THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE 1 March 2016

Agenda Item	6.3
Report	PLS
No	013/16

15/04554/FUL: The Highland Council Inverness Museum and Art Gallery, Castle Wynd, Inverness, IV2 3EB

Report by Area Planning Manager - South

SUMMARY

Description: Overcladding and external lighting

Recommendation: GRANT

Ward: 15 - Inverness Central

Development category: Local

Pre-determination hearing: n/a

Reason referred to Committee: Manager's discretion

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for a simple and straightforward overcladding of the existing museum building in respect of the elevations facing Castle Wynd, Bridge Street and West towards the river. These elevations are to be overclad in new light gold perforated aluminium panels. The cladding will start above the current deck level glazing, maintaining the current access to the tourist information centre and will terminate below the top of the existing parapet. This leaves a zone of existing wall set back from the cladding which both provides a clear 'top, middle and bottom' proportionally and leaves a zone for the future provision of signage. The cladding will be back-lit with white lighting.
- 1.2 The application was considered by the Inverness Design Review Panel.
- 1.3 The applicant has submitted a design and access statement that clearly sets out the concept and the thought behind the design and how it fits in with the buildings and streetscape in the area in which it is located.

2. SITE DESCRIPTION

2.1 The building occupies a prominent location in Inverness city centre. Bridge Street is a major route through the city, connecting the river and the High Street. The site is immediately adjacent to the Victorian neo-gothic Town House, an A-listed building and across the road from the Georgian Tollbooth steeple.

3. PLANNING HISTORY

3.1 There is no relevant planning history.

4. PUBLIC PARTICIPATION

4.1 Advertised: Development affecting the setting of a listed building – 29.01.16

Representation deadline: 17.01.16

Timeous representations: 5 (from 4 separate addresses)

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
 - Building has weathered and is less conspicuous at present the proposal will make it much more obvious:
 - Cladding is not in keeping with any other building;
 - The yellow colour is a poor choice; and
 - The proposal will detract from the listed Town House and the Castle and riverside skyline.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Historic Environment Scotland**: No objection and no comments.

6. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 29 Design Quality and Place-making
- 34 Settlement Development Areas
- 43 Tourism
- 57 Natural Built and Cultural Heritage

6.2 Inner Moray Firth Local Development Plan 2015

1 Promoting and Protecting City and Town Centres

6.3 Highland Council Supplementary Guidance

Inverness City Centre Development Brief

March 2013

7. OTHER MATERIAL CONSIDERATIONS

7.1 **Draft Development Plan**

Not applicable

7.2 Scottish Government Planning Policy and Guidance

Not applicable

8. PLANNING APPRAISAL

- 8.1 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.
- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 **Development Plan Policy Assessment**

The Highland-wide Local Development Plan requires that "New development should be designed to make a positive contribution to the architectural and visual quality of the place in which it is located, where appropriate, and should consider the incorporation of public art as a means of creating a distinct sense of place and identity...". The Inverness Design Review Panel as a group made up primarily of local architects with an expertise in urban design considered this proposal and was supportive of the proposed design, including the use, pattern, colour and configuration of the metal cladding, and the proposed new lighting and signage.

Policy 43 promotes tourist developments that will complement existing/allocated tourist facilities and increase the length of visitors stay and spending. This proposal aims to raise the profile of the tourist facility and encourage visitors to the Museum and Art Gallery. It is considered that the proposal meets Policy 43.

Policy 57 relates to the built and cultural heritage of the city and the extent to which proposals take account of the historic nature of the environment. The applicant has sought to demonstrate how the concept of the cladding fits with the surrounding environment and the fact that it is non-permanent and can be removed in the future if desired. On this basis it is accepted that Policy 57 is complied with.

Both the Inner Moray Firth Local Development Plan and the Inverness City Centre Development Brief seek to promote Inverness City Centre and will support any proposal that achieves that or makes a positive contribution towards that aim.

On the basis of the above, it is considered that this proposal accords with the policies contained within the Development Plan.

