Agenda Item	5.3	
Report No	PLS-030-20	

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 26 May 2020

Report Title: 20/00898/FUL: Forthpoint Ltd

7 – 17 Union Street, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Conversion of buildings to form mixed use development comprising 6

No. commercial units and 53No. residential flats

Ward: 14 – Inverness Central

Development category: Major

Reason for referral to Committee: Major Development

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 Planning permission is sought for a mixed use development featuring 53 flats and 6 commercial units. The proposal includes the conversion of a 'B' listed building facing onto Union Street and the sandstone warehouse on Baron Taylor's Street, which together form an 'L' shaped footprint, as well as the demolition of properties at 33 41 Baron Taylor's Street and subsequent replacement building.
- 1.2 The conversion and redevelopment will create two commercial units at ground level on Baron Taylor's Street with the remaining units fronting Union Street. The subsequent four upper floors will be entirely residential use with a mixed tenure of 2 and 3 bedroomed flats. A key feature of the development will be a central courtyard area, accessible to, and overlooked by, the residential units.
- 1.3 Enhancements to the retained Union Street building will include new shopfronts and four new dormer windows, all in a traditional style.
- 1.4 The new build onto Baron Taylor's Street includes a 4 ½ storey structure with access doorway and lobby for the residential units on the ground floor and featuring light grey coloured stone cladding with two contemporary styled dormers within the roof space; a three-bay large central structure with one commercial unit on the ground floor and featuring low pitched roofs across each bay and finished in buff sandstone. Below the other two bays are the access doors to the retained electricity sub-stations. These will be aluminium with feature artwork. The final section of building on the right-hand side of the new build is a slightly wider version of the stone clad structure to the far left, but with three sets of windows on each floor and three dormers within the roof space, and a new commercial shop unit on the ground floor.
- 1.5 The development will provide a mixed tenure of flatted properties comprising 1, 2 and 3 bedroomed units. 31 of the flats will be available for rent by the Council with the remaining 22 units available for mid-market rent by a local housing association.
- 1.6 Access to the development will be via the existing streets and water and sewerage connections will be to the existing public network. Waste storage for the development will be provided securely off-street.
- 1.7 Pre-Application Consultation: The applicant held a public consultation event on 9 December 2019 at the Spectrum Centre, Farraline Park, Inverness.
- 1.8 The applicant has also presented the proposal to the Inverness Design Review Panel. The Panel's Executive Summary is referred to below and the main report is included as Appendix 2.
- 1.9 "The Panel welcomes the opportunity to comment at an early stage of design for adaptive re-use of this important city centre landmark. It recognises the significant benefit of bringing a large area of vacant space back to active, mixed use while also increasing the number of people living in the city centre. The proposed approach to preserving the Listed Building, while enhancing Baron Taylor's Street is strongly supported, in particular the proposal to introduce a new active frontage to Baron Taylor's Street. The Panel welcomes the engagement of a heritage consultant, whose analysis should be a starting point for refining the design. Other priorities for design

development include simplifying the elevation to Baron Taylor's Street, making the central courtyard an attractive space to visit and overlook, and addressing appropriate safety measures set out in Secured by Design."

- 1.10 Supporting Information: The following information has been submitted in support of the application:
 - Pre-application Consultation Report;
 - Design and Access Statement;
 - Conservation and Supporting Planning Statement;
 - Noise Impact Assessment;
 - Air Quality Screening Assessment; and
 - Transport Statement
- 1.11 Variations: Minor variations to internal layout to address consultee comments; improvements to shopfronts and dormer designs.

2. SITE DESCRIPTION

- 2.1 The site itself consists of the central section of the block of buildings located between Union Street and Baron Taylor's Street, and bounded by Academy Street to the northeast and Drummond Street to the southwest. The building on Union Street is 'B' listed and is a 3 ½ storey Victorian era building with a later southeast wing addition that creates an 'L' shaped footprint extending through to Baron Taylor's Street. The Union Street façade sits approximately 15 metres from the Drummond Street corner, extending for a length of approximately 79 metres, and some 22 metres from the Academy Street corner.
- 2.2 On Baron Taylor's Street, the site is 13 metres in from Drummond Street and is approximately 43 metres in length. The site is within the Inverness (Riverside) Conservation Area.

3. PLANNING HISTORY

3.1	20.11.2019	19/05188/PAN: Proposed conversion of a former and listed department store to mixed use, including 57 residential units, involving alteration, partial demolition and extension of the existing property	Application Notice
3.2	13.12.2019	19/05189/SCRE: Conversion of a former and listed department store to mixed use, including 57 residential units, involving alteration, partial demolition and extension of the existing property	Decision
3.3		20/00896/LBC: Conversion of listed building to commercial and residential units	Pending Consideration

4. PUBLIC PARTICIPATION

4.1 Advertised: Conservation Area & Unknown Neighbour

Date Advertised: 13.03.2020

Representation deadline: 03.04.2020

Timeous representations: 1 representation from Crown and City Centre

Community Council

Late representations: None.

4.2 Material considerations raised are summarised as follows:

- a) The proposal is understood to be substantially in accordance with current planning policy and guidance for Inverness city centre. The development will considerably boost town centre residential density to the benefit of existing businesses and lift the appearance and use of Baron Taylor's Street.
- 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.

5. CONSULTATIONS

- 5.1 **Contaminated Land:** No objection subject to a condition requiring a scheme to deal with potential contamination of land to be submitted and agreed in the event that the existing electricity sub-stations are removed.
- 5.2 **Flood Risk Management:** No comment to make on proposal as it relates to the conversion of an existing building.
- 5.3 **Transport Planning Team:** No objection subject to conditions requiring approval of a Travel Pack; Construction Traffic Management Plan; details of the operation of the access doors to the electricity sub-stations; details of type and design of cycle parking within the building; and retention of existing bus shelters and flag poles on Union Street.
- 5.4 **Environmental Health:** Initially objected due to lack of odour assessment. However, it has subsequently been agreed that this matter can be conditioned.
- 5.5 **Historic Environment (Conservation):** No objection subject to further justification for the demolition of the Edwardian Shopfront on Baron Taylor's Street being received and accepted. Development here would be a significant improvement on the current brick-built building and therefore would result in an enhancement to the character of the Conservation Area. As such, it would satisfy the relevant statutory test set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 5.6 **Care and Learning:** No response received.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

- 3 City Centre Development
- 28 Sustainable Design
- 29 Design Quality & Place-making
- 31 Developer Contributions
- 32 Affordable Housing
- 34 Settlement Development Areas
- 40 Retail Development
- 42 Previously Used Land
- 56 Travel
- 57 Natural, Built & Cultural Heritage
- 65 Waste Water Treatment
- 66 Surface Water Drainage

6.2 Inner Moray Firth Local Development Plan 2015

1 – Promoting and Protecting City and Town Centres

6.3 Highland Council Supplementary Planning Policy Guidance

Inverness City Centre Development Brief (February 2018)

Shopfront Design Guide (May 2018)

Developer Contributions (November 2018)

Flood Risk & Drainage Impact Assessment (January 2013)

Highland Historic Environment Strategy (January 2013)

Public Art Strategy (March 2013)

Sustainable Design Guide (January 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)

Historic Environment Policy for Scotland (HEPS) May 2019

Historic Environment Circular 1 (June 2016)

Historic Environment Scotland – Managing Change in the Historic Environment

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. In addition, Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on the Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

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) layout, scale, mass and design of proposals
 - c) effect on character of Conservation Area
 - d) any other material considerations.

