

## Minute

### Planning Committee

Wednesday, 14 February 2024, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



### Present

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

### Clerk

- Katy Russell-Duff, Committees Officer.

### In Attendance

- Roddy Mackay, Head of Planning and Community Protection.
- Hazel Flett, Service Manager (Governance)
- Jamie Macvie, Service Manager (Development Management).
- Derek Manson, Team Manager (Development Planning).
- Margaret Gillon, Senior Planner (for Items 1 and 2).
- Paul Maxton, Solicitor.
- Donald Wilson, Roads Authority Officer.

### Observing

- Nick Blowfield, Environmental Health Technical Officer.

### Declarations of Interest

- No declarations of interest were intimated.

### Chair

- Councillor Owen Tierney.

## 1. Planning Application 22/469/PP

### **Proposed Erection of Four Self-catering Units with Air Source Heat Pumps, with Associated Parking, Landscaping and Drainage Infrastructure, including Outfall, at Furrowend, Eday (part retrospective)**

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**1.1.** That, on 29 November 2023, the Planning Committee resolved that consideration of the application for planning permission in respect of the proposal to erect four self-catering units with air source heat pumps, and associated parking, landscaping and drainage infrastructure including outfall at Furrowend, Eday, be deferred, to the next meeting of the Committee, to enable officers from Development Management to visit the site in order to ascertain whether works, relating to the application, had commenced on site.

**1.2.** That, although it was confirmed that works had commenced on site, this had been addressed, including the application being made part retrospective.

**1.3.** That a letter of objection relating to the original application for planning permission in respect of the proposal to erect four self-catering units with air source heat pumps, with associated parking, landscaping and drainage infrastructure, including outfall, at Furrowend, Eday, had been received from Mrs Caroline Webster, 51 Shakespeare Road, Hanwell, and remained extant.

After hearing a report from the Service Manager (Development Management), on the motion of Councillor Owen Tierney, seconded by Councillor Kristopher D Leask, the Committee:

Resolved, in terms of delegated powers:

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

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

- Orkney Local Development Plan 2017:
  - The Spatial Strategy – The Isles Approach.
  - Policy 1 – Criteria for All Development.
  - Policy 2 – Design.
  - Policy 4C – The Isles Approach for Business, Industry and Employment.
  - Policy 8 – Historic Environment and Cultural Heritage.
  - Policy 9 – Wider Biodiversity and Geodiversity.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14 – Road Network Infrastructure.
- Supplementary Guidance and Planning Policy Advice:
  - Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).
  - Planning Policy Advice: Historic Environment (Topics and Themes) (2017).
  - Supplementary Guidance: Historic Environment and Cultural Heritage (2017).
- National Planning Framework 4:
  - 3 – Biodiversity.

- 4 – Natural places.
- 9 – Brownfield, vacant and derelict land and empty buildings.
- 10 – Coastal development.
- 13 – Sustainable transport.
- 14 – Design, quality and place.
- 22 – Flood risk and water management.
- 29 – Rural development.
- 30 – Tourism.

**1.6.** That planning permission be granted in respect of the proposal for the erection of four self-catering units with air source heat pumps, with associated parking, landscaping and drainage infrastructure, including outfall, at Furrowend, Eday (part retrospective), subject to the conditions attached as Appendix 1 to this Minute.

## **2. Planning Application 23/115/PP**

### **Proposed Reinstatement of House, Extension and Installation of Air Source Heat Pump, Erection of Replacement House with Integral Garage and Air Source Heat Pump (two for one) and Alter Access at Cumbra, Sandwick**

Sean Stanger, applicant, and Stephen Omand, agent representing the applicant, were present during consideration of this item.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**2.1.** That letters of objection relating to the application for planning permission in respect of the proposal to reinstate a house, together with an extension and installation of an air source heat pump, erect a replacement house with integral garage and air source heat pump (two for one) and alter an access at Cumbra, Sandwick, had been received from the following:

- Ronald Alexander, Quean, Sandwick.
- Richard Herdman, Linday, Sandwick.

After hearing a report from the Service Manager (Development Management), and representations from Stephen Omand, agent representing the applicant, Sean Stanger, on the motion of Councillor Kristopher D Leask, seconded by Councillor Owen Tierney, the Committee:

Resolved, in terms of delegated powers:

**2.2.** That the concerns of the objectors 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:

- Orkney Local Development Plan 2017:
  - Policy 1 - Criteria for All Development.
  - Policy 2 – Design.
  - Policy 5 – Housing.
  - Policy 8 – Historic Environment and Cultural Heritage.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14C – Transport, Travel and Road Network Structure.
- National Planning Framework 4:
  - Policy 3 – Biodiversity.
  - Policy 17 – Rural Homes.