8.4 Material Considerations

A light gold anodised colour is proposed for the cladding. The applicant has suggested that this should reflect the sandstone finish of the adjacent Town House. Additionally, the perforation pattern will reflect a local theme - a combination of differing opening diameters and a mix of polished and matte aluminium, the panels will be formed into an abstracted map of Inverness with the River Ness and the canal snaking across the elevation linking the Loch to the Firth. LED lighting will be used as part of the lighting strategy to backlight the proposed cladding.

When the application was first submitted, the proposed light gold colour was not considered appropriate but a more accurate representation of the cladding identifies that the panels will be of a subtle muted gold colour which is intended to better complement the sandstone of the adjacent Town House building.

The proposals were presented to the Inverness Design Review Panel on 15 October 2015 (see Appendix 2 for the report). Members of the Panel were supportive of the proposals and this is reflected in their final report. When presented to the Panel, the pattern on the cladding was yet to be finalised. The initial concept proposed an abstracted but accurate representation of a map of the area with the River Ness snaking from the loch to the sea. This was developed, in conjunction with artist Lucy Woodley, into a more stylised pattern with a series of fish swimming upstream on a broader band of river.

The Panel expressed a preference for the original, more abstracted concept. They did however have concerns about the west elevation which was originally blank. The proposals as submitted resolve this by realigning the pattern to provide sufficient visual interest on all sides of the building together with a richer and more varied pattern of perforations and surface finishes.

The concerns expressed in the third party representations raise issues in relation to the appearance of the building in its current context. While it is accepted that in a case like this, personal preference will influence how it is viewed, it is considered in this instance that the applicant has demonstrated that it is an appropriate treatment for the building, will add interest to an otherwise bland façade and every care has been taken to ensure that the colour of the panels will reflect the tones in the sandstone of the Town House and will not detract from other important buildings within this part of the city.

9. CONCLUSION

9.1 The design of the cladding has taken into account the buildings in the general area, in particular the Town House next door, more so in the use of a colour that will complement the sandstone. It will also result in the introduction of an element of public art to the public realm and thus establish an acceptable and appropriate development for this visually important site.

Inevitably a design like this will involve a degree of personal taste which will govern the final decision. It is however considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. RECOMMENDATION

Action required before decision issued	Ν
Notification to Scottish Ministers	N
Notification to Historic Scotland	Ν
Conclusion of Section 75 Agreement	Ν
Revocation of previous permission	Ν

Subject to the above, it is recommended the application be **GRANTED** subject to the following conditions and reasons / notes to applicant:

1. No development shall commence until full details of the external lighting to be used have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

2. No development shall commence until a maintenance scheme for the cleaning and upkeep of the cladding has been submitted to, and approved in writing by, the Planning Authority.

Reason: In order to ensure that the appearance of the cladding is maintained throughout its lifetime.

3. No development shall commence until details of measures to deter birds from nesting and landing on the cladding have been submitted to, and approved in writing by, the Planning Authority.

Reason: In order to deter birds from nesting and landing on the building.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMITS

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

- The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
- 2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: http://www.highland.gov.uk/yourenvironment/roadsandtransport

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm

Mud & Debris on Road

Please note that it an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Building Regulations: Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at Building.Standards@highland.gov.uk or on 01349 886606.

Signature: Allan J Todd

Designation: Area Planning Manager - South

Author: Elaine Watt

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Location Plan

Plan 2 - Elevation Plans

Plan 3 – Visualisations: night-time and daytime

Inverness Design Review Panel

Panel Report

Inverness Museum & Art Gallery: Re-clad

15 October 2015

This report is the view of the Inverness Design Review Panel and is not attributable to any one individual. It does not prejudice any of the organisations represented on the Panel forming a differing view about development proposals at a later stage.

Executive summary

The Panel is in favour of re-cladding Inverness Museum and Art Gallery as a medium-term measure to improve its appearance and extend its current use by approximately 10 years.

