

Old Deer



Conservation Area Appraisal

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1.0 INTRODUCTION

Location

The Old Deer Conservation Area is situated 10 miles west of Peterhead in a rural setting encompassing a number of landscape features and historic assets including; Aden Country Park, Deer Abbey and the Village of Old Deer.

Definition of a Conservation Area

The Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997 defines a conservation area as *“an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”*.

Conservation areas were first introduced by the Civil Amenities Act 1967. The Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997 covers the current legislative framework for the designation of conservation areas. All planning authorities are required to designate and actively manage areas of special architectural or historic interest. Aberdeenshire Council currently has 41 conservation areas.

Purpose of a Conservation Area

In a conservation area it is not only the buildings but also the spaces between them that are of architectural or historical interest. Planning control is therefore directed at maintaining the integrity of the entire area and enhancing its special character. Conservation Area status does not mean that new development is unacceptable, but care must be taken to ensure that the new development will not damage the appearance or character of the area.

Under current legislation, conservation area designation automatically brings the following works under planning control:

- Demolition of buildings
- Removal of, or work to, trees
- Development involving small house extensions, roof alterations, stone cleaning or painting of the exterior, provision of hard surfaces and
- Additional control over satellite dishes.

Where a development would, in the opinion of the Planning Authority, affect the character or appearance of a conservation area, the application for planning permission will be advertised in the local press providing an opportunity for public comment. Views expressed are taken into account by the Local Planning Authority when making a decision on the application.

In order to protect the conservation areas, designation requires the local authority to formulate and publish proposals for their preservation and enhancement. Local residents and property owners also have a major role to play in protecting and enhancing the character and appearance of the conservation area by ensuring that their properties are regularly maintained and original features retained.

2.0 Purpose of a Conservation Area Appraisal

The purpose of the appraisal is to define and evaluate the character and appearance of the conservation area.

Conservation area designation should be regarded as the first positive step towards an area's protection and enhancement. Planning authorities and the Scottish Executive are required by Law to protect conservation areas from development, which would be detrimental to their character. It is necessary therefore for planning authorities, residents and property owners to be aware of the key features, which together create the area's special character and appearance.

The purpose of this conservation area appraisal is to define what is important about its character and appearance and to identify its important characteristics. It is also a vital tool to enable the active management of the Old Deer Conservation Area. It identifies the area's special features and changing needs through a process which includes researching its historical development, carrying out a detailed townscape analysis and preparing a character assessment.

This information notifies consideration of conservation area boundaries as well as providing a context for the assessment of development proposals within the area. It identifies opportunities and priorities for enhancement and sets out the policy framework for the determination of development proposals. This appraisal should be regarded as supplementary guidance to the policies set out in the Aberdeenshire Local Development Plan.

It is recognised that the successful management of conservation areas can only be achieved with the support and input from all stakeholders, particularly local residents and property owners. Comments and suggestions received at the draft appraisal stage will therefore be reviewed and incorporated into the final document following consultation with all interested parties.

Designation

The Old Deer Conservation Area was designated by Banff and Buchan District Council in 1977 with an Article 4 direction introduced 1st August 1986.



The Rectory



Parish Church

2.0 HISTORIC DEVELOPMENT

It is not clear where the name 'Deer' originates from and there are a number of theories regarding this. It is believed to either be derived from the Gaelic word *De adbra* meaning the worship of God¹ or to the Saxon word for hollow². A third theory is that Deer comes from the Gaelic word '*doire*' which means oak grove.

The village of Old Deer and the surrounding area has a lengthy and fascinating history. It is believed the original settlement could date as far back as 580 AD and Old Deer Parish Church was the original location for a monastery founded in 719 AD by St Drostan³. It is also widely believed that the Book of Deer, which is one of the earliest surviving examples of written Gaelic, considered to be 9th century⁴.

Abbey Street is the main thoroughfare of the village and is comprised of buildings from a variety of different time periods but the majority of the buildings date from the 19th century. There have been numerous small housing developments during the second half of the 20th century but the core of the village still remains relatively unchanged since the end of the 19th century.

The conservation area includes parts of the former Aden Estate. The estate was originally created by James Ferguson, the first Laird of Pitfour, for his Nephew⁵. It was then bought by Alexander Russell in 1758 and various improvements were made including the construction of the now ruined mansion house along with various other estate buildings. The estate stayed in the Russell family until 1937. Only the shell of this mansion remains⁶. The steading and a number of other estate buildings were restored in the 1980s and now house visitor attractions within the parkland.

One of the most fascinating assets within the Old Deer Conservation Area is Deer Abbey. The Abbey was founded in 1219 AD by William Comyn, the Errol of Buchan for the Cistercian Monks, from Kinloss Abbey. The Abbey was relatively small and is believed to have never have supported more than 15 Monks at any one time. By the 19th century the Abbey was in the ownership of the Ferguson family, of the Pitfour Estate. The Abbey was then taken into ownership by the Catholic Church during the 1920's and has remained relatively unchanged since then. The site came in to state care as an Ancient Monument in 1933 and is now maintained by Historic Scotland.

