



# Planning Statement

Demolition of building and erection of a Class 5 and  
Class 6 general industrial warehouse at No. 4  
Meridian Street, Montrose

*Prepared on behalf of*  
Rix Shipping (Scotland) Ltd

March 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:

*“Demolition of building and erection of a Class 5 and Class 6 general industrial warehouse at No. 4 Meridian Street, Montrose.”*

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 applications seeking planning permission and listed building consent for the development.

1.4 In addition to this statement, a number of reports are submitted in support of the proposed development. These are:

- Existing Building Condition Report, Griffen Design Ltd
- Level 1 Standing Building Survey, Robert Lenfert Archaeology
- Bat Survey, GLM Ecology

1.5 A number of architectural drawings are also submitted to support the application. These are listed below.

<b>Drawing No.</b>	<b>Description</b>	<b>Scale</b>	<b>Size</b>
PMS 2398 – 100 PL	Location Plan	1:1000	A2
PMS 2398 – 101 PL	Existing Site Plan	1:500	A2
PMS 2398 – 102 PL	Proposed Downtakings	1:500	A2
PMS 2398 – 105 PL	Existing Elevations	1:100	A1
PMS 2398 – 201 PL	Proposed Site Plan	1:500	A2
PMS 2398 – 205 PL	Proposed Floor Plan	1:100	A1
PMS 2398 – 210 PL	Proposed Elevations	1:100	A1

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,
  - £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, and
  - £1.6m planned investment in America Street to provide O&M office and warehousing facilities within a listed façade redevelopment scheme for the off-shore renewables sector.
- 2.4 The redevelopment proposals for Meridian Street represent a further £1m investment by the Applicant to demolish a building which has passed its economic life and create new employment opportunities through the erection of a modern, fit for purpose warehouse facility to help sustain the future of Montrose Port and the local economy.

### The Business Requirement

- 2.5 The proposed redevelopment of the application site is in response to specific business requirements from suppliers, subcontractors and fabrication contractors for a port side pre-shipment assembly and storage facility to support the oil and gas and offshore energy related industries in Montrose.
- 2.6 The building is required for the storage (Class 6) and assembly (Class 5) of large sized engineering components for both the oil and gas industry and the offshore wind facilities. Rix Shipping receives regular enquires for the storage of modular

components which can then be assembled under cover in a warehouse prior to shipping. The use of assembly jigs, the large scale of the finished assembled equipment (for either industry) and the need for an overhead 25t crane as a minimum dictates the need for the 9m eaves height and 8m x 8m roller shutters in the new warehouse. The assembly process requires a Class 5 general industrial planning consent as flexibility is required in the range of assembly design and processes that may be undertaken in the building. Welded construction activities may take place on site. No permanent workshop equipment or machinery is to be installed in the warehouse and any machinery required will be brought into the warehouse by the occupier. It is not anticipated that any hydrotesting or pressure testing of the components will be required to be undertaken on the site.

- 2.7 In common with other port side warehousing facilities, the building can be used by suppliers and subcontractors on a short term leasing arrangement with Rix Shipping.
- 2.8 Rix Shipping does not have any other existing warehouse facility which is either not in use or has the required scale of external roller doors or internal space necessary for the assembly of such large engineering components. The application site is the only site in the Applicant's ownership that can be developed to provide the scale of warehouse accommodation necessary to meet this port related business requirement.

### 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 No. 4 Meridian 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 Level 1 Standing Building Survey (Robert Lenfert Archaeology) provides 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 building on the application site sitting between modern warehouses to its west 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 7 and Berth 8 as shown in Figure 3.

