

Agenda Item	6.4
Report No	PLS/025/19

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 12 March 2019

Report Title: 19/00323/FUL: Scottish Courts and Tribunals Service

Land 85M North Of Northern Constabulary Area Command, Burnett Road, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Development of Justice Centre - Amendments to design of Planning Permission 17/03079/FUL including changes to south and west elevations and roof form

Ward: 16 – Inverness Millburn

Development category: Major

Reason referred to Committee: Major Development

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

Recommendation

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

1. PROPOSED DEVELOPMENT

1.1 The application relates to the construction of a Justice Centre and ancillary works. This application seeks to modify the previously approved design and layout of the building to reflect changing user accommodation requirements. The development comprises:

- Courts
- Office space;
- Café;
- 47 car parking spaces;
- 36 Cycle spaces;
- A reconfigured access to Longman Road (A82(T));
- A secure access from Burnett Road; and
- Ancillary accommodation and development

1.2 The changes between the planning permission currently being built out on the site and this application are:

- roof forms above the court rooms now proposed as four pyramid structures with associated lighting instead of two rectangular boxes, each covering two of the court rooms;
- removal of the pre-cast string course; addition of six windows; and addition of four plant room doors on the south elevation; and
- removal of the pre-cast string course; deletion of two columns; change from use of metal cladding to pre-cast concrete on the west elevation.

1.3 The applicant had informal discussions with the Planning Authority on the form of the application in advance of submission of the application.

1.4 There is an existing access into the site from Longman Road which had historically been used to serve the Inverness College UHI building. The access to the site from Burnett Road is immediately adjacent to the one that serves Police Scotland Area Command.

1.5 The application was supported by the following information:

- Supporting Statement; and
- Visualisations

2. SITE DESCRIPTION

2.1 The development of the site is now underway with the superstructure of the building largely complete based upon the planning permission granted in 2017. Prior to work commencing on site it comprised the car park of the former Inverness College UHI building and a former bus depot most recently used as a building supplies outlet. The site was predominantly hard standing with limited soft landscaping. Following consent for the original layout of the site, the buildings on the site were demolished and the site cleared. The site is bounded to the south by the Police Scotland Area Command, by Longman Road (A82(T)) to the east, by the former Inverness College UHI building, currently being demolished, to the north

and Burnett Road to the west.

- 2.2 The site sits slightly below the level of the A82(T) and is predominantly flat.
- 2.3 There are no natural or cultural heritage designations covering the site. Within the application boundary, there are no sites of archaeological interest recorded in the Highland Historic Environment Record.
- 2.4 The development site is not covered by any international, national, regional or local landscape designations. It lies within the Inverness Firth Commercial and Harbour Area Character Type (LCT) as identified in the Inverness District Landscape Character Assessment (LCA) (SNH, 1999).

3. PLANNING HISTORY

- 3.1 26.09.2017 17/03079/FUL - Development of new Inverness Justice Centre comprising courts, offices and ancillary accommodation and access. Permission Granted
- 18.07.2017 17/03182/SCRE - Environmental Impact Assessment Screening Request for development of new Inverness Justice Centre comprising courts, offices and ancillary accommodation, associated infrastructure, access and works. EIA Not Required
- 06.03.2017 16/05152/FUL - Development of new Inverness Justice Centre comprising courts, offices, cafe, and ancillary accommodation. Permission Granted
- 15.08.2016 16/03349/SCRE - Environmental Impact Assessment Screening Request for development of proposed Justice Centre. EIA Not Required
- 3.2 20.07.2016 16/03177/PAN - Proposal of Application Notice for Development of Proposed Justice Centre.

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour
Date Advertised: 15.02.2019
Representation deadline: 01.03.2019
Timeous representations: 0
Late representations: 0
- 4.2 Material considerations raised are summarised as follows:
 - a) None

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 Transport Scotland and Crown and City Centre Community Council were both consulted due to statutory requirements. Neither body has made representation to the application.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

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

6.2 Inner Moray Firth Local Development Plan 2015

Policy 1	Promoting and Protecting City and Town Centres
Policy 2	Delivering Development
Inverness Settlement Development Area	
Allocation IN4	Mixed Use - Business, Industrial, Community, Leisure.

