Level 1 Standing Building Survey, Robert Lenfert Archaeology (Document D4)
- Building Condition Report, Griffen Design Ltd (Document D5)
- Redevelopment Report, Griffen Design Ltd (Document D6)

2.4 We refer the LRB Committee to the detailed site description which is set out in the Building Condition Report and the Level 1 Standing Building Survey and summarised in the Heritage and Design Statement (Document D9).

2.5 A copy of the listing description is contained as Document No. D30 and states:

*Description*

*A 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.*



*The street frontage has simple classical detailing including a pilastered door-piece to the office and a segmental arched entrance pend with timber doors accessing the courtyard. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves. The managers house at the southwest angle has a small garden area facing the quay. The roofs are slated. The interiors have been largely refurbished with some features of 19th century character remaining in the managers house including fireplaces, moulded cornices and timber panelled shutters.*

#### Statement of Special Interest

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978 and are not currently in use (2020).*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

*Listed building record revised in 2020.*

### **Planning History of the Site**

- 2.6 There is no previous planning history to the site.

### 3. Description of the Proposals

- 3.1 The site was acquired by the Applicant to provide Operation and Maintenance (O&M) facilities following the Seagreen development. The Applicant has taken into consideration the age and condition of the buildings on site in formulating the development proposals. Given the category C listed status of the buildings, the site design has been made to work by retaining the America Street façade and boundary walls to respect the site's historical past, whilst delivering the necessary modern office and storage accommodation necessary to meet O&M operational requirements and making the scheme financially viable and deliverable.

#### Site and Building Design

- 3.2 The proposal is for the substantial demolition of the existing buildings leaving the perimeter external walls, America Street façade and part of the former managers house façade fronting onto Fish Quay. A significant investment is being made by the Applicant to incorporate the listed façade and walls within the development through a sensitive and innovative design solution which fully utilises the façade in the composition of the America Street and Fish Quay streetscape.
- 3.3 A new purpose-built portal frame building for offices and warehouse space is to be constructed at the southwestern end of the site within the retained facade and site boundary walls. The new building will be used for O&M offices, welfare facilities and storage/warehousing space for the offshore renewables industry.

Figure 3: Artistic impression of façade retention and new build development



- 3.4 The office part of the building is self-contained and is provided over two floors with a gross floor area of 520 sq.m. An adjoining storage/warehouse space of 240 sq.m. occupies the ground floor with the south west elevation fronting onto the



lane adjoining Fish Quay. At this stage, it is unknown as to what type of renewables components will be stored in the warehouse, aside from being able to advise the LRB Committee that it will be for the storage and management of spare parts, supplies and infrastructure for the offshore renewables industry. No industrial operations will be carried out in the warehouse and there will not be any large-scale equipment or noise generating machinery in use. The primary purpose of the warehouse is for storage.

- 3.5 The external walls of the existing buildings on site are all rendered which the Building Condition Report notes is usually a sign of trying to repair or protect against water penetration. Given the previous use of the buildings for fish curing and its exposed harbour location, exposure to excessive amounts of water and the weather impacts of wind and rain are not unexpected. To retain the perimeter walls of the site, the application proposes that these are stripped of all existing render and all cracks repaired. The walls would be repointed on both external and internal (current) sides and rendering re-applied to both sides.
- 3.6 The retained perimeter walls will be braced with piers and buttresses, with the buttress locations to be agreed with a structural engineer and subject to the approval of the local authority building control department.
- 3.7 Within the archway entrance to the site on America Street there is a vertical crack and the lintel over the archway on the inner quadrangle side has failed (please refer to photo nos. 2.05, 2.06, 2.07, 2.08 and 2.09 in the Building Condition Report, Document D5). The Building Condition Report advises that the lintel support condition has also failed and is in a dangerous condition with excessive crushing and movement at the support. The report recommends that the timber lintel leading into the quadrangle from America Street is temporarily supported at the south end and mid span. The application proposals are that the archway will be repaired with the entrance forming the main vehicular access into the redeveloped site.

Figure 4: Existing and proposed entrance to site on America Street



- 3.8 The listed building façade will form a prominent street frontage onto America Street and corner onto Fish Quay. There is a set back of the listed building highlighting the connection between old and new and emphasising the presence and contrast of the listed facade with the more modern street frontage of the warehouse on the proposed south west elevation.

## Demolition

- 3.9 An architectural and building feasibility study has been undertaken to investigate if any partial demolition of the buildings or lesser interventions could have been feasible to enable retention of more of the listed buildings on site. This study is contained in the accompanying Heritage and Design Statement (Document D9). The analysis is supported by project costings. The feasibility exercise concludes that the requirements for modern offices and warehousing cannot be accommodated within the framework of the listed buildings due to their configuration and condition and the costs of needing to undertake major interventions which render the alternative options as economically unviable.
- 3.10 Demolition of the internal quadrangle of buildings is necessary to provide the modern office accommodation and storage facilities required for the O&M facilities. The perimeter external walls, America Street facade and part of the former managers house façade are retained. The Building Survey Report notes that the facade retention buttresses should be between 1.8m and 2.4m in length and the full height of the wall. They would be located along all retained walls and long wall sections may need to be subdivided. A steel lattice could be fixed at floor and wall level between buttresses.
- 3.11 The façade retention scheme can be conditioned by the LRB Committee on the grant of any planning and listed building consent.

## Car Parking

- 3.12 The original application proposals were to provide a two-storey car park design on the open yard area located in the north eastern section of the site. Following further review of the proposals, the Applicant amended the scheme and the car park was scaled back to be surface level only. This reduced the impact of the scale of the structure on the amenity of the site and its surroundings.
- 3.13 Car parking for staff is provided across both parts of the site to support the O&M facility. Car parking numbers will be provided in line with Angus Council guidance and the proposed provision is show in Table 1.



Table 1: Parking Provision

<b>Provision</b>	<b>Angus Council Guidance on Minimum Number of Spaces <sup>1</sup></b>	<b>Application Provision</b>
Bicycles	10 spaces	10 spaces
Motorcycles	4 spaces	4 spaces
Cars	22 spaces	27 spaces
Disabled Users	3 spaces	3 spaces

Notes: 1) Set out in application correspondence dated 9 October 2020

- 3.14 Access into the north eastern section of the car park area (i.e. within the former quadrangle) will be through a new 4m opening in the existing building wall which separates the quadrangle of buildings from the yard area.

### Access

- 3.15 A one-way internal circulation route is proposed. Access into the application site for all pedestrian and vehicular traffic is from the existing America Street access and egress will be from a new 3500mm wall opening onto River Street as shown on Drawing No. PMS 2315 – 201 PL Rev C (Document D2). A 'No Entry' sign will be fixed to the wall on River Street. Footway crossings will be formed at the access and egress in line with Angus Council standards. Lining within the car park area will provide a safe access route for cyclists and pedestrians to the O&M facility building entrance.

- 3.16 The proposed storage area fronts onto the lane running parallel with Fish Quay and the 2 no. roller doors are positioned to ensure safe and direct access for delivery vehicles. The lane is not an adopted lane and is owned by Montrose Port Authority and the applicant has access rights across the lane.

### Hours of Operation

- 3.17 The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and renewables equipment to and from the offshore wind farm developments. In common with port side warehousing facilities, access is required 24/7 on all days of the year.
- 3.18 Flexibility is required in the hours of operation of the site to meet the O&M facility requirements.

## 4. Development Plan Assessment

4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) (hereinafter referred to as 'The Act') states that:

*'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.'*

4.2 The case of *Edinburgh City Council v. Secretary of State for Scotland*<sup>1</sup> confirms the correct approach to be:

- *consideration of the development plan, identifying any provisions which are relevant to the proposed development and making a proper interpretation of these provisions;*
- *consideration of whether the proposed development does or does not accord with the development plan. There may be some points in the development plan that support the proposal, but there may be some considerations pointing in the opposite direction. The decision-maker is required to assess all of these and then decide whether in light of the whole plan the proposal does or does not accord with it;*
- *identification of all other material considerations which are relevant to the application and to which the decision-maker should have regard. The decision-maker must note which considerations support the application and which do not, and then assess the weight to be given to all of these considerations;*
- *having weighed these material considerations the decision-maker must decide whether there are considerations of such weight as to indicate that the development plan should not be accorded the priority which the 1997 Act has given to it; and*
- *having weighed these considerations and determined these matters the decision-maker is required to determine the application.*

### Development Plan

4.3 The development plan comprises of the National Planning Framework 4 (2023) (NPF4) and Angus Local Development Plan (2016) (ALDP). The planning policy assessment which is set out in the Applicant's Planning Statement (Document D8) was prepared prior to the introduction and adoption of NPF4. Since the application was lodged on 17<sup>th</sup> August 2020 (Document D1) and NPF4 was adopted on 13<sup>th</sup> February 2023, an assessment of the proposals against the relevant NPF4

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<sup>1</sup> 1998, S.L.T. 120, per Lord Clyde at 127G-L



policies is provided in this Local Review Statement. This is also pertinent as NPF4 Policies 7, 14 and 23 are cited in the Council's two reasons for refusal (Document D39).

#### *NPF4 Assessment*

4.4 The relevant NPF4 policies are commented on below.

4.5 **Policy 1 – Tackling the Climate and Nature Crises:** The application proposals involve the demolition of a quadrangle of stone buildings which have lain vacant for 24 years and the development of a modern office and warehouse building on part of the site. The NPF4 policy supports conserving and recycling assets. This review statement demonstrates that it is not economically viable to retain the building and adapt it for contemporary portside use. The debris materials (wood, metal, aggregates and stone) generated during the deconstruction and demolition of the buildings will be salvaged and recycled where condition permits. Demolition recycling is an important part of any building's life cycle and in this proposal, will reduce the development's carbon footprint in line with Policy 1.

4.6 **Policy 2 – Climate Mitigation and Adaptation:** (As above in Policy 1)

4.7 **Policy 3 – Biodiversity:** The proposals will not have an adverse impact on matters of biodiversity. The submitted bat survey (Document D4) shows that there are no roosts within the building. This report advises that there is no evidence to suggest that the proposal would result in any significant direct or indirect impact on protected species, natural heritage or biodiversity.

4.8 **Policy 4 – Natural Places:** The site is not located within any natural protected area and proposals will not have an adverse impact on the natural environment. The bat survey shows that there are no roosts within the building and no impact on species protected by legislation.

4.9 **Policy 7 – Historic Assets and Places:** This policy is mentioned by the Council in the first reason for refusal of the application. Part (b) of the policy is in respect of the demolition of listed buildings and reads:

*“Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:*

- i. building is no longer of special interest;*
- ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;*
- iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting*

- its location and condition for a reasonable period to attract interest from potential restoring purchasers; or*
- iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.”*

- 4.10 As with the HES Managing Change criteria for demolition, only **one** of the points in Policy 7b) needs to be met to demonstrate that there are exceptional circumstances for the demolition of the building. It is the Applicant’s contention that this has been done and in this review statement, the Applicant’s case for the substantial demolition of the former fish curing works at America Street rests on criteria iii) and iv).
- 4.11 The LRB Committee should note that criteria iii) was not put forward at the time of the application submission. The Planning Statement and the Heritage and Design Statement (Documents D8 and D9) only contained an assessment against the equivalent HES Managing Change criteria i), ii) and iv) noted above. Criteria iii) was not examined, as the marketing of the appeal site commenced in July 2021 following meetings with HES and the Council. This was eleven months after the application submission in August 2020.
- 4.12 Before we set out our assessment of criteria iii) and iv), the first part of Policy 7 asks an applicant to demonstrate that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. We set out below the chronology of the activities and dialogue with both the Council and HES to demonstrate to the LRB Committee that all reasonable efforts have been made to retain, reuse and/or adapt the listed building and that the proposal for the substantial demolition of the property and the America Street/Fish Quay façade and boundary walls retention is the only viable option.

*Evidence that reasonable efforts have been made to retain, reuse and/or adapt the listed building*

- 4.13 We firstly refer the LRB Committee to the submitted Heritage and Design Statement (Document D9, Section 6). This sets out the feasibility study undertaken by the Applicant’s architects to try to incorporate parts of the listed property into the redevelopment of the site. This was based on trying to re-use an L-shaped section of the property comprising America Street and Fish Quay into the proposals, these being the parts of the listed property which are most visible from adjacent streets and have fewer physical limitations, in terms of the size and configuration of the rooms and overall building condition, albeit still with considerable building structural issues and design integration challenges to be overcome.
- 4.14 The feasibility assessment considered whether the America Street frontage and the existing America Street accommodation could be retained along with the old storage and freezer rooms fronting onto the lane at Fish Quay. This is the area coloured green in Figure 5 below.



Figure 5: Feasibility Area



- 4.15 As explored in the Heritage and Design Statement, the feasibility of trying to add on a new build element comprising additional circulation space, meeting rooms and office accommodation was critically examined in two slightly different formats and assessed against the following four criteria:
- a) the structural potential for the re-use and adaptation of the buildings given the condition of the existing building fabric
  - b) the indicative costings for adaptation
  - c) the business requirements for the O&M facility accommodation, and finally
  - d) the overall impact on the listed building.
- 4.16 The conclusions of this assessment were that this L-shaped section of the site would still require significant intervention and reconstruction of the buildings to facilitate its conversion for contemporary office and storage use. The advice of the structural engineer in the Redevelopment Report (Document D6) and the Building Condition Report (Document D5) was that substantial levels of intervention would be required to the building to bring it up to current building standard regulations, to the extent that the works would result in the wholesale replacement of much of the internal structure of those parts of the listed building that were being retained. The existing vehicular access from America Street into the quadrangle via the arched vennel would also need to close in order to make the archway structurally safe given its failing condition (refer to section 2.2.2 in the Building Condition Report).
- 4.17 The alternative feasibility option also required a significant amount of demolition and overall, was assessed to be technically challenging and cost prohibitive. From a viability perspective, the feasibility study costings summarised in the Heritage

and Design Statement evidenced that the alternative scheme would be significantly more costly to implement, and at the time of assessment in 2021, was estimated to be 21% more expensive than the application proposals. This additional uplift in cost to retain part of the site cannot be funded through any alternative means. It was noted that HES had suggested possible grant assistance but given the scale of finance required, this was considered unlikely by the Applicant to be able to fully fund the differential.

- 4.18 The feasibility exercise and costs of the alternatives were assessed by HES and initial comments provided in its letter to Angus Council dated 17 March 2021 (Document D13). Angus Council similarly provided an initial response in its email dated 2 April 2021 (Document D14). The Applicant offered both parties sight of the detailed costings (Documents D9a, b, c and d) which were subsequently forwarded in email dated 22 April 2021 (Document D15), allowing full transparency and scrutiny by the Council and HES, as these formed the basis of the summary costings contained in the Heritage and Design Statement.
- 4.19 Criticisms were raised by HES that the feasibility exercise only considered the redevelopment of the site for the uses proposed by the Applicant – these being offices and warehousing. As noted in correspondence back to the Council and HES, it was made clear that the site was acquired by the Applicant in 2020, with the sole purpose of being used for offices and warehousing to support the offshore renewables sector. It is a relevant consideration in this appeal for the LRB Committee to note the strategic location of the appeal site on the portside at Montrose and that the application proposal for Operation and Maintenance (O&M) facilities necessitates adjacent vessel berthing in addition to port access and loading facilities from the proposed warehouse. It is therefore neither a viable or a realistic proposition for the Applicant to appraise or assess alternative and non-port related uses for the property (for example such as housing, leisure or community uses), when the site was specifically acquired for a port related use.
- 4.20 As noted in the Applicant's response email to the Council (Document D15), Rix's decision to acquire the site followed discussions on the potential re-use of the site with planning officers from the Council, in the light of the Seagreen offshore windfarm development (Documents D33 and D34) which as the LRB Committee will be aware, is Scotland's largest and the world's deepest fixed foundation offshore windfarm and became fully operational in October 2023. Allied to this is the decision by Inch Cape Offshore Ltd to also select Montrose as its offshore O&M base (Document D32). These two projects are multi-million pound investment programmes in Montrose Port, generating hundreds of jobs for the people of Montrose and Angus and will make a significant contribution to Scotland's net zero ambition.
- 4.21 It should be noted by the LRB Committee that in HES's consultation response of 17 March 2021 (Document D13) they ask Angus Council, "Finally, would it be possible for your Council to provide comments on the compatibility of this listed building with the long-term aspirations for Montrose Harbour, including its context

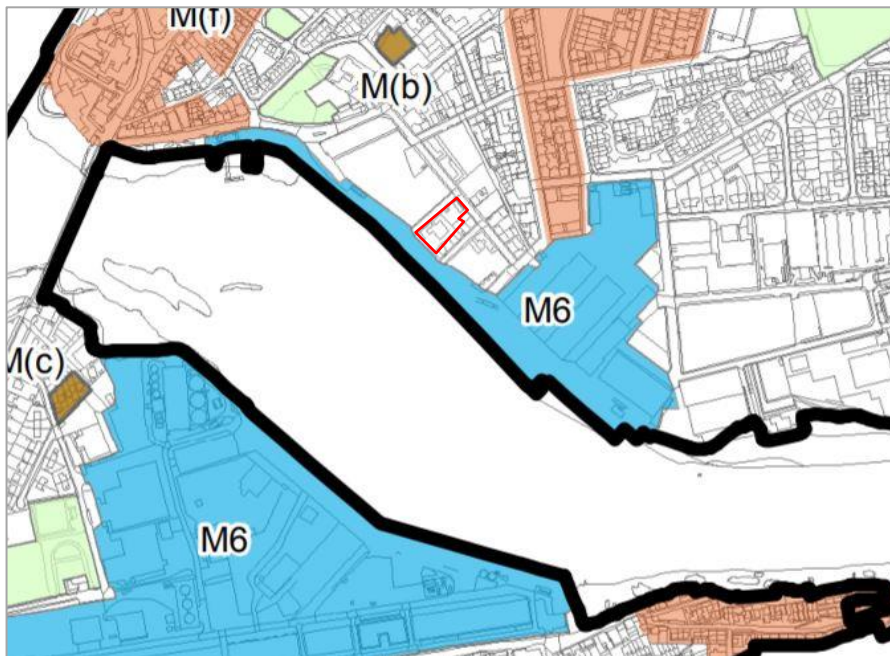


within the Seagreen offshore windfarm development.” The Council’s response is contained in its email of 2 April 2021 (Document D14) where it states:

‘The application site falls outwith the port boundary at present. We are supportive of proposals for the reuse of this listed building to support the activities within the port that are sympathetic to its listed status. HES has previously stated that there is insufficient evidence to demonstrate why the substantial demolition of this listed building is essential to delivering significant benefits of economic growth to Montrose Port. The information provided identifies that a bid has been lodged but does not confirm whether the benefits offered will be secured. In addition, the information submitted does not confirm whether the new development proposed can go elsewhere. I would ask for commentary in relation to the status of the bid and what alternate sites the applicant could secure within or adjacent to the port to serve the proposed use.’

- 4.22 The key planning issue here is that whilst the site is currently not within the local development plan area allocated for Montrose Port, it lies immediately adjacent to this as shown on the LDP map extract below in Figure 6. The Council has stated that it supports proposals for the re-use of the listed building ‘to support activities within the port’. Given the site’s port side location, it is highly likely that appropriate alternative uses for the site will be within use classes 4 (business), class 5 (general industry) or class 6 (storage and distribution).

Figure 6: LDP map extract



- 4.23 HES’s letter of 27 May 2022 (Document D17) acknowledges the fact that the building’s location at Montrose Harbour makes it a ‘strategically attractive space as an operations and maintenance base for the offshore renewable energy industry’ but, it incorrectly states that the Council ‘has confirmed that if an alternative use

was proposed for the listed building, this is not likely to cause any issues regarding the long term aspirations for Montrose Harbour, including its context within the Seagreen offshore windfarm development, subject to achieving the requisite permission and/or consent.’ This statement misinterprets what the Council has stated. The Council has stated that an alternative use would be one which ideally re-uses the listed building and supports activities within the port. Contrary to HES’s statement, a different use within the listed building which is unrelated to the port (for example such as housing, leisure or community uses), may not gain the support of the planning authority, and, in the opinion of the Applicant, could cause issues which may give rise to potential conflicts (such as noise, light impact, amenity, traffic and road safety issues) with day-to-day port operations.

- 4.24 Accordingly, the architectural feasibility exercise undertaken by the Applicant logically considered the reuse of the listed building only for compatible port side uses of office and warehousing accommodation. Whether these uses would be as an O&M facility/hub – as proposed by the Applicant, or whether they would be used for more general office and port related storage space is immaterial.
- 4.25 The feasibility exercise demonstrates that in order to try and retain more of the America Street part of the listed building and upgrade this to modern office space standards, the structural engineer’s advice is that major alterations would be required to the property (noted in detail in the Redevelopment Report, Document D6) to ensure it was building regulation compliant in addition to the need to undertake substantial repairs to the roof, walls, pend and floors. To improve circulation around the existing office accommodation, new build floorspace would need to be developed inside the quadrangle to provide an access corridor and a modest amount of new office floorspace was also included in the feasibility study to help improve the overall viability of the new accommodation.
- 4.26 Marketing of the property also commenced in July 2021 in an attempt to secure a buyer who could retain more of the listed building. This exercise is commented upon in detail under our assessment against criteria iii) of NPF4 Policy 7b, but suffice to say that the marketing was undertaken in accordance with HES guidance on economic viability (Document D41), by a firm of accredited chartered surveyors, J & E Shepherd. The marketing particulars were also revised to reflect comments from HES and Angus Council, and where the HES guidance states that marketing should normally be for a period of at least six months, the marketing has in fact been running for 2 years and 4 months at the time of this local review submission.
- 4.27 Further evidence of ‘all reasonable efforts’ being taken by the Applicant is the fact that a site meeting was also held at the appeal property with HES representatives (Mario Cariello and Steven Robb) and the planning authority on 27 May 2022 to explore and discuss other alternatives to try to retain more of the listed property for a proposed office and warehousing use (Documents D28 and D29).
- 4.28 At the site meeting, it was agreed by HES and the Council that if the section of existing rooms which front onto America Street and the former managers’ house



could be maintained, (to provide part of the office accommodation requirements for the proposed O&M facility), then the remainder of the site could be completely cleared to enable the development of the supporting warehouse and car parking requirements. These discussions are confirmed in an email to Angus Council from the Applicant's agents dated 17 June 2022 (Document D29). It outlines the Applicant's proposed approach to the structural engineering assessment which was to examine the possibility of saving the front section of the America Street building up to the ridgeline and maintaining the eaves line, and incorporating this into the future design of the new office accommodation to the rear. Over the following 6-month period, the Applicant's design team investigated this design idea and looked at ways to incorporate it into viable office and warehousing scheme. Note that during all this time, the property was still being actively marketed by selling agents J & E Shepherd. This second round of feasibility planning came to an end in January 2023, as an acceptable and financially viable design solution could not be found by the Applicant. In advising the Council of this decision, the Applicant also provided updated project costings for the application proposal and the feasibility option (as shown in the Heritage and Design Statement), given the duration of almost 2 years since the costings had been produced. These are contained in Document D35 and shown below for ease of reference:

Table 2: Updated Project Costings for Partial Re-Use and Adaption (2023)

<b>Project Option</b>	<b>Estimated Cost (£) Feb. 2021</b>	<b>Estimated Cost (£) Jan. 2023</b>
<b>1) Feasibility Option – retaining America Street Offices and Storage Space</b>		
• To restore offices (America Street)	998,999.83	1,198,800.00
• To restore storage space (Fish Quay)	171,426.00	205,712.00
<b>Total</b>	<b>1,170,425.83</b>	<b>1,404,512.00</b>
<b>2) Application Proposal – to keep America Street Façade and Build New Office Block and Storage Area</b>		
• Demolition of buildings and keep external facade	185,568.00	222,682.00
• To build new purpose-built office block	624,000.00	748,800.00
• To build new purpose-built storage area	155,000.00	186,000.00
<b>Total</b>	<b>964,568.00</b>	<b>1,157,482.00</b>

- 4.29 Construction and materials cost inflation have now put the application costs in the order of £1.15M and the alternative initial feasibility study option which retains more of the listed buildings at £1.4M.
- 4.30 To help inform the LRB's consideration, the Applicant has requested an independent desktop valuation of the completion of the proposed refurbishment scheme. This is provided for the LRB Committee in Document D37 and advises of an end value of £600,000.
- 4.31 In terms of the HES guidance, the repair and reuse of a listed building is not economically viable when the cost of retaining the listed building would be higher than its end value. It is clear that there is a significant 'conservation deficit' which provides the LRB Committee with strong policy support for the substantial demolition of the listed building.

- 4.32 It is recognised that the cost of retaining more of the special interest listed buildings in the Applicant's feasibility option is not the only option which could be designed for the site. This feasibility option however, is one which seeks to retain all of the existing America Street accommodation including the former managers house and storage area on Fish Quay. This design concept was also supported by both HES and Angus Council at the on-site meeting held with the Applicant and their agents on 27 May 2022 (Document D29) as it sought to retain more of the listed buildings which were noted by HES to be of greater interest.
- 4.33 It is maintained that the Applicant has been earnest in demonstrating beyond doubt to the Council that all 'reasonable efforts' have been made to try to retain the listed building, through their attempts to explore a different but still viable design solution (which retained more of the listed property), through discussion and exploring these alternate options on site with HES and the Council, or through marketing the property in an open and transparent manner for over 2 years. Added to this, the conservation deficit which clearly exists means that the repair and reuse of the listed building is regrettably not economically viable. As such, the Applicant's proposals for the substantial demolition of the property remains the only route forward for the reuse of this redundant brownfield site.
- 4.34 Criteria iii) and iv) of NPF4 Policy 7b are now assessed below, noting that the LRB only has to find that the proposal meets just one of these criteria.
- iii) The repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers*
- 4.35 A decision was taken in June 2021 to market the property, as despite the fact that the site had been vacant for some 22 years, the Applicant did not have information on the marketing activities undertaken by the previous site owners to verify to HES and the Council if there was any previous interest in the property for its reuse, as requested by HES in its letter of 27 May 2021 (Document D17).
- 4.36 Accordingly, active and fair marketing of the property commenced on 15 July 2021 (Document D19) and this has now been in place for a period of 2 years and 5 months. The duration of the marketing period and the manner in which it has been professionally executed by accredited chartered surveyors, J & E Shepherd prove that that Applicant has made every effort to secure a buyer who would retain the building. Accordingly, in terms of the HES Managing Change guidance (Document D40), the principle of the substantial demolition of the property should now be accepted, as all reasonable efforts have been made by the Applicant to retain the listed building.
- 4.37 In HES's consultation response letter of 27 May 2021 (Document D17), HES states:



“If there is no interest in the acquisition of the listed building after a reasonable time period (this should normally be at least six months, although in some circumstances a longer or shorter period may be appropriate), then the current application for substantial demolition would, in our view, become a reasonable option for consideration. We would be happy to talk further about any marketing process.”

4.38 We respectfully ask the LRB Committee to take note of this comment from HES as the property has now been marketed for a substantially longer period of time.

4.39 In preparing the marketing particulars for the property, the Applicant revised the marketing brochure in October 2021 to take into account HES’s advice (refer to the correspondence in Document Nos. D18, 19, 20, 21, 22 and 23). The property was remarketed in October 2021 on an “Offers Invited” basis by J & E Shepherd and both the planning authority and HES’s contact details included in the brochure. Revised text was also included in the brochure on the advice of HES stating that “Historic Environment Scotland recommends that development proposals must retain the majority of the listed buildings and advise that whilst there are planning and heritage restrictions on making alterations to the property there is scope to demolish parts of the property that are of less interest.”

4.40 As advised by HES, the marketing included targeted marketing to potentially restoring purchasers, such as Building Preservation Trusts and Documents D22 and D24 confirm that J & E Shepherd sent details of the property to the following organisations:

- Scottish Historic Buildings Trust
- Heritage Trust Network Scotland
- North East Preservation Trust
- Highland Historic Building Trust
- Montrose Heritage Trust

4.41 In terms of the revised marketing of the property, the email from Mario Cariello of HES of 12 August 2021 (Document D20) clearly states that:

“If once these revisions have been implemented and it can be evidenced there remains no interest in the listed buildings purchase after six months of marketing, we would consider the applicant to have met our demolition test for economic viability and would withdraw our objection to the proposed demolition outlined in application 20/ 00599/LBC.”

4.42 One issue for the LRB’s attention is the marketing approach to the appeal property and the matter as to whether a guide price should be included in the marketing particulars.

4.43 J & E Shepherd’s letter of 14 October 2021 (Document D22) comments on HES’s expectation that a price should be quoted on the brochure and that the property

should be marketed for six months. HES also states that a price of £1 might be appropriate since Rix (the Applicant) is of a mind that there is no viable economic use for the building and that a price of £1 for sale to a restoring purchaser is not uncommon. J & E Shepherd do not agree with this approach. As a professional chartered surveying firm with considerable experience of selling listed buildings across Scotland, the firm advises that it would only expect a sale campaign to be structured on the basis of a £1 asking price if the aim was simply to offload a property, which is not the case here.

- 4.44 As stated in their letter, they regularly market properties on an 'Offers Invited' basis, particularly properties that have development potential and can be developed in many different ways. Marketing on an 'Offers Invited' basis, encourages buyers to put their best foot forward and helps maximise the price.
- 4.45 Further commentary and advice on the marketing was received from HES in its email dated 2 February 2022 (Document D26) where they advised that with their contact details now on the brochure, they had not yet received any enquires regarding the site purchase. The issue of a guide price was again raised and in the absence of one being provided, they considered that in these circumstances:

“... a longer period of marketing (i.e more than six months) is appropriate. Specifically, we suggest marketing of the building could extend to the beginning of April (marking six months since the updated marketing brochure of October 2021) with consideration made to a further extension given the current absence of a guide price.”

- 4.46 As noted in the correspondence from the Council in May 2022 (Document D28), Montrose Port Authority (MPA) expressed an interest in acquiring the site (having also formerly lodged a letter of support for the application proposals). However, as confirmed in J & E Shepherd's letter dated 25<sup>th</sup> October 2023 (Document D36), back in May 2022, this never materialised into any formal written offer for the site. Accordingly in their letter of October 2023, the agents advised that:

“..unfortunately there have been few enquiries despite over 2 years of formal marking and clear awareness of the opportunity. The limited enquiries we have received in 2023 have generally been only seeking to let the yard space rather than the office/workshop areas also.”

- 4.47 In the process of the listed building consent appeal to the Scottish Ministers, on 17<sup>th</sup> November 2023 a formal offer was received by J&E Shepherd from Thorntons Solicitors LLP on behalf of MPA to purchase the application site for a sum of £350,000. This offer is referenced in a letter dated 4 December 2023 (Document D43) sent from Thorntons to the DPEA in connection with the listed building consent appeal for the property. Thornton's letter states that a written offer has been made to purchase the property and that if the offer is accepted, '*it is MPA's intention to retain, repair and restore the buildings on the application site to preserve their special interest as a listed building*'. The LRB should however note that this offer has in fact been withdrawn, as it expired on 1<sup>st</sup> December 2023. The



offer was time limited to a two-week duration which was insufficient time for a potential site acquisition to be seriously considered by the Applicant's parent company at a main board meeting.

4.48 Notwithstanding the expiry of this offer, the fact that the letter states that it is MPA's intention to retain, repair and restore the buildings on the application site, the LRB Committee should note that there can be no guarantee that this would in fact have been the case. The port authority has permitted development rights as a statutory undertaker, and under Part 13 – Development by Statutory Undertakers, Class 35 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), it would allow the port authority to undertake a wide range of development on the site for:

- “a) for the purposes of shipping; or
- b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.”

4.49 The Harbours Act 1964 (as amended) also enables the port authority to make a Harbour Revision Order which could potentially include the application site for the purposes of *‘improving, maintaining or managing the harbour in an efficient and economical manner, or of facilitating the efficient and economical transport of goods or passengers by sea or in the interests of the recreational use of sea-going ships.’*

4.50 In submitting both a letter of support for the application and Thornton's letter also stating that MPA supported the application because they considered that *‘it would be better to see the development of the site rather than it continuing to remain as a redundant site adjacent to the harbour estate which MPA was promoting to offshore windfarm operators as the place to locate their onshore operations and maintenance base’* the port authority explicitly supports the redevelopment of the site.

4.51 To conclude the consideration of criteria iii) of NPF4 Policy 7b, the Applicant contends that the marketing of the property has been undertaken in a fair and transparent manner for a period of 2 years and 5 months. This is far in excess of the HES policy requirement of 6 months and demonstrates that ‘all reasonable efforts’ have been made to retain the listed building has been achieved – indeed the Applicant contends that they have gone beyond all reasonable efforts in their marketing of the property. Regrettably however, having exceeded the policy requirements, the Applicant now seeks the required planning and listed building consent from the LRB Committee to demolish the property and redevelop the site as per the application proposals.

*iv) The demolition of the building is essential to delivering significant benefits to economic growth or the wider community*

- 4.52 There are significant benefits to economic growth which can only be secured by the demolition of the property and the site's redevelopment. This is due to the proposed end use of the property as an O&M facility to support the offshore wind farms of Seagreen (SSE) and Inch Cape (Red Rock Power and ESB), which have both selected Montrose Port as their O&M for a 25-year period. As previously stated in this review statement, these two projects are multi-million pound investment programmes in Montrose Port, generating hundreds of jobs for the people of Montrose and Angus and will make a significant contribution to Scotland's net zero ambition.
- 4.53 Document No. D32 (<https://www.inchcapewind.com/inch-cape-selects-montrose-port-as-offshore-wind-operations-and-maintenance-base/>) is a press release from February 2022 following the announcement that Montrose Port was chosen by Inch Cape as the operations and maintenance base for its planned £5.2m offshore wind farm project. This will deliver 72 turbines located about 15km (9.3miles) off the Angus coast. Information on the significance of Inch Cape to the Angus economy is included on the company webpage (Document No.D31 - the link to the website can also be accessed here <https://www.inchcapewind.com/>).
- 4.54 Document No. D34 is an extract from the Seagreen website (the link to the website can be accessed here <https://www.seagreenwindenergy.com/> ). Seagreen is now fully operational and its 114 turbines will provide enough green energy to power more than 1.6 million homes, equivalent to two-thirds of all Scottish homes. The webpage notes that Seagreen will also displace over 2 million tonnes of carbon dioxide from electricity generated by fossil fuels every year – similar to removing more than a third of all of Scotland's annual car emissions and making a significant contribution to Scotland's net-zero ambition by 2045.
- 4.55 Document No. D33 contains information extracted from the Invest in Angus webpage on offshore wind activities. The webpage contains a short video clip which also forms part of the submitted evidence for this appeal (The link can be accessed here <https://investinangus.com/key-sectors/offshore-wind/>). The webpage includes information on the major offshore projects of Seagreen and Inchcape along with key project statistics. The webpage expounds the many benefits and opportunities which can be secured in Angus as a result of the offshore wind sector and as noted on the page under 'Angus Offshore Wind Supply Chain', Rix Shipping (Scotland) Ltd (i.e., the Applicant), is noted as 'an experienced supplier with significant experience of supplying to the sector'. The Applicant's business and warehouses at Montrose Port also feature prominently in the video footage.
- 4.56 The video clip highlights the strategic importance of Montrose Port and shows Tom Hutchison, CEO of Montrose Port Authority stating that in relation to the offshore wind industry, 'the estimated revenue for Scotland as a whole, once constructed, is upwards of £1bn annually with hundreds of jobs created so it's



massive for the local economy'. The video also includes some footage of portside warehousing activities including the advanced manufacturing technologies used in the assembly of engineering components for the offshore industries. Internal views of the warehouses on the portside also show the large scale of the machinery that are typically housed inside the modern warehouses.

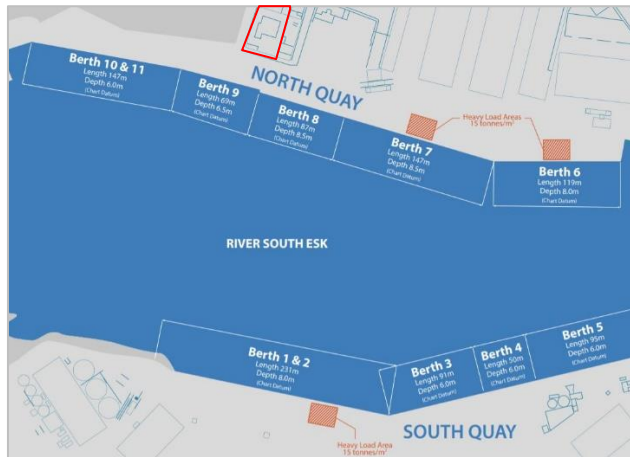
4.57 The redevelopment of the America Street site which includes a significant façade retention and conservation scheme will directly contribute to and help achieve the ambitions for Montrose Port and will support the offshore renewables industries noted above by:

- providing new office and warehousing accommodation which can be used as an Operations and Maintenance facility to support the offshore renewables industries
- supporting the continued growth and development of Montrose Port
- in directly supporting the offshore renewables industries it will also contribute to the Scottish Government's aim for a greener economy.

4.58 Relevant to realisation of the benefits to economic growth of Montrose Port is the fact that a letter of support for the application proposals has been submitted by Captain Tom Hutchison, CEO and Harbourmaster of Montrose Port Authority. This is referenced in the Council's Report of Handling (Document No. D38).

4.59 In the Applicant's Planning Statement (Document No. D8), the benefits of the proposal to support the economic growth of Montrose Port and the investment of Seagreen were noted. These benefits cannot be realised through the retention of the existing listed property or its adaptation, as the costs for trying to do so, significantly outweigh the end value of the scheme, resulting in a conservation deficit. Also mentioned in the Applicant's Planning Statement, is a key relevant fact that the appeal property is adjacent to berthing facilities at the dock (Berths 8 and Berth 9) as shown in Figure 7, (this diagram is included within the Planning Statement, Document Ref. D8) which are needed for activities including the berthing, loading and use of crew transfer vessels to access the windfarms by project staff and contractors.

Figure 7: Montrose Port Berths (NB. appeal property shown outlined in red)



4.60 In addition to the demolition of the appeal property helping to support the £1bn delivery of benefits to the economic growth of the offshore industries, there are direct quantitative economic benefits and wider community benefits that will be generated as follows:

#### Economic Growth Benefits

- i. a **capital investment of £1.6M** by the Applicant to develop the Operation and Maintenance (O&M) facility at Montrose Port. The cost of constructing the development includes the repair and preservation of the listed America Street façade and boundary walls.
- ii. The **creation of 9 FTEs during the construction phase**. This is based on a construction cost of £1.6m and where, within Angus, it is estimated that a construction spend of £177,000 supports 1 FTE<sup>2</sup>
- iii. the **creation of up to 50 FTEs following the O&M facility development** for the renewables sector. This is based on an estimated 80:20 split of the building being used for renewables and general office space.<sup>3</sup>
- iv. a **GVA per head in Angus of £64,583** for the renewables sector<sup>4</sup> and £32,058 for the construction sector
- v. **GVA impacts of £3.16M per annum for Angus and £7.95M for Scotland** following the development which includes a one-off GVA

<sup>2</sup> Using data from the Scottish Government's *Scottish Annual Business Statistics* [Scottish Annual Business Statistics 2020 - gov.scot \(www.gov.scot\)](http://www.gov.scot)

<sup>3</sup> The Gross Internal Area (GIA) of the offices is 520sqm. The net internal office floor area of 468 sqm is calculated as 90% of the gross floor area given the modern facility and efficient use of space. For the warehouse no deduction has been made given the modern specification of the facility. For employment densities, guidance used is issued by the Homes and Communities Agency: office floorspace of 80% renewables sector (10 sqm per FTE) and 20% general office space (12 sqm per FTE). The Class 6 warehouse would be 70 sqm per FTE.

<sup>4</sup> Using the GVA per head figure for 'primary industries' as a substitute for the renewables sector as this is not mentioned in the official statistics noted above.



impact of £0.28M per annum for Angus during the construction phase and £0.48M for Scotland (by applying the GVA per head figures to the net employment impacts).

#### Wider Community Benefits

- vi. Demolition of redundant buildings and tidying up the entire site to the benefit of the residential amenity of adjacent properties on California Street and River Street.
- vii. The repair and restoration of the America Street façade and part of the Fish Quay former manager's house façade along with all the sizeable perimeter walls will provide a significant improvement to the visual amenity of the local area.
- viii. The preservation in perpetuity of the 'heritage story' relating to the former use of the site for fish curing through the preservation of the America Street façade, part of the Fish Quay former manager's house façade and perimeter boundary walls.

4.61 For the avoidance of doubt, the LRB Committee should note that none of economic benefits or community wide benefits for Montrose will be achieved without the substantial demolition of the property. Should the site remain as existing, there will be no further investment in the site by the Applicant, aside from minimal interventions to keep the property wind and watertight (as per the listed building legislative requirements) and the site secure from vandals, no new construction jobs will be created and no new renewables jobs; there will be no GVA impact for Montrose or the wider Angus area.

4.62 In summary, we would argue that when assessed against this criterion, we consider that there is also a strong case for the LRB Committee to support the substantial demolition of the appeal property in order to obtain the significant economic and wider community benefits for Montrose.

4.63 Overall, in terms of Policy 7 of NPF4, it is the Applicant's case that there are exceptional circumstances which warrant demolition of the property and that it has been evidenced through the submitted reports that all reasonable efforts have been made to retain, reuse and/or adapt the listed building (refer to Alternative Restoration Proposal and the Façade Retention Proposal - Documents D10 and D11).

4.64 **Policy 9 – Brownfield, vacant and derelict land and empty lands:** This policy is to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. The application proposals accord with this policy intent in that they will result in the sustainable reuse of a brownfield site. Whilst the reuse of existing buildings is the preferred option, the policy states that this must take into account their suitability for conversion to other uses. In this case, the reuse of the property is not a viable

option; the site has been vacant for 24 years and in marketing the site for over 2 years, there is little prospect of the listed buildings being retained and reused given its portside location.

- 4.65 **Policy 12 – Zero Waste:** The application proposals will seek to reduce, reuse and/or recycle materials in line with the waste hierarchy.
- 4.66 **Policy 13 – Sustainable Transport:** The application site is in a highly accessible location and within easy walking distance of public transport services and a range of other facilities and services.
- 4.67 **Policy 14 – Design, Quality and Place:** This policy aims to encourage, promote and facilitate well designed development that makes successful places. The application site is within the settlement of Montrose and sits adjacent to the established employment area and land use zoning for Montrose Port (Policy M6 of the LDP – see Figure 6, page 15 of this statement). Policy M6 states that *“Montrose Port is safeguarded for port related uses. Development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses.”*
- 4.68 The substantial demolition of the property and the erection of a larger, modern office and warehouse building for port related uses is in accordance with Policy M6 and it is argued, a wholly appropriate development for its location in line with policy principles of Policy 14 which support the creation of successful places.
- 4.69 It is noted that the planning authority has raised noise concern issues and has cited NPF4 Policy 14 in the second reason for refusal. There are residential properties on California Street and the Council has concerns that the proposed development would adversely impact on the residential amenity of the occupants of these houses. However, these concerns are unfounded.
- 4.70 The affected properties are two storey properties with attic dormer windows. They are immediately adjacent to the south east boundary of the proposed development and as can be seen from the photos below in Figure 8, they overlook the harbour and portside vessel berthing facilities.

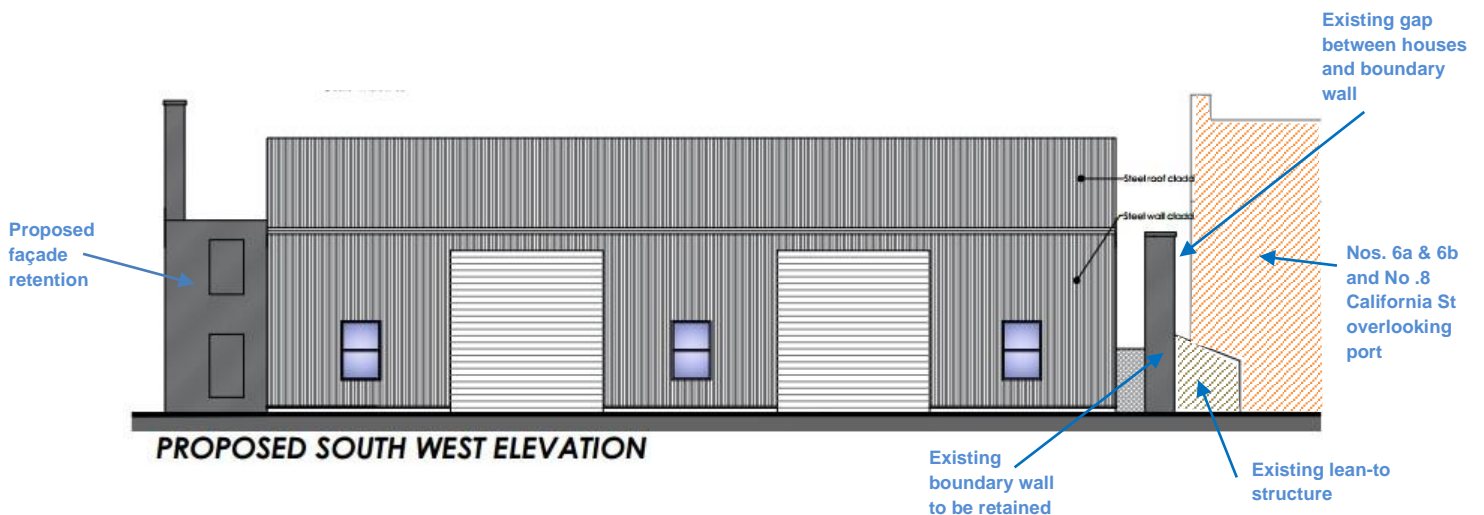


Figure 8: Nos 6A, 6B and 8 California Street



4.71 The proposed development of the warehouse and office development would be situated adjacent to these houses to the north and the intervening boundary wall of the site would be retained – as shown on the Proposed South West Elevation, Drawing No. PMS 2315 -205 PL Rev B (Document D2). Figure 9 provides an annotated extract of the proposed south west elevation of the new building and shows the adjacent housing.

Figure 9: Annotated Proposed SW Elevation



- 4.72 A Noise Impact Assessment (NIA) was submitted to the Council and the methodology for the survey work agreed with the Council's Environmental Health Officer (EHO) (Documents 45 and 46).
- 4.73 The noise monitoring was undertaken over a period of five days in December 2022 at Nos. 6A and 6B California Street and No.8 California Street. The residential properties are referred to as noise sensitive receptors (NSRs). The NIA modelled worst case noise levels at the from the two NSRs and found that the predicted noise levels from proposed office and warehouse development would be more than 20 dB below the worst-case noise levels recorded over the noise monitoring assessment period at Montrose Port.
- 4.74 With the existing noise levels at the port far exceeding the anticipated noise levels generated from the new development, the LRB Committee can be assured that the proposed development will have no additional noise impact upon the adjacent residential properties and as such, the proposals are not in conflict with Policy 14.
- 4.75 **Policy 18 – Infrastructure First:** The applicant is committed to providing all infrastructure required to service the proposed use of the site for port related uses.
- 4.76 **Policy 22 – Flood Risk and Water Management:** There has been no objection from SEPA to the application proposals which is considered to be a water compatible use.
- 4.77 **Policy 23 – Health and Safety:** HSE was consulted on the application (noted in the Report of Handling, Document D23) and no response was received. As per the noise impact assessment findings summarised for Policy 14, the application proposals will not generate any adverse health or safety implications for neighbouring owners/occupiers.
- 4.78 **Policy 25 - Community Wealth Building:** The proposed development will create local employment opportunities of 9 FTEs during construction and up to 50 FTEs following the O&M facility development for jobs within the offshore renewables sector.
- 4.79 **Policy 26 – Business and Industry:** The policy supports development proposals for business and industry uses on sites allocated for those uses in the LDP and where they are compatible with the primary business function of the area. With the site being adjacent to the formal designated port area in the LDP for port related uses (under Policy M6), it is argued that the proposals would be of an appropriate scale and nature and would be compatible with adjacent uses.
- 4.80 In summary, our review of all the relevant NPF4 policies cited by the Council in the Report of Handling have been assessed including Policies 7, 14 and 23 which are cited in the two reasons for refusal. It is contended that there are no policies within NPF4 which would prevent the LRB granting of planning permission for the application proposals as submitted.



## *Angus Local Development Plan Assessment*

- 4.81 The Applicant has submitted a full assessment of the development proposals against the policies in the adopted Angus Local Development Plan (ALDP) in the submitted Planning Statement (Document D8). The relevant policies are noted as:
- Policy DS1: Development Boundaries and Priorities
  - Policy DS2: Accessible Development
  - Policy DS3: Design Quality and Placemaking
  - Policy DS4: Amenity
  - Policy TC15: Employment development
  - Policy PV5: Protected Species
  - Policy PV8: Built and Cultural Heritage
  - Policy PV12: Managing Flood Risk
  - Policy PV15: Drainage Infrastructure
  - Policy PV18: Waste Management in New Development
  - M6 Working – Montrose Port
- 4.82 In the Report of Handling, the Council acknowledges that the site is outwith but adjacent to the ALDP designated area of Montrose Port (M6) and that the M6 designation supports proposals which enhance the commercial and economic role of the Port where these are compatible with adjacent land uses. The site has historically been in use as a fish curing business, and proposed use of the site for office and warehousing is another commercial use which is considered to be a compatible in relation to adjacent land uses, including the housing on California Street. The housing on California Street with windows facing onto the port will be used to the noise levels generated from daily port operations and the noise which is anticipated to be generated from the new development, will not result in any detrimental impact on the amenity of the residents.
- 4.83 The Decision Notice (Document D39) cites Policy PV8: Built and Cultural Heritage and Policy DS4; Amenity in the two reasons for refusal of the application.
- 4.84 Policy PV8 requires that *“any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits.”* The Council states that it has not been demonstrated that there are exceptional circumstances justifying demolition and that all reasonable efforts have been made to retain, reuse and /or adapt the listed building. This is strongly refuted by the Applicant for the reasons set out in this Review Statement.
- 4.85 To the contrary, the Applicant has demonstrated that all reasonable efforts have been made to retain the listed building and that these efforts also take into consideration the special interest of the listed building. Evidence has been submitted to the Council to show that the Applicant has investigated different architectural solutions to try to incorporate parts of the listed building into a

redesign for the site, but its repair and reuse is not economically viable and this unfortunately necessitates the substantial loss of the building.

4.86 Overall, we find no conflict with Policies 7, 14 or 23 of NPF4 or Policies PV8 and DS4 of the ALDP. The site has been vacant for 24 years and following acquisition by the Applicant, earnest attempts have been investigated to try to retain parts of the listed property for use as offices and warehousing. However, the costs of providing modern office accommodation whilst retaining a significant part of the listed property renders the proposals as unviable with a resultant conservation deficit.

4.87 **In conclusion, when assessed against the development plan, the Applicant contends that the development proposals attract strong support from the development plan as a whole and respectfully request that the proposal is granted planning permission by the LRB Committee.**



## 5. Response to the Reasons for Refusal

5.1 Two reasons for refusal of planning permission were given under the Appointed Officer's decision set out in the Decision Notice dated 22 September 2023 (Document D24), videlicet:

- 1. *The substantial demolition of the fish curing works would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance and the proposal is contrary to National Planning Framework 4 (2023) Policy 7 and Angus Local Development Plan (2016) Policy PV8.***
- 2. *The information submitted in support of the application does not demonstrate that that the proposed development would not result in unacceptable noise impacts on neighbouring residents and the proposal is therefore contrary to National Planning Framework 4 (2023) policies 14 and 23 and Angus Local Development Plan (2016) Policy DS4.***

5.2 A detailed examination of the policies cited in the reasons for refusal has been provided in Section 4 of this Review Statement.

5.3 In relation to the first reason for refusal, it is the Applicant's contention that there is clear evidence that the tests for demolition in the HES Managing Change guidance and Policy 7b of NPF4 have been adhered to and with this strong development plan support, the LRB Committee can justifiably approve the application for the demolition of the building and the redevelopment of the site.

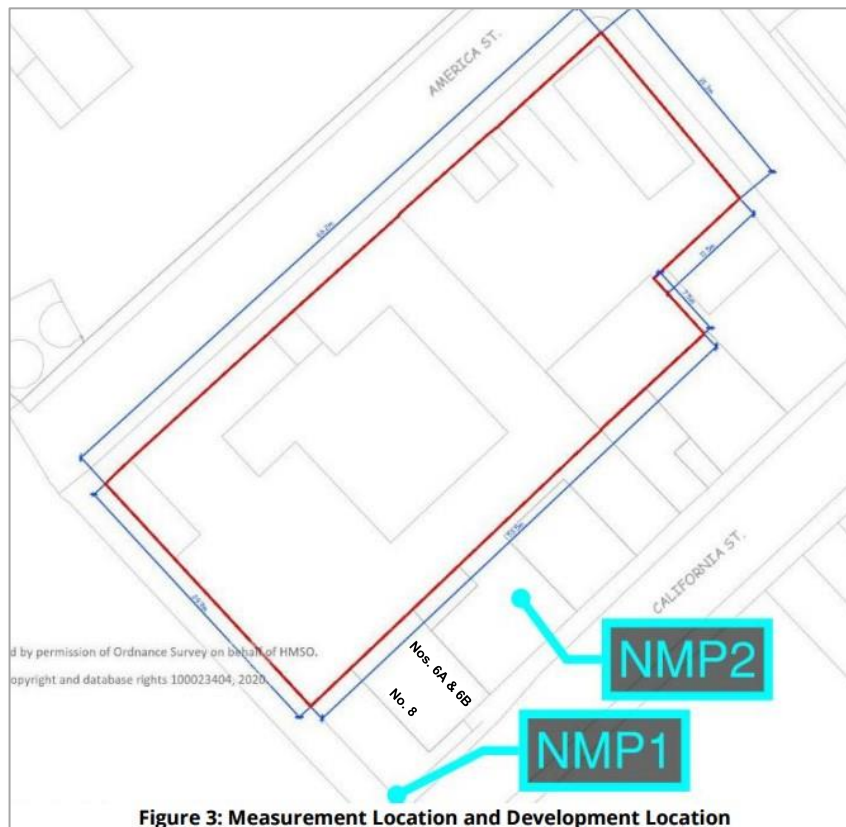
5.4 Substantial economic and wider community benefits will be secured for the local Montrose area; benefits that cannot be realised if the property continues to remain as a vacant brownfield site. Without the development, no new jobs will be created and there will be no local or regional GVA impact. The conservation of the America Street façade, part of the façade of the manager's house fronting Fish Quay and the perimeter boundary walls will also not happen.

5.5 In relation to the second reason for refusal, a Noise Impact Assessment (NIA) (Document D45 dated 20<sup>th</sup> March 2023) was submitted to the Council. This document was initially issued to the Council on 9<sup>th</sup> January 2023 and following comments received from the Environmental Health Officer (EHO), it was updated to take these comments into account and then reissued to the Council on 20<sup>th</sup>

March 2023. The LRB should note that the methodology in the NIA was agreed (see Document D46).

- 5.6 As noted in the NIA, there are residential properties (referred to as noise sensitive receptors (NSR)) adjacent to the appeal site at California Street. These two storey properties have windows that directly overlook the port. Noise monitoring was undertaken at the two closest properties at Nos. 6A and 6B California Street and No.8 California Street.

Figure 10: Map extract from NIA showing location of noise monitoring



- 5.7 The NIA modelled worst case noise levels at the from the two NSRs. When assessing the proposed levels of noise from a new development, background noise level readings are first taken on site and then assumptions made about the levels of operational noise that might be generated from the new office and warehouse development. The NIA advises that when you have two different noise levels (i.e. existing background noise and new noise), if one noise level is more than 10 dB below another, the lower noise level will generally not be audible above the higher noise level.
- 5.8 The assessment states that:

*“noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the*



*residents of the nearest NSR's in the context of what they are already exposed to."*

- 5.9 The NIA finds that the predicted noise levels from new office and warehouse development are more than 20 dB below the worst-case noise levels recorded over the noise monitoring assessment period (1<sup>st</sup> to 5<sup>th</sup> December 2022) at Montrose Port.
- 5.10 The LRB Committee can therefore be satisfied that the proposed development will have no additional noise impact upon the nearest NSR's.

## 6. Conclusions

- 6.1 To conclude this Statement of Review, the Applicant respectfully asks the LRB to place due weight on the fact that the application site is a brownfield site that has been vacant for 24 years and is strategically located adjacent to Montrose Port and vessel berthing facilities. The buildings were originally used for the fish curing industry and are all category C listed; they are in a mixed state of repair and degradation. Whilst parts of the buildings fronting onto America Street and Fish Quay could potentially be adapted for reuse as offices and warehousing, the costs of undertaking this and providing the necessary uplift in floorspace to make the development viable, results in a substantial conservation deficit, rendering a redevelopment proposal as economically unviable.
- 6.2 Less harmful solutions with lessor interventions have been earnestly considered by the Applicant to try to reuse the appeal property. It is contended that all reasonable attempts have been made to try to find a viable solution to reuse the building without recourse to substantial demolition. The HES Managing Change Guidance on Demolition of Listed Buildings and NPF4 Policy 7b iii) request that where the repair of the building is not economically viable, that it must be marketed for existing and/or new uses for a period of at least six months. This has been undertaken by the Applicant. Regrettably, after two years and five months of active and transparent marketing of the property to both potential restoring purchasers and the general public, no offers to purchase the property have come forward, bar the very recent offer from Montrose Port Authority (see letter dated 4 December 2023 from Thorntons (Document D43), which has since expired. It is relevant for the LRB Committee to note that MPA has also submitted a formal letter of support on both the planning and listed building consent applications, expressing its strong support for the redevelopment of the site as an Operations and Maintenance (O&M) facility to support the offshore renewables industry (referred to in the Report of Handling, Document D37). Also, as a statutory undertaker, the port authority would have various permitted development rights afforded to it under planning legislation and the Harbours Act and as such, in the event that any offer to purchase the site succeeded, there can be no guarantee that the buildings on the application site would in fact be retained, repaired and restored.
- 6.3 The application proposals also represent a significant **financial investment of £1.6m** by the Applicant to deliver an O&M office and warehouse facility on the site to support the offshore windfarms of Seagreen and Inch Cape. Direct quantitative economic benefits and wider community benefits will be generated including the creation of **9 FTEs during the construction phase** and up to **50 FTEs in the renewables sector. GVA impacts of £3.16M per annum for Angus and £7.95M for Scotland** will accrue following the development. If the site is left undeveloped, there will be no new jobs created and no GVA impact.
- 6.4 Qualitative benefits will also be secured through the proposed America Street and Fish Quay façade retention architectural solution. This design approach combines strong elements of heritage conservation together with bringing a redundant brownfield site which has been vacant for 24 years back into active use. The site's



current appearance and condition has a negative impact on the amenity of the surrounding environment. The proposed use is compatible with the neighbouring port side activities and the adjacent residential properties and will significantly improve the amenity of the site and surrounding area. In terms of the adjacent neighbouring properties which look out over the port, the submitted noise impact assessment has robustly measured background port operational noise and estimated the potential noise that could be generated from the new office and warehouse development. It finds that on a worst case assessment basis, there would be no detrimental noise impact on the residential amenity of the neighbouring properties.

6.5 In the light of planning case law, it is respectfully suggested that the LRB has a responsibility in considering the development to weigh up the proposal's overall conformity in the light of the whole plan. This now includes NPF4 and as evidenced in this Review Statement, the application draws considerable support from the relevant policies, including Policy 7 which was cited in the first reason for refusal.

6.6 The Scottish Government's Chief Planner has also written to all planning authorities following NPF4 (Document D47) advising that:

*“Application of planning judgement to the circumstances of an individual situation remains essential to all decision making, informed by principles of proportionality and reasonableness.”*

6.7 We respectfully ask the LRB to apply planning judgement in this case, informed by principles of proportionality and reasonableness, as advocated by the Chief Planner. It is the Applicant's position that the buildings are no longer fit for purpose and that regrettably, having explored alternative schemes, the cost of retaining some of the listed buildings would be higher than the site's end value. There is a significant 'conservation deficit' which supports the case for the substantial demolition of the listed building as per the HES guidance.

6.8 Accordingly, for all the above reasons set out in this statement, we respectfully ask the LRB Committee to approve this planning application.







Angus House Orchardbank Business Park Forfar DD8 1AN Tel: 01307 473360 Fax: 01307 461 895 Email: plnprocessing@angus.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100282802-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Alteration of existing category C listed building and erection of 20 x 25m building and 2 storey car park

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Project Management Scotland Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Phil	Building Name:	
Last Name: *	Birse	Building Number:	26
Telephone Number: *	01307 467744	Address 1 (Street): *	Montrose Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Forfar
Fax Number:		Country: *	Scotland
		Postcode: *	DD8 2HT
Email Address: *	enq@pm-scot.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	J R Rix & Sons Ltd	Building Name:	
First Name: *	J R Rix & Sons Ltd	Building Number:	45
Last Name: *	J R Rix & Sons Ltd	Address 1 (Street): *	Witham House
Company/Organisation	J R Rix & Sons Ltd	Address 2:	Spyvee Street
Telephone Number: *		Town/City: *	Hull
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	HU8 7JR
Fax Number:			
Email Address: *	enq@pm-scot.com		



## Site Address Details

Planning Authority:

Angus Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

757207

Easting

371446

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Confirmation full planning required

Title:

Mr

Other title:

First Name:

Damian

Last Name:

Brennan

Correspondence Reference Number:

20/00484/PPPL

Date (dd/mm/yyyy):

17/08/2020

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

1750.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

derelict old port buildings and yard not in use for over 20 years

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

50

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.



Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Bins will be located externally within the site, to the rear of the building

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Don't Know

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): \*

750

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

falls within Class 4 and 6

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B



# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Nicoll Ross

Address:

House Builders(Montrose)LtdUnit 1, Ferry Road, Montrose, Scotland, DD10 8DX

Date of Service of Notice: \*

20/08/2020

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed:

Phil Birse

On behalf of:

J R Rix & Sons Ltd J R Rix & Sons Ltd J R Rix & Sons Ltd

Date:

20/08/2020

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)



Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Phil Birse

Declaration Date: 21/08/2020

## Payment Details

Departmental Charge Code: 0

Created: 21/08/2020 14:27

## ANGUS COUNCIL

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND)  
REGULATIONS 2013**



**PLANNING PERMISSION REFUSAL  
REFERENCE : 20/00574/FULL**

To **J R Rix & Sons Ltd**  
**c/o Project Management Scotland Ltd**  
**26 Montrose Road**  
**Forfar**  
**DD8 2HT**

With reference to your application dated 2 September 2020 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

**Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**

at **1 - 5 America Street Montrose DD10 8DN** for **J R Rix & Sons Ltd**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as refused on the Public Access portal.

**The reasons for the Council's decision are:-**

- 1 The substantial demolition of the fish curing works would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance and the proposal is contrary to National Planning Framework 4 (2023) Policy 7 and Angus Local Development Plan (2016) Policy PV8.
- 2 The information submitted in support of the application does not demonstrate that that the proposed development would not result in unacceptable noise impacts on neighbouring residents and the proposal is therefore contrary to National Planning Framework 4 (2023) policies 14 and 23 and Angus Local Development Plan (2016) Policy DS4.

**Amendments:**

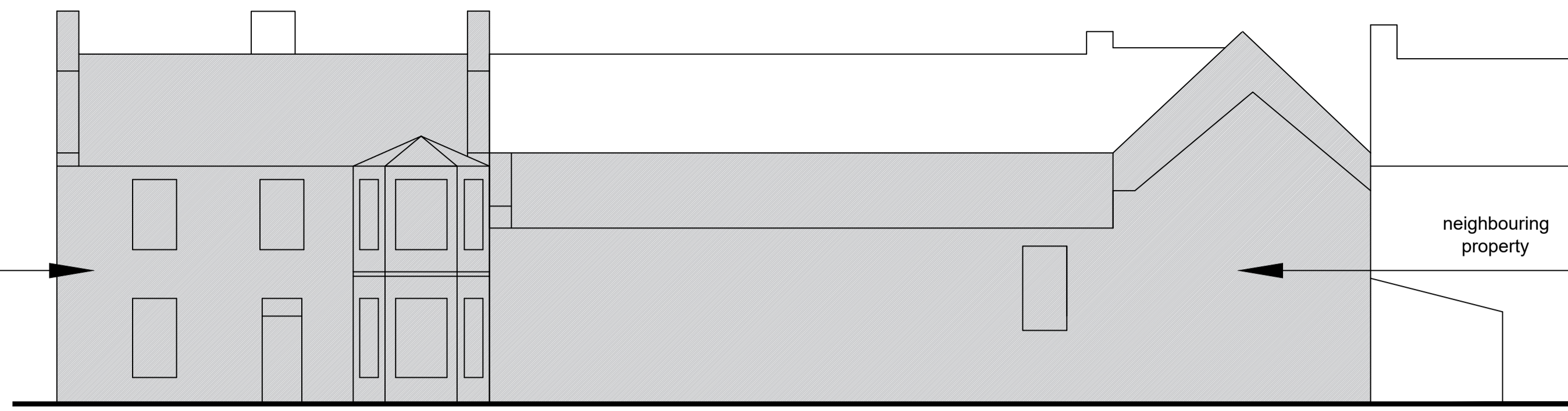
- 1 The application has been varied to delete the proposal to form a two-level car parking structure in the yard area to the northeast of the site. Project Management Scotland Limited Proposed Site Plan Drawing No. PMS 2315 - 201 PL (July 2020) revision C amends and supersedes all previous versions of that plan; and Project Management Scotland Limited Drawing No. PMS 2315 - 205 PL (August 2020) revision B amends and supersedes all previous versions of that plan.



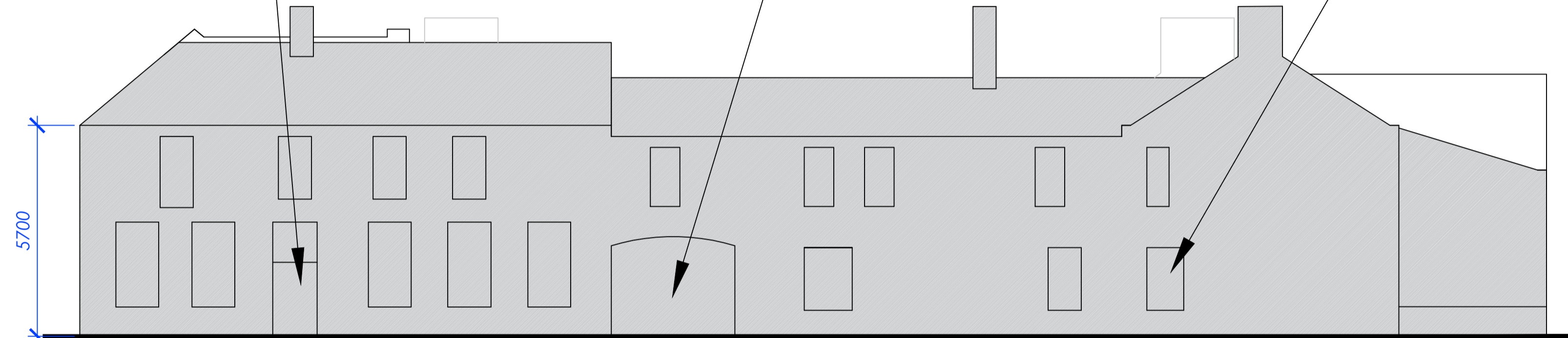
Dated this **22 September 2023**

Jill Paterson  
Service Lead  
Planning and Sustainable Growth  
Angus Council  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

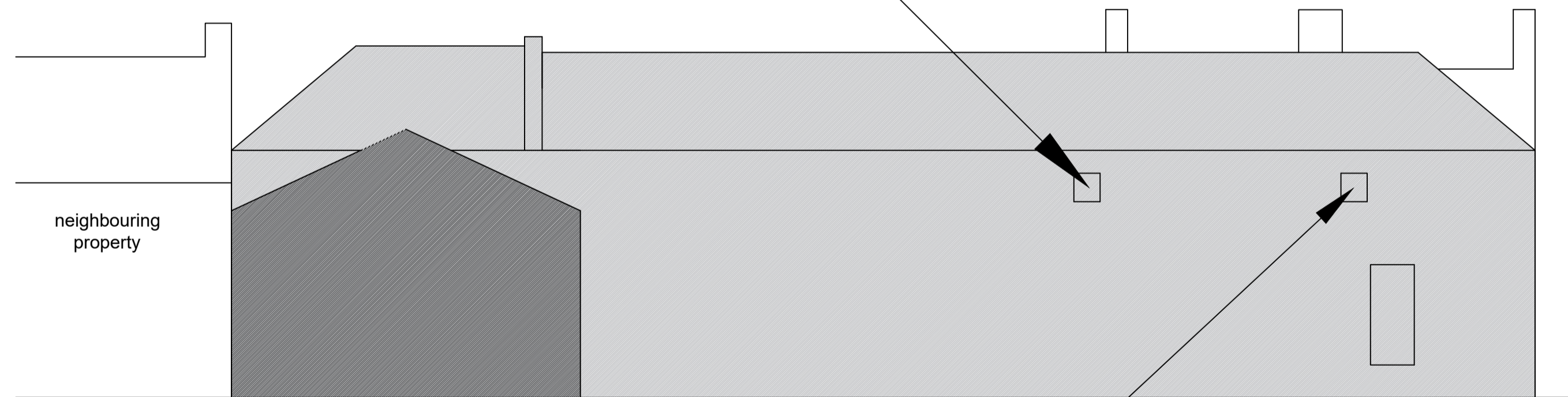




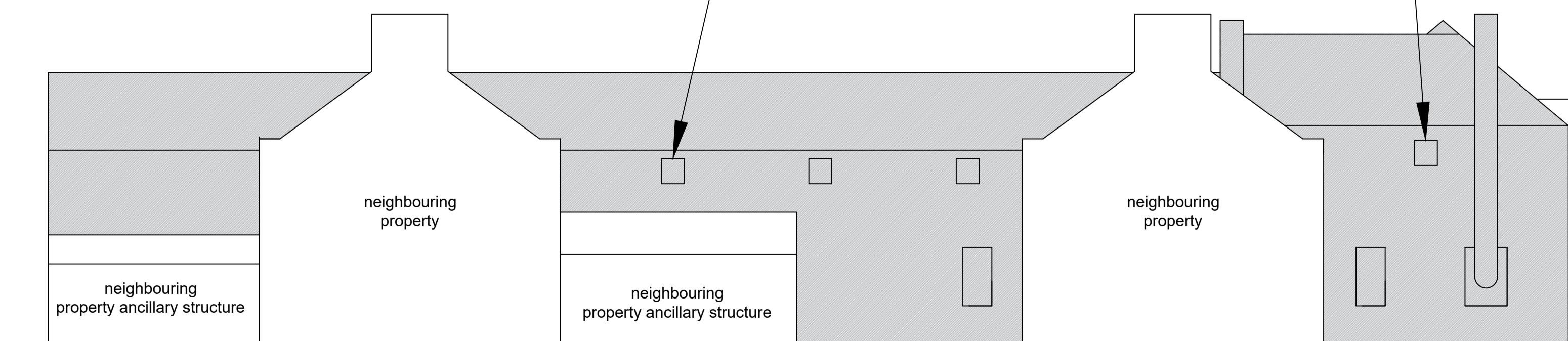
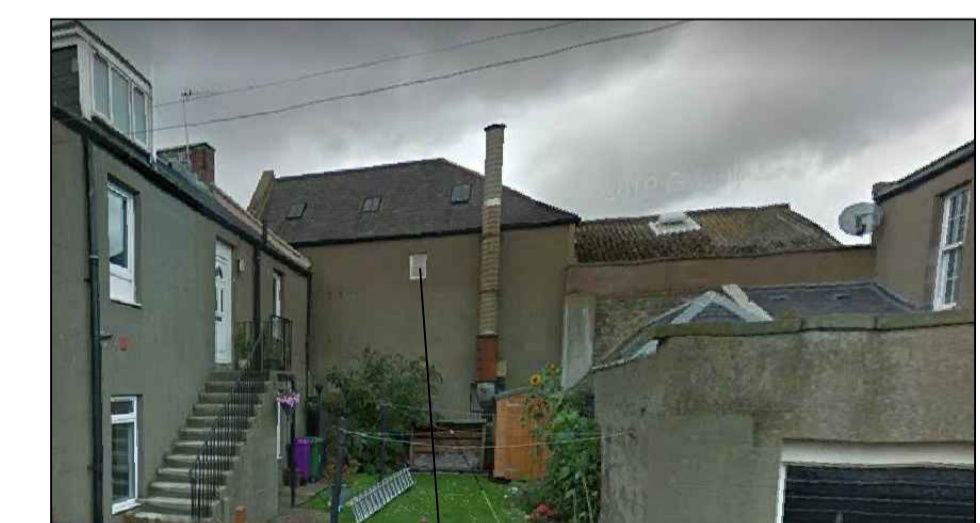
**EXISTING SOUTH WEST ELEVATION (Port Side)**  
Scale 1:100



**EXISTING NORTH WEST ELEVATION (America St Side)**  
Scale 1:100



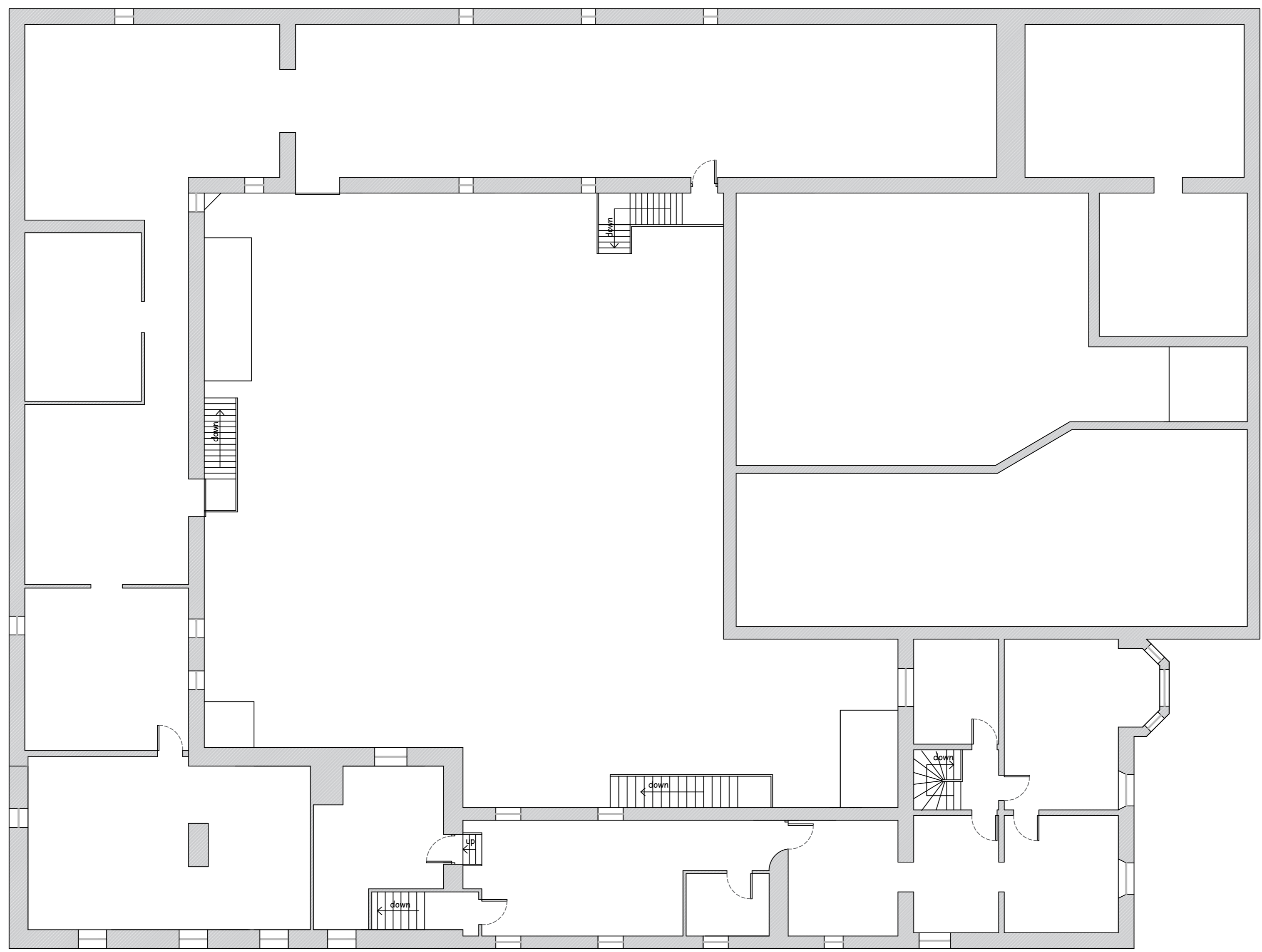
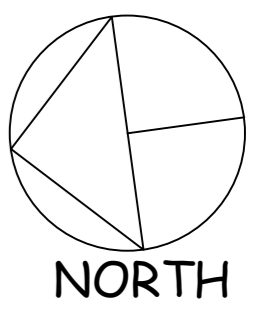
**EXISTING NORTH EAST ELEVATION (Yard Side)**  
Scale 1:100



**EXISTING SOUTH EAST ELEVATION (California St Side)**  
Scale 1:100

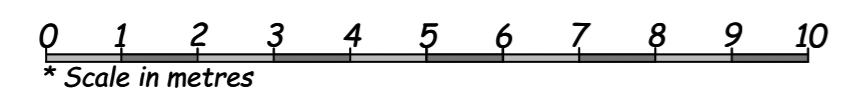
CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1 - 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 116 PL
SCALE	1:100 FOR A1 PRINT
DATE	DECEMBER 2020
DRAWN BY	



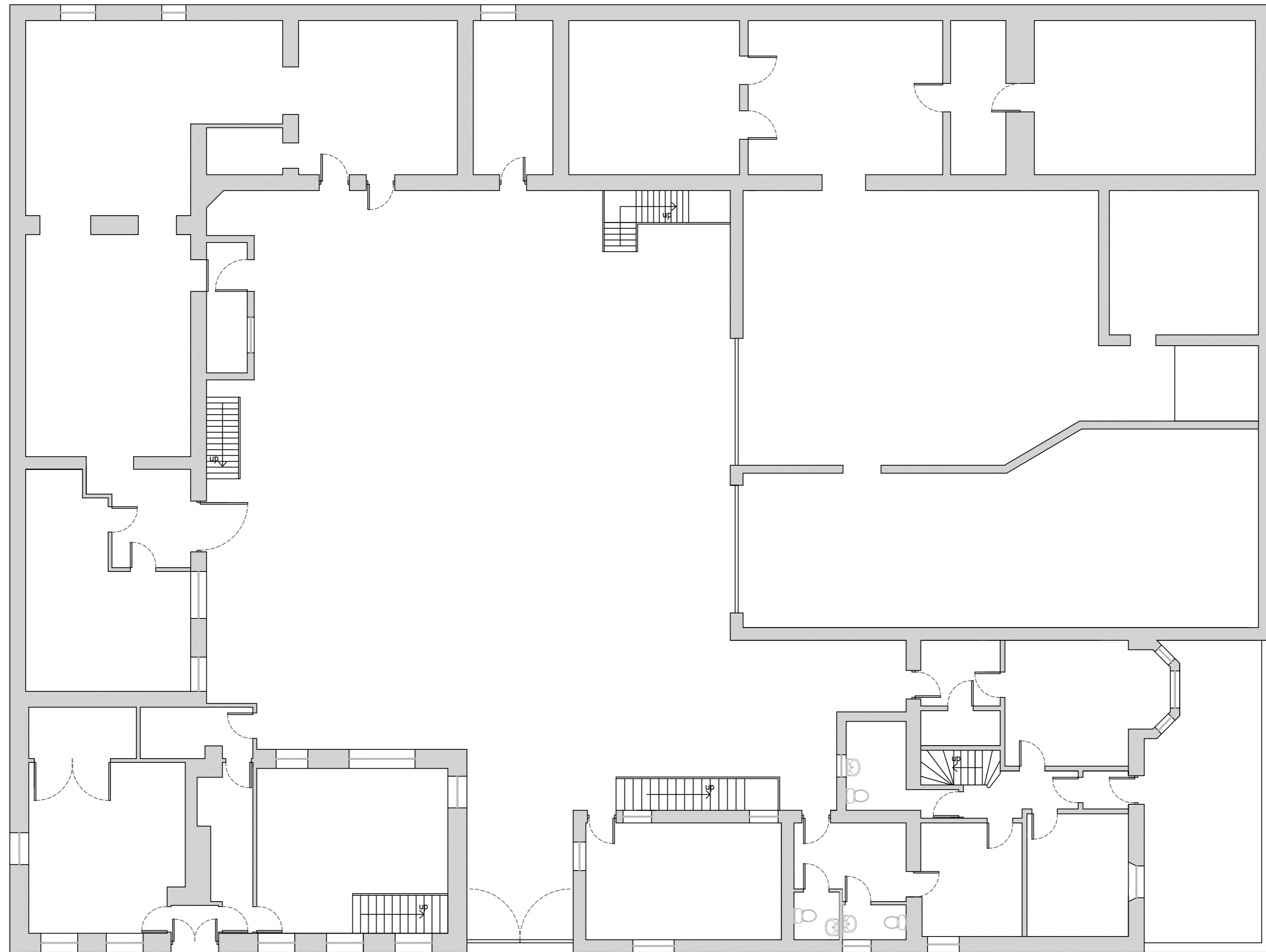
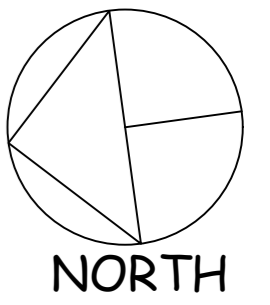


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Scale 1:100

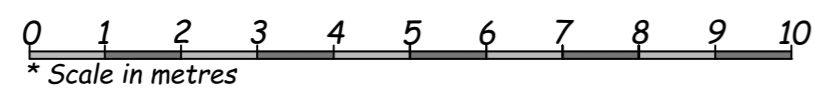


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PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 106 PL
SCALE	1:100 FOR A2 PRINT
DATE	DECEMBER 2020
DRAWN BY	



**EXISTING GROUND FLOOR**

Scale 1:100

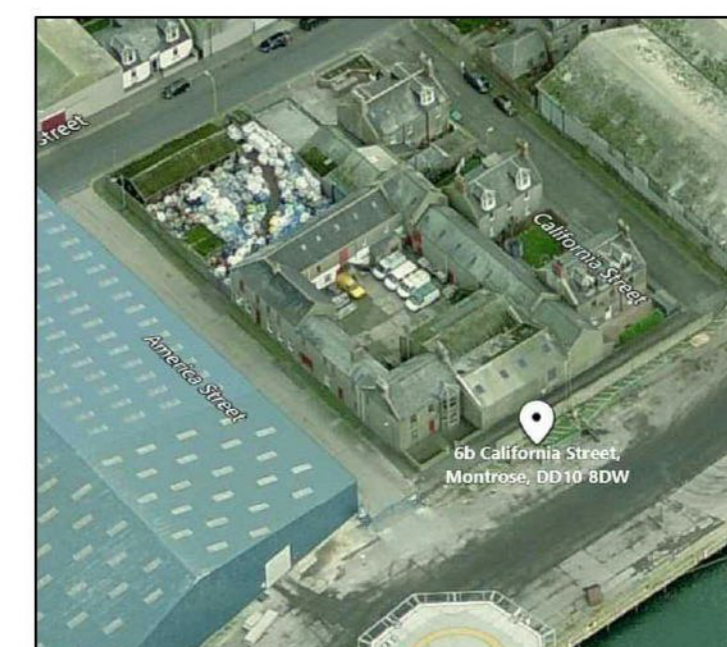


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PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 105 PL
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DATE	DECEMBER 2020
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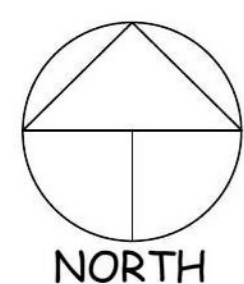








BIRDSEYE VIEW



EXISTING EXTERNAL WALL OF BUILDING TO REMAIN. OPENING TO BE CREATED WITHIN FOR THROUGH FLOW OF CAR PARKING

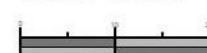
ORANGE DASHED LINES INDICATE THE EXTENT OF THE EXISTING BUILDING/S TO BE REMOVED WITHIN THIS SITE

THICK BLACK LINE INDICATES EXTENT OF EXISTING PERIMETER / BOUNDARY WALLING IN IT'S CURRENT FORM TO BE REMAIN UN ALTERED

PER THE EXISTING AND PROPOSED MODELS A CLEARER VIEW ON WHAT IS REMOVED AND WHAT REMAINS WITHIN THIS LISTED BUILDING ALTERATION SHOULD PROVIDE FURTHER CLARITY IF NEEDED. IN SUMMARY, ALL EXISTING PERIMETER WALLING IN IT'S ENTIRETY TO REMAIN UNALTERED OUT WITH THE PORT SIDE/SOUTH WEST ELEVATION INCLUSIVE OF THE WALL LOCATED WITHIN THE SITE INDICATED ON THIS PLAN. ALL OF THE WALLS REMAINING WILL BE UN ALTERED IN FORM AND THEREFORE SAME HEIGHT ETC TO REDUCE IMPACT TO NEIGHBOUR'S AND ALSO THE STREET SCENES. OUT WITH THE WALLS NOTED TO REMAIN, EVERYTHING ELSE IS TO BE REMOVED

**LISTED BUILDING ALTERATION PLAN**

Scale 1:500



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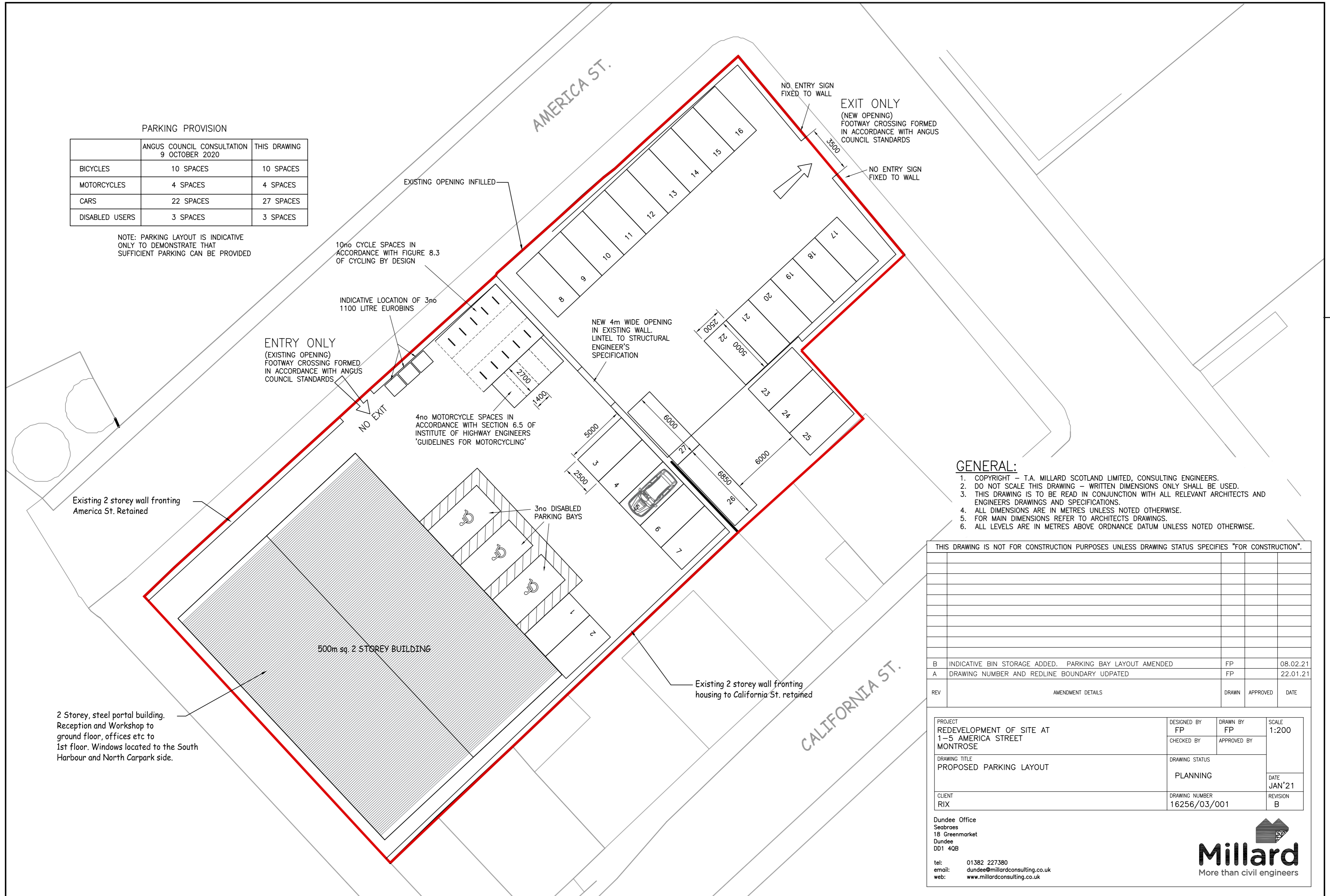
- Revision A -29.08.20
- \*plan updated to inc. neighbouring garage
- Revision B -15.12.20
- \*site boundary updated against title deeds
- Revision C-12.02.21
- \*Existing and proposed model views removed
- \*note updated confirming opening within north east wall to remain
- \*America st. elevation dimension added

CLIENT	RIX
PROJECT	RE DEVELOPMENT OF SITE
ADDRESS	1 - 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 -101 PL
SCALE	1:500 FOR A2 PRINT
DATE	AUGUST 2020
DRAWN BY	[REDACTED]



PARKING PROVISION		
	ANGUS COUNCIL CONSULTATION 9 OCTOBER 2020	THIS DRAWING
BICYCLES	10 SPACES	10 SPACES
MOTORCYCLES	4 SPACES	4 SPACES
CARS	22 SPACES	27 SPACES
DISABLED USERS	3 SPACES	3 SPACES

NOTE: PARKING LAYOUT IS INDICATIVE ONLY TO DEMONSTRATE THAT SUFFICIENT PARKING CAN BE PROVIDED



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REV	AMENDMENT DETAILS	DRAWN	APPROVED	DATE
B	INDICATIVE BIN STORAGE ADDED. PARKING BAY LAYOUT AMENDED	FP		08.02.21
A	DRAWING NUMBER AND REDLINE BOUNDARY UPDATED	FP		22.01.21

PROJECT REDEVELOPMENT OF SITE AT 1-5 AMERICA STREET MONTROSE	DESIGNED BY FP	DRAWN BY FP	SCALE 1:200
DRAWING TITLE PROPOSED PARKING LAYOUT	CHECKED BY	APPROVED BY	DATE JAN '21
CLIENT RIX	DRAWING NUMBER 16256/03/001	DRAWING STATUS PLANNING	REVISION B

Dundee Office  
Seabraes  
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Dundee  
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email: dundee@millardconsulting.co.uk  
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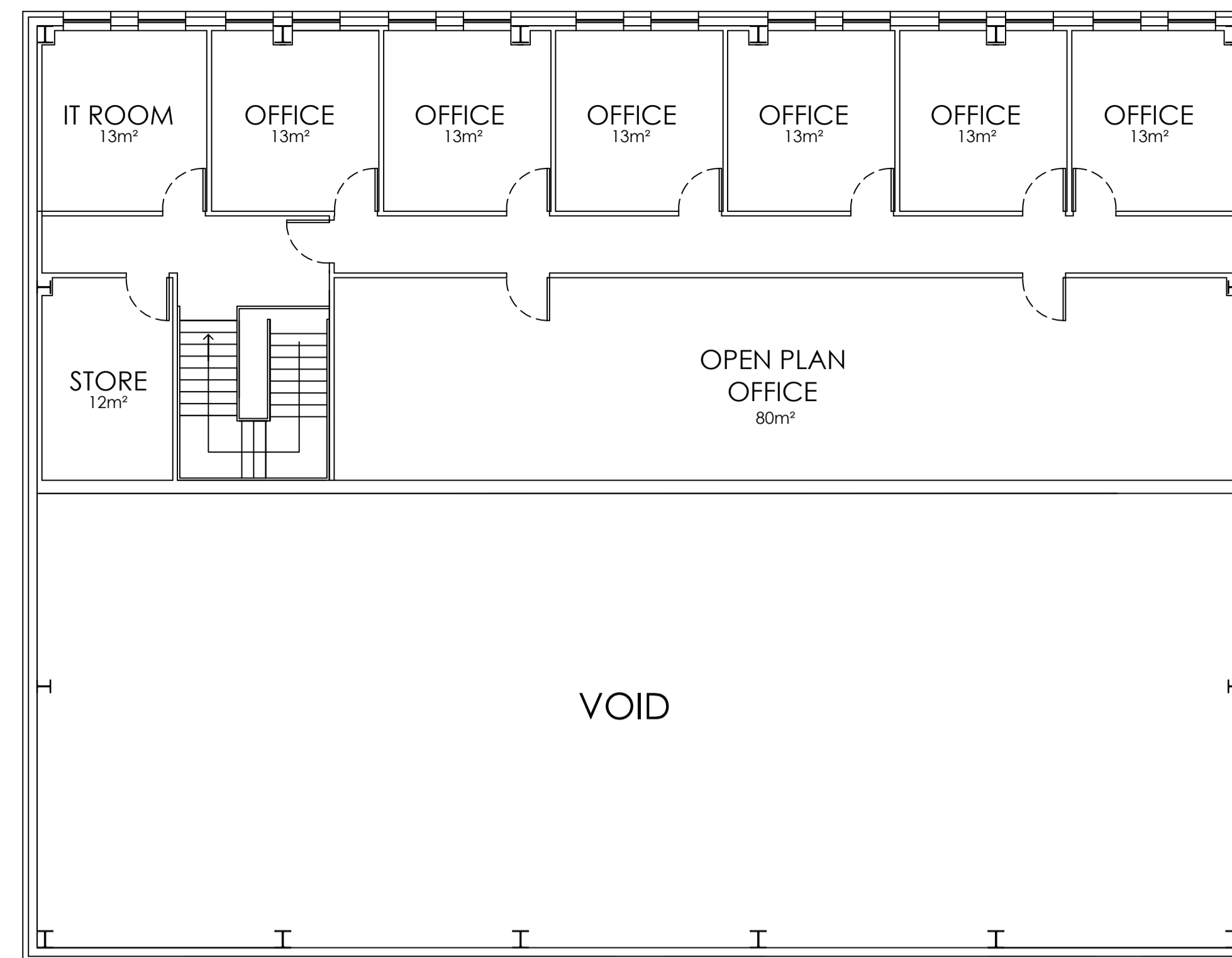


VIEW FROM SOUTH WEST



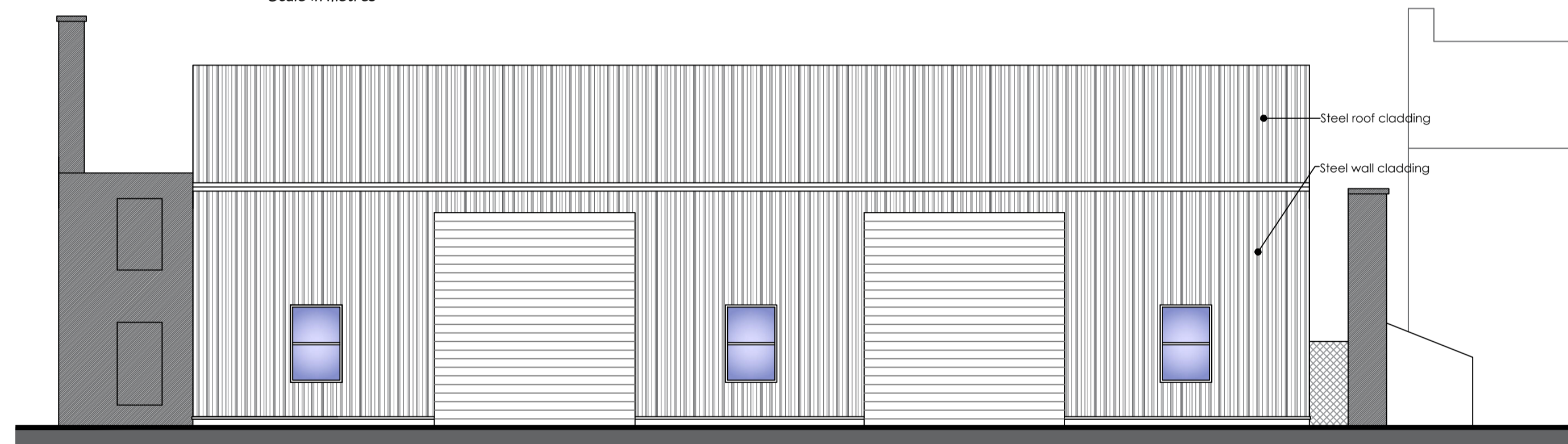
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Scale 1:100 0 1 2 3 4 5 6 7 8 9 10  
Scale in metres



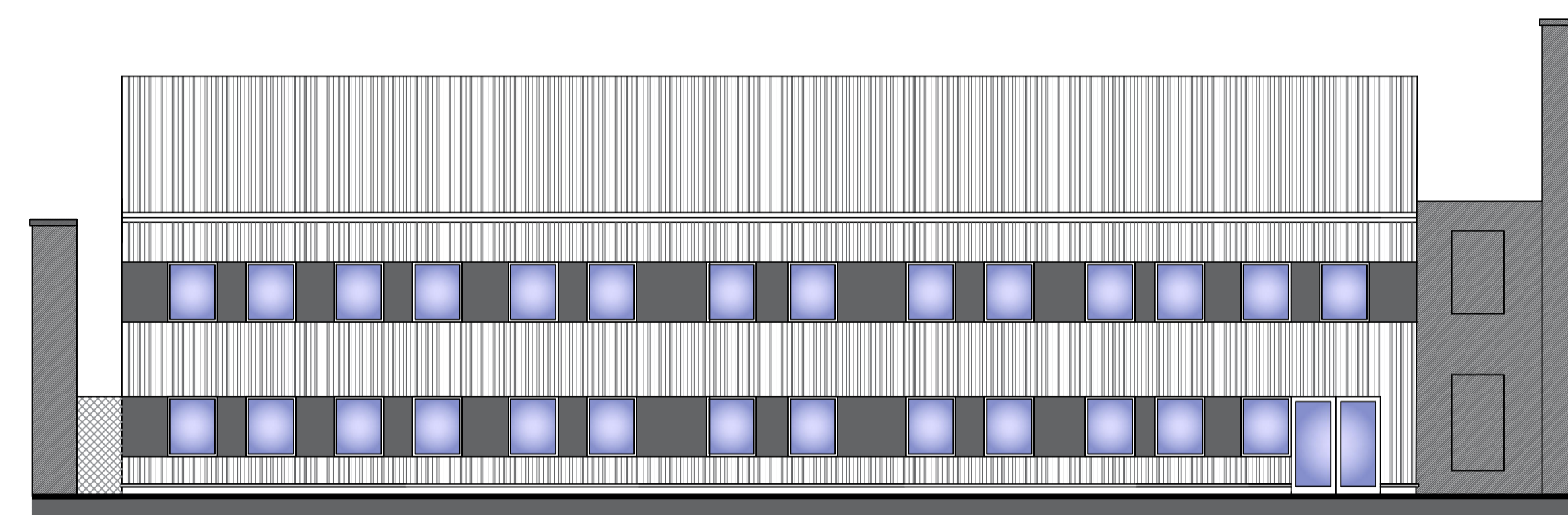
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Scale 1:100



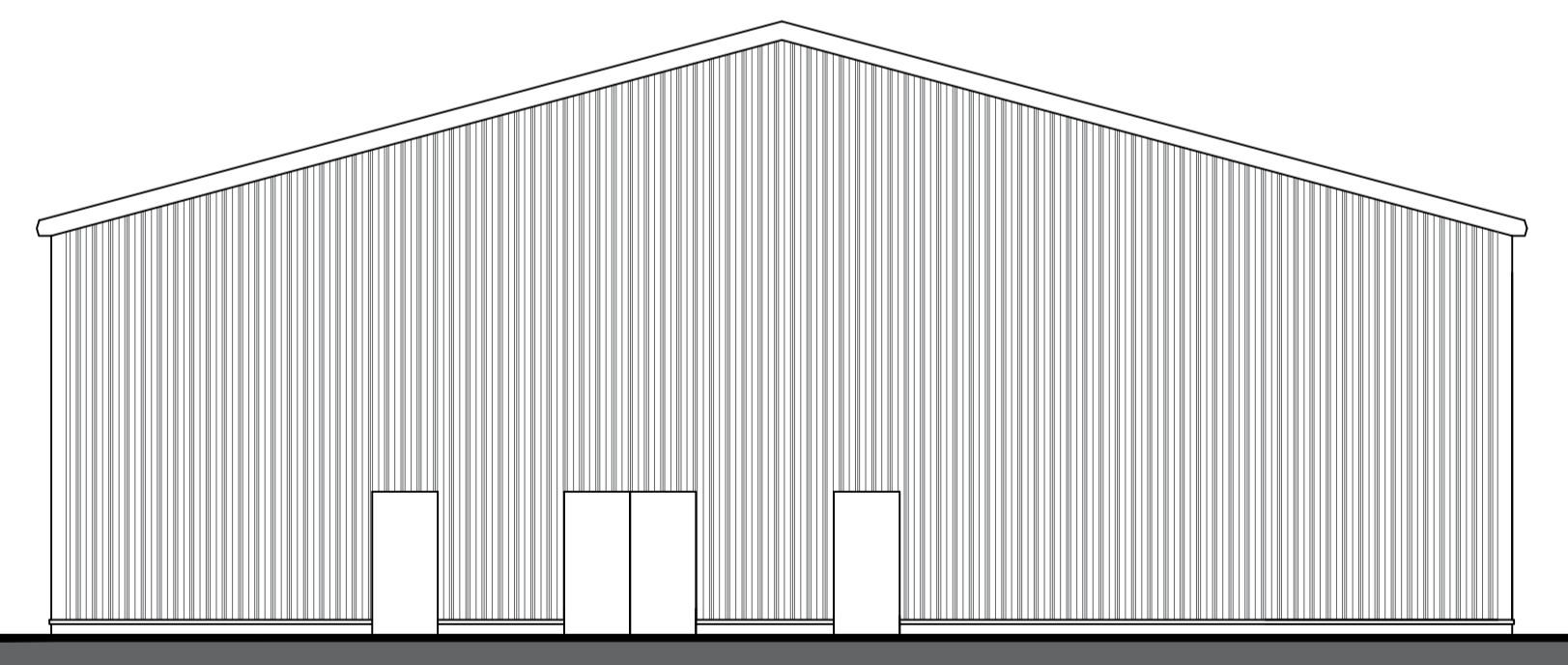
PROPOSED SOUTH WEST ELEVATION

Scale 1:100



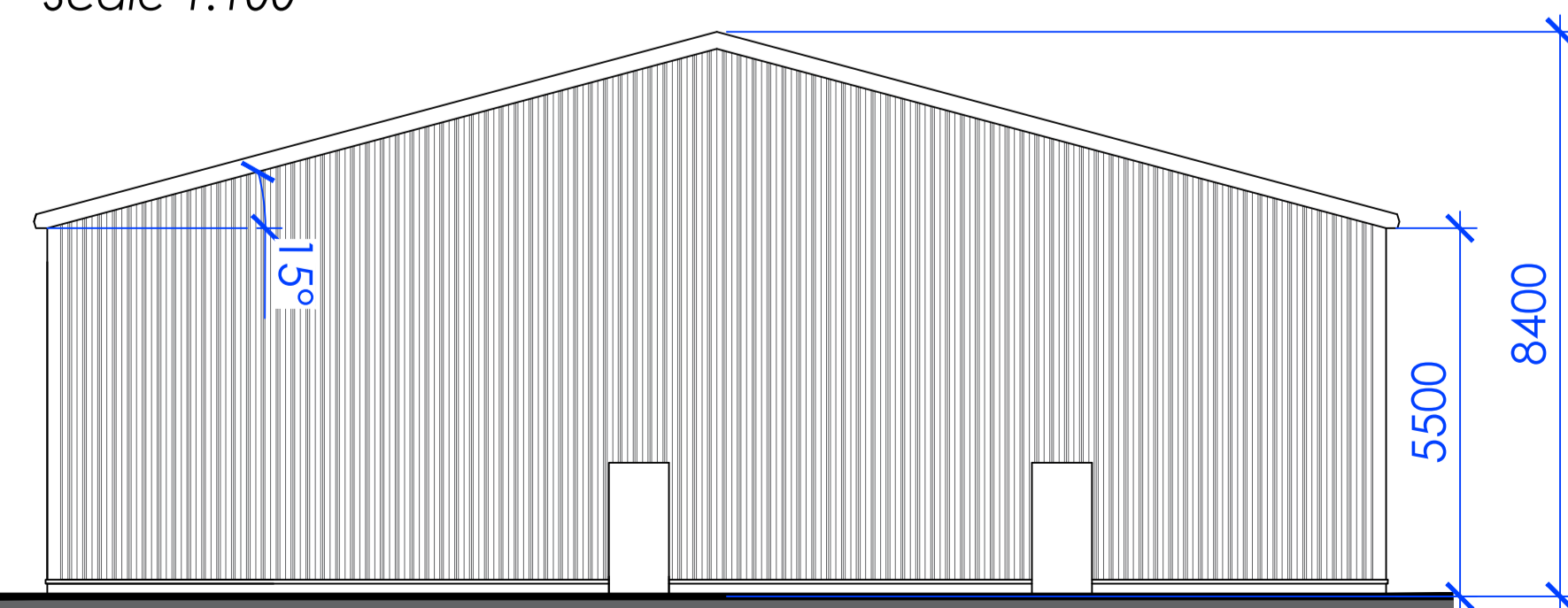
PROPOSED NORTH EAST ELEVATION

Scale 1:100



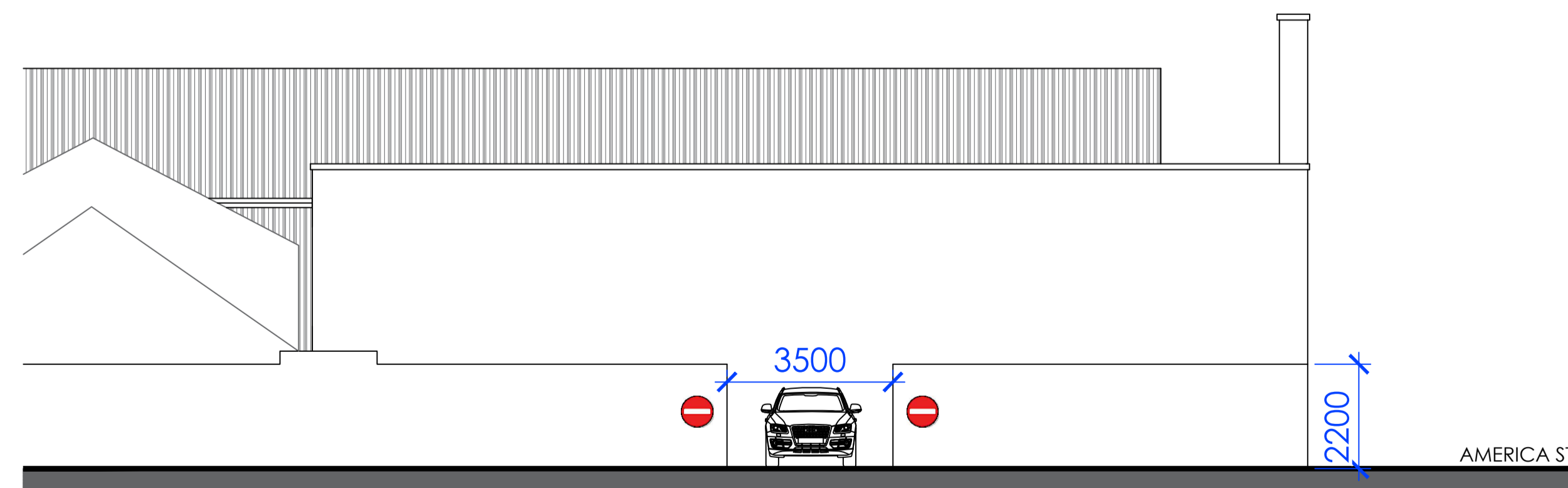
PROPOSED NORTH WEST ELEVATION

Scale 1:100



PROPOSED SOUTH EAST ELEVATION

Scale 1:100



PROPOSED NORTH EAST(RIVER ST.) CAR PARK ELEVATION

Scale 1:100

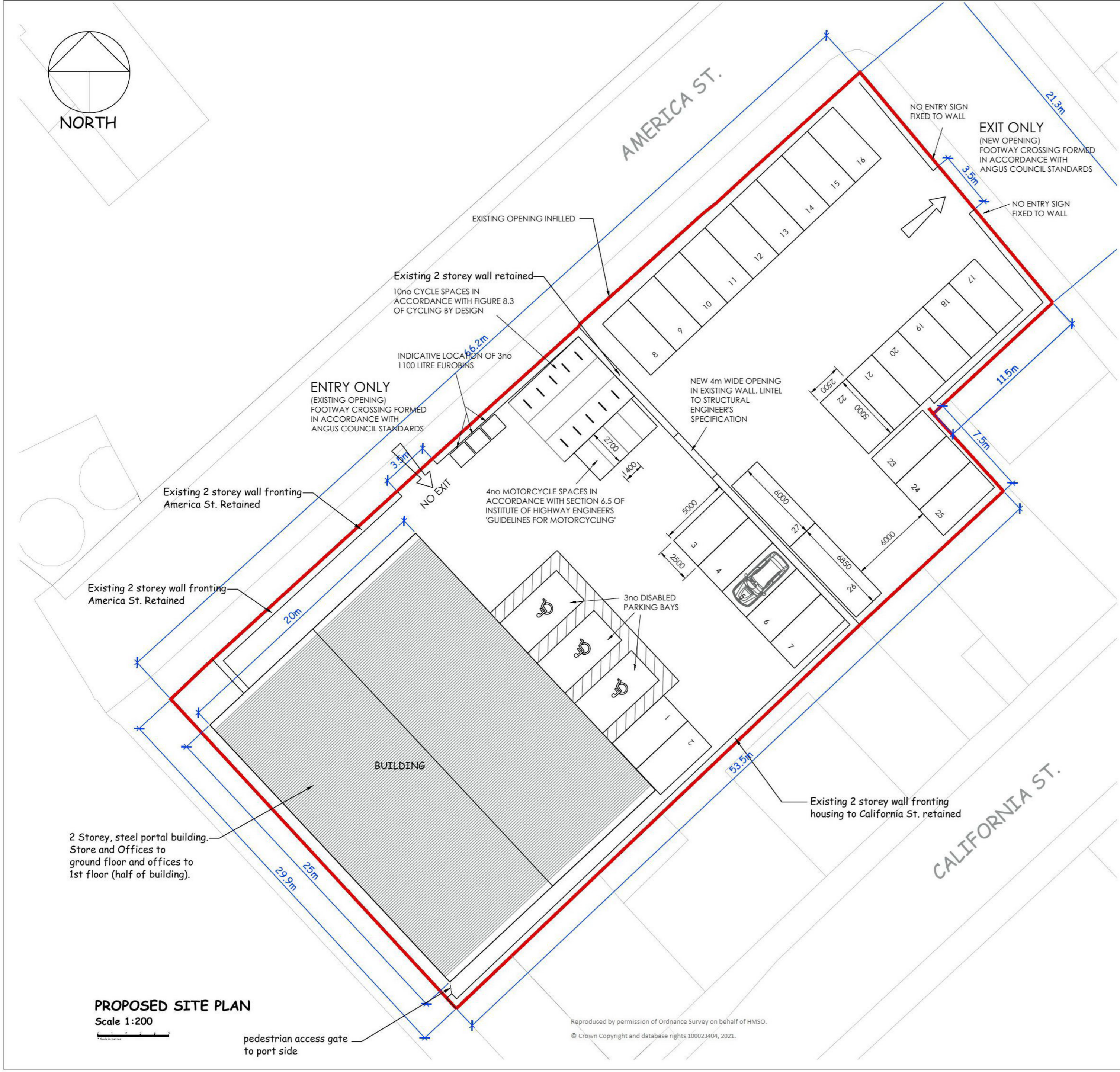


NORTH

Revision A -29.08.20  
\*elevation views updated  
\*south east car park elevation added  
Revision B -26.01.21  
\*north east car park elevation updated  
\*south east car park elevation removed  
\*north west car park elevation removed

CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 205 PL
SCALE	1:100 / 1:200 FOR A1 PRINT
DATE	AUGUST 2020
DRAWN BY	





Revision A -29.08.20  
\*plan updated to inc. neighbouring garage  
Revision B -15.12.20  
\*site boundary updated against title deeds  
Revision c -26.01.21  
\*Carpark scheme updated against  
AC roads comments

CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
ADDRESS	AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 201 PL
SCALE	1:200 FOR A2 PRINT
DATE	JULY 2020
DRAWN BY	[REDACTED]



**Bat Survey Report**

**1-5 America Street  
Montrose  
Angus  
DD10 8DS**

**September 2020**

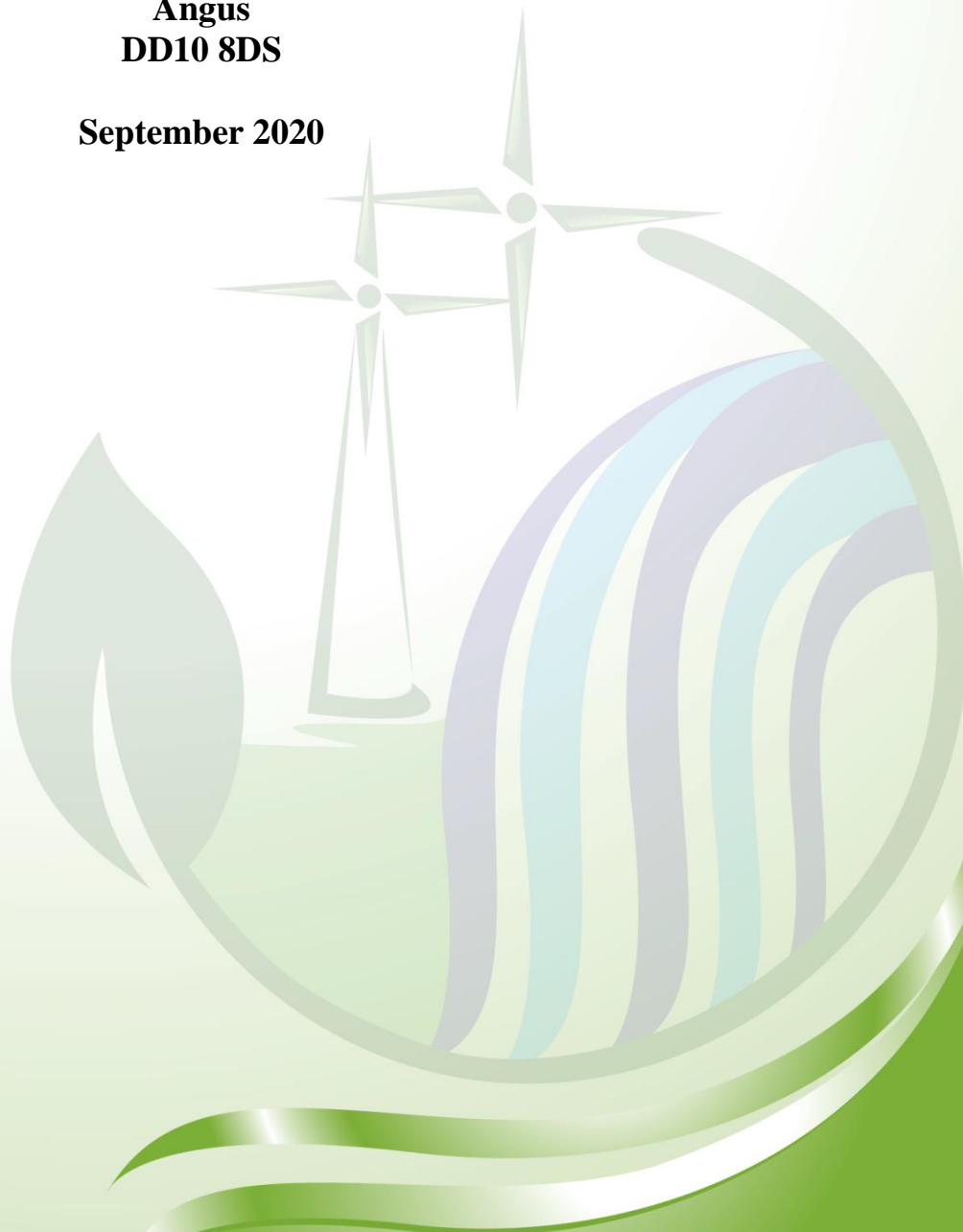
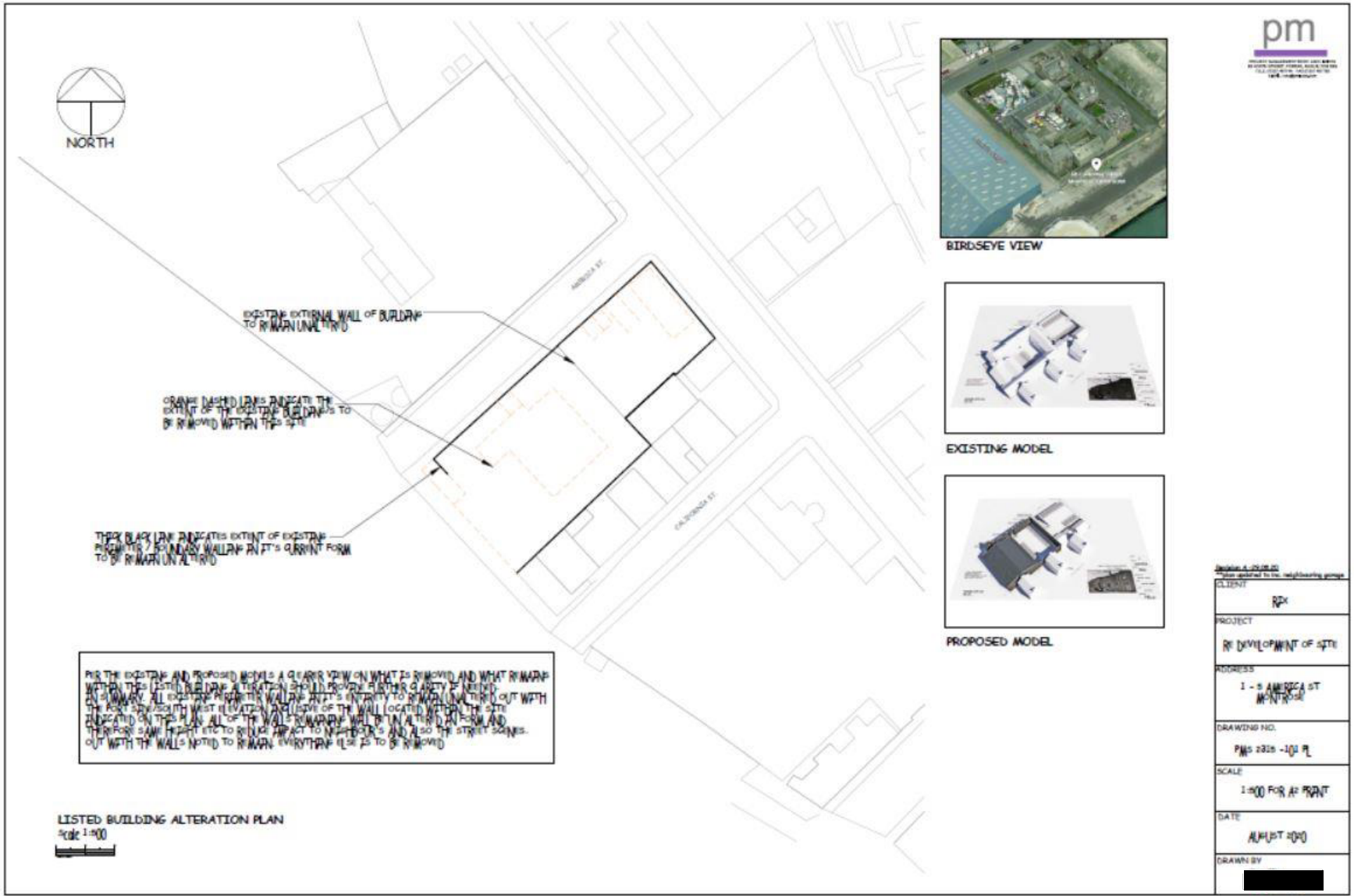




Figure 1. Site plan 1-5 America Street Montrose



Figure 2. Site plan 1-5 America Street Montrose showing extent of roofs to be removed.







