| Agenda Item | 6.3 |
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| Report | PLS |
| No | 052/17 |

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 19 September 2017

Report Title: 17/03079/FUL: Scottish Courts & Tribunals Service

Development of new Inverness Justice Centre comprising courts,

offices and ancillary accommodation and access

Report By: Area Planning Manager – South/Major Developments

Purpose/Executive Summary

Description: Development of new Inverness Justice Centre comprising courts,

offices and ancillary accommodation and access

Ward: 16: Inverness Millburn

Development category: Major

Reason referred to Committee: Major Application

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.

Recommendation

Members are asked to agree the recommendation to **Grant Planning Permission** as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The application relates to the construction of a Justice Centre and ancillary works. This application seeks to modify the previously approved design and layout of the building to reflect changing user accommodation requirements. The development comprises:
 - Courts
 - Office space;
 - Cafè;
 - 47 car parking spaces;
 - 36 Cycle spaces;
 - A reconfigured accesses to Longman Road (A82(T));
 - A secure access from Burnett Road; and
 - Ancillary accommodation and development
- 1.2 The key changes between the original application granted under reference 16/05152/FUL and the now proposed scheme are as follows:
 - Reduction in floor area reflecting evolving user requirements;
 - Modification in external design from a building with two wings forming a "V" shape to a single building following a linear form;
 - Removal of access and car parking from Police Scotland Area Command Blue Light Access on Longman Road;
 - Reduction in car parking commensurate with reduction in floor space;
 - Provision of larger turning point and drop off area; and
 - Increased provision of public open space within the site.
- 1.3 The applicant has undertaken public consultation on the modified design which included an event held in the Spectrum Centre, Inverness on 22 June 2017. In addition the applicant has been through the Council's Pre-Application Advice Service for Major Development.
- 1.4 The applicant presented the revised proposals to the Inverness Design Review Panel. The Panel's Executive Summary is referred to below and the main report is included as Appendix 2.

The Panel considers this revised proposal to be a sound design solution to a complicated set of requirements, which delivers an elegant, effective balance of form and function. The Panel emphasises the role that this important civic development will have in influencing design standards and land use options at a prominent gateway to the city centre. The proposed palette of high quality materials is therefore a priority and should not be watered down between specification and construction. In finalising the proposal, the design of public open space should receive the same care and attention afforded to the new building. The needs of vulnerable building users must also be factored into the design of internal space, including effective use of public art. Counterterrorism measures should be reviewed with Police Scotland's local adviser.

1.5 There is an existing access into the site on Longman Road which had historically been used to serve the Inverness College UHI building. The access to the site from Burnett

Road is immediately adjacent to the one that serves Police Scotland Area Command.

- 1.6 The application was supported by the following information:
 - Design, Access and Sustainability Statement;
 - Pre-Application Consultation Report;
 - Landscaping Plan and Landscape Specification;
 - Tree Constraints Plan;
 - Cultural Heritage Assessment;
 - Drainage Assessment;
 - Geo-Environmental and Geotechnical Site Investigation;
 - Noise Survey;
 - Planning Statement;
 - Transport Assessment; and
 - Visualisations.
- 1.7 **Variations**: None.

2. SITE DESCRIPTION

- 2.1 The site comprises the car park of the former Inverness College UHI building and a former bus depot most recently used as a building supplies outlet. The site was predominantly hard standing with limited soft landscaping. Following consent for the previous layout of the site, the buildings on the site were demolished and the site cleared. The site is bounded to the south by the Police Scotland Area Command, by Longman Road (A82(T)) to the east, by the former Inverness College UHI building to the north and Burnett Road to the west.
- 2.2 The site sits slightly below the level of the A82 but is predominantly flat.
- 2.3 There are no natural or cultural heritage designations covering the site. Within the application boundary, there are no sites of archaeological interest recorded in the Highland Historic Environment Record.
- 2.4 The development site is not covered by any international, national, regional or local landscape designations. The site lies within the Inverness Firth Commercial and Harbour Area Character Type (LCT) as identified in the Inverness District Landscape Character Assessment (LCA) (SNH, 1999).

3. PLANNING HISTORY

- 3.1 18.07.2017 Environmental Impact Assessment Screening Request for development of new Inverness Justice Centre comprising courts, offices and ancillary accommodation, associated infrastructure, access and works. Determined Environmental Impact Assessment is not required (17/03182/SCRE)
- 3.2 06.03.2017 Development of new Inverness Justice Centre comprising courts, offices, cafe, and ancillary accommodation. Planning Permission Granted (16/05152/FUL)

- 3.3 15.08.2016 Environmental Impact Assessment Screening Request for development of proposed Justice Centre. Determined Environmental Impact Assessment is not required (16/03349/SCRE)
- 3.4 20.07.2016 Proposal of Application Notice for Development of Proposed Justice Centre (16/03177/PAN)

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour: 21.07.2017

Representation deadline: 04.08.2017

Timeous representations: 1

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:
 - Lack of staff car parking
- 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 **Crown and City Centre Community Council**: do not object to the application. Support is given to the proposal in terms of its design and location.
- 5.2 **THC Access Officer**: does not object to the application. A request is made for the geometry of the footpath / cycleway to be reconsidered at the junction between the path through the site and its junction with Burnett Road.
- 5.3 **THC Contaminated Land**: do not object to the application. A condition is requested to deal with the potential contamination on site.
- 5.4 **THC Development Plans Team**: do not object to the application. Concerns are raised as to the compatibility with the emerging City Centre Development Brief, active travel connectivity, and layout of the open space.
- 5.5 **THC Environmental Health**: do not object to the application. Conditions are requested to control operational noise from any plant and to seek a construction noise assessment.
- 5.6 **THC Flood Risk Management**: do not object to the application. A condition is sought to secure details of the drainage design, conforming with the drainage strategy set out in the Drainage Impact Assessment.
- 5.7 **THC Forestry Officer**: does not object to the application. Conditions are sought to

- secure no felling of trees within the application site; tree protection measures; and implementation of the landscape planting plan.
- 5.8 **THC Historic Environment Team**: do not object to the application. They confirm that there are no sensitive historic environment issues on the site.
- 5.9 **THC Transport Planning Team**: do not object to the application. Clarification is sought over the access off Burnett Road to the service yard, visibility splays and provision of pick up / drop off area off Longman Road. Conditions are sought to secure cycle parking provision, travel plan, and improvements to the active and sustainable travel connection.
- 5.10 **Health and Safety Executive**: do not object to the application. They do not advise against the granting of planning permission
- 5.11 **Scottish Environment Protection Agency**: do not object to the application.
- 5.12 **Scottish Water**: do not object to the application. They advise that there are Scottish Water assets within the site boundary that may be impacted,
- 5.13 **Transport Scotland**: do not object to the application. Conditions are sought to secure: details of the barriers within the site preventing general access; details of the off-site signage; details of the pedestrian guard rail to be installed; details of lighting within the site; details of the landscaping along the boundary with the A82; submission of a travel plan; no through route to Burnett Road; and no drainage connections to the trunk road drainage system.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- Policy 4 Longman Core Development
- Policy 28 Sustainable Design
- Policy 29 Design Quality and Place-Making
- Policy 30 Physical Constraints
- Policy 31 Developer Contributions
- Policy 34 Settlement Development Areas
- Policy 41 Business and Industrial Land
- Policy 42 Previously Used Land
- Policy 51 Trees and Development
- Policy 56 Travel
- Policy 57 Natural, Built and Cultural Heritage
- Policy 58 Protected Species
- Policy 63 Water Environment
- Policy 64 Flood Risk
- Policy 65 Waste Water Treatment
- Policy 66 Surface Water Drainage
- Policy 72 Pollution
- Policy 75 Open Space

Policy 77 Public Access

6.2 Inner Moray Firth Local Development Plan (2015)

Policy 1 Promoting and Protecting City and Town Centres

Policy 2 Delivering Development Inverness Settlement Development Area

Allocation IN4 Mixed Use - Business, Industrial, Community, Leisure.

6.3 Inverness Local Plan (Adopted 2006, Continued in Force 2012)

The provisions of the Inverness Local Plan have been superseded in relation to this application by the adoption of the Inner Moray Firth Local Plan.

6.4 Highland Council Supplementary Guidance

The following Supplementary Guidance forms a statutory part of the development plan and is considered relevant to the determination of this application.

