

## Appeal Decision Notice

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Decision by Iain Urquhart, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-270-2047
- Site address: 1 Bank Lane, Alness, IV17 0WF
- Appeal by Iain Innes against the decision by Highland Council
- Application for planning permission 10/02688/FUL dated 7 July 2010 refused by notice dated 5 October 2010
- The development proposed: Temporary siting of a storage container
- Date of site visit by Reporter: 7 February 2011

Date of appeal decision: 24 February 2011

### Decision

I dismiss the appeal and refuse planning permission.

### Reasoning

1. The determining issues in this appeal are the impact of the proposal on road safety, and the effect of the proposal on the amenity of occupiers of neighbouring houses, having regard to the provisions of the development plan, and any other material considerations.
2. The metal storage container subject of the appeal is already located on site. It sits within a small, surfaced parking and service area attached to a modern, single storey shop. The appellant operates a carpet/flooring business and the container is used to store rolls of carpet and underlay.
3. Planning permission was granted in 2006 for the erection of the carpet shop. A condition was attached to the permission requiring the service area and car park to remain available for this purpose. Planning permission was granted in 2008 for a period of 2 years for the temporary siting of the container.
4. The storage container sits on an area slightly larger than a standard car parking space. However, the parking and service area is already restricted in size and the presence of the container further limits the ability of vehicles to park and turn on the site. The appellant's application plan shows 2 car parking spaces located parallel to the stone wall which forms the site boundary to the north. Due to their location hard against the wall,



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these spaces would afford restricted access for vehicle drivers and passengers. They would also limit service vehicle access to the side door of the shop for deliveries.

5. Most of the formal public car parking serving High Street is located to the south along Mitchell Lane, some distance from the appeal site. There are a number of formal and informal private parking and service areas to the north of High Street accessed off Averon Road. However, there are fewer spaces available in the vicinity of the appeal site. It appears to me from my site inspection that spaces are particularly in demand in this area.

6. There are parking restrictions along Averon Road and Bank Lane during the day. There is a residents-only parking permit system in place on Averon Road. I saw evidence of unauthorised parking here and on Bank Lane immediately in front of the appeal site where vehicles were parked partially on the footway. I accept that the appellant's business does not generate all of this parking demand. Nevertheless, the absence of 1 or 2 spaces for customers on the appeal site contributes towards increased on-street parking in the local area. This leads to difficulties for vehicles accessing parking spaces off Bank Lane. It also presents road safety issues for pedestrians walking through Bank Lane between Averon Road and High Street. I do not consider that this is a situation which should be allowed, even for a further temporary period as proposed by the appellant. I acknowledge that the appellant employs 6 people and the business contributes to the retail attractiveness of Alness town centre. However, it is important that safe and convenient access and parking provision for town centre users is maintained.

7. Overall, I find that the presence of the storage container on the appeal site contributes to increased parking pressure on immediately adjoining streets to the detriment of road and pedestrian safety. Therefore, the proposal is contrary to area policy C2 in the adopted Ross and Cromarty East Local Plan (2007) relating to parking provision for commercial property.

8. There are residential properties close to the appeal site to the north on Averon Road. The storage container is partially screened from view from these properties by a stone wall along the northern boundary of the parking and service area. Although the upper part of the container can be seen from some adjacent houses, I do not consider that it impacts on the visual amenity of their occupiers to such a degree as to justify refusal of planning permission for a temporary period. There is also some amenity impact during the day on local residents closest to the appeal site from unauthorised parking in the vicinity of their homes. Again, I do not consider that this is an issue which would justify refusal of planning permission.

9. I have taken account of all other matters but none outweigh the considerations in paragraphs 3 to 7 of this notice and accordingly I conclude that planning permission should be refused.

*Iain Urquhart*

Reporter