6.3 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)
Flood Risk & Drainage Impact Assessment (Jan 2013)
Managing Waste in New Developments (March 2013)
Physical Constraints (March 2013)
Public Art Strategy (March 2013)
Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)
Trees, Woodlands and Development (Jan 2013)
Inverness City Centre Development Brief (Feb 2018)
Approaching Inverness Design Guide (2017)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

- Scottish Planning Policy (2014)
- National Planning Framework 3 (2014)
- Designing Streets (2011)
- Creating Places (2013)
- PAN 33 - Development of Contaminated Land
- PAN 61 - Sustainable Drainage Systems
- PAN 66 - Planning applications Affecting Trunk Roads
- PAN 68 - Design Statements
- PAN 75 - Planning for Transport
- PAN 77 - Designing for Safer Places
- PAN 1/2011 Planning and Noise

8. PLANNING APPRAISAL

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

Determining Issues

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

Planning Considerations

8.3 The principle of the development has been established through the previous permissions which are currently being built out. This is an application to modify elements of the design. In order to address the determining issues therefore, Committee must consider the extent to which the proposal continues to comply with Development Plan Policy, remains satisfactory in terms of design and take into consideration any other material considerations.

Development plan/other planning policy

8.4 Development Plan Policy has changed since the time of the determination of the previous application as the Inverness City Centre Development Brief has now been adopted as statutorily adopted Supplementary Guidance. At the time of the original application, this was still in draft form. The prevailing Development Plan Policies remain as those at the time of the previous applications.

8.5 The key issue therefore is whether the amendment of the design would result in the

development being incompatible with the Development Plan. The remainder of this report will consider the modification proposed and assess its compatibility with the Development Plan.

Siting, Design and Layout

8.6 The site is within a prominent location at a gateway to Inverness City Centre. Any development on this site will define the character of the City as it is now and provide a cue for development of this important city gateway. The Inverness City Centre Development Brief (February 2018) provides Placemaking Priorities for the site. These state that development in Longman Road should:

- Improve visual and spatial character on the A82(T);
- Support the creation of a gateway to Inverness City Centre using landmark features;
- Improve active travel links between Longman Estate and city centre;
- Adapt the character of Burnett Road to create a safe, attractive walking and cycling route;
- Create distinct character and identity through improvements to the public realm;
- Ensure streets have relatively continuous building frontages, a good sense of enclosure and high levels of natural surveillance;
- Provide active frontages at ground floor level to develop lively, well-overlooked public realm; and
- Create new public open space and meeting places serving employment uses in suitable locations.

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

8.7 The Placemaking Priorities and design guidance set out in the Inverness City Centre Development Brief, have refined the design parameters set out in the draft version of the document. There is no fundamental change to the building form and site layout, it is considered that the development is consistent with the Inverness City Centre Development Brief as it was with the draft version of the document.

8.8 The remaining matter to consider is the appropriateness of the design changes.

Change to Roof Form

The applicant has explained through their supporting statement that they are seeking to express the internal courtroom space through the external design. In doing so the applicant has sought to remove the two “boxes” which were to be constructed over the court rooms. These were to have light spilling from the internal space out across the roof on the northern elevation. In removing these “boxes” the internal pyramid shaped structure will be revealed. This will have a skylight in the top of the structure to allow natural light to spill down into the court room.

The shape of these will be a contrast to the rest of the building which has strong vertical lines. It does however reflect the tapered columns of the colonnade which run along the north and east elevations. The pyramids will be finished in a light grey metal panel.

The change to the design will be most noticeable when one is approaching Inverness City Centre travelling westward on Longman Road at Harbour Road Roundabout. To compensate for the loss of light emanating from the upper level of the building, the applicant has agreed to provide a scheme for lighting of the roof. This can be secured by condition. With the height of these pyramid structures being no taller than the previous “boxes”, overall, it is considered that the change to the roof form is acceptable.