Development plan/other planning policy

- 8.4 The site lies within the Inverness City centre and is located within the Inverness (Riverside) Conservation Area. It represents a major redevelopment within the city centre to provide affordable homes and new commercial units.
- 8.5 The general policies of the Highland-wide Local Development Plan support development that makes effective use of existing buildings and brownfield land, is accessible by public transport, cycling and walking, and can demonstrate sensitive siting and high quality design that is compatible with surrounding land uses. New development must also make a positive contribution to the architectural and visual quality of the city centre.
- 8.6 The Inner Moray Firth Local Development Plan promotes the town centre first principle enshrined in national planning policy and supports development that protects and enhances the viability and vitality of the city centre. In addition, the plan encourages residential uses on upper floors of city centre buildings.
- 8.7 Subject to the proposal having no significant detrimental impact on townscape and cultural heritage assets, the proposal would comply with the Development Plan.

Layout, scale, mass and design

- 8.8 The proposed site layout follows the standard principle of city centre residential development where the ground floor is reserved for commercial use and the upper floors dedicated residential space. A crucial element for the amenity of future occupiers of the residential units is the creation of an accessible landscaped courtyard, providing an attractive outlook, especially benefiting the courtyard facing apartments. It will also enable natural light to penetrate the building throughout the vear.
- 8.9 The scale and massing of the new build on Baron Taylor's Street is typically characteristic of city centre buildings which are generally three to four storeys in height and often with attic space. The existing Union Street façade is four storeys in height. While the proposed redevelopment will feature five storeys of accommodation (on

Baron Taylor's Street) it will be contained within the ridge level of the main listed Union Street façade and will be of a comparable height to adjoining buildings within this area of the city.

- 8.10 The approach to the redevelopment of Baron Taylor's Street has been to divide the building into five bays, with the central three bays featuring gabled elevations. The end bays are slightly recessed and feature a different palette of materials (grey stone cladding) from the central section (buff sandstone) that adds to the visual interest of the building and breaks up the massing.
- 8.11 The applicant has addressed a number of issues with the design that were highlighted shortly after submission of the application. This has resulted in improvements to the shopfront designs on Union Street as well as improvements to the design of dormer windows that feature throughout the development.
- 8.12 Overall, the enhancements to the Union Street elevations and the redevelopment of Baron Taylor's Street, which will include the replacement of the existing three storey brick structure, will result in a significant improvement to the streetscape.

Inverness (Riverside) Conservation Area

- 8.13 Section 64 of the Planning (Listed Building & Conservation Area) (Scotland) Act 1997 requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the determination of applications.
- 8.14 The proposed changes to the existing unsympathetic and poorly designed shopfronts on Union Street to create new shopfronts that are traditional in appearance and in keeping with the character of the remaining building are clearly a significant improvement and would enhance the character and appearance of the Conservation Area.
- 8.15 Furthermore, the redevelopment of the existing buildings on Baron Taylor's Street would largely result in a significant improvement to the streetscape. The one negative aspect of the proposal would be the resultant loss of the Edwardian period grey-painted shopfront. The applicant has asserted that retention of this shopfront is not viable, citing conflicts with internal floor levels and alterations to the façade to facilitate extra lighting to the flats behind that would adversely affect the character. Whilst this is unfortunate and would arguably have a negative effect on the character of the Conservation Area, the wider benefits brought about through the main conversion and redevelopment of the remaining buildings means that overall, there is a net gain to this part of the city's Conservation Area.

Other material considerations

8.16 It is acknowledged that no car parking spaces will be provided for this development. In accordance with the Council's Inverness City Centre Development Brief a developer contribution of £3,220 per equivalent parking space should be provided towards active travel provision. The formula agreed with the Council in determining the actual figure is based on a comparison of the existing and proposed land uses.

The applicant has provided information indicating a shortfall of 13 spaces and therefore a contribution of £41,860 is required.

8.17 Developer contributions towards education are also required. A full breakdown of the calculations and total contributions to be sought in relation to this development is set out in the table below. It should be noted that the applicant has agreed to paying the required contributions:

Developer contribution	Total cost		
Secondary Education (2 bed) (£1,927 (£1,875 +	£63,591 (33 homes)*		
£52 land cost) per home)*			
Secondary Education (3 bed) (£3,573 (£3,482 +	£3,573 (1 home)*		
£91 land cost) per home)*			
Transport (13 spaces required but not	£41,860 **		
provided)**			
Total	£109,024		
*Indexation from Q2 2018 using the BCIS All-in TPI required. **Indexation from Q3			
2017 using the BCIS All-in TPI required.	•		

Non-material considerations

- 8.18 Transport Planning has requested a condition be imposed requiring the retention of the existing bus shelters and flag poles on Union Street. In response, it is not within the gift of the developer to remove these items and to do so would require the express consent of the Council. In that respect, effective control over their removal already exists.
- 8.19 As the developer will be retaining the existing sub-stations as part of the development, it is not necessary to impose a contaminated land condition.
- 8.20 There are no other non-material considerations.

Matters to be secured by Section 75 Agreement

- 8.21 a) Developer contributions towards promotion of active travel in lieu of car parking;
 - b) Education contributions towards secondary school provision; and
 - c) That the residential units will constitute affordable housing as defined in the Development Plan.
- 8.22 The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement, to deliver to the Council a signed legal agreement. Should an agreement not be delivered within four months, the application shall be refused under delegated powers.

9. CONCLUSION

- 9.1 This is an important regeneration development in the heart of Inverness city centre, involving mixed use and including the adaptive re-use of a prominent semi-vacant category 'B' listed building.
- 9.2 The scale, massing and design fits with the established built environment in the city centre and strongly accords with the Development Plan in increasing the number of people that will live in the city centre, contributing significantly to the enhancement of the viability and vitality of the city.
- 9.3 Whilst the proposal is arguably not the landmark development that could have been delivered, with particular reference to the Baron Taylor's Street redevelopment, it is nevertheless a significant improvement on the current building fabric and will therefore be a considerable enhancement to the streetscape in general and the townscape of the Conservation Area as a whole.
- 9.4 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

Action required before decision issued Y

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation Y

Revocation of previous permission N

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

Conditions and Reasons

1. Notwithstanding the details on the approved plans, no development shall commence until a detailed specification for all proposed external materials

and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority.

Reason: In order to enable the Planning Authority to consider these matters in detail prior to the commencement of development; in the interests of amenity.

- 2. No development shall commence until a Construction Environmental Management Plans (CEMP) for the construction phase, have been submitted to, and approved in writing by, the Planning Authority. The CEMP shall cover:
 - (a) Pollution Prevention and Control;
 - (b) Dust Management, including a scheme for protecting any neighbouring premises from construction dust. It is expected that the developer shall take all reasonably practical steps to minimize the formation of dust in the atmosphere and in the surrounding area which arises from the construction of the developments;
 - (c) Noise and Vibration Mitigation. The CEMP shall follow the guidance contained within BS5228: Code of Practice for noise and vibration control on construction and open sites; and
 - (d) Site Waste Management.

Thereafter, development and work shall be carried out in full accordance with the CEMP and the CEMP shall remain in place for the duration of all construction operations.

