

Agenda Item	5.8
Report No	PLS/033/18

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 24 April 2018

Report Title: 18/00333/FUL: The Highland Council
Inverness Museum and Art Gallery, Castle Wynd, Inverness

Report By: Area Planning Manager – South/Major Developments

Purpose/Executive Summary

Description: Placement of metal fins with integrated lighting along access routes to the museum entrance & external improvements to facade of public toilets

Ward: 14 – Inverness Central

Development category: Local

Reason referred to Committee: Manager's discretion

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

Recommendation

Members are asked to agree the recommendation to **GRANT** planning permission as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the placement of vertical metal fins with integrated lighting along access routes to the museum entrance and external improvements to the façade of the adjacent public toilets, primarily involving the re-rendering of the building.
- 1.2 In relation to the lighting scheme, the metal fins are designed to act as wayfinders to highlight routes and accentuate key points within the site. The fins can be varied in height and density in order to screen areas or to create definition to the access routes. The fins will be positioned along the length of Castle Steps and down Castle Wynd and the scheme will also incorporate new street lights.
- 1.3 Inverness Museum and Art Gallery is accessed via a set of steps on Bridge Street. There is also pedestrian access from the top of Castle Wynd. The adjacent toilet building can also be accessed via castle Wynd and in addition via steps from the Town House car park and Castle Hill.
- 1.6 Pre-Application Consultation: Not required in relation to this proposal.
- 1.7 Supporting Information: A Design and Access statement has been submitted in support of the application.
- 1.8 Variations: No variations have been made to the application since submission.

2. SITE DESCRIPTION

- 2.1 The site comprises the public toilet block adjacent to the Town House, Castle Wynd to the east and south, and Castle Steps down to the junction with Castle Road.
- 2.2 The immediate environment is of poor quality and appearance while the steps leading to the IMAG building are not particularly welcoming and do little to entice or encourage visitors.

3. PLANNING HISTORY

- 3.1 03.08.2006 – Permission granted for alterations and upgrade of museum and art gallery. (06/00440/NIDIN);
- 3.2 01.03.2016 – Planning permission granted for overcladding and external lighting. (15/04554/FUL);
- 3.3 18.12.2017 – Planning permission refused for the placement of metal fins with integrated lighting on access routes to the museum, external improvements to facades of IMAG building and adjacent public toilets (17/03078/FUL);
- 3.4 23.01.2018 – Listed Building Consent granted to replace/alter handrail on Castle Steps, leading from River Ness to Castle Wynd. (17/03106/LBC). Members are asked to note that the approved works relate solely to the replacement of the existing handrail on the Castle wall of Castle Steps. The proposed decorative fins forming part of this current planning application will not be physically attached to

the listed wall and therefore do not require listed building consent.

4. PUBLIC PARTICIPATION

4.1 Advertised: Affecting setting of listed building

Date Advertised: 09.02.2018

Representation deadline: 02.03.2018

Timeous representations: None.

Late representations: None.

5. CONSULTATIONS

5.1 **Access Officer:** Castle Steps and Castle Wynd are both core paths. Recommends that paths are temporarily closed and diversion put in place.

5.2 **RNIB Scotland:** Initially objected due to lack of information. This has subsequently been withdrawn.

5.3 **Historic Environment Scotland:** No comments to make on the proposals.

5.4 **Access Panel:** Joint response with RNIB Scotland and others.

5.5 **Sight Action:** Joint response with RNIB Scotland and others.

6. DEVELOPMENT PLAN POLICY

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 & Place-making

57 - Natural, Built & Cultural Heritage

77 - Public Access

6.2 Inner Moray Firth Local Development Plan

No specific policies apply

7. OTHER MATERIAL CONSIDERATIONS

7.1 Highland Council Supplementary Planning Policy Guidance

Highland Historic Environment Strategy (Jan 2013)

Public Art Strategy (March 2013)

7.2 Scottish Government Planning Policy and Guidance

Not applicable.

8. PLANNING APPRAISAL

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

Determining Issues

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

Planning Considerations

- 8.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy;
 - b) design; and
 - c) impact of development on vulnerable persons.

Development plan/other planning policy

- 8.4 As an overall package the proposed works will have a positive impact on the visual amenity of the area and the appearance of the buildings within the streetscape. In principle the development complies with the Development Plan.

Design (Lighting Scheme)

- 8.5 The applicant's Design and Access Statement notes that many of the areas surrounding the IMAG are unsightly and in disrepair, including the service areas for IMAG and a nearby restaurant, all of which are in public view. The Castle Steps are in poor condition and not a desirable route for pedestrians and the IMAG entrance is not readily apparent to visitors.
- 8.6 The Castle Steps and Castle Wynd areas therefore present an opportunity to considerably improve the visual amenity of this area and create an appealing pedestrian route that connects Bridge Street and the High Street with the IMAG building, the river and the Castle. The decorative fins will help screen unsightly areas as well as defining access routes, acting as wayfinders and accentuating key areas along the routes.
- 8.7 The proposed decorative fins are constructed of galvanised steel, some of which will feature integrated LED lighting strips. They are narrow when viewed from the front (approximately 40mm) and 110mm in depth. They are essentially an art installation designed to enhance the area around the museum and Castle. In design terms, the installation is considered to be acceptable.
- 8.8 The fins will be varied in height and density and will be a mix of wall mounted and free standing. The fins proposed adjacent to the listed Castle wall on Castle Steps will be freestanding.

- 8.9 It is expected that at any given time the fins will display a pre-programmed display of colour and pattern. They can be pre-set to reflect a particular event and can be programmed automatically to change on certain days and times.
- 8.10 The lighting proposals also include installing a new handrail on the staircase leading to the carpark at the rear of the Town Hall which will feature integrated lighting.

Design (External Improvements)

- 8.11 The alterations to the toilet block consist primarily of the removal of the existing harling and the re-rendering of the building.
- 8.12 Overall, the proposed improvements will enhance the visual amenity and connectivity of the area and in particular the lighting proposals are likely to enhance the sense of safety and security for users in the vicinity.

Impact of development on vulnerable persons

- 8.13 In response to concerns raised by RNIB Scotland and Others, the applicant provided supporting information in the form of a document titled 'Agent's Statement – Approach to surfaces and Lighting'. RNIB Scotland also met with officers on 26 February 2018 and the organisation, along with their representative partners, formally withdrew their objection to the application.
- 8.14 Notwithstanding the above, the applicant has also advised that the lighting will be fully dimmable and can be lit in any colour. A mock-up of the installation has been demonstrated on site and various stakeholders were invited to view it and to provide comment. As a consequence officers are satisfied that the proposal will not have an adverse impact on vulnerable persons.

Other material considerations

- 8.15 The earlier related planning application 17/03078/FUL was refused planning permission at the South Planning Applications Committee held on 12 December 2017 as the proposed cladding to the IMAG building was considered not to make a positive contribution to the architectural and visual quality of the place in which it is located due to the design, prominence and colouring of the cladding. By deleting the cladding from this revised proposal, the applicant has addressed the sole reason for refusal of the previous application.

Non-material considerations

- 8.16 There are no other non-material considerations relevant to this application.

Matters to be secured by Section 75 Agreement

- 8.17 None.

9. CONCLUSION

- 9.1 The physical improvements to the toilet block will help improve the appearance of the immediate area and coupled with the artistic lighting installation should act to encourage pedestrians to make better use of the links between Bridge Street and the High Street with the IMAG building, the river and the Castle.
- 9.2 Significant progress has been made in enhancing the streetscene of this area of the city centre, most notably with the refurbishment of the Town House and the façade improvements to the Caledonian building, both of which are located on the High Street in close proximity to the application site. Implementation of the current proposals should be seen as a further positive step forward in improving the appearance, appeal and accessibility of this area of the city centre.
- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

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

11. RECOMMENDATION

Action required before decision issued	N
Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

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

Conditions and Reasons

1. Public access to any Core Path within, or adjacent to, the application site shall at no time be obstructed or deterred by construction-related activities, unless otherwise approved in writing by the Council's Access Officer as a

temporary measure required for health and safety or operational purposes. Under such circumstances, any temporary obstruction or deterrent shall cover only the smallest area practicable and for the shortest duration possible, with waymarked diversions provided as necessary.

Reason: In order to ensure that access to the core path network is not obstructed as a result of this development.

