

THE HIGHLAND COUNCIL

**SOUTH PLANNING APPLICATIONS COMMITTEE
16 August 2016**

Agenda Item	6.4
Report No	PLS 050/16

**16/02417/FUL: The Highland Council, WASPS and McCarthy & Stone
Midmills Building, Crown Avenue, Inverness, IV2 3NF**

Report by Area Planning Manager – South/ Major Developments

SUMMARY

Description: Conversion and redevelopment of the former college complex to form creative hub, new sheltered and affordable housing and associated infrastructure

Recommendation: GRANT

Ward: 17 Inverness Millburn

Development category: Major

Pre-determination hearing: n/a

Reason referred to Committee: Major application.

1. PROPOSED DEVELOPMENT

- 1.1 Set within the Crown Conservation Area and in the city centre, this is a joint application between McCarthy and Stone, Highland Council and Workshop and Artists' Studio Provision Scotland (WASPS) for the proposed redevelopment of the former Midmills College Campus. WASPS will take ownership of the listed buildings and will use funding obtained from McCarthy and Stone and The Highland Council and further additional sources to carry out the necessary repair and upgrade works to the listed buildings and enable their reuse for community art studios. This in turn will prevent their deterioration and allow the buildings to be preserved for future generations. The Highland Council will deliver the affordable housing element of the development in the form of 30 age restricted apartments and McCarthy and Stone will provide 53 private retirement (sheltered) housing element of the proposed development. These will be in a mix of one and two bedroomed flats.

The former Midmills building will be converted to provide a creative hub managed by WASPS and including studio and gallery space for local artists and designers. It is envisaged the existing rooms will be retained and made available as essential repair works to the listed building are undertaken.

- 1.2 The proposal involves development of the grassed area to the rear of main Midmills complex and will require demolition of the existing temporary single storey buildings located to the rear of the main building complex. In addition, a further building, previously the primary school and added to the main building in 1922, and of stone construction will also be demolished. The former janitor's house located to the west of the main building will be retained. The flats will be located to the north and west of the main building and will be of 3.5 storeys high incorporating slated pitched roof with walls finished in natural stone panels and white render. The existing metal railings and boundary wall and boundary trees will be retained.
- The remainder of the site will comprise areas of car parking and landscaping with footpath connections through the site providing access to the north and south of the site.
- 1.3 The proposal was the subject of the Council's pre application consultation process for Major Developments on 20th January 2016 where general support for the principal and scope of the development was given. Prior to submission, in accordance with the requirements of a Major category of development, a Pre Application Notice was submitted in January 2016. A public consultation exercise was undertaken in February 2016 at Crown Church, Inverness and this was followed by a presentation to Crown and City Centre Community Council in July. Appropriate public advertisements were placed in local newspapers.
- 1.4 The application includes the following supporting documents:
- Design and Access Statement
 - Pre Application Consultation Report and Appendices
 - Planning Support Statement
 - Planning Design Statement
 - Flood Risk Assessment
 - Drainage Impact Assessment
 - Arboricultural Impact Assessment
 - Fabric Survey report
 - Site Investigation report
 - Transport Statement
 - Ecology Survey report
- 1.5 **Variations:** One variation has been made to revert the initially proposed single access to the site to an "in and an out" on Crown Avenue as it was when the college was there. Additionally the build outs into Crown Avenue to control traffic have been removed.
- 1.6 The proposed development was also presented to the Inverness Design Review Panel in February 2016. The Panel were supportive of the principle of development emphasising the need to ensure that development of the site should secure an appropriate use for the listed building with planning permission linked to this objective.

2. SITE DESCRIPTION

- 2.1 The site is located within the city centre as defined in the Development Plan, but is surrounded on all sides by housing. It falls within the Crown Conservation Area and is on a bus route to the south of the site. The primary buildings are listed grade B and are located to the west and south of the site. These were originally built as the high school and its extension with a later addition to the north forming the primary school. More recently there is a further extension to the east of the site with a number of temporary (that have become permanent) buildings to the north east. A number of mature trees surround the site and are an important feature of the conservation area. Access to the rear of the site is primarily from Crown Avenue with additional access to the listed buildings at the front from Midmills Road. As a former college campus in the city centre and within the residential area of Crown, the site is well served in terms of infrastructure.

3. PLANNING HISTORY

- 3.1 There are no recent relevant applications for this site, but this application is inextricably linked with two other applications that are currently under consideration. These are:
- 16/02418/LBC - demolish the primary school building to the north of the site and the 1960's extension to the east of the site; and
 - 16/02421/CON which is to demolish the five "temporary" buildings to the north east of the site.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Affecting a Conservation Area

Representation deadline: 01.07.16. Re-notification following variation 23.07.16

Timeous representations: 8

Late representations: 0

- 4.2 Material considerations raised are summarised as follows:

- Support proposal but concerned about traffic exit/entrance arrangements particularly the build outs and would prefer using an in and an out to access and exit the site;
- Parking bays on Crown Avenue should not be utilised by visitors to the site and sufficient parking should be provided within the site;
- Support proposal, but request that a bus stop layby is provided on Midmills Road;
- Support proposal, but impose a 20mph limit on stretch of Midmills Road from Crown Church to the roundabout at the top of Crown Brae;
- Support proposal, but finished building would be improved by finishing in materials more suited to the existing Victorian building;
- Sheltered housing flats are too close to the railings particularly given the proposed height of the building;
- The prevalent form of existing development on Crown Circus and Midmills

Road is 2 storey detached, semi-detached and terraced villas. The McCarthy and Stone proposal is three storey which is out of context;

- Loss of green space;
- Parking provision is inadequate;
- Development of studios seems unnecessary when the listed buildings could be redeveloped for housing reducing the density elsewhere;
- Opposition to a development that is considered inappropriate in the Conservation Area. New housing lacks variety;
- Concern about the “in and out” access to the site.

4.3 All letters of representation are available for inspection via the Council’s eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Forestry:** no objections to the proposal but specific conditions will be required to safeguard the retained trees, ensure long term management of the trees and appropriate replacements where necessary. Tree protection measures required during all construction work.

5.2 **Historic Environment Team:** No objection to the proposal and welcomes the re-use of the main listed Midmills building which is essential and a key consideration of any development proposal for the site. The development should be seen as an enabling development and must ensure that the urgent works required to the listed building are undertaken before development commences on the new build. It is also required that the dountakings from the demolished building be used to provide appropriate public art features within the site.

5.3 **Transport Planning:** previous concerns regarding traffic impact have been resolved through the submission of additional details. A Travel Plan will be required for the use as a Creative Hub and an annual monitoring report submitted for the first 5 years of use to establish whether changes to the Travel Plan are required. Access and egress from the site will be onto Crown Circus and full details will be required before development commences. The ‘build outs’ have been removed. It will be a requirement to extend the 20mph speed limit on Midmills Road to the junction with Crown Circus to take account of the restricted visibility onto Midmills Road from the Creative Hub.