Figure 2: North Quay

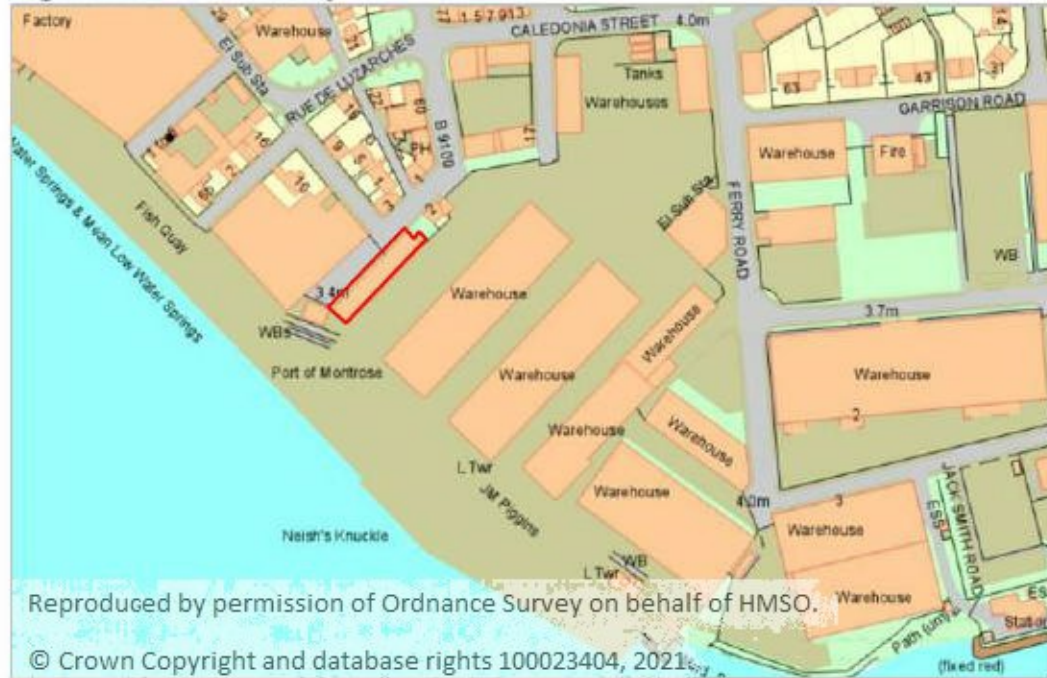
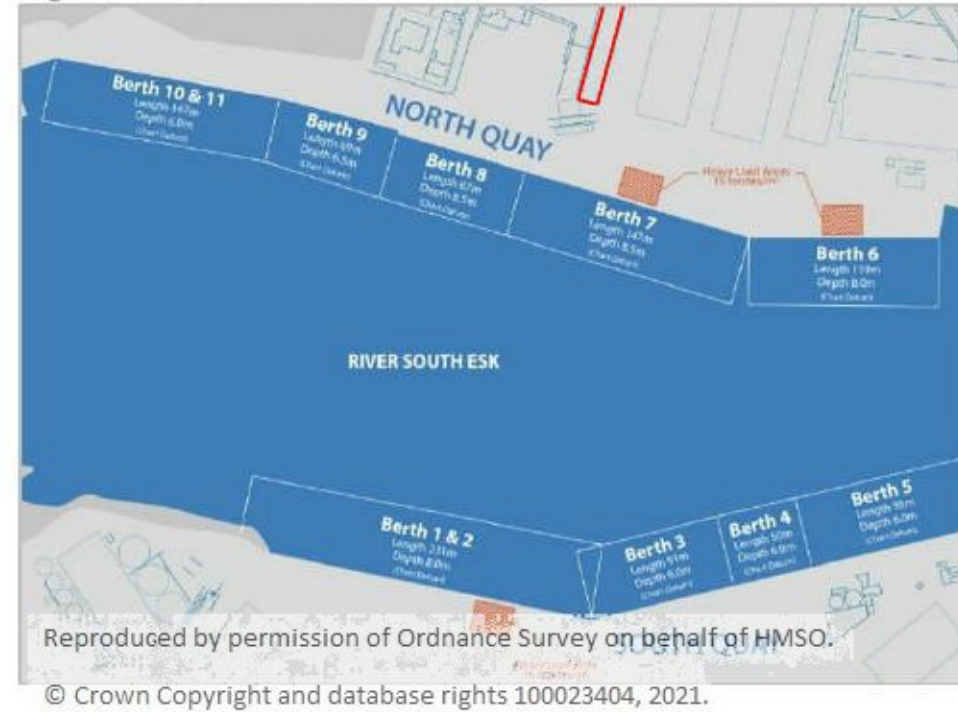


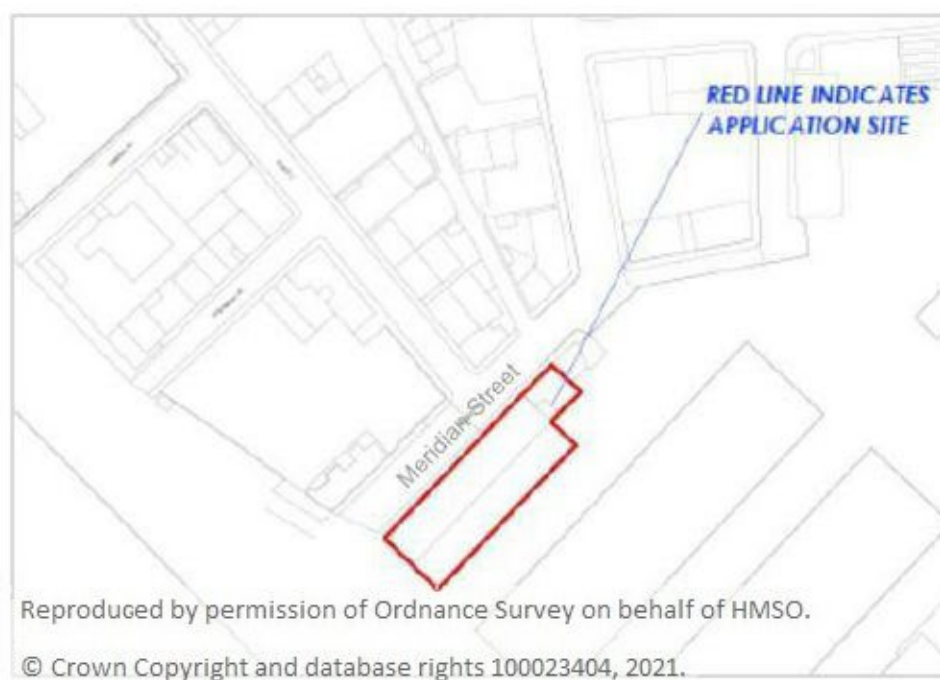
Figure 3: Port Berths



## The Site

- 3.6 The application site comprises a traditional stone warehouse building with slate roof at No. 4 Meridian Street, Montrose. It is bounded by Meridian Street to the north west, Andrew Mearns Quay to the south west and south east. There is modern warehousing to the south east and south west of the building. The building has large metal sliding doors facing onto the harbour and also on the buildings south east elevation. There is a small modern garage attached to the north eastern gable wall of the building and a hardstanding area that provides car parking for three/four cars. The building's location is shown in Figure 4.