REASON FOR DECISION

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

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

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

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

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

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

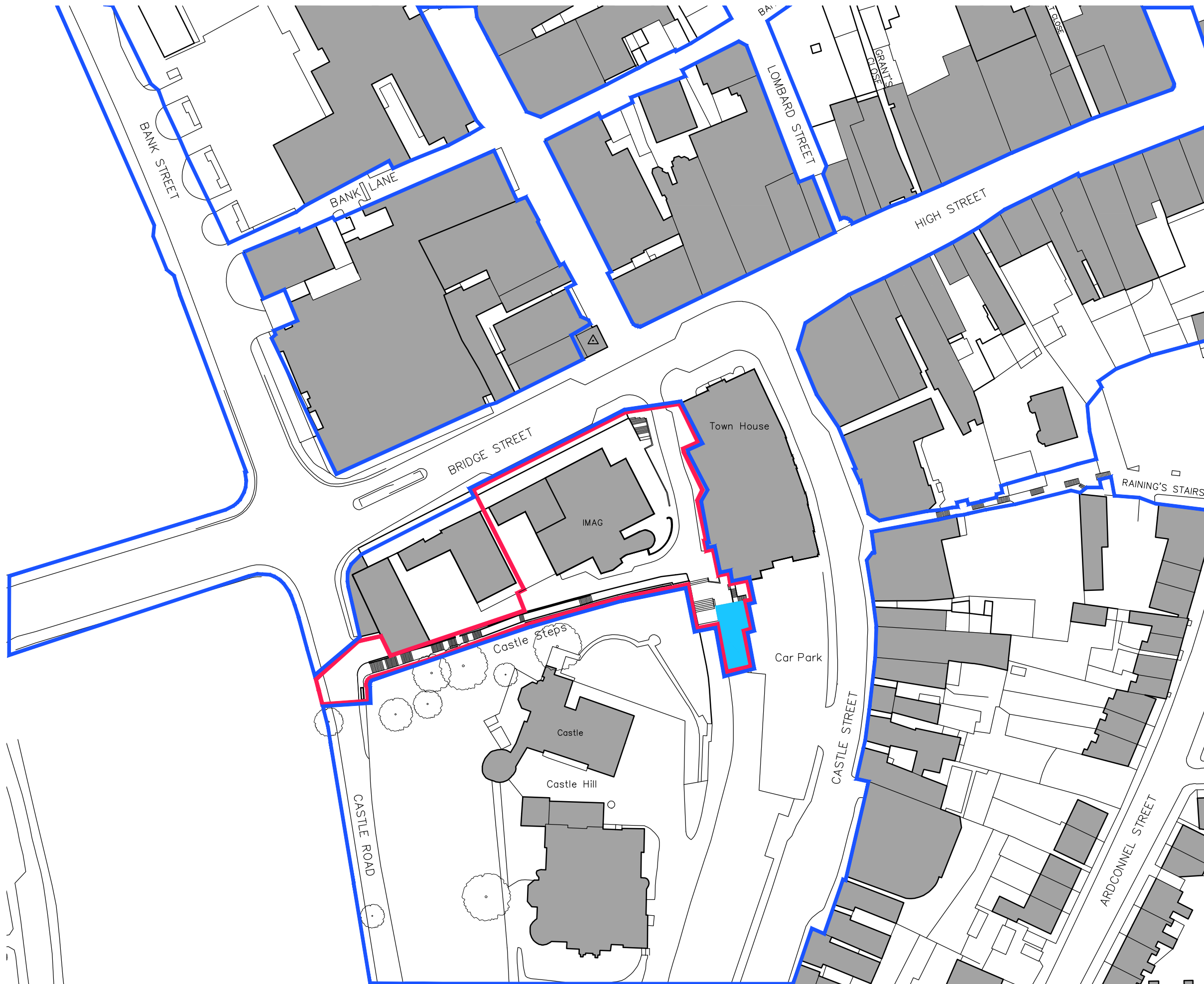
(irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

Signature: Nicola Drummond
Designation: Area Planning Manager – South/Major Developments
Author: John Kelly
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan PL(00)101 Rev A
Plan 2 - Proposed Site Plan PL(20)110 Rev A
Plan 3 - Fin Layout Plan PL(20)111 Rev B
Plan 4 - Fin Layout Plan PL(20)112 Rev B
Plan 5 - Proposed Stairs Plan PL(20)113 Rev A
Plan 6 - Proposed Toilet Block Elevation Plan PL(20) 161 Rev A
Plan 7 - Proposed Toilet Block Elevation Plan PL(20) 162 Rev A
Plan 8 - Castle Steps South Elevation Plan PL(20)165 Rev B
Plan 9 - Castle Steps North Elevation Plan PL(20)166 Rev B
Plan 10 - Castle Steps North Elevation Plan PL(20)167 Rev A
Plan 11 - IMAG Elevations Plan PL(20)170 Rev B
Plan 12 - IMAG Elevations Plan PL(20)171 Rev B

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REVISION			
A	19.01.18	Planning resubmission	CM SS

- Building affected by proposed works
- Site Boundary
- Area Within Ownership of Applicant



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PROJECT
**Inverness Museum and Gallery
 Urban Environment**

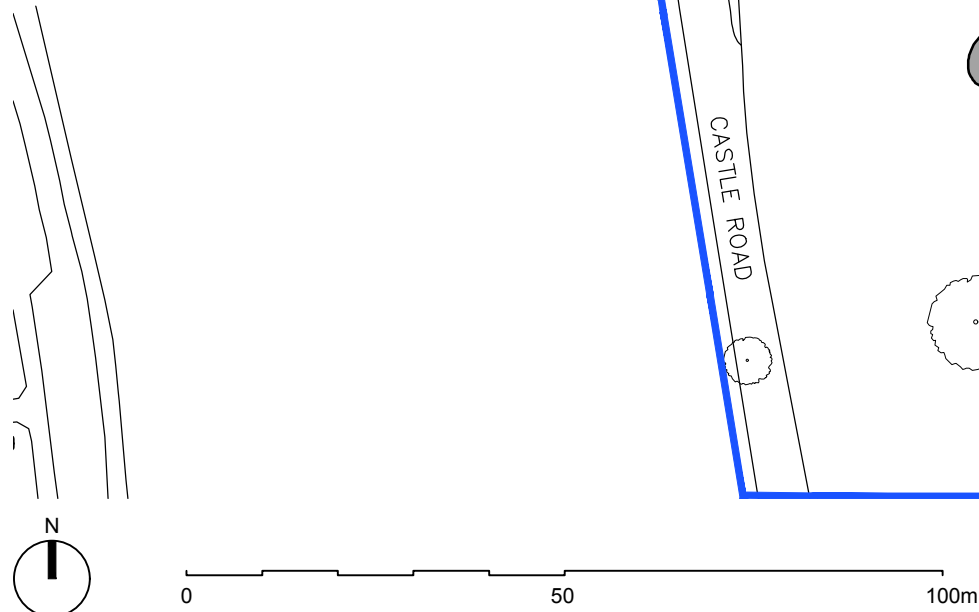
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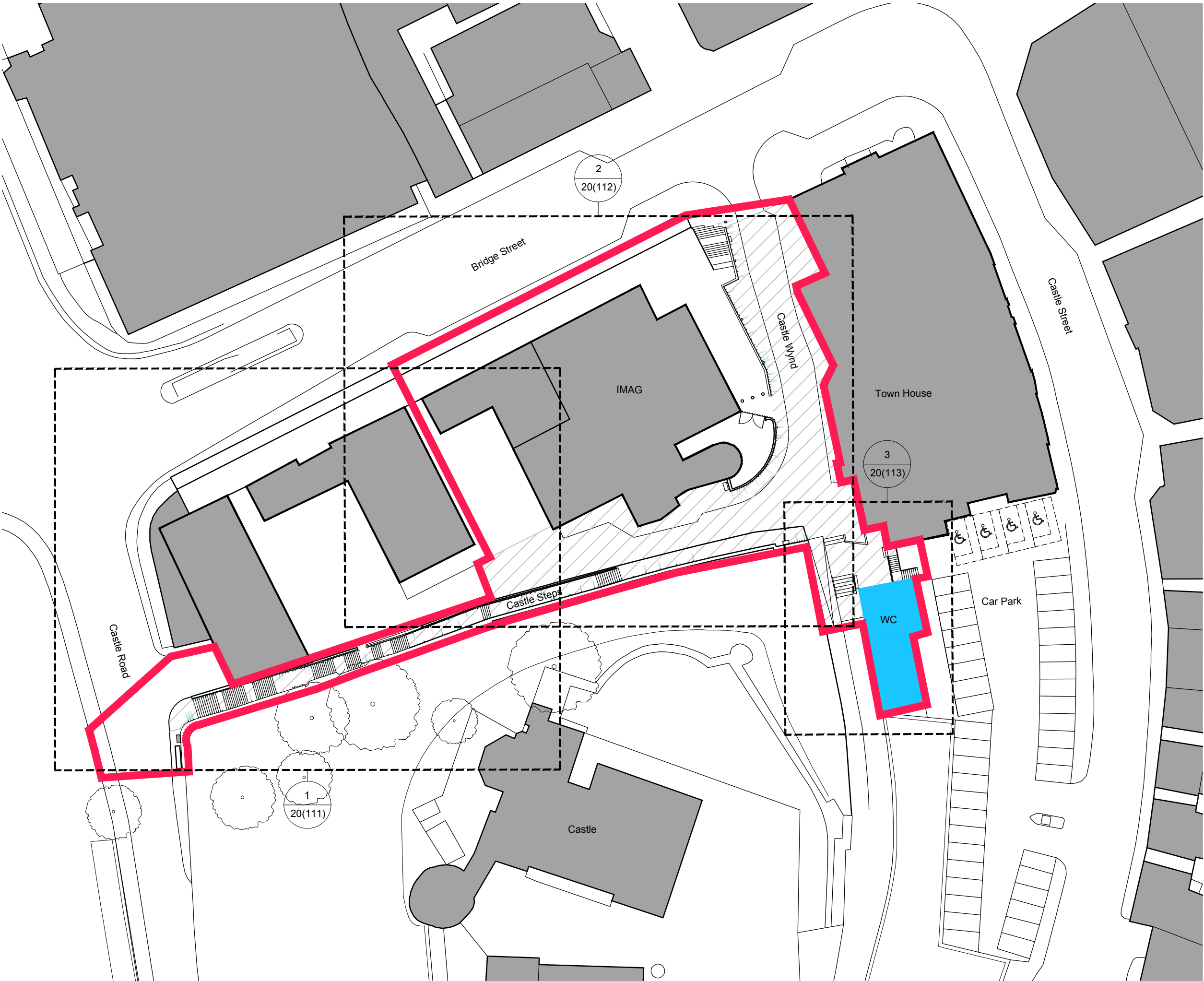


