

**THE HIGHLAND COUNCIL**

**SOUTH PLANNING APPLICATIONS COMMITTEE  
30 September 2014**

Agenda Item	7.10
Report No	PLS/077/14

**14/01964/FUL & 14/02032/LBC : Glen Mhor Limited  
Glen Mhor Hotel, 9-15 Ness Bank, Inverness**

**Report by Area Planning Manager - South**

**SUMMARY**

**Description :** Demolish existing public bar. Erect extension to create craft brewery pub, visitor centre and restaurant area, construct new parking area and demolish boundary walls.

**Recommendation - GRANT**

**Ward :** 15 - Inverness Central

**Development category :** Local

**Pre-determination hearing :** N/A

**Reason referred to Committee :** Manager's discretion.

**1. PROPOSED DEVELOPMENT**

- 1.1 The proposal is to create a major extension to the Glen Mhor Hotel (Grade C Listed) to create a public bar/restaurant with an attached craft brewery and visitor attraction. This will involve the demolition of the existing "Nico's" lounge bar and two bedrooms of the hotel annexe to the south and insertion of a new building in the space between the main Glen Mhor Hotel building and the annexe. The proposed building is a substantial structure running between Haugh Road and Ness Bank. It is approximately 45 metres in length by 15 metres in width. The bulk is reduced by means of two separate dual pitched roofs split by a 1.5 metre wide flat roof valley. The building incorporates a new entrance to the hotel, allowing access from the car park off Haugh Road. The ground floor area of the new building extends to some 705 sq.m. The submitted ground floor plan shows a table layout that can accommodate around 200 people.

- 1.2 The Ness Bank frontage consists of a 2 storey fully glazed gable approximately 8 metres by 6 metres. This steps down from the 3 storey height of the original Glen Mhor building to the 1.5 storey annex. The gable is proud of the Glen Mhor building line by approximately 2 metres. It attaches to the hotel by a timber board panel set back on the original building line. The Haugh Road frontage consists of the two gables formed by the dual pitched roofs.
- 1.3 The building will be a steel portal frame with insulated timber frame panels. Finishes will be a mix of glass, off-white render, natural/stained timber and metal for the roof. Internally, the building will contain the craft brewery and new bar on the first floor with beer hall and tasting cellar, large open area for seating and new entrance on the ground floor. The proposal also includes the extension and re-arrangement of the existing parking area off Haugh Road. This now includes the land to the rear of the buildings to the south of the hotel. The incorporation of this land into the overall car park has been effectively carried out. The new building will make use of the existing public water and drainage networks.
- 1.4 The application contained several supporting documents: Visual Information, Design Statement and Vehicle Management Plan.
- 1.5 **Variations:** Variations to the site layout in relation to the car park layout and biomass boiler stack.

## **2. SITE DESCRIPTION**

- 2.1 The site consists of a large open area between the original Glen Mhor Hotel and the buildings to the south. Surrounding uses are the hotel itself, the River Ness to the west and residential flats to the east across Haugh Road.

## **3. PLANNING HISTORY**

- 3.1 The hotel has been the subject of a number of planning and listed building applications over the years. The most relevant are 07/00606/FULIN and 07/00607/LBCIN for alteration and extension and formation of vehicular access. Both applications were granted and included the erection of an extension on the present site, although this was single storey with a lower profile.

## **4. PUBLIC PARTICIPATION**

- 4.1 Advertised : Schedule 3 development; Section 65 – Affecting a Conservation Area  
Representation deadline : 27.06.2014; 19.09.2014  
Timeous representations : 4  
Late representations : 0
- 4.2 Material considerations raised are summarised as follows:
- A brewery is not appropriate in a residential area.
  - Potential impact on the local road network, particularly congestion caused by vehicle deliveries and coach parties.
  - Noise and disruption from bar/functions.
  - Potential odour/noise issues from the brewery.
  - Nico's bar is an interesting building in the conservation area.

- Previous permissions not implemented correctly.
- Detrimental impact on the conservation area.
- Block views of the river.
- Insufficient parking/servicing for delivery vehicles.
- Detrimental impact on residents' quality of life.

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](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## 5. CONSULTATIONS

5.1 **Environmental Health** : No objection subject to appropriate conditions in relation to noise and air quality.

5.2 **Conservation Officer** : No objection. It is considered that this scheme represents a development proposal which will support economic growth in the conservation area and town centre and will ensure the continued use of the listed building. Although large the design of the proposal is such that its scale and massing in the streetscape is reduced to minimise its dominance. The building as proposed takes reference from surrounding buildings in terms of its form and this will also help to integrate with the established built form, particularly along the riverside frontage. It is good to note that the building will be dual fronted, addressing both the river side and Haugh Road.

5.3 **Transport Planning** : No objection but strong concerns over parking and cycling provision, which are low for the size and nature of the proposal. Current visibility issues with the access to Haugh Road. Concerns over servicing arrangements for delivery vehicles and coaches and pedestrian access.

5.4 **Crown Community Council** : Supportive of the proposal given the design and investment in the city centre. Concerns over the stepped frontage and potential issues with delivery vehicles and cars turning into the car park.

## 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

### 6.1 Highland Wide Local Development Plan 2012

Policy 28	Sustainable Design
Policy 29	Design Quality and Place Making
Policy 34	Settlement Development Areas
Policy 43	Tourism
Policy 56	Travel

Policy 57            Natural, Built and Cultural Heritage

Policy 58            Air Quality

## 6.2    **Inverness Local Plan**

General            Settlement Policies  
Policies

Policy 2            Design

## 7.    **OTHER MATERIAL CONSIDERATIONS**

### 7.1    **Draft Development Plan : Inner Moray Firth Local Development Plan**

Policy 1, Promoting and Protecting City and Town Centres

### 7.2    **Highland Council Supplementary Planning Policy Guidance**

Inverness City Centre Development Brief

Inverness City Vision

Highland Historic Environment Strategy

Managing Waste in New Developments

Developer Contributions

Public Art Strategy

### 7.3    **Scottish Government Planning Policy and Guidance**

Scottish Planning Policy

Managing Change in the Historic Environment

Scottish Historic Environment Policy

PAN 71 Conservation Area Management

## 8.    **PLANNING APPRAISAL**

8.1    Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

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

### 8.3 **Development Plan Policy Assessment**

Scottish Planning Policy makes clear that the planning system should support economic development in a variety of ways, including taking account of the economic benefits of proposed developments; promoting development in sustainable locations, particularly in terms of accessibility, and supporting development that provides new employment opportunities. It also promotes town centre developments, particularly retail and leisure uses, and supports a diverse range of commercial and community activities. The Policy further advocates improvements to town centres through high quality development, well designed public spaces and promoting the evening economy. The goal is to improve the health, vitality and economic potential of city centres.

The present proposal meets many of these objectives through supporting a key business within the city centre, generating new employment, boosting the evening economy and adding to the city's tourist attractions. There are concerns, however, especially in relation to access, parking and servicing. Overall, however, it is considered that the proposal is consistent with Scottish Planning Policy.

8.4 The local policy context for assessing the proposal involves the adopted Highland-wide Local Development Plan (HWLDP), the Inverness Local Plan (As Continued in Force) (ILP), the Inner Moray Firth Proposed Local Development Plan (IMFPLDP) and the Inverness City Centre Development Brief (ICCDB). The policies in these documents are generally supportive of the principle of the development. Policy 3 of the HWLDP outlines support for developments within Inverness City Centre which maintain and strengthen its vitality and viability. Policy 28 supports developments that promote and enhance the social, economic and environmental wellbeing of the people of Highland. The section on tourism highlights the need to "enable growth in high quality tourism development". Similarly, policies in the Inverness Local Plan seek to strengthen and enhance the city centre as the focus for retail, business and commercial activity. The proposed IMFLDP does not specifically identify the site but Policy 1 directs development which generates footfall to Inverness City Centre in the first instance. On the basis of these policies, the development plan is supportive, in principle, of city centre commercial/leisure/tourist developments.