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

3. No development or work (including site clearance) shall commence until a Construction Traffic Management Plan (including a routing plan for construction vehicles) has been submitted to, and approved in writing by, the Planning Authority. The Plan shall include measures that will be taken to ensure that deliveries to the site and other construction traffic movements will not adversely impact the safe passage of people accessing the city centre. The approved Traffic Management Plan shall be implemented prior to development commencing and remain in place until the development is complete.

Reason: To ensure that the public can safely access the city centre for the duration of construction works.

4. No development shall commence until full details relating to the provision of cycle parking for 59 bicycles within the development have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall proceed in accordance with the approved details and no part of the development shall be occupied until the cycle parking provision has been completed and made available for use.

Reason: To promote active travel for occupiers of the development.

5. No development shall commence until an assessment of existing odour sources within the vicinity of the development and which could potentially adversely affect future residents, has been submitted to, and approved by, the Planning Authority. The assessment shall identify existing sources such as extract discharges from food premises and assess whether there is a potential impact on the proposed flats. Following approval, any recommendations contained within the assessment shall be implemented and completed prior to occupation of any part of the development.

Reason: To ensure that the residential amenity of occupiers of the development are not adversely affected by odour from nearby food premises.

6. No development shall commence until details for the provision of public art, in accordance with the Council's Public Art Strategy - Supplementary Guidance, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the public art shall be provided prior to first occupation of any of the development.

Reason: To ensure the adequate provision of public art in accordance with the Council's supplementary guidance.

7. No development shall commence until a detailed landscaping and maintenance plan for the courtyard area has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details of all planting works and hard landscaping materials. Following approval, development and work shall progress in accordance with the approved details and be completed within the first planting season following completion of the development and maintained in perpetuity.

Reason: To ensure that the courtyard is completed to an acceptable standard in the interests of the residential amenity of the occupiers of the development.

8. All plant, machinery and equipment associated with this development including ventilation, air-conditioning, heating and refrigeration services or similar and including fans, ducting and external openings shall be so installed, maintained and operated such that cumulative noise levels from any associated operating noise and similar noise sources does not exceed NR 25 when measured or calculated within the bedroom of any noise-sensitive premises with windows open for ventilation purposes.

If the above standard cannot be met, the developer must undertake an assessment of the noise in terms of BS 4142:2014 'Methods for rating and assessing industrial and commercial sound', which demonstrates that cumulative noise from this development and other existing sources will not have an adverse impact on noise sensitive properties. A report of the assessment shall be submitted to, and approved in writing by, the Planning Authority.

Reason: To protect the residential amenity of occupiers of the development from excessive noise.

9. There shall be no occupation of any of the residential flats until full details of the contents of the Travel Pack, as referenced in Section 6 (Travel Plan Framework) of the supporting Transport Statement dated February 2019 by Fairhurst, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved Travel Pack shall be issued to all future residents at the time of first occupancy of any of the residential flats.

Reason: To promote the delivery of sustainable travel patterns associated with the development.

10. A suitable and sufficient off-street storage area shall be provided and maintained at all times for refuse containers associated with this development, and shall be available for use prior to first occupation of any of the development. All refuse and recyclable materials associated with the development shall be stored within the approved area. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on day of collection.

Reason: To ensure the adequate off-street storage of refuse containers, in the interests of amenity

11. The electricity sub-station doors shall be installed in such a manner as so that the doors can be fully secured against the building when access is required.

Reason: To protect the public and in the interests of road safety.

12. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended, revoked or re-enacted; with or without modification) and Article 3 and Classes 10 to 13 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), the commercial units hereby approved shall be used solely for Classes 1 and/or 2 of the Order and for no other use or purpose.

Reason: In order to safeguard the vitality and viability of the city centre.

REASON FOR DECISION

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.

TIME 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

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area 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/info/20005/roads and pavements/101/permits for working on public roads/2

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.

Sound Insulation

One of the most common types of complaint received by Environmental Health is about neighbour noise between flats. In many cases, the person being complained about is not acting unreasonably and the issue appears to be down to inadequate noise insulation between properties. This is exacerbated when things like laminate flooring is installed.

It is acknowledged that the Building Regulations stipulate minimum standards for insulation, however to ensure that there are no issues it is recommended that the developer arranges for a sound insulation test to be carried out by a competent person prior to first occupancy of any of the flats. Further advice and guidance on what is required is available from Environmental Health.

Please contact env.health@highland.gov.uk for more information on any of the above matters.

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

Designation: Area Planning Manager – South

Author: John Kelly

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

Relevant Plans: Plan 1 - Location Plan

Plan 2 - Block Plan

Plan 3 - Site Plan

Plan 4 - Ground Floor Plan

Plan 5 - First Floor Plan

Plan 6 - Second Floor Plan

Plan 7 - Third Floor Plan

Plan 8 - Fourth Floor Plan

Plan 9 - Roof Plan

Plan 10 - North Elevation Plan

Plan 11 - South Elevation Plan

Plan 12 - Section Plan 1 of 2 (Courtyard South Elevation)

Plan 13 - Section Plan 2 of 2 (Courtyard East Elevation)

Inverness Design Review Panel

Panel Report

Proposed mixed use development (commercial & residential) involving refurbishment and extension of former House of Fraser department store

14 February 2019

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 welcomes the opportunity to comment at an early stage of design for adaptive reuse of this important city centre landmark. It recognises the significant benefit of bringing a large area of vacant space back to active, mixed use while also increasing the number of people living in the city centre. The proposed approach to preserving the Listed Building, while enhancing Baron Taylor's Street is strongly supported, in particular the proposal to introduce a new active frontage to Baron Taylor Street. The Panel welcomes the engagement of a heritage consultant, whose analysis should be a starting point for refining the design. Other priorities for design development include simplifying the elevation to Baron Taylor's Street, making the central courtyard an attractive space to visit and overlook, and addressing appropriate safety measures set out in *Secured by Design*.

1. INTRODUCTION

1.1. This report relates to proposed conversion of a former B-Listed department store to mixed use, including 57 residential units, involving alteration, partial demolition and extension of the existing property. It should be read in conjunction with meeting papers presenting written and visual information about the city centre context, design strategy and sketch proposals, including plans, sections, elevations, and emerging materials options.

2. RECOMMENDATIONS

- 2.1. The Panel's recommendations for taking forward this proposal are to:
 - a. Maintain the proposed approach to preserving the Listed Building while enhancing Baron Taylor's Street.

- b. Use the heritage consultant's analysis as starting point for refining the design, and consider retaining the Edwardian extension on Baron Taylor's Street (See Para 4.3).
- c. Modify/simplify the outline elevations for Baron Taylor's Street (See para 5.2).
- d. Take account of safety measures set out in "Secured by Design", including controlled access to new properties.
- e. Improve shopfronts on Union Street to be more in keeping with street character.
- f. Prioritise making the central courtyard an attractive, well-maintained space to visit and overlook. (See Section 8).
- g. Ensure arrangements for waste disposal are well managed and controlled.

3. OVERVIEW

- 3.1. The Panel welcomes the opportunity to comment at this early, creative stage of design for adaptive re-use of the Listed Building. It recognises the significant benefit of bringing a large area of vacant space in the city centre back to active, mixed use while increasing the number of people living in the city centre.
- 3.2. The Panel considers the overall design approach to be imaginative and strong. The emphasis on preserving the Listed Building while enhancing Baron Taylor's Street is particularly welcome. The emerging materials palette is acceptable.