- Developer Contributions: Supplementary Guidance (2013)
- Flood Risk and Drainage: Supplementary Guidance (2013)
- Managing Waste in New Developments: Supplementary Guidance (2013)
- Physical Constraints: Supplementary Guidance (2013)
- Public Art Strategy: Supplementary Guidance (2013)
- Sustainable Design: Supplementary Guidance (2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 **Draft Supplementary Guidance**

- Inverness City Centre Development Brief Consultation Draft (December 2016)
- Approaching Inverness Design Guide (2017)

7.2 **Development Briefs**

The following development briefs are material considerations but have been largely superseded by the publication of the draft Inverness City Centre Development Brief (December 2016):

- Longman Core Development Brief (2006); and
- Inverness City Centre Development Brief (2013).

7.3 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy (2014)
- National Planning Framework 3 (2014)
- Designing Streets (2011)
- Creating Places (2013)
- PAN 33 Development of Contaminated Land
- PAN 61 Sustainable Drainage Systems

- PAN 66 Planning applications Affecting Trunk Roads
- PAN 68 Design Statements
- PAN 75 Planning for Transport
- PAN 77 Designing for Safer Places
- PAN 1/2011 Planning and Noise

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.

Determining Issues

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.

Planning Considerations

- 8.3 The key considerations in this case are:
 - a) compliance with the development plan and other planning policy;
 - b) Siting, design and layout;
 - c) Traffic impact and road infrastructure;
 - d) Impact on the water environment (including SuDS);
 - e) Impact on the natural environment; and
 - f) any other material considerations.

Development plan/other planning policy

- 8.4 Development plan policy is set out in the Highland-wide Local Development Plan and the Inner Moray Firth Local Development Plan and statutorily adopted supplementary guidance. The site is within the settlement development area where there is general support for development. The frontage of the site onto Longman Road is part of an allocation for mixed uses. The proposed development is consistent with the allocation which includes a number of developer requirements. These requirements include matters related to standard of architecture, landscaping of the frontage to the A82, provision of active travel connections and improved access from the local road network. These matters will be considered in detail elsewhere in this report. The development is within the City Centre as defined by the Inner Moray Firth Local Development Plan.
- 8.5 This development will replace the existing court facility based at Inverness Castle which the applicant has advised is no longer fit for purpose. The proposed development will be the first of its kind in Scotland where courts co-locate with other support services to deliver a more integrated service. The redevelopment of previously used land is widely supported.

Siting, Design and Layout

- 8.6 The site is within a prominent location at a gateway to Inverness City Centre. Any development on this site will define the character of the City as it is now and the vision of Inverness for the future. The draft Inverness City Centre Development Brief (December 2016) provides guidance for the site. This states:
 - creation of strong, well defined urban character, with a gateway feature, on a key approach route to the city centre;
 - development of prominent, high quality landmarks to enhance the character and identity of this part of the city;
 - make significant improvements to active travel links to city centre and centres of employment.

Further detailed design guidance is set out covering matters related to height of development; structure of development; massing and elevational treatments; frontages; materials and colour; active travel and public transport; vehicle access; public realm; and parking and servicing.

- 8.7 In addition as the site is located on a "Main Link" to and through the City as defined by the Approaching Inverness: Design Guide should be considered. This includes guidance on building façade; boundary treatments; signage and street furniture; lighting; and Road and footway surfacing.
- 8.8 The layout and design of the proposed development ensures that Longman Road and Burnett Road are appropriately addressed. In this revised design there is a more active frontage onto Burnett Road. There will be a frontage to Longman Road which contains public areas of the Justice Centre and the orientation of the building will allow a view of the main façade when one travels along Longman Road from east to west.
- 8.9 The primary entrance to the building is from Longman Road. This will be within the colonnaded section. This colonnaded section of the building is a key feature of the design and creates a focal point in the streetscape as well as giving a sense of enclosure to the street due to the height of this part of the building.
- 8.10 Given that the wider area includes a significant derelict building (former Inverness College UHI building), it is important that the development of the Justice Centre takes into account and addresses the development potential of the neighbouring site. The previous application created a "new street" along this boundary to do this. This application appears to use the public open space as a feature against which any new development on the adjacent site could be set. There remains a street concept running through the site however without the sense of enclosure provided by the building this is not such a strong feature. The Development Plans Team have suggested that the gap between the northern boundary and the edge of the car parking is too narrow and would not promote active frontages. The adjacent site would have scope to deliver additional width and could readily respond to the layout of the proposed Justice Centre. In any case this area is not a promoted route through the site.
- 8.11 Given the synergy between the proposed development and the Police Scotland Area Command to the north, the proposal involves a link between the two facilities.

- 8.12 The building is in a linear form with the building following the site boundary to the south west. The development includes internal landscaped court yards allowing natural light to flow down through the building. For the most part the building is two storeys in height with some areas projected up to approximately three storeys to screen plant and machinery or allow further light into the building. These parts of the development will be three storeys in height. Where during the day the glazing at roof level will be used to bring light into the building at night this will be used to create beacons of light adding interest to the skyline in this part of the city and a gateway feature as one travels along the A82.
- 8.13 The revised building has provided an opportunity to create a significant area of public realm to the front of the building facing Longman Road. This meets with the aspirations of the draft City Centre Development Brief and will help to create a more attractive entrance to the City Centre as required by the Approaching Inverness Design Guide. This space will also house the proposed drop off space and turning area. This will be set back from the public road and screened by landscaping.
- 8.14 The applicant has provided a design for this space which shows the use of slopes, steps, bespoke street furniture and soft landscaping which together will create a visually interesting and usable open space. Using the shape of the building and its orientation to Longman Road, and the colonnades has helped to provide a space which strikes a balance between enclosure and openness. The more open nature of the space due to the revised design will lead to a more welcoming approach to the building. It considered that this will alleviate some, if not all, of the concerns around the dominance of the building which were expressed at the meeting of the South Planning Applications Committee which determined the previous application.
- 8.15 The external finish of the building is predominantly polished white pre-cast concrete and glass. The material palette has been refined from the previous application with the introduction of powder coated aluminium cladding and triangular patterned perforated over panels. These features provide further visual interest and, in terms of the over panels, are functional features providing security over opening windows. The elevations of the building each have different functions and this is reflected in the choice of materials. It is considered that the materials proposed will work well with the design of the development and complement the materials on the adjacent Police Scotland Area Command building.

Traffic and Transportation Impact

- 8.16 As described in section 1.5 of this report, the site will have 2 accesses for motorised vehicles leading to parking facilities:
 - Burnett Road (11 car parking spaces, including 2 disabled car parking spaces)
 - Longman Road, adjacent to former Inverness College UHI building (6 disabled car parking spaces for use of public, drop off / turning area area, 4 disabled car parking spaces, 36 staff car parking spaces and 4 staff motorcycle parking space.
- 8.17 It is proposed that the development will be predominantly accessed by walking, cycling and public transport. Transport Planning has acknowledged this with an acceptance of

a lower parking provision for the site given the City Centre location. The applicant anticipates that those using private cars will park at Rose Street Car Park and then walk to the proposed development. When avoiding the use of steps this is a distance of 410m. This is considered an acceptable walking distance. However, as set out in the draft City Centre Development Brief, there is a need for improved connectivity from Rose Street Car Park, Farraline Park Bus Station and Inverness Railway Station. This matter has been raised by both Transport Planning and the Development Plans Teams in their consultation responses and it is agreed that making these routes more attractive will encourage more people to walk or cycle to and from the development.