8.5 The Inverness City Centre Development Brief forms a statutory part of the development plan. Among its key aims are improving the commercial vitality and viability of the City Centre; making the City Centre the most attractive and desirable place for businesses to locate; and enhancing the user experience for tourists and other visitors. The proposal falls within the "River area" where the priority is to support development along the river frontage and within the City Centre as a whole which helps to open up and reconnect the river with the City Centre. The proposal will create an attraction to draw tourists from the High Street/Academy Street to the riverside. In this respect the proposal is considered to be in accord with the aims of the Brief through enhancing the attractiveness of the city centre, increasing footfall and improving tourism.

8.6 On the basis of the above assessment, therefore, the principle of creating a new visitor attraction and improving a city centre business is broadly supported by national and local policies and guidance. However, this broad support must be tempered by consideration of more detailed issues, including the design, impact on the transport network, impact on amenity and the impact on the listed building and Inverness (Riverside) Conservation Area.

## 8.7 **Design**

The Design Statement submitted with the application stated that “the aspiration was for a building design which would be an architectural statement in itself but which also fitted sensitively in to its surroundings”. There are differing views as to whether or not this has been achieved. The scheme was considered by PLACE – the Inverness Design Review Panel. Its report supported the principle of development on the site and acknowledged that it presented a design challenge not least because it is sandwiched between and attached to two listed buildings. The Panel expressed some concerns over the proposed scheme, particularly the resultant scale and massing of the building which is considered to have an uncomfortable relationship with the adjoining buildings. Additional concerns relate to the building line, the double glazed gable and the external finishes.

The agent sought to address some of these concerns and the front gable feature has been altered to remove the projecting roof. The applicant is keen to maximise the benefits of a river frontage location and the resultant design has sought to address the juxtaposition of the adjacent listed buildings.

The comments of the Panel have been taken into consideration. It will however be noted that the Conservation Officer is supportive of the design as presented and considers the details address the difficulties of securing a design which is appropriate for the particular site. It will be noted that the Civic Trust has not raised any concerns and that Crown Community Council are supportive of the design, although the latter does express concern over the building line. Moreover, the applicant considers that the scheme reduces the overall impact of the building, adds interest to the riverside, and the glass gable to Ness Bank matches the frontage of other parts of the hotel.

8.8 In terms of the scale of the building it is generally within the curtilage of the existing hotel and is considered not to be out of keeping with the area where there are other hotels with significant extensions. As outlined above the Conservation Officer states that “although large the design of the proposal is such that its scale and massing in the streetscape is reduced to minimise its dominance. The building as proposed takes reference from surrounding buildings in terms of its form and this will also help to integrate with the established built form, particularly along the riverside frontage”. This advice sums up the situation well. The building steps down from the three storeys of the original hotel, is consistent with the street frontage in that there is no fixed building line but a stepped line, and the glass reduces the overall impact on the streetscape. In addition it is a design that will add interest to the riverside.

- 8.9 The Haugh Road frontage has the dual pitched roof which reduces the mass and gives an impression of two separate buildings. The main southern elevation, which will be viewed from Haugh Road is well broken up by the use of glass and does not form a continuous blank frontage. The 2 storey height is similar to other buildings in the area and lower than the flats on the other side of Haugh Road. As the Design Statement suggests it will “create a positive termination to the existing building line found to the north on Haugh Road”.

In terms of design, notwithstanding the divergence of opinions expressed by PLACE and the Conservation Officer in particular, the resultant proposal is considered an appropriate scale and design of development for this particular location.

#### 8.10 **Access/Servicing**

Access and servicing are the most contentious issues in relation to the proposal. There has been an extensive discussion with the applicant and the Transport Planning Team. Whilst certain matters have been agreed, it is clear that issues remain. Firstly, the proposed parking is significantly below the Council's standard requirements. The layout shows parking for 33 cars, including 4 disabled bays. Transport Planning has calculated a requirement for 57 parking bays on the basis of the least demanding standards. These numbers are purely to support the proposed new facilities and take no account of any provision needed for the wider hotel complex. There is therefore a significant shortfall in car parking against the Council's standards. The proposed layout shows four disabled parking bays in an appropriate location and to an appropriate standard, which is acceptable to Transport Planning.

- 8.11 Balanced against this however is the recognition that this is a city centre location where modes of transport other than car borne customers should be encouraged and expected. To this end the proposals do include provision for more sustainable modes of access into the facility (walking, cycling and coach). This therefore provides an opportunity to consider reduced parking provision without detriment to the amenity of the surrounding area or placing undue pressure for *ad hoc* on and off street parking. This can, in part, also be remedied through the use of a Vehicle Management Plan (VMP). This would inform visitors of alternative car parking facilities available in the surrounding area, through signage, information on the Hotel's web site and leaflets. It would allow visitors, if they so require, to find alternative car parking opportunities if the car park is full.

- 8.12 A VMP has been submitted as part of the application and although setting out the principles, requires further revision to highlight more methods of informing visitors of alternative car parking. This can be covered by condition. In addition, the layout shows a service van bay and customer luggage drop off bay. The latter will allow customers to drop off baggage/passengers and thereafter park elsewhere within the city centre. Notwithstanding these measures, there is a shortfall in parking in relation to both the proposed scheme taken on its own merits and in relation to the overall Glen Mhor complex but this must be balanced out against the city centre location and with due regard to maximising the opportunity to meet servicing, delivery and disabled parking facilities.

Moreover, there is an element that if this is not managed properly, the hotel may lose potential customers and it is in their interest to introduce a suitable parking regime. Members will be aware that other large city centre developments have provided developer contributions towards road/parking improvements within the city centre, notably at Eastgate, Glebe Street and Academy Street. In order to ensure that all applications are treated equably, a contribution should be sought in this instance through a Section 75 or similar appropriate Obligation.

- 8.13 The existing access to the hotel from Haugh Road is substandard in relation to the Council's Guidelines. It is impossible to improve it to the north due to existing buildings. Transport Planning recommend that consideration should be given to including a condition requiring the provision of a new traffic sign and / or road marking arrangement on Haugh Road to warn drivers heading south of the potential for vehicles emerging from the concealed entrance. Improving the visibility to the south would require reducing the height of an existing wall. The wall immediately adjacent to the access has been rebuilt in the past to allow for improved visibility for the original hotel. Improving visibility further would require the wall to be reduced by a metre in height over a length of approximately 25 metres. Transport Planning considers that it would provide safety benefits to drivers and cyclists. However, reducing the height of the wall, which is a random rubble construction, would impact detrimentally on the conservation area. High walls are a feature of this length of Haugh Road and the number of vehicles emerging under the proposed scheme is not significantly different from the existing numbers. In this instance, therefore, it is considered more appropriate to retain the wall in the interests of amenity and safeguarding the conservation area.
- 8.14 In relation to servicing the layout shows a service bay for small van deliveries. However, this will not deal with larger vans/lorries delivering ingredients for the brewery or, for example, other food, drink and laundry. Such deliveries will need to park on the public road as happens at present. This is similar to other commercial premises within the city centre. Whilst not ideal, it does maintain the *status quo*. The applicant has also made clear that service deliveries are carefully managed by the Hotel to avoid more than one happening at a time. It is not in their interests to have service vehicles blocking customers' cars and the intention is that this management regime would continue. The Vehicle Management Plan suggests that it is likely that the number of service vehicles will generally remain similar to the present numbers. Brewery deliveries, for example, will be reduced as the on-site beer will be sold instead. Grain deliveries to the new facility will be once-a-week. There will always be difficulties servicing town centre commercial premises and this has to be taken into account together with recognising the existing current practice. On the basis of the information submitted, it does appear that, overall, the increase in service deliveries over the existing situation is likely to be limited.



