

Portsoy

Conservation Area

Management Plan



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1.0 INTRODUCTION

1.1 What is a conservation area?

Conservation areas were first introduced by the Civic Amenities Act 1967. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 provides the current legislative framework for the designation of conservation areas. A conservation area is defined as *'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'*.

All planning authorities are required by the Act to determine which parts of their area merit conservation area status. Aberdeenshire currently has over 40 conservation areas varying in character from central Stonehaven to the small coastal settlement of Pennan.

1.2 What is the purpose of a Conservation Area Management Plan?

The Conservation Area Appraisal published in 2012 set out to identify what was considered to be significant about the townscape qualities of Portsoy and also the problems identified within the settlement. The Conservation Area Management Plan builds on this document, identifying the need to preserve original architectural detailing and set down standards for repair and enhancement works. Measures are also set out for encouraging sensitive development within the conservation area and suggestions for the enhancement of the public realm.

This document is intended to be of value in providing guidance to property owners over the ongoing care of their properties; to their agents on how historic buildings may be sensitively altered; to contractors in providing guidance on the expected standard of workmanship; to developers when considering to invest in projects and to Planning Officers in the assessment of applications which fall within the boundary of the Portsoy Conservation Area.

1.3 Why did Portsoy become a conservation area?

Portsoy is a fine example of an 18th century seaport with a wonderful legacy of historic buildings which are an important physical record of the settlements evolution. The town has a total of 128 listed buildings ranging from a 17th century harbour to an early Victorian railway station.

The properties generally get older as you travel north towards the old harbour which is bordered to the west by a number of three storey warehouses that are a

testament to its previous importance as a 18th century trading port. Indeed, the settlement is split between this previous function and the new town which developed along the route of the turnpike road during the 19th century and culminated in a railway station being built on the banks of Loch Soy in 1859. This rich legacy of historic fabric resulting primarily from the pioneering conservation works undertaken by the town council in the early 1960's is the reason why the historic core of Portsoy was designated as a conservation area in 1972.

2.0 POLICY CONTEXT

2.1 Statutory Powers and Policies

Applications for any form of development or redevelopment will be considered on their own individual merits having regard to the most up to date Aberdeen City & Shire Strategic Development Plan, the Aberdeenshire Local Development Plan and any other supplementary documents produced by the local authority. Aberdeenshire Local Development Plan Policy HE2: Protecting Historic and Cultural Areas supports the third outcome from Scottish Planning Policy 2014 (SPP): Creating a Natural, Resilient Place, which seeks to protect and enhance cultural assets, and facilitate their sustainable use. It also contributes to delivering the National Planning Framework 3 (NPF3), which recognises that the historic environment is an important part of Scotland's cultural identity, regarding it as an essential contributor to our well-being and an economic opportunity.

2.2 General Policy

Protecting and improving the historic environment is important to the distinctiveness and sense of place within Aberdeenshire. Local history helps create a clear identity for the area and strengthens connections between people and places. We recognise the value of the historic environment to the character of the area and to the quality of life of the people who live here. We also recognise that it is an important economic asset to the area. We want to maintain and strengthen our commitment to protecting and making sustainable use of the historic environment, both by putting the Aberdeenshire Historic Environment Strategy into practice and in the way we manage development.

2.3 Conservation Areas

Within the conservation area it will be the policy of Aberdeenshire Council to preserve or enhance, through development management, all those buildings, views and other aspects of the environment that make up the character of Portsoy. Trees in conservation areas are also protected by the Town and Country Planning (Scotland) Act 1997. Before carrying out any work on a tree in a conservation area, owners are required to notify the planning authority giving details of intended works.

The following considerations for design will be applied in the determination of any future planning applications located within the conservation area:-

The position of the building on its site will be determined by its relationship with adjoining buildings and/or open space. The mass of the building shall be to scale and harmony with the adjoining buildings and the wider area as a whole.

The design of the building shall be such that the proportions of the parts relate to each other and are appropriate to the adjoining buildings. The highest possible standard of professional design will be required wherever new buildings and alterations to existing buildings are permitted. In certain exceptional cases normal planning standards may be relaxed in order to achieve the best visual results.

The design, scale, layout, siting and materials used in development within the conservation area must be of the highest quality and respect the individual characteristics for which the conservation area was designated. All details must be provided under the cover of a full application and any trees contributing to the setting should be retained.