4. LISTED BUILDING

- 4.1. The Panel acknowledges that although the listing includes the entire fabric of the property, internal and external, some demolition is acceptable providing re-development preserves the special interest that led to the listing. The intention to engage a heritage consultant is welcomed. Their work needs to identify how this special interest should be preserved, including features (if any) that survive internally and can be used in the development. This consultant's recommendations should be a starting point for refining the design.
- 4.2. The proposed retention of main roofline is very welcome, in particular the long and well-defined ridgeline that runs the length of the block, not mentioned in the listing but a key characteristic of the building. The insertion of new dormers facing Union Street is acceptable.
- 4.3. The potential to retain the Edwardian (c1910) classical style elevation facing Baron Taylor's Street should be considered because this contributes special interest, bearing in mind this may have been a tea-room addition, or similar hence the large windows.

5. BARON TAYLOR'S STREET FRONTAGE

- 5.1. The Panel strongly supports the proposal to increase active frontages on Baron Taylor's Street because this will enhance the ambience and attractiveness of the street. Improving the character could also help it resemble Glasgow's Ashton Lane. Suggested priorities include:
 - A varied building line (similar to Ashton Lane).
 - Introduction of live/work units at street level, in addition to retail.
 - A generous residential entrance that is attractive and obvious.
 - An attractive means of concealing the electricity substations.
 - Steps to prevent/mitigate overshadowing at street level from increased building height.

- 5.2. While acknowledging the conceptual stage of the design, the Panel sees opportunities to modify/simplify the Baron Taylor's Street elevation. Suggestions include:
 - Option A: make this more abstract and modern.
 - Option B: make this read both as one building and several at the same time.
 - Focus on achieving a unified approach, avoiding a busy, cluttered appearance with multiple parts.
 - Avoid introducing variation for the sake of it only vary the elevation if the plan form varies.
 - Use light coloured materials.
 - Respect the character of the existing building by achieving a small set-back between the new-build wallface and this building, exposing the existing rybats.
 - Use elevational treatment to mitigate the impact of the new, higher frontage. Vary this treatment to offset uniform height.
 - Make sure junctions with neighbouring buildings are sensitively handled.

6. COMMUNITY SAFETY

- 6.1. Attention is drawn to how lively Baron Taylor's Street becomes at night, particularly at closing time. Noise could be a problem for residents.
- 6.2. Providing controlled access to new properties must be a priority.
- 6.3. Development should take account of safety measures set out in Secured by Design Homes (2016) and Commercial Developments (2015).

7. SHOPFRONTS

- 7.1. Attention is drawn to the significant potential for this development to improve the quality and character of shopfronts on both Union Street and Baron Taylor's Street, setting a precedent for shopfront improvement/reinstatement in the city centre.
- 7.2. The Panel is strongly in favour of replacing recent interventions on the Union Street frontage with shopfronts that are more sympathetic to the street character. It is understood that all original shopfronts on Union Street had stone mullions, creating a colonnade effect along the entire length of the street. These mullions have survived at some locations and it is possible more are concealed under this building's modern shopfronts.
- 7.3. All new shopfronts should achieve a satisfactory relationship with the elevation above and respect its rhythm.
- 7.4. Refer to the Council's **Shopfront Design Guide**.

8. CENTRAL OPEN SPACE (FIRST FLOOR)

- 8.1. The Panel is concerned that overshadowing and a lack of sunlight in the central courtyard will create a hostile environment for growing trees and/or plants. A commitment to maintaining and managing this space is essential.
- 8.2. Maximising daylight to the courtyard must be a design priority. Suggestions for making the most of this space include:
 - Let more sunlight in by dropping a storey to Baron Taylor's Street.
 - Use a sloped roof on the Baron Taylor Street frontage.

- Consider low-key ways to achieve an attractive visual effect, such as a Zen or Tundra garden.
- Provide single aspect flats with balconies and attractive elevational treatment to look out on.
- Consider creating access to this space from Baron Taylor's Street.