- 8.15 The applicant advises that coach parties visit the hotel at present and are dropped off outside the main hotel on Ness Bank. The Vehicle Management Plan states that visiting coach numbers vary throughout the year and it is expected that the new facility will generate further business on a more regular basis. The intention is that these will be dropped off at Ness Bank and use the proposed pedestrian entrance to the new building. Thereafter buses would park at dedicated coach parking bays along Ness Bank or at Ardross Street. Longer stays would be directed to the main coach park on Longman Drive.
- 8.16 Coach parking has been a contentious issue in the city centre for some time with the Council seeking to help the situation by creating dedicated spaces at Ardross Street. The city relies extensively on tourism and a significant part of that trade is through coach parties. There will always be an element of conflict between large coaches accessing the city centre and the need to ensure the free flow of traffic and road safety. In this instance the proposal to continue the present regime appears reasonable with coaches stopping for a short time on Ness Bank and then parking at the dedicated coach bays in the city.
- 8.17 As noted above, the lack of parking does provide opportunities for other modes of transport, including cycling, which the Council is currently promoting. The applicant is proposing cycle facilities for both staff and visitors. Twenty-four visitor spaces are shown at the entrance to the hotel, which is considered suitable. Pedestrian access from Haugh Road is restricted at present due to an existing telegraph pole. The applicant has agreed to relocate the pole/wiring to improve the situation.
- 8.18 The proposed layout is considered suitable for the uses submitted under the planning application i.e. the creation of a craft brewery pub, visitor centre and restaurant area. Advice from Environmental Health is that such a development can be accommodated in an area where there is substantial residential development without compromising amenity. However, this may not be the situation if the space was used for other purposes outwith the present application. It would be appropriate, therefore, to insert a condition restricting the uses to those submitted as part of the planning application.
- 8.19 Members will be aware that bin storage is a significant issue for developments within and adjacent to the town centre. In this instance, the hotel stores the bins within a gated pend, which will continue to operate with the new facility.

8.20 **Biomass**

The proposal is to use a biomass boiler to provide sustainable energy for the facility. No details of the boiler have been submitted, although the applicant has given an indication of the likely type of boiler to be used. Based on this submission, Environmental Health has assessed the potential impact of emissions from the flue. On the basis of the type of boiler to be used, generic emission factors for biomass boilers can be employed to make a very conservative assessment of emissions and this indicates that for the size of boiler proposed (350kw) the actual stack height would need to be 1300mm above the ridge of the hotel building to ensure no air quality problems.

However this a conservative approach and it is likely that the actual emission from the biomass boiler will be much less, allowing a shorter flue stack to be used. On the basis of this advice, a condition is recommended restricting the flue height to 1300 mm above the ridge height. This will ensure that using a 350kw boiler, the emissions will be acceptable.

#### 8.21 **Amenity**

There are residential properties adjacent to the hotel, notably the flats across Haugh Road. There is potential to impact on their amenity through noise and odours and increased use of the hotel. It is understood that craft breweries of the type suggested have very little odour. They are designed to operate in environments where there are visitors/customers. Environmental Health has no objection to the proposal on odour grounds. They have advised that the applicant should provide sound power level for the boiler. However, no specific boiler type has been submitted. The matter can be covered by condition to ensure that the noise levels are agreed before the boiler is installed. It should be noted that the site is allocated for Business Uses within the Inverness Local Plan and within such areas, there is an expectation that potential impact from noise and general movement is likely to be higher than in a residential area.

#### 8.22 **Listed Buildings**

The Glen Mhor Hotel is Grade "C" listed. The impact on the listed building will be through the erection of the new building, the demolition of internal walls and the demolition of Nico's Bar. Members will note, firstly, that the Conservation Officer has no objection to the proposal. The consultation response also states that "the scheme proposes the demolition of some elements which are arguably of historic merit in their own right. However in this case the opportunity for expansion and development of the existing business and the contribution to the wider townscape and conservation area is such that it is considered that whilst they are unfortunate these demolitions are, in this instance, justified". On the basis of this advice, it is considered that the impact on the listed building is acceptable.

#### 8.23 **Conservation Area**

The Glen Mhor is within the Inverness (Riverside) Conservation Area. The Council has a duty of care for conservation areas under the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 (as amended). In this instance, given the views of the Conservation Officer and the design of the extension it is considered that the proposal does not detract from the overall character of the conservation area.

#### 8.24 **Public Art**

The Council's policy on public art makes clear that, in appropriate circumstances, the Council will seek a contribution towards public art within the city. This can be financial or "in kind" through works within the project itself. Such a contribution has been sought in relation to other developments within the city centre, notably the proposal at Eastgate where public art will be incorporated into the enhancement of the square. Whilst the contributions in this instance may not be on such a scale, it would be appropriate to agree a contribution.

This matter can be covered by condition.

#### 8.25 **Other Considerations – not material**

The impact on views, particularly from adjacent flats, has been raised. Whilst views will be lost, Members will be aware that there is no right to a view. It has also been alleged that previous permissions have not been implemented properly. These allegations are not relevant to the consideration of the present application.

#### 8.25 **Matters to be secured by Section 75 Agreement**

Developer contributions towards parking/road improvements, including streetscape enhancement, should be secured through a Section 75 obligation or other appropriate legal mechanism.

### **9. CONCLUSION**

9.1 There is no doubt that the proposal will bring benefits to the city centre through job creation, increasing the tourism on offer by the city, providing an interesting new building along the river frontage and, potentially, linking to other attractions in the city centre. In this respect, it clearly complies with the overall local and national policies to safeguard and promote city centres. Moreover, the design is of a high quality and will be an asset to the riverside and conservation area.

However, there is a clear issue in relation to the servicing of the site. Members will note the concerns raised over the lack of parking and potential servicing issues in relation to deliveries and coach drop off. These are ongoing issues throughout the city centre for a number of hotels and attractions and there is no clear, simple solution to the problem. Moreover, in this instance, it is also difficult to assess the impact as much will depend on the success of the venture. However, it does appear that if the proposal is approved, there will be an impact on Haugh Road and Ness Bank, particularly when the car park is full and if coaches drop off in Haugh Road and not Ness Bank. Whilst the applicant has stated that the number of service vehicles is unlikely to differ substantially from the present regime, it is not possible to be certain of this. Nevertheless, given the potential benefits of the scheme, the fact that parking, service delivery/coach drop-off is an issue throughout the city centre and that proper control of these through a Vehicle Management Plan can help alleviate the problem, it is considered that, on balance, the proposal should be supported.

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.

The proposal accords with the duty of care as required by the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 (as amended).

## 10. RECOMMENDATION

<b>Action required before decision issued</b>	Y	
Notification to Scottish Ministers	N	
Notification to Historic Scotland	Y	Demolition within curtilage
Conclusion of Section 75 Agreement	Y	Developer contributions
Revocation of previous permission	N	

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

1. Before development commences a Construction Management Plan shall be submitted to and approved in writing by the Planning Authority. Thereafter the contents of the plan shall be implemented as agreed. For the avoidance of doubt this shall be based upon BS5528 "Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1 – Noise". The CMP should detail how noise from construction activities will be managed, ensure that best practical means is used to reduce the noise and detail the noise mitigation measures which may be required, including for example restrictions of working hours and the use of low noise equipment.

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

2. All plant, machinery and equipment associated with 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 any associated operating noise does not exceed NR 25 when measured or calculated within any noise-sensitive premises with windows open for ventilation purposes. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

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

3. Any noise originating from the operation of the biomass boiler shall be inaudible within any noise sensitive premises. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

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

4. Any music, singing, speech, electronic video games or other amusement machines (whether amplified or not) originating from the operation of the premises shall be inaudible within any noise sensitive premises. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

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

5. No development shall commence on site until a scheme for protecting properties adjacent to the development site from construction-related dust has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall be implemented before any development commences and be maintained until development is complete.