Figure 4: Site Location



- 3.7 The building is category C listed and has an ornamental south west gable with a date stone of 1905 on this elevation. Historically the building was associated with ship building activities connected to the former wet dock which was to the east of the site. The wet dock was infilled in 1981. Historically, ships were loaded via a line from the upper floor openings of the building directly onto the ships deck. The building has been in use since the late 1970's as a bulk storage facility for agricultural products including timber and fertiliser. Rix Shipping acquired the building in 2015 and has made limited use of the building (given its structural condition) to the current day.

- 3.8 Given the age and condition of the building 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 detailed narrative of the building. The brief and scope of the survey has been agreed with the Archaeology Service for Aberdeenshire, Moray, Angus & Aberdeen City Councils and the report contains an historical mapping of the site supported by scaled plans, elevations and site photographs.
- 3.9 An Existing Building Condition Report has also been undertaken by Griffen Design Ltd to assess the structural condition of the building. A copy of this report is included with the application submission. The report advises that the previous uses of the building have led to several changes in its appearance with window and door openings being blocked up and new ones opened. The building shows signs of impending collapse with significant bowing and leaning of the external walls. The use of the building as a fertilizer store has had an additional detrimental effect on the stonework and mortar which has reacted with the fertilizer, leaving the mortar very friable and very damp. The removal of the intermediate floor (to increase its storage capacity) has removed the lateral restraints and further weakened the building. The report advises that repair would be exceptionally difficult given the major defect is the wall lean to the 57m long side elevations. The Existing Building Condition Report recommends demolition. It also advises that the potential for accidental damage and collapse is high.

### Planning History of the Site

- 3.10 The planning history of the building is taken from Angus Council's planning and building standards portal and shows the following for UPRN no. 000117113019, Warehouse, 4 Meridian Street, Montrose:

Application Ref. No.	Application Type	Address	Status
10/00082/DS	Dangerous Building Enquiry	W.J. Reid (Fertilisers) Limited Warehouse Meridian Street Montrose DD10 8DS	Closed. During a routine inspection it was noted that steel vertical columns at 3 doorways which had been exposed to the street were showing signs of corrosion and should be checked for safety.
12/00644/HAZ	Hazardous Substances Consent for Storing of Ammonium Nitrate	Warehouse 4 Meridian Street Montrose	Application Withdrawn



## 4. Proposed Development

### Building Design

- 4.1 The scheme is for the demolition of the existing warehouse building and the construction of a larger purpose-built portal frame building. The new building is to be used as a pre-shipment assembly and storage facility to support the oil and gas and offshore energy related industries in Montrose and requires planning permission for Class 5 (general industrial) and Class 6 (storage and distribution) uses. The massing and scale of the building has been designed specifically to meet prospective tenants' requirements.
- 4.2 The building will have an internal floor area of 1,150 sq.m and the proposed external materials are a concrete cladding base and a mix of light and dark grey profiled metal cladding panels across the whole building, akin to the adjacent warehouse to the north west at Nos. 5-11 Meridian Street. The footprint of the new larger building will be positioned on the footprint of the existing warehouse building with an additional area encompassing land on the buildings south eastern side at Andrew Mearns Quay.
- 4.3 Large scale 8m x 8m galvanised roller shutter doors are required on the buildings south eastern and south western elevations. This will enable direct access onto Andrew Mearns Quay for all vehicles servicing the building. There is sufficient vehicular turning space on the quay for these manoeuvres.
- 4.4 The proposed elevations of the building are shown below.

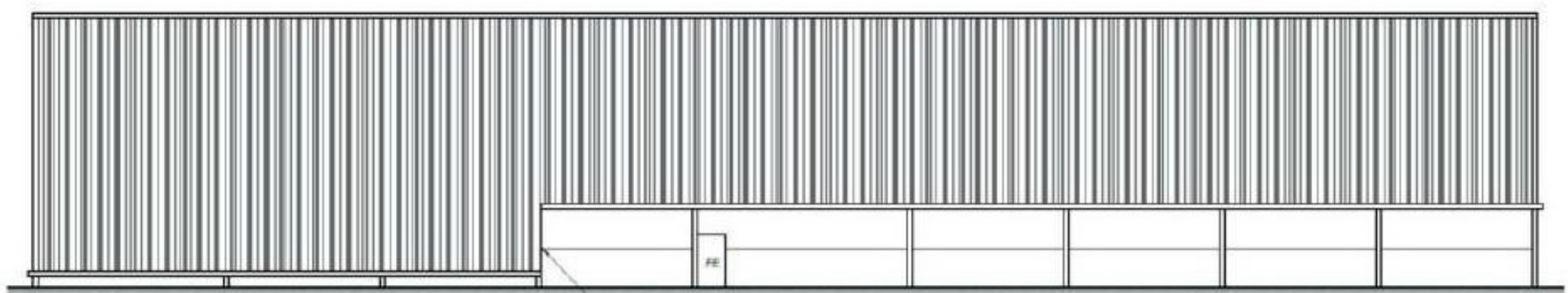


Figure 5: North West Elevation (Meridian Street)



