

THE HIGHLAND COUNCIL

INVERNESS, NAIRN, BADENOCH AND STRATHSPEY
PLANNING APPLICATIONS COMMITTEE – 7 August 2007

Agenda Item	3.3
Report No	PLI-24/07

07/00258/FULIN

Report by Area Planning and Building Standards Manager

SUMMARY

Planning permission is sought for the erection of a garden shed at 80 Haugh Road Inverness. Permission is required as the house lies within the Riverside Conservation Area. The application has attracted objections from two of the neighbouring properties.

Recommendation :GRANT planning permission subject to conditions

Ward 15- Central

1. PROPOSAL

1.1 Consent is sought for the erection of a shed with a floor area of 8.6 square metres and a ridge height of 2.9 metres. It is to be situated in the corner of the garden a distance of 3 metres from the boundary fence with 28A Ness Bank.

2. PLANNING HISTORY

2.1 80 Haugh Road is a detached house which received retrospective planning permission. The retrospective application was considered by the Inverness Area Planning Committee in March 2007. Committee also considered a report regarding the erection of an authorised shed which has been erected immediately adjacent to the boundary with 28A Ness Bank. The applicant now seeks permission for a smaller shed which will be situated further from the boundary. This will involve dismantling the shed currently on site, reducing the size of it and reassembling it further from the boundary.

3. PUBLIC PARTICIPATION

3.1 The application has attracted two letters of objection, which are available for inspection in the case file and in the folder available in the Members lounge prior to the Planning committee.

3.2 The grounds of objection relate to the size and position of the shed which is currently on site, rather than the applicant's proposals to reassemble a smaller shed further from the boundary.

4. CONSULTATIONS

4.1 No external/ internal consultations required.

5. POLICY

5.1 The following policies are relevant to the assessment of the proposal

Highland Structure Plan 2001

- G1 – Conformity with Strategy
- G2 – Design for Sustainability
- G6 - Conservation and promotion of the Highland heritage.
- BC5- Listed buildings and conservation Areas.

Inverness Local Plan March 2006

- Background Policy BP2- Conservation Area.
- Settlement Policy – business/tourism.
- General Policy GP1- Design Principles.

5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP); NPPG, and Planning Advice Notes PAN.

- SPP1 – The Planning System

6. PLANNING APPRAISAL

6.1 **Determining issues** - 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. Moreover, Section 64 of the Planning (Listed buildings and Conservation Areas)(Scotland) Act 1997 places a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation Area.

6.2 The proposal requires to be assessed against both the appropriate policies of the Development Plan, supplementary guidance and National Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:

- whether the principle of development is appropriate in terms of policy
- whether the layout of development is appropriate
- the impact on the amenity of the area and residents
- other material issues raised by the objectors

6.3 Policy

6.3.1 With respect to both the Structure Plan and the Inverness Local Plan policies and to the duty set out at paragraph 6.1 above, it is considered that the proposal will not adversely affect the function and character of the conservation area, or this area of Inverness which is characterised by a mixture of residential properties, hotels, bed and breakfast and restaurant establishments.

6.4 Third party representation

6.4.1 As regards the issues raised by the third parties, as specified in paragraph 3.2 above the comments offered refer to the shed which is currently on site and not the proposal which is the subject of the application.

6.4.2 In lodging this application the applicant wishes to regularise permission for a shed within the garden ground of her house. By dismantling the existing shed and re-building a smaller shed further from the boundary, concerns regarding loss of light at 28A Ness Bank and the size of the structure will be overcome.

7. **CONCLUSION**

- 7.1 To conclude, the applicant is presenting a proposal which will serve to address the concerns of neighbours which have been ongoing since the existing shed was built in 2005. I would recommend approval of the application subject to the following conditions.

RECOMMENDATION

1. Except as otherwise provided by the terms of this permission, the developer shall construct and operate the development in accordance with the plans and supporting information submitted with the application and docketed as relative hereto with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: In order to clarify the terms of the permission hereby granted and to ensure that the development is implemented as approved.

2. Notwithstanding the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997 the development shall commence not later than 1 October 2007.

Reason: To ensure that the unauthorised shed which is to be used in the construction of the development to which this planning approval relates is removed timeously.

Signature:



Designation:

Area Planning & Building Standards Manager

Author:

Erica McArthur

Background Papers:

This case file and the other case files mentioned above.
Highland Structure Plan 2001
Inverness Local Plan March 2006
SPP1 – The Planning System.