Within the site, parking, cycle storage/parking facilities will be required in addition to footpath slinking through the site.

Each of these matters can be dealt with by appropriate conditions.

5.4 **Access Officer:** No objection, but conditions required to ensure the design and layout of footpaths is to an appropriate standard to cater for the residents.

- 5.5 **Flood Team:** No objection but require confirmation that Scottish Water will adopt the proposed foul and surface water drainage system.
- 5.6 **Contaminated Land:** No objection subject to a condition relating to possible contamination resulting from the demolition of the buildings.
- 5.7 **Crown and City Centre Community Council:** the community council are supportive of the proposal and welcome the re-use of the existing buildings. The balance of uses proposed is considered appropriate and 'valuable and central' to the local community and Inverness.
- 5.8 **SEPA:** initial concerns regarding the proposed surface water drainage system have now been resolved and an on site solution proposed. Additional details will be required before development commences but this can be addressed by appropriate conditions.
- 5.9 **Historic Environment Scotland:** No concerns raised.

6. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28	Sustainable Design
29	Design Quality and Place-making
30	Physical Constraints
31	Developer Contributions
42	Previously Used Land
51	Trees and Development
56	Travel
57	Natural, Built and Cultural Heritage
58	Protected Species
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
2	Delivering Development

6.3 Highland Council Supplementary Guidance

Highland Historic Environment Strategy
 Flood Risk and Drainage Impact Assessment
 Sustainable Design Guide
 Managing Waste in New Developments
 Public Art Strategy

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Not applicable

7.2 Scottish Government Planning Policy and Guidance

National Planning Framework (The Scottish Government, June 2014)

Paragraphs 77 and 132

Scottish Planning Policy (June 2014) Paragraph 137

Scottish Historic Environment Policy

PAN 71 Conservation Area Management

PAN 77 Designing Safer Places

PAN 78 Inclusive Design

Designing Streets

Creating Places – a policy statement on architecture and place for Scotland.

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

This application sits alongside 16/02418/LBC which is the listed building application for the demolition of the former primary school (Block C) and the 1960's extension and 16/02021/CON which is the demolition of the temporary buildings around the site within the Conservation Area. The three applications are inextricably linked and account is taken of them in the assessment of this application.

Both of the listed buildings (the original 1895 school building and its 1913 extension) (Blocks A and B) will be taken over by the applicant to become a creative hub including studio and gallery space for local artists, designers and makers as well as providing access to cultural activities for the local community. As the accommodation is mainly a series of classrooms, studios and offices, it requires very little change to the internal layout. Some minor alterations and restoration works are required including a new heating system and improvements to access, but internally, the building will remain as is. Urgent works are however required to ensure the building remains in good condition, wind and watertight and it will be essential that these are undertaken without delay. The proposal to develop the remainder of the site is considered an enabling development and as such it is essential that the necessary works to the listed building are put in place before development commences on the new build. This can be dealt with by appropriate conditions and the applicant is aware of the importance of ensuring that the main Midmills building is protected from further damage through delay in implementing the remedial works.

The former primary school to the north of the original secondary school building is listed by association with the secondary school and its extension. Arguably the most significant impact on the historic environment is the intention to demolish the former primary school building. In simple terms, the justification for its removal is to enable development, which will secure the future of the remaining listed buildings. The applicant has suggested that the two storey original buildings are significant as is demonstrated in their listings. By contrast, the former single storey primary school is much simpler in design and is far less articulated than the original school buildings.

It is accepted, and indeed the applicant has been advised, that the campus site must be considered in its entirety. The loss of the primary school building is key to unlocking the site and enabling the development of the site as a whole and therefore for conserving the remaining listed buildings. The applicant has submitted costings for repair works to the listed buildings and it is accepted that there is a need to protect and maintain the original listed buildings.

To off set the conservation deficit (costs) of re-using the listed building, the application also comprises the erection of some 53 private sheltered apartments and 30 affordable apartments within the site. The finance generated from these developments will allow the listed buildings to be brought back into use and for appropriate restoration and repair work to be carried out by WASPS (the applicant for the listed buildings).

In terms of relevant national and local policy and guidance, the proposed development is considered acceptable. The site occupies a prominent location and is bounded on all sides by a well established residential area. The development of flatted accommodation as proposed is considered acceptable and the design, scale and massing appropriate for the location.

Trees: The site contains visually significant semi-mature to mature mixed broadleaves and sits within the Crown Conservation Area. Conservation Areas are listed as a locally/regionally important natural heritage feature under Policy 57 of the Highland-wide Local Development Plan, which states that 'Highland Council will allow developments if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource'.

Policy 51 (Trees and Development) of the Highland wide Local Development Plan notes that 'The Council will support development which promotes significant protection to existing hedges, trees and woodlands on and around development sites. The acceptable developable area of a site is influenced by tree impact, and adequate separation distances will be required between established trees and any new development. The Council will secure additional tree/hedge planting within a tree planting or landscape plan to compensate removal and to enhance the setting of any new development'.

The applicant has provided a Tree Constraints Plan, a Tree Protection Plan and an Arboricultural Report. The report identifies four trees to be removed on the basis of poor condition and no trees are proposed to be removed for development. The report notes in Section 6 that 'the refurbished buildings will have the same relationship to the trees as has existed for many years'. The development will utilise some of the greenspace to the north and east and proximity to some of the

existing trees is raised as a concern by the Forestry Officer. Nevertheless it is considered with adequate on site protection and suitable landscaping and long term management of the trees including replacements where necessary, that the development can proceed without significant adverse impact on the visually important boundary trees.

Historic Environment Team (HET): In terms of the demolition of the listed building, the Historic Environment Team has not raised objections but notes that the justification for the loss of the building is largely based on securing development of the remainder of the site. As a later addition to the original main building it is of lesser historic value and its loss, while regrettable, will enable the long term protection and reuse of the main listed grade B Midmills building. This is an important building in the context of the city occupying a prominent position. The Council is keen to ensure that an appropriate use is secured for it and the fabric protected from wind and water damage which could arise if left vacant for a considerable time. On balance therefore support can be given to the demolition on the basis that it enables the retention and protection of the remaining listed buildings.

The importance of Blocks A and B cannot be overestimated both in terms of their architectural and historic interest and their importance as a landmark in the wider context of the Crown conservation area and it should be considered a priority to secure a new use for these buildings. This application provides that opportunity. It is however envisaged that the stone dowlings from the building will be retained and incorporated into public art features, including forming arches, pillars and using cills and lintels for garden features. This will be secured by condition.

Developer Contribution: as the development is aimed at providing retirement flats with an age restriction, developer contributions will not be required for education. On site works include providing public art, linking footpaths for general public use and maintaining the existing boundary features will be secured through conditions. No other developer contribution is identified as necessary for this development.