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REVISION			
A	19.01.18	Planning resubmission	CM SS

- Building affected by proposed works
- Site Boundary
- Streetscape and surfacing works by others outside this application

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PROJECT
**Inverness Museum and Gallery
 Urban Environment**

DRAWING
Proposed Site Plan





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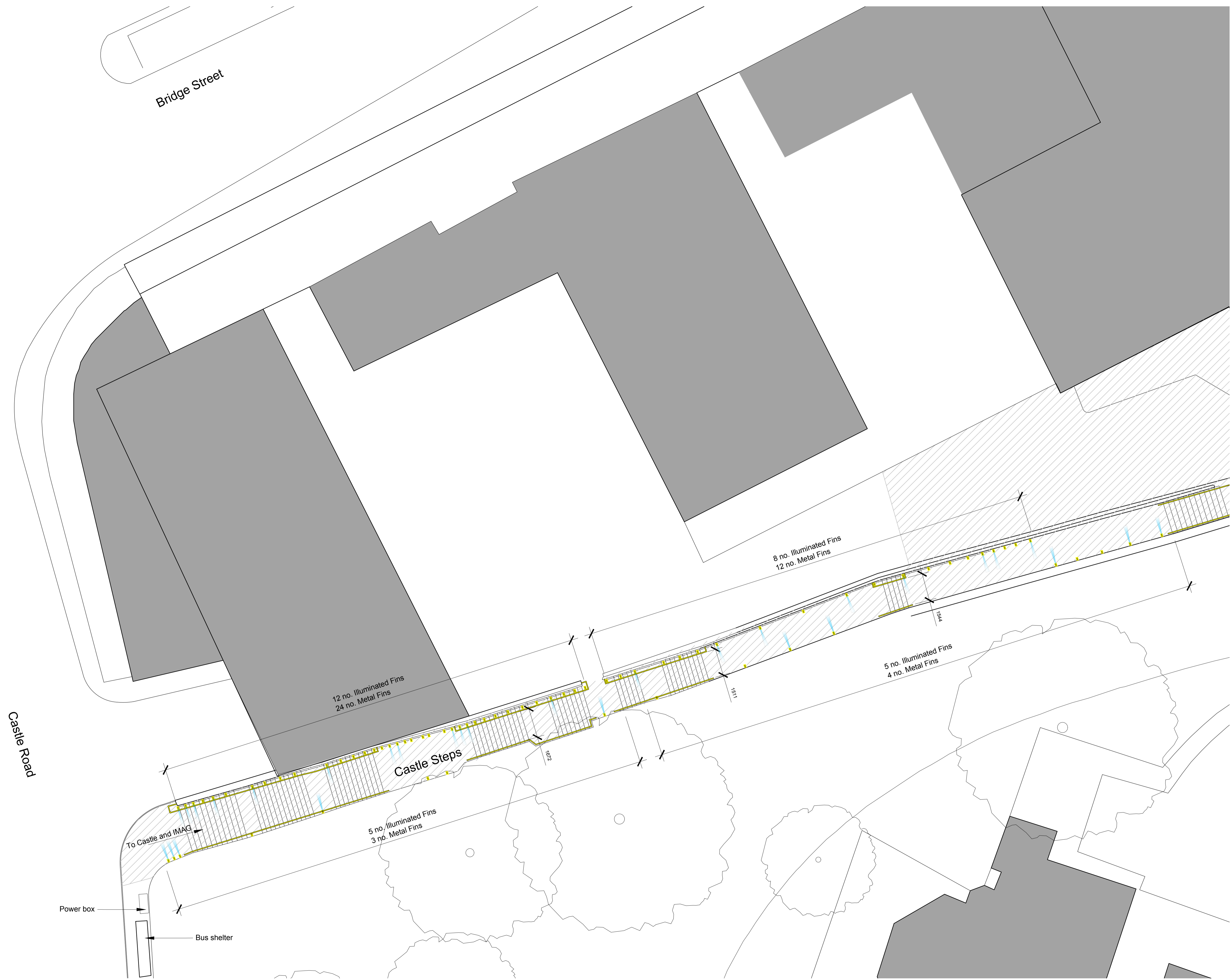
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REVISION			
A	25/09/17	Orientation point removed	CM SS
B	19.01.18	Planning resubmission	CM SS

-  Road/surface works by others outside this application
-  Unlit metal fins
-  Fin with integrated LED light
-  Proposed works



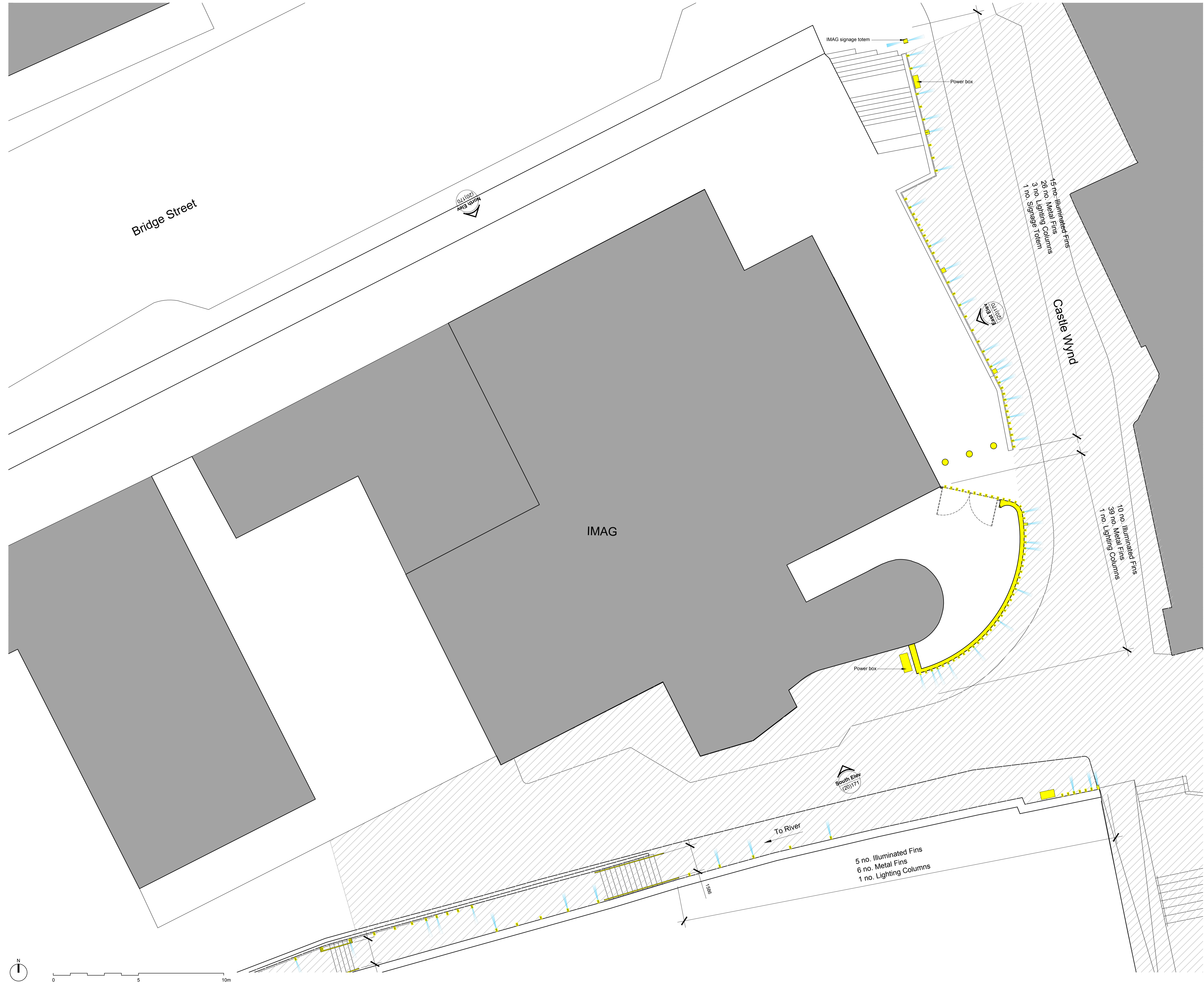
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DRAWING
Fin Layout Plan