- 8.18 The previous permission for the Justice Centre included a condition, at Members request, that some of the parking bays were made available for public use. The applicant considers that this condition is not necessary. They have consulted with the future users of the Justice Centre and they consider that a best operation fit of parking has been achieved. Further they have suggested that the prospect of publically available car parking will create congestion and a risk to road safety in the event that members of the public arrive and are not successful in finding a space.
- 8.19 Transport Planning welcomes the inclusion of the drop off / turning area but consider that a formal drop off / pick up area layby needs to be provided away from the turning area. The most appropriate location for this would be in the landscaped area adjacent to the access into the site, on the northern boundary. The applicant considers the provision of this to be a safety issue. While the loss of landscaping would be regrettable, the waiting area would be of clear benefit, i.e. allowing the flow of traffic within the proposed drop off area and removing risk of vehicles waiting on the trunk road. Therefore it is proposed that a drop off area is secured by condition.
- 8.20 Transport Planning is content with the level of cycle parking, however, require further detail of the cycle parking provision to be submitted.
- 8.21 Transport Planning has listed a number of improvements that could be made to the route between the City Centre and the proposed development that may help to create better active travel connections to and from the site. This includes the following:
 - Improvements to the Rose Street Underpass and the approach to it;
 - Improvements to the footpath along the frontage of the Rose Street Car Park;
 - Improvements to the footpaths along Railway Terrace; and
 - Improvements to the linkages between Inverness Railway Station and Strothers Lane.
- 8.22 Of these, the improvements considered reasonable for the applicant to deliver relate to environmental improvements which will serve to enhance the overall amenity of the journey rather than improvements to the existing infrastructure. This reflects the fact that the infrastructure is largely already in place and it will provide an opportunity for the proposed development to create and enhance such connections through delivery of environmental improvements. Implementation of the required finalised Travel Plan will enable delivery of better quality connections. This is anticipated to include directional signage, removal of street furniture and other obstacles within footways and cycleways, and improvements to the quality of the public realm. These improvements will enhance the existing infrastructure to the benefit of all users. These environmental

improvements to the active travel connections will be secured by condition involving submission of a scheme which will involve consultation with Transport Planning. The review period will include provision for further mitigation measures to be identified and implemented.

- 8.23 The Development Plan Team has raised concerns regarding the visual link through the site from Longman Road through to Burnett Road. The gap between the justice centre building and the edge of the site is approximately 7m wide. The use of landscaping is something that would on paper create a visual barrier. However, it is likely, due to the species chosen, that the landscaping proposed will draw the eye through the site. It is understood there would also be directional signage. The Access Officer also queries whether the geometry of the path to be extended along Burnett Road could be revised. This may be the case however it is not considered that given the unknown future use of the neighbouring site, and the lack of control of the land by the applicant, which it would not be possible to secure at this time but can be addressed in any future application for the neighbouring land.
- 8.24 Transport Scotland seeks a number of conditions relating to the trunk road interests in the site. These are considered acceptable and will be incorporated into any planning permission which may be granted. The condition of note is that there shall be no motorised vehicular link between Longman Road and Burnett Road. While access from Longman Road is to be gated and there is no built road from the car park on the northern boundary to Burnett Road, this is considered a reasonable condition to attach for the avoidance of doubt.
- 8.25 Overall, it is considered that subject to securing improvements to the active travel routes between the site and public transport and parking opportunities the parking and access arrangement are acceptable.

Impact on the water environment (including SuDS)

- 8.26 The proposed development will connect to the public water and waste water network. Surface water drainage will be dealt with via a Sustainable Water Drainage System (SuDS). Neither the Council's Flood Risk Management Team nor SEPA have objected to the proposed development.
- 8.27 The Council's Flood Risk Management Team are generally content with the drainage arrangements subject to review of the final solution. As such a condition will be attached to secure a detailed drainage strategy.

Impact on the natural environment

- 8.28 The proposed development site contains limited natural features due to its former uses. With that said there are a number of trees on the site.
- 8.29 The trees which used to be on site have been removed during site clearance works and the Forestry Officer is content with the scheme for landscaping of the site which includes significant replanting. The landscaping plan submitted with the application shows suitable species planted in properly engineered tree pits to ensure the growth of the trees. The Forestry Officer has accepted the landscaping proposal, however,

Transport Planning has some concerns regarding the positioning of trees along the widened footpath cycleway along Burnett Road. It is concerned that the trees reduce the available width of the path for pedestrians and cyclists. This is accepted and the finalised landscaping plan will require this to be modified.

Other Material Considerations

- 8.30 The Council's Historic Environment Team has reviewed the proposal and does not anticipate that the impact on historic environment assets will be of concern.
- 8.31 Neither the applicant nor the Council's Environmental Health Officer anticipates that the development will create significant levels of additional noise during operation. A construction noise assessment will be required and can form part of the Construction Environment Management Document. This issue of construction noise can be controlled by Environmental Health through their powers under the Control of Pollution Act 1974 (As Amended).
- 8.32 As with any development of this scale, the site clearance and construction process is likely to lead to some disruption on the road network and to the environment. As this is likely to be the case both a Construction Environmental Management Document approach and a Construction Traffic Management Plan will be required. Drafts of both documents have been submitted and are generally acceptable however as these documents evolve in the run up to and during construction these documents will be secured by condition.
- 8.33 The former use of the site as a bus depot may have resulted in contamination of the site. As this is the case the Contaminated Land Team has recommended that a scheme for dealing with potential contamination is submitted to the Planning Authority for approval in advance of development commencing on the site. This is recommendation is accepted.
- 8.34 The development is within proximity of a major hazard and as such the Health and Safety Executive were consulted. They have assessed the development against their policies and do not advise against the development.

Other material considerations

8.35 There are no other material considerations.

Matters to be secured by Section 75 Agreement

8.36 None.

9. CONCLUSION

9.1 The proposal seeks to deliver a new development on a vacant site within Inverness City Centre. The site sits on a gateway to the City and the proposal delivers a design befitting the prominent location, while reflecting the character of the surrounding area. The revised design and site layout, while driven by changing user requirements, is considered to be a better response to the site and the surrounding uses, both present and future. Subject to relevant matters being addressed by condition, this proposal will

deliver the aspirations for the redevelopment of the area as set out in the draft City Centre Development Brief.

- 9.2 Following design and layout, the key issue is motorised and non-motorised access. It is considered that subject to the provision of off-site environmental improvements to the active travel linkages and the promotion of access to the site by active and sustainable travel links, the site is in a suitable location that can be readily accessed.
- 9.3 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. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Subject to the above, it is recommended that planning permission be **GRANTED** subject to the following conditions and reasons:

- No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority. The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the following:
 - An updated Schedule of Mitigation (SM) drawing together all approved mitigation proposed in support of the application and other agreed mitigation (including that required by agencies and relevant planning conditions attached to this permission);
 - ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;
 - iii. Construction Environmental Management Plans (CEMPs) for the construction phase, covering:

- a. Habitat and Species Protection;
- b. Pollution Prevention and Control:
- c. Dust Management;
- d. Noise and Vibration Mitigation;
- e. Site Waste Management;
- f. Surface and Ground Water Management;
 - i. Drainage and sediment management measures from all construction areas; and
 - ii. Mechanisms to ensure that construction will not take place during periods of high flow or high rainfall.
- g. Public Water Supply Protection Measures;
- h. Emergency Response Plans; and
- i. Other relevant environmental management as may be relevant to the development.
- iv. Special Study Area plans for:
 - a. Any other specific issue identified within the Schedule of Mitigation and/or conditions attached to this permission;
- v. Unless conditioned separately as part of this permission, details for the appointment, at the developer's expense, of a suitably qualified Environmental Clerk of Works (ECoW), including roles and responsibilities and any specific accountabilities required by conditions attached to this permission;
- vi. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- vii. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the approved Schedule of Mitigation, Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

Reason: To ensure that the construction of the development is carried out appropriately and does not have an adverse impact on the environment.

- 2. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the relevant Roads Authority(s). The CTMP, which shall be implemented as approved during all period of construction, must include:
 - A description of all measures to be implemented by the developer in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised suitably qualified traffic management consultant;
 - ii. The identification and delivery of all upgrades (including details of the visibility

splays at the junctions of the accesses to the site and at the junction between Burnett Road and Harbour Road) to the public road network to ensure that it is to a standard capable of accommodating construction related traffic (including the formation or improvement of any junctions leading from the site to the public road) and the operational requirements of the development to the satisfaction of The Highland Council and Transport Scotland, including;

- An initial route assessment report for construction traffic, including swept path analysis and details of the movement of any street furniture, any traffic management measures and any upgrades and mitigations measures as necessary;
- iii. A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during construction periods.
- iv. A detailed protocol for the delivery of loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of larger load movements in the local media. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events.
- v. Details of any upgrading works required at the junction of the site access and the public road. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road and the provision and maintenance of appropriate visibility splays.
- vi. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period. Full details shall be submitted for the prior approval of Highland Council, as roads authority.
- vii. Wheel washing measures to ensure water and debris are prevented from discharging from the site onto the public road;
- viii. Appropriate reinstatement works shall be carried out, as required by Highland Council, at the end of the construction of the development.
- ix. Measures to ensure that construction traffic adheres to agreed routes.
- x. A concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the local road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the developer, to the satisfaction of the Roads Authority(s). It will also require the submission of an appropriate financial bond acceptable to the Council in respect of the risk of any road reconstruction works.

