THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE 28 February 2017

Agenda Item	6.7
Report	PLS
No	017/17

16/05586/LBC: Eastgate Unit Trust 8 – 10 Academy Street, Inverness

Report by Area Planning Manager - South / Major Developments

SUMMARY

Description: Extension, alterations and partial demolition

Recommendation: GRANT

Ward: 15 - Inverness Central

Development category: Local

Pre-determination hearing: Not required

Reason referred to Committee: Manager's discretion

1. PROPOSED DEVELOPMENT

- 1.1 This proposal is Listed Building Consent for an extension to the existing category 'C' listed Filling Station restaurant which fronts onto Academy Street. The application for full planning permission is also included on this agenda. The extension is to the gable of the existing building and will extend out onto Falcon Square. The extension will join onto the gable elevation of the adjacent Falconer Building which is also listed category 'C'. It is a flat roofed single storey extension of contemporary design featuring glazed elevations. The proposal also includes the partial demolition of a wall and removal of a door on the easternmost corner of the existing building. It is essentially a redesign of the scheme that was submitted in 2016 and refused by members at the South Planning Applications Committee meeting on 27 September 2016.
- 1.2 The extension will be set back slightly from the principal elevation and extend out into Falcon Square by approximately 6.5 metres. It will run the remaining depth of the existing building before being brought back just behind the front facade of the Falconer building, enclosing the area between the existing buildings almost in an 'L' shaped footprint.
- 1.4 The applicant has engaged in informal pre-application discussions with officers in relation to the proposals. In addition, and since refusal of the previous application,

the applicant has engaged with the Inverness Design Review Panel.

- 1.5 The main access to the building will remain on the Academy Street façade however there will be a secondary access to the extension from Falcon Square itself. The existing foul and surface water drainage infrastructure will be amended to facilitate the proposal.
- 1.6 A Design and Access Statement has been submitted in support of the application.
- 1.7 **Variations:** Roof re-designed to feature thin cantilever edge and metal cladding upstand replaced with stone cladding.

2. SITE DESCRIPTION

- 2.1 The site forms part of the existing civic open space area of Falcon Square. To the north-east is the two storey listed building currently occupied by Pizza Express and Laura Ashley. To the south of the site is the remainder of Falcon Square bounded by Academy Street and Millburn Road.
- 2.2 The existing building is a two-storey detached building featuring rough ashlar walls, slate roof and gable chimney. There is a small area adjacent to the gable on Falcon Square that is used as an external seating area. There are three trees positioned parallel with the gable located just in front of the arches. The arches are to be retained and would become an internal feature of the extension whilst the trees would have to be removed/relocated.
- 2.3 The adjacent Falconer Building to which the extension will join is a two-storey detached building sub-divided into a restaurant and retail unit. It is rubble-built with ashlar dressings and has a slate roof featuring a tall French pyramidal attic projection.

3. PLANNING HISTORY

- 3.1 21.08.98: Advertisement consent and listed building consent granted for signage (98/00541/ADVIN and 98/00542/LBCIN);
 - 13.03.00: Planning application and listed building consent application withdrawn for retaining existing ground floor as restaurant and first floor conversion for use as restaurant (00/00137/FULIN and 00/00138/LBCIN);
 - 12.07.05: Planning permission and listed building consent granted to form windows and door in east gable with retractable roller awnings, fascia board to receive letters and velux windows (05/00257/FULIN and 05/00258/LBCIN);
 - 08.09.05: Planning permission and listed building consent granted for change of use from restaurant to public house (05/00751/FULIN and 05/00752/LBCIN);
 - 20.04.16: Advertisement consent and listed building consent granted for signage and pelmet light (05/01164/ADVIN and 05/01165/LBCIN);

27.09.16: Planning permission and Listed building consent refused for extension to restaurant and demolition of wall etc. (16/02798/FUL AND 16/02696/LBC).

4. PUBLIC PARTICIPATION

4.1 Advertised: listed Building. Expired 03.02.17

Representation deadline: 03.02.17

Timeous representations: None

Late representations: None

5. CONSULTATIONS

5.1 **Historic Environment Team:** Design broadly acceptable. Recommend that consideration be given to a natural stone upstand instead of the metal clad option and that roof edge design should be reconsidered.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

57 Natural, Built and Cultural Heritage

7. OTHER MATERIAL CONSIDERATIONS

7.1 **Draft Development Plan**

Not applicable.

7.2 Highland Council Supplementary Planning Policy Guidance

Sustainable Design Guide
Highland Historic Environment Strategy

7.3 **Other**

Managing Change in the Historic Environment (Extensions), Historic Environment Scotland

8. PLANNING APPRAISAL

8.1 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.2 In terms of preserving the character of the building this means preserving it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

8.3 **Development Plan Policy Assessment**

Policy 57 (Natural, Built and Cultural Heritage) of the Highland-wide Local Development Plan advises that development will normally be permitted providing it can be satisfactorily demonstrated that it will not have an unacceptable impact on natural, built or cultural heritage features. The key issue in assessing this application is therefore whether the proposed extension and related works preserve the character of the buildings listed as being of special interest.

8.4 Material Considerations

Design and Impact on building's character

- 8.4.1 Following concerns raised by members regarding the design of the previous extension and the subsequent refusal of the 2016 application, the applicant engaged with the Inverness Design Review Panel and presented several design options at their meeting on 20 October 2016.
- 8.4.2 The Panel subsequently prepared a feedback report to the applicant on 28 October 2016. A copy is appended to this report.
- 8.4.3 The executive summary states:

"The Panel supports the principle of extending the Filling Station to create an active frontage facing Falcon Square, which has significant potential to improve the ambience of this important civic space. More information is needed, however, to demonstrate how this will integrate with wider plans to alter and improve the square, and how this will enhance the character and appearance of the wider city centre environment. The Panel supports the use of high quality proprietary glazing to create a light, transparent extension to the Filling Station that is orthogonal in plan. Steps should be taken, however, to improve the proposed relationship between the extension and the existing built form. The design should also prioritise high quality lighting and signage."

8.4.4 redesigned extension reflects one of the Panel's overarching recommendations, which is to use high quality proprietary glazing to create a light, transparent extension that is orthogonal in plan. In addition, and following consultation with the Historic Environment Team, the roof design has been altered to create a thin cantilevered edge, which was also a recommendation from the Panel and stone cladding to the upstand, replacing the somewhat incongruous grey metal cladding. This modest contemporary intervention protects the character and appearance of the listed building. The redesigned extension meets the design principles set out in Historic Environment Scotland's guidance.

8.4.5 In addition to the above it is considered that the proposal will enhance the conservation area at this location in accordance with the Council's general duty under Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

8.5 Other Considerations – not material

Not applicable.

8.6 Matters to be secured by Section 75 Agreement

Not applicable.

