

Minute

Planning Committee

Wednesday, 26 April 2023, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, Graham A Bevan, Alexander G Cowie, P Lindsay Hall, James R Moar, Raymond S Peace, Jean E Stevenson, Ivan A Taylor, Mellissa-Louise Thomson and Duncan A Tullock.

Present via remote link (Microsoft Teams)

Councillor John A R Scott.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Head of Planning and Community Protection.
- Jamie Macvie, Service Manager (Development Management).
- Derek Manson, Team Manager (Development and Marine Planning).
- Paul Maxton, Solicitor.
- Donald Wilson, Roads Authority Officer.

Observing

- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- David Barclay, Senior Planner (Development Management).
- Margaret Gillon, Senior Planner (Development Management).

Apology

- Councillor Kristopher D Leask.

Declaration of Interest

- Councillor Graham A Bevan – Item 3.

Chair

- Councillor Owen Tierney.

1. Suspension of Standing Orders

The Committee **suspended Standing Order 8.11** to enable members to participate in the meeting from a remote location, as a party had the right to be heard in person or through a representative and the decision to be made was as a result of a quasi-judicial or regulatory hearings process, such as a planning application or an appeal.

2. Planning Application 22/170/HH

Proposed Extension of House at Old Bank House, Front Road, St Margaret's Hope, South Ronaldsay

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

2.1. That, as the application for planning permission in respect of the proposal for the extension of a house at Old Bank House, Front Road, St Margaret's Hope, South Ronaldsay, was made on behalf of a member of staff employed within the Planning Service, in accordance with the Scheme of Administration, the application must be reported to Committee for determination.

On the motion of Councillor Graham A Bevan, seconded by Councillor John A R Scott, the Committee resolved, in terms of delegated powers:

2.2. That the proposed development was in accordance with the undernoted policies:

- Orkney Local Development Plan 2017:
 - The Spatial Strategy.
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 13A – Flood Risk.
- Supplementary Guidance: Historic Environment and Cultural Heritage (2017).
- National Planning Framework 4.

2.3. That planning permission be granted in respect of the proposal for the extension of a house at Old Bank House, Front Road, St Margaret's Hope, South Ronaldsay, subject to the conditions attached as Appendix 1 to this Minute.

3. Planning Application 22/336/PP

Proposed Installation of Freestanding ATM Kiosk with Public Telephone at 5 Victoria Street, Stromness

Councillor Graham A Bevan declared an interest in this item, his connection being that, as a ward member, he had been involved in discussions with interested parties related to the application, and was not present during discussion thereof.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

3.1. That a letter of objection relating to the application for planning permission in respect of the proposal for the installation of a freestanding ATM kiosk with public telephone at 5 Victoria Street, Stromness, had been received from Katherine Kemp, Wishart's Hardware, 14 Victoria Street, Stromness.

On the motion of Councillor P Lindsay Hall, seconded by Councillor John A R Scott, the Committee resolved, in terms of delegated powers:

3.2. That the objection received on material planning grounds was not considered to be of sufficient weight to merit refusal.

3.3. That the proposed development was in accordance with the undernoted policies:

- Orkney Local Development Plan 2017:
 - The Spatial Strategy.
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
 - Policy 4 – Business, Industry and Employment.
 - Policy 8 – Historic Environment and Cultural Heritage.
- Supplementary Guidance: Historic Environment and Cultural Heritage (2017).
- Planning Policy Advice: Historic Environment (Topics and Themes) (2017).
- National Planning Framework 4.

3.4. That planning permission be granted in respect of the proposal for the installation of a freestanding ATM kiosk with public telephone at 5 Victoria Street, Stromness, subject to the conditions attached as Appendix 2 to this Minute.

4. Planning Application 22/425/PP

Proposed Erection of Four Houses and Creation of Four Accesses at 8-10 Moar Drive, Kirkwall

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

4.1. That letters of objection relating to the application for planning permission in respect of the proposal for the erection of four houses and creation of four accesses at 8-10 Moar Drive, Kirkwall, had been received from the following:

- David and Katie Foulis, 5 Moar Drive, Kirkwall.
- Erland and Alison Hutchison, 7 Moar Drive, Kirkwall.

Councillor Graham A Bevan, seconded by Councillor Owen Tierney, moved that planning permission be granted in respect of the proposal for the erection of four houses and creation of four accesses at 8-10 Moar Drive, Kirkwall, subject to conditions as proposed by officers.

Councillor Duncan A Tullock, seconded by Councillor Jean E Stevenson, moved an amendment that the application for planning permission in respect of the proposal for the erection of four houses and creation of four accesses at 8-10 Moar Drive, Kirkwall, be refused, as, in their opinion:

- The development was not sited or designed to take into consideration the location and the wider townscape.
- The proposed density of the development was not appropriate to the location.
- The development would be prejudicial to the effective development of the wider area.
- The development would create an unacceptable burden on existing infrastructure that could not be resolved.

And, therefore, the proposed development was contrary to:

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development, parts (i), (ii), (iii) and (v).
 - Policy 5A – Housing in Settlements, part (i).
- Watersfield, Kirkwall, Development Brief 2011, Supplementary Guidance (July 2012).

On a vote being taken 4 members voted for the amendment and 7 for the motion, and the Committee:

Resolved, in terms of delegated powers:

4.2. That the objections received on material planning grounds were not considered to be of sufficient weight to merit refusal.

4.3. That the proposed development was in accordance with the undernoted policies:

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5 – Housing in Settlements.
 - Policy 9 – Landscape.
 - Policy 13B – Sustainable Drainage Systems (SuDS).
 - Policy 13C – Waste Water Drainage.
 - Policy 14C – Road Network Infrastructure.

- Supplementary Guidance and Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).
 - Watersfield, Kirkwall, Development Brief 2011, Supplementary Guidance (July 2012).
- National Planning Framework 4.

4.4. That planning permission be granted in respect of the proposal for the erection of four houses and creation of four accesses at 8-10 Moar Drive, Kirkwall, subject to the conditions attached as Appendix 3 to this Minute.

5. Planning Application 22/451/PP

Proposed Erection of Workshop and Extend Slipway (Resubmission of 22/249/PP) at Burray Boatyard, Burray

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

5.1. That letters of objection relating to the application for planning permission in respect of the proposal for the erection of a workshop and extension of a slipway at Burray Boatyard, Burray, had been received from the following:

- John Corsie, South Manse, Burray.
- Rosalind Johansson, Watersound Flat, Burray.
- Adam Moore, Mayfield, Burray.

The Committee resolved, in terms of delegated powers:

5.2. That the objections received on material planning grounds were not considered to be of sufficient weight to merit refusal.

5.3. That the proposed development was in accordance with the undernoted policies:

- Orkney Local Development Plan 2017:
 - The Spatial Strategy.
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
 - Policy 4 – Business, Industry and Employment.
 - Policy 9 – Natural Heritage and Landscape.
 - Policy 12 – Coastal Development.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.

- Supplementary Guidance: Settlement Statements (2017).
- Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).
- National Planning Framework 4.

5.4. That planning permission be granted in respect of the proposal for the erection of a workshop and extension of a slipway at Burray Boatyard, Burray, subject to the conditions attached as Appendix 4 to this Minute.

6. Conclusion of Meeting

At 10:35 the Chair declared the meeting concluded.

Signed: Owen Tierney.