

## Appeal Decision Notice

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Decision by Scott M Ferrie, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: P/PPA/270/615
- Site address: 2A Front Street, Inver, Tain IV20 1RY
- Appeal by Stephen J Reid against the decision by The Highland Council
- Application for outline planning permission 08/00217/OUTSU registered on 23 June 2008, refused by notice dated 1 December 2008
- The development proposed: erection of house and improvement of access
- Date of site visit by Reporter: 30 July 2009

Date of appeal decision: 13 August 2009

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### Decision

I dismiss the appeal and refuse outline planning permission.

### Reasoning

1. The determining issue in this appeal is whether the proposal would adversely affect the character and amenity of Inver, taking the provisions of the development plan into account.
2. Policy G2 of the approved Highland Structure Plan states, amongst other things, that developments judged to be significantly detrimental to individual and community residential amenity shall not accord with the development plan. The Inver Village Housing Policy H1 of the adopted Ross and Cromarty East Local Plan is supportive of small scale infill housing development that takes account of the character and layout of buildings in the 'fishertown'. Policy BP2 of the local plan goes on to state that the council will permit such development unless it would be likely to have a significant adverse effect on the features for which the area has been designated.
3. The appeal site consists of the larger part of the garden ground of the appellant's dwelling, a single storey terraced cottage, separated from the front of that dwelling by Front Street. I observed this arrangement to be characteristic of the layout of Front Street and generally of the wider settlement. The pattern of development has been disrupted to some extent, but not significantly, by the presence of ancillary domestic buildings in a number of the detached garden areas.

4. The appellant refers to permissions which have been granted for a number of similar developments in the vicinity of the appeal site, with particular reference to dwellings constructed adjacent to numbers 1 and 4 Front Street. These dwellings have been constructed on the southern side of Front Street and the appellant considers that they have established a precedent for such development.

5. I have given careful consideration to the impact of these developments on the prevailing pattern of development. Although they have undoubtedly had an impact on the established character of Inver, I do not consider this to be to an extent that the character has been significantly eroded or lost. Neither the appellant nor the council has made me aware of the background to those developments. There is a clear danger, however, that further such development would result cumulatively in a significant erosion of the established development pattern.

6. I conclude therefore, that the proposed development would adversely affect the 'fishertown' character and general amenity of the settlement, contrary to the terms of the development plan.

7. The council has not elaborated on its concern that individual residential amenity would be adversely affected with reference to any particular dwelling, nor has any neighbour objected to the proposal on such grounds. I consider that this particular issue would have been capable of being suitably safeguarded by means of condition.

8. I have considered all other matters raised but find none to lead me to a different conclusion.

***This is a true and certified copy of the decision issued on 13 August 2009***

SCOTT M FERRIE  
Reporter