The north boundary of the conservation area contains some of the last remains of the once great Pitfour Estate. Newlands, Sapline Brae, South Lodge and Cartlehaugh are all former estate buildings. The Ferguson family bought the Pitfour estate in the early 18th century and expanded it into one of the largest and most extravagant pre-industrial estates in Scotland.⁷

The first map reference to Old Deer can be found on Timothy Pont's map from 1583-96. It is clearly identified on the map but is not denoted in any great detail. The settlement of Deer is further identified on the Gordon map from 1632-52 however it is spelt slightly differently. It is also identified in Roy's military Map of 1747-52 and in John Thompson's map of Scotland in 1832. The Thompson map is the first map to give more than a passing reference by illustrating the street pattern of the village. The Ordnance Survey Maps from 1899 to 1957 demonstrate very little change to the form of the village core.

1 Statistical Account 1791-99 pg. 469

2 New Statistical Account 1834-45 pg.138

3 McKean '*Illustrated Architectural Guide Banff & Buchan*' (Edinburgh 1990) pg88.

4 McKean '*Banff & Buchan*' pg88.

5 Buchan., '*Pitfour The Blenheim of the North*' (Peterhead 2008) pg7

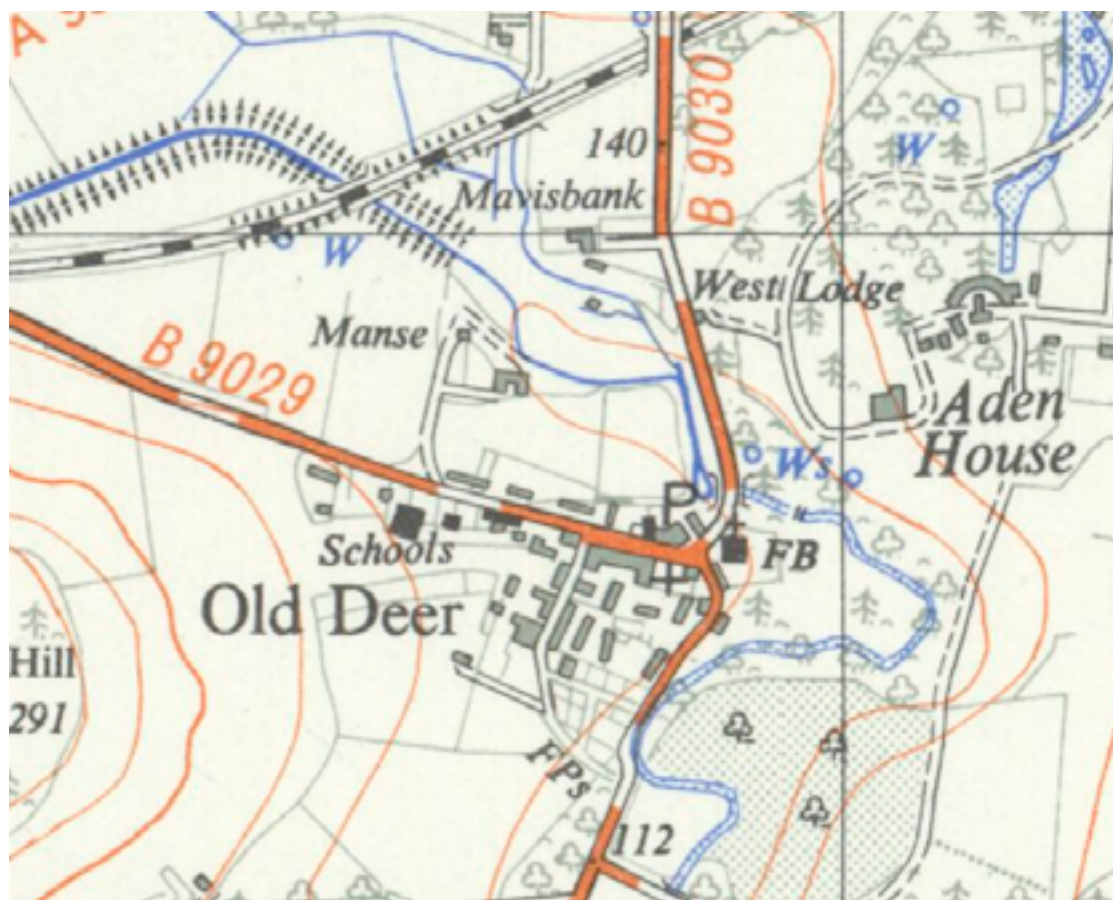
6 Buchan., '*Bygone Buchan*' (Peterhead 2008) pg.64

7 Buchan., '*Pitfour The Blenheim of the North*' pg1





OS Map Old Deer Village 1899



OS Map Old Deer Village 1957

CHARACTER AND APPEARANCE

Setting and Topography

The Old Deer Conservation Area is situated 10 miles west of Peterhead and consists of a distinctive collection of landscape features and historical sites. Old Deer village is situated in a low lying area in the centre of the conservation area and is surrounded by a somewhat unique landscape. It encompasses Deer Abbey to the west, Aden Country Park (Former Aden Estate) to the east and a small portion of the former Pitfour Estate to the north.

Conservation Area Boundary and Edges

Northern Boundary

The Northern Boundary runs along the New Pitsligo- Peterhead road (A950) including; Newlands, Saplinebrae, South Lodge and Cartlehaugh. It also includes the tree belt which links these properties and extends out to the main entrance gateway of Aden Country Park.

Eastern Boundary

The eastern boundary runs along the former main driveway of Aden Estate across to where it joins the nursery road. It continues along the nursery road and includes the gardener's cottage and walled nursery area. It then bears south to include a conifer plantation and finally towards the west to join the middle roadway leading to, and including, the South Lodge.

Southern Boundary

The southern boundary runs along the Nether Aden-Old Deer Road then continues to the Stuartfield-Old Deer Road. It then extends to the west up to and including Biffie Farm.

