



By email to:

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Our case ID: 300030647

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Dear Stephen

[Proposal to List Inner-City Multi-Storeys, Aberdeen \(Gilcomstoun Land, Porthill Court, Seamount Court, Virginia Court, Marischal Court, Thistle Court, Hutcheon Court and Greig Court\)](#)

Thank you for your response of 22 January about our consultation on the proposed listing of the eight multi-storey blocks of flats in Aberdeen. Thank you also for meeting with me and my colleagues on 17 January when we discussed the points you have raised in your response. I am sorry for the time it has taken to respond because of interruption to our normal business caused by Covid-19.

Further to Dawn McDowell's recent email correspondence about some of your ongoing concerns, I note your objection to the listing on behalf of your council as a corporate landlord and as the majority owner of properties and structures within the properties proposed for listing. We've responded separately to the consultation responses from your Chief Executive and Strategic Place Planning officers. I attach copies of these for your interest.

Your objection centred around three key issues which I have responded to in turn below. You also raise other issues which are also addressed below.

a) The timing of the proposed listing in advance of the full findings from the Grenfell inquiry being released

The tragedy at Grenfell and the Multis in Aberdeen are not directly comparable. You have told us that the Multis currently comply with the required fire safety standards and that you have put measures in place to reassure tenants about this. There is no cladding on the Aberdeen Multis. The RIBA stage 1 report you commissioned from Atkins about Gilcomstoun Land notes that the building envelope is built of 'low combustibility materials'.



Listing will not prevent essential future fire safety measures at the Multis. We have also assured your Council that we accept the principle of more significant works to ensure fire safety, such as the construction of separate stair towers, to allow an alternative means of escape from the building, should your Council wish to explore those options.

I don't consider that deferring a decision on listing until the outcome of the inquiry, which is not expected to conclude for some considerable time, is appropriate. The buildings are of special architectural and historic interest and listing will not prevent essential future fire safety measures.

b) Special architectural or historical significance

You note that you find that the report of handling doesn't make clear why the buildings are of interest and why all eight buildings are being considered for listing.

In terms of why we consider that the buildings are of special architectural or historic interest we think that this is clearly set out in the report of handling. The 'summary of assessment' section has five bullet points summarising the interest.

I agree that we could have provided more information about why all eight buildings are being considered for listing. As a result of your comments I have reviewed our decision to propose all eight buildings for listing. The reports of handling for the buildings have been updated to make it clearer why we found that all eight met the criteria for listing. The reason for considering the eight buildings for listing is that all of them were part of a comprehensive development plan which envisioned eight buildings from the beginning. It was not possible to build all eight Multis at the same time and building work was staggered to meet capacity. This resulted in building taking place over a period of time from 1959 to 1977, however the buildings are part of the same scheme and are clearly associated with each other in their design and materials. A surviving development of this quality and scale is unique in Scotland and their importance as a group tells us much about social and city planning changes in post-war Scotland.

You note that an absence of information has compromised your ability to appeal. The appeal stage of a listing does not take place now. Once a building has been listed, an appeal period begins. Appeals need to be made to the Scottish Government's Planning and Environmental Appeals Division within three months of our notification of the new listing. I hope that the updates to the reports of handling have helped to clarify why we proceeded with considering all eight buildings for listing.

c) Current challenges with properties

I have responded to the list of challenges you have provided in **Annex A** below. You ask that the listing is delayed to allow environmental factors to be understood and you ask about what consultation has been undertaken as part of our proposal to list the Multis. When considering a building for listing the law (The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997) requires that buildings are of 'special



architectural or historic interest'. Factors such as future use are not taken into account. You can read more about this in our Designation Policy and Selection Guidance (<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=8d8bbaeb-ce5a-46c1-a558-aa2500ff7d3b>).

The primary purpose of listing is to ensure that change to listed buildings is given careful consideration through the planning system. While we remain committed to working with you and continuing the positive dialogue we have about how the Multis can adapt to meet changing needs, possible future alterations are not a reason to delay listing. Many types of listed domestic buildings will require to be altered to meet changing needs, from villas to tenements but we do not delay listing for these to be explored. Listing the buildings would establish that there is special interest to be thought about and provides certainty. It's important to us that these buildings continue to be used and to be homes which are fit for purpose. We do not see listing them as being incompatible with those aims.

When considering buildings for listing we normally consult those directly affected by the listing, usually the owner, occupier or tenant and the local authority. In the case of the Multis we wanted to carry out a wider consultation because of the large number of people living in the flats who might be affected by the listing and the anticipated level of public interest in the proposal. The consultation period was initially for 6 weeks from 14 October to 25 November 2019. It was extended to 24 January 2020 to allow for additional meetings with residents and council officials. The extension also allowed us to take into account The RIBA stage 1 report you commissioned from Atkins about Gilcomstoun Land.

We will publish a consultation summary report (see enclosed) on our website which explains in detail the consultation which took place and the responses we received. We wrote to your council, all the residents of the multis as well as relevant third party stakeholders including the Aberdeen City Heritage Trust, the Architectural Heritage Society of Scotland, all constituency community councils, elected members, and MSPs. We attended meetings with council housing and planning officials and meetings with elected members and council tenants' groups. We held four public drop-in events (attended by housing and planning officers) in Aberdeen which included a small exhibition about multi-storeys.

