

Minute

Planning Committee

Wednesday, 6 October 2021, 14:30.

Microsoft Teams.



Present

Councillors Robin W Crichton, John A R Scott, Alexander G Cowie, Norman R Craigie, David Dawson, Barbara Foulkes, Stephen Sankey, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Head of Planning, Development and Regulatory Services.
- Jamie Macvie, Planning Manager (Development Management).
- Paul Maxton, Solicitor.
- Donald Wilson, Roads Authority Officer.

Observing

- Rebecca McAuliffe, Press Officer.

Not Present

- Councillor Magnus O Thomson.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Robin W Crichton.

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. Form of Voting

The Committee resolved that, should a vote be required in respect of the planning application to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the role (recorded vote).

3. Planning Application 21/188/PP

Proposed Erection of Two Houses with Air Source Heat Pumps and Detached Garages and Creation of Accesses near Isles View, Stronsay

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Planning Manager (Development Management), the Committee:

Noted:

3.1. That letters of objection relating to the application for planning permission in respect of the proposal for the erection of two houses with air source heat pumps and detached garages and the creation of accesses near Isles View, Stronsay, had been received from the following:

- Carole Simone Kirk, Isles View, Stronsay.
- Leonora Keogh, Hescombe Cottage, Stronsay.

On the motion of Councillor Owen Tierney, seconded by Councillor Robin W Crichton, the Committee resolved, in terms of delegated powers:

3.2. That planning permission be granted in respect of the proposal for the erection of two houses with air source heat pumps and detached garages and the creation of accesses near Isles View, Stronsay, subject to the conditions attached as Appendix 1 to this Minute.

4. Planning Application 21/320/PIP

Proposed Siting of House near Strangquoy, Sanday

Naomi Black, objector, was present during consideration of this item.

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Planning Manager (Development Management), the Committee:

Noted:

4.1. That a letter of objection relating to the application for planning permission in principle in respect of the proposal for the siting of a house near Strangquoy, Sanday, had been received from Naomi Black, c/o John Russell, Planning Objections Scotland, Inveralmond Business Centre, 6 Auld Bond Road, Perth.

After hearing representations from Naomi Black, objector, on the motion of Councillor Barbara Foulkes, seconded by Councillor Robin W Crichton, the Committee:

Resolved, in terms of delegated powers:

4.2. That planning permission in principle be granted in respect of the proposal for the siting of a house near Strangquoy, Sanday, subject to the conditions attached as Appendix 2 to this Minute.

5. Conclusion of Meeting

At 15:20 the Chair declared the meeting concluded.

Signed: Rob Crichton.

Appendix 1.

Proposed Erection of Two Houses with Air Source Heat Pumps and Detached Garages and Creation of Accesses near Isles View, Stronsay (21/188/PP)

Grant subject to the following conditions:

01. Throughout the lifetime of the development, the maximum noise from the Air Source Heat Pumps hereby granted planning permission shall not exceed NR25 within any residential property outwith the individual development sites, where NR25 is the Noise Rating Curve at 25 (noise measurements to be made with a window of any residential property outwith the development open no more than 50mm).

Reason: To protect any nearby residents from excessive noise disturbance from the air source heat pumps.

02. Throughout the lifetime of the development hereby approved, surface water on each site must be treated in accordance with the principles of Sustainable Drainage Systems (SuDS) and be compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

All surface water shall be contained within the development site and there shall be no surface water drainage run-off onto adjacent land or onto the public road.

Reason: To ensure the provision of an adequate surface water drainage system and to accord with Policy 13B 'Sustainable Drainage Systems (SuDS)' of Orkney Local Development Plan 2017 and Scottish Planning Policy, Managing Flood Risk and Drainage.

03. The approved sewage system for each dwelling hereby approved shall be connected and fully operational prior to the first occupation each respective dwelling.

Reason: In the interests of environmental protection and to accord with Policy 13C 'Waste Water Drainage' of Orkney Local Development Plan 2017.

Note: The developer should consult the Scottish Environment Protection Agency (SEPA) in relation to authorisations required for discharges of sewerage effluent to land or water.

04. All foundations must be excavated and not built on top of any slope. No underbuilding to compensate for any gradient is permitted, and the finished floor level of both houses must be no greater than the original ground level.

Reason: In the interests of visual and landscape amenity.

05. Throughout the lifetime of the development hereby approved, any external lighting used on the dwellings and any outbuilding(s) shall be downward facing only and shall comply with the Council's requirements of Orkney Local Development Plan 2017, Policy 2 (vi) that all external lighting shall minimise light pollution, and shall meet the requirements specified by the Institution of Lighting Professionals for Zone E1/E2 areas (Rural/Low District Brightness). The lighting shall be turned off when not required either by automatic sensor or manually.

Reason: To minimise obtrusive light, glare or distraction in the interests of safeguarding the amenity of the area and to accord with Orkney Local Development Plan 2017, Policy 2 'Design', and Planning Policy Advice 'Amenity and Minimising Obtrusive Lighting' (March 2021).

Note: Further information regarding the control of light pollution and obtrusive light can be viewed online at www.theilp.org.uk/documents/obtrusive-light/ (Institution of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light GN01:2011)).