Western Boundary

The western boundary runs north from Biffie Farm and joins the New Pitsligo- Peterhead road (A950). It includes Wuddy Hill, Bridgend Wood, Bridgend Farm, Abbey Bridge and Deer Abbey.

Street Pattern

The original village of Old Deer is the main focal point of the conservation area and it is located at its centre. The historic core of the village is essentially Abbey Street which is a long wide street with buildings from various time periods but mainly the 19th century. Abbey Street is relatively busy with traffic and some pedestrian movement. The A950 New Pitsligo to Peterhead Road runs along the northern edge of the conservation area and is a widely used cross country route to and from Peterhead.

Activity and Use

The village of Old Deer has a dual role of being both a dormitory settlement and a small rural service centre with Bed and Breakfast accommodation, an Architectural Practice, Country Park and other amenities located within its boundary. Aden Country Park is used by families, schools, walkers, runners and cyclists as well as providing a range of other outdoor activities. The Formartine and Buchan Way runs through the north-west corner of the conservation Area and is also widely used by a broad range of recreational users.



Formartine and Buchan Way



Aden Country Park Arboretum

Landscape, Trees Open Space

One of the key features of the Old Deer Conservation Area is the unique landscape setting. The conservation area comprises of a number of green spaces including; Aden Country Park to the east, the woods (Bridgend Wood and Wuddy Hill) and fields to the west of the village and the tree belt running along the northern edge of the A950.

Bridgend Wood and Wuddy Hill are both historic landscape features. They consist of Conifers surrounded by Beach trees which is indicative of being planted with an aesthetic purpose. The trees do not appear on the 1832 Thompson map however, they do appear on the 1870 1st edition OS map. It is assumed the trees were planted sometime in the mid-19th century. The combination of these two wooded areas and fields to the west of the village is a key element to the setting of the Old Deer Conservation Area.

Aden Country Park is a key landscape feature in the Old Deer Conservation Area. It includes the now ruined Aden House, the restored stable block and a number of estate buildings. The wooded estate grounds act as a back drop to the village and are a key aspect of its character.

The tree belt that runs along the northern edge of the A950 was originally part of the Pitfour Estate and makes an important contribution to the character of the conservation area both in terms of marking the northern boundary and the north-west entrance.



View of Bridgend Wood and Wuddy Hill

Listed Buildings and Scheduled Monuments

There are 35 Listed Buildings in the Old Deer Conservation Area and two Scheduled Monuments.

Listed Building Consent is required under the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 for the demolition, alteration or extension of a Listed Building. The listing covers the interior as well as the exterior of a listed building. _

Scheduled Monument Consent is required under the Ancient Monuments and Archaeological Areas Act 1979 for any works *'resulting in the demolition or destruction of a scheduled monument, any works for the purpose of removing or repairing a monument or making alterations or additions, or any flooding or tipping operations'*⁸.

Character Areas

Old Deer Village

Old Deer village is situated in a low lying area in a u-shaped bend of the Ugie River. This is the centre of the conservation area. The village comprises of two main streets, Abbey Street and Kirkgate, with the majority of the historic buildings being situated on Abbey Street and the north end of Kirkgate. They are predominantly 19th century buildings varying from small single storey cottages to gothic style churches.

Old Deer Parish Church is the most impressive building in the conservation area. The main church building dates from the late 18th century with the substantial tower added in the 19th century. The church dominates a number of key views within in the conservation area. The most important and easily identified view is considered to be along Abbey Street, but it is also visible in a number of longer distance views in and around the village.



Abbey Street View

8 Historic Scotland, On-line <http://www.historic-scotland.gov.uk/index/heritage/searchmonuments/scheduledmonumentworks.htm>

Aden Country Park

Aden Country Park was originally part of the Aden Estate with numerous estate buildings remaining prominent throughout the grounds of the park. The combination of the estate buildings and the remnants of the designed landscape make Aden Country Park a unique and fascinating part of the history of Old Deer. Aden also contributes to the character of Old Deer as it acts as a back drop to the village.



Aden Stables



Aden House

Deer Abbey

Deer Abbey is believed to have been founded in 1219 AD by Sir William Comyn, Earl of Buchan. The abbey is not visible when driving along the A950 due to a substantial boundary wall but is hinted at by a classical portico which acts as an entrance. The abbey can be seen from a number of locations within the conservation area. Despite having been altered substantially over their long history the buildings make a substantial contribution to the history and character of the Old Deer Conservation Area.



Deer Abbey

Northern Boundary

The collection of buildings and trees along the northern edge of the A950 make an important contribution to the conservation area architecturally, historically and in terms of the natural landscape. Newlands, Saplinebrae, South Lodge, Cartlehaugh and the tree belt were all formerly part of the Pitfour Estate. They also clearly mark the boundary of the conservation area.



Saplinebrae



Cartlehaugh

South West

Due to the low lying nature of Old Deer village the surrounding landscape is extremely important to its setting. Bridgend Wood and Wuddy Hill are designed landscape features, dating from the 19th century, situated in the south west of the conservation area. The combination of these two features and the fields to the west of the village all contribute to the unique landscape of the Old Deer Conservation Area.