Thereafter the approved Construction Traffic Management Plan shall be implemented

in full, unless otherwise approved in writing by the Planning Authority.

Reason: To maintain safety for road traffic and the traffic moving to and from the development, and to ensure that the transportation of abnormal loads will not have any detrimental effect on the road network.

3. Within 3 months of the commencement of development, full details of a drop off area, including signage, to be accessed from the A82 (T) Longman Road and located on the northern boundary of the site, has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. Thereafter the drop off area shall be implemented, as approved, prior to first occupation of the development.

Reason: In the interests of road safety and free flow of the trunk road network.

- 4. The development shall not be occupied until a scheme including full details of the following (including scale plans as necessary) has been submitted to, and approved in writing by, the Planning Authority:
 - i. The delivery of public realm enhancements to the active travel routes between the site and the following locations:
 - Rose Street Car Park;
 - Farraline Park Bus Station; and
 - Inverness Railway Station.

Such improvements may include but are not limited to:

- a. Improved lighting and environmental improvements at the entrances to the underpass between Rose Street and Innes Street and at the access steps up to Longman Road from Rose Street/Railway Terrace;
- Removal and/or rationalisation of street furniture on Railway Street and Rose Street; and
- c. Directional signage for pedestrians and cyclists.

Thereafter the upgrades and other work approved under part (i) above shall be completed to the satisfaction of the Planning Authority, in line with the attached schedule and at the expense of the development, within 6 months of the first occupation of the development, or as otherwise agreed in writing with the Planning Authority.

Reason: In the interests of pedestrian and cycle safety and to facilitate active travel to and from the site.

Within 3 months of the commencement of development on site details of the proposed barriers / gates at the access to the staff car parking has been submitted and approved in writing by the Planning Authority in consultation with Transport Scotland. Thereafter the approved details shall be implemented prior to first occupation of the development.

Reason: In the interests of road safety and free flow of the local and trunk road networks.

6. The development shall not be occupied until a detailed Travel Plan for the whole development, which sets out proposals for reducing dependency on the private car, has been submitted to, and approved in writing by, the Planning Authority.

The detailed Travel Plan shall include:

- a. Proposed objectives and mode share targets (which are to be updated and agreed upon with the Highland Council following the 3 month baseline survey).
- b. Proposed actions to promote visitors and staff arriving by sustainable means and/or to use nearby public car parks
- c. Proposed actions for managing any extraordinary event or activity significant enough to attract greater trips.
- d. The monitoring regime for the Travel Plan which should set up a means of monitoring any adverse impacts experienced as a result of visitor parking overspill and any traffic impacts as a result of vehicles entering and leaving the site via the A82 Longman Road in search of a parking space. The monitoring regime shall include provision for reporting to The Highland Council every 12 months from the first anniversary of the opening of the development until the 5th Anniversary of the first opening of the development.
- e. The issues that can trigger the need to implement further mitigation to ensure that the agreed objectives and mode share targets are met.
- f. Details of Employee Travel Packs to be distributed to each occupant of the premises upon occupation.

The Travel Plan shall be implemented as approved from the commencement of development.

Reason: In order to reduce the dependency on the private car and encourage the use of sustainable and active transport.

7. Within 6 months of the commencement of development details of the size, location and design of the pedestrian guardrail to be installed along the side of the section of the A82 Longman Road adjacent to the application site boundary have been submitted and approved in writing by the Planning Authority, in consultation with Transport Scotland. Thereafter the approved details shall be implemented prior to first occupation of the development.

Reason: To maintain safety for pedestrians and trunk road users.

8. The development shall not be occupied until details of the proposed size and location of off-site signage have been submitted and approved in writing the Planning Authority.

Reason: To ensure that the movement of vehicles is confined to the permitted means of access, thereby reducing the danger to and interference with the free flow of traffic on the trunk road.

9. Within 6 months of the commencement of development full details of any external lighting to be used within the site and/or along its boundaries and/or access shall be

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 prior to first occupation of the development.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and to ensure there will be no distraction or dazzle to drivers on the trunk road so that the safety of the traffic on the trunk road will not be diminished.

Within 6 months of the commencement of development final details of the landscaping treatment along the trunk road boundary and along Burnett Road has been submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland.

Thereafter, the Landscape Planting Plan shall be implemented in full during the first planting season following commencement of development or as otherwise agreed in writing by the planning authority. A suitably qualified landscape consultant must be employed to ensure that the new planting is carried out and maintained as per the Landscape Planting Plan for five years following the first planting season.

Reason: In the interests of amenity, to ensure there will be no distraction to drivers on the trunk road and to ensure that the landscaping does not have an adverse impact on the free flow of the footpath and cyclepath on Burnett Road.

11. For the avoidance of doubt there shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk drainage network is not adversely affected.

12. For the avoidance of doubt there shall be no direct access route from Burnett Road to the A82 Longman Road.

Reason: To ensure that the safety of trunk road traffic is not comprised

13. Within 6 months of the commencement of development full details of the secure communal bicycle storage/racking system for 36 bicycles shall be submitted to, and approved in writing by, the Planning Authority. Thereafter, the storage/racking system shall be installed in accordance with these approved details prior to the first occupation of the development hereby approved.

Reason: In order to facilitate the use of bicycles to access the site.

- 14. No development shall commence until a scheme to deal with potential contamination within the application site has been submitted to, and approved in writing by, the Planning Authority. The scheme shall include:
 - i. the nature, extent and type of contamination on site and identification of

pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be first submitted to and approved in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A1:2013 Investigation of Potentially Contaminated Sites - Code of Practice;

- ii. the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;
- iii. measures to deal with contamination during construction works;
- iv. in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures;
- v. in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority.

Thereafter, no development shall commence until written confirmation that the approved scheme has been implemented, completed and, if required, on-going monitoring is in place, has been issued by the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment given the nature of previous uses/processes on the site.

15. Prior to any site excavation or groundworks, all retained trees are to be protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition & Construction). Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

Reason: To ensure the protection of retained trees throughout the construction period.

16. The ventilation system serving the development hereby approved shall be designed so that there is no requirement for the erection of an external flue or duct.

Reason: To ensure the integrity of the design of the building is maintained.

17. No development or work shall commence until a detailed specification for all proposed external materials and finishes for the development (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

Reason: In the interests of visual amenity.

18. Within 6 months of the commencement of development detailed plans, at a scale of 1:20, for the glazed units, the entrances and exits of the building and hard landscaping

features have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved plans and be implemented prior to first occupation of the development.

Reason: In order to ensure the detail of these elements are appropriately considered by the Planning Authority.

19. The development shall not be occupied until details of the closed circuit television system to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Thereafter the approved details shall be implemented prior to first occupation of the development.

Reason: In order to ensure that the site is covered by CCTV in the interests of amenity.

20. The development shall not be occupied until details of the boundary treatments have been submitted to and approved in writing by the Planning Authority. Thereafter the approved details shall be implemented prior to first occupation of the development.

Reason: In order to ensure that these details, which will have an impact on the look of and accessibility to and from the development have been considered by the Planning Authority.

21. No development shall commence until full details of the drainage arrangements, including surface water drainage, for the site are submitted and approved in writing by the Planning Authority. These details shall conform to the strategy as set out in the Drainage Impact Assessment and shall include percolation test results to support any on site infiltration. Thereafter the approved details shall be implemented prior to first occupation of the site.

Reason: In order to protect the water environment and reduce the risk of flooding from surface water.

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.

LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

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

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

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 Community Services prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Community Services 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/Applicationformsforoadoccupation.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.

Major Development Site Notice

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

Protected Species - Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species.

Protected Species - Contractors' Guidance

You must ensure that all contractors and other personnel operating within the application site are made aware of the possible presence of protected species. They must also be provided with species-specific information (incl. guidance on identifying their presence) and should be made aware of all applicable legal requirements (incl. responsibilities and penalties for non-compliance).