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

6. Notwithstanding the provisions of Article 3 and Class 14 of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), no development shall commence until full details of any temporary site compounds and storage areas (including their location, scale and means of enclosure) shall be submitted to, and approved in writing by, the Planning Authority. Thereafter, the site compounds and storage areas shall be formed in accordance with these approved details. Furthermore, all site compounds shall be maintained in a tidy, safe and secure fashion and be removed from the application site within one month of the development being completed.

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

7. No development shall commence until full details of any external lighting 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. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

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

8. No development or work 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. Thereafter, development and work shall progress in accordance with these approved details.

**Reason:** To ensure that the development is sensitive to, and compatible with, its context and local architectural styles.

9. The biomass boiler flue shall not exceed 1300mm above the ridge of the roof of the proposed building.

**Reason:** To ensure that potential emissions do not exceed the recommended levels.

10. Prior to the first occupation of the development hereby approved, the car parking and access arrangements detailed on approved plan ref. 1347 P(Rt4) 100 Rev D shall be completed in full and made available for use. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

**Reason :** In order to ensure that the level of off-street parking is adequate.

11. No development shall commence until full details of a covered and secure communal bicycle storage/racking system have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt this shall comply with Council Guidelines and shall take account of the occupation of the whole Glen Mhor Hotel complex. 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 reduce dependency on the private car and to encourage greater use of public transport.

12. Before development commences a revised Vehicle Management Plan shall be submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt this shall provide further information on the dissemination of parking information to prospective customers. Thereafter, the Vehicle Management Plan shall be implemented in accordance with these approved details prior to the first occupation of the development hereby approved.

**Reason :** In the interests of road safety.

13. For the avoidance of doubt this permission does not give consent for any external advertisements. Where Advertisement Consent is required, this shall be the subject of a separate application(s).

**Reason :** To clarify the terms of the permission.

14. All landscaping works shall be carried out in accordance with the scheme and plans approved as part of this permission. All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out in the first planting and seeding seasons following the commencement of the development, unless otherwise stated in the approved scheme. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

**Reason :** In order to secure high-quality open spaces in compliance with Council Supplementary Planning Guidelines.

15. Before development commences a road signage scheme for Haugh Road advising motorists of the hotel entrance shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter the scheme shall be implemented as agreed before the development hereby approved becomes operational.

**Reason :** In the interests of road safety.

16. Before development commences, a plan showing how public art will be incorporated into the overall design and site layout of the development shall be submitted to, and approved in writing by, the Planning Authority. Thereafter the agreed scheme shall be implemented before the development hereby approved becomes operational.

**Reason :** In order to enhance the public realm.

17. 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 development hereby approved shall be used solely for a craft brewery public house, visitor centre with restaurant and for no other use or purpose.

**Reason :** In order to ensure that the uses approved are suitable for a residential area.

## **REASON FOR DECISION**

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

## **TIME LIMITS**

### **LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION 14/01964/FUL**

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.

1. 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

### **Listed Buildings**

Both planning permission and listed building consent are required for these works. You are not authorised to commence development until you have both consents in place. Furthermore, both consents and their respective conditions must be read, and complied with, in tandem.



### **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.259), 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 TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

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

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

Application forms and guidance notes for access-related consents can be downloaded from:  
<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

### **Mud & Debris on Road**

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

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

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

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

**Bilingual Signage:** In line with the Council's Gaelic Language Plan and policies, you are encouraged to consider the use of both Gaelic and English on signage within in this development (both internal and external signs). For further guidance, you may wish to contact the Council's Gaelic Development Manager (01463 724287) or Comunn na Gàidhlig (01463 234138).

**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 [BuildingStandards@highland.gov.uk](mailto:BuildingStandards@highland.gov.uk) or on 01349 886606.

#### **CONDITIONS ATTACHED TO 14/02032/LBC**

1. No demolition work (or any associated preparatory work) shall commence until evidence has been submitted to, and approved in writing by, the Planning Authority demonstrating that:
  - i. a Building Warrant, where required, has been issued for the proposed replacement development;
  - ii. legally-binding contracts are in place with a contractor (or equivalent) for the construction of the proposed replacement development; and
  - iii. a timescale has been provided for the projected completion of the replacement development.

**Reason :** To ensure that the proposed development is commenced timeously following the demolition of the existing building; in the interests of visual amenity and to safeguard the character of the historic environment.

#### **TIME LIMIT FOR THE IMPLEMENTATION OF THIS LISTED BUILDING CONSENT 14/02032/LBC**

In accordance with Section 16(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended), the works to which this listed building consent relates must commence within THREE YEARS of the date of this decision notice. If work has not commenced within this period, then this listed building consent shall lapse.

### **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

### **Listed Buildings**

Both planning permission and listed building consent are required for these works. You are not authorised to commence development until you have both consents in place. Furthermore, both consents and their respective conditions must be read, and complied with, in tandem.

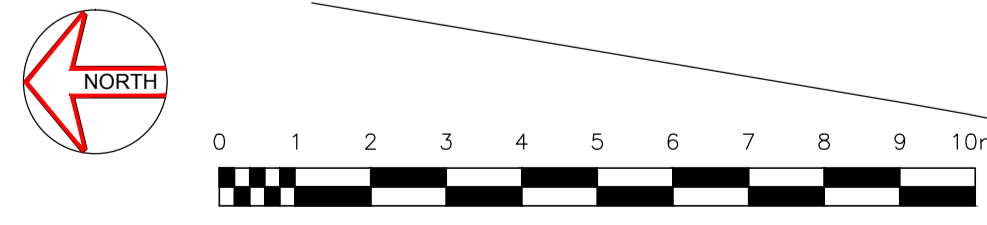
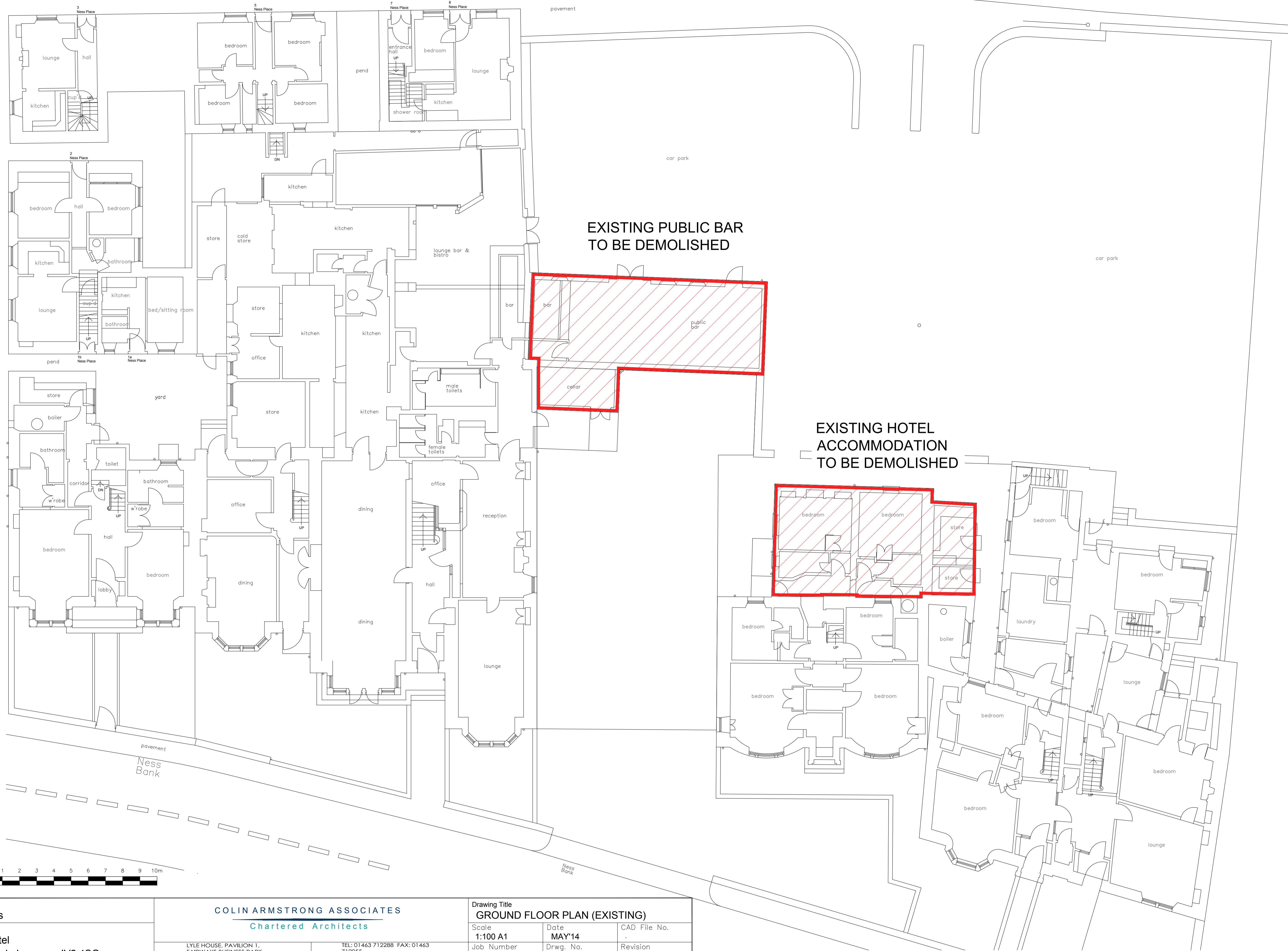
### **RCAHMS**