9. CONCLUSION

- 9.1 Through the submission of this revised proposal, the applicant has demonstrated a willingness to engage with the Council in taking forward improvements to the original scheme, including attendance at the Design Review Panel and addressing many of the recommendations made by the Panel as well as addressing the concerns of members during deliberation of the original proposal. The net result is a significantly improved proposal that enhances the original design of the extension and its relationship with the main listed building, as well as that of the adjoining listed buildings.
- 9.2 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. In particular it is considered that the proposal will preserve the character and setting of the listed buildings to which it relates.

10. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers	N	Not required
Notification to Historic Scotland	N	Not required
Conclusion of Section 75 Agreement	N	Not required
Revocation of previous permission	N	Not required

Subject to the above, it is recommended the listed building consent be **Granted** subject to the following conditions and reasons / notes to applicant:

1. A detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) shall be submitted to, and approved in writing by, the Planning Authority prior to installation. Thereafter, development and work shall progress in accordance with these approved details.

Reason: To ensure that the development is sensitive to, and compatible with, its

context and local architectural styles.

2. No plant, machinery or equipment shall be installed on the roof of the extension.

Reason: To preserve the character and setting of the listed building.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and is not considered to detrimentally affect the character or setting of the listed buildings to which it relates and there are no material considerations which would warrant refusal of the application.

TIME LIMITS

In accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) (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