We will not allow development, including change of use or demolition that does not preserve or enhance the character or appearance of a conservation area. This applies both to developments within the conservation area and proposals outwith that would affect its setting.

Conservation areas form an important physical record of the architectural development and historical growth of an area. They are an irreplaceable cultural and economic resource that contribute to the distinctive character and unique quality of Aberdeenshire and therefore must be protected.

2.4 Listed Buildings

We will protect all listed buildings contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire. We will encourage their protection, maintenance, enhancement, appropriate active use and conservation. We will not allow development that would have a negative effect on the character, integrity or setting of listed buildings.

The following considerations for design will be applied in the determination of any future planning applications affecting listed buildings:-

Alterations to listed buildings will only be permitted if they are of the highest quality, and respect the original structure in terms of setting, scale, design and materials.

Listed building consent is required if an applicant seeks to demolish, extend, or alter internally or externally a listed building, regardless of whether or not planning permission is required. Repairs and maintenance may not require listed building consent if the works are carried out on a like for like basis in replicating the design, construction and material finish of the original architectural element. However, applicants are advised to check with the Planning Authority in advance of starting any works.

Listed building policy supports the protection and improvement of historic buildings, but it is explicit in not allowing development proposals that would have a negative effect on their character or setting.

3.0 CONSERVATION AREA MANAGEMENT PLAN

3.1 Portsoy Conservation Area Planning Advice

When effectively managed, conservation areas can anchor thriving communities, sustain cultural heritage, generate wealth and prosperity and add to quality of life. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area.

These advice notes seek to provide specific advice to ensure that any future development complements or enhances the wider character of the Portsoy Conservation Area.

Planning Permission in Principle

Planning permission in principle will rarely provide the level of detail required to assess whether the proposal will have a detrimental impact on the character of a conservation area. The local authority will not accept outline consents for large residential or commercial developments without an understanding or realistic assessment of whether they can be accommodated sensitively within the setting of the area. The submission of a design statement will aid the assessment and consideration of proposals in outline and can be used to inform the preparation of planning conditions. Appropriate conditions will be used to provide confidence that the desired level of quality can be secured.

Conservation Area Consent

An application for Conservation Area Consent will be required for the demolition of any unlisted building over 115 cubic metres located within the Portsoy Conservation Area, and should include supporting information as per the Conservation Area Consent Guidance Note available;

<https://www.eplanning.scot/ePlanningClient/CustomPages/PaperForm.aspx?formID=15>. To help the planning authority to consider your application effectively and efficiently, this should set out a clear case for demolishing the building.

Detailed plans for an acceptable replacement building will need to be provided before the Planning Authority will grant consent for demolition, particularly if the building is located in a sensitive position within the conservation area or considered in itself or as part of a group to be of architectural value.

Conservation Area Consent does not cover listed buildings. Also, Section 67(1) of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 does not cover ecclesiastical buildings, scheduled monuments and certain specified buildings as directed by the Scottish Ministers.

Design Guidance and Detailed Planning Advice

The following guidance is based on the findings of the comprehensive street audit undertaken for the conservation area character appraisal. The audit took into account the significance of surviving elements of historic fabric; levels of authenticity; where change had occurred; negative features; and any recurring problems.

Roofs

The majority of properties located within Portsoy have natural slate or clay pantile roofs which significantly shape the character and appearance of the conservation area. The Planning Authority will seek the retention of these traditional treatments to ensure that both repair works and any new roofs replicate this original form of construction.

Dormers

A wide variety of traditional dormers can be found within the Portsoy Conservation Area, which not only shapes the character of the individual buildings but the wider appearance of the streetscape. The Planning Authority will seek the retention of these traditional elements and also insist that any new dormers are appropriately designed to complement the character of the building and the conservation area. This will include the replication of the proportions, opening method and materials of the more traditional style dormer.

There will be a presumption against the introduction of attic box dormer roof extensions, whether flat roofed or Mansard in profile. This presumption applies equally to box dormers built directly off the wallheads, those set back further from the edge of the roof or box dormers derived from infilling the space between the original dormers on the roof.

The Planning Authority will also seek the reinstatement of smaller traditional proportioned dormers when existing non-traditional dormers are in need of replacement.

Rooflights

There should be presumption in the favour of retaining original cast iron rooflights especially in 'non-living' spaces of attics and subservient structures.

