

THE HIGHLAND COUNCIL

INVERNESS, NAIRN, BADENOCH AND STRATHSPEY  
PLANNING APPLICATIONS COMMITTEE – 14<sup>th</sup> APRIL 2009

Agenda Item	
Report No	

08/00723/FULIN – Erection of hotel, (as amended) 19-21 Huntly Street, Inverness  
08/00740/CONIN – Demolition of existing premises, 19-21 Huntly Street, Inverness

Report by Area Planning and Building Standards Manager

**SUMMARY**

The proposal involves the demolition of the existing former bingo hall premises at 19-21 Huntly Street, Inverness and the erection of a 96 bedroom 'budget' hotel.

**Applicant:** Ardmuir Developments.

**Recommendation:** Grant planning permission (08/00723/FULIN) subject to the satisfactory conclusion of a legal agreement in order to secure financial contribution towards parking facilities; and willingness to grant demolition of the premises (08/00740/CONIN) which is subject to referral to Historic Scotland.

**Ward:** 15 (Central)

**1. PROPOSAL**

- 1.1 The proposal involves the demolition of the existing former bingo hall premises at Huntly Street to provide a 98 bedroom budget hotel. Two applications are involved: the first to redevelop the site and the second requires conservation area consent because the site is located within the Inverness Riverside Conservation Area. Demolition of unlisted buildings within conservation areas requires formal consent which may be granted only after satisfactory referral to Historic Scotland.
- 1.2 The site occupies a prominent location on the west side of the River Ness and comprises the former bingo hall. Built in the 1930's in an Art Deco style to its frontage, the premises has been altered and extended significantly changing its original form. Built as a cinema and to house over 1000 people, it was converted to a bingo hall in the 1960's but has lain vacant since 2005. The rear of the building which extends to King Street, comprises a large red brick block under a corrugated asbestos clad roof. The building is not listed and is located within an area of mixed architectural styles. The south side of the site is bounded by the domestic scale properties of Huntly Terrace and the three storey commercial property to the north. The existing building is one of the higher in the streetscape with its rear section significantly above those of the surrounding properties. Limited parking facilities currently exist and these are accessed off King Street to the rear.
- 1.3 The proposal involves the demolition of the premises to enable redevelopment to provide a 98 bedroom hotel and associated facilities including a restaurant and bar. The footprint of the building will occupy the footprint of the existing building but extending further to the rear towards King Street. The design and layout of the building has been amended and provides a stepped layout setting back from the river frontage and King Street retaining the bulk of the building in the central core. The front façade to Huntly Street will be set back from the pavement, in line with the adjacent

building to the north. The ground floor comprises the restaurant and reception area and is predominantly glazed. The upper floors, five in total, are each set back, include balconies and with the exception of the first floor, incorporate significant areas of glazing. The remaining façade will be clad with local Clashach sandstone. The building to the rear and side elevations will be finished in render with 'banded' detail. Car parking for 18 cars is located to the rear with access from King Street.

- 1.4 The building promotes a contemporary design with an emphasis on horizontal detailing. The prevalent horizontal dominance and character provided by the existing buildings along the river frontage is an important visual element and is particularly evident in the uniformity of the position and height of windows. This horizontality is recognised and incorporated into the design and use of materials of the proposed development.
- 1.5 The application includes a Planning and Design Statement, supporting information to justify the demolition of the building, Traffic Assessment, Travel Plan and Sustainability statement.

## **2. PLANNING HISTORY**

- 2.1 There is no recent planning history for this site. The current use as a bingo hall ceased in 2005 and the premises has lain vacant since.

## **3. PUBLIC PARTICIPATION**

- 3.1 Each application was advertised in the local press. On receipt of the amended details for the design of the proposed hotel, all parties holding a notifiable interest were formally renotified as were the appropriate consultees.
- 3.2 Representations have been received from two parties. Concerns relate to the proximity of the building to the properties on Huntly Terrace. A minimum distance of 1 metre separating the development has been requested. The amended details secure this adjustment. In addition, a resident of Douglas Row has commented on the design of the proposed hotel and indicates that the original façade of the existing building should be retained and incorporated into the proposed development.
- 3.3 **Inverness Civic Trust** – the Trust was notified of both applications and the revised details. There are **no** objections to the demolition of the existing building and its demolition is considered to create an opportunity for a redevelopment. It must however 'conserve and enhance' the character and appearance of the conservation area. The Trust raises concerns regarding the design of the proposed building, concentrating on the Huntly Street façade which is considered to represent 'low grade design'. Further concerns are expressed regarding the parking facilities and the potential for overflow parking on the surrounding residential streets.
- 3.4 Members are advised that the letters of representation are available for inspection within the case file at Inverness Area Office and will be available within the Members lounge before committee.