Attention is drawn to the requirements of Section 7(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the effect of which is that demolition may not be undertaken (despite the granting of this consent) until notice of the proposal has been given to the Royal Commission on the Ancient and Historical Monuments of Scotland (John Sinclair House, 16 Bernard Crescent, Edinburgh EH8 9NX) and either the Royal Commission have been given reasonable access to the building for a period of 3 months from the date on which the Commission receives a completed Form LBC1, or they have stated in writing that they have completed their record of the building or that they do not wish to record it.

Signature: Allan J Todd  
Designation: Area Planning Manager - South  
Author: J. Harbison  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan  
Plan 2 – Existing Floor Plan  
Plan 3 – Proposed Floor Plan  
Plan 4 – Ground Floor Plan  
Plan 5 – Roof Plan  
Plan 6 – Proposed Elevations

## Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Margaret Allan	15 Haugh Road Inverness	07.06.2014 & 21.08.2014	Against
W. Dixon	3 Ness Court Inverness	18.06.2014 & 09.09.2014	Against
D. Thompson	11 Ness Court Inverness	09.07.2014 & 03.09.2014	Against
Fiona MacKay	Ness Court Inverness	03.09.2014	Against



Client  
John Erasmus

Project  
Glenmhor Hotel  
8-15 Ness Bank, Inverness, IV2 4SG.

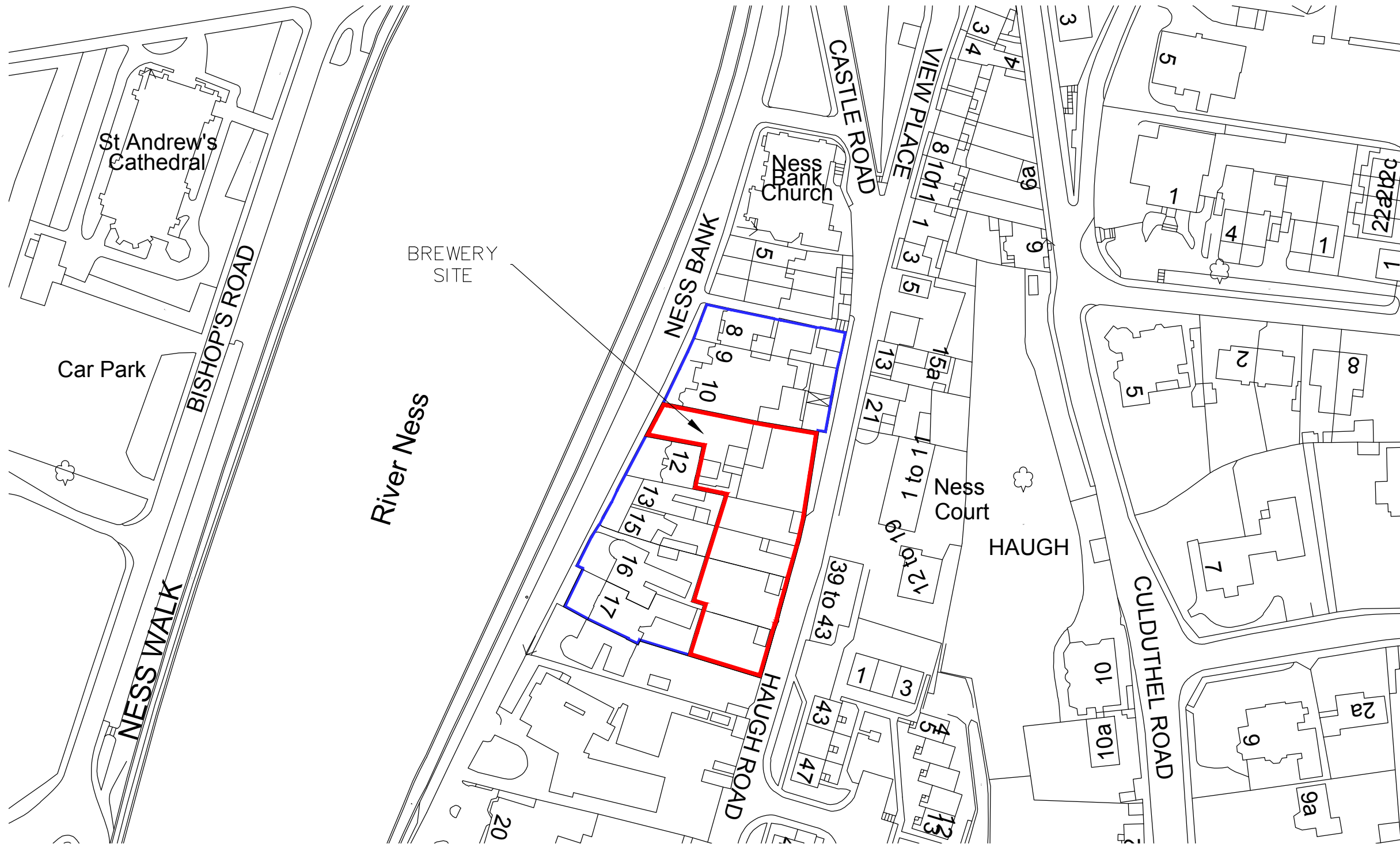
**COLIN ARMSTRONG ASSOCIATES**  
Chartered Architects

LYLE HOUSE, PAVILION 1,  
FAIRWAYS BUSINESS PARK,  
INVERNESS, IV2 6AA.

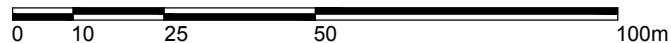
TEL: 01463 712288 FAX: 01463  
712055  
EMAIL: architects@colinarmstrong.com

Drawing Title  
**GROUND FLOOR PLAN (EXISTING)**

Scale 1:100 A1	Date MAY'14	CAD File No. .
Job Number 1347	Drwg. No. 000	Revision .