Overall, the Panel approves of the proposed design, including the use, pattern, colour and configuration of the metal cladding, and the proposed new lighting and signage. It is in favour of the cladding having an abstract, dynamic 2-D surface pattern rather than a stylised or symmetrical pattern, or text. Concerns are raised, however, about the appearance of the proposed wallhead treatment. The Panel suggests a number of ways that this and other aspects of the design could be refined, including measures that enable the cladding to be reused when the site is eventually re-developed.

The Panel suggests that the scope of work should be expanded to improve the pedestrian experience on approach to the Museum and to benefit surrounding views.

1. Introduction

1.1. This report relates to a proposal to over-clad part of the exterior of Inverness Museum and Art Gallery (IMAG). It should be read in conjunction with pre-meeting papers that presented the rationale and design principles and described the cladding system, appearance and lighting, including elevations and 3-D images.

2. Overview

- 2.1. The Panel is in favour of re-cladding IMAG as a medium-term measure to improve the appearance of the building and enhance the public realm at this prominent city centre location.
- 2.2. The Panel's comments are based on the understanding that re-cladding is a temporary measure, intended to extend the building's current use by approximately 10 years.

3. Design concept and approach

- 3.1. The Panel approves of the proposed design concept which is considered to be a worthwhile solution to a restricted brief. In particular, the following features are welcome:
 - Use of perforated aluminium as a cladding material;
 - Applying a 2D graphic to the cladding surface to enliven the appearance of the building;
 - Use of cladding to reconfigure the façade composition into base, middle and top;
 - Signage zone at wallhead level;
 - Façade lighting.

4. Maximising the benefit of proposed improvements

- 4.1. While recognising the limitations of the project brief, the Panel recommends the following additions to the scope of work to maximise visual impact and to benefit both IMAG and the wider setting:
 - Improve the pedestrian experience on approach to the Museum, including:
 - a more legible route to IMAG's entrance (using, for example, a distinct paving pattern incorporating the river theme);
 - more attractive steps leading from Bridge Street.
 - Extend the cladding across the entire building envelope (excluding the curved stair tower) to benefit views from the Castle and the west side of the building;
 - Paint all in-situ concrete at the stair tower enclosure.

5. Cladding colour

5.1. The Panel approves of the light gold anodised colour shown in the drawings. Getting the colour right will be key to improving the appearance of the existing building and enhancing the Town House setting, which is a priority.

6. Cladding surface: 2D Graphic pattern

- 6.1. Recognising that the development of an appropriate pattern is still under review, the Panel's preferred option is the abstracted River Ness map because this is considered to be more dynamic and less stylised/symmetrical than the current alternative.
- 6.2. The map pattern could be manipulated as appropriate to suit the configuration of the elevations.
- 6.3. The Panel is not in favour of incorporating text, such as "Fáilte", into the cladding graphics.

7. Wallhead

- 7.1. The proposed introduction of a continuous horizontal signage zone at wallhead level is welcomed but there is some concern as to whether:
 - exposing the existing concrete cladding is a satisfactory solution;
 - the proposed paint coating will retain a satisfactory appearance and condition over time;
 - a paint colour other than grey should be considered;
 - the metal screen should, instead, extend to the wallhead.

8. Refinements

- 8.1. Suggestions for refining the design proposal are as follows:
 - Ensure cladding can be conveniently dismantled and re-used as and when this site is redeveloped (e.g. as one continuous wall of outstretched panels);
 - Ensure high quality wallhead signage and effective façade lighting;
 - Reduce the impact of window openings on the cladding pattern by, for example, extending perforated panels across all /part of some openings;

Take steps to prevent birds nesting behind, perching on, and staining the cladding.