Where new rooflights are to be introduced, they must be of the minimum necessary and be a true top hung conservation unit with vertical proportions. The rooflight should be subdivided into two panes and care taken over their selection because a large number of 'conservation' models have frames with a higher profile than the

roof finish and in some instances being no more than standard skylights with a conversion kit. The latter models and standard oversized rooflights are somewhat more intrusive on the roof and consequently will not be acceptable on any building located in the Portsoy Conservation Area.

On symmetrical elevations consideration should be given to ensuring that the position of the rooflights are balanced with the overall composition of the façade.

Decorative Finials

All decorative finials adorning a roof, whether of turned wood, lead, carved stone or cast iron should be conserved and returned in their original position. Encouragement will also be given to ensuring that finials which have been lost and for which there is evidence of their design, are reinstated.

Rainwater Goods

Cast iron gutters and downpipes have lasting qualities if well maintained and play a significant role in shaping the character of individual buildings and any repairs or replacement fittings should therefore be undertaken on a *like for like* basis. Modern uPVC replacement rainwater goods not only have a detrimental impact on the appearance of properties but are more fragile and prone to accidental damage. Consequently, there is a presumption against the replacement of original cast iron rainwater goods with uPVC fittings, and encouragement given to the reinstatement of earlier cast iron patterns where systems have already been replaced by non-traditional fittings.

Ridges, Skews and Chimneys

Chimneys are an important feature within the conservation area, and the Planning Authority will therefore seek their retention. Indeed, the existing stone skews, clay ridge tiles and ceramic chimney pots have a significant impact on the townscape and should be retained or replaced on a *like for like* basis if proven to be beyond repair.

Doors

A significant number of original doors especially those serving domestic properties have been replaced by modern “off the shelf” hardwood, composite, aluminium or upvc doorsets which has eroded the architectural and historic quality of the Portsoy Conservation Area. There will therefore be a presumption in favour of the repair and retention of any surviving doors to address this problem and when proven to be beyond refurbishment, that the replacements match the design, construction and decorative finish of the originals. The Planning Authority will also actively encourage the reinstatement of traditional door patterns and exterior decorative finishes with a presumption against the use of clear varnishes and modern woodstains.

Letter boxes, door knockers, boot scrapers and other historic exterior ironmongery should always be retained and overhauled in preference to their replacement with modern substitutes. Surviving examples of painted house numerals should also be preserved.

Windows

Windows are a fundamental component which shape the appearance and character of not only the individual property but the wider conservation area. Portsoy benefits from a variety of traditional window styles and there will be a presumption in the repair of original units in preference to their replacement. When windows are proven to be beyond economic repair; replacements must replicate the originals in terms of design, construction and decorative finish. There will be a presumption against the use of clear varnish and modern woodstains unless evidence of past historic finishes suggests otherwise. There will also be a premise against the use of trickle ventilators in new or replacement windows.

Metal windows which are a characteristic of buildings of the interwar years and make a positive contribution to the character and appearance of the conservation area should be preserved in their original state or replaced on a like for like basis.

The Planning Authority will promote the reinstatement of original glazing patterns to restore the architectural integrity of the façade where existing windows are replacements and are deemed to be out of character with the building.

Boundary Treatments

The numerous boundary treatments found within Portsoy make a significant contribution to the character of the conservation area. The age and construction of these various elements all contribute to the interest of the townscape of Portsoy and the Planning Authority will therefore seek the retention of any traditional boundary treatments as well as support any proposal to reinstate missing architectural elements.

Micro Renewable Equipment and Satellite Dishes

These items can often seriously disfigure a building and greatly diminish the wider quality of the conservation area and should therefore only be installed where it is possible to do so without affecting in any way the wider appearance of the townscape. The fact that a property is set well back from the road is not a relevant consideration in appraising the installation of equipment and the applicant should always be advised to locate any such fixtures in a position not readily visible from the public carriageway.

Flues and Mechanical Extractor Fans

Balanced flues, extractor fans and associated pipework can seriously disfigure the appearance of a building and have a detrimental on the wider streetscape. There will be a presumption against such fittings being installed on the principal elevation or on any other conspicuous location which will be visible to the public. Every effort should be made to route flues for mechanical extractor fans through redundant masonry flues. A new masonry chimney will be required to conceal a new installation if it will be visible in the streetscape and there is not an existing chimney.