Changes to South Elevation

The applicant has set out that the changes on the south elevation allow it to be more in keeping with the facade of the north elevation by creating a more vertical emphasis to the fenestration across the south face of the building. In addition the change to the finish of the building on this elevation proposes the use of pre-cast concrete along the whole elevation and removal of metal cladding. Having reviewed the design, the proposed changes do provide a cleaner and more consistent finish to the south elevation while better reflecting the rhythm of the north and east facing elevations. Overall the changes to the south elevation are acceptable.

Changes to the West Elevation

The applicant has provided the same reasoning for changes to the west elevation as for the south elevation. It is agreed that the proposed changes, comprising the provision of pre-cast concrete rather than metal cladding, deletion of two columns and removal of the string course, is an improvement to the previous elevation and will enhance the elevation facing Burnett Road. Overall the changes are acceptable.

- 8.9 In addition as the site is located on a “Main Link” to and through the City, the Approaching Inverness: Design Guide should be considered. The application continues to meet with the requirements of the Design Guide.

Other material considerations

- 8.10 The applicant has sought to modify the design of the building. This design change can only be supported if the previously imposed conditions continue to be in place. A further condition is also required to ensure that the lighting scheme for the roof structures is submitted timeously and is to the satisfaction of the Planning Authority. Therefore, the conditions listed in section 11 of this report repeat the conditions attached to the original permission with the addition of the aforementioned lighting scheme condition.

Matters to be secured by Section 75 Agreement

8.1 None.

9. CONCLUSION

9.1 The application seeks to make changes to a previously approved design on a prominent site within Inverness City Centre. The design changes progressed by this application do not take away from the quality of the overall development and provide contrasts and enhancements to the previously approved proposals. Subject to relevant matters being addressed by condition, this proposal will deliver the aspirations for the redevelopment of the area as set out in the now adopted City Centre Development Brief.

9.2 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

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

Conditions and Reasons / Reasons for Refusal

1. No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority. The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the

following:

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

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

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

2. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the relevant Roads Authority(s). The CTMP, which shall be implemented as approved during all period of construction, must include:
 - i. A description of all measures to be implemented by the developer in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised suitably qualified traffic management consultant;
 - ii. The identification and delivery of all upgrades (including details of the visibility splays at the junctions of the accesses to the site and at the junction between Burnett Road and Harbour Road) to the public road network to ensure that it is to a standard capable of accommodating construction related traffic (including the formation or improvement of any junctions leading from the site to the public road) and the operational requirements of the development to the satisfaction of The Highland Council and Transport Scotland, including;
 - An initial route assessment report for construction traffic, including swept path analysis and details of the movement of any street furniture, any traffic management measures and any upgrades and mitigations measures as necessary;
 - iii. A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during construction periods.
 - iv. A detailed protocol for the delivery of loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of larger load movements in the local media. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events.
 - v. Details of any upgrading works required at the junction of the site access and the public road. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road and the provision and maintenance of appropriate visibility splays.
 - vi. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period. Full details shall be submitted for the prior approval of Highland Council, as roads authority.
 - vii. Wheel washing measures to ensure water and debris are prevented

from discharging from the site onto the public road;

- viii. Appropriate reinstatement works shall be carried out, as required by Highland Council, at the end of the construction of the development.
- ix. Measures to ensure that construction traffic adheres to agreed routes.
- x. A concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the local road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the developer, to the satisfaction of the Roads Authority(s). It will also require the submission of an appropriate financial bond acceptable to the Council in respect of the risk of any road reconstruction works.

Thereafter the approved Construction Traffic Management Plan shall be implemented in full, unless otherwise approved in writing by the Planning Authority.

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

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

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

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

Such improvements may include but are not limited to:

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

Street and Rose Street; and

- c. Directional signage for pedestrians and cyclists.

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

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

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

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

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

The detailed Travel Plan shall include:

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

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

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

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

Reason: To maintain safety for pedestrians and Trunk Road users.

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

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

9. Within 6 months of the commencement of development full details of any external lighting to be used within the site and/or along its boundaries and/or access shall be submitted to, and approved in writing by, the Planning Authority. These details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented prior to first occupation of the development.