**Figure 3. Architects image for redevelopment from southwest with original façade remaining.**



**Figure 4. Architects image for redevelopment from northeast.**

## **Introduction**

**1.1** Licensed bat worker Dr Garry Mortimer was commissioned to carry out building bat roost and bat activity surveys for the demolition and development of disused fish curing works including workshops, warehouse, offices, stores and manager's house situated in the Montrose dock area at 1-5 America Street Montrose DD10 8DS in August 2020 (Figures 1 & 2). These surveys are as required by Council in regards to a potential planning application.

### **1.2 Aims and Objectives**

To determine if any bat roosts are present in the building to be demolished/developed.

### **1.3 Bats Legal Status**

Bats are protected under Annex IIa and IVa of the EC Habitats Directive (92/43/EC) as applied in Scotland under the Conservation (Natural Habitats &c.) Regulations 1994, as amended by the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations of 2004, 2007 and 2009. This creates a series of criminal offences that can result in substantial fines and/or imprisonment. These offences are listed below and make it illegal;

- To deliberately or recklessly capture, injure or kill bats
- To deliberately or recklessly harass a bat or group of bats
- To deliberately or recklessly disturb a bat wherever they occur in a SEmanner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young
- To deliberately or recklessly disturb a bat while it is hibernating or migrating
- To deliberately or recklessly disturb a bat in a manner that is, or is likely to significantly affect the local distribution or abundance of the species to which it belongs
- To deliberately or recklessly disturb a bat while it is rearing or otherwise caring for its young
- To deliberately or recklessly disturb a bat while it is occupying a structure or place which it used for shelter or protection
- To deliberately or recklessly obstruct access to a breeding site or resting place of a bat, or otherwise deny the animal use of the breeding site or resting place



(note that this protection exists even when the bat is not in occupation)

- To damage or destroy a breeding site or resting place (Note this is a strict liability offence and the prosecution do not have to prove deliberate or reckless intent, merely that the roost was damaged or destroyed)
- To possess or control or transport any live or dead bat which has been taken from the wild or anything derived from a bat or any such part of a bat
- In addition to the above offences it is an offence to knowingly cause or permit such offences to be committed.

### Site Description

**1.4** America Street is a former fish curing works site situated in the docks area at Montrose. There is an interior courtyard present. The buildings are generally of solid stone construction with slates onto sarking. It would appear that all of the buildings and roofs are to be demolished apart from the facade of the Listed Category C building in America Street. Plans are to construct an on site car park (Figures 1-4). Existing buildings are as shown in Figures 5-11.



**Figure 5. Façade in America Street to be retained.**



**Figure 6. Stonework in good condition with no bat roost potential.**



**Figure 7. Gable ends with no bat roost potential.**





**Figure 8. Interior courtyard to be demolished.**



**Figure 9. Interior courtyard to be demolished.**



**Figure 10. Interior roof detail of slates laid onto sarking.**



**Figure 11. Interior detail with no ceiling or roof cavities present.**



## **1.5 Standards and Guidance Followed for Bat Surveys**

In August 2020 Dr. G Mortimer and surveyors carried out a Potential Roost Assessment (PRA) looking for signs of roosting bats to in accordance with guidance from the BCT.

## **1.6 Building Inspections**

The outside and inside of the buildings were inspected utilizing ladders, 10 x 40 binoculars and an endoscope where appropriate. The buildings were checked for any potential bat access points, droppings on walls, urine stains, grease marks or other indications that a roost was present. All interior roof and loft spaces were accessible and surveyed.

## **Results**

### **1.7 Signs of bats**

No faecal droppings, staining or any other signs of bat occupancy were observed around the outside or inside of the building.

**1.8** Following BCT Guidance it was considered that bat roost potential was low and that dawn and dusk activity surveys would be required. Various parts of the buildings were scoped out due to having negligible bat roost potential e.g. Figures 6 & 7. Surveys were carried out from both the outside from the streets and also from inside the courtyard (Figure 7).

### **1.9 Dusk & Dawn Emergence Surveys**

In August & September four bat surveyors carried out dawn and dusk bat emergence/re-entry surveys in suitable conditions

August 28 Dawn - Start 03.30 – End 06.45; Sunrise 06.08; Weather: 2/8 Oktas cloud cover; Wind: NE 1, Temperature: 19 Celsius.

August 29 Dusk - Start 19.30 – End 23.07; Sunset 20.17; Weather: 3/8 Oktas cloud cover; Wind: Calm, Temperature: 11 Celsius.

September 8 Dawn - Start 04.30 – End 07.00; Sunrise 06.34; Weather: 5/8 Oktas cloud cover; Wind: Force 2 SW, Temperature: 13 Celsius.

September 24 Dusk - Start 18.40 – End 21.00; Sunset 19.08; Weather: 4/8 Oktas cloud cover; Wind: Force 2 N, Temperature: 9 Celsius.

**1.10** BATBOX Duet Heterodyne / Frequency Division bat detectors and MP3 recording devices were used to enable bat detection and record any bat echolocations for subsequent analysis using Batsound software. Handheld GPS units were used to determine positions and radio receivers were used to communicate between surveyors. Information recorded included species, time seen, location, flight direction, habitat associations & behaviour.

## **Results**

**1.11** There were no bats recorded leaving or entering any roosts. No bats commuting or foraging in the general area were recorded.

## **Discussion of Bat Survey Results**

**1.12** The bat surveys were undertaken to assess whether there were roosting bats present in the collection of buildings at 1-5 America Street Montrose.

**1.13** No bat droppings or other potential signs of bats were recorded inside or outside of the buildings.

**1.14** No bats were recorded leaving or roosts during dawn and dusk bat activity surveys.

**1.15** No bats were recorded in the general areas during surveys.

**1.16** The buildings have been maintained and visited regularly by the previous owner. He has not recorded bats within the building apart from finding a dead bat several years ago. The buildings are not heated and lack cavities so would not be very suitable for maternity roosts and the construction technology means that bat roost potential is very limited in the stonework.



Given the dockside location suitable foraging habitat is not present, however there is always a chance of transient bats arriving on ships. It appears from the surveys on America Street and nearby Meriden Street that the dockside is not good foraging habitat and is very poorly used. There is always a small chance that given the age and the dockside locations of the buildings that the odd transient bat could occur at any time.

### **1.17 Mitigation**

Whilst no bats were recorded, it is considered that mitigation will be required. Given the age and design of the buildings and that substantial demolition is proposed and that in particular, pipistrelle roosts can be transient and bats will change roosts frequently the following mitigation is required.

- That all slates and roof coverings are to be removed by hand.
- If any bats are found work should stop in the immediate area and GLM Ecology contacted who will deal with the issue in the appropriate manner.

### **Conclusion**

**1.18** A negligible risk of death or disturbance to European Protected Species is expected and it is safe to proceed if the above mitigation is followed.

- **DISCLAIMER**

This report has been prepared by Dr Garry Mortimer of GLM Ecology, with all reasonable skill and care within the terms of the agreement with the client. Dr Mortimer disclaims any responsibility to any parties in respect of matters outside this scope.

Best efforts were made to meet the objectives of this study through desktop study and field survey.

Information supplied by the client or any other parties and used in this report is assumed to be correct and GLM Ecology accepts no responsibility for inaccuracies in the data supplied.

It should be noted, that whilst every endeavour is made to meet the client's brief, no site investigation can guarantee absolute assessment or prediction of the natural environment. Numerous species are extremely mobile or only evident at certain times of year and habitats are subject to seasonal and temporal change.

GLM Ecology accepts no responsibility to third parties who duplicate, use, or disclose this report in whole or in part. Such third parties rely upon this report at their own risk.

Document Prepared By  
Dr Garry Mortimer  
GLM Ecology





**Robert Lenfert Archaeology**  
Heritage Consultant

# 3-5 America Street Montrose, Angus

Level 1 Standing Building Survey  
Data Structure Report  
20/00574/FULL  
Project Code RLA-108-20

Dr Robert Lenfert, ACIfA  
Robert Lenfert Archaeology  
October/November 2020

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# Summary

A Level 1 standing building survey was undertaken in October of 2020 at 3-5 America St, Montrose, Angus in advance of demolition of the buildings, minus the external façade, under planning application 20/00574/FULL. The C-listed substantial granite structures form a rectangular 40m x 30.2m footprint with an internal courtyard. The complex of structures lie in the historic core of old Montrose, along the quayside between America and California Streets, and served for many years as a salmon processing and curing plant. The construction of the main group of buildings dates to c.1850 and was in use until c.2000.

## 1 Introduction

1.1 Robert Lenfert Archaeology (RLA) was commissioned by Rix Shipping, Scotland to carry out a Level 1 standing building survey at 3-5 America Street.

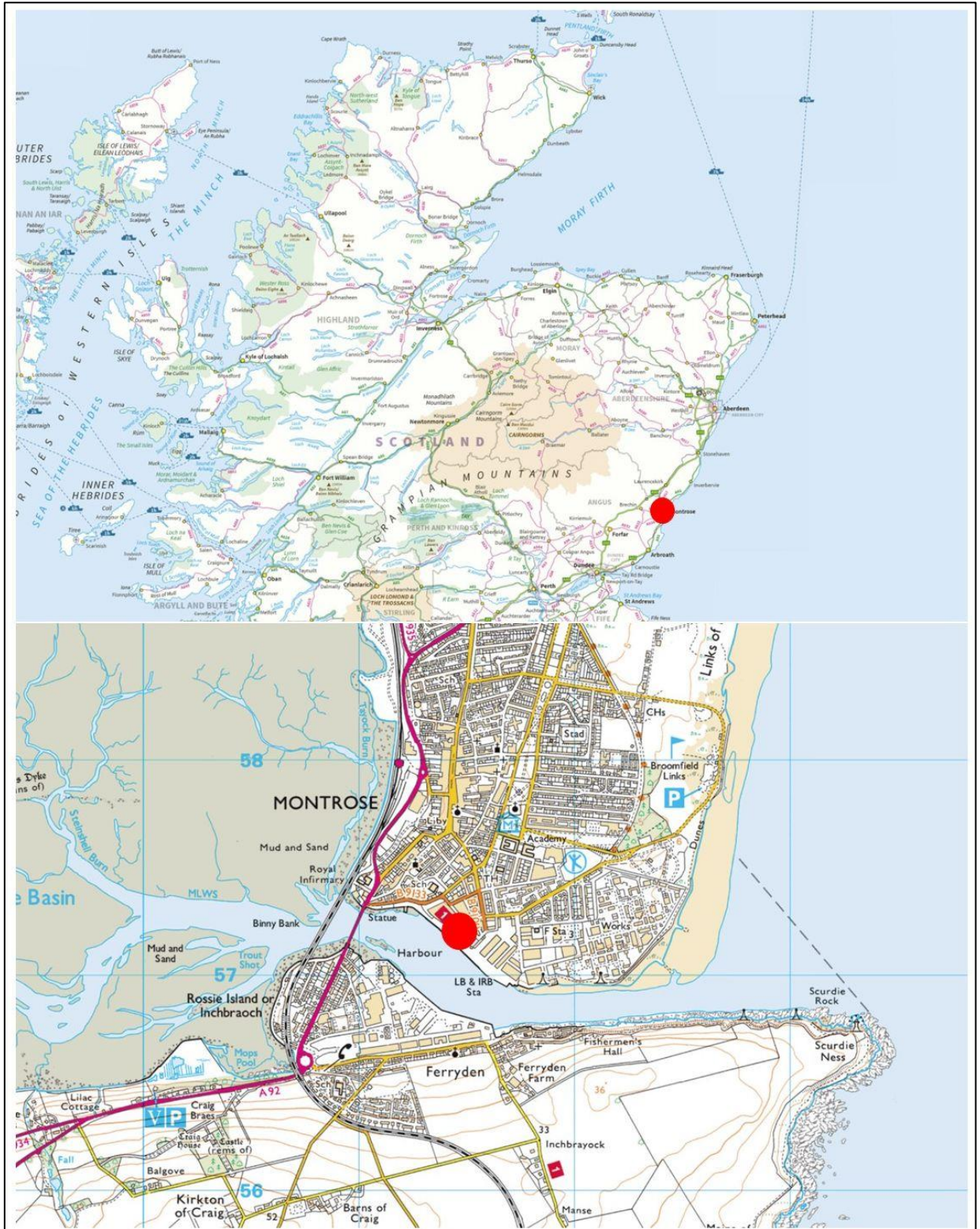
1.2 The proposed development site is situated at 1-5 America Street, Montrose, Angus. (note: 1-2 America Street is an open lot with small sheds). It is situated in the historic core of the old town in an urban location, centred on NGR NO 7145 5721 at >5m OD. The structures in this report are located at 3-5 America Street, bounded on the south east by California Street, on the north east by Rover Street and to the south west, the site faces Fish Quay with the River South Esk and Montrose Harbour in the background.

1.3 A Planning Application (Ref No 20/00574/FULL) is pending for the partial demolition of the existent structures.

1.4 All work specified in this brief was carried out in the context of Scottish Planning Policy (SPP), Planning Advice Note 2/2011 (PAN 2/2011), and Historic Environment Policy for Scotland (HEPS), which states that archaeological remains should be regarded as part of the environment to be protected and managed.

1.5 The council archaeology service has requested that the developer must undertake a Level 1 Standing Building Survey prior to demolition or development works.

1.6 The project code for 3-5 America Street is RLA-108-20.



*Illus 1 Location of 3-5 America Street, Montrose. Contains Ordnance Survey data © Crown copyright and database right 2020.*



## 2 Background

2.1 The structures at 3-5 America Street served variously as residential dwellings and a salmon/fish processing and curing works from c.1850 onwards and was in use until approximately the year 2000.

Roy's Military Survey of Scotland 1747-1755 was the oldest map consulted for this survey. No structures are reliably depicted here at this time, though the total accuracy of the Roy Map regarding this location cannot be considered definitive.

By the publication of the 1st edition Ordnance Survey maps, the area around America Street had become a bustling centre of maritime activity, including a number of surrounding boatbuilding sheds, shipyards and curing plants for the local fishing industry.

## 3 The Level 1 Standing Building Survey

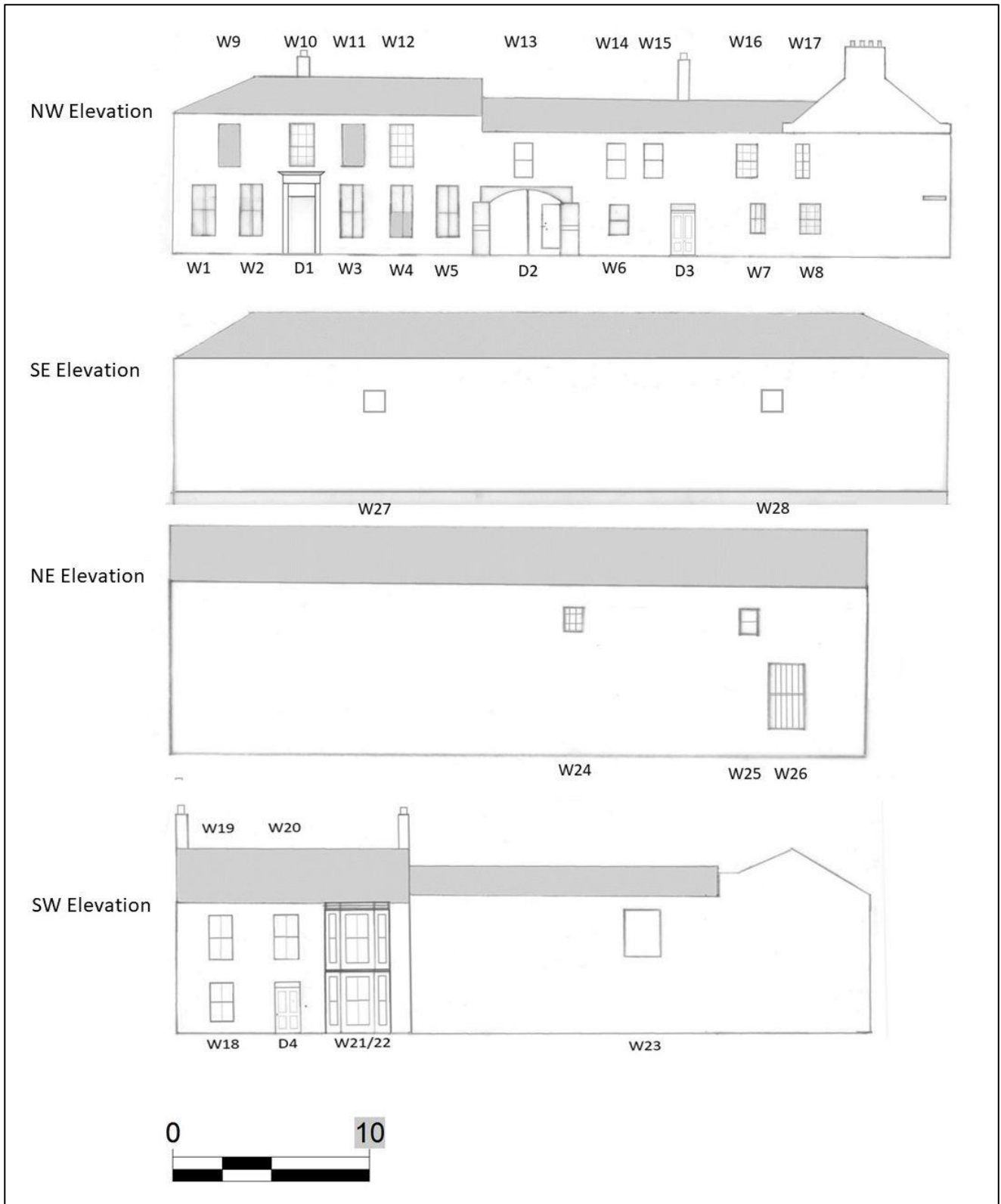
### 3.1 Recording and Survey methods

The building survey was performed on October 20<sup>th</sup> and 21<sup>st</sup>, 2020. Photos were taken with a 24mp Nikon DSLR with a 10-24mm wide angle lens, employing an external high-power strobe for unlit interior areas. In some instances, perspective correction was applied with image processing software to mimic a tilt-shift lens and obtain a more correctly rectified image.

The majority of measurements were taken with a Bosch GLM 120C professional digital laser measure and tripod, while a small number were taken using 50m and 3m tapes. The plans and elevations were drawn to 1:100 scale on site using A3 graph paper overlain with drafting film, then scanned, revised and annotated in the office. This method was chosen over modern drafting software such as AutoCAD due to the varying nature of the structures and numerous rooms within.

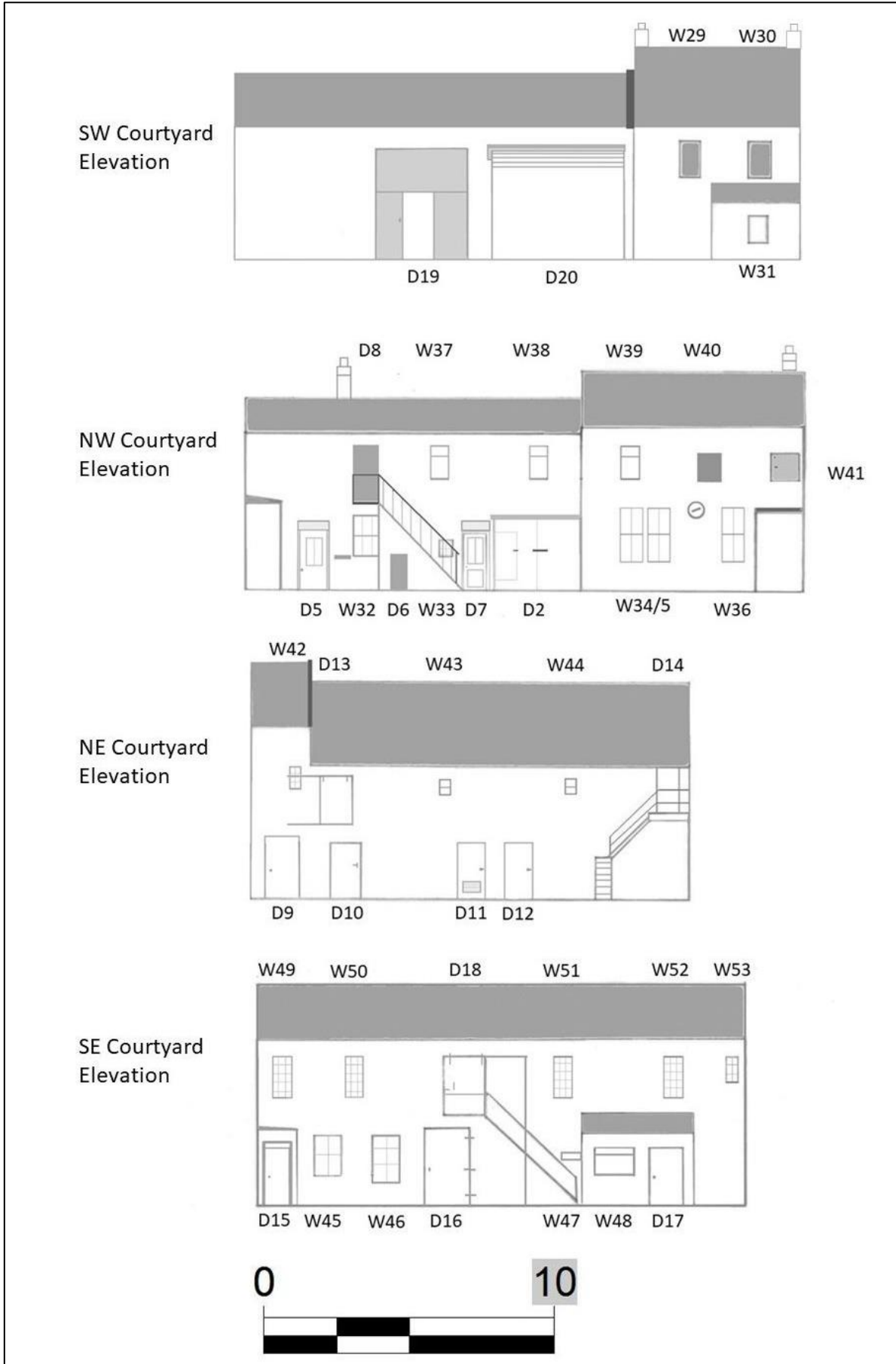
### 3.2 The Structures

3-5 America Street comprises an enclosed courtyard surrounded by four robust cojoined granite structures forming an overall footprint of 40m x 30.2m (Illus 2-5). The façade along America Street is constructed of well-dressed granite blocks with neat granite return quoins. The entire structure as seen from America Street appears at first glance largely residential in nature, though the substantial red wooden double doors - still painted Jo Johnston and Sons Salmon Fishers - hint at the primarily industrial nature of the complex. The America Street façade can be described as late- or post-Georgian with a high degree of symmetry in the location and placement of doors and windows, with only later alterations skewing this architectural balance. The residential aspect continues along the unnamed gravel lane which runs between the modern quayside and the south-west facing exterior, where a two-story façade houses double bay windows which overlook a small front garden bounded by a low, neatly-dressed granite wall. This also appears late- or post-Georgian in nature (cont p.9).

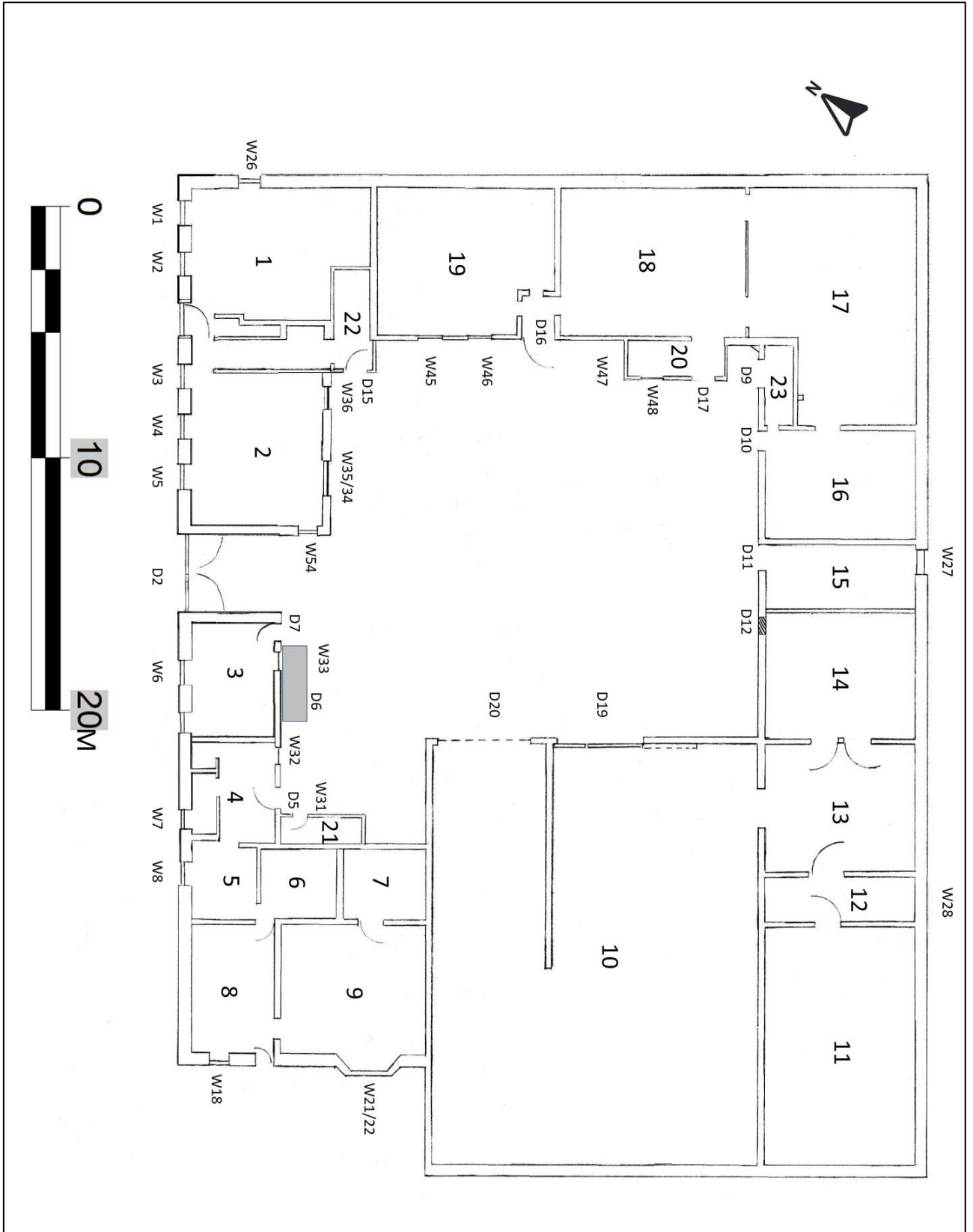


*Illus 2 Exterior elevations for 3-5 America Street, Montrose. Copyright RLA 2020.*



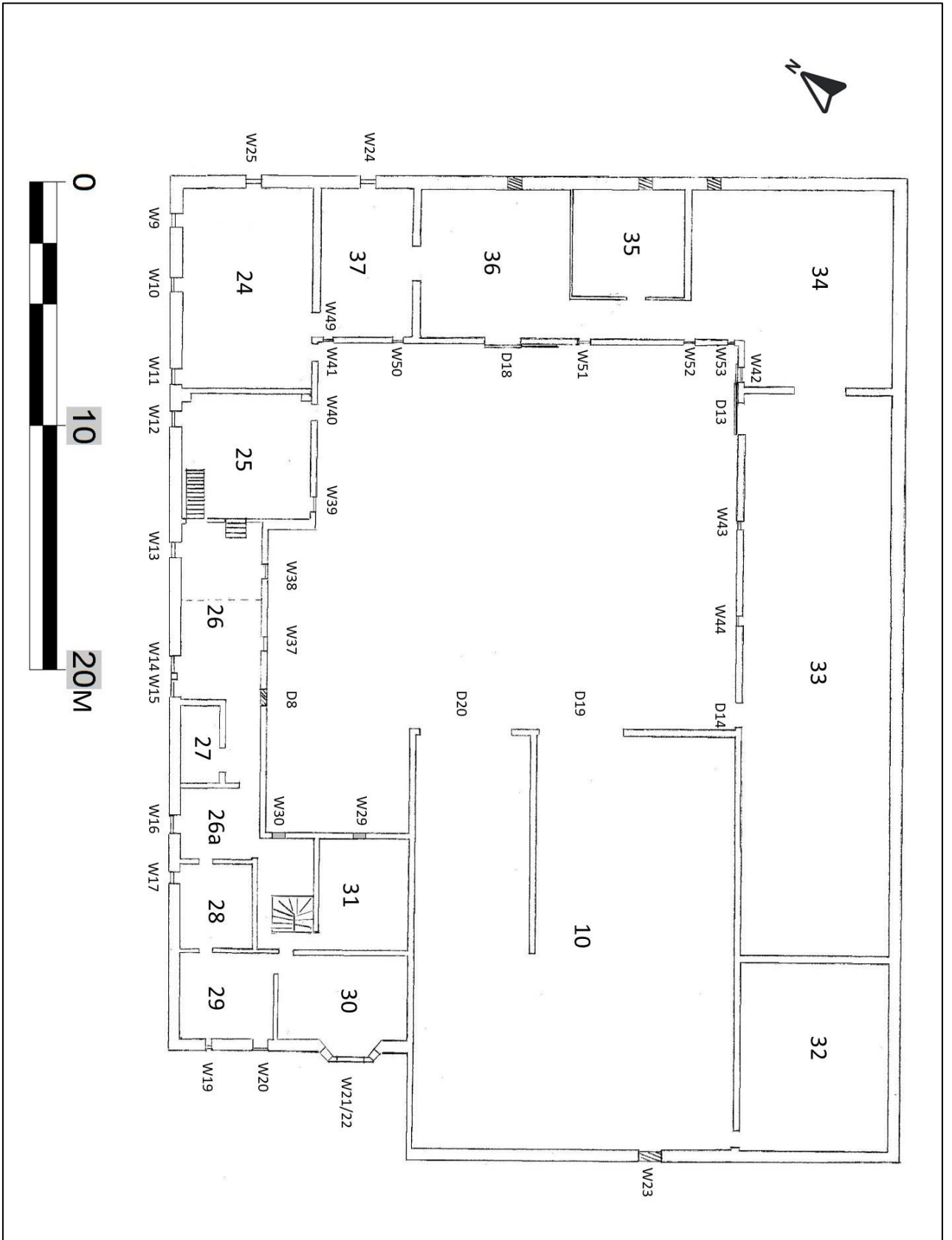


Illus 3 Courtyard elevations for 3-5 America Street, Montrose. Copyright RLA 2020.



Illus 4 Ground floor plan for 3-5 America Street, Montrose. Copyright RLA 2020.





Illus 5 First floor plan for 3-5 America Street, Montrose. Copyright RLA 2020.

(cont from p.4)

The nature of the complex is mixed between residential and commercial/industrial, with the commercial nature appearing to expand and take over residential areas later in the building's life. Specifically, rooms 1-9 on the ground floor (Illus 4) and rooms 24-31 (Illus 5) on the first floor, that is to say all the rooms which face America Street, appear to have been solely residential in earlier phases, later becoming repurposed primarily as offices. This is evidenced by the installation of a large safe and wooden/glass partition in room 2, lintels for visitors' seating areas (alcove/room 22) and maps and other commercial trappings left behind throughout these areas.

Alternatively, rooms 10-19 on the ground floor (Illus 4) and rooms 32-37 on the first floor (Illus 5) appear to have remained true to initial purposes, having solely been employed for industrial activities associated with the salmon processing and storage operations. The smell of wood-smoke, presumably from fish-smoking activities, still remains strong in the first-floor rooms facing the SE (i.e. rooms 32-34). Rooms 11 and 14 are large walk-in freezers on the ground floor on the south east facing portion of the complex which would have been used to store fish.



*Illus 6 Nos 3 & 4, America Street, façade.*



*Illus 7 Nos 4 & 5, America Street, façade.*





*Illus 8 Detail view of D2, main entranceway to courtyard.*



*Illus 9 View of 3-5 America Street, from corner of America Street and Quayside alley (R of frame).*





*Illus 10 SW façade of 5 America Street along the quayside alley.*



*Illus 11 General view of NE elevation, adjacent to lots comprising 1 & 2 America Street.*





*Illus 12 Internal courtyard – general view of SE and NE Elevations.*



*Illus 13 General view of NW and NE courtyard elevations.*





*Illus 14 The SW courtyard elevation comprising the substantial garage or warehouse extension (room 10).*



*Illus 15 Room 30, general view with bay window W22 on left overlooking quayside.*





*Illus 16 Side by side robust safes located in Room 2, ground floor.*



*Illus 17 Room 14 - one of two large walk-in freezers (view from room 13).*

The garage is a later addition, appearing sometime between the First and Second-edition Ordnance Survey maps, though the two main external doors (D19 and D20, Illus 3 & 14) are later additions or replacements, as is the corrugated roof.

Other than the residential nature of the façade along America Street, and the arguably elegant westerly portion along Fish Quay (facing south west), the rest of the external nature of the structure is quite imposing, almost fortress-like, with featureless, blank granite-block walls, largely void of ground floor windows with the exception of the north east elevation which contains W26 (Illus 2) a heavily-barred window which now faces the largely open lot comprising 1-2 America Street.

Along the south east facing elevation, the building's exterior walls were directly inaccessible, with current residential properties comprising 2-8 California Street blocking open views or access. These structures either directly abutted the walls or were spaced approximately one foot from the rear of 3-5 America Street.

**Walls:**

The robust exterior walls are mainly composed of well-finished, neat granite construction. The corners are composed of equally well-made granite return quoins. The exterior walls measure some 0.60m in thickness.

**Roof and Chimneys:**

The roofs (with the exception of the garage, room 10, Illus 5) consist of slate tiles rising to a ceramic-tile crest along America Street, with a lead-sheathed crest along the NE-facing structures with granite coping at the ends, while the garage appears to be either corrugated fibreglass or possibly asbestos. There are five chimney-stacks, one at each gabled end of the SW facing frontage of 5 America Street, one over the SW end of 4 America Street, and one centrally-located along the roofline of 3 America Street. The last one is located at the SW end of the rear row of structures, which would be located in room 32, Illus 5.

**Windows:**

<b>ID</b>	<b>Dimensions (w x h)</b>	<b>Description</b>
W1	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W2	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W3	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W4	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W5	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W6	1.0m x 2.1m	Wooden frame, neat granite surround and sill.
W7	0.8m x 1.45m	Wooden frame, no surround or sill.
W8	0.95m x 1.6m	Wooden frame, no surround or sill.
W9	1.05m x 2.0m	Neatly boarded up, possible reused door trimmed to fit, no surround or sill
W10	0.92m x 1.84m	Wooden frame, neat granite sill.
W11	0.92m x 1.84m	Boarded over with horizontal planking
W12	0.92m x 1.84m	Wooden frame, neat granite sill.
W13	0.95m x 1.6m	Wooden frame, neat granite sill.
W14	0.95m x 1.6m	Wooden frame, neat granite sill.
W15	0.95m x 1.6m	Wooden frame, neat granite sill.
W16	0.95m x 1.6m	Wooden frame, neat granite sill.
W17	0.5m x 1.6m	Wooden frame, neat granite sill.
W18	0.95m x 1.6m	Wooden frame, neat granite sill.
W19	0.95m x 1.6m	Wooden frame, neat granite sill.
W20	0.8m x 1.6m	Wooden frame, neat granite sill.



W21	1.1m x 2.0m (main) 0.55 x 2.0m (side bay windows)	Wooden frame bay window, no projecting sill but bevelled inset in neat granite rybat.
W22	1.1m x 2.0m (main) 0.55 x 2.0m (side bay windows)	Wooden frame bay window, no projecting sill but bevelled inset in neat granite rybat.
W23	1.75m x 2.0m	Blocked with corrugated steel sheet with plywood sheet over centre. Neat granite sill.
W24	0.75m x 1.0m	Wooden frame, six-panel glass, poor condition, one pane missing. No sill or surround.
W25	0.75m x 1.0m	Wooden frame, sliding glass, two panel, presumably a newer replacement window as same dimensions as W24, above. No sill or surround.
W26	1.0m x 2.0m	Wooden frame, four-pane glass. Heavy iron security bars on outside. No sill or surround.
W27	0.75m x 1.0m	Now neatly blocked with granite. Slight repair scar.
W28	0.75m x 1.0m	Now neatly blocked with granite. Slight repair scar.
W29	0.95m x 1.6m	Crudely boarded over with plywood sheeting.
W30	0.8m x 1.6m	Crudely boarded over with plywood sheeting.
W31	0.8m x 1.6m	Wooden frame with transom window at top. Neat granite sill.
W32	0.95m x 1.4m	Wooden frame, neat granite sill.
W33	0.8m x 0.8m	Wooden frame, neat granite sill.
W34	0.8m x 2.1m	Wooden frame, neat granite sill.
W35	0.8m x 2.1m	Wooden frame, neat granite sill.
W36	0.8m x 2.1m	Wooden frame, neat granite sill.
W37	0.8m x 1.6m	Wooden frame, neat granite sill.
W38	0.8m x 1.6m	Wooden frame, neat granite sill.
W39	0.8m x 1.6m	Wooden frame, neat granite sill. Was originally same size as W34-36, but bottom end was neatly blocked in granite to reduce height. Old sill from the original 2.1m high window still present.
W40	0.95m x 1.4m	Blocked by wooden door which has been neatly cut to size. Neat granite sill.
W41	1.2m x 1.4m	Also blocked by wooden door neatly cut to size with granite sill.
W42	0.8m x 1.4m	Wooden frame, no sill or surround.
W43	0.75m x 1.0m	Wooden frame, sliding glass, two panel. No sill or surround.
W44	0.75m x 1.0m	Wooden frame, sliding glass, two panel. No sill or surround.
W45	0.95m x 1.4m	Wooden frame, no sill or surround. Was originally 0.95 x 1.6m as W46, below, but base was neatly block up to reduce window height.
W46	0.95m x 1.6m	Wooden frame, no sill or surround.
W47	1.2m x 0.25m	A small 'slot' window with wooden frame and partially blocked with a piece of plywood sheeting.
W48	1.2m x 1.0m	Wooden frame, small transom window at top. Concrete sill.
W49	0.5m x 1.6m	Wooden frame, no sill or surround.
W50	0.5m x 1.6m	Wooden frame, no sill or surround.
W51	0.5m x 1.6m	Wooden frame, no sill or surround.
W52	0.5m x 1.6m	Wooden frame, no sill or surround.
W53	0.5m x 0.8m	'Half-height' version of W49-52. Wooden frame, no sill or surround.

## Doors

ID	Dimensions (w x h)	Comments
D1	1.0m x 2.0m (2.7m with transom window)	Double wooden door, neat granite rybat and hood. Primary entrance for 3 America Street.
D2	3.3m x 2.6m	Robust wooden double doors serving as primary service entrance to inner courtyard for vehicles or wagons. Slight arched top. Smaller 'pedestrian' door set within R door half, measuring 0.9m x 2.0m. Heavy iron hinges and prop rod on interior to fix doors in open position, presumably against wind gusts. Heavy wooden plank in slider to lock from interior, also smaller but heavy steel slider across inner door. Marked with hand-painted 'Jos Johnston & Sons Salmon Fishers' – this appears to be painted over the original script in relatively recent years.
D3	1.0 x 2.0m (2.4 with transom window)	Same design as D1, double wooden doors, granite rybats, however this entrance lacks the ornamentation of D1 with no hood or surround. Transom window at top.
D4	1.00m x 2.00m (2.3m with transom window)	Wooden single door, granite forestep, granite rybats with transom window at top. Victorian-style lever for internal door knocker or chime to R of door at shoulder height. No exterior hood or other ornamentation. Primary entrance to No.5, America Street.
D5	1.0 x 2.0m (2.3 with transom)	Single wooden door set within wooden frame, upper half of door contains a two-pane window.
D6	0.8m x 1.1m	Small entryway for crawl-space below external staircase. Now blocked with painted brickwork.
D7	1.0 x 2.0m	Single wooden door set within wooden frame, upper half of door contains a two-pane window.
D8	1.0m x 2.0m	Doorway now sealed by neat granite blocks. Scar is slightly visible due to lighter shade of infill stone, although quality of job is high and was done with care.
D9	1.2m x 2.0m	Heavy wooden service door, set within wooden frame. Period cast-iron doorknob.
D10	1.0m x 1.8m	Wooden service door and wooden doorframe. Modern aluminium replacement handle.
D11	1.0m x 1.8m	Wooden service door and wooden doorframe. Lower half of door contains large metal louvered vent. Granite forestep.
D12	1.0m x 1.8m	Wooden service door and wooden doorframe. Granite forestep.
D13	1.6m x 2.0m	Large wooden sliding door located on first floor with wooden frame and mechanism, although the upper slide has been replaced with a more modern galvanised steel slider. This is a loading door for carts or wagons parked on the courtyard below and not used for pedestrian access unless there were



		removable steps in use at some point (no stairs!)
D14	0.9m x 2.0m	Recessed wooden door, no frame, Neat granite rybats.
D15	1.0 x 2.0m (2.15 with transom)	Wooden door set within wooden frame. Small transom window set above.
D16	1.6 x 2.0m	Heavy wooden service door, wooden frame.
D17	1.1m x 1.8m	Wooden service door for alcove, set within wooden frame. Period cast-iron doorknob.

## 4 Discussion and Conclusions

While there is no reliable indication of structures in the vicinity of America Street on Roy's Military Map of 1747-1755, there is little doubt that the area was prime commercial property by the late 18<sup>th</sup>/early 19<sup>th</sup> centuries as development as fishing and merchant trade rapidly expanded in and around Montrose Basin and in particular, the deep-water anchorage for larger vessels provided along the quayside adjacent to America Street. By the First-edition Ordnance Survey map of 1862, the entire area is a complex, well-developed series of commercial and industrial structures, including ship-building yards, an iron foundry, starch works, a flax mill and a fish curing works. The structures comprising 3-5 America Street in themselves represent a once-bustling complex of residential, commercial and industrial areas which primarily served in direct support of the salmon or greater fishing industry in Montrose, being situated immediately on the old quayside. The quality and high expense associated with their robust, well-made construction is still evident today. While the original residential nature of many of the rooms is greatly diminished or gone altogether, the more utilitarian areas are currently used as storage.

The overall footprint of the entire complex is largely unchanged in plan from the layout depicted on the 1<sup>st</sup> edition Ordnance Survey maps. The only exception to this is the second-edition Ordnance Survey map, at which point the garage area had been extended inward into the courtyard (Illus 7 & 8). From this point onwards, the overall footprint of the structures remained consistent up to the present day.



*Illus 18 Shaded area depicting the original footprint of the complex, c.1850-1862. Only the garage extension (room 10) was later added sometime between the 1<sup>st</sup> and 2<sup>nd</sup> Edition Ordnance Survey maps, replacing a smaller rectangular structure which is depicted on the earliest map.*

## 5 Acknowledgements

Thanks to Mark Cessford of Rix Shipping, Scotland for commissioning this project, and to Claire Herbert of the Aberdeenshire Council Archaeology Service for her help and advice.

## 6 References

### Electronic References

[www.nls.uk](http://www.nls.uk)

[www.pastmap.org.uk](http://www.pastmap.org.uk)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

[www.canmore.org.uk](http://www.canmore.org.uk)

<https://online.aberdeenshire.gov.uk/smrpub/default.aspx>



# Appendix 1 Historical Map Regression

## Historical Map Regression

Maps consulted include:

Roy's 'Military Survey of Scotland' 1747-1752.

Ordnance Survey Maps:

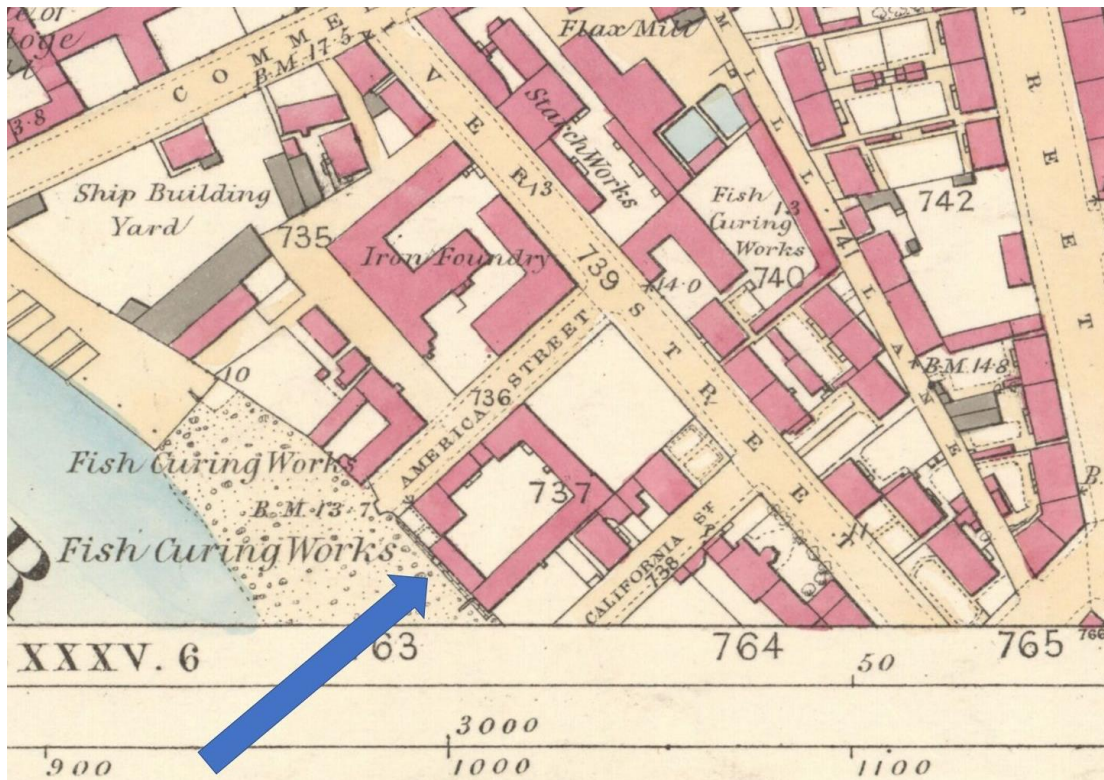
25 inch to the mile, 1st edition Forfarshire XXXV.2 (Montrose) Survey date: 1862 Publication date: 1863

25 inch to the mile, 2nd edition Forfarshire XXXV.2 (Montrose) Publication date: 1903 Revised: 1901 to 1902

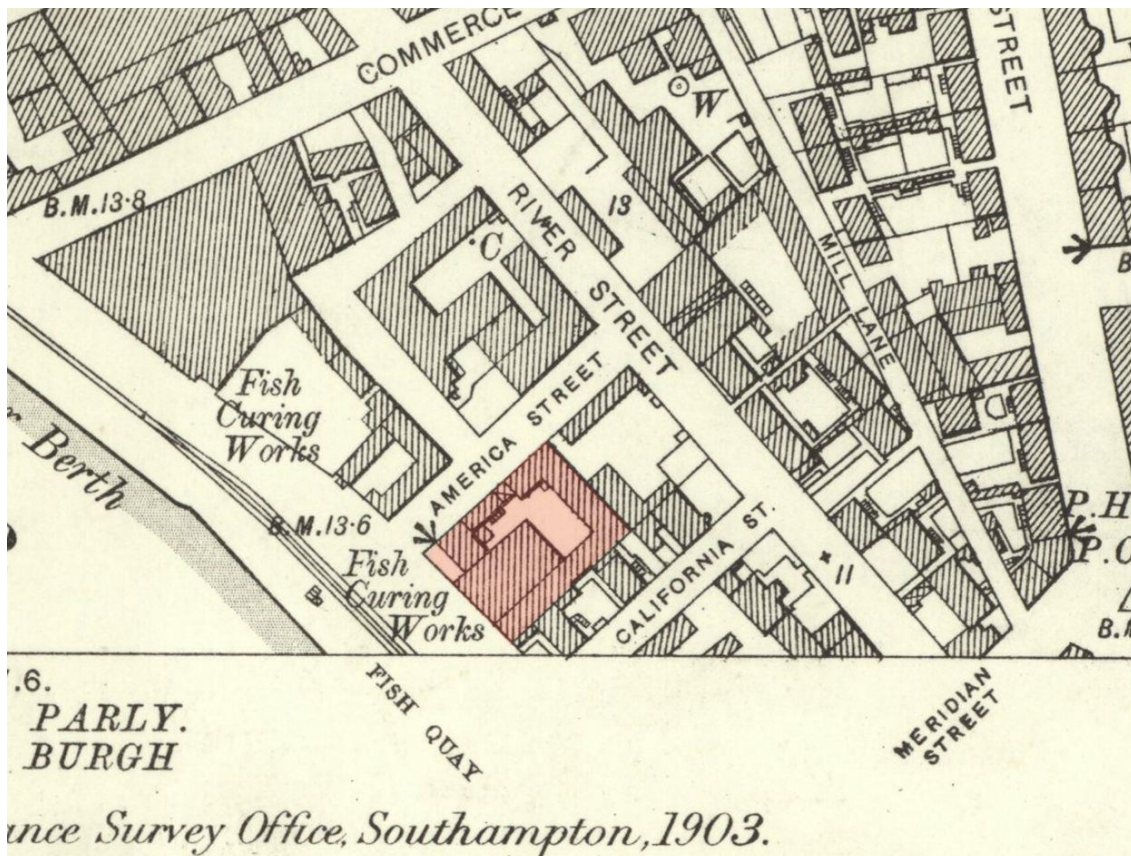
25 inch to the mile, 3rd edition Forfarshire XXXV.2 (Montrose) Publication date: 1924 Revised: 1922 to 1923 Levelled: 1901



*Illus 19 Roy's Military Survey of Scotland 1747-1752 showing approximate location of site. Image c. National Library of Scotland 2020.*

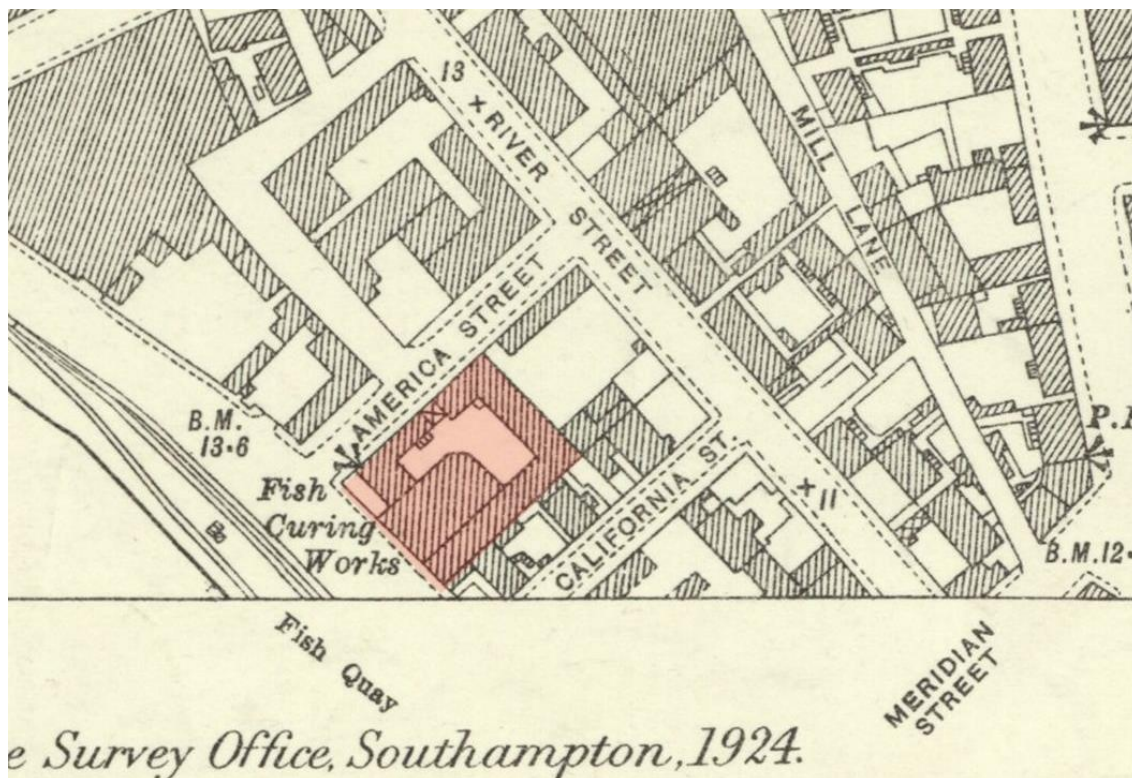


Illus 20 First Edition Ordnance Survey 25 inch to the mile map, Forfarshire XXXV.2 (Montrose) Surveyed 1862, published 1863. Copyright National Library of Scotland 2020.



Illus 21 Second Edition Ordnance Survey 25 inch to the mile map, Forfarshire XXXV.2 (Montrose) Published 1903, revised 1901 to 1902. Copyright National Library of Scotland 2020.





Illus 22 Third Edition Ordnance Survey 25 inch to the mile map, Forfarshire XXXV.2 (Montrose) Published 1924, revised 1922 to 1923, levelled 1901. Copyright National Library of Scotland 2020.

## Appendix 2: Photographs

Photo ID	Comments
RLA-108-1	General NE view of 3-5 America St on corner of America Street and the quayside alley.
RLA-108-2	General NNE view of 3-5 America St on corner of America Street and the quayside alley.
RLA-108-3	3/4 America Street façade, overlapping photo 1
RLA-108-4	3/4 America Street façade, overlapping photo 2
RLA-108-5	3/4/5 America Street façade, overlapping photo 3
RLA-108-6	3/4/5 America Street façade, overlapping photo 4
RLA-108-7	4/5 America Street façade, overlapping photo 5
RLA-108-8	External view of robust courtyard entrance doors (D2)
RLA-108-9	SW Façade of 5 America Street, as viewed from quayside fence opposite alleyway.
RLA-108-10	Detail of bay window W21 with door D4 to left of frame
RLA-108-11	Detail of door D4 with windows W18-20
RLA-108-12	Detail of external doorbell mechanism, to R of D4.
RLA-108-13	View of SW facing elevation adjacent to 5 America Street
RLA-108-14	View of SW facing elevation adjacent to 5 America Street looking towards California Street
RLA-108-15	Internal view of door D2 from courtyard
RLA-108-16	Internal view of NW courtyard elevation
RLA-108-17	Internal view of NW courtyard elevation
RLA-108-18	Internal view of SE/NE courtyard elevations

RLA-108-19	Internal view of SE courtyard elevation
RLA-108-20	View of SW courtyard elevation, entrance to garage
RLA-108-21	NW elevation adjacent to lot comprising 1-2 America Street
RLA-108-22	View of room 10, garage, from door D20
RLA-108-23	Doorway connecting room 13 to 12, freezer area
RLA-108-24	View into room 14, large walk-in freezer, photo from room 13
RLA-108-25	Staircase rising from room 6, leading upstairs to foyer in 26a
RLA-108-26	Wood-panelled bathroom/toilet from room 4
RLA-108-27	Room 8, looking to quayside. Note period maps affixed to walls.
RLA-108-28	Room 8, looking to quayside. Note period maps affixed to walls.
RLA-108-29	Room 9, ground floor, view of bay window W21
RLA-108-30.1	Room 30, first floor, general view
RLA-108-30	Room 30, first floor, view from bay window W22
RLA-108-31	Room 28, with doorway to room 29 open.
RLA-108-32	Room 29, with view of quayside visible through W17
RLA-108-33	Room 26a leading to rooms 26/27
RLA-108-34	Room 26 with staircase on L leading down to ground floor and centre steps leading to R25
RLA-108-35	Room 26 with staircase on L leading down to ground floor and centre steps leading to R25
RLA-108-36	Room 25 looking towards R26
RLA-108-37	Heavy pair of safes located in R2, next to wood and glass partition
RLA-108-38	General view of Room 2. America Street lies outside W3-5 to left of frame
RLA-108-39	View of Room 1 with wood-panelled alcove
RLA-108-40	Windows 1 & 2 out to America Street, Room 1
RLA-108-41	Alcove, entryway and seating area (bench), Room 22. Safe is behind wood/glass partition to L of frame
RLA-108-42	Room 19, looking towards courtyard through W45 & 46
RLA-108-43	Room 18, currently tyre/wheel storage
RLA-108-44	Room 16, machine and tool storage
RLA-108-45	Room 15 with modern concrete floor and fuse/circuit breaker boxes
RLA-108-46	External detail view of NE courtyard elevation, sliding door D13
RLA-108-47	Detail of NW courtyard elevation
RLA-108-48	General view of courtyard SW elevation, from elevated landing outside D18
RLA-108-49	General view of courtyard NW/SW elevation, from elevated landing outside D18
RLA-108-50	General view of courtyard NW/SW elevation, from elevated landing outside D18
RLA-108-51	Room 37, general view
RLA-108-52	Room 36, general view
RLA-108-53	Room 34, workshop area
RLA-108-54	Room 34, workshop area with corridor and entrance to later panelled room 35 to left of frame
RLA-108-55	Room 34, looking towards substantial room 'Great hall' 33



RLA-108-56	View of 'Great hall' room 33 from 34.
RLA-108-57	'Great hall' room 33, a substantial industrial space
RLA-108-58	Internal view of D2, with pedestrian entrance open.



# 1-5 AMERICA STREET MONTROSE

Job No. 204027

## BUILDING CONDITION REPORT

Interpretive report and recommendations from site observations and desk top study.

**Nathan D. Murray**

BEng (hons) MSc. CEng MStructE



## **INTRODUCTION**

### **Project Brief**

At the request of Project Management (Scotland) Ltd., on behalf of Rix Shipping (Scotland) Ltd., Griffen Design Ltd. visited the properties at America Street, Montrose to inspect the structural condition on Monday 9<sup>th</sup> November 2020. It is proposed that the disused buildings at 1-5 America Street are redeveloped to provide modern and usable facilities for Rix Shipping (Scotland) Ltd.

### **Site Location & Overview**

The site is located between the Harbour (South) and River Street (North), and between America Street (West) and California Street (East). The properties accessed on California Street are private dwellings and are not part of the redevelopment works.

There are predominantly 4 distinct sections of buildings on site.

1. Managers House occupying the corner between America St. and the Harbour.
2. Offices occupying 1-5 America St.
3. Workshops & Stores forming the North and East buildings
4. Workshop/Store forming the infill in the Harbour elevation between the Managers house and the older workshops and stores southern gable.

## **HISTORY**

### **Historical Maps**

The quadrangle of buildings was constructed between 1840 and 1860 and are shown on the OS map of 1865. The buildings were originally built as a fish curing works and Managers House for Joseph Johnston & Sons Ltd.

The OS map published in 1904 shows a several changes to the footprint as follows

1. A row of buildings extending beyond No5 America Street to River Street.
2. New buildings on California Street
3. A section of the south elevation adjacent to the Managers House has been increased in depth (forming section 4 noted above).

The OS maps published in 1927 and ca1950 do not appear to show any significant changes.

In the intervening period the buildings extending beyond No5 America Street to River Street have been demolished. There is also a series of newer buildings within the yard bounded by River Street.

The surrounding buildings along the Harbour frontage from Wharf Street to Cobden Street have all been redeveloped to provide more functional space. The Wet Dock, shown on the OS maps up to ca1950, to the east of Meridian Street has been filled in and new buildings constructed.

## **BUILDING OBSERVATIONS**

For the purposes of clarity, the quadrangle of buildings is split into the 4 sections, noted in the overview, as follows.

1. Managers House
2. America Street Offices
3. Old Workshop/Stores (River Street (north) & California Street (east))
4. New Workshop/Store (Harbour)

### **1 Managers House**

#### **1.1 Description**

The Managers House is typical of mid-19<sup>th</sup> century construction. Two storey dressed stone elevations, now rendered, with timber duo-pitch trussed roof and timber floors. The external stone walls, approximately 500mm thk, are presumed to be rendered for weatherproofing and covering repairs. The front elevation has a double height bay window to the east and a small distance to the newer workshop (Section 4). The floor to ceiling height is 2750mm.



**Photograph 1.01 Managers House**

#### **1.2 Observations**

These buildings are generally quite robust and this example is consistent with others of this period.



### 1.2.1 Roof

The roof is a timber A frame at approx. 400mm to 450mm c/c and appears to be in reasonably good condition for its age, the ridge looks level and straight as observed in photograph 1.01, as do the gutters. The gutters have rusted over the years and look to be needing some repair and maintenance.

Internally the roof appears to have had a number of leaks which is not uncommon for a building of this era. As shown in photograph 1.04 the sarking and rafters are stained as evidence of moisture/water ingress.



**Photograph 1.02 Managers House – Roof Trusses**

### 1.2.2 External Elevations

There two areas of cracks on the front elevation.

The first, shown in photograph 1.02, is a vertical crack from the upper floor cill down through the ground floor lintel. The crack is not very wide, approx. 2.0mm, and may be limited to the render only but we cannot confirm from our visual inspection and further inspection is required.



**Photograph 1.02 Managers House - External Wall - Crack 1**

The second area of cracking is around the bay window. There are numerous cracks at the ground floor lintel and 1<sup>st</sup> floor cill with the concrete/stone shown to be cracked right through in places. A mullion also appears to be damaged. The photograph also shows localised staining to the cill and wall recess.



**Photograph 1.03 Managers House - External Wall - Crack 2**

The gable is in fair condition. The gutter unusually runs across the gable at eaves height meeting the downpipe at the rear eaves, the downpipe runs down the wall into a channel in the pavement.





**Photograph 1.04 Managers House - External Wall – Gable Drain**

The chimney exhibits light cracking and the render appears very damp at ground floor level and the render is stained green at the base. The base render is also cracked and chipped away in segments.



**Photograph 1.05 Managers House - External Wall - Gable**

The rear elevation was covered with storage items proving difficult to see. There is also a lean-to extension to the right on the ground floor.



**Photograph 1.06 Managers House - External Wall – Rear Elevation**

### 1.2.3 Internal

The floors are fairly even and only a slight unevenness to the upper timber floor, there is some patchwork to the floorboards but nothing serious. The ground floor is concrete/screed, we do not know the build-up or thickness of the floor.



**Photograph 1.07 Managers House – 1<sup>st</sup> Floor**



The current occupiers have cleared and ventilated the building. There is some condensation internally and there is dampness in the air, evident on the walls. Externally the dampness is shown at ground level and the window cills where the walls have darkened and turned green, see photograph 1.01 & 1.04. Internally there is dampness rising at ground level, see photograph 1.08, and also on the fireplace wall, see photograph 1.09.

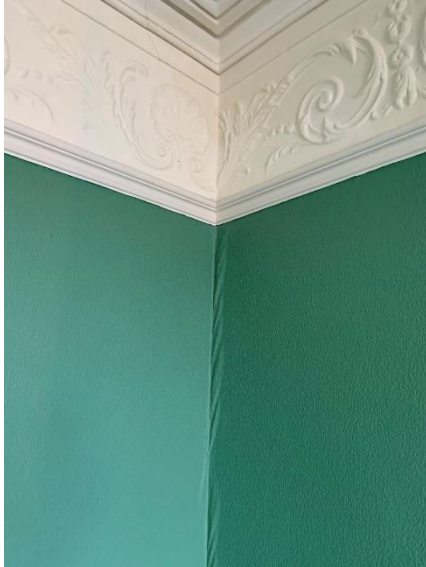


**Photograph 1.08 Managers House - Internal Wall Dampness**



**Photograph 1.09 Managers House - Internal Wall Fireplace & Dampness**

There is evidence of some settlement within the building. This is highlighted at internal wall junctions, see photograph 1.10, where the wallpaper has moved relative to the adjacent wall.



**Photograph 1.10 Managers House - Internal Wall - Settlement**

There is also cracking around the bay window internally replicating the cracks observed externally, see photograph 1.11.



**Photograph 1.11 Managers House - Internal Wall – Bay Window Cracking**



## 2 America Street Offices

### 2.1 Description

The terrace is split in two sections. Section 2a located between the Managers House and the arch has the same eaves height as the Managers House and beyond the arch, section 2b, the eaves height steps up, see photograph 2.01.

The offices on America Street are of similar construction to the Managers House. The roof is a timber A Frame with hipped roof at north end and finished in slate. The floors are timber joists and the walls are 500mm thk stone, now rendered. The ground floor is concrete throughout. Section 2a had a hole exposed showing the slab to be at least 150mm thick and the stone extending 400mm below floor level, the base of the wall was not exposed.



**Photograph 2.01 America Street Offices - External Elevation**

### 2.2 Observations

#### 2.2.1 Roof

The roof is in fair condition. The ridge is reasonably level and only a couple of minor bumps to the ridge capping. A slight sag is evident at each side of the change in height. Also observed are distorted slates and damp patches along the gutter line. The slates are also discoloured green.

Internally the roof is a raised tie, the sarking and rafters are discoloured showing possible water ingress and leaks.



**Photograph 2.02 America Street Offices – Roof Internal**

### **2.2.2 External Elevations**

America Street elevation is in similar condition to the Managers House. The stone has been rendered, likely for waterproofing and repair work. The base is damp and green and there are numerous areas along the base that have weathered, cracked and spalled off.



**Photograph 2.03 America Street Offices - External Elevation – Base Render Spalling**



At the north end of the arch there is a crack emanating from the bottom north side of the lintel down into the arch. There is also a crack located on the north end of the lintel.



**Photograph 2.04 America Street Offices - External Elevation – Crack at Arch**

Within the archway there is a vertical crack approx. 2.0mm wide and 600mm back from America Street. This indicates that there has been some movement due to the archway and possibly from vibration caused by vehicles passing through the archway or along America Street.



**Photograph 2.05 America Street Offices - External Elevation – Crack in Archway**

The internal quadrangle has had some changes. There was clearly a structure located where the stairs are located, the discoloured render raking up the wall signifies a structure was there. The doors and windows are all at varying heights. We also observed the slates along the gutter line are patchy, see photograph 2.06 to the north of the window.



**Photograph 2.06 America Street Offices - Quadrangle External Elevation – Section 2a**

The lintel over the archway to on the inner quadrangle side has failed, see photographs 2.07, 2.08 & 2.09. There is excessive deflection at midspan resulting in the step at the base of the wall and cracking from the window cill to the lintel.



**Photograph 2.07 America Street Offices - Quadrangle External Elevation – Arch Lintel**



The support condition has also failed and in a dangerous condition. There is excessive crushing and movement at the support.



**Photograph 2.08 America Street Offices - Quadrangle External Elevation – Arch Lintel Support**



**Photograph 2.09 America Street Offices - Quadrangle External Elevation – Arch Lintel Support**



**Photograph 2.10 America Street Offices - Quadrangle External Elevation – Section 2b**

This section of offices has a higher eaves height and deeper building resulting in an increased ridge height. The general construction remains as per section 2a, timber truss roof and timber joists with stone walls.



**Photograph 2.11 America Street Offices - Quadrangle External Elevation – Section 2b – Corner Crack**

On the wall projecting out from the archway there is a vertical crack at higher level. It coincides with the cable fixings but is also evident at lower level and also tails off towards the window lintel.





**Photograph 2.12 America Street Offices – Internal - Stairs**

There are numerous cracks internally. Particularly over the archway. The remainder are likely to be cosmetic from a lack of heating and excessive moisture.



**Photograph 2.13 America Street Offices – Internal - Cracks**



**Photograph 2.14 America Street Offices – Internal - Cracks**

### **3 OLD WORKSHOP/STORES**

#### **3.1 Description**

The construction is consistent with the previous sections. Timber truss roof with slate finish and timber intermediate floor. The external walls are stone which has been rendered. The ground floor layout is split into rooms of various sizes, in some areas the headroom is limited. There are some rooms fitted out as cold stores. There are several steel beams supporting the intermediate floor further compromising the headroom.

#### **3.2 Observations**

The different previous uses of areas in this section of the building have rendered the ground floor quite inconsistent, various different floor levels and ceiling heights. There are also little or no windows on the elevations leaving very dark and damp areas. It can be seen from photograph 3.01 that some windows to the upper floor have been blocked up.

The east wall could not be observed from California Street and so the condition of this wall remains unclear.





**Photograph 3.01 Old Workshop/Store – Rear Elevation**

### **3.2.1 Roof**

The roof is a timber A-frame with timber sarking and slate finish. At each end the roof hips at the corners. The ridgeline is in fair condition. The eaves is similar to the previous, damp patches, loose slates and rusted gutters. There are several rooflights along the length of the roof.

The central section beside the loft stairs has undergone some damage. The trusses in this area are blackened, the sarking is stained, several damp patches on the ceiling and some ceiling panels missing.



**Photograph 3.02 - Old Workshop/Store - Roof**

### 3.2.2 External Elevations

The rear elevation appears to be in good condition. The render is in its best condition of all sections of the building. There remain the damp patches at the eaves and base with green staining at the base. Some window openings have been blocked up and there are only 2 small windows on the rear elevation.

The California Street elevation was only observed at a distance and internally as no permission was granted to neighbours properties. There are however a few vertical cracks observed to the upper level above the garden lean-to at the Harbour end of California Street.



**Photograph 3.03 - Old Workshop/Store – California Street Elevation**

The quadrangle elevations have two single storey lean-to additions and we can see a structure has been removed from one elevation, see photograph 3.06 where a line from the red door diagonally to the window above. This photograph also shows blocked up and altered openings.

The damage to the walls appears worse on this elevation. There are several cracks emanating from the gutter line (see photograph 3.04), in particular at the head of the downpipe where several large cracks are observed and a vertical crack the full upper level. There is another diagonal crack from eaves to lintel at the second window and another at the sliding door.

The ground floor has more cracks around the head of each window and door shown in photograph 3.04. The 6 pane window may have been a door previously noting the lower cill and vertical cracks each side from cill to ground. However, there is little consistency in door and window sizes and levels.





**Photograph 3.04 - Old Workshop/Store – Quadrangle Elevation 1**



**Photograph 3.05 - Old Workshop/Store – Quadrangle Elevation 2**



**Photograph 3.06 - Old Workshop/Store – Quadrangle Elevation 2**

### **3.2.3 Internal**

The ground floor is concrete throughout but there are steps, ramps and run-off slopes in various locations throughout the ground floor.



**Photograph 3.07 - Old Workshop/Store – Ground Floor**





**Photograph 3.08 - Old Workshop/Store – Ground Floor**

The intermediate floor is supported on the existing walls and several steel beams. The internal room arrangement is likely to have been altered over the years incorporating the steel beams. The beam supports look slightly compromised. There is rust staining indicating water penetration. This could be from the fish curing process or a building defect. There are also cracks observed at the support, see photograph 3.09, indicating either accidental damage or a building defect.



**Photograph 3.09 - Old Workshop/Store – Steel Beams**



**Photograph 3.10 - Old Workshop/Store – Steel Beams Support**

The ground floor room configuration comprises a number of smaller compartments some of which have been specially constructed, possible cold stores etc. We note the prop in specialist room 2, photograph 3.13, which is supporting the plasterboard, no corresponding movement was noted above.



**Photograph 3.11 - Old Workshop/Store – Steel Beams / Brick Walls / Floor Joists**





**Photograph 3.12 - Old Workshop/Store – Specialist Room 1**



**Photograph 3.13 - Old Workshop/Store – Specialist Room 2**

The upper level consists of larger rooms separated by a combination of stone and timber walls. The rooms at each side of the building, on the America and California Street elevations, have been stripped back to reveal the roof truss and stone walls. The central or north section has retained the plasterboard to the walls and ceiling.

The roof truss type varies from a raised tie at the America Street end to an A frame through the remainder. It can be seen that the wallhead height varies from 3.1m in the central section to a low of

approx. 2.0m at the California Street elevation. There is a step in the floor of 800mm going into the America Street floor area.

In many areas the stone and brick walls are tired and friable. They have been whitewashed possibly to provide some protection but this is worn or eroded off.



**Photograph 3.14 - Old Workshop/Store – Upper Floor America Street**



**Photograph 3.15 - Old Workshop/Store – Upper Floor Central Section**





**Photograph 3.16 - Old Workshop/Store – Upper Floor Central Section / California Street Corner**



**Photograph 3.17 - Old Workshop/Store –California Street**

The roof is in a fair condition, similar to other sections of the roof observed, some moisture staining observed on the sarking and some leaching on the wall surfaces.



**Photograph 3.18 - Old Workshop/Store –America Street Roof**



**Photograph 3.19 - Old Workshop/Store –California Street Roof**

There are alterations and repairs carried out on the elevations, as shown in photograph 3.20. Brickwork shown to form new door opening. Photograph 3.21 shows a vertical crack at the junction between the internal and external wall. It appears that the internal and external wall are separating. The photograph also shows some brick infill and a new lintel.





**Photograph 3.20 - Old Workshop/Store –California Street Wall**



**Photograph 3.21 - Old Workshop/Store –California Street Wall Crack**

The lintels are timber. This is an area of concern when there is evidence of moisture. The lintel can rot causing a loss of structure around the opening.



**Photograph 3.22 - Old Workshop/Store –California Street Wall Lintel**

#### **4 NEW WORKSHOP/STORE**

##### **4.1 Description**

This section of the quadrangle is of a very different and newer construction. The roof is a double span duo-pitch metal truss with timber purlins spanning between trusses and a corrugated sheet roof. A steel beam supports the trusses at the internal valley. The walls are brick with piers below truss ends. The ground floor is a ground bearing concrete slab and there is a concrete intermediate floor, partially precast slabs and partial reinforced concrete.



**Photograph 4.01 - New Workshop/Store**



## 4.2 Observations

### 4.2.1 Roof

The roof is a corrugated sheet. It is likely that this is a form of asbestos sheeting. Internally there are no significant or obvious signs of water damage.



**Photograph 4.02 - New Workshop/Store - Roof**

### 4.2.2 External Elevations

The Harbour elevation has a forming opening blocked up. There is a horizontal crack along the length of this lintel and also a vertical crack from the end bearing up to the eaves. There is a similar crack over the right hand opening in the quadrangle. This indicates there is a poor detail or fixing used on both sides leading to a fault.

The return elevation to the Managers House is bulging and has several cracks. There appears to have been something bolted to this wall which may have caused the damage.



**Photograph 4.03 - New Workshop/Store – Harbour Elevation**



**Photograph 4.04 - New Workshop/Store – Return to Managers Office**





**Photograph 4.05 - New Workshop/Store – Quadrangle Opening**

#### **4.2.3 Internal**

There is a series of brick walls forming smaller offices/stores/toilets. The ceilings over are precast concrete on the California Street side and reinforced concrete towards the Managers House. The reinforced concrete ceiling has been partially removed and in sections is in a precarious condition.



**Photograph 4.06 - New Workshop/Store – Internal**



**Photograph 4.07 - New Workshop/Store – Precast Ceiling/Floor**



**Photograph 4.08 - New Workshop/Store – Reinforced Concrete/Floor**





**Photograph 4.09 - New Workshop/Store – Reinforced Concrete/Floor**

## **DISCUSSION**

### **Overview**

It can be seen from our observations that the buildings have undergone several changes during their lifetime. From minor alterations to the layout and door/window openings to major changes such as the addition and removal of the structures within the quadrangle, the addition and subsequent removal of buildings projecting north of No5 America Street and demolition and construction of the new workshop/store on the Harbour Elevation.

### **Condition**

The roof throughout is in fair condition. There are several patches where the ridge and slates require minor repairs. Also, the gutters need maintenance. The external walls are all rendered which usually is sign of trying to repair or protect against water penetration and there are signs throughout of damp, moisture and water. Given the Harbour location, the exposure to driving wind and rain could lead to this type of problem. Further to this the previous use as a Fish Curing works was likely to use a lot of water.

It is possible that the render is hiding the true condition of the walls. The areas exposed appear worn and the mortar crumbly. This could have a detrimental effect on the wall strength.

The timber floors seem in good condition. There will be areas needing repaired but generally we did not observe excessive deflection, bounce or vibration.

The support leading into the quadrangle from America Street needs to be removed and replaced. The supports need to be repaired. This should be attended to as a matter of urgency.

### **Re-Use**

The ground floor layout in particular is split into a number of small rooms and compartments. The floor level is not consistent throughout, there are a number of small steps, ramps and slopes. This must be in connection with the fish curing and ease of washing out the floors. The section of the ground floor exposed did not reveal any insulation or damp proof membrane.

The intermediate floor level varies little across the site. The Managers House stepping up at the arch and then dropping 800mm into the central section and maintaining this level through the California Street elevation.

In order to re-use the building the ground floor would need to be removed and replaced with a suitable ground bearing slab with insulation and damp proofing. The timber intermediate floors would need to be designed to up to date standards and floor loadings. This will likely require additional joists and steel floor beams to meet current standards.

All masonry cracks should be exposed and repaired. Given the number and location of the cracks this would be a massive undertaking.

The re-use of the building would limit the works suitable for occupying the building. The modern plant, machinery and size and weight of storage products have increased in size. The re-use of the building would limit the potential for modern equipment.

### **Replacement**

The current proposal shows the demolition of the internal structure leaving the perimeter external walls, façade, and part of the Managers House. A new purpose-built portal frame structure constructed within the site and car parking to the rear.

The perimeter walls are tall, in excess of 5.0m in places. It is unlikely that such a tall slender wall would be structurally adequate. Currently the masonry walls are split into panels, horizontally by the roof and floor and vertically by return walls (rooms).

The façade retention can be constructed either in masonry, steelwork or a combination of both. The buttresses should be between 1.8m and 2.4m in length and the full height of the wall. These should be located where existing walls are located, long wall sections may need to be subdivided. A steel lattice could be fixed at floor and wall level between buttresses. Special consideration would need to be made of the chimney located on the Managers House gable which is to be retained.

Provided an analysis of the façade is carried out a suitable façade retention scheme can be produced. This scheme will provide safe reuse of the external walls and there will be no impact to the houses located on California street.



## **RECOMMENDATIONS**

We would recommend that the buildings are removed and replaced as per the proposed plans. A façade retention scheme will need to be designed with special consideration of the Managers House chimney on the America Street gable.

The perimeter wall should be stripped of all existing render and all cracks repaired, wall repointed on both externally and internally (current position) and rendering re-applied to both sides.

In the intervening period we further recommend that the timber lintel leading into the quadrangle off America Street is temporarily propped at the south end and at mid-span.

We recommend the reinforced concrete ceiling within the new workshop/store is carefully removed.

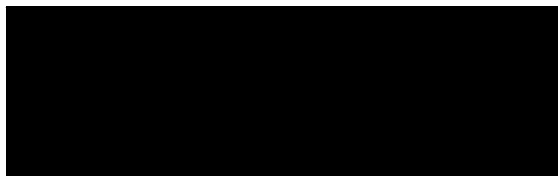
## **SUMMARY**

The existing buildings are in a fair condition. Repair and re-use of the buildings is thought to be an unrealistic option. Remove and replace with modern purpose-built structure and façade retention scheme is the preferred option.

Lintel into quadrangle to be propped at south end and mid-span, and the reinforced concrete ceiling is removed in the intervening period.

This report has been prepared based on the observations from our site visit on Monday 9<sup>th</sup> November 2020 and desk top study.

Yours faithfully,



Nathan D. Murray  
BEng(hons) MSc CEng MIStructE  
For Griffen Design Ltd.



# 1-5 AMERICA STREET MONTROSE

Job No. 204027

## REDEVELOPMENT REPORT

Redevelopment recommendations based on site observations and desk top study.

**Nathan D. Murray**

BEng (hons) MSc. CEng MStructE



## **INTRODUCTION**

### **Project Brief**

At the request of Project Management (Scotland) Ltd., on behalf of Rix Shipping (Scotland) Ltd., Griffen Design Ltd. visited the properties at America Street, Montrose to inspect the structural condition on Monday 9<sup>th</sup> November 2020. An interpretive report (204027 Building Condition Report) was prepared based on the visual observations.

This report outlines the probable works related to retention, refurbishment and re-use of the existing building as shown in Project Management (Scotland) Ltd. drawings PMS 2315-114 PL and PMS 2315-115 PL.

## **OBSERVATIONS**

To re-use the building there are two factors the building would need to adhere to i) building condition and ii) current building standards that dictate load requirements.

### **Building Condition**

The report previously prepared indicated that the building was in fair condition for its age with areas requiring repair. It was also stated that in order to re-use the building a number of items would need to be addressed.

### **America Street Buildings**

#### **Roof**

The roof is generally seen to be in a fair condition. There are a number of small areas requiring repair, along the ridge, at eaves and to slates. The gutters also require repair in a number of locations. We would recommend that the timbers are investigated for rot given the age and nature of the damage.

#### **Floors**

##### **Ground Floor**

The ground floor is concrete throughout the America Street buildings, the level varies from section to section. Our observations indicate the slab is not constructed to current standards. We also could not confirm the slab is consistent thickness throughout.

##### **Upper Floor**

The upper floor also varies in level, stepping up through the pend. There is no passage through from above the pend beyond so we cannot confirm the level. We would recommend the timber are inspected for rot.

#### **Walls**

There are numerous cracks that require repair. The courtyard lintel to the pend must be replaced. Also in the pend there are vertical cracks near the America Street entrance which need further investigation and repair. Likewise the Managers House Bay window lintels must be repaired. There are lintels that would need to be relocated to an acceptable height should the opening be re-used. We would anticipate timber lintels which should be replaced with concrete lintels as good practice.

Further to this, the walls have a render covering which appears to be hiding defects. There are some signs of damp and it is evident that the damp proofing measures are not up to standard.

### **Design**

The building would need to be designed to current standards which will impact on the existing floors and support. Our opinion is that the floor joists would need strengthening and a series of steel floor beams forming suitable support could also be required. The existing structure could have support steel provided, this would need to be exposed and checked.

### **Harbour Stores**

The construction is more recent. The roof covering appears to be an asbestos corrugated sheeting which would need to be replaced. The roof structure is generally in good condition. We would recommend that all timbers are inspected for rot by a specialist.

It appears that an opening in the Harbour elevation has been infilled and could be re-opened. The gables need repairing, there are cracks and the Managers House side exhibits a sizeable bulge, this must be investigated and repaired.

The internal arrangement is a mix of construction and condition. The floor/ceilings are either precast concrete or in-situ concrete slab. The floors have been partially removed and left in an un-safe condition. The main supporting walls are brick and a number of smaller timber frame partitions. These floors should be removed and the internal layout altered to suit.

### **CONCLUSIONS**

The discussion above is based on our visual inspection of the building. We would recommend a more thorough invasive survey is carried out to fully determine the structural layout and condition. This would necessitate

- i) removing the render to inspect the masonry and lintels.
- ii) coring concrete floors to inspect the ground floor construction.
- iii) Stripping the floors to inspect and confirm floor joist and supporting structure.

We would also recommend that all timbers are inspected by a timber rot specialist to confirm their suitability or otherwise.

A redesign and detailing of the ground and first floors is required.

A number of necessary repairs to the roof and walls are required throughout, particularly to the pend structure and store floors.



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Structural Engineering Consultancy  
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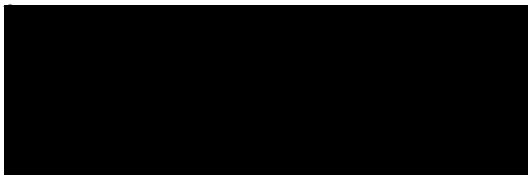
## **SUMMARY**

Further inspection is required to assess the condition and loadpath.

A full design is required for the chosen remedial option.

The impact of the condition and new design must be incorporated within the package of works.

Yours faithfully,



Nathan D. Murray  
BEng(hons) MSc CEng MIStructE  
For Griffen Design Ltd.



J R Rix and Sons Ltd.  
Montrose Port

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J R Rix and Sons Ltd

Supporting Statement

1-5 America Street  
Montrose Port  
Montrose  
Angus



## **INTRODUCTION**

This Statement has been prepared by Project Management Scotland Ltd., on behalf of J R Rix and Sons Ltd., and their subsidiary companies Rix Renewables Ltd., and Rix Sea Shuttle Ltd., in respect of a planning application seeking Planning Permission for the Erection of New Steel Portal Building, including offices and car park, whilst retaining the façade of the Category C Listed Building that is currently on the site.

The purpose of this statement to provide an assessment of the proposal against the guidance from Historic Environment Scotland.

The guidance used from Historic Environment Scotland include:

Managing Change in the Historic Environment: Demolition of Listed Buildings <sup>1</sup>

Interim Guidance on the Principles of Listed Building Consent <sup>2</sup>

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings <sup>3</sup>

<sup>1</sup> <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=e43c3b07-7f42-4d1d-b2d2-aa24011bfee9>

<sup>2</sup> <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationid=22c40a5c-5497-45c3-8083-aa3a010e0b2d>

<sup>3</sup> <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=8ab1f9c9-521a-435e-a3f2-aa240119b5e1>

## **ABOUT J R RIX AND SONS**

J R Rix and Sons started out as ship owners in the 1870's however it is only a small part of what they do today. With their diverse activities across the UK ranging from stevedoring, warehousing, and car retailing through to fuel distribution, manufacturing, and property development they offer a range of skills and assets.

J R Rix and Sons is one of the oldest remaining family owned independent fuel distributors in the UK. They distribute and retail petroleum to homes and businesses from local branches through out the UK, and they have depots throughout Scotland located at Grangemouth, Aberdeen, and Montrose.

Rix Shipping (Scotland) are specialists in providing port side services in the Port of Montrose. Rix have operated out of the Montrose Port for over 65 years and offers substantial Warehouse storage, stevedoring with the ability to handle multiple types of cargoes through the facility, container services, freight forwarding, modern cargo handling facilities, secure facilities, and fast efficient loading and unloading.

Subsidiary companies Rix Renewables Ltd., and Rix Sea Shuttle Ltd. specialise in providing managed services to the offshore wind industry, supplying strategic assets and services including crew transfer vessels, skilled technicians, and engineers for all aspects of wind farm construction and maintenance, from sea and ground level up. They have experience in delivering managed services to offshore construction and operations.

Rix has been working over the years to help develop the Montrose Port into an economically thriving Port.

## **DESCRIPTION OF SITE AND SURROUNDINGS**

The application site lies between California Street and America Street in the Montrose Port Authority area (Reference to planning drawing no. PMS 2315 – 100 PL – location plan).

Coordinates of the property: 371451, 757205

The site is currently a Category C Listed building, added as a listed building on 30<sup>th</sup> March 1999.

The history of the property on the site can be found on the Historic Environment Scotland website (<http://portal.historicenvironment.scot/designation/LB46164>). The property is a 2 storeys building built mid-19<sup>th</sup> Century, and was originally a Fish Curing Works, stores, offices, and domestic house forming a quadrangle, and was the property of Joseph Johnston Salmon Fishers.

It is listed on the Historic Scotland website as a completely intact, purpose-built property with an important quayside position, however the property has now been sitting empty for 22 years and is in disrepair. It does still however hold an important quayside position which is why it has been targeted for regeneration.



Information regarding Montrose Port can be found at [https://www.montroseport.co.uk/port\\_services.html](https://www.montroseport.co.uk/port_services.html). Montrose Port is known as the 'Gateway to the North Sea'. Montrose Port Authority is a leading support, logistics, and service hub for the North Sea energy industry and general cargo market. Rix (Shipping) Scotland is a trusted partner of the Montrose Port Authority and has provided its services to the Montrose Port Authority for a number of decades.

The Montrose Port has one offshore wind developer (Seagreen) that have chosen Montrose as their operational base for the next 25 years, and this initial wind farm has development rights for a further 2 wind arrays, which would likely extend the operational requirements in Montrose for a further 50 years.

## **PLANNING HISTORY OF THE SITE**

There is no previous planning history to the site.

## **PROJECT AIM**

Rix have initiated a design for a new steel portal building for storage, offices, and car park space whilst retaining the external façade of the original building to preserve the character of the street scene. The historic façade will be kept, and a modern office and storage facility will extend behind the frontage. The projects aim is to mix both conservation and new build elements to secure the future of a listed building but allow for the economic development of the Montrose Port area.

The façade retention allows for the impact on the area to be minimised, respecting the history of the area, so as not to adversely affect the integrity of the area, and so the history of the area can be remembered.

The aim of the building is to develop Rix Renewables Ltd, and Rix Sea Shuttle Ltd., in the Montrose Port Area. These two companies are well established in the offshore wind sector, and understand the needs for businesses to begin to re-locate closer to these offshore developments.

## **ECONOMIC VIABILITY**

Rix have investigated the reuse of the building, but the building has been sitting empty for 22 years and is now derelict. It is not economically viable to try and repair and reuse the whole building. The cost of retaining all the Category C Listed Building would be higher than the end value and would not give Rix the useful workspace they require. As listed on the Historic Scotland website the building was purpose built for its use in the mid 19's century, it does not lend itself to the workings of the modern world. The cost of retaining the whole building outweighs the benefit. Selective Demolition of the property would allow Rix to build a modern workspace in an important quayside position so they can operate to their optimum level of production, and in return continue to develop and invest in the area.

## **CONCLUSIONS**

Should J R Rix & Sons Ltd. obtain Planning Permission at this location it will enhance the current production they have in this area, it will bring 50 jobs to the area of Montrose and Angus. The Selective Demolition of this Category C Listed Building is essential to deliver significant benefits of economic growth to the Montrose Port, Montrose, Angus, and the wider community.

As the Rix business grows so does the requirement for modern functioning facilities, and with Rix Renewables Ltd., and Rix Sea Shuttle Ltd., firmly investing its money and future in the Montrose and Angus area this site has been highlighted as a prime development site in the Montrose Port for economic growth, and the economic benefit of this potential development outweigh the strong presumption of retaining the whole building. Retaining the façade allows an important piece of Montrose Port heritage to be retained whilst also providing modern work facilities and a large economic boost to the town.



**ITEM D8**

## **Planning Statement**

**Application Ref: 20/00574/FULL & 20/00599/LBC**

Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos.1 - 5 America Street, Montrose, DD10 8DN

*Prepared on behalf of*  
Rix Shipping (Scotland) Ltd

February 2021



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## Appendices

Appendix 1 Historic Environment Scotland Statutory Listing



# 1. Introduction

1.1 This statement has been prepared by Maria Francké Planning on behalf of Rix Shipping (Scotland) Ltd (“the applicant) and provides an assessment of the proposals seeking Planning and Listed Building Consent for:

*“Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos. 1 - 5 America Street, Montrose, DD10 8DN.”*

1.2 The purpose of this Planning Statement is to provide an assessment of the proposal against the relevant provisions of the Development Plan, relevant national planning policy and other material considerations and to reach conclusions to inform the determination of the application by Angus Council.

1.3 For the avoidance of doubt, this Planning Statement is submitted in respect of both the planning application (Ref. 20/00574/FULL) and the listed building consent application (Ref. 20/00599/LBC) and should be read in conjunction with the Design and Heritage Statement prepared by Maria Francké Planning to allow for a full understanding of the proposed development and the planning policy considerations.

1.4 In addition to this statement, a number of reports are submitted in support of the proposed development. These are:

- Structural Building Survey Report, Griffen Design Ltd
- Redevelopment Report, Griffen Design Ltd
- Level 1 Standing Building Survey, Robert Lenfert Archaeology
- Bat Survey, GLM Ecology
- Design and Heritage Assessment, Maria Francké Planning

1.5 A number of architectural drawings are also submitted to support the application. These are listed below.

Drawing No.	Description	Scale	Size
PMS 2315-100 PL_ Rev C	Location Plan	1:1250	A2
PMS 2315-100 PL_ Rev C	Existing Site Plan	1:500	A2
PMS 2315-101 PL_ Rev B	Listed Building Alteration Plan	1:500	A2
PMS 2315-201 PL_ Rev C	Proposed Site Plan	1:200	A2
PMS 2315-205 PL_ Rev B	Floor Plans and Elevations	1:100	A1
16256/03/001_ Rev B	Proposed Parking Layout	1:200	A2

1.6 The Statement is structured as follows:

- Section 2 provides information about the applicant and the specific business requirements for the development
- Section 3 sets the context of the application proposal, including its site and surroundings
- Section 4 describes the proposed development

- Section 5 assesses the relevant planning policy context
- Section 6 considers other material considerations, and
- Section 7 sets out our conclusions on the scheme.



## 2. Rix Shipping (Scotland) Ltd

### About the Applicant

- 2.1 J. R. Rix and Sons Ltd is a family-owned business with a 140-year history. The groups portfolio includes Rix Renewables which provides managed solutions to the offshore wind industry and Rix Petroleum, which provides commercial and domestic fuel supply and distribution and is one of the largest independent operators in the country. Rix Shipping Co Ltd & Rix Shipping (Scotland) Ltd.'s operations include the owning and operation of oil tankers, estuarial barges and crew transfer vessels. The company also operates as ship's agents and brokers, and as a warehouse and stevedoring operator at Hull, Montrose and Great Yarmouth where it also holds strategic land and quayside assets.
- 2.2 Under Rix Shipping's operations the division of Rix Sea Shuttle owns and manages six vessels ranging in size from 19m to 27m. The vessels work throughout the UK and Northern Europe providing support to operators during the construction, operation and maintenance phases of windfarms. Rix Sea Shuttle had three vessels working on the SSE Beatrice Offshore Wind Farm during 2019; this farm is located off the coast at Wick.
- 2.3 Rix Shipping has invested significantly in Montrose in recent years including:
- £1m investment in 2015 to replace a rundown building in Meridian Street and develop a modern bulk storage facility
  - £1.6m investment in 2016 to develop a 42,000 sq.ft. cereals and commodities warehouse, and
  - £1.2m investment in 2019 in extending the cereal and commodity warehouse, increasing the size from 42,000 sq. ft. to 72,000 sq. ft. and bringing the biggest materials handler to the east coast of Scotland – a German made Liebherr LH110.
- 2.4 The redevelopment proposals for the America Street site represent a further £1.6m investment by the applicant to regenerate a vacant site, preserve its history through a proposed façade and boundary walls retention scheme and create new employment opportunities to help sustain the Montrose economy.

### The Business Requirement

- 2.5 The proposed redevelopment of the application site is in response to business requirements needed to support the 1,075MW offshore renewables project, Seagreen. The Seagreen project is a £3bn joint venture between SSE Renewables and Total and will be Scotland's single largest source of renewable energy<sup>1</sup>. Seagreen has chosen Montrose as its operational base for the next 25 years and an Operations and Maintenance (O&M) base is to be constructed at Montrose Port's South Quay. This will include an operations building, repurposed warehouse, 50m

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<sup>1</sup> The 114 off-shore turbine development will provide a significant contribution to Scotland's net-zero ambition and enough clean, renewable energy to power 1.3 million homes

communications tower, and a pontoon for crew transfer vessels travelling to the Seagreen site offshore. Seagreen also has development rights for a further two wind arrays, which could extend the operational requirements in Montrose for a further 50 years.

- 2.6 In addition to the O&M base, supporting O&M facilities are needed for activities including the berthing, loading and use of crew transfer vessels to access the windfarm by project staff and contractors.
- 2.7 During the operational life of the project of at least 25 years, contractors will undertake O&M activities to ensure the windfarm is kept in a good state of repair, to undertake planned maintenance work and carry out repairs, improvements and project work. These activities will require the transport of people, tools and spare parts to the windfarm where they will be transferred to the turbines and offshore substations. Rix Shipping can facilitate these activities through its sister company Rix Sea Shuttle which has a fleet of offshore support vessels to transfer both crew and equipment to and from the offshore wind farm developments.
- 2.8 Competitive tenders have already been issued by NnG Offshore Wind (i.e. the company developing the Neart na Gaoithe (NnG) Wind Farm) for the provision of port services for the O&M phase of the project which is expected to start around Q2 2022 as well as for support during the construction and commissioning phase which is around Q3 2021. The Operations and Maintenance activities required include vessel berthing, access and loading facilities, warehouse, office and welfare facilities.
- 2.9 Rix Shipping acquired the application site with the sole intention of providing essential O&M services for the Seagreen project over the next 25 year plus period. It should be noted that Seagreen has planning approval for three individual arrays, and phases 2 and 3 will ensure that the initial 25 year phase will extend by a minimum of a further 20 years. The applicant is bidding for live tenders relating to this service provision. The application site will provide a location for the storage and management of spare parts, project offices, welfare facilities and car parking during the O&M phase. Direct quayside access is required 24/7, with berths, access pontoons and load out quays needed to be located a maximum of 75m to the proposed O&M offices and warehouse to avoid delays in mobilising teams.
- 2.10 The application site meets all the required operational and locational criteria for O&M support facilities. It is ideally suited for these activities as it provides the essential quayside area access and berthing for crew transfer vessel access.



### 3. The Site and Surroundings

#### The Surroundings

- 3.1 The application site is in Montrose Harbour on the south bank of the River South Esk at Nos.1-5 America Street. It is part of the North Quay which provides 558m of berthing. A further 475m of berthing is available at the South Quay, which opened in 1975 primarily to serve the North Sea oil and gas industry.
- 3.2 It is one of a few remaining redundant historical sites on the North Quay; many original buildings adjacent to the quayside having been demolished and redeveloped for larger warehousing and storage sheds to meet the growing needs of the harbour and Montrose Port Authority. The Design and Heritage Statement and the Level 1 Standing Building Survey (Robert Lenfert Archaeology) provide an historical map regression showing the changing urban characteristics of the port over a 150-year period. Modern quayside storage facilities comprise open ground (for general storage and/or fabrication and repair work), warehousing and transit sheds and a purpose-built grain store. Further conversion of warehouse facilities has provided additional stores for 9000t of animal feed and 10,000t of grain on the South and North shores respectively.
- 3.3 The juxtaposition of the older buildings of the application site sitting amidst the modern warehouses to the north, south and east can be clearly seen from the aerial photograph image in Figure 1 and the OS base map in Figure 2.

Figure 1: North Quay Aerial Photograph (source: Google Earth)

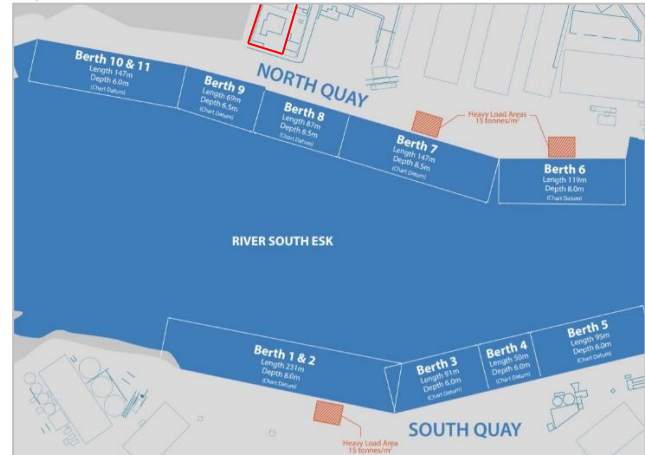


- 3.4 Following the investment of Seagreen in Montrose, the Port Authority's strategy is to diversify and attract more renewable and decommissioning work in addition to developing Montrose as the port and logistics hub for North East Scotland.
- 3.5 Strategically, the application site is adjacent to Berths 9 and Berth 8 as shown in Figure 3.

Figure 2: North Quay



Figure 3: Port Berths



## The Site

3.6 The application site at Nos.1-5 America Street is bounded by America Street to the northwest, residential properties on California Street to the southeast, River Street to the northeast and Fish Quay and Montrose Harbour to the southwest. The site can be divided into two sections; the south western part of the site at Nos. 3-5 America Street comprises of the historic buildings which are in the form of a quadrangle of office and storage buildings arranged around a central yard area and the north eastern part of the site at Nos. 1-2 America Street is an open yard area with small sheds. The residential properties on California Street do not form part of the application site.

Figure 4: Site Location



3.7 The buildings at Nos. 3-5 America Street are category C listed and were built for Joseph Johnston & Sons Ltd for fish curing during the 19<sup>th</sup> and 20<sup>th</sup> century at Montrose Harbour. The buildings date from around 1840 to 1860. They were last occupied in 1998 and since then have remained unoccupied.

3.8 Given the age and condition of the buildings and to support the application for Listed Building Consent a Level 1 Standing Building Survey has been undertaken by Robert



Lenfert Archaeology (RLA). A copy of this report accompanies the application and should be referred to for a more detailed description of the constituent parts of the site. The survey was requested by the Archaeology Service for Aberdeenshire, Moray, Angus & Aberdeen City Councils in its consultation response on the application dated 16 September 2020. The brief and scope of the survey have been agreed with the Archaeology Service and the report contains a detailed historical mapping of the site supported by scaled plans, elevations and site photographs.

- 3.9 A Building Condition Report has also been undertaken by Griffen Design Ltd to assess the structural condition of the buildings and their suitability for reuse. A copy of this report is included with the application submission. The report advises that the buildings have undergone several changes during their lifetime. This has included minor alterations to the layout and door/window openings and major changes such as the addition and removal of the structures within the quadrangle, the addition and subsequent removal of buildings projecting north of No. 5 America Street and demolition and construction of the new workshop/store on the harbour (Fish Quay) elevation.

### **Planning History of the Site**

- 3.10 There is no previous planning history to the site.

## 4. Proposed Development

- 4.1 The application site was acquired by Rix Shipping in 2020 to provide O&M facilities following the Seagreen development. The applicant has taken into consideration the age and condition of the buildings on site in formulating the development proposals. The design has been made to work by retaining the America Street façade and boundary walls in respect to the site's historical past, whilst delivering the necessary modern office and storage accommodation necessary to meet O&M operational requirements and making the scheme financially viable.

### Site and Building Design

- 4.2 The scheme is for the demolition of the existing buildings leaving the perimeter external walls, America Street facade and part of the former managers house fronting onto Fish Quay. A significant investment is being made by the applicant to incorporate the listed facade within the development through a sensitive and innovative design solution which fully utilises the facade in the composition of the America Street and Fish Quay streetscape.
- 4.3 A new purpose-built portal frame building is to be constructed at the southwestern end of the site within the retained facade and site boundary walls. The new building is to be used for O&M offices, welfare facilities and storage/warehousing space.
- 4.4 The office part of the building is self-contained and is provided over two floors with a gross floor area of 520 sq.m. An adjoining storage/warehouse space of 240 sq.m. occupies the ground floor with the south west elevation fronting onto the lane adjoining Fish Quay. At this stage, it is unknown as to what renewables components will be stored in the warehouse aside from being able to advise that it will be for the storage and management of spare parts. It is not anticipated that any industrial operations will be carried out in the warehouse or the use of any large-scale equipment or machinery. The primary purpose of the warehouse is for storage.
- 4.5 The external walls of the existing buildings on site are all rendered which the Building Survey Report notes is usually a sign of trying to repair or protect against water penetration. Given the previous use of the buildings for fish curing and its harbour location, exposure to driving wind and rain is not unexpected. In retaining the perimeter wall of the site these would be stripped of all existing render and all cracks repaired, the walls would be repointed on both external and internal (current) sides and rendering re-applied to both sides.
- 4.6 Within the archway entrance to the site on America Street there is a vertical crack and the lintel over the archway on the inner quadrangle side has failed (see photo nos. 2.05, 2.06, 2.07, 2.08 and 2.09 of Building Condition Report). The support condition has also failed and is in a dangerous condition with excessive crushing and movement at the support. The report recommends that the timber lintel leading into the quadrangle from America Street is temporarily supported at the south end and mid span. The archway will be repaired with the entrance forming the main vehicular access into the site.



- 4.7 The retained perimeter walls will be braced with piers and buttresses, with the buttress locations to be agreed with a structural engineer and subject to the approval of the local authority building control.
- 4.8 The listed building façade will form a prominent street frontage onto America Street and corner onto Fish Quay. There is a set back of the listed building highlighting the connection between old and new and emphasising the presence and contrast of the listed facade with the more modern street frontage of the warehouse on the proposed south west elevation.

## Demolition

- 4.9 An architectural and building feasibility study has been undertaken to investigate if any partial demolition of the buildings or lesser interventions could have been feasible to enable retention of more of the listed buildings on site. This study is contained in the accompanying Design and Heritage Statement. The analysis is supported by project costings. The feasibility exercise concludes that the requirements for modern offices and warehousing cannot be accommodated within the framework of the listed buildings due to their configuration and condition and the costs of needing to undertake major interventions which render the alternative options as economically unviable.
- 4.10 Demolition of the internal quadrangle of buildings is necessary to provide the modern office accommodation and storage facilities required for the O&M facilities. The perimeter external walls, America Street facade and part of the Managers House are retained. The Building Survey Report notes that the facade retention can be constructed either in masonry, steelwork or a combination of both. The buttresses should be between 1.8m and 2.4m in length and full height of the wall. They would be located along all retained walls and long wall sections may need to be subdivided. A steel lattice could be fixed at floor and wall level between buttresses.
- 4.11 The facade retention scheme can be conditioned on the grant of any planning and listed building consent.

## Car Parking

- 4.12 The original application proposals were to provide a two-storey car park design on the north eastern section of the site. Following further review of the proposals, the applicant has amended this scheme and the car park has been scaled back to a surface level only facility. This reduces the impact of the scale of the structure on the amenity of the site and its surroundings.
- 4.13 Car parking for staff is provided across the site to support the O&M facility. Car parking numbers will be provided in line with Angus Council guidance and the proposed provision is show in Table 1.