View of Bridgend Wood and Wuddy Hill

Building Materials

The traditional building materials found in the conservation area are:-

- Granite
- Scottish Slate
- Welsh Slate
- Cast Iron
- Timber
- Lime

Modern materials are also found in the conservation area, but this does not mean their use is acceptable. These include:

- UPVC
- Aluminium
- Brick
- Artificial Stone
- Concrete
- Cement
- Felt

Condition

The general condition of the built assets in the conservation area is very good. The main buildings at risk have been identified as a few of the smaller remaining Aden Estate buildings.

Townscape Detail

The presence of the following features adds significantly to the character of the Conservation Area:

- Historic boundary walls
- Finials
- Chimney pots
- Stone boundary walls
- Dormer windows

Archaeology

Old Deer has a long complex history that is not yet fully understood. There is clear evidence of medieval settlement in the area and there is also evidence of prehistoric human activity in the surrounding area. As such, there is a high chance of buried archaeology surviving below ground level and therefore the village of Old Deer and Deer Abbey should be considered as archaeologically sensitive. Consideration should always be given to this prior to any development or ground disturbing works (including utility works) going ahead. Any such works are likely to be subject to archaeological planning conditions as recommended by Aberdeenshire Council Archaeology Service.

Equal importance should be given to the upstanding archaeological remains, in the form of buildings, walls and other structures. Later buildings frequently incorporate elements of earlier structures, such as early timber frames within later masonry buildings or the survival of early building fabrics. A number of buildings and structures within the conservation area have never been photographed or surveyed, particularly the interiors. Aberdeenshire Council Archaeology Service should be consulted before any changes are made to upstanding remains that lie within the conservation area, allowing appropriate assessment whether the structure should be recorded for posterity.

The two Scheduled Ancient Monuments (SAMs) within the boundary of the conservation area are Deer Abbey and Old Deer Old Parish Church. Any developments or ground-breaking works occurring inside the SAM area or within 20 meters of the SAM boundary will require Scheduled Monument Consent from Historic Scotland and may well require a programme of archaeological works to be carried out by a suitably qualified archaeological contractor.



Deer Abbey

4.0 CHARACTER ASSESSMENT

Introduction

Having examined the landscape and the streetscape of the conservation area it is now possible to identify those features which contribute to its character and appearance as an area of special architectural and historic interest. This will include features which contribute positively and are worthy of retention as well as features which have a negative impact and impinge on the wider character and appearance of the conservation area.

The original designation document states *'Unlike most of the conservation areas designated within the District the character of Old Deer village is derived to a significant extent from its surrounding landscape setting. In the existing designated areas boundaries have in the main been dictated by the concentration of listed properties within those areas. Although the boundaries proposed for Old Deer have been drawn in such a manner as to include the listed property and Aden Estate to the east, Deer Abbey and Biffie to the west they will more importantly afford the local planning authority maximum control over future developments and developments which may result in loss or damage of trees and which by their design and extent have a detrimental effect on the built and landscape value of the area.'*

Listed below are:-

1. **Key Features** - Essential elements which define the special architectural and historic character of the area.
2. **Key Challenges** - Inappropriate elements which detract from the character and appearance of the area.
3. **Positive Buildings and Areas** - These are considered to be buildings or areas that contribute positively to the character of the conservation area and which it is considered desirable to preserve and enhance. There is a presumption against the demolition and/or redevelopment of any building which is considered to make a positive contribution to the character and appearance of the conservation area. Proposals for the alteration of such buildings and areas will be carefully considered in light of the adopted policies of Aberdeenshire Council.
4. **Negative/Neutral Buildings and Areas** - These are considered to be buildings or areas which do not contribute positively to the character or appearance of the conservation area. Neutral buildings or areas while not forming part of the special character do not detract from it. Negative buildings or areas on the other hand have a negative effect on the character and appearance of the area. There is no presumption against the demolition and redevelopment of these buildings or areas.

Key Features

The Landscape - One of the key elements that contributes to the character of the Old Deer Conservation Area is its rural setting. The rolling fields and landscape features to the south west of the conservation area combine with the tree lined northern boundary and the backdrop of Aden Country Park to form a somewhat unique setting for the village of Old Deer.

Architectural Quality - The diversity and quality of historic assets make a key contribution to the special character of the conservation area. Buildings date from the ruined 13th century Deer Abbey to the late 19th early 20th century buildings in the village of Old Deer. There are also a number of interesting 18th century buildings including; Saplinsbrae, Cartlehaugh, Old Deer Parish Church. The remains of the 15th century Old Parish Church to the rear of Old Deer Parish Church are also worthy of note.

Key Challenges

Loss of original architectural detail - The original architectural detailing and materials make a defining contribution to the wider appearance of the village and its retention is therefore extremely important for the preservation and enhancement of the area. The proliferation of minor modifications such as the introduction of inappropriate replacement doors and windows has had a negative impact on the special character of the Old Deer Conservation Area.

Use of inappropriate materials - The use of good quality traditional materials in a conservation area is another important element of its character and appearance. Where these have been replaced with modern materials there will normally be a loss of character through the removal of both original material and original design. A common example is the replacement of original timber windows with plastic substitutes which are not in keeping with the character of the historic buildings found within the conservation area.

New Development - One of the major pressures found within the Old Deer Conservation Area originates due to new developments, particularly in and around the village of Old Deer itself. A range of modern housing developments have infiltrated the area and there are plans to further develop the site of the former St Drostan's Nursing Home. The planning service would wish to ensure that any new housing be of a high standard of design which is sympathetic to the historic and architectural character of the area.

The Public Realm - The quality and upkeep of the public realm is extremely important to the overall impression of the Old Deer Conservation Area. The design and location of street furniture including, signage and lighting, and the maintenance of amenity space also needs to be revisited to ensure that it complements the wider character and appearance of the conservation area.