9. Examples

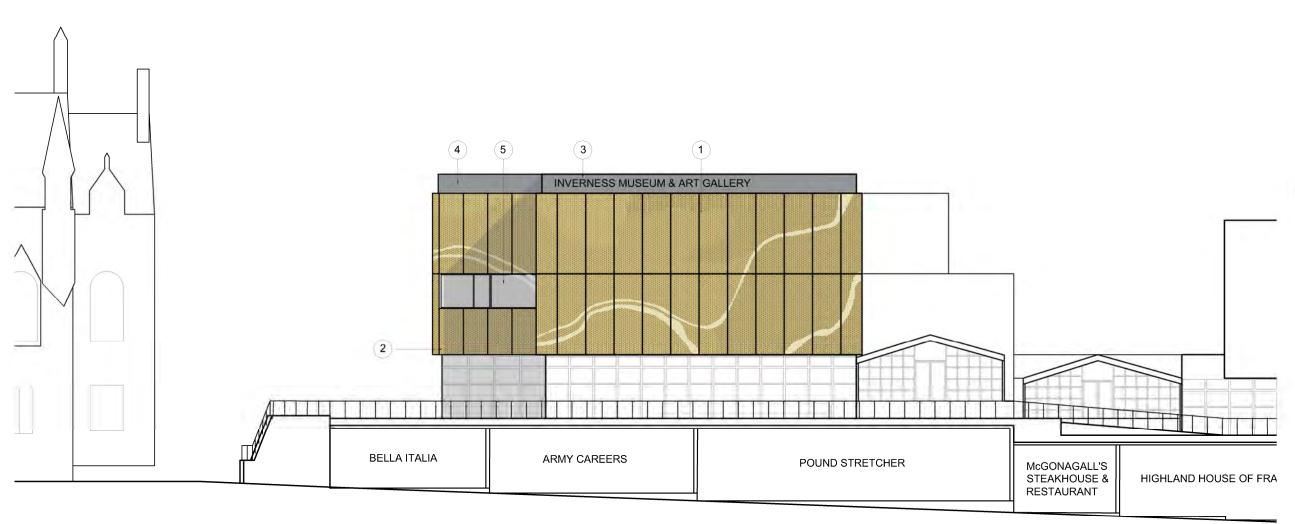
- 9.1. The following best-practice examples in the use of metal cladding were put forward:
 - Welsh Joint Education Committee, Cardiff (Jonathan Adams);
 - CircleBath Hospital, Bath (Foster & Partners);
 - Work of Reichen & Roberts Architects.

10. Community Safety

10.1. Community safety issues relate to occasional street drinking to the rear of IMAG and disturbances at the taxi rank on Castle Wynd. The separate proposal to move the taxi rank away from the Wynd is noted and welcomed.

11. Recommendations

- 11.1. The Panel recommends that the following considerations are taken into account when progressing the scheme:
 - Adhere to the design concept put forward in the design review, as set out in Para 3.1.
 - If possible, expand the scope of work to include improvements detailed in on Para 4.1.
 - Develop an abstract, dynamic 2-D pattern for the cladding surface, rather than a stylised or symmetrical pattern, or text.
 - Ensure the wallhead treatment will retain a satisfactory appearance and condition over time.
 - Invest in high quality signage and effective lighting.
 - Design to:
 - enable cladding to be dismantled and re-used if required;
 - prevent bird nuisance; and
 - reduce the impact of window openings on the cladding pattern.



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REVISION

A 10.02.16 Cladding revised

SD SG

New perforated anodised aluminium cladding fixed to existing concrete panels via support rails. Pattern of perforations and etched/polished finish, final pattern to be confirmed by artist

LED backlighting to rear of panels in strip around base.

Indicative location for future signage, to be subject to additional application.

Existing concrete panel with mineral paint (grey) where exposed.

Manifestation to existing windows in pattern of facade "river," to artist's design