Table 1: Parking Provision

<b>Provision</b>	<b>Angus Council Guidance on Minimum Number of Spaces <sup>1</sup></b>	<b>Application Provision</b>
Bicycles	10 spaces	10 spaces
Motorcycles	4 spaces	4 spaces
Cars	22 spaces	27 spaces
Disabled Users	3 spaces	3 spaces

Notes: 1) Set out in application correspondence dated 9 October 2020

- 4.14 Access into the north eastern section of the car park area site will be through a new 4m opening in the existing building wall which separates the quadrangle of buildings from the yard area.

### Access

- 4.15 A one-way internal circulation route is proposed. Access into the application site for all pedestrian and vehicular traffic from the existing America Street access and egress will be from a new 3500mm wall opening onto River Street as shown on Drawing No.1011/03/001, Rev B. A 'No Entry' sign will be fixed to the wall on River Street. Footway crossings will be formed at the access and egress in line with Angus Council standards. Lining within the car park area will provide a safe access route for cyclists and pedestrians to the O&M facility building entrance.
- 4.16 The proposed storage area fronts onto the lane running parallel with Fish Quay and the 2 no. roller doors are positioned to ensure safe and direct access for delivery vehicles. The lane is not an adopted lane and is owned by Montrose Port Authority and the applicant has access rights across the lane.

### Hours of Operation

- 4.17 The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and renewables equipment to and from the offshore wind farm developments. In common with port side warehousing facilities, access is required 24/7 on all days of the year.
- 4.18 Flexibility is required in the hours of operation of the site to meet the O&M facility requirements.



## 5. Planning Policy Assessment

- 5.1 The purpose of this section is to assess the policies that are relevant to the determination of the planning application.

### Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 5.2 Primary legislation relating to listed buildings is found in the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The Act requires the Historic Environment Scotland (HES) to compile a statutory list of buildings of special architectural or historic interest. In undertaking this duty HES must have regard to not only the building itself but also:

- a) *any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part, and*
- b) *the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.*

- 5.3 The HES listing for the property is reproduced in Appendix 1.

### Development Plan

- 5.4 Section 25 of the Town and Country Planning (Scotland) Act 1997 sets out the status of development plans and states that:

*“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”*

- 5.5 In this case, the Development Plan framework comprises of the Angus Local Development Plan which was adopted in 2016 and the TAYplan Strategic Development Plan (SDP).

### TAYplan Strategic Development Plan (SDP)

- 5.6 Montrose Port is identified in TAYplan SDP as a Strategic Development Area for port related uses. Two key policies are pertinent to the application: Policy 3 - A First Choice for Investment and Policy 10 – Connection People.

- 5.7 Policy 3 - A First Choice for Investment states that:

*‘Local Development Plans should:*

*D. continue to support the development of the Strategic Development Areas set out in Map 3’*

- 5.8 Policy 10 - Connecting People, Places and Markets states that:

*'Local Development Plans should enhance connectivity of people, places and markets by:*

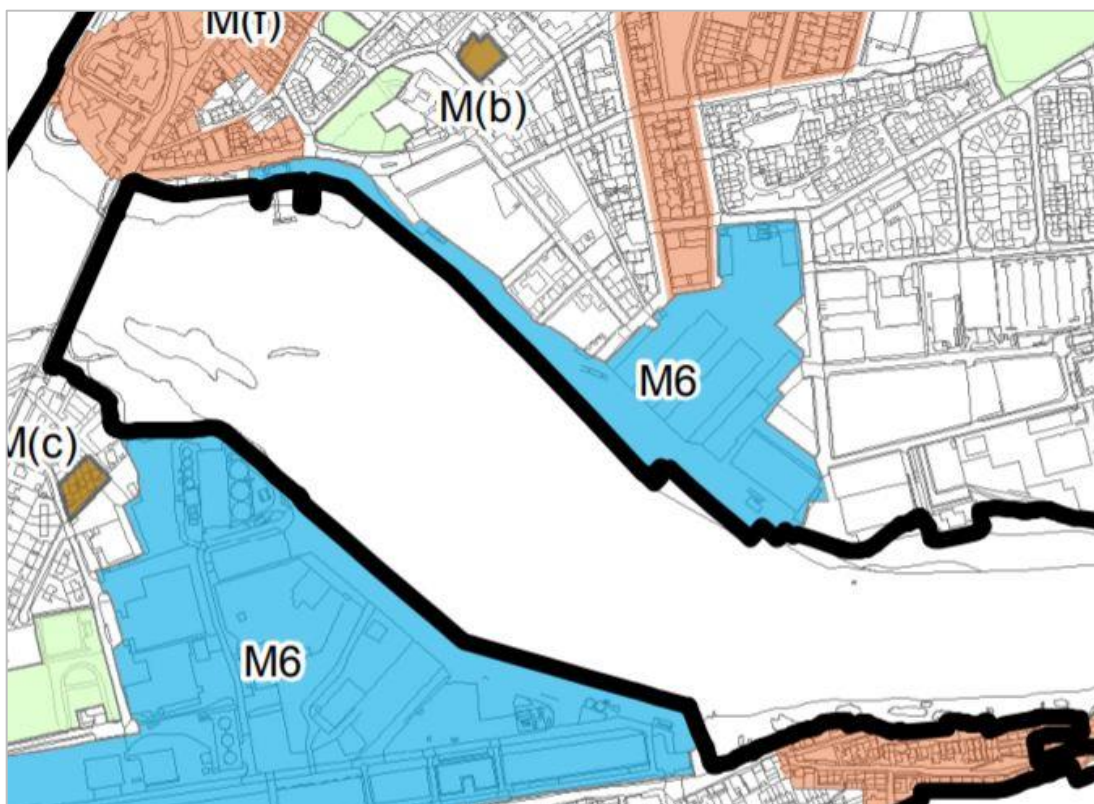
*A. safeguarding land at Dundee and Montrose Ports, and other harbours as appropriate, for port related uses to support sea freight, economic growth in the port, offshore renewable energy and offshore oil and gas sectors, and, maritime trade, recreation and tourism;'*

- 5.9 The supporting text to both Policy 3 and Policy 10 states that Dundee and Montrose Ports will play a major role in Britain's east coast energy cluster as envisaged by National Planning Framework 3 and the National Renewables Infrastructure Plan (2011). They are increasingly attractive for oil, gas and wider offshore energy businesses. This is exactly the intention of the application site which is being redeveloped to support the offshore energy businesses.

### **Angus Local Development Plan**

- 5.10 The main issues in relation to this application are whether the proposed development accords with relevant Angus Local Development Plan policies and whether there are any material considerations that justify a departure from the development plan.
- 5.11 The application site is within the settlement of Montrose and has no specific land use designation but lies adjacent to the area of Montrose Port (Policy M6). Whilst the site is not allocated employment land it is an established employment area. The LDP map extract is shown in Figure 5.

Figure 5: LDP map extract





5.12 Policy M6 states:

*Montrose Port is safeguarded for port related uses. Development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses. Development proposals should be supported by a Flood Risk Assessment and a Drainage Impact Assessment.*

*Development proposals at Montrose Port should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.*

5.13 The following policies also apply within the LDP:

- Policy DS1: Development Boundaries and Priorities
- Policy DS2: Accessible Development
- Policy DS3: Design Quality and Placemaking
- Policy DS4: Amenity
- Policy TC15: Employment development
- Policy PV5: Protected Species
- Policy PV8: Built and Cultural Heritage
- Policy PV12: Managing Flood Risk
- Policy PV15: Drainage Infrastructure
- Policy PV18: Waste Management in New Development

5.14 [Policy DS1: Development Boundaries and Priorities](#) states that all proposals will be expected to support delivery of the Development Strategy. Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

5.15 In terms of the Development Strategy for Montrose, the objectives pertinent to this application are that it supports the redevelopment of vacant, underused and brownfield sites; supports the continued development of the Strategic Development Area at Montrose Port and safeguards and enhances the natural and built features which are a key part of the character and identity of Montrose.

5.16 The scale and nature of the proposals are in line with the wider port related activities at Montrose harbour. Specifically, the development of the offices, welfare facilities and warehousing for O&M related activities supports the continued development of Montrose Port particularly in relation to the growth of renewables sector.

5.17 The Design and Heritage Statement submitted in support of this application demonstrates that full and proper consideration has been given to trying to safeguard and enhance the listed buildings on the site. Supporting reports (Building Condition Survey, Level 1 Standing Building Survey) have also demonstrated the historic room configuration and overall poor condition of the existing building fabric. These findings coupled with the level of intervention that would be necessary to retain part of the site and incorporate an element of new build result in a potential site redevelopment cost

that would render such a scheme unviable. A compromise solution to retain some of the historic context of the site in its port side surroundings is made through the proposed façade retention of the America Street façade and the perimeter walls to the site. To this end, the proposals safeguard and enhance the built environment in line with the Development Strategy.

5.18 **Policy DS2: Accessible Development** states that:

*Development proposals will require to demonstrate, according to scale, type and location, that they:*

- *are or can be made accessible to existing or proposed public transport networks;*
- *make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;*
- *allow easy access for people with restricted mobility;*
- *provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and*
- *are located where there is adequate local road network capacity or where capacity can be made available*

5.19 The site is well connected to existing public transport bus stops and routes. The Roads Service has reviewed the proposals as submitted in respect of access and parking arrangements and responded on 9 October 2020. Key comments were:

- *The parking provision has been assessed against the council's parking standards and is in excess of that required for cars but no provision is indicated for cyclists, motorcyclist or disabled users.*
- *The submitted drawing also indicates that the existing vehicle access on America Street will be widened to 6.0 metres to accommodate the movement of vehicles in and out of the proposed car park. An access to the car park is also proposed on River Street but this access will only be 3.5 metres wide. As the building line will abut the footway on River Street, no sightlines will be available for drivers exiting this access, particularly with respect to passing pedestrians. This is not acceptable and therefore this access should be widened, removed from the proposal or introduced as an "entry only" access.*

5.20 The Roads Service also commented on the required parking spaces and advised that these should be in accordance with the Council standards.

5.21 As set out in our Table 1 (page 10 of this report) the Applicant has taken on board all the Roads Service recommendations and made amendments to the internal car parking layout and access arrangements into the site. These amendments are shown



in Drawing No. 16256/03/001 – Proposed Parking Layout and there is no conflict with Policy DS1.

- 5.22 **Policy DS3: Design Quality and Placemaking** aims to ensure developments deliver a high design standard and adhere to the principles of “Designing Places” which identifies six qualities of a successful place - has a strong sense of character and identity, ensuring development is well connected, is a safe and pleasant place to be in, makes good use of resources and is able to adapt to changing community needs.
- 5.23 The redevelopment proposals have given due consideration to the principles of Designing Places in developing the scheme for the site involving the preservation of the America Street and part of the Fish Quay façade and retention of the boundary walls to the site. The preservation of the façade maintains the contribution that the listed building currently provides to the local streetscape with its arched entrance, maintaining the character and identity of the port area. This is notwithstanding the tremendous urban changes that have occurred in the wider Montrose Port area - with traditional buildings formerly associated with fish curing, fish processing and ship building being replaced with modern warehouses and sheds. The Design and Heritage Statement provides more detail on the placemaking qualities of the scheme and the proposals for the façade and perimeter walls retention which accord with Designing Places principle to make good use of resources. We consider that there is no conflict with Policy DS3.
- 5.24 **Policy DS4: Amenity** needs to be considered as the site adjoins residential properties on California Street and River Street. The policy requires all proposed development to have full regard to opportunities for maintaining and improving environmental quality. It states that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.
- 5.25 The Council’s Environmental Health Officer, Ms Akroyd, has responded on the application (email response dated 9 October 2020) and requested clarification on three issues:
1. *What will the new industrial unit be used for and how will it be operated?*  
  
*I understand that office accommodation will occupy and area of the first and second floor levels and the rest of the unit will be used as storage. It is unclear what will be stored in the building, if any equipment/machinery will be operated and the likely hours of use of the building/times of deliveries etc.*
  2. *What the proposed hours of operation for the two storey carpark will be?*
  3. *The retaining wall of the existing building has a number of opening, windows and ventilation grills/flues. Could it be confirmed if any alternation will be made to the wall facing the houses on California Street, and whether the opening will be bricked up etc?*

- 5.26 Section 4 of this report explains the proposed use of the office and storage building and advises that no manufacturing or industrial operations are proposed. The warehouse component of the site is to be used for the storage and management of spare parts for the offshore windfarms. As specified, 24-hour access is required for the facility.
- 5.27 It is acknowledged that the redevelopment of the site may have some impact on the occupants of neighbouring properties. Bringing a site back into active use that has lain occupied for the past two decades will introduce some noise and activity into the site. However, the design of the building which has windows that face into the existing quadrangle and the retention of the high 3m+ site boundary walls provide mitigation against any adverse impacts on amenity. The high boundary walls which are c.5m in height adjoining the residential properties mean that there will be screening and no overlooking and no conflict with the required window to window separation distances between the proposed new building and the existing residential houses' windows on California Street, in line with council guidance. The Applicant can also confirm that the existing openings on the wall facing onto California Street will be bricked up.
- 5.28 There is also a residential property on River Street with a single storey garage which backs onto the application site. The proposed new building is at the south western end of the application site and will be screened and separated from River Street by the existing (and to be retained) 3m+ boundary wall which divides the two parts of the site.
- 5.29 The proposed car park area has also been altered from the original two storey decked proposal to a surface level car park. This is also fully contained within the retained boundary walls to the site which will help to mitigate against any noise disturbance. The warehouse component of the build has roller shutters to the lane facing the quayside. The corner property on California Street that is adjacent to the warehouse unit is set back from lane with a front garden area. The property has windows fronting onto the quayside. The occupants of this house and the other residential properties on California Street are surrounded by similar uses associated with the port and will be used to the daily noise and bustle of 24-hour port related activities. The corner property will be separated from the new building by the existing 5m high wall (of 500mm wall thickness or thereby) and then a 1.2m walkway which will have a pedestrian gated entrance to maintain security of the site. The retention of this wall and a total separation distance of around 2m between the new building and the residential property will be a substantial buffer to mitigate against noise or amenity issues.
- 5.30 It is considered that the position of the new building on the site and the associated car parking activities will not give rise to any unacceptable impacts on the neighbouring houses and there is no conflict with Policy DS4.
- 5.31 [Policy TC15: Employment Development](#) states that proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:



- *there are no suitable or viable sites available within an employment land allocation or existing employment area; or*
- *the use is considered to be acceptable in that location; and*
- *there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.*

5.32 In terms of these criteria, we respond as follows.

5.33 There is a clear rationale for the redevelopment of the site for the proposed use which necessitates a quayside location and vessel berthing facilities.

5.34 Alternative LDP designated employment sites for the O&M facility are not viable for the following reasons:

- Firstly, the application site presents a unique opportunity to development supporting O&M office accommodation and warehousing facilities associated with and complementary to the activities of Montrose Post. It is essential, therefore, that it is located on a quayside location, and on a site which has berthing facilities for 24/7 crew vessel access. No other employment designated site within the Montrose settlement boundary is therefore suitable for this use.
- The site at Nos.1-5 America Street is owned and thereby controlled by the Applicant, Rix Shipping (Scotland) Ltd. It was purposefully acquired by the Applicant following early discussions with senior officials at Angus Council regarding the future redevelopment potential of the site following the decision of Seagreen to choose Montrose as its operational base for the next 25 years.
- Rix Shipping also owns a number of modern warehouses in the port area as shown in Figure 6 but these are fully operational and in use for existing port related activities. There is no ability to meet the O&M facility requirement for offices, welfare facilities, warehousing and car parking on a single site at any of these other locations.

Figure 6: Rix Shipping warehousing facilities, Port of Montrose



- Only this site is large enough to accommodate the necessary combination of O&M office, warehouse, welfare facilities and car parking in a quayside location with adjacent berthing facilities. The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and equipment to and from the offshore wind farm developments. Access is required 24/7 on all days of the year.
- 5.35 Whilst the site is not allocated employment land it is in an established employment area where the surrounding uses are, in the main, all associated with port activities. The proposed use of offices, warehousing and car parking is therefore considered to be an acceptable land use.
- 5.36 Regarding impact on the built and natural environment, surrounding amenity, access and infrastructure, it is contended that for the reasons set out in this Statement under the assessment of planning policies DS2, DS3, DS4 and PV8, the impacts of the development are considered to be acceptable. The proposal will extend port related activities into a previously vacant and underused site and in doing so, will result in a significant capital investment in the local area and job creation at a time when the impact of the Covid-19 restrictions on the local economy are yet to be fully understood. The commitment from the Applicant to this development will serve to diversify and strengthen Montrose Port's O&M activities in the renewables sector and improve its economic well-being.
- 5.37 For all the above reasons we consider that the proposals are in accord with Policy TC15.
- 5.38 **Policy PV5: Protected Species** states that development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime. A Bat Survey Report has been submitted to assess the likely impacts of the proposal in relation to bats. The report concludes that there was no evidence of bats either inside or outside of the buildings and that given the dockside location, suitable foraging habitat is not present. Whilst no bats were found, the report advises that mitigation will be required given the age and design of the buildings and that substantial demolition is proposed and that in particular, pipistrelle roosts can be transient and bats will change roosts frequently. It advises:
- 'That all slates and roof coverings are to be removed by hand.'*
- 5.39 If any bats are found work should stop in the immediate area and GLM Ecology contacted who will deal with the issue in the appropriate manner.'
- 5.40 The Applicant is happy to accept these recommendations which can be imposed as a planning condition on the grant of any planning permission.
- 5.41 **Policy PV8: Built and Cultural Heritage** states that development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime. For proposals that affect listed buildings, the policy states that these will only be supported where:



- *the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;*
- *any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and*
- *appropriate measures are provided to mitigate any identified adverse impacts.*

- 5.42 The first two bullet points in this policy are similar to the criteria needed to be met for demolition of a listed building contained in ‘*Managing Change in the Historic Environment – Demolition of Listed Buildings, April 2019*’. Our detailed assessment against this HES guidance and the justification for the buildings’ demolition is contained in the following section of this Planning Statement on material considerations (refer to paragraphs 6.12 to 6.32).
- 5.43 Paragraph 6.29 of this statement details the considerable economic and community benefits, and these should be read in relation to the requirements under policy PV8.
- 5.44 Whilst there is a need to demolish the listed buildings to facilitate the development of the O&M facilities on site, the proposal seeks to retain the America Street façade and part of the Fish Quay façade of the former managers house and the site’s boundary walls. This is in recognition of the former historic use of the site for fish curing. The America Street façade forms an integral element of the streetscape with the original arched entrance into the site. Retaining this will ensure that the public face of the site and the building’s former heritage value is restored and preserved in its existing streetscape setting.
- 5.45 The positioning of the new build tucked within the site and the retention of the site’s perimeter boundary walls is considered to respect the site’s historic context and local character/distinctiveness. This is explained further in the Design and Heritage Statement. This compromise solution of the façade retention represents a commitment from the Applicant to help mitigate any adverse effect of the loss of this category C listed building. It is a significant capital investment to restore and preserve the America Street façade and site boundary walls in perpetuity.
- 5.46 For these reasons and those all contained in the detailed assessment in Section 6 of this statement, we consider that the proposals are in accord with Policy PV8.
- 5.47 In terms of [Policy PV12: Managing Flood Risk](#), the SEPA flood risk map shows the site is at medium risk of coastal flooding. The Applicant is aware that Angus Council has prepared a Tay Estuary and Montrose Basin Local Flood Risk Management Plan and that flood protection studies have been prepared and a programme of actions identified to help manage flooding. The site is located in an existing built up area and the demolition of the internal buildings and the development of the new office and warehouse unit does not increase the flood risk to the local area.
- 5.48 In terms of [Policy PV15: Drainage Infrastructure](#), the proposed foul and surface water drainage would discharge to the public sewer as is currently the case.

- 5.49 Regarding [Policy PV18: Waste Management in New Development](#), the Applicant will adhere to national regulations in the demolition of the internal office and storage buildings and the segregation of wastes off site for processing into recycled aggregate where possible.

### **Development Plan Considerations Conclusion**

- 5.50 On balance, we consider that the proposals for the redevelopment of the site at Nos. 1-5 America Street are supported by the adopted Angus Local Development Plan.



## 6. Material Considerations

6.1 The Town and Country Planning (Scotland) Act 1997 (as amended) requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The other material considerations which are considered relevant to the planning application are:

- Historic Environment Policy for Scotland (HEPS)
- Managing Change in the Historic Environment - Demolition of Listed Buildings
- Managing Change in The Historic Environment - Use and Adaptation of Listed Buildings
- Scottish Planning Policy (SPP)

### Historic Environment Policy for Scotland

6.2 Historic Environment Policy for Scotland (HEPS), published in 2019, provides policies and principles to guide development and manage change in the historic environment.

6.3 Policy HEP1 is applicable to the proposal. This policy states that decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. The proposed development has been designed based on a thorough understanding of the heritage significance of the listed buildings. This is demonstrated in the application submission through the Level 1 Standing Building Survey, Design and Heritage Statement and this Planning Statement. The proposed development is therefore in accordance with policy HEP1.

6.4 Policy HEP2 is applicable to the proposal and states that decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

6.5 Currently, the site and buildings have lain empty for 22 years. It is in private ownership and the internal site is not open to the general public; the general public benefits only from viewing the exterior of the site. The proposal will allow for investment into the vacant site and facilitate the retention and repair of the America Street façade (i.e. the public face of the building) providing the continuation of the local historical context of the site's previous use for fish curing. The boundary walls of the site will also be maintained providing the historic external footprint of the former use of the site. This investment by the Applicant will allow for the façade and building perimeter walls continued preservation, being a gain to the historic fabric of the area.

6.6 The proposed development should therefore be considered in accordance with policy HEP2.

6.7 Policy HEP4 is the key policy of relevance to the proposed development.

6.8 It states:

*“Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic*

*environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.”*

6.9 The HEPS expands on Policy HEP4 by requiring proposals to be assessed against the following:

- *Understand and analyse the historic asset and its cultural significance.*
- *Understand the background / reasons for the change.*
- *Understand the likely impact on the historic asset and make this clear, so that it can inform decision-making.*
- *Avoid negative impact where possible.*
- *Minimise any impact that cannot be avoided.*
- *Keep intervention to a minimum and ensure changes are proportionate to its cultural significance.*
- *Consider less detrimental alternatives if they can deliver the same objectives.*
- *Identify opportunities for mitigation throughout, and as early as possible.*

6.10 The demolition and redevelopment of the site will facilitate the longer-term preservation of the America Street façade and site boundary walls of a site that has been vacant for 22 years. This Planning Statement and the Design and Heritage Statement fully set out the reasons for change at this site, changes which are being driven by the growth in the renewables sector at Montrose Port and the related requirements for port side O&M facilities. Full consideration has been given to exploring lesser interventions on the site and retaining more of the historic buildings. However, the limiting nature of the room configurations, the buildings positioning on the site and the costs of repair, adaptation and assimilation into a modern architectural solution is non-viable.

6.11 The proposed development should therefore also be considered in accordance with policy HEP4.

### **Managing Change in the Historic Environment – Demolition of Listed Buildings**

6.12 HES guidance on ‘*Managing Change in the Historic Environment – Demolition of Listed Buildings, April 2019*’ states that if one of the undernoted situations applies then the loss of a listed building is likely to be acceptable, as long as this is clearly demonstrated and justified:

- *Is the building no longer of special interest?*
- *Is the building incapable of meaningful repair?*



- *Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?*

6.13 Each of these issues is examined in turn.

**Is the building no longer of special interest?**

6.14 Historic Environment Scotland (HES) has commented on the application for listed building consent in its letter of 21 October 2020 (Ref.300046856). It advises that a review was completed in September 2020 and concluded that the building continues to meet the criteria for listing and that the present category C is the most appropriate level of listing. HES advises that:

*“This listed building retains its special interest as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function.”*

6.15 We recognise that the present condition of the surviving fabric is not a factor when deciding whether a building is of special interest.

6.16 A category C listed building is defined as:

*Buildings of local importance; lesser examples of any period, style or building type, as originally constructed or moderately altered; and simple, traditional buildings that group well with other listed buildings.*

6.17 Whilst the special interest is noted, the Building Condition Survey confirms that different parts of the building have undergone physical alterations both externally and internally to facilitate its use for fish curing, offices and storage. The cultural significance of the buildings is therefore considered to derive predominantly from its historic use – rather than architectural – interest.

6.18 The Applicant notes that the advice contained in Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings which states:

*The best use of a listed building is often going to be the one for which it was designed. Keeping a building in the same use helps us to understand what the building was originally designed for. It can also help to protect any associations and special meanings that the building has – part of its intangible value*

6.19 Practically, it is not feasible to retain these buildings for the purpose for which they were designed. Their location on the port side was for fish curing of salmon and the buildings and storage accommodation was designed for this specific end use. That end use is no longer required and given that the site has lain empty for 22 years, it is difficult to see how an alternative end use for port related activities could be found that would not require substantial changes to the buildings and impact on any intangible value.

6.20 The repair and reuse of the buildings for their original function for fish curing is an unrealistic option for an end use that is no longer a core activity of Montrose Port.

The nature of activities undertaken at the port have changed dramatically since these buildings were built. The site is located on the north quayside of Montrose, surrounded by modern shipping warehouses and sheds. The modern sheds have replaced many of the original stone quayside buildings which also once lined the North Quay of Montrose Harbour. Appendix 1 of the Level 1 Standing Building Survey and the Design and Heritage Statement submitted in support of this application contain a mapping history of the changing nature of Montrose Port over the past 100 years, evidencing how modern shipping and portside requirements have necessitated the gradual replacement of the historic buildings by large, modern sheds.

- 6.21 The Building Condition Survey and the Redevelopment Report have also assessed the feasibility of the re-use of the buildings and the level of improvements that would be necessary to meet current building standards regulations. The reports consider that the works required would limit the use of the building for future occupiers given the increases in both weight and size of modern plant, equipment and machinery and harbour related storage requirements.
- 6.22 Based on the survey work undertaken, whilst the buildings are in a fair condition and although they are noted of being of special interest, their reuse in their current form is not viable given the changing nature of Montrose Port and the requirements now for more modern office and warehousing accommodation, specifically to meet the growing industry requirements for O&M facilities. The best way to retain the site's historic character has been to retain the principal façade of the building on America Street and part of the façade facing Fish Quay.
- 6.23 The site's strategic location on the port side with adjacent berthing facilities represents an opportunity for the redevelopment of the site to meet the expanding harbour requirements and specifically those of the offshore renewables sector. Retaining the buildings on the site in their current form is not considered to be in the proper planning interests of the area. The adopted local development plan has designated much of the North Quay under policy M6 for port related uses. This policy supports proposals which enhance the commercial and economic role of the port, where these are compatible with adjacent land uses. Whilst this policy does not apply to the application site, given the site's location adjacent to the M6 designated area in the local plan, we consider that it is a material consideration that the potential redevelopment of the site for O&M office and warehousing facilities for the offshore renewables sector is in line with this policy. As such, we consider that demolition is justified.

**Is the building incapable of meaningful repair?**

- 6.24 The majority of the buildings on the site are between 100 and 150 years old and over the years have had additions and several alterations and repairs. Their location on the port side was for fish curing of salmon and the buildings and storage accommodation was designed for this specific end use. That end use is no longer required and given that the site has lain empty for 22 years, it is difficult to see how an alternative end use for port related activities could be found that would not require substantial changes to the buildings.



6.25 The repair and reuse of the buildings for their original function for fish curing is an unrealistic option for an end use that is no longer a core activity of Montrose Port. The nature of activities undertaken at the port have changed dramatically since these buildings were built. Modern day port requirements for oil and gas suppliers and the growing offshore renewables sector necessitate larger warehousing, evidenced through the changes from the historic land use pattern to the current day modern warehouses, now lining much of the North and South Quays at Montrose Port.

6.26 We note that Scottish Planning Policy states that in most cases, the historic environment can accommodate change, which is informed and sensitively managed, and can be adapted to accommodate new uses whilst retaining its special character; the aim is to find an economic use that is viable over the long term with minimal impact on the special architectural and historic interest of the building or area. The Applicant has also taken cognisance of the guidance contained in Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings which states as one of its key messages:

*4. For a building to stay in use over the long term, change will be necessary. This reflects changes over time in how we use our buildings and what we expect of them. This should always be considered carefully and avoid harming the building's special interest. A building's long-term future is at risk when it becomes hard to alter and adapt it when needed.*

6.27 To this end, retention of the quadrangle of buildings in their current format on the application site is not viable in the long term and change is considered necessary to bring the site back into economic use.

6.28 The Building Condition Survey report has assessed the likely structural changes necessary to facilitate modern day usage. It advised that the ground floor would need to be removed and replaced with a suitable ground bearing slab with insulation and damp proofing. The timber intermediate floors would need to be designed to up to date standards and floor loadings. This will likely require additional joists and steel floor beams to meet current standards. The report advises that:

*"The re-use of the building would limit the works suitable for occupying the building. The modern plant, machinery and size and weight of storage products have increased in size. The re-use of the building would limit the potential for modern equipment."*

6.29 Angus Council would also require the building to meet with current building standards regulations that dictate load requirements. The feasibility study (contained in the Design and Heritage Assessment) for alteration of the buildings fronting onto America Street to facilitate new build office and storage as an integrated component along with new build office accommodation is an estimated cost of £1.17m. This cost far outweighs the cost of the proposed redevelopment of the site including the repair and preservation of the America Street façade and boundary walls which has been estimated at £0.96m. This is a significant cost differential.

- 6.30 Extensive repairs and major structural works are required externally throughout all sections of the site to facilitate conversion to modern building standards, together with a full internal refit to make the property safe, secure, watertight and useable. The totality of the scale of repair required to restore these buildings to their original condition is not a meaningful exercise as the use for which they were originally built has lost since past. It is therefore considered that any meaningful repair is not possible given the contemporary nature of port requirements for buildings along North Quay and specifically those to meet the O&M requirements for the offshore renewables sector. Under this criterion, we therefore conclude that their demolition is justified.

**Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?**

- 6.31 The redevelopment of the site at Nos.1-5 America Street through the demolition of the buildings is essential to enable the economic reuse of the site for modern day port related activities. During the 22 years that the site has been unoccupied, the building has deteriorated to the extent where the cost of refurbishment and alterations to suit modern day office and storage requirements is disproportionately high.
- 6.32 The redevelopment of the site will both deliver significant benefits to economic growth and the wider community through the following:

**Economic Growth Benefits**

- Demolition of the listed building is essential to delivering a commercially viable development on a site which has been vacant for decades.
- The redevelopment of the site is in line with the port related regeneration initiatives and the strategic intent of the adopted Local Development Plan policy for Montrose Port (notwithstanding the fact that the site lies outwith the M6 designation)
- The redevelopment of the site is in line and the objectives of Montrose Port Authority to develop Montrose as the port and logistics hub for North East Scotland and strengthen its position in the growing offshore renewables and decommissioning sectors.
- Providing a strategic site for O&M facilities which will result in job creation with a potential peak workforce of 60 staff plus up to 12 additional ad-hoc staff. These anticipated staffing levels are based on O&M facility requirements of the same scale as the application proposal.
- A total site investment by the Applicant of £1.6m in site acquisition and redevelopment costs which includes the repair and preservation of the listed America Street façade and the listed boundary walls.



### Wider Community Benefits

- Demolition of redundant buildings and tidying up the entire site to the benefit of the adjacent residential properties on California Street and River Street
- The repair and restoration of the America Street façade and part of the Fish Quay façade along with all the sizeable perimeter walls will provide a significant improvement to the visual amenity of the area
- The preservation in perpetuity of the 'heritage story' relating to the former use of the site for fish curing through the preservation of the America Street façade and perimeter boundary walls.

6.33 In summary, we would argue that when assessed against this criterion, we consider that there is a strong argument to support the demolition of the quadrangle of buildings. It is acknowledged that this scale of planned intervention is extensive but options to keep the buildings in use have been thoroughly explored. This feasibility study exercise has been properly informed by the Building Condition Survey Report and Redevelopment Report, which find that the condition of the building and the configuration of the internal accommodation makes it impractical to adapt it for reasonably beneficial modern office and storage uses. The site has been unused and vacant for 22 years and all the buildings exhibit signs of deterioration. There is potential for these buildings to deteriorate further through time if the site is left unoccupied.

6.34 Under this criterion, we therefore conclude that their demolition is justified.

6.35 The above assessment against the three criteria in '*Managing Change in the Historic Environment – Demolition of Listed Buildings*' demonstrates that there is the justification required for the demolition of the listed buildings.

### **Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings**

6.36 Further guidance on the reuse of listed buildings is provided in the HES document 'Managing Change in the Historic Environment - Use and Adaptation of Listed Buildings'.

6.37 This document covers a range of considerations. Section 4 of this document provides useful guidance on where selective demolition would be appropriate:

*“Selective demolition is a different consideration from substantial demolition, which would involve the total or substantial loss of a listed building. Selective demolition involves the removal, or demolition, of parts of a listed building in order to enable the significant parts of a listed building to be retained. Later extensions of little interest, or even less important component parts of the original building are likely to be the best options for removal.*”

*Most buildings have a primary 'display' frontage or principal façade, and often the building's side elevations were also intended to be seen. Important frontages were often the most elaborate or expensively treated and make a particular contribution to special interest. Changes to these areas are likely to have a higher impact on character."*

6.38 The guidance goes on to say:

*"...in the right place, a façade retention scheme might be an appropriate course of action when no other options are feasible. This is usually in an urban context, particularly when the façades are of such special interest that they could continue to be a listed building in their own right, or where they make an important contribution to the surrounding townscape"*

6.39 The application has adopted the guidance above by ensuring that the America Street façade is retained due to its higher impact, special interest and contribution to the surrounding townscape of Montrose Port. The architectural and design considerations are explored more fully in the Design and Heritage Statement. As stated earlier in this report the configuration of buildings behind this facade were in use for fish curing and historically were never intended to be a visible part of the building.

### Scottish Planning Policy

6.40 Scottish Planning Policy (SPP) was issued in its revised form in December 2020 and remains a material consideration that carries significant weight. In terms of Policy Principles, the SPP introduces a presumption in favour of sustainable development. SPP advises that the planning service should:

*'play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;'* (Paragraph 4)

6.41 The SPP states that decisions on planning application should be guided by a number of principles (at paragraph 29) including giving due weight to net economic benefit, supporting good design and the six qualities of successful places, should respond to economic issues, challenges and opportunities and make efficient use of existing land and supporting regeneration priorities.

6.42 In supporting business and employment, it states:

*Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits. (Paragraph 92)*

6.43 In support of economic development, planning authorities are expected to respond to the diverse range of needs and locational requirements of businesses and to take a flexible approach in accommodating changing circumstances and realising new economic opportunities. To do so, the planning system is expected to support economic development in all areas by taking account of the economic benefits of



proposed development in development plans and development management decisions. This would include supporting development which will provide new employment opportunities and enhance local competitiveness and promoting the integration of employment generation opportunities with supporting infrastructure.

- 6.44 The application proposals are consistent with the aims of Scottish Planning Policy for sustainable economic growth. They represent a regeneration opportunity through the redevelopment of an underused site which would otherwise remain vacant, leading to its further deterioration. The application proposal represents a significant investment in Montrose Port; it supports economic development and growth through the creation of new employment opportunities in the renewables sector. At the same time, it fully respects the heritage context of the site through a sensitively designed façade preservation scheme for the listed buildings America Street frontage and the site's boundary walls.

### **Material Considerations Conclusion**

- 6.45 This Planning Statement has assessed the planning application against other material considerations, all of which support the redevelopment at this site. The application should therefore be granted planning permission.

## 7. Conclusion

7.1 This application seeks planning and listed building consent for

*“Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos. 1 - 5 America Street, Montrose, DD10 8DN.”*

7.2 These proposals represent the redevelopment of a long term vacant urban brownfield site, where the Council priority is to seek the re-use or redevelopment of such sites. The proposals also necessitate the demolition and redevelopment of the category C listed buildings through the removal of the internal structures whilst preserving the façade of the America Street frontage, part of the Fish Quay facade and external site walls.

7.3 The redevelopment of the site will provide office, storage and car parking facilities for O&M operations, related to the offshore renewables project Seagreen. A quayside location is essential for this development as 24/7 quayside access is required for crew vessels. The site has been acquired by the Applicant for this specific purpose. There are no other existing or allocated employment sites in Montrose that can meet this requirement. The development will provide a high level of sustainable economic benefit for Montrose, creating new jobs in the offshore renewables sector and result in the physical renewal of a run-down site to the benefit of the port and the local area.

7.4 An application for demolition of a listed building must be assessed against the tests outlined within the Scottish Ministers Planning Policy relating to listed buildings and heritage assets, the Historic Environment Scotland Policy Statement and the HES guidance on Managing Change in the Historic Environment – Demolition of Listed Buildings. This latter document outlines a number of criteria against which proposed demolition works need to be assessed. This Planning Statement and the Design and Heritage Statement provide the necessary assessment and find that the proposed demolition of the building structures within the quadrangle can be justified under all three of the stated situations, where the guidance requires that if just one of the situations applies, then loss of the listed building is likely to be acceptable.

7.5 The proposal has also been assessed against relevant development plan policies relating to listed buildings and similarly found to be justified. It has also been demonstrated that the proposed new build office and storage unit is consistent with relevant development plan policies as well as the requirements of HES Policy Statement and the Managing Change guidance. The application proposals are considered to offer a sensitive solution in terms of scale and design and the site's relationship with adjoining residential properties. The proposed façade retention scheme contributes in a major way to the preservation of the site's heritage context and the development's overall fit within the streetscape.

7.6 We consider that it is in the wider planning interests of the port area of Montrose to enable the development of the site for O&M facilities. It is therefore respectfully



requested that Angus Council grants planning and listed building consent for the proposed development.

# **Appendix 1**

## **Statutory Listing for America Street**



## Summary

Category C	Local Authority Angus	NGR NO 71451 57205
Date Added 30/03/1999	Planning Authority Angus	Coordinates 371451, 757205
Supplementary Information Updated 09/09/2020	Burgh Montrose	

## Description

*A 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.*

*The street frontage has simple classical detailing including a pilastered door-piece to the office and a segmental arched entrance pend with timber doors accessing the courtyard. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves. The managers house at the southwest angle has a small garden area facing the quay. The roofs are slated. The interiors have been largely refurbished with some features of 19th century character remaining in the managers house including fireplaces, moulded cornices and timber panelled shutters.*

## Statement of Special Interest

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978 and are not currently in use (2020).*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*

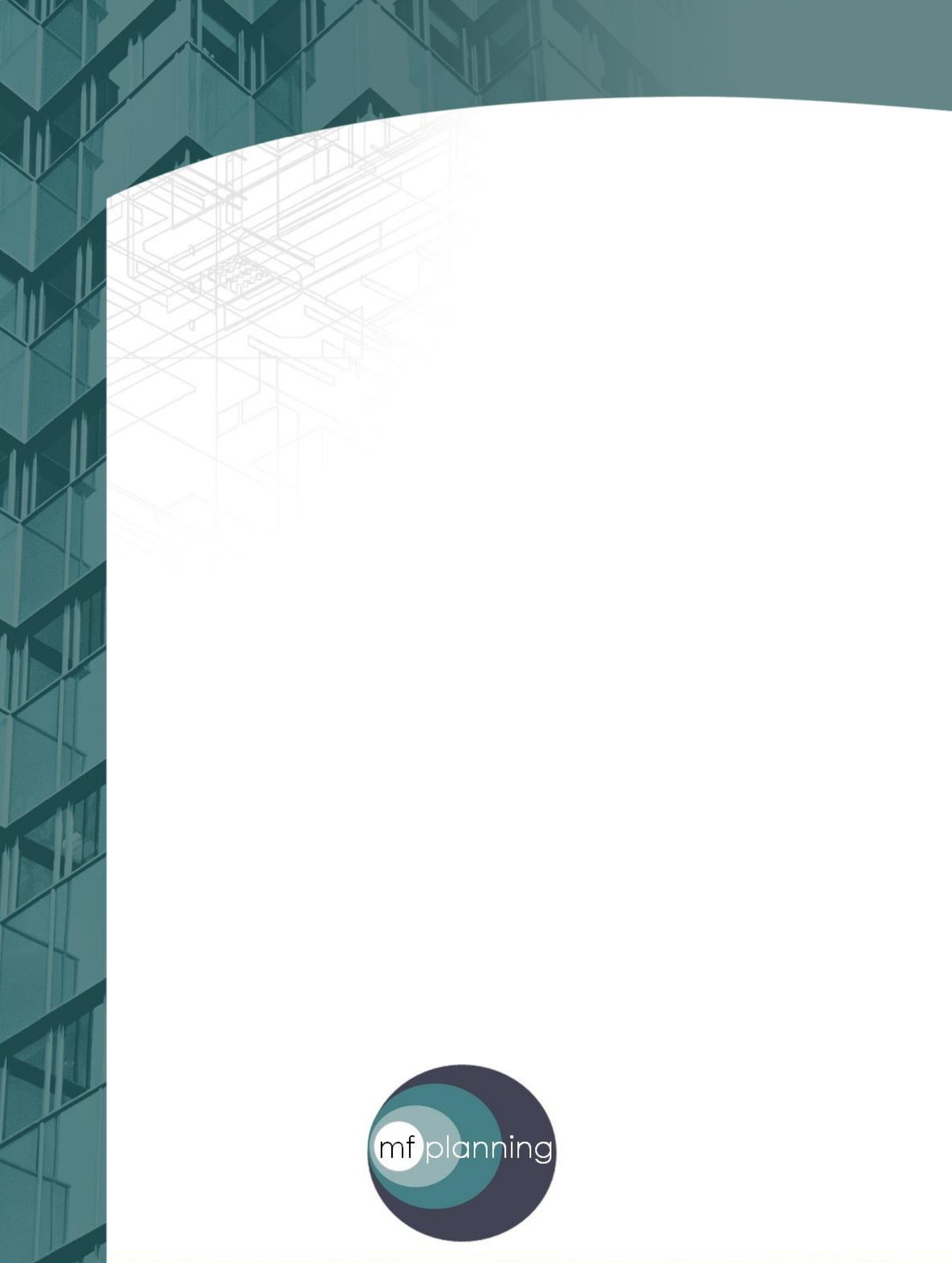
## Planning Statement

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

*Listed building record revised in 2020.*





# Heritage & Design Statement



**Application Ref: 20/00574/FULL & 20/00599/LBC**

Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking, 1 - 5 America Street, Montrose, DD10 8DN



February 2021

Prepared on behalf of **Rix Shipping (Scotland) Ltd**



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## 1. Introduction

### Purpose of Heritage & Design Statement

Maria Francké Planning has been commissioned by Rix Shipping (Scotland) Ltd to prepare this Heritage & Design Statement (HDS) in support of the application for Planning Permission submitted under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) for the 'Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and car parking at Nos. 1 - 5 America Street, Montrose, Angus, DD10 8DN'.

There is a statutory requirement under Regulation 13 of the Town and Country Planning (Development Management Procedure) Regulations 2013 for either a DAS or a Design Statement to accompany a planning application in certain circumstances. DAS's are required to accompany applications for planning permission for 'National' and 'Major' developments; however, the requirement only applies to certain categories of applications for Local Development. None of the categories are applicable to this application however the applicant has chosen to submit this as a matter of good practice and to aid the general understanding of the project and its underlying design and heritage principles.

The purpose of this document is to describe the design and heritage principles relating to the proposed development to ensure that the design rationale can be understood when the application is assessed.

The following information has been provided in support of this application and should be read in conjunction with this report:

- Planning Statement, Maria Francké Planning
- Building Condition Report, Griffen Design Ltd
- Redevelopment Report, Griffen Design Ltd
- Level 1 Standing Building Survey, Robert Lenfert Archaeology
- Bat Survey, GLM Ecology

### Relevant Planning History

There is no planning history associated with the site.



Figure 1: Location Plan



## 2. Settlement Context

### History

The town of Montrose is situated on a flat peninsula at the north bank of Montrose Basin at the mouth of the River Esk on the east coast of Scotland, 31 miles north east of Dundee. The basin is a broad tidal lagoon and a landlocked nature reserve and is the largest inland saltwater basin in the UK. Historically the town's principal industries were flax spinning, the weaving of canvas, floorcloths, sailcloths and other fabrics. The harbour, comprising the reach of the river from the suspension bridge to the sea is naturally deep and well sheltered. The port has grown steadily since the creation of the royal burgh of Montrose in the 12<sup>th</sup> century. It was hub for fishing from salmon, cod, whaling and herring and has also been an important timber port. For many centuries it was also one of Scotland's largest exporters of wool.

### Joseph Johnston and Sons

Joseph Johnston arrived in Montrose at the age of 25 in about the year 1826. He had worked for a firm of tacksmen at Berwick-upon-Tweed. Later he acquired salmon fishing's of his own and began to build up the family business of Joseph Johnston & Sons Ltd, a company synonymous with salmon fishing and fish curing. The fish-curing business was carried on solely for cod, salted in barrels and smoked haddock for the English markets. The business continued to trade into the early part of the 21st century.

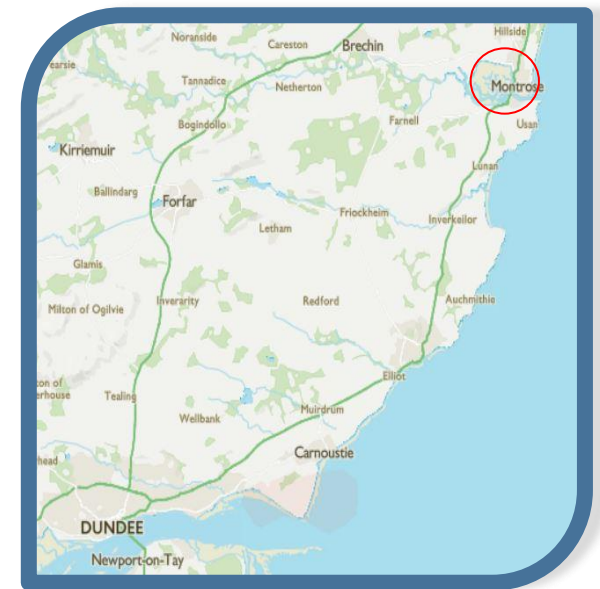


Figure 2: Location Map - Montrose



Source: All photographs courtesy of ANGUSlive Museums, Galleries and Archives

## Growth and Investment

The port of Montrose remains the maritime gateway for its essentially agricultural hinterland in Angus and the Mearns. Montrose Port Authority's strategy is to diversify and attract more renewable and decommissioning work in addition to developing Montrose as the port and logistics hub for North East Scotland. With three major offshore projects under construction and in the pipeline (Seagreen, NnG and Inch Cape) the investment in Scotland's energy infrastructure has opened up opportunities for Angus, making a significant contribution to addressing climate change and energy security and providing economic opportunities for the settlement of Montrose.

The Crown Estate Scotland's purchase of the 123 acre 'Zero Four' site in Montrose will also bring new investment into Montrose with the site considered to have strong potential for further supporting the offshore renewables sector.

At Montrose Port, the development of modern quayside storage facilities has gradually replaced many of the traditional buildings associated with the town's former industries of boat building and salmon fish curing. The wet dock, completed in 1843, was infilled in 1981 to create more storage space and improved quay facilities to handle larger vessels. Large warehousing and transit sheds along with open ground (for general storage and/or fabrication and repair work) now line the North and South Quays.

*...the greatest economic growth within Angus is likely to centre around the Montrose area over the next few years due to a combination of factors including recent and planned improvement to the road, rail and sea networks and new inward investments.*

*We are focusing on the development of Offshore Wind Farms off the coast of Angus and 7 other major businesses to develop a clean growth area in and around the town. This will create new and well-paid jobs which will benefit the whole of Angus and beyond.*

Angus Council Plan 2019-2024



Source: Photographs courtesy of RIX Shipping (Scotland) Ltd





### 3. Description of the Site

The application site at Nos.1-5 America Street is bounded by America Street to the northwest, residential properties on California Street to the southeast, River Street to the northeast and Fish Quay and Montrose Harbour to the southwest. The site can be divided into two sections; the south western part of the site at Nos. 3-5 America Street comprises of the historic buildings which are in the form of a quadrangle of office and storage buildings arranged around a central yard area and the north eastern part of the site at Nos. 1-2 America Street is an open yard area with small sheds.

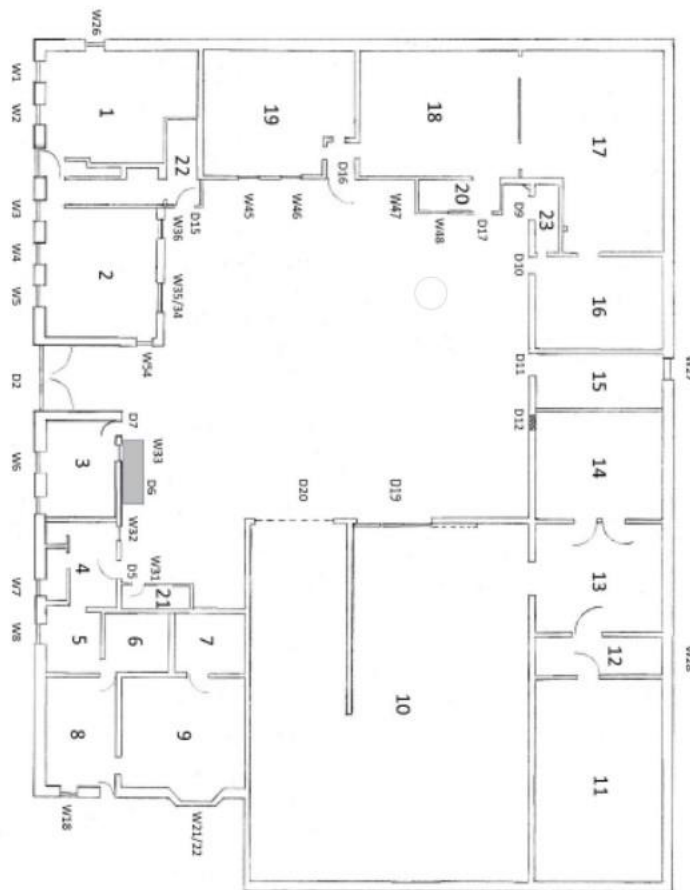


Figure 3: Existing Ground Floor Plan (courtesy of Robert Lenfert Archaeology)

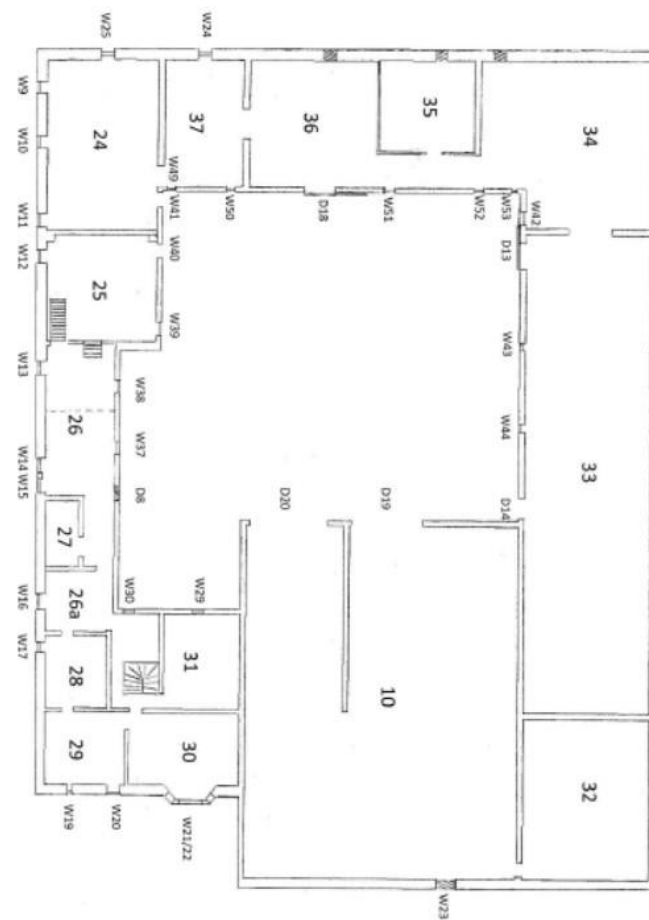


Figure 4: Existing First Floor Plan (courtesy of Robert Lenfert Archaeology)

The buildings at Nos. 3-5 America Street are category C listed and were built for Joseph Johnston & Sons Ltd for fish curing during the 19<sup>th</sup> and 20<sup>th</sup> century at Montrose Harbour. The buildings date from around 1840 to 1860. A copy of the HES statutory listing is attached at Appendix 1. They were last occupied in 1998 and since then have remained unoccupied.

### Existing Building Condition

The Building Condition Report (Griffen Design Ltd) provides a structural assessment of the quadrangle of buildings and should be referred to for a detailed account of the integrity of the various sections of the site and buildings. In addition to the Building Condition Report, a Level 1 Standing Building Survey has been undertaken by Robert Lenfert Archaeology to fully understand the building's form and function and the configuration of the different buildings on the site. The report contains a detailed historical mapping of the site supported by scaled plans, elevations and site photographs.

For this report, we have divided the site into 5 sections with a summary commentary drawn from the findings of the two reports mentioned above:

1. Managers House
2. America Street Offices
3. Old Workshop/Stores (River Street (north) and California Street (east))
4. New Workshop/Store (Harbour)
5. External Yard

#### Managers House

The Managers house is situated at the corner of America Street and Fish Quay and is typical mid-19<sup>th</sup> century construction with double bay window to Fish Quay. The stone walls have been rendered for weatherproofing and covering repairs. The roof is timber with evidence of moisture/water ingress. The elevation exhibits cracking in various locations, cills, lintels and chimney. Internally the floors are concrete/screed on the ground floor and timber at first floor level. There are some original features present – cornicing, shuttering and a fireplace. There is evidence of dampness and settlement.





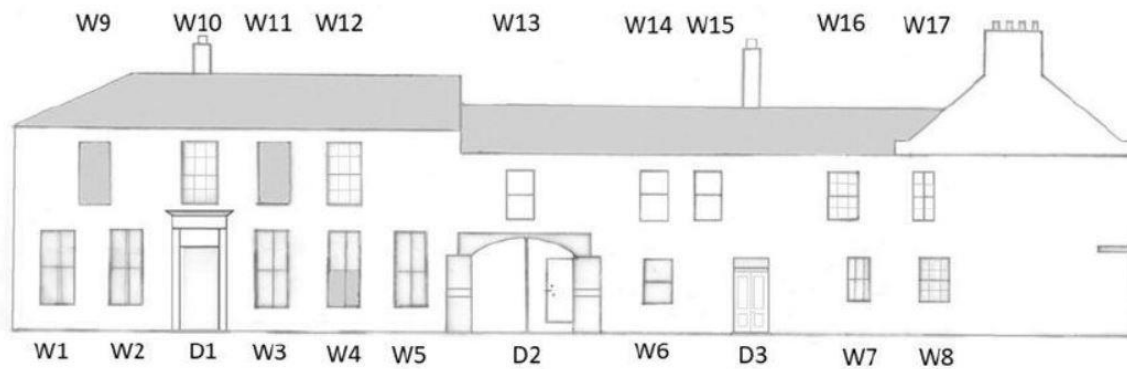


Figure 5: America Street Elevation (courtesy of Robert Lenfert Archaeology)

### America Street Offices

The America Street terrace is split in two sections with different eaves heights; the first running from the Managers House to the arched entrance and the second from the arch to the north eastern end of the terrace (see Figure 5 elevation). As with the Managers House, the stone has been rendered and the roof is in a similar condition with moisture/water ingress. There are cracks around the archway and a failed lintel which the Building Condition Report advises is in need of immediate support. From the quadrangle, it is evident that changes in the building have taken place as there used to be a structure where the external stairs are located. Internally, there are changes in the floor level at first floor level to take account of the differing eaves height with stepped access to the rooms. All the rooms are interconnected. There are numerous cracks in the wall and ceiling plasterwork.



### Old Workshop/Stores - River Street (north) and California Street (east)

The construction of this section of the buildings is again rendered stone with timber truss roof with slate finish. The configuration of rooms includes large walk-in freezers and cold stores associated with the buildings former use for fish curing and processing. Floors are concrete with steps, ramps and run-off slopes. The headroom is limited and there are several steel beams supporting an intermediate floor which further restrict headroom. There are a few very small windows, resulting in very dark and damp accommodation. There is damage to one section of the roof with missing panels.

The Building Condition Report notes that the internal room arrangement here is likely to have been altered over the years incorporating the steel beams. It advises that some of the beams look compromised. The report also notes that this section of the site has undergone numerous changes evident from the quadrangle elevations. The elevations here exhibit the most damage with substantial cracking.

### **New Workshop/Store (Harbour)**

This section of the site fronting Fish Quay is of newer construction, with brick walls, concrete slab floor and concrete intermediate floor. The roof is corrugated sheet (likely asbestos). The external harbour elevation has a forming opening blocked up and vertical and horizontal cracking. The survey notes that the return to the Managers House is bulging and has several cracks.

### **External Yard**

The north eastern end of the site is an open yard area with sheds. Access to this part of the site is through a separate gated entrance on America Street.





## 4. Historic Map Regression

The historic map regression exercise shows the development of the site and the surrounding area from its traditional fish curing/processing and ship building harbour roots to the modern-day character of Montrose Port with larger warehousing.

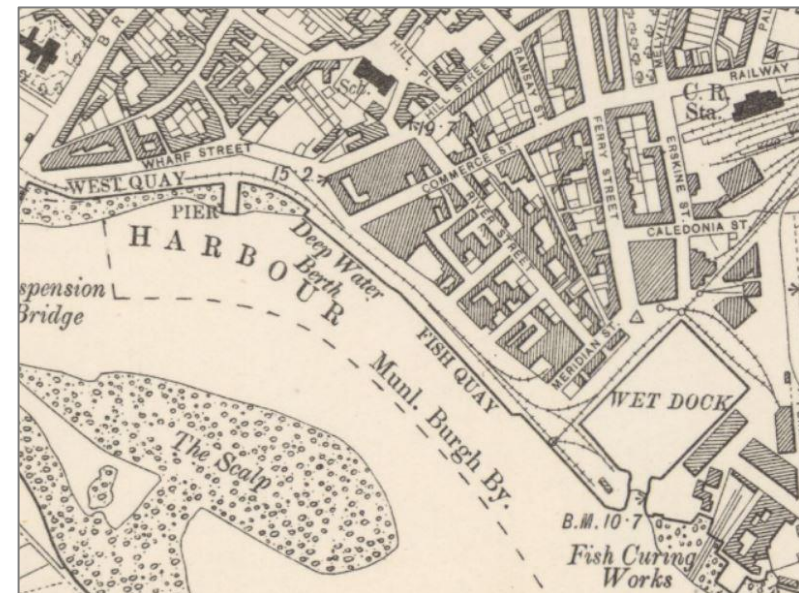
The early maps show the buildings including the application site associated with the fish curing works and there is little change in the urban street pattern between 1843 and 1922. The development of the wet dock to the east was built in 1843 and remained in use until 1981, when it was infilled to serve as a timber storage area. The map regression shows the transition of the traditional buildings from Wharf Street in the west to Cobden Street in the east redeveloped to provide more functional space for contemporary port activities.

1843



The quadrangle of buildings in America Street can be seen in this map from 1843.

1892

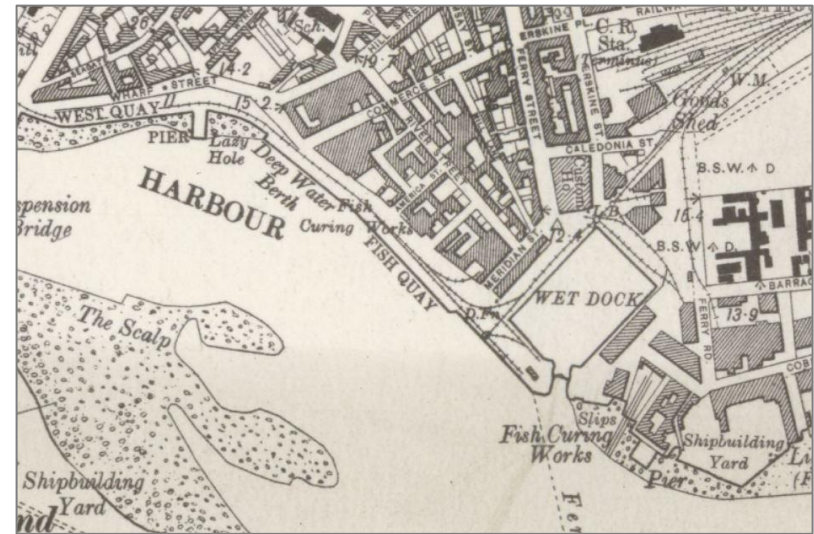


By 1892 there has been considerable infilling in the quadrangle.

1902



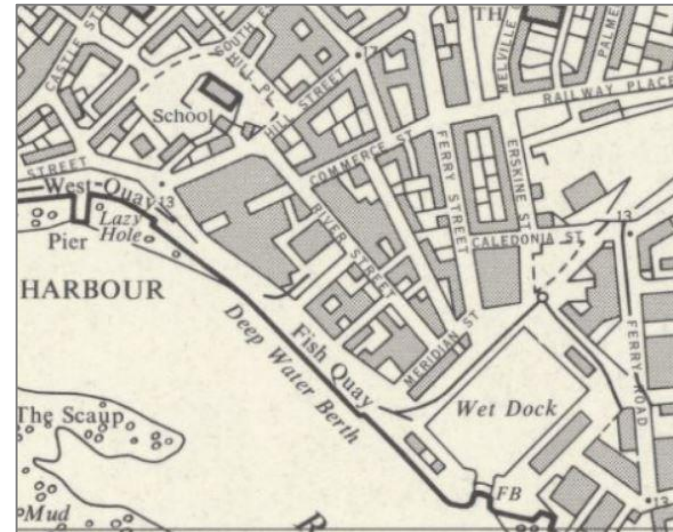
1922



1950



1970



Source: All maps copyright National Library of Scotland 2020



## 5. Heritage Policy Context

### Legislation

Listed Buildings are afforded statutory protection through the Planning (Listed Buildings and Conservation Areas (Scotland) Act 1997 and any amendments set out in the Historic Environment Scotland Act 2014. Sections 14 and 59 require local planning authorities to have special regard to the desirability of preserving their significance and any contribution made by their setting.

This legislative framework is supported by the principles set out in Historic Environment Policy for Scotland (HEPS) which provides specific policy guidance on the historic environment and the Managing Change series of guidance documents which provide more specific topic-based guidance.

The proposals for the site have been prepared within this policy and guidance framework provided at the national and local level. A detailed Planning Statement has been submitted to accompany the planning application which contains a full assessment of the application against all relevant policies in the adopted Angus Local Development Plan (ALDP) and the HES guidance. The section of this report contains only a summary of the relevant design and heritage policies and reference should be made to the Planning Statement for the full policy appraisal.

### Angus Local Development Plan

The main issue in relation to this application is whether the proposed development accords with relevant Angus Local Development Plan policies and whether there are any material considerations that justify a departure from the development plan. The application site is within the settlement of Montrose and has no specific land use designation but lies adjacent to the area of Montrose Port (Policy M6). Whilst the site is not allocated employment land it is an established employment area. The scale and nature of the application proposals are for employment related uses and are in line with the wider port related activities at Montrose Harbour. The

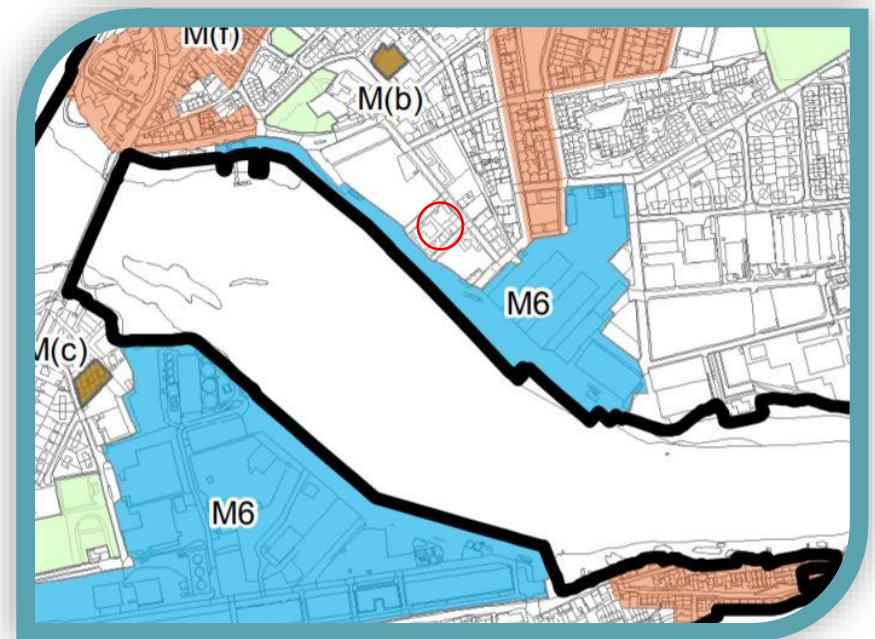


Figure 6: Local Development Plan – Montrose Settlement Map

development of the offices, welfare facilities and warehousing for O&M related activities supports the continued development of Montrose Port particularly in relation to the growth in the offshore renewables sector.

In terms of [Policy DS3: Design Quality and Placemaking](#) the proposals have given due consideration to the principles of Designing Places in developing the scheme for America Street. It involves the façade retention of the entire length of the America Street frontage and part of the Fish Quay frontage and the retention of all the boundary walls to the site. The preservation of the façade maintains the contribution that the listed building currently provides to the local streetscape with its arched entrance, maintaining the historic character and identity of the port area. This is notwithstanding the tremendous urban changes that have occurred in the wider Montrose Port area - with traditional buildings formerly associated with fish curing, fish processing and ship building being replaced with modern warehouses and sheds.

With residential properties adjoining the site on California Street, cognisance has also been given to the impact of bringing a site back into active use that has lain occupied for the past two decades. These residential properties are surrounded by similar uses associated with the port and will be used to the daily noise and bustle of 24-hour port related activities. The design of the new building has windows that face into the existing quadrangle and the retention of the high 5m site boundary walls will provide mitigation against potential adverse impacts on residential amenity. The high boundary walls will provide both a noise buffer and screening to prevent overlooking and there is no conflict with the required window to window separation distances between the proposed new building and the existing residential houses' windows on California Street, in line with council guidance. The existing openings on the wall facing onto California Street (seen in the photograph in Figure 7) will also be bricked up. The proposed car park area is also fully contained within the retained boundary walls to the site which will help to mitigate against any noise disturbance.



Figure 7: High boundary walls of site fronting California Street

It is considered that the position of the new building on the site and the associated car parking activities will not give rise to any unacceptable impacts on the neighbouring houses in line with [Policy DS4 Amenity](#).



**Policy PV8: Built and Cultural Heritage** states that development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime. For proposals that affect listed buildings, the policy states that these will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Historic Environment Scotland (HES) has commented on the application for listed building consent in its letter of 21 October 2020 (Ref.300046856). It advises that a review was completed in September 2020 and concluded that the building continues to meet the criteria for listing and that the present category C is the most appropriate level of listing. HES advises that:

*“This listed building retains its special interest as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function.”*

Appendix 1 of the Level 1 Standing Building Survey (Robert Lenfert Archaeology) shows the historic map regression of the site and Section 2 of this statement on Settlement Context along with the Planning Statement have set out the changing nature of Montrose Port over the past 100 years, evidencing how modern shipping and portside requirements have necessitated the gradual replacement of the historic buildings in the wider area of Montrose Port by large, modern sheds. It is acknowledged that these changes do not alter the historical significance of the site, but they demonstrate that the reasons for which the site was originally designated (i.e., *‘as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function’*) have been overtaken by the need for larger warehousing to meet the needs of the oil and gas industry and the growing offshore renewables sector. Preserving these buildings for an historic end use that is no longer a core activity of Montrose Port is unrealistic longer term option and is not considered to be in the proper planning interests of the area. The integrity of the site can be however preserved in a meaningful and workable manner through allowing some necessary change to take place which enables the principal public face of the building – the America Street façade – to be sympathetically repaired and conserved in recognition of the site’s historic use and function. The retention of the site boundary walls described by Robert Lenfert Archaeology in the Level 1 Standing Building Survey as *‘almost fortress like, with featureless, blank granite walls largely void of ground floor windows’*, will also lend themselves to contributing to the preservation of the site’s former cultural identity.

It is contended that the demolition of the internal building structures and the retention of the sizeable façade and external site building walls will not adversely affect the overall integrity of the site.

The social, environmental and/or economic benefits of the redevelopment of the site are set out in the Planning Statement and reproduced here:

### ECONOMIC BENEFITS

- Demolition of the listed building is essential to **deliver a sustainable economic development** on a site which has been vacant for decades.
- The redevelopment of the site is **in line with the Montrose Port related regeneration initiatives** and the strategic intent of the adopted Local Development Plan policy for Montrose Port (notwithstanding the fact that the site lies outwith the M6 designation)
- The redevelopment of the site is in line and the objectives of Montrose Port Authority to develop Montrose as the port and logistics hub for North East Scotland and **strengthen its position in the growing offshore renewables and decommissioning sectors.**
- Providing a strategic site for O&M facilities which will result in **job creation with a potential peak workforce of 60 staff** plus up to 12 additional ad-hoc staff. These anticipated staffing levels are based on O&M facility requirements of the same scale as the application proposal.
- A **total site investment by the Applicant of £1.6m** in site acquisition and redevelopment costs which includes the repair and preservation of the listed America Street façade and the listed boundary walls.

### ENVIRONMENTAL / SOCIAL BENEFITS

- **Demolition of redundant buildings and tidying up the entire site to the benefit of the amenity of adjacent residential properties** on California Street and River Street
- The **repair and restoration of the America Street façade and part of the Fish Quay façade** along with all the sizeable perimeter walls will provide a significant improvement to the visual amenity of the area.
- The **preservation in perpetuity** of the ‘heritage story’ relating to the former use of the site for fish curing through the preservation of the America Street façade and perimeter boundary walls.

The final part of policy PV8 asks for appropriate measures to mitigate any identified adverse impacts. Consideration has been given to potential impact on residential amenity which has been respected in the positioning of the new building on the site and the retention of the high perimeter walls. The compromise solution of the façade retention represents a commitment from the Applicant to help mitigate any adverse effect of the loss of this category C listed building. As evidenced in the submitted Building Condition Report, the external elevations of the property exhibit a multitude of structural problems including cracking, failed lintels and water ingress. The Applicant is committing to a significant capital investment to restore and preserve the America Street façade and site boundary walls in perpetuity. For the above reasons it is considered that there is no conflict with Policy PV8.



## Managing Change in the Historic Environment – Demolition of Listed Buildings, April 2019

The Planning Statement considers the tests set out in *‘Managing Change in the Historic Environment – Demolition of Listed Buildings’* in detail. The following paragraphs provide only a brief overview of the outcomes of the heritage analysis against the three tests stated below:

- Is the building no longer of special interest?
- Is the building incapable of meaningful repair?
- Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?

### **Is the building no longer of special interest?**

The building is category C listed and as noted by HES is therefore considered to have been of special interest in lieu of its former 19<sup>th</sup> century use associated with the fish curing industry of Montrose. Whilst the special interest is noted, the Building Condition Survey confirms that different parts of the building have undergone physical alterations both externally and internally to facilitate its use for fish curing, offices and storage. The cultural significance of the buildings is therefore considered to derive predominantly from its historic use – rather than its architectural interest.

The Building Condition Report has also assessed the feasibility of the re-use of the buildings and the level of improvements that would be necessary to meet current building standards regulations. The report considers that the works required would limit the use of the building for future occupiers, given the increases in both weight and size of modern plant, equipment and machinery and harbour related storage requirements. These changes together with the physical requirements for more modern office and large-scale warehousing accommodation, specifically to meet the growing industry requirements for O&M facilities, limit the reuse of the buildings in their current form. These limitations are in addition to the considerable costs required to adapt the building for modern day usage (see Section 6 of this statement) which are non-viable.

### **Is the building incapable of meaningful repair?**

The Building Condition Report and the Redevelopment Report have assessed the structural condition of the entire building based on a visual inspection survey. To reuse the building two factors would need to be adhered to relating to building condition and current building standards. The reports observe the scale of repair needed for the various sections of the site. The old workshop stores facing River Street and California Street would need significant repair and upgrading to become usable space. This section of the site has also seen substantial structural interventions over the period with the insertion of steel frames, reducing its ultimate heritage value. The southwestern section of buildings are the workshop/stores facing the harbour area and these are of newer construction, with likely asbestos roofing and cracking internally and on the external elevations. The managers house and offices along America Street are largely intact and the

elevations exhibit cracking in various locations, cills, lintels and chimney. Internally, there are few surviving original architectural features. The architecture of the building, whilst distinct within the surrounding modern harbour townscape, has undergone extensive alterations, resulting in limited survival of the historic fabric within the buildings which further reduces its architectural value.

Extensive repairs and major structural works are required externally throughout all sections of the site to facilitate conversion to modern building standards, together with a full internal refit to make the property safe, secure, watertight and useable. The totality of the scale of repair required to restore these buildings to their original condition in any event is not a meaningful exercise, as the use for which they were originally built has long since past. To be meaningful, would require a viable end purpose to justify the scale of repair. It is therefore considered that any 'meaningful repair' is simply not possible, given the contemporary nature of port requirements for modern buildings along north quay and specifically those to meet the O&M requirements for the offshore renewables sector.

The core principles of Managing Change in the Historic Environment recognise that some change is inevitable and that it can be necessary for places to thrive. It is considered to be in the proper planning interests of the area and a good decision – taking a long-term view of the changes in the Montrose Port area - to enable this redevelopment scheme to take place.

### **Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?**

In tandem with the justification provided in this section under Policy PV8, the redevelopment of the site will result in considerable benefits to the Montrose economy and the local area.

The conclusions of this heritage analysis are informed by supporting planning application documents and provide a robust basis for the case for demolition. They demonstrate that the building is not capable of meaningful repair, it would not be economically viable to retain the building and its demolition and the proposed façade and boundary walls retention scheme would secure wider economic and community benefits. This meets the criteria for demolition as required by both local and national heritage planning policy.

### **Core principles on managing change**

- **Some change is inevitable.**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

Ref: HES, Managing Change: Policies and Principles



## 6. Feasibility Considerations

### Adaptation and Extension

Guidance on the reuse of listed buildings provided in the HES document *'Managing Change in The Historic Environment Use and Adaptation of Listed Buildings'* (April 2019) was followed in considering the potential for adaptation of the building. The guidance states:

*'Adaptation will normally involve working within the existing building envelope, focusing more on internal alterations. The first step towards finding a practical scheme of adaptation is to look critically at the existing building to see what alterations are necessary to make the building work.'*

The feasibility of adapting the building to accommodate the application requirements has been investigated by the project architects taking the Managing Change guidance into account. As noted in the Building Condition Report and summarised in Section 3 of this statement, the building has seen considerable internal and external alterations over its lifetime. The old workshop and store rooms on two sides of the quadrangle i.e. those facing the River Street and California Street frontages, have undergone the most internal changes and structural alterations which have left this section of the site in a convoluted state for reuse, with differing floor levels and ceiling heights, moisture ingress resulting in leaching and potential rot. The stone and brick walls are described in the Building Condition Report as *'tired and friable'*. Coupled with the inherent characteristics of the accommodation – smaller cold storage rooms, freezer rooms, restricted headroom and limited, if any fenestration in the external facades, renders the potential reuse of this part of the site to be very limited for any form of modern port and harbour storage requirements.

Notwithstanding the level of internal repairs and refit required to bring the buildings up to meet current building standards regulations, consideration has nonetheless been given to the trying to reuse and adapt the other L-shaped part of the site – namely the America Street offices, part of the managers house and the more modern storage accommodation which front onto Fish Quay and abuts a residential property on California Street.

The architects have looked critically at the existing buildings and considered the footprint of the new build and the required configuration of office and storage space for the new O&M facility. The existing rooms fronting America Street are akin in size to the proposed new office units. There is however no separate corridor circulation space in the existing building and access to the rooms is by an interconnection taken through each room. Contemporary office requirements ordinarily demand an external corridor providing separate door access to each self-contained office.

The existing storage space fronting Fish Quay is of newer construction and consideration has been given as to whether it is feasible to keep the shell of this storage space for the required new warehouse space in this location. As noted in the Building Condition Report however, this section of store buildings also exhibit structural defects, including major issues such as the return elevation to the Managers House is bulging and has several cracks and the reinforced concrete ceiling has been partially removed and is described as being in a precarious condition.

The feasibility and design exercise has therefore considered the reuse of parts of this L-shaped section of the site (shaded green in Figure 8) through adaptation and extension. This alternative redevelopment option utilises the retention of the America Street frontage and the existing America Street accommodation and the old storage and freezer rooms fronting onto the lane and Fish Quay.

Through this feasibility process, two slight variations in the options have been assessed as shown in Figures 9 and 10 overleaf.



Figure 8: Feasibility Area





Figure 9: Indicative Overlay 1

Figure 9 Indicative Overlay 1 shows the blue shaded area of the existing office space and Managers House fronting America Street and Fish Quay being retained with a new access corridor (shaded green) running the length of the building and new office accommodation (shaded purple) as an extension to the rear of the building.

The access corridor is not only required to meet modern office requirements for circulation space and fire regulations but is also a standard occupier end user requirement. Whilst the overlay plan is shown in Figure 9 at ground floor level, the proposed accommodation would also be provided at first floor level.

The yellow shaded area shows the proposed storage area of 310 sq.m which would be the overall capacity of the space without the restricting internal walls of the smaller freezer rooms located towards California Street.

A slight variation in this design is illustrated in Figure 10 Indicative Overlay 2. This shows the same retention of the historic buildings (shown in blue and yellow shading) but a slight amendment in the configuration of the new access corridor space and office floorspace to provide a differentiated external elevation on the new build.



Figure 10: Indicative Overlay 2



These options have been assessed in terms of:

- a) the structural potential for the re-use and adaptation of the buildings given the condition of the building fabric
- b) the indicative costings for adaptation
- c) the business requirements for the O&M facility accommodation, and finally
- d) the overall impact on the listed building.

#### *The Structural Potential for the Re-use and Adaptation of the Buildings*

The Griffen Design Ltd Redevelopment Report and the Building Condition Report advise that substantial levels of intervention would be required to the building to bring it up to current building standard regulations, to the extent that the works would result in the wholesale replacement of much of the internal structure of the building. The reports provide detail on the schedule of works which would be required to secure the property for future use which would include:

#### America Street

- Removal of ground floor and replace with suitable ground bearing slab with insulation and damp proofing
- Intermediate timber floors to be designed to up to date standards and floor loadings requiring additional joists and steel floor beams
- All timbers inspected for rot by a specialist
- Managers House window lintels must be repaired
- Timber lintels to be replaced with concrete lintels as good practice
- All masonry cracks should be exposed and repaired. Given the number and location of the cracks this would be a massive undertaking

#### Harbour Stores

- The asbestos corrugated sheeting on the roof would need to be replaced
- All timbers inspected for rot by a specialist
- Gables need repairing
- Sizeable bulge in Managers House elevation requires investigation and repair
- Internal floors to be removed.

The structural instability of the existing archway on America Street and the need to provide an access corridor for the existing and new office accommodation would also result in having to close off the vennel and archway to make this structurally safe.

The Redevelopment Report advises that a more thorough invasive survey would be necessary given the scale of intervention required and that this would necessitate:

- i. removing the render to inspect the masonry and lintels
- ii. coring concrete floors to inspect the ground floor construction
- iii. stripping the floors to inspect and confirm floor joist and supporting structure.

The scale of works noted above are considered urgently necessary to simply secure the long-term preservation of this section of the building before any redevelopment and office refit works are undertaken.

#### *Indicative Costings for Adaptation*

The feasibility options have been fully costed by Project Management Scotland Ltd with input from structural engineers, Griffen Design Ltd. Several cost assumptions have had to be made to undertake this exercise. As the building is listed, the extension walls to the rear of the building would all be in stonework to match existing along with matched materials of slate for the roof. For the doors and windows, the specification would be for timber to match existing.

The detailed schedule of costings for the feasibility option and the application proposals can be provided to Angus Council on a commercially sensitive basis. A summary of the costings is included as Appendix 2 and shown in Table 1.

Table 1: Project Costings for Partial Re-Use and Adaption

Project Option	Estimated Cost (£)
<b>1) Feasibility Option – retaining America Street Offices and Storage Space</b>	
• To restore offices (America Street)	998,999.83
• To restore storage space (Fish Quay)	171,426.00
<b>Total</b>	<b>1,170,425.83</b>
<b>2) Application Proposal – to keep America Street Façade and Build New Office Block and Storage Area</b>	
• Demolition of buildings and keep external facade	185,568.00
• To build new purpose-built office block	624,000.00
• To build new purpose-built storage area	155,000.00
<b>Total</b>	<b>964,568.00</b>



The findings demonstrate that there is a 21% uplift in the cost differential between retaining and adapting some of the existing buildings and the application proposals. This estimated differential of £205,000 is substantial and renders the feasibility option as non-viable. These costs also exclude any additional repair works that may be necessary following the recommended invasive survey. It is concluded that the building is not capable of meaningful repair through retention, adaptation and extension of the office units fronting onto America Street and the adaptation of the existing storage rooms at the south western end of the site.

#### *The Business Requirements for the O&M Facility Accommodation*

The Planning Statement has set out in Section 2 the business requirements for the proposed O&M facility accommodation which is in direct response to live tenders for supporting accommodation for the O&M phases of the offshore windfarm projects. Pivotal to these requirements is the need for direct quayside access and berths for vessels on a long term and dedicated basis. Crew Transfer Vessels will travel to the windfarm each day (weather permitting) to undertake maintenance tasks. Vessels will typically work offshore 7 days per week for 12 hours per day during the daytime returning to port at the end of each day. There is no other allocated employment site in Montrose that can provide this essential business requirement. A quayside site with berthing facilities is a pre-requisite.

In terms of the required accommodation, the need is for a self-contained site with modern office accommodation with full services including mains electricity, gas and data/fibre optic telecommunications cables. The required office space will include offices, control room, kitchen facilities and meeting rooms. Welfare facilities will include changing rooms, toilets, showers, drying room and locker areas. The storage space requirement needs to have an overhead door with minimum dimensions of 4.5m x 4.5m and there should, as a minimum, be a height clearance of six meters to the floor to lowest point of roof for storage of components. Car parking is also required with a desired number for 50 spaces.

Meeting these specific requirements necessitates the demolition of the internal buildings on the site to provide the high-end specification of modern office and storage accommodation required along with providing ample yard area for essential car parking. The feasibility exercise which retains a L-shaped portion of the site further restricts the remaining site area available for car parking for project staff. The considerable economic benefits set out in this statement in Section 4 cannot also be realised with the retention of part of the buildings on the site.

#### *The Overall Impact on the Listed Building*

The feasibility option investigates the possible retention and adaptation of a greater proportion of the listed building. Despite this being the only feasible option (given the structural condition of the other half of the quadrangle, i.e., the River Street and California Street facing buildings), it is considered that this partial retention of the site is not to the benefit of the overall integrity of the listed building.

The option requires that much of the historic ‘special interest’ of the site would be lost through the demolition of the actual fish curing works stores and freezer rooms – rooms that provide the link to the site’s historic use. Their demolition would result in the erosion of the special interest of the building, possibly to the point where its special interest would no longer be preserved. As noted in the Building Condition Report, these rooms however are virtually unusable in their current format and even with extensive upgrading, they would have limited options for reuse. They do not meet modern port and harbour warehousing requirements in terms of accessibility, floor loading requirements and headroom.

Retention of only part of the site (i.e., the L shape comprising America Street and Fish Quay) results in the loss of the quadrangle of buildings, the enclosed central courtyard and erodes the historic understanding and link to these buildings past. The archway and vennel on America Street would also require to be closed off to facilitate a new build office scheme that runs the length of the America Street frontage. Despite the fact that considerable structural repair works would be needed to retain this entrance, its loss in the America Street elevation on the feasibility option would also arguably impact on the buildings historic character and appearance and its impact on the streetscape. The redevelopment of the site is also for a private end use where there is no public access to the building beyond the site entrance.

On balance, it is considered that the feasibility option would not be in the interests of the listed building.

## **Conclusions**

To meet the criteria set out in the HES guidance the feasibility study and associated cost analysis has explored options for the redevelopment of the site, whilst retaining and adapting a proportion of the buildings to try to marry these with the operational and physical requirements of the application proposals for O&M facility space. As set out in this statement (and the supporting reports), there is only one feasible alternative option, given the existing building limitations on parts of the site. This alternative option retains an L-shaped section of the site and requires significant intervention and reconstruction of the buildings to facilitate their conversion for contemporary use. The alternative option also requires a significant amount of demolition and overall, is considered to be technically challenging and cost prohibitive. The feasibility study costings suggest that the alternative scheme would be significantly more costly to implement, estimated at being around 21% more costly than the application proposals. This additional uplift in cost to retain part of the site cannot be funded through any alternative means.

In undertaking this feasibility exercise we conclude that the application proposals for a traditional façade retention scheme would be the most appropriate solution of preserving the existing America Street façade and site boundary walls and integrating these into the new site design. Whilst it is unlikely that the buildings are technically incapable of repair, the cost of these repairs would be vastly disproportionate to any inherent economic value that the original accommodation could yield.



## 7. Design Proposals

The proposed building design has been achieved as a result of a considered design development process and has enabled the preservation of the category C listed America Street façade, part of the Fish Quay façade and site boundary walls in a sensitive and complimentary manner.

In terms of selective demolition, the HES guidance on the Use and Adaptation of Listed Buildings states:

*Most buildings have a primary ‘display’ frontage or principal façade, and often the building’s side elevations were also intended to be seen. Important frontages were often the most elaborate or expensively treated and make a particular contribution to special interest. Changes to these areas are likely to have a higher impact on character.*

*Façade retention schemes will not normally be appropriate because of the degree of loss they entail. However, in the right place, a façade retention scheme might be an appropriate course of action when no other options are feasible. This is usually in an urban context, particularly when the façades are of such special interest that they could continue to be a listed building in their own right, or where they make an important contribution to the surrounding townscape.*

The principal façade of the buildings is the America Street frontage which is constructed of well-dressed granite blocks with neat granite return quoins. The Level 1 Standing Building Survey undertaken by Robert Lenfert Archaeology states that:

*The entire structure as seen from America Street appears at first glance largely residential in nature, though the substantial red wooden double doors - still painted Jo Johnston and Sons Salmon Fishers – hint at the primarily industrial nature of the complex. The America Street façade can be described as late- or post-Georgian with a high degree of symmetry in the location and placement of doors and windows, with only later alterations skewing this architectural balance.*



Figure 11: Arched entrance – America Street

### Approach to the Integration of the Retained Facade

The proposal will integrate the America Street facade of the building and part of the former managers house which fronts onto Fish Quay. The conservation of the façade will perform an important role in helping to preserve the heritage story of the site as a former fish curing works dating back to the mid nineteenth century.

The proposals will integrate the facade into the new build by positioning the new steel portal framed building at the south-eastern end of the site. As can be seen from the proposed south west elevation drawing and architectural impression, the gable wall of the manager's house serves to hide the apex of the new build roof from view.

Its connection to the new building is concealed from the America Street view, enabling a more embedded integration with the proposed architecture whilst clearly differentiating historic and contemporary elements of the building. The portion of the facade of the managers house is set back to differentiate it from the new building whilst still giving the clear impression of an integrated site. This ensures the listed facade is suitably pronounced when viewed from America Street and Fish Quay, ensuring that it is properly integrated into the wider portside blocks.

The conservation scheme to which the facade retention relates, is significant in scale and adopts a holistic design approach to the entirety of the scheme. It demonstrates a deep understanding of place



Figure 12: Artistic impression of retained frontage and new build



and the role of the existing built environment. This approach, which involves retaining the perimeter site walls and an internal wall currently separating the quadrangle of buildings from the yard area to the north east of the site, would be compromised by trying to retain the listed buildings.

The listed building façade will form a prominent street frontage onto America Street and corner onto Fish Quay. There is a set back of the listed building highlighting the connection between old and new and emphasising the presence and contrast of the listed facade with the more modern street frontage of the warehouse on the proposed south west elevation.

### Integration of Building Layout

The proposed building has been carefully designed to integrate with the setting out and composition of the retained America Street and Fish Quay facade in plan and section.

This ensures the retained facade relates meaningfully with the proposed building internal spaces – with office accommodation facing into the site and the warehousing and storage facing towards the harbour.

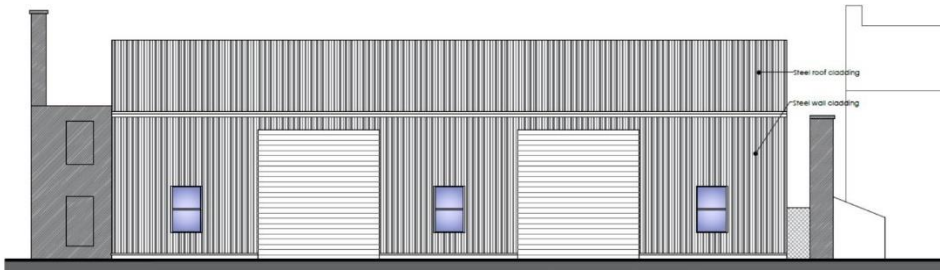


Figure 13: Proposed south west elevation

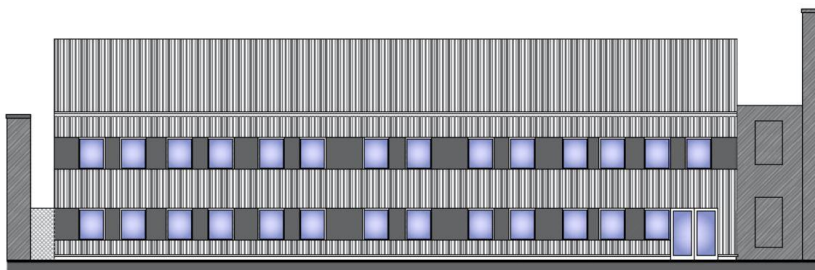


Figure 14: Proposed north east elevation – from quadrangle



Figure 15: Proposed Site Plan

The principle of the proposed development is considered to be in line with SPP and local planning policy and guidance and the presumption in favour of sustainable economic growth and well-designed places.

The form and layout of the site takes on the board the guidance in ‘Creating Places’, the Scottish Government’s policy statement on design, drawing on the principles of Designing Places and Designing Streets. It relates to the principles of context, identity and character and promotes the principles of good architecture and places.

Good design is not merely how a building looks, it is an innovative and creative process that delivers value. Design provides value by delivering good buildings and places that enhance the quality of our lives. This can be:

- physical value – enhances a setting;
- functional value – meets and adapts to the long-term needs of all users;
- viability – provides good value for money;
- social value – develops a positive sense of identity and community; and
- environmental value - efficient and responsible use of our resources.

Ref: Creating Places – A policy statement on architecture and place for Scotland

The application proposals for demolition of the internal buildings and the conservation of the America Street façade and perimeter site walls would naturally impact on the historic fabric of the listed structures. However, in terms of the characteristics of good design they tick all the boxes through:

- **physical value** – enhancing the streetscape setting through the repair and conservation of the America Street façade and site boundary walls
- **functional value** – meets and adapts to the long-term needs of Montrose Port
- **viability** – provides good value for money as evidenced in the estimated costings which considered an alternative redevelopment scheme
- **social value** – develops a positive sense of identity and community through the preservation of the heritage story of the former Joseph Johnston and Sons fish curing site by retaining the America Street façade and arched site entrance
- **environmental value** – demonstrates an efficient and responsible use of resources by integrating the new build proposal within the site boundary walls.



## 8. Conclusion

This Heritage and Design Statement should be considered alongside the other supporting information that has been submitted to Angus Council for this planning application. It provides reasoned justification for the demolition of the buildings at Nos. 1-5 America Street including the repair and conservation of the America Street façade, part of the Fish Quay façade and perimeter site walls. This justification has been provided in line with the Historic Environment Policy for Scotland 2019 (HEPS) which forms part of the national planning policy suite of documents. Managing Change in the Historic Environment is a series of guidance notes about making changes to the historic environment. Of relevance to the application proposal is the 'Managing Change in the Historic Environment: Demolition of Listed Buildings' 2019 document which explains what information is needed in order to satisfy the case for demolition. It states that if one of the following situations applies, demolition is likely to be acceptable, provided this is clearly demonstrated and justified:

- Is the building no longer of special interest?
- Is the building incapable of meaningful repair?
- Is the demolition of the building essential to delivering significant benefits to economic growth or the wider Community?

This report, in conjunction with the Planning Statement and technical reports has provided justification against each of the headings above.

Detailed architectural consideration has been given to trying to redevelop the site for the required accommodation requirements (modern offices, warehousing and car parking) whilst retaining and adapting part of the listed building complex. The retention and integration of even parts of the listed building in its current form would impose a significant constraint on the viability of development, both in terms of the level of structural repair that would be necessary and its impact on the feasibility of being able to utilise the building for contemporary port related uses. A feasibility option exploring retention of an L-shaped part of the site would entail a substantial investment in the order of £1.17m. These costs are an estimated 21% higher than the development application proposals and would render the alternative as economically unviable.

The site now sits within a wider port related development area of the North Quay which has changed dramatically since these buildings were built over 150 years ago. The site has lain vacant for the past 22 years and the current dilapidated state of the site has a negative impact on the character and appearance of the streetscape. The expansion of the offshore renewables sector in Montrose has created new opportunities for sustainable economic growth, opportunities which the application proposals seek to capitalise on, resulting in job creation, economic growth and wider community benefits. The preservation of the listed façade and boundary walls of the site in perpetuity will have a regenerative effect on the surrounding townscape, enhancing the streetscene and improving the visual amenity of the area for neighbouring residents.

## **Appendix 1**

### Statutory Listing





## Summary

Category C	Local Authority Angus	NGR NO 71451 57205
Date Added 30/03/1999	Planning Authority Angus	Coordinates 371451, 757205
Supplementary Information Updated 09/09/2020	Burgh Montrose	

## Description

*A 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.*

*The street frontage has simple classical detailing including a pilastered door-piece to the office and a segmental arched entrance pend with timber doors accessing the courtyard. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves. The managers house at the southwest angle has a small garden area facing the quay. The roofs are slated. The interiors have been largely refurbished with some features of 19th century character remaining in the managers house including fireplaces, moulded cornices and timber panelled shutters.*

## Statement of Special Interest

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978 and are not currently in use (2020).*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

*Listed building record revised in 2020.*





## Appendix 2

### Indicative Costings







Probable Cost No.1 Rev A 24th January 2021SUMMARYTo Keep Façade and Build New Office Block and Storage Area

Demolition of buildings and keep external façade

Sum 185,568.00

To build new purpose built office block

Sum 624,000.00

To build new purpose built storage area

Sum 155,000.00

964,568.00

To Restore the Buildings to Create Office Space and Storage Space

To restore offices

Sum 998,999.83

To restore storage space

Sum 171,426.00

1,170,425.83

Exclusive of

Clients equipment

VAT

Furniture and Fitments

Landscape Planting

Local Authority Statutory Charges

Professional Fees

Structural Engineer report effecting the cost and the method used to arrive at the Probable Cost.

1 Visual Observation - no in-depth structural integrity could be established. We therefore assumed that the front wall of the building would be saved in both the reconstruction of the offices and in the building of the new structure behind.

2 The roof is stated to be in a 'fair condition', and for a building of this age could mean that the wall plates and roof timber are rotten at the ends and we have therefore assumed that a new roof is required and would be reslated using the existing slates. Also a new roof could level all ceilings and this gives the office building continuity.

3 Ground floor - the existing ground floors would require to be replaced to meet current building regulations with regard to damp proof courses, insulation, and strength. We have therefore removed the existing floors and replaced throughout. To facilitate the removal we assumed that the best way would be to remove the existing back wall and internal walls and thus allow the contractor to install all new floors.

4 Upper floors - the new floor would be level throughout the building including over the pend. Again the floor would be installed to the current building regulations including fire proof, sound insulation, and all joist would be to the Engineers specification with supporting steel beams which would be supported on the new timber inner skin of the external walls.

5 Walls - The engineers specification for repairs to the front external wall have been included in both costs and new windows have been inserted into the cost of the free standing front external walls. The Engineer would also, with the new floor design, be able to incorporate a diaphragm action of the upper floor.

6 The External Render - We have allowed for the removal and replacement of the cement render and replacement of the cement render. The Engineer has assumed the render is for weatherproofing and covering repairs.

7 Design - We have included in our renovation cost for all new steel supports, and any existing steel will be removed.

8 Harbour Store - This has been costed as a repair and as a new build attached to the new offices all as the Engineers specification



**Proposed Alterations**  
**to**  
**1 - 5 America Street**  
**To Keep Façade and Build**  
**New Office Block and Storage Area**  
**for**  
**Rix Shipping Ltd**

*Probable Cost No 1 Rev A*

*24th January 2021*



Project Management Scotland Ltd  
26 Montrose Road, Forfar, DD8 2HT  
Tel: 01307 467744 Email: [enq@pm-scot.com](mailto:enq@pm-scot.com)

**Probable Cost for 1-5 America Street  
To Keep Façade and Build New Office Block and  
Storage Area**

**A DEMOLITION**

Carefully take down and remove off site existing timber, brick, and stone walls and blue slated roof forming the offices behind the America Street frontage, include for all temporary supports to ensure the frontage remains in tack.

Sum 80,750.00

**1 SUBSTRUCTURE**

Underpinning existing stone wall where required

Sum 15,000.00

**2E External Walls**

Carefully take down and replace existing timber safe lintols average 1500 mm long with concrete

No 25 230.00 5,750.00

Carefully take down and rebuild stone arch 3500 mm long include for all supports

No 1 4,000.00 4,000.00

Level existing wall head and beam fill after new trusses in position

m 52 45.00 2,340.00

Allow for repairs and clearing of existing cement render

m<sup>2</sup> 328 50.00 16,400.00  
28,490.00

**2F Windows & External Doors**

Timber sash and case windows in two panes double glazed and with ironmongery and balance weights and cords

1000 x 2000

No 8 1,200.00 9,600.00

900 x 1500

No 14 950.00 13,300.00

700 x 2000

No 4 950.00 3,800.00

3.5m wide timber double door with wicket and curved top complete with new ironmongery

No 1 3,700.00 3,700.00

30,400.00

**7 PRELIMINARIES & CONTINGENCIES**

Preliminaries

15,464.00

Contingencies

15,464.00

Total Amount to Keep Façade

185,568.00



<b><u>To Build New Office and Storage Area</u></b>				
<u>Build New 2 storey office block</u>	m <sup>2</sup>	520	1,200.00	624,000.00
<u>Build New Storage Area</u>	m <sup>2</sup>	310	500.00	155,000.00
Total amount to keep façade and build new office block and store behind				<b>964,568.00</b>
<u>Exclusive of</u>				
Clients equipment				
VAT				
Furniture and Fitments				
Landscape Planting				
Local Authority Statutory Charges				
Professional Fees				

**Proposed Alterations**

**to**

**1 - 5 America Street**

**To Restore the Offices**

**for**

**Rix Shipping Ltd**

*Probable Cost No 1 Rev A*

*24th January 2021*



Project Management Scotland Ltd  
26 Montrose Road, Forfar, DD8 2HT  
Tel: 01307 467744 Email: [enq@pm-scot.com](mailto:enq@pm-scot.com)



Contract : 1 - 5 America Street, To Restore Offices

Date : 24th January 2021

Total Floor Area (m<sup>2</sup>)

520

REF	ELEMENT	VALUE	SUB-TOTAL	COST / m <sup>2</sup>
<b>A</b>	<b>DEMOLITION</b>	80,750.00	80,750.00	
<b>1</b>	<b>SUBSTRUCTURE</b>	48,600.00	48,600.00	
<b>2</b>	<b>SUPERSTRUCTURE</b>			
2A	Frame	0.00		
2B	Upper Floor	43,260.00		
2C	Roof	67,445.00		
2D	Stair	6,800.00		
2E	External Walls	96,660.00		
2F	Windows & External Doors	74,470.00		
2G	Internal Walls & Partitions	62,810.00		
2H	Internal Doors	12,100.00	363,545.00	
<b>3</b>	<b>INTERNAL FINISHES</b>			
3A	Wall Finishes	16,839.00		
3B	Floor Finishes	23,400.00		
3C	Ceiling Finishes	23,400.00	63,639.00	
<b>4</b>	<b>FITTINGS</b>	23,300.00	23,300.00	
<b>5</b>	<b>SERVICES</b>			
5A	Sanitary Appliances	12,975.00		
5B	Service Equipment	-		
5C	Disposal Installation	5,000.00		
5D	Water Installation	12,000.00		
5E	Heat Source	12,000.00		
5F	Space Heating & Air Treatment	18,200.00		
5G	Ventilation	20,000.00		
5H	Electrical Installation	48,200.00		
5I	Gas Installation	3,000.00		
5J	Lift & Conveyors	0.00		
5K	Protection Installation	12,650.00		
5L	Communication Installation	6,000.00		
5M	Special Installation			
5N	Builder work in connection	7,200.00		
5O	Builder's profit & attendance		157,225.00	
<b>6</b>	<b>EXTERNAL WORKS</b>			
6A	Site Works	55,941.95		
6B	Drainage	18,500.00		
6C	External Services	21,000.00		
6D	Minor Building Works	-	95,441.95	
<b>7</b>	<b>PRELIMINARIES</b>	83,249.44		
<b>8</b>	<b>CONTINGENCIES</b>	83,249.44		
<b>CONTRACT SUM</b>		<b>£ 998,999.83</b>	<b>Cost/m<sup>2</sup> £</b>	<b>1921.15</b>

<b><u>Probable Cost for 1-5 America Street</u></b>				
<b><u>To Restore Offices</u></b>				
<b><u>A DEMOLITION</u></b>				
Carefully take down and remove off site existing timber, brick, concrete flooring, stone walls, and blue slated roof forming the offices behind the America Street frontage, include for all temporary supports to ensure the frontage remains in tack.			Sum	80,750.00
<b><u>1 SUBSTRUCTURE</u></b>				
Excavate in foundation trenches, concrete, mesh reinforcement and cavity wall average 750mm high	m	52	125.00	6,500.00
Underpinning existing stone wall where required			Sum	20,000.00
Upfill, dpc, 120mm insulation 150mm thick reinforced concrete floor slab with polished finish	m <sup>2</sup>	260	85.00	22,100.00
				<b>48,600.00</b>
<b><u>2 SUPERSTRUCTURE</u></b>				
<b><u>2A Frame</u></b>				
N/R				
<b><u>2B Upper Floor</u></b>				
210 x 150 steel beams at 2600mm centres (N.B. supported on timber frame)	m	100	120.00	12,000.00
250 x 50 joists at 400mm centres, sound deafening, dwangs, 12mm plywood and 25mm chipboard on 50 x 38 battens	m <sup>2</sup>	260	110.00	28,600.00
Skirtings	m	280	9.50	2,660.00
				<b>43,260.00</b>
<b><u>2C Roof</u></b>				
Timber trusses @400mm centres 8.6m span set on a timber wall plate	No	60	200.00	12,000.00
25 mm thick sarking under felt and welsh slates to match existing	m <sup>2</sup>	420	110.00	46,200.00
Ridging	m	35	45.00	1,575.00
Cast iron rhones and downpipes	m	118	65.00	7,670.00
				<b>67,445.00</b>



<u>2D Stair</u>				
Precast concrete steps 1200 long	No	28	200.00	5,600.00
Handrails on metal brackets	m	24	50.00	1,200.00
				<u>6,800.00</u>
<u>2E External Walls</u>				
Carefully take down and replace existing timber safe lintols average 1500 mm long with concrete	No	25	250.00	6,250.00
Carefully take down and rebuild stone arch 3500 mm long include for all supports	No	1	5,000.00	5,000.00
Level existing wall head and beam fill after new trusses in position	m	52	145.00	7,540.00
Remove existing cement coating and recoat with 2 layers of cement render key pointed	m <sup>2</sup>	328	65.00	21,320.00
140 x 50 framing 12m OSB boarding 100mm rockwool batts, frameshield and 50 x 12mm straps	m <sup>2</sup>	330	75.00	24,750.00
12mm thick plasterboard with two coat plaster	m <sup>2</sup>	330	45.00	14,850.00
100mm thick block back work in external skin with 5 no wall ties per m <sup>2</sup>	m <sup>2</sup>	180	65.00	11,700.00
Cut pockets in existing stone wall and tie existing stone walls to timber inner skin with SS ties	m <sup>2</sup>	150	35.00	5,250.00
				<u>96,660.00</u>
<u>2F Windows &amp; External Doors</u>				
Timber sash and case windows in two panes double glazed and with ironmongery and balance weights and cords				
1000 x 2000	No	8	1,400.00	11,200.00
900 x 1500	No	14	1,000.00	14,000.00
700 x 2000	No	4	1,000.00	4,000.00
Framing and insulation to ingoes of windows	No	26	145.00	3,770.00
Aluminium curtain walling to rear	m <sup>2</sup>	84	375.00	31,500.00
Timber 4 panelled door with glass fanlight above	No	3	1,200.00	3,600.00
Fire exit door complete with ironmongery	No	2	700.00	1,400.00
3.5m wide timber double door with wicket and curved top complete with new ironmongery	No	1	5,000.00	5,000.00
				<u>74,470.00</u>

<b><u>2G Internal Walls &amp; Partitions</u></b>				
200mm thick concrete block walls around stairwells	m <sup>2</sup>	211	85.00	17,935.00
95mm metal stud partition 3.00m high, acoustic insulation 15mm sound block insulation board to both sides	m	155	167.00	25,885.00
2 no. coats plaster to block wall	m <sup>2</sup>	422	45.00	18,990.00
				<b>62,810.00</b>
<b><u>2H Internal Doors</u></b>				
Half hour fire doors	No	24	450.00	10,800.00
One hour fire doors	No	2	650.00	1,300.00
				<b>12,100.00</b>
<b><u>3 INTERNAL FINISHES</u></b>				
<b><u>3A Wall Finishes</u></b>				
Decoration work to walls	m <sup>2</sup>	1062	9.50	10,089.00
Skirting, facing etc.	m	450	15.00	6,750.00
				<b>16,839.00</b>
<b><u>3B Floor Finishes</u></b>				
Vinyl, carpet etc. to floors	m <sup>2</sup>	520	45.00	23,400.00
<b><u>3C Ceiling Finishes</u></b>				
12mm plasterboard and two coat plaster to ceilings	m <sup>2</sup>	520	45.00	23,400.00
<b><u>4 FITTINGS</u></b>				
Canteen fittings			Sum	5,000.00
Reception area desk			Sum	5,000.00
Toilet cubicles	No	8	1,200.00	10,800.00
Wet wall to toilet walls			Sum	2,500.00
				<b>23,300.00</b>



<b><u>5 SERVICES</u></b>				
<b><u>5A Sanitary Appliances</u></b>				
WC and cistern	No	8	350.00	2,800.00
Wash hand basins	No	12	300.00	3,600.00
Showers	No	2	1,500.00	3,000.00
Urinals	No	4	275.00	1,100.00
Disabled toilet facility			Sum	1,500.00
Cleaners sink	No	1	650.00	650.00
Canteen sink	No	1	325.00	325.00
				<b>12,975.00</b>
<b><u>5B Service Equipment</u></b>				
-				
<b><u>5C Disposal Installation</u></b>				
Soil and waste piping			Sum	5,000.00
<b><u>5D Water Installation</u></b>				
Hot and cold water supply, storage and distribution			Sum	12,000.00
<b><u>5E Heat Source</u></b>				
Central heating boiler and controls			Sum	12,000.00
<b><u>5F Space Heating &amp; Air Treatment</u></b>				
Radiators with thermostatic valves			Sum	18,200.00
<b><u>5G Ventilation</u></b>				
Supply and extraction from office areas			Sum	15,000.00
Supply and extraction from toilet areas			Sum	5,000.00
				<b>20,000.00</b>

<u>5H Electrical Installation</u>			
Mains distribution board	Sum	3,000.00	
Lighting	Sum	20,800.00	
Small power to offices	Sum	20,800.00	
External lighting	Sum	3,000.00	
Earthing and bonding	Sum	600.00	
		<u>48,200.00</u>	
<u>5I Gas Installation</u>			
Incoming gas distribution pipe work	Sum	3,000.00	
<u>5J Lift &amp; Conveyors</u>			
N/R			
<u>5K Protection Installation</u>			
Fire and burglar alarm system	Sum	10,000.00	
Fire extinguisher and signage	Sum	2,650.00	
		<u>12,650.00</u>	
<u>5L Communication Installation</u>			
Data and communication wiring	Sum	6,000.00	
<u>5M Special Installation</u>			
<u>5N Builder work in connection</u>			
Holes, chases etc. for services	Sum	4,000.00	
Lead in ducts and surface trunking	Sum	3,200.00	
		<u>7,200.00</u>	
<u>5O Builder's profit &amp; attendance</u>			



<b><u>6 EXTERNAL WORKS</u></b>				
<b><u>6A Site Works</u></b>				
Carefully demolish and remove off site existing timber, brick, and stone buildings include for temporary supports to ensure party walls remain			Sum	30,000.00
Repairs to party walls			Sum	7,000.00
Excavate over area of courtyard average 300mm deep and remove off site	m <sup>3</sup>	131	20.00	2,620.00
Tarmacadam surface finish to car parking in courtyard, include for bottoming etc.	m <sup>2</sup>	437	37.35	16,321.95
				<b>55,941.95</b>
<b><u>6B Drainage</u></b>				
Excavate track and lay 100mm drain pipe back fill and reinstate	m	140	45.00	6,300.00
Manholes with heavy duty covers	No	7	1,000.00	7,000.00
Yard gullies	No	4	550.00	2,200.00
Allow for interceptors for yard drainage			Sum	3,000.00
				<b>18,500.00</b>
<b><u>6C External Services</u></b>				
Main utility connections (provisional)				
Water			Sum	5,000.00
Gas			Sum	5,000.00
Electricity			Sum	5,000.00
Telecom			Sum	1,000.00
Sewer Connection			Sum	5,000.00
				<b>21,000.00</b>
<b><u>6D Minor Building Works</u></b>				
<b><u>7 PRELIMINARIES &amp; CONTINGENCIES</u></b>				
Preliminaries				83,249.44
Contingencies				83,249.44
<b><u>Exclusive of</u></b>				
Clients equipment				
VAT				
Furniture and Fitments				
Landscape Planting				
Local Authority Statutory Charges				
Professional Fees				

**Proposed Alterations**  
**to**  
**1- 5 America Street**  
**To Restore Storage Space**  
**for**  
**Rix Shipping Ltd**

*Probable Cost No 1 Rev A*

*24th January 2021*



Project Management Scotland Ltd  
26 Montrose Road, Forfar, DD8 2HT  
Tel: 01307 467744 Email: [enq@pm-scot.com](mailto:enq@pm-scot.com)



Contract : 1- 5 America Street, Restore Storage Space

Date : 24th January 2021

Total Floor Area (m<sup>2</sup>) 310

REF	ELEMENT	VALUE	SUB-TOTAL	COST / m <sup>2</sup>
<b>A</b>	<b>DEMOLITION</b>	25,000.00	25,000.00	
<b>1</b>	<b>SUBSTRUCTURE</b>	16,740.00	16,740.00	
<b>2</b>	<b>SUPERSTRUCTURE</b>			
2A	Frame	0.00		
2B	Upper Floor	0.00		
2C	Roof	38,500.00		
2D	Stair	0.00		
2E	External Walls	8,000.00		
2F	Windows & External Doors	10,200.00		
2G	Internal Walls & Partitions	0.00		
2H	Internal Doors	0.00	56,700.00	
<b>3</b>	<b>INTERNAL FINISHES</b>			
3A	Wall Finishes	14,910.00		
3B	Floor Finishes	3,875.00		
3C	Ceiling Finishes	0.00	18,785.00	
<b>4</b>	<b>FITTINGS</b>	0.00	0.00	
<b>5</b>	<b>SERVICES</b>			
5A	Sanitary Appliances	0.00		
5B	Service Equipment	0.00		
5C	Disposal Installation	0.00		
5D	Water Installation	300.00		
5E	Heat Source	0.00		
5F	Space Heating & Air Treatment	9,300.00		
5G	Ventilation	3,000.00		
5H	Electrical Installation	7,950.00		
5I	Gas Installation	1,000.00		
5J	Lift & Conveyors	0.00		
5K	Protection Installation	2,500.00		
5L	Communication Installation	0.00		
5M	Special Installation	0.00		
5N	Builder work in connection	550.00		
5O	Builder's profit & attendance		24,600.00	
<b>6</b>	<b>EXTERNAL WORKS</b>			
6A	Site Works	0.00		
6B	Drainage	1,000.00		
6C	External Services	0.00		
6D	Minor Building Works	0.00	1,000.00	
<b>7</b>	<b>PRELIMINARIES</b>	14,300.50		
<b>8</b>	<b>CONTINGENCIES</b>	14,300.50		
<b>CONTRACT SUM</b>		<b>£ 171,426.00</b>	<b>Cost/m<sup>2</sup> £</b>	<b>552.99</b>

<b><u>Probable Cost for 1-5 America Street, Storage Space To Restore Storage Space</u></b>			
<b><u>A DEMOLITION</u></b>			
Carefully take down and remove existing stone and brick internal walls and concrete mezzanine floor			Sum 25,000.00
<b><u>1 SUBSTRUCTURE</u></b>			
Blinding 1000g polythene dpc mesh reinforcement and 150mm thick concrete floor laid on the existing concrete and power float finish	m <sup>2</sup>	310	54.00 16,740.00
<b><u>2 SUPERSTRUCTURE</u></b>			
<b><u>2A Frame</u></b>			
N/R			
<b><u>2B Upper Floor</u></b>			
N/R			
<b><u>2C Roof</u></b>			
Remove existing asbestos roofing and replace with 150 x 75 purlins and 70mm thick composit panel roofing	m <sup>2</sup>	352	96.00 33,792.00
Ridging	m	20	27.40 548.00
Cast iron rhones and downpipes	m	64	65.00 4,160.00
			38,500.00
<b><u>2D Stair</u></b>			
N/R			
<b><u>2E External Walls</u></b>			
Slap opening in existing stone wall and form 3.6m x 4.8m high door way	No	2	3,500.00 7,000.00
215mm thick block work building up opening and rendered to match existing	m <sup>2</sup>	10	100.00 1,000.00
			8,000.00



<u>2F Windows &amp; External Doors</u>				
Timber sash and case window in two panes double glazing with ironmongery and balance weights and cords Size 1000 x 2000	No	1	1,000.00	1,000.00
Fire door	No	1	700.00	700.00
Roller shutter door 3600 x 4800	No	2	3,500.00	7,000.00
Double door into courtyard	No	1	1,500.00	1,500.00
				<b>10,200.00</b>
<u>2G Internal Walls &amp; Partitions</u>				
N/R				
<u>2H Internal Doors</u>				
N/R				
<b><u>3 INTERNAL FINISHES</u></b>				
<u>3A Wall Finishes</u>				
Pick and point existing external walls and make good where partitions are taken down	m <sup>2</sup>	426	35.00	14,910.00
<u>3B Floor Finishes</u>				
Two coats concrete sealer to new concrete floor	m <sup>2</sup>	310	12.50	3,875.00
<u>3C Ceiling Finishes</u>				
N/R				
<b><u>4 FITTINGS</u></b>				
N/R				
<b><u>5 SERVICES</u></b>				
<u>5A Sanitary Appliances</u>				
N/R				
<u>5B Service Equipment</u>				
N/R				
<u>5C Disposal Installation</u>				
N/R				

<u>5D Water Installation</u>			
Supply, fit, and fix standpipe	No	1	300.00
			300.00
<u>5E Heat Source</u>			
N/R			
<u>5F Space Heating &amp; Air Treatment</u>			
Radiant tube heating	m <sup>2</sup>	310	30.00
			9,300.00
<u>5G Ventilation</u>			
Supply and fit extraction from storage area			Sum
			3,000.00
<u>5H Electrical Installation</u>			
Mains distribution board			Sum
			500.00
Lighting			Sum
			6,200.00
Power outlets			Sum
			1,000.00
Earthing and bonding			Sum
			250.00
			7,950.00
<u>5I Gas Installation</u>			
Gas distribution for radiant tube heating			Sum
			1,000.00
<u>5J Lift &amp; Conveyors</u>			
N/R			
<u>5K Protection Installation</u>			
Fire and burglar alarm system			Sum
			2,000.00
Fire extinguishers and signage			Sum
			500.00
			2,500.00
<u>5L Communication Installation</u>			
N/R			
<u>5M Special Installation</u>			
N/R			

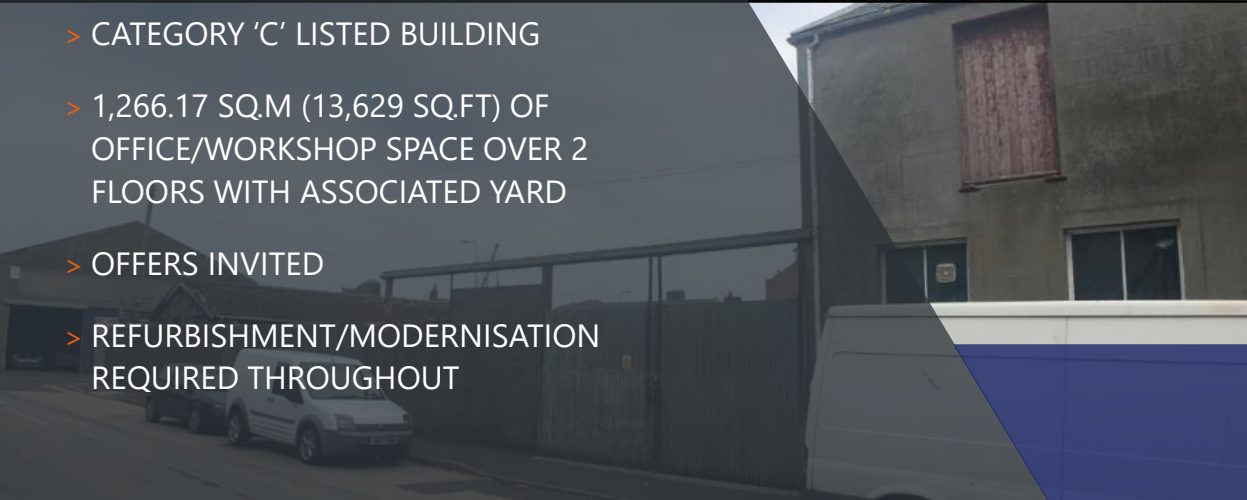


<u>5N Builder work in connection</u>			
Holes, chases, and ducts		Sum	550.00
<u>5O Builder's profit &amp; attendance</u>			
<b><u>6 EXTERNAL WORKS</u></b>			
<u>6A Site Works</u>			
N/R			
<u>6B Drainage</u>			
Form connections of new downpipes		Sum	1,000.00
<u>6C External Services</u>			
Main utilities connected from new offices			
<u>6D Minor Building Works</u>			
<b><u>7 PRELIMINARIES &amp; CONTINGENCIES</u></b>			
Preliminaries			14,300.50
Contingencies			14,300.50
<u>Exclusive of</u>			
Clients equipment			
VAT			
Furniture and Fitments			
Landscape Planting			
Local Authority Statutory Charges			
Professional Fees			



### WAREHOUSE / OFFICES AND YARD

- > ADJACENT TO MONTROSE HARBOUR AREA
- > CATEGORY 'C' LISTED BUILDING
- > 1,266.17 SQ.M (13,629 SQ.FT) OF OFFICE/WORKSHOP SPACE OVER 2 FLOORS WITH ASSOCIATED YARD
- > OFFERS INVITED
- > REFURBISHMENT/MODERNISATION REQUIRED THROUGHOUT



FOR SALE

1-5 AMERICA STREET, MONTROSE, DD10 8DN

CONTACT: Gavin Russell -  
Scott Robertson -

g.russell@shepherd.co.uk  
s.robertson@shepherd.co.uk

01382 878005 [www.shepherd.co.uk](http://www.shepherd.co.uk)







ACCOMMODATION	SqM	SqFt
1 America Street	105.87	1,140
3-5 America Street - Ground	679.00	7,308
3-5 America Street – First	481.30	5,181
<b>TOTAL</b>	<b>1,226.17</b>	<b>13,629</b>

The above areas have been calculated on a gross internal area basis in accordance with the Sixth Edition of the RICS Code of Measuring Practice.