## **4. CONSULTATIONS**

- 4.1 **Crown Community Council** – **no objection** to the demolition of the premises. There are no specific objections to the proposed redevelopment however concerns are raised regarding the design and height of the proposed building particularly the main elevation which is considered out of proportion to neighbouring properties.

- 4.2 **SEPA** – initial concerns regarding SUDS now resolved and no outstanding matters remain. No objections.
- 4.3 **Historic Scotland** – consulted on the proposed demolition of the premises. Initial comments identified that additional supporting information to justify the demolition of the building is required. In particular, a sequential approach is required to demonstrate that the building cannot be converted to serve an appropriate use, that it is not economically viable to retain the building and that the condition and importance of the building would justify demolition. The applicant has provided additional details to address these requirements. Historic Scotland is a statutory consultee and the proposal will be referred to them formally following consideration of the application by Committee. Conservation Area Consent for demolition of unlisted buildings within a conservation area is the responsibility of Historic Scotland.
- 4.4 **Scottish Water** – no objections.
- 4.5 **TECS – Area Roads Manager** – the development of each site has been the subject of detailed discussion with the applicant. TECS has indicated that there are no objections to the development proposed and the 18 car parking spaces together with cycle facilities are acceptable. The Travel Plan and Traffic Assessment statements are supported and considered acceptable in principle. They indicate that the site is well served by existing bus facilities and is in close proximity to the rail station. The reliance on meeting the deficit in car parking through use of available spaces within existing public car parks is accepted. A financial contribution (to be agreed with TECS and subject to a legal agreement) will be required towards meeting the cost of upgrading and refurbishment of existing car parks. These include Rose Street and the Cathedral car park.
- 4.7 **Conservation Officer** – the Conservation Officer was involved in the pre-application discussions and was able to review and assess both the demolition of the existing building and the proposed redevelopment before his leaving the Council. Taking each proposal in turn, his comments are summarised.
- 4.7.1 **Demolition 08/00704/CONIN** – there are no objections to the demolition of the building. It is not considered that the building, as a whole ‘is worthy of retention and conversion’. The Art Deco façade is taken into account in this assessment but is outweighed by the limited scope for conversion to alternative uses and the fundamentally unsophisticated building to the rear which is constructed of red brick. Members are advised that Historic Scotland will be formally consulted on the proposed demolition.
- 4.7.2 **New Build – 08/00723/FULIN** – it is noted that the existing building has a bulk and massing ‘significantly greater than surrounding buildings’. The current proposal, as amended, has taken into account the initial reservations expressed by the Conservation Officer regarding the massing of the front façade of the proposed building. In particular, it was considered that the impact of the building would be of a scale more appropriate to the street scape if the frontage were set back at second floor level. Concerns regarding the verticality of the building were also expressed. Both of these issues have been addressed in the submission of the revised plans with the frontage set back in a stepped configuration from the first floor up and the vertical dominance amended to a more appropriate horizontal treatment. Members are advised that as recent amendments, they have not been the subject of review by the conservation officer.

4.8 **Archaeology** - no objections but an archaeological assessment will be required prior to and during development on site.

4.9 **Contaminated Land** – potential for contaminants on site – survey required to assess contamination and if necessary remediation undertaken.

## 5. **POLICY**

5.1 The following policies are relevant to the assessment of the proposal

### **Highland Structure Plan 2001**

- G1 – Conformity with Strategy
- G2 – Design for Sustainability
- G4 – Community benefit and commitment
- BC5 – Listed buildings and conservation areas.

### **Inverness Local Plan, March 2006**

- General Policy – GP B – Business
- GP1 - Design Principles
- GP3 – Designed sustainable construction
- GP13 - Flood Risk
- GP14 – Surface water drainage

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP); NPPG, and Planning Advice Notes PAN.

- SPP1 – The Planning System
- SPP6 - Renewable energy
- SPP7 – Planning and Flooding
- SPP17 – Planning for Transport
- SPP 20 – The role of Architecture and Design Scotland.
- NPPG 5 – Archaeology and Planning
- NPPG 18 – Planning and the Historic Environment
- PAN 40 – Development Control
- PAN 61 – Planning and Sustainable Urban Drainage Systems
- PAN 68 – Design Statements
- PAN 71 – Conservation Area Management
- PAN 75 - Planning for Transport
- PAN 84 - Reducing Carbon Emissions in new development
- Scottish Historic Environment Policy (SHEP)

5.3 In addition, reference is made to the Council's policy on Designing for Sustainability in the Highlands and City of Inverness Conservation Area Appraisal

## 6. **PLANNING APPRAISAL**

6.1 **Determining issues** - Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 65 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 is also referred to.

6.2 Each of the two proposals requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance and National Planning Policy and Guidelines as referred to in the Policy section. In addition, the Scottish Historic Environment Policy (SHEP) is also relevant for each application.

