

# Minute

## Planning Committee

Wednesday, 30 May 2018, 11:00.

Council Chamber, Council Offices, School Place, Kirkwall.



## Present

Councillors Owen Tierney, Stephen Sankey, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Magnus O Thomson, Duncan A Tullock and Kevin F Woodbridge.

## Clerk

- Angela Kingston, Committees Officer.

## In Attendance

- Roddy Mackay, Head of Planning, Development and Regulatory Services.
- Jamie Macvie, Planning Manager (Development Management).
- Stuart West, Planning Manager (Development and Marine Planning).
- Peter Trodden, Solicitor.
- Donald Wilson, Roads Authority Officer.

## Observing

- David Barclay, Senior Planner (Development Management).
- James Green, Senior Policy Planner (Development and Marine Planning).
- Hazel Flett, Senior Committees Officer.

## Apologies

- Councillor Barbara Foulkes.
- Councillor John A R Scott.
- Councillor Graham L Sinclair.

## Declarations of Interest

- No declarations of interest were intimated.

## Chair

- Councillor Owen Tierney.

## **1. Planning Application 18/056/PP**

### **Proposed Erection of House with Integral Garage and Air Source Heat Pump and Creation of Access at Fea House, Tankerness Hall Road, Tankerness**

Kenneth Adam, applicant, and Ian Cunningham, objector, and representing Allan Pugh and Lorraine Shearer, objectors, were present during consideration of this item.

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

Noted:

**1.1.** That letters of objection relating to the application for planning permission in respect of the proposal to erect a house with integral garage and air source heat pump and create an access at Fea House, Tankerness Hall Road, Tankerness, had been received from the following:

- Ian Cunningham, Feaquoy, Tankerness.
- Allan Pugh, Denhead, Tankerness.
- Lorraine Shearer, Kelda Ber, Tankerness.

**1.2.** That, on 18 April 2018, the Planning Committee deferred consideration of the application for planning permission in respect of the proposal to erect a house with integral garage and air source heat pump and create an access at Fea House, Tankerness Hall Road, Tankerness, to enable members of the Committee to undertake a site visit.

**1.3.** That the site visit, referred to at paragraph 1.2 above, had taken place at 09:45 on 30 May 2018.

After hearing representations from Ian Cunningham, objector, and representing Allan Pugh and Lorraine Shearer, objectors, and from Kenneth Adam, applicant, on the motion of Councillor Robin W Crichton, seconded by Councillor Owen Tierney, the Committee:

Resolved, in terms of delegated powers:

**1.4.** That planning permission be granted in respect of the proposal to erect a house with integral garage and air source heat pump and create an access at Fea House, Tankerness Hall Road, Tankerness, subject to the conditions attached as Appendix 1 to this Minute.

## **2. Planning Application 18/057/MAR**

### **Proposed Increase of Cage Size at Existing Salmon Farming Site at Lyrawa Bay, Scapa Flow**

Naomi Dempsey and Chris Webb, representing the applicant, Cooke Aquaculture Scotland Limited, were present during consideration of this item.

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

Noted:

**2.1.** That a letter of objection relating to the application for planning permission in respect of the proposal to increase the cage size at an existing salmon farming site at Lyrawa Bay, Scapa Flow, had been received from the Royal Society for the Protection of Birds, Orkney Office, 12 to 14 North End Road, Stromness.

After hearing a statement from the Royal Society for the Protection of Birds, objector, which was read out by the Clerk, and representations from Naomi Dempsey, representing the applicant, Cooke Aquaculture Scotland Limited, Councillor Stephen Sankey, seconded by Councillor Robin W Crichton, moved that planning permission be granted in respect of the proposal to increase the cage size at an existing salmon farming site at Lyrawa Bay, Scapa Flow, subject to conditions as proposed by officers, with the following amendments:

- Condition 08 - the dates being amended from “1 July to 31 August inclusive” to “1 June to 31 August inclusive” in order to provide additional safeguards for protected species in the absence of sufficient site-specific data to demonstrate that the proposal would not have an adverse impact on the Scapa Flow proposed Special Protection Area.
- Condition 13 – the words “unless otherwise agreed, in writing, by the Planning Authority” being deleted, to ensure the maximum stocking biomass of 400 tonnes and maximum production biomass of 500 tonnes at the site were maintained at current levels and no unacceptable burden was placed on existing infrastructure.

Councillor Duncan A Tullock, seconded by Councillor Magnus O Thomson, moved an amendment that planning permission be granted, subject to conditions as proposed by officers.

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:

**2.2.** That planning permission be granted in respect of the proposal to increase the cage size at an existing salmon farming site at Lyrawa Bay, Scapa Flow, subject to the conditions attached as Appendix 2 to this Minute.

### **3. Planning Application 18/058/MAR**

#### **Proposed Increase of Cage Size at Existing Salmon Farming Site at Pegal Bay, Scapa Flow**

Naomi Dempsey and Chris Webb, representing the applicant, Cooke Aquaculture Scotland Limited, were present during consideration of this item.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Planning 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 to increase the cage size at an existing salmon farming site at Pegal Bay, Scapa Flow, had been received from the Royal Society for the Protection of Birds, Orkney Office, 12 to 14 North End Road, Stromness.

After hearing a statement from the Royal Society for the Protection of Birds, objector, which was read out by the Clerk, and representations from Naomi Dempsey, representing the applicant, Cooke Aquaculture Scotland Limited, Councillor Stephen Sankey, seconded by Councillor Robin W Crichton, moved that planning permission be granted in respect of the proposal to increase the cage size at an existing salmon farming site at Pegal Bay, Scapa Flow, subject to conditions as proposed by officers, with the following amendments:

- Condition 08 - the dates being amended from “1 July to 31 August inclusive” to “1 June to 31 August inclusive” in order to provide additional safeguards for protected species in the absence of sufficient site-specific data to demonstrate that the proposal would not have an adverse impact on the Scapa Flow proposed Special Protection Area.
- Condition 13 – the words “unless otherwise agreed, in writing, by the Planning Authority” being deleted, to ensure the maximum stocking biomass of 400 tonnes and maximum production biomass of 500 tonnes at the site were maintained at current levels and no unacceptable burden was placed on existing infrastructure.

Councillor Duncan A Tullock, seconded by Councillor Magnus O Thomson, moved an amendment that planning permission be granted, subject to conditions as proposed by officers.

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:

**3.2.** That planning permission be granted in respect of the proposal to increase the cage size at an existing salmon farming site at Pegal Bay, Scapa Flow, subject to the conditions attached as Appendix 3 to this Minute.

#### **4. Conclusion of Meeting**

At 12:05 the Chair declared the meeting concluded.

Signed: Owen Tierney.