## LOCATION

Montrose has a population of circa 13,250 (source: Angus Council) and is one of the principal towns positioned on the northeast Coast of Scotland, approximately 40 km (30 miles) north of Dundee and 61 km (38 miles) south of Aberdeen. Montrose is located within the administrative authority of Angus Council.

The town sits on the East Coast Railway Line linking London and Aberdeen and connects into the trunk road network via the A92 coastal tourist route and the A935, Brechin Road.

Montrose is an important employment centre for the northeast, providing a busy commercial port for the agricultural, oil and gas industries. As well as being an attractive place to live, Montrose is also a popular destination for tourists.

The subjects are located on the east side of America Street between the junctions with River Street and Fish Quay, part of the Montrose Harbour Area.

## DESCRIPTION

The subjects comprise traditional workshop and office space over ground and first floor arranged around a central courtyard with an additional small store/workshop to the north.

The subjects have been vacant for a number of years and will require refurbishment and modernisation works both internally and externally.

## EPC

Awaiting confirmation.

## PROPOSAL

Our client is seeking offers for their freehold (heritable) interest.

## PLANNING

The site has no specific land use designation within the adopted Angus Local Development Plan.

The subjects are considered to be of special interest in the view of Historic Environment Scotland and any preservation or conversion project may be eligible for grant funding.

There are planning and heritage restrictions on making alterations to the property for which consent will be required from Angus Council. All interested parties are encouraged to make their own enquiries to Angus Council Planning Department with regards their proposed use.

## RATEABLE VALUE

The premises have been assessed for rating purposes and are entered in the Valuation Roll for the current year at:

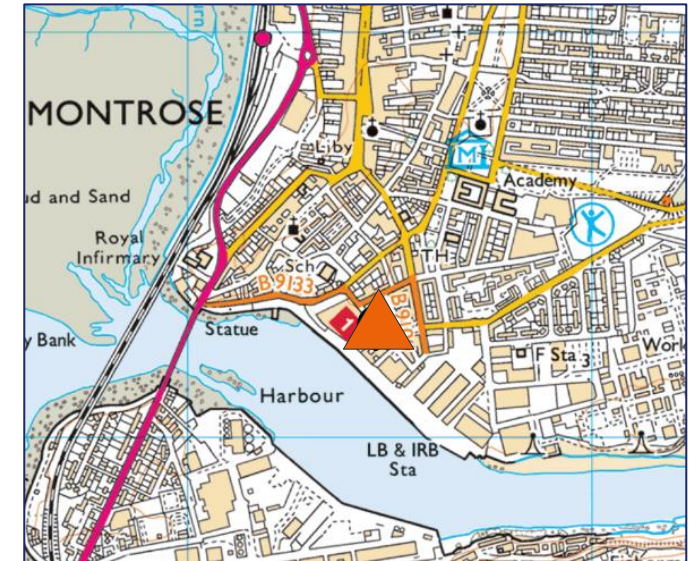
1 America Street:	£3,150
3-5 America Street:	£21,400.

The Unified Business Rate for the financial year 2021/2022 is 49 pence exclusive of water and sewerage.

## VAT

For the avoidance of doubt all prices quoted are exclusive of VAT, which may be applicable.

## AMERICA STREET, MONTROSE



**For further information or viewing arrangements please contact the sole agents:**

**Shepherd Chartered Surveyors** 13 Albert Square, Meadowside, Dundee, DD1 1XA (01382) 878005  
Gavin Russell – g.russell@shepherd.co.uk / Scott Robertson - s.robertson@shepherd.co.uk

[www.shepherd.co.uk](http://www.shepherd.co.uk)



J & E Shepherd for themselves and for the vendors or lessors of this property whose agents they are, give notice that: (i) the particulars and plan are set out as a general outline for the guidance of intending purchasers or lessees, and do not constitute, nor constitute part of, an offer or contract (ii) all descriptions, dimensions, references to condition and necessary permissions for use and occupation, and other details are given in good faith and are believed to be correct at the date of first issue but any intending purchasers or tenants should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them; (iii) no person in the employment of J & E Shepherd has any authority to make or give any representation or warranty whatever in relation to this property; (iv) all prices and rentals are quoted exclusive of VAT unless otherwise stated. Prospective purchasers/lessees must satisfy themselves independently as to the incidence of VAT in respect of any transaction. We comply with the Money Laundering, Terrorist Financing and Transfer of Fund Regulations 2017. **JULY 2021**





**By email to: [plnprocessing@angus.gov.uk](mailto:plnprocessing@angus.gov.uk)**

Angus Council  
Orchard Business Park  
Forfar  
DD8 1AN

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300046856  
Your ref: 20/00599/LBC  
21 October 2020

Dear Sir/Madam

Planning (Listed Building Consent and Conservation Area Consent Procedure)  
(Scotland) Regulations 2015

1 - 5 America Street Montrose DD10 8DN - Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure

Thank you for your consultation which we received on 08 October 2020. The proposals affect the following:

Ref	Name	Designation Type
LB46164	1-5 AMERICA STREET INCLUDING BOUNDARY WALLS	Listed Building

### Our Advice

We **object** to the application because we do not consider the substantial demolition of the listed building has been justified.

The application is for the demolition of all the buildings within the quadrangle of this historic fish curing works at Montrose Harbour, built 1840 – 1860. This includes the old manager's house that faces the quay on the quadrangle's southwest. A replacement two-storey, steel portal structure in the South courtyard and a car parking space would also form part of these proposed works. The North courtyard would be converted into a two-storey car park. The boundary walls to America Street, River Street and most of California Street would be retained, including building facades. However, the boundary wall that faces quayside on California Street would be removed.



The proposals would result in the substantial demolition of the category C listed building, including the former offices, workshops, stores and manager's house. These surviving components make a significant contribution to the listed building's character and our understanding of its historic form and use.

We have set out our comments below, concentrating on the four considerations in our Managing Change guidance for justifying the demolition of a listed building:

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=e43c3b07-7f42-4d1d-b2d2-aa24011bfee9>

### **Special Interest**

Our designations colleagues recently reviewed the former fish curing works for its special architectural or historic interest. This review was completed on 9 September 2020, and their assessment concluded the building continues to meet the criteria for listing and that the present category C is considered to be the most appropriate level of listing. A report of handling on this review can be found via a link on the building's list description:

<http://portal.historicenvironment.scot/designation/LB46164> .

This listed building retains its special interest as a rare example of a largely intact 19<sup>th</sup> century fish curing works, occupying a prominent quayside position at Montrose Harbour that relates directly to its former function.

The complex comprises a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining managers house component, which form a significant part of the listed building's character, appearance and special architectural interest - the manager's house is especially intact, retaining some historic features, including fireplaces, moulded cornices and timber panelled shutters. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves.

These surviving components form an authentic example of an historically important commercial/industrial building type situated within a group of harbour buildings and therefore contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.

The applicant has indicated the fabric of the building is poor, but the present condition of the surviving fabric is not a factor when deciding whether a building is of special interest.

### **Meaningful Repair**





Most traditionally-built buildings, even those in an advanced state of decay, can be repaired. A listed building is deemed capable of meaningful repair when its repair can preserve its special interest.

We note from the supporting statement provided that this listed building has been derelict for over 20 years and is described as being in disrepair. However, there appears to be no information to help support this assessment, including photographs and a condition survey/report, which we strongly recommend are sought to enable a full assessment of the building's existing condition.

Consequently, we do not consider that the physical condition of the historic buildings, including the manager's house, which are intrinsic to the fish curing works' special interest, are beyond meaningful repair - a separate issue to economic viability, considered below.

### **Benefits to Economic Growth or the Wider Community**

Some projects may be of such economic or public significance that their benefits may be seen to outweigh the strong presumption in favour of retaining a listed building. Where proposals involve a new development on the site, planning permission for the replacement development should be demonstrated as being in line with local and national policy. Unless this can be done, there is no certainty that planning permission will be achievable. This would make it impossible to ensure that the benefits were going to happen, and the demolition would therefore not be justified.

The applicant's supporting statement states the proposed works are essential to delivering significant benefits of economic growth to Montrose Port, Montrose, Angus and the wider community, including the creation of 50 jobs.

However, in our view there is insufficient evidence to demonstrate why the substantial demolition of this listed building is essential to obtaining these benefits. It is not made clear why these, or similar benefits cannot be achieved with the retention of the existing buildings, or whether the new development can go elsewhere. We consider it would be possible to adapt and/or reuse more of the existing internal and external spaces of the fish curing works for the applicant's desired storage and office space requirements, especially as many of the interiors have already been largely refurbished.

Supporting evidence should also include a detailed assessment of the likely benefits of the proposed project, which is limited in this case. If the works form part of a wider strategy, the application should explain why the strategy is significant at a national or regional level.

Our view is that the suggested benefits of the proposals cannot currently be seen to be of regional or national importance, such that they would outweigh the strong presumption in



favour of retaining the listed building. Therefore, demolition on these grounds has not been adequately justified.

### **Economic Viability**

This consideration relates to the conservation deficit of a building – where repair and reuse is judged higher than the end value. In such cases we would advise the investigation of grant assistance at an early stage. If a conservation deficit is proved and the current owner can see no viable end use, we would normally expect the building to be marketed to a potential restoring purchaser e.g. someone who can reuse the building without recourse to substantial demolition. The marketing price should not be defined by the value of the land without the building, because that would assume demolition will take place.

In this case, the supporting information does not clearly indicate if attempts to market the building have been undertaken, so in our view, the building's substantial demolition cannot currently be argued under this consideration.

### **Conclusion**

There is a strong presumption in favour of retaining listed buildings. The decision to demolish a listed building is a last resort and must always be made at the end of a process that has considered and discounted all other feasible options.

There is no compelling evidence that less harmful solutions have been considered in this case. Our guidance document 'Managing Change in the Historic Environment: The Use and Adaptation of Listed Buildings' provides advice on how the re-use of a listed building can be sensitively achieved: <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=8ab1f9c9-521a-435e-a3f2-aa240119b5e1> .

Due to current Scottish Government restrictions and internal HES guidance on travel and site visits, we have been unable to visit the site and inspect the buildings in any detail. Our current evaluation has therefore been a desk-based exercise only, albeit with the assistance of the application's supporting information.

However, from our current knowledge of the site, it is our view that the works would have a significant adverse impact on the listed building's special architectural and historic interest. The retention of only the boundary walls would limit our understanding and appreciation of the historic complex. Furthermore, we consider the proposed two-storey car park at the North of the site would be especially damaging to the listed building, due to its scale and form which would be very visually prominent. Although the proposed two-storey car park design would significantly detract from the complex's historic appearance and character, we do consider there is still scope for car parking within this space, though on a greatly reduced scale and within the boundaries of the existing courtyard walls.





The supporting information included does not, in our view, meet the criteria for justifying the substantial demolition of the listed building. Therefore, with the information we have to hand, we object to the current scheme.

We would be happy to meet you and the applicant(s) remotely – and/or on site once Phase 4 of the Scottish Government's COVID-19 route map is in effect – to discuss our concerns and potential solutions that retain a more meaningful proportion of the fish curing works, particularly the former manager's house and offices.

If you are minded to grant consent, with or without conditions, you are required under the terms of the Planning (Listed Buildings and Conservation Areas) (Notification of Applications) Direction 2015 to notify Scottish Ministers.

### **Further Information**

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).

As this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).

Please contact us if you have any questions about this response. The officer managing this case is Mario Cariello who can be contacted by phone on 0131 668 8917 or by email on [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot).

Yours faithfully

### **Historic Environment Scotland**



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**





**By email to: [plnprocessing@angus.gov.uk](mailto:plnprocessing@angus.gov.uk)**

Angus Council  
Orchard Business Park  
Forfar  
DD8 1AN

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300046856  
Your ref: 20/00599/LBC  
21 January 2021

Dear Sir/Madam,

Planning (Listed Building Consent and Conservation Area Consent Procedure)  
(Scotland) Regulations 2015

3 - 5 America Street Montrose DD10 8DN - Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure

Thank you for your further consultation which we received on 08 January 2021. The proposals affect the following:

Ref	Name	Designation Type
LB46164	1-5 AMERICA STREET INCLUDING BOUNDARY WALLS	Listed Building

### Our Advice

We maintain our **objection** to the application because we do not consider the demolition of the category C listed building has been justified.

The proposals for this application are unchanged and would still see the demolition of all the buildings within the quadrangle of this historic fish curing works at Montrose Harbour (1840 -1860), including the old manager's house. This would result in the substantial demolition of the category C listed building. A replacement two-storey office structure and a two-storey car park would be erected behind the boundary walls and building facades, which are to be retained.



We have examined the recently submitted archaeology report by Robert Lenfert Archaeology, dated October/November 2020, which concludes that *'The overall footprint of the entire complex [the former fish curing works] is largely unchanged in plan from the layout depicted on the 1<sup>st</sup> edition ordnance survey maps.'* and that *'The quality and high expense associated with their [the individual structures of the listed building] robust, well-made construction is still evident today.'*

This archaeology report appears to address the 'Special Interest' consideration from our Managing Change Guidance for justifying the demolition of a listed building (<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=e43c3b07-7f42-4d1d-b2d2-aa24011bfee9>).

In our view, this additional information emphasises the significance of the listed building in its current form. The analysis (photographic and written) helps demonstrate the special architectural interest of the fish curing works through its intact quadrangle layout (including courtyards, boundary walls and building facades), surviving structures (including former offices, workshops and stores) and historic features (including detailed plasterwork in the former manager's house) that contribute to the listed building's character as well as our understanding of its historic form and use.

Consequently, we maintain the comments made in our previous consultation response, including those made for the other three considerations (Meaningful Repair; Benefits to Economic Growth or the Wider Community; and Economic Viability).

## **Conclusion**

There is a strong presumption in favour of retaining listed buildings. The decision to demolish a listed building is a last resort and must always be made at the end of a process that has considered and discounted all other feasible options.

In our view, there remains no compelling evidence that less harmful solutions have been considered in this case. Our guidance document 'Managing Change in the Historic Environment: The Use and Adaptation of Listed Buildings' provides advice on how the re-use of a listed building can be sensitively achieved:

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=8ab1f9c9-521a-435e-a3f2-aa240119b5e1> .

Due to the current lockdown, we have still been unable to visit the site and inspect the buildings in any detail. Our current evaluation has therefore been a desk-based exercise only, albeit with the assistance of the application's supporting information.





From our updated knowledge of the site, we maintain that the works would have a significant adverse impact on the listed building's special architectural and historic interest. The retention of only the boundary walls would limit our understanding and appreciation of the historic complex. Furthermore, we consider the proposed two-storey car park at the North of the site would be especially damaging to the listed building, due to its scale and form which would be very visually prominent. Although the proposed two-storey car park design would significantly detract from the complex's historic appearance and character, we do consider there is still scope for car parking within this space, though on a greatly reduced scale and within the boundaries of the existing courtyard walls.

The supporting information included does not, in our view, meet the criteria for justifying the substantial demolition of the listed building. Therefore, with the information we have to hand, we still object to the current scheme.

We would be happy to meet you and the applicant(s) remotely – and/or on site once lockdown has finished and travel restrictions are lifted – to discuss our concerns and potential solutions that retain a more meaningful proportion of the fish curing works, particularly the former manager's house and offices.

If you are minded to grant consent, with or without conditions, you are required under the terms of the Planning (Listed Buildings and Conservation Areas) (Notification of Applications) Direction 2015 to notify Scottish Ministers.

### **Further Information**

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).

As this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).



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Please contact us if you have any questions about this response. The officer managing this case is Mario Cariello who can be contacted by phone on 0131 668 8917 or by email on [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot).

Yours faithfully

**Historic Environment Scotland**

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**





**By email to: [plnprocessing@angus.gov.uk](mailto:plnprocessing@angus.gov.uk)**

Angus Council  
Orchard Business Park  
Forfar  
DD8 1AN

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300046856  
Your ref: 20/00599/LBC  
17 March 2021

Dear Angus Council

Planning (Listed Building Consent and Conservation Area Consent Procedure)  
(Scotland) Regulations 2015

1 - 5 America Street Montrose DD10 8DN - Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure

Thank you for your further consultation which we received on 04 March 2021. The proposals affect the following:

<b>Ref</b>	<b>Name</b>	<b>Designation Type</b>
LB46164	1-5 AMERICA STREET INCLUDING BOUNDARY WALLS	Listed Building

### **Our Advice**

We are continuing to review the applicant's updated submission for this application and will issue a full response in due course. In order to help us do this, we have identified three key points we would like to address first:

**1.** The applicant has investigated a feasibility option and has offered further information for viewing, including detailed costings, which (if possible) we would like to consider. It would be helpful for us to better understand the costs involved and what the basis for them is. For example, it has been suggested that any extension or alteration of the listed building would have to be completed in stone. To clarify, we would not deem the use of stone necessary for an extension that could secure the long-term use of the listed building.



Any option that preserves more of the listed building is worth considering, which underlines the second point we would like to raise.

2. A significant issue with the newly submitted information is that it is based on the presumption the listed building would only be developed by the applicant for their intended purpose. In order to appropriately justify demolition, it would need to be properly demonstrated that the building could not be brought back into any other use by a restoring purchaser who could retain a more meaningful proportion of it.

As it stands, the building does not appear to have been marketed since it was closed. We would ask if there is any evidence of it recently being on the market and having failed to secure alternative ownership. This would help confirm if there has been any other interest from a potential purchaser and if other (perhaps more sympathetic) schemes for its reuse may have existed.

3. Finally, would it be possible for your Council to provide comments on the compatibility of this listed building with the long-term aspirations for Montrose Harbour, including its context within the Seagreen offshore windfarm development. For example, if an alternative use was proposed for the building, would this likely cause any issues?

We would greatly welcome any additional information related to the points raised above, which will help us provide a fuller assessment of the proposals. As indicated in our previous responses, we are happy to meet you and the applicant(s) remotely to discuss our concerns and potential solutions.

If you are minded to grant consent, with or without conditions, you are required under the terms of the Planning (Listed Buildings and Conservation Areas) (Notification of Applications) Direction 2015 to notify Scottish Ministers.

### **Further Information**

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).

As this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to





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carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).

Please contact us if you have any questions about this response. The officer managing this case is Mario Cariello who can be contacted by phone on 0131 668 8917 or by email on [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot).

Yours faithfully

**Historic Environment Scotland**

maria@mfplanning.co.uk

---

**From:** BrennanDG <BrennanDG@angus.gov.uk>  
**Sent:** 02 April 2021 10:28  
**To:** Phil Birse; Maria Francké Planning; Project Management Enquiries  
**Subject:** 20/00574/FULL & 20/00599/LBC - Redevelopment of : 1 - 5 America Street Montrose  
**Attachments:** LBC Consultation.pdf

**Flag Status:** Flagged

Dear Ms Francke & Mr Birse,

**Proposal:** Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure

**Location:** 1 - 5 America Street Montrose DD10 8DN

**Reference:** 20/00574/FULL & 20/00599/LBC

Further to the submission of the above applications and the initial consultation responses received from Historic Environment Scotland (HES) I can confirm that we have now received the attached response.

The response received notes a number of concerns in relation to the costings produced, marketing of the building and whether the building could be brought back into use by another user, and long-term aspirations for the Harbour.

We have reviewed and discussed the response received and would make the following additional observations in relation to the points identified by HES:

Point 1 - In terms of costings, I would similar to HES like to request the detailed costings offered. I would highlight the example of the Managers House section of the building. The Building Condition Report seems to indicate as with other parts of the building that the Managers House section of the building is in fair condition. The Heritage and design Statement provides commentary in relation to the feasibility of utilising this space. Options are discussed and dismissed partially on the basis of costings. Providing additional information in relation to the costings of aspects such as this would aid the consideration of the applications;

Point 2 – Similar to HES we would ask for further information relating to the marketing of the building and other possible uses that could be proposed;

Point 3- HES has requested that we provide further commentary in relation to the compatibility of this listed building with the long-term aspirations for Montrose Port. The application site falls outwith the port boundary at present. We are supportive of proposals for the reuse of this listed building to support the activities within the port that are sympathetic to its listed status. HES has previously stated that there is insufficient evidence to demonstrate why the substantial demolition of this listed building is essential to delivering significant benefits of economic growth to Montrose Port. The information provided identifies that a bid has been lodged but does not confirm whether the benefits offered will be secured. In addition, the information submitted does not confirm whether the new development proposed can go elsewhere. I would ask for commentary in relation to the status of the bid and what alternate sites the applicant could secure within or adjacent to the port to serve the proposed use.



Could I please ask you to review the response received from HES and our comments above and provide a response in relation to the points raised.

I have pushed the determination date back to 28 May 2021 in the interim to allow for the submission of the additional information requested in relation to the above and for further comment from HES. Please confirm if this is an acceptable timeframe for its submission and that the above course of action is acceptable.

I trust that the above is of assistance and if you have any questions regarding any of the above please do not hesitate to contact me.

Yours sincerely,

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)  
| [www.angus.gov.uk](http://www.angus.gov.uk)

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[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)

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**From:** Phil Birse <phil@pm-scot.com>  
**Sent:** 22 April 2021 15:46  
**To:** BrennanDG  
**Cc:** maria@mfplanning.co.uk; Project Management Enquiries  
**Subject:** FW: 20/00574/FULL & 20/00599/LBC - Redevelopment of : 1 - 5 America Street Montrose  
**Attachments:** LBC Consultation.pdf; Probable Cost No 1 Rev A Restore offices Jan2021.pdf; Probable Cost No 1 Rev A Restore Storage Space Jan 2021.pdf; Probable Cost No 1 Rev A to keep facade and New Build Jan 2021.pdf; Summary Rev A Jan 2021.pdf; RSSL - Angus Council - America Street - Response Letter.pdf

Dear Damian, please see below comments ( in blue) and attachments relating to the 3 points raised within your email dated 02.04.21. Please note that the attached detail costs are strictly confidential and NOT to be displayed on the public portal.

We look forward to your feedback on the addressed matters

Kind Regards

Phil Birse  
Project Management Scotland Ltd  
26 Montrose Road  
Forfar  
DD8 2HT

Tel: [REDACTED]  
Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)



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**From:** Maria Francké Planning [mailto:[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)]  
**Sent:** 21 April 2021 11:48  
**To:** Phil Birse <phil@pm-scot.com>  
**Cc:** 'Mark Cessford' <mark.cessford@rix.co.uk>  
**Subject:** FW: 20/00574/FULL & 20/00599/LBC - Redevelopment of : 1 - 5 America Street Montrose

Point 1 - In terms of costings, I would similar to HES like to request the detailed costings offered. I would highlight the example of the Managers House section of the building. The Building Condition Report seems to indicate as with other parts of the building that the Managers House section of the building is in fair condition. The Heritage and design Statement provides commentary in relation to the feasibility of utilising this space. Options are discussed and dismissed partially on the basis of costings. Providing additional information in relation to the costings of aspects such as this would aid the consideration of the applications;

As summarised in Section 6 of the Design and Heritage Statement (and supported by the survey and findings in the Building Condition Report and Redevelopment Report) there is a comprehensive schedule of works that would be required to execute the considered feasibility option. These works have been



fairly costed and we are happy to share the detailed costings for the Council's and HES's consideration. Please note that these cost schedules are NOT for display on the public planning portal.

Point 2 – Similar to HES we would ask for further information relating to the marketing of the building and other possible uses that could be proposed;

Rix acquired the site in 2020 following discussions on the potential re-use of the site with planning officers from the Council in the light of Seagreen. As the site is now owned by Rix, the building would only be developed by the owner for their intended purpose to support the offshore renewables sector.

The site and building was marketed by the previous owners before this for 22 years. During Rix's discussions with the vendor there had been no other interest in the acquisition or reuse of the property over the 22 years since its closure. The prospect of any other future interest in the site from any other party (should Rix decide to try and sell the property) is extremely unrealistic.

Point 3- HES has requested that we provide further commentary in relation to the compatibility of this listed building with the long-term aspirations for Montrose Port. The application site falls outwith the port boundary at present. We are supportive of proposals for the reuse of this listed building to support the activities within the port that are sympathetic to its listed status. HES has previously stated that there is insufficient evidence to demonstrate why the substantial demolition of this listed building is essential to delivering significant benefits of economic growth to Montrose Port. The information provided identifies that a bid has been lodged but does not confirm whether the benefits offered will be secured. In addition, the information submitted does not confirm whether the new development proposed can go elsewhere. I would ask for commentary in relation to the status of the bid and what alternate sites the applicant could secure within or adjacent to the port to serve the proposed use.

As per the letter dated 19.3.21 from Mark Cessford, General Manager, Rix Shipping (Scotland) Ltd which is submitted in confidence to the Council, Rix is in confidential commercial discussions with two potential O&M occupiers for the site – HSM Offshore BV (Contractors) for NNG Offshore Wind and Vestas Wind Systems for Seagreen. The benefits would be secured (as set out in the planning application submission) whichever one of these O&M operators occupies the site. The Council will appreciate that these discussions are commercially and legally sensitive and will only be concluded pending the successful resolution of the current planning and listed building applications for the site.

As set out in the Planning Statement in Section 5 (ref. paras 2.5-2.10; 5.31-5.37 there are no alternate sites the applicant could secure within or adjacent to the port to meet this requirement. Rix has already invested considerably in i) the purchase of this site to further the growth in the offshore renewables sector and ii) preparing and lodging the planning and listed building consent applications. It is simply not a viable or realistic proposition for the Council to suggest that the applicant secures another site. In any event, there is no other port site that meets the O&M facilities requirement which must have vessel berthing, access and loading facilities, warehouse, office and welfare facilities.

Kind regards  
Maria



My working days are Monday to Thursday inclusive.

This e-mail is confidential and intended solely for the use of the individual(s) to whom it is addressed; it may also be legally privileged and /or price sensitive and, accordingly, any disclosure, use, dissemination, forwarding, printing or copying of this e-mail or the attachments hereto is strictly prohibited and may be illegal. If you have received this e-mail in error, please notify the sender by e-mail or telephone (+44) (0) 7539 389078 and then delete the e-mail. Maria Francké Planning has taken every reasonable precaution to ensure that any attachment to this e-mail has been swept for viruses. However, we cannot accept liability for any damage sustained as a result of software viruses and the recipient should carry out its own virus checks before opening any attachment.

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**From:** BrennanDG <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>

**Sent:** 02 April 2021 10:28

**To:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>; Maria Francké Planning <[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)>; Project Management Enquiries <[eng@pm-scot.com](mailto:eng@pm-scot.com)>

**Subject:** 20/00574/FULL & 20/00599/LBC - Redevelopment of : 1 - 5 America Street Montrose

Dear Ms Francke & Mr Birse,

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**

**Location: 1 - 5 America Street Montrose DD10 8DN**

**Reference: 20/00574/FULL & 20/00599/LBC**

Further to the submission of the above applications and the initial consultation responses received from Historic Environment Scotland (HES) I can confirm that we have now received the attached response.

The response received notes a number of concerns in relation to the costings produced, marketing of the building and whether the building could be brought back into use by another user, and long-term aspirations for the Harbour.

We have reviewed and discussed the response received and would make the following additional observations in relation to the points identified by HES:

Point 1 - In terms of costings, I would similar to HES like to request the detailed costings offered. I would highlight the example of the Managers House section of the building. The Building Condition Report seems to indicate as with other parts of the building that the Managers House section of the building is in fair condition. The Heritage and design Statement provides commentary in relation to the feasibility of utilising this space. Options are discussed and dismissed partially on the basis of costings. Providing additional information in relation to the costings of aspects such as this would aid the consideration of the applications;

Point 2 – Similar to HES we would ask for further information relating to the marketing of the building and other possible uses that could be proposed;

Point 3- HES has requested that we provide further commentary in relation to the compatibility of this listed building with the long-term aspirations for Montrose Port. The application site falls outwith the port boundary at present. We are supportive of proposals for the reuse of this listed building to support the activities within the port that are sympathetic to its listed status. HES has previously stated that there is insufficient evidence to demonstrate why the substantial demolition of this listed building is essential to



delivering significant benefits of economic growth to Montrose Port. The information provided identifies that a bid has been lodged but does not confirm whether the benefits offered will be secured. In addition, the information submitted does not confirm whether the new development proposed can go elsewhere. I would ask for commentary in relation to the status of the bid and what alternate sites the applicant could secure within or adjacent to the port to serve the proposed use.

Could I please ask you to review the response received from HES and our comments above and provide a response in relation to the points raised.

I have pushed the determination date back to 28 May 2021 in the interim to allow for the submission of the additional information requested in relation to the above and for further comment from HES. Please confirm if this is an acceptable timeframe for its submission and that the above course of action is acceptable.

I trust that the above is of assistance and if you have any questions regarding any of the above please do not hesitate to contact me.

Yours sincerely,

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)  
| [www.angus.gov.uk](http://www.angus.gov.uk)

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[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)

---

**From:** Damian G Brennan <BrennanDG@angus.gov.uk>  
**Sent:** 27 May 2021 17:50  
**To:** Phil Birse; maria@mfplanning.co.uk  
**Cc:** Project Management Enquiries  
**Subject:** 20/00574/FULL & 20/00599/LBC - Redevelopment of 1 - 5 America Street Montrose  
**Attachments:** Objection (002).pdf

Dear Ms Francke & Mr Birse,

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**

**Location: 1 - 5 America Street Montrose DD10 8DN**

**Reference: 20/00574/FULL & 20/00599/LBC**

Further to the submission of the additional information submitted in support of the above applications, I can now confirm that we have received the attached consultation response from Historic Environment Scotland (HES).

In terms of the response received from HES, it maintains their objection to the current scheme after reviewing the additional information submitted. It objects to the application because they do not consider the demolition of the listed building has been justified. They consider the building to be capable of meaningful repair, do not consider the proposed demolition is essential to delivering significant benefits to economic growth and seeks further evidence of the marketing. They also note that the proposed works are still considered to have a significant adverse impact on the listed building's special architectural and historic interest and the supporting information is not considered to meet the criteria for justifying the substantial demolition of the listed building.

I have reviewed and discussed the comments offered by HES and would advise that we concur with the conclusions reached.

In light of the above views, it is most likely that we would seek to refuse the applications on the basis of the information and consultation responses received to date. Our advice at this point would be to withdraw the applications and either revise the proposal to retain a more meaningful part of the listed building or provide more information that could justify the works proposed.

I have pushed the determination date back to 25 June 2021 in the interim to allow for you to review the consultation response received and for any discussion regarding the potential solutions as suggested by HES in their response. HES have indicated that the meeting arranged for the Tuesday 1<sup>st</sup> June may an opportunity to discuss the response received.

I hope that the above is of assistance and look forward to your observations in relation to the above.

Regards,

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)  
| [www.angus.gov.uk](http://www.angus.gov.uk)





**By email to: [plnprocessing@angus.gov.uk](mailto:plnprocessing@angus.gov.uk)**

Angus Council  
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Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300046856  
Your ref: 20/00599/LBC  
27 May 2021

Dear Angus Council

Planning (Listed Building Consent and Conservation Area Consent Procedure)  
(Scotland) Regulations 2015

1 - 5 America Street Montrose DD10 8DN - Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure

Thank you for your consultation which we received on 04 March 2021. The proposals affect the following:

Ref	Name	Designation Type
LB46164	1-5 AMERICA STREET INCLUDING BOUNDARY WALLS	Listed Building

### Our Advice

We thank your Council and the applicant for providing the additional information we requested in our interim response, which has helped in our assessment of the application. However, we maintain our **objection** to the application because we remain unconvinced the demolition of the category C listed building has been properly justified.

The proposals for this application changed slightly, with the two-storey car park originally proposed inside the North courtyard, facing River Street, now removed. However, all the buildings within the quadrangle of this historic fish curing works at Montrose Harbour (1840 – 1860) would still be demolished, including the manager's house. This would result in the substantial demolition of the listed building. A replacement two-storey office and warehouse structure would be erected along the quayside edge of the South courtyard, extending beyond the existing building facades, which would be almost



entirely removed here. The remaining boundary walls and elevations are proposed for retention.

We have examined the additional information submitted, including the Building Condition Report, Planning Statement and Heritage Statement, which have re-addressed the four considerations in our [Managing Change guidance for justifying the demolition of listed buildings](#). Our updated comments are set out below:

### **Special Interest**

In our view, this listed building still retains its special architectural and historic interest as a rare example of a largely intact 19<sup>th</sup> century fish curing works.

The applicant has again indicated the condition of the building is poor and that it has been visibly altered, suggesting this has diminished its special architectural interest. To clarify, the present condition of the surviving fabric is not a factor when deciding whether a building is of special interest. Furthermore, many of these alterations would have been extant when a recent review of this listing was completed by our Designations colleagues in September last year. This review concluded the building continues to meet the criteria for listing and that the present category C is the most appropriate level of listing.

Consequently, we maintain the comments made in our original consultation response for this consideration.

### **Meaningful Repair**

A listed building is deemed capable of meaningful repair when its repair can preserve its special interest.

The documents submitted on the portal suggest the former fish curing works is not capable of meaningful repair, because the repaired structure would not be compatible with the applicant's proposed use for the listed building and therefore could not preserve its special interest without extensive, adverse alterations.

We disagree with this assessment. While the applicant's current proposals for the listed building would not preserve its special interest, this does not mean it is incapable of meaningful repair. From the information uploaded onto the portal, it appears the physical condition of these historic buildings is such that they can technically be repaired without extensive loss or complete reconstruction.

This means that the listed building's special interest could therefore still be preserved with an alternative, more sympathetic scheme or use. Consequently, we maintain it is capable of meaningful repair. This is a separate issue to the economic viability of any repairs, which is considered below.





### **Benefits to Economic Growth or the Wider Community**

It is clear that while the listed building's location at Montrose Harbour makes it a strategically attractive space as an operations and maintenance base for the offshore renewable energy industry, the site falls outwith the existing port boundary and is thereby not subject to Policy M6 of the Angus Local Development Plan. Furthermore, your Council has confirmed that if an alternative use was proposed for the listed building, this is not likely to cause any issues regarding the long term aspirations for Montrose Harbour, including its context within the Seagreen offshore windfarm development, subject to achieving the requisite permission and/or consent.

With this in mind, we do not consider the proposed demolition is essential to delivering significant benefits to economic growth to Montrose Harbour and the wider community of Montrose, as argued by the applicant. We maintain our view that it would be possible to adapt and/or reuse more of the existing internal and external spaces of this quayside complex for the applicant's desired storage and office requirements.

Consequently, we advise demolition under this consideration has still not been justified.

### **Economic Viability**

The applicant has indicated there would be a conservation deficit for the repair and reuse of this listed building. If the current owner can see no viable end use for the existing listed building, we maintain that in such cases, the building should be marketed.

The agent has stated that 1-5 America Street had been marketed by the previous owners for 22 years, prior to the applicant's purchase, but details on this have not been provided.

We advise your Council seeks further evidence of the marketing that took place. For example, was this undertaken in an open and transparent manner? Was it made clear that the site is listed? Was it marketed to specific restoration/conservation groups or individuals, such as Building Preservation Trusts? This additional information would help establish if the listed building was actively and fairly marketed as opposed to simply being available to purchase.

If there is insufficient evidence of an active marketing strategy/programme then we would recommend that the former fish curing works is remarketed to potential restoring purchasers. This would allow new potential owners to reuse the building without recourse to substantial demolition. The price of the property should be its current market value and not be based on any historic purchase price or defined by the value of the land without the building, even if this is higher, because that would assume demolition will take place. If it is judged, as argued by the applicants, that repair and reuse of the listed buildings would represent a conservation deficit, then the market value may be low, even nominal.



If there is no interest in the acquisition of the listed building after a reasonable time period (this should normally be at least six months, although in some circumstances a longer or shorter period may be appropriate), then the current application for substantial demolition would, in our view, become a reasonable option for consideration. We would be happy to talk further about any marketing process.

### **Conclusion**

As stated previously, there is a strong presumption in favour of retaining listed buildings. The decision to demolish a listed building is a last resort and must always be made at the end of a process that has considered and discounted all other feasible options.

There is some evidence that less harmful solutions to demolition have been considered through feasibility options, including an extension to the manager's house and offices. However, these options have been discounted by the applicant on the basis that they would present a conservation deficit.

We have consulted our conservation quantity surveyor on the costings provided by the applicant. While we agree the proposed façade retention scheme would likely be cheaper, we consider the cost difference between this option and the option to repair and extend is comparatively small, and may in fact be smaller than has been suggested in the costings submitted. For example, the detailed costs for the applicant's preferred scheme seem a little light to us (especially for the new two-storey office block and new storage area).

However, if the applicant still judges the building's repair and reuse higher than the end value, we advise investigating grant assistance. Further information on our own grant schemes can be found here: [Grants and Funding | Historic Environment Scotland | History](#)

Any option that preserves a meaningful part of the listed building is worth considering, including the extension option (to clarify, we do not deem the use of stone is necessary for an extension to the listed building, as previously suggested by the applicants).

In line with our Managing Change guidance on Use and Adaptation, we would like to encourage a dialogue on potential reuse options, rather than demolition. [Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings](#)

We would be happy to consider any proposals that can meet the applicant's requirements. For example, we consider it would be possible to remove the quayside facing storage warehouse, which is a more recent structure of lesser interest, and this could be replaced with a new purpose-built building.





Currently, we consider that the proposed works would still have a significant adverse impact on the listed building's special architectural and historic interest. The retention of only the boundary walls would significantly limit our understanding and appreciation of this historic complex.

The supporting information does not, in our view, meet the criteria for justifying the substantial demolition of the listed building. Therefore, after reviewing this additional information, we maintain our objection to the current scheme.

We would be happy to discuss our concerns and potential solutions with you and the applicant, to retain a more meaningful proportion of the former fish curing works. This could take place at our virtual meeting on Tuesday 1<sup>st</sup> June 2021, or we could arrange an alternative date.

If you are minded to grant consent, with or without conditions, you are required under the terms of the Planning (Listed Buildings and Conservation Areas) (Notification of Applications) Direction 2015 to notify Scottish Ministers.

### **Further Information**

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.englished.org](http://www.englished.org).

As this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).

Please contact us if you have any questions about this response. The officer managing this case is Mario Cariello who can be contacted by phone on 0131 668 8917 or by email on [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot).



HISTORIC  
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SCOTLAND

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EACHDRAIDHEIL  
ALBA

Yours faithfully

**Historic Environment Scotland**

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



**maria@mfplanning.co.uk**

---

**From:** Damian G Brennan <BrennanDG@angus.gov.uk>  
**Sent:** 21 June 2021 16:42  
**To:** Phil Birse  
**Cc:** maria@mfplanning.co.uk; Project Management Enquiries  
**Subject:** RE: 21/00177/FULL & 21/00178/LBC - Demolition and erection of warehouse

Dear Ms Francke & Mr Birse,

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**

**Location: 1 - 5 America Street Montrose DD10 8DN**

**Reference: 20/00574/FULL & 20/00599/LBC**

Further to your email below, our meeting and subsequent telephone conversation, I have now recorded an extension of time with the amended timescales as set out below against the applications to allow for the submission of additional information to allow for the determination of the applications.

This processing agreement is provisional and can be adapted on confirmation on which option is chosen to progress your case. Our preferred option is to amend the scheme as indicated and I would ask in any case that a timescale is advised in relation to whichever option is subsequently chosen.

In accordance with Regulation 24 and Regulation 26 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, I would propose the following revised timescales:

Required Information/Processes to be Completed	Timescale
Submit additional supporting information consisting of either: <ul style="list-style-type: none"> <li>• an amended scheme;</li> <li>• additional economic justification; or</li> <li>• marketing information.</li> </ul>	on or before 27 August 2021

Angus Council will undertake the following activities within the specified timescales:

Processes to be Completed	Timescale
Consult HES on any additional information that has been submitted on or before 27 August 2021 if required.	on or before 31 August 2021

Allow interested parties and consultees a period of 21 days to make further comment.	
Determine the planning application	on or before 29 October 2021

I will record this correspondence against the application to allow for the submission of the information requested and trust this is an acceptable course of action.

I have allowed for a relatively long timeframe for the submission of the information; however, if additional time is required in relation to whichever option is chosen, I would be happy to revise the timescales set out. Equally the timescales noted above do not prevent the application being determined in advance of the dates specified.

I hope that the above is of assistance and look forward to the submission of the information indicated.

Yours sincerely,

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)  
| [www.angus.gov.uk](http://www.angus.gov.uk)

Think green – please do not print this email

**[COVID-19](#)**

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**maria@mfplanning.co.uk**

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**From:** Phil Birse <phil@pm-scot.com>  
**Sent:** 15 July 2021 11:33  
**To:** BrennanDG  
**Cc:** Mario Cariello; maria@mfplanning.co.uk; Mark Cessford; Project Management Enquiries  
**Subject:** 21/00177/FULL & 21/00178/LBC - Demolition and erection of warehouse

Damian,

Please see the below link to indicate that the property is currently actively being marketed as per recent discussions / requirements relating to marketing information.

Regards

Phil  
Project Management Scotland Ltd  
26 Montrose Road  
Forfar  
DD8 2HT

Tel: [REDACTED]  
Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)



---

**From:** Gavin Russell <[G.Russell@shepherd.co.uk](mailto:G.Russell@shepherd.co.uk)>  
**Sent:** 13 July 2021 12:54  
**To:** Maria Francké Planning <[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)>; 'Mark Cessford' <[mark.cessford@rix.co.uk](mailto:mark.cessford@rix.co.uk)>  
**Subject:** RE: America Street, Montrose

Maria

No problem.

Its live now on our website and the various public ones we use, (Novaloca, EGi, CoStar).

<https://www.shepherd.co.uk/commercial/property/details/5919>

Kind Regards

Gavin



**Gavin Russell BSc (Hons)**  
**MRICS**  
**Senior Commercial Surveyor**



**Shepherd Commercial**  
13 Albert Square,  
Dundee, DD1 1XA  
T: 01382 878005

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8 Pitreavie Court,  
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E: [g.russell@shepherd.co.uk](mailto:g.russell@shepherd.co.uk)  
Mobile: 07881 366 079

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PROPERTY & CONSTRUCTION



[www.shepherd.co.uk](http://www.shepherd.co.uk)

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**Next Auction**

Tuesday 28th September 2021

For new Entries/Registrations

[CLICK HERE](#)





**From:** Mario Cariello <mario.cariello@hes.scot>  
**Sent:** 12 August 2021 14:18  
**To:** Damian G Brennan <BrennanDG@angus.gov.uk>  
**Subject:** RE: 21/00177/FULL & 21/00178/LBC - Demolition and erection of warehouse

Hello Damian,

Thanks for your email and the information attached.

While this is undoubtedly a step in the right direction, there are some revisions/additional details we consider the listed building could benefit from in its marketing. Following the advice outlined in our Managing Change Guidance Notes , [Use and Adaptation of Listed Buildings](#) and [Demolition of Listed Buildings](#) we would like to make the suggestions below:

- Firstly, yes - to answer your question - we would expect a price to be included that reflects the building's current market value (its location and condition, not the value of the land without the building). We would normally anticipate a listed building like this to be marketed for at least six months. If the applicants are claiming there is no viable economic use for the building the price asked cannot be high. Your district valuer may assist – but a price of £1 for sale to a restoring purchaser is not uncommon.
- The marketing information should specify that any development must retain the majority of the listed building. We want to suggest there is scope to demolish less interesting parts of the building – it shouldn't be mistaken as preservation. It may also be helpful for Angus Council to include a development/planning brief as part of the sales literature, to set out what is likely to be achievable.
- We would encourage adding our contact details (my own preferably) and (if you are happy to do so), yours as well. Together, our advice may give prospective buyers greater certainty. Often we find estate agents can give inaccurate views of what is sought through the sale (e.g. price and scope for alteration).

In our view, these revisions/additions should help promote a positive case for the building's development and thereby maximise the opportunity to secure a good outcome for the former fish curing works (i.e. its substantial retention and reuse) while also managing expectations of all stakeholders. Finally, we would advise the building is also marketed specifically to potential restoring purchasers, such as Building Preservation Trusts and those with prior experience of rescuing buildings - it may be worth noting that the process is not interested in those looking to substantially or completely demolish the building.

If once these revisions have been implemented and it can be evidenced there remains no interest in the listed building's purchase after six months of marketing, we would consider the applicant to have met our demolition test for 'economic viability' and would withdraw our objection to the proposed demolition outlined in application 20/00599/LBC.

Please don't hesitate to get in touch if you require further advice. Otherwise, you can consult our guidance notes linked above for more information.

We will ensure the fish curing works and the warehouse are considered for addition to the Buildings at Risk Register.

I hope this helps.

Kind regards,

Mario

**Mario Cariello | Historic Buildings Adviser**  
[Planning, Consents and Advice Service \(PCAS\) | Heritage Directorate](#)  
Historic Environment Scotland | Àrainneachd Eachdraidheil Alba  
Longmore House, Salisbury Place, Edinburgh EH9 1SH  
T: 0131 668 8917  
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E: [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

East Team – Historic Buildings: Aberdeen, Aberdeenshire, Angus, City of Dundee, City of Edinburgh, Clackmannan, Comhairle nan Eilean Siar, East Lothian, Fife, Midlothian, Scottish Borders, West Lothian

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[Heritage For All - read our Corporate Plan and help to share our vision](#)



**maria@mfplanning.co.uk**

---

**From:** Steven Robb <steven.robb@hes.scot>  
**Sent:** 07 September 2021 13:00  
**To:** mark.cessford@rix.co.uk  
**Cc:** BrennanDG@angus.gov.uk; CoweyK@angus.gov.uk; phil@pm-scot.com; maria@mfplanning.co.uk; DunnM@angus.gov.uk; SmithAJ@angus.gov.uk; Mario Cariello  
**Subject:** Montrose

Mark

Thank you for your email which Mario passed me.

Firstly, am sorry to hear about Maria.

At our virtual meeting we explained that the marketing of the building is clearly focussed on finding a potential new owner who will not demolish it. We did offer to be involved in the marketing process, and in the past have found it useful for the planners and ourselves to talk through any potential bids – especially if they involve proposals for the buildings. A planning contact is normally added to particulars – as you say this is not a normal sales process.

The guide price should be freely advertised and should reflect the current market value of the site – taking into account its condition and location. It is not a redevelopment value – it must be based on the presumed retention of the listed buildings. That is why it can often be a low price – it assumes – as you have argued – that you - as owner - have found no viable option to reuse the buildings – so is inviting others to see whether they can.

You have a right to investigate the credibility of any bids – the process is not intended to transfer property – the main priority is the retention of the buildings – which national planning policy supports. It is appropriate for potential owners to set out their intentions regarding the building's retention. We can assist to see whether their intentions would be acceptable in LBC terms.

I can assure you our main priority is to see the site reused with the retention of the buildings that make up the special interest of the site. At our meeting we suggested that you could look again at how you might reuse the site – retaining the buildings of interest and redeveloping others.

I hope that this might remain an option.

Regards

Steven

**Steven Robb IHBC MRTPI | Deputy Head:Historic Buildings | Planning, Consents and Advice Service | Heritage Directorate**

Historic Environment Scotland | Àrainneachd Eachdraidheil Alba  
Longmore House, Salisbury Place, Edinburgh EH9 1SH  
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East Team – Historic Buildings. Aberdeen, Aberdeenshire, Angus, City of Dundee, City of Edinburgh, Clackmannan, Comhairle nan Eilean Siar, East Lothian, Fife, Midlothian, Scottish Borders, West Lothian



*We inform and enable good decision-making so that the historic environment of Scotland is valued and protected.*

Two years on from the introduction of the Historic Environment Policy for Scotland (HEPS), we'd like your thoughts on the policy. Have your say by taking part in our short survey here: [HEPS survey](#)

Please note I am currently working at home due to the Coronavirus outbreak. I will do my best to respond to you, but please bear with us at this difficult time. I can be contacted on my work number 0131 668 8089.



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 DX No • DD124 E-mail • g.russell@shepherd.co.uk : Website • www.shepherd.co.uk  
 Regulated by RICS

GR

14<sup>th</sup> October 2021

Mark Cessford  
 RIX Shipping  
 Meridian St,  
 Montrose  
 DD10 8DS

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 Graeme Haywood MA (Hons) MRICS  
 Mark McQueen BLE MRICS  
 Christopher P Weir MRICS

*Associates*

Barry J Reid BSc (Hons) MRICS  
 George B Robb MRICS

Dear Sirs,

**1-5 America Street, Montrose - Marketing**

I refer to the above and various email exchanges between yourselves, Angus Council and HES with regards our marketing approach.

We have been asked to respond to comments made and suggestions with regards updating the marketing brochure for this property.

Dealing firstly with the comments I note Angus Council (AC) are asking Historic Environment Scotland (HES) if we are marketing as we should, asking if there should be a price and/or timescales on our particulars and ask if there is a requirement to market at a price which reflects value.

In their response HES suggest they expect a price should be quoted on the brochure and that we should be marketing for six months. There is also a suggestion that a price of £1 might be appropriate since Rix are of a mind there is no viable economic use for the building and that a price of £1 for sale to a restoring purchaser is not uncommon. I do not agree with this and only expect a sale campaign to be structured on this basis (£1 asking price) if the target was simply to get somebody to take the property off ones hands, which is not the case here.

The HES recommendation to style the details in a manner to make it clear that any development should retain the majority of the property but with scope to demolish parts is sensible and we will take on board the suggestion to add specific contact details too, although I would point out our existing particulars are already clear that the building is of historic interest, and interested parties are directed to Angus Council (Planning).

They also refer to direct marketing to restoring purchasers/building trusts. This is an exercise I have already personally undertaken, and which yielded no response from any party. If either Angus Council or HES have other specific contacts they think we should be approaching, then I would be happy to do so as we do not retain specific contact lists for these types of groups.

Cont'd.../





Turning to the marketing itself and the matters of an asking price we would point out that we regularly market properties on an 'Offers Invited' basis, particularly properties with development potential that can be developed in many different ways. Likewise for properties that are expected to attract conditional offers. In such cases we expect to see a range of offers as interested parties will have their own thoughts on how the property could be developed for their particular use.

Furthermore properties can attract interest from developers with the same future use in mind, and still attract a range of offers (residential developments are a good example of this as schemes can vary).

Marketing on an 'Offers Invited' basis encourages the buyers to put their best foot forward and helps maximise the price. In many instances if a buyer is proposing a conditional offer the seller will require to know about the proposed development (to be confident it will get a consent) and the ultimate price agreed is often a negotiated price which is development specific. Quoting £1 invariably means that if there is a purchaser out there who can turn a viable development and only needed to pay £1, they would, whereas Rix, should they sell, require to maximise the sale price.

HES further clarified by going on to say a guide price should be advertised and that it can be a low price as it assumes, as Rix have argued, that they as owner have found no viable option to use the building, then going on to say the marketing is inviting others to see if they can. It is exactly why we do not quote a price in a situation like this, we are seeing who is out there and what they can do with the buildings and at what price. If we quote a low price to attract interest, for instance at £1, that is likely what you will get from it.

As a firm we are currently instructed on and have a wealth of experience of selling listed buildings up and down the country and for the reasons above, in many instances, we do not quote a price. We do not quote a price for other opportunities too, including residential development sites, for the same reasons as mentioned above.

I have updated our brochure with the revised wording within the planning section and strengthened the text to guide interested parties to discuss their proposals with the contacts from Angus Council and HES. This revised brochure is duly attached for further comment and approval.

Kind Regards.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

Gavin Russell BSc (Hons) MRICS  
For J & E Shepherd

**WAREHOUSE / OFFICES  
AND YARD**

- > ADJACENT TO MONTROSE HARBOUR AREA
- > CATEGORY 'C' LISTED BUILDING

> 1,266.17 SQ.M (13,629 SQ.FT.) OF OFFICE/WORKSHOP SPACE OVER 2 FLOORS WITH ASSOCIATED YARD

> OFFERS INVITED (SEE PLANNING SECTION HEREIN).

> REFURBISHMENT/MODERNISATION REQUIRED THROUGHOUT.

**1-5 AMERICA STREET, MONTROSE, DD10 8DN**

**CONTACT:** Gavin Russell - [g.russell@shepherd.co.uk](mailto:g.russell@shepherd.co.uk)  
 Scott Robertson, [s.robertson@shepherd.co.uk](mailto:s.robertson@shepherd.co.uk)

01382 878005

[www.shepherd.co.uk](http://www.shepherd.co.uk)



**FOR SALE**



**LOCATION**

Montrose has a population of circa 13,250 (source: Angus Council) and is one of the principal towns positioned on the northeast Coast of Scotland, approximately 40 km (30 miles) north of Dundee and 61 km (38 miles) south of Aberdeen. Montrose is located within the administrative authority of Angus Council.

The town sits on the East Coast Railway Line linking London and Aberdeen and connects into the trunk road network via the A92 coastal tourist route and the A935, Brechin Road.

Montrose is an important employment centre for the northeast, providing a busy commercial port for the agricultural, oil and gas industries. As well as being an attractive place to live, Montrose is also a popular destination for tourists.

The subjects are located on the east side of America Street between the junctions with River Street and Fish Quay, part of the Montrose Harbour Area.



ACCOMMODATION	SqM	SqFt
1 America Street	105.87	1,140
3-5 America Street – Ground	679.00	7,308
3-5 America Street – First	481.30	5,181
<b>Total</b>	<b>1,266.10</b>	<b>13,629</b>

The foregoing areas have been calculated on a Gross Internal Area basis in accordance with RICS Property Measurement Professional Statement (second edition) incorporating the sixth edition of the RICS code of measuring practice..

**DESCRIPTION**

The subjects comprise traditional workshop and office space over ground and first floors arranged around a central courtyard with an additional store/workshop and yard to the north.

The subjects have been vacant for a number of years and will require refurbishment and modernisation works both internally and externally.

**EPC**

Awaiting confirmation.

**VAT**

For the avoidance of doubt all prices quoted are exclusive of VAT, which may be applicable.

**RATEABLE VALUE**

The premises have been assessed for rating purposes and are entered in the Valuation Roll for the current year at:

- 1 America Street      £3,150.
- 3-5 America Street    £21,400.

The Unified Business Rate for the financial year 2021/202 is 49 pence exclusive of water and sewerage.

**PROPOSAL**

Our client is seeking offers for their heritable interest.

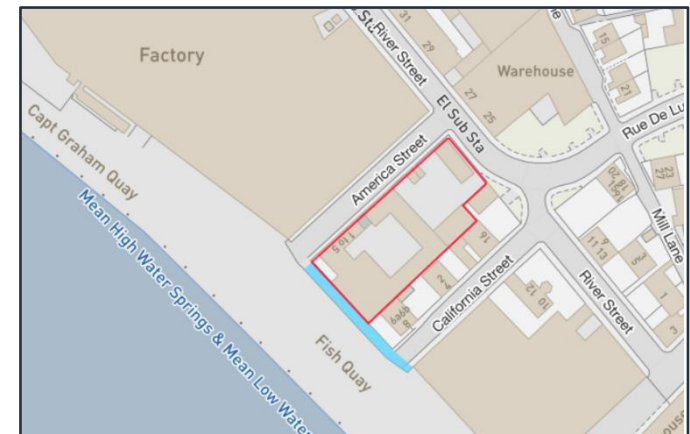
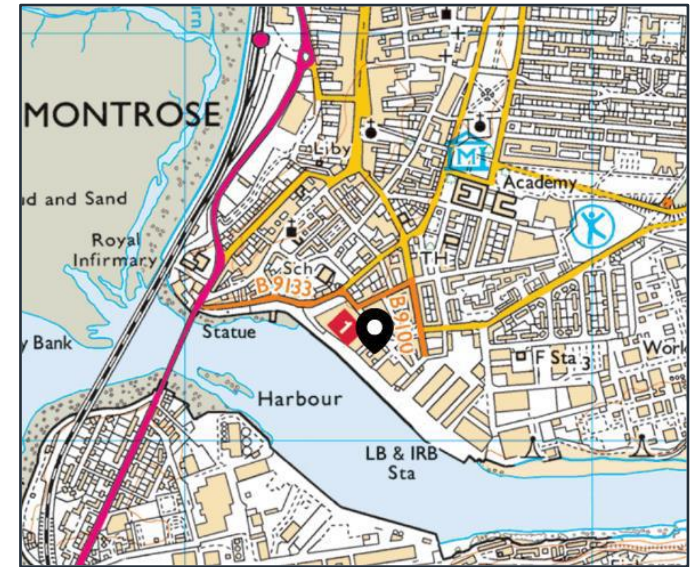
**PLANNING**

The site has no specific land use designation within the adopted Angus Local Development Plan.

The subjects are considered to be of special interest in the view of Historic Environment Scotland and any preservation or conversion project may be eligible for grant funding.

Historic Environment Scotland recommends that development proposals must retain the majority of the listed buildings and advise that whilst there are planning and heritage restrictions on making alterations to the property there is scope to demolish parts of the property that are of less interest.

All interested parties are encouraged to make their own enquiries to Angus Council Planning Department (contact Damian Brennan, Planning Officer at [brennandg@angus.gov.uk](mailto:brennandg@angus.gov.uk) and Historic Environment Scotland (contact Mario Cariello at [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)) with regards to their proposals for the property.



**For further information or viewing arrangements please contact the sole agents:**

**Shepherd Chartered Surveyors** 13 Albert Square, Meadowside, Dundee, DD1 1XA (01382) 878005  
 Gavin Russell – [g.russell@shepherd.co.uk](mailto:g.russell@shepherd.co.uk) / Scott Robertson – [s.robertson@shepherd.co.uk](mailto:s.robertson@shepherd.co.uk)

[www.shepherd.co.uk](http://www.shepherd.co.uk)



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19<sup>th</sup> January 2022

To whom it may concern

Dear Sirs,

**1-5 America Street, Montrose – Marketing 2022**

I refer to the above and our ongoing marketing and write to provide an update on interest levels.

Marketing formally began on 10<sup>th</sup> July 2021 with the property being uploaded to our commercial property website along with various national property websites such as Novaloca, EGI Propertylink and CoStar/Realla. A “For Sale” board was also erected prominently at the junction of America Street and River Street at the same time. (see Appendix 1 below).

Prior to marketing we were asked to specifically target local, regional, and national restoring groups and building preservation trusts who may have an interest in the property. A target list was therefore drawn up and brochure details sent with a covering email. To date there has been no response from any of the parties contacted. (see Appendix 2 below).

From our initial marketing campaign we received some limited enquiries, mainly from local businesses and individuals seeking to utilise only part of the subjects, specifically the yard and workshop space to the north. Thus far we have had no enquiries from anyone seeking to use the main office/workshop buildings to the south. (see Appendix 3 below).

We have also had enquiries from a couple of parties seeking an asking price for the property. These parties were unwilling to discuss their proposed future use with us. Our clients have from the outset sought enhanced dialogue with such parties to ascertain whether their proposed use would be supported by the local authority and Historic Environment Scotland (HES). We are unaware of any party who have approached the local authority to discuss the subject property.

Further to our clients request in October 2021 and with input from both Angus Council and HES we undertook a revision of the marketing brochure to further promote the property as being suitable for partial demolition and redevelopment. Thereafter we recirculated the updated brochure which provided interested parties with direct contacts with individuals at Angus Council and HES to discuss their proposed future plans for the property. Again we are unaware of any party who have approached either of these bodies to discuss a potential acquisition.

Since the revised brochure was made available in late October 2021 we have since received only 1 new enquiry which was from a local company seeking to rent the yard area to store shipping containers whilst the subjects were marketed for sale.

Contd.../

*Partners*

George P Brewster FRICS  
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Ian F Hannon BSc (Hons) MLE MRICS  
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Graeme Haywood MA (Hons) MRICS  
Mark McQueen BLE MRICS  
Christopher P Weir MRICS  
Barry J Reid BSc (Hons) MRICS

*Associates*

George B Robb MRICS



I have attached a summary from one of the websites (CoStar/Realla) which shows the number of clicks and views on the property and demonstrates that unfortunately there have been little to no actual enquiries throughout the marketing campaign despite clear awareness of the opportunity.

Going forward we are of the opinion that recent announcements with regards the renewables sector and in particular the Seagreen offshore development may encourage new investment in the harbour area, however given the age and character of the subjects along with the rise in building/materials costs over the past 12 months, demand will likely be limited for development/restoration opportunities of listed buildings such as this.

I trust this is sufficient for your current purposes.

Kind Regards.

Yours sincerely,



Gavin Russell BSc (Hons) MRICS  
For J & E Shepherd

Enc.



**APPENDIX 1 – BOARD**



**APPENDIX 2 – TARGET LIST**

<b>Company</b>	<b>Address</b>	<b>Town</b>	<b>Postcode</b>	<b>Tel</b>	<b>Email</b>
Scottish Historic Buildings Trust	Riddle's Court, 322 Lawnmarket	Edinburgh	EH1 2PG	██████████ ██████	<a href="mailto:info@shbt.org.uk">info@shbt.org.uk</a>
Heritage Trust Network Scotland	13-15 Fleet Street	Birmingham	B3 1JP	██████████████████	<a href="mailto:sarah.pearce@heritagetrustnetwork.org.uk">sarah.pearce@heritagetrustnetwork.org.uk</a>
North East Preservation Trust	Viewmount, Arduthie Road	Stonehaven	AB39 2DQ	██████████████████	<a href="mailto:info@nespt.org">info@nespt.org</a>
Highland Historic Building Trust					<a href="mailto:enquiries@highlandhbt.org.uk">enquiries@highlandhbt.org.uk</a>
Montrose Heritage Trust					<a href="mailto:enquiry@bamsemontrose.co.uk">enquiry@bamsemontrose.co.uk</a>



\*\*NB. Names and tel. nos redacted for GDPR

**APPENDIX 3 – ENQUIRY SCHEDULE**

Contact	Company	Tel	Email	Comments
[REDACTED]	Safety Med	[REDACTED]	[REDACTED]	Only interested in asking price. Assumed distressed sale.
[REDACTED]	RyBay Corrosion Services	[REDACTED]	[REDACTED]	viewed with M Cessford
[REDACTED]		[REDACTED]	[REDACTED]	Only interested in yard area separately.
[REDACTED]			[REDACTED]	Retained Shepherds client who enquired but would only be interested in a distressed sale.
[REDACTED]		[REDACTED]	[REDACTED]	Only interested in rear yard.
[REDACTED]		[REDACTED]	[REDACTED]	Interested in yard part only.
[REDACTED]		[REDACTED]		Looking for asking price, only interested in yard/part.



Project Management Scotland Ltd

25 January, 2022

Our Ref: 2315

Angus Council  
Planning Department  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Dear Sir,

**RE: Planning Application Ref: 20/00574/FULL – Rix, America Street**

Please find attached a marketing update from J&E Shepherd on America Street. Please note that all the third-party personal contact details included in the letter must be redacted prior to the letter being uploaded onto the planning portal.

- Rix has thoroughly investigated the practicalities of retaining and refurbishing the listed buildings on the site and submitted evidence to the Council to this effect. However, given the extent of structural decay and the costs of trying to augment the buildings to suit the business requirement for an O&M facility, this is simply not possible or financially viable.
- Further to discussions with AC and HES last June 2021, America Street has subsequently been marketed by J&E Shepherd Chartered Surveyors to ascertain if there is any party who would be able to retain more of the listed structures which are of special interest (as noted by HES) and make the site work financially. This marketing process commenced in July last year and HES advised Rix and the planning authority that if a purchaser could not be found at the end of at least a six-month timeframe, then it would retract its objection.
- The applicant has followed the advice issued by HES (email of 12.8.21 from Mario Cariello email of 7.9.21 from Steven Robb) and amended the marketing particulars to ensure that the marketing was based on the presumed retention of the listed buildings. Both the Council's and HES's contact details are included in the marketing information and J&E Shepherd is not aware of any parties having approached the Council or HES directly.
- The marketing of America Street has now been undertaken for six months with no interest. As per the HES letter of 27 May 2021 and verbally confirmed by Steven Robb in the subsequent virtual MS Teams meeting, the HES letter states: "If there is no interest in the acquisition of the listed building after a reasonable time period (this should normally be at least six months, although in some circumstances a longer or shorter period may be appropriate), then the

current application for substantial demolition would, in our view, become a reasonable option for consideration.”

- Given the scale of physical decay to the listed buildings and the costs of refurbishment it is considered highly unlikely that there will be future demand to enable a viable, contemporary port related use which retains the listed building structures.

Accordingly, we respectfully ask the Council to place due weight on the economic growth benefits and wider community benefits of the proposal which accord with para 4 of SPP and support this planning and listed building consent application.

Yours faithfully,

**Phil Birse**

for Project Management Scotland Ltd.

[phil@pm-scot.com](mailto:phil@pm-scot.com)



**maria@mfplanning.co.uk**

---

**From:** Mario Cariello <mario.cariello@hes.scot>  
**Sent:** 02 February 2022 17:39  
**To:** Phil Birse; BrennanDG  
**Cc:** Maria Francké Planning; Project Management Enquiries; Steven Robb  
**Subject:** RE: 20/00574/FULL & 20/00599/LBC, 1 - 5 America Street Montrose DD10 8DN, Montrose - Marketing Update

**Flag Status:** Flagged

Dear Damian and Phil,

We have considered the additional information submitted about the ongoing marketing of 1 – 5 America Street, Montrose, and would like to make the following comments.

While we note the listed building has now been marketed for six months, the marketing particulars were updated to reflect some of the advice from us and Angus Council (AC) back in October (2021). Furthermore, we are concerned that a price, or guide price, has not since been included, which we have previously advised should be added (as per our guidance)– most recently in our email dated 07/12/2021. The value of the building in its current condition should be determined to inform the price advertised. Working out that there is no viable scheme for the site is a prerequisite for marketing, but we don't seem to have received any site valuations throughout this process. If the site, with retention of the listed buildings, is worth a nominal fee then this should be noted on the guide price.

It is possible the absence of a guide price may be having a detrimental impact on potential interest from a restoring purchaser. Shepherd Commercial's letter (dated 19/01/2022) indicates that there were a couple of interested parties seeking an asking price for the property and that they were unwilling to discuss their proposals for the listed building. Where appropriate, we suggest AC approaches these interested parties directly to investigate their proposals before they are discounted as a possible purchaser. A development brief may help encourage interest. A distressed sale should not be discounted, particularly if a potential purchaser proposes a sympathetic scheme for the listed building's development. The applicant has already explained that the building has a conservation deficit, therefore -from our understanding of a distressed sale - this should be acceptable.

Following our Managing Change guidance on the Demolition of Listed Buildings, we therefore consider these are circumstances in which a longer period of marketing (i.e. more than six months) is appropriate. Specifically, we suggest marketing of the building could extend to the beginning of April (marking six months since the updated marketing brochure of October 2021) with consideration made to a further extension given the current absence of a guide price.

As the designated contact for Historic Environment Scotland on the marketing brochure, I can confirm I have not as yet received any enquiry regarding the potential purchase or development of 1 – 5 America Street. Alternative purchasers to consider approaching may include community groups or art collectives (e.g. WASPS).

To conclude, we would like to repeat that this marketing process is different from the normal marketing of a building for sale. It is specifically undertaken to find whether any purchasers are willing to use the (significant) buildings on the site without recourse to complete or substantial demolition. If the applicant's argument is that nothing can be done with the site, e.g. there is a significant conservation deficit (even with selective demolition on the site), then the guide price should be nominal. Having an open guide price would help establish beyond doubt whether or not there is any interest in taking on the buildings. It goes without saying that the applicant is not bound to accept any price, and our hope remains that the applicant brings forward their own scheme with partial demolition and reuse.

I hope the response above makes our view clear, though my manager and I are happy to help clarify any comments if necessary.

Kind regards,  
Mario

## **Mario Cariello | Historic Buildings Adviser**

**[Planning, Consents and Advice Service \(PCAS\) | Heritage Directorate](#)**

Historic Environment Scotland | Àrainneachd Eachdraidheil Alba  
Longmore House, Salisbury Place, Edinburgh EH9 1SH

T: 0131 668 8917

M: [REDACTED] **[Find out more about our work via our quarterly Heritage Newsletter: LINTEL](#)**

E: [mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)

[www.historicenvironment.scot](http://www.historicenvironment.scot)

East Team – Historic Buildings: Aberdeen, Aberdeenshire, Angus, City of Dundee, City of Edinburgh, Clackmannan, Comhairle nan Eilean Siar, East Lothian, Fife, Midlothian, Scottish Borders, West Lothian

*We inform and enable good decision-making so that the historic environment of Scotland is valued and protected.*

**[Heritage For All - read our Corporate Plan and help to share our vision](#)**



---

**From:** Phil Birse <[phil@pm-scot.com](mailto:phil@pm-scot.com)>

**Sent:** 26 January 2022 10:38

**To:** BrennanDG <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>; Mario Cariello <[mario.cariello@hes.scot](mailto:mario.cariello@hes.scot)>

**Cc:** Maria Francké Planning <[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)>; Project Management Enquiries <[enq@pm-scot.com](mailto:enq@pm-scot.com)>

**Subject:** FW: 20/00574/FULL & 20/00599/LBC, 1 - 5 America Street Montrose DD10 8DN, Montrose - Marketing Update

Morning Damian,

Please find attached letter and marketing update on 1 – 5 America Street. We would appreciate a timely response back to understand outlook from AC planning and HES.

Kind Regards

Phil  
Project Management Scotland Ltd  
26 Montrose Road  
Forfar  
DD8 2HT

Tel: [REDACTED]  
Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)



Project Management Scotland Ltd

10 February 2022

Angus Council Planning Department  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Dear Mr Alan Hunter

**Proposal: Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices and 2 storey car parking structure**

**Location: 1 - 5 America Street Montrose DD10 8DN**

**Reference: 20/00574/FULL & 20/00599/LBC**

We refer to the email from Mario Cariello dated 2 February 2022.

In respect of the commercial marketing of the property, the applicant Rix Shipping (Scotland) Ltd is guided and advised by RICS accredited Chartered Surveyors, J&E Shepherd, a company which has considerable knowledge and expertise in marketing listed properties across Scotland. The firm fully appreciates that in this instance, the marketing is specifically to find whether any purchasers are willing to use the (significant) buildings on the site without recourse to complete or substantial demolition as required by HES. This is reflected in the marketing information. On the matter of a guide price, J&E Shepherd have advised Angus Council in its letter of 14 October 2021 that:

*“Turning to the marketing itself and the matters of an asking price we would point out that we regularly market properties on an ‘Offers Invited’ basis, particularly properties with development potential that can be developed in many different ways. Likewise for properties that are expected to attract conditional offers. In such cases we expect to see a range of offers as interested parties will have their own thoughts on how the property could be developed for their particular use.*

*Furthermore properties can attract interest from developers with the same future use in mind, and still attract a range of offers (residential developments are a good example of this as schemes can vary).*

*Marketing on an ‘Offers Invited’ basis encourages the buyers to put their best foot forward and helps maximise the price. In many instances if a buyer is proposing a conditional offer the seller will require to know about the proposed development (to be confident it will get a consent) and the ultimate price agreed is often a negotiated price which is development specific. Quoting £1 invariably means that if there is a purchaser out there who can turn a viable development and only needed to pay £1, they would, whereas Rix, should they sell, require to maximise the sale price.*

*HES further clarified by going on to say a guide price should be advertised and that it can be a low price as it assumes, as Rix have argued, that they as owner have found no viable option to use the building, then going on to say the marketing is inviting others to see if they can. It is exactly why we do not quote a price in a situation like this, we are seeing who is out there and what they can do with the buildings and at what price. If we quote a low price to attract interest, for instance at £1, that is likely what you will get from it.*



*As a firm we are currently instructed on and have a wealth of experience of selling listed buildings up and down the country and for the reasons above, in many instances, we do not quote a price. We do not quote a price for other opportunities too, including residential development sites, for the same reasons as mentioned above.”*

In respect of the period for marketing the property, this commenced on **10th July 2021** – a period now totalling some 7 months (**30 weeks**), with the marketing particulars amended in October to include revisions requested by HES. Mario’s email confirms that HES has not received any enquires since this date.

Continuing the marketing of this property for another 8 weeks or so until April 2022 is, in the opinion of J&E Shepherd and the applicant, unlikely to bring forward an interested party, if no such party has come forward to date.

Angus Council will also be acutely aware of the announcement this week on 7<sup>th</sup> February 2022 by Inch Cape Offshore Ltd in choosing Montrose Port as the Operations and Maintenance base for the planned £5.2m offshore windfarm owned by Red Rock Power and ESB and the sizeable economic implications of this 30-year project on the local economy of Montrose and Angus itself. This announcement has a direct bearing on the application proposals which are to provide support facilities for the offshore renewables sector. They represent a £1.6m investment by Rix Shipping to provide essential O&M facilities for companies supporting the offshore renewables sector. Along with Seagreen, Inch Cape now provides further demonstrable evidence of the direct long-term economic benefits that will ensue at the application site as a result of these significant renewables ventures. We note the comments made by Rural Affairs Cabinet Secretary Mairi Gougeon in the press release (<https://scottishbusinessnews.net/inch-cape-selects-montrose-port-as-offshore-wind-operations-and-maintenance-base/>) that:

*“This award highlights the direct long-term economic benefits which are flowing into local communities across Scotland as a result of our fast-growing offshore wind industry. The Inch Cape Offshore Wind Farm, which will provide sustainable career-long jobs for people in Angus, is a great example of this.*

*“Montrose Port has long played an important role in supporting Scotland’s offshore energy sector and the investment announced by Inch Cape will help it become a major facility supporting our just transition towards a Net Zero economy.”*

Capt. Tom Hutchison, CEO and Harbourmaster at Montrose Port Authority also supports the application proposals (refer to the letter from Montrose Port Authority to Angus Council dated 31 May 2021). Capt. Tom Hutchison has also commented on Inch Cape’s decision in the press release and states:

*“We are delighted to welcome Inch Cape to Montrose as part of our growing offshore wind portfolio. We aim to become the go-to port for the industry and believe that with our geographical position, deep water berths, and sheltered quays we are ideally placed to do so.*

*“As a Trust Port we are driven to develop our offering to benefit our community of stakeholders both now and for future generations to come. We have already started to see the benefits offshore wind can bring to our regional economy and we are proud to be championing Montrose and the wider Angus region as a bastion for green energy.”*

The applicant respectfully asks Angus Council as planning authority to recognise the enormity of the economic opportunity that is presented in the application proposals to provide supporting O&M facilities to Scotland's offshore energy sector and accordingly, grant planning and listed building permission for the proposals.

Yours sincerely

**Phil Birse**

for Project Management Scotland Ltd.

[phil@pm-scot.com](mailto:phil@pm-scot.com)

cc. Mairi Gougeon MSP, Cabinet Secretary for Rural Affairs and Islands  
Alison Smith, Service Leader Strategic Policy and Economy  
Merlyn Dunn, Manager Economic Development

[maria@mfplanning.co.uk](mailto:maria@mfplanning.co.uk)

---

**From:** Damian G Brennan <BrennanDG@angus.gov.uk>  
**Sent:** 20 May 2022 12:49  
**To:** Phil Birse  
**Cc:** maria@mfplanning.co.uk  
**Subject:** RE: [EXTERNAL] FW: 1 - 5 America Street Montrose DD10 8DN, Reference: 20/00574/FULL & 20/00599/LBC

Phil,

Further to Mark's email below and our telephone conversation, I can confirm that I have spoken with Mario Cariello at HES who has confirmed that he and his manager Steven Robb would be available to attend a meeting next Friday (27/05/22) at 11.30. I understand from Mark's email below that he is not contactable until next week, but I would suggest that we pencil in a meeting for this time in the hope that it will be convenient for all parties.

In terms of the meeting, the likely issues to be discussed would be the possible alternate options that may be acceptable, the marketing of the building and the proposed use(s). In terms of the marketing of the building, I note from discussions that Montrose Port has expressed an interest in acquiring the building. In line with the comments provided by HES in relation to the marketing of the building, can I ask for confirmation that the Port has expressed an interest and if so whether they were advised of a guide price.

I have put the meeting on 27/05/22 at 11.30 in my calendar and blocked off a couple of hours as I am conscious that the proposal for the warehouse on Meridian Street may arise as a discussion point. If the suggested meeting time is acceptable, could I ask for confirmation of whether you also wish the Meridian Street proposal to be discussed and a visit arranged. I note this as you have indicated that you are not currently minded to appoint a conservation engineer as advised in the most recent response from HES who has identified that a site visit may be deemed necessary following a conservation led condition survey/report.

I hope that the above is helpful in the meantime and assures you that we are seeking to determine these applications at the soonest opportunity.

I look forward to confirmation of your availability to meet and clarification in relation to the above noted points at the soonest opportunity.

Kind regards,

Damian.

Damian Brennan | Planning Officer (Development Standards) | Angus Council | 01307 491819 | [brennandg@angus.gov.uk](mailto:brennandg@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)  
(My pronouns are he/him)

**Covid:** As restrictions ease, the emphasis will continue to be on personal responsibility, good practice and informed judgement. [Get the latest information on Coronavirus in Scotland.](#)

Follow us on Twitter



**maria@mfplanning.co.uk**

---

**From:** Phil Birse <phil@pm-scot.com>  
**Sent:** 17 June 2022 16:05  
**To:** BrennanDG; 'TaylorE@angus.gov.uk'  
**Cc:** Maria Francké Planning; Project Management Enquiries  
**Subject:** 1 - 5 America Street Montrose DD10 8DN, Reference: 20/00574/FULL & 20/00599/LBC  
**Attachments:** america gf.pdf; america ff.pdf

**1 - 5 America Street Montrose DD10 8DN, Reference: 20/00574/FULL & 20/00599/LBC**

Dear Damian and Ed

I refer to our meeting on site on Friday 27<sup>th</sup> May 2022 at which Mario Cariello and Steven Robb of Historic Environment Scotland (HES) were also present. At the meeting, it was clear that both Angus Council and HES are intent that the Applicant further explores the possibility of maintaining part of the category C listing building – i.e the section of offices which front onto America Street and the former Managers House, to provide part of the accommodation requirements for the proposed O&M facility. Both Angus Council and HES stated that if this could be achieved, then the remainder of the site could be completely cleared to enable the development of the supporting warehouse and car parking requirements.

The design team have discussed this matter in depth with the applicant, Mark Cessford, General Manager, Rix Shipping Ltd after the meeting, and I can advise Angus Council and HES that PMS Ltd and Griffen Design Ltd Structural Engineers have been instructed to consider the principle of re-engineering that part of the building facing America Street, saving the front section of the building up to the “ridge line” and maintaining the eaves lines (as discussed with Steven Robb on site) and incorporating this into the future design of new office accommodation to the rear. The attached sketch drawings show the proposed area of retention. We have been instructed to pursue this design change in earnest and given the length of time that the application has been running, the Applicant is seeking early confirmation from both the Council and HES on the acceptability of these revisions. Please can you advise me if you have any comments on the principle of this by close of play on Wednesday 22nd June.

You will be aware that retention of the building was previously examined by PMS Ltd (at a strategic level) as part of the RIBA Stage 2 design process, and it was discounted on overall feasibility grounds. This exercise was summarised in the submitted Heritage & Design Statement, February 2021. This earlier feasibility exercise noted that given the scale of intervention required to retain the America Street buildings it would require:

- i. removing the render to inspect the masonry and lintels
- ii. coring concrete floors to inspect the ground floor construction
- iii. stripping the floors to inspect and confirm floor joist and supporting structure.

These intrusive investigations will still be required to assess the structural capability of retaining this section of the listed building. Given that a substantial part of the listed building is to be retained, we understand that HES’s remit in this application would fall away. Accordingly, the Applicant seeks written confirmation from HES that it’s objection will be withdrawn if the proposals retain the front section of the buildings to the ridge line.

Further to your response by Wednesday 22<sup>nd</sup> June, it is then our intention to submit formal revisions to the planning and listed building consent applications for consideration to the Council within a 3 week period and we respectfully ask for Angus Council’s full support in these revised proposals and wish to agree a timeframe for the application’s expeditious determination within the next 2 months under delegated powers.

We look forward to hearing from you both.

Kind Regards

Phil and Maria

Project Management Scotland Ltd  
26 Montrose Road  
Forfar  
DD8 2HT

Tel: [REDACTED]  
Email: [phil@pm-scot.com](mailto:phil@pm-scot.com)

The logo consists of the lowercase letters 'pm' in a dark blue font, with a horizontal purple line underneath the 'm'.



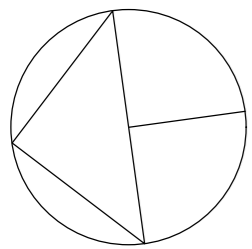
**maria francké planning**

07539 389078

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My working days are Monday to Thursday

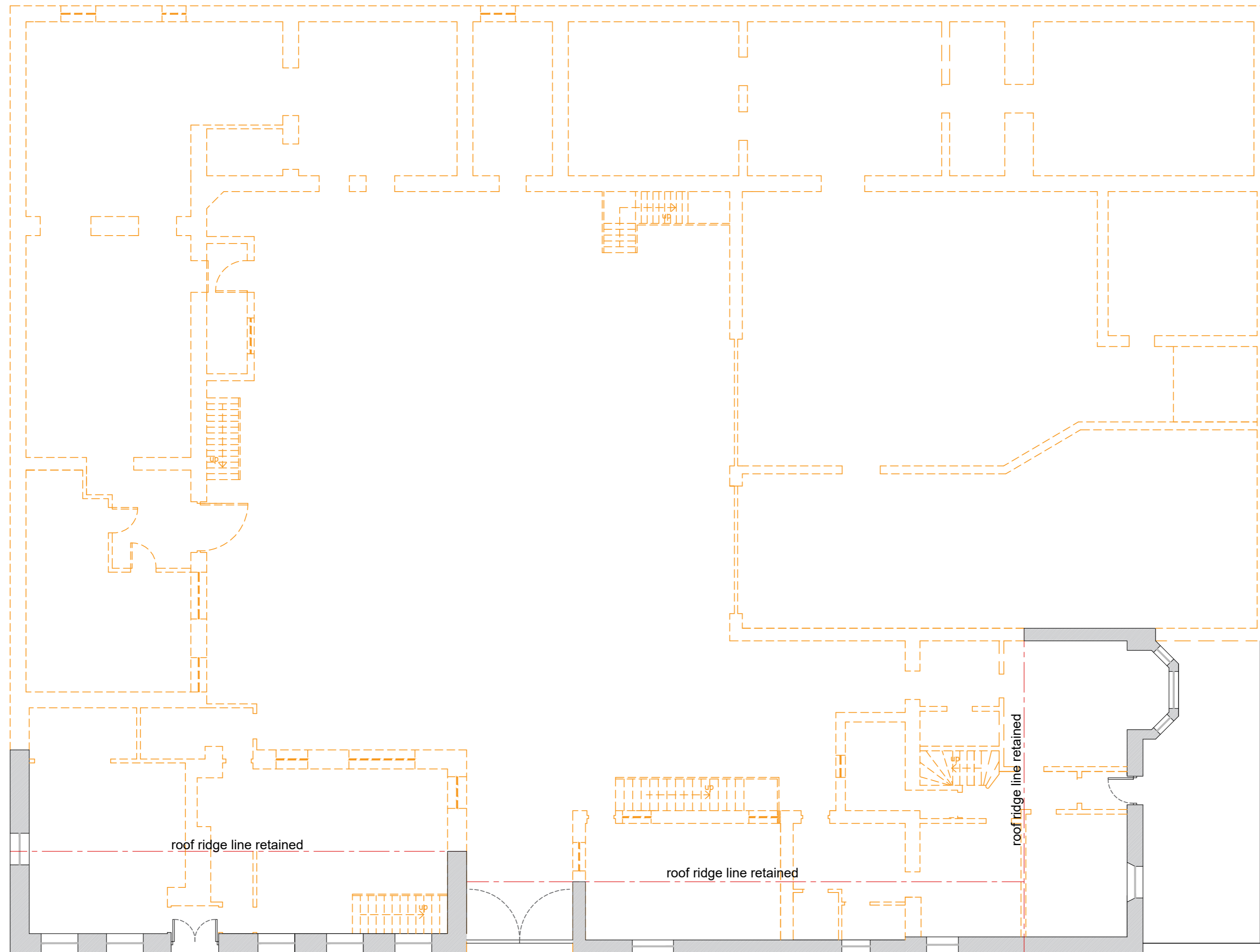
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NORTH

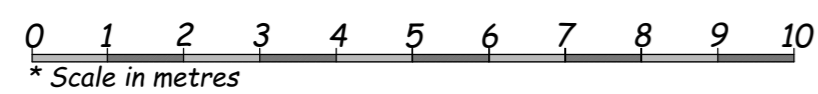
# pm

PROJECT MANAGEMENT SCOTLAND LIMITED  
26 MONTROSE ROAD, FORFAR, ANGUS, DD8 2HT  
TELE: 01307 467744 FAX: 01307 467766  
E-MAIL: enq@pm-scot.com



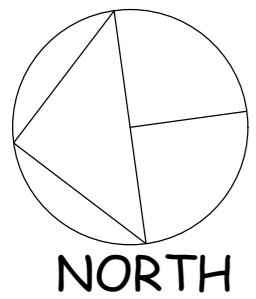
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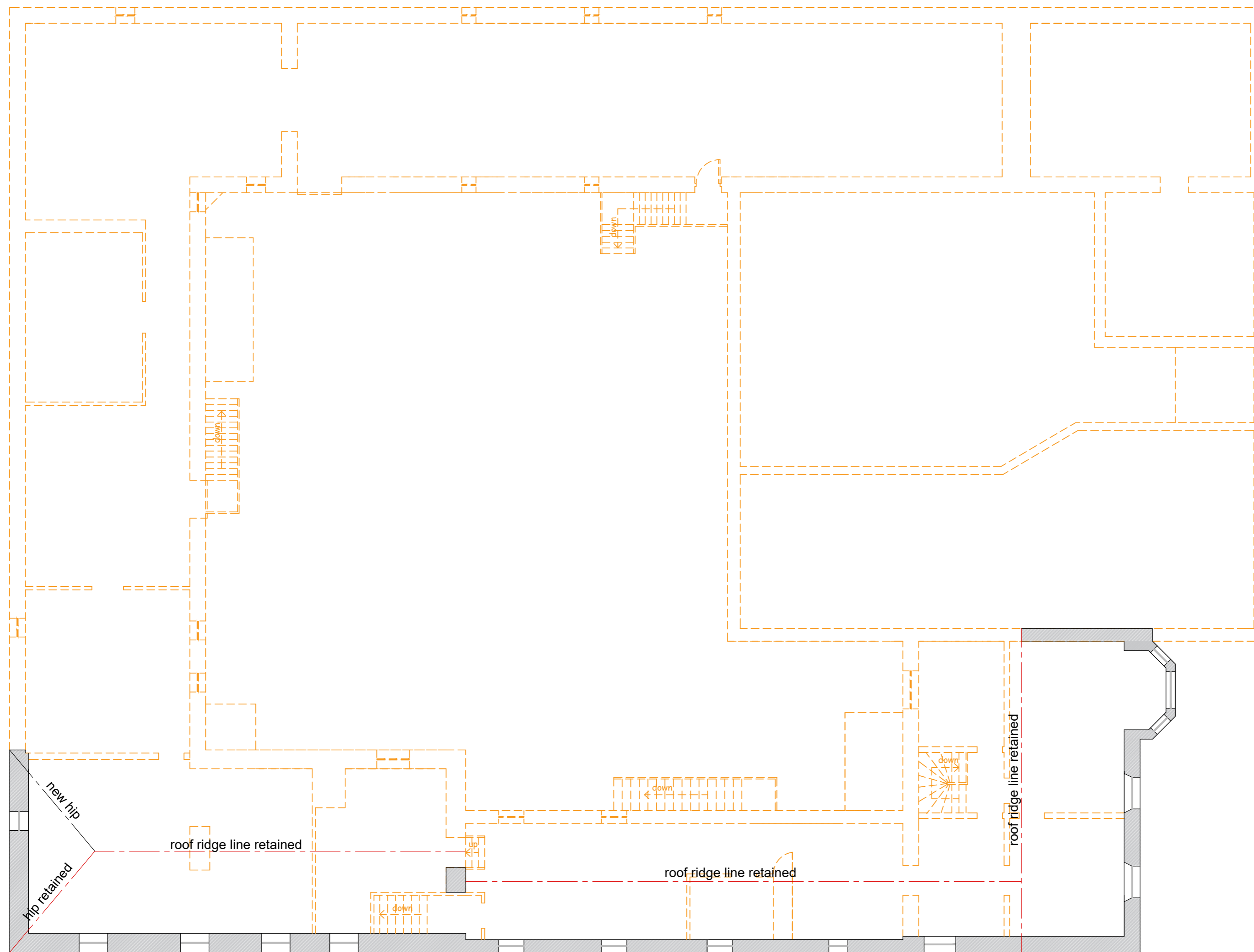
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PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 105 PL
SCALE	1:100 FOR A2 PRINT
DATE	DECEMBER 2020
DRAWN BY	





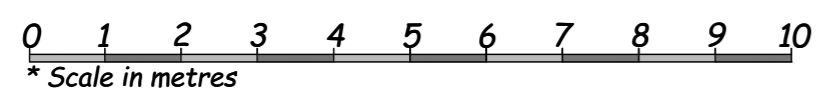
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PROJECT MANAGEMENT SCOTLAND LIMITED  
 26 MONTROSE ROAD, FORFAR, ANGUS, DD8 2HT  
 TELE: 01307 467744 FAX: 01307 467766  
 E-MAIL: enq@pm-scot.com



**EXISTING FIRST FLOOR**

Scale 1:100



\* Scale in metres

CLIENT	RIX
PROJECT	REDEVELOPMENT OF SITE
ADDRESS	1- 5 AMERICA ST MONTROSE
DRAWING NO.	PMS 2315 - 106 PL
SCALE	1:100 FOR A2 PRINT
DATE	DECEMBER 2020
DRAWN BY	[REDACTED]

## Listed Building

The only legal part of the listing under the Planning (Listing Buildings and Conservation Areas) (Scotland) Act 1997 is the address/name of site. Addresses and building names may have changed since the date of listing – see 'About Listed Buildings' below for more information. The further details below the 'Address/Name of Site' are provided for information purposes only.

## Address/Name of Site

# 1-5 AMERICA STREET INCLUDING BOUNDARY WALLS

LB46164

Status: Designated

## Documents

There are no additional online documents for this record.

## Summary

<b>Category</b> C	<b>Local Authority</b> Angus	<b>NGR</b> NO 71451 57205
<b>Date Added</b> 30/03/1999	<b>Planning Authority</b> Angus	<b>Coordinates</b> 371451, 757205
<b>Supplementary Information Updated</b> 09/09/2020	<b>Burgh</b> Montrose	

## Description

A 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.

The street frontage has simple classical detailing including a pilastered door-piece to the office and a segmental arched entrance pend with timber doors

accessing the courtyard. The enclosed courtyard elevations include a stone forestair, timber hoist doors and small windows located close to the eaves. The managers house at the southwest angle has a small garden area facing the quay. The roofs are slated. The interiors have been largely refurbished with some features of 19<sup>th</sup> century character remaining in the managers house including fireplaces, moulded cornices and timber panelled shutters.

## Statement of Special Interest

Built 1840-1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.

The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19<sup>th</sup> and 20<sup>th</sup> century with interests around the coast of Scotland. The buildings were occupied by the company until 1978 and are not currently in use (2020).

The square-plan footprint of the building on the 1<sup>st</sup> Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18<sup>th</sup> century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.

The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.

Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.

The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.

Listed building record revised in 2020.

## References

## Bibliography



Ordnance Survey, Forfarshire, Sheet XXXV (includes: Craig; Lunan; Montrose), Survey date 1861, Publication date 1865.

## About Listed Buildings

Historic Environment Scotland is responsible for designating sites and places at the national level. These designations are Scheduled monuments, Listed buildings, Inventory of gardens and designed landscapes and Inventory of historic battlefields.

We make recommendations to the Scottish Government about historic marine protected areas, and the Scottish Ministers decide whether to designate.

Listing is the process that identifies, designates and provides statutory protection for buildings of special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

We list buildings which are found to be of special architectural or historic interest using the selection guidance published in [Designation Policy and Selection Guidance \(2019\)](#)

Listed building records provide an indication of the special architectural or historic interest of the listed building which has been identified by its statutory address. The description and additional information provided are supplementary and have no legal weight.

These records are not definitive historical accounts or a complete description of the building(s). If part of a building is not described it does not mean it is not listed. The format of the listed building record has changed over time. Earlier records may be brief and some information will not have been recorded.

The legal part of the listing is the address/name of site which is known as the statutory address. Other than the name or address of a listed building, further details are provided for information purposes only. Historic Environment Scotland does not accept any liability for any loss or damage suffered as a consequence of inaccuracies in the information provided. Addresses and building names may have changed since the date of listing. Even if a number or name is missing from a listing address it will still be listed. Listing covers both the exterior and the interior and any object or structure fixed to the building. Listing also applies to buildings or structures not physically attached but which are part of the curtilage (or land) of the listed building as long as they were erected before 1 July 1948.

While Historic Environment Scotland is responsible for designating listed buildings, the planning authority is responsible for determining what is covered

by the listing, including what is listed through curtilage. However, for listed buildings designated or for listings amended from 1 October 2015, legal exclusions to the listing may apply.

If part of a building is not listed, it will say that it is excluded in the statutory address and in the statement of special interest in the listed building record. The statement will use the word 'excluding' and quote the relevant section of the 1997 Act. Some earlier listed building records may use the word 'excluding', but if the Act is not quoted, the record has not been revised to reflect subsequent legislation.

Listed building consent is required for changes to a listed building which affect its character as a building of special architectural or historic interest. The relevant planning authority is the point of contact for applications for listed building consent.

Find out more about listing and our other designations at [www.historicenvironment.scot/advice-and-support](http://www.historicenvironment.scot/advice-and-support). You can contact us on 0131 668 8914 or at [designations@hes.scot](mailto:designations@hes.scot).

## Images

There are no images available for this record.

Printed: 30/10/2023 17:40



## Inch Cape selects Montrose Port as offshore wind operations and maintenance base

Home » **Inch Cape selects Montrose Port as offshore wind operations and maintenance base**

Inch Cape Offshore Limited has selected Montrose Port as the future operations and maintenance base for its offshore wind farm – which will see up to 72 turbines located 15 km off the Angus coast.

The wind farm, owned by Red Rock Power and ESB, will create an initial £5.2 million investment and more than 50 long-term skilled jobs during its lifetime.

The decision was marked by a visit to Montrose Port by local MSP Mairi Gougeon, Cabinet Secretary for Rural Affairs and Islands at The Scottish Government, where she was able to meet senior figures from Inch Cape and Montrose Port to discuss their plans.

The Inch Cape Offshore Wind Farm has applied to the UK Government for a long-term energy contract in its latest 'Contracts for Difference' allocation round, with results expected this summer.

If successful, this will trigger the 18-month £multi-million investment programme in the Angus port with more than 50 long term skilled operations and maintenance jobs to follow.

Initial work on the infrastructure upgrade will begin in 2023 with the construction of offices and warehouse at the port's South Quay.



A dedicated pontoon for crew transfer vessels travelling to and from the Inch Cape site will also be constructed along with the installation of dock side cranes and a communications mast, with the latest technologies in vessel fuelling being considered as an additional investment.

Works are expected to be complete and the base operational by early 2025 to coincide with the commissioning of the first turbines at the offshore wind farm. Once fully operational, the Montrose base will support up to 56 direct, full-time equivalent (FTE), long-term jobs including turbine technicians, asset managers and office staff.

Rural Affairs Secretary Mairi Gougeon said:

“This award highlights the direct long-term economic benefits which are flowing into local communities across Scotland as a result of our fast-growing offshore wind industry. The Inch Cape Offshore Wind Farm, which will provide sustainable career-long jobs for people in Angus, is a great example of this.

“Montrose Port has long played an important role in supporting Scotland’s offshore energy sector and the investment announced by Inch Cape will help it become a major facility supporting our just transition towards a Net Zero economy.”

Adam Ezzamel, Project Director of the Inch Cape Offshore Wind Farm said:

“This new infrastructure will make Montrose Port a key element in the Inch Cape Offshore Wind Farm, which will become one of Scotland’s largest single sources of renewable power, operational for at least 30 years. We plan to utilise the very latest technology to reduce carbon emissions from vessels to operational base designs, operating and maintaining some of the biggest wind turbines in the world deployed in water depths of up to 57 metres.

“If we succeed in the current Contracts for Difference round, Inch Cape will deliver millions of pounds of new investment, not just in Montrose but, with other key suppliers and facilities in Scotland and beyond, supporting local communities and a transition to a greener economy. The UK is already a world leader in offshore wind and this project will see Inch Cape increase this lead –

delivering long-term skilled jobs and enough electricity to power more than a million homes.”

Capt. Tom Hutchison, CEO and Harbourmaster at Montrose Port said:

“We are delighted to welcome Inch Cape to Montrose as part of our growing offshore wind portfolio. We aim to become the go-to port for the industry and believe that with our geographical position, deep water berths, and sheltered quays we are ideally placed to do so.

“As a Trust Port we are driven to develop our offering to benefit our community of stakeholders both now and for future generations to come. We have already started to see the benefits offshore wind can bring to our regional economy and we are proud to be championing Montrose and the wider Angus region as a bastion for green energy.”



Adam Ezzamel, Project Director, Mairi Gougeon MSP, Capt. Tom Hutchison,  
Harbourmaster

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# Inch Cape

OFFSHORE LIMITED

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**Red Rock Power Limited**



Energy for  
generations





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# Inch Cape

OFFSHORE LIMITED

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**Red Rock Power Limited**



Energy for  
generations

## Key Sectors

HOME / KEY SECTORS / OFFSHORE WIND

# Offshore Wind

The offshore wind sector has tremendous potential to bring significant opportunities to businesses in Angus. We are here to help you capitalise on these opportunities by supporting further development of the sector.

According to the [Offshore Wind Sector Deal](#), the UK has a target to provide 30% of the UK's total power needs from offshore wind by 2030. Related targets for the UK include:

- 60% lifetime UK content in domestic projects
- increasing UK content in the capital expenditure phase
- increasing the representation of women in the offshore wind workforce to at least a third by 2030
- increasing exports fivefold to £2.6 billion by 2030
- investing £250 million to support productivity and increase competitiveness of UK supply chain

As part of the [Tay Cities Deal](#), Angus aims to achieve green and inclusive growth to contribute towards these targets.

### Offshore Wind, Angus - Scotland



Sign up to receive the Offshore Wind newsletter.

## Offshore Wind Growth Partnership (OWGP) Innovation Grants

The Offshore Wind Growth Partnership (OWGP) Innovation Grants will allow businesses to apply for grants of £25,000 to £200,000 for projects that will address two offshore wind industry innovation priorities – Decarbonisation and Improving Reliability. Projects will be expected to focus on the commercialisation of [Privacy & Cookies Policy](#) and

services that will either support offshore wind decarbonisation or improve the reliability and robustness of offshore wind developments.

#### Key Dates

- Call opens: **9 November 2022**
- Application deadline: **20 January 2023**
- Applicants Notified: **17 March 2023**
- Project Start Date: **on or before 1 May 2023**

Find out more and apply on the [OWGP website](#).

## Forth and Tay Offshore Cluster

The [Forth and Tay Offshore Cluster](#) is one of two supply chain clusters in Scotland formed in light of the UK's Offshore Wind Sector Deal between Government and the offshore wind industry.

The cluster was established to support and advise companies on Scotland's East coast about the many business opportunities from the growth of offshore wind.

The cluster is a collaboration between Angus Council and other organisations, including:

- East coast of Scotland's Local Authorities
- Energy developers in the region
- Scottish Enterprise and Scottish Engineering
- Regional ports

Angus Council is leading the supply chain development activity on behalf of the Cluster. We aim to accelerate and expand the growth of the offshore energy sector on the East coast of Scotland.

Learn more about the supply chain and the benefits for Angus businesses of being part of the [Forth and Tay Offshore Cluster](#).

## Angus Offshore Wind Supply Chain

### **An established supplier with significant experience of supplying to the sector**

Asco Group  
Calibre Power Electronics Ltd  
Cargo Handling, Crane, Plant & Personnel Hire  
Carlton Hotel  
Clarkson Port Services Limited  
D Geddes (Contractors) Ltd  
Delson Contracts Ltd  
Destini Marine Safety Solutions Ltd  
Finesse Control Systems Ltd  
Framework Property Developments Ltd T/a Grey Harlings Hotel  
GAC Services (UK) Ltd  
Hydrus Energy Engineering Ltd  
JJKS Estates Ltd  
Montrose Port Authority  
Montrose Rope & Sail Co Ltd  
Mooring Systems Ltd  
Northern Tool and Gear Co. Ltd.  
NOV  
Petrofac Facilities Management Limited  
Pioneer Oil Tools Ltd  
RAM Engineering & Tooling Ltd  
Ritchie Industrial  
Rix Renewables Ltd  
Rix Shipping (Scotland) Ltd  
RMEC Limited  
Survival System International  
Windcat Workboats  
Xiom Scotland Ltd  
XL Global Group



## Good capacity and some experience in supplying to the sector

Baker Hughes  
First Marine Solutions Ltd  
InterMoor  
R & M Buildbase  
Watson Engineering  
Whittaker Group

## Capabilities to supply, but no/limited experience in the sector

Angus 3D Solutions Ltd  
Genista Energy Ltd  
Gorilla Corrosion (Services) Ltd  
Harry Maiden Ltd  
IOT GROUP  
JDT Services Ltd  
LSR Engineering Ltd  
Pert-Bruce Construction

## Major Offshore Projects

Seagreen Wind Farm Project

Neart na Gaoithe (NnG) offshore Wind Farm

— Inch Cape Offshore Wind Farm

Located 15km off the Angus Coast in the East of Scotland, The Inch Cape Offshore Wind Farm, currently in late stage development, will see up to 72 turbines. The wind farm covers an area of approximately 150 km<sup>2</sup>.

Inch Cape Offshore Limited (ICOL) is a proposed offshore wind farm located in the North Sea around 15 km off the Angus coastline. Inch Cape Offshore Wind Farm is owned by Inch Cape Offshore Limited, an equal joint venture between- Edinburgh based renewable and sustainable energy company, [Red Rock Power Limited](#) and Ireland's leading energy company, [ESB](#).

The farm will consist of turbines supported by fixed foundations and substructures. It connects to the grid at the former Cockenzie Coal Power station in East Lothian.

### Investment in Angus and the environment

Inch Cape Offshore Limited has selected Montrose Port as the future operations and maintenance base for its offshore wind farm.

The wind farm will create an initial £5.2 million investment and more than 50 long-term skilled jobs during its lifetime.

Works are expected to be complete and the base operational by early 2025 to coincide with the commissioning of the first turbines at the offshore wind farm. Once fully operational, the Montrose base will support up to 56 direct, full-time equivalent (FTE), long-term jobs including turbine technicians, asset managers and office staff.

The project represents an important investment in Scotland's energy infrastructure and will open up massive opportunities for Angus. This will also make a significant contribution to addressing climate change and energy security while providing economic opportunities for our area.

To find out more, please visit the [Inch Cape website](#).

### ICOL and Angus fishing communities

ICOL would like to work with fishing communities to enable the co-existence of fishing activities and operation of the Inch Cape Offshore wind farm.

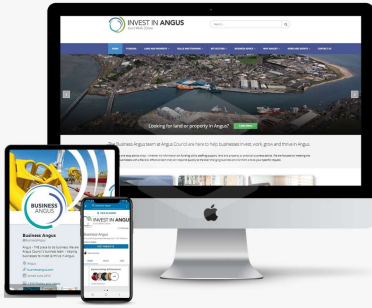
ICOL aim to identify and train fishermen to perform the Offshore Fisheries Liaison Officer (OFLO) and Fishing Industry Representatives (FIRs) roles on the project to work on the project on a part-time or ad-hoc basis to form part of the fishing liaison team.

The FIRs are shore-based and assist in disseminating project information and assist in gathering information, views and feedback from the fishing community.

Fishermen and former fishermen in Angus area including Arbroath, Carnoustie and Montrose are invited to apply for FIRs.

If you are interested in being considered, please email [InchCapefisheries@sff.co.uk](mailto:InchCapefisheries@sff.co.uk) or [inchcapewind@redrockpower.co.uk](mailto:inchcapewind@redrockpower.co.uk) to register your interest.

ScotWind



For advice and support in this sector, contact the Invest in Angus team:

Call 01307 492342 (Mon-Fri, 9am to 5pm)

Email: [invest@angus.gov.uk](mailto:invest@angus.gov.uk)

[Complete enquiry form](#)

## Related Links

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[Angus Property Search](#)

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## Follow Us







# Building Scotland's largest offshore wind farm

## Overview

The Seagreen Offshore Wind Farm is under construction around 27km from the coast of Angus in the North Sea.

A joint venture between TotalEnergies (51%) and SSE Renewables (49%), Seagreen will be Scotland's largest and the world's deepest fixed foundation offshore wind farm once complete.

## Fast facts

**114 wind  
turbines under  
constructi**

[Cookie Settings](#)



1,075MW. Following first power in August 2022 the site is expected to be fully operational during summer 2023. Power is exported via c.19km of underground cables from landfall at Carnoustie to a new substation at Tealing near Dundee.

The 114 turbines will provide enough green energy to power more than 1.6 million homes, equivalent to two-thirds of all Scottish homes. They will also displace over 2 million tonnes of carbon dioxide from electricity generated by fossil fuels every year – similar to removing more than a third of all of Scotland's annual car emissions and making a significant contribution to Scotland's net-zero ambition by 2045\*.

The remaining 36 offshore wind turbines are consented but not yet constructed. The power will be exported to the grid via Cockenzie, East Lothian. Information relating to this connection can be found [here](#).

In January 2022 we submitted a Screening Report to Marine Scotland to increase the size of the 36 consented turbines. You can find out more about this Screening Report by clicking [here](#).