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NOTES ORIGINAL A1

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REVISION			
A	25/09/17	Position of gate changed Five fins added Bollards added	CM SS
B	19.01.18	Planning resubmission	CM SS

-  Road/surface works by others outside this application
-  Unlit metal fins
-  Fin with integrated LED light
-  Proposed works

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PROJECT
Inverness Museum and Gallery Urban Environment



DRAWING
Fin Layout Plan

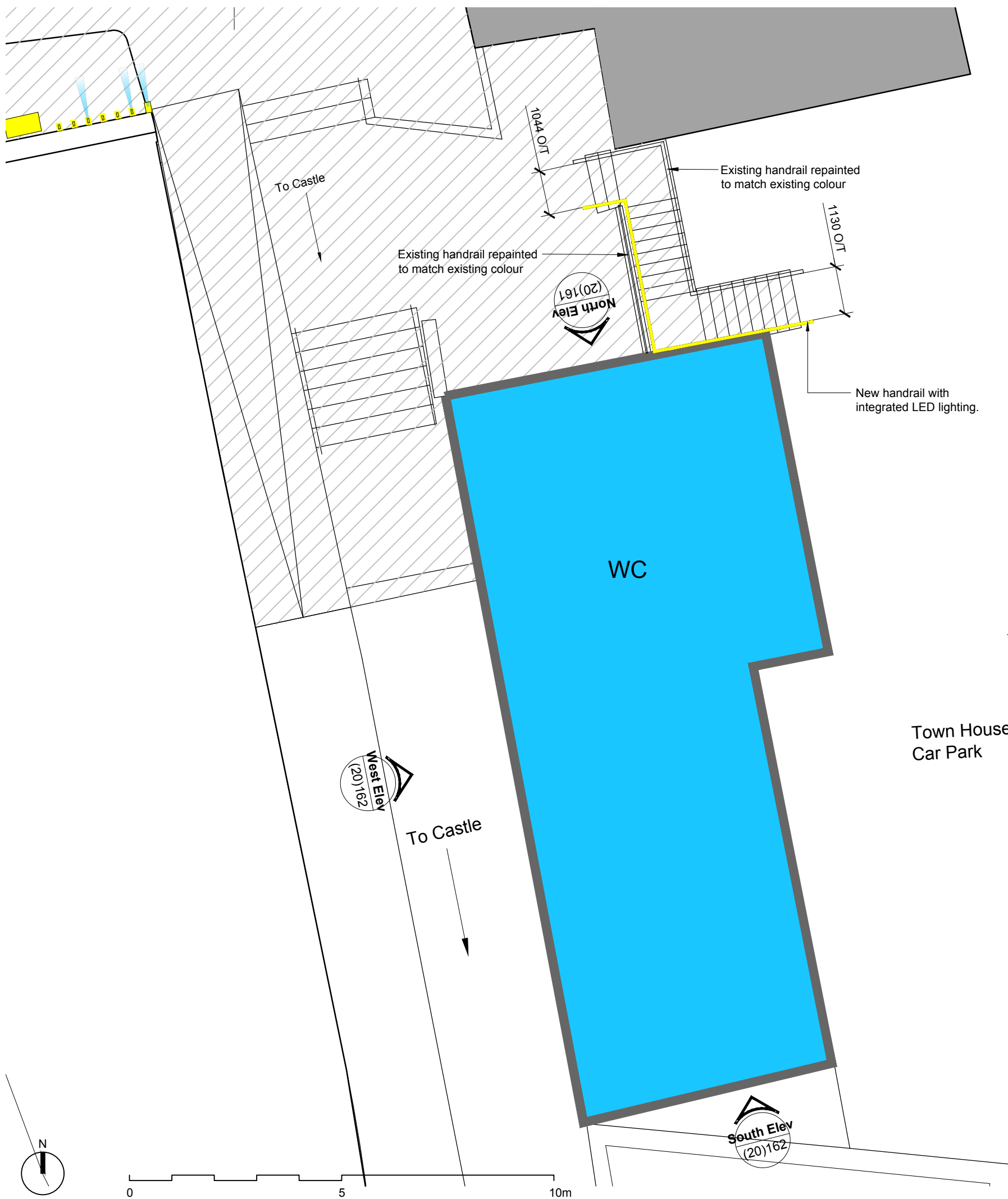

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REVISION			
A	19.01.18	Planning resubmission	CM SS

-  Road/surface works by others outside this application
-  Proposed works



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PROJECT
**Inverness Museum and Gallery
 Urban Environment**