National Policy: The National Planning Framework, paragraph 132, states that 'as part of the Housing Need and Demand Assessment (HNDA), local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing'. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites'.

NPF Paragraph 77, seeks to 'facilitate new housing development, particularly in areas within cities network where there is continuing pressure for growth' and stipulates that 'planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development'. The ever increasing number of older people within the Highland Council area means that pressure on the existing housing stock will increase, as will the requirement for specialised housing solutions for the older population.

In respect of the historic environment SPP Paragraph 137 seeks to "promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and

its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced,"

Development Plan Policy: The Inner Moray Firth Local Development Plan identifies the application site as being within the city centre. The site is not covered by any specific land use policy designation. However, due to its location, within central Inverness, policy P1 applies which seeks to promote and protect the city centre. The Plan also advocates a flexible approach to the development of central sites.

Given the mixed use proposed, the wider benefits of addressing specific housing needs, the re-use of important landmark heritage assets and the footfall for the city centre that would be generated, the principle of the development can be supported in terms of policy P1 and the general provisions of the Development Plan.

8.4 **Material Considerations**

Access: Many of the concerns raised by third parties relate to the original intention by the applicant to have a single point of entry from Crown Avenue into the site to serve the flats and to use build outs on Crown Avenue to control traffic speed. In response to these concerns, the applicant reverted to the existing situation which involves an "in and an out" arrangement and has now removed the build outs. All relevant parties were re-notified following this amendment and one further comment was received in this regard. Transport Planning were involved in discussions on this amendment and are satisfied that this arrangement meets their requirements and can therefore support this means of access to and egress from the site.

Parking: Transport Planning also confirmed that despite this being a city centre site, the applicant has demonstrated that they can achieve the required parking standards for this number of units.

Design: While it is accepted that the residential character of the area around the site is generally traditional in style with properties of 2 storeys, this is a city centre location and it is considered appropriate to accept a higher density of development. The ridgeline of the McCarthy and Stone building is lower than the existing listed buildings and is separated from the residences on the other side of Crown Circus by mature trees. The line of trees around the outside of the site will be supplemented by additional extra heavy standard trees which will over time increasingly shield the existing houses from the development. In terms of design, the applicant has used slate for the roof and timber windows in keeping with the Conservation area. These are modern buildings being constructed within an older part of the city, but the applicant has sought to incorporate traditional elements in terms of materials, fenestration of windows and pitched roofs which is considered acceptable and can therefore be supported.

Loss of Green Space: The applicant has demonstrated that while there is a reduction in the visible green space from Crown Circus, the overall amount of

green space throughout the site will be increased as a result of this application.

8.5 Other Considerations – not material

20mph zone: While it is accepted that there may be a desire within the community to lengthen the existing 20mph zone, this is a matter for the community in conjunction with the Roads Authority and not a matter directly linked to this planning application.

Development of Studios: this application is for the redevelopment of the listed building as studios. The applicant could have made an application for converting the building to housing, but this would have had a much greater impact on the integrity of the listed building. The proposal under consideration before, is for studios, which is considered an acceptable use of the listed building and will bring it back into use.

Summary of Development: in order to clarify the timing of the development, the applicant has supplied a summary for the committee as follows:

“McCarthy and Stone Retirement Lifestyles Ltd will purchase the site following the necessary planning and listed building consents being obtained. They will thereafter, in effect, gift the listed buildings, to WASPS who will then take ownership of the buildings. McCarthy and Stone will also provide a substantial contribution to WASPS for the sole purpose of carrying out works to the listed buildings. The contract between McCarthy and Stone will specify the works to be carried out and the timing of the works to ensure that they are carried out to a satisfactory standard and to enable the buildings to be brought back into use as soon as possible.

Following planning permission being obtained, Highland Council will acquire part of the remaining site from McCarthy and Stone Retirement Lifestyles Ltd. The Council site will be cleared by McCarthy and Stone’s contractors. Thereafter the Council will deliver the affordable housing element of the proposal. Due to the shared access arrangements and concurrent timings of the respective developments it will be necessary to maintain a partnership between the respective parties on site during construction.

The Council will also provide a financial contribution to WASPS to assist them with undertaking works associated with the re-use of the listed building.

WASPS will also obtain funding from a wide range of organisations, including Highlands and Islands Enterprise, to further assist with the redevelopment of the listed buildings. It is understood that the funding has been agreed and is in place.

The importance of ensuring that not only are the necessary works to the listed buildings carried out but that they are carried out in accordance with the phasing plan contained within the Planning Statement, has been the primary focus of the agreed arrangements with all parties fully aware of their respective responsibilities in order to enable the site to be successfully redeveloped while conserving the principle listed buildings for suitable re-use.”

It is evident therefore that in line with recommendations, the applicant has endeavoured to ensure that the primary objective of the Council in securing an appropriate re-use of the main Midmills building together with the funding necessary to enable the change of use to be implemented, will be achieved. It is

recognised that the phasing of development will be essential if the Council is to be assured that the new build can only be implemented once it is satisfied that the works to the listed building are implemented. For this reason, it is intended to include conditions which would preclude development on the new build unless the proposed occupants of the Midmills building (WASPS) have confirmed their position and that the funding for the necessary works is in place and thereafter implemented.

9. CONCLUSION

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

10. RECOMMENDATION

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

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

1. No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, all in accordance with the attached specification, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

2. No development shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. The scheme shall include:

- a) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the uses proposed;
- b) measures to deal with contamination during construction works;
- c) in the event that remedial action be required, a validation report that will

validate and verify the completion of the agreed decontamination measures;

- d) in the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

No development shall commence until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

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

3. No development shall commence until confirmation of Scottish Water's Technical Approval for foul and surface water drainage has been submitted to and agreed in writing by the planning authority. For the avoidance of doubt this should include a clear confirmation that a 20% allowance for climate change has been included.

Reason: In order to ensure the site is adequate drained.

4. No development, including any demolition works, shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors during construction;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during demolition and construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii. how the site will be developed and mitigation measures in terms of noise for adjacent premises; and
- ix. a scheme for lighting the site during construction.

The approved Construction Method Statement shall be adhered to throughout the construction period.

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

5. No development shall commence until a Tree Protection Plan and Arboricultural Method Statement by a suitably qualified arboricultural consultant have been submitted to and received the approval in writing of the planning authority, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction). No development, site excavation or groundwork shall commence until all retained trees have been protected against demolition and construction damage as per the Tree Protection Plan and Arboricultural Method Statement.

Reason: In order to ensure the protection of retained trees, which are important amenity assets, during demolition and construction.