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 886608.

Land Ownership/Planning Permission

For the avoidance of doubt, the existence of planning permission does not affect or supersede an individual's ownership or other legal rights. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct or maintain your property.

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.

Signature: Nicola Drummond

Designation: Area Planning Manager – South/Major Developments

Author: Simon Hindson (01463 255196)

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

Relevant Plans: Plan 1 - Location Plan (4352 (PL) 000)

Plan 2 - Site Layout Plan (IJC.RHA (PL)002 REV A)

Plan 3 - Elevation Plan - North And South (IJC.RHA.(PL)009 REV A)

Plan 4 - Elevation Plan - East And West (IJC.RHA.(PL)010 REV A)

Plan 5 - Elevation Plan - Entrance Colonnade (IJC.RHA.(PL)012 REV B)

Plan 6 - Elevation Plan - North Facade (IJC.RHA.(PL)013 REV B)

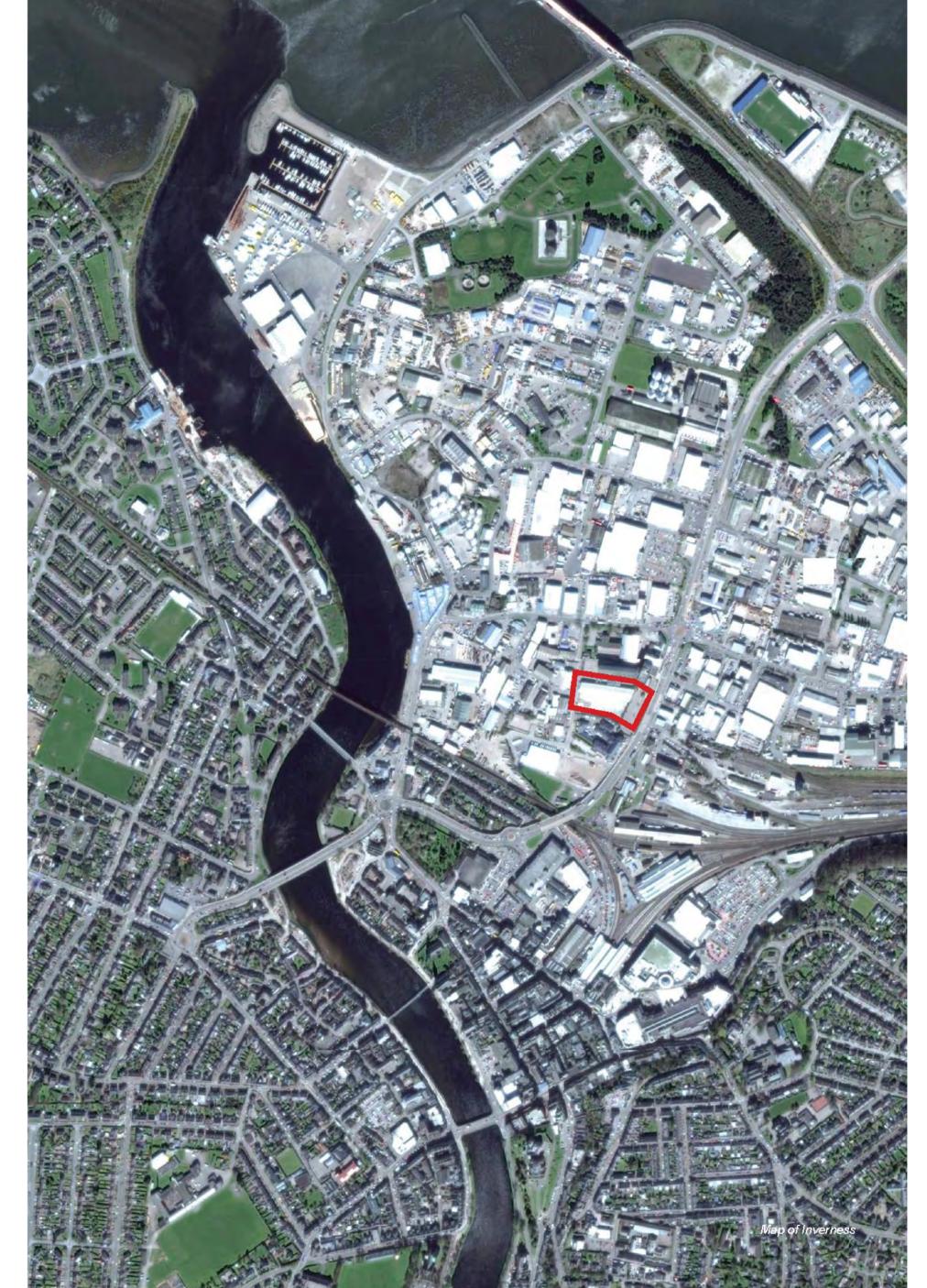
Plan 7 - Elevation Plan - South (IJC.RHA.(PL)014 REV B)

Plan 8 - Landscaping Plan (IJC-HML-00-XX-DR-L-0002 REV A)

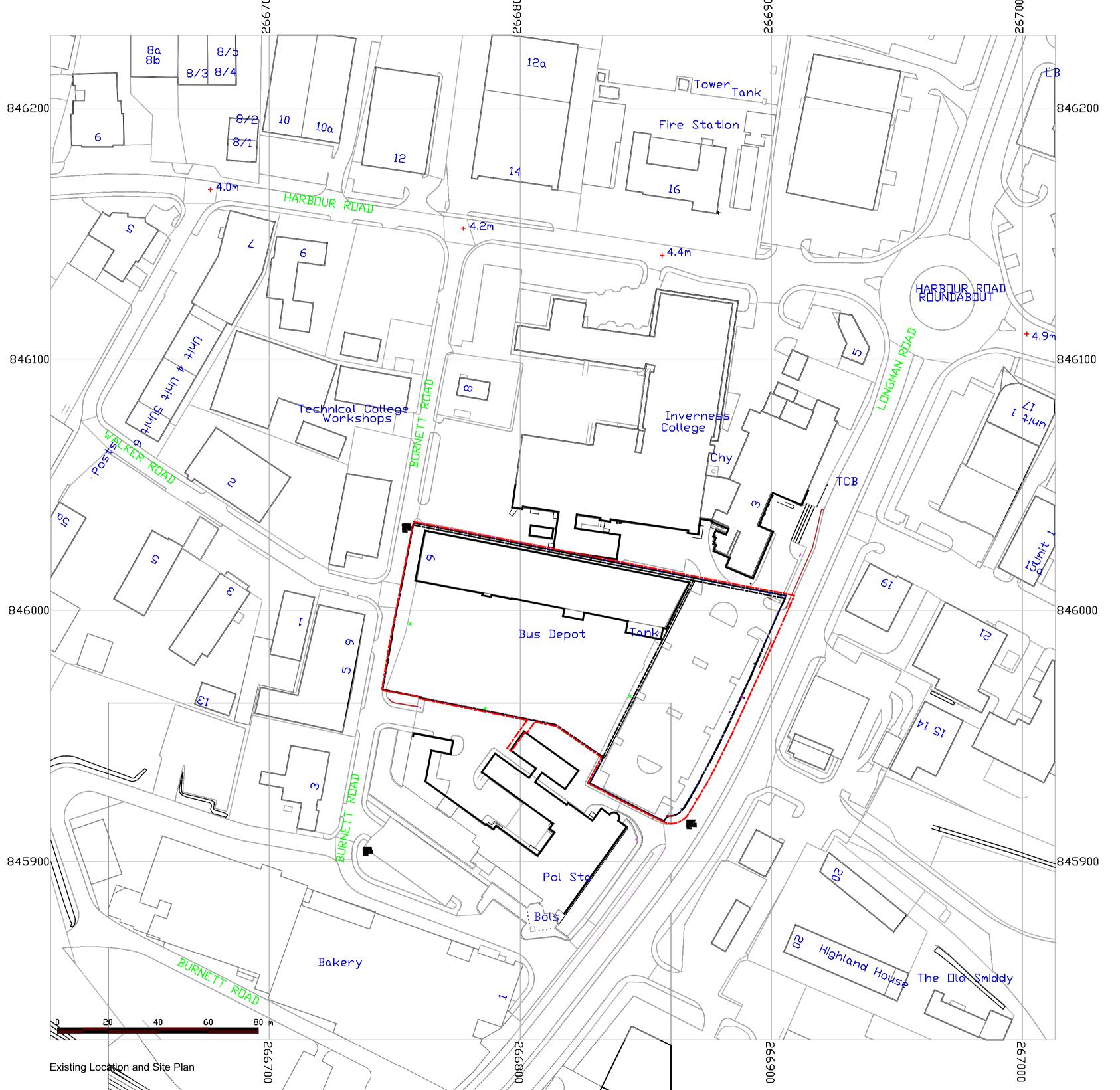
All dimensions should be checked on site.
Do not scale from this drawing.
Any drawing errors or divergences should be brought to the attention of the originator of this drawing.