Location Plan  
Scale 1:1250 @ A3



- Application Boundary Site Area = 2068m<sup>2</sup>
- Ownership Boundary

REV B: OWNERSHIP BOUNDARY TO INCLUDE ALEXANDER/BRAENESS : AR : 160514

Client <b>Mr Jon Erasmus</b>	<b>COLIN ARMSTRONG ASSOCIATES</b> Chartered Architects		Drawing Title <b>Site Location Plan</b>			
	Project <b>Glen Mhor Hotel</b> <b>8-15 Ness Bank, Inverness, IV2 4SG</b>		LYLE HOUSE, PAVILION 1, FAIRWAYS BUSINESS PARK, INVERNESS, IV2 6AA.	TEL: 01463 712288 FAX: 01463 712055 EMAIL: architects@colinarmstrong.com	Scale <b>1:1250 @ A3</b>	Date <b>SEPT'13</b>
			Job Number <b>1347</b>	Drwg. No. <b>001</b>	Revision <b>B</b>	

ALL EXTERNAL MATERIALS TO APPROVAL

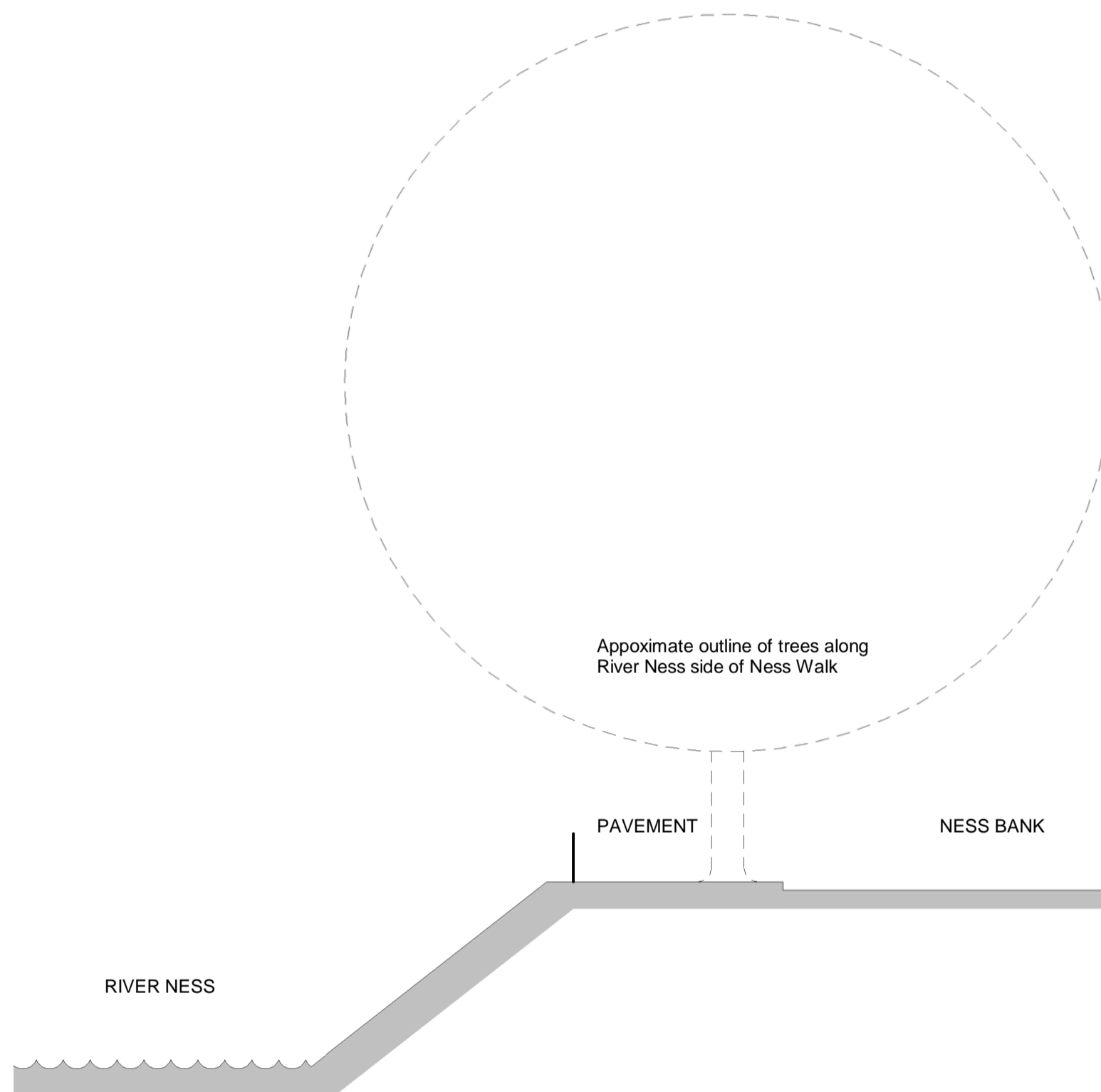


**NESS BANK / RIVERSIDE ELEVATION**

1 : 100

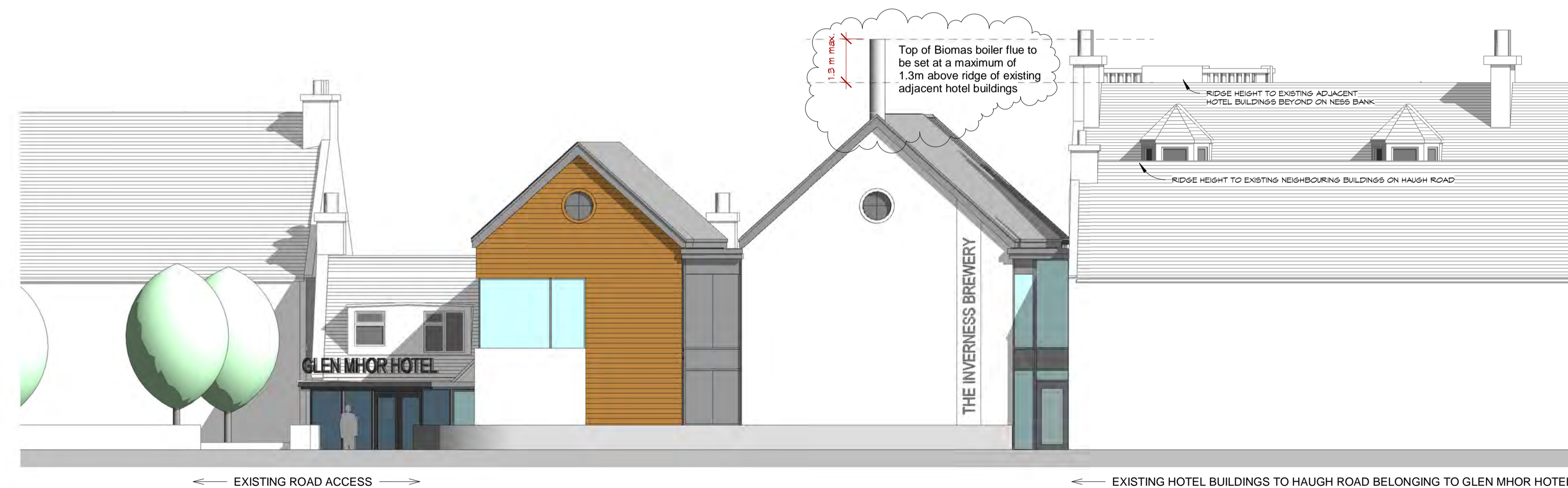
