Minute

Planning Committee

Wednesday, 10 December 2025, 14:00.

Council Chamber, Council Offices, School Place, Kirkwall.

Present

Councillors Owen Tierney, David Dawson, W Leslie Manson, James R Moar, Janette A Park, Raymond S Peace, John A R Scott, Jean E Stevenson, Ivan A Taylor and Duncan A Tullock.

Clerk

- Katy Russell-Duff, Committees Officer.

In Attendance

- Gavin Barr, Head of Planning and Regulatory Services.
- Jamie Macvie, Service Manager (Development Management).
- Derek Manson, Team Manager (Development Planning).
- Paul Maxton, Solicitor.
- Donald Wilson, Roads Authority Officer.

Observing

- Hayley Green, Director of Infrastructure and Organisational Development.
- Lorna Richardson, Head of Infrastructure Services (for Item 1).
- Shankha Weerasekara, Graduate Planner.

Apology

- Councillor P Lindsay Hall.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application 24/353/PP

Proposed Erection of Three-Storey Office at The Crafty, Junction Road, Kirkwall

Neil Stevenson, applicant, and Stephen Omand, agent for the applicant, were present during consideration of this item.

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

Noted:

1.1. That, on 8 October 2025, the Planning Committee deferred consideration of the application for planning permission in respect of the proposed erection of a three-storey office at The Crafty, Junction Road, Kirkwall, to a subsequent meeting of the Committee, to allow for formal submission of 3D images of the proposed development, to allow further negotiation between officers and the developer regarding potential off-site works and additional details be provided, and to enable a member of the Roads Services team to be present.

1.2. That, notwithstanding submission of additional information and some matters being satisfied, Roads Services had subsequently objected to the application for planning permission in respect of the proposed erection of a three-storey office at The Crafty, Junction Road, Kirkwall, on the following grounds:

- Lack of dedicated parking.
- Inadequate service vehicle access and therefore impacts on manoeuvring at the car park entrance and the hyperbaric chamber.
- Adverse impacts arising from increased pressure on public car parking facilities in the vicinity of the development.
- Specification of a proposed additional disabled parking bay.

1.3. That letters of objections relating to the application for planning permission in respect of the proposed erection of a three-storey office at The Crafty, Junction Road, Kirkwall, had also been received from the following:

- Tim Casson, 17 Sommerville Square, Kirkwall.
- Pat Heyward, 12 Sommerville Square, Kirkwall.
- Pauline Lee, 19 Sommerville Square, Kirkwall.
- Sheila McIndoe, 13 Sommerville Square, Kirkwall.
- Orkney Housing Association, 39A Victoria Street, Kirkwall.

After hearing representations from Stephen Omand, agent representing the applicant, Neil Stevenson, Councillor James R Moar, seconded by Councillor Owen Tierney, moved that planning permission be granted for the proposed erection of a three-storey office at The Crafty, Junction Road, Kirkwall, as, in their opinion, the proposed development:

- Was within the 20 minute walking distance of town centre facilities.
- There would be little dropping off in relation to the proposed use.

- Would have no material impact on the operation of the public car park.
- Was well served by sustainable transport modes.
- The practical and safety concerns regarding the absence of manoeuvring space for vehicles at the site had been addressed.
- Benefits of the development outweigh any impacts on existing infrastructure as there is adequate car parking in close proximity.

And, accordingly, the proposed development complied with the undernoted polices:

- National Planning Framework 4:
  - Policy 13 – Sustainable transport.
  - Policy 14 – Liveable Places.
  - Policy 15 – Local Living and 20 minute neighbourhoods.

Councillor Duncan A Tullock, seconded by Councillor Jean E Stevenson, moved an amendment that the application for the proposed erection of a three-storey office at The Crafty, Junction Road, Kirkwall, be refused for the reasons set out in the officer's report.

On a vote being taken 3 members voted for the amendment and 7 for the motion, and the Committee:

Resolved, in terms of delegated powers:

1.4. That, notwithstanding the recommendation of the Director of Infrastructure and Organisational Development, planning permission be granted in respect of the proposed erection of a three-storey office at The Crafty, Junction Road, Kirkwall.