06. Post and wire fencing not exceeding 1 metre in height, shall be used to define the boundary of the sites, shown outlined in red in the Site Plan, drawing OIC-02(3), stamped approved and attached to the decision notice.

Reason: In the interests of visual amenity and taking account of the rural location of the site.

07. Throughout the lifetime of the development hereby approved, the garages hereby approved shall be restricted to private domestic use incidental to the enjoyment of the individual respective dwellings only. No commercial activity shall be carried out in or from the garages.

Reason: In the interests of the protection of the residential amenity of the area

08. 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 Saturdays and not at all on Sundays or the 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 residential amenity of the area and in order to reduce any possible nuisance arising to nearby residents during the construction of this development.

09. The access with the public road hereby approved shall be constructed to the Council's Roads Services standard drawing 'SD-01 Typical Access for Single Development (2-4 houses)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. The access shall be constructed and completed wholly in accordance with these details prior to any other works commencing on the development hereby approved, and thereafter shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed in writing by the Planning Authority.

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.

10. A condition/dilapidation survey of the existing public road infrastructure that will be used to access and egress the development site shall be carried out jointly between the developer/developer's representative and Roads Services, both prior to commencement of development and again on completion of development. The applicant shall be responsible for the cost of the condition/dilapidation survey and any repairs required following damage to the public road which is attributed to the development, caused by vehicles or plant accessing or egressing the site. Any works identified to be carried out shall be carried out to the satisfaction of the Planning Authority, in conjunction with Roads Services, within three months of completion or first occupation of the development, whichever is sooner.

The developer will also be responsible for maintaining any damage caused to the public road in such a manner that the road always remains safe for other road users and until permanent repair works are agreed and carried out.

Reason: In the interest of road safety.

Appendix 2.

Proposed Siting of House near Strangquoy, Sanday (21/320/PIP)

Grant subject to the following conditions:

01. Within three years of the date of this permission, a written application and plans, in respect of the matters listed below, shall be submitted to, and approved in writing by, the Planning Authority:

- (a) The siting, design and external appearance of all buildings and structures.
- (b) The layout and surface finishes of the site, including all roads, accesses and parking areas.
- (c) Access to the site, including surface water drainage and how surface water from the access will be prevented from flowing from the site.
- (d) The design and location of all boundary walls and fences.
- (e) The provision of surface water drainage works.
- (f) The disposal of sewage, including all treatment and soakaway specification and locations.
- (g) Detailed cross sections of the site, including all buildings and structures, including existing and proposed ground levels and proposed finished floor levels, specifying that the finished floor level is not above existing ground level.
- (h) Bin storage.
- (i) Hard and soft landscaping works.
- (j) All external lighting including measures to minimise light pollution.
- (k) Details of an electric vehicle charging point or details to allow for the future inclusion of an electric vehicle charging point within the site.

No development shall commence until all of these matters have been approved and thereafter the development shall be carried out in accordance with the approved details, unless agreed otherwise in writing by the Planning Authority.

Reason: To accord with the Town and Country Planning (Scotland) Act 1997 as amended, as the approval is in principle only.

02. Any details pursuant to condition 01(e) shall show surface water drainage provision within the application site which accords with the principles of Sustainable Drainage Systems (SuDS) and is designed to the standards outlined in Sewers for Scotland Fourth Edition (or any superseding guidance prevailing at the time).

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

03. Any details pursuant to condition 01(i) above shall include a detailed scheme of hard and soft landscaping works which shall be submitted to, and approved in writing by, the Planning Authority prior to any development works commencing on site. Details of the scheme shall include:

(a) All earthworks and existing and finished ground levels in relation to an identified fixed datum point.

(b) A plan showing existing landscaping features and vegetation to be retained.

(c) The location and design, including materials, of any existing or proposed walls, fences and gates.

(d) All soft landscaping and planting works, including plans and schedules showing the location, species and size of tree and/or shrub and planting densities.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die for whatever reason, are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: To ensure that a high standard of landscaping is achieved, appropriate to the location of the site and for the avoidance of doubt.

04. 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 Saturdays and not at all on Sundays or the 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 residential amenity of the area and in order to reduce any possible nuisance arising to nearby residents during the construction of this development.

05. A condition/dilapidation survey of the existing public road infrastructure that will be used to access and egress the development site shall be carried out jointly between the developer/developer's representative and Roads Services, both prior to commencement of development and again on completion of development. The applicant shall be responsible for the cost of the condition/dilapidation survey and any repairs required following damage to the public road which is attributed to the development, caused by vehicles or plant accessing or egressing the site.

Any works identified to be carried out shall be carried out to the satisfaction of the Planning Authority, in conjunction with Roads Services, within three months of completion or first occupation of the development, whichever is sooner.

The developer will also be responsible for maintaining any damage caused to the public road in such a manner that the roads always remain safe for other road users and until permanent repair works are agreed and carried out.

Reason: In the interest of road safety.

06. No development shall commence until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Planning Authority. This Plan shall include details of the anticipated number, length and weight of vehicles required for all stages of construction of the development. This Plan shall also include measures to protect the condition of the access track from construction traffic and measures to control dust and mud/debris. Thereafter, the development shall be carried out wholly in accordance with the approved Construction Traffic Management Plan.

Reason: To protect the amenity of neighbouring residential properties.