Signage and Adverts - There are a small number of signs in Old Deer of varying design styles. It is not envisaged that the number of shops or businesses is likely to increase hugely, but the planning service would wish to ensure that any new enterprise followed the design philosophy of being sympathetic to the historic and architectural character of the area rather than being designed in isolation.

Positive Buildings and Areas

The majority of the buildings, open spaces and their relationship with one another all make a positive contribution to the appearance and quality of the Old Deer Conservation Area. There are a number of key buildings which contribute substantially to the character of the conservation area including Old Deer Parish Church, St Drostan's Episcopal Church and Aden Stables.



The Cottage



The Rectory

Neutral Buildings

There are a number of modern developments in and around the village of Old Deer which are not entirely in keeping with the character of the conservation area. Due to their location, form or use of materials they are deemed to have a relatively neutral impact on the conservation area.



Modern Development

Negative Buildings and Areas

The buildings and structures considered to have a detrimental impact on the wider conservation area would appear to be relatively low in number with the only large industrial unit at 5 Kirkgate having a negative impact on the wider streetscape.



8 Kirkgate

Buildings at Risk Survey

Aden Estate North, South and West Gate Lodges are all on the Buildings at Risk Register for Scotland. The Former Head Gardner's Cottage adjoining the walled garden in Aden Country Park is vacant and the windows are boarded, it is therefore considered that it be included on the register. There are plans to bring the building back into use, however these are in the early stages of development.



North Lodge Aden Estate



Former Head Gardeners Cottage

5.0 BOUNDARY

Part of a conservation area appraisal involves assessing the boundary of the conservation area. Old Deer Conservation Area has an unusually wide boundary in order to encompass the wider landscape which contributes considerably to its character. A number of boundary changes were considered however the rationale behind the original designation still stands and the boundary should remain unchanged.



Conservation Area Boundary

6.0 PRESERVATION AND ENHANCEMENT

Introduction

A detailed review of the Old Deer Conservation Area has identified a number of opportunities for its preservation and enhancement.

The application of planning policies, use of Article 4 directions and the provision of information and advice encouraging sympathetic maintenance and repair are important tools in the preservation of the area's unique character.

Opportunities for Preservation and Enhancement

Maintenance

The best means of preserving the distinctive appearance of a conservation area is through the routine maintenance of the historic fabric. Architectural elements such as dormers, gutters and external railings all need regular attention to not only secure the future of the building but also the wider character of the conservation area.



Examples of poor maintenance

Development

The replacement of traditional components such as doors and windows with modern unsympathetic styles and materials can also have a detrimental cumulative effect of eroding the character of the conservation area. The Local Authority is therefore committed to the preservation of the area's unique character through the application of policies set within the Aberdeenshire Local Development Plan.

Information and Advice

The Planning Service will promote the preservation and enhancement of the Old Deer Conservation Area by preparing and distributing information leaflets explaining the implications of residing within a conservation area. It will also distribute additional guidance notes for those parties wishing to carry out repairs and alterations to their property.

Enhancement Opportunities

Gateways

The boundary of the conservation area is not physically defined on any of the entry points and an opportunity therefore exists to reinforce the profile of the designation. This could be achieved by introducing a feature or element that not only distinguishes the boundary but also contributes to the character of Old Deer.



Windows and Doors

A number of original windows and doors of historic buildings within the conservation area have been replaced with modern plastic substitutes. This not only has a negative impact on the character of the individual buildings but also the wider conservation area. The use of good quality traditional materials in historic buildings is important in maintaining their special character. Any new windows and doors in historic buildings should be of traditional form, use traditional materials and should be in keeping with the character of the conservation area.

Trees

The large number of mature trees contribute greatly to the character and quality of the conservation area. The protection, preservation and enhance of wooded areas or individual trees should be pursued in line with local policy and the Aden Country Park Woodland Management Plan.



Aden Estate Arboretum



View to the South West of the Conservation Area

Overhead Wires

There are a large number of overhead electricity and telecommunication lines present within the current conservation area. By having these discreetly rerouted or reduced in number would improve the visual impact on the conservation area greatly.

Street Furniture

The amount of street furniture in the village of Old Deer is minimal but any changes should be of high quality, coordinated in design and make a positive contribution to the wider appearance of the conservation area.

Street Lighting

The current array of uncoordinated lamp standards and design found in throughout Old Deer conveys a negative impression. It would therefore be advantageous to develop a long term strategy to standardise the design throughout the whole of the conservation area.



Former Aden Estate Buildings

The conservation area appraisal has highlighted a number of the buildings on former Aden Estate as being at risk. Some are possibly in too far advanced a state of decay to be realistically brought back into use, but the former Gardeners Cottage could feasibly be restored.

7.0 PLANNING GUIDANCE AND POLICIES

National Legislation

The Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 is the primary piece of legislation.

Historic Environment (Amendment) (Scotland) Act 2011.

National Guidance

Scottish Historic Environment Policy (SHEP)

Historic Scotland Managing Change in the Historic Environment Guidance

Aberdeenshire Local Plan 2012

Policy 13 Protecting, improving and conserving the historic environment

Local Supplementary Guidance

SG Historic Environment 1: Listed Buildings

SG Historic Environment 2: Conservation Areas

SG Historic Environment 3: Historic Gardens and Designed Landscapes

SG Historic Environment 4: Archaeological Sites and Monuments

Article 4 Directions

Part 10 Class 28

Part 12 Class 30, 31 & 32

Part 13 Class 38, 39 & 40

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 approval 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.