In particular, the proposals require detailed assessment of the following fundamental issues:

- whether the principle of development is appropriate in terms of policy
- whether the layout of development is appropriate
- the impact on the amenity of the area and residents
- other material issues raised by the objectors

6.3 It is proposed to assess each of the applications separately.

6.4 **08/00740/CONIN** – the proposed demolition of the premises is not considered contentious and one only objection has been lodged in this regard. Both the community council and Civic Trust support the demolition. The Conservation Officer too had no objections or concerns regarding the loss and demolition of the premises. Although the frontage is of Art Deco design, the bulk of the building is of no particular architectural merit and has been significantly altered and extended which masks its original appearance and form. NPPG 18 directs that a planning authority should 'bear in mind the statutory requirement to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area'. In this particular instance, the character of the building does not contribute significantly to the amenity of the conservation area and has no particular attributes which render it important to the wider streetscape and important river frontage vista.

6.5 The demolition of the building is therefore recommended for the grant of conservation area consent but subject to referral to Historic Scotland. Conditions relating to the proposed grant of planning permission are provided at the end of the report.

6.6 **08/00723/FULIN** – the principle of the redevelopment of the site to provide a 98 bedroom hotel involves two key issues: policy and design.

6.7 **Policy** – the proposed use of the site for a hotel accords with policy and is therefore supported. There are no technical objections following consultation with the relevant statutory consultees and there are no outstanding matters to be resolved other than the developer contribution required to address the deficit in car parking facilities. This will be dealt with by means of a legal agreement. The principle of the development is therefore considered acceptable, complies with relevant policy considerations and is a use compatible with and appropriate in the core of the city.

6.8 **Design** – the main concerns in the assessment of the proposal involve the extent to which the design (as amended) can be considered appropriate within the context of the immediate buildings, the Conservation Area and streetscape in general. The proposal, as revised, has resulted in key changes:

- the building is set back from the pavement and behind the façade of the adjacent building to the north
- the design of the building has been adjusted so that it forms a series of stepped 'set backs' commencing with the second floor and continuing to the upper fifth floor. This restricts the main bulk of the building to the central area and allows for a stepped increase in height to both the front and rear elevations
- the materials have been altered to increase the extent of glazing thus reducing

- the visual bulk of the building
- the adjusted design better respects the horizontal dominance of the streetscape and provides visual linkage in particular with the two adjacent properties
- good quality materials are to be used including locally sourced natural sandstone

Each of these amendments have taken into account the concerns expressed by the Conservation Officer.

6.9 The concerns of the community council and Civic Trust regarding the massing and design of the building are noted. There can be no doubt that the building will alter the existing streetscape on the river frontage at this point. Huntly Street is characterised by a diverse mix of architectural styles ranging in scale from modest residential properties to the more imposing scale of the churches. In between, there are a number of buildings which have undergone alterations and extensions over time. The result is an eclectic mix of buildings of diverse architectural styles all of which provide interest and variety when viewed along the river frontage.

6.10 The existing building, designed and built for a specific purpose and use, is not considered to be of significant architectural merit and although characteristic of its period, is not readily suitable for conversion. It provides an opportunity to introduce a contemporary solution within a streetscape of mixed architectural styles. Members will be aware that the more recent The Kitchen building was the recipient of an Award of Merit from the Inverness Civic Trust for its design. It demonstrates that a mix of architectural styles, albeit where the design and use of materials is contemporary, can achieve a satisfactory solution in an otherwise traditional form.

6.11 On balance therefore, the demolition of the existing redundant building and its replacement with a building of contemporary design is considered appropriate and capable of support. National policy does not seek to limit opportunities for innovative design solutions provided they do not result in a development which fails to maintain or enhance the character or appearance of the conservation area. This proposal will alter the streetscape but is not considered to be either inappropriate in the context of the adjacent listed buildings nor the amenity of the conservation area.

## **7. CONCLUSION**

7.1 The development involved demolition of a redundant building which promotes an incongruous architectural style in the context of the wider river front and no significant objections have been received. The proposed redevelopment to provide a hotel is an appropriate use and meets policy criteria. The design of the building is considered an appropriate solution in a situation where no one architectural form or era dominates. The buildings along the river frontage are varied and promote an eclectic mix of styles and age. A clear pattern emerges as a streetscape which has changed and evolved through the last two centuries. The introduction of a more modern contemporary solution is therefore considered an appropriate architectural response and contributes towards the variety of styles and architectural solutions inherent in this section of the river front.



**RECOMMENDATION**

**As two separate applications, members are required to consider each independently.**

**08/00740/CONIN – willingness to grant planning permission for the demolition of the building following satisfactory referral to Historic Scotland and subject to the following conditions.**

1. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason - in order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

2. no part of the planning permission hereby granted consent shall be implemented unless planning permission is granted for 08/00723/FULIN or as otherwise may be granted and a contract for the commencement of the redevelopment is submitted to and confirmed in writing by the planning authority.