**Operational  
base in Port of  
Montrose**

**Located 27km  
from Angus  
coast**

**First power  
generated in  
August 2022**

**Fully  
operational in  
summer 2023**

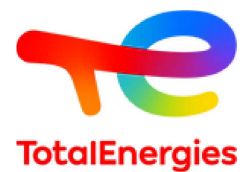


## A joint venture partnership

Seagreen is an offshore wind farm development owned by SSE Renewables (49%) and TotalEnergies (51%).

SSE Renewables is leading the development and construction of the joint venture project, supported by TotalEnergies, and will operate Seagreen on completion.

First power was achieved in August 2022 with the offshore wind farm expected to enter commercial operation during summer 2023.



[Find out more](#)



Seagreen is delivering significant economic benefit to Scotland and the UK. It is helping power a green, economic recovery and supporting high value green jobs in Scotland, including direct, contractor and supply chain roles.

At Global Energy Group's Port of Nigg near Inverness, Seagreen supported 141 skilled jobs associated with the marshalling, storage and logistics for the 114 turbine jacket foundations.

The 141 peak construction jobs included work for 93 permanent roles already on-site as well as the creation of an additional 48 new roles at the port, delivering a green jobs boost to the Scottish Highlands.

The Seagreen Operations and Maintenance (O&M) base at Montrose is complete and was built by local Angus contractors Pert-Bruce who included a number of apprentices in its workforce as part of the works. The building was formerly in use in Aberdeen and the adjacent radio mast was formerly in use at another offshore wind farm development.

The O&M base in Montrose will be home to approximately 80 full-time (direct) operational roles including up to 60 Vestas personnel maintaining the turbines both from the O&M base and offshore service operations vessels. There will also be a significant number of indirect roles and specialised contractors supporting Seagreen and the O&M base throughout the life of the wind farm.

## Section 36C application (November 2022)

Seagreen Wind Energy Limited (SWEL) has made a formal application to vary the existing Seagreen Alpha and Bravo section 36 consents under section 36C of the Electricity Act 1989 (as amended). SWEL has also requested that the associated marine licences are varied at the same time under section 72 of the Marine and Coastal Access Act 2009 and section 30 of the Marine (Scotland) Act 2010.

SWEL is principally proposing to vary the existing S36 consents (issued on 10 October 2022) to correct a discrepancy in the decision notice which originated from an administrative error in the S36C Seagreen application documentation submitted April 2022. As part of the application, SWEL is submitting a letter describing the correction and resubmitting all the application documents from the April 2022 S36 variation which remain unchanged.

To find out more about the application and how to make representations, please click [here](#).

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SWEL is principally proposing to vary the existing consents to allow for changes to parameters of the consented but not constructed 36 wind turbine generators associated with the Seagreen Project. Varied parameters include an increase in rotor diameter, blade chord width, maximum and minimum tip height and hub height. No changes to piling parameters are included in the proposed variation. SWEL are also proposing to vary the existing consents to allow for an increase in steel seabed deposits.

To find out more about the application and how to make representations, please click [here](#).

## Our latest news



Montrose Port Authority



Final wind turbine installed



1,000th tree planted at







Project Management Scotland Ltd

24 January, 2023

Our Ref: 2315

Angus Council Planning Department  
Angus House  
Orchardbank Business Park  
Forfar  
DD8 1AN

Dear Damian

**20/00574/FULL & 20/00599/LBC - Redevelopment of site - 1 - 5 America Street, Montrose, DD10 8DN**

**Noise Impact Assessment**

In connection with the above referenced application, please now find attached the Noise Impact Assessment (NIA) Report undertaken by CSP Acoustics LLP.

The NIA was undertaken in consultation with the Environmental Health Officer at Angus Council and the methodology agreed.

The results of the NIA have modelled worst case noise levels and when addressing two different noise levels, if one noise level is more than 10 dB below another, the lower noise level will generally not be audible above the higher noise level. The NIA finds that the predicted noise levels are more than 20 dB below the worst-case noise levels recorded over the assessment period (1<sup>st</sup> to 5<sup>th</sup> December 2022). The planning authority can therefore safely assume that the proposed development will have little to no additional noise impact upon the nearest NSR's.

The assessment states that:

*“noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest NSR's in the context of what they are already exposed to.”*

Given that the noise from existing activities at the port far exceeds the predicted worst-case noise levels from the proposed development, any changes to the layout of the proposed development -such as altering the position of the warehouse roller door access or relocating the position of the office accommodation will make no difference to the levels of noise experienced by the nearest NSR's.

Accordingly, the Applicant considers that the submission of the NIA is the final piece of supporting information required by the planning authority to enable a determination to be made on the basis of the plans and supporting information submitted to date.

## Conclusion

We conclude that for the planning and listed building applications as presented, there is strong justification which meets the terms of the HES guidance for demolition of the Category C listed building.

The scale of repairs required to restore the listed buildings to their original condition is, in our opinion, not a meaningful or purposeful exercise, as the use for which they were originally built has long since passed. To be meaningful, would require a viable end purpose to justify the scale and costs of repair. It is therefore considered that any 'meaningful repair' is simply not possible, given the port's requirements for large, modern warehousing. This site in particular, is located on the quayside, with direct access to berthing facilities and specifically meets the O&M requirements for the offshore renewables sector.

The planning authority is aware that detailed architectural consideration has been given to trying to redevelop the site for the required accommodation requirements (modern offices, warehousing and car parking) whilst retaining and adapting part of the listed building complex. This is presented in the Heritage and Design Statement. The retention and integration of even parts of the listed building in its current form would impose a significant constraint on the viability of development, both in terms of the level of structural repair that would be necessary and its impact on the feasibility of being able to utilise the building for contemporary port related uses. The feasibility option would be technically challenging and cost prohibitive, estimated at 21% higher than the application proposals, rendering the alternative as economically unviable.

The current high inflation rates and steep increase in construction materials costs have also now sharply increased the overall project costs to £1.15M (as shown in Table 1).

**This £1.15M is a significant investment by the Applicant to deliver the regeneration of this vacant and semi-derelict site and create 60 full time jobs plus up to 12 additional ad-hoc staff.**

Table 1: Updated Project Costings for Partial Re-Use and Adaption

Project Option	Estimated Cost (£) Feb. 2021	Estimated Cost (£) Jan. 2023
<b>1) Feasibility Option – retaining America Street Offices and Storage Space</b>		
• To restore offices (America Street)	998,999.83	1,198,800.00
• To restore storage space (Fish Quay)	171,426.00	205,712.00
<b>Total</b>	<b>1,170,425.83</b>	<b>1,404,512.00</b>
<b>2) Application Proposal – to keep America Street Façade and Build New Office Block and Storage Area</b>		
• Demolition of buildings and keep external facade	185,568.00	222,682.00
• To build new purpose-built office block	624,000.00	748,800.00
• To build new purpose-built storage area	155,000.00	186,000.00
<b>Total</b>	<b>964,568.00</b>	<b>1,157,482.00</b>

We acknowledge that discussions have taken place in the last 6 months with the planning authority and Historic Environment Scotland with a view to the Applicant re-examining if any parts of the listed building could be reused to greater effect as opposed to the façade retention proposal. It is considered that this exercise would necessitate many months of further consideration and debate.



Given that this planning application has been validated since 2 September 2020, the Applicant now respectfully requests that both the planning and listed building applications as presented, are determined in earnest by the planning authority. Alternative redevelopment proposals for the site may come forward as a separate planning and listed building applications at some stage in the future and should this be the case, this would be done in discussion with the planning authority.

Alongside the significant economic investment into the area, the creation of new jobs for Montrose Angus Council should acknowledge that the preservation of the listed façade and boundary walls of the site in perpetuity, will have a regenerative effect on the surrounding townscape, enhancing the streetscene and improving the visual amenity of the area for neighbouring residents.

We respectfully now ask that Angus Council presents the planning and listed building consent applications to the Development Standards Committee for determination at the earliest opportunity.

We look forward to receiving your earliest written confirmation of this and the likely date for the Committee determination.

Yours faithfully,



**Phil Birse**

for Project Management Scotland Ltd.

[phil@pm-scot.com](mailto:phil@pm-scot.com)





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 • E-mail: g.russell@shepherd.co.uk • Website: www.shepherd.co.uk  
 Regulated by RICS

GR

25<sup>th</sup> October 2023

To whom it may concern

*Partners*

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 Barry J Reid BSc (Hons) MRICS

*Associates*

George B Robb MRICS

Dear Sirs,

**1-5 America Street, Montrose – Marketing Update – October 2023**

I refer to the above and our ongoing marketing and write to provide an update on interest levels since our last correspondence in January 2022.

To recap our instruction to date, Marketing formally began on 10<sup>th</sup> July 2021 with the property being uploaded to our commercial property website along with various national property websites such as Novaloca, EGI Propertylink and CoStar/Realla. A “For Sale” board was also erected prominently at the junction of America Street and River Street at the same time.

Further to our clients request in October 2021 and with input from both Angus Council and HES we undertook a revision of the marketing brochure to further promote the property as being suitable for partial demolition and redevelopment. Thereafter we recirculated the updated brochure which provided interested parties with direct contacts with individuals at Angus Council and HES to discuss their proposed future plans for the property.

Since the revised brochure was made available in late October 2021 we have since received only a handful of new enquiries, most of which have simply been seeking an asking price with no consideration for the guidance within the revised brochure. One enquiry did though emerge from Montrose Port Authority (MPA) in early 2022 and a viewing was subsequently arranged with the client.

MPA thereafter instructed their solicitors to make a verbal enquiry and indicated that they would be willing to offer £150,000 for the heritable interest, however no detail regards proposed refurbishments or future use was provided at the time. No formal written offer was received, and we have had no further discussions with either MPA or their solicitors since. We would though confirm the verbal proposal of £150,000 is well below our own opinion of Market Value.

I have attached a summary from one of the websites (CoStar/Loopnet formerly Realla) which shows the number of clicks and views on the property and demonstrates that unfortunately there have been few enquiries despite over 2 years of formal marketing and clear awareness of the opportunity. The limited enquiries we have received in 2023 have generally been only seeking to let the yard space rather than the office/workshop areas also.

Cont'd.../



I trust this is sufficient for your current purposes.

Kind Regards.

Yours sincerely,



Gavin Russell BSc (Hons) MRICS  
For J & E Shepherd

Enc.

APPENDIX 1 – LOOPNET/COSTAR ENQUIRIES



1-5 America St | Montrose, DD10 8DN  
Industrial For Sale | 13,629 SF | Price Not Disclosed

Days on Market 147 <small>Started advertising 30/05/2023</small>	Listing Completeness 80% <small>Last updated on 06/10/2023</small>	Exposure Level Basic
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In the last 30 days, **79** people have seen your property **181** times. Increase your exposure to Diamond and get **1,150x** more exposure in your market.

<b>37</b> Detail Page Views	<b>0</b> Confidentiality Agreements
<b>0</b> Leads	<b>0</b> Data Room Visits

Leads

0

- Email Leads
- Phone Leads
- Secure Leads

Activity Summary

Summary of everyone that has seen your property.

1 Year ▼

<b>1,264</b> Total Views	<b>529</b> Unique Prospects	<b>27s</b> Average Time on Page
<b>37</b> Detail Page Views	<b>2.4</b> Frequency	<b>15m 55s</b> Total Time on Page





J & E Shepherd • Chartered Surveyors • 13 Albert Square • Meadowside • Dundee • DD1 1XA • Tel 01382 878005

• E-mail: [g.russell@shepherd.co.uk](mailto:g.russell@shepherd.co.uk) • Website: [www.shepherd.co.uk](http://www.shepherd.co.uk)

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GR

RIX Shipping (Scotland)  
Meridian St,  
Montrose  
DD10 8DS

*Partners*

George P Brewster FRICS  
Ian J Fergusson BSc FRICS  
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Alan Fleming MRICS  
Kevin N Bell BSc MRICS  
Anthony Bennett BLE MRICS  
Colin Campbell MRICS  
Stuart Dunne BSc (Hons) MRICS  
Andrew Neil MRICS  
Andrew D Sykes MRICS  
Paul J Duncan BSc (Hons) MRICS

Kristofer Hall MRICS  
Elliot Brown BSc (Hons) MRICS  
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Neil A Calder BSc MRICS  
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Mark McQueen BLE MRICS  
Christopher P Weir MRICS  
Barry J Reid BSc (Hons) MRICS

*Associates*

George B Robb MRICS  
Gavin Russell BSc (Hons) MRICS

1<sup>st</sup> November 2023

Dear Sirs,

**1-5 America Street, Montrose, DD10 8DN – Desktop Valuation – 1<sup>st</sup> November 2023**

I refer to the above and our instructions via your planning consultants MFPlanning/Maria Francke with regards the subjects at 1-5 America Street, Montrose, DD10 8DN.

We understand you require our opinion of Market Value of the subjects as existing and also Market Value on completion of the proposed refurbishment scheme which retains more of the listed offices fronting America Street.

For the avoidance of doubt the subjects have not been reinspected for the purposes of this desktop exercise and we have assumed have not been altered since our previous inspection in February 2021 for marketing purposes.

The subjects currently comprise traditional workshop and office space over ground and first floors arranged around a central courtyard with an additional store/workshop and yard to the north. The gross internal area extends to circa 1,266.17 sq.m. (13,629 sq.ft.).

We have been provided with outline block plans for the proposed refurbishment which includes partial demolition and retention of the majority of the façade and existing America Street offices to form new office and storage accommodation along with associated car parking within the adjacent yard. This will result in a total floorspace circa 750 sq.m comprising 480 sq.m of offices (made up of 360 sq.m of existing office space and 120 sq.m of new office space) along with 225 sq.m storage space and 100 sq.m of communal/circulation space. This scheme would leave space for parking for around 18 cars within the adjacent yard.

Detailed floor plans and fit-out information have not been provided, however we were supplied with a Heritage and Design statement prepared by your planners and dated February 2021. This provides outline feasibility options for the site and includes details and costings for a proposed façade retention scheme, and a feasibility option which retains more of the façade, original offices and the original managers house to the south of the site which had previously been earmarked for demolition.

The statement also includes costings for the scheme, and we were thereafter supplied with updated 2023 figures which show the costs for the alternative feasibility scheme would now be around £1.4M. We understand this figure excludes furniture, fixtures and fittings, professional fees and VAT thereon.

Cont'd.../



Therefore, and for the avoidance of doubt, when arriving at our opinion of end value of the alternate feasibility scheme which retains more of listed building, we have assumed the subjects will be completed to a good modern standard however we reserve the right to amend our figures upon further details and inspection of the completed scheme.

**Market Value – As Existing**

We are of the opinion that the Market Value of the property, as at 1st November 2023, may be fairly stated as being in the sum of **£200,000 (TWO HUNDRED THOUSAND POUNDS)**.

**Market Value – Upon completion of proposed façade retention and refurbishment scheme**

We are of the opinion that the Market Value of the property upon completion of the proposed refurbishment scheme, as at 1st November 2023, may be fairly stated as being in the sum of **£600,000 (SIX HUNDRED THOUSAND POUNDS)**.

I trust this is sufficient for your current purposes.

Kind Regards.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gavin Russell", is written over a light blue horizontal line.

Gavin Russell BSc (Hons) MRICS  
For J & E Shepherd





APPENDIX 1 – LOOPNET/COSTAR ENQUIRIES



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## Angus Council

<b>Application Number:</b>	20/00574/FULL
<b>Description of Development:</b>	Redevelopment of site including alteration of the existing building on the site to remove its roof and the southwestern boundary section of the building and to erect a store/offices.
<b>Site Address:</b>	1 - 5 America Street Montrose DD10 8DN
<b>Grid Ref:</b>	371445 : 757211
<b>Applicant Name:</b>	J R Rix & Sons Ltd

**Report of Handling****Proposal**

The application proposes the substantial demolition of the category C listed former Joseph Johnston & Sons fish curing works, involving the removal of buildings within the site with the exception of part of the external perimeter walls, including the 2 storey façade of the building (to wall head height) along America Street. The cleared buildings would enable the erection of a new 2 storey steel portal building located to the southwest of the site. The proposed new building would contain storage space on its southwest side (with two roller door openings facing southwest) and a two-storey office block on its northeast side. A yard area would be formed to the northeast of the new building which would contain car parking. Access to the parking area would be taken from America Street to the northwest, with an exit proposed onto River Street to the northeast.

The application form indicates that the proposed development would connect to the public water supply and drainage network. Surface water drainage proposals are unclear, but the application form indicates that sustainable drainage is not proposed. The application form also indicates that the proposed use class of the development would be classes 4 (business) and 6 (storage and distribution).

**Amendments**

The application has been varied to delete the proposal to form a two-level car parking structure in the yard area to the northeast of the site. Project Management Scotland Limited Proposed Site Plan Drawing No. PMS 2315 - 201 PL (July 2020) revision C amends and supersedes all previous versions of that plan; and Project Management Scotland Limited Drawing No. PMS 2315 - 205 PL (August 2020) revision B amends and supersedes all previous versions of that plan.

**Publicity**

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 11 September 2020 for the following reasons:

- Development Affecting a Listed Building

A site notice was posted for development affecting a Listed Building.

**Planning History**

1. 1-5 America Street was listed as a building of special architectural or historic interest on 30 March 1999. It is described in the listing as a 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard. The complex, built between 1840 and 1860, is prominently located quayside at Montrose Harbour.

The statement of special interest indicates (amongst other things) that:

*Built 1840–1860, the property is a rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour.*

*The curing works was purpose-built for Joseph Johnston & Sons Ltd, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century with interests around the coast of Scotland. The buildings were occupied by the company until 1978.*

*The square-plan footprint of the building on the 1st Edition Ordnance Survey map (surveyed, 1861) shows the quadrangle planform has changed little since the mid- 18th century. Despite some later alteration and some loss of fabric, the surviving components form an authentic example of an historically significant commercial/industrial building type.*

*The quayside setting is important, relating directly to the curing works' former function. The building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining (former) dock-side warehouse at 4 Meridian Street (LB46221). Together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.*

*Few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component.*

*The former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business.*

2. A proposal was submitted to HES remove the listed designation of 1-5 America Street in May 2020. The review of the listing confirmed the special interest of the building and its listed status was retained (Category C) (decision dated 9 September 2020).

3. Application **20/00599/LBC** for listed building consent for alteration of the existing buildings at 1-5 America Street to remove its roof and the southwestern boundary section of the building (substantial demolition) was refused on 3 August 2023 for the following reason:-

*The substantial demolition of the fish curing works at 1-5 America Street would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance.*

#### **Planning history relevant to other listed buildings referred to in statement of special interest for 4 Meridian Street**

4. Planning permission (22/00779/FULL) and listed building consent (22/00781/LBC) for refurbishment and extension of Custom House to accommodate offices for Whittaker Group was approved subject to conditions on 22 March 2023. This listed building (LB38222) is located around 100m to the east of the site.

5. Planning permission (19/00551/FULL) and listed building consent (19/00552/LBC) for change of use and extension of the Grain Store House to form offices for Whittaker Group were approved subject to conditions on 4 November 2019. This listed building (LB38222) is located around 100m to the east of the site.

6. Planning permission (21/00177/FULL) and listed building consent (21/00178/LBC) applications for demolition of the category C listed 4 Meridian Street building and erection of a Class 5 and 6 general industrial warehouse for J R Rix & Sons Ltd were refused planning permission and listed building consent in June 2023. The proposal was considered to be contrary to National Planning Framework 4 (2023) Policy 7, Angus Local Development Plan (2016) Policy PV8, and Historic Environment Scotland's



Managing Change in the Historic Environment: Demolition of Listed Buildings (April 2019) because the development involved the demolition of a listed building and it had not been demonstrated that there were exceptional circumstances justifying demolition and that all reasonable efforts had been made to retain, reuse and/or adapt the listed building. 4 Meridian Street is located around 95m southeast of the site.

### **Applicant's Case**

Supporting Statement (undated) – indicates that its purpose is to provide an assessment of the proposal against guidance from Historic Environment Scotland. It indicates that the listed building has been empty for 22 years and is in a state of disrepair. The site has been targeted for regeneration because of its quayside position, and the project aims to develop Rix Renewables Ltd, and Rix Sea Shuttle Ltd. in the Montrose Port Area. The statement indicates that it is not economically viable to try and repair and reuse the whole building, indicating that doing so would exceed the end value (*end value unspecified*) and would not give the applicant the useful workspace they require. The statement indicates that selective demolition of the property would allow Rix to build a modern workspace in an important quayside position. The statement indicates that the proposal would bring 50 jobs to the area, and suggests that selective demolition is essential to deliver significant benefits to economic growth to Montrose Port. The statement opines that the economic benefit of this potential development outweighs the strong presumption of retaining the whole building. Retaining the façade allows an important piece of Montrose Port heritage to be retained whilst also providing modern work facilities and a large economic boost to the town.

Planning Statement (February 2021) - includes a planning assessment of the proposal in support of the applications for planning permission and listed building consent. It indicates that the proposal represents a £1.6 million investment to regenerate a vacant site, preserve its history through façade retention and create new employment to help sustain the Montrose economy. The statement indicates that the redevelopment is sought to provide an operations and maintenance (O&M) base for offshore windfarms over the next 25 years, and the applicant is bidding for live tenders relating to this service provision.

In respect of impacts on the listed building, the statement indicates that full consideration has been given to exploring lesser interventions on the site and retaining more of the historic buildings. It suggests that the limiting nature of room configurations, the building positioning on the site and the costs of repair, adaptation and assimilation into a modern architectural solution is non-viable. The statement considers the proposal against the managing change in the historic environment guidance note on the demolition of listed buildings. The statement notes that HES confirmed that the building retains special interest in a recent listing review requested by the applicant, and does not argue that the building is not of special interest. In respect of whether the building is capable of meaningful repair, the statement suggests that meaningful repair is not possible given the contemporary nature of port requirements for buildings along the north quay and specifically those to meet the operation and maintenance requirements for the offshore renewables sector. In respect of whether demolition is essential to delivering significant benefits to economic growth or the wider community, it suggests that the demolition is essential to enable to economic reuse of the site for modern day port related activities. The economic growth benefits listed in the statement include delivery of a commercially viable development, providing a strategic site for O&M facilities with job creation of a peak workforce of 60 staff (plus 12 ad-hoc staff), a £1.6m investment in the site by the applicant. Wider community benefits are described as tidying up the site to the benefit of neighbouring residents, restoration and preservation of the America Street façade and the heritage storey of the building.

Building Condition Report (Griffin Design, undated) – the report considers the condition of 4 different sections of the listed quadrangle – the managers house, the America Street offices, the old workshop/stores (northeast), and the new workshop (southwest). The report describes the condition of the buildings as having a roof in fair condition, and noting that the rendering of the external walls makes it hard to assess their true condition. It suggests that rendering is usually a sign of water ingress. The report identifies interventions required to enable reuse of the building but suggests its reuse would limit the potential for modern equipment. It identifies measures required to enable façade retention of external walls. The report concludes that the existing buildings are in a fair condition, but suggests that repair and re-use of the buildings is thought to be an unrealistic option. It suggests that removal and replacement of the buildings with modern purpose-built structure and façade retention scheme is the preferred option.

Heritage and Design Statement (MF Planning, February 2021) – describes the design and heritage principles relating to the proposed development. It assesses the proposal against three of the four demolition tests set out in HES managing change demolition guidance; and suggests that it has been demonstrated that the building is not capable of meaningful repair, it would not be economically viable to retain the building and it suggests that the proposed façade retention scheme would secure wider economic and community benefits. The statement indicates that the existing rooms fronting onto America Street are akin in size to the proposed new office units, but discounts their reuse on account of the lack of a separate corridor circulation space, suggesting that the building would not meet the needs of contemporary office spaces. The report considers alternative restoration proposals which would save more of the listed building which includes a number of assumptions relating to the type of construction material that would be required for an extension of the listed building. The statement suggests that this would cost in the region of £200k more and is therefore not viable. The report opines that the proposal has been justified in terms of the HES demolition tests and suggests that the proposal would be beneficial in delivering sustainable economic growth while preserving the listed façade of the building and boundary walls.

Costing information and Rix Shipping Supporting Confidential Letter (April 2021) – provides detailed projected restoration costs relating to proposals to restore the offices, the storage space, façade retention and new build and an overall summary comparing the two cost projections. In response to a request for information relating to potential occupiers of the proposed development, the applicant has indicated that further information cannot be provided due to commercial confidentiality.

Redevelopment Report (Griffen Design) – this outlines the probable works related to retention, refurbishment and re-use of the existing building. It notes that the building is in fair condition for its age with areas requiring repair. The comments within the report are based on a visual inspection of the building and it recommends that a more thorough invasive survey is carried out to fully determine structural layout and condition.

Marketing particulars (Shepherd Commercial) – provides marketing information on the buildings subject of the application. Indicates that offers are invited for the site.

Marketing update letter and supporting letter from marketing agent (January 2022) – the site has been marketed since July 2021 to ascertain if there is any party who would purchase the property and be able to retain more of the listed structures which are of special interest and make the site work financially. The applicant is unaware of any parties having approached the council or HES directly regarding purchase of the property, and suggests that no party has approached the selling agent.

The letter from the selling agent indicates that from the initial marketing campaign some limited enquiries were made, mainly from local businesses and individuals seeking to utilise only part of the subjects. They suggest that they have had no enquiries from anyone seeking to use the main office/workshop buildings to the south. The letter indicates that the selling agent has received enquiries from parties seeking an asking price for the property, but the parties were unwilling to discuss their proposed future use with the selling agent. The letter states that the site owner sought enhanced dialogue with such parties to ascertain whether their proposed use would be supported by the local authority and Historic Environment Scotland (HES).

Level 1 Standing Building Survey (November 2020) - the construction of the main group of buildings dates to c.1850 and was in use until c.2000. The structures comprising 3-5 America Street in themselves represent a once-bustling complex of residential, commercial and industrial areas which primarily served in direct support of the salmon or greater fishing industry in Montrose, being situated immediately on the old quayside. The quality and high expense associated with their robust, well-made construction is still evident today.

Bat Survey (September 2020) – indicates that no faecal droppings, staining or any other signs of bat occupancy were observed around the outside or inside of the building. There was no bats recorded leaving or entering any roosts, and no bats commuting or foraging in the general area were recorded during the dawn and dusk emergence surveys. Whilst no bats were recorded, it is considered that mitigation will be required. Given the age and design of the buildings and that substantial demolition is proposed and that in particular, pipistrelle roosts can be transient and bats will change roosts frequently,

mitigation is required including all slates and roof coverings are to be removed by hand; and if any bats are found work should stop in the immediate area and GLM Ecology contacted who will deal with the issue in the appropriate manner.

Letter from Applicant (24 January 2023) – provides commentary relating to the noise information provided, and suggests that the information submitted in support of the application provides a strong justification for demolition of the listed building. It suggests that a restoration saving the buildings would be cost prohibitive and 21% more expensive than the submitted scheme, rendering it unviable. The letter provides information relating to the increase in development costs between 2021 and 2023. The letter suggests that alternative redevelopment proposals for the site may come forward as a separate planning and listed building consent applications at some stage in the future and should this be the case this would be done in discussion with the planning authority.

Noise Impact Assessment (revised March 2023) – indicates that the offices and warehousing will require 24-hour access, but suggests that deliveries and movement of materials from the warehouse is understood to be limited to between 0700 and 1900 hours. The report indicates that the nearest noise sensitive receptors are adjacent to the site on California Street. The report indicates that it has been shown that noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest noise sensitive receptors in the context of what they are already exposed to. Items of fixed plant will be designed to meet a worst-case scenario of NR25 at the nearest NSR as agreed with AC.

## **Consultations**

**Aberdeenshire Council Archaeology Service** - The above application affects the archaeology site NO75NW0391, a category C-listed former fishing curing works dating to the 19th Century. The archaeology service advocates reused of historic building such as this, but if planning permission is granted they request a planning condition to secure a Level 1 archaeological standing building survey.

**Community Council** - There was no response from this consultee at the time of report preparation.

**Roads (Traffic)** - No objection subject to conditions.

**Scottish Water** - There was no response from this consultee at the time of report preparation.

**Environmental Health (Arbroath)** - **object** to the proposal, identifying issues with the methodology used in the noise assessment and indicating that they are concerned that the predicted noise levels could be higher than that reported in the NIA. They are not satisfied that it has not been demonstrated that noise from the development will not impact on existing background noise levels and the nearest noise sensitive properties.

**Health & Safety Executive** - There was no response from this consultee at the time of report preparation.

**SEPA** – No objection on the basis that the dockside building proposed is considered to be a water compatible use, and provided there would be no land raising within the site or tanking to prevent water entering the building, then there will be no impact elsewhere on fluvial and tidal reach.

**Flood Prevention Authority** - The application site is located with an area which SEPA flood maps identify as being at medium to high risk of coastal flooding but is within the same use class as the existing use and as such is in accordance with SEPAs land use vulnerability guidance.

## **Representations**

4 letters of representation were received in connection with the proposal, of which 3 neither supported nor objected and 1 offers support for the proposal. The comments received can be summarised as follows:-



- Impact on availability of sunlight for garden in California Street
- Potential damage to neighbouring property during construction works
- Amenity, noise and air pollution impacts
- Plans unclear how proposal will affect mutual boundary with neighbours
- Concerns about creation of new access onto River Street and impact on road safety
- The proposal is consistent with the Montrose Port Authority strategy to develop Montrose as the port and logistics hub for North East Scotland.
- Many original buildings have had to be demolished and redeveloped for larger warehousing and storage sheds to meet the needs of Montrose Port Authority's stakeholders.
- The application site has a strategic position with adjacent berthing facilities which renders it an important quayside site.
- The economic benefits of potential job creation, investment in an underused and decaying building, supporting growth to Montrose Port following the £1m investment by the applicant Rix Shipping Ltd are welcomed by Montrose Port Authority.

## **Development Plan Policies**

### **NPF4 – national planning policies**

Policy 1 Tackling the climate and nature crises

Policy 2 Climate mitigation and adaptation

Policy 3 Biodiversity

Policy 4 Natural places

Policy 7 Historic assets and places

Policy 9 Brownfield, vacant and derelict land and empty buildings

Policy 10 Coastal development

Policy 12 Zero waste

Policy 13 Sustainable transport

Policy 14 Design, quality and place

Policy 18 Infrastructure first

Policy 22 Flood risk and water management

Policy 23 Health and safety

Policy 25 Community wealth building

Policy 26 Business and industry

### **Angus Local Development Plan 2016**

Policy DS1 : Development Boundaries and Priorities

Policy DS2 : Accessible Development

Policy DS3 : Design Quality and Placemaking

Policy DS4 : Amenity

Policy TC12 : Freight Facilities

Policy TC15 : Employment Development

Policy PV5 : Protected Species

Policy PV8 : Built and Cultural Heritage

Policy PV12 : Managing Flood Risk

Policy PV15 : Drainage Infrastructure

Policy PV18 : Waste Management in New Development

Policy PV21 : Pipeline Consultation Zones

M6 Working – Montrose Port

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

## **Assessment**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the

planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In this case the development plan comprises: -

- National Planning Framework 4 (NPF4) (Adopted 2023)
- Angus Local Development Plan (ALDP) (Adopted 2016)

The development plan policies relevant to the determination of the planning application are reproduced at Appendix 1 and have been taken into account in preparing this report.

The ALDP was adopted in September 2016 while NPF4 was adopted in February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

The site is located in the development boundary of Montrose. The ALDP development strategy for Montrose supports the redevelopment of vacant, underused or brownfield sites within the development boundary. It also seeks (amongst other things) to support the continued development of the Strategic Development Area at Montrose Port. Policy DS1 also states that proposals on sites not allocated or otherwise identified for development within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

The site is located outwith but adjacent to the ALDP M6 Montrose Port designation, where land is safeguarded for port related uses. The M6 designation states that (amongst other things) development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses. NPF4 recognises that Montrose Port is a key site in Angus Council's Mercury Programme. It indicates that there are further opportunities for a range of economic activities and investment in ports associated with a green economy at Montrose.

Both NPF4 and the ALDP seek to encourage the reuse of brownfield land and buildings to help reduce the need for greenfield development. NPF4 Policy 9 indicates that development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, it indicates that demolition will be regarded as the least preferred option.

NPF4 Policy 7 seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. The policy indicates that development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Part (b) of the policy indicates that development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building.

ALDP Policy PV8 states that development proposal which affect a listed building will only be supported where the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated; any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and appropriate measures are provided to mitigate any identified adverse impacts.

The key issues in this case are whether there are any exceptional circumstances which justify substantial demolition of the listed building and whether all reasonable efforts have been made to retain, reuse and/or adapt the listed building. If such exceptional circumstances are demonstrated to exist, it is also necessary to consider whether the proposed replacement building complies with other development plan policies, including consideration of whether sufficient information has been submitted to demonstrate that the proposal can co-exist with adjacent residential receptors.

### **Demolition of the listed building**

The application proposes the removal of the majority of the listed buildings within the site, with the site proposed for clearance with the exception of retention of part of the building façade (primarily along the America Street site frontage) as well the majority of other perimeter walls surrounding the site. HES Guidance considers demolition of a listed building to be the total or substantial demolition of the building; and suggests that a proposal would be considered to be demolition if the proposed works would result in the loss of the majority of the building. HES has commented on the parallel application for listed building consent, indicating that they consider the proposal to represent the substantial demolition of the listed building. Accordingly, the policy tests which apply to the demolition of a listed building are applicable in this case.

As noted above, development plan policy seeks to safeguard listed buildings. Where demolition is proposed, NPF4 Policy 7 indicates that **demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building**. It lists considerations to be applied when assessing proposals for demolition, which include whether the building is no longer of special interest (i); is incapable of physical repair and re-use as verified through a detailed structural condition survey report (ii); repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers (iii); or demolition of the building is essential to delivering significant benefits to economic growth or the wider community (iv).

Historic Environment Scotland's Managing Change in the Historic Environment: Demolition of Listed Buildings (April 2019) provides relevant government guidance on the assessment of proposals which involve the demolition of listed buildings. It identifies a number of key issues to consider and indicates that there is a strong presumption in favour of retaining listed buildings; and states that applications to demolish listed buildings should be refused unless their loss has been fully considered and justified.

Where an application proposes demolition, the managing change document indicates that applicants need to clearly demonstrate and justify that one of the following situations applies to the listed building to be demolished. The tests are similar to those identified in NPF4 Policy 7(b) and are as follows:-

- o Is the building no longer of special interest; or*
- o Is the building incapable of meaningful repair; or*
- o Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community; or*
- o Is repair or reuse of the building not economically viable?*

It is also worth noting that HES Guidance on the Use and Adaptation of Listed Buildings (April 2019) indicates that **façade retention schemes will not normally be appropriate because of the degree of loss they entail**.

Historic Environment Scotland (HES) has commented on the parallel application for listed building consent (**20/00599/LBC**) which was recently refused. They have reviewed the supporting information submitted by the applicant, and have visited the building proposed for demolition. The advice they provide is relevant to the consideration of the planning application as well as the parallel listed building consent application and is referred to where relevant in the below assessment.

The applicant's evidence and lines of argument speak primarily to the proposition that the buildings are incapable of meaningful repair, that demolition of the building is essential to delivering significant benefits to economic growth and the wider community, and that repair or reuse of the building not economically viable. They do not suggest that the building is no longer of special interest. Each test is addressed below in turn.

#### ***Is the building no longer of special interest?***

The 19th century fish curing works comprising a quadrangle of offices, workshops, stores and a manager's house set around an enclosed central courtyard at 1-5 America Street was listed (Category C) on 30 March 1999.



The statement of special interest which accompanies the listing describes the buildings as a *rare example of a largely intact 19th century fish curing works occupying a prominent quayside position at Montrose Harbour*. It suggests that few purpose-built historic fish curing works of this size are known to exist in Scotland, particularly with integrated offices and adjoining manager's house component. It indicates that the former works at 1-5 America Street has special social historical interest for its associations with an important and long-lived Montrose salmon and fish curing business - Joseph Johnston & Sons Ltd -, a Montrose company synonymous with salmon fishing and fish curing during the 19th and 20th century. The statement indicates that the building groups well with nearby industrial buildings of historic significance in the harbour area including the Montrose Old Custom House and Grain Store (LB38222) and the one remaining dockside warehouse at 4 Meridian Street (LB46221). It states that together this group of harbour area buildings contribute significantly to an understanding of the industrial and commercial history of Montrose and the Angus coastline more generally.

The planning statement submitted on behalf of the applicant notes the special interest of the building and does not argue that demolition of the building meets this test. The special interest of the building is clearly set out in the statement of significance which accompanies the listing, as referenced above. A proposal was submitted by the applicant to remove the listed designation in May 2020. The review confirmed the special interest of the building and its listed status was retained (Category C).

Demolition of the building is not justified on the basis that the building is no longer of special interest.

### ***Is the building incapable of meaningful repair?***

HES Guidance indicates that most traditionally-built buildings, even those in an advanced state of decay, can be repaired. It states that *there are occasions when repairing and reusing a listed building would lead to extensive loss or replacement of fabric, which would have a consequent effect on its special interest. If repairing a building cannot preserve its special interest, it is not capable of meaningful repair.*

The Building Condition Report describes the buildings as being in *fair condition*. It describes the Managers House as *generally quite robust* and the America Street Offices as being in a *similar condition to the Managers House*. It identifies areas where the building is in need of repair and maintenance; and it lists defects in the structure. While it indicates that the repair and reuse of the building is thought to be an unrealistic option and suggests that removal and replacement with a modern purpose built structure and façade retention is the preferred option; it does not demonstrate or suggest that the building is incapable of being repaired without extensive loss of or replacement of fabric.

Other supporting information contends that the buildings are not capable of meaningful repair because the repaired structure would not be compatible with the applicant's proposed use for the listed building without extensive, adverse alterations. While the applicant's proposal for substantial demolition involves alteration which would not preserve the special interest of the building, this does not mean that the building is incapable of meaningful repair; or that a different proposal could not come forward without extensive loss of fabric. As noted above, the applicants engineer describes the buildings as being in *fair condition* and the evidence does not support the contention that the buildings are incapable of meaningful repair. The applicant's proposed redevelopment is not the only potential solution for development of this site.

HES reviewed the supporting information submitted as part of their consideration of the parallel application for listed building consent. They indicate that they are not satisfied that the evidence submitted demonstrates that the building is incapable of meaningful repair, and suggest that the listed building's special interest could be preserved with an alternative, more sympathetic scheme or use for the site.

While the applicant's supporting information sets out difficulties associated with repair of the listed building, it suggests the buildings are in fair condition and does not demonstrate that the building is incapable of meaningful repair. Having regard to the content of the supporting information and the advice provided by HES for the parallel application for listed building consent, the demolition of the listed building is not justified on the basis that it is incapable of meaningful repair.

***Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?***

HES guidance acknowledges that some projects may be of such economic or public significance that their benefits may be seen to outweigh the strong presumption in favour of retaining a listed building. Examples may include major transportation schemes or significant regeneration projects. It suggests that an application for demolition on these grounds should provide evidence to demonstrate why the loss of the building is essential in order to obtain these benefits. It should make clear why these, or similar, benefits cannot be achieved with retention of the building.

The supporting information submitted suggests that the redevelopment of the site through the demolition of the buildings is essential to enable the economic reuse of the site for modern day port related activities. It describes the economic growth benefits of the proposal as delivering a commercially viable development on a site which has been vacant for decades; delivering regeneration at the port; providing a strategic site for operational and maintenance facilities with potential job creation of 60 staff plus up to 12 ad-hoc staff (figure based on similar scale proposals elsewhere); and suggests that the applicant's investment would be in the region of £1.6 million. Wider community benefits are described as demolition of redundant buildings and tidying up the site to the benefit of adjacent residential property; the repair or restoration of the America Street façade and part of the Fish Quay façade and perimeter walls would improve visual amenity; and preservation of the heritage storey of the site.

While it is acknowledged that a more modern building on the site could offer more flexibility for port related activities, particularly in relation to improved storage and access; the evidence submitted does not demonstrate that the demolition of the entire listed building complex is essential to achieving these aims. It may be possible to provide a similar level of office accommodation using and adapting more of the listed Managers House and adjacent America Street offices, while erecting a more suitable storage and maintenance space in the area to the southeast of the quadrangle (next to the Managers House). An alternative approach of that nature may achieve similar economic benefits, while securing greater community benefit by safeguarding the future of a listed building. An alternative approach to development which would achieve similar aims has been suggested to the applicant by Angus Council and HES officers during the consideration of this application, but the applicant has not been receptive to a compromise approach which would save more of the listed building.

The HES consultation response on the parallel listed building consent application indicates that they do not consider demolition under this test has been justified. They indicate that they do not consider the proposed demolition is essential to delivering significant benefits to economic growth to Montrose Harbour and the wider community of Montrose, as argued by the applicant. They consider that it would be possible to adapt and/or reuse more of the existing internal and external spaces of this quayside complex for the applicant's desired storage and office requirements.

Having regard to the content of the supporting information and the advice provided by HES on the parallel application for listed building consent, the demolition of the listed building is not justified on the basis that it is essential to delivering significant benefits to economic growth or the wider community.

***Is repair or reuse of the building not economically viable?***

The Managing Change document provides guidance on the consideration of the economic viability demolition test. It indicates that in some instances the repair and reuse of a listed building is not economically viable. This means that the cost of retaining the listed building would be higher than its end value. Where the cost of works is higher than the end value, the difference is referred to as the 'conservation deficit'. The guidance states that the principle of demolition should only be accepted where it has been demonstrated that all reasonable efforts have been made to retain the listed building. This includes undertaking pro-active marketing measures to demonstrate that every effort has been made to secure a buyer who would retain the building. A building should be marketed to potential restoring purchasers for a reasonable period, at a price reflecting its location and condition. This should normally be at least six months, although in some circumstances a longer or shorter time period may be appropriate.

The supporting information submitted suggests that the façade retention and new build proposal is a less costly and more viable option for the applicant than a redevelopment proposal which retains the America Street offices and Fish Quay storage space. They suggest that the retention and restoration approach to redevelopment would cost around £190k more. Information relating to the end value of the two completed development approaches is not provided, and no conclusion can therefore be reached on whether there would be a conservation deficit. The information submitted also indicates that the site has also been subject to marketing by the applicant to potential restoring purchasers since July 2021. The applicant indicated in January 2022 that the exercise had secured no interest from a restoring purchaser.

Firstly (and as noted above), it is not possible to conclude whether the retention of the listed building is not economically viable. Information has been submitted in relation to development cost comparing the cost of façade retention and new build option against an approach which restores the America Street offices and Fish Quay storage space. While it is acknowledged that there is a cost difference of around £190k between the two approaches, there is no information relating to the end value to judge whether there would be a conservation deficit. The two approaches outlined in the supporting information are not the only possible approaches to redevelopment of the site; and a proposal which combines a new build warehouse/maintenance building with a restored Managers House/America Street offices to provide office accommodation may be acceptable and may reduce the cost gap. HES has also indicated that the applicant could consider HES grant assistance if the repair and reuse cost of the building is higher than its end value.

Secondly, following the marketing of the site by the applicant, Angus Council and HES have been contacted by a potential purchaser who has indicated that they offered market value to purchase the site from the applicant in or around July 2022. That party has indicated that the applicant rejected their offer. It is not clear what the intentions of the prospective purchaser for the site would have been, but the rejection of an offer to purchase the property from a potentially restoring purchaser does not support demolition when policy requires all reasonable efforts to be made to retain the listed building.

HES has also provided comment on the proposed demolition against this demolition test. They indicate that they have consulted their conservation quantity surveyor on the costings provided by the applicant. While they agree the proposed façade retention scheme would likely be cheaper than restoration, they consider the cost difference between this option and the option to repair and extend is comparatively small, and may in fact be smaller than has been suggested in the costings submitted. HES was also critical of the methodology used by the applicant in marketing the premises to restoring purchasers.

HES guidance is clear that when considering proposals against this test, it must be demonstrated that all reasonable efforts have been made to save the building. While the information submitted suggests that the costs of restoration are likely to exceed the façade retention and new build approach, a conservation deficit has not been demonstrated. In addition to that, there may be alternative schemes which are more financially viable, and HES has suggested grant funding could be available for restoration if a conservation deficit exists. Had a conservation deficit been demonstrated, there is also evidence that there was serious interest from a potential purchaser who has indicated that they offered market value for the site, and may have been prepared to reuse rather than demolish the listed building. In light of these factors, the evidence does not demonstrate that repair and reuse of the building is not economically viable or that all reasonable efforts have been made to retain the listed building. Accordingly, demolition of the building is not justified under this test.

In summary, the evidence presented by the applicant does not demonstrate that there are exceptional circumstances justifying demolition and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. The proposal does not comply with any of the four demolition tests set out in HES guidance or in NPF4 Policy 7(b). HES has objected to the parallel application for listed building consent on the basis that demolition of the listed building has not been justified against these tests. The proposal does not comply with development plan policy aimed at protecting and enhancing historic environment assets and places.

Alternative approaches to redevelopment of the site which may meet the applicant's brief and would save more of the listed building have been suggested by HES and Angus Council staff. The applicant has not been receptive to a compromise approach to redevelopment, but that option remains available, and the development proposed in this application is not the only potential redevelopment solution for the site.



## **Noise and impact on residential amenity**

NPF4 Policy 14 indicates that development proposals which are poorly designed, detrimental to the amenity of the surrounding area will not be supported. NPF4 Policy 23 indicates that proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development which requires an applicant to demonstrate both that they have assessed the potential impact on occupants of the proposed development and that the proposed design incorporates appropriate measures to mitigate this impact. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

ALDP Policy DS4 relates to amenity and indicates that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties. It indicates that consideration will be given to the impact of development on (amongst other things) noise levels and the time disturbances are likely to occur, and residential amenity. It suggests that applicants may be required to submit detailed assessments and suggests conditions can be used to ensure appropriate mitigation.

The applicant has submitted a noise impact assessment (March 2023) which indicates that the offices and warehousing will require 24-hour access. The applicant's report indicates that it has been shown that noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. It suggests that this would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest noise sensitive receptors in the context of what they are already exposed to.

Environmental health has been consulted on the application and has reviewed the noise information, including revised noise information submitted in March 2023. They have identified concerns with the methodology used in the applicant's assessment and are concerned that operational noise could be higher than predicted and background noise levels could be lower than that calculated. They are also concerned that the perimeter wall of the premises which is used in the assessment as a noise barrier is lower than windows serving second floor property on California Street to the southeast and wouldn't be an effective barrier to noise. Environmental health object to the application on the basis that it has not been demonstrated that noise from the proposed development would not result in adverse impacts on residential amenity.

While it is acknowledged that this is a site which has historically contained a fish curing business, and is in an area where commercial activity associated with the adjacent port and other neighbouring uses is likely to result in a level of noise and disturbance above and beyond what might be expected in an exclusively residential area; planning policy indicates that proposals that are likely to raise unacceptable noise issues will not be supported. Environmental health is concerned that it has not been demonstrated by the applicant that the proposed development would not worsen noise impacts on adjacent residential property on California Street and object to the proposal. On that basis, it cannot be concluded that the proposed development would not raise unacceptable noise issues or that the proposal would not be detrimental to the amenity of the surrounding area and the proposal is therefore contrary to NPF4 policies 14 and 23 and ALDP Policy DS4.

## **Other development plan policy**

The remaining development policies require consideration of impacts on the natural environment, flooding and drainage; accessibility, traffic and parking; design quality.

The application is accompanied by a bat survey report which did not identify any bats present in the buildings. It includes recommendations on the demolition methodology in recognition of the transient nature of pipistrelle bats (hand removal of roof slates), which should ensure no unacceptable impact on that species. The site is not subject of any natural heritage designation and there is no evidence to suggest that the proposal (subject to the above mitigation) would adversely impact on protected sites, species and biodiversity more generally.

The SEPA Flood maps indicate that the site is located within an area which is subject to a medium to high

risk of coastal flooding. NPF4 Policy 22 indicates that development proposals at risk of flooding or in flood risk areas will only be supported if they are for (amongst other things) water compatible uses or redevelopment of an existing building or site for an equal or less vulnerable use. ALDP Policy PV12 requires consideration of potential risk from flooding and indicates that flood risk assessment may be required in areas subject to flood risk.

The development proposes an operations and maintenance depot associated with port related activities. The site contains existing buildings and the replacement building does not have a greater footprint than the building it replaces. SEPA has been consulted on the proposal and has indicated that the development proposes a water compatible use and accordingly has no objection to the proposal provided that there is no land raising and there would be no tanking to prevent water entering the building. Subject to that, they consider that there will be no impact elsewhere on fluvial and tidal reach. Those controls could be secured via planning condition were the proposal otherwise acceptable.

The proposal involves foul and surface water drainage being discharged into the public sewer, to replicate the current situation on site. NPF4 Policy 22 indicates that development proposals will manage all rain and surface water through sustainable drainage systems. ALDP Policy PV15 indicates that all new development will be required to provide sustainable drainage to accommodate surface water drainage. Scottish Water has been consulted on the proposal but has not commented on the application or the proposed drainage arrangements. Appropriate details of the management of surface water could be secured by planning condition, were the proposal otherwise acceptable.

In terms of accessibility, traffic and parking, the site is located within an area which is reasonably well located for access via sustainable means of travel. Car, motorcycle, cycle and disabled user parking would be provided within the site with separate access (America Street) and egress (River Street) provided to and from the proposed parking area. The roads service has reviewed the proposal in respect of road traffic and pedestrian safety and has no objection subject to planning conditions. The proposal raises no significant issues against the sustainable travel and accessible development policies of the development plan. Potential amenity issues in respect of noise impact on residential receptors are identified above but there are no other significant amenity issues likely to result from the proposal. There are no significant issues relating to the design of the proposed new building. The new building has a similar appearance to other commercial buildings nearby and much of the new build aspects would sit behind a retained boundary wall.

NPF4 Policy 1 indicates that when considering all development proposals significant weight will be given to the global climate and nature crises. NPF4 Policy 2 requires proposals to be sited and designed to adapt to current and future risks from climate change. Some parts of the proposal are more consistent with the aims of these policies than others. The demolition of the building would result in the loss of the embodied energy used in its construction, and development plan policy (NPF4 Policy 9) promotes reuse of buildings over demolition and replacement. Notwithstanding that, the re-use of brownfield land for a new employment generating use in an accessible location within a development boundary attracts some support from NPF4 policies 1 and 2.

### **Development plan conclusion**

While the proposal attracts some support from development plan policies seeking to strengthen the role of Montrose Port, that support is not unqualified. It must be balanced against other development plan policies aimed at safeguarding the historic environment and protecting amenity. Of particular importance is the strong policy presumption against the demolition of listed buildings, and demolition has not been justified in the applicant's submissions resulting in an HES objection to the parallel application for listed building consent. In this case it is considered that many of the economic and employment benefits that the proposal could deliver could also be achieved with a more considered approach to the development of the site and its listed buildings. Reuse and adaptation of the Managers House and America Street offices supported by selective demolition and new build, for example, has been suggested by HES but the applicant has been unwilling to compromise. The noise information submitted also fails to show that full regard has been given to maintaining the amenity of adjacent residents. While noise issues are likely to be resolvable with appropriate supporting information, the substantial demolition of the listed building is not. The proposal is contrary to development plan policy.

In respect of material considerations, the applicants supporting statement refers the Historic Environment Policy for Scotland, Scottish Planning Policy (2014) and the Managing Change Guidance notes on Demolition, and on Use and Adaptation of Listed Buildings as relevant material considerations. The proposal is also subject to representation from third parties.

Matters relating to the approach to assessing proposals for demolition of listed buildings are covered in detail above. It is concluded that the proposal is not consistent with government guidance on the demolition of listed buildings. References to façade retention in other HES guidance do not lend support to the proposal. Scottish Planning Policy (2014) has been replaced by NPF4 in 2023 and is not relevant to the consideration of the proposal.

In relation to representations, impacts on sunlight and daylight of property on California Street are unlikely to be significantly different for those currently experienced, and the proposed building is a similar height to the existing buildings on site. Potential damage caused by construction works is not a material planning consideration. Road safety impacts are considered above, and issues associated with illegal parking in the surrounding area are not controlled by planning legislation. The comments of the port authority are noted and an appropriate redevelopment proposal on the site would be consistent with the local development plan aspirations for the port area. However, this site contains a listed building and any proposal must carefully consider how it can be incorporated into the redevelopment of the site. Both HES and council staff have suggested a compromise approach which saves more of the listed building but allows the applicant to deliver a very similar brief, which could secure all the benefits described by the port.

The application is contrary to the development plan. The listed buildings are of special interest and it would be desirable to preserve them to a greater extent than is proposed in the application. There are no material considerations which justify approval of planning permission contrary to the provisions of the development plan.

### **Human Rights Implications**

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

### **Decision**

The application is refused.

### **Reason(s) for Decision:**

1. The substantial demolition of the fish curing works would not preserve the listed building, its setting or the features of special architectural and historic interest which it possesses. The evidence presented does not illustrate its loss has been fully considered and justified and the proposal does not meet the demolition tests set out in the Managing Change in the Historic Environment: Demolition of Listed Buildings guidance and the proposal is contrary to National Planning Framework 4 (2023) Policy 7 and Angus Local Development Plan (2016) Policy PV8.

2. The information submitted in support of the application does not demonstrate that that the proposed development would not result in unacceptable noise impacts on neighbouring residents and the proposal is therefore contrary to National Planning Framework 4 (2023) policies 14 and 23 and Angus Local Development Plan (2016) Policy DS4.

### **Notes:**



Case Officer: Ed Taylor  
Date: 18 September 2023

## **Appendix 1 - Development Plan Policies**

### **NPF4 – national planning policies**

#### Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

#### Policy 2 Climate mitigation and adaptation

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

#### Policy 3 Biodiversity

- a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
  - i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
  - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
  - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
  - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long- term retention and monitoring should be included, wherever appropriate; and
  - v. local community benefits of the biodiversity and/or nature networks have been considered.
- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

#### Policy 4 Natural places

- a) Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
- b) Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.

c) Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:

- i. The objectives of designation and the overall integrity of the areas will not be compromised; or
- ii. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.

d) Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.

f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:

- i) will support meeting renewable energy targets; or,
- ii) is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

#### Policy 7 Historic assets and places

a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:

- i. building is no longer of special interest;
- ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
- iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
- iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.



- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
- i. architectural and historic character of the area;
  - ii. existing density, built form and layout; and
  - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.
- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
- i. reasonable efforts have been made to retain, repair and reuse the building;
  - ii. the building is of little townscape value;
  - iii. the structural condition of the building prevents its retention at a reasonable cost; or
  - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
- i. direct impacts on the scheduled monument are avoided;
  - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided;
- or
- iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.
- l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.
- m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.
- n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:
- i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
  - ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic

environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.

When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

#### Policy 9 Brownfield, vacant and derelict land and empty buildings

a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.

c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

#### Policy 12 Zero waste

a) Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.

b) Development proposals will be supported where they:

- i. reuse existing buildings and infrastructure;
- ii. minimise demolition and salvage materials for reuse;
- iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
- iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
- v. use materials that are suitable for reuse with minimal reprocessing.

c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:

- i. provision to maximise waste reduction and waste separation at source, and
- ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

d) Development proposals for waste infrastructure and facilities (except landfill and energy from waste facilities) will be only supported where:

- i. there are no unacceptable impacts (including cumulative) on the residential amenity of nearby dwellings, local communities; the transport network; and natural and historic environment assets;
- ii. environmental (including cumulative) impacts relating to noise, dust, smells, pest control and pollution of land, air and water are acceptable;

- iii. any greenhouse gas emissions resulting from the processing and transportation of waste to and from the facility are minimised;
  - iv. an adequate buffer zone between sites and sensitive uses such as homes is provided taking account of the various environmental effects likely to arise;
  - v. a restoration and aftercare scheme (including appropriate financial mechanisms) is provided and agreed to ensure the site is restored;
  - vi. consideration has been given to co-location with end users of outputs.
- e) Development proposals for new or extended landfill sites will only be supported if:
- i. there is demonstrable need for additional landfill capacity taking into account Scottish Government objectives on waste management; and
  - ii. waste heat and/or electricity generation is included. Where this is considered impractical, evidence and justification will require to be provided.
- f) Proposals for the capture, distribution or use of gases captured from landfill sites or waste water treatment plant will be supported.
- g) Development proposals for energy-from-waste facilities will not be supported except under limited circumstances where a national or local need has been sufficiently demonstrated (e.g. in terms of capacity need or carbon benefits) as part of a strategic approach to residual waste management and where the proposal:
- i. is consistent with climate change mitigation targets and in line with circular economy principles;
  - ii. can demonstrate that a functional heat network can be created and provided within the site for appropriate infrastructure to allow a heat network to be developed and potential local consumers have been identified;
  - iii. is supported by a heat and power plan, which demonstrates how energy recovered from the development would be used to provide electricity and heat and where consideration is given to methods to reduce carbon emissions of the facility (for example through carbon capture and storage)
  - iv. complies with relevant guidelines published by Scottish Environment Protection Agency (SEPA); and
  - v. has supplied an acceptable decarbonisation strategy aligned with Scottish Government decarbonisation goals.

#### Policy 13 Sustainable transport

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
  - ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
  - iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
  - ii. Will be accessible by public transport, ideally supporting the use of existing services;
  - iii. Integrate transport modes;
  - iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
  - v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
  - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
  - vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
  - viii. Adequately mitigate any impact on local public access routes.



- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

#### Policy 14 Design, quality and place

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the six qualities of successful places are set out in Annex D.

c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

#### Policy 18 Infrastructure first

a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.

b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects

#### Policy 22 Flood risk and water management

a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- i. essential infrastructure where the location is required for operational reasons;
- ii. water compatible uses;
- iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
- iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long- term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- o all risks of flooding are understood and addressed;
- o there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- o the development remains safe and operational during floods;
- o flood resistant and resilient materials and construction methods are used; and
- o future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- o the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- o that the proposal does not create an island of development and that safe access/ egress can be achieved.

b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.

c) Development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue- green infrastructure. All proposals should presume no surface water connection to the combined sewer;

- iii. seek to minimise the area of impermeable surface.
- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.
- e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

#### Policy 23 Health and safety

- a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.
- b) Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- c) Development proposals for health and social care facilities and infrastructure will be supported.
- d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.
- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- f) Development proposals will be designed to take into account suicide risk.
- g) Development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.
- h) Applications for hazardous substances consent will consider the likely potential impacts on surrounding populations and the environment.
- i) Any advice from Health and Safety Executive, the Office of Nuclear Regulation or the Scottish Environment Protection Agency that planning permission or hazardous substances consent should be refused, or conditions to be attached to a grant of consent, should not be overridden by the decision maker without the most careful consideration.
- j) Similar considerations apply in respect of development proposals either for or near licensed explosive sites (including military explosive storage sites).

#### Policy 25 Community wealth building

- a) Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.
- b) Development proposals linked to community ownership and management of land will be supported.

#### Policy 26 Business and industry

- a) Development proposals for business and industry uses on sites allocated for those uses in the



LDP will be supported.

- b) Development proposals for home working, live-work units and micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.
- c) Development proposals for business and industry uses will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area.
- d) Development proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where:
  - i. It is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit; and
  - ii. The nature and scale of the activity will be compatible with the surrounding area.
- e) Development proposals for business and industry will take into account:
  - i. Impact on surrounding residential amenity; sensitive uses and the natural and historic environment;
  - ii. The need for appropriate site restoration at the end of a period of commercial use.
- f) Major developments for manufacturing or industry will be accompanied by a decarbonisation strategy to demonstrate how greenhouse gas emissions from the process are appropriately abated. The strategy may include carbon capture and storage.

### **Angus Local Development Plan 2016**

#### **Policy DS1 : Development Boundaries and Priorities**

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous\* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

\*Sharing an edge or boundary, neighbouring or adjacent

#### Policy DS2 : Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- o are or can be made accessible to existing or proposed public transport networks;
- o make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;
- o allow easy access for people with restricted mobility;
- o provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- o are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- o the submission of a Travel Plan and/or a Transport Assessment.
- o appropriate planning obligations in line with Policy DS5 Developer Contributions.

#### Policy DS3 : Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- o **Distinct in Character and Identity:** Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- o **Safe and Pleasant:** Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- o **Well Connected:** Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- o **Adaptable:** Where development is designed to support a mix of compatible uses and accommodate changing needs.
- o **Resource Efficient:** Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

#### Policy DS4 : Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and

overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

#### Policy TC12 : Freight Facilities

Angus Council will encourage a modal shift from road-based freight to rail and sea.

The Railway Sidings at Montrose Railway Station and Helen Street Goods Yard, Arbroath are safeguarded for rail related activities. There is a requirement for the developer to undertake a flood risk assessment of Montrose railway sidings prior to the consideration of the development of that land.

In addition, Policy M6 safeguards Montrose Port for port related uses which could include sea freight facilities. Development proposals at Montrose Port should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

Outwith these locations, proposals for freight related activities should be located on or adjacent to land identified for Class 6 (storage or distribution) use and where possible be well connected to the strategic/local road network, rail network and / or port facilities.

Proposals must demonstrate that they will have no detrimental impact on adjacent land uses and be in accordance with Policy DS4 Amenity.

#### Policy TC15 : Employment Development

Proposals for new employment development (consisting of Class 4, 5, or 6) will be directed to employment land allocations or existing employment areas within development boundaries, subject to the application of the sequential approach required by Policy TC19 Retail and Town Centre Uses for office developments of over 1,000 square metres gross floorspace.

Proposals for employment development outside of employment land allocations or existing employment areas, but within the development boundaries of the towns and the settlements within the rural area will be supported where:

- o there are no suitable or viable sites available within an employment land allocation or existing employment area; or
- o the use is considered to be acceptable in that location; and
- o there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for employment development (consisting of Class 4, 5, or 6) outwith development boundaries will only be supported where:

- o the criteria relating to employment development within development boundaries are met;
- o the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and
- o the proposal constitutes rural diversification where:
  - o the development is to be used directly for agricultural, equestrian, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
  - o the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the location.



### Policy PV5 : Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

#### European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- o there is no satisfactory alternative; and
- o there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- o the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

#### Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

### Policy PV12 : Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- o on the functional floodplain;
- o which involve land raising resulting in the loss of the functional flood plain; or
- o which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- o that flood risk can be adequately managed both within and outwith the site;
- o that a freeboard allowance of at least 500-600mm in all circumstances can be provided;
- o access and egress to the site can be provided that is free of flood risk; and
- o where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- o assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- o considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

### Policy PV15 : Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater

capacity to accommodate development if the Developer can meet the 5 Criteria\*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

\*Enabling Development and our 5 Criteria (<http://scotland.gov.uk/Resource/0040/00409361.pdf>)

#### Policy PV18 : Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.

#### Policy PV21 : Pipeline Consultation Zones

Decisions on whether to grant planning permission for development proposals within the pipeline consultation zones shown on the proposals map will be taken in light of the views and advice of the Health and Safety Executive.

#### M6 Working - Montrose Port

Montrose Port is safeguarded for port related uses. Development proposals which enhance the commercial and economic role of the Port will be supported where these are compatible with adjacent land uses. Development proposals should be supported by a Flood Risk Assessment and a Drainage Impact Assessment.

Development proposals at Montrose Port should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

# HISTORIC ENVIRONMENT POLICY FOR SCOTLAND



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA



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## INTRODUCTION

The historic environment is our surroundings as they have been shaped, used and valued by people in the past, and continue to be today. It is central to our everyday lives and our sense of place, identity and wellbeing.

It is wide-ranging – including natural and built features – and it can be valued for both its tangible and intangible aspects.

The principles and policies that make up the Historic Environment Policy for Scotland (HEPS) help us to care collectively for this precious resource as we work towards a shared vision:



Scotland's historic environment is understood and valued, cared for and protected, enjoyed and enhanced. It is at the heart of a flourishing and sustainable Scotland and will be passed on with pride to benefit future generations”

**OUR PLACE IN TIME**

## WORDS AND PHRASES USED IN THIS POLICY

These are definitions of terms and phrases as they are used in this policy, to ensure that we are all using them in the same way. Some of the following definitions have been adopted from other sources (named in brackets).

### **asset**

An asset (or 'historic asset' or 'heritage asset') is a physical element of the historic environment – a building, monument, site, place, area or landscape identified as having cultural significance.

### **community**

A community is a group of people connected by location or by a common interest.

#### *community of place*

A community of place, or place-based community, is a group of people connected because of where they live, work, visit or otherwise spend a large amount of time. It can also refer to a group of people connected to a particular geographic location.

#### *communities of practice and interest*

Communities of practice are groups of people who share a concern or a passion for a place or something they do. A community of interest is a group of people who identify with or share a similar interest or experience.



### **cultural heritage**

Cultural heritage is an expression of the ways of living developed by a community and passed on from generation to generation. It can include customs, practices, places, objects, artistic expressions and values, aesthetic, historic, scientific, social or spiritual aspects. (ICOMOS 2002)

### **cultural significance**

Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations. Cultural significance can be embodied in a place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. (Australia ICOMOS Burra Charter 2013)

### **decision-maker**

A decision-maker for the historic environment is anyone who has a role or interest in making decisions that might affect it. In this context the term often refers to planning authorities, but it could also mean individuals, public- or private-sector organisations, Ministers, communities or developers. The decisions might be about land use, funding, alterations to a building, site or place, or long-term strategies.

### **historic environment**

The historic environment is ‘the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand’. (*Our Place in Time, the Historic Environment Strategy for Scotland*)

### **impact**

The effect of changes on the historic environment is often referred to as the impact. This can be neutral, positive or negative. There can be impact on the physical elements of a place or on its setting, if its surroundings are changed so that our understanding, appreciation or experience is altered. Changes in the historic environment can also affect people’s associations with a place or its setting, and their responses to it.

### **mitigation**

Mitigation refers to ways in which we can minimise the impact on the historic environment, avoid it, or make it less damaging. Sometimes it is possible to offset the impact, compensating for it through positive actions.

### **place**

Place can refer to the environment in which we live, the people that inhabit these spaces and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this. (*Creating Places: A Policy Statement on Architecture and Place for Scotland*)

### **planning system**

The planning system is the process by which local and national government bodies make decisions about how and where development should take place. Change to some designated sites and places is also managed through separate consent regimes.

### **sustainable development**

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (*World Commission on Environment and Development*)

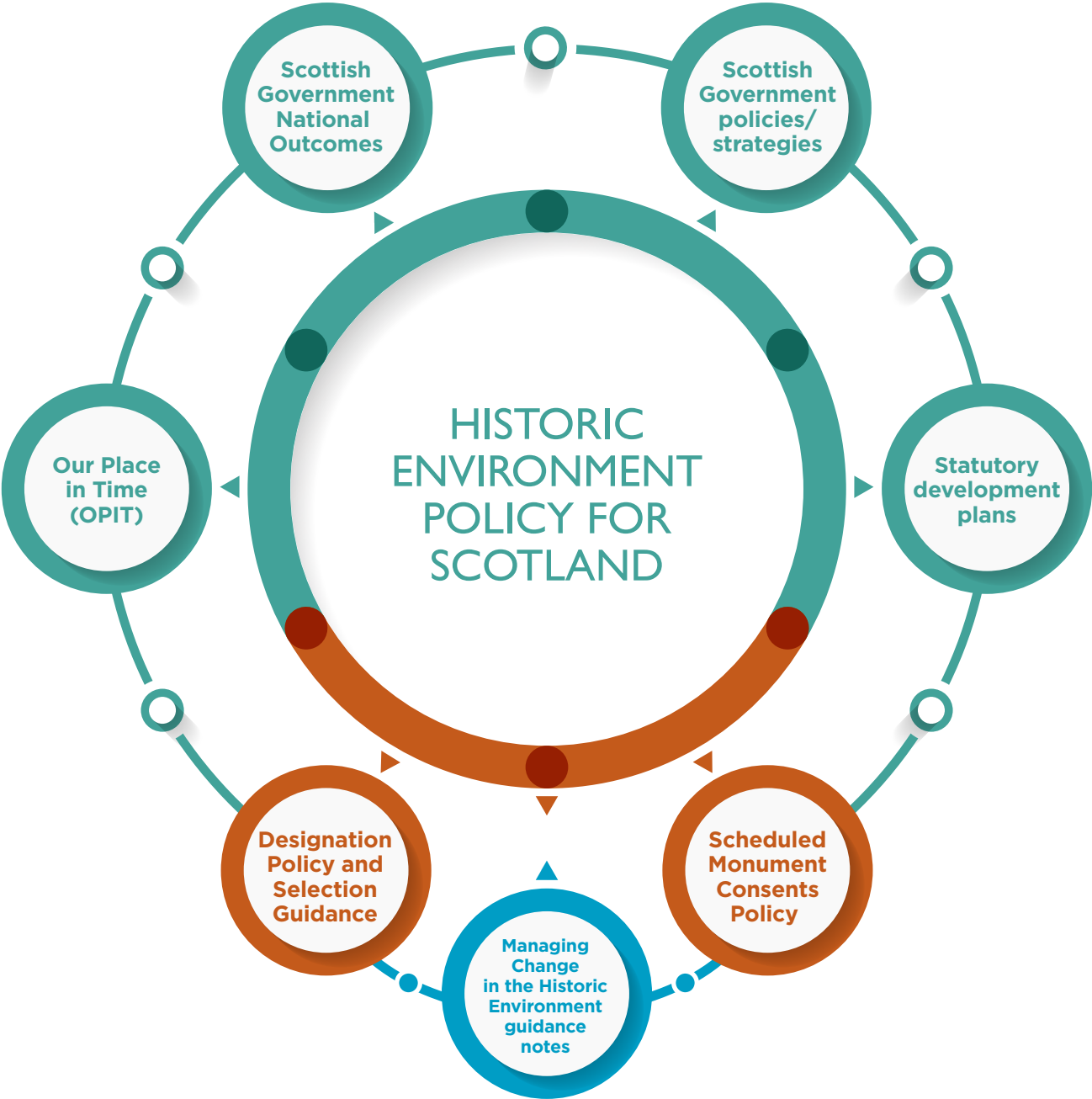
## WHAT IS THE STATUS OF HEPS?

HEPS is a policy statement directing decision-making that affects the historic environment. It is non-statutory, which means that it is not required to be followed as a matter of law or statute. It is relevant to a wide range of decision-making at national and local levels. It is supported by detailed policy and guidance.

HEPS should be taken into account whenever a decision will affect the historic environment. This includes in plans and policies that deal with funding decisions or estate management, or other specific topics such as agriculture or energy. It is also a material consideration for planning proposals that might affect the

historic environment, and in relation to listed building consent and scheduled monument consent ('material consideration' means that decision-makers should take it into account when coming to a decision). Decisions on scheduled monument consent are made in line with Historic Environment Scotland's policy for determining consents at scheduled monuments (see 'Sources of further information and guidance').

The Scottish Government produces national policies for addressing land use matters and decisions. HEPS sits alongside these policies, and should be used with them.





## WHAT IS HEPS FOR?

HEPS is designed to support and enable good decision-making about changes to the historic environment. Good decision-making takes into account all aspects of the historic environment and the different ways people value it. Good decision-making is transparent and open to challenge, and recognises that a wide range of factors can affect the historic environment in different ways. Changes might support its long-term survival, impact on its current management or even give us new information to improve our understanding of it.

HEPS sets out a series of principles and policies for the recognition, care and sustainable

management of the historic environment. It promotes a way of understanding the value of the historic environment which is inclusive and recognises different views. It encourages consistent, integrated management and decision-making to support positive outcomes for the people of Scotland. It also supports everyone's participation in decisions that affect the historic environment.

By doing these things, HEPS helps to deliver the vision and aims of *Our Place in Time*. It takes into account principles that the UK and Scottish governments have agreed to in international charters and conventions on cultural heritage and landscape.

## HOW HAS HEPS BEEN DEVELOPED?

HEPS is for everyone who cares about decisions that affect the historic environment. This includes the people who make the decisions, as well as the people affected by or interested in them.

The policy has been developed using current research as well as established views about how to care for the historic environment. It also draws upon previous policy documents and related policy areas that affect or are affected by the historic environment.

HEPS has also been informed by work undertaken by HES to understand what the historic environment means to the people of Scotland. HES did this by listening to people's views on how to look after and manage the historic environment. These conversations have shaped this policy document.

## POLICIES FOR MANAGING THE HISTORIC ENVIRONMENT

### HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

### HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

### HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

### HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

# WHAT ARE THE CHALLENGES AND OPPORTUNITIES FOR THE HISTORIC ENVIRONMENT?

There are a number of challenges and opportunities that affect how we understand, manage and care for the historic environment.

Decision-making has to be sufficiently flexible and adaptable to deal with wide-ranging and ongoing changes in society and the environment.

Good decisions will aim to achieve the best possible outcome for the historic environment and maximise its benefits.

## LAND MANAGEMENT

Land management affects much of the historic environment. Changes to agricultural and land use policies and practice can have a significant impact.

## CREATING AND MAINTAINING PLACES

The changing places where we live, work and play, and the ways we understand and relate to them, are among the wide range of factors that affect our wellbeing. The historic environment plays a key part in making good places.

## DIVERSITY, EQUALITY AND ACCESS

Established ways of recognising and managing the historic environment haven't always reflected our whole society. It is important to talk about the past in a way that recognises its diversity. The historic environment should be accessible and inclusive, providing a source of inspiration, enjoyment and learning for all.

## ROLES AND RESPONSIBILITIES

Taking care of the historic environment is a shared responsibility. Sometimes the interests of different groups and individuals overlap, and this can cause confusion and tension about roles and responsibilities.

## FUNDING

Some historic places and sites will rely on external funding. There are difficult choices to be made about where to spend available money, and opportunities to think creatively about approaches to funding.

## SUSTAINABLE TOURISM

Tourism brings huge benefits to the wider economy and can provide financial resources for looking after historic sites and buildings. High visitor numbers can also affect the sites themselves, sometimes creating management challenges.



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**CLIMATE CHANGE**

Climate change and the effort required to mitigate and adapt to its effects have a significant impact on the historic environment. We are still working as a society to understand this impact.

**SOCIETAL CHANGE**

Our communities and lifestyles are changing; our population is ageing and shifting. This can have an impact on the historic environment, changing how we interact with it and value it.

**INTANGIBLE CULTURAL HERITAGE**

Established ways of managing the historic environment are often based around physical structures such as buildings and monuments – but the historic environment is made up of both intangible and tangible cultural elements.

**A HOLISTIC APPROACH TO THE ENVIRONMENT**

All of our landscapes – rural and urban – are part of the historic environment. Established ways of managing them don't always recognise that natural and cultural benefits and outcomes are often interdependent.

**ECONOMIC CHANGE**

Changes to the economy, whether positive or negative, have an impact on the historic environment and how it is looked after and managed. The historic environment contributes to our economy and can be a source of sustainable growth.

**COMMUNITY PARTICIPATION AND EMPOWERMENT**

Decisions about the historic environment have an impact on people and communities. Empowering communities and broadening participation improves outcomes for people and for the historic environment.

**REGULATORY CHANGE**

Changes to a wide range of laws and regulations can affect the management of the historic environment. It can be hard to predict and fully understand the impact of these changes.

**SKILLS AND CAPACITY**

Good management relies on decision-makers having access to the right skills, expertise and capacity to look after the historic environment and make informed decisions.

**CHALLENGES AND OPPORTUNITIES**



# POLICIES AND PRINCIPLES

The following policies and core principles set out HES's understanding of how the historic environment should be managed and how to apply these principles.

The principles in this document are the fundamental ideas that underpin desirable and positive outcomes for the historic environment. These principles are the basis for the policies outlined here. The policies describe how the principles should be implemented.

# UNDERSTANDING AND RECOGNITION: POLICIES AND PRINCIPLES

## Policy on understanding and recognition

### HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

### Core principles on understanding and recognition

- **Recognising the cultural significance of sites and places supports good decision-making.**
- **A place must be understood in order for its cultural significance to be identified.**
- **A wide range of factors contribute to cultural significance.**
- **Knowledge and information about the historic environment is critical to our understanding of our past, present and future.**
- **The historic environment changes over time, and so does how it is understood and appreciated.**
- **Research, discussion and exchange of ideas can all contribute to our understanding of the historic environment.**
- **Understanding will improve when information is made widely available and everyone has the opportunity to contribute to knowledge of the historic environment.**

### How these principles are applied

People have created the character, diversity and distinctiveness of the historic environment over time. It is fundamental to people's sense of belonging; it provides tangible links with the past, helps to define who we are, and shapes our lives today. The qualities an asset or place has and expresses may be rare, finite and vulnerable to change. Sometimes the value of a place becomes apparent only through the process of change.

Decisions affecting the historic environment should be based on careful consideration of cultural significance. This helps to ensure that the historic environment can be appreciated today and passed on with confidence for the future.

To understand a place's cultural significance, we have to understand the place itself. This involves thinking about its physical and material elements – how much of it has survived or how much of it has changed through time, as well as its wider context and setting. Elements of places which may not have a physical presence but which contribute to cultural significance need to be recognised. These intangible qualities include the knowledge and associations people have with a particular place; they might involve elements such as language and poetry, stories and song, and skills and traditions.

Different individuals and groups of people value places in different ways. Understanding this helps us to understand the cultural significance of places for past, present and future generations. Recognising why places are culturally significant helps to fulfil a range of social, environmental and economic needs.

Access to as much information and knowledge as possible is essential for understanding cultural significance. This knowledge should be shared. An inclusive approach takes account of different ways of looking at things and valuing them, and diverse interpretations of our past and heritage.

As a society, we recognise value in many different ways: in records in archives, pieces in museum collections or the legal protection given to some of our most valued historic places. Many other ways of recognising value are part of our everyday lives. We share local knowledge, cultural practices, the language we use and the stories we tell. The diversity of Scotland's rich cultural heritage should be celebrated in all its forms. People should have the opportunity to contribute to our understanding, and influence decision-making for the historic environment.



## MANAGING CHANGE: POLICIES AND PRINCIPLES

### Policies on managing change

#### HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

#### HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

#### HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### Core principles on managing change

- **Some change is inevitable.**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

## How these principles are applied

The historic environment enhances our quality of life and is a hugely valuable social, cultural, economic and environmental resource. It is finite and much of it can't be replaced. Good management maintains the quality of this resource and secures its benefits, making sure that nothing is lost without considering its value and exploring options for avoiding its loss.

Cultural significance should be considered in order to manage change through national and local policies as well as other land use management systems. If a place has cultural significance or has the potential for important new discoveries, decision-makers need to consider this when making decisions. In the planning system, this is called a 'material consideration'.

When decisions are made that affect places of cultural significance, the focus should be on avoiding or minimising adverse impact. Wherever possible, special characteristics and qualities should be protected, conserved or enhanced. Lots of actions can contribute to this, including:

- conservation
- effective maintenance
- restoration and conversion
- land management
- sensitive use of materials
- building techniques and high-quality new design
- creative and informed approaches to new development
- robust and proportionate regulation

These principles apply to the whole of the historic environment. In some cases, sites are given legal protection through formal designations, which can bring more formal obligations. In the case of listed buildings, scheduled monuments and conservation areas, consent is required for many works.

Understanding the development of the environment through time helps to inform management decisions. It offers a longer-term perspective on issues affecting the historic environment – issues like the effect of past climate change and land management. The historic environment has to be managed in a sustainable way so that it can be understood and appreciated, and so that it can benefit present and future generations.

Before decisions are made, their impact should be understood. If there is no way of being confident about what the impact of an action will be, the only way to be certain that there will be no damage is to avoid the action. This is referred to as the precautionary principle.

Sometimes the best actions for the historic environment will not be the best actions for other interests. There will be occasions where decision-makers need to manage conflicting needs. Potential conflicts should be identified and reduced as much as possible.

When decision-makers are considering potential changes, whether as a result of a development proposal or arising from environmental processes, they should use this general approach:

### Understand the historic environment

- Understand and analyse the historic environment, context, asset or place.
- Understand the cultural significance of any affected assets or places.

### Understand the background for the change

- Identify and understand the nature of and reasons for the change.

### Understand the likely impact of proposed actions or decisions

- Assess and predict the likely level of the impact of proposals on the historic environment, context, asset or place.
- Make the level of impact clear so that it can inform decision-making.

### Making decisions about impact

- Avoid negative impact where possible.
- Minimise any impact that cannot be avoided.
- Keep intervention to a minimum.
- Ensure changes to a site or place are proportionate to its cultural significance.
- Consider less detrimental alternatives if they can deliver the same objectives.
- Identify opportunities for mitigation throughout, and as early as possible.
- Identify opportunities for furthering our knowledge and understanding where possible.

### Monitoring

- Put monitoring measures in place to make sure that any mitigation has been implemented.
- Make sure measures are in place to identify any unforeseen or unintended consequences.
- Monitor the outcome and impact of the decision to provide a sound knowledge base for future policy and decision-making.

# WORKING TOGETHER: POLICIES AND PRINCIPLES

## Policies on working together

### HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

### HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

## Core principles on working together

- **Everyone has a stake in the historic environment and how it is looked after.**
- **Effective management is a collective effort.**
- **Effective management takes wider interests into account.**
- **Good management empowers and involves communities.**
- **Early dialogue and close collaboration lead to better outcomes.**

## How these principles are applied

Changes to our society, climate and economy create significant challenges for the historic environment. Resources need to be managed sustainably to balance competing demands. The different ways communities and individuals place value on the historic environment should be recognised.

Effective management of the historic environment is a shared endeavour involving individuals and organisations who own, use, manage or care about heritage. People should be empowered to use their heritage to develop their communities and places in a sustainable way. We all need to work collaboratively to respond to the challenges and opportunities we are facing, to make sure the outcome is as fair as possible.

When making decisions about the historic environment, different interests need to be taken into account. Decision-makers need to consider the consequences of decisions for a range of people. In doing this, tensions and conflicts can arise. Interrelationships and areas of common ground should be identified to encourage dialogue and collaboration, rather than focusing on competing views.



## DELIVERY AND MONITORING

Good decision-making balances current circumstances with long-term aspirations. This is central to the sustainable management of the historic environment. It is a collective responsibility to ensure that we are all striking that balance.

Decision-makers should understand and monitor decisions affecting the historic environment to learn from experience and to improve future decisions. Historic Environment Scotland will monitor this policy in collaboration with other interested parties over a ten-year period until 2029.

## SOURCES OF FURTHER INFORMATION AND GUIDANCE

### Strategy, policy and procedure

Our Place in Time:  
The Historic Environment  
Strategy for Scotland

Historic Environment Scotland:  
Designation Policy and  
Selection Guidance  
<https://www.historicenvironment.scot/designation-policy>

Designations application from  
[historicenvironment.scot/  
designation-application](http://historicenvironment.scot/designation-application)

Historic Environment Scotland:  
Scheduled Monument  
Consents Policy  
<https://www.historicenvironment.scot/smc-policy>

Historic Environment Circular 1:  
Process and Procedures  
<https://www.historicenvironment.scot/circular>

Scotland's Archaeology Strategy  
<http://archaeologystrategy.scot>

### Guidance

Managing Change in the Historic  
Environment guidance series

Managing Change Demolition of  
Listed Buildings  
<https://www.historicenvironment.scot/demolition>

Managing Change Use and  
Adaptation of Listed Buildings  
<https://www.historicenvironment.scot/use-and-adaptation>

HES case studies  
<https://www.historicenvironment.scot/adaptation-case-studies>

HES Technical advice notes  
(TANs), Short Guides, Inform  
Guides, and Practitioners Guides  
<https://www.historicenvironment.scot/archives-and-research/publications>

Scottish Government Planning  
Advice Note (PAN) 2/2011:  
Planning and Archaeology  
[www.gov.scot/publications/pan-2-  
2011-planning-archaeology](http://www.gov.scot/publications/pan-2-2011-planning-archaeology)

Scottish Government Planning  
Advice Note (PAN) 71:  
Conservation Area Management  
[www.gov.scot/publications/  
conservation-management-  
planning-advice](http://www.gov.scot/publications/conservation-management-planning-advice)

### Online resources

Historic Environment  
Scotland website -  
[www.historicenvironment.scot/  
advice-and-support](http://www.historicenvironment.scot/advice-and-support)

Designation records  
and decisions -  
[www.portal.  
historicenvironment.scot](http://www.portal.historicenvironment.scot)

Canmore: National Record  
of the Historic Environment  
[www.canmore.org.uk](http://www.canmore.org.uk)



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
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# MANAGING CHANGE IN THE HISTORIC ENVIRONMENT

## DEMOLITION OF LISTED BUILDINGS



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

APRIL 2019



View of Murraygate, Dundee prior to demolition. Titled: 'Mauchline Tower, (Old Murraygate)' c. 1875 © Courtesy of HES (Photograph album 67).





## BACKGROUND

Managing Change is a series of guidance notes produced by Historic Environment Scotland in our role as lead public body for the historic environment. The series supports national level policy for planning and the historic environment. Planning and other authorities should take this guidance into account when making decisions.

Historic buildings enrich Scotland's landscape and chart a great part of our history. They are central to our everyday lives, creating a sense of place, identity and wellbeing. Some historic buildings are designated as 'listed buildings' because they have special architectural or historic interest. You can find out more about listing [on our website](#).

Listed building consent (LBC) is required for any works that would affect the special interest of a listed building. This includes demolition. It is a criminal offence to carry out such work without consent. The LBC process is normally administered by planning authorities. Historic Environment Scotland is a consultee for the demolition of any listed building. All of the details of our role in both LBC and conservation area consent are set [out on our website](#).

[Scottish Planning Policy](#) states that 'listed buildings should be protected from demolition or other work that would adversely affect it or its setting' (paragraph 141). [Historic Environment Policy for Scotland](#) outlines the key policy considerations for making decisions about works that affect listed buildings:

### HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

### HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

### The Planning (Listed Buildings and Conservation Areas) (Scotland) 1997 Act 'The 1997 Act'

Demolishing a listed building should be avoided wherever possible. [The 1997 Act](#) requires that special regard be given to preserving listed buildings and their settings when making decisions on LBC applications. There is a strong presumption in favour of retaining listed buildings. Applications to demolish listed buildings should be refused unless their loss has been fully considered and justified.



## DEFINITION OF DEMOLITION

In this context, demolition means the total or substantial loss of a listed building. A listed building can be any built structure. Although the 1997 Act and this document use the term 'building', the phrase can apply to things like bridges, lamp posts and phone boxes, too. Even if part of a building is to be retained (such as in façade retention), a proposal may still be considered demolition. This would be the case if the proposed works would result in the loss of the majority of the listed building.

The removal of smaller parts of a building, such as conservatories, porches, chimneys and small scale extensions, should be assessed as alterations rather than demolition. In more complex cases, where alterations involve the loss of large amounts of fabric, planning authorities may need to consider in more detail whether works are classed as demolition. This should happen as early as possible in the process so that the planning authority can identify the relevant policies and guidance.



View of central block during demolition of  
Royal Infirmary, Edinburgh.  
Titled: 'Edinburgh Infirmary' c.1884  
© Courtesy of HES.

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## HOW TO USE THIS GUIDANCE

This guidance should be used when the future of a listed building is uncertain and demolition is being considered as an option. Because of the strong presumption in favour of retaining listed buildings, the decision to demolish a listed building is a last resort. It will almost always be made at the end of a process that has considered and discounted all other feasible options.

There will be some exceptional circumstances where the demolition of a listed building can be justified. This document provides information and guidance that will be a key consideration in such cases. It is most relevant to owners, their agents, and those making decisions on LBC applications for demolition. It should inform:

- The approach of owners

[The accompanying Managing Change in the Historic Environment: The Use and Adaptation of Listed Buildings](#) provides guidance on different approaches to reusing listed buildings. It should be read alongside this guidance when considering the range of potential options for listed buildings. If the owner decides to submit a LBC application for demolition, pre-application discussions are strongly encouraged.

- Decisions on listed building consent (LBC) applications for demolition

The planning authority should identify which national and local planning and historic environment policies they will use to assess an application at the earliest possible stage. They should give clear advice to the applicant on what supporting information will be required. They should also involve us at an early stage.

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## WHAT TO CONSIDER FIRST

If one of the following situations applies then the loss of a listed building is likely to be acceptable, as long as this is clearly demonstrated and justified. The supporting information expected to justify demolition under these situations is specific to each.

### IS THE BUILDING NO LONGER OF SPECIAL INTEREST?

In some circumstances a listed building may no longer be of special architectural or historic interest. This might include where there has been a significant loss of fabric or features of interest, or where there have been later alterations which have affected the character of the building.

Where the case for demolition rests on this factor, owners should ask us to review the listing to determine if a building is still of special architectural or historic interest. This review should happen before an application for demolition is submitted.

Further information on the process of proposing a building for listing, or requesting a review of a listing is available on [our website](#). For an individual building, we aim to complete a review within six months. We recognise that some reviews will require a quicker response. We will consider requests for a shorter time period on a case by case basis. We may be able to give an initial view of the special architectural or historic interest of the building in a much shorter time, particularly if it no longer meets the criteria for designation. The more detail you give us when asking for the review, the quicker we can assess your proposal.

LBC is not required for demolition of a building which has been de-listed. However, local planning policies may still require the cultural significance of an unlisted building to be taken into account. If the building is located within a conservation area, conservation area consent will be required. This is a separate process from LBC and is also administered by planning authorities. The conservation area consent process focuses on considering the building's contribution to the character and appearance of the conservation area.





Demolition work in progress after the Arnott Simpson fire, Argyle Street, Glasgow, 1951 © Newsquest (Herald & Times). Licensor [www.scran.ac.uk](http://www.scran.ac.uk).

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## IS THE BUILDING INCAPABLE OF MEANINGFUL REPAIR?

Most traditionally-built buildings, even those in an advanced state of decay, can be repaired.

There are occasions when repairing and reusing a listed building would lead to extensive loss or replacement of fabric, which would have a consequent effect on its special interest. If repairing a building cannot preserve its special interest, it is not capable of meaningful repair.

Instances where meaningful repair might not be possible include where the building has inherent design failures, or where a timber structure has decayed so much that no original material can be saved. It would not be possible to meaningfully repair a building where there is structural damage that cannot be repaired without complete reconstruction – such as serious corrosion of reinforced concrete frames, or extensive damage to the building.

This issue is separate to that of the economic viability of any repairs, which is considered below.

If an LBC application is submitted arguing that a building is incapable of meaningful repair, supporting evidence for this will need to be provided. This should include a full condition assessment by appropriately qualified and experienced professionals, and a statement placing the condition assessment in context of the building's significance.

## IS THE DEMOLITION OF THE BUILDING ESSENTIAL TO DELIVERING SIGNIFICANT BENEFITS TO ECONOMIC GROWTH OR THE WIDER COMMUNITY?

Some projects may be of such economic or public significance that their benefits may be seen to outweigh the strong presumption in favour of retaining a listed building. Often these projects form part of wider strategies at national or regional level. Examples may include major transportation schemes or significant regeneration projects.

An LBC application for demolition on these grounds should provide evidence to demonstrate why the loss of the building is essential in order to obtain these benefits. It should make clear why these, or similar, benefits cannot be achieved with retention of the building. Supporting evidence should also include a detailed assessment of the likely benefits of the proposed project. If the works form part of a wider strategy, the application should explain why the strategy is significant at a national or regional level.

If the proposals involve a new development on the site, planning permission for the replacement development should be demonstrated as being in line with local and national policy. Unless this can be done, there is no certainty that planning permission will be achievable. This would make it impossible to ensure that the benefits were going to happen, and the demolition would therefore not be justified.

## ECONOMIC VIABILITY

In some instances the repair and reuse of a listed building is not economically viable. This means that the cost of retaining the listed building would be higher than its end value. Where the cost of works is higher than the end value, the difference is referred to as the 'conservation deficit'.

The principle of demolition should only be accepted where it has been demonstrated that all reasonable efforts have been made to retain the listed building. The efforts made should take into consideration the special interest of the listed building.

The accompanying [Managing Change in the Historic Environment: The Use and Adaptation of Listed Buildings](#) provides more detailed advice on how reuse of a listed building can be achieved. This includes undertaking pro-active marketing measures.

Marketing should be undertaken in an open and transparent manner before a final decision is taken on making an application for demolition. In certain cases its marketing should continue when a LBC application has been submitted.

Marketing is necessary to demonstrate that every effort has been made to secure a buyer who would retain the building.

Marketing should make clear that the building is listed. It should include a development brief if possible, as this helps to maximise the possible opportunities for retaining the building. The process should also involve specific marketing to groups or individuals with a track record in restoration, such as Building Preservation Trusts.

A building should be marketed to potential restoring purchasers for a reasonable period, at a price reflecting its location and condition. This should normally be at least six months, although in some circumstances a longer or shorter time period may be appropriate. The price should be its current market value and should not take account of any historic purchase price.

The marketing price should not be defined by the value of the land without the building, even if this might be higher, because that would assume demolition will take place.

## COMMUNITY OWNERSHIP

Concern for the future of an unused listed building may result in a community effort to take over ownership. A range of options exists, and might include:

- working in partnership with the owner
- leasing the building
- negotiating a private sale
- purchasing on the open market

Community Right to Buy (CRtB) now allows communities throughout Scotland to register an interest in land and the opportunity to buy that land when it comes up for sale. Further information on CRtB can be found on the [Community Ownership Support Service website](#).



In some circumstances the price may be a nominal sum. It is important to note that whilst a building may be marketed at a low value (in some cases as little as £1), this should not be seen as a reflection of its special interest. It is only a reflection of the extent of the conservation deficit together with the strong presumption in favour of retaining the building.

The justification to demolish a listed building on economic grounds will not rest solely on marketing. The decision to demolish is normally at the end of a process where an owner has considered the viability of alternative options. A financial assessment should demonstrate that the other options were not economically viable. It should include a detailed assessment of costs, including developer profit, as well as the likely value of the completed project or projects.

The details of the marketing process and financial assessment (or viability assessment) should form part of the material submitted to the planning authority as part of an LBC application. The planning authority should verify the information provided by reviewing the assumptions and allowances within the financial assessment.

The marketing information should outline the steps taken by the applicant to market the building, detail any interest shown, and explain why this did not result in any credible offers.

The applicant should also show that there is no other way of financing the project, through funding sources such as enabling development, or grant aid.

Some buildings or structures are of historic or architectural interest but have more limited scope for reuse. Bridges, dovecots, statues and lampposts are all examples of structures that may have limited options for reuse. Consent for demolition of such structures should not normally be given on the grounds of economic viability alone. The main factors in these cases are likely to be the special interest of the listed structure, its condition, the likely availability of funding, and whether marketing to repairing purchasers is a realistic option.



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## CURTILAGE

Structures within the curtilage of a listed building, even if they are not fixed to it, may be included in the listing. For example, a country house might be named in the statutory address, and structures such as boundary walls, gateways or stable blocks may not be named or described in the listed building record, but are often part of the listing. It is a role of planning authorities to decide whether structures within the curtilage are listed.

Decisions on demolition of curtilage listed structures should primarily be based on their contribution to the special interest of the listing. Where a building makes a significant contribution to the character, appreciation or understanding of the main subject of the listing, the principles of this guidance apply.

If part of a building is not listed, both the statutory address and the statement of special interest in the listed building record will state that it is excluded. The statement will use the word 'excluding' and quote the 1997 Act. Some earlier listed building records may use the word 'excluding', but if the Act is not quoted, the exclusion carries no legal weight.

## RECORDING

Owners and developers should carry out detailed recording of all listed buildings when fundamental changes are proposed. If LBC is granted for demolition, there is a separate requirement under [Section 7 of the 1997 Act](#) to give us an opportunity to carry out recording for the public record. Planning authorities may have separate requirements for recording.

## SALVAGE

The salvaging of historic features and material does not justify demolition or form part of the justification. But if LBC is given for demolition, opportunities for salvage should be considered. Salvaged materials and features can make a significant contribution to the repair and maintenance of historic buildings.

Often it will be possible to re-site salvaged features, such as decorative stone doorways, plaques, or other fixtures and fittings within a redeveloped site. Likewise, salvaged materials may be reused to the benefit of the scheme, such as stone boundary walling.

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## SOURCES OF FURTHER INFORMATION AND GUIDANCE

### Legislation, strategy, policy and procedure

[Our Place in Time:  
The Historic Environment  
Strategy for Scotland](#)

[Historic Environment Scotland:  
Designation Policy and Selection  
Guidance](#)

[Historic Environment Circular:  
Regulations and Procedures](#)

[Planning \(Listed Buildings and  
Conservation Areas\) \(Scotland\)  
Act 1997](#)

### Guidance

[HES Use and Adaptation of  
listed buildings](#)

[HES Use and Adaptation of  
listed buildings  
case studies](#)

[Managing Change in the Historic  
Environment guidance series](#)

[HES Technical advice notes  
\(TANs\), Short Guides, Inform  
Guides, and Practitioners Guides](#)

[Scottish Government Planning  
Advice Note \(PAN\) 71:  
Conservation Area Management](#)

### Online resources

[Historic Environment Scotland  
website](#)

[Designation records  
and decisions](#)

[Buildings at Risk Toolkit](#)

[HES role in Listed building  
consent and Conservation area  
consent](#)



Front cover image:

The remains of the clock tower at the Chancelot Mill in Leith, Edinburgh in July 1972  
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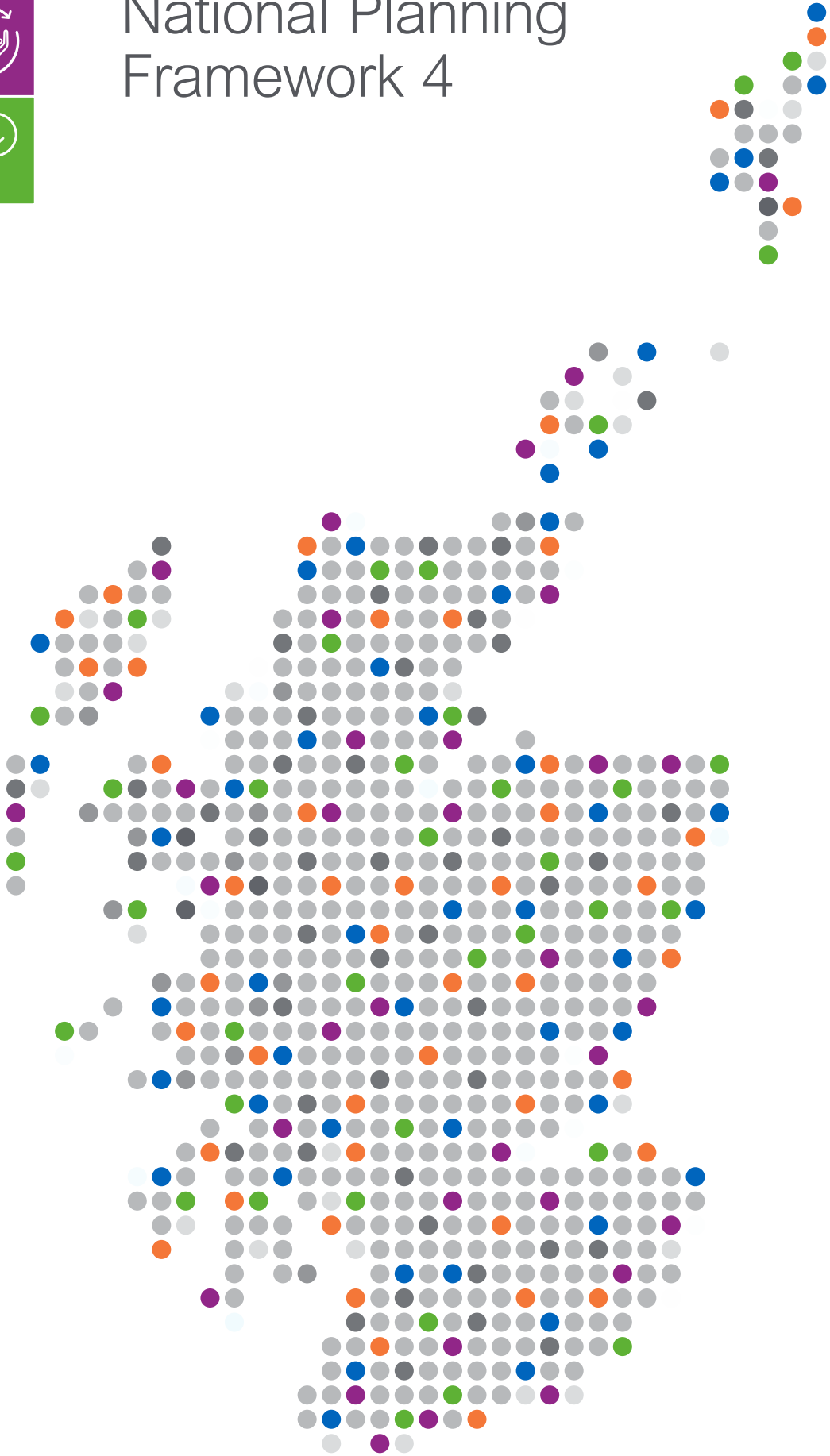
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# National Planning Framework 4



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# Ministerial Foreword



**Tom Arthur MSP**

Minister for Public Finance,  
Planning and Community Wealth

I am delighted to publish Scotland's fourth National Planning Framework. I am proud that, for the first time, we have brought together our long-term spatial strategy with a comprehensive set of national planning policies to form part of the statutory development plan.

The world is changing, and so are Scotland's places. This strategy sets out how we will work together in the coming years to improve people's lives by making sustainable, liveable and productive places. This will play a key role in delivering on the United Nations Sustainable Development Goals, as well as our national outcomes.

Planning carries great responsibility – decisions about development will impact on generations to come. Putting the twin global climate and nature crises at the heart of our vision for a future Scotland will ensure the decisions we make today will be in the long-term interest of our country.

As we recover from the pandemic we are working towards achieving net zero in a way which also tackles longstanding challenges and inequalities. We live in challenging times, but better places will be an important part of our response to our strategic priorities of net zero, child poverty and a wellbeing economy. Planning will also play a critical role in delivering the National Strategy for Economic Transformation and in community wealth building.

Planning is already a fully devolved function of the Scottish Government. Our global reputation

for excellence and expertise in this field demonstrates what can be achieved when the choices are in our own hands. We can build on this. By securing a new future for Scotland as an independent country, additional powers will be available to support public and private sector investment in development and infrastructure across our country.

Changes to our places will not always be easy. People care about their neighbourhoods and rightly and reasonably expect that new development should improve their lives, rather than undermining what they value most. To help deliver on this strategy I am committed to involving a wider range of people in planning. A fairer and more inclusive planning system will ensure that everyone has an opportunity to shape their future so that our places work for all of us. I also recognise that planning authorities across Scotland will need support and guidance to put our proposals and policies into practice, and will continue to work with the profession and local government to ensure our system can realise its full potential.

The process for preparing this strategy has shown what can be achieved when we work together. I greatly appreciate the ideas that people and organisations have contributed. I am also very grateful to the Scottish Parliament for the time and energy they have put into their scrutiny of the draft document. National Planning Framework 4 has benefited considerably from their thoughtful and constructive input.

# Part 1 – A National Spatial Strategy for Scotland 2045

The world is facing unprecedented challenges. The global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change. We will need to respond to a growing nature crisis, and to work together to enable development that addresses the social and economic legacy of the coronavirus pandemic, the cost crisis and longstanding inequality.

Scotland's rich heritage, culture and outstanding environment are national assets which support our economy, identity, health and wellbeing. Many communities benefit from great places with excellent quality of life and quality, affordable homes. Many people can easily access high quality local greenspaces and neighbourhood facilities, safe and welcoming streets and spaces and buildings that reflect diverse cultures and aspirations. Increasingly, communities have been finding new ways to live sustainably, including by taking control of their property or land.

However, people living in Scotland have very different life chances, at least partly a result of the places where they live.

Past industrial restructuring has had significant impacts in some places and communities. Disadvantage, child poverty and poor health

outcomes are concentrated in parts of Scotland where life expectancy is significantly lower than in more advantaged areas. Access to the natural environment varies, and pollution and derelict land is concentrated in some places. Population change will bring further challenges in the future, particularly in rural parts of Scotland. Many people have limited access to opportunities because of the way our places have been designed in the past, and our city and town centres have experienced accelerating change in recent years.

We have already taken significant steps towards decarbonising energy and land use, but choices need to be made about how we can make sustainable use of our natural assets in a way which benefits communities.

Planning is a powerful tool for delivering change on the ground in a way which brings together competing interests so that decisions reflect the long-term public interest. Past, present and future challenges mean that we will need to make the right choices about where development should be located. We also need to be clear about the types of infrastructure we will need to build, and the assets that should be protected to ensure they continue to benefit future generations.

## Spatial principles

We will plan our future places in line with six overarching spatial principles:

- **Just transition.** We will empower people to shape their places and ensure the transition to net zero is fair and inclusive.
- **Conserving and recycling assets.** We will make productive use of existing buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy.
- **Local living.** We will support local liveability and improve community health and wellbeing by ensuring people can easily access services, greenspace, learning, work and leisure locally.
- **Compact urban growth.** We will limit urban expansion so we can optimise the use of land to provide services and resources, including carbon storage, flood risk management, blue and green infrastructure and biodiversity.
- **Rebalanced development.** We will target development to create opportunities for communities and investment in areas of past decline, and manage development sustainably in areas of high demand.
- **Rural revitalisation.** We will encourage sustainable development in rural areas, recognising the need to grow and support urban and rural communities together.

These principles will play a key role in delivering on the United Nations (UN) Sustainable Development Goals (SDGs) and our national outcomes.

### *Applying these principles in practice*

We want our future places to work for everyone. Rather than compromise or trade-offs between environmental, social and economic objectives, this is an integrated strategy to bring together cross-cutting priorities and achieve sustainable development.

By applying these spatial principles, our national spatial strategy will support the planning and delivery of:

- **sustainable places**, where we reduce emissions, restore and better connect biodiversity;
- **liveable places**, where we can all live better, healthier lives; and
- **productive places**, where we have a greener, fairer and more inclusive wellbeing economy.

Eighteen **national developments** support this strategy, including single large scale projects and networks of several smaller scale proposals that are collectively nationally significant. National developments will be a focus for delivery, as well as exemplars of the Place Principle, placemaking and a Community Wealth Building (CWB) approach to economic development. Regional spatial strategies and Local Development Plans (LDPs) should identify and support national developments which are relevant to their areas.

The strategy will be taken forward in different ways across Scotland, reflecting the diverse character, assets and challenges of our places. To guide this, we have identified **regional spatial priorities** for five broad regions of Scotland which will inform the preparation of regional spatial strategies (RSS) and LDPs by planning authorities.



	<b>Spatial principles</b>	<b>National Developments</b>	<b>Policies</b>	<b>Key policy links</b>	<b>Cross cutting policies</b>
<p><b>Sustainable places</b> SDGs: 7, 11, 12, 13</p> <p><i>National outcomes:</i> Environment, communities, economy</p>	<ul style="list-style-type: none"> <li>• Just transition</li> <li>• Conserving and recycling assets</li> </ul>	<ul style="list-style-type: none"> <li>• Energy Innovation Development on the islands.</li> <li>• Pumped Hydro Storage</li> <li>• Strategic Renewable Electricity Generation and Transmission Infrastructure</li> <li>• Circular Economy Materials Management Facilities</li> <li>• Urban Sustainable, Blue and Green Surface Water Management Solutions</li> <li>• Urban Mass/Rapid Transit Networks</li> </ul>	<ul style="list-style-type: none"> <li>• Tackling the climate and nature crises</li> <li>• Climate mitigation and adaptation</li> <li>• Biodiversity</li> <li>• Natural places</li> <li>• Soils</li> <li>• Forestry, woodland and trees</li> <li>• Historic assets and places</li> <li>• Green belts</li> <li>• Brownfield land, vacant and derelict land and empty buildings</li> <li>• Coastal development</li> <li>• Energy</li> <li>• Zero waste</li> <li>• Sustainable transport</li> </ul>	<ul style="list-style-type: none"> <li>• Land Use – getting the best from our land: strategy 2021 – 2026</li> <li>• Making things last: a circular economy strategy for Scotland</li> <li>• Scotland’s Energy Strategy</li> <li>• Scotland’s Environment Strategy</li> <li>• Scotland’s Forestry Strategy</li> <li>• Scottish Biodiversity Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Climate Change Plan</li> <li>• Climate Change Adaptation Programme</li> </ul>
<p><b>Liveable places</b> SDGs: 3, 4, 5, 6, 10, 11</p> <p><i>National outcomes:</i> Communities, culture, human rights, children and young people, health</p>	<ul style="list-style-type: none"> <li>• Liveable places</li> <li>• Compact urban growth</li> </ul>	<ul style="list-style-type: none"> <li>• Central Scotland Green Network</li> <li>• National Walking, Cycling and Wheeling Network</li> <li>• Edinburgh Waterfront</li> <li>• Dundee Waterfront</li> <li>• Stranraer Gateway</li> <li>• A Digital Fibre Network</li> </ul>	<ul style="list-style-type: none"> <li>• Design, quality and place</li> <li>• Local living and 20 minute neighbourhoods</li> <li>• Quality homes</li> <li>• Rural homes</li> <li>• Infrastructure first</li> <li>• Heat and cooling</li> <li>• Blue and green infrastructure</li> <li>• Play, recreation and sport</li> <li>• Flood risk and water management</li> <li>• Health and Safety</li> <li>• Digital infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• A Connected Scotland</li> <li>• A Healthier Future: Scotland’s diet and healthy weight delivery plan</li> <li>• Cleaner Air for Scotland 2</li> <li>• Creating Places</li> <li>• Culture Strategy</li> <li>• Heat in Buildings Strategy</li> <li>• Housing to 2040</li> <li>• Learning Estate Strategy/Learning Estate Investment Programme</li> <li>• Public Health Priorities for Scotland</li> <li>• Remote, Rural and Islands Housing Action Plan (pub. Spring 2023)</li> <li>• Scotland’s Population Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Just Transition Plans</li> <li>• National Transport Strategy</li> <li>• Infrastructure Investment Plan</li> <li>• Strategic Transport Projects Review 2</li> <li>• National Islands Plan</li> <li>• National Marine Plan</li> <li>• Tackling Child Poverty Delivery Plan</li> </ul>
<p><b>Productive places</b> SDGs: 1, 2, 8, 9, 11, 14</p> <p><i>National outcomes:</i> Fair work and business, economy, poverty, communities</p>	<ul style="list-style-type: none"> <li>• Rebalancing development</li> <li>• Rural revitalisation</li> </ul>	<ul style="list-style-type: none"> <li>• Clyde Mission</li> <li>• Aberdeen Harbour</li> <li>• Industrial Green Transition Zones</li> <li>• Hunterston Strategic Asset</li> <li>• Chapelcross Power Station Redevelopment</li> <li>• High Speed Rail</li> </ul>	<ul style="list-style-type: none"> <li>• Community wealth building</li> <li>• Business and industry</li> <li>• City, town, local and commercial centres</li> <li>• Retail</li> <li>• Rural development</li> <li>• Tourism</li> <li>• Culture and creativity</li> <li>• Aquaculture</li> <li>• Minerals</li> </ul>	<ul style="list-style-type: none"> <li>• National Strategy for Economic Transformation</li> <li>• Retail Strategy for Scotland</li> <li>• Report of the City Centre Recovery Taskforce</li> <li>• Scottish land rights and responsibilities statement</li> <li>• Town Centre Action Plan 2</li> </ul>	



## Sustainable places

Our climate is changing, with increasing rainfall, extreme weather events and higher temperatures that will intensify in the coming years. This will increase flood risk, water scarcity, environmental change, coastal erosion, impact on forestry and agriculture, and generate risks to health, food security and safety. Impacts will not be equal and communities who already face disadvantage will be particularly affected.

Scotland's high quality environment, and the natural capital it supports, underpin our approach to tackling climate change and the economy and is fundamental to our health and wellbeing. It provides the essentials we all need to survive, including clean air, water and food.

However, the health of the planet's ecosystems is declining faster than at any point in human history and our natural environment is facing significant challenges, including ongoing loss of biodiversity. Since the 1990s alone, wildlife populations in Scotland have declined, on average, by around a quarter. This threatens the capacity of the natural environment to provide the services we all rely on, and reduces our resilience to the impacts of climate change.

Scotland's Climate Change Plan, backed by legislation, has set our approach to achieving net zero emissions by 2045, and we must make significant progress towards this by 2030 including by reducing car kilometres travelled by 20% by reducing the need to travel and promoting more sustainable transport.

Just Transition sector plans, designed and delivered with those impacted, will play an important role in delivering the change we need to see. We must also adapt to the impacts of climate change that are already locked in, by delivering Scotland's Climate Change Adaptation Programme.

Scotland's Climate Assembly set out recommendations for how Scotland should change to tackle the climate emergency and gives us a key insight into the measures the Scottish Public expect for a just transition to net zero emissions by 2045.

Scotland's Energy Strategy will set a new agenda for the energy sector in anticipation of continuing innovation and investment. The interplay between land and sea will be critical, given the scale of offshore renewable energy resources. Our Infrastructure Investment Plan and National Transport Strategy are clear that we must work with our existing infrastructure assets first, before investing in additional assets.

Scotland's Environment Strategy sets out the Scottish Government's vision for tackling the twin climate and nature crises. Building on this, a new Scottish Biodiversity Strategy will set targets for halting biodiversity loss by 2030 and restoring and regenerating biodiversity by 2045. Scotland's Land Use Strategy aims to make efficient use of our land by managing competing activities in a sustainable way.