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PROJECT

Inverness Museum

DRAWIN

Proposed Bridge Street Elevation



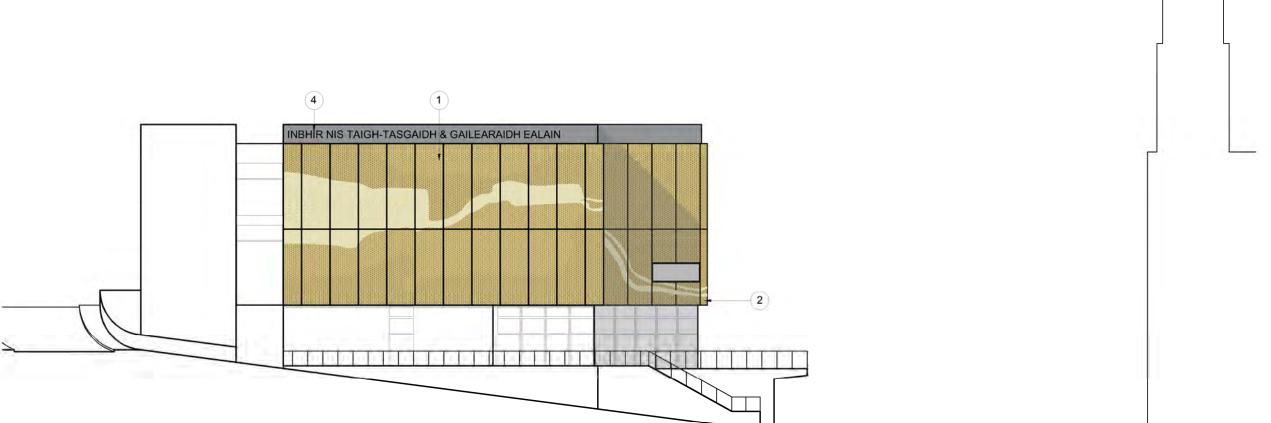
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LED backlighting to rear of panels in strip around base.

Existing concrete panel with mineral paint (grey) where exposed.

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PROJECT

Inverness Museum

DRAWING

Proposed Castle Wynd Elevation



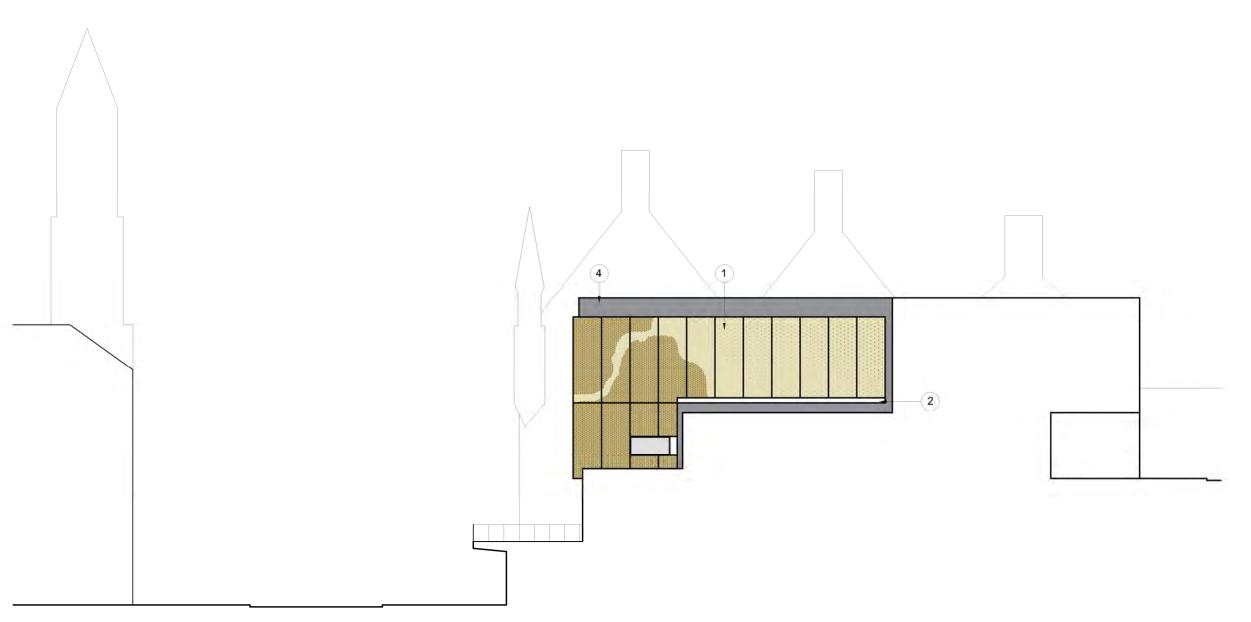
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- New perforated anodised aluminium cladding fixed to existing concrete panels via support rails. Pattern of perforations and etched/polished finish, final pattern to be confirmed by artist
 - LED backlighting to rear of panels in strip around base
- Existing concrete panel with mineral paint (grey) where exposed.