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

Signature: Nicola Drummond

Designation: Area Planning Manager – South/Major Developments

Author: John Kelly

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

Relevant Plans: Plan 1 – Location Plan

Plan 2 – Site Plan

Plan 3 – Ground Floor Plan

Plan 4 – Roof Plan

Plan 5 – Falcon Square Elevation

Plan 6 - Academy Street Elevation

Plan 7 – Station Lane Elevation

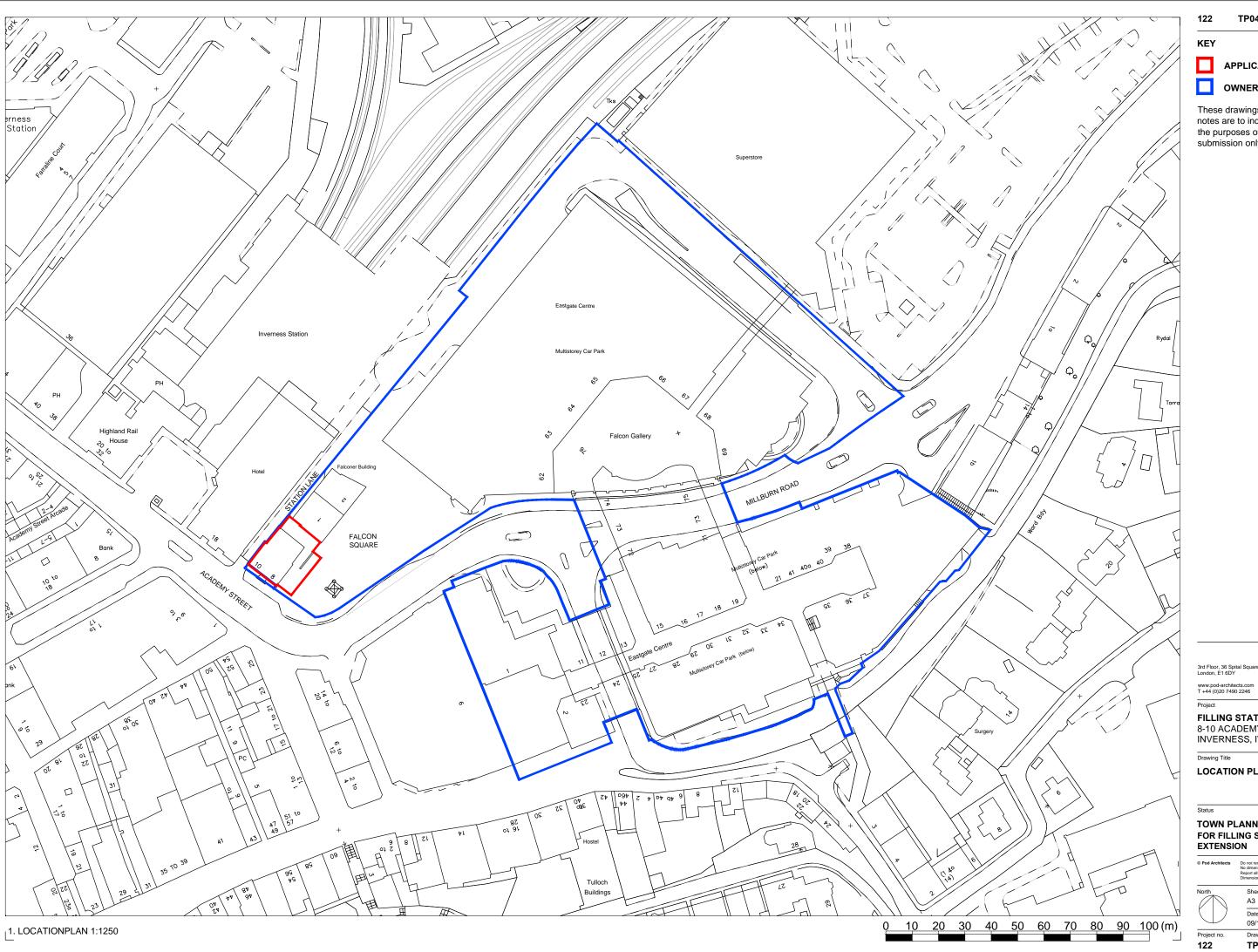
Plan 8 – Section AA

Plan 9 – Section BB

Plan 10 – Masterplan

Visualisation A – Falcon Square Elevation

Visualisation B - North View Close Up



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APPLICATION BOUNDARY

OWNERSHIP BOUNDARY

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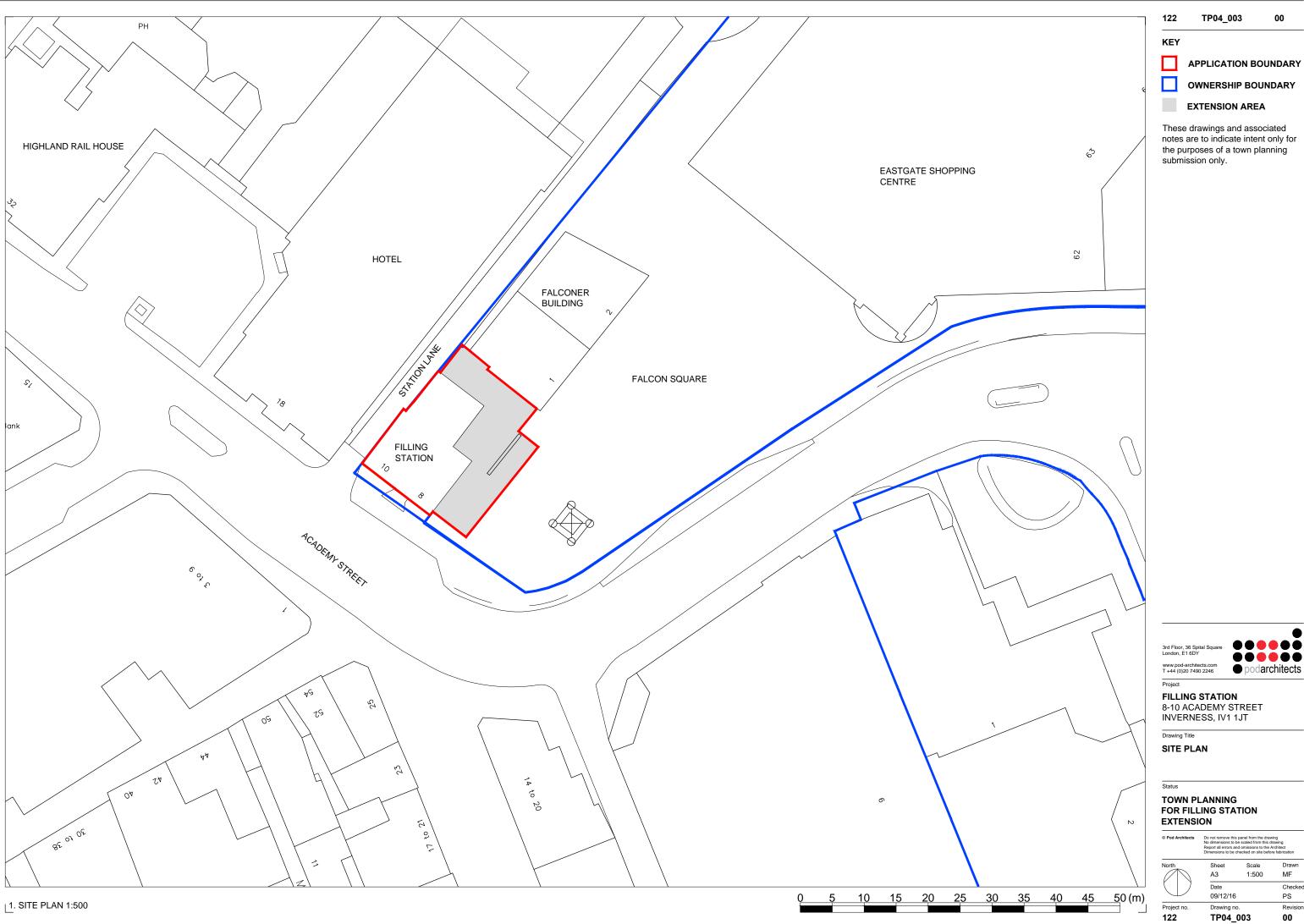
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FILLING STATION 8-10 ACADEMY STREET INVERNESS, IV1 1JT

LOCATION PLAN

TOWN PLANNING FOR FILLING STATION EXTENSION

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FOR FILLING STATION

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Drawing based on J.A.Leask Architects drawing supplied to POD by Eastgate Shopping Centre management- Drawing ASG 25416/(1-)03C Proposed Ground Floor Plan

Drawing based on Derek Lovejoy Partnership-Drawing DL/E1/E01(97).H10

Drawing based on Malcolm Hollis DWG drawings:

165 sq m Seating area 21.5 sq m Kitchen

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Indicative interior layout shown. Final proposal to tenants' interior architect design.

DESIGN PANEL RECOMMENDATIONS INCLUDED IN PROPOSAL:

1. EXISTING WINDOWS REMOVED TO CREATE **OPENINGS IN FILLING STATION** GABLE WALL TO ENHANCE THE VISUAL EFFECT OF LAYERED SPACE.

2. INTERNAL LEVEL DIFFERENCE BETWEEN **OUTSIDE LEVEL INCREASES** TOWARDS ACADEMY STREET **ELEVATION IN ORDER TO CREATE A DEGREE OF SEPARATION BETWEEN DINERS AND STREET USERS.**

3. FRITTING ACROSS HIGH **QUALITY GLAZING IN ORDER** TO INTRODUCE OPAQUE **ELEMENTS ACROSS FACADE.**

4. PUBLIC ENHANCEMENT SCHEME FOR FALCON SQUARE PROVIDES, SEATING, LIGHTING, CYCLE PARKING, BIN STORAGE, TREE REPLACEMENT AND SOFT LANDSCAPING FEATURES.