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

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

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

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

11. For the avoidance of doubt there shall be no drainage connections to the Trunk Road drainage system.

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

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

Reason: To ensure that the safety of Trunk Road traffic is not comprised.

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

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

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

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

ii. the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;

iii. measures to deal with contamination during construction works;

iv. in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures;

v. in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority.

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

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

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

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

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

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

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

Reason: In the interests of visual amenity.

18. Within 6 months of the commencement of development detailed plans, at a scale of 1:20, for the glazed units, the entrances and exits of the building and hard landscaping features shall be submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved plans and be implemented prior to first occupation of the development.

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

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

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

20. The development shall not be occupied until details of the boundary treatments have been submitted to and approved in writing by the Planning Authority. Thereafter the approved details shall be implemented prior to first occupation of the development and the boundary maintained as per the approved scheme for a minimum of five years following first occupation of the development.

Reason: In order to ensure that these details, which will have an impact on

the look of and accessibility to and from the development have been considered by the Planning Authority.

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

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

22. Within 2 months of the date of this planning permission detailed plans, at a scale of 1:20, for the lighting scheme proposed for the roof of the building inclusive of location, design, strength and colour of light features shall have been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved plans and be implemented prior to first occupation of the development.

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

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

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

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

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

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

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud & Debris on Road

Please note that it 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.

Protected Species – Halting of Work

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

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 886608.

Land Ownership/Planning Permission

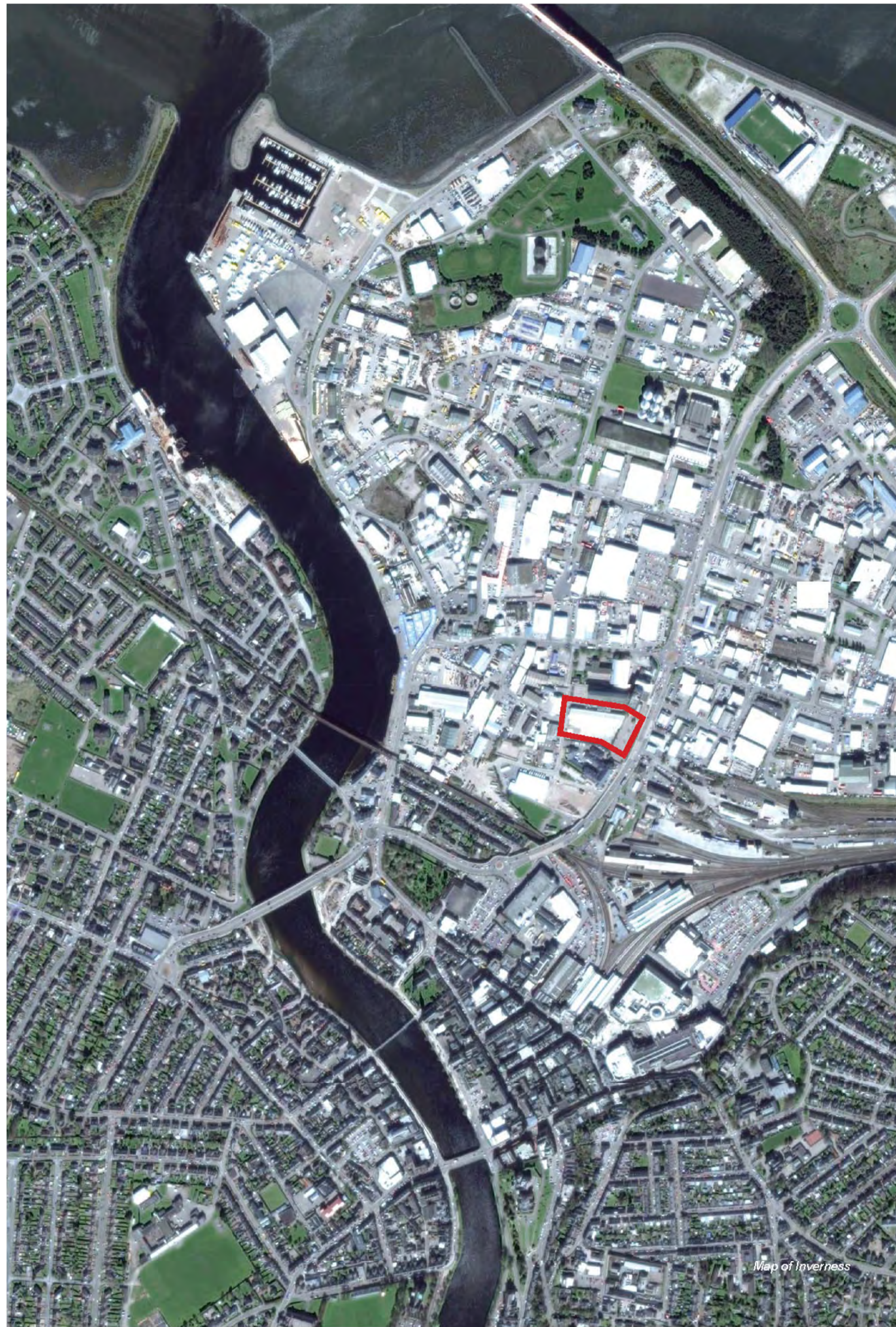
For the avoidance of doubt, the existence of planning permission does not affect or supersede an individual's ownership or other legal rights. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct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