## National spatial strategy

**Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment.**

Meeting our climate ambition will require a rapid transformation across all sectors of our economy and society. This means ensuring the right development happens in the right place.

Every decision on our future development must contribute to making Scotland a more sustainable place. We will encourage low and zero carbon design and energy efficiency, development that is accessible by sustainable travel, and expansion of renewable energy generation. It is also crucial that we build resilience to the future impacts of climate change including water resources and assets and development on our coasts. Our places will also need to evolve to help us cope with changing temperatures.

Our commitment to a **just transition**, means that our journey to a net zero society and nature recovery must involve, and be fair to, everyone. We will grow a circular economy and make best use of embodied carbon by **conserving and recycling assets**, including by encouraging sustainable design and the wise use of resources.

To respond to the global biodiversity crisis, nature recovery must be at the heart of future places. We will secure positive effects for biodiversity, create and strengthen nature networks and invest in nature-based solutions to benefit natural capital and contribute to net zero. We will use our land wisely including through a renewed focus on reusing vacant and derelict land to help limit the new land that we build on. We will protect and enhance our historic environment, and safeguard our shared heritage for future generations. We will also work together to ensure that development onshore aligns with national, sectoral and regional marine plans.

## National developments

Six national developments support the delivery of sustainable places:

- **Energy Innovation Development on the Islands** provides infrastructure for low carbon fuels for communities and commerce, as well as for export. This will contribute to improved energy security, unlock opportunities for employment and business, and help to put Scotland at the forefront of low carbon fuel innovation.
- **Pumped Hydro Storage** extends hydro-electricity capacity to support the transition away from fossil fuels, whilst also providing employment opportunities in rural areas.
- **Strategic Renewable Electricity Generation and Transmission Infrastructure** supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply.
- **Circular Economy Materials Management Facilities** facilitates delivery of zero waste objectives by reducing the need for new materials, resource use and emissions.
- **Urban Sustainable, Blue and Green Surface Water Management Solutions** is an exemplar of a nature based, infrastructure first approach to catchment wide surface water flood risk management to help our two largest cities adapt to the future impacts of climate change.
- **Urban Mass/Rapid Transit Networks** facilitates a shift towards sustainable transport in Glasgow, Edinburgh, and Aberdeen and their wider regions, helping to reduce transport related emissions and supporting accessibility for all.



## CROSS-CUTTING OUTCOME AND POLICY LINKS:

### REDUCING GREENHOUSE GAS EMISSIONS

Our strategy and policies support development that helps to meet greenhouse gas emissions targets.

The global climate emergency and the nature crisis have formed the foundations for the spatial strategy as a whole. The regional priorities share opportunities and challenges for reducing emissions and adapting to the long-term impacts of climate change, in a way which protects and enhances our natural environment.

[Policy 1](#) gives significant weight to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions. [Policy 2](#) will ensure that emissions from new development are minimised as far as possible.

A healthy natural environment is key to reducing emissions. [Policies 3](#) and [4](#) protect biodiversity and natural assets, which in turn play a crucial role in carbon reduction. [Policy 5](#) provides significant protection for peatland and carbon rich soils and [Policy 6](#) aims to protect and expand forests, woodland and trees. Blue and green infrastructure is supported by [Policy 20](#). [Policy 10](#) encourages the use of natural solutions to coastal protection. [Policy 7](#) protects the embodied carbon in the historic built environment, and [Policy 9](#) makes better use of previously used land and buildings, helping to lock in carbon.

By supporting the transition of key emissions generating activities, [Policy 11](#) supports renewable energy development, [Policy 19](#) helps to decarbonise heat, alongside [Policy 18](#) and its encouragement of an infrastructure first approach. [Policy 12](#) encourages sustainable waste management, and [Policy 13](#) will facilitate a transition towards more sustainable, lower emissions travel including active travel and public transport.

Several policies support more local living and limit the use of additional land for development. This includes [Policy 8](#) which manages development in the greenbelt, [Policy 15](#) which promotes local living, including where feasible 20 minute neighbourhoods, and [Policy 16](#) which focuses on delivering new homes that are designed to a high standard and located in sustainable places. Minimising and reducing emissions is also integral to the six qualities of successful places, as set out in [Policy 14](#). [Policies 17](#) and [29](#) support rural development which is compatible with climate change targets. [Policy 24](#) facilitates the roll out of digital infrastructure, helping to reduce the need to travel. [Policy 27](#) promotes a town centre first approach to development and [Policy 28](#) restricts additional out of town retail development.

Policies relating to productive places are consistent with our ambition for green growth in the futures. More specifically, [Policy 33](#) is clear that fossil fuel exploration, development and production (excluding unconventional oil and gas) will not be supported other than in exceptional circumstances, and that the Scottish Government does not support the development of unconventional oil and gas in Scotland.

## CROSS-CUTTING OUTCOME AND POLICY LINKS:

### IMPROVING BIODIVERSITY

Our strategy and policies support development that helps to secure positive effects for biodiversity.

The nature crisis, together with the global climate emergency, underpinned the spatial strategy as a whole. The action areas include proposals which protect and enhance the natural environment.

[Policy 1](#) gives significant weight to the nature crisis to ensure that it is recognised as a priority in all plans and decisions. [Policy 4](#) protects and enhances natural heritage, and this is further supported by [Policy 5](#) on soils and [Policy 6](#) on forests, woodland and trees. [Policy 20](#) also promotes the expansion and connectivity of blue and green infrastructure, whilst [Policy 10](#) recognises the particular sensitivities of coastal areas.

Protection of the natural features of brownfield land is also highlighted in [Policy 9](#), and protection of the green belt in [Policy 8](#) will ensure that biodiversity in these locations is conserved and accessible to communities, bringing nature into the design and layout of our cities, towns, streets and spaces in [Policy 14](#).

Most significantly, [Policy 3](#) plays a critical role in ensuring that development will secure positive effects for biodiversity. It rebalances the planning system in favour of conserving, restoring and enhancing biodiversity and promotes investment in nature-based solutions, benefiting people and nature. The policy ensures that LDPs protect, conserve, restore and enhance biodiversity and promote nature recovery and nature restoration. Proposals will be required to contribute to the enhancement of biodiversity, including by restoring degraded habitats and building and strengthening nature networks. Adverse impacts, including cumulative impacts, of development proposals on the natural environment will be minimised through careful planning and design, taking into account the need to reverse biodiversity loss. Development proposals for national, major or Environmental Impact Assessment (EIA) development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention. Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity.



## Liveable places

The global pandemic has left a social legacy that requires urgent, as well as long-term action. Many people need better places to support their lifelong health and wellbeing and build their future resilience. In recent years communities have found ways to work together to find local solutions to shared challenges. However, the cost crisis is again underlining the need for our future buildings and places to do more to support our long-term resilience.

There remain significant differences between the healthy life expectancy of people living in the most and least deprived parts of Scotland. More people need to be involved in planning their future places so that the built environment is safe and welcoming to everyone, including women, disabled people, children and young people and black and ethnic minority groups.

Scotland's Tackling Child Poverty Delivery Plan sets out actions required to continue to reduce the number of children living in poverty. It recognises the importance of place and continued investment in regeneration, targeted to areas where the need is greatest.

Access to affordable, quality homes in better places, as supported by Housing to 2040, will make an important contribution to addressing the impact of the cost crisis, particularly on younger people who will also benefit from reduced transport costs. The planning system has an important role to play in supporting the delivery of homes which meet our future needs.

Consistent with this, Scotland's Population Strategy reflects the need for planning to identify the amount of land required for future homes and to enable more balanced demographic change including sustainable rural development.

Health policies, including Scotland's diet and healthy weight delivery plan reflect the importance of places which provide opportunities for exercise and access to healthy food. Our strategy for tackling social isolation and loneliness also recognises the importance of providing quality, accessible and welcoming places for everyone through placemaking and regeneration.



## National spatial strategy

### Scotland's future places will have homes and neighbourhoods that are healthier, affordable and vibrant places to live.

We have an opportunity to significantly improve our places, address longstanding inequality and eliminate discrimination, helping to transform our country for the better. Cleaner, safer and greener places and improved open spaces will build resilience and provide wider benefits for people, health and biodiversity, in a balanced way.

We will plan our future places in a way that improves **local living**, so that we live in communities that are inclusive, empowered, resilient, safe and provides opportunities for learning. Quality homes will be better served by local facilities and services by applying the principles of local living to development proposals. The concept of 20 minute neighbourhoods will help to support this, particularly in more urban areas. In rural areas the approach to local living will be shaped by local context.

Planning must also enable the delivery of good quality, affordable homes by allocating enough land in the right locations to meet current and future needs and aspirations.

Recognising the need for liveable places to be consistent with our ambition for net zero and nature recovery, we will promote **compact urban growth**. Higher density development which will help to sustain public transport and support local living. Virtual connectivity and continued investment in active travel links will also be important.

We want to make better use of our spaces to support physical activity, relaxation and play, to bring people together and to celebrate our culture, diversity and heritage. Buildings and other physical assets can also support activities based on intangible cultural assets such as Gaelic language.

We will improve green infrastructure to bring nature into our towns and cities, connecting people with nature, building resilience and helping our biodiversity to recover and flourish. We will ensure we work towards a stronger infection-resilient society through adaptations to our buildings and the spaces around them.

Our strategy is to value, enhance, conserve and celebrate our places and to build better communities for future generations. A stronger commitment to placemaking, through a design-led approach and a focus on quality, will ensure every new development improves the experience of our places.

Underpinning this, everyone must have an opportunity to help shape their local neighbourhoods. We will continue to work to broaden involvement in the planning system as a whole.

## National developments

Six national developments support the delivery of liveable places:

- **Central Scotland Green Network** restores nature at scale and acts as an exemplar of green infrastructure in placemaking that provides benefits for communities and supports a wellbeing economy. This will provide multiple benefits for health, biodiversity, and will help us to mitigate and adapt to climate change. Action should continue to focus on areas where community wellbeing and resilience would benefit most.
- **National Walking, Cycling and Wheeling Network** strengthens and extends a national active travel network to reduce emissions from transport, focusing on areas where improvements to accessibility are most needed.
- **Edinburgh Waterfront** creates a high quality, mixed use, locally liveable place, contributing to the sustainable future development of Scotland's capital city.
- **Dundee Waterfront** delivers a high quality, mixed use, locally liveable place demonstrating resilient waterfront regeneration which anticipates and responds to climate impacts.
- **Stranraer Gateway** acts as a hub for surrounding communities. Regeneration will help create a high quality, mixed use, locally liveable place, optimising the area as a national and international gateway.
- A **Digital Fibre Network** enhances the connectivity of communities and help to facilitate more sustainable ways of living including in rural and island communities.

## CROSS-CUTTING OUTCOME AND POLICY LINKS:

### A FAIR AND INCLUSIVE PLANNING SYSTEM

Our strategy and policies support development that helps to eliminate discrimination and promote equality.

We expect everyone involved in planning to take steps to ensure that a wide range of people are involved in shaping their future places. Planning authorities are required to respect, protect and fulfil human rights in accordance with the Human Rights Act 1998. As per the Equality Act 2010, the Public Sector Equality duty is applicable and Equality Impact Assessments, Fairer Scotland Duty Assessments and where applicable Island Communities Impact Assessments are required for LDPs. The UN Convention of the Rights of the Child also means that young people must be encouraged to play an active role in planning.

Throughout the planning system, opportunities are available to engage in development planning and decisions about future development. Such engagement, undertaken in line with statutory requirements, should be early, collaborative, meaningful and proportionate. Support or concern expressed on matters material to planning must be given careful consideration in the determination of development proposals.

Our places can only work for everyone if the views of all users are properly understood, but experience shows that some people can find it more challenging to engage with planning.

There are opportunities to involve a wider range of people in the planning system. It is essential, and a statutory requirement, that people with protected characteristics, including disability, race, age, sex and sexual orientation, and including people from a range of socio-economic backgrounds, are given particular support to express their views on plans and decisions, with consultations designed to meet the communication needs of people.

The spatial strategy as a whole is clear that our future development must support a just transition, and it highlights opportunities for development and regeneration that are designed to tackle social, economic and health inequalities. [Policy 14](#), focusing on the six qualities of successful places recognises that diversity is an integral part of placemaking. Children and young people will have an important contribution to make, given the long-term impacts of planning for future generations. Women, as well as disabled people and their representatives, can ensure that barriers and challenges of the design of our living and working environments are tackled effectively. We have also provided clear support for development that will help to ensure human rights are maintained, for example: [Policy 16](#) on quality homes which addresses the need for accommodation for Gypsy/Travellers and Travelling Showpeople yards, as well as homes for older people and disabled people; and [Policy 21](#) which supports and facilitates spaces and opportunities for play, recreation and sport in our natural and built environments for children and people for all ages.

Our impact assessment has demonstrated that there is potential for significant benefits from more sustainable, liveable and productive places which will be delivered by these and other policies. We recognise that delivery will also depend on fair and inclusive engagement with people, and we will therefore continue to promote best practice and innovation, including in guidance on effective community engagement.



## CROSS-CUTTING OUTCOME AND POLICY LINKS:

### HOMES THAT MEET OUR DIVERSE NEEDS

Our strategy and policies support development that helps to meet the housing needs of people living in Scotland including, in particular, the housing needs of older people and disabled people.

The spatial strategy has taken into account future population and household projections, and highlights areas where there will be particular challenges arising from an ageing population. Spatial principles, including local living and just transition, will also help to ensure that the needs of all people are reflected in our future places.

**Policy 16** supports the delivery of high quality, sustainable homes that meet the needs of people throughout their lives. In particular, it supports proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision. This could include: accessible, adaptable and wheelchair accessible homes; homes that meet the needs of older people; a range of size of homes; and other specialist groups.

The majority of older people want to remain in their home as they age, preferring mainstream housing, and so accessible and adaptable homes can allow people to continue to live independently. The close alignment of planning and housing delivery at the local level, through LDPs and Local Housing Strategies, will help to deliver the right type and mix of homes in the right locations. In addition Housing to 2040 sets out a commitment to Scottish Accessible Home Standard in 2025/26.

Development that provides homes to meet the needs of older people and disabled people will be further promoted by LDPs. Evidence reports will explain the action taken to support and promote the construction and/ or adaptation of homes to meet their needs. Spatial strategies will take into account housing needs and the availability of land for new homes, including for older people and disabled people through the Accessible Home Standard, wheelchair housing targets and the consideration of accessibility in design of the wider development and local amenity. The planning authority must also keep their plan under review, and monitor any changes in this.

Placemaking and choices about the location of development will also help to meet the needs of older people and disabled people. **Policy 14** supports development that is consistent with the six qualities of successful places, including health and wellbeing, and safe and pleasant places for people to meet. **Policy 15** supports development that is consistent with the principles of local living and 20 minute neighbourhoods, helping to ensure our homes and wider neighbourhoods meet all of our needs. As part of this, it recognises that affordable housing options, ability to age in place and housing diversity are an integral part of more liveable places. **Policy 13** is also clear that the views of disabled people must be sought when seeking to reduce reliance on the car including by managing car parking provision.



## Productive places

The economic performance of different parts of Scotland varies considerably, with challenges and opportunities for different places and sectors. At present, some communities are particularly affected by high rates of poverty, one in five people of working age is economically inactive, and there is significant scope to improve our productivity and the scale and rate of business development.

The unprecedented challenge of the pandemic has created difficult conditions for some sectors including hospitality, tourism, and culture. The cost crisis and our exit from the European Union have combined with this to exacerbate labour shortages particularly in our more remote, rural and island communities. World-wide supply chain issues have generated severe challenges, including for the construction sector.

Scotland's National Strategy for Economic Transformation aims to make Scotland a successful place with opportunities for everyone, in every region of Scotland, to share in our economic prosperity. It tackles the challenges of structural inequality, the transition to net zero, and achieving a green recovery from the pandemic. It also supports entrepreneurship and aims to play to the strengths and assets of each part of Scotland to build community wealth.

Building community wealth should be founded on an assessment of local assets in partnership with communities. It also involves better co-ordinated state investment at national, regional and local levels to strengthen of Scotland's indigenous business base and create sustainable fair work opportunities. Opportunities will flow from more land and assets being placed in the hands of communities or under their guiding influence.

Our city centres are socially and culturally important, supporting our productivity and stimulating innovation and investment. The pandemic has generated severe impacts and longer term challenges for these places. The City Centre Recovery Taskforce has developed a shared vision for their future with support from the City Centre Recovery Fund for recovery and repurposing. Through playing their part in the delivery of the National Strategy for Economic Transformation, Scotland's cities have a nationally significant opportunity to contribute to Scotland's economic recovery and to achieve a wellbeing economy.

The Town Centre Action Plan Review and our subsequent response recognises the critical importance of planning with and for communities sets a new vision for town centres, and reaffirms our commitment to the Town Centre First Principle. It recognises the critical importance of planning in diversifying the offer within our city and town centres, to help them thrive, improve their resilience and anticipate continuing societal, environmental and economic change. The Place Based Investment Programme supports our commitment to town centre action, places, local living and community wealth building.

## National spatial strategy

**Our future places will attract new investment, build business confidence, stimulate GDP, export growth and entrepreneurship, and facilitate future ways of working.**

Planning will play a key role in creating a globally competitive, entrepreneurial, inclusive and sustainable economy, with thriving and innovative businesses, quality jobs and fair work for everyone.

We will actively encourage investment where it is needed most by **rebalancing development**. This will play to the economic strengths and opportunities of each part of Scotland. Significant investment opportunities include strategic sites which were previously a focus for industrial activity but which have experienced decline. These locations will play a significant role in our transition to net zero as they are served by strategic infrastructure, well located on or close to developed coasts, and could provide added benefits for communities that are in greatest need. They also include areas that have been overlooked historically, but which are now strategically located for extensive renewable energy generation.

Planning can enable diversification of city, town and commercial centres, to better manage their role and respond to ongoing changes to the way we shop and access services. The way we work is changing, and we will need to be flexible to facilitate future business and employment that benefits communities and improves places. Digital connectivity will play a crucial role in supporting sustainable work in the future.

The way we plan our places can contribute to our short term recovery, as well as longer term restructuring to tackle long standing inequalities. Our strategy is to build a wellbeing economy that benefits everyone, and every place, in Scotland. We want the planning system to create a society that is thriving across economic, social and environmental dimensions, and that delivers prosperity for all.

Scotland's national and international connectivity for people and freight will remain important, for the economic, social and cultural benefits it delivers and for supporting wider Government ambitions on trade, tourism, and business development. Airports, ports and rail links will provide vital connections within Scotland and beyond which will be crucial to building on a sustainable recovery whilst helping to decarbonise transport through low and zero emissions technologies. Looking ahead, there will also be opportunities to build on inclusive growth within communities and support economic transformation through Green Freeports in Scotland.

**Rural revitalisation**, achieved by distributing development, investment and infrastructure strategically and by actively enabling rural development in particular, will play an important role in this. Key sectors including energy and food and drink focus on natural resources and provide significant employment in rural parts of Scotland. These sectors also depend on supporting services and access to markets and there is significant potential for associated investment to develop a sustainable supply chain. Digital connectivity will also be critical to their continued success.

Urban areas are a focus for investment in the built environment and many of our industries and businesses are located in and around our cities. These areas will also be more attractive to future investors and their employees if they are greener and healthier places to live.



## National developments

Six national developments support the delivery of productive places:

- **Clyde Mission** brings together substantial public and private investment to remediate and regenerate brownfield land along the River Clyde for economic, social and environmental uses.
- **Aberdeen Harbour** facilitates completion of the South Harbour and access to it as well as a more mixed use waterfront for Aberdeen on areas of the harbour that will not in future be required for port uses. This will contribute to international and national connectivity, freight and the renewable energy sector.
- **Industrial Green Transition Zones** support transformation of key sites including by putting in place the infrastructure needed to commercialise carbon capture and storage and decarbonise industry. Innovation will provide green jobs, reduce emissions and help Scotland lead the way on new technologies.
- **Hunterston Strategic Asset** supports re-use the port and wider site, engaging in new technologies and creating opportunities from nuclear decommissioning to make best use of existing infrastructure and provide local benefits.
- **Chapelcross Power Station Redevelopment** involves the reuse of a key site to provide a range of economic opportunities for local communities. Energy produced will help to reduce heating and transport emissions within the wider region.
- **High Speed Rail** ensures connectivity with the United Kingdom (UK) and beyond, reduce long distance transport emissions and optimise the benefits more widely.

## CROSS-CUTTING OUTCOME AND POLICY LINKS:

### RURAL REVITALISATION

Our strategy and policies support development that helps to retain and increase the population of rural areas of Scotland.

The spatial strategy reflects a wide range of proposals for development in rural areas, supported by national developments that recognise the potential and need to expand key sectors including renewable energy, sustainable transport and green infrastructure.

[Policy 17](#) promotes the development of rural homes, to ensure the needs of communities are met in a sustainable way. Similarly, [Policy 29](#) encourages development that will contribute to rural economies and communities. Development proposals that contribute to the viability, sustainability and diversity of rural businesses are supported while ensuring planning policies take into consideration local characteristics. Both policies support development in previously inhabited areas in a way that is guided by LDPs. Greater constraint will be applied in areas of pressure whilst in rural areas with fragile communities, a more enabling approach has been taken to support communities to be sustainable and thrive. LDPs are required to set out an appropriate approach to development in areas of pressure and decline informed by an understanding of population change and settlement characteristics and how these have changed over time as well as an understanding of the local circumstances including housing and travel.

Many policies will also play an important role in supporting rural communities and population growth. Some focus on supporting sustainable development in key sectors for rural areas such as [Policy 30](#) on tourism, which aims to ensure community, environmental and business considerations are fully taken into account. [Policy 32](#) encourages sustainable aquaculture, whilst [Policy 10](#) supports development in coastal areas that takes into account future vulnerability to climate change. [Policy 11](#) supports opportunities for renewable energy development whilst [Policy 24](#) will support the delivery of digital infrastructure to support investment and population growth in rural areas.

Care has been taken to ensure policies reflect the specific needs and constraints of rural areas. [Policy 13](#) ensures that in assessing the transport impacts of development, the area's needs and characteristics are taken into account. [Policy 15](#) aims to promote local living in broad terms, including through 20 minute neighbourhoods where practical, recognising varying settlement patterns and the particular characteristics and challenges of different areas in applying these principles in practice. [Policy 28](#) also recognises the importance of retail facilities for rural communities and economies.

Alongside this, recognising that environmental quality is a key asset for rural areas, Policies [3](#), [4](#), [5](#) and [6](#) ensure that natural assets are protected and enhanced.

## CROSS-CUTTING OUTCOME AND POLICY LINKS:

### LIFELONG HEALTH AND WELLBEING

Our strategy and policies support development that helps to improve health and wellbeing. The spatial strategy as a whole recognises that there are significant health inequalities in Scotland that future development can help to address. The spatial principles aim to ensure that future development is directed to sustainable locations, recognising that the role of planning in supporting development in places which would benefit most from regeneration and investment.

The natural environment is fundamental to our health and wellbeing from the benefits we get from being in nature to the design and delivery of blue and green infrastructure. Policies [1](#), [3](#), [4](#), [5](#) and [6](#) manage the effects of development on biodiversity and on natural places. [Policy 20](#) supports development that will provide good quality, accessible greenspaces and nature networks and [Policy 21](#) supports development that will provide opportunities for sport and play. Active travel is encouraged by [Policy 13](#) with walking and cycling providing wider health benefits.

[Policy 23](#) helps to protect health and wellbeing, including by ensuring that air and noise pollution are taken into account, and by planning and managing development to take hazards into account. [Policy 22](#) ensures that future flood risk is not exacerbated by development, and facilitates the delivery of sustainable flood risk management solutions. [Policy 10](#) manages development to reflect future vulnerability of coastal areas. [Policy 9](#) encourages the redevelopment of brownfield land, helping to reduce the impact of vacant and derelict sites on communities.





Housing plays a critical role in supporting our health and wellbeing. [Policy 16](#) enables the delivery of well planned, good quality, affordable, safe and warm homes. Alongside this, [Policy 13](#) supports development that provides, or is accessible by active travel and [Policy 15](#) ensures people have access to facilities from their homes, including healthcare facilities. Development is also required to take into account the capacity and any additional needs for community services and facilities, as part of the infrastructure first approach set out in [Policy 18](#).

[Policy 14](#) applies the six qualities of successful places to development proposals, including health and wellbeing. As part of this it prioritises key aspects including women's safety and suicide risk and aims to ensure development does not undermine the amenity of our existing homes and places. Climate related mental and physical health effects will be addressed by the strategy as a whole and in particular by Policies [1](#) and [2](#) by ensuring future development minimises emissions and is built to reflect the future risks of climate change. Health and wellbeing will also be supported by development that helps us to transition to net zero, as reflected in [Policy 11](#) on renewable energy, [Policy 12](#) on zero waste, and [Policy 19](#) on heat and cooling. Wider policies relating to economic development will have a further positive effect on overall health and wellbeing by supporting employment and investment in our places in a fair and sustainable way.





















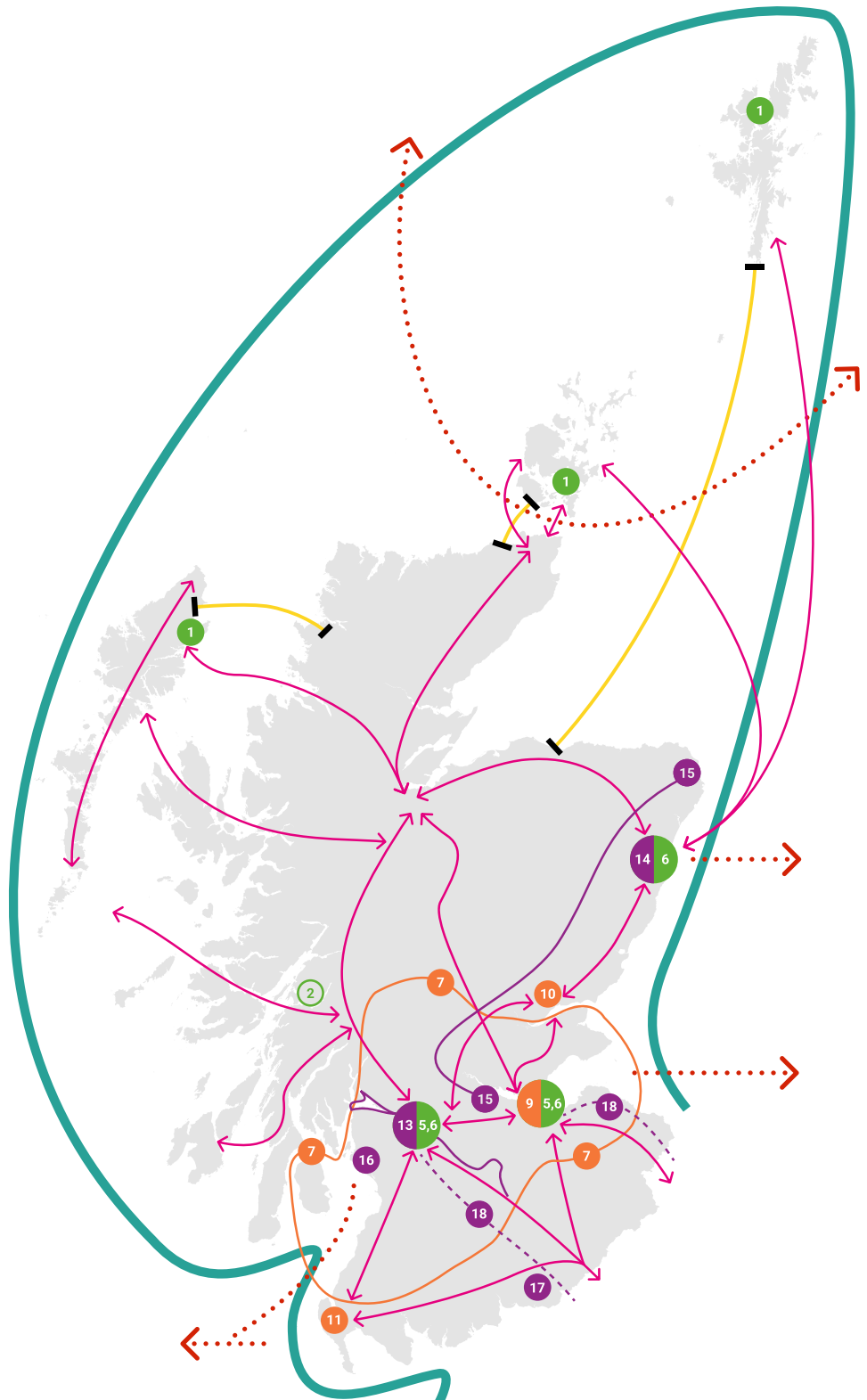
# National Spatial Strategy

## Legend

-  Strategic maritime routes
-  Strategic connection
-  Blue economy
-  Transmission infrastructure

## National Developments

-  Energy Innovation Development on the Islands
-  Pumped Hydro Storage  
Scotland Wide
-  Strategic Renewable Electricity Generation and Transmission Infrastructure  
Scotland Wide
-  Circular Economy Materials Management Facilities  
Scotland Wide
-  Urban Sustainable, Blue and Green Surface Water Management Solutions  
Edinburgh and Glasgow
-  Urban Mass/Rapid Transit Networks  
Aberdeen, Edinburgh and Glasgow
-  Central Scotland Green Network
-  National Walking, Cycling and Wheeling Network  
Scotland Wide
-  Edinburgh Waterfront
-  Dundee Waterfront
-  Stranraer Gateway
-  Digital Fibre Network  
Scotland Wide
-  Clyde Mission
-  Aberdeen Harbour
-  Industrial Green Transition Zones
-  Hunterston Strategic Asset
-  Chapelcross Power Station Redevelopment
-  High Speed Rail



Indicative

# National Developments

## Legend

### Sustainable Places

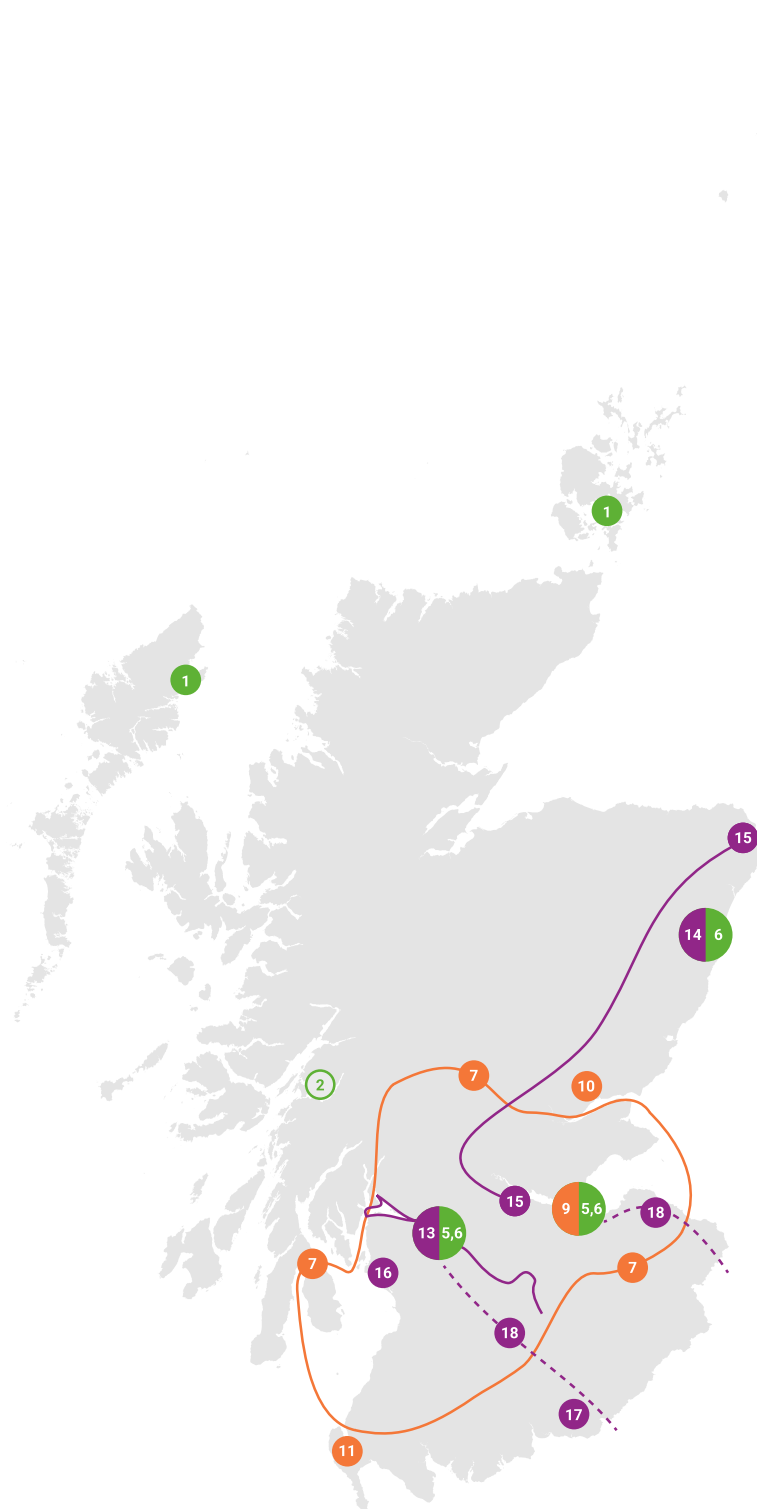
- 1 Energy Innovation Development on the Islands
- 2 Pumped Hydro Storage  
Scotland Wide
- 3 Strategic Renewable Electricity Generation and Transmission Infrastructure  
Scotland Wide
- 4 Circular Economy Materials Management Facilities  
Scotland Wide
- 5 Urban Sustainable, Blue and Green Surface Water Management Solutions  
Edinburgh and Glasgow
- 6 Urban Mass/Rapid Transit Networks  
Aberdeen, Edinburgh and Glasgow

### Liveable Places

- 7 Central Scotland Green Network
- 8 National Walking, Cycling and Wheeling Network  
Scotland Wide
- 9 Edinburgh Waterfront
- 10 Dundee Waterfront
- 11 Stranraer Gateway
- 12 Digital Fibre Network  
Scotland Wide

### Productive Places

- 13 Clyde Mission
- 14 Aberdeen Harbour
- 15 Industrial Green Transition Zones
- 16 Hunterston Strategic Asset
- 17 Chapelcross Power Station Redevelopment
- 18 High Speed Rail



Indicative

## Regional Spatial Priorities

### North and West Coast and Islands

This part of Scotland will be at the forefront of our efforts to reach net zero emissions by 2045. It is a diverse area, from Shetland and Orkney in the north, to the Outer and Inner Hebrides and the coastal areas of Highland and Argyll and Bute. As one of the most renewable energy rich localities in Europe with significant natural resources, there is a real opportunity for this area to support our shared national outcomes.

Key centres where lifeline links provide access to the islands include Lerwick, Kirkwall, Stromness, Stornoway, Wick and Thurso, Ullapool, Mallaig and Oban, whilst Tarbert, Lochgilphead and Campbeltown are important hubs to the south of the area. These centres provide important services to their wider hinterlands. Local projects are ongoing, including the regeneration of Stromness, the Stornoway Deep Water Port development, the linked Islands Growth Deal Outer Hebrides Energy Hub project in Stornoway, and the Islands Growth Deal Knab Redevelopment project in Shetland.

The area has an exceptional environment with coastal and island landscapes that are an important part of our national identity. It is rich in biodiversity, sustaining many internationally significant ecological sites, including the United Nations Educational, Scientific and Cultural Organization (UNESCO) Global Geoparks in the North West Highlands and Shetland, and Wester Ross UNESCO Biosphere Reserve and species including some of the best remaining temperate rainforest sites in Europe. It has a rich history, language and distinctive cultural heritage including the St Kilda and the Heart of Neolithic Orkney UNESCO World Heritage Sites. These key assets require careful management to ensure they continue to benefit communities.

There will be significant climate challenges for this part of Scotland. Island and coastal ecosystems, and the communities they support, are naturally more vulnerable to the effects of climate change, sea level rise and extreme events. Of particular concern are the impacts on vulnerable low-lying coastal zones and

infrastructure, with potentially wide-ranging effects from biodiversity loss to coastal erosion, flooding and landslips. If we do not take action to plan and build resilience, communities could suffer disproportionately from the impacts of climate change.

A climate and nature conscious approach to development of this area can help to tackle wider challenges. The Carbon Neutral Islands project will support six islands (Hoy, Islay, Great Cumbrae, Raasay, Barra and Yell) to become carbon neutral by 2040. This will act as a catalyst for further climate action across all Scottish islands to make more attractive, resilient and sustainable communities in the long-term.

The relatively high levels of community land ownership, particularly in the Outer Hebrides, and strong ties with the land and sea reflect this area's strong sense of place and local resilience. Scotland's National Islands Plan aims to grow the population and economy, improve transport and housing, and ensure island communities are served by the facilities, jobs, education and services they need to flourish. Environmental wellbeing, clean and affordable energy, strong communities, culture and identity are also priorities.

Around 94 of Scotland's 900 islands are permanently inhabited. The size and composition of each population has changed over the years and continues to do so. Whilst most recent estimates indicate population growth across the majority of local authority areas with islands, population change within each area is more complex, with areas of growth and depopulation varying between islands and coastal communities, and across different strata of the population. An ageing population in some parts of the area will mean that we need to do more to reverse past patterns of population decline and sustain local facilities and services that support rural and dispersed communities.

Public service provision, transport, energy consumption, fuel poverty, child poverty and housing, including its affordability, will continue to be significant challenges. Employment varies across the area, and can tend to rely on the public sector, tourism and lower wage sectors,



limiting the scope and choice of skilled jobs in some locations. It can be difficult to attract and retain a local workforce to support some jobs, underlining the importance of building skills and promoting fair work principles to support future investment. Language skills are also important in many areas where Gaelic is used by the community.

Challenges from the end of free movement and changing markets, and the agriculture and fishing industries, will need support to ensure long-term sustainability, but there are also substantial economic opportunities presented by developments in sectors such as renewable energy generation.

### Priorities

Alongside Scotland's marine planning authorities, we will work with the area's exceptional assets and natural resources to build a more resilient future for island and coastal communities. By guiding RSS and LDPs in this area, our strategy aims to:

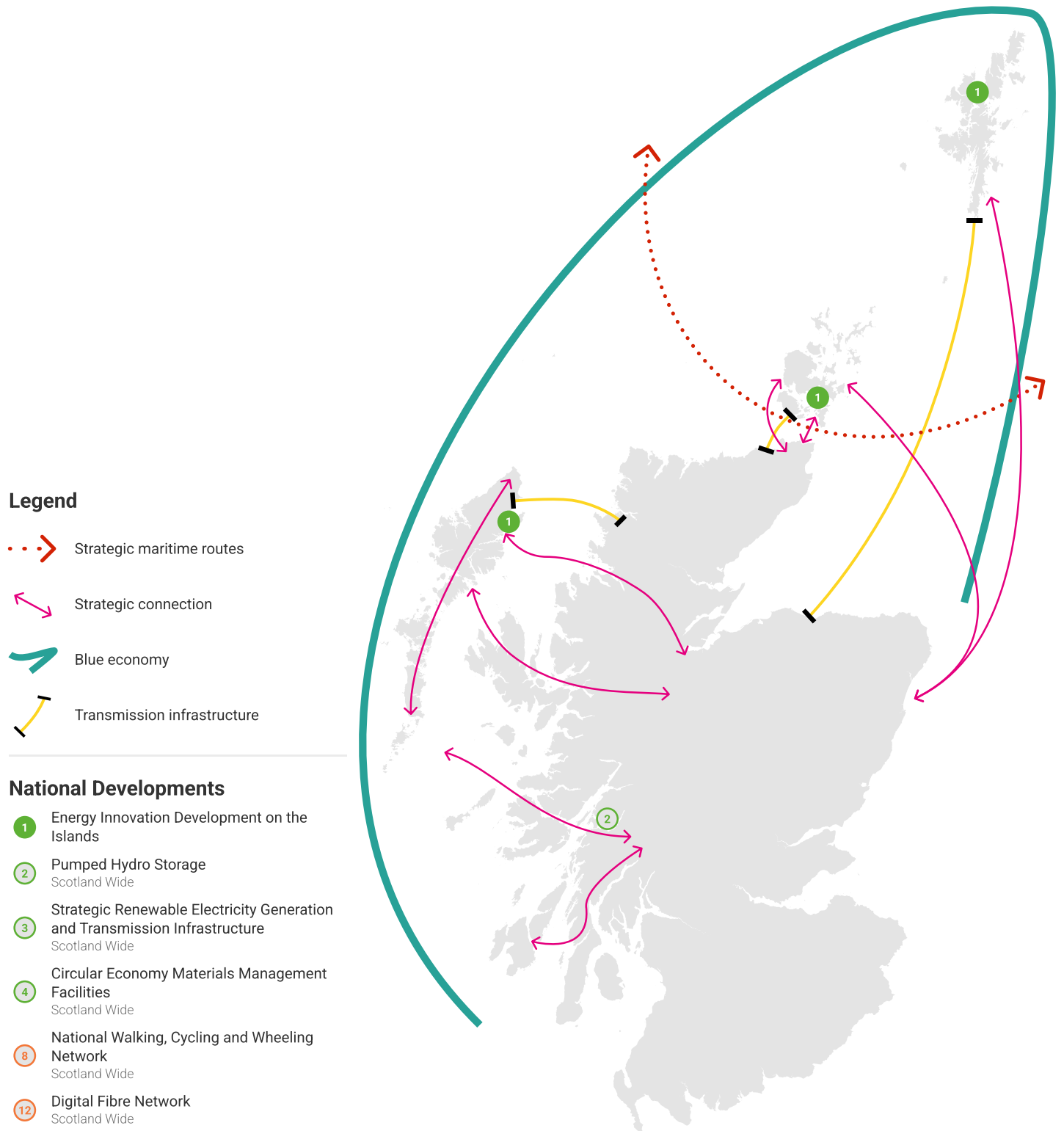
- Maximise the benefits of renewable energy whilst enhancing blue and green infrastructure, decarbonising transport and building resilient connections.
- Support coastal and island communities to become carbon neutral, thus contributing to net-zero commitments and reducing fuel poverty.
- Seize the opportunities to grow the blue and green economy, recognising the world-class environmental assets that require careful management and opportunities to develop skills and diversify employment.

The following national developments will support delivery of the spatial strategy for this area:

- [Energy Innovation Development on the Islands](#)
- [Pumped Hydro Storage](#)
- [Strategic Renewable Electricity Generation and Transmission Infrastructure](#)
- [Circular Economy Material Management Facilities](#)
- [National Walking, Cycling and Wheeling Network](#)
- [Digital Fibre Network](#)

Further detail about the priorities for this area is contained in [Annex C](#). Further details of national developments are contained in [Annex B](#).

# North and West Coast and Islands



Indicative

## North

The Highlands of Scotland, Moray, mainland Argyll, northern parts of rural Stirling and Perthshire are world renowned for their stunning landscapes, rich biodiversity and cultural heritage.

Settlement patterns vary, from dispersed or low density crofting townships, to key centres such as Inverness, Ullapool, Dingwall, Grantown-on-Spey, Aviemore, Elgin, Pitlochry and Aberfeldy. Cairngorms National Park is a national asset with internationally significant habitats and landscapes and there is currently a proposal to make the Flow Country a UNESCO World Heritage Site. The northern part of the Loch Lomond and The Trossachs National Park also extends into this area.

Emissions here are partly offset by the climate sequestration from land use and forestry so that the area acts as a net carbon sink overall. There are few sources of significant industrial emissions. Climate change risks include changing levels of rainfall, increased storm events, temperature rise, flood risk, rising sea levels and associated erosion. Tailored measures will be required to assist communities in adapting to climate change and transitioning to net zero.

This rural heartland is much more than a place of beauty and isolation. Many thriving communities live here, and they depend on local jobs and learning to support their quality of life. Some communities have experienced outmigration, particularly the loss of younger people, especially outwith Inverness. Further population decline is a future risk, particularly for the west and north. People often depend on the car and more limited access to services creates disadvantage, despite the quality of life and good health that many living here enjoy. An ageing population will put pressures on some services.

Parts of the area have recently experienced an accelerated increase in house prices. The pandemic has reinforced long standing issues of affordability and a more mobile remote workforce has been attracted to the area, adding increased pressure. Without intervention, access to affordable homes, jobs and services that enable local people, including young people, to stay in their communities could become more challenging. Fuel and transport poverty is a particular challenge towards the north and west and there are significant areas which do not currently benefit from good quality digital connectivity.

The area's environmental quality, culture, language, landscape and wildlife sustain key economic sectors including tourism, food and drink, distilling and clean energy. Extensive areas of woodland and peatland act as a carbon sink, contributing significantly to our national sustainability. The area has a strong economy with growing income and low unemployment overall, but there remain pockets of deprivation both in urban areas and in more remote areas where there is a need for alternatives to low skilled and low paid jobs.



## Priorities

This part of Scotland can continue to make a strong contribution towards meeting our ambition for a net zero and nature positive country by demonstrating how natural assets can be managed and used to secure a more sustainable future. By guiding RSS and LDPs in this area, our strategy aims to:

- Protect environmental assets and stimulate investment in natural and engineered solutions to climate change and nature restoration, whilst decarbonising transport and building resilient connections.
- Maintain and help to grow the population by taking a positive approach to rural development that strengthens networks of communities.
- Support local economic development by making sustainable use of the areas' world-class environmental assets to innovate and lead greener growth.


The following national developments will also support delivery of the spatial strategy for this area:

- [Pumped Hydro Storage](#)
- [Strategic Renewable Electricity Generation and Transmission Infrastructure](#)
- [Circular Economy Material Management Facilities](#)
- [National Walking, Cycling and Wheeling Network](#)
- [Digital Fibre Network](#)


Further detail about the priorities for this area is contained in [Annex C](#). Further details of national developments are contained in [Annex B](#).

# North

## Legend

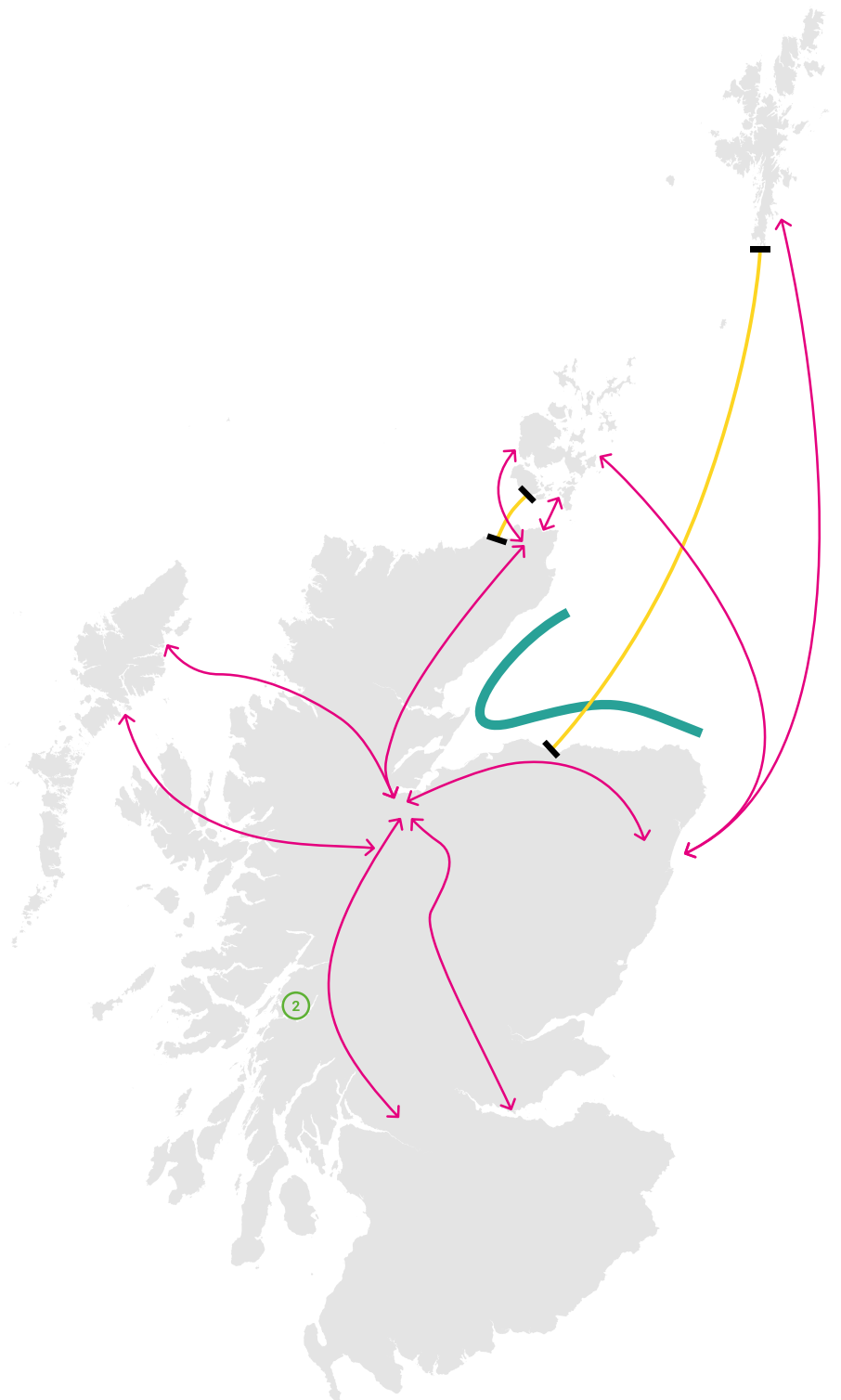
 Strategic connection

 Blue economy

 Transmission infrastructure

## National Developments

- 2 Pumped Hydro Storage  
Scotland Wide
- 3 Strategic Renewable Electricity Generation and Transmission Infrastructure  
Scotland Wide
- 4 Circular Economy Materials Management Facilities  
Scotland Wide
- 8 National Walking, Cycling and Wheeling Network  
Scotland Wide
- 12 Digital Fibre Network  
Scotland Wide



Indicative

## North East

The north east is a centre for the skills and expertise we will need to meet our climate change commitments. This area will evolve, through a just transition, to move industry and business away from the oil and gas sector towards a cleaner, greener future. Rich in natural assets, this area, along with the wider Moray and Cromarty Firths, has built on its oil and gas experience to pioneer new technologies. This makes it a uniquely investable proposition that could benefit Scotland as a whole. We can build on the area's experience to find innovative solutions to climate change.

Emissions generated from this area arise mainly from transport, industrial and commercial activity and domestic properties, with land use and forestry providing carbon sequestration. Car ownership is particularly high in Aberdeenshire. Significant parts of the coast will be vulnerable to future climate impacts.

This area is amongst the most prosperous parts of Scotland, but has experienced significant economic challenges in recent years and has pockets of deprivation. The area comprises a mix of rural and urban communities, with the city of Aberdeen and a surrounding network of towns including Huntly, Fraserburgh, Peterhead, Ellon, Inverurie and Stonehaven, and significant rural areas including countryside around Aberdeen city. Whilst parts of the area have experienced population decline, several settlements around Aberdeen have grown. Links from Aberdeenshire to communities in Moray, Angus and Tayside are also important.

Affordability and choice of homes is acute across the area, especially within Aberdeen. The growing proportion of retirees in Aberdeenshire presents a further challenge to housing and service delivery. There are lower levels of educational attainment and limited access to services for communities along the Aberdeenshire and Moray coast. Many of these places will benefit from further regeneration that builds on their identity and natural assets.

The excellent quality of the built environment, natural assets and cultural heritage already contribute to health and wellbeing in the area

and can form the basis of a transition to net zero. Some of our highest quality productive agricultural land is concentrated here, together with other land-based industries, and the economy benefits from a strong fishing industry, alongside its globally significant energy sector. The dominance of these sectors, together with wider changes including from the pandemic, European Union (EU) Exit and global markets, means that economic diversification and repurposing of buildings and infrastructure will be key priorities.

### Priorities

This part of Scotland will play a crucial role in achieving Just Transition to net zero. By guiding RSS and LDPs in this area, our strategy aims to:

- Plan infrastructure and investment to support the transition from oil and gas to net zero whilst protecting and enhancing blue and green infrastructure and decarbonising connectivity.
- Focus on continued regeneration through the principles of local living and 20 minute neighbourhoods to sustain the skilled workforce and improve local liveability.
- Support continued economic diversification and innovation.

The following national developments will also support delivery of the spatial strategy for this area:





- [Pumped Hydro Storage](#)
- [Strategic Renewable Electricity Generation and Transmission Infrastructure](#)
- [Circular Economy Material Management Facilities](#)
- [Urban Mass/Rapid Transit Networks](#)
- [National Walking, Cycling and Wheeling Network](#)
- [Digital Fibre Network](#)
- [Aberdeen Harbour](#)
- [Industrial Green Transition Zones](#)

Further detail about the priorities for this area is contained in [Annex C](#). Further details of national developments are contained in [Annex B](#).











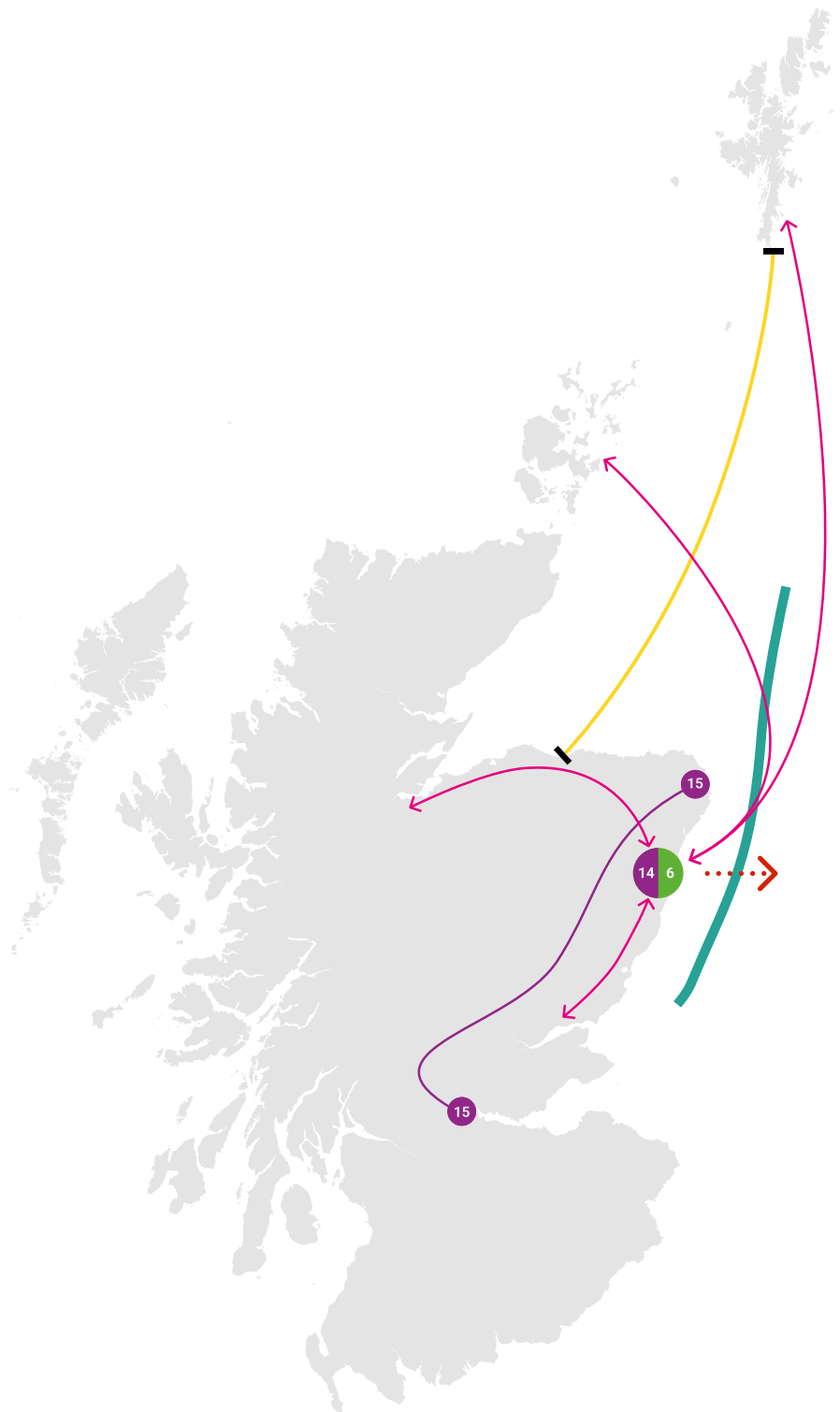
# North East

## Legend

-  Strategic maritime routes
-  Strategic connection
-  Blue economy
-  Transmission infrastructure

## National Developments

-  **2** Pumped Hydro Storage  
Scotland Wide
-  **3** Strategic Renewable Electricity Generation and Transmission Infrastructure  
Scotland Wide
-  **4** Circular Economy Materials Management Facilities  
Scotland Wide
-  **6** Urban Mass/Rapid Transit Networks  
Aberdeen, Edinburgh and Glasgow
-  **8** National Walking, Cycling and Wheeling Network  
Scotland Wide
-  **12** Digital Fibre Network  
Scotland Wide
-  **14** Aberdeen Harbour
-  **15** Industrial Green Transition Zones



Indicative

## Central

We will only meet our climate change commitments if we make significant changes to the densely populated central belt of Scotland. Our urban communities will play a critical role in reducing the emissions generated by the way we live our lives.

This area includes the Glasgow, Edinburgh, Stirling, Dundee and Perth city regions as well as networks of towns and smaller settlements, and more rural surroundings.

Many of our largest emitters of greenhouse gas emissions are located in this area, including Grangemouth where industrial activity is concentrated, providing high value manufacturing and employment, and playing a key role in our resilience. Other key sources include industrial, manufacturing and waste management sites and facilities. Overall emissions from domestic properties and transport are high as a result of the area's population density and the scale of daily movement within and between city regions. The growing risk of flooding could have significant impacts in the future, as many key settlements and economic assets are located on the Clyde, Forth and Tay estuaries.

We need to work together to decarbonise buildings and transport and tackle congestion, make more efficient use of existing land and buildings, generate renewable energy and establish supporting electricity and heat networks and create more inclusive, greener and sustainable places that will stand the test of time. By weaving blue and green infrastructure across our urban fabric we can ensure that nature and the outdoors are accessible to everyone, supporting lifelong health and wellbeing and creating places that are more resilient to flooding.

There are significant social and economic differences across the area – at a broad scale there are relatively high concentrations of poor health, child poverty, economic disadvantage and population decline in parts of the Glasgow city region contrasting with strong demand

and expected population growth in parts of the Edinburgh city region. The broad pattern is repeated for children living in poverty, who are more likely to live in the Glasgow city region. Across the area as a whole, however, there are localised areas of high and low deprivation.

As a nation we have a particular obligation to do more to tackle the concentration of poor health outcomes in west central Scotland. Action is needed to reduce inequality and improve health and wellbeing so that everyone is able to thrive. Better places can do more to support lifelong health and wellbeing by providing warm homes that are connected to services. Access to quality greenspace and nature-based solutions can help to mitigate health inequalities and improve physical and mental health, by providing opportunities for play, socialising, relaxation and physical activity. Developing our communities to promote local living and 20 minute neighbourhoods can help reduce inequalities in health. The frequency of urban car use can be reduced by improving local liveability and improved access to facilities, helping to reduce emissions and air pollution. Access to health and social care facilities will need to be built into our future places and can benefit from continuing investment in digital infrastructure and innovation.

Household projections show there will be a continuing demand for more homes across the most urban parts of Scotland. There has been a strong market, high levels of housebuilding and pressure on infrastructure in some 'hot spots' including the Edinburgh city region, Stirling and Falkirk, and Perth. In contrast, despite good connections and infrastructure capacity, it can be more challenging to encourage the market to deliver new homes particularly in parts of the west where unemployment is also higher.

There are also inequalities across each of the city regions, with local concentrations of economic deprivation and many former coalfield communities. Overall, economic performance is higher in Edinburgh and Glasgow and lower in surrounding areas including Inverclyde, Ayrshire, along parts of the Clyde Coast and Lanarkshire.

The diverse business base reflects nationally important sectors including financial services, business administration, life sciences, distribution and transport, retail and commercial, and manufacturing and production. City centres are experiencing significant challenges, caused or accelerated by the pandemic, but each retain a strong character and distinctive identity, offering opportunities for new business, homes, and services. Similar issues apply to the towns across this area.

A wellbeing economy goes beyond strategic investment sites to link more closely with the wellbeing of communities and their local environments. It will be critical to recognise the importance of anchor institutions who can support local investment in our places and natural and historic assets, provide education, employment and other services, and act as community hubs. Significant investment in our health and social care, justice and learning estates will continue to provide important sources of employment and income for smaller scale local businesses.

Around the area's settlements there are many high quality environments, from World Heritage Sites, historic burghs and conservation areas to protected biodiversity sites of international importance, ancient woodlands and areas of high landscape quality, including the coastline, country and national parks, and canals. This brings opportunities for outdoor recreation within a short distance of the majority of Scotland's population.

The coast is an integral part of the area's identity, combining natural and cultural heritage and acting as a focus for investment and regeneration. We have made progress in restoring and reusing areas that were historically a focus for heavy industry and mining, leaving a legacy of disused sites and areas blighted by dereliction. Key sites for further investment include urban waterfronts and former industrial sites where existing infrastructure can be reused to support the transition to a low carbon economy.

## Priorities

A coherent strategy that focuses on climate change and responds to the challenges of the pandemic will drive forward change to tackle inequalities and build a new, greener, future for this part of the country. By guiding RSS and LDPs in this area, our strategy aims to:

- Provide net zero energy solutions including extended heat networks and improved energy efficiency, together with urban greening and improved low carbon transport.
- Pioneer low carbon, resilient urban living by rolling out networks of 20 minute neighbourhoods, future proofing city and town centres, accelerating urban greening, investing in net zero homes, and managing development on the edge of settlements.
- Target economic investment and build community wealth to overcome disadvantage and support a greener wellbeing economy.

The following national developments will also support delivery of the spatial strategy for this area:




- [Pumped Hydro Storage](#)
- [Strategic Renewable Electricity Generation and Transmission Infrastructure](#)
- [Circular Economy Material Management Facilities](#)
- [Urban Sustainable, Blue and Green Drainage Solutions](#)
- [Urban Mass/Rapid Transit Networks](#)
- [Central Scotland Green Network](#)
- [National Walking, Cycling and Wheeling Network](#)
- [Edinburgh Waterfront](#)
- [Dundee Waterfront](#)
- [Digital Fibre Network](#)
- [Clyde Mission](#)
- [Industrial Green Transition Zones](#)
- [Hunterston Strategic Asset](#)
- [High Speed Rail](#)

Further detail about the priorities for this area is contained in [Annex C](#). Further details of national developments are contained in [Annex B](#).

















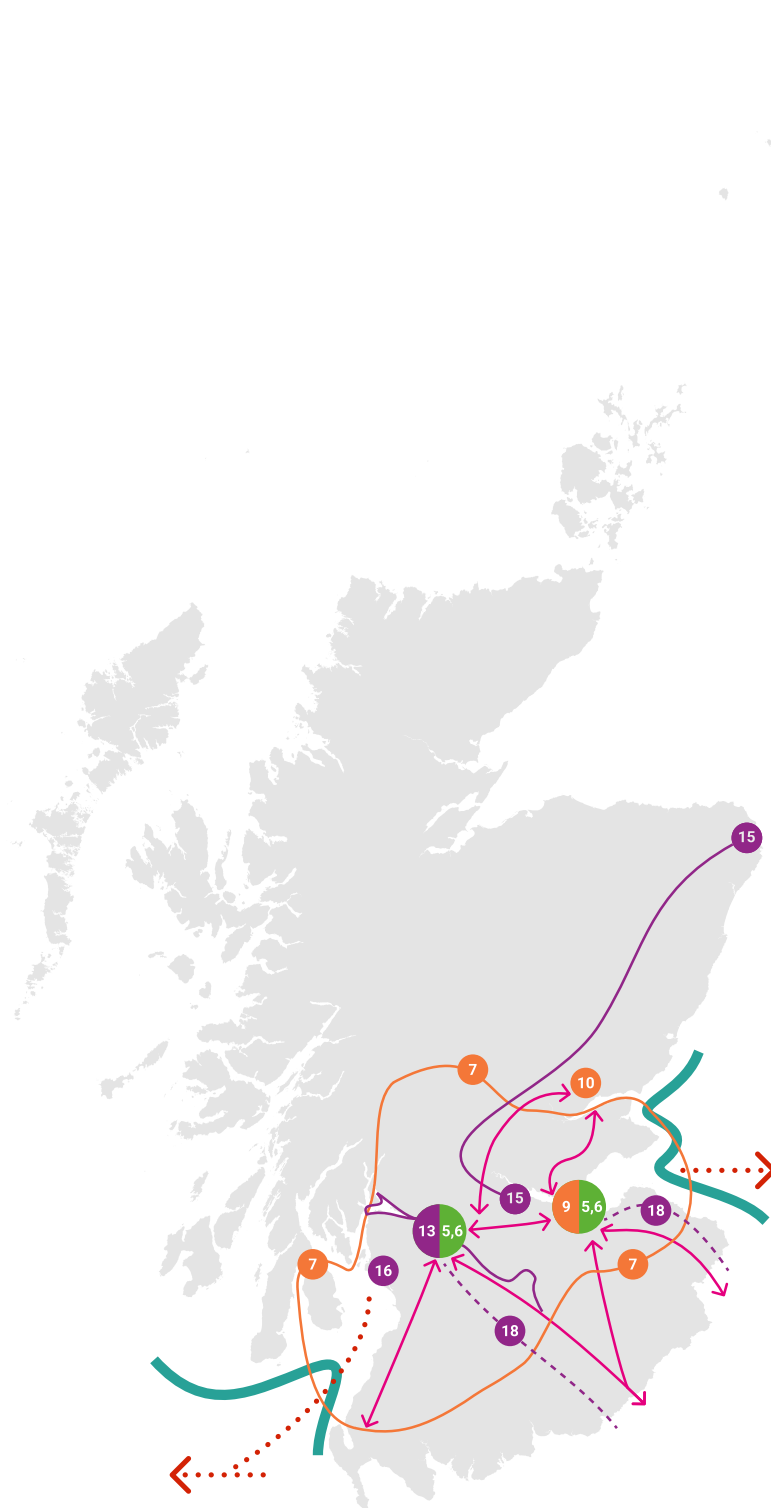
# Central

## Legend

-  Strategic maritime routes
-  Strategic connection
-  Blue economy

## National Developments

-  Pumped Hydro Storage  
Scotland Wide
-  Strategic Renewable Electricity Generation and Transmission Infrastructure  
Scotland Wide
-  Circular Economy Materials Management Facilities  
Scotland Wide
-  Urban Sustainable, Blue and Green Surface Water Management Solutions  
Edinburgh and Glasgow
-  Urban Mass/Rapid Transit Networks  
Aberdeen, Edinburgh and Glasgow
-  Central Scotland Green Network  
Mapping is indicative
-  National Walking, Cycling and Wheeling Network  
Scotland Wide
-  Edinburgh Waterfront
-  Dundee Waterfront
-  Digital Fibre Network  
Scotland Wide
-  Clyde Mission
-  Industrial Green Transition Zones
-  Hunterston Strategic Asset
-  High Speed Rail



Indicative

## South

The South of Scotland is strategically important with a strong sense of identity centred on networks of towns and villages, supported by distinctive landscapes and coasts. This is a place with a rich cultural heritage and exceptional environmental assets and natural resources, such as the Galloway and Southern Ayrshire UNESCO Biosphere and Galloway Forest Dark Sky Park. This area is ambitious for positive change in the coming years, and the immediate work to recover from the pandemic will form the basis of a longer term plan to respond to the challenges of climate change and support nature restoration and recovery.

Settlements across this area provide services to the surrounding rural communities. Towns are well placed to be models of sustainable living, with many undergoing regeneration. Larger settlements include Dumfries, Stranraer, Galashiels, Hawick, with a network of towns and villages throughout Dumfries and Galloway and the Scottish Borders. The area extends northwards to include Ayrshire towns such as Ayr, Girvan, Dalmellington and Cumnock in the west, as well as towards the southern rural parts of East Lothian in the east and parts of South Lanarkshire including Biggar and Moffat. Beyond the towns there are many small settlements and rural homes, farms and smallholdings.

Cross border relationships are important in this area, together with strategic transport connections to England, Northern Ireland and Ireland.

Emissions in this area are moderate, with transport and industry emissions being partly offset by land use. The area has significant areas of woodland and peatland which act as a carbon sink and form the basis for future investment opportunities. The few sites that are significant sources of greenhouse gas emissions include industrial and commercial activities, including some food and drink processing facilities. Coastal erosion and flood risk is expected to be a significant challenge in the future, particularly where there is a risk of impacts on key transport corridors or settlements.

Working with communities to find new ways of rural living that are consistent with climate change will be a challenge for this part of Scotland, given the relatively high levels of dependence on the car, limited public transport, housing affordability challenges and the dispersed population.

Despite having high levels of wellbeing and quality of life, population decline is projected to continue in some regions to the west of the area, with fewer younger people and more retired people living in the area in the future. Economic diversification will help to address dependence on low wage and public sector employment.

### Priorities

Our strategy aims to ensure that this part of Scotland fulfils its potential. There is significant potential for the area to develop and increase recognition of it as a place to live, work and visit. By guiding RSS and LDPs in this area, our strategy aims to:

- Protect environmental assets and stimulate investment in natural and engineered solutions to climate change and nature restoration, whilst decarbonising transport and building resilient physical and digital connections.
- Increase the population by improving local liveability, creating a low carbon network of towns and supporting sustainable rural development.
- Support local economic development whilst making sustainable use of the area's world-class environmental assets to innovate and lead greener growth.

The following national developments will also support delivery of the spatial strategy for this area:




- [Pumped Hydro Storage](#)
- [Strategic Renewable Electricity Generation and Transmission Infrastructure](#)
- [Circular Economy Material Management Facilities](#)
- [National Walking, Cycling and Wheeling Network](#)
- [Stranraer Gateway](#)
- [Digital Fibre Network](#)
- [Clyde Mission](#)
- [Chapelcross Power Station Redevelopment](#)
- [High Speed Rail](#)

Further detail about the priorities for this area is contained in [Annex C](#). Further details of national developments are contained in [Annex B](#).











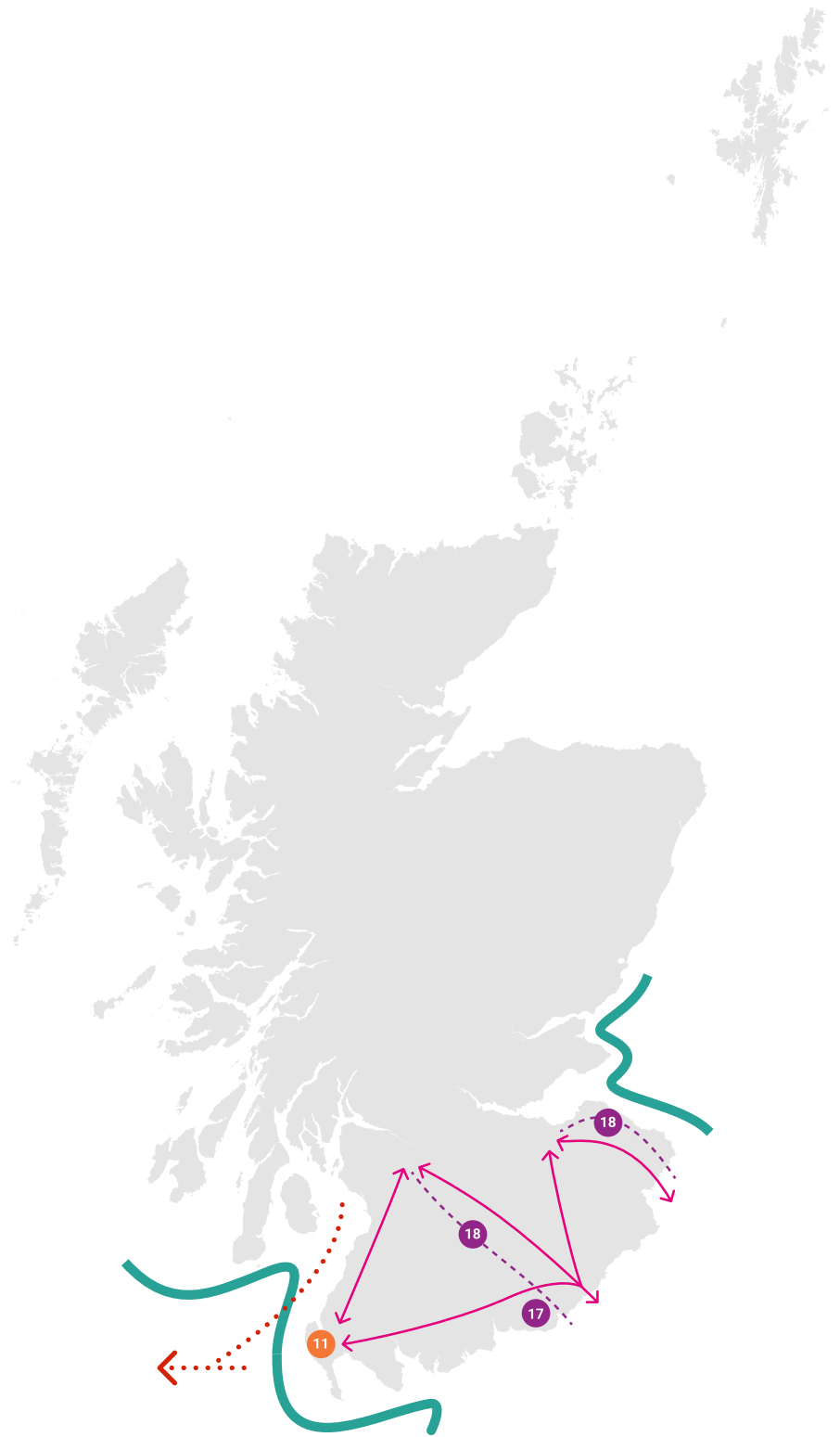
# South

## Legend

-  Strategic maritime routes
-  Strategic connection
-  Blue economy

## National Developments

-  Pumped Hydro Storage  
Scotland Wide
-  Strategic Renewable Electricity Generation and Transmission Infrastructure  
Scotland Wide
-  Circular Economy Materials Management Facilities  
Scotland Wide
-  National Walking, Cycling and Wheeling Network  
Scotland Wide
-  Stranraer Gateway
-  Digital Fibre Network  
Scotland Wide
-  Chapelcross Power Station Redevelopment
-  High Speed Rail



Indicative

# Part 2 – National Planning Policy



## Sustainable Places

### Tackling the climate and nature crises

#### Policy Principles

##### Policy Intent:

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

##### Policy Outcomes:

- Zero carbon, nature positive places.

##### Local Development Plans:

LDPs must address the global climate emergency and nature crisis by ensuring the spatial strategy will reduce emissions and adapt to current and future risks of climate change by promoting nature recovery and restoration in the area.

#### Policy 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

##### Policy impact:

- ✓ Just Transition
- ✓ Conserving and recycling assets
- ✓ Local living
- ✓ Compact urban growth
- ✓ Rebalanced development
- ✓ Rural revitalisation

##### Key policy connections:

All other policies.

## Climate mitigation and adaptation

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

#### Policy Outcomes:

- Emissions from development are minimised; and
- Our places are more resilient to climate change impacts.

#### Local Development Plans:

The LDP spatial strategy should be designed to reduce, minimise or avoid greenhouse gas emissions. The six spatial principles should form the basis of the spatial strategy, helping to guide development to, and create, sustainable locations. The strategy should be informed by an understanding of the impacts of the proposals on greenhouse gas emissions.

LDPs should support adaptation to the current and future impacts of climate change by taking into account climate risks, guiding development away from vulnerable areas, and enabling places to adapt to those risks.

### Policy 2

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

All other policies.



## Biodiversity

### Policy Principles

#### Policy Intent:

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

#### Policy Outcomes:

- Biodiversity is enhanced and better connected including through strengthened nature networks and nature-based solutions.

#### Local Development Plans:

LDPs should protect, conserve, restore and enhance biodiversity in line with the mitigation hierarchy. They should also promote nature recovery and nature restoration across the development plan area, including by: facilitating the creation of nature networks and strengthening connections between them to support improved ecological connectivity; restoring degraded habitats or creating new habitats; and incorporating measures to increase biodiversity, including populations of priority species.

### Policy 3

- Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:
  - the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
  - wherever feasible, nature-based solutions have been integrated and made best use of;
  - an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
  - significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and
  - local community benefits of the biodiversity and/or nature networks have been considered.
- Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.
- Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Natural places](#)

[Soils](#)

[Forestry, woodland and trees](#)

[Green belts](#)

[Coastal development](#)

[Energy](#)

[Design, quality and place](#)

[Blue and green infrastructure](#)

[Flood risk and water management](#)

## Natural places

### Policy Principles

#### Policy Intent:

To protect, restore and enhance natural assets making best use of nature-based solutions.

#### Policy Outcomes:

- Natural places are protected and restored.
- Natural assets are managed in a sustainable way that maintains and grows their essential benefits and services.

#### Local Development Plans:

LDPs will identify and protect locally, regionally, nationally and internationally important natural assets, on land and along coasts. The spatial strategy should safeguard them and take into account the objectives and level of their protected status in allocating land for development. Spatial strategies should also better connect nature rich areas by establishing and growing nature networks to help protect and restore the biodiversity, ecosystems and natural processes in their area.

### Policy 4

- Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.
  - Development proposals that are likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an “appropriate assessment” of the implications for the conservation objectives.
- Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest or a National Nature Reserve will only be supported where:
    - The objectives of designation and the overall integrity of the areas will not be compromised; or
    - Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.
  - Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:
    - Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
    - Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.
  - The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
  - Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.



g) Development proposals in areas identified as wild land in the Nature Scot Wild Land Areas map will only be supported where the proposal:

- i. will support meeting renewable energy targets; or,
- ii. is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area.

All such proposals must be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land, as well as any management and monitoring arrangements where appropriate. Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Soils](#)

[Forestry, woodland and trees](#)

[Historic assets and places](#)

[Green belts](#)

[Coastal development](#)

[Energy](#)

[Design, quality and place](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Flood risk and water management](#)

[Rural development](#)

[Tourism](#)

## Soils

### Policy Principles

#### Policy Intent:

To protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.

#### Policy Outcomes:

- Valued soils are protected and restored.
- Soils, including carbon-rich soils, are sequestering and storing carbon.
- Soils are healthy and provide essential ecosystem services for nature, people and our economy.

#### Local Development Plans:

LDPs should protect locally, regionally, nationally and internationally valued soils, including land of lesser quality that is culturally or locally important for primary use.

### Policy 5

- a) Development proposals will only be supported if they are designed and constructed:
    - i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
    - ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.
  - b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:
    - i. Essential infrastructure and there is a specific locational need and no other suitable site;
    - ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
  - iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
  - iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and
- In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.
- c) Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:
    - i. Essential infrastructure and there is a specific locational need and no other suitable site;
    - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;
    - iii. Small-scale development directly linked to a rural business, farm or croft;
    - iv. Supporting a fragile community in a rural or island area; or
    - v. Restoration of peatland habitats.
  - d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:
    - i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
    - ii. the likely effects of the development on peatland, including on soil disturbance; and
    - iii. the likely net effects of the development on climate emissions and loss of carbon.

This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.

- e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:
- i. the extracted peat is supporting the Scottish whisky industry;
  - ii. there is no reasonable substitute;
  - iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of peat of at least 1 metre across the whole site, including drainage features;
  - iv. the time period for extraction is the minimum necessary; and
  - v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Natural places](#)

[Forestry, woodland and trees](#)

[Historic assets and places](#)

[Energy](#)

[Blue and green infrastructure](#)

[Rural development](#)



## Forestry, woodland and trees

### Policy Principles

#### Policy Intent:

To protect and expand forests, woodland and trees.

#### Policy Outcomes:

- Existing woodlands and trees are protected, and cover is expanded.
- Woodland and trees on development sites are sustainably managed.

#### Local Development Plans:

LDPs should identify and protect existing woodland and the potential for its enhancement or expansion to avoid habitat fragmentation and improve ecological connectivity, helping to support and expand nature networks. The spatial strategy should identify and set out proposals for forestry, woodlands and trees in the area, including their development, protection and enhancement, resilience to climate change, and the expansion of a range of types to provide multiple benefits. This will be supported and informed by an up to date Forestry and Woodland Strategy.

### Policy 6

- Development proposals that enhance, expand and improve woodland and tree cover will be supported.
- Development proposals will not be supported where they will result in:
  - Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
  - Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
  - Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;
  - Conflict with Restocking Direction, Remedial Notice or Registered Notice to Comply issued by Scottish Forestry.

- Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.
- Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

#### Policy impact:

- ✓ Just Transition
- ✓ Conserving and recycling assets
- ✓ Rebalanced development
- ✓ Rural revitalisation

#### Key policy connections:

- [Tackling the climate and nature crises](#)
- [Climate mitigation and adaptation](#)
- [Biodiversity](#)
- [Natural places](#)
- [Soils](#)
- [Historic assets and places](#)
- [Green belts](#)
- [Energy](#)
- [Design, quality and place](#)
- [Local Living and 20 minute neighbourhoods](#)
- [Heat and cooling](#)
- [Blue and green infrastructure](#)
- [Play, recreation and sport](#)
- [Flood risk and water management](#)
- [Health and safety](#)
- [Tourism](#)

## Historic assets and places

### Policy Principles

#### Policy Intent:

To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

#### Policy Outcomes:

- The historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.
- Redundant or neglected historic buildings are brought back into sustainable and productive uses.
- Recognise the social, environmental and economic value of the historic environment, to our economy and cultural identity.

#### Local Development Plans:

LDPs, including through their spatial strategies, should support the sustainable management of the historic environment. They should identify, protect and enhance valued historic assets and places.

### Policy 7

a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

- b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the:
- i. building is no longer of special interest;
  - ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report;
  - iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or
  - iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.
- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
- i. architectural and historic character of the area;
  - ii. existing density, built form and layout; and
  - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
  - i. reasonable efforts have been made to retain, repair and reuse the building;
  - ii. the building is of little townscape value;
  - iii. the structural condition of the building prevents its retention at a reasonable cost; or
  - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
  - i. direct impacts on the scheduled monument are avoided;
  - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
  - iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.
- l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.
- m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.
- n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:
  - i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
  - ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.
- o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.



Where impacts cannot be avoided they should be minimised. Where it has been demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required through the use of conditions or legal/planning obligations.

When new archaeological discoveries are made during the course of development works, they must be reported to the planning authority to enable agreement on appropriate inspection, recording and mitigation measures.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Natural places](#)

[Forestry, woodland and trees](#)

[Green belts](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Coastal development](#)

[Energy](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Quality homes](#)

[Rural homes](#)

[Blue and green infrastructure](#)

[Flood risk and water management](#)

[Digital infrastructure](#)

[Community wealth building](#)

[City, town, local and commercial centres](#)

[Rural development](#)

[Tourism](#)

[Culture and creativity](#)

## Green belts

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably.

#### Policy Outcomes:

- Development is directed to the right locations, urban density is increased and unsustainable growth is prevented.
- The character, landscape, natural setting and identity of settlements is protected and enhanced.
- Nature networks are supported and land is managed to help tackle climate change.

#### Local Development Plans:

LDPs should consider using green belts, to support their spatial strategy as a settlement management tool to restrict development around towns and cities.

Green belts will not be necessary for most settlements but may be zoned around settlements where there is a significant danger of unsustainable growth in car-based commuting or suburbanisation of the countryside.

Green belts should be identified or reviewed as part of the preparation of LDPs. Boundary changes may be made to accommodate planned growth, or to extend, or alter the area covered as green belt. Detailed green belt boundaries should be based on evidence and should be clearly identified in plans.

### Policy 8

- a) Development proposals within a green belt designated within the LDP will only be supported if:
- they are for:
    - development associated with agriculture, woodland creation, forestry and existing woodland (including community woodlands);
    - residential accommodation required and designed for a key worker in a primary industry within the immediate vicinity of their place of employment where the presence of a worker is essential to the operation of the enterprise, or retired workers where there is no suitable alternative accommodation available;
    - horticulture, including market gardening and directly connected retailing, as well as community growing;
    - outdoor recreation, play and sport or leisure and tourism uses; and developments that provide opportunities for access to the open countryside (including routes for active travel and core paths);
    - flood risk management (such as development of blue and green infrastructure within a “drainage catchment” to manage/mitigate flood risk and/or drainage issues);
    - essential infrastructure or new cemetery provision;
    - minerals operations and renewable energy developments;
    - intensification of established uses, including extensions to an existing building where that is ancillary to the main use;
    - the reuse, rehabilitation and conversion of historic environment assets; or
    - one-for-one replacements of existing permanent homes.
- and

ii) the following requirements are met:

- reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;
- the purpose of the green belt at that location is not undermined;
- the proposal is compatible with the surrounding established countryside and landscape character;
- the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and
- there will be no significant long-term impacts on the environmental quality of the green belt.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Natural places](#)

[Forestry, woodland and trees](#)

[Historic assets and places](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Energy](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Quality homes](#)

[Rural homes](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Flood risk and water management](#)

[Digital infrastructure](#)

[Business and industry](#)

[Rural development](#)

[Retail](#)

[Tourism](#)

[Minerals](#)



## Brownfield, vacant and derelict land and empty buildings

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

#### Policy Outcomes:

- Development is directed to the right locations, maximising the use of existing assets and minimising additional land take.
- The contribution of brownfield land to nature recovery is recognised and opportunities for use as productive greenspace are realised where appropriate.
- Derelict buildings and spaces are regenerated to improve wellbeing and transform our places.

#### Local Development Plans:

LDPs should set out opportunities for the sustainable reuse of brownfield land including vacant and derelict land and empty buildings.

### Policy 9

- a) Development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- b) Proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP.

- c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

#### Policy impact:

- ✓ Just Transition
- ✓ Conserving and recycling assets
- ✓ Local living
- ✓ Compact urban growth
- ✓ Rebalanced development

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Historic assets and places](#)

[Zero waste](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Quality homes](#)

[Rural homes](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Health and safety](#)

[Business and industry](#)

[City, town, local and commercial centres](#)

[Rural development](#)

[Culture and creativity](#)

## Coastal development

### Policy Principles

#### Policy Intent:

To protect coastal communities and assets and support resilience to the impacts of climate change.

#### Policy Outcomes:

- Coastal areas develop sustainably and adapt to climate change.

### Local Development Plans:

LDP spatial strategies should consider how to adapt coastlines to the impacts of climate change. This should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and islands areas, and take a precautionary approach to flood risk including by inundation. Spatial strategies should reflect the diversity of coastal areas and opportunities to use nature-based solutions to improve the resilience of coastal communities and assets. LDP spatial strategies should identify areas of developed and undeveloped coast and should align with national, sectoral and regional marine plans.

### Policy 10

- a) Development proposals in developed coastal areas will only be supported where the proposal:
  - i. does not result in the need for further coastal protection measures taking into account future sea level change; or increase the risk to people of coastal flooding or coastal erosion, including through the loss of natural coastal defences including dune systems; and
  - ii. is anticipated to be supportable in the long-term, taking into account projected climate change.
- b) Development proposals in undeveloped coastal areas will only be supported where they:
  - i. are necessary to support the blue economy, net zero emissions or to contribute to the economy or wellbeing of communities whose livelihood depend on marine or coastal activities, or is for essential infrastructure, where there is a specific locational need and no other suitable site;
  - ii. do not result in the need for further coastal protection measures taking into account future sea level change; or increase the risk to people of coastal flooding or coastal erosion, including through the loss of natural coastal defences including dune systems; and
  - iii. are anticipated to be supportable in the long-term, taking into account projected climate change; or
  - iv. are designed to have a very short lifespan.
- c) Development proposals for coastal defence measures will be supported if:
  - i. they are consistent with relevant coastal or marine plans;
  - ii. nature-based solutions are utilised and allow for managed future coastal change wherever practical; and
  - iii. any in-perpetuity hard defense measures can be demonstrated to be necessary to protect essential assets.
- d) Where a design statement is submitted with any planning application that may impact on the coast it will take into account, as appropriate, long-term coastal vulnerability and resilience.

**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Natural places](#)

[Energy](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Flood risk and water management](#)

[Rural development](#)

[Tourism](#)

[Aquaculture](#)



## Energy

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).

#### Policy Outcomes:

- Expansion of renewable, low-carbon and zero emissions technologies.

#### Local Development Plans:

LDPs should seek to realise their area's full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development.

### Policy 11

- a) Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:
  - i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;
  - ii. enabling works, such as grid transmission and distribution infrastructure;
  - iii. energy storage, such as battery storage and pumped storage hydro;
  - iv. small scale renewable energy generation technology;
  - v. solar arrays;
  - vi. proposals associated with negative emissions technologies and carbon capture; and
  - vii. proposals including co-location of these technologies.
- b) Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.
- c) Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- d) Development proposals that impact on international or national designations will be assessed in relation to Policy 4.
- e) In addition, project design and mitigation will demonstrate how the following impacts are addressed:
  - i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;
  - ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;
  - iii. public access, including impact on long distance walking and cycling routes and scenic routes;
  - iv. impacts on aviation and defence interests including seismological recording;
  - v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
  - vi. impacts on road traffic and on adjacent trunk roads, including during construction;
  - vii. impacts on historic environment;
  - viii. effects on hydrology, the water environment and flood risk;
  - ix. biodiversity including impacts on birds;
  - x. impacts on trees, woods and forests;
  - xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;
  - xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and
  - xiii. cumulative impacts.

In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.

Grid capacity should not constrain renewable energy development. It is for developers to agree connections to the grid with the relevant network operator. In the case of proposals for grid infrastructure, consideration should be given to underground connections where possible.

- f) Consents for development proposals may be time-limited. Areas identified for wind farms are, however, expected to be suitable for use in perpetuity.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Rebalanced development

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Natural places](#)

[Forestry, woodland and trees](#)

[Soils](#)

[Historic assets and places](#)

[Green belts](#)

[Infrastructure first](#)

[Heat and cooling](#)

[Community wealth building](#)

## Zero waste

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate development that is consistent with the waste hierarchy.

#### Policy Outcomes:

- The reduction and reuse of materials in construction is prioritised.
- Infrastructure for zero waste and to develop Scotland's circular economy is delivered in appropriate locations.

#### Local Development Plans:

LDPs should identify appropriate locations for new waste management infrastructure to support the circular economy and meet identified needs in a way that moves waste as high up the waste hierarchy as possible.

### Policy 12

- a) Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- b) Development proposals will be supported where they:
  - i. reuse existing buildings and infrastructure;
  - ii. minimise demolition and salvage materials for reuse;
  - iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
  - iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
  - v. use materials that are suitable for reuse with minimal reprocessing.
- c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
  - i. provision to maximise waste reduction and waste separation at source, and
  - ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.
- d) Development proposals for waste infrastructure and facilities (except landfill and energy from waste facilities) will be only supported where:
  - i. there are no unacceptable impacts (including cumulative) on the residential amenity of nearby dwellings, local communities; the transport network; and natural and historic environment assets;
  - ii. environmental (including cumulative) impacts relating to noise, dust, smells, pest control and pollution of land, air and water are acceptable;
  - iii. any greenhouse gas emissions resulting from the processing and transportation of waste to and from the facility are minimised;
  - iv. an adequate buffer zone between sites and sensitive uses such as homes is provided taking account of the various environmental effects likely to arise;
  - v. a restoration and aftercare scheme (including appropriate financial mechanisms) is provided and agreed to ensure the site is restored;
  - vi. consideration has been given to co-location with end users of outputs.
- e) Development proposals for new or extended landfill sites will only be supported if:
  - i. there is demonstrable need for additional landfill capacity taking into account Scottish Government objectives on waste management; and
  - ii. waste heat and/or electricity generation is included. Where this is considered impractical, evidence and justification will require to be provided.



- f) Proposals for the capture, distribution or use of gases captured from landfill sites or waste water treatment plant will be supported.
- g) Development proposals for energy-from-waste facilities will not be supported except under limited circumstances where a national or local need has been sufficiently demonstrated (e.g. in terms of capacity need or carbon benefits) as part of a strategic approach to residual waste management and where the proposal:
- i. is consistent with climate change mitigation targets and in line with circular economy principles;
  - ii. can demonstrate that a functional heat network can be created and provided within the site for appropriate infrastructure to allow a heat network to be developed and potential local consumers have been identified;
  - iii. is supported by a heat and power plan, which demonstrates how energy recovered from the development would be used to provide electricity and heat and where consideration is given to methods to reduce carbon emissions of the facility (for example through carbon capture and storage)
  - iv. complies with relevant guidelines published by Scottish Environment Protection Agency (SEPA); and
  - v. has supplied an acceptable decarbonisation strategy aligned with Scottish Government decarbonisation goals.

**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Compact urban growth

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Energy](#)

[Infrastructure first](#)

[Heat and cooling](#)

[Community wealth building](#)

[Minerals](#)

## Sustainable transport

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

#### Policy Outcomes:

- Investment in transport infrastructure supports connectivity and reflects place-based approaches and local living.
- More, better, safer and more inclusive active and sustainable travel opportunities.
- Developments are in locations which support sustainable travel.

#### Local Development Plans:

LDPs should prioritise locations for future development that can be accessed by sustainable modes. The spatial strategy should reflect the sustainable travel hierarchy and sustainable investment hierarchy by making best use of existing infrastructure and services.

LDPs should promote a place-based approach to consider how to reduce car-dominance. This could include low traffic schemes, shared transport options, designing-in speed controls, bus/cycle priority, pedestrianisation and minimising space dedicated to car parking. Consideration should be given to the type, mix and use of development; local living and 20 minute neighbourhoods; car ownership levels; the accessibility of proposals and allocations by sustainable modes; and the accessibility for users of all abilities.

LDPs should be informed by an appropriate and effective transport appraisal undertaken in line with relevant transport appraisal guidance. Plans should be informed by evidence of the area's transport infrastructure capacity, and an appraisal of the spatial strategy on the transport network. This should identify any potential cumulative transport impacts and deliverable

mitigation proposed to inform the plan's infrastructure first approach. Where there is likely to be an impact on the trunk road or rail network, early engagement with Transport Scotland is required.

### Policy 13

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
  - i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
  - ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.
  - iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).
- b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
  - i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
  - ii. Will be accessible by public transport, ideally supporting the use of existing services;
  - iii. Integrate transport modes;
  - iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
  - v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
  - vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;

- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
  - viii. Adequately mitigate any impact on local public access routes.
- c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.
- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.
- e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.
- g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

- [Tackling the climate and nature crises](#)
- [Climate mitigation and adaptation](#)
- [Design, quality and place](#)
- [Local Living and 20 minute neighbourhoods](#)
- [Infrastructure first](#)
- [Quality homes](#)
- [Rural homes](#)
- [Blue and green infrastructure](#)
- [Business and industry](#)
- [City, town, local and commercial centres](#)
- [Retail](#)
- [Rural development](#)
- [Tourism](#)





## Liveable Places

### Design, quality and place

#### Policy Principles

##### Policy Intent:

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

##### Policy Outcomes:

- Quality places, spaces and environments.
- Places that consistently deliver healthy, pleasant, distinctive, connected, sustainable and adaptable qualities.

##### Local Development Plans:

LDPs should be place-based and created in line with the Place Principle. The spatial strategy should be underpinned by the [six qualities of successful places](#). LDPs should provide clear expectations for design, quality and place taking account of the local context, characteristics and connectivity of the area. They should also identify where more detailed design guidance is expected, for example, by way of design frameworks, briefs, masterplans and design codes.

Planning authorities should use the Place Standard tool in the preparation of LDPs and design guidance to engage with communities and other stakeholders. They should also where relevant promote its use in early design discussions on planning applications.

#### Policy 14

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

**Healthy:** Supporting the prioritisation of women's safety and improving physical and mental health.

**Pleasant:** Supporting attractive natural and built spaces.

**Connected:** Supporting well connected networks that make moving around easy and reduce car dependency

**Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

**Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

**Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Further details on delivering the [six qualities of successful places](#) are set out in Annex D.

- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[All other policies.](#)

## Local Living and 20 minute neighbourhoods

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

#### Policy Outcomes:

- Places are planned to improve local living in a way that reflects local circumstances.
- A network of high-quality, accessible, mixed-use neighbourhoods which support health and wellbeing, reduce inequalities and are resilient to the effects of climate change.
- New and existing communities are planned together with homes and the key local infrastructure including schools, community centres, local shops, greenspaces, health and social care, digital and sustainable transport links.

#### Local Development Plans:

LDPs should support local living, including 20 minute neighbourhoods within settlements, through the spatial strategy, associated site briefs and masterplans. The approach should take into account the local context, consider the varying settlement patterns and reflect the particular characteristics and challenges faced by each place. Communities and businesses will have an important role to play in informing this, helping to strengthen local living through their engagement with the planning system.

#### Policy 15

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development

with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

#### Policy impact:

- ✓ Just Transition
- ✓ Conserving and recycling assets
- ✓ Local living
- ✓ Compact urban growth
- ✓ Rebalanced development
- ✓ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Infrastructure first](#)

[Quality homes](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Community wealth building](#)

[City, town, local and commercial centres](#)

[Retail](#)



## Quality homes

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

#### Policy Outcomes:

- Good quality homes are at the heart of great places and contribute to strengthening the health and wellbeing of communities.
- Provision of land in the right locations to accommodate future need and demand for new homes, supported by the appropriate infrastructure.
- More energy efficient, net zero emissions homes, supporting a greener, fairer and more inclusive wellbeing economy and community wealth building, tackling both fuel and child poverty.

#### Local Development Plans:

LDPs are expected to identify a Local Housing Land Requirement for the area they cover. This is to meet the duty for a housing target and to represent how much land is required. To promote an ambitious and plan-led approach, the Local Housing Land Requirement is expected to exceed the 10 year [Minimum All-Tenure Housing Land Requirement \(MATHLR\) set out in Annex E](#).

Deliverable land should be allocated to meet the 10 year Local Housing Land Requirement in locations that create quality places for people to live. Areas that may be suitable for new homes beyond 10 years are also to be identified. The location of where new homes are allocated should be consistent with local living including, where relevant, 20 minute neighbourhoods and an infrastructure first approach. In rural and island areas, authorities are encouraged to set out tailored approaches to housing which

reflect locally specific market circumstances and delivery approaches. Diverse needs and delivery models should be taken into account across all areas, as well as allocating land to ensure provision of accommodation for Gypsy/Travellers and Travelling Showpeople where need is identified.

The LDP delivery programme is expected to establish a deliverable housing land pipeline for the Local Housing Land Requirement. The purpose of the pipeline is to provide a transparent view of the phasing of housing allocations so that interventions, including infrastructure, that enable delivery can be planned: it is not to stage permissions. Representing when land will be brought forward, phasing is expected across the short (1-3 years), medium (4-6 years) and long-term (7-10 years). Where sites earlier in the deliverable housing land pipeline are not delivering as programmed, and alternative delivery mechanisms identified in the delivery programme are not practical, measures should be considered to enable earlier delivery of long-term deliverable sites (7-10 years) or areas identified for new homes beyond 10 years. De-allocations should be considered where sites are no longer deliverable. The annual Housing Land Audit will monitor the delivery of housing land to inform the pipeline and the actions to be taken in the delivery programme.

#### Policy 16

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
  - i. meeting local housing requirements, including affordable homes;
  - ii. providing or enhancing local infrastructure, facilities and services; and
  - iii. improving the residential amenity of the surrounding area.

- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
- i. self-provided homes;
  - ii. accessible, adaptable and wheelchair accessible homes;
  - iii. build to rent;
  - iv. affordable homes;
  - v. a range of size of homes such as those for larger families;
  - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
  - vii. homes for people undertaking further and higher education; and
  - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
- i. a higher contribution is justified by evidence of need, or
  - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.
- The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and
  - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
  - iii. and either:
    - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
    - the proposal is consistent with policy on rural homes; or
    - the proposal is for smaller scale opportunities within an existing settlement boundary; or
    - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- g) Householder development proposals will be supported where they:
- i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
  - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Green belts](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Heat and cooling](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Rural homes](#)

[Health and safety](#)

[City, town, local and commercial centres](#)



## Rural homes

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.

#### Policy Outcomes:

- Improved choice of homes across tenures so that identified local needs of people and communities in rural and island areas are met.
- Homes are provided that support sustainable rural communities and are linked with service provision.
- The distinctive character, sense of place and natural and cultural assets of rural areas are safeguarded and enhanced.

#### Local Development Plans:

LDPs should be informed by an understanding of population change over time, locally specific needs and market circumstances in rural and island areas.

LDPs should set out tailored approaches to rural housing and where relevant include proposals for future population growth – including provision for small-scale housing such as crofts and woodland crofts and the appropriate resettlement of previously inhabited areas. The Scottish Government's 6 fold Urban Rural Classification 2020 should be used to identify remote rural areas. Plans should reflect locally appropriate delivery approaches. Previously inhabited areas that are suitable for resettlement should be identified in the spatial strategy.

### Policy 17

- a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:
- i. is on a site allocated for housing within the LDP;
  - ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
  - iii. reuses a redundant or unused building;
  - iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
  - v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
  - vi. is for a single home for the retirement succession of a viable farm holding;
  - vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
  - viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.
- b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.
- c) Development proposals for new homes in remote rural areas will be supported where the proposal:
- i. supports and sustains existing fragile communities;
  - ii. supports identified local housing outcomes; and

- iii. is suitable in terms of location, access, and environmental impact.
- d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:
- i. is in an area identified in the LDP as suitable for resettlement;
  - ii. is designed to a high standard;
  - iii. responds to its rural location; and
  - iv. is designed to minimise greenhouse gas emissions as far as possible.

### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Natural places](#)

[Historic assets and places](#)

[Green belts](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Coastal development](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Quality homes](#)

[City, town, local and commercial centres](#)

[Rural development](#)

[Tourism](#)

## Infrastructure first

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

#### Policy Outcomes:

- Infrastructure considerations are integral to development planning and decision making and potential impacts on infrastructure and infrastructure needs are understood early in the development planning process as part of an evidenced based approach.
- Existing infrastructure assets are used sustainably, prioritising low-carbon solutions.
- Infrastructure requirements, and their planned delivery to meet the needs of communities, are clear.

#### Local Development Plans:

LDPs and delivery programmes should be based on an integrated infrastructure first approach. Plans should:

- be informed by evidence on infrastructure capacity, condition, needs and deliverability within the plan area, including cross boundary infrastructure;
- set out the infrastructure requirements to deliver the spatial strategy, informed by the evidence base, identifying the infrastructure priorities, and where, how, when and by whom they will be delivered; and
- indicate the type, level (or method of calculation) and location of the financial or in-kind contributions, and the types of development from which they will be required.

Plans should align with relevant national, regional and local infrastructure plans and policies and take account of the Scottish Government infrastructure investment hierarchy and sustainable travel and investment hierarchies in developing the spatial strategy. Consistent early engagement and collaboration between relevant stakeholders will better inform decisions on land use and investment.

#### Policy 18

- a) Development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.
- b) The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. Where planning conditions, planning obligations, or other legal agreements are to be used, the relevant tests will apply.

Where planning obligations are entered into, they should meet the following tests:

- be necessary to make the proposed development acceptable in planning terms
- serve a planning purpose
- relate to the impacts of the proposed development
- fairly and reasonably relate in scale and kind to the proposed development
- be reasonable in all other respects

Planning conditions should only be imposed where they meet all of the following tests. They should be:

- necessary
- relevant to planning
- relevant to the development to be permitted
- enforceable
- precise
- reasonable in all other respects



**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Energy](#)

[Zero waste](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Heat and cooling](#)

[Quality homes](#)

[Rural homes](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Flood risk and water management](#)

[Health and safety](#)

[Digital infrastructure](#)

[Business and industry](#)

[City, town, local and commercial centres](#)

[Rural development](#)

## Heat and cooling

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate development that supports decarbonised solutions to heat and cooling demand and ensure adaptation to more extreme temperatures.

#### Policy Outcomes:

- Development is connected to expanded heat networks which use and store heat from low or zero emission sources.
- Buildings and places are adapted to more extreme temperatures.

#### Local Development Plans:

LDPs should take into account the area's Local Heat & Energy Efficiency Strategy (LHEES). The spatial strategy should take into account areas of heat network potential and any designated Heat Network Zones (HNZ).

### Policy 19

- Development proposals within or adjacent to a Heat Network Zone identified in a LDP will only be supported where they are designed and constructed to connect to the existing heat network.
- Proposals for retrofitting a connection to a heat network will be supported.
- Where a heat network is planned but not yet in place, development proposals will only be supported where they are designed and constructed to allow for cost-effective connection at a later date.
- National and major developments that will generate waste or surplus heat and which are located in areas of heat demand, will be supported providing wider considerations, including residential amenity, are not adversely impacted. A Heat and Power Plan should demonstrate how energy recovered from the development will be used to produce electricity and heat.

- Development proposals for energy infrastructure will be supported where they:
  - repurpose former fossil fuel infrastructure for the production or handling of low carbon energy;
  - are within or adjacent to a Heat Network Zone; and
  - can be cost-effectively linked to an existing or planned heat network.
- Development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.

#### Policy impact:

- ✓ Just Transition
- ✓ Conserving and recycling assets
- ✓ Rebalanced development

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Energy](#)

[Zero waste](#)

[Infrastructure first](#)

[Blue and green infrastructure](#)

[Business and industry](#)

## Blue and green infrastructure

### Policy Principles

#### Policy Intent:

To protect and enhance blue and green infrastructure and their networks.

#### Policy Outcomes:

- Blue and green infrastructure are an integral part of early design and development processes; are designed to deliver multiple functions including climate mitigation, nature restoration, biodiversity enhancement, flood prevention and water management.
- Communities benefit from accessible, high quality blue, green and civic spaces.

#### Local Development Plans:

LDPs should be informed by relevant, up-to-date audits and/or strategies, covering the multiple functions and benefits of blue and green infrastructure. The spatial strategy should identify and protect blue and green infrastructure assets and networks; enhance and expand existing provision including new blue and/or green infrastructure. This may include retrofitting. Priorities for connectivity to other blue and/or green infrastructure assets, including to address cross-boundary needs and opportunities, should also be identified.

LDPs should encourage the permanent or temporary use of unused or under-used land as green infrastructure. Where this is temporary, this should not prevent future development potential from being realised.

LDPs should safeguard access rights and core paths, including active travel routes, and encourage new and enhanced opportunities for access linked to wider networks.

### Policy 20

- a) Development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.
- b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate, this will be an integral element of the design that responds to local circumstances.

Design will take account of existing provision, new requirements and network connections (identified in relevant strategies such as the Open Space Strategies) to ensure the proposed blue and/or green infrastructure is of an appropriate type(s), quantity, quality and accessibility and is designed to be multi-functional and well integrated into the overall proposals.

- c) Development proposals in regional and country parks will only be supported where they are compatible with the uses, natural habitats, and character of the park.
- d) Development proposals for temporary open space or green space on unused or under-used land will be supported.
- e) Development proposals that include new or enhanced blue and/or green infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.



**Policy impact:**

- ✔ Just Transition
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Natural places](#)

[Soils](#)

[Forestry, woodland and trees](#)

[Historic assets and places](#)

[Green belts](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Heat and cooling](#)

[Quality homes](#)

[Play, recreation and sport](#)

[Flood risk and water management](#)

[Health and safety](#)

[City, town, local and commercial centres](#)

[Rural development](#)

## Play, recreation and sport

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate spaces and opportunities for play, recreation and sport.

#### Policy Outcomes:

- Natural and built environments are improved, with more equitable access to opportunities for play and recreation.
- Physical and mental health are improved through provision of, and access to, outdoor recreation, play and sport facilities.

#### Local Development Plans:

LDPs should identify sites for sports, play and outdoor recreation for people of all ages. This should be based on an understanding of the needs and demand in the community and informed by the planning authority's Play Sufficiency Assessment and Open Space Strategy. These spaces can be incorporated as part of enhancing and expanding blue and green infrastructure, taking account of relevant agencies' plans or policy frameworks, such as flood risk and/or water management plans. New provisions should be well-designed, high quality, accessible and inclusive.

### Policy 21

- a) Development proposals which result in the loss of outdoor sports facilities will only be supported where the proposal:
  - i. is ancillary to the principal use of the site as an outdoor sports facility; or
  - ii. involves only a minor part of the facility and would not affect its use; or
  - iii. meets a requirement to replace the facility which would be lost, either by a new facility or by upgrading an existing facility to provide a better quality facility. The location will be convenient for users and the overall playing capacity of the area will be maintained; or
- iv. can demonstrate that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.
 

This should be informed by the local authority's Open Space Strategy and/or Play Sufficiency Assessment and in consultation with sportscotland where appropriate.
- b) Development proposals that result in the quantitative and/or qualitative loss of children's outdoor play provision, will only be supported where it can be demonstrated that there is no ongoing or future demand or the existing play provision will be replaced by a newly created, or improved existing asset, that is better quality or more appropriate.
 

This should be informed by the planning authority's Play Sufficiency Assessment.
- c) Development proposals for temporary or informal play space on unused or underused land will be supported.
- d) Development proposals likely to be occupied or used by children and young people will be supported where they incorporate well-designed, good quality provision for play, recreation, and relaxation that is proportionate to the scale and nature of the development and existing provision in the area.
- e) Development proposals that include new streets and public realm should be inclusive and enable children and young people to play and move around safely and independently, maximising opportunities for informal and incidental play in the neighbourhood.
- f) New, replacement or improved play provision will, as far as possible and as appropriate:
  - i. provide stimulating environments;
  - ii. provide a range of play experiences including opportunities to connect with nature;
  - iii. be inclusive;
  - iv. be suitable for different ages of children and young people;
  - v. be easily and safely accessible by children and young people independently, including those with a disability;

- vi. incorporate trees and/or other forms of greenery;
  - vii. form an integral part of the surrounding neighbourhood;
  - viii. be well overlooked for passive surveillance;
  - ix. be linked directly to other open spaces and play areas.
- g) Development proposals that include new or enhanced play or sport facilities will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.

#### Policy impact:

- ✔ Just Transition
- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Natural places](#)

[Forestry, woodland and trees](#)

[Historic assets and places](#)

[Green belts](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Sustainable transport](#)

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[Flood risk and water management](#)

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[City, town, local and commercial centres](#)

[Culture and creativity](#)



## Flood risk and water management

### Policy Principles

#### Policy Intent:

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

#### Policy Outcomes:

- Places are resilient to current and future flood risk.
- Water resources are used efficiently and sustainably.
- Wider use of natural flood risk management benefits people and nature.

### Local Development Plans:

LDPs should strengthen community resilience to the current and future impacts of climate change, by avoiding development in areas at flood risk as a first principle. Resilience should also be supported by managing the need to bring previously used sites in built up areas into positive use; planning for adaptation measures; and identifying opportunities to implement improvements to the water environment through natural flood risk management and blue green infrastructure.

Plans should take into account the probability of flooding from all sources and make use of relevant flood risk and river basin management plans for the area. A precautionary approach should be taken, regarding the calculated probability of flooding as a best estimate, not a precise forecast. For areas where climate change is likely to result in increased flood exposure that becomes unmanageable, consideration should be given to alternative sustainable land use.

### Policy 22

- a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
- i. essential infrastructure where the location is required for operational reasons;
  - ii. water compatible uses;
  - iii. redevelopment of an existing building or site for an equal or less vulnerable use; or.
  - iv. redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA advice.

The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk.

In such cases, it will be demonstrated by the applicant that:

- all risks of flooding are understood and addressed;
- there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes;
- the development remains safe and operational during floods;
- flood resistant and resilient materials and construction methods are used; and
- future adaptations can be made to accommodate the effects of climate change.

Additionally, for development proposals meeting criteria part iv), where flood risk is managed at the site rather than avoided these will also require:

- the first occupied/utilised floor, and the underside of the development if relevant, to be above the flood risk level and have an additional allowance for freeboard; and
- that the proposal does not create an island of development and that safe access/ egress can be achieved.

- b) Small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.
- c) Development proposals will:
- i. not increase the risk of surface water flooding to others, or itself be at risk.
  - ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer;
  - iii. seek to minimise the area of impermeable surface.
- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity.
- e) Development proposals which create, expand or enhance opportunities for natural flood risk management, including blue and green infrastructure, will be supported.

### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Biodiversity](#)

[Green belts](#)

[Coastal development](#)

[Design, quality and place](#)

[Infrastructure first](#)

[Quality homes](#)

[Blue and green infrastructure](#)

[Health and safety](#)

[Business and industry](#)

## Health and safety

### Policy Principles

#### Policy Intent:

To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

#### Policy Outcomes:

- Health is improved and health inequalities are reduced.
- Safe places protect human health and the environment.
- A planned approach supports health infrastructure delivery.