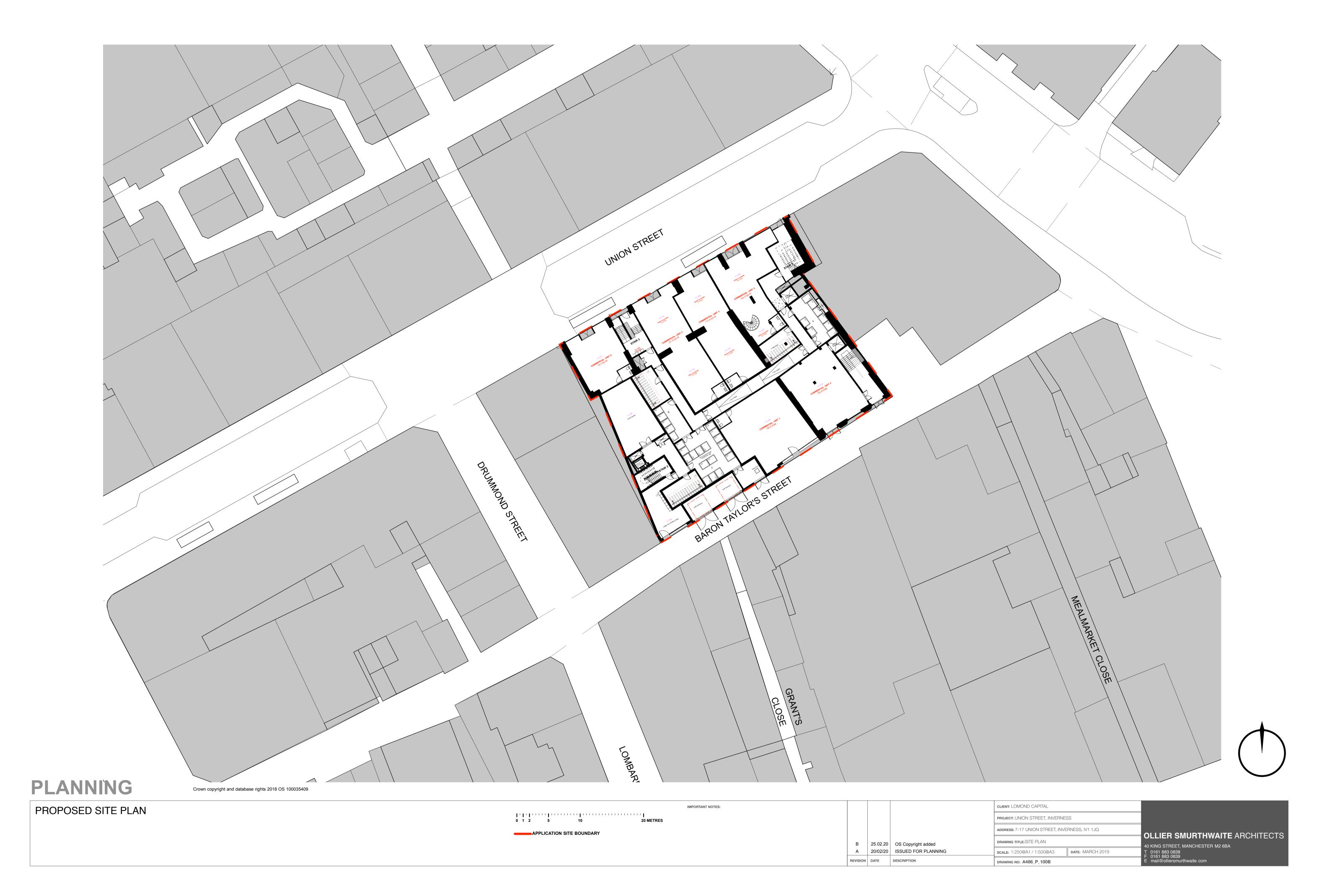
9. WASTE MANAGEMENT

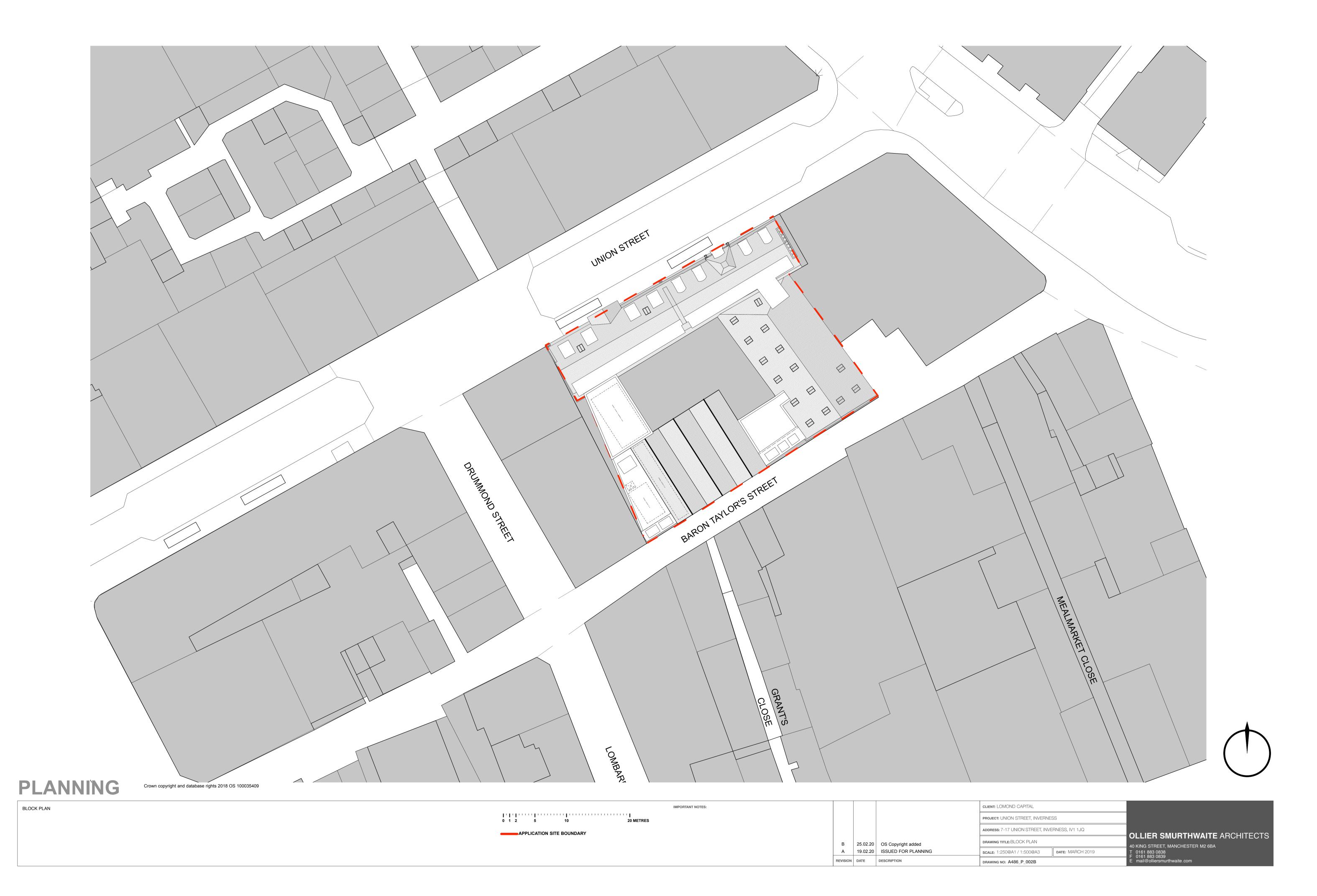
- 9.1. The proposed indoor bin store will be a great asset providing it is controlled and managed well. This has potential to change attitudes and behaviour towards waste disposal, cultivating appropriate city habits.
- 9.2. Opportunities to rid Baron Taylor's Street of wheelie bins entirely should be explored.