Signature: David Mudie
Designation: Area Planning Manager – South
Author: Simon Hindson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan
Plan 2 - Site Layout Plan
Plan 3 - Elevation Plan North and South
Plan 4 - Elevation Plan East and West
Plan 5 - Roof Plan

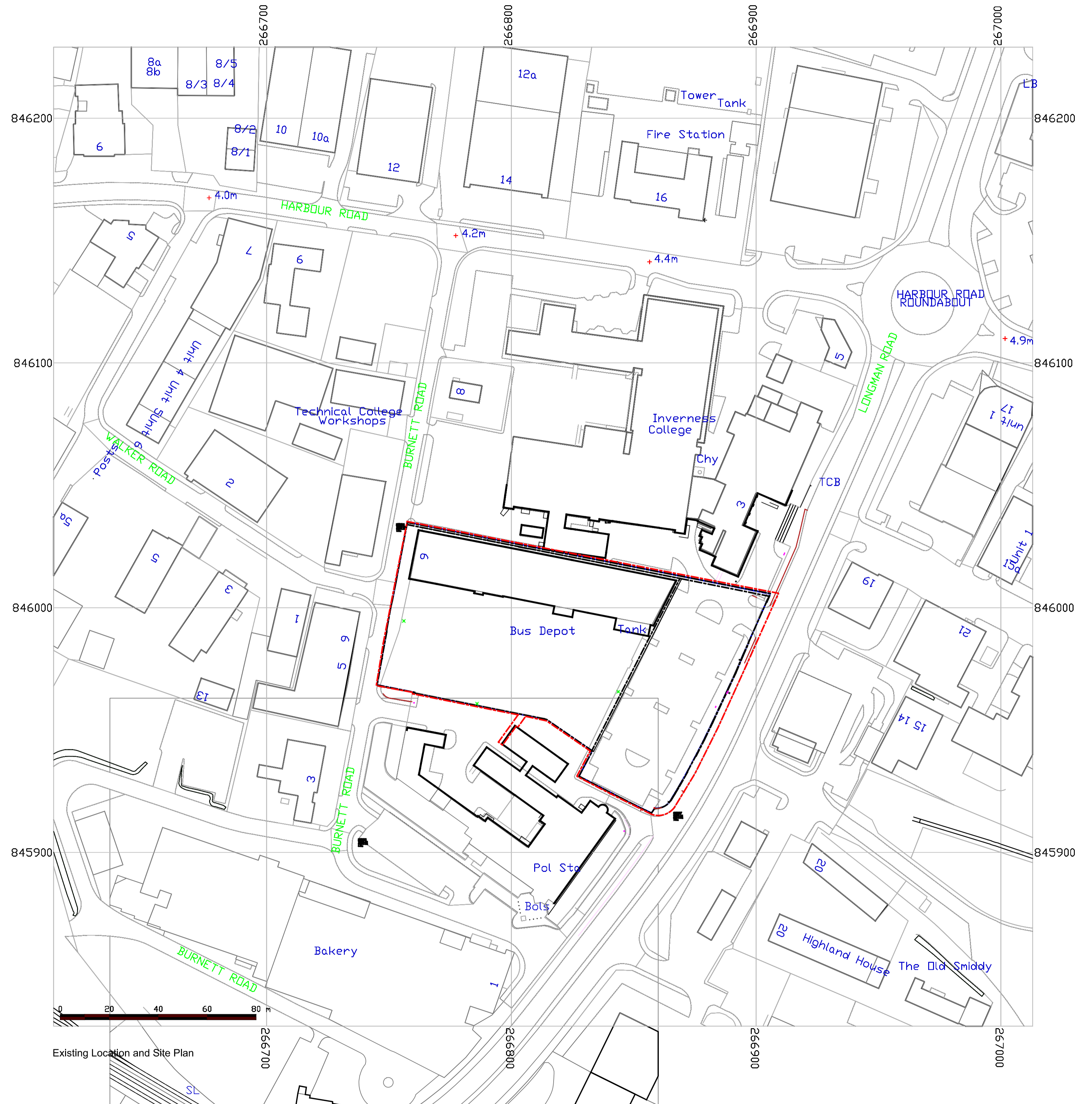
Notes

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

Revision		
-	14.11.2016	(PL) Submission
A	28.06.2017	Updated Planning Red Line Boundary