Extensions

Proposals to extend a property located within the conservation area should not be considered in isolation but in context to the wider townscape to ensure it respects the character, scale and proportions of neighbouring buildings. Indeed, an extension should always be visually subservient to the existing building with a lower roof ridge. The symmetry of the principal façade of an original property should also be respected with the extension set back from the line of the original building and using materials that are traditional to the settlement.

Street Furniture

The sensitive nature of Portsoy merits street furniture that reflects the settlement's distinctive individuality with lamp standards, litter bins and seating designed to complement the unique character of the settlement. Consequently, there will be a presumption against standardised street furniture and the normal proliferation of traffic signage. The latter must be kept to a minimum and sensitively sited to ensure it does not have a negative impact on the townscape.

Shop Frontages

Traditional shop frontages make a positive contribution to the character and appearance of the Portsoy Conservation Area and provide an insight into the wellbeing of the town in terms of current retail pressures and the impact on independent business.

There will be a presumption to retain all traditional shopfronts and their fittings, and encouragement will be given to restoring lost features and recovering the authentic appearance of shopfronts from historical evidence. Cornicing, glazed panels, fanlights, fascia boards, tiled flooring and other original architectural detailing should be preserved wherever they survive.

3.2 Enhancement Opportunities

Redevelopment sites

There are a number of properties within Portsoy that are currently lying vacant or in a semi derelict state, which detracts from the unique character of the area. It would be beneficial to see the adaptive reuse of these buildings so they enhance the area.

Repair and Maintenance

The conservation area appraisal identified recurring problems with the fabric of structures in a poor state of repair because of irregular maintenance. Good conservation practice cannot be seen in isolation of undertaking targeted maintenance such as replacing slipped or missing slates, repairing damaged leadwork or replacing cracked rainwater goods but planned regular maintenance such as painting timberwork and cleaning out gutters. Failure to carry out regular maintenance can place a building at considerable risk and lead to damage to the internal fabric of the property if not addressed by the owner.

Street Lighting

The current mix of lamp standards does little to differentiate the boundary of the Conservation Area and it would be advantageous to consider a long term strategy to introduce more distinctive and co-ordinated lighting that complements the wider appearance of the designated area.

Pavements and Roads

The roadways and pathways play a significant role in the overall appearance of the settlement, and it would therefore be beneficial to ensure that any works carried out by utility companies are controlled to ensure that repair works do not detract from the character of the area.

4.0 ADDITIONAL CONTROLS WITHIN THE PORTSOY CONSERVATION AREA

4.1 Changes in Legislation

In February 2012 the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 came into force. This removed householder permitted development rights within conservation areas. Owners of domestic properties within the boundary of a conservation area now need to apply for planning permission for changes to their external appearance including windows, roof materials and painting external walls. This does not apply to like for like repairs and maintenance. Please check with the Planning Authority if you are unsure if consent is required.

In June 2014 the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2014 came into force; this removed permitted development rights for many non-domestic properties including shops, schools, office buildings and the creation of access ramps outside non-domestic buildings. Please check with the Planning Authority if you are unsure if consent is required.

4.2 Article 4 Directions

The current Article 4 Direction is restricted solely to Class 30(b) but the Planning Authority seeks to extend control to cover additional

In addition to the controls above it is proposed to add additional controls within the Portsoy Conservation Area. This will put additional restrictions on groups such as Statutory Undertakers, Local Authorities and Telecommunication operatives as a means to bring their obligations more in line with those of the owners of domestic and non-domestic properties and provide consistency in decision making within the conservation area.

These restrictions are applied in the form of Article 4 Direction and within Portsoy will include the following;

PART 10 - REPAIRS TO SERVICES

Class 28

PART 12- DEVELOPMENT BY LOCAL AUTHORITIES

Class 30

Class 31

Class 33

PART 13 - DEVELOPMENT BY STATUTORY UNDERTAKERS

Class 36.