#### Local Development Plans:

LDP spatial strategies should seek to tackle health inequalities particularly in places which are experiencing the most disadvantage. They should identify the health and social care services and infrastructure needed in the area, including potential for co-location of complementary services, in partnership with Health Boards and Health and Social Care Partnerships.

LDPs should create healthier places for example through opportunities for exercise, healthier lifestyles, land for community food growing and allotments, and awareness of locations of concern for suicide.

Spatial strategies should maintain appropriate distances between sites with hazardous substances and areas where the public are likely to be present and areas of particular natural sensitivity or interest.

### Policy 23

- a) Development proposals that will have positive effects on health will be supported. This could include, for example, proposals that incorporate opportunities for exercise, community food growing or allotments.
- b) Development proposals which are likely to have a significant adverse effect on health will not be supported. A Health Impact Assessment may be required.
- c) Development proposals for health and social care facilities and infrastructure will be supported.
- d) Development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.
- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- f) Development proposals will be designed to take into account suicide risk.
- g) Development proposals within the vicinity of a major accident hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.
- h) Applications for hazardous substances consent will consider the likely potential impacts on surrounding populations and the environment.
- i) Any advice from Health and Safety Executive, the Office of Nuclear Regulation or the Scottish Environment Protection Agency that planning permission or hazardous substances consent should be refused, or conditions to be attached to a grant of consent, should not be overridden by the decision maker without the most careful consideration.
- j) Similar considerations apply in respect of development proposals either for or near licensed explosive sites (including military explosive storage sites).



**Policy impact:**

- ✔ Just Transition
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Forestry, woodland and trees](#)

[Energy](#)

[Zero waste](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Heat and cooling](#)

[Quality homes](#)

[Blue and green infrastructure](#)

[Play, recreation and sport](#)

[Flood risk and water management](#)

[Digital infrastructure](#)

[Business and industry](#)

[City, town, local and commercial centres](#)

[Retail](#)

[Culture and creativity](#)

[Aquaculture](#)

[Minerals](#)

## Digital infrastructure

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate the roll-out of digital infrastructure across Scotland to unlock the potential of all our places and the economy.

#### Policy Outcomes:

- Appropriate, universal and future proofed digital infrastructure across the country.
- Local living is supported and the need to travel is reduced.

#### Local Development Plans:

LDPs should support the delivery of digital infrastructure, including fixed line and mobile connectivity, particularly in areas with gaps in connectivity and barriers to digital access.

### Policy 24

- Development proposals that incorporate appropriate, universal, and future-proofed digital infrastructure will be supported.
- Development proposals that deliver new digital services or provide technological improvements, particularly in areas with no or low connectivity capacity, will be supported.
- Development proposals that are aligned with and support the delivery of local or national programmes for the roll-out of digital infrastructure will be supported.
- Development proposals that deliver new connectivity will be supported where there are benefits of this connectivity for communities and the local economy.
- Development proposals for digital infrastructure will only be supported where:
  - the visual and amenity impacts of the proposed development have been minimised through careful siting, design, height, materials and, landscaping, taking into account cumulative impacts and relevant technical constraints;

- it has been demonstrated that, before erecting a new ground based mast, the possibility of erecting antennas on an existing building, mast or other structure, replacing an existing mast and/or site sharing has been explored; and
- there is no physical obstruction to aerodrome operations, technical sites, or existing transmitter/receiver facilities.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Natural places](#)

[Green belts](#)

[Zero waste](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Health and safety](#)

[Community wealth building](#)

[Business and industry](#)

[City, town, local and commercial centres](#)

[Rural development](#)



## Productive Places

### Community wealth building

#### Policy Principles

##### Policy Intent:

To encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

##### Policy Outcomes:

- local economic development that focuses on community and place benefits as a central and primary consideration – to support local employment and supply chains.
- support community ownership and management of buildings and land.

#### Local Development Plans:

LDPs should be aligned with any strategy for community wealth building for the area. Spatial strategies should address community wealth building priorities; identify community assets; set out opportunities to tackle economic disadvantage and inequality; and seek to provide benefits for local communities.

#### Policy 25

- Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.
- Development proposals linked to community ownership and management of land will be supported.

#### Policy impact:

- ✓ Just Transition
- ✓ Rebalanced development
- ✓ Rural revitalisation

#### Key policy connections:

- [Brownfield, vacant and derelict land and empty buildings](#)
- [Local Living and 20 minute neighbourhoods](#)
- [Business and industry](#)



## Business and industry

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses.

#### Policy Outcomes:

- Recovery within the business and industry sector is sustainable and inclusive.
- Investment in the business and industrial sector contributes to community wealth building.

### Local Development Plans:

LDPs should allocate sufficient land for business and industry, taking into account business and industry land audits, in particular ensuring that there is a suitable range of sites that meet current market demand, location, size and quality in terms of accessibility and services. This allocation should take account of local economic strategies and support broader objectives of delivering a low carbon and net zero economic recovery, and a fairer and more inclusive wellbeing economy.

### Policy 26

- a) Development proposals for business and industry uses on sites allocated for those uses in the LDP will be supported.
- b) Development proposals for home working, live-work units and micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.
- c) Development proposals for business and industry uses will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area.

- d) Development proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where:
  - i. It is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit; and
  - ii. The nature and scale of the activity will be compatible with the surrounding area.
- e) Development proposals for business and industry will take into account:
  - i. Impact on surrounding residential amenity; sensitive uses and the natural and historic environment;
  - ii. The need for appropriate site restoration at the end of a period of commercial use.
- f) Major developments for manufacturing or industry will be accompanied by a decarbonisation strategy to demonstrate how greenhouse gas emissions from the process are appropriately abated. The strategy may include carbon capture and storage.

#### Policy impact:

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Health and safety](#)

[Digital infrastructure](#)

[Community wealth building](#)

[City, town, local and commercial centres](#)

[Rural development](#)

## City, town, local and commercial centres

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate development in our city and town centres, recognising they are a national asset. This will be achieved by applying the Town Centre First approach to help centres adapt positively to long-term economic, environmental and societal changes, and by encouraging town centre living.

#### Policy Outcomes:

- Centres are vibrant, healthy, creative, enterprising, accessible and resilient places for people to live, learn, work, enjoy and visit.
- Development is directed to the most sustainable locations that are accessible by a range of sustainable transport modes and provide communities with easy access to the goods, services and recreational opportunities they need.

#### Local Development Plans:

LDPs should support sustainable futures for city, town and local centres, in particular opportunities to enhance city and town centres. They should, where relevant, also support proposals for improving the sustainability of existing commercial centres where appropriate.

LDPs should identify a network of centres that reflect the principles of 20 minute neighbourhoods and the town centre vision.

LDPs should be informed by evidence on where clustering of non-retail uses may be adversely impacting on the wellbeing of communities. They should also consider, and if appropriate, identify any areas where drive-through facilities may be acceptable where they would not negatively impact on the principles of local living or sustainable travel.

LDPs should provide a proportion of their Local Housing Land Requirements in city and town centres and be proactive in identifying opportunities to support residential development.

#### Policy 27

- a) Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.
- b) Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces:
  - i. will be supported in existing city, town and local centres, and
  - ii. will not be supported outwith those centres unless a town centre first assessment demonstrates that:
    - all centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable;
    - the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre; and
    - the impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres.

### Town Centre First Assessment

For development proposals which are out of city/town centre and which will generate significant footfall a Town Centre First Assessment will be provided. Applicants should agree the data required with the planning authority before undertaking the assessment, and should present information on areas of dispute in a succinct and comparable form.

The town centre first assessment should:

- identify the potential relationship of the proposed development with the network of centres identified in the LDP;
- demonstrate the potential economic impact of the development and any possible displacement effects, including the net impact on jobs; and
- consider supply chains and whether local suppliers and workers will be a viable option; and
- the environmental impact of transporting goods and of staff and visitors travelling to the location.

The town centre first assessment should be applied flexibly and realistically for community, education, health and social care and sport and leisure facilities so that they are easily accessible to the communities they are intended to serve.

- c) Development proposals for non-retail uses will not be supported if further provision of these services will undermine the character and amenity of the area or the health and wellbeing of communities, particularly in disadvantaged areas. These uses include:
- i. Hot food takeaways, including permanently sited vans;
  - ii. Betting offices; and
  - iii. High interest money lending premises.

- d) Drive-through developments will only be supported where they are specifically supported in the LDP.

### Town centre living

- e) Development proposals for residential development within city/town centres will be supported, including:
- i. New build residential development.
  - ii. The re-use of a vacant building within city/town centres where it can be demonstrated that the existing use is no longer viable and the proposed change of use adds to viability and vitality of the area.
  - iii. The conversion, or reuse of vacant upper floors of properties within city/town centres for residential.
- f) Development proposals for residential use at ground floor level within city/town centres will only be supported where the proposal will:
- i. retain an attractive and appropriate frontage;
  - ii. not adversely affect the vitality and viability of a shopping area or the wider centre; and
  - iii. not result in an undesirable concentration of uses, or 'dead frontages'.
- g) Development proposals for city or town centre living will take into account the residential amenity of the proposal. This must be clearly demonstrated where the proposed development is in the same built structure as:
- i. a hot food premises, live music venue, amusement arcade/centre, casino or licensed premises (with the exception of hotels, restaurants, cafés or off licences); and/or
  - ii. there is a common or shared access with licenced premises or other use likely to be detrimental to residential amenity.



**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

- [Tackling the climate and nature crises](#)
- [Climate mitigation and adaptation](#)
- [Historic assets and places](#)
- [Brownfield, vacant and derelict land and empty buildings](#)
- [Sustainable transport](#)
- [Design, quality and place](#)
- [Local Living and 20 minute neighbourhoods](#)
- [Infrastructure first](#)
- [Quality homes](#)
- [Blue and green infrastructure](#)
- [Play, recreation and sport](#)
- [Health and safety](#)
- [Community wealth building](#)
- [Business and industry](#)
- [Retail](#)
- [Rural development](#)
- [Tourism](#)
- [Culture and creativity](#)

## Retail

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate retail investment to the most sustainable locations that are most accessible by a range of sustainable transport modes.

#### Policy Outcomes:

- Retail development and the location of shops support vibrant city, town and local centres.
- Communities can access the shops and goods they need by a range of sustainable transport modes including on foot, by bike, and by public transport, as part of local living.

#### Local Development Plans:

LDPs should consider where there may be a need for further retail provision, this may be:

- where a retail study identifies deficiencies in retail provision in terms of quality and quantity in an area; or
- when allocating sites for housing or the creation of new communities, in terms of the need for neighbourhood shopping, and supporting local living.

LDPs should identify areas where proposals for healthy food and drink outlets can be supported.

### Policy 28

- a) Development proposals for retail (including expansions and changes of use) will be consistent with the town centre first principle. This means that new retail proposals:
- i. will be supported in existing city, town and local centres, and
  - ii. will be supported in edge-of-centre areas or in commercial centres if they are allocated as sites suitable for new retail development in the LDP.
  - iii. will not be supported in out of centre locations (other than those meeting policy 28(c) or 28(d)).
- b) Development proposals for retail that are consistent with the sequential approach (set out in a) and click-and-collect locker pick up points, will be supported where the proposed development:
- i. is of an appropriate scale for the location;
  - ii. will have an acceptable impact on the character and amenity of the area; and
  - iii. is located to best channel footfall and activity, to benefit the place as a whole.
- c) Proposals for new small scale neighbourhood retail development will be supported where the proposed development:
- i. contributes to local living, including where relevant 20 minute neighbourhoods and/or
  - ii. can be demonstrated to contribute to the health and wellbeing of the local community.
- d) In island and rural areas, development proposals for shops ancillary to other uses such as farm shops, craft shops and shops linked to petrol/service/charging stations will be supported where:
- i. it will serve local needs, support local living and local jobs;
  - ii. the potential impact on nearby town and commercial centres or village/local shops is acceptable;
  - iii. it will provide a service throughout the year; and
  - iv. the likely impacts of traffic generation and access and parking arrangements are acceptable.

**Policy impact:**

- ✔ Local living
- ✔ Compact urban growth
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Health and safety](#)

[City, town, local and commercial centres](#)

[Rural development](#)



## Rural development

### Policy Principles

#### Policy Intent:

To encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

#### Policy Outcomes:

- Rural places are vibrant and sustainable and rural communities and businesses are supported.
- A balanced and sustainable rural population.

#### Local Development Plans:

LDPs should identify the characteristics of rural areas within the plan area, including the existing pattern of development, pressures, environmental assets, community priorities and economic needs of each area. The spatial strategy should set out an appropriate approach to development in rural areas which reflects the identified characteristics. The Scottish Government's 6 fold Urban Rural Classification 2020 should be used to identify remote rural areas. Spatial strategies should support the sustainability and prosperity of rural communities and economies. Previously inhabited areas which are suitable for resettlement should be identified in the spatial strategy.

### Policy 29

- a) Development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:
- i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
  - ii. diversification of existing businesses;
  - iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
- iv. essential community services;
- v. essential infrastructure;
- vi. reuse of a redundant or unused building;
- vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
- ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or
- x. improvement or restoration of the natural environment.
- b) Development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.
- c) Development proposals in remote rural areas, where new development can often help to sustain fragile communities, will be supported where the proposal:
- i. will support local employment;
  - ii. supports and sustains existing communities, for example through provision of digital infrastructure; and
  - iii. is suitable in terms of location, access, siting, design and environmental impact.
- d) Development proposals that support the resettlement of previously inhabited areas will be supported where the proposal:
- i. is in an area identified in the LDP as suitable for resettlement;
  - ii. is designed to a high standard;
  - iii. responds to their rural location; and
  - iv. is designed to minimise greenhouse gas emissions as far as possible.

**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Compact urban growth
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Natural places](#)

[Soils](#)

[Historic assets and places](#)

[Green belts](#)

[Brownfield, vacant and derelict land and empty buildings](#)

[Coastal development](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Local Living and 20 minute neighbourhoods](#)

[Infrastructure first](#)

[Rural homes](#)

[Blue and green infrastructure](#)

[Flood risk and water management](#)

[Business and industry](#)

[City, town, local and commercial centres](#)

[Retail](#)

[Tourism](#)

[Culture and creativity](#)

[Aquaculture](#)

[Minerals](#)

## Tourism

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

#### Policy Outcomes:

- Communities and places enjoy economic, social and cultural benefits from tourism, supporting resilience and stimulating job creation.

#### Local Development Plans:

LDPs should support the recovery, growth and long-term resilience of the tourism sector. The spatial strategy should identify suitable locations which reflect opportunities for tourism development by taking full account of the needs of communities, visitors, the industry and the environment. Relevant national and local sector driven tourism strategies should also be taken into account.

The spatial strategy should also identify areas of pressure where existing tourism provision is having adverse impacts on the environment or the quality of life and health and wellbeing of local communities, and where further development is not appropriate.

#### Policy 30

- a) Development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported.
- b) Proposals for tourism related development will take into account:
  - i. The contribution made to the local economy;
  - ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;

- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
  - iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
  - v. Accessibility for disabled people;
  - vi. Measures taken to minimise carbon emissions;
  - vii. Opportunities to provide access to the natural environment.
- c) Development proposals that involve the change of use of a tourism-related facility will only be supported where it is demonstrated that the existing use is no longer viable and that there is no requirement for alternative tourism-related facilities in the area.
  - d) Proposals for huts will be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.
  - e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:
    - i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
    - ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.



**Policy impact:**

- ✔ Just Transition
- ✔ Conserving and recycling assets
- ✔ Local living
- ✔ Rebalanced development
- ✔ Rural revitalisation

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Climate mitigation and adaptation](#)

[Natural places](#)

[Historic assets and places](#)

[Coastal development](#)

[Sustainable transport](#)

[Design, quality and place](#)

[Quality homes](#)

[Rural homes](#)

[Health and safety](#)

[Community wealth building](#)

[City, town, local and commercial centres](#)

[Retail](#)

[Rural development](#)

[Culture and creativity](#)

## Culture and creativity

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate development which reflects our diverse culture and creativity, and to support our culture and creative industries.

#### Policy Outcomes:

- Locally distinctive places reflect the diversity of communities and support regeneration and town centre vibrancy.
- Cultural and creative industries are expanded, providing jobs and investment.
- Communities have access to cultural and creative activities.

#### Local Development Plans:

LDPs should recognise and support opportunities for jobs and investment in the creative sector, culture, heritage and the arts.

### Policy 31

- Development proposals that involve a significant change to existing, or the creation of new, public open spaces will make provision for public art. Public art proposals which reflect diversity, culture and creativity will be supported.
- Development proposals for creative workspaces or other cultural uses that involve the temporary use of vacant spaces or property will be supported.
- Development proposals that would result in the loss of an arts or cultural venue will only be supported where:
  - there is no longer a sustainable demand for the venue and after marketing the site at a reasonable rate for at least 12 months, through relevant local and national agents and online platforms, there has been no viable interest from potential operators; or
  - the venue, as evidenced by consultation, no longer meets the needs of users and cannot be adapted; or

- alternative provision of equal or greater standard is made available at a suitable location within the local area; and
  - the loss of the venue does not result in loss or damage to assets or objects of significant cultural value.
- d) Development proposals within the vicinity of existing arts venues will fully reflect the agent of change principle and will only be supported where they can demonstrate that measures can be put in place to ensure that existing noise and disturbance impacts on the proposed development would be acceptable and that existing venues and facilities can continue without additional restrictions being placed on them as a result of the proposed new development.

#### Policy impact:

- ✓ Just Transition
- ✓ Conserving and recycling assets
- ✓ Local living
- ✓ Rebalanced development

#### Key policy connections:

- [Tackling the climate and nature crises](#)
- [Climate mitigation and adaptation](#)
- [Historic assets and places](#)
- [Brownfield, vacant and derelict land and empty buildings](#)
- [Zero waste](#)
- [Sustainable transport](#)
- [Design, quality and place](#)
- [Local Living and 20 minute neighbourhoods](#)
- [Blue and green infrastructure](#)
- [Play, recreation and sport](#)
- [Health and safety](#)
- [Digital infrastructure](#)
- [Community wealth building](#)
- [City, town, local and commercial centres](#)
- [Rural development](#)
- [Tourism](#)

## Aquaculture

### Policy Principles

#### Policy Intent:

To encourage, promote and facilitate aquaculture development and minimise any adverse effects on the environment, including cumulative impacts.

Planning should support an aquaculture industry that is sustainable, diverse, competitive, economically viable and which contributes to food security, whilst operating with social licence, within environmental limits and which ensures there is a thriving marine ecosystem for future generations.

#### Policy Outcomes:

- New aquaculture development is in locations that reflect industry needs and considers environmental impacts.
- Producers will contribute to communities and local economies.
- Prosperous finfish, shellfish and seaweed sectors.
- Migratory fish species are safeguarded.

#### Local Development Plans:

LDPs should guide new aquaculture development in line with National and Regional Marine Planning, and will minimise adverse environmental impacts, including cumulative impacts, that arise from other existing and planned aquaculture developments in the area while also reflecting industry needs.

### Policy 32

- To safeguard migratory fish species, further salmon and trout open pen fish farm developments on the north and east coasts of mainland Scotland will not be supported.
- Development proposals for aquaculture will be supported where they comply with the LDP, the National Marine Plan and, where relevant, the appropriate Regional Marine Plan.
- Development proposals for fish farms will demonstrate that operational impacts (including from noise, acoustic deterrent devices (where applicable) light, access,

navigation, containment, deposition, waste emissions and sea lice, impacts on wild salmonids, aquaculture litter (and odour and impacts on other marine users)) are acceptable and comply with the relevant regulatory framework.

- Development proposals for fish farm developments will only be supported where the following impacts have been assessed and mitigated:
  - landscape and visual impact of the proposal including the siting and design of cages, lines and associated facilities taking into account the character of the location;
  - the impact of any land based facilities, ensuring that the siting and design are appropriate for the location;
  - impacts on natural heritage, designated sites and priority marine features; and
  - impacts on historic marine protected areas.
- Applications for open water farmed finfish or shellfish development are excluded from the requirements of policy 3b) and 3c) and will instead apply all relevant provisions from National and Regional Marine Plans.

#### Policy impact:

- ✔ Just Transition
- ✔ Rebalanced development
- ✔ Rural revitalisation

#### Key policy connections:

[Tackling the climate and nature crises](#)

[Historic assets and places](#)

[Natural places](#)

[Biodiversity](#)

[Coastal development](#)

[Design, quality and place](#)

[Health and safety](#)

[Community wealth building](#)

[Business and industry](#)

[Rural development](#)



## Minerals

### Policy Principles

#### Policy Intent:

To support the sustainable management of resources and minimise the impacts of the extraction of minerals on communities and the environment.

#### Policy Outcomes:

- Sufficient resources are available to meet industry demands, making an essential contribution to the Scottish economy.
- Important raw materials for manufacturing, construction, agriculture, and other industries are available.
- Important workable mineral resources are protected from sterilisation by other developments.
- Communities and the environment are protected from the impacts of mineral extraction.

#### Local Development Plans:

LDPs should support a landbank of construction aggregates of at least 10-years at all times in the relevant market areas, whilst promoting sustainable resource management, safeguarding important workable mineral resources, which are of economic or conservation value, and take steps to ensure these are not sterilised by other types of development.

### Policy 33

- a) Development proposals that seek to explore, develop, and produce fossil fuels (excluding unconventional oil and gas) will not be supported other than in exceptional circumstances. Any such exceptions will be required to demonstrate that the proposal is consistent with national policy on energy and targets for reducing greenhouse gas emissions.
- b) The Scottish Government does not support the development of unconventional oil and gas in Scotland. This means development connected to the onshore exploration, appraisal or production of coal bed methane or shale oil or shale gas, using unconventional oil and gas extraction techniques, including hydraulic fracturing and dewatering for coal bed methane.
- c) Development proposals that would sterilise mineral deposits of economic value will only be supported where:
  - i. there is an overriding need for the development and prior extraction of the mineral cannot reasonably be undertaken; or
  - ii. extraction of the mineral is impracticable or unlikely to be environmentally acceptable.
- d) Development proposals for the sustainable extraction of minerals will only be supported where they:
  - i. will not result in significant adverse impacts on biodiversity, geodiversity and the natural environment, sensitive habitats and the historic environment, as well as landscape and visual impacts;
  - ii. provide an adequate buffer zone between sites and settlements taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, and the characteristics of the various environmental effects likely to arise;
  - iii. can demonstrate that there are no significant adverse impacts (including cumulative impact) on any nearby homes, local communities and known sensitive receptors and designations;
  - iv. demonstrate acceptable levels (including cumulative impact) of noise, dust, vibration and potential pollution of land, air and water;
  - v. minimise transport impacts through the number and length of lorry trips and by using rail or water transport wherever practical;
  - vi. have appropriate mitigation plans in place for any adverse impacts;
  - vii. include schemes for a high standard of restoration and aftercare and commitment that such work is undertaken at the earliest opportunity. As a further

safeguard a range of financial guarantee options are available, and the most effective solution should be considered and agreed on a site-by-site basis. Solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms.

- e) Development proposals for borrow pits will only be supported where:
- i. the proposal is tied to a specific project and is time-limited;
  - ii. the proposal complies with the above mineral extraction criteria taking into account the temporary nature of the development; and
  - iii. appropriate restoration proposals are enforceable.

**Policy impact:**

- ✔ Conserving and recycling assets

**Key policy connections:**

[Tackling the climate and nature crises](#)

[Biodiversity](#)

[Natural places](#)

[Historic assets and places](#)

[Zero waste](#)

[Infrastructure first](#)

[Health and safety](#)

# Part 3 – Annexes

## Annex A – How to use this document

### Purpose of Planning

The purpose of planning is to manage the development and use of land in the long-term public interest.

The decisions we make today will have implications for future generations. Scotland in 2045 will be different. We must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity

loss, improve health and wellbeing, reduce inequalities, build a wellbeing economy and create great places.

### Role of the National Planning Framework

Scotland 2045: our Fourth National Planning Framework, commonly known as NPF4, is required by law to set out the Scottish Ministers' policies and proposals for the development and use of land. It plays a key role in supporting the delivery of Scotland's national outcomes and the United Nations Sustainable Development Goals.

## National Performance Framework

Our Purpose, Values and National Outcomes





# SUSTAINABLE DEVELOPMENT GOALS



NPF4 includes a long-term spatial strategy to 2045. This reflects the spatial aspects of a range of Scottish Government policies, including the Infrastructure Investment Plan.

The Infrastructure Investment Plan (IIP) identified that NPF4 would include housing land requirements framed within a spatial strategy that aligns with the investment programme and principles, and highlighted that national planning policies would include an infrastructure first approach.

The NPF4 strategy, policies and national developments are aligned to the strategic themes of the IIP: enabling the transition to net zero emissions and environmental sustainability; driving inclusive economic growth; and building resilient and sustainable places. The policies and instruction for LDPs activate the IIP priorities within the themes to the degree that those priorities involve physical development, opportunities for people and improvements for place. Minimum All Tenure Housing Land Requirements are set out at [Annex E](#). The investment hierarchy influences the approach to NPF4 overall and features specifically in instructions for LDPs in Policy 18 'Infrastructure First'.

NPF4 replaces National Planning Framework 3 (2014) and Scottish Planning Policy (2014). NPF4 should be read as a whole. It represents a package of planning policies to guide us to the place we want Scotland to be in 2045.

NPF4 is required by law to contribute to 6 outcomes:

- Meeting the **housing needs** of people living in Scotland including, in particular, the housing needs for older people and disabled people,
- Improving the **health and wellbeing** of people living in Scotland,
- Increasing the **population of rural areas** of Scotland,
- Improving **equality** and eliminating discrimination,
- Meeting any targets relating to the **reduction of emissions** of greenhouse gases, and
- Securing positive effects for **biodiversity**.

Statements setting out further detail on the contribution of NPF4 to each outcome are set out in Part 1.

## Plan-led Approach

A plan-led approach is central to supporting the delivery of Scotland's national outcomes and broader sustainable development goals. It is a legislative requirement that planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise.

The statutory development plan for any given area of Scotland consists of the National Planning Framework and the relevant LDP(s). The Town and Country Planning (Scotland) Act 1997 prescribes four different plans, at different scales:

National Planning Framework (NPF)	<p>The National Planning Framework sets out the Scottish Ministers' policies and proposals for the development and use of land.</p> <p>The NPF must have regard to any adopted regional spatial strategy.</p> <p>NPF4 is part of the statutory development plan.</p>
Regional spatial strategies (RSS)	<p>The Planning (Scotland) Act 2019 introduced a new duty requiring the preparation of regional spatial strategies.</p> <p>A planning authority, or authorities acting jointly will prepare these long-term spatial strategies for the strategic development of an area.</p> <p>RSS are not part of the statutory development plan, but have an important role to play in informing future versions of the NPF and LDPs.</p>
Local development plans (LDPs)	<p>Planning authorities must prepare one or more LDPs for their area.</p> <p>The LDP sets out a spatial strategy for the development of that area. It must take into account the National Planning Framework and any registered local place plan in the area it covers. It must have regard to the authority's adopted regional spatial strategy. The LDP must also have regard to any local outcomes improvement plan for the area it covers.</p> <p>LDPs are part of the statutory development plan.</p>
Local place plans (LPPs)	<p>Local place plans are community-led plans setting out proposals for the development and use of land. They must have regard to the NPF, any LDP which covers the same area, and also any locality plan which covers the same area.</p> <p>LPPs are not part of the statutory development plan, but have an important role to play in informing LDPs.</p>

## Spatial Strategy

[Part 1](#) sets out our spatial strategy for Scotland to 2045, identifying:

- [6 spatial principles](#) which will influence all our plans and decisions:
  - Just transition
  - Conserving and recycling assets
  - Local living
  - Compact urban growth
  - Rebalanced development
  - Rural revitalisation
- 3 themes, linked to the United Nations Sustainable Development Goals and Scottish Government National Performance Framework:
  - Sustainable places where we reduce emissions, restore and better connect biodiversity
  - Liveable places where we can all live better, healthier lives
  - Productive places where we have a greener, fairer and more inclusive wellbeing economy

LDPs should take account of these principles and outcomes, and they should also be reflected within regional spatial strategies and local place plans.

## National Developments

Eighteen national developments have been identified. These are significant developments of national importance that will help to deliver the spatial strategy. They are intentionally high level and focus on key elements, as the projects are at different stages.

National development status does not grant planning permission for the development and all relevant consents are required.

Their designation means that the principle of the development does not need to be agreed in later consenting processes, providing more certainty for communities, business and investors.

Their designation is not intended to describe in detail how the projects should be designed, matters to consider, or impact assessments and mitigation to be applied. In addition to the statement of need at [Annex B](#), decision makers for applications for consent for national developments should take into account all relevant policies.

LDPs should take forward proposals for national developments where relevant and facilitate their delivery. This could be through supporting land allocations, policy intervention and LDP delivery programmes.

## Regional Spatial Priorities

Regional spatial priorities set out how each part of the country can use their assets and opportunities to help deliver the overall strategy. The detail of these priorities should be further considered and consulted upon through the local development planning process, and where appropriate through regional spatial strategies and regional transport strategies.

The maps are indicative, and certain authorities may have a role to play in more than one regional area. The broad areas identified in NPF4 are intended to act as a flexible framework to guide the preparation of future Regional Spatial Strategies. It is open to planning authorities to decide for themselves, including by working in partnership with others, the most appropriate scale and extent of areas to be covered by Regional Spatial Strategies.

Statutory guidance will guide the preparation of Regional Spatial Strategies.



## National Planning Policy

[Part 2](#) sets out our policy framework by topic under the three themes.

Planning is complex and requires careful balancing of issues. The **policy intent** is provided to aid plan makers and decision makers to understand the intent of each policy and to help deliver policy aspirations.

The **policy outcomes** set out what we want to achieve and will help to influence future monitoring of the planning system.

The **Local Development Plan** section clarifies the expected role of LDPs for each topic. The focus for LDPs should be on land allocation through the spatial strategy and interpreting this national policy in a local context. There is no need for LDPs to replicate policies within NPF4, but authorities can add further detail including locally specific policies should they consider to be a need to do so, based on the area's individual characteristics.

The **policy** sections are for use in the determination of planning applications. The policies should be read as a whole. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. It is for the decision maker to determine what weight to attach to policies on a case by case basis. Where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies.

The **policy impact** section shows which spatial principles the policy will help to deliver.

The **key policy connections** help to show the key connections between policies, but are not intended to be comprehensive.

## Annex B – National Developments Statements of Need

National developments are significant developments of national importance that will help to deliver our spatial strategy.

Eighteen national developments will support the delivery of our spatial strategy. These national developments range from single large scale projects or collections and networks of several smaller scale proposals. They are also intended to act as exemplars of the Place Principle and placemaking approaches.

The statements of need set out in this annex are a requirement of the Town and Country Planning (Scotland) Act 1997 and describe the development to be considered as a national development for consent handling purposes.

An assessment of the likely impact of each proposed national development's lifecycle greenhouse gas emissions on achieving national greenhouse gas emissions reductions targets<sup>1</sup> (with the meaning given in the Climate Change (Scotland) Act 2009) has been undertaken. The assessment is based on the detail provided at the time of the assessment, and the conclusion may alter depending on the nature and detail of the projects taken forward.

The potential for national developments to affect European designated sites, depending on the precise design, location and construction of individual projects, has been identified by the Habitats Regulations Appraisal (HRA) of NPF4. Any such development would need to be considered carefully at project level and all relevant statutory tests met.

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<sup>1</sup> Research project: Lifecycle Greenhouse Gas Emissions of NPF4 Proposed National Developments Assessment Findings (LUC 2021) available online at <https://www.transformingplanning.scot/national-planning-framework/>

## 1. Energy Innovation Development on the Islands

This national development supports proposed developments in the Outer Hebrides, Shetland and Orkney island groups, for renewable energy generation, renewable hydrogen production, infrastructure and shipping, and associated opportunities in the supply chain for fabrication, research and development.

Any strategy for deployment of these technologies must enable decarbonisation at pace and cannot be used to justify unsustainable levels of fossil fuel extraction or impede Scotland's just transition to net zero.

This is aligned with low carbon energy projects within the Islands Growth Deal that have been developed with local partners such as the Islands Centre for Net Zero and encompasses other projects that can facilitate net zero aims.

The use of low and zero emission fuels will play a crucial role in decarbonising island and mainland energy use, shipping, strengthening energy security overall and creating a low carbon energy economy for the islands and islanders. The developments will add value where they link into national and international energy expertise, learning and research and development networks.

### Location

Outer Hebrides, Shetland, Orkney and surrounding waters.

### Need

These classes of development support the potential of the three island authorities to exemplify a transition to a net zero society. This will support delivery of our spatial strategy by helping to sustain communities in rural and island areas by stimulating employment and innovation.

## Designation and classes of development

A development contributing to 'Energy Innovation Development on the Islands' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

**Outer Hebrides – Supporting the Arnish Renewables Base and Outer Hebrides Energy Hub**

The classes below apply to development that is for delivery of the Arnish Renewables Base and Outer Hebrides Energy Hub:

- a) New or updated on and/or off shore infrastructure for energy generation from renewables exceeding 50 megawatts capacity;
- b) Electricity transmission cables and converter stations on and/or off shore of 132 kilovolts (kv) and above;
- c) Infrastructure for the production, storage and transportation of low and zero-carbon fuels (that are not electricity or heat) including renewable hydrogen; and hydrogen production related chemicals including ammonia with appropriate carbon capture linked to transport and storage infrastructure;
- d) Improved oil storage infrastructure for Stornoway, with appropriate emissions abatement; and
- e) Quay to service renewable energy, energy transportation, energy decommissioning, fabrication or freight handling, including new or enhanced associated laydown or operational area at Arnish.



### **Shetland Islands** – Supporting the Opportunity for Renewable Integration with Offshore Networks (ORION) Clean Energy Project

The classes below apply to development that is for delivery of renewable and low carbon aspects of the ORION project:

- a) New or updated on and/or off shore infrastructure for energy generation from renewables exceeding 50 megawatts capacity;
- b) Electricity transmission cables and converter stations on and/or off shore of/ or exceeding 132kv;
- c) Infrastructure for the production, storage and transportation of low and zero-carbon fuels (that are not electricity or heat) including renewable hydrogen; and hydrogen production related chemicals including ammonia with appropriate carbon capture linked to transport, storage, and utilisation infrastructure at Sullom Voe;
- d) Quay to service renewable energy, energy transportation, energy decommissioning, fabrication or freight handling, including new or enhanced associated laydown or operational area at Sullom Voe, Scatsta, Lerwick, and Dales Voe (Lerwick);
- e) Oil terminal modifications at Sullom Voe to maintain asset use moving towards net zero emissions; and
- f) New infrastructure, and/or upgraded buildings and facilities to support the transportation and storage of captured carbon.

### **Orkney Islands** – Supporting Scapa Flow Future Fuels Hub and Orkney Harbours

The classes below apply to development that is for the delivery of the Future Fuels Hub, new quay in Scapa Flow, and the Orkney Logistics Base at Hatston, which support services for the renewable and marine energy and shipping sectors:

- a) New or updated on and/or off shore infrastructure for energy generation from renewables exceeding 50 megawatts capacity;

- b) Electricity transmission cables and converter stations on and/or off shore of 132kv and above;
- c) Infrastructure for the production, storage and transportation of low and zero-carbon fuels (that are not electricity or heat) including renewable hydrogen; and hydrogen production related chemicals including ammonia with appropriate carbon capture linked to transport and storage infrastructure;
- d) Quay to service renewable energy, energy transportation, energy decommissioning, fabrication or freight handling, including new or enhanced associated laydown or operational area at, Scapa Flow, and Hatston (Kirkwall); and
- e) Oil terminal modifications at Scapa Flow to maintain asset use moving towards net zero emissions.

### **Lifecycle greenhouse gas emissions assessment**

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

#### **Policy impact:**

- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

## 2. Pumped Hydro Storage

This national development will play a significant role in balancing and optimising electricity generation and maintaining the operability of the electricity system as part of our transition to net zero. This is necessary as we continue to move towards a decarbonised system with much more renewable generation, the output from which is defined by weather conditions.

This national development supports additional capacity at existing sites as well as at new sites. Cruachan in Argyll is a nationally important example of a pumped storage facility with significant potential for enhanced capacity that could create significant jobs in a rural location.

### Location

All Scotland.

### Need

This national development supports pumped hydro storage capacity within the electricity network through significant new or expanded sites. This supports the transition to a net zero economy through the ability of pumped hydro storage schemes to optimise electricity generated from renewables by storing and releasing it when it is required.

### Designation and classes of development

A development contributing to 'Pumped Hydro Storage' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by ['The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009'](#), is designated a national development:

- a) New and/or expanded and/or upgraded water holding reservoir and dam;
- b) New and/or upgraded electricity generating plant structures or buildings;
- c) New and/or upgraded pump plant structures or buildings;
- d) New and/or expanded and/or upgraded water inlet and outlet pipework;
- e) New and/or upgraded substations and/or transformers; and
- f) New and/or replacement transmission cables.

## Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

### 3. Strategic Renewable Electricity Generation and Transmission Infrastructure

This national development supports renewable electricity generation, repowering, and expansion of the electricity grid.

A large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, which will include energy storage technology and capacity, to provide the vital services, including flexible response, that a zero carbon network will require. Generation is for domestic consumption as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits.

The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Delivery of this national development will be informed by market, policy and regulatory developments and decisions.

#### Location

All Scotland.

#### Need

Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas. Island transmission connections in particular can facilitate capturing the significant renewable energy potential in those areas as well as delivering significant social and economic benefits.

#### Designation and classes of development

A development contributing to 'Strategic Renewable Electricity Generation and Transmission' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

- a) On and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity;
- b) New and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kv or more; and
- c) New and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations.

#### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Local Living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Just transition



## 4. Circular Economy Materials Management Facilities

This national development supports the development of facilities required to achieve a circular economy. This sector will provide a range of business, skills and employment opportunities as part of a just transition to a net zero economy.

The range and scale of facilities required to manage secondary materials and their circulation back into the economy is not yet clear. However, sites and facilities will be needed to retain the resource value of materials so that we can maximise the use of materials in the economy and minimise the use of virgin materials in order to reduce greenhouse gas emissions. This is particularly significant for the construction and demolition industries and decommissioning industry.

Careful assessment of specific proposals will be required to ensure they provide sustainable low carbon solutions, include appropriate controls, manage any emissions and mitigate localised impacts including on neighbouring communities and the wider environment.

### Location

All Scotland.

### Need

This national development helps maximise Scotland's potential to retain the energy and emissions values within materials already in the economy.

### Designation and classes of development

A development contributing to 'Circular Economy Materials Management Facilities' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)' is designated a national development:

- a) Facilities for managing secondary materials; and
- b) Recycling facilities.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Local Living
- ✔ Conserving and recycling assets
- ✔ Just transition

## 5. Urban Sustainable, Blue and Green Surface Water Management Solutions

This national development aims to build on the benefits of the Metropolitan Glasgow Strategic Drainage Partnership, to continue investment and extend the approach to the Edinburgh city region.

Our biggest cities and their regions will require improved infrastructure to ensure they are more resilient to climate change. A strategic, catchment scale approach to adaptation through surface water and drainage infrastructure investment will reduce impacts and risks for our urban population and is an example of an infrastructure first approach. Catchment scale nature-based solutions which may include blue and green infrastructure should be prioritised. Grey infrastructure should be optimised and only used when necessary to augment blue-green infrastructure solutions. Delivery of multiple climate, wellbeing and economic benefits should form the basis of the approach. Whilst this national development focuses on Edinburgh and Glasgow other cities and towns may benefit from similar approaches.

### Location

Glasgow and Edinburgh City Regions and their wider water catchment areas.

### Need

A large proportion of our population lives in our largest cities. The management of surface water drainage at scale across these city regions will help us to adapt to extreme weather events that will become more frequent as a result of climate change. A nature-based approach to surface water management has the potential to deliver multiple health, wellbeing, economic and climate adaptation and emissions reduction benefits and it may free up sewer capacity.

## Designation and classes of development

A development contributing to 'Urban Sustainable, Blue and Green Surface Water Management Solutions' in the location described, within the Class of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)' is designated a national development:

- a) Spaces, infrastructure, works, structures, buildings, pipelines, and nature-based approaches, for surface water management and drainage systems.

## Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

## 6. Urban Mass/Rapid Transit Networks

This national development supports low carbon mass/rapid transit projects for Aberdeen, Edinburgh and Glasgow.

To reduce transport emissions at scale, we will require low carbon transport solutions for these three major cities that can support transformational reduction in private car use.

Development of the Glasgow 'Metro' and Edinburgh Mass Transit in these cities and their associated regions plus the Aberdeen Rapid Transit system are recommendations from the Strategic Transport Projects Review 2.

This will support placemaking and deliver improved transport equity across the most densely populated parts of Scotland, improving access to employment and supporting sustainable investment in the longer term. It can function as part of a broader transport network that includes active travel, and this places importance on multi-modal hubs or transport interchange points.

The type of interventions will be determined through the on-going development of business cases and studies but could include the provision of new systems or extensions to existing sustainable and public transport networks.

### Location

Aberdeen, Glasgow and Edinburgh City Regions.

### Need

This national development will help reduce transport related emissions overall, improve air quality, reduce the demand for private vehicle use, support the roll out of 20 minute neighbourhoods and improve transport equity.

## Designation and classes of development

A development contributing to 'Urban Mass/Rapid Transit Networks' in the location described, within one or more of the Classes of Development below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)' is designated a national development. This relates to development supported by the Strategic Transport Projects Review 2 consisting of new or upgraded:

- a) Track or road infrastructure;
- b) Fuelling or power infrastructure;
- c) Passenger facilities; and
- d) Depots servicing the networks.

## Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Conserving and recycling assets
- ✔ Just transition



## 7. Central Scotland Green Network

This national development is one of Europe's largest and most ambitious green infrastructure projects. It will play a key role in tackling the challenges of climate change and biodiversity loss including by building and strengthening nature networks. A greener approach to development will improve placemaking, can contribute to the roll-out of 20 minute neighbourhoods and will benefit biodiversity connectivity. This has particular relevance in the more urban parts of Scotland where there is pressure for development as well as significant areas requiring regeneration to address past decline and disadvantage. Regeneration, repurposing and reuse of brownfield land should be a priority.

Priorities include enhancement to provide multi-functional green and blue infrastructure that provides greatest environmental, lifelong physical and mental health, social wellbeing and economic benefits. It focuses on those areas where greening and development can be mutually supportive, helping to improve equity of access to quality green and blue space, and supporting communities where improving wellbeing and resilience is most needed, including to help people adapt to future climate risks.

Nature-based solutions for climate change adaptation and mitigation may include woodland expansion and peatland restoration as a priority. The connectivity of biodiversity rich areas may be enhanced through nature networks, including corridors and stepping stones to provide enhanced natural capital and improved ecosystem services.

### Location

Central Scotland local authorities within a boundary identified by the Green Action Trust.

### Need

This national development is needed to improve quality of place and create new opportunities for investment. This will support delivery of our spatial strategy which highlights the importance of accelerating urban greening in this most densely populated part of Scotland.

## Designation and classes of development

A development contributing to 'Central Scotland Green Network' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

- a) Development to create and/or enhance multi-functional green infrastructure including for: emissions sequestration; adaptation to climate change; and biodiversity enhancement;
- b) Reuse of vacant and derelict land and buildings for greening and nature-based solutions;
- c) New and/or upgraded sustainable surface water management and drainage systems and the creation of blue space;
- d) Use of land for allotments or community food growing; and
- e) Routes for active travel and/or recreation.

## Lifecycle Greenhouse Gas Emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

## 8. National Walking, Cycling and Wheeling Network

This national development facilitates the shift from vehicles to walking, cycling and wheeling for everyday journeys contributing to reducing greenhouse gas emissions from transport and is highly beneficial for health and wellbeing.

The upgrading and provision of additional active travel infrastructure will be fundamental to the development of a sustainable travel network providing access to settlements, key services and amenities, employment and multi-modal hubs. Infrastructure investment should be prioritised for locations where it will achieve our National Transport Strategy 2 priorities and outcomes, to reduce inequalities, take climate action, help deliver a wellbeing economy and to improve health and wellbeing. This will help to deliver great places to live and work, including through connecting neighbourhoods, villages and towns, active freeways and long distance routes.

### Location

All Scotland.

### Need

Reducing the need to travel unsustainably is the highest priority in the sustainable transport investment hierarchy. This national development will significantly support modal shift and deliver multiple outcomes including our commitment to a 20% reduction in car kilometres by 2030, associated emissions reduction, health and air quality improvement. This will support the delivery of our spatial strategy by creating a more sustainable distribution of access across Scotland as a whole.

### Designation and classes of development

A development contributing to 'National Walking, Cycling and Wheeling Network' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)' is designated a national development:

- a) New/and or upgraded routes suitable for a range of users for walking, cycling and wheeling that help create a national network that facilitates short and longer distance journeys and linkages to multi-modal hubs.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Just transition

## 9. Edinburgh Waterfront

This national development supports the regeneration of strategic sites along the Forth Waterfront in Edinburgh.

The waterfront is a strategic asset that contributes to the city's character and sense of place and includes significant opportunities for a wide range of future developments.

Development will include high quality mixed use proposals that optimise the use of the strategic asset for residential, community, commercial and industrial purposes, including support for off-shore energy relating to port uses. Further cruise activity should take into account the need to manage impacts on transport infrastructure.

This will help maintain and grow Edinburgh's position as a capital city and commercial centre with a high quality and accessible living environment. Development locations and design will need to address future resilience to the risks from climate change, impact on health inequalities, and the potential to incorporate green and blue infrastructure.

### Location

Leith to Granton.

### Need

Waterfronts in our largest urban areas are frequently under-utilised and contain significant areas of brownfield land as well as existing infrastructure assets. Their location may be particularly vulnerable to climate change and likely risks will require careful management. This will support delivery of our spatial strategy, which recognises the importance of our urban coastline in supporting our sense of place, economy and wellbeing.

## Designation and classes of development

A development contributing to 'Edinburgh Waterfront' in the location described, within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

- a) New and/or upgraded buildings for mixed use and/or residential development;
- b) New and/or upgraded buildings for commercial, industrial, business use;
- c) New and/or upgraded utilities;
- d) New and/or upgraded green and blue infrastructure;
- e) New and/or upgraded active and sustainable travel routes; and
- f) New and/or upgraded port facilities for vessel berthing and related landside activities including for lay-down, and marine sector services.

## Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Just transition



## 10. Dundee Waterfront

This national development supports the redevelopment of the Dundee Waterfront Zones including: the Central Waterfront, Seabraes, City Quay, Dundee Port, Riverside Business Area and Nature Park, and the Michelin Scotland Innovation Parc.

Continued delivery of the waterfront transformation is crucial to securing the role of the city as a location for investment in the net zero economy. Supporting population growth alongside economic opportunities, and skills and career development, is important in continuing to demonstrate the sustainability of urban living in Scotland and a just transition to the net zero economy.

Further projects associated with this include: the Michelin Scotland Innovation Parc which will become an innovation hub for net zero emission mobility; the Eden Project; and an improvement of facilities at Dundee Port. This national development includes reusing land on and around the Dundee Waterfront to support the lifelong health and wellbeing of communities, deliver innovation and attract investment. As the development progresses it will be important to support sustainable and active transport options and to build in adaptation to future climate risks.

### Location

Dundee Waterfront zones: Central Waterfront, Seabraes, City Quay, Dundee Port, Riverside Business Area and Riverside Nature Park; Michelin Scotland Innovation Parc.

### Need

This national development supports the continued revitalisation of Dundee Waterfront, expanded to include Michelin Scotland Innovation Parc in support of the Tay Cities Region Economic Strategy and its continued use for economic purposes. Waterfront locations may be particularly vulnerable to climate change and so development requires to be carefully designed to manage likely risks.

### Designation and classes of development

A development contributing to 'Dundee Waterfront' in the location described, within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)' is designated a national development:

- a) New and/or upgraded buildings for mixed use and/or residential development;
- b) New and/or upgraded buildings for commercial, industrial, business, storage, distribution, research, educational, and/or tourism use;
- c) New and/or upgraded utilities;
- d) New and/or upgraded active and sustainable travel routes;
- e) New and/or upgraded port facilities for vessel berthing and related landside activities including for lay-down, freight handling and marine sector services; and
- f) New and/or upgraded green and blue infrastructure.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Just transition

## 11. Stranraer Gateway

This national development supports the regeneration of Stranraer.

Stranraer is a gateway town. It is located close to Cairnryan, a key port connecting Scotland to Northern Ireland, Ireland and beyond to wider markets.

High quality place-based regeneration will help address socio-economic inequalities in Stranraer and to support the wider population of south west Scotland by acting as a hub and providing a platform for future investment. This will be supported by any strategic transport interventions including road and rail that emerge from the second Strategic Transport Projects Review which embeds the National Transport Strategy's sustainable travel and investment hierarchies.

### Location

Stranraer and associated transport routes.

### Need

Loch Ryan and Stranraer act as a gateway to Scotland. Reusing the assets in this location will support the wellbeing, economy and community in line with the regional growth deal. It will help to deliver our spatial strategy by driving forward regeneration of a key hub.

## Designation and classes of development

A development contributing to 'Stranraer Gateway' in the location described within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by ['The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009'](#), is designated a national development:

- a) Development contributing to Stranraer Waterfront regeneration;
- b) Marina expansion;
- c) Redevelopment of Stranraer harbour east pier;
- d) Sustainable, road, rail and freight infrastructure for access to Stranraer and/or Cairnryan;
- e) New and/or upgraded infrastructure for the transportation and use of low carbon fuels; and
- f) Reuse of vacant and derelict buildings and brownfield land, including regeneration of Blackparks industrial estate.

## Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

## 12. Digital Fibre Network

This national development supports the continued roll-out of world-class broadband across Scotland.

Our strategy requires enhanced digital connectivity to provide high speed broadband or equivalent mobile services, prioritising those areas with weaker networks as part of the Reaching 100% (R100) programme and Project Gigabit, including urban, island specific and rural enhancements. This is a significant utility including 4G and 5G mobile infrastructure facilitating home based working, renewable energy development, rural repopulation and access to services. The data transmission network can also support the availability and use of 'big data.' Digital capability is a feature of a number of City Region and Growth Deals.

Opportunities should be taken to deliver the infrastructure as part of other infrastructure upgrades or installation works such as energy transmission, transportation, and travel networks where appropriate.

### Location

All Scotland.

### Need

This is a fundamentally important utility, required to support development, community wellbeing, equal access to goods and services, and emissions reduction from reduced demand for travel. This will help to deliver our spatial strategy by complementing a new emphasis of living locally, and by helping to sustain and grow rural and island communities.

### Designation and classes of development

A development contributing to 'Digital Fibre Network' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

- a) Installation of new and/or upgraded broadband cabling on land and sub-sea for fixed line and mobile networks; and
- b) Green data centres.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall negligible impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Local living
- ✔ Rebalanced development
- ✔ Rural revitalisation
- ✔ Just transition



### 13. Clyde Mission

This national development is a national, place-based Mission to make the Clyde an engine of economic success for Glasgow, the city region and Scotland.

The Clyde Mission is focused on the River Clyde and the riverside from South Lanarkshire in the east to Inverclyde and Argyll and Bute in the west and focusing on an area up to around 500 metres from the river edge. This footprint includes the parts of the Clyde Gateway, River Clyde Waterfront, North Clyde River Bank and River Clyde Corridor frameworks, and Glasgow Riverside Innovation District.

Across this area significant land assets are under-utilised, and longstanding inequality, in relation to poor environment and health outcomes require to be tackled as a national priority. An ambitious redevelopment programme is being taken forward under [Five Missions](#). It is a collective, cross-sector effort and partnership working will help bring forward assets and sites that are ready for redevelopment to sustain a range of uses. This will repurpose and reinvigorate brownfield and supporting local living as well as adapting the area to the impacts of climate change, where nature-based solutions would be particularly supported.

#### Location

The river and land immediately next to it (up to around 500 metres from the river) along its length.

#### Need

These classes of development revitalise a major waterfront asset which is currently under-utilised. This will support the delivery of our spatial strategy by attracting investment and reuse of brownfield land in west central Scotland where there is a particular need to improve quality of place, generate employment and support disadvantaged communities. It will also support adaptation to climate risks.

### Designation and classes of development

A development contributing to 'Clyde Mission' in the location described, within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by ['The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009'](#), is designated a national development:

- a) Mixed use, which may include residential, redevelopment of brownfield land;
- b) New, reused and/or upgraded buildings and facilities for residential, commercial, business and industrial uses on brownfield land;
- c) Upgrade of existing port and harbour assets for servicing marine functions including freight and cruise uses and associated landside commercial and/or industrial land for supporting services;
- d) New and/or upgraded active and sustainable travel and recreation routes and infrastructure; and
- e) New and/or upgraded infrastructure for climate adaptation, including nature-based, green and blue solutions.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net negative impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets

## 14. Aberdeen Harbour

This national development supports the continued relocation and repurposing of Aberdeen Harbour. The harbour is a strategically important asset supporting the economy of the north east of Scotland.

The south harbour can act as a cluster of port accessible offshore renewable energy research, manufacturing and support services. The facilities are also important for international connections.

At the south harbour the focus should be on regenerating existing industrial land and reorganising land use around the harbour in line with the spatial strategy of the LDP. By focusing future port activity here, parts of the existing harbour in the city centre will become available for mixed use development, opening up development land to help reinvigorate Aberdeen city centre.

This can help provide significant economic opportunities, in line with the objectives of the Aberdeen City Region Deal. Environmental benefits, for example to enhance access and improve the quality of green space and active travel options should be designed-in to help offset any potential impacts on the amenity of local communities with relevant projects addressing environmental sensitivities through careful planning, assessment and implementation.

The extent to which this should include additional business and industrial development outwith the existing north and south harbours is a matter to be determined in the relevant LDP, and is outwith the scope of this national development.

### Location

Port of Aberdeen North and South Harbours.

This national development supports the optimisation of Aberdeen Harbour to support net zero and stimulate economic investment. It is also a significant opportunity to support better placemaking including city centre transformation, and regeneration of existing land by optimising the use of new and existing assets. This will

deliver our spatial strategy by helping the north east of Scotland to achieve a just transition from a high carbon economy whilst improving quality of place.

### Designation and classes of development

A development contributing to 'Aberdeen Harbour' in the location described, within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by ['The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009'](#) is designated a national development:

- a) Mixed use development reusing land at the existing (north) Aberdeen Harbour;
- b) Upgraded port facilities at Aberdeen Harbour and completion of South Harbour;
- c) New and/or upgraded green infrastructure;
- d) Buildings and facilities for commercial, manufacturing and industrial uses;
- e) Infrastructure for the production, storage and transportation of low carbon and renewable hydrogen and related chemicals including ammonia, with carbon capture as necessary; and
- f) Transport infrastructure, including for sustainable and active travel, for the South Harbour as supported by the Aberdeen City Region Deal.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Just transition

## 15. Industrial Green Transition Zones

To secure a just transition to a net zero economy, the decarbonisation of nationally important industrial sites in a way that ensures continued jobs, investment and prosperity for these areas and the communities that depend on them is essential. Industrial Green Transition Zones (IGTZ) will support the generation of significant economic opportunities while minimising carbon emissions. Technologies that will help Scotland transition to net zero will be supported at these locations, with a particular focus on low carbon and zero emissions technologies including renewables and the generation, storage and distribution of low carbon hydrogen.

The deployment of hydrogen and CCUS at these locations must demonstrate decarbonisation at pace and cannot be used to justify unsustainable levels of fossil fuel extraction or impede Scotland's just transition to net zero. Hydrogen and CCUS are emerging industries, both government and industry in Scotland wish to accelerate and maximise the deployment of green hydrogen. For projects that utilise carbon capture and storage, we want to ensure the highest possible carbon capture rates in the deployment of these technologies. While there are examples internationally where CCUS projects have been associated with offshore Enhanced Oil Recovery, we understand there to be no plans for offshore Enhanced Oil Recovery as part of the Scottish Cluster. However, if any IGTZ is found to be incompatible with Scotland's transition to net zero, Scottish Government policy, along with designations of and classes of development, will change accordingly.

Industrial Green Transition Zones are:

- **The Scottish Cluster** encompasses a carbon capture and storage (CCS) projects network and is a key strategic vehicle for industrial decarbonisation, energy generation, and the transportation and storage of captured carbon. The designation relates to projects that form a Scottish Cluster in the first instance specifically Peterhead, St Fergus and Grangemouth. Further industrial transition sites are expected to emerge in the longer

term and benefit from the experience gained within the Scottish Cluster but do not form part of this national development. This national development will support the generation of significant economic opportunities for low carbon industry as well as minimising carbon emissions at scale, and will play a vital part in maintaining the security and operability of Scotland's electricity supply and network. The creation of hydrogen and deployment of negative emissions technologies, utilising CCUS, at commercial scale will establish the opportunities to decarbonise industry, transport and heat, as well as other sectors, and pave the way for the transportation and storage infrastructure to support the growing hydrogen economy in Scotland.

- **Grangemouth investment zone** currently hosts strategic and critical infrastructure, high value employment and manufacturing of materials that are currently vital for every-day life. This role will continue in the long-term but must seek to decarbonise given the significant contribution of the industrial activities to Scotland's emissions. It is a key location in the Scottish Cluster for carbon capture and storage, and hydrogen deployment. The Grangemouth Investment Zone will be a focus for transitioning the petro-chemicals industry and associated activities into a leading exemplar of industrial decarbonisation, significantly helped through the coordination activities of the Scottish Government's Grangemouth Future Industry Board. Decarbonisation could include opportunities for: renewable energy innovation; bioenergy; hydrogen production with carbon capture and storage; and repurposing of existing strategic and critical infrastructure such as pipelines.

### Location

St Fergus, Peterhead, and Grangemouth.

### Need

This national development is required to meet our targets for emissions reduction. It also supports a just transition by creating new jobs in emerging technologies and significant economic opportunities for lower carbon industry. It will help to decarbonise other sectors, sites and regions, paving the way for increasing demand



to be complemented by the production of further hydrogen in the future. This will also help to deliver our spatial strategy by supporting investment in the North East and the Central Belt where there has been a relatively high level of output from fossil fuel industries.

### Designation and classes of development

A development contributing to 'Industrial Green Transition Zones' in the location described, within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)' is designated a national development.

- a) Carbon capture with high capture rates and negative emission technologies, transportation and storage of captured carbon forming part of or helping to create an expandable national network;
- b) Pipeline for transportation and storage of captured carbon and/or hydrogen;
- c) Onshore infrastructure including compression equipment, supporting pipeline transportation and shipping transportation of captured carbon and/or hydrogen;
- d) Offshore storage of captured carbon;
- e) New and/or upgraded buildings and facilities for the utilisation of captured carbon;
- f) Infrastructure for the production of hydrogen on shore or off shore where co-located with off shore wind farms within 0-12 nautical miles;
- g) Infrastructure for the storage of hydrogen on shore or off shore, including on or near-shore geological storage;
- h) Port facilities for the transport and handling of hydrogen and carbon dioxide;
- i) The application of carbon capture and storage technology to existing or replacement thermal power generation capacity;
- j) Production, storage and transportation with appropriate emissions abatement of: bioenergy; hydrogen production related chemicals including ammonia;
- k) New and/or upgraded buildings for industrial, manufacturing, business, and educational or research uses related to the industrial transition;
- l) Town centre regeneration at Grangemouth;
- m) Grangemouth flood protection scheme;
- n) New and/or upgraded green and blue infrastructure;
- o) New and/or upgraded utilities and/or local energy network; and
- p) New and/or upgraded facilities at the port for inter-modal freight handling at Grangemouth.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive effect on lifecycle greenhouse gas emissions reductions targets.

#### Policy impact:

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

## 16. Hunterston Strategic Asset

This national development supports the repurposing of Hunterston port as well as the adjacent former nuclear power station sites and marketable business land of the Hunterston Estate. Hunterston has long been recognised as a strategic location for the port and energy sectors given its deepwater access and existing infrastructure. Hunterston is a key site, anchoring other opportunities around the Firth of Clyde.

The location and infrastructure offers potential for electricity generation from renewables, and a variety of commercial uses including port, research and development, aquaculture, the circular economy, and environmental and economic opportunities around nuclear decommissioning expertise.

New development will need to optimise the capacity of the transport network, include active travel links and be compatible with a location adjacent to sites with nuclear power uses. Designated biodiversity sites will require protection and enhancement where possible, and sustainable flood risk management solutions will be required for the area. Aligned with the Ayrshire Growth Deal, jointly funded by the Scottish and UK Governments, investment in this location will support a wellbeing economy by opening up opportunities for employment and training for local people. A community wealth building approach has been embedded within the Deal and Regional Economic Strategy within Ayrshire, and would be expected to form a part of future development proposals to ensure the economic benefits are retained locally as far as possible, strengthening local supply chains and supporting businesses and communities across Ayrshire.

### Location

Hunterston Port, nuclear power station sites and marketable employment land at Hunterston Estate.

### Need

These classes of development support the redevelopment and reuse of existing strategic assets and land contributing to a net zero economy. It also supports delivery of our spatial strategy by stimulating investment in the west of Scotland, potentially contributing to the wider aim of tackling inequalities.

### Designation and classes of development

A development contributing to 'Hunterston Strategic Asset' in the location described within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

- a) Infrastructure to support a multi-modal deep water harbour;
- b) Land and buildings for bulk handling, storage, processing and distribution;
- c) Facilities for marine energy generation technology fabrication and decommissioning;
- d) Facilities for marine energy servicing;
- e) Land and buildings for industrial, commercial, research and development, and training uses;
- f) Infrastructure for the capture, transportation and long-term storage of greenhouse gas emissions, where transportation may be by pipe or vehicular means;
- g) Infrastructure for the production, storage and transportation of low carbon and renewable hydrogen; and hydrogen production related chemicals including ammonia;
- h) Infrastructure for the generation and storage of electricity from renewables exceeding 50 megawatts; and
- i) Electricity transmission infrastructure of 132kv or more.

## **Lifecycle greenhouse gas emissions assessment**

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### **Policy impact:**

- ✔ Compact urban growth
- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition



## 17. Chapelcross Power Station Redevelopment

This national development supports the redevelopment of Chapelcross, a former nuclear power station site of significant scale regionally and nationally, and our strategy supports the reuse of the site to help deliver on net zero and provide opportunities for communities in the South of Scotland.

Final uses for the site remain to be agreed, but the site has locational advantage to act as an energy hub with opportunities including: business development with a particular focus on energy and energy supply chain; energy generation from solar; electricity storage; generation of heat; production and storage of low carbon and renewable hydrogen. This could link to ambitions for low carbon heat and vehicle fuel at Stranraer.

The proposal aims to create new job opportunities, including high value employment. A community wealth building approach will ensure that benefits are retained locally as far as possible, and this in turn will help to sustain and grow the local population. We also support opportunities to reduce the fuel costs for local communities to tackle fuel poverty. Sustainable access to the site for workers and commercial vehicles will be required.

### Location

Site of the former Chapelcross power station.

### Need

This national development supports the reuse of a significant area of brownfield land in a rural area with economically fragile communities. It will also support the just transition to net zero.

### Designation and classes of development

A development contributing to 'Chapelcross Power Station Redevelopment' in the location described, within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by '[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)', is designated a national development:

- a) Commercial, industrial, manufacturing, and office related development occurring on the Chapelcross development site;
- b) Generation of electricity from renewables exceeding 50 megawatts capacity;
- c) Infrastructure for the production, storage and transportation of low carbon and renewable hydrogen and related chemicals including ammonia, with carbon capture as necessary; and
- d) Active and sustainable travel connection to the site.

### Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

#### Policy impact:

- ✔ Local living
- ✔ Rebalanced development
- ✔ Conserving and recycling assets
- ✔ Rural revitalisation
- ✔ Just transition

## 18. High Speed Rail

This national development supports the implementation of increased infrastructure to improve rail capacity and connectivity on the main cross-border routes, the east and west coast mainlines.

Rail connectivity that can effectively compete with air and road based transport between the major towns and cities in Scotland, England and onward to Europe is an essential part of reducing transport emissions, making best use of the rail network and providing greater connectivity opportunities. There can be significant emissions savings of approximately 75% to be made when freight is transported by rail instead of road.

Enhancement would be in addition to and in conjunction with High Speed 2 (HS2) and other enhancements identified by the UK Government.

Scottish Ministers have an agreement with the UK Government to develop infrastructure enhancements 'North of HS2' and Scottish Ministers continue to press the UK Government on the imperative that all nations and regions of Britain benefit from the prosperity that HS2 will deliver both in its construction and its implementation. The Strategic Transport Projects Review 2 is appraising through recommendation 45 and will provide the strategic case for investment in the rail network in Scotland, over and above the commitments within HS2.

### Location

Central and southern Scotland to the border with England.

### Need

This national development aims to ensure a low emissions air-competitive journey time to cities in the UK as well as connectivity with European cities and benefits to freight. This will support Scotland's ability to attract and compete for investment.

## Designation and classes of development

A development contributing to 'High Speed Rail' in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as 'major' by ['The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009'](#), is designated a national development:

- a) New and/or upgraded railway track and electrification solution (overhead cabling and pylons or on track);
- b) New and/or upgraded multi-modal railway stations to service high-speed lines; and
- c) Depot facilities for high speed trains and/or related to the construction and onward maintenance of the UK high-speed rail infrastructure.

## Lifecycle greenhouse gas emissions assessment

Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

### Policy impact:

- ✔ Compact urban growth
- ✔ Conserving and recycling assets

## Annex C – Spatial Planning Priorities

This information is intended to guide the preparation of Regional Spatial Strategies and LDPs to help deliver Scotland’s national spatial strategy.

### North and West Coast and Islands

This area broadly comprises the island communities of Shetland, Orkney, the Outer Hebrides, and parts of Highland and Argyll and Bute, and the north and west coastline of the Scottish mainland.

**To deliver sustainable places, Regional Spatial Strategies and Local Development Plans should maximise the benefits of renewable energy whilst enhancing blue and green infrastructure, decarbonising transport and building resilient connections.**

This area’s natural and cultural assets will require careful planning and management so that their special qualities can continue to form a strong foundation for future development and investment. There are opportunities for local projects across this area to come together and create an enhanced nature network which benefits quality of life and contributes to biodiversity recovery and restoration as well as carbon sequestration.

Resilience and a growing green economy will depend on delivery of improved grid connections, including high voltage grid cables connecting the three island groups to the mainland. This will be complemented by the innovation in low and zero carbon fuels and the roll out of locally distributed energy systems to reduce emissions from buildings, address significant fuel poverty and secure longer term resilience.

Significant peatland restoration and woodland creation and restoration, along with blue carbon opportunities will secure wider biodiversity benefits and be a focus for investment to

offset carbon and secure existing natural carbon stores. The Lewis Peatlands and the Flow Country are internationally recognised as accounting for a significant proportion of the world’s blanket bog habitat, and there are opportunities to protect and expand Scotland’s temperate rainforest, including some of the best remaining rainforest sites in Europe. Access to the outdoors, as well as active travel, can benefit from continued investment in long distance walking and cycling routes with a range of projects emerging at a regional scale.

Communities in this area will need resilient transport connectivity to maintain accessibility and lifeline links, and further innovation will be required to help modernise connections and decarbonise transport systems. A net zero islands air network and decarbonisation of ferry services will help to secure the viability and service stability of island and remote coastal communities. Communities are keen to explore long-term ambitions for fixed links for example across the Sound of Harris and Sound of Barra, and potentially to connect the Outer Hebrides to mainland Scotland. An Islands Connectivity Plan will consider the role of ferries, fixed links and low carbon aviation in securing lifeline links and marine access for both leisure and freight. In addition to the investment potential of the area’s ports and harbours, the strategic location of the Northern Isles as a hub for future shipping using long distance trade routes has significant potential for investment and growth over the longer term. There is also potential to consider decarbonisation of fishing fleets and the aquaculture industry in the future.

Electric vehicle ownership is already high in some parts of the area and continued expansion of charging networks will support further decarbonisation. Key routes and hubs are emerging – examples include the aspiration for an electric spinal route that extends across the Outer Hebrides. This should be viewed as one part of a wider system response to net zero that also strengthens active travel across the area.



Improved digital connectivity is a priority to sustain current businesses and create ‘smart’ communities. We are committed to investment in ultrafast broadband to ensure every property is connected and to improve mobile coverage. This will unlock opportunities for rural businesses and remote working, and make future community growth more feasible. Full benefits will be realised by actively tackling the digital divide by building skills, literacy and learning and addressing the financial barriers to internet access. Key projects include the Outer Hebrides Giga Fibre Network and the North Isles Fibre Project.

**To deliver liveable places, Regional Spatial Strategies and Local Development Plans in this area should support coastal and island communities to become carbon neutral, thus contributing to net-zero commitments and reducing fuel poverty.**

Future-proofing local liveability will benefit people as well as the planet. Island and coastal communities can apply the concept of local living, including 20 minute neighbourhoods, in a flexible way and find local solutions to low carbon living, for example by identifying service hubs in key locations with good public transport links. The aim is to build long-term resilience and self-reliance by minimising the need to travel whilst sustaining dispersed communities and rural patterns of development. Communities in this area will continue to rely to an extent on the private car, and low carbon solutions to the provision of services will need to be practical and affordable. Innovation including electric vehicle charging and digital connectivity will play an important role.

Increased coastal flooding and erosion arising from future climate change will need to be considered along with impacts on associated infrastructure such as bridges and transport networks. The majority of island populations live in coastal locations and there is a need for a pro-active and innovative approach that works with local communities to address this issue.

Regionally and locally driven plans and strategies will identify areas for future development that reflect these principles – for example planned population growth on the Western Seaboard of Argyll and in a growth corridor from Tobermory to Oban and on to Dalmally. Community hubs, where people can easily access a variety of services, will need to evolve and grow to support communities and sustain a range of functions. Ports and harbours can be a focal point for electric vehicle charging as well as employment. Sustainable and fair access to affordable healthier food will support future resilience and broader objectives including reduced child poverty and improved health outcomes. Innovative and equitable service provision, including digital solutions, will be needed to support dispersed communities in a low carbon way.

Communities will need greater choice and more flexible and affordable homes to support varying needs. This can be achieved to an extent by refurbishing the existing building stock to reduce the release of embedded carbon, as well as by delivering more affordable, energy efficient homes. The additional costs of island homebuilding and development generally, as well as in delivering net zero, is a challenge that needs to be factored into a planned approach.

There is a clear need for affordable housing provision across the region to improve choice and access to homes, to support local economies, and in some areas to help offset the impact of second home ownership and short term lets on the market. Local solutions may include key worker housing, temporary homes for workers in remote areas, and self-provided homes including self-build and custom-build. Continued innovation of holistic place-based solutions, such as the Rural and Islands Housing Fund, will be required to create homes that meet diverse community needs, including homes for an ageing population and to help young people to stay in or return to their communities. Greater efforts to ensure young people have more influence in decisions that affect their future places could support this, as well as helping more people access land and crofts and the reuse of abandoned sites where appropriate.

To reverse past depopulation and support existing settlements, planning can help to sustain communities in more peripheral and fragile areas in a way that is compatible with our low carbon agenda and resilient to climate change impacts. Further action should be taken where appropriate to encourage economically active people to previously inhabited areas. This will also need to reflect climate commitments and wider aspirations to create sustainable places that incorporate principles of 20 minute neighbourhoods and active travel networks. Coasts will continue to evolve, and development will be needed to sustain and grow communities in a sustainable way. Collaboration and strong alignment of terrestrial and marine planning, at all levels, will also be needed.

**To deliver productive places, Regional Spatial Strategies and Local Development Plans in this area should seize the opportunities to grow the blue and green economy, recognising the world-class environmental assets that require careful management and the opportunities to develop skills and diversify employment.**

This area has significant opportunities for investment that capitalise on its natural assets and further strengthen the synergies between people, land and sea. This will require strong collaboration and alignment of terrestrial and marine planning, especially as further development of related blue economy activities in the terrestrial environment may increase competition for marine space and resources offshore. To significantly reduce greenhouse gas emissions, more onshore and offshore renewable energy generation will be needed, bringing unprecedented opportunities to strengthen local economies, build community wealth and secure long-term sustainability. The island authorities have set targets for creating green jobs and for rolling out clean and efficient energy systems to build local resilience. We expect to see continued innovation to unlock the infrastructure and business opportunities arising from a blue and green prosperity agenda.

As a result of its natural advantages, the area is growing its research excellence, and driving low-carbon is a core theme of the Islands Growth Deal. This will support the emergence of the planned joint Islands Centre for Net Zero, alongside island-specific initiatives. Orkney has been home to the European Marine Energy Centre since 2003 and the Orkney Research and Innovation Campus (ORIC) in Stromness provides a focus for Orkney's renewable and low carbon industries and research facilities. There are plans to grow the role of Orkney's ports and harbours to support net zero. The Outer Hebrides Energy Hub plans to establish the initial infrastructure necessary to support the production of low carbon hydrogen from renewable energy and conduct a 'large village' trial for Stornoway, and there may also be co-benefits to be gained for aquaculture in the area. Shetland aims to grow its net zero contribution including through a planned ultra-deep water port development, which would support servicing the energy sector, oil and gas decommissioning and large-scale offshore renewables. In addition, Oban is developing as a university town, and the European Marine Science Park is a key opportunity to build the local economy and provide education locally.

Sea ports are a focus for investment in the blue economy and further diversification of activities could generate additional employment across the area. Potential for business development ranges from long distance freight to supporting the cruise and marine leisure sectors and decommissioning opportunities. There may also be opportunity for ports in the islands to establish themselves as near-Arctic marine transport and logistics hubs, including for transshipment operations.

There is an aspiration for the servicing of ultra large container ships with associated facilities within Scapa Flow. The potential for such development to adversely affect European site(s) has been identified through the HRA of NPF4. Therefore, this would need to be considered carefully at project level, including through the Habitats Regulations Appraisal process, to ascertain that there will be no adverse effects on

the integrity of European sites, or if this is not the case, whether there are imperative reasons of over-riding public interest and relevant statutory tests can be met.

New infrastructure and repurposing of land will help to shift industrial activity towards supporting the offshore renewables sector. Key strategic sites for industrial investment and associated port infrastructure and facilities include plans for: Dales Voe and Scapa Flow as part of the Islands Growth Deal; Cullivoe; Arnish in Stornoway; Wick; Scrabster; Gills Bay; Kishorn; Oban; Port Askaig; and Hatston, Kirkwall. Other key nodes on the ferries network, including Ullapool, Uig and Mallaig, will continue to act as important hubs to support communities, investors and visitors.

Proposed space ports, which make use of the area's relatively remote location and free airspace, could support our national ambitions to grow this sector. This includes plans for an Outer Hebrides Spaceport 1 in Scolpaig, North Uist and an emphasis on space research and skills development in Shetland as part of the Islands Growth Deal, a space port at Machrihanish and ancillary buildings at Benbecula. Planning permission has been granted for a space port at Melness in Sutherland, making use of its location away from populated areas to provide a vertical launch facility that could link with wider opportunities for manufacturing, research and development across Scotland.

Food and drink is a key sector, with aquaculture, distilleries, commercial fishing, and seaweed farming providing a crucial and growing source of employment for many local communities. This sector is of national significance, with whisky generating an estimated £5 billion to the UK economy and salmon accounting for more than 40% of total food exports. By improving the resilience of existing infrastructure we will ensure continued access to international markets. There are significant opportunities to build on experience and expertise through associated research and development. A development hub at Machrihanish to support aquaculture research in association with Stirling University could open up wider opportunities to expand

onshore aquaculture at sites across Scotland. Within Orkney, farming is still the main industry providing products for local consumption and for Scotland's food and drink sector.

Targeted investment in tourism infrastructure will ensure the coast and islands can capitalise on their rich natural assets, heritage and culture to support better quality and more stable jobs in the sector whilst providing a positive experience for visitors and residents. This sector has been significantly impacted by the pandemic and a short term focus on recovery can be underpinned by efforts to secure longer term sustainability. Planning can help to ensure that the Rural Tourism Infrastructure Fund is targeted to places where the pressure is most significant. Priorities include visitor management of the area's World Heritage Sites. Through the Islands Growth Deal, plans are in place for the Orkney World Heritage Site Gateway that will manage and disperse visitors to the Heart of Neolithic Orkney UNESCO World Heritage Site; and the Outer Hebrides Destination Development Project will support the strategic development of tourism infrastructure, bringing together key assets including St Kilda World Heritage Site, the Iolaire Centre, the Hebridean Way, Food and Drinks trail and the Callanish standing stones. Other ongoing projects, including long distance routes such as the Kintyre Way and the Argyll Sea Kayak Trail and Crinan Canal can help to expand a high quality offer of exceptional marine tourism across the area as a whole.

Regionally and locally there is a need for smaller scale investment across the area to put in place low maintenance, carefully designed facilities which better support and manage the impact of informal tourism including camping, campervans and day trips. This should reflect the scale and nature of operators including community trusts, which can have broad impact and influence. Efforts to provide access to education and build skills locally will also support this, with key projects including plans for the redevelopment of the Shetland Campus. Additionally, the lessons we have learned from the pandemic about remote working could also help to grow communities by extending the range of high quality jobs available locally.



## North

*This area broadly includes parts of Highland with parts of Argyll and Bute, Moray, Cairngorms National Park, as well as the north of Loch Lomond and The Trossachs National Park, Stirling and Perth and Kinross, with links west and north to coastal and island communities.*

### Priorities

**To deliver sustainable places, Regional Spatial Strategies and Local Development Plans in this area should protect environmental assets and stimulate investment in natural and engineered solutions to climate change and nature restoration, whilst decarbonising transport and building resilient connections.**

The area's natural capital will play a vital role in locking in carbon and building our resilience by providing valuable ecosystem services. This includes sustainable flood risk management, biodiversity, access and education.

Land and sea assets will play an internationally significant role in renewable energy generation and carbon sequestration. The area can act as a strategic carbon and ecological 'mitigation bank' that can make a major contribution to our national climate change commitments. A programme of investment in forestry, woodland creation, native woodlands and peatland restoration will play a key role in reducing our national emissions, providing investment opportunities, supporting ecosystems and biodiversity and benefiting current and future generations. There are also opportunities to explore the decarbonisation of the forestry sector, processing and the transport of timber, and to build community wealth through new businesses, such as a nationally important tree nursery in Moray.

Wider but closely related priorities include continuing conservation at a landscape-scale, to develop resilient nature networks, deer and moorland management, visitor management and recreation, rural housing, community empowerment and economic development. This will provide good quality local employment,

strengthen and diversify local economies and help to secure a sustainable future for local people. The area's rivers are also strategic assets that will continue to benefit from aligned land use, climate adaptation and biodiversity enhancement.

The Cairngorms National Park is bringing together conservation, the visitor experience and rural development to provide benefits that extend well beyond the park boundary. Landscape-scale solutions to build resilience to climate change, to manage sustainable tourism and outdoor access, and a commitment to reversing biodiversity decline and increasing woodland expansion and peatland restoration, are all key priorities. Demand for development, including in pressured areas, will require a planned response to minimise the impact of second homes on local communities and ensure new homes are affordable and meet local needs.

This area also makes an important contribution to our climate change targets by supporting renewable energy generation. Repowering and extending existing wind farms will optimise their productivity and capitalise on the area's significant natural energy resources, and there is potential to increase offshore wind energy capacity. A carefully planned approach can reduce environmental and other impacts and retain more benefits locally. Community ownership of renewable energy projects at all scales could play a key role in improving resilience, empowering local people to take control of their own assets and helping tackle fuel poverty. **Pumped hydro storage** at Cruachan and other sites such as Coire Glas can support the energy network, as well as providing tourism and recreation opportunities, and we expect to see a growth in solar power. As technologies continue to develop, storage and other forms of generation will grow. The electricity distribution and transmission network will require upgrading to support the large increase in onshore and offshore electricity generation required to achieve net zero, as well as to meet new demand from heat and transport. There will also be a need for more community-scale energy generation to serve the needs of local communities directly and build resilience.

The transport system as a whole will need to be planned to support a shift to more sustainable transport whilst maintaining access to markets and facilities. In line with the transport sustainable investment hierarchy, development should first be focused in locations which make the best use of existing infrastructure and services before building new infrastructure or providing new services.

Improvements to the Highland Main Line through electrification and delivery of new stations including at Inverness Airport, will help to create a sustainable commuter network for Inverness and open up more rural areas to lower carbon development. Our rolling programme of efficient electrification is also a key enabler for growth in rail freight, creating improved connectivity and providing additional capacity with faster journey times, better use of track capacity and lower unit costs. A continued modal shift to rail for both passengers and freight will bring significant environmental benefits over time.

Roads will continue to be arteries upon which local communities and businesses depend. There will be a need to adapt key routes due to the impacts of climate change alongside creating a strong network of charging points, including improvements to the A96 to improve safety and to the A9 to maintain a resilient road link from Thurso and Inverness to the central belt. Remote and rural areas including islands are dependent on reliable accessibility by road including connecting to ferries and ports, facilitating reliable public transport by road, access to essential services and transporting of goods. There is an urgent need for improvements to the A83 to ensure the resilience of the economy and communities of wider Argyll, as well as resilience challenges for other key routes such as the A82.

Continued investment in the national long distance walking and cycling network provides an opportunity to assist in decarbonising tourism and recreation across the area, whilst also providing, and acting as a spine for, sustainable active travel connections for everyday travel in the vicinity of towns and villages.

Inverness and Oban airports are hubs for air connections to dispersed communities and Wick John O'Groats Airport and Broadford Airstrip on Skye are key connections. Oban Airport is also an opportunity for investment in compliance operations and future drone technology. The Highlands and Islands are aiming to become the world's first net zero aviation region by 2040 by pioneering new approaches including electric aircraft. Investment in technology and facilities will be required to achieve this. The proposed Moray Aerospace Advanced Technology and Innovation Campus (MAATIC) at Lossiemouth intends to create a skilled workforce for the Moray region through focusing on aviation sector and supply chain.

**To deliver liveable places, Regional Spatial Strategies and Local Development Plans in this area should maintain and help to grow the population by taking a positive approach to rural development that strengthens networks of communities.**

We will do all we can to help reverse depopulation across rural Scotland. Here, as with other more rural areas of Scotland, 20 minute neighbourhoods can be tailored to work with both larger towns and more dispersed settlement patterns.

Inverness plays a vital role as a regional centre for services, health, justice, employment, education, sport, culture and tourism and has seen significant expansion in recent years. Key sites for its growth are located primarily to the east along the Moray coast. A sustainable and adaptive growth strategy will continue to be supported by planned investment in education and health and social care services, as well as employment uses. The new railway station serving Inverness Airport will help to connect local communities with growing employment opportunities in the wider area. Inverness Castle, as part of the Inverness and Highland City Region Deal, will be redeveloped and opened up to the public, attracting national and international tourists and encouraging visits to the wider Highlands and Islands.

Fort William, Dingwall, Grantown-on-Spey and Aviemore are key settlements, and the area has strong relationships with adjacent, more coastal settlements such as Mallaig, Oban, Wick and Thurso. Moray also has a strong network of towns including Forres, Elgin and Nairn. In more remote communities there is a need to reverse population decline. A place-based approach (as demonstrated by Fort William 2040), including work to improve town centres and reuse redundant buildings, will support recovery in a way which responds to the strong character and identity of each of the area's towns and villages. Such an approach is evident in Growth Deal projects such as Moray's Cultural Quarter proposal.

A positive approach to rural development could support the development of a network of hubs, and future service provision will require imaginative solutions so that places can be resilient and self-supporting. Investment in strategic health, justice and education facilities is already planned. In the longer term, digital solutions, including mobile and remote health services and virtual education, as well as continued investment in improved connectivity, will play an increasingly important role.

As with other parts of Scotland, more homes will be needed to retain people and attract new residents of all ages. Many communities have taken ownership of their land and this could form the foundations for future development by unlocking further development sites. Refurbishment of existing rural buildings and halting the loss of crofts could help to sustain the area, and new homes should align with infrastructure and service provision. They should also be located and designed to minimise emissions and to complement the distinctive character of existing settlements and wider landscapes. As climate change continues to have an impact, water supplies and drainage will need to be secured and maintained. Flood risk management and changing ecosystems will need to be factored into future plans to ensure nature-based adaptation solutions complement local living. Addressing fuel poverty will require

greater energy efficiency and affordable, low carbon, distributed heat and electricity networks, with a model for increased local generation, having potential to bring benefits. Maintaining connectivity will be essential, particularly through public transport that includes rail access and other active travel networks.

We will continue to support further investment in digital connectivity but will need to go further to adapt to climate change and make use of emerging technologies. Priorities include satellite and mobile solutions to address 'not spots', and to support local living by reducing the need to travel unsustainably. To complement existing physical connections, smart solutions, local hubs, demand responsive transport, and active travel networks will help people to access services and employment and make low carbon local living a more viable option.

**To deliver productive places, Regional Spatial Strategies and Local Development Plans in this area should support local economic development by making sustainable use of the area's world-class environmental assets to innovate and lead greener growth.**

Natural assets and environmental quality underpin the area's main economic sectors and must therefore be protected, restored and used sustainably. Planning will help to attract investment, grow and diversify businesses and enable local entrepreneurship, micro enterprises, self-employment and social enterprises to flourish. Remote working can be capitalised on to build economically active local communities. This will require the continued roll out of high quality digital infrastructure and maintenance and decarbonisation of transport routes to wider markets. Food miles can be reduced over time with the help of local community-led food growing networks, by supporting locally driven public procurement and, from a land use perspective, protecting higher quality agricultural land.



Ideas are emerging for the area to secure a low carbon future for tourism. Assets such as the North Coast 500 and, more recently, the Kintyre 66 in the adjacent coastal area, as well as the area's high quality environment and associated food and drink products, attract visitors. However, they also require investment in improvements to infrastructure to support local communities and visitors. This will maintain the quality of the experience and the environment, facilitate lower carbon transport, promote 'leave no footprint' and encourage longer stays. This could involve extending the availability of transport services. There are also many regionally significant opportunities to create jobs by growing support services for outdoor activities such as mountain biking, climbing, walking and angling and in support of the country's winter sport and recreation sector that is primarily focussed in this area.

Investment in research and development, business opportunities and local centres of expertise will help to retain benefits locally and broaden the range of skilled jobs. There will also be opportunities to build on and repurpose existing assets to create greener jobs, such as the former nuclear installation at Dounreay and development at Fort William associated with the Lochaber Smelter.

The area's coastline contributes to the beauty and experience of the area and is also a hub for economic activity including fishing, the cruise and marine leisure sectors, and the offshore renewable energy sector. Key ports include the Cromarty Firth (including Port of Cromarty, Nigg and Highland Deephaven), Corpach, Ardersier, Gills Bay, Inverness, Kishorn and Buckie. Through Opportunity Cromarty Firth and other projects, new facilities and infrastructure will help ports to adapt, unlocking their potential to support the transition from fossil fuels through oil and gas decommissioning, renewable energy (including the significant opportunities for marine energy arising from Scotwind) and low carbon hydrogen production and storage, and the expansion of supply chain and services. This will in turn benefit communities by providing employment and income for local businesses.

## **North East**

*This area focuses on Aberdeen City and Aberdeenshire with cross-boundary links to Moray, and south towards Angus and the Tay estuary.*

### **Priorities**

**To deliver sustainable places, Regional Spatial Strategies and Local Development Plans in this area should plan infrastructure and investment to support the transition from oil and gas to net zero, whilst protecting and enhancing blue and green infrastructure and decarbonising connectivity.**

Action is required to tackle industrial emissions and transition towards a greener future that benefits existing communities and attracts further investment.

Greener energy choices, including hydrogen and on and offshore renewables, have a natural home here and will be at the heart of the area's future wellbeing economy. Investment opportunities focus on the green and blue economy and energy innovation. Significant infrastructure will be required to deliver a hydrogen network for Scotland, including repurposing of existing facilities and the creation of new capacity. £62 million in the Energy Transition Fund is supporting four projects to protect existing jobs and create new jobs in the North East, and across Scotland, by opening up opportunities through energy transition and harnessing private sector funding. This funding aligns with the Aberdeen City Region Deal and continuing support for retraining and skills development. Ports and harbours throughout the area are key assets in the blue economy. As offshore renewables are an important part of Scotland's energy transition, there will be a need to align terrestrial and marine development so as to maximise the potential of this sector.

The area's growth strategy includes a commitment to building with nature by creating multi-functional blue and green networks and improving green spaces in and around settlements, connecting with the national long distance cycling and walking network

and facilitating active travel. Community-led climate action will help to provide locally-driven solutions. A new water supply and waste-water systems will play an important role in building long-term resilience.

Aberdeen is a key transport hub providing vital connections internationally, as well as lifeline services to Orkney and Shetland. Congestion will be reduced as a result of the construction of the Aberdeen Western Peripheral Route, and the A92/A96 Haudagain Improvement project. In the city, work is ongoing to lock in the benefits and prioritise sustainable transport, including Aberdeen Rapid Transit. More widely the Aberdeen to Central Belt Rail Improvements will bring benefits to both passengers and freight.

The area can lead the way in promoting low emissions vehicles, active travel and public transport connectivity as part of its contribution to net zero. Links south to the Central Belt and west towards Inverness remain vital. Work is progressing on the £200m investment being made to improve journey times and capacity between Aberdeen and the Central Belt for passengers and freight. Continuing improvements to digital connectivity and active travel will reduce the need to travel by unsustainable modes and facilitate further remote, home or hub based working.

**To deliver liveable places, Regional Spatial Strategies and Local Development Plans in this area should focus on continued regeneration and encourage more 20 minute neighbourhoods to sustain the skilled workforce and improve local liveability.**

A new focus on local living could help to address the high levels of car ownership and respond to the area's dispersed settlement pattern. Growth corridors extending from Aberdeen to Peterhead, Huntly and Laurencekirk will be a focus for future development, and strategic sites include new communities at Chapelton, Grandhome and Countesswells. There is significant potential to promote more compact growth by making better use of brownfield sites and increasing density.

There will be benefits for people of all ages arising from an increase in local living and a shift towards 20 minute neighbourhoods and the creation of connected, walkable, liveable and thriving places, in both urban and rural contexts. The aim is to encourage sustainable travel options, provide communities with local access to the wider range of facilities, services and amenities to support healthier and flourishing communities. In rural places, social and community infrastructure can be designed with different settlements working in clusters as a 'network of places', providing services and amenities that best meet the needs of local rural communities.

The area's towns contribute to its sense of place and further town centre regeneration will help communities to adapt to current challenges and future change. Service provision also needs to reflect the area's character. Several new or extended primary and secondary schools and community facilities are planned and the area will support wider rural communities by hosting a new centre of excellence for rural and remote medicine and social care. Access to good quality open space and opportunities for local food growing, including allotments and community orchards, can benefit health and wellbeing and tackle inequalities as an integral part of placemaking.

The area benefits from a productive coastline that will be a focus for future economic activity and investment associated with offshore renewable energy and the blue economy. The coast is home to communities who will benefit from continued regeneration and a move towards 20 minute neighbourhoods that reduces the need to travel. Key regional priorities include the regeneration of Banff, Macduff, Fraserburgh and Peterhead. Future coastal vulnerability to erosion, sea level rise and flood risk will need to be factored into development strategies. The fishing industry will continue to contribute to the area's strong sense of place and shared heritage, communities and economy, with some ports and harbours also having opportunities in the cruise and marine leisure sectors.

**To deliver productive places, Regional Spatial Strategies and Local Development Plans in this area should support continued economic diversification and innovation.**

The relocation of some activity at [Aberdeen Harbour](#) to the south harbour has been an important element in planning for the future. Further investment will help to realise its full potential as a low carbon hub and gateway, and there may be opportunities for development at the South Harbour to support the carbon capture and storage and hydrogen innovation work at St Fergus and Peterhead in Northern Aberdeenshire. This is also a significant opportunity to improve urban liveability by unlocking waterfront sites for mixed use development close to the city centre. Local people will need to be involved in deciding how potentially significant industrial and business activity can be accommodated, alongside regenerating a vibrant, redesigned city centre in the coming years.

It is essential that environmental impacts arising from relocation of the harbour and any onward reorganisation of the land uses around it are carefully managed in a way that recognises the location's natural assets and sensitivities. We expect the LDPs and consenting processes to be informed by the required impact assessments, to play a crucial role in guiding future development and addressing environmental sensitivities.

## **Central**

*This area broadly covers central Scotland from the Glasgow city region and the Ayrshires in the west to Edinburgh city region in the east, including the Tay cities, the Forth Valley and Loch Lomond and The Trossachs National Park.*

## **Priorities**

**To deliver sustainable places, Regional Spatial Strategies and Local Development Plans in this area should support net zero energy solutions including extended heat networks and improved energy efficiency, together with urban greening and improved low carbon transport.**

### *Blue and green infrastructure*

The greening of the built environment, including former industrial areas, is a long held ambition that we now need to expedite to significantly reduce emissions, adapt to the future impacts of climate change and tackle biodiversity loss. Investment in green infrastructure will support urban sustainability, help to restore biodiversity, contribute to our overall targets for reducing emissions and improve health and wellbeing.

There is much that we have already learned from past work, for example initiatives to naturalise former mining features, reclaiming canals as a cultural heritage and natural asset, and extensive woodland creation. Wider woodland expansion across more urban areas could make a significant contribution to improving air quality and quality of life by reducing pollution, managing water and cooling urban environments. Blue and green networks can help to deliver compact and liveable cities.

Many initiatives will come together to achieve urban greening:

- The [Central Scotland Green Network](#) will continue to bring together environmental enhancement projects. Initiatives such as the John Muir Pollinator Way demonstrate how nature networks can help restore and better connect biodiversity and enhance green infrastructure at a landscape scale.



- The Glasgow City Region Green Network, a long-term transformational programme of environmental action, can achieve a step change in the quality and benefits of green places across west central Scotland and bring enhanced biodiversity closer to communities. As part of this, the Clyde Climate Forest is proposing natural solutions at scale across the Glasgow city region.
- The Inner Forth Futures Partnership is tackling the effects of climate change and providing recreation benefits through projects such as peatland restoration and woodland expansion, and supporting the creation of habitat networks.
- The River Leven Project in Fife is a holistic place-based approach to development. Blue and green infrastructure will support investment and provide environmental, health and wellbeing benefits for communities.
- The Tayside strategic green and active travel network also aims to create regionally significant assets that contribute to the quality of the area.
- Perthshire Nature Connections Partnership (PNCP) encompasses a long-term, nature-based vision for Perth and Kinross that aims to create a distinct connection between the Cairngorms and Loch Lomond and The Trossachs National Parks.
- There is a particular opportunity to build on the successful regeneration of our canals to provide an invaluable strategic greenspace that connects communities across the area as a whole, contributes to its strong post-industrial heritage and provides wider functions such as water management to support future resilience to climate change. The potential of a canal asset should be recognised as a shared priority.

There is a continuing need to invest in renewing and improving the capacity of flooding, water and drainage infrastructure to build the resilience of communities. A catchment-scale approach, using nature-based solutions, can also provide benefits for the health and quality of life of Scotland's urban communities, particularly where solutions seek to deliver multiple benefits, including biodiversity gain and active travel

routes. This approach can also be more cost-effective than hard engineering solutions and create lasting jobs. For example, the Glasgow city region recognises the challenges for future adaptation and is identifying sustainable solutions to sea level rise, urban overheating, and water management.

Engineered solutions to adapt our water and drainage infrastructure will be required in some circumstances, but should support more natural benefits as far as possible. There is scope to continue, and extend, the lessons from the Metropolitan Glasgow Strategic Drainage Partnership to future proof infrastructure in support of the long-term growth and development of Edinburgh. The Lothian Drainage Partnership is taking this forward with projects emerging within Edinburgh and at the ClimatEvolution Zone in East Lothian.

At a local scale there is significant potential to expand raingardens and sustainable urban drainage systems to help manage surface water as part of blue and green infrastructure for our future cities and towns.

Whilst predominantly urban, this part of Scotland benefits from a rich and diverse rural area and there are many areas where town meets countryside. These green areas and natural spaces are key assets, sustaining communities that could become better places to live if we can achieve this in a way that is compatible with our wider aims for climate change, nature restoration and 20 minute neighbourhoods. The pandemic has demonstrated that many people are looking for more space at home and in their communities. It will be important to plan positively and imaginatively to make sustainable use of the countryside around our cities and towns.

These areas have important functions – productive agricultural land, providing vital ecosystem services and spaces for local food growing, outdoor access and recreation. They support carbon sequestration, including through peatland restoration, woodland creation and conserving natural habitats, and there is scope for innovation in key sectors including sustainable food production.

Planning has the potential to address the impact of climate change on communities whilst also generating renewable heat and facilitating urban cooling from our rivers. Mine water, solar and onshore support for offshore renewables, including development that makes use of existing infrastructure at strategic hubs, all provide opportunities for decarbonisation.

Loch Lomond and The Trossachs National Park has landscape-scale opportunities to restore and enhance nature and respond to climate change, including through woodland creation and peatland restoration, as well as natural flood risk management. The National Park will continue to support the quality of life and health of the urban population and its future priorities include new infrastructure provision to provide a quality visitor experience and support people to connect with nature, as well as a greener tourism sector supported by innovative low carbon transport solutions. Long distance active travel and rail routes have untapped potential to provide sustainable tourism solutions. The area's communities can adapt to support more localised living and working opportunities, with improved digital connectivity and affordable housing. More integrated planning and land management offers opportunities to support land use change and reduction of greenhouse gas emissions. The approach also links with and relates to the action area to the north.

### *Urban accessibility*

A focus on community wealth building, together with growing opportunities for longer term remote working, could address the high levels of transport movement by private car and challenges of congestion and air pollution across the area. Local living, including 20 minute neighbourhoods, will help to minimise future commuting and ensure jobs and income can be spread more evenly across the area. Accessibility and transport affordability can support more resilience which benefits communities who are less connected.

By putting in place [mass/rapid transit systems](#) for Edinburgh through plans to extend the tram network, and for Glasgow including the Clyde Metro and multi-modal connectivity, we have an

opportunity to substantially reduce levels of car-based commuting, congestion and emissions from transport at scale.

Connections to the rest of the UK will be strengthened in the longer term through [high speed rail](#) connectivity, with stations expected in Glasgow and Edinburgh. Decarbonisation of freight will require the construction of new hubs and associated facilities to support logistics. This will also support growing interest in express logistics from rail operators that would see passenger Electrical Multiple Units converted to carry small freight, targeting the UK parcel market. Ports on the Clyde, Forth and Tay coasts will also play a key role in this transition.

Digital connectivity will facilitate remote working, supporting the growth of towns and villages outwith the larger cities and potentially leading to a renaissance in more rural living. It will be crucial to address digital inequality, whether through cost, infrastructure or skills development, as virtual service provision continues to grow.

**To deliver [liveable places](#), Regional Spatial Strategies and Local Development Plans in this area should pioneer low carbon, resilient urban living by rolling out networks of 20 minute neighbourhoods, future proofing city and town centres, accelerating urban greening, investing in net zero homes, and managing development on the edge of settlements.**

### *20 minute neighbourhoods*

The diversity of this area, from metropolitan districts to rural and dispersed settlements, will require concerted effort to develop networks of places that meet the principles of local living and 20 minute neighbourhoods, and with fair access to a range of services that support sustainable living. Planning should focus on revitalising cities and towns at scale, supporting a finer grained approach to placemaking, and a more intricate mix of land uses and density. This should incorporate networks of natural spaces and blue and green infrastructure, to create health and wellbeing benefits, increase resilience to climate change and support the growth of green job opportunities.

The car-based design of some of our places, including many suburban areas and new towns, mean that a significant shift to a more people centred approach will be required. Planning can help retrofit facilities and services into areas where they are scarce, such as predominantly residential areas, to enable better integrated, mixed-use areas. City, town and neighbourhood centres can be at the heart of this if they are planned to strengthen self-sufficiency and bring services and jobs closer to homes. The recommendations of the recent town centre review can be delivered by supporting a wider range of uses and making the most of their assets.

Accessibility will be a key part of the transition and will involve investment in infrastructure and services in line with the sustainable travel and investment hierarchies, to improve fair access and reduce carbon emissions. Active travel networks will need to expand to make walking, wheeling and cycling an attractive, convenient, safe, and sustainable choice for everyday travel. There are significant opportunities for investment in heat networks, energy storage and the circular economy to create more sustainable neighbourhoods.

### ***Energy efficient, affordable homes***

As well as building new homes to net zero standards, more will need to be done to meet the bigger challenge of upgrading the existing housing stock to reduce emissions and adapt to future climate impacts. Emissions from our homes need to be very substantially reduced – by 2030, they must fall by 68% from 2020 levels.

Improved energy efficiency will be needed, by providing zero emissions heating solutions and more sustainable water management practices for existing settlements and homes. Improving sustainable travel options and reliability will help to reduce transport based emissions associated with our homes.

There is a particular pressure for housing solutions, including provision of affordable homes that meet future needs, in the south east of Scotland. Edinburgh has committed to building affordable homes at scale, and will

need to work with the region to accommodate wider need and demand in a strategic way. Seven strategic sites, supported through the Edinburgh and South East Scotland City Region Deal, could accommodate up to 45,000 homes and associated economic and employment benefits including: Blindwells, Calderwood, Dunfermline, Edinburgh Waterfront, Shawfair, Tweedbank and Winchburgh. The need for proposals to be supported by low carbon transport solutions, in line with the Infrastructure Investment Plan and National Transport Strategy investment hierarchies and infrastructure first approach, will be critical to their success. The Edinburgh and South East Scotland City Deal identifies infrastructure investment as part of this. These interventions and commitments, taken with the additional transport investment made through the Deal, will ensure the city region continues to grow and flourish. Regionally significant services, including healthcare and social care facilities and investment in the learning estate, is also planned to support future growth and sustain the wellbeing of existing, new and expanding communities.

### ***Waterfront regeneration***

The region's coasts and firths define the area's history and shape its sense of place. There is potential to unlock the strategic importance of coasts, estuary and river corridors for climate mitigation, resilience, and positive environmental change. Coastal change, driven by climate change, will need to be managed to build long-term resilience and future-proof our waterfronts, where this is feasible. Progress has been made to create long distance walking and cycling routes to open up access to waterfront spaces and reclaim them as a resource for people as well as industry. There will be a need to anticipate and mitigate risk from coastal erosion, flood risk and storm surges, with a focus on natural solutions which work with the unique biodiversity and landscape character of these important places.

These coasts are rich in cultural and natural heritage. Along the Inner Forth, various projects provide multiple benefits, including flood management, cultural landscape enhancement, habitat creation, access and



tourism. Edinburgh's waterfront regeneration is ongoing, with Granton benefiting from an ambitious masterplan, the tram extension to Leith progressing and potential development at Seafield helping to redefine the city's relationship with its coastline. This is reusing existing assets and helping Edinburgh to become a more liveable city. A masterplanned approach to regenerating the [Edinburgh Waterfront](#) can take into account opportunities for the Port of Leith to service the offshore energy sector. More broadly, port facilities should continue to be capable of servicing freight traffic within the Firth of Forth given the importance of east coast freight links.

The successful regeneration of [Dundee Waterfront](#) has demonstrated the potential to make sustainable use of our urban coasts, and ongoing proposals include the creation of a marina at Victoria Dock and further development of central waterfront sites. Dundee port has an aspiration to expand its operational area into the Firth of Tay. The HRA of NPF4 has identified that such development would have a high probability of resulting in adverse effects on the integrity of European site(s). This would therefore need to be considered carefully at project level, including through the HRA process to ascertain that there will be no adverse effects on European sites, or if this is not the case, whether there are imperative reasons of over-riding public interest and relevant statutory tests are met.

### *Reuse of brownfield land*

A more liveable Central Belt means that we will need to do more to reuse empty buildings and brownfield land, including vacant and derelict land, particularly spaces which have not been used for decades and can be accessed by sustainable modes. This will reduce further urban sprawl and improve local environments. Around 40% of Scotland's vacant and derelict land is concentrated in the Glasgow city region and its reuse for a range of uses is a key priority. Edinburgh has committed to building a significant share of future housing development on brownfield sites and progress is being made in Dundee to repurpose disused sites, including the creation of a new innovation park on the former Michelin site.

A combination of incentives, investment and policy support for productively reusing brownfield land and buildings at risk will be required to steer development away from greenfield locations, whilst also acknowledging their biodiversity value and potential for urban greening. Public-sector led development can shape future markets and deliver development in places where change is needed the most and can deliver multiple benefits. Redevelopment should include, but not be limited to, housing development. By de-risking sites and taking an infrastructure first approach, this land can help to achieve a better distribution of new homes to meet our future needs. This will also reduce pressure in places where growth is no longer sustainable. Key projects include the Eden project on the sites of the former Dundee gasworks, and the redevelopment of Ravenscraig, a longstanding post-industrial site where new development, including improved transport connectivity, can bring new models of low carbon living at scale.

**To deliver [productive places](#), Regional Spatial Strategies and Local Development Plans in this area should target economic investment and build community wealth to overcome disadvantage and support a greener wellbeing economy.**

This area has a diverse business base and is a key engine of growth for Scotland as a whole. There are many clusters of sites and businesses which form the basis of regional propositions for investment. In line with our aspirations to build a wellbeing economy, opportunities for investment and development should be designed to maximise economic, social and environmental wellbeing, rather than focusing on growth alone. A planned approach can help to target future development in areas of significant economic disadvantage so that new and better jobs are more fairly distributed to help address national, regional and more localised inequality.

### ***City and town centres***

The pandemic has brought obvious challenges for our city centres, but has also unlocked opportunities to take forward new models of working that could better support wellbeing and improve our places in the longer term. The continued growth of remote and local working and the creation of hubs within groups of settlements could significantly reduce the need to travel, whilst also helping to grow local businesses and communities.

This raises significant questions for the future of city centres. Existing offices have the potential to be repurposed to achieve higher density mixed use neighbourhoods with a lower carbon footprint and require careful planning to ensure future communities are properly supported by appropriate services.

Glasgow city centre, an exceptional asset and a primary location and cultural destination, has been significantly impacted by unprecedented changes in working patterns, service provision and the retail sector. Whilst these changes may not be sustained in the long-term, now is the time to accelerate work to diversify the city centre and invest in maintaining and re-using existing buildings so that it can evolve to be a more carbon conscious place. Existing connections mean the centre could sustain many more homes to meet a commitment to doubling the city centre population, revitalising places and creating a 24 hour city that is safe and open to everyone. Significant investment in schools, community services and greenspace will be needed to achieve this and more creative use of the public realm and a low emission zone will help to make this a safer and healthier environment for people of all ages. Innovative solutions, such as retrofitting energy efficiency measures to social housing across the city, could be extended to help improve the built fabric of the city centre's commercial properties.

Edinburgh has similar challenges and opportunities for positive change. High interest in investment and associated demand for new homes means that planning will need to help deliver sustainable development that supports the quality of life of existing and future residents.

As a capital city with a World Heritage Site at its core, it will be crucial that future development takes into account the capacity of the city itself and its surrounding communities and makes the most of its exceptional heritage assets, places and cultural wealth. The City Centre Transformation Plan supports a move away from a car-based city centre to create a more liveable and attractive place to live, work and visit. The Forth Bridge is also an inscribed UNESCO World Heritage Site, and our rich industrial and cultural heritage remains apparent across the area.

Dundee is well on the way towards reinventing itself through regeneration of the waterfront, unlocking strategic sites for new homes and new opportunities for innovation and economic development arising, such as the Michelin Scotland Innovation Park and at the port. Continued regeneration in this area, building on the city's rich culture, sense of place and appetite to innovate will also contribute to the overall aims for this part of Scotland. The V&A will continue to be a focal point for this, evolving to become a National Centre for Design within this UNESCO City of Design.

Town centres throughout this area will also play a critical role in driving a new economic future. The recent town centre review highlights opportunities to expand the range of services and facilities they offer, reuse redundant buildings and provide new homes for a wide range of people. This in turn will ensure their crucial role in defining our sense of place is protected and enhanced, future proofing a key asset for Scotland as a whole.

### ***Strategic sites***

Many business and investment sites are located along key transport corridors and new approaches may be required as investment transitions away from locations that can only be reached by car towards more accessible areas that are connected by low carbon and active travel options.

The [Clyde Mission](#) will stimulate investment in sites along the Clyde to build a wellbeing economy and achieve a step-change in the quality of the environment for communities. This

ambitious project will reuse extensive areas of vacant and derelict land in accessible locations and requires a sustainable approach to manage the future impact of climate change. Key sites extend from Greenock Ocean Terminal to Queens Quay, Tradeston, the Broomielaw and Glasgow City Centre, to Clyde Gateway – a longstanding regeneration project which has made exceptional progress in transforming communities and overcoming inequality. A national collaboration to support delivery of the project has significant potential to accelerate change, attract investment and achieve wider benefits for communities. The wider Clyde Coast, an iconic area rich in cultural heritage and natural assets, can be reimagined through collective efforts on regeneration in nearby coastal communities, such as Dunoon and Rothesay. The area's accessibility by train and water means that it is an ideal location for low carbon tourism and leisure.

Aligning with the Clyde Mission, the Ayrshire Councils are working together through their Ayrshire Growth Deal and Community Wealth Building programme to build economic resilience and address unemployment, poverty and inequality across their area, with town centres at the heart of communities. This includes proposals for advanced manufacturing and aerospace engineering which will make use of the existing infrastructure and investment opportunities available at Glasgow and Prestwick airports. Glasgow is already a centre of expertise for manufacturing satellites and will benefit from the associated development of a network of spaceports across the country, whilst supporting wider industry and employment. The Ardeer peninsula is also a significant site for redevelopment of the wider Ayrshire area. [Hunterston](#) is a strategic asset with deepwater access, where there are plans for new economic development and employment uses. Development of the site will need to take account of future vulnerability to climate change. A planned marine centre at Ardrossan will provide further opportunities.

The Edinburgh City Region supports investment in significant clusters including the Bioquarter, Mid Fife, Dunfermline, Guardbridge St. Andrews,

Galashiels, Cockenzie, Midlothian and the M8 corridor. A strategy for West Edinburgh is emerging which guides a wide range of uses to create a sustainable extension to the city, with added benefit from associated improvements to the quality of place of existing communities. Proposals focus on locating development on and around existing transport corridors and work is ongoing to improve accessibility including the Edinburgh tram extension. Further investment should take into account the impact of new development on potentially compounding existing capacity constraints and congestion, and prioritise sustainable choices.

As the highest single source of industrial emissions in Scotland, and a key part of our future resilience and manufacturing base, continued investment at Grangemouth, and the strategic sites it includes, will be required. Plans are emerging for innovative industry in the Falkirk/Grangemouth Investment Zone, building on the area's strengths in chemicals and making the most of strategic assets including the port and rail connection. There is great potential, not only to reduce emissions at the Grangemouth complex, but also to grow the cluster into a hub of low carbon manufacturing that can help unlock wider decarbonisation across the country, with its strategic location, infrastructure, assets and skills base. Opportunities include renewable energy innovation, bioenergy hydrogen production with carbon capture and storage, and repurposing of existing strategic and critical infrastructure such as pipelines. The skills, knowledge and experience that is currently situated there for the petro-chemicals sector is a prime resource for the transition to net zero. This can form a focal point in a wider masterplan for Forth Valley that brings together opportunities for energy with the circular economy to support wider investment in green economic opportunities.

Coastal sites formerly used for baseload power generation – specifically Longannet and Cockenzie – benefit from existing assets and infrastructure that can be repurposed to form the basis of new proposals. At Cockenzie, work is ongoing to develop an opportunity for a Climate Evolution Zone to generate employment and



provide essential infrastructure for net zero, linked with the potential to expand the new sustainable settlement at Blindwells, within the Greater Blindwells Development Area. There is scope to build on the strategic location and rail connectivity of Longannet to benefit local communities around this part of the Forth. There are further opportunities for a range of economic activities and investment in ports associated with a green economy at Montrose, Dundee, Rosyth, Burntisland, and Methil.

The Levenmouth rail link will reconnect Leven to the mainline rail network with new stations at Leven and Cameron Bridge by 2024 subject to consenting processes. This will enhance the communities it serves and contribute positively to the lives of people who live there by unlocking access to social, cultural, employment and educational opportunity.

The Tay Cities Region has a strong regional proposal for developing clusters of investment in research and innovation supporting a range of sectors in both urban and rural areas including life sciences, energy, digital, and food production. Perth is managing housing development in strategic development areas and transport infrastructure investment and the creation of a bus and rail interchange to support modal shift and establish a new gateway to the city. Work is underway to deliver local heat and energy networks, Perth West Regional Innovation Park and to make Perth the 'Biodiversity Capital of Scotland'. Angus Council is progressing its Mercury Programme to support clean growth, low carbon transport and housing and agri tech which will contribute to future food security and reduce emissions. Key sites include Montrose Port, and the Angus Rural Mobility Hub in Brechin.

Stirling is bringing forward new opportunities for innovation and investment, building on the city's strong heritage and supported by the area's educational institutions. Within Forth Valley, a National Tartan Centre, the Canal corridor, the Frontiers of the Roman Empire: Antonine Wall World Heritage Site, Ochil Hills and Whisky Trail create a unique heritage offering which will support local employment and strengthen the

area's sense of place. Tourism is a key theme in the emerging regional economic strategy for the Forth Valley and both the Falkirk Growth Deal and Stirling and Clackmannanshire City Region Deal.