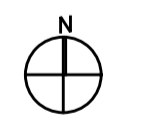


Aerial Location Plan View



Existing Location and Site Plan

Red Line Boundary - - - - -



PLANNING

Reiach and Hall Architects

Inverness Justice Centre
Layout Plan
Existing Location and Site Plan

4352 (PL) 000

March 2017 Drawn: LH Scale: 1:1000@A1

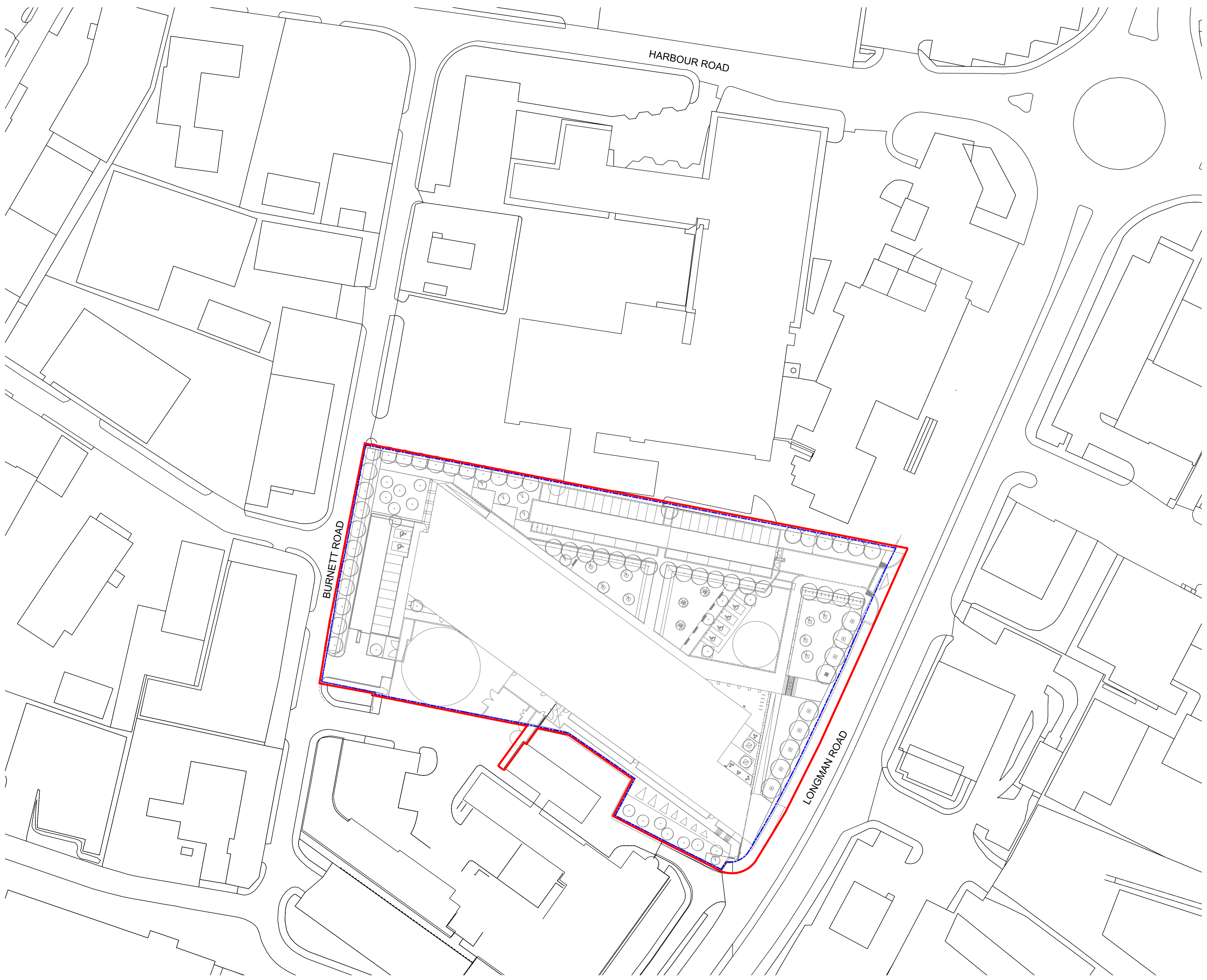
6 Darnaway St
Edinburgh EH3 6BG
Tel: 0131 225 8444
www.riachandhall.co.uk