ROOF MOUNTED PHOTOVOLTAIC PANELS TO SOUTH FACING ROOF SURFACES

TWIN MALLED FLUE TO BIOMAS PLANT



**SOUTH (CAR PARK) ELEVATION**

1 : 100



**EAST (HAUGH ROAD) ELEVATION**

1 : 100

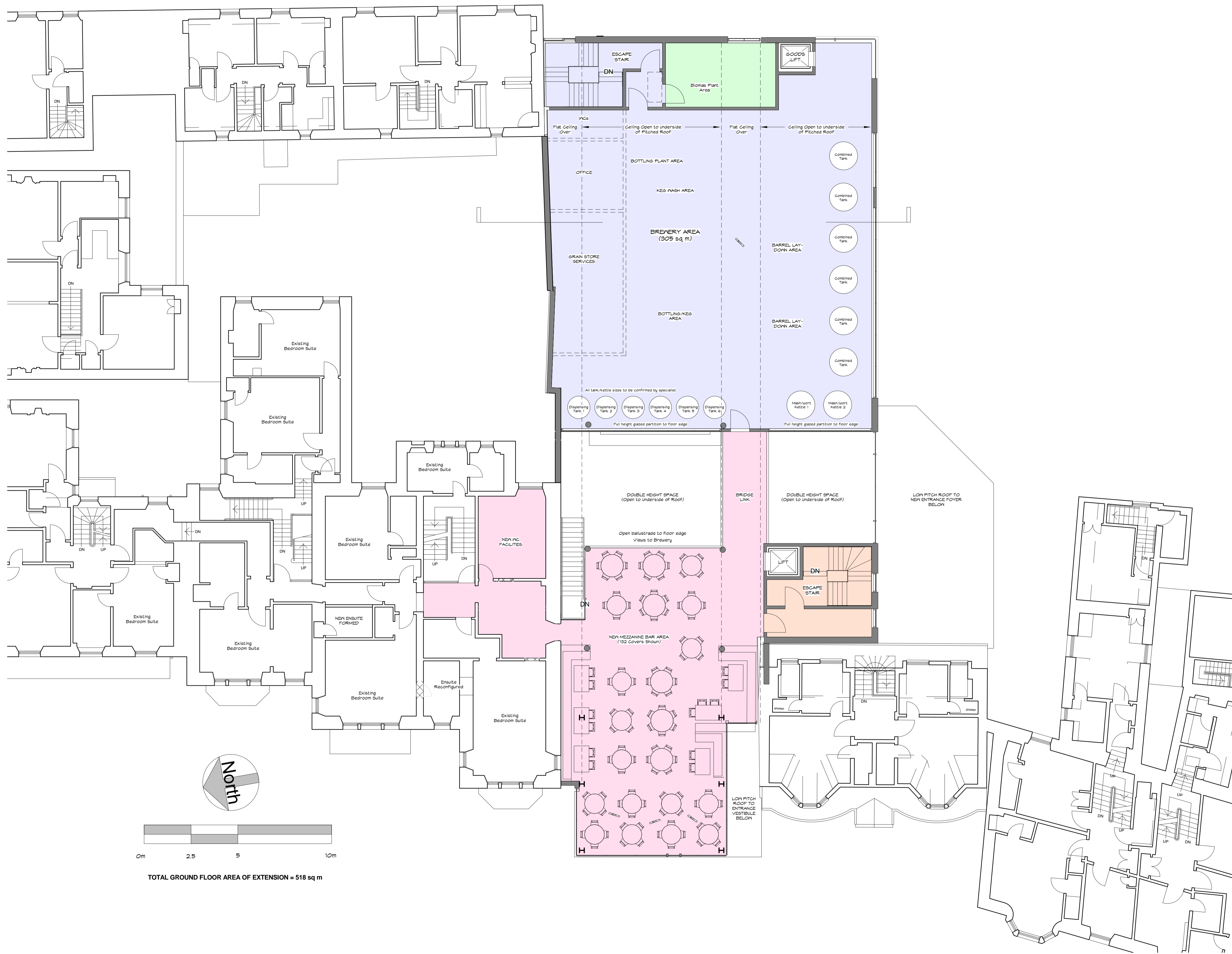
Rev. A 23 July 2014 DJC  
Added maximum dimension to Biomass Flue height  
Rev. B 19 August 2014 DJC  
Revised maximum dimension to Biomass Flue height

Client	GLEN MHOR LIMITED
Project	PROPOSED EXTENSION NESS BANK, INVERNESS

**COLIN ARMSTRONG ASSOCIATES**  
Chartered Architects

**Planning**

Drawing title PROPOSED ELEVATIONS			
Scale 1 : 100	Sheet A1	Date MAY 2014	Revision B
Drwg No. 1347 P(Rt4)300	Job No. 1347	Drawn DJC	



Client  
**GLEN MHOR LIMITED**

Project  
**PROPOSED EXTENSION  
 NESS BANK, INVERNESS**

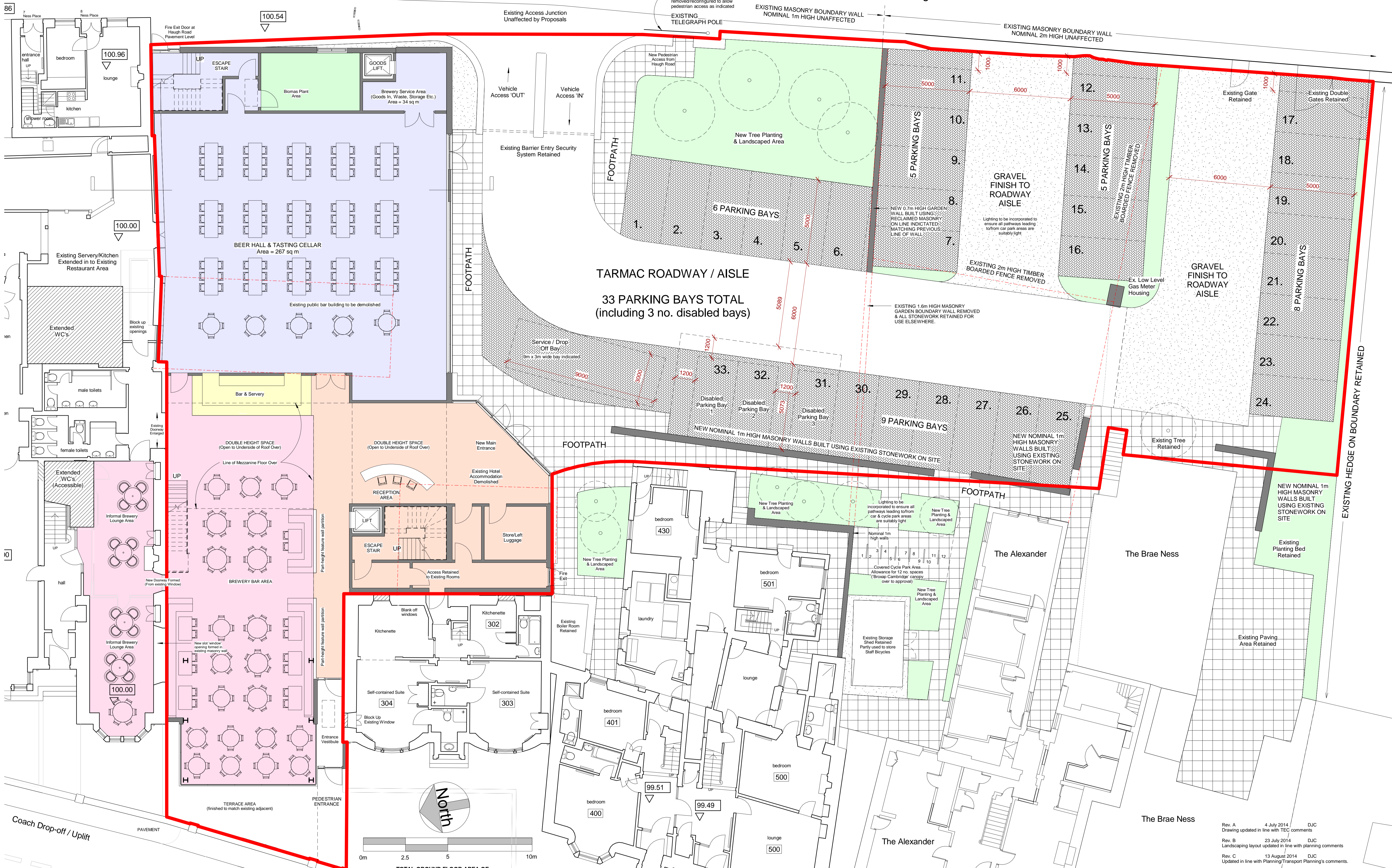
**COLIN ARMSTRONG ASSOCIATES**  
 Chartered Architects