### **Ports**

Key ports in this area can play a central role in supporting the expansion of renewable energy, in particular offshore wind energy. It will also be important to make use of the infrastructure to reduce road haulage and secure a more sustainable freight sector which directly links to international markets. There are opportunities for enhanced cruise facilities for the Forth, as well as the Clyde where Greenock Ocean Terminal, supported by the Glasgow City Region Deal, can build on its role as a key gateway. There may be opportunities to make use of harbour facilities to support the marine leisure industry.

Development of ports on the Firth of Forth will also need to take account of the potential for a substantial increase in freight and passenger traffic between Scotland and continental Europe, linked to the Scottish Government's objective that Scotland should accede to the EU as an independent Member State at the earliest possible opportunity.

## South

*This area broadly includes Dumfries and Galloway and the Scottish Borders, South and East Ayrshires, South Lanarkshire in the west, with links to the Lothians towards the east.*

### Priorities

**To deliver sustainable places, Regional Spatial Strategies and Local Development Plans in this area should protect environmental assets and stimulate investment in natural and engineered solutions to climate change and nature restoration, whilst decarbonising transport and building resilient physical and digital connections.**

This area's forests and woodland are a nationally significant asset and its extensive peatland will need to support carbon storage and sequestration. The Borderlands Natural Capital Programme will develop trials and sector strategies to restore biodiversity, build resilience and make the most of the area's natural assets to support climate change mitigation and adaptation. This will build on the successes of a range of nature restoration projects in the area, such as the Carrifran Wildwoods project.

The UNESCO Galloway and Southern Ayrshire Biosphere is a crucial environmental asset which can contribute to the area's future sustainability, liveability and productivity. The South of Scotland Regional Land Use Pilot is providing significant opportunity to work with landowners, landed interests and others to look at the multi-benefits from land use and to maximise natural capital opportunities.

The South of Scotland is an important centre for renewable energy generation. Proposals for consolidating and extending existing wind farms and associated grid improvements and supply chain opportunities will require a carefully planned approach. The Solway Firth has significant potential for renewable energy generation in the future, but development will require careful planning given the sensitivity of the environment and its international importance for nature conservation.

The area's low carbon future will depend on supporting modal shift and reducing car use, given current dependence on the car and need to improve access to services, education and employment. Low emissions vehicles will only go some of the way towards addressing future challenges. Enhancing public transport and improving connectivity between communities in the east and west will help to support thriving and distinct communities.

Public transport, including the bus network, will play an important role in decarbonisation and developing innovative solutions and linkages to the rail system. Active travel should be supported with wheeling, walking and cycling within and between towns and other communities linked to strategic routes for residents and visitors. This is important not only for local sustainability but also as a strategic attraction to take advantage of major outdoor recreation opportunities.

There is also a need to secure better digital links to unlock the potential of rural living and home or hub working. The Borderlands Digital Infrastructure Programme will play a key role in supporting connectivity and responding to future technology and innovation.

**To deliver liveable places, Regional Spatial Strategies and Local Development Plans in this area should increase the population by improving local liveability, creating a low carbon network of towns and supporting sustainable rural development.**

Quality of life for people living in the area will depend on the network of settlements in the future and existing communities should form the basis of a tailored response to the local living concept. Town centres can be strengthened as they recover from the pandemic. New measures to build resilience to climate change will be required including flood risk management in key settlements.

Housing provision will play a key role in supporting the area's aspirations for economic development as well as in maintaining

and growing a working age population. Decarbonisation of existing homes will be required, as well as a strategic approach to rolling out electric vehicle charging. Communities themselves will have a critical role to play in shaping their future development.

The area is already investing in regenerating and future proofing its towns and wider communities. The [Stranraer Gateway](#) Project is an opportunity to consolidate and bring new impetus to regenerate this strategically located settlement. Plans include expansion of the marina, supported by the Borderlands Inclusive Growth Deal, and low carbon heating can be incorporated as part of the transformation of the wider town. Nearby Cairnryan is a crucial gateway to Scotland, with a need to make best use of existing connections.

Regeneration innovation extends across the area. The HALO Kilmarnock project focuses on the reuse of vacant industrial land to create a low carbon community urban village, acting as an exemplar for innovative transformation of future places. The Ayrshire Manufacturing Investment Corridor project supports the economic generation of Kilmarnock and the wider region, whilst the CoRE (Community Renewable Energy) project in Cumnock seeks to explore, develop and provide solutions to energy supply and storage challenges in urban and non-urban areas, and to help in the development of a new, more flexible energy grid to complement existing power systems.

**To deliver productive places, Regional Spatial Strategies and Local Development Plans in this area should support local economic development whilst making sustainable use of the area's world-class environmental assets to innovate and lead greener growth.**

The future sustainability of the area will depend on the creation of high quality and green jobs for local people. The local economy will need to diversify from its focus on land based industries (agriculture and forestry), to sustain a wider range of businesses and jobs. An emphasis on

community wealth building will help to reduce dependence on public sector employment and a relatively low wage economy associated with rural and primary sectors.

The current approach to investment focuses on strategic growth corridors linking economic hubs with transport routes. Whilst the strategic road network is an asset and contributes to the area's connections north and south, a long-term strategy will require innovation and fresh thinking to ensure that future growth reflects our commitment to reducing greenhouse gas emissions and reducing inequality.

The future growth of the east of the area aims to consolidate existing settlements, capitalise on the strong sense of place of its towns and ensure accessibility by locating new development close to the Borders Rail Line. The Borderlands Place Programme, Borderlands Natural Capital Project, future Regional Land Use Partnerships and other strategic initiatives can support an integrated approach to protecting and restoring the area's natural assets, enhancing the built environment and achieving a greener, fairer and more inclusive wellbeing economy across the area.

Employment opportunities can support population growth, help to retain more young people and transition the area away from its current dependence on low wage sectors. New ways of working, including remote working could attract more people to live here, supporting the economy and sustaining local services and facilities. This will also benefit from continued support for local skills development and centres of further and higher education including the Galashiels campus of Heriot Watt University and Glasgow University at the Crichton Campus, Dumfries.

Significant investment sites include the former nuclear power station at Chapelcross which benefits from existing grid connections and is an opportunity to repurpose the land by establishing a green energy park that contributes to national ambitions and innovation. Low carbon accessibility will be a key challenge, as the site is remote from Annan and not served by public



transport. Providing access to wider markets, the port at Cairnryan could create further strategic growth opportunities. The expansion of Tweedbank and an inclusive approach to economic development in the Central Borders and Tweeddale are also strategic opportunities.

The area has aspirations to become a prime outdoor recreation and green tourism destination. Key projects include the South West Coastal Path, and projects supported by the Borderlands Inclusive Growth Deal; the Mountain Biking Innovation Centre at Innerleithen, updating the cycling experience and facilities at some of the 7stanes sites, and Destination Tweed which will deliver a multi-user path and cycle route from Moffat to Berwick upon Tweed. More could be made of the area's border location and attractions to ensure visitors make better use of local services and support the economy and communities.

The west of the area has a close relationship, and strategic connection to, Northern Ireland and Ireland via Cairnryan, as well as across the English border to Carlisle and onwards to European markets. The connection to Northern Ireland and Ireland is already a focus for freight movements as a result of EU Exit.

In the east, the Scottish Borders has a role to play as part of the Edinburgh City Region, with the Borders Railway opening up new sites for sustainable development towards the north, and the south sustaining rural industries. Work is ongoing to assess the feasibility of extending the Borders Railway from Tweedbank to Carlisle.

## Annex D – Six Qualities of Successful Places

### 1. Healthy: Supporting the prioritisation of women’s safety and improving physical and mental health

Designing for:

- **lifelong wellbeing** through ensuring spaces, routes and buildings feel safe and welcoming e.g. through passive surveillance and use of physical safety measures.
- **healthy and active lifestyles**, through the creation of walkable neighbourhoods, food growing opportunities and access to nature and greenspace
- **accessibility and inclusion** for everyone regardless of gender, sexual orientation, age, ability and culture
- **social connectivity** and creating a sense of belonging and identity within the community
- **environmentally positive places** with improved air quality, reactivating derelict and brownfield land, removing known hazards and good use of green and blue infrastructure

### 2. Pleasant: Supporting attractive natural and built spaces

Designing for:

- **positive social interactions** including quality of public realm, civic spaces, streets and ensuring a lively and inclusive experience
- **protection** from the elements to create attractive and welcoming surroundings, including provision for shade and shelter, mitigating against noise, air, light pollution and undesirable features, as well as ensuring climate resilience, including flood prevention and mitigation against rising sea levels
- **connecting with nature** including natural landscape, existing landforms and features, biodiversity and eco-systems, integrating blue and green infrastructure and visual connection
- **variety and quality** of play and recreation spaces for people of all ages and abilities
- **enjoyment**, enabling people to feel at ease, spend more time outdoors and take inspiration from their surroundings

### 3. Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Designing for:

- **active travel** by encouraging more walking, wheeling and cycling together with reliable, accessible, public transport and shared transport hubs that allow for simple modal shifts
- **connectivity** including strategic cycle routes, local cycle routes, footpaths, pavements, active travel networks, desire lines, destinations, permeability, accessibility and catering for different needs and abilities
- **convenient connections** including local and regional interconnection, infrastructure, sustainable travel, interchange between public transport and active travel and supporting easy modal shifts in transport
- **pedestrian experience** including safe crossing, pedestrian priority, reduced vehicular speed and noise, inclusive design and surfaces, assistive technology, reduced street clutter, catering for suitable vehicular parking and management of loading/unloading and deliveries and refuse collections

#### 4. Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted into designs to reinforce identity

Designing for:

- **scale** including density, building heights, massing, orientation, building lines and legibility
- **built form** including mix of typologies, types, uses, sizes and tenures
- **sense of place** including design influences, architectural styles, choice of materials and finishes, detailing, landscape design, active frontages and cultural context

#### 5. Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience and integrating nature positive biodiversity solutions

Designing for:

- **transition to net-zero** including energy/carbon efficient solutions, retrofitting, reuse and repurposing and sharing of existing infrastructure and resources
- **climate resilience and nature recovery** including incorporating blue and green infrastructure, integrating nature positive biodiversity solutions
- **active local economy** including opportunities for local jobs and training, work spaces, enabling working from home, supporting community enterprise and third sector
- **community and local living** including access to local services and facilities, education, community growing and healthy food options, play and recreation and digital connectivity

#### 6. Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can meet the changing needs and accommodate different uses over time

Designing for:

- **quality and function**, ensuring fitness for purpose, design for high quality and durability
- **longevity and resilience** including recognising the role of user centred design to cater for changing needs over time and to respond to social, economic and environmental priorities
- **long-term maintenance** including effective engagement, clarity of rights and responsibilities, community ownership/stewardship, continuous upkeep and improvements

### Place Standard Tool and the delivery of successful places

The Place Standard contains 14 themes that support the Six Qualities of Successful Places, providing a consistent framework to consider and to assess the quality of new and existing places. The Place Standard tool Design Version is specifically created to support the consideration of development planning and design within the framework of the 14 Place Standard themes and to deliver on the Six Qualities of Successful Places.



## Annex E – Minimum All-Tenure Housing Land Requirement

This Annex sets out the Minimum All-Tenure Housing Land Requirement (MATHLR) for each planning authority in Scotland. This is to meet the requirement of Section 3A(3)(d) of the Town and Country Planning (Scotland) Act 1997, as amended. The MATHLR is the minimum amount of land, by reference to the number of housing units, that is to be provided by each planning authority in Scotland for a 10 year period. The MATHLR is expected to be exceeded in each Local Development Plan's Local Housing Land Requirement.

Local and National Park Authority	MATHLR
Aberdeen City	7,000
Aberdeenshire	7,550
Angus	2,550
Argyll & Bute	2,150
Cairngorms National Park	850
City of Edinburgh	36,750
Clackmannanshire	1,500
Dumfries & Galloway	4,550
Dundee City	4,300
East Ayrshire	4,050
East Dunbartonshire	2,500
East Lothian	6,500
East Renfrewshire	2,800
Eilean Siar	192
Falkirk	5,250
Fife (Central and South)	5,550
Fife (North)	1,750
All Fife*	7,300
Glasgow City	21,350
Highland	9,500
Inverclyde	1,500
Loch Lomond & The Trossachs National Park	300
Midlothian	8,850
Moray	3,450
North Ayrshire	2,950
North Lanarkshire	7,350
Orkney	1,600
Perth & Kinross	8,500
Renfrewshire	4,900
Scottish Borders	4,800
Shetland	850
South Ayrshire	2,000
South Lanarkshire	7,850
Stirling	3,500
West Dunbartonshire	2,100
West Lothian	9,850


\* The total consists of Fife North and Fife Central and South. This reflects that Fife was formerly part of two Strategic Development Plan areas and contributed to separate Housing Need and Demand Assessments.

## Annex F – Glossary of definitions

<b>20 minute neighbourhood</b>	A flexible approach to assessing our places against the concept of local living. A method of achieving connected and often compact neighbourhoods designed in such a way that people can meet the majority of their daily needs within a reasonable distance of their home preferably by sustainable and active travel methods. The principle can be adjusted to include varying geographical scales from cities and urban environments, to rural and island communities. Housing would be planned together with local infrastructure including schools, community centres, local shops and health and social care to significantly reduce the need to use unsustainable methods of travel, to prioritise quality of life, help tackle inequalities, increase levels of health and wellbeing and respond to the climate emergency.
<b>4G</b>	4G is the fourth generation of mobile phone technology, following 2G and 3G. 2G technology was suitable for making calls and sending text messages, while 3G makes it possible to access the internet more effectively through devices such as a mobile, tablet or laptop. It's ideal for services that demand more capacity, like video streaming, mapping and social networking sites.
<b>5G</b>	<p>5G is much faster than previous generations of wireless technology. 5G also offers greater capacity, allowing thousands of devices in a small area to be connected at the same time.</p> <p>The reduction in latency (the time between instructing a wireless device to perform an action and that action being completed) means 5G is also more responsive. Together these features make 5G highly relevant for industrial applications.</p> <p>The connectivity and capacity offered by 5G is opening up the potential for new, innovative services while mobile spectrum can be used in more effective ways.</p>
<b>Affordable home/affordable housing</b>	Good quality homes that are affordable to people on low incomes. This can include social rented, mid-market rented, shared-ownership, shared-equity, housing sold at discount (including plots for self-build), self-build plots and low cost housing without subsidy.
<b>Agent of change principle</b>	Where an application is made for development which is likely to be affected by noise from existing development such as, but not limited to, music venues, manufacturing or industrial sites, large retail outlets, etc., the applicant is required to demonstrate both that they have assessed the potential impact on occupants of the proposed development and that the proposed design incorporates appropriate measures to mitigate this impact.
<b>Ancient woodland</b>	Land that has maintained continuous woodland habitat since at least 1750.
<b>Appropriate assessment</b>	Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994, as amended, requires an authority, before deciding to undertake, or give any consent, permission or other authorisation for certain plans or projects likely to have a significant effect on a European site in Great Britain (either alone or in combination with other plans or projects), to make an 'appropriate assessment' of the implications for the site in view of that site's conservation objectives.

<b>Biodiversity</b>	The variability in living organisms and the ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems (UN Convention on Biological Diversity, 1992).
<b>Blue economy</b>	The Blue Economy is sustainable use of ocean resources for economic growth, improved livelihoods and jobs, while preserving the health of marine and coastal ecosystem.
<b>Blue infrastructure</b>	Water environment features within the natural and built environments that provide a range of ecosystem services. Blue features include rivers, lochs, wetlands, canals, other water courses, ponds, coastal and marine areas including beaches, porous paving, sustainable urban drainage systems and raingardens.
<b>Brownfield</b>	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable.
<b>Buildings at risk register</b>	The Buildings at Risk Register (BARR) for Scotland ( <a href="http://buildingsatrisk.org.uk">buildingsatrisk.org.uk</a> ) has been in operation since 1990 and highlights properties of architectural or historic merit that are considered to be at risk. Buildings at risk are not necessarily in poor condition, they may simply be standing empty with no clear future use or be threatened with demolition.
<b>Business and industry</b>	Business, general industrial and storage and distribution uses and smaller scale business uses such as home-working, live-work units and micro-businesses.
<b>Carbon capture utilisation and storage</b>	Carbon capture, utilisation and storage (CCUS) encompasses the methods and technologies used to capture the carbon dioxide generated by large-scale energy intensive processes, such as power generation and industrial processes, and transport that captured carbon dioxide for safe and permanent storage deep underground in a geological formation. In some applications, the captured carbon dioxide can be recycled and used to manufacture useful products, thus giving it economic value.
<b>Carbon-rich soils</b>	Organo-mineral and peat soils are known as carbon-rich soils. A peat soil is defined in Scotland as when soil has an organic layer at the surface which is more than 50cm deep. Organo-mineral soil or peaty soil is soil which has an organic layer at the surface less than 50cm thick and overlies mineral layers (e.g. sand, silt and clay particles). There is also a relatively rare group of soils in Scotland known as humose soils. These have organic rich layers with between 15 and 35% organic matter. These are mineral soils but also considered to be carbon rich.
<b>Carbon sequestration</b>	The long-term removal, capture, or sequestration of carbon dioxide from the atmosphere to slow or reverse atmospheric carbon dioxide (CO <sub>2</sub> ) pollution and to mitigate or reverse climate change.
<b>Carbon sink</b>	A carbon sink is a natural or artificial reservoir that accumulates and stores CO <sub>2</sub> for an indefinite period.



<p><b>Circular economy</b></p>	<p>A circular economy is one that is designed to reduce the demand for raw material in products; to encourage reuse, repair and manufacture by designing products and materials to last as long as possible in line with the waste hierarchy.</p>	 <p>The diagram is an inverted pyramid with five horizontal sections, each representing a level of the waste hierarchy. From top to bottom, the sections are:     <ul style="list-style-type: none"> <li><b>Prevention</b>: If you can't prevent, then ...</li> <li><b>Prepare for reuse</b>: If you can't prepare for reuse, then ...</li> <li><b>Recycle</b>: If you can't recycle, then ...</li> <li><b>Recover other value (e.g. energy)</b>: If you can't recover value, then ...</li> <li><b>Disposal</b>: Landfill if no alternative available</li> </ul>     Below the pyramid, the text 'Waste Hierarchy' is written.</p>
<p><b>Climate change adaptation</b></p>	<p>Climate change adaptation is about responding to the changes that we have seen in our climate over the last few decades, and preparing for the challenges that we will face as our climate continues to change.</p>	
<p><b>Climate change mitigation</b></p>	<p>Climate change mitigation refers to efforts to reduce or prevent emissions of greenhouse gasses, which have a direct impact on global average temperatures, and reducing the current concentration of carbon dioxide by enhancing carbon sinks (for example, increasing the area of forest).</p>	
<p><b>Commercial centre</b></p>	<p>Centres which have a more specific focus on retailing and/or leisure uses, such as shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres.</p>	
<p><b>Community</b></p>	<p>A body of people. A community can be based on location (for example people who live or work in or use an area) common identity (for example a shared ethnicity, language, age) or common interest (for example the business community, amenity, sports, social or heritage groups).</p>	
<p><b>Community facilities</b></p>	<p>Buildings or services used by the community, including community halls, recreation centres and libraries.</p>	
<p><b>Community hub</b></p>	<p>A community hub is a multi-purpose centre, such as a community centre, medical centre or school, that provides a range of high quality and cost effective services to the local community.</p>	
<p><b>Community wealth building</b></p>	<p>A people-centred approach to local economic development, which redirects wealth back into the local economy, and places control and benefits into the hands of local people.</p>	
<p><b>Conservation area</b></p>	<p>Conservation areas are areas which have special architectural or historic interest that are considered worthy of protection. Their selection, assessment and designation is carried out by the planning authority. To be designated as a conservation area it must meet the criteria of 'special architectural or historic interest the character or appearance of which is desirable to preserve or enhance', as set out in Section 61 of the Planning Listed Buildings and Conservation Areas (Scotland) Act 1997.</p>	

<b>Cultural significance</b>	Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations. Cultural significance can be embodied in a place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.
<b>Cumulative impact</b>	Impact in combination with other development. That includes existing developments as appropriate, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process.
<b>Cumulative impacts (in the context of the strategic transport network)</b>	The effect on the operational performance of transport networks of a number of developments in combination, recognising that the effects of a group of sites, or development over an area may need different mitigation when considered together than when considered individually.
<b>Custom-build housing</b>	Where a person tasks a house builder to tailor a home to their preferences before it is built.
<b>Decarbonisation</b>	Reducing the amount of gaseous carbon compounds released by buildings, activities or operations.
<b>Deliverable housing land pipeline</b>	The expected sequencing of the Local Housing Land Requirement over the short (1-3 years), medium (4-6 years) and long-term (7-10 years), set out in the local development plan delivery programme.
<b>Deliverable land</b>	Land that is free from constraints or there is a commitment to overcome constraints, and development is able to be delivered in the period identified for the site within the Deliverable Housing Land Pipeline.
<b>Derelict land</b>	Previously developed land which is un-remediated and/or which has a constraint caused by its previous use which hampers its redevelopment or naturalisation.
<b>Design flood</b>	Magnitude of the flood adopted for the design of a site, usually defined in relation to the severity of the flood in terms of its return period.
<b>Ecosystem services</b>	The benefits people obtain from ecosystems.
<b>Egress (safe, flood free pedestrian access and egress)</b>	A route for the movement of people (not vehicles) of all abilities (on foot or with mobility assistance) between the development and a place of safety outwith the design flood level.
<b>Enabling development</b>	Enabling development is development that would otherwise be unacceptable in planning terms, but is essential, to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss.

<b>Essential infrastructure</b>	Essential infrastructure includes digital communications infrastructure; telecommunications infrastructure; all forms of renewable, low-carbon and zero emission technologies for electricity generation and distribution and transmission electricity grid networks and primary sub stations; water and waste water infrastructure; and transport proposals and travel networks identified in the local development plan.
<b>Evidence report</b>	A supporting document to the local development plan. An evidence report summarises the evidence base for those proposals and policies set out in the development plan and demonstrates that appropriate consultation has been undertaken and regard given to the views of the community.
<b>Facilities for managing secondary materials</b>	<p>Facilities where materials can be collected and sorted into the various component parts or consolidated into bulk quantities for re-use either in their original or an alternative function and for recovery.</p> <p>‘Recovery’ means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.</p> <p>‘material recovery’ means any recovery operation, other than energy recovery and the reprocessing into materials that are to be used as fuels or other means to generate energy. It includes, inter alia, preparing for re-use, recycling and backfilling; ‘preparing for re-use’ means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing.</p>
<b>Flood</b>	The temporary covering by water from any source of land not normally covered by water, but not including the overflow of a sewage system.
<b>Flooding from all sources</b>	<p>Includes:</p> <p>Watercourse /Fluvial Flooding – caused by excessive rainfall or snow melt within a limited period, which overwhelms the capacity of the watercourse or river channel, particularly when the ground is already saturated. It can also arise as a result of the blockage of a channel and/or associated structures such as small bridges and culverts;</p> <p>Pluvial Flooding – occurs when rainwater ponds or flows over the ground (overland flow) before it enters a natural or man-made drainage systems (e.g. a river or sewer/drain). It can also occur when drainage systems are at full capacity. It is often combined with sewer flooding and groundwater flooding;</p> <p>Sewer Flooding – occurs when the sewerage infrastructure has to deal with loads beyond its design capacity. This occurs most often as a result of high intensity rainfall events;</p> <p>Groundwater Flooding – occurs when the water table rises above ground level. In Scotland this is most commonly associated with the movement of water through sands and gravels, often connected to the rise and fall of river levels; and</p> <p>Coastal Flooding – occurs as a result of high tide, storm surge and wave activity raising the level of the sea above adjoining land.</p>



<b>Flood risk</b>	The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.
<b>Flood risk area or at risk of flooding</b>	<p>For planning purposes, at risk of flooding or in a flood risk area means land or built form with an annual probability of being flooded of greater than 0.5% which must include an appropriate allowance for future climate change.</p> <p>This risk of flooding is indicated on SEPA's future flood maps or may need to be assessed in a flood risk assessment. An appropriate allowance for climate change should be taken from the latest available guidance and evidence available for application in Scotland. The calculated risk of flooding can take account of any existing, formal flood protection schemes in determining the risk to the site.</p> <p>Where the risk of flooding is less than this threshold, areas will not be considered 'at risk of flooding' for planning purposes, but this does not mean there is no risk at all, just that the risk is sufficiently low to be acceptable for the purpose of planning. This includes areas where the risk of flooding is reduced below this threshold due to a formal flood protection scheme.</p>
<b>Forestry and woodland strategy</b>	A strategy prepared by a planning authority either singly or in collaboration with other planning authorities, which sets out policies and proposals for the development of forestry and woodlands in their area, according to [section A159] of the Town and Country Planning (Scotland) Act 1997.
<b>Freeboard</b>	Freeboard is the difference between the design flood level and either the finished floor levels, solum level, or deck level of a specific development. It is a safety margin designed to allow for the uncertainties involved in flood estimation and physical factors that cannot be assessed and vary between sites e.g., post construction settlement and wave action. In many cases an adequate freeboard allowance is 600mm above the design flood level <sup>2</sup> (in some situations a more detailed assessment of appropriate freeboard will need to be carried out).
<b>Gardens and designed landscapes</b>	The Inventory of Gardens and Designed Landscapes recognises sites where garden grounds and landscapes have been intentionally laid out for artistic effect which are of national importance. Their selection, assessment and designation is carried out by Historic Environment Scotland. Designed landscapes are managed primarily through the planning process by the appropriate planning authority.
<b>Green infrastructure</b>	Features or spaces within the natural and built environments that provide a range of ecosystem services.
<b>Green networks</b>	Connected areas of green infrastructure and open space, that together form an integrated and multi-functional network.
<b>Green recovery</b>	An economic recovery that helps us work toward net zero emissions in a way that is fair and that maximises the opportunities to deliver a thriving, sustainable economy.


<sup>2</sup> In line with CIRIA Guidance C624 Development and Flood Risk – Guidance for the Construction Industry 2004.

<b>Green space</b>	Space, other than agricultural land, which serves a recreational or an amenity function for the public, or provides aesthetic value to the public such as areas of— (a) grass, (b) trees, (c) other vegetation, (d) water.
<b>Historic battlefields</b>	The Inventory of Historic Battlefields recognises sites where a nationally important battle took place, soldiers fought and died, and where significant military activities happened. Their selection, assessment and designation is carried out by Historic Environment Scotland. Battlefields are managed primarily through the planning process by the appropriate planning authority.
<b>Historic environment</b>	The historic environment is ‘the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand’.
<b>Historic environment asset</b>	An asset (or ‘historic asset’ or ‘heritage asset’) is a physical element of the historic environment – a building, monument, site, place, area or landscape identified as having cultural significance.
<b>Historic marine protected areas</b>	Historic Marine Protected Areas are areas designated in Scottish territorial waters (0-12 miles) under the Marine (Scotland) Act 2010 for the purpose of preserving marine assets of national importance. These can be wrecks of boats or aircraft or more scattered remains, such as groups of artefacts on the seabed from a submerged prehistoric landscape. Their designation is carried out by Marine Scotland based on advice from Historic Environment Scotland.
<b>Huts</b>	A simple building used intermittently as recreational accommodation (i.e. not a principal residence); having an internal floor area of no more than 30 square meters ; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.

<b>Infrastructure first</b>	<p>Putting infrastructure considerations at the heart of placemaking. For the purpose of applying the Infrastructure First policy, the following meaning of infrastructure will apply:</p> <ul style="list-style-type: none"> <li>• communications – including digital and telecommunications networks and connections;</li> <li>• existing and planned transport infrastructure and services;</li> <li>• water management – supply, drainage systems and sewerage (including flood risk management);</li> <li>• energy supplies/energy generation – including electricity and heat networks, distribution and transmission electricity grid networks, and gas supplies;</li> <li>• health and social care services – including both services provided in the community directly by Health Boards and services provided on their behalf by contractors such as GPs, dentists and pharmacists;</li> <li>• education – including early years, primary, secondary, further and higher education services;</li> <li>• green and blue infrastructure; and</li> <li>• spaces for play and recreation.</li> </ul>
<b>Infrastructure investment hierarchy</b>	<p>Scottish Government-wide common hierarchy to aid planning and decision-making, which prioritises enhancing and maintaining our assets over new build. See <a href="#">Infrastructure Investment Plan for Scotland 2021-22 to 2025-26</a> for further details. To support the Infrastructure Investment Plan and its Infrastructure Investment Hierarchy, also see <a href="#">‘A guide to Property Asset Strategy in the Scottish Public Sector’</a></p>
<b>Just transition</b>	<p>Ending our contribution to climate change in a way that is fair and leaves no one behind</p>
<b>Landbank (construction aggregates)</b>	<p>A landbank is calculated by a Planning Authority and is a means of gauging whether there is sufficient consented construction aggregates (sand/gravel and hard rock) within their relevant market area, to avoid possible disruption and/or delays to supply. The calculation is primarily based on annual extraction figures, sales trends and the known reserves within existing consented sites.</p>
<b>Lifeline links</b>	<p>A lifeline ferry service required in order for a community to be viable.</p>
<b>Listed building</b>	<p>A listed building is a built structure of ‘special architectural or historic interest’. The term ‘building’ can be defined as ‘anything made by people’ such as houses, schools, factories, boundary walls, bridges and sculptures. Listing covers the whole of a building or structure including its exterior, interior and any ancillary structures within its curtilage (provided these were constructed before 1 July 1948). Their selection, assessment and designation is carried out by Historic Environment Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Listed Buildings are managed primarily through the Listed Building Consent process by the appropriate planning authority.</p>



<b>Local authority supported affordable housing plan</b>	Plans or strategies for housing approved by a local authority e.g. Local Housing Strategy, Strategic Housing Investment Plan or future versions of such documents.
<b>Local housing land requirement</b>	The amount of land required for housing, as identified by the local development plan. The Local Housing Land Requirement (LHLR) is expected to exceed the 10 year Minimum All-Tenure Housing Land Requirement (MATHLR) set out in the National Planning Framework.
<b>Local housing strategy</b>	Local Housing Strategies were introduced as part of the Housing (Scotland) Act 2001 to widen the strategic and enabling role for local authorities in relation to housing in their area. The Local Housing Strategy (LHS) sets out the outcomes the Council and its partners want to achieve, and the actions they will take, to address housing need and demand in their area
<b>Local outcomes improvement plan</b>	A local outcomes improvement plan (LOIP) is produced by a community planning partnership (CPP), and describes its local priorities, what improvements the CPP plans for its local communities, and when it will make these improvements. The LOIP covers the whole of the council area that the CPP is responsible for.
<b>Locality plan</b>	A locality plan is produced by a CPP, and describes its local priorities, what improvements the CPP plans for its local communities, and when it will make these improvements. A locality plan covers a smaller area within a whole CPP area, or may also be produced for groups who share common interests or features, for example, young people leaving care or vulnerable adults.
<b>Locations of concern</b>	A location of concern has been defined as a specific, usually public, site that is used as a location for suicide and which provides either means or opportunity for suicide.
<b>Masterplan</b>	A strategic scheme within which a location is proposed to be regenerated or changed in order to meet a perceived challenge or strategic need.
<b>Masterplan consent area</b>	A masterplan consent area scheme can grant authorisation for the type of development set out in the scheme, within the geographic location (area) to which the scheme relates. In setting out the type of development that the scheme authorises, this can be either expressly specified or described as type of development that is specified in the scheme.
<b>Minimum all-tenure housing land requirement</b>	There is a statutory requirement for the National Planning Framework to contain targets for the use of land in different areas of Scotland for housing. To meet this, the National Planning Framework includes a Minimum All-Tenure Housing Land Requirement (MATHLR) for each planning authority in Scotland. The MATHLR is the minimum amount of land, by reference to the number of housing units, that is to be provided by each planning authority in Scotland for a 10 year period, as set out in Annex E. The MATHLR is expected to be exceeded in the local development plans Local Housing Land Requirement.

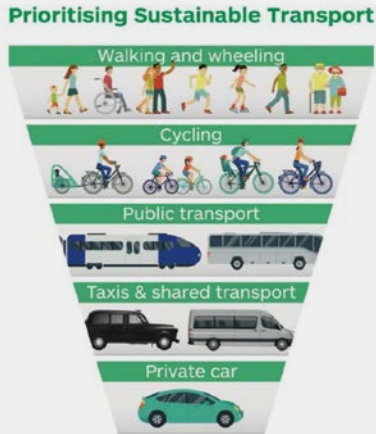
<p><b>Mitigation hierarchy</b></p>	<p>The mitigation hierarchy indicates the order in which the impacts of development should be considered and addressed. These are:</p> <ol style="list-style-type: none"> <li>i. Avoid – by removing the impact at the outset</li> <li>ii. Minimise – by reducing the impact</li> <li>iii. Restore – by repairing damaged habitats</li> <li>iv. Offset – by compensating for the residual impact that remains, with preference to on-site over off-site measures.</li> </ol>	
<p><b>National transport strategy 2</b></p>	<p>The National Transport Strategy sets out an ambitious vision for Scotland’s transport system for the next 20 years. The vision is underpinned by four priorities: Reduces Inequalities, Takes Climate Action, Helps Deliver Inclusive Economic Growth and Improves our Health and Wellbeing, each with three associated outcomes.</p> <p>The Strategy sets out the strategic framework within which future decisions on investment will be made, including the sustainable travel and investment hierarchies.</p>	
<p><b>Nature-based solutions</b></p>	<p>Nature-based solutions are actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously providing human wellbeing and biodiversity benefits.</p>	
<p><b>Nature network</b></p>	<p>A Nature Network is a joined-up system of places important for wild plants and animals, on land and in water. It allows plants, animals, seeds, nutrients and water to move from place to place and enables the natural world to adapt to change, providing plants and animals with places to live, feed and breed. Effectively functioning nature networks will connect existing nature rich areas through habitat corridors, habitat ‘stepping stones’, or habitat restoration areas.</p> <p>Scotland’s Nature Networks will enable opportunities for achieving ecological connectivity that meet local priorities for biodiversity and nature; whilst building and strengthening an evolving regional and national connectivity. Opportunities for implementation may be identified through, e.g. LDPs and/or Local Biodiversity Action Plans and/or other existing or new mechanisms such as those developed under the Scottish Biodiversity Strategy Delivery Plan, to achieve connectivity within and across urban, peri-urban and rural landscapes.</p>	
<p><b>Negative emissions technologies</b></p>	<p>Negative Emissions Technologies (NETs) are an emerging field of technologies that remove greenhouse gases from the atmosphere and utilising carbon capture and storage sequester them permanently.</p> <p>NETs can include forms of Direct Air Capture with Carbon Storage (DACCS), Bioenergy with Carbon Capture and Storage (BECCS) or other more experimental means such as enhanced weathering or biochar.</p> <p>NETs can be considered one form of Greenhouse Gas Removals (GGRs), which also includes natural sequestration methods such as afforestation. It can also be used interchangeably with Carbon Dioxide Removal technologies (CDR).</p>	

<b>Net zero</b>	Scotland has set a target to become ‘ Net Zero ‘ by 2045. This means the amount of greenhouse gas emissions we put into the atmosphere and the amount we are able to take out will add up to zero.
<b>Open space</b>	Space within and on the edge of settlements comprising green space or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function
<b>Open space strategy</b>	An open space strategy is to set out a strategic framework of the planning authority’s policies and proposals as to the development, maintenance and use of green infrastructure in their district, including open spaces and green networks. It must contain; an audit of existing open space provision, an assessment of current and future requirements, and any other matter which the planning authority consider appropriate.
<b>Outdoor sports facilities</b>	Uses where sportscotland is a statutory consultee under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, which establishes ‘outdoor sports facilities’ as land used as: (a) an outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch; (b) an outdoor athletics track; (c) a golf course; (d) an outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; and (e) an outdoor bowling green.
<b>Peatland</b>	Defined by the presence of peat soil or peaty soil types. This means that “peat-forming” vegetation is growing and actively forming peat or it has been grown and formed peat at some point in the past.
<b>Placemaking</b>	Placemaking is the process of creating good quality places that promotes people’s health, happiness and wellbeing. It concerns the environment in which we live; the people that inhabit these spaces; and the quality of life that comes from the interaction of people and their surroundings. Placemaking is a collaborative approach involving the design and development of places over time, with people and communities central to the process.
<b>Place principle</b>	All those responsible for providing services and looking after assets in a place need to work and plan together, and with local communities, to improve the lives of people, support inclusive and sustainable economic growth and create more successful places.
<b>Play sufficiency assessment</b>	A play sufficiency assessment is the assessment of the sufficiency of play opportunities for children in their area, carried out by a planning authority under the duty as set out in Section 7(5) Part 16D(1) of Planning (Scotland) Act 2019. The assessment forms part of the evidence report for the preparation of the Local Development Plan.
<b>Prime agricultural land &amp; land of lesser quality that is culturally or locally important for primary use</b>	Prime agricultural land is that identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute).  However, for land of lesser quality that is culturally or locally important for primary use (i.e. for example food production, flood management, water catchment management and carbon storage), this value should be recognised in decision-making.



<b>Priority peatland habitat</b>	Peatland habitats can be divided into four broad classes (blanket bog, upland raised bog, lowland raised bog, and fen), depending on the types of plants that formed the peat. Priority peatland habitats are sub-sets of these broad habitats which have been recognised under the Scottish Biodiversity Framework as being important to protect for their conservation and biodiversity value.
<b>Protected characteristics</b>	The Equality Act defines the following as protected characteristics: <ul style="list-style-type: none"> <li>• age</li> <li>• disability</li> <li>• gender reassignment</li> <li>• marriage and civil partnership</li> <li>• pregnancy and maternity</li> <li>• race</li> <li>• religion or belief</li> <li>• sex</li> <li>• sexual orientation</li> </ul>
<b>Public benefits</b>	Public benefits as defined by the current Scottish Government policy on woodland removal.
<b>Ramsar sites</b>	Wetlands designated under the Ramsar Convention on Wetlands of International Importance.
<b>Remedial notice (forestry)</b>	<p>A Remedial Notice is a notice issued by Scottish Ministers if it appears to them that a person has failed or is failing to comply with a condition on felling permission, a felling direction (including any condition imposed on it), a restocking direction (including any condition imposed on it), or a registered notice to comply.</p> <p>A Remedial Notice requires the person to take such steps or stop such activity as may be specified in the notice on order to comply with or otherwise give effect to the condition, direction or (as the case may be) registered notice to comply, and, to take steps or stop the activity within the period specified in the notice.</p>
<b>Restocking direction</b>	A Restocking Direction is a notice issued by Scottish Ministers, in response to an unauthorised felling or a failure to comply with a continuing condition on a felling permission. A restocking direction requires an owner of the land on which the felled tree was located or the land to which the continuing condition relates, to stock the land in question.
<b>Recycling facilities</b>	Facilities for the purpose of recycling. Recycling means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations. It does not include nuclear reprocessing.
<b>Self-build housing</b>	Where a person builds their own house or appoints their own builder.
<b>Self-provided housing</b>	Includes self-build housing, custom-build housing and collective build housing.

<b>Setting</b>	<p>Setting is more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape or townscape, the view from it or how it is seen from areas round about, or areas that are important to the protection of the place, site or building.</p> <p>‘Setting’ is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.</p>
<b>Scheduled monument</b>	<p>Scheduled monuments are archaeological sites or monuments of national importance that are legally protected under the Ancient Monuments and Archaeological Areas Act 1979. Their selection, assessment and designation is carried out by Historic Environment Scotland who maintains the schedule. Works to Scheduled Monuments are regulated by Historic Environment Scotland through their Scheduled Monument Consent process.</p>
<b>Short term let</b>	<p>The use of a dwellinghouse (a residential house or flat) for rental by persons other than the owner for short periods and for financial or other remuneration.</p> <p>Typically includes properties advertised as being available for holiday let, although can apply to other situations.</p>
<b>Strategic transport network</b>	<p>Includes the trunk road and rail networks. Its primary purpose is to provide the safe and efficient movement of strategic long distance traffic between major centres, although in rural areas it also performs important local functions.</p>
<b>Sustainable development</b>	<p>Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987).</p>
<b>Sustainable investment hierarchy</b>	<p>The National Transport Strategy 2 Sustainable Investment Hierarchy will be used to inform future investment decisions and ensure transport options that focus on reducing inequalities and the need to travel unsustainably are prioritised. We also need to focus on maintaining and safely operating existing assets, taking due consideration of the need to adapt to the impacts of climate change. Investment promoting a range of measures, including innovative solutions, to make better use of existing capacity will then be considered, ensuring that existing transport networks and systems are fully optimised. Only following these steps should investment involving targeted infrastructure improvements be considered.</p>
<b>Sustainable tourism</b>	<p>Sustainable tourism is defined by the United Nation World Tourism Organisation as “tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities.”</p>

<p><b>Sustainable travel</b></p>	<p>Sustainable travel includes travel by the top three modes in the sustainable travel hierarchy. It is recognised that in some locations, particularly in rural areas, where the top three modes have been judged as unfeasible for day to day travel, low emissions vehicles and shared transport options will play an important role.</p>	
<p><b>Sustainable travel hierarchy</b></p>	<p>The National Transport Strategy 2 Sustainable Travel Hierarchy should be used in decision making by promoting walking, wheeling, cycling, public transport and shared transport options in preference to single occupancy private car use for the movement of people. The efficient and sustainable freight transport for the movement of goods, particularly the shift from road to rail should also be promoted.</p>	
<p><b>Town centre</b></p>	<p>Centres which display:</p> <ul style="list-style-type: none"> <li>- a diverse mix of uses, including shopping;</li> <li>- a high level of accessibility;</li> <li>- qualities of character and identity which create a sense of place and further the well-being of communities;</li> <li>- wider economic and social activity during the day and in the evening; and</li> <li>- integration with residential areas.</li> </ul>	
<p><b>Town centre first</b></p>	<p>The Town Centre First Principle asks that government, local authorities, the wider public sector, businesses and communities put the health of town centres at the heart of decision making. It seeks to deliver the best local outcomes, align policies and target available resources to prioritise town centre sites, encouraging vibrancy, equality and diversity.</p>	
<p><b>Town centre vision</b></p>	<p>Towns and town centres are for the wellbeing of people, the planet and the economy. Towns are for everyone and everyone has a role to play in making their own town and town centre successful.</p>	
<p><b>Transport appraisal</b></p>	<p>A Transport Appraisal should inform the spatial strategy by appraising the impact of the potential spatial strategy options on the transport network, in line with Transport Scotland's Development Planning and Management Transport Appraisal Guidance. It should determine the potential impacts of development on the transport network and mitigation to address adverse impacts, how they will be funded and who should deliver these. This should inform the Proposed Plan.</p>	



<b>Transport assessment</b>	A Transport Assessment report should aim to provide supporting evidence to accompany the planning application to demonstrate that the development is sited in a location where current and likely future travel behaviour will produce a desired and predicted transport output. The Transport Assessment should provide information in a suitable form to enable the local authority and, if necessary, Transport Scotland to assess and determine the planning application, seek any changes to the proposal and devise necessary planning conditions or negotiate planning or other legal agreements.
<b>Travel plan</b>	A Travel Plan (TP) is a document that sets out a package of positive and complementary measures for the overall delivery of more sustainable travel patterns for a specific development. Their ability and success in influencing travel patterns is dependent upon the commitment of the developer or occupier of a development and the enforcement of travel plan monitoring by the local authority. Travel plans should be implemented to encourage a shift in transport mode for those travelling to and from a development.
<b>Unused or under-used land</b>	An area of land that is stalled awaiting development, or a pocket of land within neighbourhood that is not developed or cannot be developed for other meaningful use or does not have particular identified long-term use.
<b>Vacant land</b>	Previously developed land, without physical constraint, which the Planning Authority has indicated is currently available for redevelopment.
<b>Veteran tree</b>	A veteran tree can be classified as such due to age (including relative age for its species) or for its biological, aesthetic, or cultural interest. Veteran trees are usually mature and provide additional habitat from natural damage, environmental conditions or management (e.g. coppice, decay hollows, fungal fruiting bodies, cavities).
<b>Water compatible uses</b>	Comprise: <ul style="list-style-type: none"> <li>- flood control infrastructure</li> <li>- environmental monitoring stations</li> <li>- water transmission infrastructure and pumping stations</li> <li>- sewage transmission infrastructure and pumping stations</li> <li>- sand and gravel workings</li> <li>- docks, marinas and wharves</li> <li>- navigation facilities</li> <li>- Ministry of Defence (MOD) defence installations</li> <li>- ship building, repairing, and dismantling</li> <li>- dockside fish processing and refrigeration and compatible activities requiring a waterside location</li> <li>- water-based recreation (excluding sleeping accommodation)</li> <li>- lifeguard and coastguard stations</li> <li>- amenity open space</li> <li>- nature conservation and biodiversity</li> <li>- outdoor sports and recreation and essential facilities such as changing rooms</li> <li>- essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific operational warning and evacuation plan.</li> </ul>

<b>Wellbeing economy</b>	Building an economy that is inclusive and that promotes sustainability, prosperity and resilience, where businesses can thrive and innovate, and that supports all of our communities across Scotland to access opportunities that deliver local growth and wellbeing.
<b>Wheeling</b>	Travelling by wheelchair.
<b>Woodland</b>	Land under stands of trees with a canopy cover of at least 20%, or having the potential to achieve this, including integral open space, and including felled areas that are awaiting restocking (replanting). The minimum area is 0.1 ha and there is no minimum height.
<b>World heritage sites</b>	World Heritage Sites are internationally important cultural and/or natural heritage sites which have been inscribed for their “Outstanding Universal Value”. Though no additional statutory controls result from world heritage designation, the impact of proposed development upon the outstanding universal value, including its authenticity and integrity of a World Heritage Site and its setting, is a material consideration in determining planning applications. Their assessment and designation is carried out by United Nations Educational, Scientific and Cultural Organisation (UNESCO) based on advice from State Parties and the relevant devolved Government.

## Annex G – Acronyms

BARR	Buildings at Risk Register
BECCS	Bioenergy with Carbon Capture and Storage
CCS	Carbon Capture and Storage
CCUS	Carbon Capture Utilisation and Storage
CDR	Carbon Dioxide Removal technologies
CO <sub>2</sub>	Carbon Dioxide
CoRE	Community Renewable Energy
CPP	Community Planning Partnership
CWB	Community Wealth Building
DACCS	Direct Air Capture with Carbon Storage
EIA	Environmental Impact Assessment
EU	European Union
GGRs	Greenhouse Gas Removals
HNZ	Heat Network Zones
HRA	Habitats Regulations Appraisal
HS2	High Speed 2
IGTZ	Industrial Green Transition Zones
IIP	Infrastructure Investment Plan
kv	Kilovolts
LDPs	Local Development Plans
LHEES	Local Heat & Energy Efficiency Strategy
LHLR	Local Housing Land Requirement
LOIP	Local Outcomes Improvement Plan
LPPs	Local Place Plans
MATHLR	Minimum All-Tenure Housing Land Requirement
MOD	Ministry of Defence
NETs	Negative Emissions Technologies
NPF	National Planning Framework
NPF4	National Planning Framework 4
ORIC	Orkney Research and Innovation Campus
ORION	Opportunity for Renewable Integration with Offshore Networks
PNCP	Perthshire Nature Connections Partnership
RSS	Regional Spatial Strategies
SDGs	Sustainable Development Goals
SEPA	Scottish Environment Protection Agency
TP	Travel Plan
UK	United Kingdom
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organisation





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Dear DPEA

LBC Appeal: 1-5 America Street Montrose DD10 8DN

We act for Montrose Port Authority (hereinafter "MPA"). We are writing with reference to the appeal by J R Rix & Sons Ltd ("the Appellant") under reference LBA-120-2003 ("the Appeal") against the decision of Angus Council to refuse listed building consent for the development of 1-5 America Street, Montrose ("the Application Site") under application reference 20/00599/LBC ("the Application"). MPA was made aware of the Appeal by Angus Council by email dated 23 November 2023 under advice that the intimation was given because MPA had submitted a letter of representation to the Council as planning authority in relation to the Application. The Council also intimated that if MPA wished to make further representations it should do so.

The purpose of writing is to make such further representations on behalf of MPA and in particular (a) to clarify MPA's position in relation to certain matters attributed to MPA as represented in the Appeal Statement submitted by Maria Franke Planning Ltd on behalf of the Appellant ("the Appeal Statement"), (b) to take issue with claims made in the Appeal Statement regarding the marketing of the Application Site and (c) to confirm MPA's interest in the Application Site as a prospective restoring purchaser.

Following submission of the Application MPA confirmed to Angus Council by letter dated 8 April 2021 that it did not object to the Application. Subsequently by letter dated 31 May 2021 MPA wrote to Angus Council in support of the Application. The reason for the 2 letters of representation was that MPA considered that the development of the Site as proposed in the Appellant's planning application under reference 20/00574/FULL ("the Planning Application") would be better than having the Application Site continue to remain as a redundant site adjacent to the harbour estate

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which MPA was promoting to offshore windfarm operators as the place to locate their onshore operations and maintenance base.

The letters of representation were submitted before the Application Site was marketed for sale by Shepherd, Chartered Surveyors ("Shepherds") on behalf of the Appellant.

The marketing of the Application Site by Shepherds before the Application and the Planning Application had been determined was a surprise to MPA. MPA's interest in acquiring the Application Site was noted with Shepherds on 14 March 2022 and representatives of MPA arranged, via Shepherds, to view the Application Site on 25 March 2022.

Following the viewing, MPA requested and received plans of the Application Site on 5 April 2022 which MPA acknowledged. Other than an email from Shepherds on 28 April 2022 to ask if MPA had "any further thoughts" regarding the Application Site nothing further was received from Shepherds in respect of MPA's note of interest.

MPA's consideration of matters following the viewing of the Application Site included the instruction of chartered surveyors, Graham & Sibbald to advise on matters regarding the proposed purchase of the Application Site. The advice received from Graham & Sibbald in July 2022 included that (a) their opinion of the market value of the Application Site at the time was £150,000, and (b) the likely reason for the marketing of the site via Shepherds was to enable the Appellant to demonstrate to the planning authority and Historic Environment Scotland that there was no interest from prospective purchasers in the Application Site.

Following receipt of Graham & Sibbald's advice, we were instructed by MPA to contact Shepherds and make an offer for the Application Site on behalf of MPA. In accordance with normal practice in such situations, we contacted Shepherds by telephone on 22 July 2022 and advised them that MPA was prepared to make an offer of £150,000 for the Application Site and we asked if that would be acceptable to their client. We were advised that Shepherds would seek instructions. On 26 July 2022, Shepherds returned to us by telephone to advise that MPA's verbal offer of £150,000 was not acceptable to their client and that their client was looking for an offer in excess of £650,000 for the Application Site. We reported this to MPA.

MPA decided not to take matters any further at that time because MPA considered the Appellant's expectations at £500,000 more than the market value to be unrealistic. Shepherds' response to the verbal offer appeared to underline the advice MPA had received from Graham & Sibbald that the marketing of the Application Site was not a serious attempt to secure a purchaser but was to demonstrate compliance with Historic Environment Scotland guidance in relation to the Application.

When MPA became aware that the Application Site continued to be marketed for sale by Shepherds following Angus Council's decision to refuse the Application, MPA carefully considered the reasons for the Council's decision and on behalf of MPA we submitted a formal offer dated 17 November 2023 to Shepherds to purchase the Application Site for £350,000. The offer made is a "clean" one which is free of any suspensive or onerous conditions. MPA considers that the price offered is substantially more than the current market value of the Application Site, which is confirmed by evidence recently submitted from Shepherds on behalf of the Appellant in relation to the Appeal that the current market value is £200,000. Furthermore, in submitting the offer to Shepherds we confirmed in writing on behalf of MPA that if the offer is accepted, it is MPA's intention to retain, repair and restore the buildings on the Application Site to preserve their special



interest as a listed building to make it clear to the Appellant that MPA's intention is to be a restoring purchaser. Shepherds acknowledged receipt of the offer on 27 November 2023 under advice that it is receiving the Appellant's consideration.

Having clarified the actions of MPA and confirmed MPA's position as a prospective restoring purchaser, we now wish to take issue with certain matters claimed in the Appeal Statement.

The Appeal Statement at paragraphs 3.6 and 3.28 under Grounds of Appeal 2 claims that "every effort has been made to secure a buyer who would retain the listed building". At paragraph 3.30 it is claimed that there was "active and fair marketing of the property". To support these claims in relation to MPA's interest, the Appeal Statement states at paragraph 3.21 that the selling agents' (Shepherds') letter of 25 October 2023 (document reference D36) confirmed that MPA "indicated that they would be willing to offer £150,000 ...however no detail regarding any proposed refurbishment or future use of the site was provided at the time." The statement continues, "The agents confirm that no formal written offer was ever received, and that they have had no further discussions with MPA or MPA's solicitors since".

MPA submit that it should be noted that both Shepherds' letter and the Appeal Statement omit to record that Shepherds made no enquiry of MPA regarding MPA's proposed refurbishment or future use of the site. This, coupled with the lack of any follow-up by Shepherds after MPA's viewing of the Application Site (save for the "any further thoughts" enquiry more than one month after the viewing), are evidence, in MPA's submission, of passive rather than active marketing of the Application Site as claimed in the Appeal Statement.

Further, MPA submit that it should be noted that both Shepherds' letter and the Appeal Statement make no reference to the rejection of MPA's verbal offer of £150,000 to purchase the Application Site under advice that the Appellant was seeking an offer in excess of £650,000 for the Application Site. This is a discussion that took place after MPA made its verbal offer, contrary to the claim made in the Appeal Statement and Shepherds' letter that there was no further discussion. The advice provided by Shepherds that the Appellant was seeking in excess of £650,000 explains why MPA did not follow up with a formal written offer or engage in further discussion with Shepherds – that is until the submission of the formal offer on 17 November 2023. It is submitted by MPA that the omission by Shepherds, and the Appeal Statement, to refer to Shepherds intimating that the Appellant was seeking in excess of £650,000 for the Application Site when rejecting MPA's verbal offer is deliberate, evidencing that the marketing of the Application Site was not done with any intention of securing a buyer who would retain the listed building.

We request that this further letter of representation on behalf of MPA be taken into account when considering the Appeal. Please confirm receipt.

Yours faithfully



David Milne  
Partner  
For Thorntons Law LLP

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Application Reference: 20/00574/FULL & 20/00599/LBC  
Site Address: 1 - 5 America Street, Montrose, DD10 8DN

## Consideration of Noise Issues

### Proposed Uses on the Site

The proposed use is for an Operations and Maintenance (O&M) facility to support the offshore wind farm developments. It will comprise of a mix of uses comprising 520 sq. m of Class 4 office accommodation, 240 sq. m of Class 6 storage/warehousing space and car parking for 30 cars.

### Noise Generating Activities

There are no noise generating activities on site. No industrial processes are to take place within the storage area which will be used only for the storage of equipment and materials.

Office accommodation is the principal use on the site. This is to be provided over two floors within the building with a gross floor area of 520 sq m and will accommodate up to 40 employees.

The O&M facility necessitates a quayside location for easy and immediate access to support vessels to transfer both crew and equipment to and from the offshore wind farm developments. In common with port side warehousing facilities, access is required 24/7 on all days of the year.

Activities which may occur overnight include employees working in the office overnight at computer stations – note that only a reduced number of staff will be on site overnight to cover for any emergencies offshore. This is estimated to be between 1 to 10 employees. Related to this will be employee cars entering or leaving the car park area.

Dependent on the offshore requirement, a vessel may be needed to transport people (technicians), equipment or provisions to the offshore facilities. Items in storage which may be required will necessitate the warehouse doors being opened and closed. The proposed doors to the warehouse front onto the quayside and will be fully electronically operated. They are not old-style chain link roller doors. The design and fully electric mechanisation of the doors will reduce noise from this activity. A forklift truck may be used to move equipment from the storage unit to the vessel berthed at the quayside.

### Noise from Existing Port Operations

Montrose Port is in operation 24 hours a day on all days of the year. The residential houses on California Street will be used to noises emanating from the quayside and maritime traffic at all times of the day and night. Noise produced will come from a variety of sources such as:

- vessels noise: moving or moored
- noise produced by industrial plants present in the port area
- noise produced by the port activities: loading and unloading operations, container handling, boat service operations, etc.

There is also traffic related noise at the port – internal traffic and port related external traffic.

### Noise Mitigation Measures

A 5m wall currently separates the application site from the houses on California Street. This wall is some 500mm thickness or thereby and is to remain in situ. Existing small window openings and flues in the wall are proposed to be bricked up, with the agreement of the planning authority.

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The retention of this wall and a total separation distance of around 2m between the new building and the closest residential property on California Street will be a substantial buffer to mitigate against any noise or amenity issues which may be generated from the application site.

During construction of the premises, a planning condition can be imposed to control the hours of construction work on site to avoid night-time working and weekends.





# CSP Acoustics

**ITEM D45**

## NOISE IMPACT ASSESSMENT

1-5 America Street, Montrose

Prepared for:

Project Management Scotland Ltd

Ref: 1771 R001 V1.1 AH

Date: 20<sup>th</sup> March 2023

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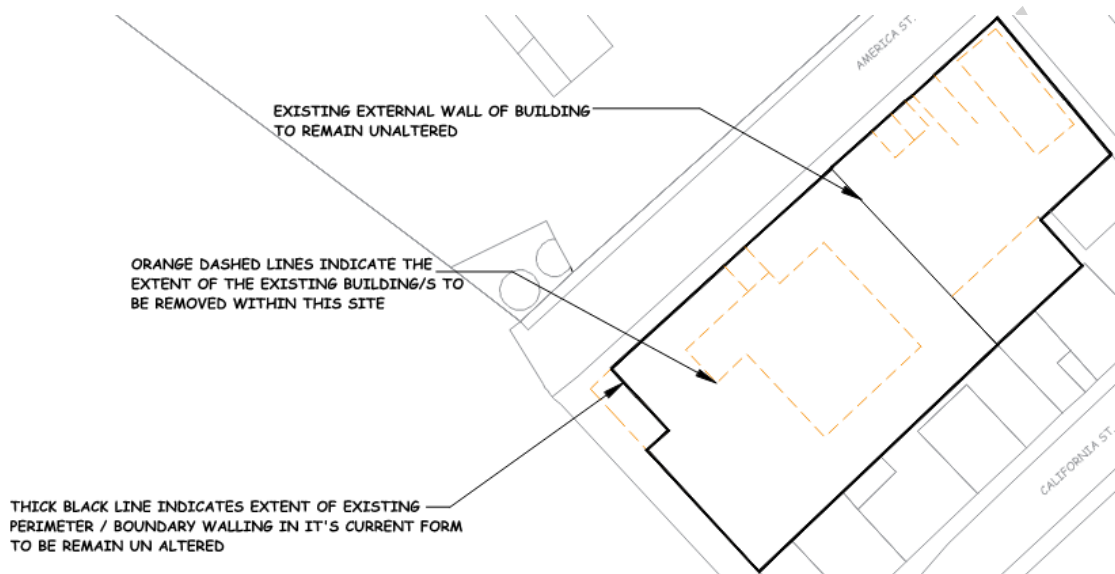
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## Document Revision History

Version	Reason	Date/Edits Made By:
V1 Draft	Initial Issue	09 January 2023 AH
V1	Revised issue based on comments from client	11 January 2023 AH
V1.1	Revised issue based on comments from EHO	20 March 2023 AH

## 1.00 Introduction

- 1.01** This Report has been prepared to support a planning application on behalf of Project Management Scotland Ltd (ref. 20/00574/FULL). The application entails the demolition of the existing buildings on site. However, the existing ~5m perimeter wall is to be retained. The site location and planned demolition proposals can be seen in Figure 1.



**Figure 1: Existing Site Layout with Planned Demolition**

- 1.02** Additional buildings will then be erected within the existing perimeter walls as shown in Figure 2. The development will include two floors of office space (520 m<sup>2</sup> gross floor space, accommodating up to 40 employees), a storage warehouse and associated parking.
- 1.03** The new warehousing/storage unit will be used for a renewables sector project for operations and maintenance activities. The new warehouse unit will be used to store tools, spare parts and equipment and provide welfare facilities at the quayside and will require 24-hour access. Hence, operational hours of the office areas are understood to be 24/7. However, deliveries and movement of materials from the warehouse is understood to be limited to between 07:00 and 19:00 hours. There is no expectation for there to be any noise impacts due to deliveries or movement of materials arising from the site during night-time periods (23:00-07:00).



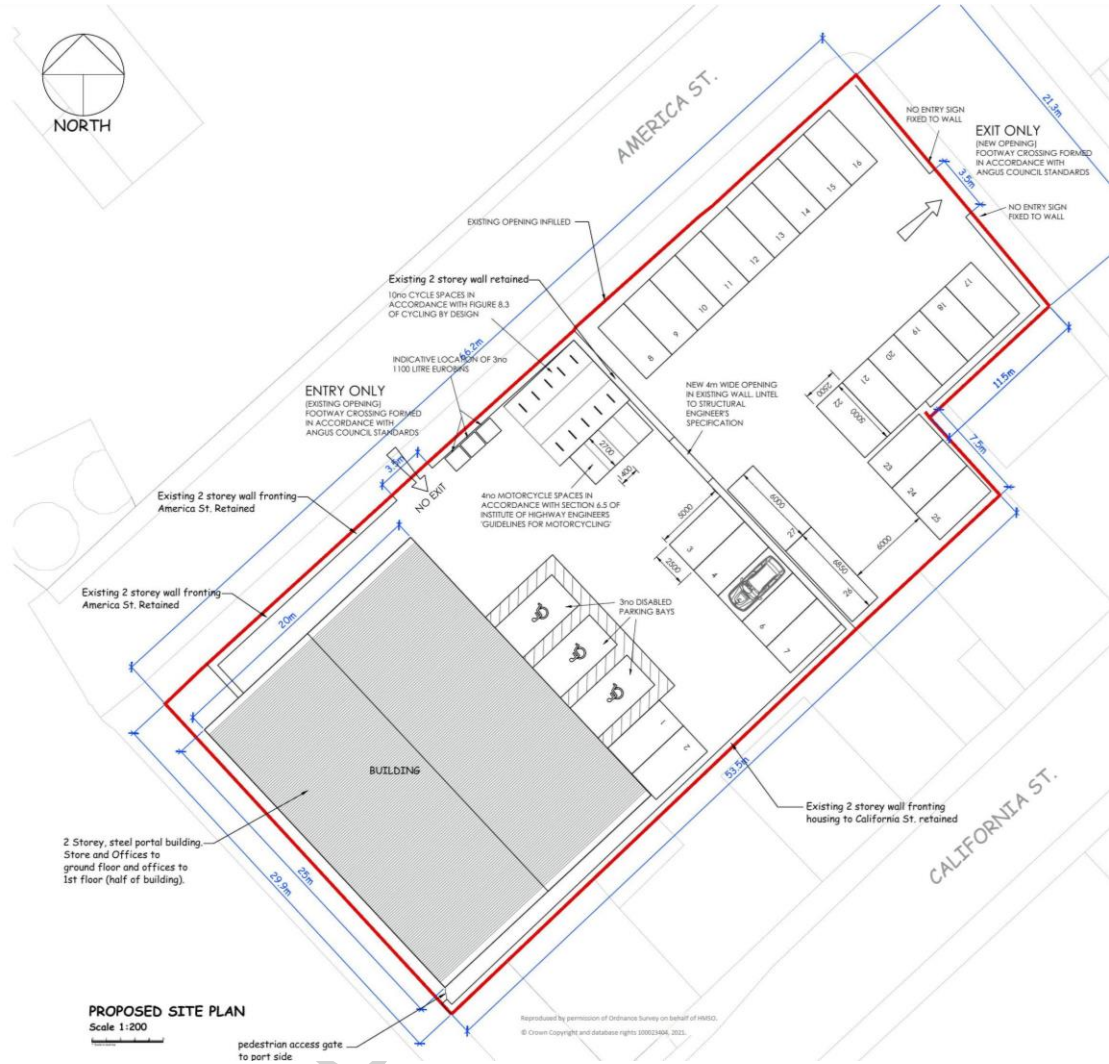


Figure 2: Proposed Site Layout

**1.04** The nearest properties are located along California Street to the south-east, adjacent to the site. Background noise measurements were completed in a representative location of each of these properties.

## 2.00 Impact Assessment Criteria

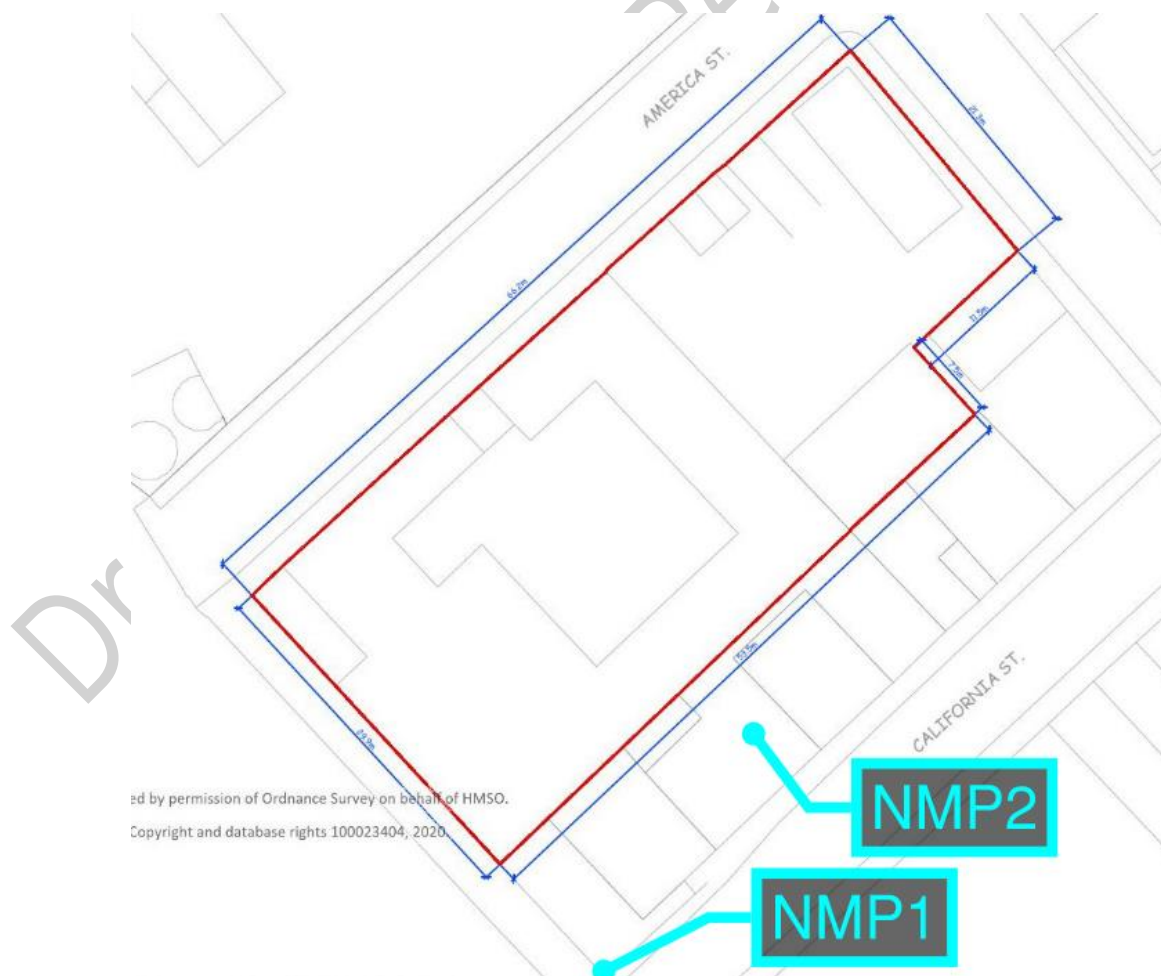
- 2.01** The Scottish Office Development Department issued SODD Circular 10/1999 and the associated Planning Advice Note - PAN 56 - "Planning and Noise" in April 1999. In March 2011, the Scottish government issued PAN1/2011 "Planning and Noise" and an associated Technical Advice Note which replaced PAN 56.
- 2.02 PAN 1/2011:** The Planning Advice Note recommends the use of Quantitative and Qualitative assessments of noise together with assessments of the level of its significance to help planning authorities determine applications for development types including residential, commercial and workshop development. The PAN and its accompanying Technical Advice Note do not however offer specific guidance with respect to the standards to be applied in assessments of noise impact.
- 2.03** In the Technical Advice Note that accompanies the PAN in Chapter 3, para 3.8 states that: "The choice of appropriate criteria noise levels and relevant time periods are the responsibility of the local authority. Although this may lead to inconsistencies between different Local Authorities and, indeed, across areas within a given Local Authority, it does provide flexibility, allowing particular circumstances to be taken into account and the use of the latest guideline values to be included where appropriate."
- 2.04** The PAN also notes, in Appendix 1, a range of Technical Standards and Codes of Practice that may be relevant to assessments including BS 4142:2014 which can be used for assessing the impact of industrial/commercial developments, BS 8233:2014 which provides general guidance on acceptable levels within buildings and WHO Guidelines for Community Noise, 1999 et alia.
- 2.05 BS 4142:2014** - provides a rating method to give an indication of the likelihood of complaints when a sound source affects dwellings. The rating level of the sound source is compared against existing levels of background noise level ( $L_{A90}$ ) present at the nearest residential properties, without the influence of the source. Where this is carried out the following guidance is given on the assessment of impact:
- 1) Typically, the greater the rating level exceeds the background noise level then the greater the magnitude of the impact will be.
  - 2) Where the rating level exceeds the background noise level by +10 dB or more then this is likely to be an indication of a significant adverse impact, depending on the context.
  - 3) Where the rating level exceeds the background noise level +5 dB this is likely to be an indication of an adverse impact, depending on the context.
  - 4) Where the rating level does not exceed the background level, this indicates a low impact.

- 2.06 Angus Council:** Following consultation with Environmental Health Officer Ms Louise Akroyd, on the 28<sup>th</sup> October 2022, it was agreed that an unattended monitoring period should be accompanied by a manned monitoring period, taking note of specific noise sources over that period. It was then agreed that noise levels would be assessed to a level less than or equal to the residual background noise level of the area.
- 2.07** It was agreed that the assessment will be based on the methodology of BS4142:2014, and will consider the following noise sources from the proposed development:
- Delivery activity noise to the storage warehouse.
  - Noise from movement of materials to and from the port/warehouse.
  - Noise from the movement of roller doors at the proposed warehouse.
  - Plant noise from fixed mechanical services.
- 2.08** Plant selections have not been made at this stage, hence a rating level has been given to meet with the required criteria as described above.
- 2.09** These items will be assessed in line with BS4142 to predict a rating level at the nearest NSR. Should the rating level exceed the criteria mentioned above, mitigation methods will be considered to lower noise levels into compliance.



### 3.00 Survey

- 3.01** CSP Acoustics completed a noise survey in the area of the proposed development to measure representative noise levels at the nearest dwellings surrounding the development. Measurements were undertaken to the south/south-west of the development site, at locations considered representative of the receptors at California Street. The first location, labelled as NMP1 is representative of background noise levels at R1 (8 California Street), and the second location, labelled as NMP2 is representative of background noise levels at R2 (2, 6A and 6B California Street).
- 3.02** The survey was undertaken between Thursday 1<sup>st</sup> and Monday 5<sup>th</sup> December. The measurement positions were chosen to be representative of the dwellings in the immediate vicinity of the site. Observations of the ambient sound were made for a one-hour period at either end of the noise survey.
- 3.03** Figure 3 illustrates the representative survey location in relation to the site and noise sensitive receptors.



**Figure 3: Measurement Location and Development Location**

**3.04** The sound level meters were positioned 1.2m above ground level in free field measurement locations. Equipment was operated in accordance with British Standard and ISO procedures. The monitoring equipment was calibrated both before and after the measurement periods using a acoustic calibrators, which have themselves been calibrated against a reference set traceable to National and International Standards. There was no significant shift in the observed calibration levels.

- Norsonic Nor140 Serial Number (s/n) (1403442 & 1404033);
- Norsonic Microphone Type 1225 (s/n 98464 & 118448);
- Norsonic Calibrator Type 1251(s/n 34637 & 34216)

**3.05** Whilst on site, it was noted that activity from the docks was the overriding source of ambient noise levels, as expected. The main source of noise was movement of materials from the dock to docked vessels and vice versa. Movement of materials within the dock area was also a large contributor to the ambient noise level.

**3.06** Tables 1 and 2 provide the measured noise levels at the representative locations of dwellings along California Street.

Date	Period	L <sub>Aeq,T</sub> mins (dB)	L <sub>A90,T</sub> mins (dB)	L <sub>A10,T</sub> mins (dB)
01/12/2022*	Daytime	60.1	53.7	58.7
	Night Time	51.6	50.3	51.9
02/12/2022	Daytime	60.0	54.7	59.2
	Night Time	51.7	50.8	52.2
03/12/2022	Daytime	54.5	51.7	54.9
	Night Time	52.0	50.5	53.0
04/12/2022	Daytime	53.0	51.0	53.9
	Night Time	52.4	50.9	53.1
05/12/2022*	Daytime	68.7	60.0	68.2
<b>Average</b>	<b>Daytime</b>	<b>58.0</b>	<b>52.8</b>	<b>56.7</b>
	<b>Night Time</b>	<b>51.9</b>	<b>50.6</b>	<b>52.6</b>

\*Partial measurements. Measurements from 05/12/2022 have been excluded from average calculations as they can be seen to be atypical.  
 The reported L<sub>Aeq, T</sub> (dB) level, is the logarithmically averaged noise level, whereas the L<sub>A10, T</sub> (dB) and L<sub>A90, T</sub> (dB) levels are arithmetically averaged noise level.

<b>Date</b>	<b>Period</b>	<b>L<sub>Aeq,T</sub> mins (dB)</b>	<b>L<sub>A90,T</sub> mins (dB)</b>	<b>L<sub>A10,T</sub> mins (dB)</b>
01/12/2022*	Daytime	51.6	47.7	52.2
	Night Time	48.1	45.9	49.4
02/12/2022	Daytime	52.7	49.3	52.9
	Night Time	46.4	44.9	47.5
03/12/2022	Daytime	48.7	45.6	48.9
	Night Time	46.1	44.3	47.0
04/12/2022	Daytime	47.0	44.8	48.0
	Night Time	46.6	44.7	47.6
05/12/2022*	Daytime	58.2	53.6	58.2
<b>Average</b>	<b>Daytime</b>	<b>50.5</b>	<b>46.9</b>	<b>50.5</b>
	<b>Night Time</b>	<b>46.9</b>	<b>44.9</b>	<b>47.9</b>

\*Partial measurements. Measurements from 05/12/2022 have been excluded from average calculations as they can be seen to be atypical.  
 The reported L<sub>Aeq, T</sub> (dB) level, is the logarithmically averaged noise level, whereas the L<sub>A10, T</sub> (dB) and L<sub>A90, T</sub> (dB) levels are arithmetically averaged noise level.

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## 4.00 Industrial Noise Assessment

4.01 Discussions with EH Officer Louise Akroyd have confirmed that all noise associated with the development will be assessed to meet with a level equal to or less than the residual background noise level in the area. It is understood that operating hours of the unit will be 24/7, but delivery activities and movement of materials will be limited to between 07:00 and 19:00 hours. For this reason, these activities will be assessed to average daytime background noise levels. Items of plant servicing the building have the capacity to operate 24/7, so will be assessed to meet with average background noise levels during the night-time period.

4.02 At this stage, sufficient details of the proposed type and number of any such plant are not available. Therefore, it is appropriate to specify suitable design noise targets for plant items based on appropriate guidance and agreed criteria, which is discussed in Section 5. Noise from deliveries will be calculated based on library data from similar projects in this section.

### Nearest Noise Sensitive Receptor

4.03 The nearest noise sensitive receptors (NSR) are adjacent to the site, along California Street.

4.04 The boundary of the proposed development is shown in Appendix B.

### Proposed Noise Rating Level Criteria

4.05 It has been stated that an appropriate rating level design criteria be determined in accordance with the guidance contained within BS 4142: 2014.

4.06 The BS 4142 assessment method enables rating level criteria applicable to noise generating activities to be specified relative to typical background  $L_{A90,T}$  sound levels experienced at specific receptors under consideration. On this basis, within BS 4142 it is stated:

- 1) Typically, the greater the rating level exceeds the background noise level then the greater the magnitude of the impact will be.
- 2) Where the rating level exceeds the background noise level by +10 dB or more then this is likely to be an indication of a significant adverse impact, depending on the context.
- 3) Where the rating level exceeds the background noise level by +5 dB this is likely to be an indication of an adverse impact, depending on the context.
- 4) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context

- 4.07** Based on the results shown in tables 1 and 2, a rating level of no greater than 53dB and 51dB for daytime and night-time periods respectively will be adopted for dwellings at R1, as per discussions with EHO Louise Akroyd at AC. Dwellings at R2 will adopt a rating level no greater than 47dB and 45dB for daytime and night time periods respectively.

### Noise from External Noise Sources

- 4.08** External noise sources which will have an effect on nearby NSR's have been identified as the following:

- HGV/forklift delivery routes.
- Unloading of goods from deliveries/forklifts outside storage warehouse.
- Loading of goods onto forklifts at the dock.
- Roller doors opening/closing.

- 4.09** Noise predictions have been made by means of the proprietary noise prediction software CadnaA® (Computer Aided Noise Abatement) developed by Datakustik. The model has been generated taking the following settings into consideration:

- The model was set up to apply the prediction methodology set out in the International Standard ISO 9613-2: 1996: Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation (ISO 9613-2) for the calculation of industrial/commercial sound sources.
- Google aerial photography and Ordnance Survey Mastermap Data was used to identify existing building locations and areas of soft ground. Locations of proposed buildings and vehicle routes were taken from architectural drawings received from the client on 12<sup>th</sup> August 2022.
- The heights of existing buildings in the vicinity of the site were obtained from observations made during site surveys and using Google Street View.
- Ground absorption was set to  $G = 0$  (hard ground) to best reflect local ground cover as present and proposed.
- The model was set to include second order acoustic reflections.

- 4.10** HGV and forklift movement noise has been modelled using the moving point source method within CadnaA and use a typical route HGV's and forklifts are likely to take to and from the warehouse. Typical routes have been formulated using drawings received from the client. The number of HGV movements were counted based on one event per hour. It should be noted that delivery events will not occur every hour, which would be an overestimation specifically for the purposes of creating a worst-case scenario.

- 4.11** Unloading/loading activities have been modelled as a point source at the set of roller doors closest to the residential dwellings, and assumes activities within the same hour as the HGV and forklift movements to facilitate a worst-case scenario.

**4.12** Sound power levels from loading and unloading processes have been calculated based on projects of a similar nature, as shown in Table 3.

Noise Source	Centre Frequency of Octave Band (Hz)								dBA
	63	125	250	500	1000	2000	4000	8000	
HGV Movement at 16km/hour measured at 4m from HGV	73.8	70.8	69.0	67.1	66.6	64.8	59.5	53.7	71.4
Loading/Unloading at 5m from loading position	86.1	75.3	71.3	65.2	61.5	58.6	53.5	47.8	69.0
Roller door closing at 5m	60.6	54.1	53.1	48.4	45.7	43.1	42.7	25.7	52.0
Forklift at 3m	79.9	69.4	68.6	67.7	66.7	64.1	56.6	49.4	53.6
Forklift reverse alarm at 2m	80.7	60.9	61.4	64.4	58.9	63.1	49.7	45.9	58.5

**4.13** Noise levels from both HGV movements and deliveries have been modelled cumulatively. Noise levels have been predicted in the rear garden of the nearest NSR's following guidance within BS4142:2014+A1:2019.

**4.14** Criteria agreed with AC notes that rating noise levels due to the proposed development should not exceed the residual background noise level within the garden space of the nearest NSR. Table 4 shows the results of the assessment of noise using guidance within BS4142:2014+A1:2019.

Receptor	R1	R2
Period	Daytime (07:00-23:00)	Daytime (07:00-23:00)
Operational Noise Level (dB $L_{Aeq,1hr}$ )	48	36
Penalty* (dBA)	+5	+5
Rating Level dB ( $L_{A,r,Tr}$ )	53	41
Background Noise Level (dB $L_{A90,T}$ )	53	47
Exceedance of Background Noise Level (dBA)	+0	-6
Required Criteria (dB $L_{Aeq,1hr}$ )	<b>53</b>	<b>47</b>
Exceedance of Required Criteria (dBA)	<b>+0</b>	<b>-6</b>

\*Penalties were added to the rating level as the activities and equipment could be considered tonal and impulsive – a 5 dB penalty was considered appropriate. While the noise may be intermittent in nature, it is important to contextualise the site. The context of the site is that activities from the port are the dominant source of noise. This noise is intermittent and occasionally impulsive in nature, as materials are moved frequently and vessels move to and from the docks. Therefore, the noise produced from the development would not be readily distinctive against background. See Section 6 to gather an understanding of existing port activity noise relative to this proposal.

**4.15** Table 4 shows that external noise levels within the gardens of the nearest NSR's due to on-site operations meet with agreed criteria stipulated by AC. Noise maps taken from the CadnaA noise model can be seen in Appendix C.



## Assumptions

**4.16** Assumptions have been made regarding the operating times of the relevant activities. These assumptions are stated below:

- Delivery routes have been time corrected for a single movement per hour, while forklift truck routes have been time corrected for three movements per hour. This has been calculated as a moving point source within CadnaA.
- Loading/unloading activities have been assumed as lasting no longer than 30 minutes during a one hour period.
- Forklift reverse alarms are assumed to be functional for 15 minutes during a one hour period.
- Roller doors are assumed to function for 5 minutes over a one hour period.

**4.17** These assumptions and their relevant corrections are shown in Table 5. The corrections shown in Table 5 are based on the calculation  $10 \log \frac{T}{60}$ .

Table 5: Assumed Operational Times and Corrections		
Activity	Operational On-Time, mins (T)	Correction
Forklift Reverse Alarm	15	-6
Loading/Unloading	30	-3
Roller Doors	5	-10.8

## 5.00 Mechanical Services

- 5.01** At this stage it is understood there have been no plant selections made in relation to the development. There will be a requirement for the installation of mechanical services to the building, but the installation of such equipment will be organised later in the development schedule.
- 5.02** In the absence of plant selections, it is recommended that the noise level of any new plant should not exceed NR 35 and NR 25 during daytime and night-time hours respectively, as agreed with AC. As plant items have the capacity to operate 24/7, the lower NR curve of 25 will be utilised in the assessment to facilitate as worst-case scenario.
- 5.03** A maximum Noise Rating (NR) level criteria has been derived having regard to the nearest NSR along California Street. Noise levels have been extrapolated to receptor R2 to facilitate a worst-case scenario. It is understood any plant items will be mounted on the north-west façade of the building as to afford as much screening to the nearest NSR's as possible. Hence, the NR level within internal spaces at R2 has been back calculated to the nearest point of this façade, accounting for hemispherical radiation from a point source, flat topography and screening from the retained 5m boundary wall.
- 5.04** Calculations assume the plant items are mounted at 4m on the north-western façade, and the receptor at 4m above local ground level, 1m from the façade of receptor R2, creating a path difference of 0.103m. The levels in Table 6 represent the Noise Rating Level criteria at the closest façade point to the nearest NSR, so that the background sound level is not exceeded at R2.

<b>Table 6: Mechanical Services Plant Noise Rating Level Criteria at Development Boundary</b>	
Internal Noise Level Criteria (NR)	25
Attenuation through Open Window	15
Distance (D) from R2 to closest point of north-west façade (m)	31
Distance attenuation ( $20 \cdot \log(D)$ ) (dBA)	30
Barrier Attenuation	9
<b>Maximum Cumulative Plant Noise Rating Level Criteria at Source (NR)</b>	<b>79</b>

- 5.05** To avoid a further cumulative build-up of noise from multiple other sources, it is recommended that the maximum noise level rating criteria in Table 6 is shifted down by 5dB. On this basis it is recommended that the lowest derived criteria for mechanical services plant serving the proposed development is limited to a cumulative noise rating level of no higher than **NR 74** at source. (This estimation is based on a noise rating level as measured 1 metre from each item of plant with a distance to receptor of no less than 29m and the 5m boundary wall being retained).

## 6.00 Contextual Assessment of Existing Port Noise

**6.01** In the context of the site, it is important to quantify the existing noise from the port upon the nearest NSR's. Through noise measurements captured on site, a BS 4142 assessment has been conducted regarding this context, and the existing noise climate. This assessment is intended for the purpose of comparing the existing permitted operations to the new operations of the proposed development. It is not intended to highlight any adverse impacts related to current operations, which are occurring as part of a functioning dock.

**6.02** Using the unattended noise survey undertaken between 1<sup>st</sup>-5<sup>th</sup> December 2022, we can use noise levels from a worst-case one-hour period during daytime hours (07:00-23:00), and compare that to the predicted worst-case noise levels predicted within the CadnaA model mentioned earlier in this report. Table 7 shows the worst-case period of noise and the results of the assessment.

<b>Table 7: Worst-Case Noise Levels from Existing Sources and Assessment upon Nearest NSR</b>	
Operational Noise Level from Worst-Case Period: 08:15-09:15 (dB L <sub>Aeq</sub> )	72
Penalty* (dBA)	+5
Rating Level dB (L <sub>A,r,Tr</sub> )	77
Background Noise Level (dB L <sub>A90,T</sub> )	53
Exceedance of Background Noise Level (dBA)	+24
Predicted Worst-Case Noise Level from Proposed Development (dB L <sub>Aeq</sub> )	48
Exceedance of Predicted Noise Level from Proposed Development (dBA)	+29
*Penalties were added to the rating level as the activities and equipment are considered tonal and impulsive – a conservative 5 dB penalty was included.	

**6.03** Through noise recordings, it is understood that the work being carried out during the period observed in Table 7 was due to movement of materials and vehicle reverse alarms.

**6.04** As can be seen from the results in Table 7, the noise levels from the existing port operations far exceed the predicted noise levels from the proposed development. When addressing two different noise levels, if one noise level is more than 10 dB below another, the lower noise level will generally not be audible above the higher noise level. As the predicted noise levels are more than 20 dB below the worst-case noise levels recorded over the unattended monitoring period, it can be safely assumed that the proposed development will have little to no additional noise impact upon the nearest NSR's.



## 7.00 Conclusions

- 7.01** This Report has been prepared by CSP Acoustics on behalf of Project Management Scotland Ltd to support a planning application for the construction of a new office building and storage warehouse with associated parking.
- 7.02** Consideration has been given to the outcome of consultation undertaken with Angus Council and national standards and guidelines.
- 7.03** A noise survey was carried out at the site between 1<sup>st</sup>-5<sup>th</sup> December 2022, which was undertaken at locations representative of the nearest noise sensitive receptors. The results of the survey have been used to determine the ambient and 'typical' background sound levels prevailing at the site.
- 4.01** A BS 4142 rating level equal to or less than the prevailing background noise level will be adopted as per discussions with AC.
- 7.04** Through assessment of noise from movement of materials and deliveries and general operation of the warehouse, it is understood noise rating levels would meet or fall under required criteria stipulated by Angus Council at the nearest noise sensitive receptor. The results of said assessments are set out in Table 4.
- 7.05** It has also been shown that noise from existing activities at the port far exceed predicted worst-case noise levels from the proposed development. This would indicate that the proposed development will not cause any significant adverse effects to the residents of the nearest NSR's in the context of what they are already exposed to.
- 7.06** Items of fixed plant will be designed to meet a worst-case scenario of NR25 at the nearest NSR as agreed with AC.
- 7.07** A Noise Rating Level criterion of **74 dBA** should be adopted for installation of fixed plant items to meet with acceptable noise levels at the nearest noise sensitive receptor, applicable at the closest point of the north-west façade of the proposed development building.



CSPAcoustics

**Report Authors:**

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**Checked By:**

**James Tee**

BSc (Hons) PgDip MIOA  
*Senior Acoustic Consultant*

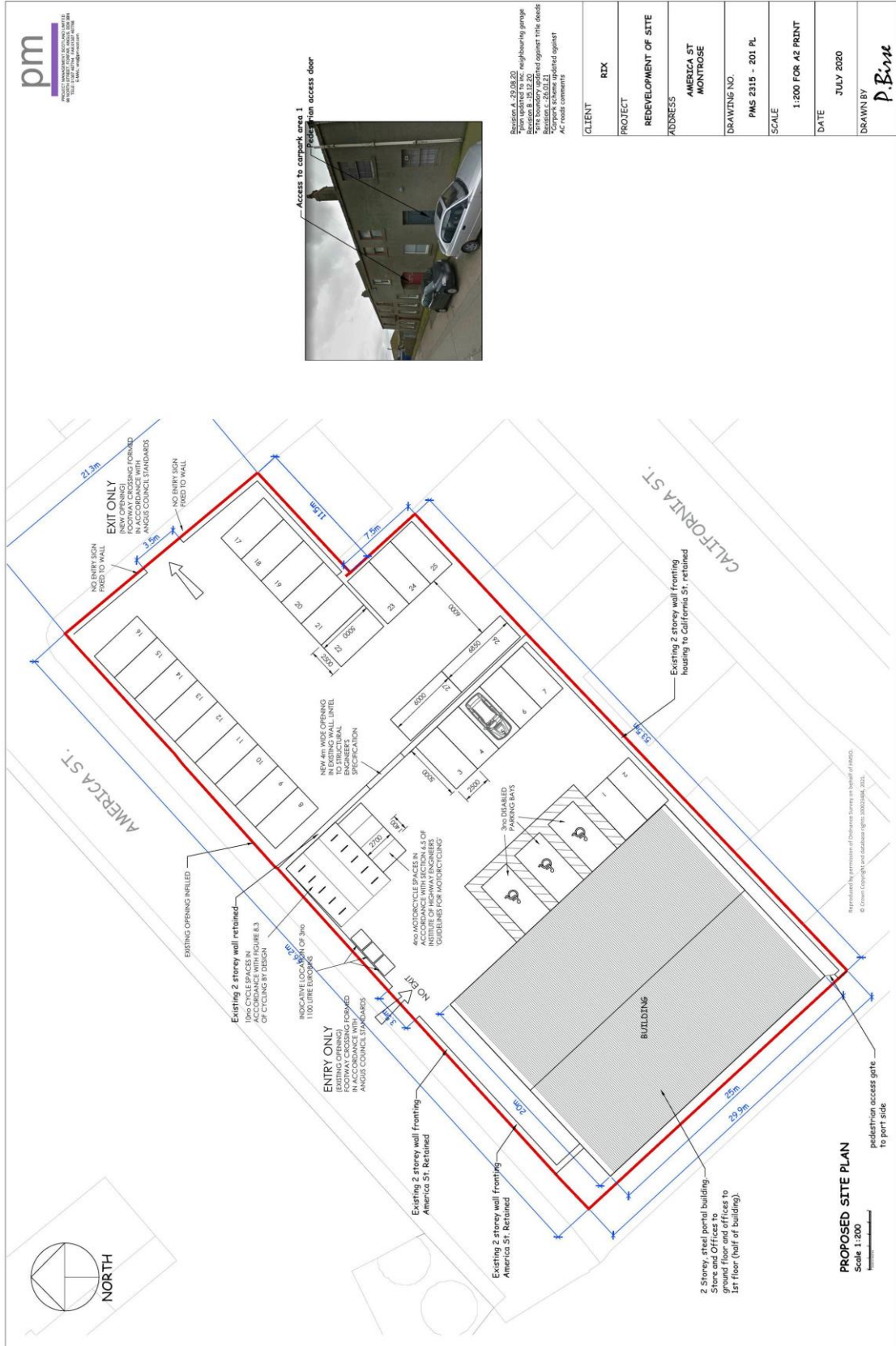
## Appendix A: Acoustic Glossary

<b>Term</b>	<b>Description</b>
Acoustic environment	Sound from all sound sources as modified by the environment
Ambient Noise	Totally encompassing sound at a given location, usually composed of sound from many sources near and far
Background Noise	The lowest noise level present in the absence of any identifiable noise sources. This is usually represented by the $L_{A90}$ measurement index.
Break-in	Noise transmission into a structure from outside
Break-out	Noise transmission from inside a structure to the outside
dB (decibel)	Defined as 20 times the logarithm of the ratio between the root-mean-square pressure of the sound field and a reference pressure ( $2 \times 10^{-5}$ Pa).
dBA	Level of sound across the audible spectrum with a frequency filter to compensate for the varying sensitivity of the human ear to sound at different frequencies at a lower SPL
Façade Level	A sound field determined at a distance of 1m in front of a building façade.
Free-field Level	A sound field measured at a point away from reflective surfaces other than the ground
Frequency (Hz)	Number of cycles of a wave in one second measured in Hertz.
Indoor ambient noise	Noise in a given situation at a given time, usually composed of noise from many sources, inside and outside the building, but excluding noise from activities of the occupants
$L_{Aeq,T}$	$L_{Aeq,T}$ is defined as the equivalent continuous "A"-weighted Sound Pressure Level in dB over a given period of time.
$L_{Amax}$	Maximum A - weighted sound pressure level recorded over the measurement period. Usually has a time constraint ( $L_{afmax}$ , $L_{asmax}$ )
Measurement time interval, $T_m$	Total time over which measurements are taken
Noise	Unwanted sound.
Noise criteria	Numerical indices used to define design goals in a given space

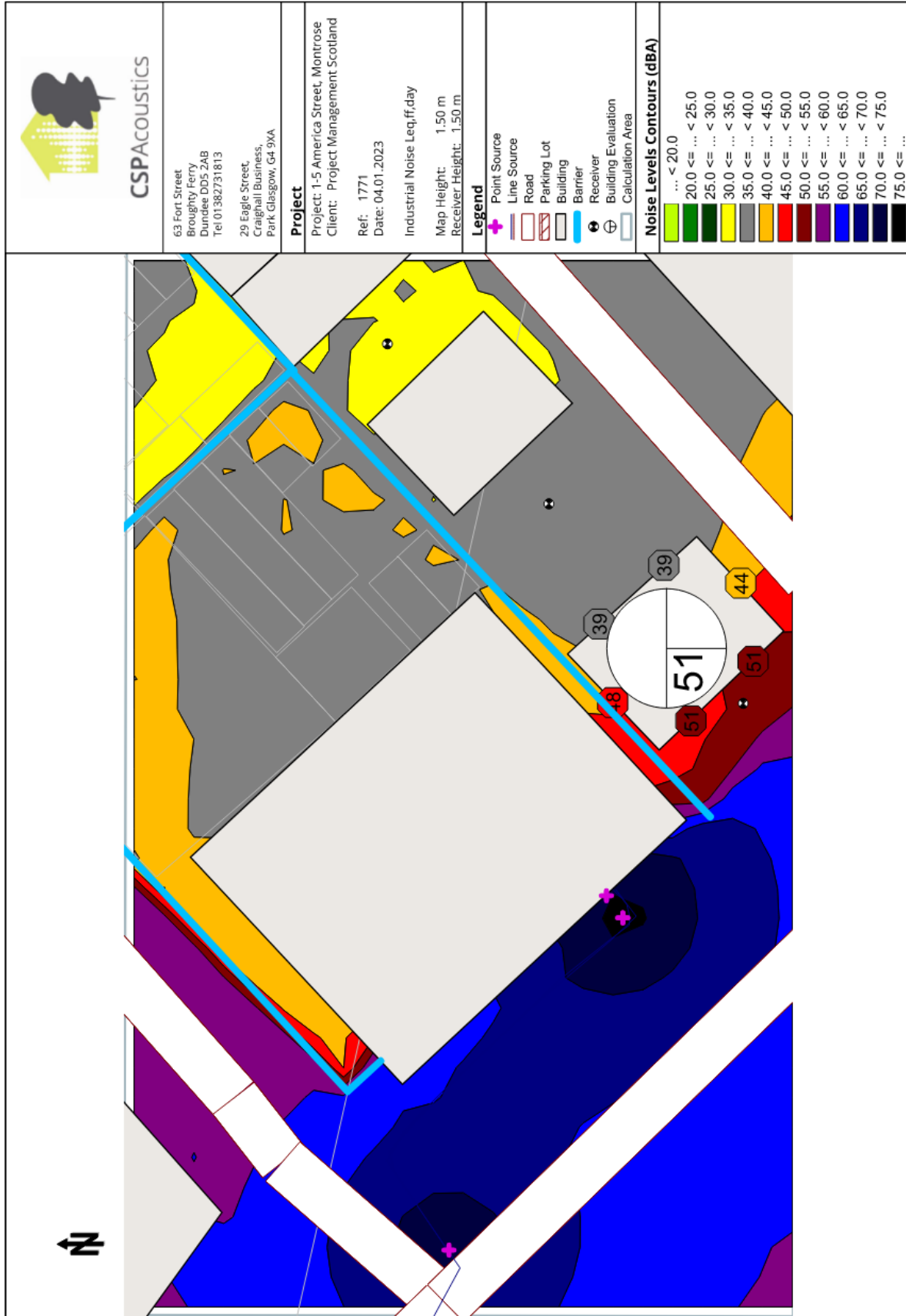


Term	Description
Noise-sensitive premises (NSPs)	Any occupied premises outside the assessment location used as a dwelling (including gardens), place of worship, educational establishment, hospital or similar institution, or any other property likely to be adversely affected by an increase in noise level
Octave band	Band of frequencies in which the upper limit of the band is twice the frequency of the lower limit
Percentile level $L_{AN,T}$	A-weighted sound pressure level obtained using time-weighting "F", which is exceeded for N% of a specified time period
Rating level, $L_{Ar,Tr}$	Specific sound level plus any adjustment for the characteristic features of the sound
Reference time interval, $T_r$	Specified interval over which the specific sound level can be determined.
Residual sound	Ambient sound remaining at the assessment location when the specific sound source is suppressed to such a degree that it does not contribute to the ambient sound
Residual sound level, $L_r = L_{Aeq,T}$	Equivalent continuous A-weighted sound pressure level of the residual sound at the assessment location over a given time interval, T
Sound power level, LWA	Ten times the logarithm to the base 10 of the ratio of the sound power radiated by a sound source to the reference sound power, determined by use of frequency-weighting network "A"
Sound pressure level	Is the Root Mean Squared value of the instantaneous sound level over a period of time expressed in decibels, usually measured with an appropriate frequency weighting
Specific sound level, $L_S = L_{Aeq,Tr}$	Equivalent continuous A-weighted sound pressure level produced by the specific sound source at the assessment location over a given reference time interval, $T_r$
Specific sound source	The sound source which is being assessed
Third octave band	Octave bands sub-divided into three parts, equal to 23% of the centre frequency

Appendix B: Drawings

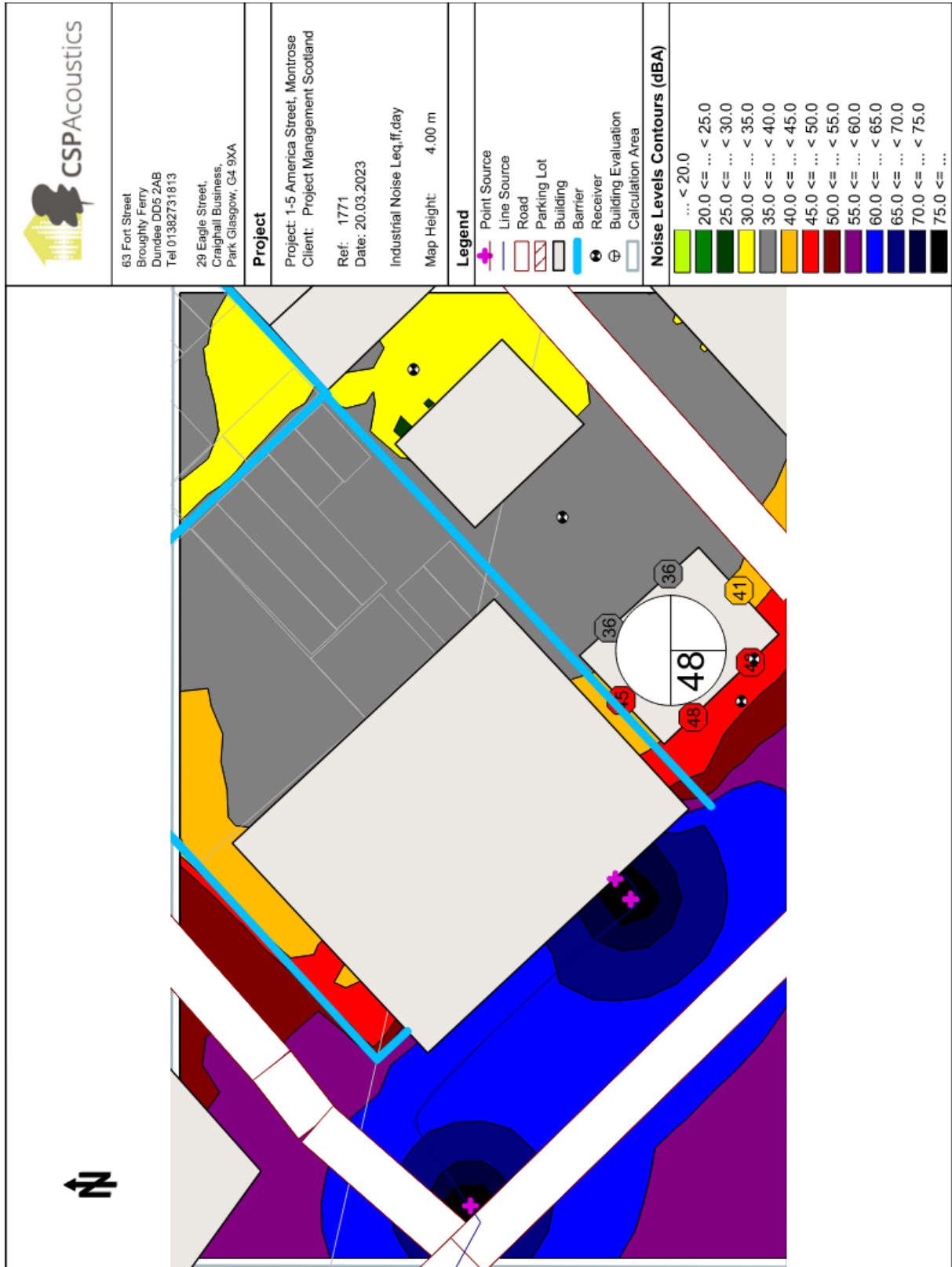


Appendix C: Noise Map








**Noise Impact Assessment  
1-5 America Street, Montrose  
Project Management Scotland Ltd**



For Client Review Only

 FORT STREET HOUSE,  
FORT ST, BROUGHTY FERRY  
DUNDEE, DD5 2AB  
01382 731813

 29 EAGLE STREET  
CRAIGHALL BUSINESS PARK  
GLASGOW  
G4 9XA  
01414 283 906

 [cspacoustics.co.uk](http://cspacoustics.co.uk)  
 [info@cspacoustics.co.uk](mailto:info@cspacoustics.co.uk)



**maria@mfplanning.co.uk**

---

**From:** Louise Akroyd <AkroydL@angus.gov.uk>  
**Sent:** 28 October 2022 10:22  
**To:** zz\_Shenzhi Su  
**Cc:** Steven D Thomson  
**Subject:** 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

Good Morning Su,

I can confirm that I am happy with the proposed noise methodology based on the noise sources for daytime and night-time indicated below (points 1-6) in your response dated 11 October 2022.


In terms of the noise survey, I would advise that my concern in regarding to unmanned monitoring is that you cannot identify the activities taking place and therefore cannot determine how representative noise from these activities are in terms of normal/regular port activities, this will therefore increase uncertainty of the measurement, however, I note that you will be increasing the period of manned monitoring but would stress that this needs to also include quieter periods on the port.


I hope this assists

Kind Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection  
| Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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Think green – please do not print this email

**From:** Shenzhi Su <Shenzhis@cspacoustics.co.uk>  
**Sent:** 11 October 2022 12:57  
**To:** Louise Akroyd <AkroydL@angus.gov.uk>  
**Cc:** Steven D Thomson <ThomsonSD@angus.gov.uk>; Ed Taylor <TaylorE@angus.gov.uk>; Damian G Brennan <BrennanDG@angus.gov.uk>; cspacoustics@emailmyjob.com  
**Subject:** RE: 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

Hi, Louise,

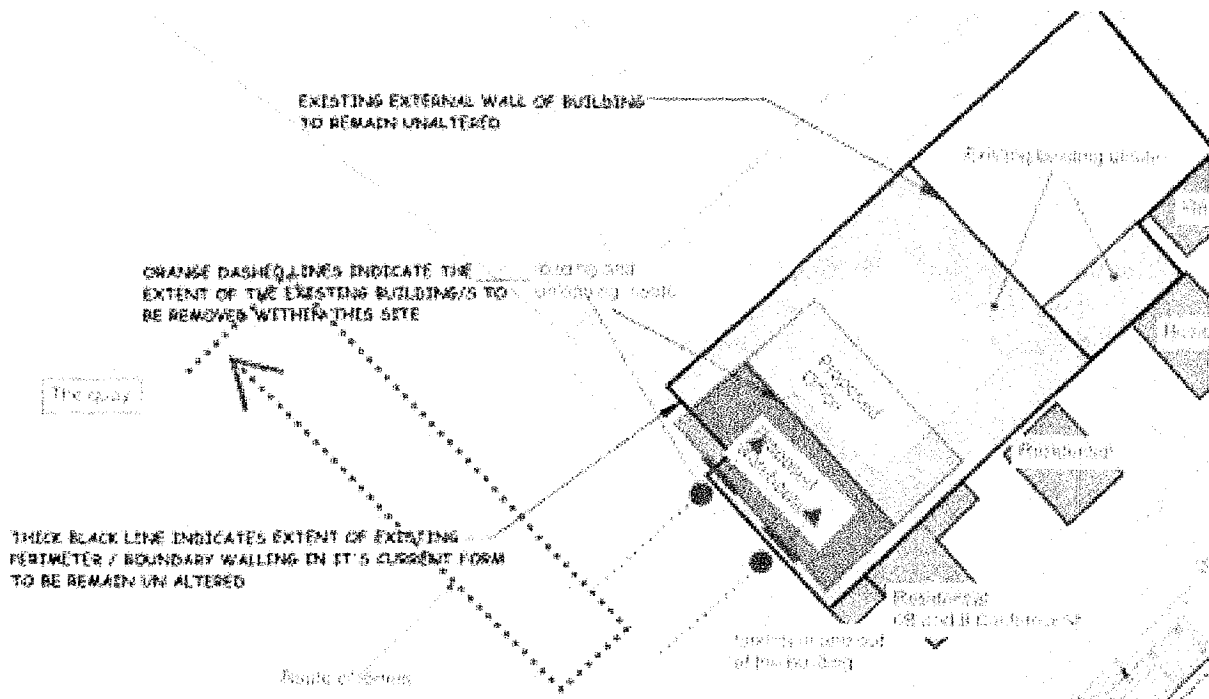
Many thanks for getting back to us sooner than I expected. Your comments are very helpful.

After reflecting on your concerns and communicating with our client, I supply the following information and revised methodology for you to consider.



### New noise sources

I were informed by our client that vehicles would travel to and from the building from North West on the port and not travel past the properties on California St as shown below. The speed could be lower to 1mph when approaching the warehouse. Delivery lorries will not enter the warehouse and only forklifts will. The port in front of the proposed warehouse have sufficient space for lorries to turn around. It's not a gravel surface they would drive over. Port unloading / loading working hours would be endeavoured to be done between 7am – 7pm though the port operates 24/7. Land deliveries to the building would be between the hours of 8am – 5pm.



Thus the new noise sources would be:

1. Movement of delivery lorries
2. Movement of forklifts outside and inside the building
3. Movements of roller doors of the proposed warehouse
4. Loading and unloading activity noise outside roller doors
5. Loading and unloading activity noise at the port
6. Any fixed plant and equipment associated with the proposed development, as you pointed out

For new noise sources 1 to 5, they would only occur during daytime. So only daytime assessment would be carried out for these sources.

### Manned survey

The manned survey is to be adopted only to help us understand better existing noise climate of the port. Existing activities at the port are not new noise sources. The objective of the noise survey is to catch representative background noise levels during daytime for assessing new sources, not existing port activity noise specifically. So, we don't see the necessary to catch every activity at the port during the manned survey. However, we are willing to extend our manned survey to 2 hours.

### Unmanned noise monitoring

There are two tides a day. So within 3-5 days it is possible to have both high and low tides within day hours. In the case the 3-5 day survey does not include both high and low tides within day hours, we'll carry out additional unmanned noise monitoring for another 2 days.

As our standard practice, a weather station and audio recordings setting with an appropriate trigger level would be used along with monitoring sound meters. Abnormal data would be excluded in the post-analysis.

### **Noise Criteria**

We agree that rating levels should not be higher than background levels for the BS4142 assessment.

As you mentioned the existing noise levels inside the nearby residential properties are likely exceeding BS8233 criteria with windows open. If rating levels of new sources are not higher than existing background noise levels, noise from new sources are likely to be masked largely by existing noise. If so they are unlikely to cause complaints. In addition, BS8233 states that their indoor ambient noise criteria "generally apply to steady sources" (page 22 of BS8233). It is expected noise from new sources are unsteady. Therefore, we don't see the BS8233 assessment is appropriate for this project.

We will assess noise from fixed plant and equipment as you suggested.

I hope that the above revisions with additional information are acceptable. Please me know if you have further comments. If the above explanation and revisions are unsatisfactory, could I suggest a telephone discussion at your convenience? Then I can understand your concerns better.

Regards,

Su

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**From:** Louise Akroyd <[AkroydL@angus.gov.uk](mailto:AkroydL@angus.gov.uk)>

**Sent:** Thursday, September 29, 2022 2:35 PM

**To:** Shenzhi Su <[Shenzhis@cspacoustics.co.uk](mailto:Shenzhis@cspacoustics.co.uk)>

**Cc:** Steven D Thomson <[ThomsonSD@angus.gov.uk](mailto:ThomsonSD@angus.gov.uk)>; Ed Taylor <[TaylorE@angus.gov.uk](mailto:TaylorE@angus.gov.uk)>; Damian G Brennan <[BrennanDG@angus.gov.uk](mailto:BrennanDG@angus.gov.uk)>

**Subject:** RE: 1771 - 1-5 America Street, Montrose Harbour NIA (20/00574/FULL)

Good Afternoon,

I would advise that I have reviewed the submitted noise methodology and have the following comments to make;

Noise Monitoring

I would agree that the two monitoring location selected would be acceptable.

I understand that only a 1 hour manned monitoring period will be undertaken on the site and I don't think this is sufficient given the varied and intermittent activities that take place in the port.

In terms of the unmanned noise monitoring, I note that this will only be for a period of 3-5 days. As activity in the port is largely dictated by the tides, I am concerned that this may compromise the data as it is likely that high and low tides will occur at roughly the same time each day during this monitoring period. The data should cover both high and low tides at night and during the day. I am also concerned as to how unmanned noise data will be given some context i.e., how will you know what the source was, is it typical for the area and how will weather be taken into account. I would expect that infrequent noise events and data affected by weather would be excluded.

#### Noise Criteria

The noise assessment needs to be undertaken in accordance with BS4142:2014+A1:2019 but regard also needs to be taken for WHO internal daytime and night-time criteria for sleep disturbance and rest and relaxation for bedrooms and living rooms, assessed with windows partially open for ventilation.

I am concerned that noise levels at residential properties on Californian Street may already be experiencing levels above the WHO guidelines for rest and relaxation, which may warrant no increase in noise levels from new developments when assessed in accordance with BS4142.

Any fixed plant and equipment i.e., air conditioning units, mechanical ventilation from the industrial unit and offices/staff kitchen needs to be assessed against Noise Rating Curve NR 35 between 0700 and 2300 hours and NR 25 between 2300 and 0700 hours, calculated within the nearest noise sensitive property with windows open.

#### Noise Sources

The report needs to adequately cover all possible types of noise sources from the proposed development. In particular, it will be vital to identify how vehicle movements will travel to and from the unit and how loading and unloading will take place from the unit e.g. the route of travel for vehicles, will there be an increase in vehicle movements that will travel past residential properties, what types of vehicle movements will take place (HGV, lorries, forklift trucks), how will vehicles enter and egress the building (manoeuvres may be tight due to limited space and require to reverse into the building and therefore reverse beepers noise needs to be considered), uneven road surface which would lead to more noise from forklift truck movements etc.

#### Noise prediction including mitigation measures

Full details of any calculations should be provided, and any assumptions should be justified.


In light of the above, the proposed noise assessment methodology is not agreed by this service.

Regards

**Louise Akroyd**

**Environmental Health Officer | Angus Council | Communities | Environmental & Consumer Protection  
| Angus House, Orchardbank Business Park, Forfar DD8 1AN | 01307 491827 |**

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**FURTHER LODGED REPRESENTATIONS**

Received 22/12/23

Hello,

My wife and I (6b) have no further objections to the build going ahead aside from what we have already mentioned.

We do not mind regeneration of the area, but would not wish it to be changed how it looks from the outside.

Yours

Robert Hall