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PROPOSED GROUND FLOOR

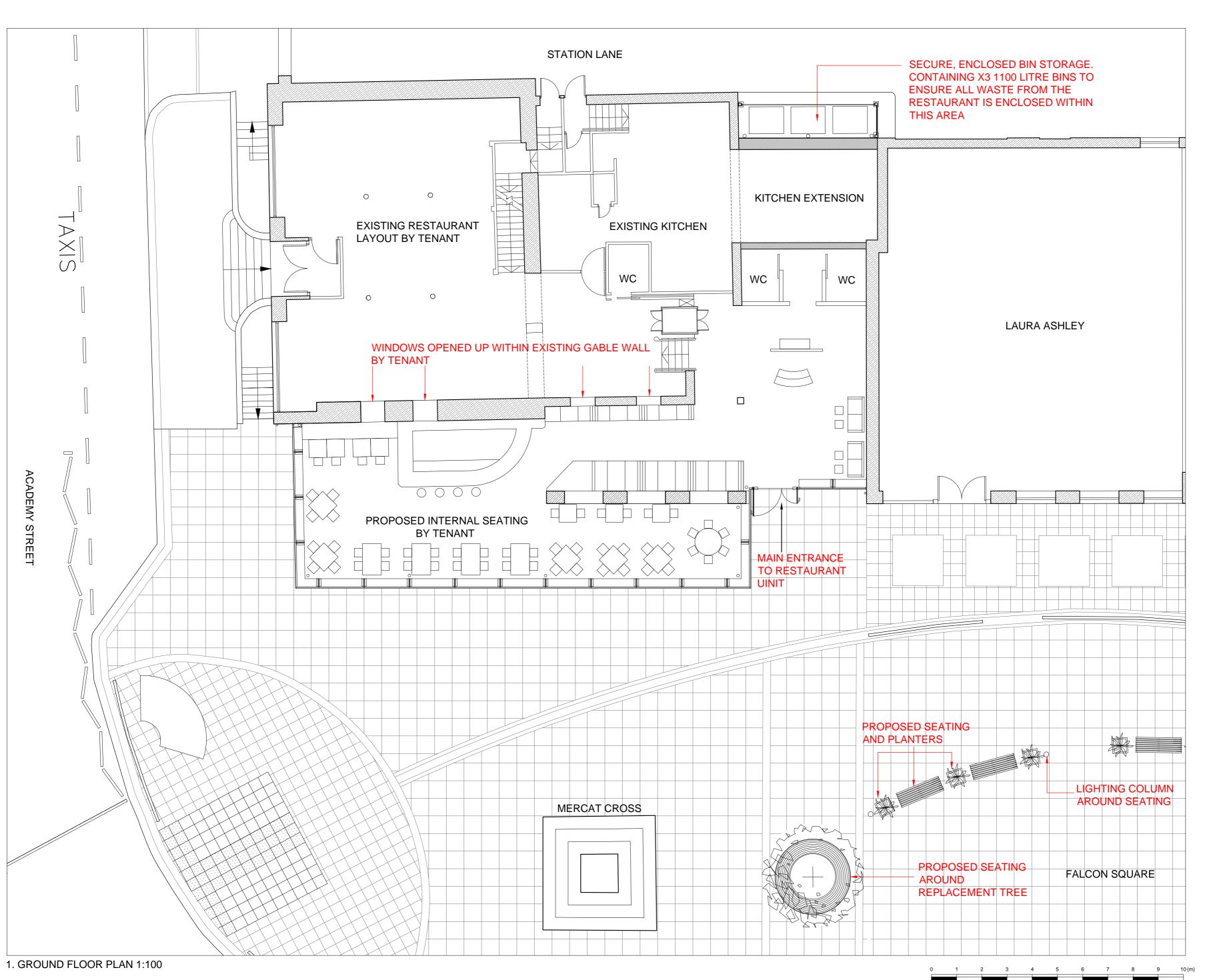
TOWN PLANNING FOR FILLING STATION

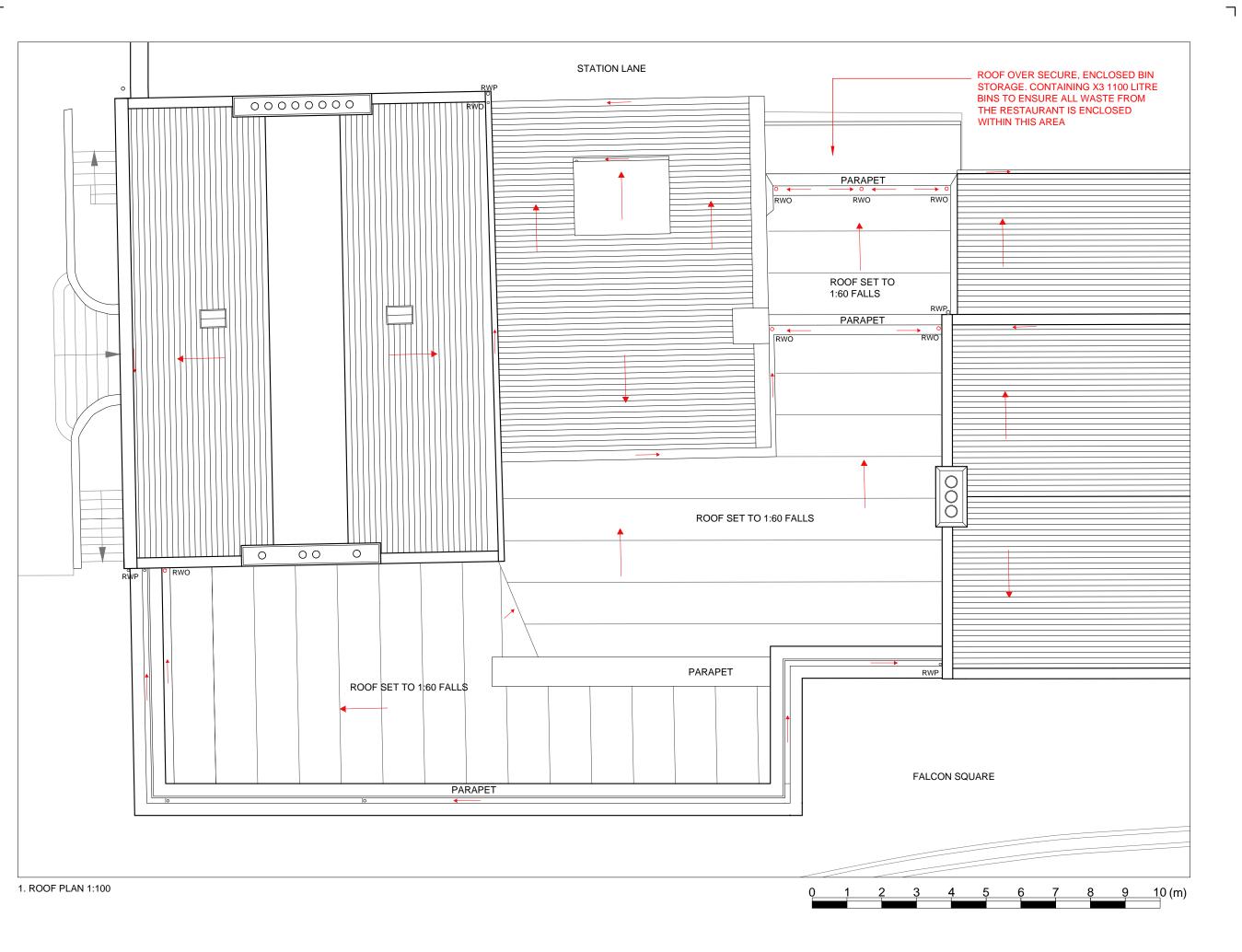
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KEY:

Roof slope

Drainpipe slope

01

RWP Rainwater pipe

Rainwater outlet

Drawing based on J.A.Leask Architects drawing supplied to POD by Eastgate Shopping Centre management- Drawing ASG 25416/(1-)03C Proposed Ground Floor Plan

Drawing based on Derek Lovejoy Partnership- Drawing DL/E1/E01(97).H10

Drawing based on Malcolm Hollis DWG drawings: 50937-E-01-REVA 50937-T-01-REVB

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> **DESIGN PANEL** RECOMMENDATIONS INCLUDED IN PROPOSAL:

1. ROOF PROFILE **DESIGNED TO ACHIEVE** SKINNY, RAZOR SHARP PROFILE. THICKNESS OF **ROOF IS THE SMALLEST ACHIEVABLE FOR THE** STRUCTURAL BUILD UP OF THE ROOF



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Drawing Title

PROPOSED ROOF PLAN PLAN

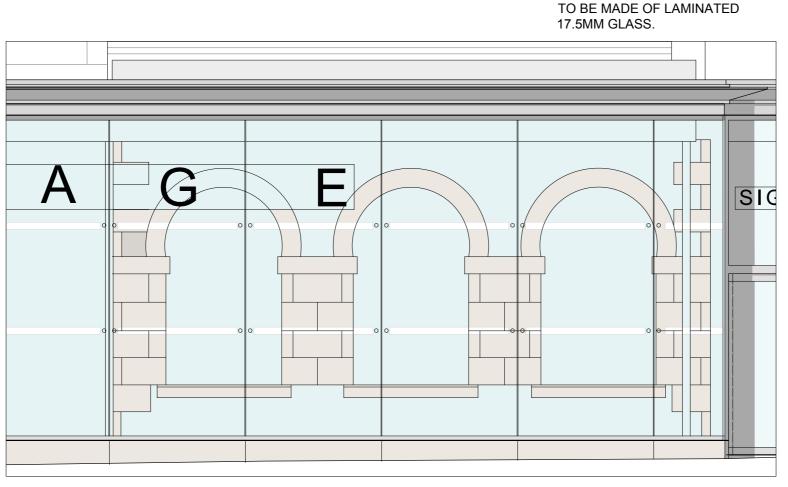
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GLAZING

PANELS TO UPSTAND

3. KEY PLAN 1:500

2. ARCHES ENCLOSED IN PROPOSAL 1:50

WITHIN EXISTING GABLE

WALL

STRUCTURAL GLAZING

WHERE INDICATED.