Class 38

Class 39

Class 40

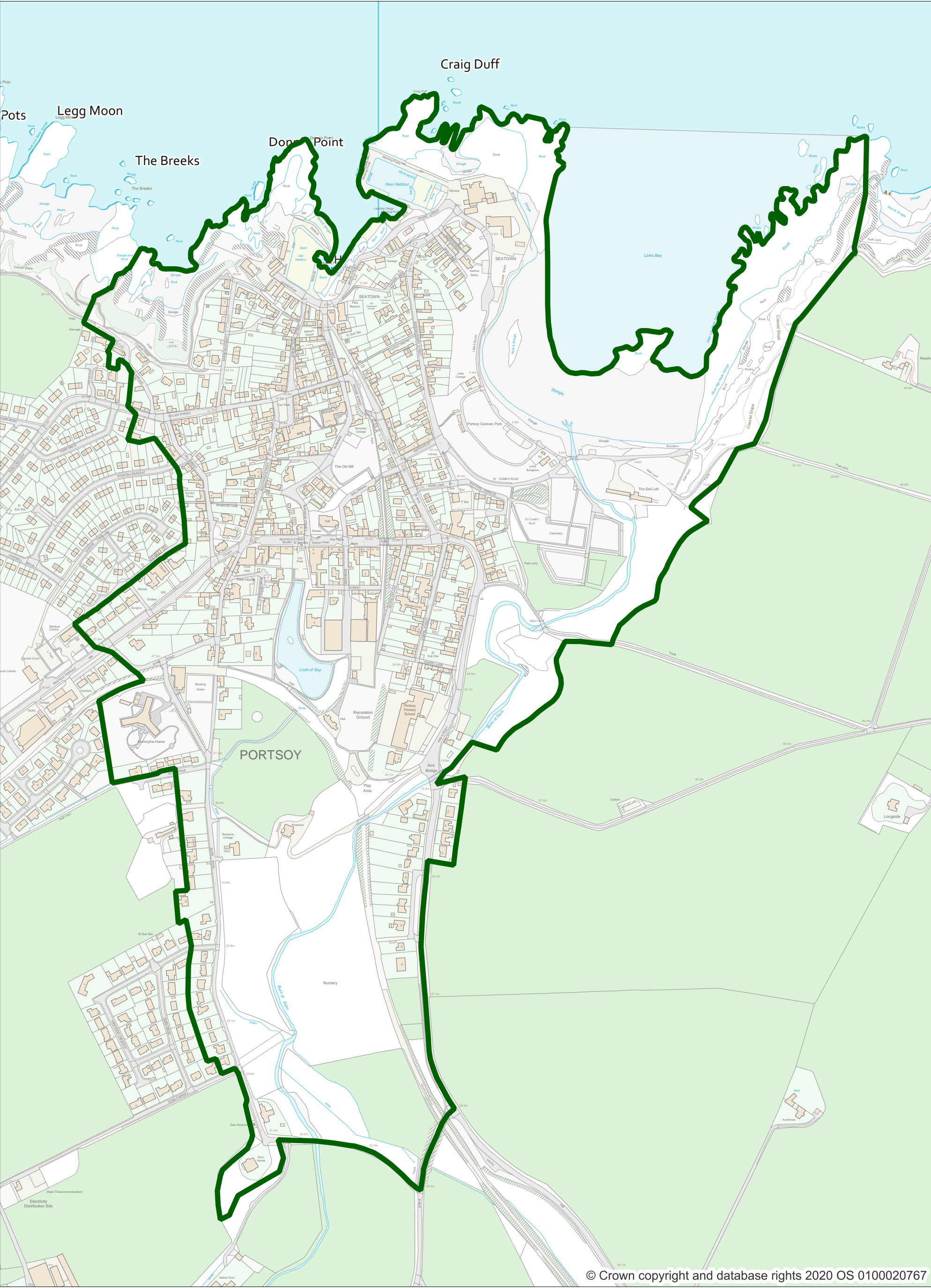
Class 43A

TELECOMMUNICATION PERMITTED DEVELOPMENT RIGHTS

Part 20, Class 67 Freestanding

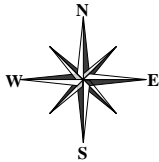
Part 21, Attached to building or structure

5.0 CONSERVATION AREA BOUNDARY MAP



Scale - 1:5000

6th March 2020



6.0 MONITORING AND REVIEW

Legislation provides for the regular reviews of conservation areas, which may result in new Article 4 Directions, planning advice, boundary changes or de-designation. This will act as an important tool in the future management of the Portsoy Conservation Area and allow the local authority to better assess the future impact of development.

For further information concerning the contents of this document, contributions for its improvement or any matters concerning conservation areas or listed buildings, contact the Environment Team.

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