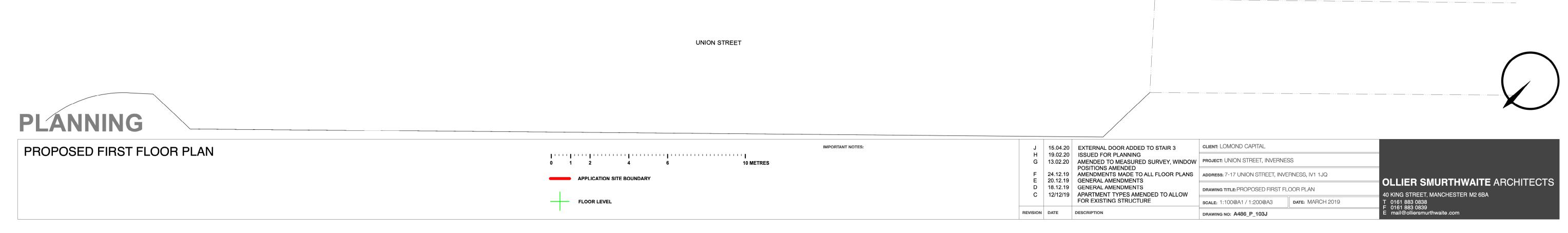
PLANNING











REVISION DATE DESCRIPTION

DRAWING NO: A486_P_104H

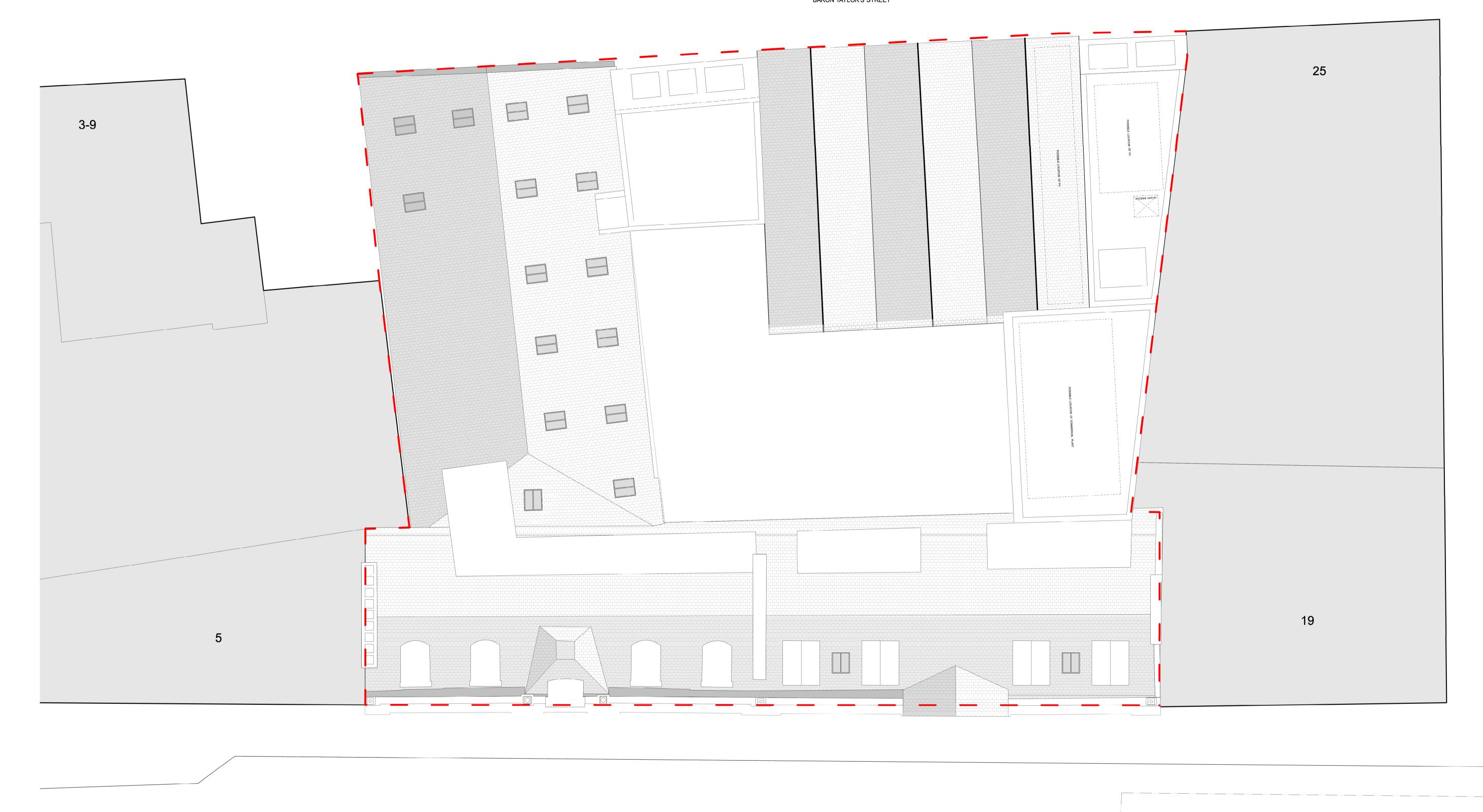
SCALE: 1:100@A1 / 1:200@A3 DATE: MARCH 2019

DRAWING NO: A486_P_105N

REVISION DATE DESCRIPTION



BARON TAYLOR'S STREET





IMPORTANT NOTES:

PLANNING

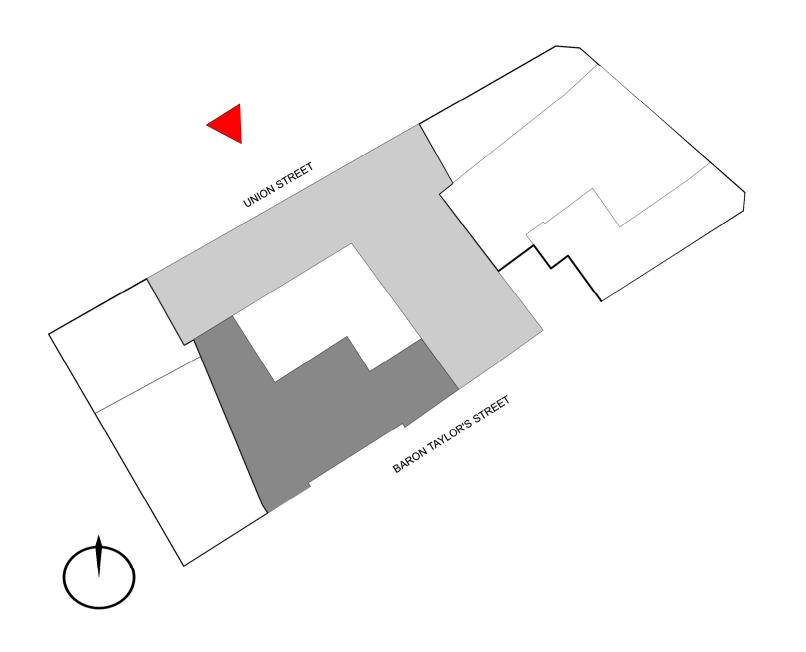
PROPOSED ROOF PLAN

' 	' ' ' <mark> </mark> ' ' ' '	' ' ' ' ' '	' ' ' ' <mark> </mark> ' ' ' ' ' ' '	10 METRES	
)	APPLICATION	ON SITE BOUNDARY			

K	18.03.20	REAR DORMER AMENDED
J	19.02.20	ISSUED FOR PLANNING
Н	13.02.20	AMENDED TO MEASURED SURVEY
G	24.12.19	AMENDMENTS MADE TO ALL FLOOR PLA
F	18.12.19	GENERAL AMENDMENTS
Е	09/12/19	LANDSCAPING ADDED TO COURTYARD A
		ROOFLIGHTS AMENDED
D	03/12/19	ROOF LIGHT ARRANGEMENT AMENDED
С	02/12/19	GENERAL AMENDMENTS MADE TO FLOO
	,	PLANS

PROJECT: UNION STREET, INVERNESS		
ADDRESS: 7-17 UNION STREET, INVERNESS, IV1 1JQ		
DRAWING TITLE: PROPOSED ROOF PLAN		
DATE: MARCH 2019	40 KIN T 016 F 016	
	RNESS, IV1 1JQ	

LIER SMURTHWAITE ARCHITECTS 40 KING STREET, MANCHESTER M2 6BA T 0161 883 0838 F 0161 883 0839 E mail@olliersmurthwaite.com