SYSTEM WITH SIGNAGE TO

INTERNAL FACE OF GLAZING

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WITH PUSH BUTTON POWER

STEEL PULL HANDLES. DOOR

ASSSITED OPENING, STAINLESS

- 4. FRITTING ACROSS HIGH QUALITY GLAZING IN ORDER TO INTRODUCE OPAQUE ELEMENTS ACROSS FACADE.
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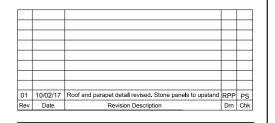
Drawing based on J.A.Leask Architects drawing

supplied to POD by Eastgate Shopping Centre management- Drawing ASG 25416/(2-)02D Proposed Elevations Drawing based on Derek Lovejoy Partnership-

Drawing DL/E1/E01(97).H10

Drawing based on Malcolm Hollis DWG drawings: 50937-E-01-REVA 50937-T-01-REVB

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Project

FILLING STATION 8-10 ACADEMY STREET INVERNESS, IV1 1JT

Drawing Title

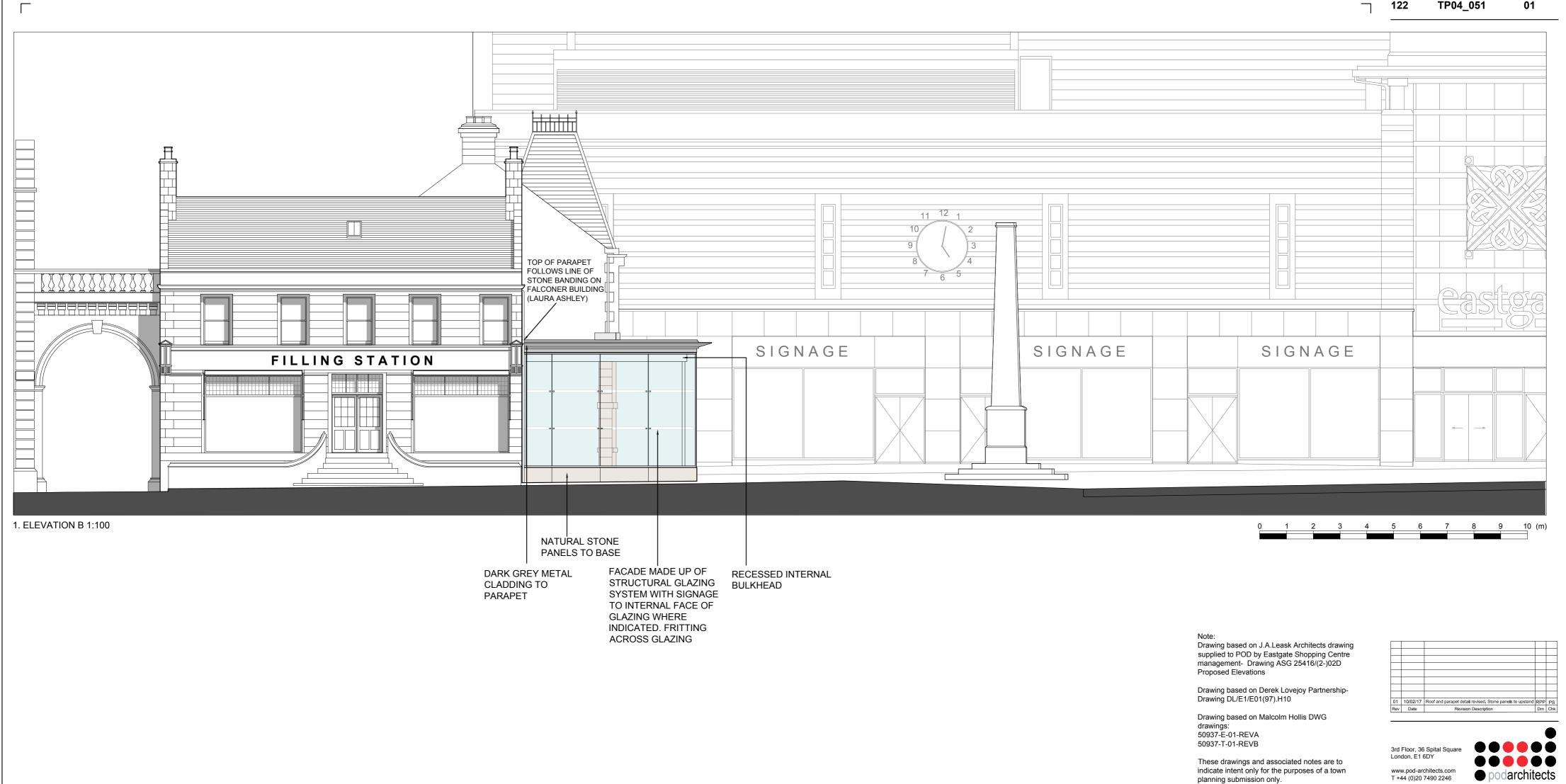
PROPOSED ELEVATION A

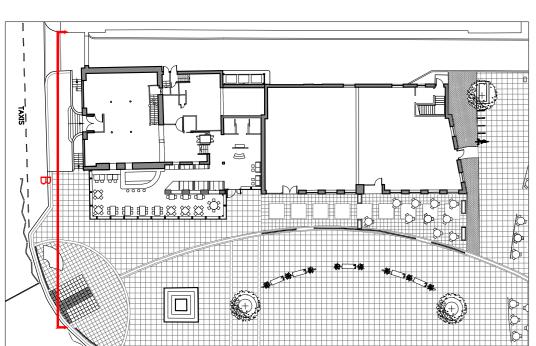
TOWN PLANNING FOR FILLING STATION **EXTENSION**

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DESIGN PANEL RECOMMENDATIONS INCLUDED IN PROPOSAL:

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- 3. FACADES OF THE EXTENSION ARE GLAZED. THE GLAZING ENABLES THE PROPOSAL TO CREATE A LIGHT TRANSPARENT DESIGN WHICH IS THE PREFERED MATERIAL CHOICE FROM THE DESIGN PANEL.
- 4. FRITTING ACROSS HIGH QUALITY GLAZING IN ORDER TO INTRODUCE OPAQUE ELEMENTS ACROSS FACADE.
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FILLING STATION 8-10 ACADEMY STREET INVERNESS, IV1 1JT