Updated Planning Red Line Boundary A 28.06.2017

12a Tower



Aerial Location Plan View



Red Line Boundary -----



PLANNING

Reiach and Hall Architects

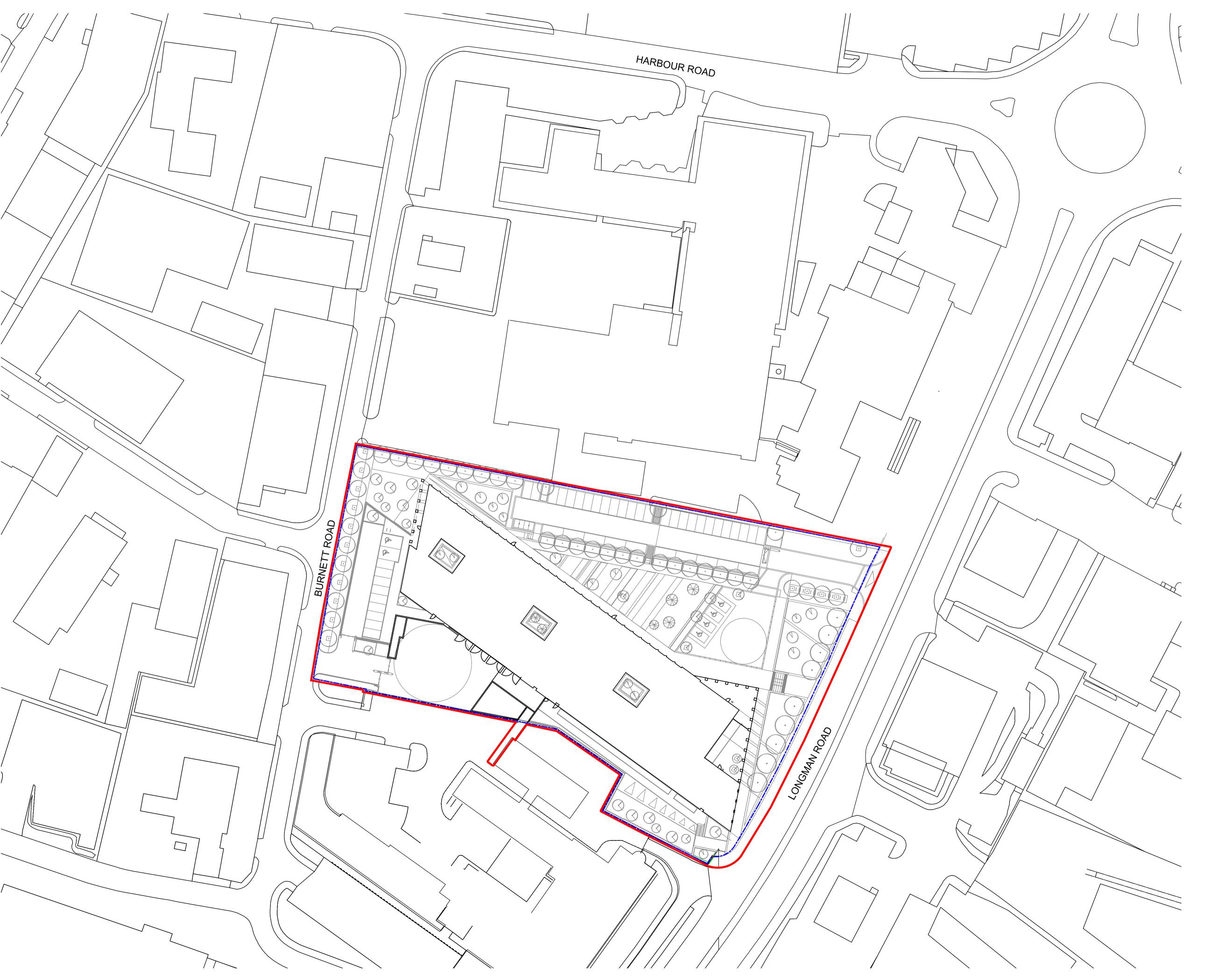
Inverness Justice Centre

Layout Plan

Existing Location and Site Plan

4352 (PL) 000

Tel : 0131 225 8444 www.reiachandhall.co.uk 6 Darnaway St Edinburgh EH3 6BG



All dimensions should be checked on site.
Do not scale from this drawing.
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A 09.06.2017 Updated to reflect revised

Updated Planning Red Line Boundary. B 28.06.17

Key:

Planning Red Line Boundary

Site Ownership Boundary

PLANNING

Reiach and Hall Architects

Inverness Justice Centre

Planning Drawings - General Arrangement

Proposed Site Plan

IJC.RHA.(PL)002 A

Scale: 1:500 @ A1

Date : Nov 2016

Tel : 0131 225 8444 www.reiachandhall.co.uk 6 Darnaway St Edinburgh EH3 6BG

NOTE

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Revision

- 06.04.2017 Revised RIBA Stage 2 Issue
- A 09.06.2017 Updated to reflect revised design

MATERIALS LEGEND

Profiled precast cladding panels polished finish to 2.5m high, textured / matt finish above.

Precast columns to entrance colonnade polished finish to 2.5m high, textured / matt finish

Bespoke triangular patterned perforated powder coated aluminium over panel to provide security to opening vent and hopper. All powder coating to match curtain walling.

Profiled insulated powder coated aluminium cladding panels all powder coating to match curtain walling.

Vertical micro rib insulated metal cladding panels powder coated to match curtain walling with secret fixings, extruded picture frame trims to

window and door surrounds and abutment details

Proprietary curtain wall system.

Metal components powder coated aluminium.

Weathered extruded powder coated aluminium louvres. Powder coating to match curtain wall. Demountable for future plant replacement

Low-E coating and solar control to clear

above



1 North Elevation 1:200



2 South Elevation 1:200

PLANNING

glazing

Reiach and Hall Architects

Inverness Justice Centre

General Arrangement Elevations

North and South Elevations

IJC.RHA.(PL)009 A

arnaway Street Tel : 0131 225 8444

www.reiachandhall.co.uk

1 2 4 6 10 20 1:200

6 Darnaway Street Edinburgh EH3 6BG

NOTE

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Revision

- 06.04.2017 Revised RIBA Stage 2 Issue
- A 09.06.2017 Updated to reflect revised design

MATERIALS LEGEND

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Precast columns to entrance colonnade polished finish to 2.5m high, textured / matt finish

walling.

Bespoke triangular patterned perforated powder coated aluminium over panel to provide security to opening vent and hopper. All powder coating to match curtain

Profiled insulated powder coated aluminium cladding panels all powder coating to match curtain walling.

Vertical micro rib insulated metal cladding panels powder coated to match curtain walling with secret fixings, extruded picture frame trims to window and door surrounds and abutment details

Proprietary curtain wall system.

Metal components powder coated aluminium.