6. No development shall commence until a fully detailed scheme of landscaping for the whole site, including a scheme of maintenance, has been submitted to and received the approval in writing of the Planning Authority. For the avoidance of doubt, this should include the planting of a minimum of 6 extra heavy standard trees in the gaps in the existing row of trees on Crown Circus. All planting thereby approved shall be undertaken in the first planting season following completion of each of the phases of development and shall thereafter be maintained in accordance with the approved scheme of maintenance. Any plants which, within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the immediately following planting season with others of a similar size and species. For the further avoidance of doubt, the landscaping plan shall identify areas of shared facilities and will ensure consistency of standard throughout the site for both landscaping and the on going long term maintenance.

Reason: In the interests of amenity and in order to ensure a standard of landscaping across the site as a whole.

7. A suitably qualified arboricultural consultant must be employed by the applicant to ensure that the Approved Tree Protection Plan and Arboricultural Method Statement are implemented to the agreed standard. Stages requiring supervision are to be set out in the AMS for the written agreement of the planning authority and certificates of compliance for each stage are to be submitted for approval.

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

8. With effect from the date of this permission, no trees are to be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the planning authority.

Reason: To ensure the protection of retained trees during construction and thereafter.

9. The applicant shall take all necessary measures to avoid nuisance to neighbouring residents caused by dust which arises from operations carried out in connection with the planning permission, the details of which shall be submitted to and agreed in writing to the satisfaction of the Planning Authority and thereafter implemented in accordance with the approved scheme throughout the construction period.

Reason: In order to protect the environment and amenity of the residents.

10. No development shall commence until a detailed plan of public access across the site upon completion has been submitted to and received the approval in writing by the Planning Authority. The details shall show:

- All areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage, in relation to proposed buildings or

structures

- All paths proposed for construction for use by walkers, cyclists and all-abilities users

The plan shall thereafter be implemented as approved.

Reason: In order to ensure public access through the site.

11. No development shall commence until details of all lighting for the site have been submitted to and agreed in writing by the Planning Authority and thereafter so implemented prior to first occupation of the flats.

Reason: In order to ensure the site is appropriate lit for safety and given the location within the Conservation Area.

12. No development shall commence until details of all materials for surface finishes have been submitted to and agreed in writing by the Planning Authority and thereafter so implemented prior to first occupation of the flats.

Reason: In the interests of visual amenity.

13. No site clearance shall commence until a scheme for public art for the site, that incorporates elements of the downtakings of the former primary school building, has been submitted to and received the approval in writing of the Planning Authority. Thereafter none of the flats hereby granted planning permission shall be occupied unless the public art is installed all to the satisfaction of the planning authority.

Reason: In the interests of protecting the historic environment and the amenity of the site.

14. No development shall commence on the new build elements (other than demolition of the outbuildings) of the site until the Urgent Repairs as identified in the Fabric Survey Report (October 2015) submitted with the application have been carried out and completed to the satisfaction of the Planning Authority.

Reason: In the interests of protecting the historic environment.

15. For the avoidance of doubt, there shall be no demolition of any part of the existing building until it has been demonstrated to the satisfaction of the Planning Authority, from whom written confirmation shall be obtained, that all necessary permissions together with an appropriate contract are in place to enable the commencement of development as identified in the planning permission hereby granted consent.

Reason: In order to ensure the timeous demolition of the existing buildings and in the interest of the amenity of the area.

16. No development shall commence until the finalised SUDS arrangements have been submitted to and received the approval in writing of the Planning Authority in consultation with SEPA. For the avoidance of doubt, the submission should consist of a detailed drainage plan demonstrating how adequate treatment will be achieved. The flats for which planning permission is hereby approved shall not be

occupied unless the surface water drainage associated with the development including areas of hardstanding and the driveway, is installed and completed to the satisfaction of the Planning Authority and in accordance with SEPA's guidelines on SUDS.

Reason: In order to ensure that the site is properly and adequately drained.

17. None of the flats hereby granted planning permission shall be occupied unless the method by which foul drainage is to be provided on site has been implemented and completed to the satisfaction of the Planning Authority.

Reason: In the interests of public health.

18. All building material, plant and equipment shall be stored within the boundaries of the application site throughout the construction period, details of which will be submitted to and agreed in writing by the planning authority before development commences on site.

Reason: To ensure that there are no obstructions to the public highway.

19. No development (including site clearance) shall commence until a method statement to ensure the safety of bats on site has been submitted to and received the approval in writing of the Planning Authority. The method statement should include:

- i. All workers on site should be briefed about the possibility of encountering bats during work and the appropriate actions to take. This briefing should be included in the site induction and signed for, to ensure compliance.
- ii. Ten mitigation bat boxes should be in place prior to demolition work commencing. These should be constructed of woodcrete, to ensure longevity.
- iii. The three roosts should be excluded by a licensed bat specialist, using one-way excluders to allow bats to leave but not return. Alternatively the roosts should be manually dismantled under licensed supervision and any bats present safely removed to bat boxes.
- iv. Exclusion must take place during a period when bats are active, between 1 May and 30 September, or at a time when a licensed bat specialist is satisfied that exclusion will be successful.

Reason: In order to ensure the protection of bats.

20. No development shall commence until a scheme indicating suitable bin storage/collection points has been submitted to and received the approval in writing of the Planning Authority. The approved details shall thereafter be implemented prior to occupation of the first flat.

Reason: In the interests of road and pedestrian safety.

21. No development shall commence on site unless details of covered and secure cycle storage facilities have been submitted to and agreed in writing by the Planning Authority sufficient to serve each of the three proposed developments,

and thereafter provided in accordance with the approved scheme before first occupation of the flats hereby granted planning permission to the satisfaction of the Planning Authority.

Reason: In order to ensure an appropriate level of cycle storage facilities are provided to serve the development

22. No development shall commence until details of centralised recycling facilities have been submitted to and agreed in writing by the Planning Authority. The approved details shall thereafter be implemented from the date of first occupation of any part of the development.

Reason: In the interests of amenity and to comply with Council policy

23. No development shall commence on site until a Construction Management Plan has been submitted to and agreed in writing and thereafter implemented in accordance with the approved plan to the satisfaction of the planning authority.

Reason: in the interests of residential amenity.

24. No development shall commence on site until a phasing programme for the entire development has been submitted to and agreed in writing by the planning authority and thereafter implemented in accordance with the approved phasing schedule. For the avoidance of doubt, the Urgent Works on Midmills building will comprise Phase 1 to the satisfaction of the planning authority.

Reason: in order to ensure an appropriate phasing of development.

24. None of the flats hereby granted planning permission shall be occupied until a new bus shelter has been provided at developer expense at the existing stop on Midmills Road to the satisfaction of the planning authority the details for which will be submitted to and agreed in writing before development commences on the construction of the flats to the satisfaction of the planning authority.

Reason: to help promote greater use of non car trips.

25. No development shall commence on site until details for the arrangement of the egress from the development out onto Crown Avenue has been submitted to and approved in writing by the Planning Authority and thereafter implemented in accordance with the agreed layout before first occupation of the flats hereby granted planning permission

Reason: in the interests of road safety.