Figure 6: South East Elevation



Figure 7: South West Elevation

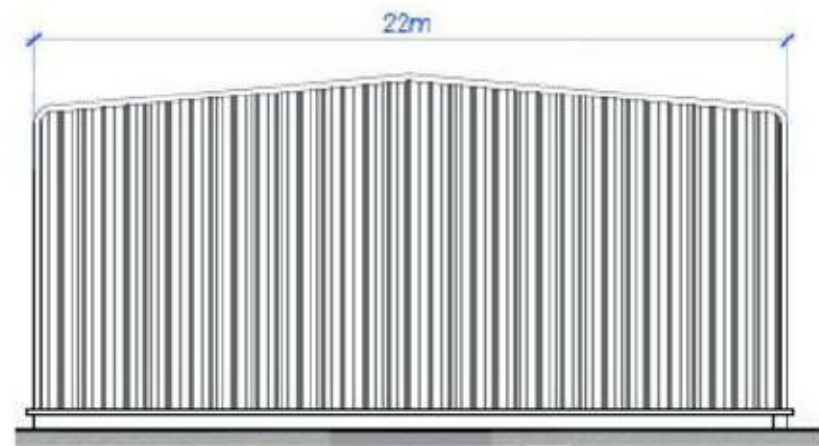


Figure 8: North East Elevation

## Demolition

- 4.5 The Building Condition Report demonstrates that the listed warehouse is in a weakened structural condition and is no longer fit for purpose. Demolition of the building is necessary to provide the scale of modern warehousing required for the pre-shipment assembly and storage facility of modular components for the oil and gas and offshore renewables industries. Even in its current usage as a timber and fertilizer store, the Building Condition Report cautions that there is a real risk that even a relatively minor accident with a modern machine could have dangerous consequences and be of risk to the public. All stored materials are currently kept away from the internal walls to avoid putting additional pressure on the walls and to lower the potential risk of building collapse. We note that a Dangerous Building Enquiry was lodged 11 years ago on the Council's building and planning portals where it was noted that steel vertical columns at 3 doorways which had been exposed to the street were showing signs of corrosion. Since this date, the building has deteriorated further; demolition is deemed necessary from both a building safety perspective and in the longer term planning and economic interests of Montrose Port.

## Access and Car Parking

- 4.6 Access to the warehouse will be via Meridian Street with vehicular access to the warehouse taken directly from Andrew Mearns Quay. There is sufficient space on the quay for vehicle turning and manoeuvring. There is also an existing area of hardstanding at the north-eastern end of the warehouse building which can be used for car parking for three cars should this be required.

## Hours of Operation

- 4.7 The use of the building necessitates a quayside location for easy and immediate access to the adjacent berthing facilities. In common with port side warehousing facilities, access is required 24/7 on all days of the year. Flexibility is required in the hours of operation of the site to meet the end user 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:*