Drawing Title

PROPOSED ELEVATION B

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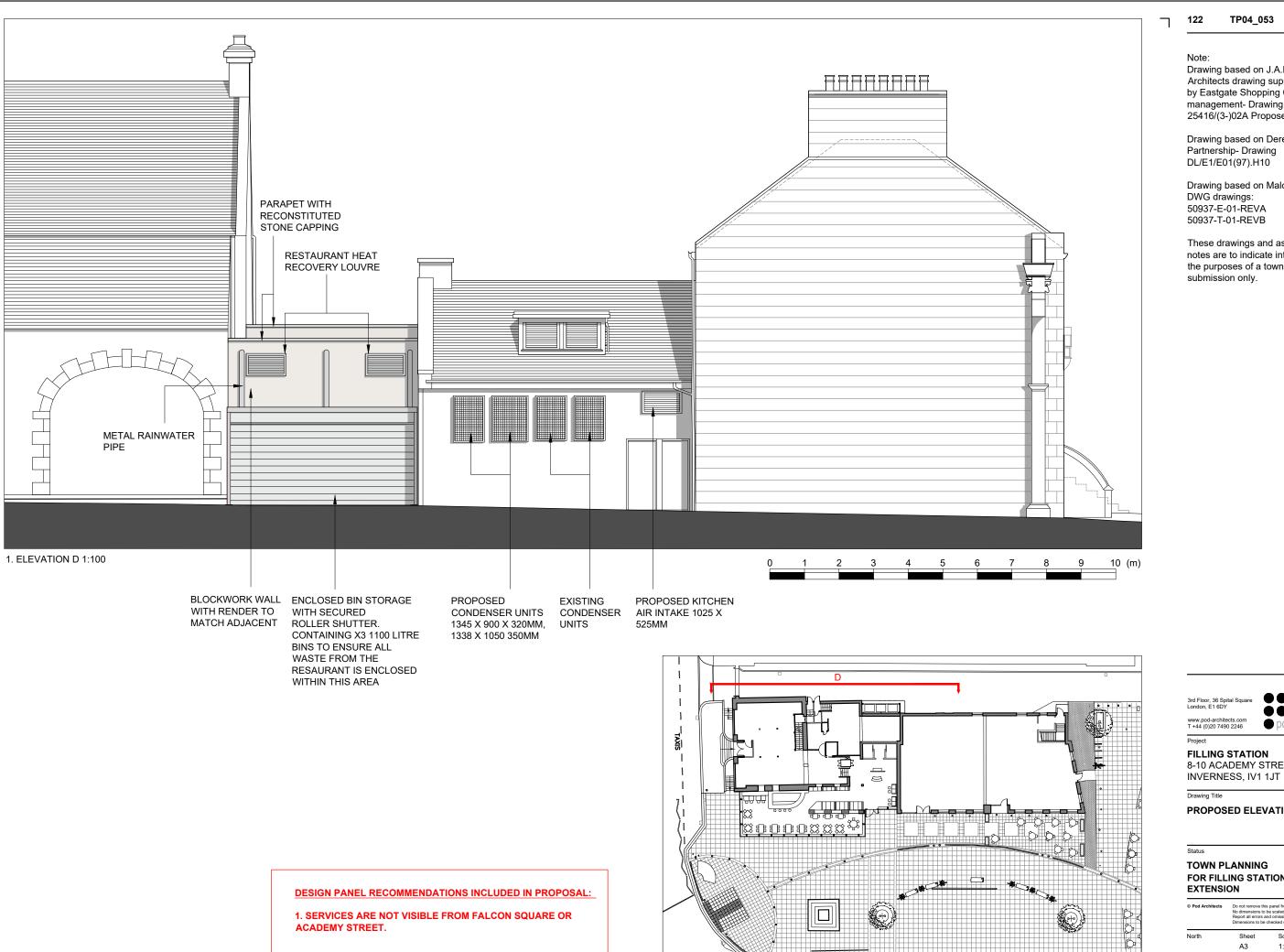
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TOWN PLANNING FOR FILLING STATION **EXTENSION**

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2. KEY PLAN 1:500

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2. KEY PLAN 1:500

Drawing based on J.A.Leask Architects drawing supplied to POD by Eastgate Shopping Centre management- Drawing ASG 25416/(3-)02A Proposed Sections

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Drawing based on Derek Lovejoy Partnership- Drawing DL/E1/E01(97).H10

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FILLING STATION 8-10 ACADEMY STREET

PROPOSED ELEVATION D

TOWN PLANNING FOR FILLING STATION **EXTENSION**

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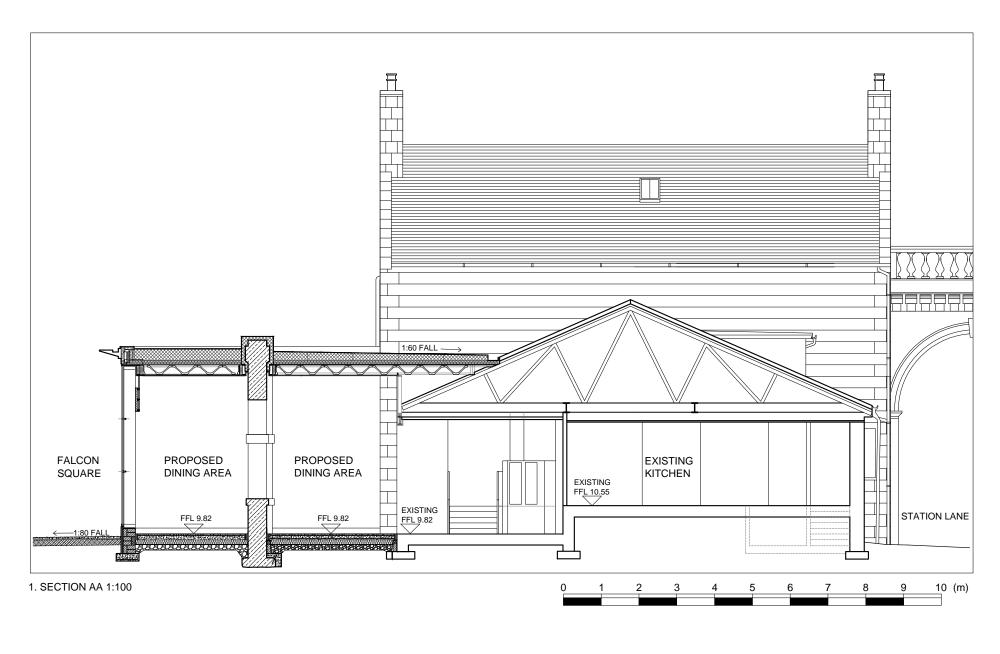
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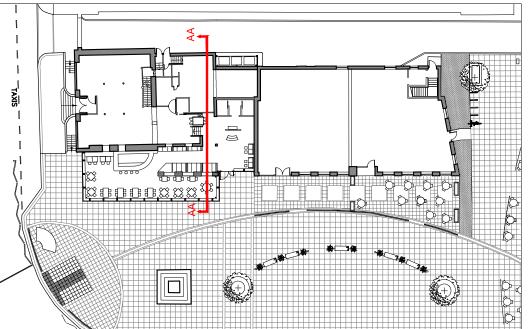
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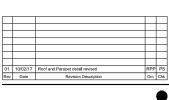