Finally, you ask how we consider the representation you have submitted and who is involved in the decision to list the buildings.

We consider the representation you have made in a number of ways. These include whether you have provided any information which puts into question the special architectural or historic interest of the Multis and whether there are development proposals which may affect our decision to list. Consultation also allows us to respond to any other concerns. There can be many myths and misunderstandings about listing and consultation allows us to ensure that we give accurate information and, in this case, provide clear reassurances about our approach to fire safety and our proposal to work with you to research how to improve energy efficiency at the flats.



HES and its predecessor bodies have always been responsible for listing in Scotland. This is set out in law and was last subject to public scrutiny in 2014 as part of the Historic Environment Scotland Act 2014. How we take decisions about listing is published on our website at <https://www.historicenvironment.scot/advice-and-support/applying-for-consents/how-we-take-decisions-on-designations-and-casework/>.

Decisions are taken in the public interest for the people of Scotland. The criteria we use to make these evaluations was developed during a dialogue with the people of Scotland in 2017 which was followed up with a public consultation last year.

We remain committed to continuing a positive dialogue with you and your planning colleagues about the Multis. We have outlined our willingness to work with you and your planning colleagues on any future plans for the buildings and have already begun supporting your team to produce a listed building consent guidance note for residents should the buildings become listed. I understand that this is currently in draft form and will be presented to the Planning Committee in the New Year. It's important to us that these buildings continue to be used and to be homes which are fit for purpose. We do not see listing them as being incompatible with those aims. We have provided more detail about some of these issues in our enclosed reply to your planning colleagues.

Having taken into account the comments made to us, including the responses from residents, we consider that the Multis continue to meet the criteria for listing. However, we don't intend to take a final decision on the proposal until January and we'll let you know as soon as that decision has been taken.

Yours sincerely

Elizabeth McCrone | Head of Designations



Annex A

List of challenges with the properties

It is important to reiterate that the inside of the buildings is of less interest than how they look from the outside. We have also made it clear that like-for-like repairs and routine maintenance do not require listed building consent and can proceed as they normally would regardless of the listing. We have outlined our willingness to work with your council on any future proposals for the buildings. It's important to us that these buildings continue to be used and to be homes which are fit for purpose. We do not see listing them as being incompatible with those aims.

While the primary purpose of listing is to ensure that change to listed buildings is given careful consideration through the planning system, the listed building consent process takes into account public benefit (including public safety) and economic feasibility as part of any decision making. While we are a statutory consultee on listed building consent applications, your council's planning authority will be responsible for setting out what consents are required as with all its listed buildings and will determine the outcome of these. We have agreed to offer further advice and assistance to the planning authority so that decisions about future consents and other planned works can be as straightforward and streamlined as possible.

It's important that managing change to the multis should not be treated any differently to managing the 19th century tenements which preceded them. While post-war architecture may look different and use other materials from older types of heritage, the policies and principles are the same as for any other listed building.

1. Structural defects to façade, including balcony fixings

As discussed in our meeting of 17 January, if the repairs to the balconies are the same as those already completed in concrete at some of the Multis these will be like-for-like repairs and do not need listed building consent. Listing will not interfere with these works.

2. Poor thermal performance of existing building fabric

We support improving the thermal performance of the building. In our discussions with you we have not raised any issues with the principle of connecting the flats to a citywide district heating system. It is our view that upgrading heating facilities will not be affected by listing and would likely not require consent.

We have agreed to work with you to explore a pilot study to research how to make the flats more energy efficient and to work with your strategic place planning colleagues on a conservation management plan for the flats. This work follows on from our current guidance on [Fabric Improvements for Energy Efficiency](#) in traditional buildings.

3. Substandard heating, and energy performance

See answer to 2 above.



4. Failing to meet changing compliance requirements such as the Energy Efficiency Standard for Social Housing

See answer to 2 above.

5. Structural limitations of existing structure; including thin floor slabs, low ceiling and challenges with imposing additional design requirements to existing slabs

There can be structural issues with many listed buildings, from thatched cottages with low ceiling heights to tower houses with narrow turnpike staircases. This doesn't stop them being listed or continuing as homes. We remain committed to working with you to look at options for the flats and we would again emphasise that it is the how the flats appear from the outside that is of particular importance.

6. Fire and life safety risks, one main stair core and external balcony egress route

As mentioned above, listing will not prevent essential future fire safety measures at the Multis. We have also assured your Council that we accept the principle of more significant works to ensure fire safety, such as the construction of separate stair towers, to allow an alternative means of escape from the building, should your Council wish to explore those options.

7. Layouts not meeting homes for varying needs

See answer to 5 above. Also, our managing change guidance note on accessibility (<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=f0185b2c-3ed9-40c4-899d-a60b00885214>) offers advice specifically for these types of issues. We are also in the process of updating this guidance and a revised version will be published later this year.

8. Layouts not sustaining a change of demographics addressing aging population

See answer to 5 above.

9. Layouts are not wheelchair accessible

See answer to 5 above. Also, our managing change guidance note on accessibility (<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=f0185b2c-3ed9-40c4-899d-a60b00885214>) offers advice specifically for these types of issues. We are also in the process of updating this guidance and a revised version will be published later this year.