Low-E coating and solar control to clear

Weathered extruded powder coated aluminium louvres. Powder coating to match curtain wall. Demountable for future plant replacement



1 East Elevation 1:200



2 West Elevation 1:200

PLANNING

Reiach and Hall Architects

Inverness Justice Centre

General Arrangement Elevations

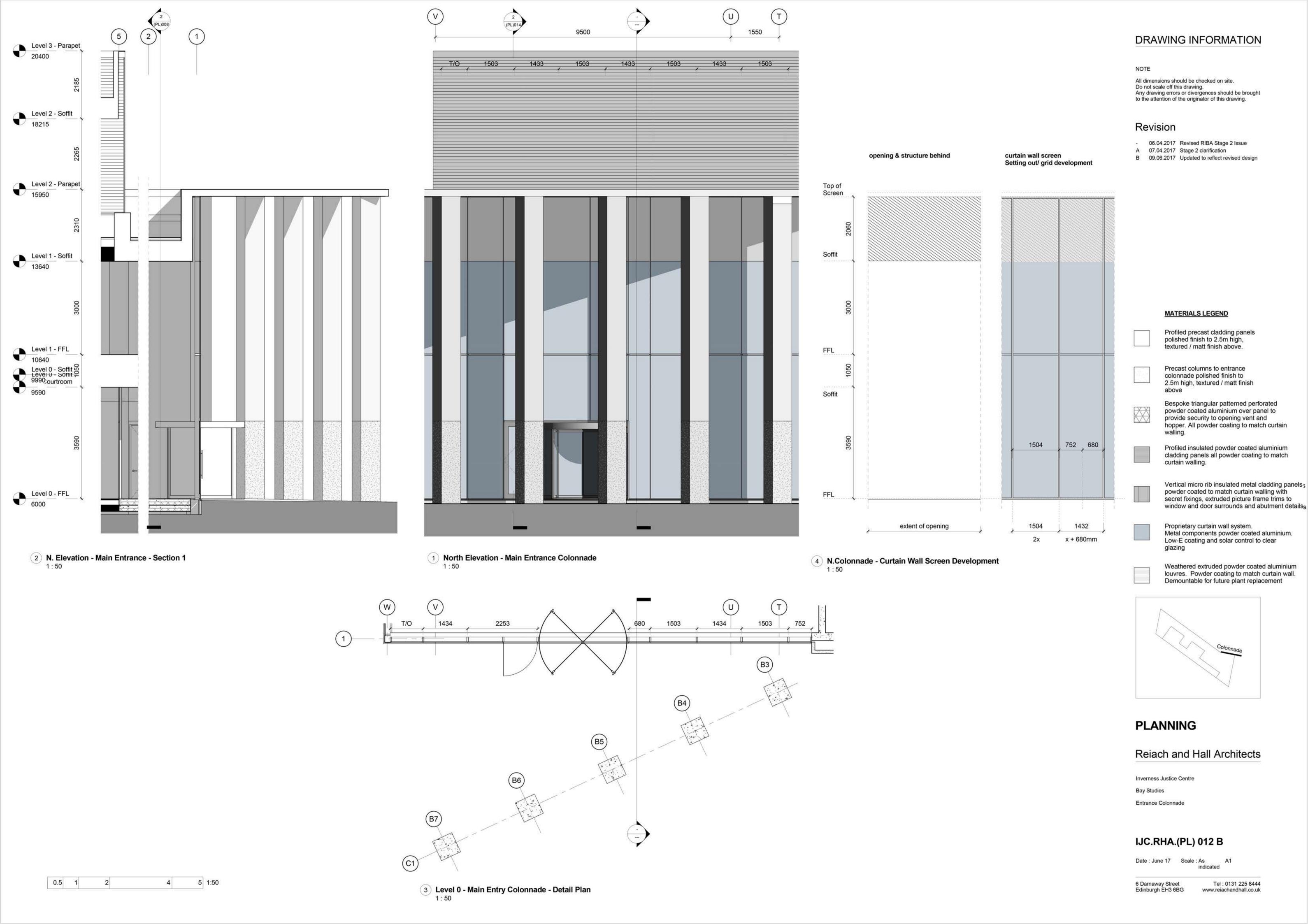
East and West Elevations

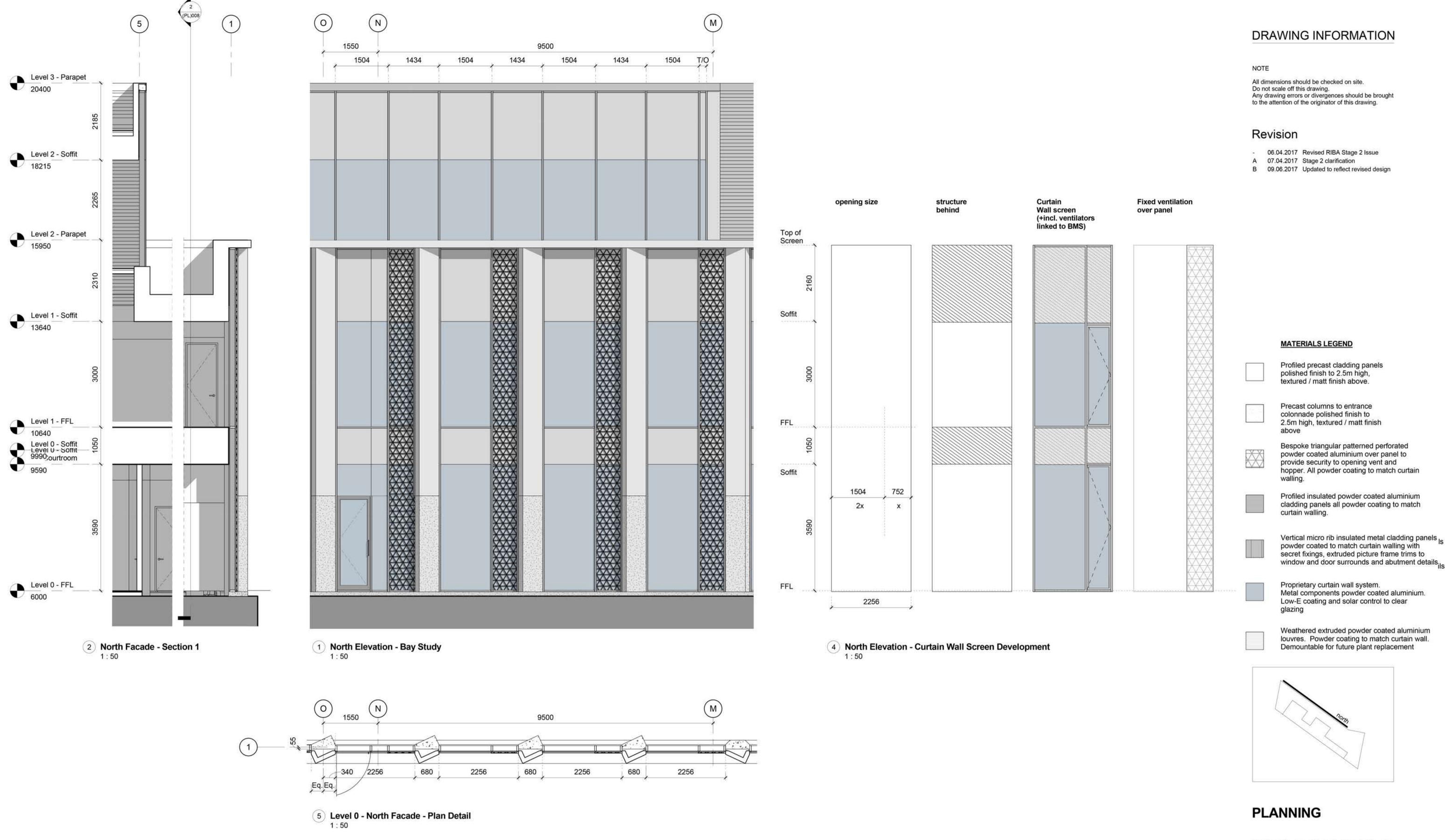
IJC.RHA.(PL)010 A

6 Darnaway Street Edinburgh EH3 6BG v

Tel: 0131 225 8444 www.reiachandhall.co.uk

1 2 4 6 10 20 1:200





0.5 1

5 1:50

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Inverness Justice Centre

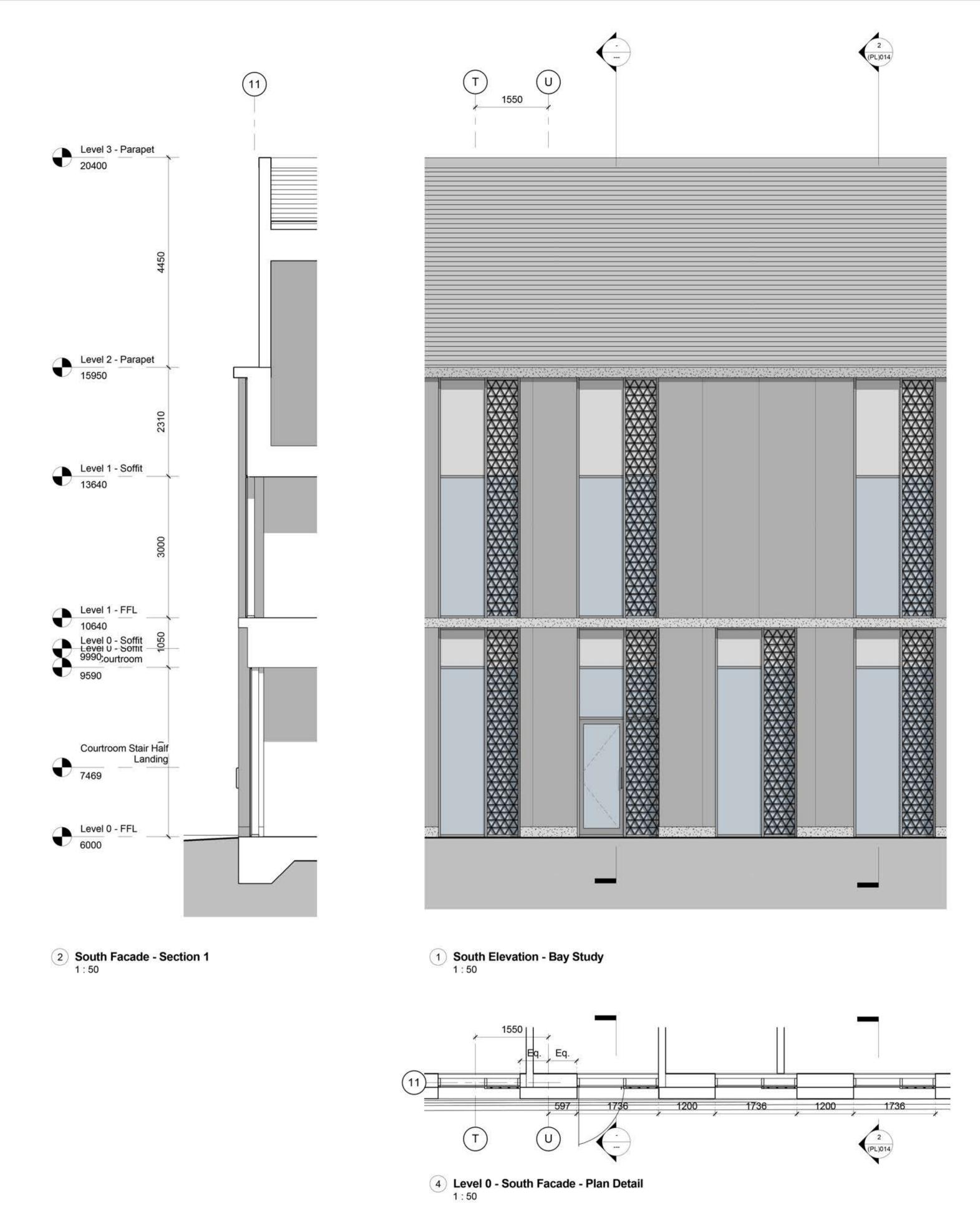
Bay Studies

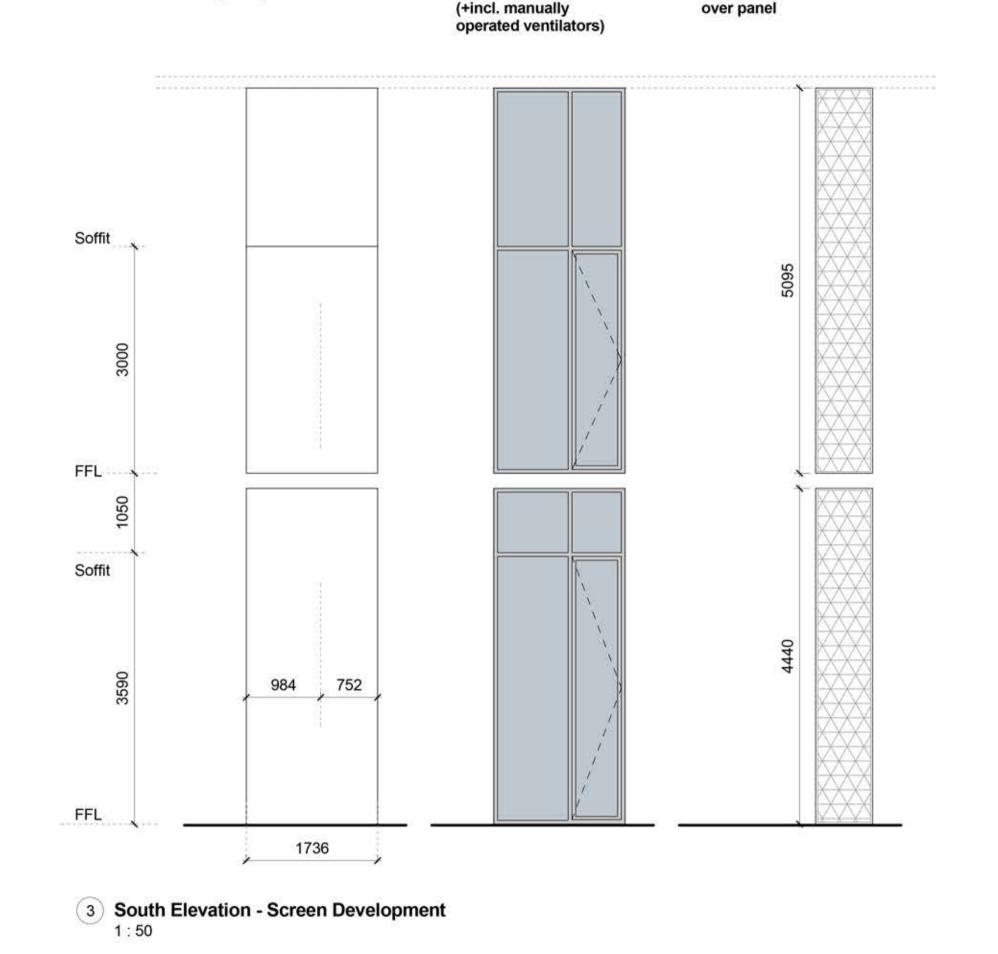
North Facade

IJC.RHA.(PL)013 B

Date : June 17 Scale : As A1 indicated

6 Darnaway Street Edinburgh EH3 6BG Tel: 0131 225 8444 www.reiachandhall.co.uk





Curtain wall screen

opening size

Fixed ventilation

0.5 1 2 4 5 1:50

DRAWING INFORMATION

NOTE

All dimensions should be checked on site.
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Revision

- 06.04.2017 Revised RIBA Stage 2 Issue

A 07.04.2017 Stage 2 clarification