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8-10 ACADEMY STREET INVERNESS, IV1 1JT

Project

Drawing Title PROPOSED SECTION AA

TOWN PLANNING FOR FILLING STATION **EXTENSION**

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2. KEY PLAN 1:500

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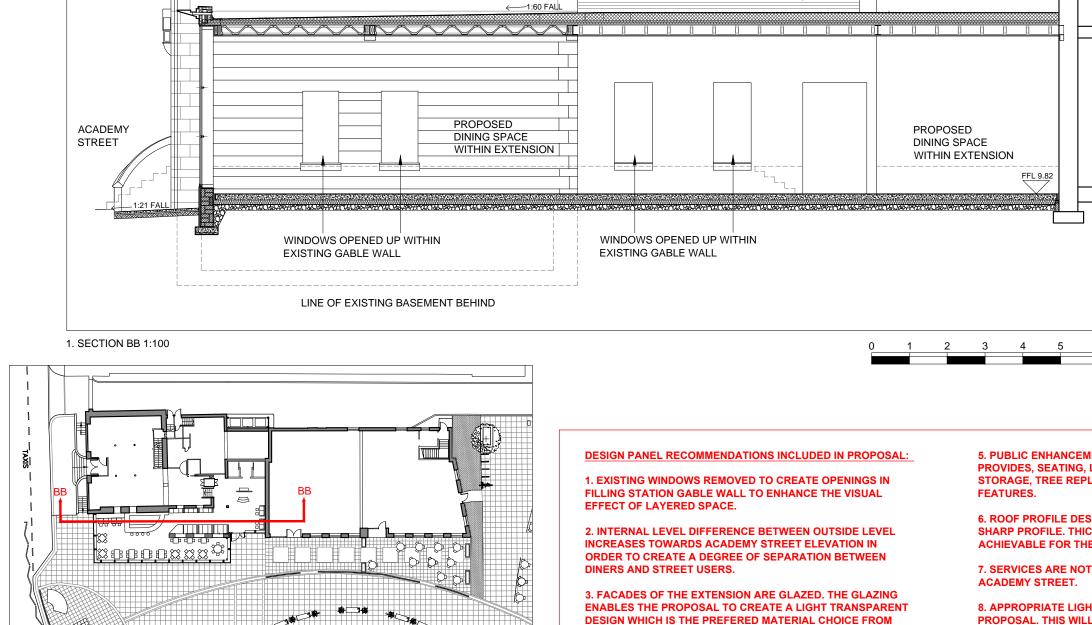
Drawing based on J.A.Leask Architects drawing supplied to POD by Eastgate Shopping Centre management- Drawing ASG 25416/(3-)02A Proposed Sections

TP04_061

Drawing based on Derek Lovejoy Partnership- Drawing DL/E1/E01(97).H10

Drawing based on Malcolm Hollis DWG drawings: 50937-E-01-REVA 50937-T-01-REVB

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- DESIGN WHICH IS THE PREFERED MATERIAL CHOICE FROM THE DESIGN PANEL.
- 4. FRITTING ACROSS HIGH QUALITY GLAZING IN ORDER TO INTRODUCE OPAQUE ELEMENTS ACROSS FACADE.

EXISTING FILLING STATION BUILDING

- 5. PUBLIC ENHANCEMENT SCHEME FOR FALCON SQUARE PROVIDES, SEATING, LIGHTING, CYCLE PARKING, BIN STORAGE, TREE REPLACEMENT AND SOFT LANDSCAPING
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Drawing Title

PROPOSED SECTION BB

TOWN PLANNING FOR FILLING STATION **EXTENSION**

Scale

MA АЗ 1:100 Date Checked 17/11/16 TP04_061

2. KEY PLAN 1:500

LIGHTING

RE-POSITIONED AROUND

FALCON SQUARE



WASTE MANAGEMENT ENCLOSED SECURE BIN STORAGE CONTAINING 3 1100 LITRE BINS FOR FILLING STATION PROPOSAL. ALL WASTE TO BE CONTAINED WITHIN THIS AREA. WASTE MANAGEMENT FOR PROPOSED F&B UNITS 1-4 SECURELY STORED IN EXISTING LOADING BAY 1.

STATION LANE



5 PROPOSED BIKE STANDS TO MATCH EXISTING D-SHAPED PROFILE BIKE STANDS

LIGHTING



PROPOSED LIGHTING ACROSS FACADE OF PROPOSED EXTNESION TO EASTGATE SHOPPING CENTRE TO ENSURE ROUTE TO AND FROM INVERNESS STATION IS WELL LIT.

PLANTERS



8 PROPOSED POWDER COATED STEEL PLANTERS IN BRIGHT COLOUR

PUBLIC SEATING



5 PROPOSED STEEL SEATING IN BRIGHT COLOUR. SEATING SET OUT TO REFLECT SEATING AREA ADJACENT TO FALCONER BUILDING. PROPOSED SEATING POSITIONED IN ORDER TO CREATE AN **EXHIBITION SPACE IN FALCON SQUARE WHILST** MAINTAINING KEY ACCESS ROUTES AROUND THE SQUARE.