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 department if you are unsure if consent is required.

Bibliography/ References

- Buchan., *'Pitfour The Blenheim of the North'* (Peterhead 2008)
- Buchan., *'Bygone Buchan'* (Peterhead 2008)
- Guard Archeology *'The Monastery of Deer Archaeological Desk-Based Assessment and Field Evaluation'* (Glasgow 2008)
- Lelong, Guard Archaeology *'The Monastery of Deer Archaeological Project Archaeological Assessment'* (Glasgow)
- McKean *'Illustrated Architectural Guide Banff & Buchan'* (Edinburgh 1990)
- New Statistical Account 1834-45
- Statistical Account 1791-99

APPENDIX I OLD DEER CONSERVATION AREA SUPPLEMENTARY GUIDANCE

These guidance notes seek to provide supplementary advice to ensure that any future developments compliment or enhance the wider character of the Old Deer Conservation Area.

Statutory Powers and Policies

Applications for any form of development or redevelopment will be considered on their own individual merits having regard to the Aberdeen City & Shire Structure Plan, the Aberdeenshire Local Development Plan and any other supplementary documents produced by the local authority.

General Policy

Within the conservation area it will be the policy of Aberdeenshire Council to protect and preserve by development control measures, all those buildings, views and other aspects of the environment that make up the character of Old Deer. Furthermore, to enhance the area by encouraging appropriate development and landscaping, together with the removal of those elements which are deemed to have a detrimental impact on its appearance.

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

- (i) The position of the building on its site will be determined by its relationship with adjoining buildings and/or open space.
- (ii) The materials to be used shall be appropriate to the area and sympathetic to the adjoining buildings.
- (iii) The mass of the building shall be in scale and harmony with the adjoining buildings and the wider area as a whole.
- (iv) 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.

Specific Policies

Outline Planning Permission

Outline Planning Applications will only be considered by the Planning Service when they are accompanied by a sketch scheme (layout and elevations) which clearly show the design, construction and material finish of the proposed development.

Demolition

An application for conservation area consent will be required for the demolition of any building located within the Old Deer Conservation Area. This must be supported by a written justification for the proposed works along with detailed plans of both existing and replacement buildings.

Street Furniture

The sensitive nature of Old Deer merits designs that reflect the settlements distinctive individuality with lamp standards, litter bins and seating to acknowledge the unique character of the settlement. Consequently, the bland standardised street furniture and the normal plethora of traffic signage will not be considered acceptable within the Old Deer Conservation Area.

Shop Frontages

Any new shop frontages will require planning permission and should be designed to complement the wider character of the settlement with special consideration given to the design and scale of fascia boards, hanging signs and display windows. The use of brightly coloured plastic lettering or illuminated fascia boards will not be acceptable within the conservation area.

Design Guidance and Detailed Policies

The following considers those elements of buildings and development proposals that can have a significant impact on the character and appearance of the conservation area.

Roofs

The majority of properties located within the Old Deer Conservation Area have natural slate roof coverings which significantly attribute to the character and appearance of the settlement. The Planning Service will therefore seek the retention of these traditional treatments and will insist that both repair and replacement works replicate this original construction.

Dormers

A wide variety of traditional dormers can be found within the Old Deer Conservation Area which not only significantly shape the character of the buildings upon which they are attached but also the wider appearance of the streetscape. The Local Planning Authority will seek the retention of these traditional elements and insist that any proposed new dormers follow a similar pattern and do not dominate or upset the balance of the roof lines.

Rooflights

The Planning Service will seek the retention of original cast iron rooflights but will concede their replacement for conservation based models provided they replicate the design and size of the original units. The local authority will also support the introduction of new rooflights provided they are true conservation units and not the large standard models which are somewhat more intrusive and detract from the character of the roofscape.

Rainwater Goods

Traditional gutters and downpipes play a significant role in shaping the character of individual buildings and any repairs or replacement fittings should be undertaken on a like for like basis. Modern PVC replacement rainwater goods are inappropriate and will not be approved for properties located within the conservation area.

Ridges, Skews and Chimneys

Chimneys are an important feature within the conservation area and the local authority will therefore seek their retention and not support any proposal to remove them from a property. The existing stone skews, clay ridge tiles and ceramic chimney pots also have a significant impact on the townscape and should be retained or replaced on a like for like basis if considered beyond repair.

Doors

Door furniture, including decorative glasswork and ironmongery, makes a significant contribution to the character of the Old Deer Conservation Area. The local authority will therefore promote the retention of all traditional doors and seek that any replacements match the originals not only in terms of design and construction but also in external treatment.

Windows

Windows are an important element in the building's design and a fundamental component which defines the character and appearance of the conservation area. As a consequence, the planning service will insist that replacement units replicate the design, construction and material finish of the original windows.

Some windows in traditional buildings may have been replaced in the past with inappropriate design or materials. Any new windows should seek to replicate the original windows as closely as possible in terms of materials, dimensions and opening method.

Walls

The planning service will insist that any new walls or extensions within the conservation area are built to match their immediate surroundings in terms of its overall construction including coursing and pointing. The use of dry dash is considered an alien treatment within the settlement and will not be supported by Aberdeenshire Council. Indeed, the local authority will promote the use of salvaged stone but may consider the use of a traditional lime harl subject to it matching the colour of the stonework found within the conservation area.