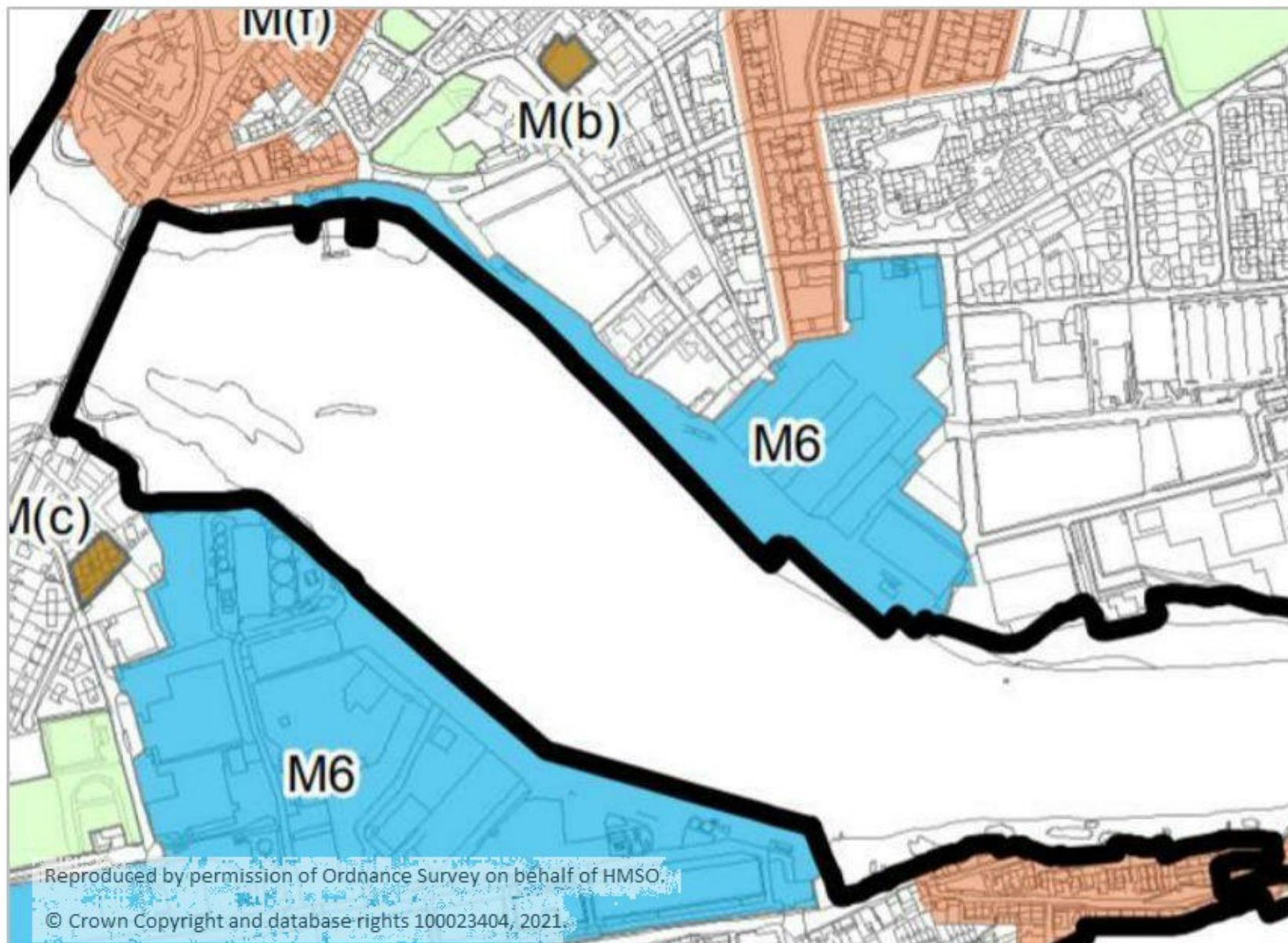
*A. safeguarding land at Dundee and Montrose Ports, and other harbours as appropriate, for port related uses to support sea freight, economic growth in the port, offshore renewable energy and offshore oil and gas sectors, and, maritime trade, recreation and tourism;'*

- 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 these industries.

### **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 falls within the established employment area and land zoning for Montrose Port (Policy M6). The LDP map extract is shown in Figure 9.

Figure 9: 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 demolition of the building and the erection of a larger warehouse for port related uses is in accordance with Policy M6.

5.14 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

5.15 [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.

5.16 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.

5.17 The scale and nature of the proposals are in line with the port related activities at Montrose harbour. Specifically, the development of the modern warehouse as a pre-shipment assembly and storage facility to support the oil and gas and offshore energy related industries supports the continued growth and development of Montrose Port.

5.18 Section 6 of this statement demonstrates that full and proper planning consideration has been given to the Historic Environment Scotland guidance on the Demolition of Listed Buildings. Supporting reports to this planning application (Existing Building

Condition Report and Level 1 Standing Building Survey) have also advised on the deteriorating and dangerous condition of the existing building fabric.

5.19 The proposed new warehouse would be located in an area of the port which already contains several modern warehouses which are very similar in their utilitarian design to the application proposal. It is in an established employment area and the scale and nature of the proposal is considered to be acceptable under the terms of Policy DS1.

5.20 [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*

5.21 The site is well connected to existing public transport bus stops and routes. There are no issues regarding local road network capacity and there is no conflict with Policy DS2.

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 proposals for the site have taken into account the principles of Designing Places, notwithstanding that this is chiefly an industrial area at Montrose Port surrounded by large modern sheds. We consider that there is no conflict with Policy DS3.

5.24 [Policy DS4: Amenity](#) 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. The closest residential properties to the site are located on River Street and Mill Lane. The two storey property adjoining the hardstanding area at the northern end of the site is a former seafarers centre and is owned by the Port Authority and used as an office. Given that there is an existing

warehouse building on the site and there are adjacent warehouses to the east and west of the site at the port it is not considered that there will be any adverse effect on nearby properties, which will be accustomed to the levels of general activity and noise associated with the port. The site is within the context of an existing and well established port and industrial area where there are many buildings of a similar size and scale in relatively close proximity. The visual appearance of the new warehouse, whilst larger in scale, is appropriate in relation to its local context and would not appear out of place. The proposed general industrial activities to be undertaken in the warehouse will not introduce new levels of noise into the area as alongside the proposed storage use, the anticipated industrial processes will involve the assembly of modular engineering components.

- 5.25 Given that the position of the new warehouse will sit largely on the footprint of the existing warehouse, there will be a negligible impact on neighbouring properties and no adverse impact on amenity. There is no conflict with Policy DS4.
- 5.26 [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.*
- 5.27 This is a proposal for a replacement warehouse on a site which is within an established port area which has been used for warehousing and other activities associated with Montrose Port. The site is also designated in the local plan under Policy M6 – Montrose Port. The existing warehouse, whilst Category C listed, is in a dangerous state of disrepair and the Building Condition Report notes that demolition is the most appropriate course of action as there is little structural capacity remaining for any future change of use.
- 5.28 The redevelopment of the site would necessitate demolition of the building and the erection of a large modern warehouse which is required for a port related use which necessitates a quayside location and vessel berthing facilities.
- 5.29 Alternative LDP designated employment sites are not viable for the following reasons:
- The application site enables the provision of a large modern warehouse facility to be used for port side pre-shipment assembly and storage for the oil and gas and offshore energy related industries. It is essential, therefore, that it is located on a quayside location, and on a site with adjoining berthing facilities for onward shipping. No other employment designated site within the Montrose settlement boundary is therefore suitable for this use.