26. Proposals for extending the 20mph speed limit on Midmills Road up to the junction with Crown Circus shall be submitted to and approved by the Planning Authority prior to any works commencing, with the agreed proposals thereafter implemented in accordance with the agreed proposal prior to any occupation of the Creative Hub to the satisfaction of the planning authority.

Reason: in the interest of road safety.

27. No development shall commence on site until a Travel Plan incorporating an Events Management Plan has been submitted to and approved in writing by the Planning Authority prior to first occupation of the Creative Hub. The scope of the Travel Plan and the associated Events Management Plan shall be agreed with the Planning Authority prior to implementation. For the avoidance of doubt, Annual Travel Plan Monitoring Reports shall be submitted to the Planning Authority for 5 years after the first occupation of the Creative Hub setting out the performance of the Travel Plan including any recommendations to amend it all to the satisfaction of the planning authority.

Reason: in the interest of the amenity of the area.

28. No development shall commence on site until details of car parking facilities to serve each of the three proposed developments has been submitted to and agreed in writing by the planning authority. Thereafter the agreed schedule of parking shall be provided for each of the three proposed uses before first occupation of any of the uses all to the satisfaction of the planning authority.

Reason: in order to ensure adequate off street parking for each of the three proposed uses.

REASON FOR DECISION

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

TIME LIMITS

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

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

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

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

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 for more information.

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

Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments
Author: Elaine Watt
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan
Plan 2 – Site Plan
Plan 3 – Elevations - sheltered
Plan 4 – Elevations – affordable
Plan 5 – Masterplan
Plan 6 - Demolition plan (2)
Plan 7 - Greenspace

Inverness Design Review Panel

Panel Report

Former Midmills Campus (Inverness College UHI)

11 February 2016

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 proposal to adapt and re-use the listed, former Inverness Royal Academy building, which is regarded as a significant priority for the city centre. It offers in-principle support for new development on the site if this is needed to secure the building's long-term future. Re-use of the listed building as WASPS artists' studios is encouraged. The Panel considers the proposed collegiate layout of new development to be in keeping with its historic setting, while sheltered and age-restricted affordable housing would be an appropriate use. A fully-developed masterplan should be prepared, backed up by an appraisal of surrounding urban context. The preferred option is for new development to feature high quality, contemporary design. Steps should be taken to improve proposed elevations. The sensitivity of the site raises important design considerations including: the need to safeguard open space on the eastern boundary of the site; the importance of bringing the courtyard of the listed building to active use; ensuring the quality and character of the setting is not compromised by parking provision; effective integration of public art; and adequate attention to crime prevention measures and parking management.

1. Introduction

1.1. This report relates to proposed conversion and redevelopment of former Inverness College Midmills complex to form creative hub, new sheltered and affordable housing with associated parking and amenity space. It should be read in conjunction with pre-meeting papers that summarised the cultural significance of the site and described the proposed site layout, the potential subdivision of the listed building, and plans and elevations of new blocks, including CGI renderings of key views.

2. Overview and rationale for development

2.1. The Panel welcomes the proposal to adapt and re-use the listed, former Inverness Royal Academy building, which is a significant priority for the city. The Panel offers in-principle support for new development on this site on the understanding that this is a necessary means of funding remedial and conversion work on the listed building to secure its long-term future.

2.2. The Panel wholeheartedly endorses two important development principles:

- development of the site should be dependent on securing an appropriate use for the listed building; and

- planning permission should be linked to this objective.

- 2.3. If “enabling” development is needed to secure the long-term future of the listed building, the Panel considers sheltered and age-restricted affordable housing to be an appropriate use.
- 2.4. The demolition of any building or building element, for example the former primary school block, must be justifiable in terms of the benefit this brings to the overall scheme and design.
- 2.5. The Panel welcomes the potential re-use of the listed building as WASPS artists’ studios and encourages full exploration of opportunities to deliver this proposal. Should it be necessary to adapt the listed building to private residential use, conversion proposals must ensure that:
 - parking provision does not detract significantly from the quality and character of the external environment;
 - important interior spaces are preserved.

3. Site Layout

- 3.1. The Panel approves of applying a collegiate layout to new development, which is in keeping with the historic character of the original school campus and has potential to minimise the impact of new development on the Conservation Area.
- 3.2. The proposed proximity of the new building to the eastern boundary is, however, a significant concern and the Panel recommends increasing the distance between the building and the site perimeter to:
 - Preserve important open space, and
 - Safeguard against damage to the roots of trees lining Crown Drive.

Both open space and trees have high amenity value and are key characteristics of the development’s historic setting.

Open space could be preserved by redistributing density to bring new buildings closer together.

- 3.3. A fully-developed masterplan should be prepared that:
 - Presents a cohesive landscape design, involving overall consistency of treatment, for the entire site;
 - Achieves clear articulation between public, private and semi-private space;
 - Articulates how open space will be used and viewed, and the extent to which public access will be encouraged and accommodated;
 - Creates comprehensible routes that guide public access to and through the site.

The masterplan should be backed up by an appraisal of the surrounding urban context, including an assessment of active travel routes, destinations and desire lines, including routes to/from shops, services, bus stops etc.

It should also take into account landscape management issues should such as preserving the continuity of the tree line along Crown Drive, which differs from maintaining the status quo.

- 3.4. The Panel welcomes the reinstatement of the courtyard space enclosed by the original Academy buildings. This space is a prominent design feature and should be developed as

an active, sociable outdoor environment. It is important that the “purity” of the space is safeguarded, which includes ensuring it cannot be used for parking.

- 3.5. The proposed opening up of views through the site is welcome.
- 3.6. It would be appropriate to adjust the orientation of the sheltered housing block to maximise sunlight in interior spaces.

4. New buildings

- 4.1. The Panel’s preferred option is for high quality, contemporary design that complements the quality and character of the listed building and the Conservation Area.
- 4.2. Proposed elevations fall short of the Panel’s aspiration for this setting. Suggested improvements include:
 - Achieve greater clarity of style (either use contemporary design or echo richness/embellishment of existing buildings)
 - Be bolder and more contemporary
 - Make more use of natural stone in keeping with the Conservation Area setting;
 - Use colours that empathise with and complement surrounding buildings (predominantly pink). The use of white is not appropriate in any of these contexts.
- 4.3. Attention is drawn to a number of recent new developments in Cambridge that share a similar setting and demonstrate exemplary standards of contemporary design. However, the Panel recognises that the development budget for Midmills is not comparable. It is also highlighted that good design need not be indicative of higher costs.

5. Public art

- 5.1. Public art has a key role to play in enhancing the distinct character of the historic fabric and creating a positive ambience for residents, visitors and the wider community. Discussions with artists should take place early in the design process to make effective use of public art and guide what can be achieved. High Life Highland is willing to signpost appropriate sources of advice.