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PROJECT

Inverness Museum

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Proposed West Elevation

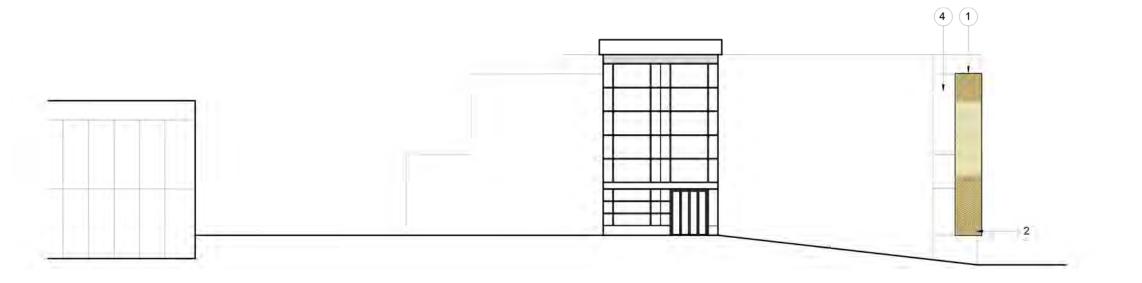


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LED backlighting to rear of panels in strip around base.

Existing concrete panel with mineral paint (grey) where exposed.

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PROJECT

Inverness Museum

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Proposed Entrance Elevation



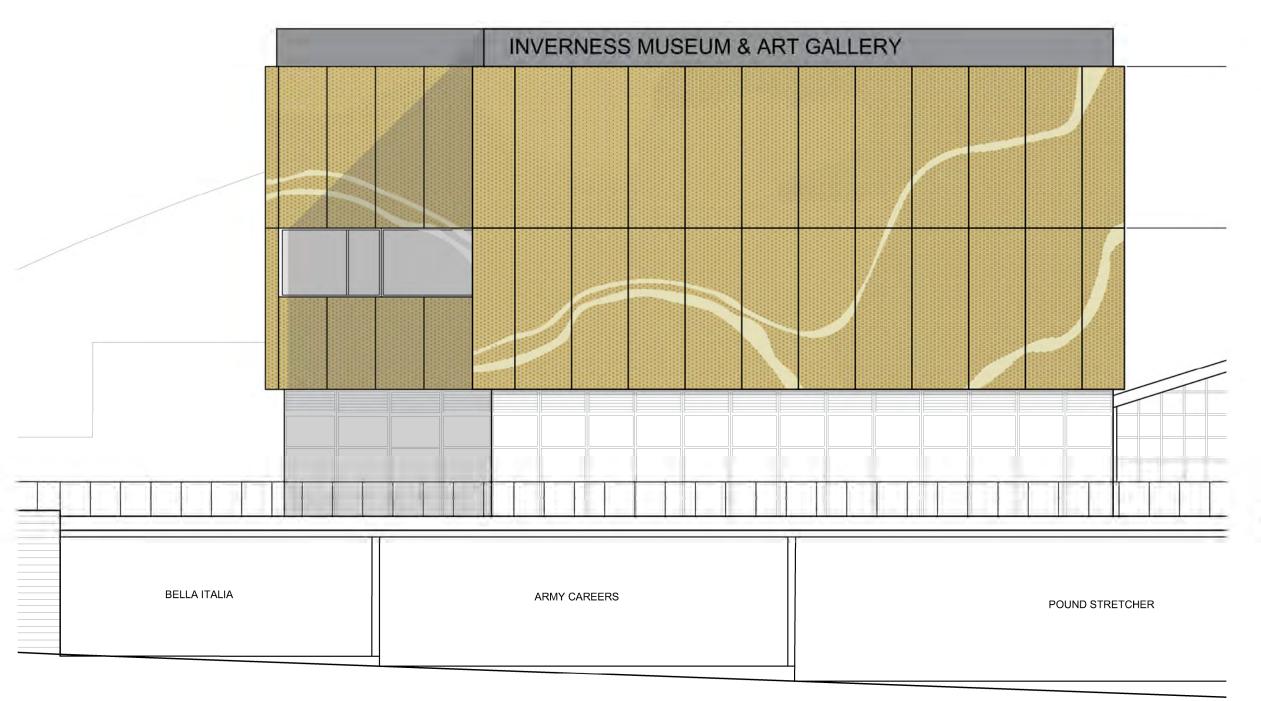
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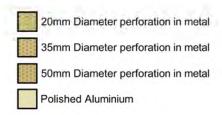
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PROJECT