DRAWING
**Castle Street Carpark
 Proposed Stairs Plan**

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

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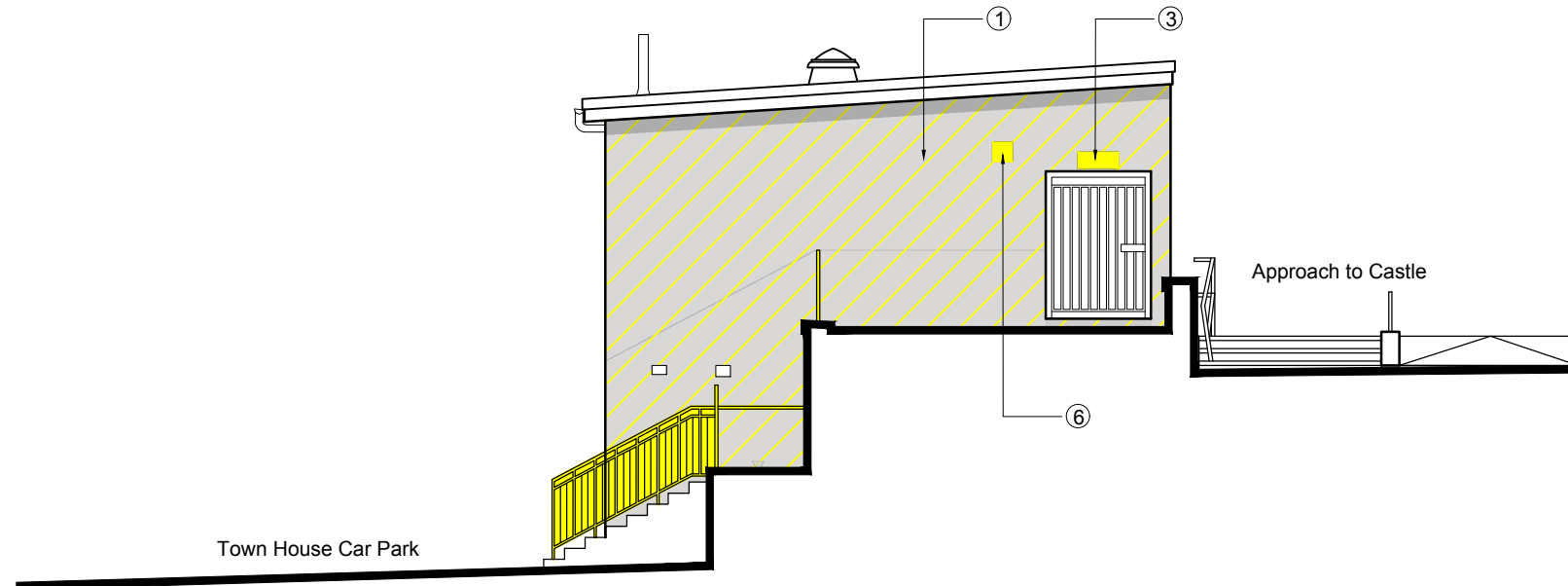
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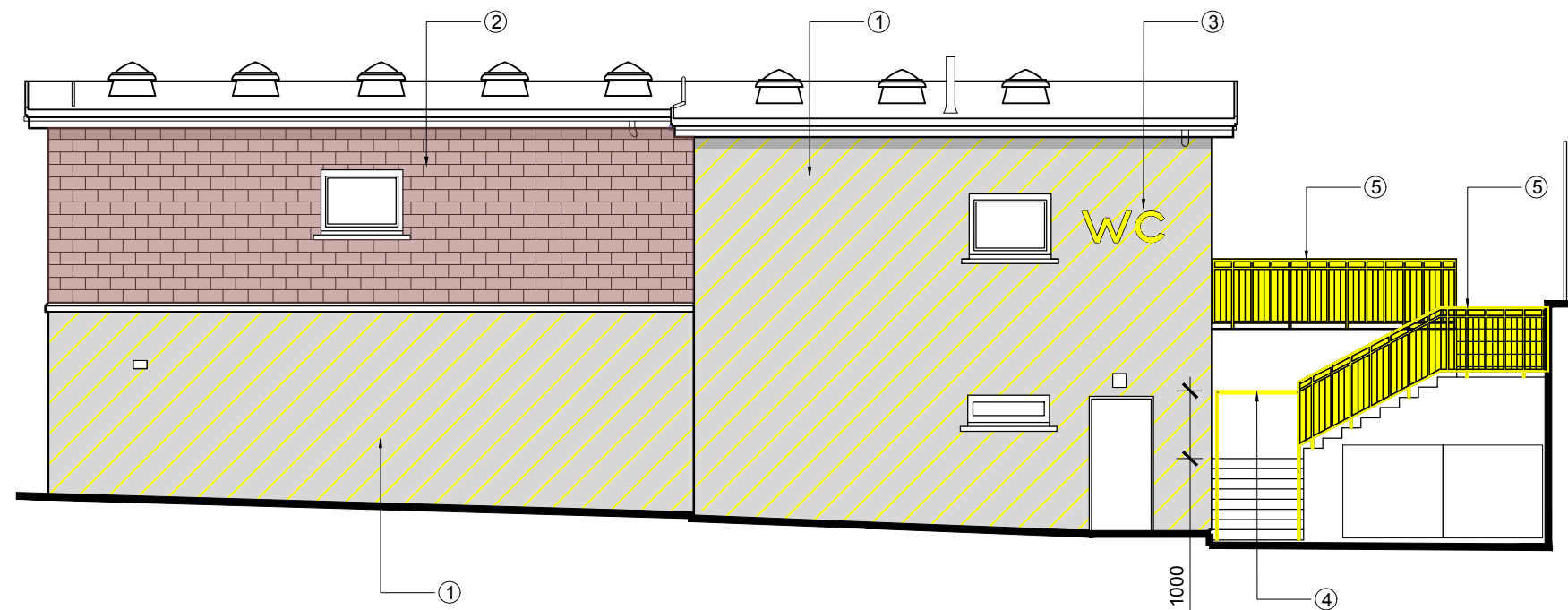
REVISION			
A	22.01.18	Planning resubmission	CM SS

- ① Grey render
- ② Existing stonework to remain
- ③ New WC signage. Specification, font size and colour of each sign to be agreed with the Highland Council prior to procurement
- ④ New handrail with integrated LED lights. Refer to lighting consultant's details for placement and installation of lights. Handrail to be painted to match existing.
- ⑤ Existing handrails to be sanded, prepared and painted to match existing
- ⑥ Existing light to be replaced with new bulkhead, refer to lighting consultant's details for more information

 Proposed facade works
 Proposed works



North Elevation



East Elevation

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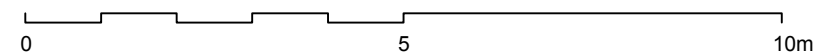
PROJECT
**Inverness Museum and Gallery
 Urban Environment**

DRAWING
**Public Toilet Elevations -
 Proposed**



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

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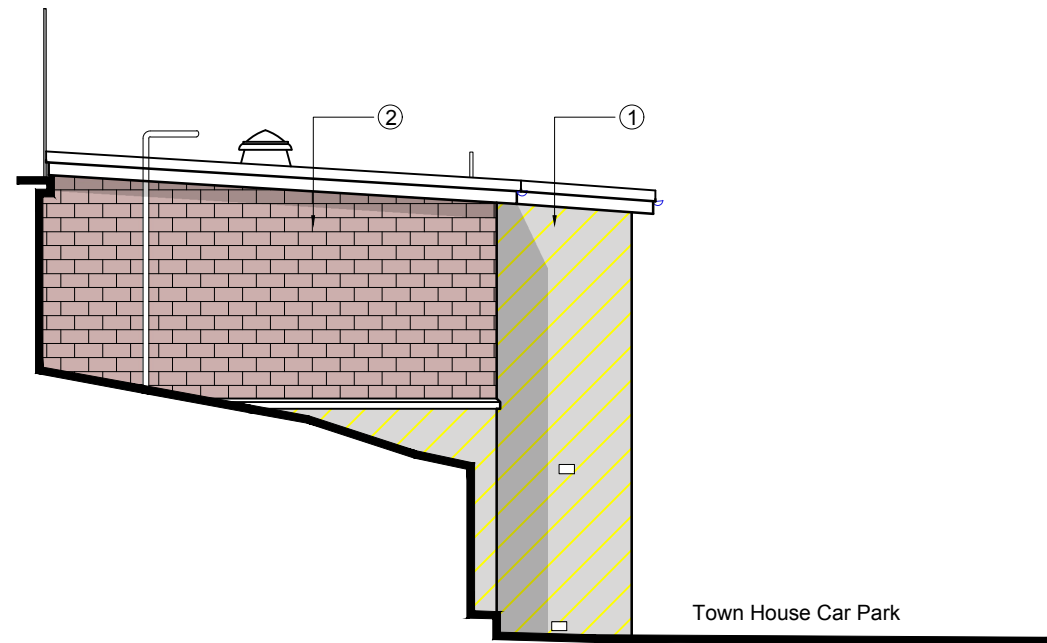


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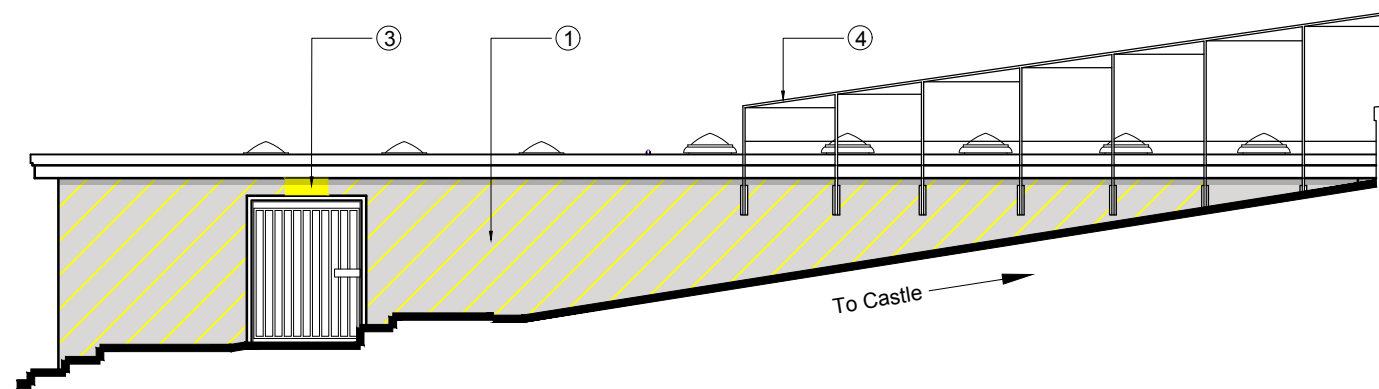
REVISION			
A	22.01.18	Planning resubmission	CM SS