6. Community safety

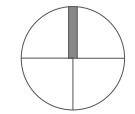
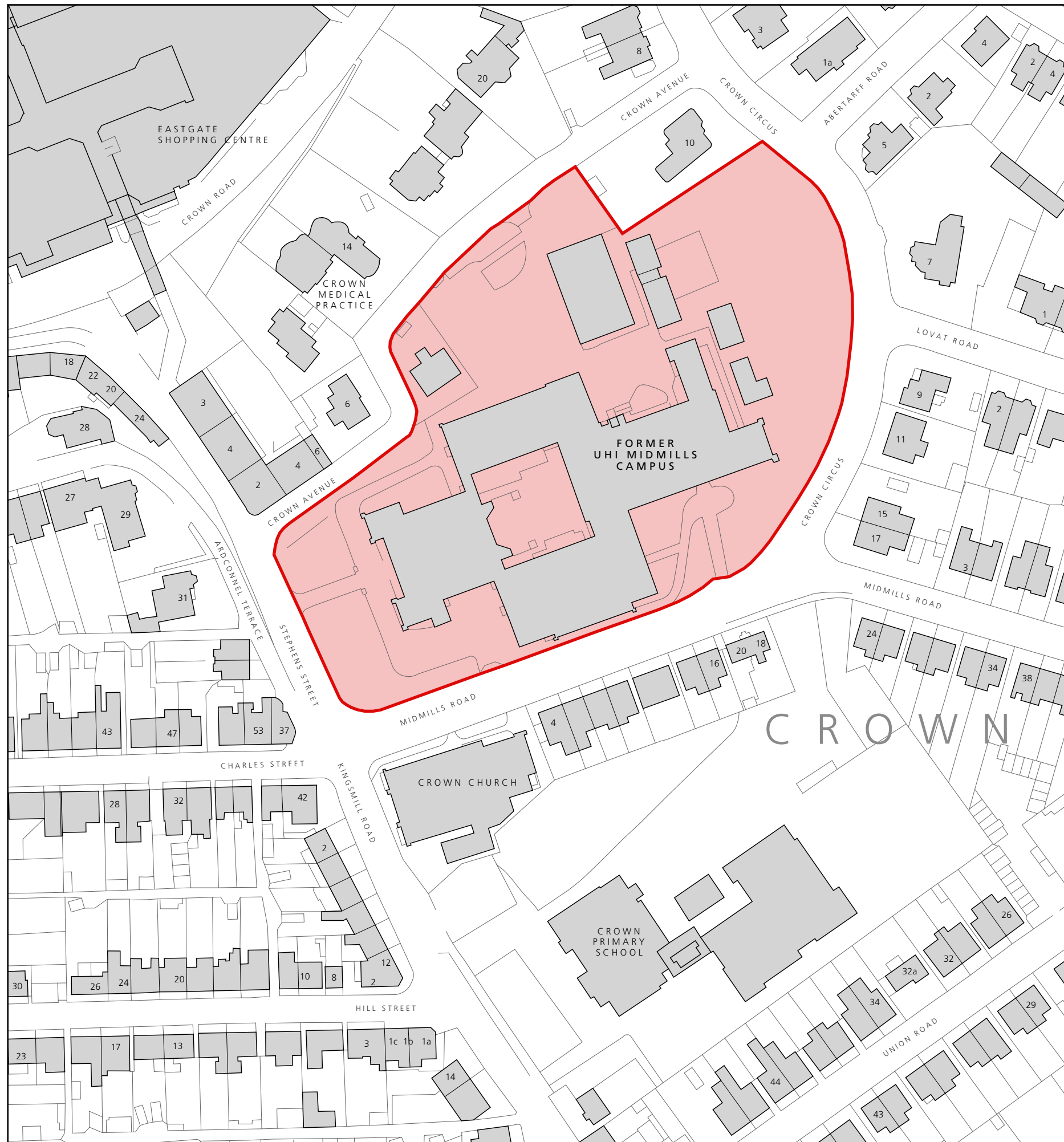
- 6.1. The Crown area of Inverness has been subject to a number of crimes in the past year, including housebreaking, vandalism and crimes of disorder. This site’s proximity to the city centre makes it vulnerable to this type of crime, along with anti-social behaviour such as drinking in public.
- 6.2. This location could also lead to misuse of on-site parking facilities. Potential solutions include:
 - Use of parking permits in conjunction with adoption of roads within the development by The Highland Council;
 - Installation of gates with access control at vehicular entry points;
 - Carefully considered use of natural surveillance at ground level.
- 6.3. Development of sheltered housing and age-restricted affordable housing in this location is welcome from a community safety perspective. It is important, however, that Crime Prevention Through Environmental Design (CPTED) principles are integrated into the design.

- 6.4. Lighting should be carefully co-ordinated to cover areas of potential crime risk.
- 6.5. Secure by Design accreditation would ensure other relevant security measures could be incorporated at detail design stage.

7. Recommendations

7.1. In developing the design, the Panel recommends the following priorities are addressed:

- Ensure development is dependent on securing an appropriate use for the listed building that preserves important interior spaces.
- Explore all opportunities for adaptive re-use of the listed building as WASPS artists' studios.
- Prepare a comprehensive masterplan for the campus backed up by an appraisal of the surrounding urban context. Issues to be addressed include: landscape design and management; articulation of public/private space; use of open space; public access; linkages to surrounding active travel networks.
- Demonstrate high quality, contemporary design in new-build development.
- Increase the distance between new building and the eastern perimeter of the site to preserve important open space, and protect existing tree roots.
- Consider redistributing density to bring new buildings closer together and preserve open space.
- Adjust the orientation of the sheltered housing block to maximise sunlight in interior spaces.
- Explore options to improve proposed new elevations.
- Prioritise the opening up of views across the site.
- Develop the Academy's courtyard space as an active, sociable outdoor environment.
- Ensure parking provision does not detract from the quality and character of this important setting.
- Address role of public art early in the design process.
- Take steps to manage onsite parking and avoid mis-use.
- Use lighting to reduce crime risk.
- Integrate Crime Prevention Through Environmental Design principles early in the design process and use Secure by Design accreditation to incorporate relevant security measures.



Revisions:
A Mar 16 MS
Status changed to Planning.

LDN Architects | 29 St Leonards Road, Forres IV36 1EN
T: 01309 673221
F: 01309 676397
E: architects@ldn.co.uk

Job Title:
McCarthy & Stone, Midmills Inverness

Drawing Title:
Location Plan

Drawing Status:
PLANNING

Drawing No:
F1551 L(--)-000A

Scale: 1:1250
Date: MAR 16
Drawn: MS
Reviewed:





Total Site Area =	16,865.6 sqm
Total Built Footprint =	5125 sqm
Total Hard Surface Area =	5203.2 sqm
Total Green Space Area =	6537.4 sqm
Percentage Green Space =	38.8%



EXISTING SITE PLAN
Former UHI Midmills Campus, Inverness

Revisions:
A Mar 16 MS
Status changed to Planning.