Inverness Museum

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Proposed Bridge Street Cladding

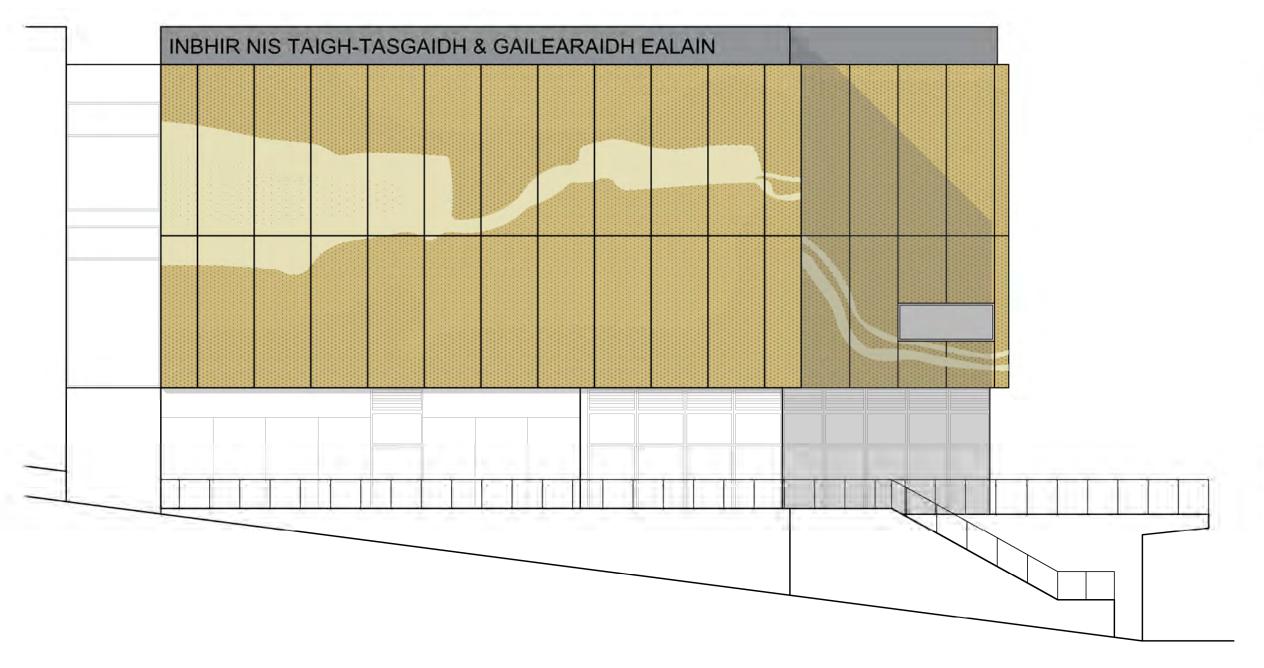


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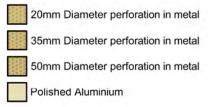
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PROJECT

Inverness Museum

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Proposed Castle Wynd Cladding



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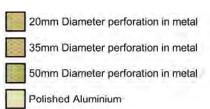
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Inverness Museum