- Regarding the road transportation of the assembled engineering plant, moving over sized loads of up to 5m can be done under The Road Vehicles (Authorisation of Special Types) General Order 2003; movement of abnormal indivisible loads of between 5.1 – 6.0m in overall width requires Secretary of State "VR1" authorisation and thereafter, anything above 6.1m requires a Special Order (Secretary of State "HA form BE 16" authorisation) issued by the Scottish Government. For the latter, the associated notification timeframes for the Scottish Government, Transport Scotland and Police Scotland are lengthy and impractical. Only sites and buildings such as the application site that have a direct harbour access to the quayside can avoid this conflict, with the movements authorised under harbour and port statutory authority.
- Rix Shipping also owns several modern warehouses in the port area as shown in Figure 10, but these are fully operational and in use for existing port related activities. There is no ability to meet the business requirement for a port side pre-shipment assembly and storage facility on a single site at any of these other locations.

Figure 10: Rix Shipping warehousing facilities, Port of Montrose



- 5.30 The site is in an established employment area and zoned for port related activities under Policy M6. There is an existing warehouse building on the site which remains in limited use (given the buildings structural restrictions) for storage associated with port activities. The replacement of this traditional stone warehouse with a fit for purpose modern warehouse is considered to be an acceptable land use.
- 5.31 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 application will replace a tired and structurally unstable warehouse building with a modern equivalent structure which will be larger in scale. The increase in the size of the building's footprint will be hidden from Meridian Street as the extension to the built footprint will take place on the south eastern side of the building which already sits adjacent to much larger scale industrial warehousing.



5.32 For all the above reasons we consider that the proposals are in accord with Policy TC15.

5.33 **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 building 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 building and that 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.'*

5.34 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.'

5.35 The Applicant is happy to accept these recommendations which can be imposed as a planning condition on the grant of any planning permission.

5.36 **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.*

5.37 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 building's demolition is contained in the following section of this Planning Statement on material considerations (refer to paragraphs 6.12 to 6.25).

5.38 Paragraph 6.23 of this statement details the economic benefits, and these should be read in relation to the requirements under policy PV8.

5.39 There is a practical need to demolish the listed building which has been assessed as being in a very poor condition with structurally unstable walls with weak, friable mortar, loose and missing stones and numerous cracks. The Building Condition Report notes that to repair the building would be exceptionally difficult given the major defect is the wall lean to the side elevations and weak mortar throughout the building. The recommendation of the Building Condition Report is to demolish the building.

Given the potential for a major accident and risk to the public it is considered that a redevelopment of the site for a contemporary warehouse is in the interests of the proper planning of the area and public safety.

- 5.40 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.
- 5.41 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 existing warehouse and the erection of a contemporary warehouse in the same position as the current building (albeit with a larger footprint) does not increase the flood risk to the local area.
- 5.42 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.
- 5.43 Regarding [Policy PV18: Waste Management in New Development](#), the Applicant will adhere to national regulations in the demolition of the building and the segregation of wastes off site for processing into recycled aggregate where possible.

#### **Development Plan Considerations Conclusion**

- 5.44 We consider that the proposals for the redevelopment of the site at No 4 Meridian 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 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
- 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 informed by a thorough understanding of the heritage significance of the listed building. This is demonstrated in the application submission through the Level 1 Standing Building Survey, the Building Condition Report 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 The warehouse is currently in limited use for port related storage. The bowing of the external walls and their generally poor and fragile condition means that internally, all stored materials must be kept away from the walls to avoid risk of collapse. Whilst this building has stood on the site for over 100 years it is considered that there is limited future enjoyment left in the building and no benefits that can be realised from the retention of the property. It is in the proper planning interests of the area that this building is safely taken down and a modern warehouse erected in its place which is more purposefully suited to meeting the port industries requirements.

6.6 The Level 1 Standing Building Survey provides an historical written and photographic account of the property to ensure that the building has been properly recorded for the historical archives. The proposed development should therefore be considered in accordance with policy HEP2.

6.7 Policy HEP4 is also of relevance to the proposed development. 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.”*

6.8 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.*

6.9 The demolition of the building is the only option for the future use of this strategic port site. Its original purpose was to support the loading of ships in the adjacent wet dock which has long since been infilled; with the site of the wet dock having been developed for modern warehousing. The Building Condition Report advises that repair of the building is not feasible given the structural bowing and leaning in the elevation walls coupled with very weak and friable mortar. There is no alternative mitigation to retain the listed building that is economically feasible or viable and for these reasons, negative impact is not possible.