LDN Architects
29 St Leonards Road, Forres N36 1SN
T: 01309 673221
F: 01309 673221
E: arn@ldn.co.uk

Job Title:
**MCCARTHY & STONE, MIDMILLS
INVERNESS**

Drawing Title:
**EXISTING
Site & Location Plan**

Drawing Status:
PLANNING

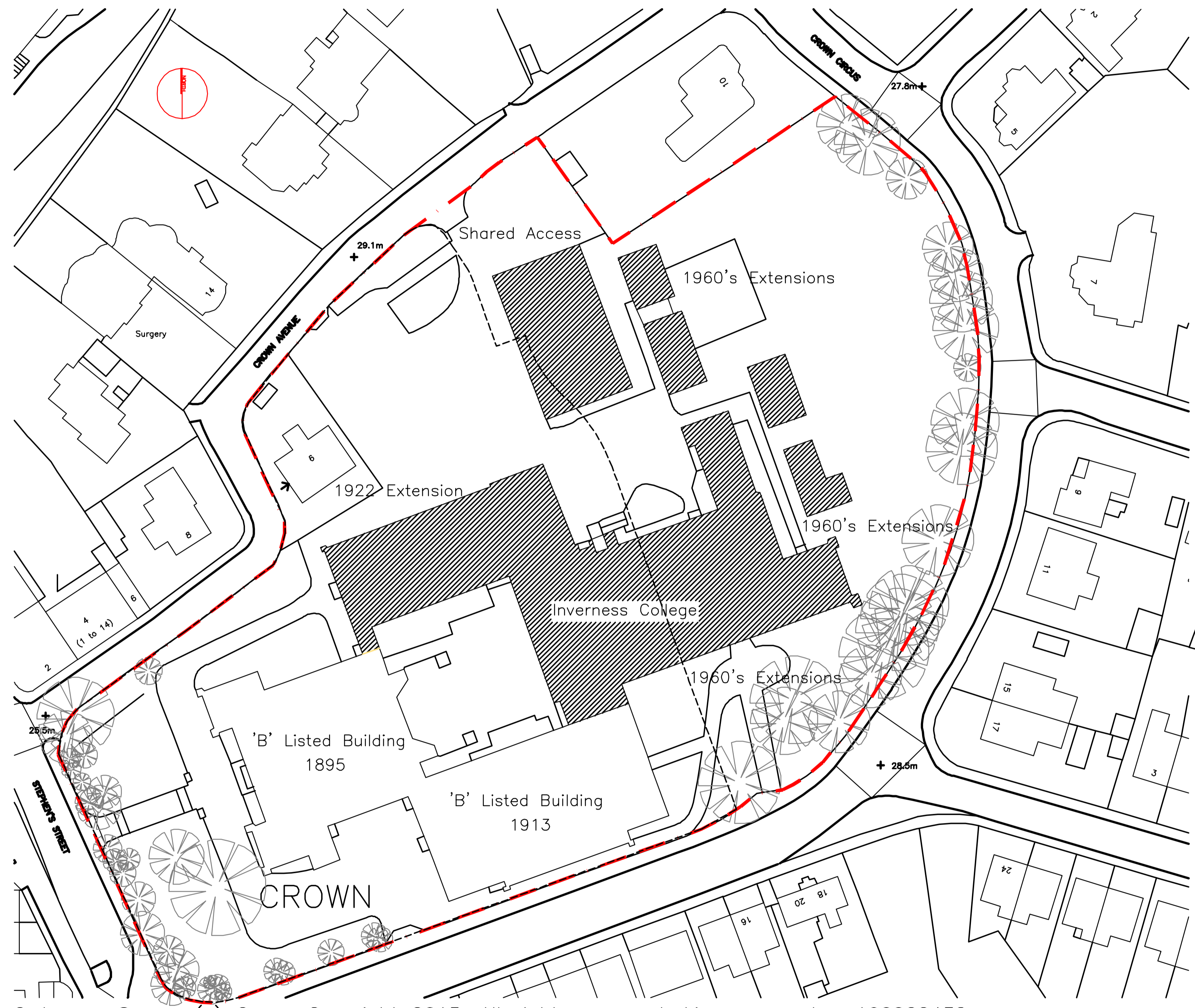
Drawing No:
F1551 L(-) 001A

Scale: Date: Drawn: Reviewed:
1:500 08/1 Jan 16 MSGM

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REVISIONS

Rev.	Date	By
-	-	-



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ALL DIMENSIONS TO BE CHECKED ON SITE
 WORK TO FIGURED DIMENSIONS ONLY
 REPORT DISCREPANCIES TO THE
 ARCHITECT AT ONCE BEFORE PROCEEDING

Client

 C:\Users\creid\Desktop\LOGOS\LogoGreen-White.png

Michael Vipond, B.Sc (Hons), B.Arch, RIAS, RIBA
 Development Director
 11000 Academy Park, Gower Street
 Pollokshields, Glasgow, G51 1PR
 Telephone: (0141) 420 8329
 Fax : (0141) 427 5774

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Project Title
 Proposed Development of
 Sheltered Apartments
 Crown Avenue, Inverness

Drawing Title
 Site Plan - Demolitions

Scale 1:1000@A3	Date Oct 2015
Drawn CGR	Checked MV
Drawing No.	Rev.
08.SS.764.06	-