1.5. That the Committee's reasons for granting planning permission against the recommendation of the Director of Infrastructure and Organisational Development, were that, in the Committee's opinion, the proposed development:

- Was within the 20 minute walking distance of town centre facilities.
- There would be little dropping off in relation to the proposed use.
- Would have no material impact on the operation of the public car park.
- Was well served by sustainable transport modes.
- The practical and safety concerns regarding the absence of manoeuvring space for vehicles at the site had been addressed.
- Benefits of the development outweigh any impacts on existing infrastructure as there is adequate car parking in close proximity.

And accordingly, the proposed development complied with the undernoted policies:

- National Planning Framework 4:
  - Policy 13 – Sustainable transport.
  - Policy 14 – Liveable Places.
  - Policy 15 – Local Living and 20 minute neighbourhoods.

1.6. That powers be delegated to the Director of Infrastructure and Organisational Development to issue the consent, referred to at paragraph 1.4 above, incorporating standard conditions.

2. Planning Application 25/262/PP

Proposed Erection of Agricultural Shed (Retrospective) at Orgil Farm, Braebuster Road, Hoy

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

Noted:

2.1. That a letter of objection relating to the application for retrospective planning permission in respect of the erection of an agricultural shed at Orgil Farm, Braebuster Road, Hoy, had been received from Jamie Christley, Sutherland Court, Kirkwall.

The Committee resolved, in terms of delegated powers:

2.2. That the concerns of the objector had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

2.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
  - Policy 3 – Biodiversity.
  - Policy 7 – Historic assets and places.
  - Policy 22 – Flood risk and water management.
  - Policy 26 – Business and industry.
  - Policy 29 – Rural Development.
- Orkney Local Development Plan 2017:
  - Policy 1 – Criteria for All Development.
  - Policy 2 – Design.
  - Policy 4 – Business, Industry and Employment.
  - Policy 8 – Historic Environment and Cultural Heritage.
  - Policy 9 – Natural Heritage and Landscape.
- Planning Policy Advice:
  - Amenity and Minimising Obtrusive Lighting (2021).

2.4. That retrospective planning permission be granted in respect of the erection of an agricultural shed at Orgil Farm, Braebuster Road, Hoy, subject to the conditions attached as Appendix 1 to this Minute.

3. Planning Application 25/276/PIP

Proposed Siting of Three Houses and Creation of Two Accesses on Land Near Merlehaven, South Ronaldsay

William Annal, applicant, was present during consideration of this item.

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

Noted:

3.1. That letters of objections relating to the application for planning permission in principle in respect of the proposed siting of three houses and creation of two access on land near Merlehaven, South Ronaldsay, had been received from the following:

- Soibhan Robertson, Merlehaven, South Ronaldsay.
- Tony Whenman, Banks, Herston, South Ronaldsay.

After hearing representations from the applicant, William Annal, the Committee:

Resolved, in terms of delegated powers:

3.2. That the concerns of the objectors had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

3.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
  - Policy 9 – Brownfield, vacant and derelict land and empty buildings.
  - Policy 17 – Rural Homes.
- Orkney Local Development Plan 2017:
  - Policy 5 – Housing.
- Planning Policy Advice:
  - Amenity and Minimising Obtrusive Lighting (2021).
- Supplementary Guidance:
  - Settlement Statements.

3.4. That planning permission in principle be granted in respect of the proposed siting of three houses and creation of two accesses on land near Merlehaven, South Ronaldsay, subject to the conditions attached as Appendix 2 to this Minute.

4. Conclusion of Meeting

At 15:17 the Chair declared the meeting concluded.

Signed: Owen Tierney.

Appendix 1.

Proposed Erection of Agricultural Shed (Retrospective) at Orgil Farm, Braebuster Road, Hoy (25/262/PP)

Grant, subject to the following conditions:

1. Surface water shall be managed in accordance with the principles of Sustainable Drainage Systems (SuDS) and the guidance set out in CIRIA's SuDS Manual C753 throughout the lifetime of the development hereby approved. Requisite surface water drainage measures shall be operational prior to the development being brought into use and shall be maintained as operational thereafter and throughout the lifetime of the development.

All surface water shall be contained within the application site and shall be managed to avoid flow into any adjacent road or other land.

Reason: To ensure appropriate management of surface water drainage, in accordance with Policy 13B ‘Sustainable Drainage Systems (SuDS)’ of the Orkney Local Development Plan 2017, and to protect road safety.

2. The biodiversity enhancement measures identified on the 1:200 Proposed Site Plan (Dwg. No. 002) shall be implemented in full no later than the first planting season following commencement of development. Thereafter the earth side/silo bank and biodiversity measures shall be permanently retained in accordance with the approved details, including replacement of any planting that does not survive, is removed, or is damaged, unless otherwise agreed, in writing, by the Planning Authority.