- ① Grey render
- ② Existing stonework to remain
- ③ New WC signage. Specification, font size and colour of each sign to be agreed with the Highland Council prior to procurement
- ④ Existing handrails to be sanded, prepared and painted to match existing

 Proposed facade works
 Proposed works



South Elevation



West Elevation

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PROJECT
**Inverness Museum and Gallery
 Urban Environment**

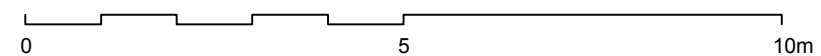
DRAWING
**Public Toilet Elevations -
 Proposed**

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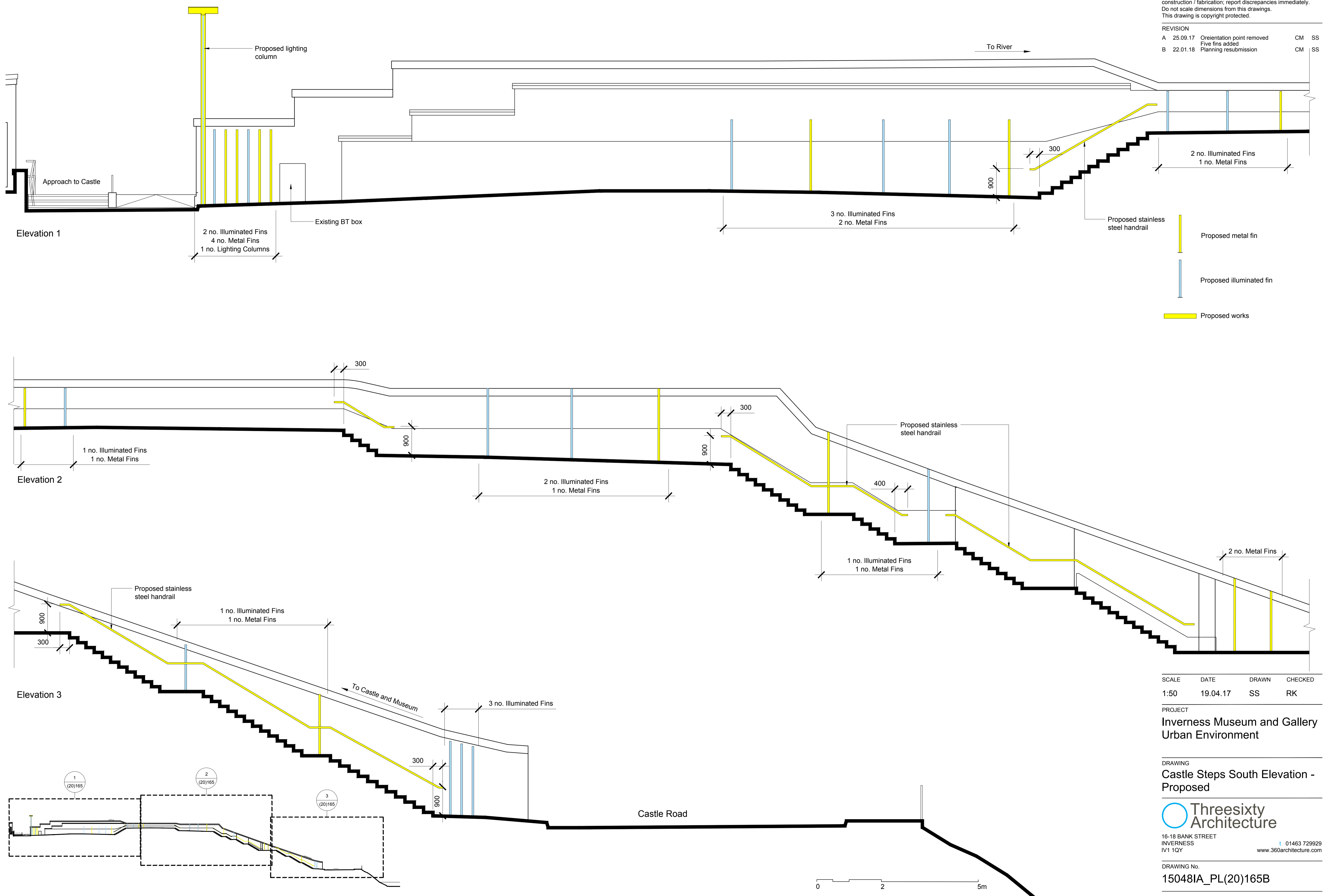
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REVISION	DESCRIPTION	CM	SS
A	25.09.17 Orientation point removed Five fins added	CM	SS
B	22.01.18 Planning resubmission	CM	SS



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**Inverness Museum and Gallery
 Urban Environment**

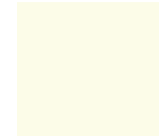



DRAWING
**Castle Steps South Elevation -
 Proposed**

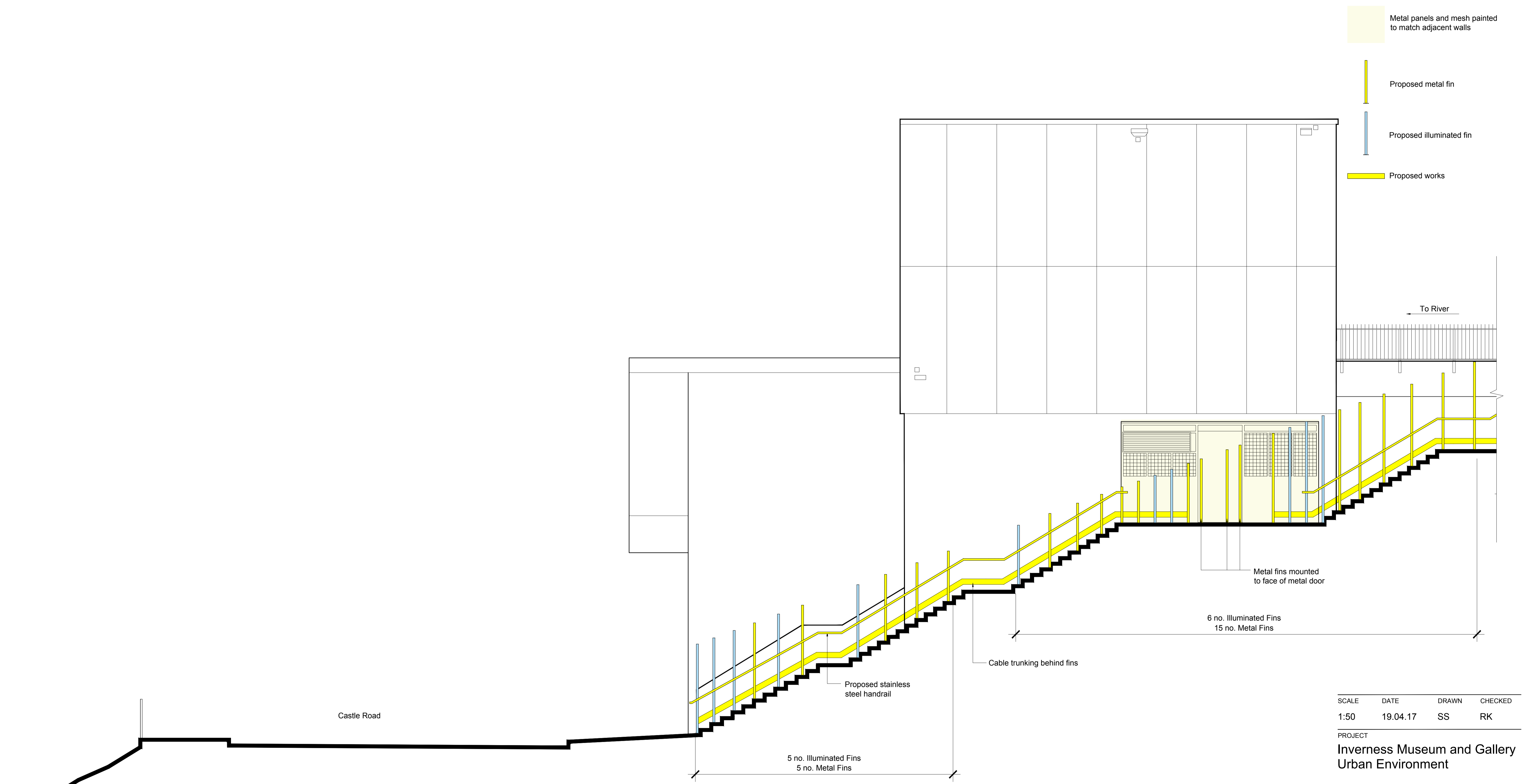
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REVISION			
A	25.09.17	Orientation point removed	CM SS
B	22.01.18	Planning resubmission	CM SS