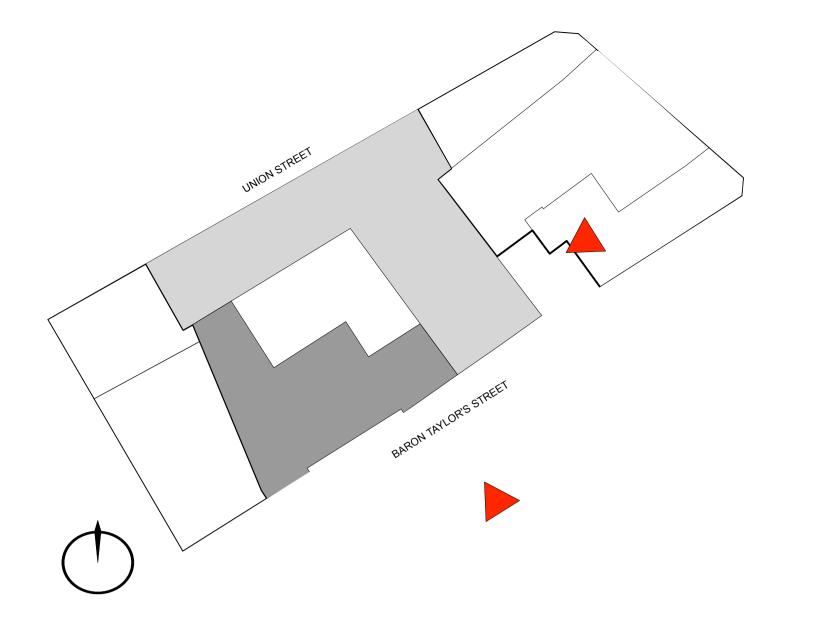


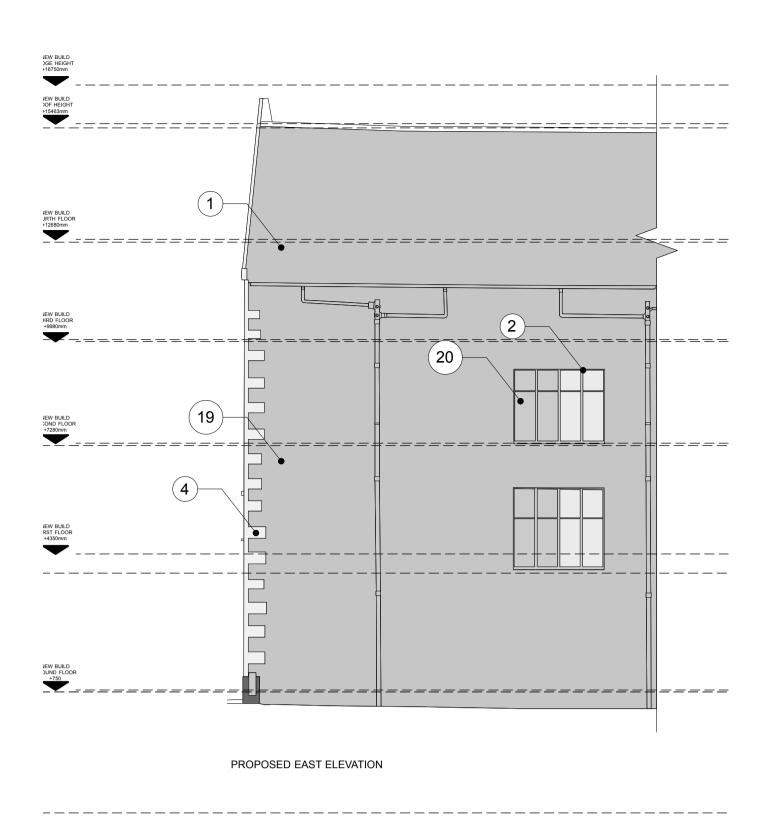


- 12. Proposed Dormers 13. Zinc (Effect)14. Light Grey Stone Cladding15. White Render
- 16. Grey Render
 17. Buff Sandstone
 18. Aluminium Doors With Decorative Artwork TBC
 19. Existing Pebbledash to be Cleaned and Painted
 20. Sanadral Banal
- 20. Spandrel Panel 21. Vent to Basement

PLANNING

IMPORTANT NOTES: CLIENT: LOMOND CAPITAL PROPOSED NORTH ELEVATION DETAILED INVESTIGATION WILL BE UNDERTAKEN TO ESTABLISH WHAT PROJECT: UNION STREET, INVERNESS FEATURES, FABRIC AND DETAILS OF THE ORIGINAL SHOPFRONTS SURVIVE BELOW THE EXISTING CLADDING. THIS WILL INFORM THE ADDRESS: 7-17 UNION STREET, INVERNESS, IV1 1JQ C 20.04.20 SPANDREL PANELS OMITTED DESIGN OF THE REPLACEMENT SHOPFRONTS - CURRENTLY IT HAS **OLLIER SMURTHWAITE** ARCHITECTS BEEN ASSUMED THAT SURVIVING FEATURES EXIST AND WILL BE B 19.03.20 AMENDED IN RESPONSE TO THE HISTORIC DRAWING TITLE: PROPOSED NORTH ELEVATION REPAIRED, SUCH AS THE STONE ARCHED DOORWAY. ENVIRONMENT'S COMMENTS 40 KING STREET, MANCHESTER M2 6BA A 19.02.20 ISSUED FOR PLANNING T 0161 883 0838 F 0161 883 0839 E mail@olliersmurthwaite.com SCALE: 1:100@A1 / 1:200@A3 DATE: DECEMBER 2019 100 METRES REVISION DATE DESCRIPTION DRAWING NO: A486_P_302C

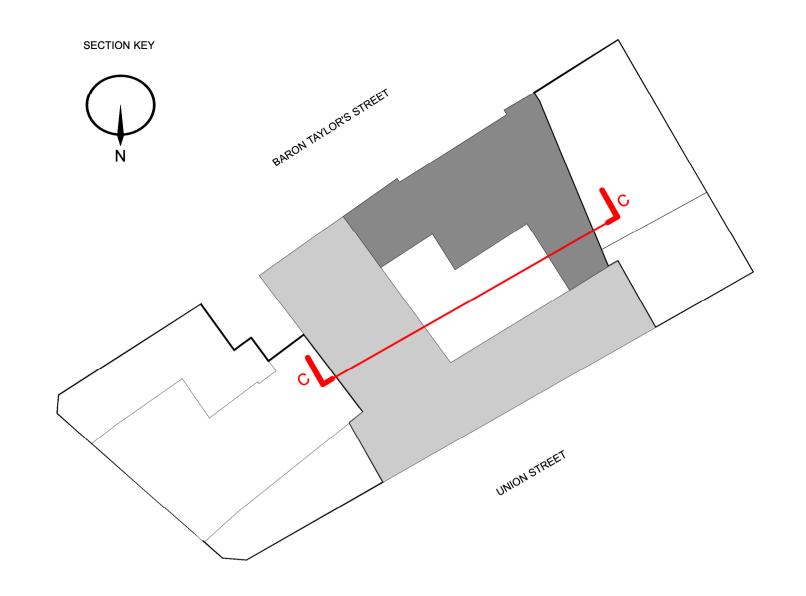






PLANNING

PROPOSED SOUTH ELEVATION	IMPORTANT NOTES:		CLIENT: LOMOND CAPITAL	
THE COLD CONTILLE VALIDIA			PROJECT: UNION STREET, INVERNESS	
			ADDRESS: 7-17 UNION STREET, INVERNESS, IV1 1JQ	OLLIER CAMBRIDATION AFTER A DOLUTEOTO
		B 20/02/20 BRICK AMENDED TO STONE CLADDING	DRAWING TITLE: PROPOSED SOUTH ELEVATION	OLLIER SMURTHWAITE ARCHITECTS 40 KING STREET, MANCHESTER M2 6BA
pppoupououpououp		A 20/12/19 GENERAL AMENDMENTS	SCALE: 1:100@A1 / 1:200@A3	40 KING STREET, MANCHESTER M2 6BA T 0161 883 0838 E 0161 982 0830
0 5 10 25 50 100 METRES		REVISION DATE DESCRIPTION	DRAWING NO: A486_P_301B	E mail@olliersmurthwaite.com