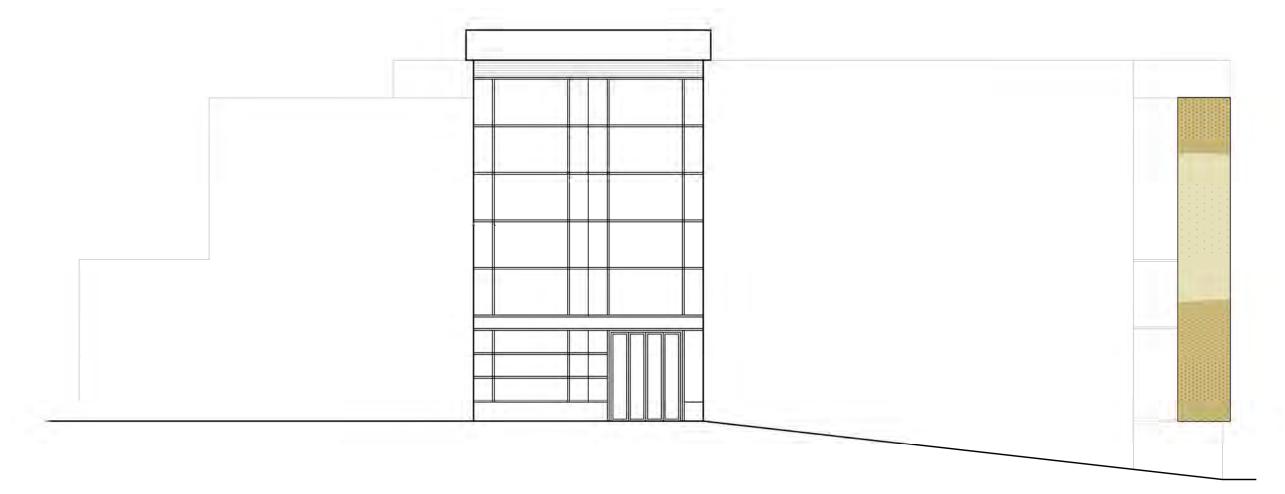
Proposed West Cladding



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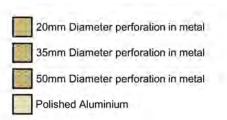
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Proposed South Cladding

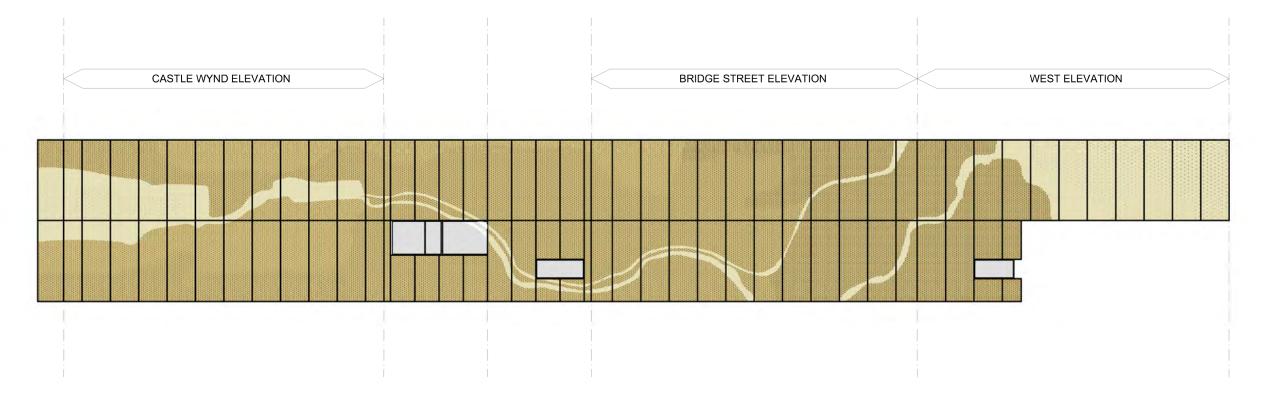


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Unwrapped Cladding



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