-  Metal panels and mesh painted to match adjacent walls
-  Proposed metal fin
-  Proposed illuminated fin
-  Proposed works



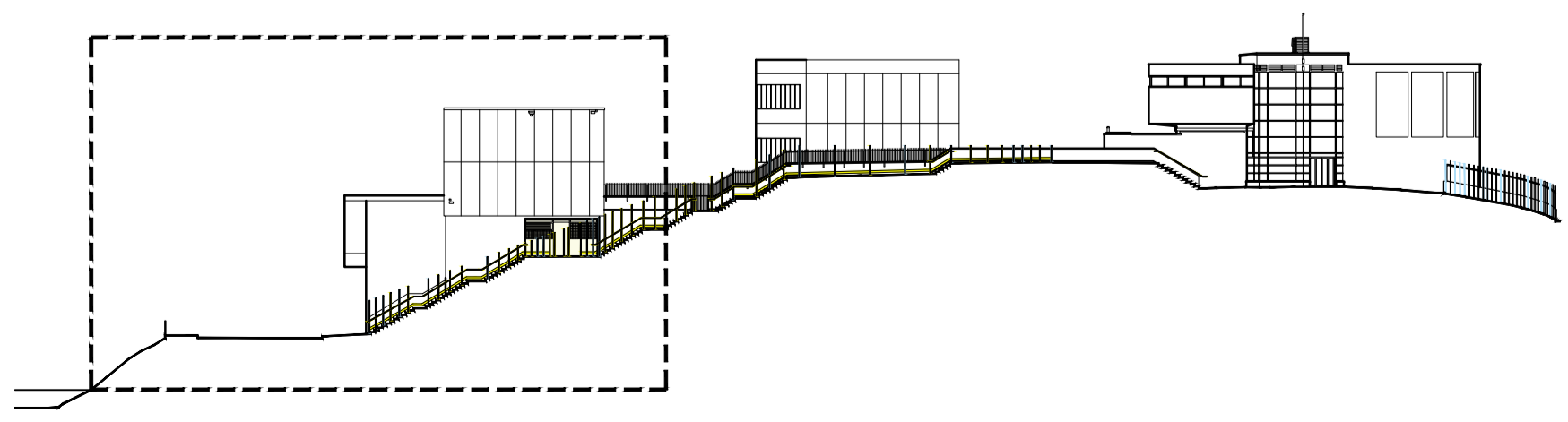
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PROJECT
**Inverness Museum and Gallery
 Urban Environment**

DRAWING
**Castle Wynd North Elevation -
 Proposed**

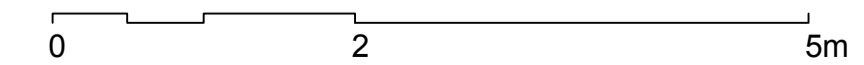
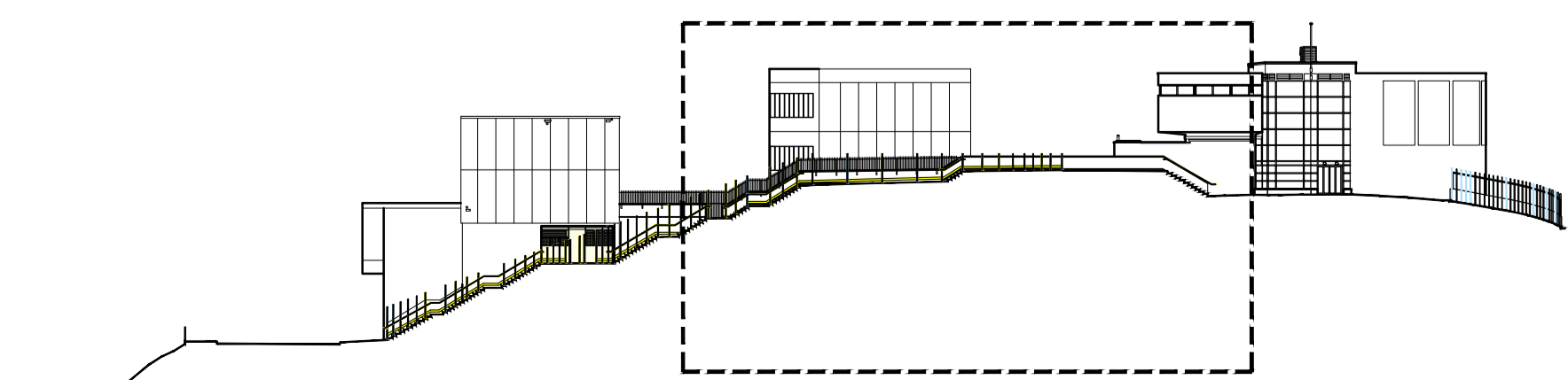
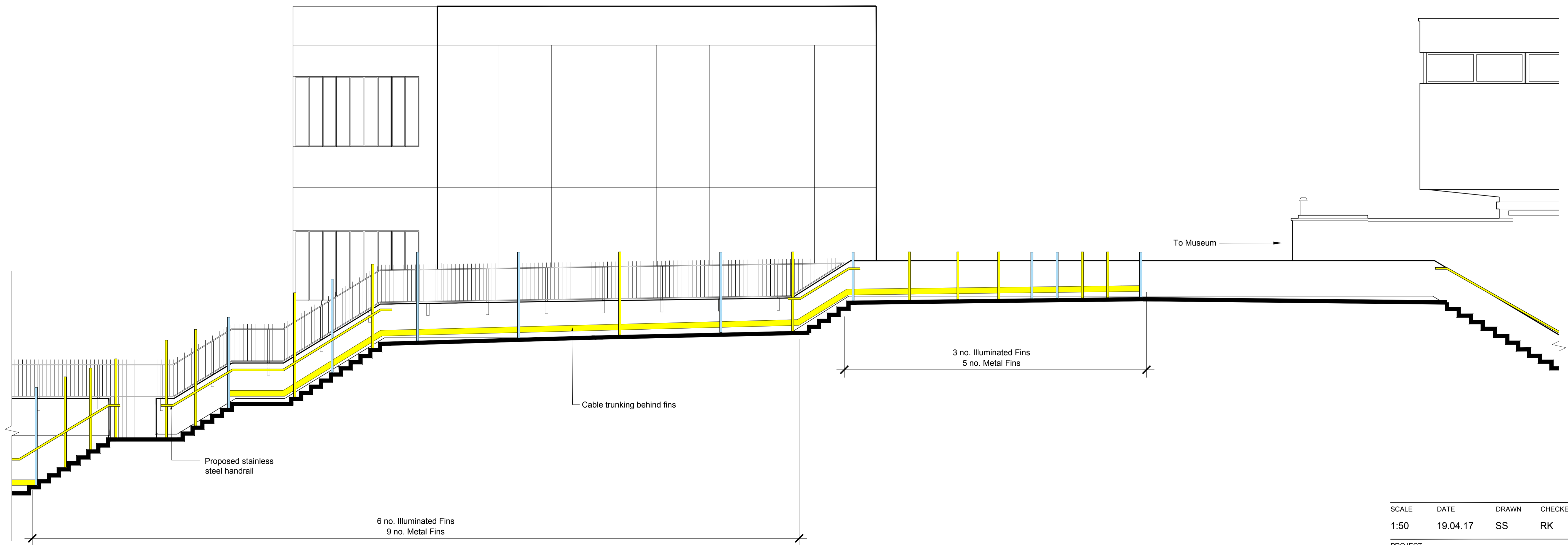
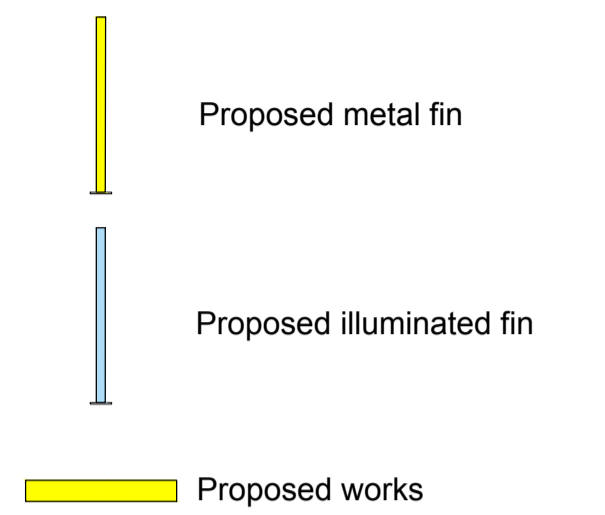