Reason – in order to ensure the building is not demolished unless a redevelopment of the site has been confirmed to the satisfaction of the planning authority.

3. prior to start of any work on site, full details of all temporary surface water drainage measures designed to prevent flooding and contamination of existing watercourses during construction shall be submitted to and agreed in writing by the planning authority and thereafter so implemented.

Reason – in the interests of public health

4. the hours of operation in connection with the demolition of the building and any associated building works will be restricted to 0800 – 1800 hours Monday to Friday and 0800 – 1300 hours on Saturday with no working on Sunday and public holidays.

Reason – in the interests of protecting the amenity of adjacent residents

5. construction work shall not begin until a scheme for protecting neighbouring premises from dust which arises from operations carried out in connection with this planning application has been submitted to and agreed in writing by the planning authority.

Reason – in the interests of residential amenity

6. no development shall commence on site unless a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development including a timetable for investigation all in accordance with the attached specification shall be submitted to and agreed in writing by the planning authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation

Reason – in order to preserve the archaeological and historical interest of the site.

**08/00723/FULIN – grant detailed planning permission for the erection of a hotel subject to the satisfactory conclusion of a legal agreement to secure developer contributions in lieu of parking facilities and the following conditions.**

1. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason - in order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

2. no development shall commence on site unless details of the method by which surface water drainage for the site has been submitted to and agreed in writing by the planning authority in consultation with SEPA and thereafter the approved scheme shall be installed and completed to a timetable to be agreed by the planning authority.

Reason – in the interests of public health and the proper management of surface water

3. Prior to start of any work on site, full details of all temporary surface water drainage measures designed to prevent flooding and contamination of existing watercourses during construction shall be submitted to and agreed in writing by the planning authority and thereafter so implemented.

Reason – in the interests of public health

4. on completion of, or the substantial completion of the development for which planning permission is hereby approved, all roads and footpaths will be constructed and completed to a standard to the satisfaction of the planning authority

Reason – in the interests of road and public safety

5. the normal hours that the hours of operation in connection with the construction of the premises hereby granted permission and any associated building works will be restricted to 0800 – 1800 hours Monday to Friday and 0800 – 1300 hours on Saturday with no working on Sunday and public holidays.

Reason – in the interests of protecting the amenity of adjacent residents

6. delivery of construction materials to the sites shall be between the hours of 8.00 am – 6.00 pm Monday-Friday, 8.00 am – 1.00 pm on Saturdays and at no time on Sundays or public holidays.

Reason: To minimise the risk of noise nuisance given the close proximity of the existing houses.

7. construction work shall not begin until a scheme for protecting neighbouring premises from dust which arises from operations carried out in connection with this planning permission has been submitted to and agreed in writing by the planning authority.

Reason – in the interests of residential amenity

8. no development shall commence on site unless samples of all materials have been submitted to and agreed in writing by the planning authority.

Reason – in the interests of visual amenity

9. the hotel shall not be brought into use unless the 18 parking spaces as detailed on the approved drawing, have been constructed and completed to the satisfaction of the planning authority

Reason – in the interests of public health.

10. secure bicycle storage facilities shall be provided to the satisfaction of the planning authority before the hotel is brought into use

Reason – in the interests of encouraging bicycle use within the city.

11. no development shall commence on site unless a site investigation is undertaken to determine the presence of contaminants on site together with a programme for mitigation of any contaminants so identified and thereafter implemented all to the satisfaction of the planning authority.

Reason – in the interests of public health

12. no development shall commence on site unless a programme of archaeological work for the preservation and recording of any archaeological features affected by the proposed development including a timetable for investigation all in accordance with the attached specification shall be submitted to and agreed in writing by the planning authority. All arrangements thereby approved shall be implemented by the developer at his expense in accordance with the approved timetable for investigation

Reason – in order to preserve the archaeological and historical interest of the site.

13. no construction works shall commence on site until evidence in writing is submitted to the Planning Authority that an agreement has been reached by the applicant with Scottish Water for the provision of a water scheme to serve this development.

Reason: In the interest of public health

14. prior to the occupation of any part of the development hereby permitted a Travel Plan, aimed at promoting sustainable travel modes and reducing the reliance on the private car shall be submitted to and approved in writing by the Planning Authority. In particular the travel plan will identify measures to be implemented, the system of management, monitoring, review, reporting and duration of the plan.

Reason: to be consistent with the requirements of SPP17 Planning for Transport and PAN75.

Signature:

Designation:

Author:

Background Papers:

Area Planning & Building Standards Manager

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as referred to in this report.