B 09.06.2017 Updated to reflect revised design

MATERIALS LEGEND

Profiled precast cladding panels polished finish to 2.5m high, textured / matt finish above.

Precast columns to entrance colonnade polished finish to 2.5m high, textured / matt finish

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Profiled insulated powder coated aluminium cladding panels all powder coating to match curtain walling.

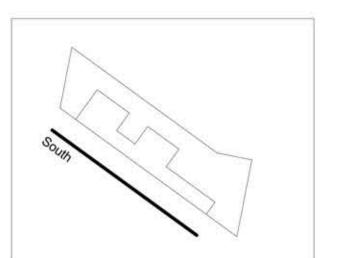
Vertical micro rib insulated metal cladding panels powder coated to match curtain walling with secret fixings, extruded picture frame trims to window and door surrounds and abutment details

Proprietary curtain wall system.

Metal components powder coated aluminium.

Low-E coating and solar control to clear

Weathered extruded powder coated aluminium louvres. Powder coating to match curtain wall. Demountable for future plant replacement



PLANNING

Reiach and Hall Architects

Inverness Justice Centre

BAY STUDIES

South Facade

IJC.RHA.(PL)014 B

Date : June 17 Scale : As A1 indicated

6 Darnaway Street Edinburgh EH3 6BG Tel: 0131 225 8444 www.reiachandhall.co.uk



1 Dochfour Business Centre Dochgarroch Inverness IV3 8GY tel 01463 861 460 inv@hornermaclennan.co.uk