

## Appeal Decision Notice

T: 01324 696 400  
F: 01324 696 444  
E: dpea@scotland.gsi.gov.uk



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Decision by G Michael M Thomson, an Inquiry Reporter appointed by the Scottish Ministers

- Planning appeal reference: P/PPA/270/605
- Site address: Land to the south-east of 3 Front Street, Inver, Tain
- Appeal by Mr and Mrs P Raven against the decision by the Highland Council
- Application for planning permission (council reference: 08/00242/FULSU) dated 26 June 2008 refused by notice dated 1 December 2008
- The development proposed: The erection of a house and integral garage
- Application drawings: numbered 08/096/01 and -/02
- Date of site visit by Reporter: 19 May 2009

Date of appeal decision: || June 2009

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### Decision

~~I dismiss the appeal and refuse planning permission.~~

### Reasoning

1. The appeal site is the level garden ground of the appellants' house. As in the majority of properties in the village of Inver, the garden lies on the opposite side of the street and this creates open space within an otherwise densely populated area, albeit the open space is generally cluttered with garages, sheds, cages, caravans, etc. With very few exceptions, the traditional terraced houses which line the narrow streets are single storey and, together with its location beside the sea shore, these are the features which largely characterise the more traditional part of the village. At one-and-a-half storeys, the appellants' property is an exception and their garden is already occupied by a double garage. The area of open space relating to the appeal proposal is formed by the terrace of houses at nos 2, 2a, 3 and 4 Front Street on the north side; the detached houses of no 1 and its new addition at the west end; and no 5 which closes the east end of the open space. The proposal is to erect a new one-and-a-half storey house attached to, but lying behind the garage, and in the centre of this area of open space.

2. The main issues in the appeal are whether the proposal would accord with the policies of the development plan; and whether there are material considerations which would outweigh any conclusions reached on this basis. In its reasons for refusing the planning application, the council refers to Highland Structure Plan 2001 Policy G2: Design for Sustainability; and Ross and Cromarty East Local Plan 2007 Policy BP2 including the Inver Village Housing Policy H1. While favouring small-scale or infill development in the



village, these policies are framed to retain the character, layout and residential amenity of the existing residential areas.

3. The garage on the appeal site already appears incongruous, in that it has been inserted into the centre of this otherwise well-defined traditional open space, but to extend this building by the erection of a further one-and-a-half storey house would not only be out of character with the area, but would disrupt the defined area of open space, oblivious to the traditional composition of this part of the village, disturbing its long-established layout. This is clearly contrary to local plan policy.

4. There is an understandable objection from the house at the east end of this area of open space; located at right angles to the terrace, many of its windows face west towards the appeal site, while the dining room and kitchen windows of the proposed house would directly overlook its garden. The resultant loss of residential amenity would be a further issue in conflict with structure plan Policy G2.

5. The appellants have raised a number of issues. First, they refer to a number of properties around the village which they maintain should be seen as precedents, most notably the additional one-and-a-half storey house newly erected beside no 1 Front Street. Although this appears as a single storey house to Front Street, dormer windows on its west elevation overlook the sea. As referred to above, this house not only assists in closing the open space of which the appeal site forms a part, but with its other elevation facing the sea front, it appears logical in this context. Of the other new houses referred to, the council explains the position in relation to no 4 Front Street; however the reasons for granting a number of others remains unknown. This is of concern, as consistency in decision making is essential to public perception of Planning. Nevertheless, the council points out that it now places a greater emphasis on respecting and maintaining settlement patterns, and this is therefore supported.

6. Other matters raised are the potential of the appeal site to contribute towards the 25 houses the village is to accommodate over 15 years, as set out in the local plan. However, it is also noted that the plan proposes that land south of Shop Street should accommodate future expansion of the village, while protecting important open spaces and amenity areas. The appeal site falls into this latter category and does not therefore constitute land for expansion of the village. A number of issues are raised which relate to the council's administration of the planning application but these are not relevant to the appeal which deals with the decision ultimately made on the application; there are other avenues open to the appellants to enable them follow up such matters. While these and all the other issues raised have been considered in the determination of this appeal, they do not affect the conclusion that the proposal would be contrary to development plan policy.

**G M M Thomson**  
Inquiry Reporter