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Project

FILLING STATION 8-10 ACADEMY STREET **INVERNESS IV1 1JT**

Drawing Title

MASTERPLAN

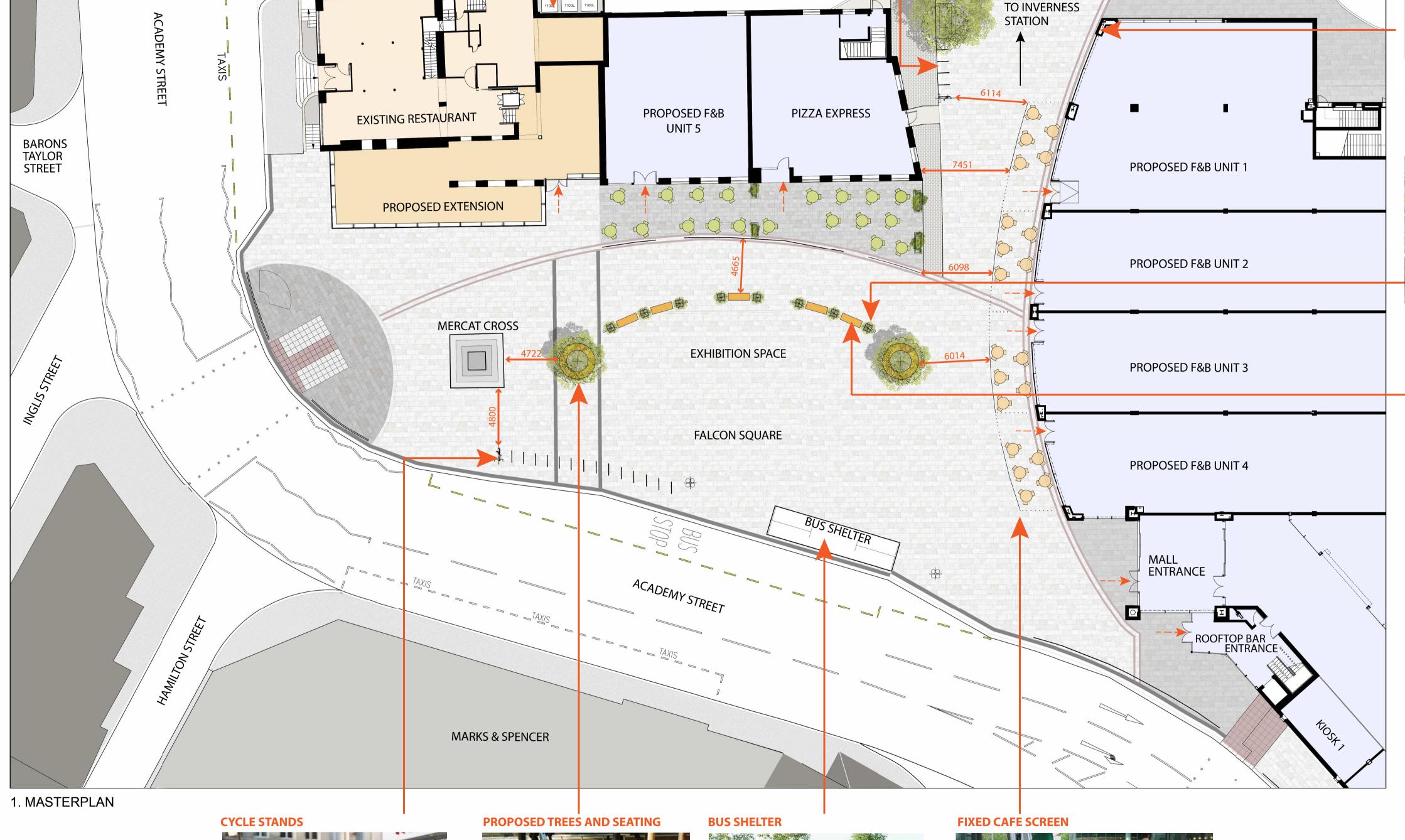
Status

TOWN PLANNING

© Pod Architects Do not remove this panel from the drawing No dimensions to be scaled from this drawing

Report all errors and omissions to the Architect
Dimensions to be checked on site before fabrication 1:200

RPP Checked PS Revision Project no. Drawing no. .122 TP04_001 00



15 EXISTING D-SHAPED PROFILE BIKE STANDS RE-POSITIONED IN FALCON SQUARE. BIKES STANDS POSITIONED IN ACCESSIBLE LOCATIONS AROUND THE SQUARE.

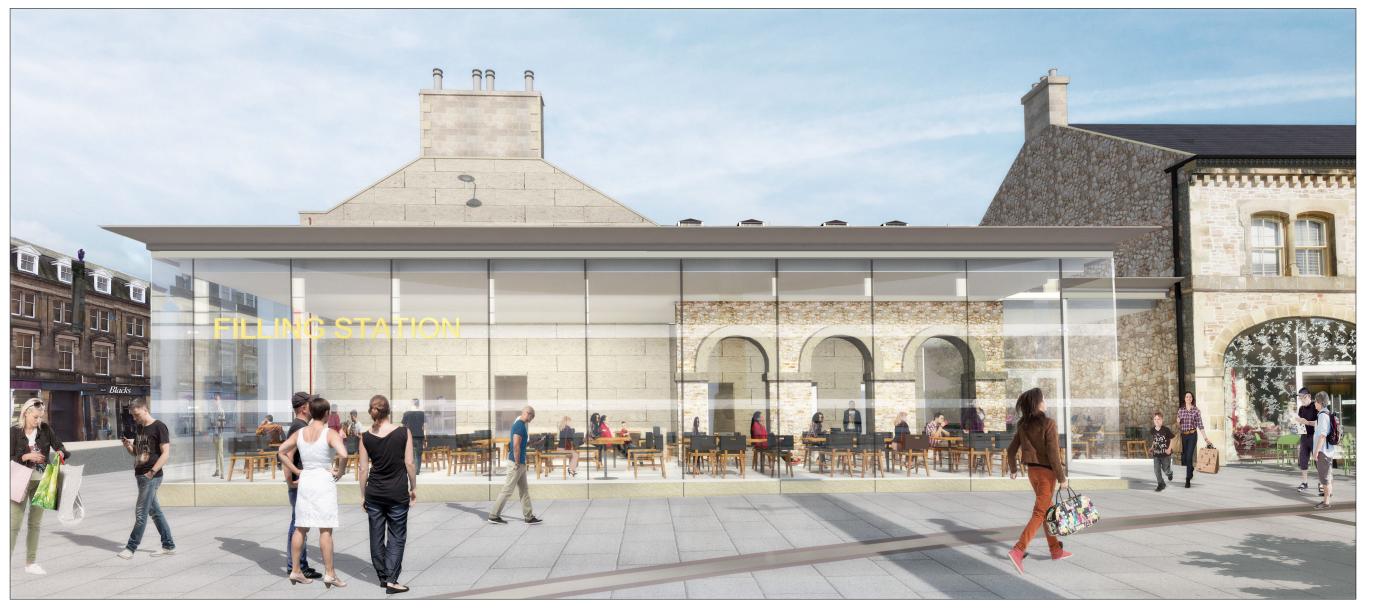


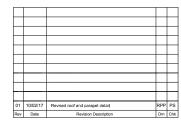
2 REPLACEMENT TREES POSITIONED WITHIN CIRCULAR POWDER COATED STEEL SEATING IN FALCON SQUARE.

PROPOSED ENLARGED BUS SHELTER 11M X 2.5M

CAFE SCREEN SYSTEM AROUND OUTSIDE SEATING AREAS FOR PROPOSED F&B UNITS 1-4. SYSTEM COMPRISED OF FABRIC AND POST SYSTEM FIXED INTO GROUND.

These drawings and associated notes are to indicate intent only for the purposes of a town planning submission only.





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FILLING STATION 8-10 ACADEMY STREET INVERNESS, IV1 1JT

Drawing Title

PROPOSED VISUAL 5 ELEVATION VIEW

Status

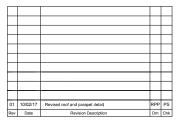
TOWN PLANNING FOR FILLING STATION EXTENSION

© Pod Architects	Do not remove this panel from the drawing No dimensions to be scaled from this drawing Report all errors and omissions to the Archite Dimensions to be checked on site before fabri
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Project no.	Drawing no.		Revision
	09/12/16		PS
	Date		Checked
North	Sheet A3	Scale NTS	Drawn MF

These drawings and associated notes are to indicate intent only for the purposes of a town planning submission only.





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FILLING STATION 8-10 ACADEMY STREET INVERNESS, IV1 1JT

PROPOSED VISUAL 4 NORTH VIEW - CLOSE UP

Status

TOWN PLANNING FOR FILLING STATION EXTENSION

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North	Sheet	Scale	Drav
	A3	NTS	MF

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