DRAWING INFORMATION

Notes

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Revision		
-	14.11.2016	(PL) Submission
A	09.06.2017	Updated to reflect revised scheme.
B	28.06.17	Updated Planning Red Line Boundary.
C	21.01.2019	Updated to reflect the detailed landscape plan.



Key:

- Planning Red Line Boundary —
- Site Ownership Boundary - - -

PLANNING

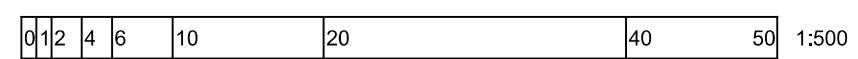
Reiach and Hall Architects

Inverness Justice Centre
Planning Drawings - General Arrangement
Proposed Site Plan

IJC.RHA.(PL)002 C

Date : Nov 2016 Scale : 1 : 500 @ A1

6 Darnaway St
Edinburgh EH3 6BG Tel : 0131 225 8444
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DRAWING INFORMATION











NOTE

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Revision

- 06.04.2017 Revised RIBA Stage 2 Issue
A 09.06.2017 Updated to reflect revised design
B 30.08.18 Updated to reflect the proposed rationalised South elevation and the proposed revised roof form over the courts

MATERIALS LEGEND

-  Profiled precast cladding panels, Skye marble fines & aggregate with matt finish.
-  Bespoke triangular patterned perforated powder coated aluminium over panel to provide security to opening vent and hopper. All powder coating to match curtain walling.
-  Profiled vertically laid composite powder coated aluminium cladding panels all powder coating to match curtain walling
-  Slate grey finish to vertically laid composite powder coated aluminium cladding panels to plant room
-  Proprietary curtain wall system. Metal components powder coated aluminium. Low-E coating and solar control to clear glazing
-  Weathered extruded powder coated aluminium louvres. Powder coating to match curtain wall at low level.
-  Weathered extruded powder coated aluminium louvres. Powder coating to match slate grey plant room finish. Demountable for future plant replacement
-  Untreated larch cladding to external stores
-  PPC mild steel grating to van dock & link
-  Single ply membrane insulated roof deck to pyramid roof forms over the court rooms