6.10 This is a site allocated within the Montrose Port area as defined in the adopted development plan. It is surrounded by other industrial warehousing sheds which are of a similar utilitarian design to the application proposal. These sheds typify the scale of modern warehousing required to meet the needs of the oil and gas industry and the growing offshore renewables sector at the port. Whilst some use is currently being made of the building, the internal capacity for storage and the risk of structural damage to the walls (through the loading and off-loading of heavy, bulky materials) renders a much reduced internal footprint. In addition to this being an uneconomical use of the space it also poses a building risk. As noted in the Building Condition Report, “... a relatively minor accident with a modern machine would lead to major impact on the building. A great risk to the public if this was to the north east elevation on Meridian Street.”

6.11 It is considered that given the condition of the building, a detrimental impact on the historic environment is unavoidable. The building needs to be demolished and this is in the context of the dramatic changes evident at Montrose Port over the 100 years since the building was erected. For these reasons, 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 The statutory listing of the building is contained in Appendix 1. It notes that the building is of special interest and states:

*‘the warehouse remains a good surviving example of an industrial building that relates to the development and historic function of Montrose Harbour.*

and

*While harbour warehouses are not a rare building type in Scotland this example, with its segmental gable facing the harbour, is now among the best surviving 19th – early 20th century warehouses in Montrose.*

6.15 Whilst the special interest is acknowledged and its quayside setting of importance, relating directly to the buildings historic function, the activities at Montrose Port have changed significantly since the erection of the building over a hundred years ago. The site occupies a strategic location at Montrose Port on Andrew Mearns Quay with adjacent vessel berthing facilities. The original wet dock which used to sit alongside it has been infilled and the building is now surrounded by modern shipping warehouses and sheds. The need for modern warehousing is in response to the changing activities now undertaken at Montrose Port. Appendix 1 of the Level 1 Standing Building Survey contains a mapping history regression 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 stone buildings by large, modern sheds.

6.16 The Applicant notes 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*

- 6.17 Despite the building being of historic and special interest, practically, it is not feasible to retain it for the purpose for which it was designed. Firstly, irrespective of the structural condition of the building, the size of the building itself renders a restricted use. The business requirement is in response to the demands of the oil and gas industry and those of the offshore renewables market, where a pre-shipment assembly facility is required for large modular industrial components. The scale of these engineering end products necessitates a wide 8m x 8m door access and the deployment of 25t cranes as a minimum. The current building is not able to meet this essential port related need.
- 6.18 The adjacent wet dock which used to support the warehouse has also been infilled and whilst the building is currently being used for port related storage, the capacity of the building's internal storage is greatly reduced due to the precarious structural condition of the external walls which dictate that no materials are placed against them for fear of damage and collapse. The Building Condition Report confirms that the building has undergone numerous changes over its lifetime with window and door openings being blocked up and new ones opened. The removal of the intermediate floor (used historically to load ships berthed in the adjacent wet dock via a line from the upper floor openings) has weakened the building as the lateral tie has been removed. Structurally, the Building Condition Report advises that the building has passed its economical use and is no longer fit for the purpose it was built for. As such, notwithstanding its special interest, we consider that its demolition is not only justified, but necessary.

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

- 6.19 The Building Condition Report is resolute in its assessment and conclusions regarding the building's structural integrity. In the report's conclusions it states:

*'The owner will be limited in the future use of the building because of its size and condition. We would envisage that a relatively minor accident with a modern machine would lead to major impact on the building. A great risk to the public if this was to the north east elevation on Meridian Street.*

*To repair the building would be exceptionally difficult given the major defect is the wall lean to the side elevations and weak mortar throughout the building. The wall would need to be taken down and reconstructed to correct the lean or a repair mortar injected into the cavities.*

*Finally, our recommendation is to demolish the building. There is little structural capacity remaining for change of use. The potential for accidental damage is high and the consequences disproportionate to the accident. And the cost of repair high compared with the gain in repair.'*

- 6.20 The retention of the building is not sustainable, and the scale of repair would necessitate a brick by brick take down and reconstruction. This is simply not a viable proposition and change is considered necessary to bring the site back into an economic use that meets the demands of Montrose Port.

6.21 Under this criterion, we therefore conclude that the building's demolition is both justified and necessary.

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

6.22 The redevelopment of the site at No 4 Meridian Street through the demolition of the building and the erection of a modern warehouse is essential to enable the economic reuse of the site for modern day port related activities. The building has deteriorated severely to the extent where the external walls are dangerously bowed, and the cost of repair is vastly disproportionate to the continued use of the building.

6.23 The redevelopment of the site will deliver benefits to the economic growth of Montrose Port through the following:

Economic Growth Benefits

- Demolition of the listed building is essential and will deliver a commercially viable development on a site which whilst still in use, has reduced storage capacity for port related uses which in turn, reduces the operational efficiencies of the port.
- As a site within the Policy M6 designation for Montrose Port, its redevelopment is in line with the port related regeneration initiatives and the strategic intent of the adopted Local Development Plan policy for Montrose Port.
- Providing a strategic site to enable the development for a pre-shipment assembly and storage facility to support the oil and gas and offshore energy related industries will:
  - result in enhanced operational efficiencies at the port and the promotion of sustainable economic growth
  - boost industrial port related productivity levels that will underpin further inclusive growth in these key sectors
  - have a positive effect on employment by helping businesses grow and opening up job opportunities for suppliers, subcontractors and fabrication contractors
  - increase the competitiveness of Montrose Port specifically and in doing so, support the wider Angus economy.
- A significant investment by the Applicant of £1m in redeveloping the site resulting in the creation of jobs both during the demolition and construction stage of the project and the longer term sustainable use of the industrial warehouse by industry.
- The redevelopment of the site is in line with 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.