Boundary Treatments

The numerous boundary treatments found within Old Deer 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 streetscape and the planning service 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. Therefore they should only be installed where it is possible to do so without affecting, in any way, the wider appearance of the streetscape. 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.

Extensions

A proposal to extend a property located within the conservation area should not be considered in isolation but in the context to the wider streetscape to ensure it respects the character, scale and proportions of neighbouring buildings. Any new extension should also follow the established building line of the street and use detailing and materials which are distinctive to the settlement.

APPENDIX 2 OLD DEER CONSERVATION AREA ARTICLE 4S

Please follow link to relevant legislation if required;

<http://www.legislation.gov.uk/ukxi/1992/223/made>

PART 10

REPAIRS TO SERVICE

Class 28

- (1) The carrying out of any works for the purposes of inspecting, repairing or renewing any sewer, main, pipe, cable or other apparatus, including breaking open any land for that purpose.
- (2) Development is permitted by this class subject to the condition that on completion of the works or nine months after commencement of the works, whichever is the earlier, the land shall be restored to—
- (a) the condition it was in before the works were carried out; or
 - (b) such condition as may be acceptable to the planning authority.

PART 12

DEVELOPMENT BY LOCAL AUTHORITIES

Class 30

The erection or construction and the maintenance, improvement or other alteration by a local authority of—

- (a) any building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity on land belonging to or maintained by them, being building works or equipment required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;
- (b) lamp standards, refuse bins, public shelters and similar structures or works required in connection with the operation of any public service administered by them.

Class 31

The carrying out by a roads authority on land outwith but adjoining the boundary of an existing road of works required for or incidental to the maintenance or improvement of the road.

Class 32

Any development relating to sewerage by a regional or islands council being development not above ground level required in connection with the provision, improvement, maintenance or repair of a sewer, outfall pipe or sludge main or associated apparatus.

PART 13

DEVELOPMENT BY STATUTORY UNDERTAKERS

Class 38

- (1) For the purposes of water undertakings development of any of the following descriptions—
- (a) the laying underground of mains, pipes or other apparatus;
 - (b) the installation in a water distribution system of a booster station, valve house, meter or switchgear house;
 - (c) the provision of a building, plant, machinery or apparatus in, on, over or under land for the purpose of survey or investigation;

(d) any other development carried out in, on, over or under the operational land other than the provision of a building but including the extension or alteration of a building.

(2) Development is not permitted by this class if—

- (a) it would include the construction of a reservoir;
- (b) in the case of any development referred to in sub-paragraph (1)(b) involving the installation of a booster station or valve house exceeding 29 cubic metres in capacity, that installation is carried out at or above ground level or under a road used by vehicular traffic;
- (c) in the case of any development referred to in sub-paragraph (1)(d), it would consist of or include the extension or alteration of a building so that—
 - (i) its design or external appearance would be materially affected;
 - (ii) the height of the original building would be exceeded, or the cubic content of the original building would be exceeded by more than 25%; or
 - (iii) the floor area of the original building would be exceeded by more than 1,000 square metres;or
- (d) in the case of any development referred to in sub-paragraph (1)(d), it would consist of the installation or erection of any plant or machinery exceeding 15 metres in height or the height of anything it replaces, whichever is the greater.

(3) Development is permitted by sub-paragraph

- (1) (c) subject to the condition that, on completion of the survey or investigation, or at the expiration of 6 months from the commencement of the development, whichever is the sooner, all such operations shall cease and all such buildings, plant, machinery or apparatus shall be removed and the land restored as soon as reasonably practicable to its former condition (or to any other condition which may be agreed with the planning authority).

GAS SUPPLIERS

Class 39

(1) Development by a public gas supplier required for the purposes of its undertaking consisting of—

- (a) the laying underground of mains, pipes or other apparatus;
- (b) the installation in a gas distribution system of apparatus for measuring, recording, controlling or varying the pressure, flow or volume of gas, and structures for housing such apparatus;
- (c) the construction in any storage area or protective area specified in an order made under section 4 of the Gas Act 1965, of boreholes, and the erection or construction in any such area of any plant or machinery required in connection with the construction of such boreholes;
- (d) the placing and storage on land of pipes and other apparatus to be included in a main pipe which is being or is about to be laid or constructed in pursuance of planning permission granted or deemed to be granted under Part III of the Act;
- (e) the erection on operational land of the public gas supplier of a building solely for the protection of plant or machinery; and
- (f) any other development carried out in, on, over or under the operational land of the public gas supplier.

(2) Development is not permitted by this class if—

- (a) in the case of any development referred to in sub-paragraph (1)(b) involving the installation of a structure for housing apparatus exceeding 29 cubic metres in capacity, that installation would be carried out at or above ground level, or under a road used by vehicular traffic;
- (b) in the case of any development referred to in sub-paragraph (1)(c)—
 - (i) the borehole is shown in an order approved by the Secretary of State for Energy for the purpose of section 4(6) of the Gas Act 1965; or
 - (ii) any plant or machinery would exceed 6 metres in height;
- (c) in the case of any development referred to in sub-paragraph (1)(e), the building would exceed 15 metres in height; or
- (d) in the case of any development referred to in sub-paragraph (1)(f)—
 - (i) it would consist of or include the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected;
 - (ii) it would involve the installation of plant or machinery exceeding 15 metres in height, or capable without the carrying out of additional works of being extended to a height exceeding 15 metres; or
 - (iii) it would consist of or include the replacement of any plant or machinery, by plant or machinery exceeding 15 metres in height or exceeding the height of the plant or machinery replaced, whichever is the greater.