PLANNING

Reiach and Hall Architects

Inverness Justice Centre
General Arrangement Elevations
North and South Elevations

IJC-RHA-(PL)009 B

Date : June 17 Scale : 1 : 200 A1

6 Darnaway Street
Edinburgh EH3 6BG
Tel : 0131 225 8444
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① North Elevation PL
1 : 200



② South Elevation PL
1 : 200

DRAWING INFORMATION

NOTE

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Revision

- 06.04.2017 Revised RIBA Stage 2 Issue
A 09.06.2017 Updated to reflect revised design
B 04.09.18 Updated to reflect the proposed revised roof form over the courts













① (PL) East Elevation
1 : 200



② (PL) West Elevation
1 : 200

MATERIALS LEGEND

-  Profiled precast cladding panels, Skye marble fines & aggregate with matt finish.
-  Bespoke triangular patterned perforated powder coated aluminium over panel to provide security to opening vent and hopper. All powder coating to match curtain walling.
-  Profiled vertically laid composite powder coated aluminium cladding panels all powder coating to match curtain walling
-  Slate grey finish to profiled vertically laid composite powder coated aluminium cladding panels to plant room
-  Proprietary curtain wall system. Metal components powder coated aluminium. Low-E coating and solar control to clear glazing
-  Weathered extruded powder coated aluminium louvres. Powder coating to match curtain wall at low level.
-  Weathered extruded powder coated aluminium louvres. Powder coating to match slate grey plant room finish. Demountable for future plant replacement
-  Untreated larch cladding to external stores
-  PPC Mild steel grating to Van Dock & Link
-  Single ply membrane insulated roof deck to pyramid roof forms over the court rooms

PLANNING

Reiach and Hall Architects

Inverness Justice Centre
General Arrangement Elevations
East and West Elevations

IJC-RHA-(PL)010 B

Date : June 17 Scale : 1 : 200 A1

DRAWING INFORMATION

NOTE

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Revision

-	06.04.2017	Revised RIBA Stage 2 Issue
A	09.06.2017	Updated to reflect revised design
B	10.09.18	Updated to reflect the proposed revised roof form over the courts and the landscape proposals
C	23.01.19	Updated to reflect the rationalisation and improvements to the roof forms above the courtrooms to be a more honest expression of the internal programme and more sustainable due to the reduction of structure and materials. Detailed landscape proposals indicated.



Visualisation - Looking South Towards Main Entrance



Visualisation - Entrance looking West



Visualisation - Aerial View

PLANNING

Reiach and Hall Architects

Inverness Justice Centre
Visualisations
Aerial and external visualisations

IJC-RHA-(PL)015 C

Date : 09.06.17 Scale : A1

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

DRAWING INFORMATION

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Revision

-	06.04.2017	Revised RIBA Stage 2 Issue
A	09.06.2017	Updated to reflect revised design
B	23.01.19	Updated to reflect the rationalisation and improvements to the roof forms above the courtrooms to be a more honest expression of the internal programme and more sustainable due to the reduction of structure and materials



Visualisation - Night view looking South towards the main entrance



Visualisation - Night view looking South from Longman Road near the Harbour Road roundabout

PLANNING

Reiach and Hall Architects

Inverness Justice Centre
Visualisations - Night
Night time visualisations

IJC-RHA-(PL)016 B

Date : 09.06.17 Scale : A1

6 Darnaway Street
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DRAWING INFORMATION

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Revision

-	14.11.2016	(PL) Submission
A	09.06.2017	Updated to reflect revised design
B	30.08.18	Updated to reflect the proposed revised roof form over the courts
C	23.01.19	Uplighting to roof form added



KEY

■ Cores / WCs / Plant

① (PL) 006 Roof Plan
1 : 200

1 2 4 6 10 20 1:200

PLANNING

Reiach and Hall Architects

Inverness Justice Centre
Planning Drawings - General Arrangement
Roof Plan

IJC-RHA-(PL)006 C

Date : Nov 16 Scale : As indicated A1

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