

Minute

Local Review Body

Wednesday, 18 April 2018, 12:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Planning Advisor.
- Katharine McKerrell, Legal Advisor.

Apology

- Councillor Barbara Foulkes.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application (17/403/HH)

Proposed Extension to House at 6 Grimsetter Drive, Kirkwall

After consideration of a report by the Chief Executive, copies of which had been circulated, the Local Review Body:

Noted:

1.1. That planning permission for the proposed extension to a house at 6 Grimsetter Drive, Kirkwall, was refused by the Appointed Officer on 6 February 2018, for the reasons outlined in section 4.2 of the report by the Chief Executive.

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.

1.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied visit to the site, referred to at paragraph 1.1 above, at 09:30 on 18 April 2018.

After hearing a report from the Planning Advisor, the Local Review Body:

Resolved, in terms of delegated powers:

1.4. That the review be determined without further procedure.

Councillor Owen Tierney, seconded by Councillor Kevin F Woodbridge, moved that the decision of the Appointed Officer, to refuse the application for the proposed extension to a house at 6 Grimsetter Drive, Kirkwall, be varied by amending the sentence in the reasons for refusal "The extension is acceptable in principle." to read "An extension is acceptable in principle."

Councillor John A R Scott, seconded by Councillor David Dawson, moved an amendment that planning permission be granted in respect of the proposed extension to a house at 6 Grimsetter Drive, Kirkwall, as, in their opinion:

(1) The proposed development had been sited to take into account the location and wider townscape.

(2) The scale, form, proportions and height of, and use of materials in, the proposed extension were sympathetic to the existing building and appropriate to its location.

And, accordingly, the proposed development would comply with Policy 1 – Criteria for All Development, and Policy 2 – Design, of the Orkney Local Development Plan 2017.

On a vote being taken 2 members voted for the amendment and 9 for the motion, and the Local Review Body:

Resolved, in terms of delegated powers:

1.5. That the decision of the Appointed Officer, to refuse the application for the proposed extension to a house at 6 Grimsetter Drive, Kirkwall, be varied by amending the sentence in the reasons for refusal "The extension is acceptable in principle." to read "An extension is acceptable in principle."

And, accordingly, the application be refused for the following reason:

- An extension is acceptable in principle. However, the combination of the height of the extension with the floor level on raised ground, and the proximity of the extension to the road, in a key location immediately adjacent to a public road, breaking a general building line, is such that the development is unacceptable. The development is not appropriate to the location as designed and is not sympathetic to the character of the house or its context. Design is a material consideration. Pre-application was not sought and suggested amendments were rejected. The development is contrary to Policy 1 – Criteria for All Development, and Policy 2 – Design, of the Orkney Local Development Plan 2017.

2. Conclusion of Meeting

At 12:15 the Chair declared the meeting concluded.

Signed: Owen Tierney.