CAD plot date: 09 May 2016 - 12:59pm

Site Layout showing Demolitions
 1:1000



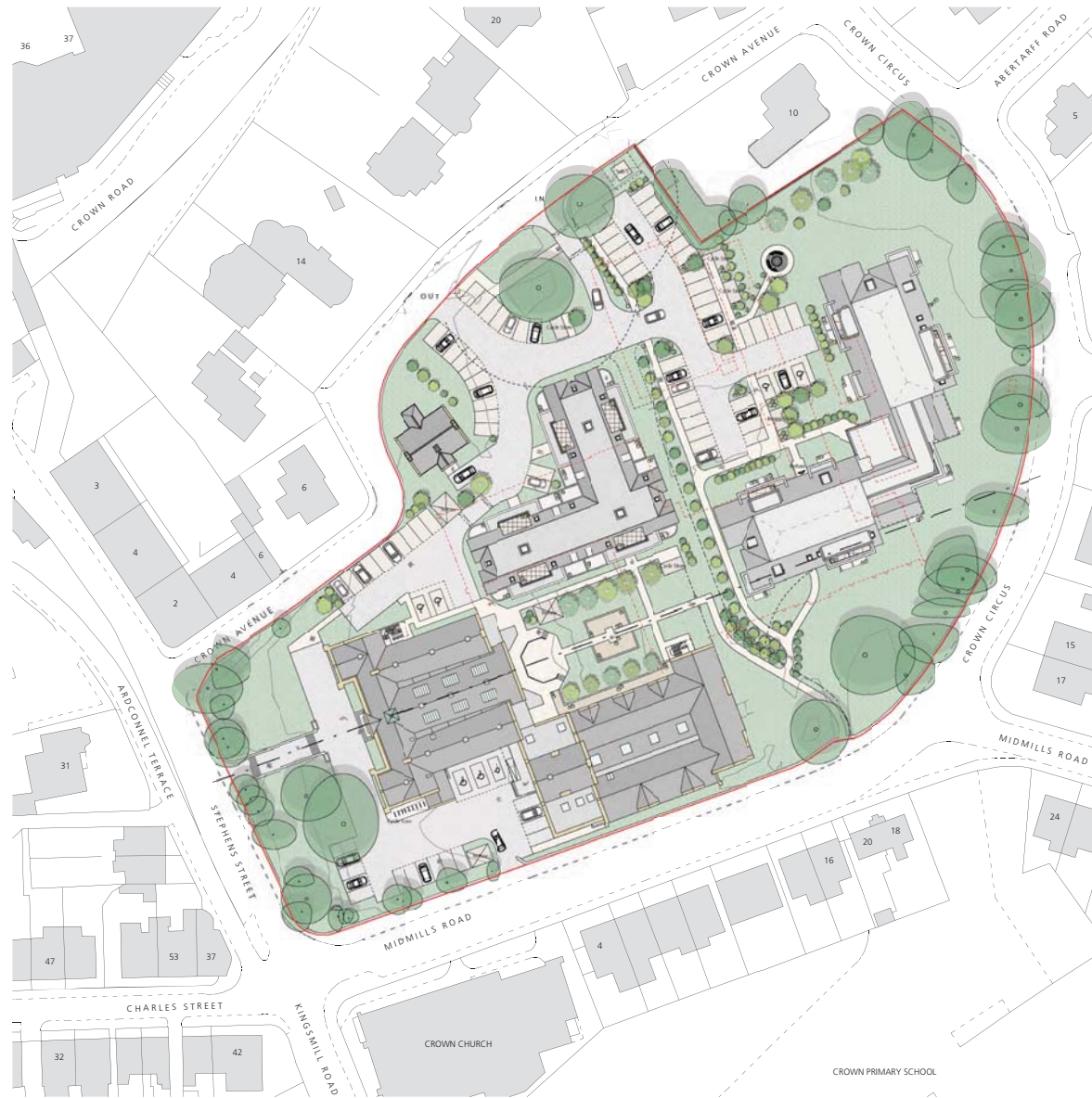




- KEY:
- Existing Tree (survey location and spread)
 - Proposed Planting
 - Existing Building Footprints

Sheltered Housing		Affordable Housing	
GP	SP	GP	SP
8	6	5	7
7	9	2	10
7	9	6	6
5	2	7	3
Total	27	Total	23

Total Site Area = 16,865.6 sqm
 Total Built Footprint = 4600.7 sqm
 Total Hard Surface Area = 4475.7 sqm
 Total Green Space Area = 7789.2 sqm
 Percentage Green Space = 46.2%



MASTERPLAN
Midmills Inverness

Revisions:

- A. Mar 16 MS
Initial change of planning
- B. Apr 16 MS
Updated to show current McCarthy & Stone Sheltered Housing Roof Plan.
- C. May 16 MS
Updated to show current McCarthy & Stone Sheltered Housing Roof Plan.
- D. May 16 MS
Affordable Housing roof plan updated to reflect.
- E. Jul 16 MS
Road, parking and bus layout amended following comments from HC Transport Planning and client.

LDN Architects
 20 Lovat Road, Green Side Inn
 11 2024 21217
 1 01849 43401
 14 green@ldn.co.uk

Job Title:
MCCARTHY & STONE, MIDMILLS
INVERNESS
Drawing Title:
MASTERPLAN
Site & Roof Plan

Drawing Status:
PLANNING
Drawing No:
F1551_00_1(2)-001E
Scale: Date: Drawn: Reviewed:
1:500 B41 Jun 16 DMMS



SOUTH ELEVATION
From Midmills road



NORTH ELEVATION
From Crown Avenue

- Revisions:
- A. Mar 16 MS Used buildings updated to those proposed elsewhere. Minor changes to elevations.
 - B. Apr 16 MS McCarthy & Stone External Housing elevations updated.
 - C. May 16 MS McCarthy & Stone External Housing elevations updated.
 - D. May 16 MS Affordable Housing elevations updated.

LDN Architects
100 Corporation Road, Farnborough, Hampshire, UK
T: 01489 820000
E: info@ldn.co.uk

Job Title:
MC CARTHY & STONE, MIDMILLS
INVERNESS

Drawing Title:
MASTERPLAN
Site Elevations
South and North

Drawing Status:
PLANNING
Drawing No:
F1551_00_LQ-1-022D

Scale: 1:250 (MS)
Date: Jun 16 MS
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NORTH ELEVATION

Pink/red coloured cast stone. Stainless steel and glass Juliet balconies.



SOUTH ELEVATION

Projecting glass balconies. Pink/red coloured cast stone base course. Painted timber windows.

Revisions:

A	16th Mar 16	MS
Status changed to Planning		
B	16th Apr 16	MS
Updated to reflect correct third floor layout.		
C	16th May 16	SM
Updated to reflect amended third floor layout.		

LDN Architects
29-30 Leazes Road, Farnley, LE11 5RN
T: 01509 612121
F: 01509 616397
E: info@ldn.co.uk

Job Title:
MCCARTHY & STONE, MIDMILLS
INVERNESS

Drawing Title:
SHELTERED HOUSING
PROPOSED ELEVATIONS
North & South

Drawing Status:
PLANNING

Drawing No:
F1551_A102-021C

Scale: 1:200 (A2) Date: 16th Mar 16 Drawn: SMMS



EAST ELEVATION



WEST ELEVATION

Revisions:

A	Mar 16	MS
Status changed to Planning		
B	Apr 16	MS
Updated to reflect current third floor layout		
C	May 16	SM
Updated to reflect amended third floor layout		

LDN Architects | 29 St Leonards Road, Inverness IV2 3JH
T: 01 229 610221
F: 01 229 610287
E: arch@ldn.co.uk

Job Title:
MCCARTHY & STONE, MIDMILLS
INVERNESS

Drawing Title:
SHELTERED HOUSING
PROPOSED ELEVATIONS
East & West

Drawing Status:
PLANNING

Drawing No:
F1551_A(I2)-022C

Scale: Date: Drawn: Reviewed:
1:200 @A2 Jan 16 SMRS



Existing campus: 39% green space



Proposed campus: 46% green space