- 6.24 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 building.
- 6.25 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 building.

### Scottish Planning Policy

- 6.26 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)

- 6.27 The SPP states that decisions on planning applications 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.
- 6.28 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)

- 6.29 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.
- 6.30 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 a listed building which is in a very poor condition with no realistic prospect of meaningful repair given the state of its deterioration.
- 6.31 The application proposal represents a significant investment in Montrose Port; it supports economic development and growth through providing a modern industrial



warehouse facility which will be used to support the current needs of the oil and gas industry and the offshore renewables sector.

### **Material Considerations Conclusion**

6.32 This Planning Statement has assessed the planning application against other material considerations, all of which support the demolition of the listed building and the redevelopment of this site. The application should therefore be granted planning permission.

## 7. Conclusion

7.1 This application seeks planning and listed building consent for

*“Demolition of building and erection of a Class 5 and Class 6 general industrial warehouse at No. 4 Meridian Street, Montrose.”*

7.2 The existing warehouse building on the site is Category C listed and was built over 100 years ago to support the then activities at Montrose Port. The building was originally used as a shipping store and loading building being adjacent to the wet dock (now infilled) located to the south west. Significant changes to the building and internal alterations over the years have weakened its structure, to the extent that the walls are dangerously bowing, with numerous cracks, missing stones and damp patches. The mortar throughout the building is friable. A Building Condition Report has advised that demolition is recommended as the building is no longer fit for purpose. The building does however remain in use at the port for storage, but this use is curtailed due to the weak structural integrity of the walls which reduces the internal area of the building that can be used for storage purposes. The Building Condition Report cautions that the potential for accidental damage is high given the nature of vehicles undertaking loading and off-loading of bulky and heavy materials in the port area.

7.3 The redevelopment of the site by demolishing the building and erecting a modern warehouse is to support a business requirement for a pre-shipment assembly facility for modular components for the oil and gas and offshore renewables industries. A quayside location with adjacent berthing is essential for this proposal. The investment in the site will provide a high level of sustainable economic benefit for Montrose, supporting the objectives of the Port Authority, creating jobs and will result in the physical renewal of a site to the longer terms benefits of the port.

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 provides the necessary assessment and finds that the proposed demolition of the building 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 including those relating to listed buildings and similarly found to be justified.

7.6 We consider that it is in the wider planning interests of the port of Montrose to enable the demolition of the building and the erection of a modern warehouse to meet the contemporary needs of the port. It is therefore respectfully requested that Angus Council grants planning and listed building consent for the proposed development.

# **Appendix 1**

## **Statutory Listing for No. 4 Meridian Street**

## 4 MERIDIAN STREET, WAREHOUSING LB46221

**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 71566 57152
<b>Date Added</b> 30/03/1999	<b>Planning Authority</b> Angus	<b>Coordinates</b> 371566, 757152
<b>Supplementary Information Updated</b> 09/09/2020	<b>Burgh</b> Montrose	

### Description

A long, 2-storey warehouse with curvilinear south gable end facing Montrose Harbour. The gable has simple classical detailing with a circular opening, a panel inscribed "1905", and a segmental hoodmould with coped skewes and double skewputts. It is constructed of the grey/brown sandstone rubble with ashlar dressings, common to many traditional buildings in Montrose. There are blocked openings at ground and 1<sup>st</sup> floor, some with rolling door insets. The pitched roof structure is timber with a grey slate covering and is piended at the northeast end.

### Statement of Special Interest

Dated 1905 (possibly incorporating earlier fabric) this building is a notable representative example of stone-built warehousing in Montrose, occupying a prominent harbour location, with an ornamental gable facing the quay.

A warehouse was first proposed for this site by engineer James Leslie in his 1836 plan for Montrose Harbour (adjacent to the proposed wet dock, completed by 1843). The rectangular-plan footprint of a lime store warehouse is shown on the 1<sup>st</sup> Edition Ordnance Survey map (surveyed, 1861) and the present building may incorporate some fabric from this building. The present warehouse, dated 1905, has largely remained in use in some capacity since then for storage. Two vehicular openings were enlarged during the later 20<sup>th</sup> century. The wet dock was infilled in 1981, creating space for additional warehousing and storage facilities.

Despite some later alteration and some loss of fabric, the warehouse remains a good surviving example of an industrial building that relates to the development and historic function of Montrose Harbour. The prosperity of the town during the 19<sup>th</sup> century was in no small part built on its well-situated harbour for international trading and cargo.

## Planning Statement

The quayside setting is important, relating directly to the building's function. It is one of a small group of nearby industrial buildings of historic significance in this area of Montrose including the Old Custom House and Grain Store (LB38222) and the former fish curing works at 1-5 America Street (LB46164). Together these buildings contribute to an understanding of the commercial history and development of Montrose Harbour.

While harbour warehouses are not a rare building type in Scotland this example, with its segmental gable facing the harbour, is now among the best surviving 19<sup>th</sup> – early 20<sup>th</sup> century warehouses in Montrose.

Listed building record revised in 2020.

