MINUTE of the MEETING of the LOCAL REVIEW COMMITTEE of ORKNEY ISLANDS COUNCIL held in COUNCIL OFFICES, KIRKWALL on 5 APRIL 2017 at 11am

Present: Councillors Robin W Crichton, Owen Tierney, Janice Annal, Andrew Drever, J Harvey Johnston, Rachael A King, W Leslie Manson, James W Stockan and William T Stout

Clerk to the Committee: Angela Kingston, Committees Officer

In Attendance: Roddy MacKay, Planning Advisor
Peter Trodden, Legal Advisor

Apologies: Councillors Maurice C Davidson and Graham L Sinclair

Not Present: Councillor James W R Moar
Councillor Robin W Crichton in the Chair

1 PLANNING APPLICATION 16/560/PP
PROPOSED ERECTION OF HOUSE WITH INTEGRAL GARAGE, AIR SOURCE HEAT PUMP AND CREATION OF ACCESS ON LAND NEAR SANDWICK COMMUNITY CENTRE, SANDWICK

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, the Committee:-

NOTED:-

1.1 that planning permission for the erection of a house with an integral garage and air source heat pump, together with the creation of an access, on land near Sandwick Community Centre, Sandwick, was refused by the Appointed Officer on 28 February 2017, for the reason outlined in section 4.2 of the report by the Executive Director of Corporate Services;

1.2 that the applicant had submitted a Notice of Review requesting that the decision of the Appointed Officer, referred to at paragraph 1.1 above, be reviewed; and

1.3 that, in accordance with policy, the Local Review Committee had undertaken an unaccompanied visit to the site, referred to at paragraph 1.1 above, at 9.30am on 5 April 2017.

After hearing a report from the Planning Advisor, the Committee:-

RESOLVED, in terms of delegated powers:-

1.4 that the review be determined without further procedure.
Councillor R W Crichton, seconded by Councillor W T Stout, moved that the decision of the Appointed Officer, to refuse the application for the erection of a house with an integral garage and air source heat pump, together with the creation of an access, on land near Sandwick Community Centre, Sandwick, be upheld.

Councillor O Tierney, seconded by Councillor J H Johnston, moved an amendment that planning permission be granted in respect of the erection of a house with an integral garage and air source heat pump, together with the creation of an access, on land near Sandwick Community Centre, Sandwick, as, in their opinion, (1) a key material consideration in respect of the proposed development was the previous planning history relating to the site, which included (a) the site being within the Maggie Garson’s Corner Local Housing Area in the Orkney Local Development Plan 2004 thereby making the principle of development acceptable up to April 2011; (b) planning in principle for two housing plots on the site approved in July 2011 and applications for Approval of Matters Specified in Conditions for both plots approved in September 2014; and (c) the short timescale between the planning permissions for the site lapsing in September 2016 and submission of the current planning application in November 2016; and (2) the proposed development was of a scale, form and position compatible with existing buildings, and of an appropriate design that integrated into the landscape.

On a vote being taken 2 members voted for the amendment and 7 for the motion, and the Committee:

RESOLVED, in terms of delegated powers:-

1.5 that the decision of the Appointed Officer, to refuse the application for the erection of a house with an integral garage and air source heat pump, together with the creation of an access, on land near Sandwick Community Centre, Sandwick, be upheld, for the reason outlined in Appendix 1 to this Minute.

2 CONCLUSION OF MEETING

At 11.20am the Chair declared the meeting concluded.

Signed: R Crichton
Appendix 1

Proposed Erection of House with Integral Garage, Air Source Heat Pump and Creation of Access on land near Sandwick Community Centre, Sandwick (16/560/PP)

REFUSE for the following reason:-

01. The application site is in the countryside and is not the subdivision of residential curtilage; a house for an agricultural worker; a house for retirement succession on a farm holding; a house necessary to provide 24 hour supervision to a rural business; or the redevelopment of brownfield land for housing. The development is therefore contrary to policy C1 of the Orkney Local Development Plan 2014, Supplementary Guidance ‘Housing Development in the Countryside’, and Policy 5, section E of the Orkney Local Development Plan, Proposed Plan (with minor modifications) May 2016.