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A	22.01.18	Planning resubmission	CM SS



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 Urban Environment**




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 Proposed**

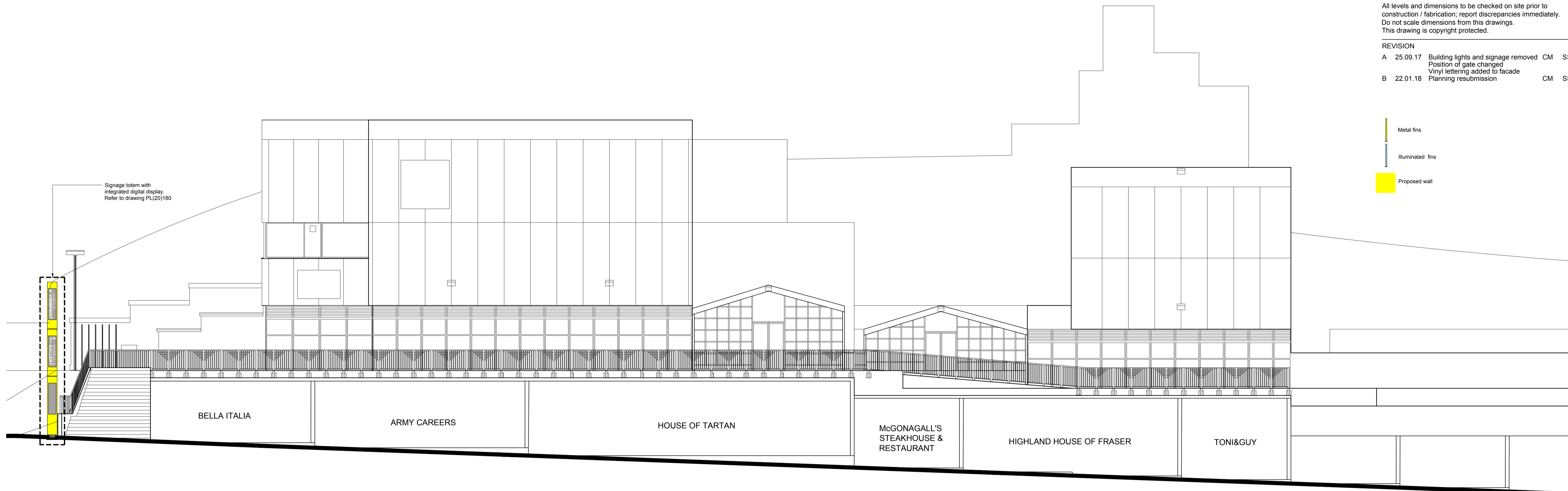
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REVISION			
A	25.09.17	Building lights and signage removed Position of gate changed Vinyl lettering added to facade	CM SS
B	22.01.18	Planning resubmission	CM SS

-  Metal fins
-  Illuminated fins
-  Proposed wall



North Elevation



East Elevation

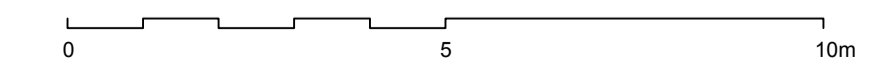
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PROJECT
Inverness Museum and Gallery
Urban Environment

DRAWING
IMAG Elevations - Proposed


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DRAWING No.
15048IA_PL(20)170B



Signage totem with integrated digital display. Refer to drawing PL(20)180

BELLA ITALIA

ARMY CAREERS

HOUSE OF TARTAN

MCGONAGALL'S STEAKHOUSE & RESTAURANT

HIGHLAND HOUSE OF FRASER

TONI&GUY

Street lighting column with integrated LED light. Refer to drawing PL(20)180

Signage totem with integrated digital display. Refer to drawing PL(20)180

Castle Wynd resurfacing by others

New wall on existing concrete wall base behind fins

Fins mounted to metal gate

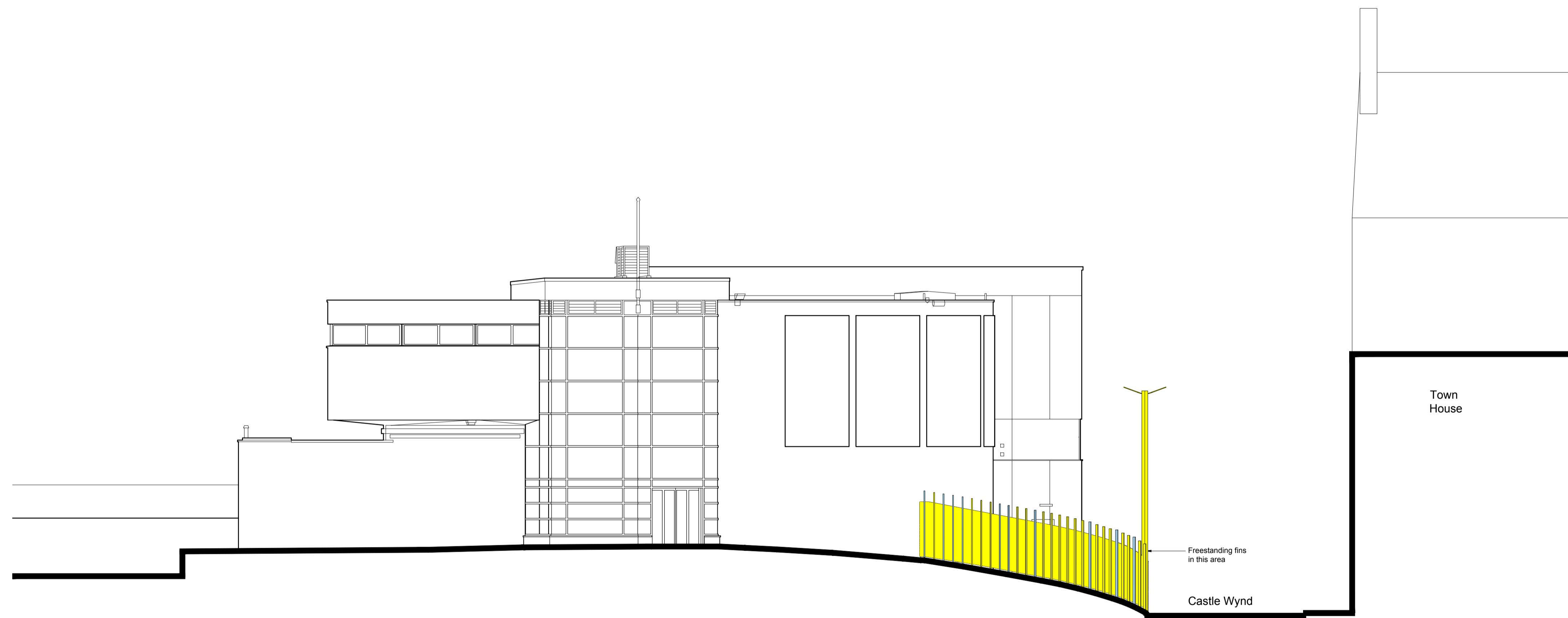
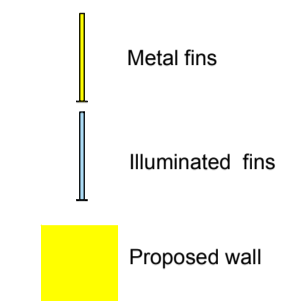
Walls and railings behind fins to be painted grey

Replace existing weep holes with drainage pipe leading to below-surface drainage channel

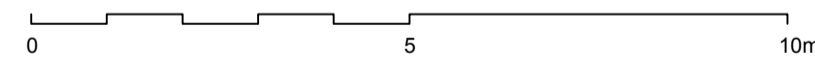
All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Do not scale dimensions from this drawings. This drawing is copyright protected.

REVISION

A	25.09.17	Building lights and signage removed	CM	SS
B	22.01.18	Planning resubmission	CM	SS



South Elevation



SCALE	DATE	DRAWN	CHECKED
1:100	19.04.17	SS	RK

PROJECT
**Inverness Museum and Gallery
 Urban Environment**

DRAWING
IMAG Elevations - Proposed

**Threesixty
 Architecture**
 16-18 BANK STREET
 INVERNESS
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