(3) Development is permitted by this class subject to the following conditions:—

- (a) in the case of any development referred to in sub-paragraph (1)(a), not less than 8 weeks before the beginning of operations to lay a notifiable pipeline, the public gas supplier shall give notice in writing to the planning authority of its intention to carry out that development, identifying the land under which the pipeline is to be laid;
- (b) in the case of any development referred to in sub-paragraph (1)(d), on completion of the laying or construction of the main or pipe, or at the expiry of a period of 9 months from the beginning of the development, whichever is the sooner, the pipe or apparatus shall be removed and the land restored as soon as reasonably practicable to its condition before the development took place or to such condition as may have been agreed in writing between the planning authority and the developer;
- (c) in the case of any development referred to in sub-paragraph (1)(e), the approval of the planning authority shall be obtained before the development is begun in respect of the details of the design and external appearance of the building.

(4) For the purposes of this class—

“notifiable pipeline” means a pipeline (as that term is defined in section 65 of the Pipelines Act 1962) which contains or is intended to contain a hazardous substance, but does not include a pipeline which has been authorised under section 1 of the Pipelines Act 1962, or a pipeline which contains, or is intended to contain, no hazardous substance other than—

- (a) a flammable gas (as specified in item 1 of Part II of Schedule 1 to the Notification Regulations) at a pressure of less than 8 bars absolute; or
- (b) a flammable liquid, as specified in item 4 of Part II of the said Schedule.

ELECTRICITY UNDERTAKINGS

Class 40

(1) Development by statutory undertakers for the generation, transmission or supply of electricity for the purposes of their undertaking consisting of—

- (a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transformer or switching stations or chambers reasonably necessary in connection with an electric line;
- (b) the installation or replacement of any telecommunications line which connects any part of an electric line to any electrical plant or building, and the installation or replacement of any support for any such line;
- (c) the sinking of boreholes to ascertain the nature of the subsoil and the installation of any plant or machinery reasonably necessary in connection with such boreholes;
- (d) the extension or alteration of buildings on operational land of the undertaking;
- (e) the erection on operational land of the undertaking of a building solely for the protection of plant or machinery; and
- (f) any other development carried out in, on, over or under the operational land of the undertaking.

(2) Development is not permitted by this class if—

- (a) in the case of any development referred to in sub-paragraph (1)(a)—
 - (i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 applies; or
 - (ii) it would consist of or include the installation or replacement at or above ground level or under a road used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;
- (b) in the case of any development referred to in sub-paragraph (1)(b)—
 - (i) the development would take place in a national scenic area or a site of special scientific interest;
 - (ii) the height of any support would exceed 15 metres; or
 - (iii) the telecommunications line would exceed 1,000 metres in length;
- (c) in the case of any development referred to in sub-paragraph (1)(d)—
 - (i) the height of the original building would be exceeded;
 - (ii) the cubic content of the original building would be exceeded by more than 25% (or 10% in the case of any building situated in a conservation area or a national scenic area);
 - (iii) the floor area of the original building would be exceeded by more than 1,000 square metres (or 500 square metres in the case of any building situated in a conservation area or a national scenic area);
- (d) in the case of any development referred to in sub-paragraph (1)(e) the building would exceed 15 metres in height; or
- (e) in the case of any development referred to in sub-paragraph (1)(f) it would consist of or include—
 - (i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected; or
 - (ii) the installation or erection by way of addition or replacement of any plant or machinery exceeding 15 metres in height or the height of any plant or machinery replaced, whichever is the greater.

(3) Development is permitted by this class subject to the following conditions:—

(a) in the case of any development referred to in sub-paragraph (1)(a) consisting of or including the replacement of an existing electric line, any conditions contained in a planning permission relating to the height, design or position of the existing electric line shall so far as possible apply to the replacement line;

(b) in the case of any development referred to in sub-paragraph (1)(a) consisting of or including the installation of a temporary electric line providing a diversion for an existing electric line, on the ending of the diversion or at the end of a period of six months from the completion of the installation (whichever is the sooner) the temporary electric line shall be removed and the land on which any operations have been carried out to install that line shall be restored as soon as reasonably practicable to its condition before the installation took place or to such condition as may have been agreed in writing between the planning authority and the developer;

(c) in the case of any development referred to in sub-paragraph (1)(c) on the completion of that development or at the end of a period of six months from the beginning of that development (whichever is the sooner) any such plant or machinery shall be removed and the land shall be restored as soon as reasonably practicable to its condition before the development took place or to such condition as may have been agreed in writing between the planning authority and the developer;

(d) in the case of any development referred to in sub-paragraph (1)(e) the approval of the planning authority shall be obtained before the development is begun in respect of the details of the design and external appearance of the building.

(4) For the purposes of sub-paragraphs

(1)(d), (e) and (f) the land of a holder of a licence under section 6(2) of the Electricity Act 1989 shall be treated as operational land if it would be operational land within section 211 of the Act if such licence holders were statutory undertakers for the purpose of that section.

(5) For the purpose of this class—

“electric line” has the meaning assigned to that term by section 64(1) of the Electricity Act 1989;

“electrical plant” has the meaning assigned to that term by the said section 64(1); and

“telecommunications line” means a wire or cable (including its casing or coating) which forms part of a telecommunications apparatus within the meaning assigned to that term by paragraph 1 of Schedule 2 to the Telecommunications Act 1984.