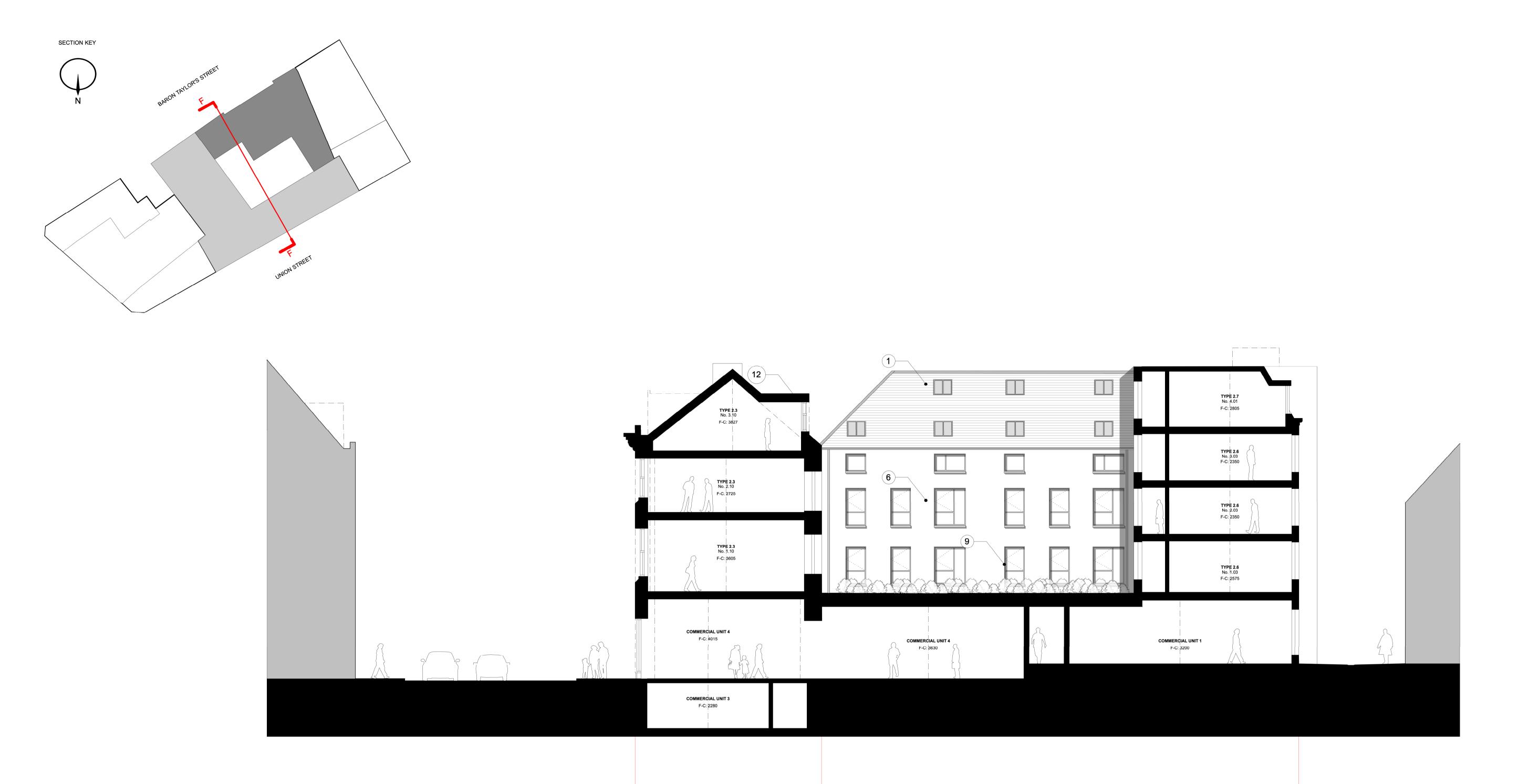
Existing Slate Roof Repaired
 Existing Timber Windows Repaired
 Existing Dormers
 Existing Buff Stone
 Existing Grey Stone Cleaned and Repaired
 Existing Red Sandstone
 Existing Pilasters
 Slate Roof
 Aluminium Composite Glazing
 Frameless Glass Doors to Commercial Entrances
 Solid Timber Door and Surround to Residential Entrances
 Proposed Dormers

Proposed Dormers

13. Zinc (Effect)14. Light Grey Stone Cladding15. White Render 16. Grey Render 17. Buff Sandstone 18. Aluminium Doors With Decorative Artwork TBC

19. Existing Pebbledash to be Cleaned and Painted 20. Spandrel Panel 21. Vent to Basement

PLANNING CLIENT: LOMOND CAPITAL IMPORTANT NOTES: H 17/04/20 WINDOWS ADDED IN RESPONSE TO DEVELOPMENT PLANNING'S COMMENTS PROJECT: UNION STREET, INVERNESS G 20/02/20 ISSUED FOR PLANNING PROPOSED SECTION C-C 03/01/20 WINDOWS AMENDED, DOWNPIPES ADDED ADDRESS: 7-17 UNION STREET, INVERNESS, IV1 1JQ E 24/12/19 AMENDMENTS MADE TO ALL SECTIONS **OLLIER SMURTHWAITE** ARCHITECTS D 20/12/19 AMENDMENTS MADE TO ALL SECTIONS DRAWING TITLE: PROPOSED SECTION CC 03/12/19 DUPLEX ARRANGEMENT AMENDED 40 KING STREET, MANCHESTER M2 6BA
T 0161 883 0838
F 0161 883 0839
E mail@olliersmurthwaite.com B 02/12/19 AMENDMENTS MADE TO ALL SECTIONS SCALE: 1:100@A1 / 1:200@A3 | DATE: MARCH 2019 1 1 2 4 6 10 M REVISION DATE DESCRIPTION



ACADEMY St. ARCADE & VICTORIAN MARKET UNION St. RETAINED BUILD EXTENT OF NEW BUILD SITE EXTENTS

MATERIALS KEY:

 Existing Slate Roof Repaired
 Existing Timber Windows Repaired
 Existing Dormers
 Existing Buff Stone
 Existing Grey Stone Cleaned and Repaired
 Existing Red Sandstone
 Existing Pilasters
 Slate Roof
 Aluminium Composite Glazing
 Frameless Glass Doors to Commercial Entrances
 Solid Timber Door and Surround to Residential Entrances
 Proposed Dormers 12. Proposed Dormers
13. Zinc (Effect)
14. Light Grey Stone Cladding
15. White Render 16. Grey Render16. Grey Render17. Buff Sandstone18. Aluminium Doors With Decorative Artwork TBC19. Existing Pebbledash to be Cleaned and Painted20. Spandrel Panel21. Vent to Basement

PLANNING

PROPOSED SECTION F-F

1 1 2 4 6 10 M

10 METRES

IMPORTANT NOTES:

20/12/19 AMENDMENTS MADE TO ALL SECTIONS C 03/12/19 ROOFLIGHT POSITIONS AMENDED

REVISION DATE DESCRIPTION

K 17/04/20 WINDOWS AMENDED J 15/04/20 WINDOWS ADDED IN RESPONSE TO DEVELOPMENT PLANS H 20/02/20 ISSUED FOR PLANNING G 07/01/20 ROOFLIGHTS AMENDED 03/01/20 DOWNPIPES ADDED

24/12/19 AMENDMENTS MADE TO ALL SECTIONS

DRAWING NO: A486_P_406K

CLIENT: LOMOND CAPITAL PROJECT: UNION STREET, INVERNESS ADDRESS: 7-17 UNION STREET, INVERNESS, IV1 1JQ DRAWING TITLE: PROPOSED SECTION FF SCALE: 1:100@A1 / 1:200@A3 | DATE: MARCH 2019

OLLIER SMURTHWAITE ARCHITECTS 40 KING STREET, MANCHESTER M2 6BA
T 0161 883 0838
F 0161 883 0839
E mail@olliersmurthwaite.com