Reason: To ensure biodiversity measures are implemented as required by Policy 3 Biodiversity of National Planning Framework 4.

3. Throughout the lifetime of the development hereby approved, any exterior lighting employed on the development shall be so positioned, angled and controlled to prevent any direct illumination, glare or light spillage outwith the site boundary. External lighting on the building shall meet the requirements for Zone E3/E4 areas (Medium Brightness/High District Brightness) as defined by the Institution of Lighting Professionals.

Reason: To ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow' and to accord with Orkney Local Development Plan 2017 Policy 2 ‘Design’ and Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).

Appendix 2.

Proposed Siting of Three Houses and Creation of Two Accesses on land near Merlehaven, South Ronaldsay (25/278/PIP)

Grant, subject to the following conditions:

1. The development hereby approved to which this planning permission in principle relates must be begun not later than the expiration of five years, beginning with the date on which the permission in principle is granted, which is the date of this decision notice. If development has not begun at the expiration of this period, the planning permission in principle lapses.

Reason: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.

2. No development shall commence until all matters specified below have been approved on application to the Planning Authority:

i. A detailed layout of the site of the proposed development.
ii. Site levels as existing and proposed, based on a fixed datum point.
iii. The design and external appearance of the proposed development (all buildings and structures).
iv. All hard and soft landscaping proposals for the site of the proposed development (including boundary treatments).
v. Details of access and parking arrangements.
vi. Details of the proposed water supply arrangements.
vii. Details of the foul drainage disposal.
viii. Details of the management of surface water.
ix. Details of refuse and recycling bin storage, including for collection.
x. Full details of biodiversity enhancement measures in pursuance of Policy 3 of National Planning Framework 4.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to commencement of development.

3. No other development shall commence until the access hereby approved from the public road to Plots 1 and 2 has been constructed to the Council's Roads Services standard drawing 'SD-05 (Typical Access Over Verge with Service Bay)' for 2 to 4 dwellings, attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. Thereafter the access shall be retained in accordance with these details throughout the lifetime of the development.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to first occupation of the development, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

Reason: In the interests of road safety.

4. No other development shall commence until the access hereby approved from the public road to Plot 3 has been constructed to the Council's Roads Services standard drawing 'SD-05 (Typical Access Over Verge with Service Bay)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. Thereafter the access shall be retained in accordance with these details throughout the lifetime of the development.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to first occupation of the development, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

Reason: In the interests of road safety.

5. No development shall commence until a drawing has been submitted to and approved, in writing, by the Planning Authority, showing a realignment of the boundary of the site with the B9042 in a southerly direction, to facilitate a carriageway width of 5.5 metres and a verge width of 1.5 metres, across the frontage of the housing allocation. The boundary and extent of the development, in accordance with Condition 2 above, shall include realigned boundary, as approved.

Reason: To safeguard land to enable widening of the B9042 should the remainder of development site HE-1 be developed.

6. No development shall commence until full details of the location of a passing place on the B9042 are submitted to and approved, in writing, by the Planning Authority, in conjunction with Roads Services. No other development shall commence within the application site until this passing place has been constructed wholly in accordance with the approved location, and constructed in accordance with the Council's detail for a passing place, attached to and forming part of this decision notice.

Reason: To protect the safety of road users.

7. In accordance with Condition 2, surface water drainage provision within the application site shall accord with the principles of Sustainable Drainage Systems (SuDS) and shall be designed to the standards outlined in Sewers for Scotland Fourth Edition (or any superseding guidance prevailing at the time) prior to the first occupation of any part of the development hereby approved in principle, and no part of the development shall be occupied until the development is connected to an approved and fully constructed and operational surface water drainage system.

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SuDS.

8. Hours of work during the construction of the development hereby approved, involving the use of machinery and powered tools, or any other operation, for example hammering, that would generate noise audible beyond the boundary of the site, shall be restricted to 07:30 to 18:00 Mondays to Fridays; 08:00 to 13:00 on Saturdays and not at all on Sundays, Christmas or New Year Public Holidays unless otherwise agreed, in writing, with the Planning Authority.

Throughout the construction phase of the development there shall be no burning of waste material on site.

Reason: In the interest of the amenity of the area and to reduce any possible nuisance arising to nearby residents/properties during the construction of the development.