**Planning**

Drawing title <b>PROPOSED FIRST FLOOR PLAN</b>			
Scale 1 : 100	Sheet A1	Date December 2013	Revision *
Drwg No. 1347 P(Rt4)101	Job No. 1347	Drawn DJC	

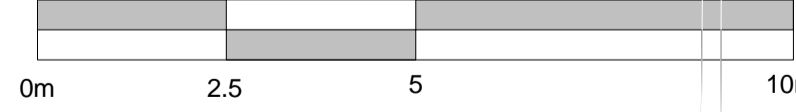
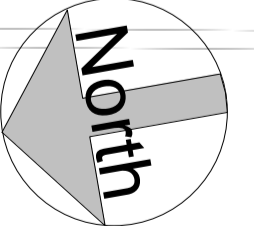
X:\Documents\1347 Inverness Brewery\Drawings\CURRENT\1347(Rt4)\PLANNING.rvt





TARMAC ROADWAY / AISLE  
 33 PARKING BAYS TOTAL  
 (including 3 no. disabled bays)

TOTAL GROUND FLOOR AREA OF  
 EXTENSION = 705 sq m



Client  
**GLEN MHOR LIMITED**

Project  
**PROPOSED EXTENSION  
 NESS BANK, INVERNESS**

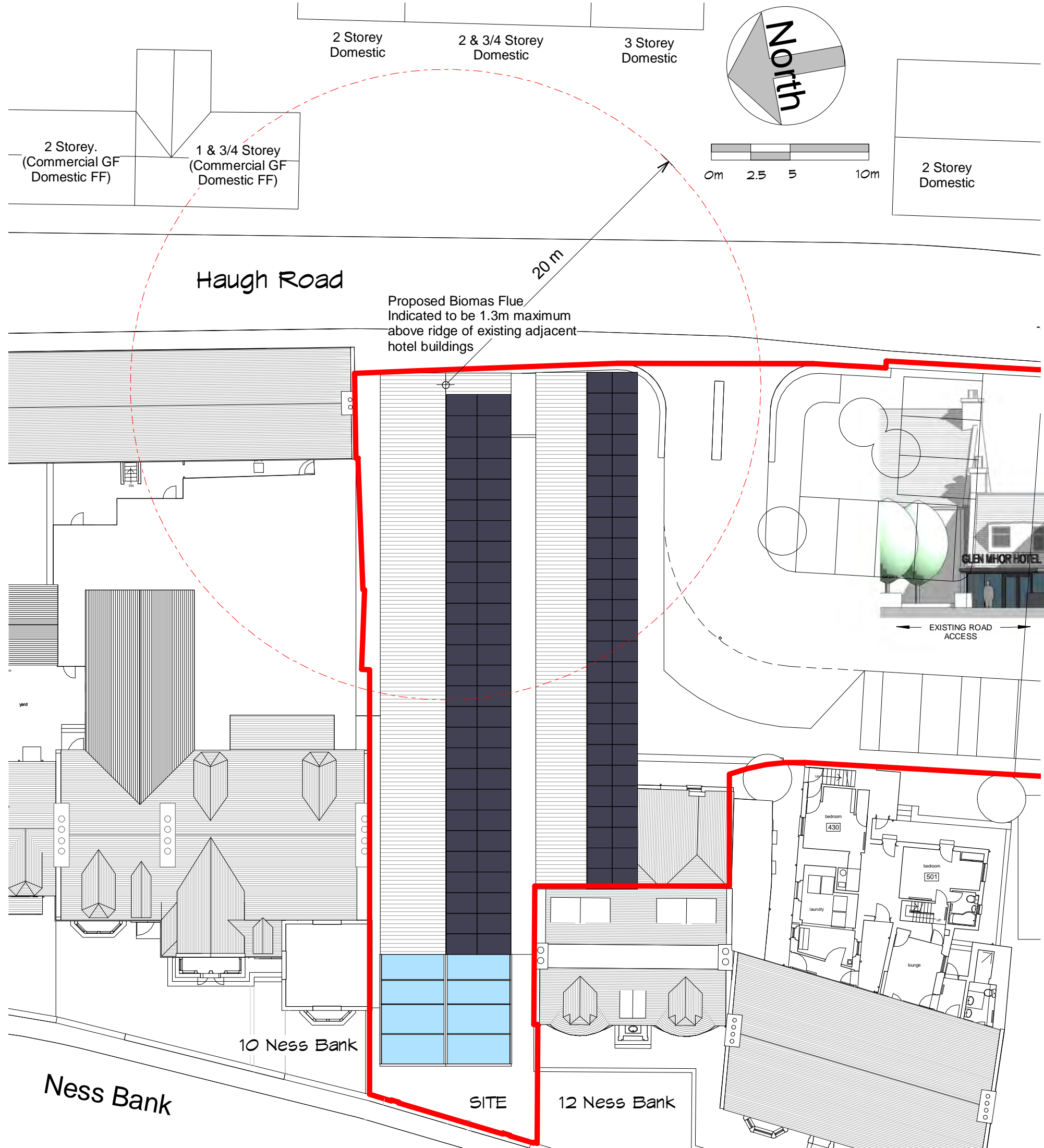
**COLIN ARMSTRONG ASSOCIATES**  
 Chartered Architects

Drawing title <b>PROPOSED GROUND FLOOR / SITE LAYOUT PLAN</b>			
Scale 1 : 100	Sheet A1	Date MAY 2014	Revision C
Drwg No. 1347 P(Rt)100	Job No. 1347	Drawn DJC	

Rev. A 4 July 2014 DJC  
 Drawing updated in line with TEC comments

Rev. B 23 July 2014 DJC  
 Landscaping layout updated in line with planning comments

Rev. C 13 August 2014 DJC  
 Updated in line with Planning/Transport Planning's comments.



**Haugh Road Elevation**

1 : 200

Rev. A 23 July 2014 DJC  
Added maximum dimension to Biomas Flue height

Rev. B 13 August 2014 DJC  
Revised maximum dimension to Biomas Flue height

**COLIN ARMSTRONG ASSOCIATES**  
Chartered Architects

Client		
GLEN MHOR LIMITED		
Project		
PROPOSED EXTENSION		
NESS BANK, INVERNESS		
Drawing title		
Roof Plan & Haugh Rd Elevations - Biomas Flue		
Scale @ A3	Date	Revision
As indicated	June 2014	B
Drwg No.	Job No.	Drawn
1347 P(Rt4)105	1347	DJC



Client GLEN MHOR LIMITED	 <b>COLIN ARMSTRONG ASSOCIATES</b> Chartered Architects	Drawing title 3D PHOTO RENDERING 1		Revision
Project PROPOSED EXTENSION		Scale NTS @ A3	Date June 2014	*
NESS BANK, INVERNESS		Drwg No. 1347 P(Rt4)310	Job No. 1347	Drawn DJC



Client <b>GLEN MHOR LIMITED</b>	 <p><b>COLIN ARMSTRONG ASSOCIATES</b> Chartered Architects</p>	Drawing title <b>3D PHOTO RENDERING 2</b>		
Project <b>PROPOSED EXTENSION</b>		Scale NTS @ A3	Date <b>June 2014</b>	Revision *
<b>NESS BANK, INVERNESS</b>		Drwg No. <b>1347 P(Rt4)311</b>	Job No. <b>1347</b>	Drawn <b>DJC</b>