**2.4.** That planning permission be granted in respect of the proposal to reinstate a house, together with an extension and installation of an air source heat pump, erect a replacement house with integral garage and air source heat pump (two for one) and alter an access at Cumbra, Sandwick, subject to the conditions attached as Appendix 2 to this Minute.

### **3. Planning Application 23/228/PP**

#### **Proposed Change of Use of Agricultural Building to Wine Storage, Distribution and Tasting Business at Berstane Farmhouse, St Ola**

Leslie Burgher, representing the applicant, Steven MacPhail, was present during consideration of this item.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**3.1.** That letters of objection relating to the application for planning permission in respect of the proposal for change of use of an agricultural building to a wine storage, distribution and tasting business at Berstane Farmhouse, St Ola, had been received from the following:

- Ms Babette Hegarty, Zan Moir, Berstane Road, St Ola, Kirkwall.
- David Newstead, Roundhouse, Berstane Lodge Road, Kirkwall.
- William Wilson, Falkland, Berstane Road, Kirkwall.

After hearing a report from the Service Manager (Development Management), and after hearing representations from Leslie Burgher, agent representing the applicant, Steven MacPhail, on the motion of Councillor John A R Scott, seconded by Councillor Owen Tierney, 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:

- Orkney Local Development Plan 2017:
  - Policy 1 – Criteria for All Development.
  - Policy 4 – Business, Industry and Employment.
  - Policy 14 – Transport, Travel and Road Network Structure.
- Supplementary Guidance:
  - Development Management Guidance: Business Development Outwith Town Centres.
- National Planning Framework 4:
  - Policy 26 – Business and Industry.
  - Policy 29 – Rural Development.

**3.4.** That planning permission be granted in respect of the proposal for change of use of an agricultural building to a wine storage, distribution and tasting business at Berstane Farmhouse, St Ola, subject to the conditions attached as Appendix 3 to this Minute.

## **4. Planning Application 23/347/PP**

### **Proposed Erection of Toilet Block at Twatt Airfield/HMS Tern, Birsay**

John Mickleborough, objector, was present during consideration of this item.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**4.1.** That letters of objection relating to the application for planning permission in respect of the proposal to erect a toilet block at Twatt Airfield/HMS Tern, Birsay, had been received from the following:

- John Mickleborough, Broadmeadow, Bryameadow Road, Sandwick.
- Kenny and Mrs Pauline Sinclair, Newhall, Bryameadow Road, Sandwick.

After hearing a report from the Service Manager (Development Management), and representations from John Mickleborough, objector, on the motion of Councillor Owen Tierney, seconded by Councillor Alexander G Cowie, the Committee:

Resolved, in terms of delegated powers:

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

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

- Orkney Local Development Plan 2017:
  - Policy 1 – Criteria for All Development.
  - Policy 2 – Design.
  - Policy 8 – Historic Environment and Cultural Heritage.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14 – Transport, Travel and Road Network Structure.
- National Planning Framework 4:
  - Policy 3 – Biodiversity.
  - Policy 7 – Historic Assets and Places.
  - Policy 14 – Design, Quality and Place.
  - Policy 30 – Tourism.

**4.4.** That planning permission be granted in respect of the proposal to erect a toilet block at Twatt Airfield/HMS Tern, Birsay, subject to the conditions attached as Appendix 4 to this Minute.

## **5. Planning Application 23/422/PP**

### **Proposed Change of Use and Redevelopment to Nightclub, Bowling Alley and Outdoor Event Space/Gallery at 18 Bridge Street, Kirkwall**

Neil Stevenson, applicant, Stephen Omand, agent representing the applicant, and Leslie Burgher, representing the objector, Maiwenn Beadle, were present during consideration of this item.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**5.1.** That letters of objection relating to the application for planning permission in respect of the proposal to convert a former shop, bakery and store to a mixed use development of a nightclub, a bowling alley and other indoor recreation and a shop, convert part of a courtyard to an outdoor event space and gallery, and associated works, at 18 Bridge Street, Kirkwall, for a temporary period of seven years, had been received from the following:

- Maiwenn Beadle, 21 Bridge Street, Kirkwall.
- Carola Huttman, Flat 1, Nicols House, St Olaf's Wynd, Kirkwall.

After hearing a report from the Service Manager (Development Management), and representations from Leslie Burgher, representing the objector, Maiwenn Beadle, and from Stephen Omand, agent representing the applicant, Neil Stevenson, on the motion of Councillor Owen Tierney, seconded by Councillor P Lindsay Hall, the Committee:

Resolved, in terms of delegated powers:

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

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

- Orkney Local Development Plan 2017:
  - 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.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14 – Transport, Travel and Road Network Structure.
- Supplementary Guidance:
  - Settlement Statements (2017).
- National Planning Framework 4:
  - Policy 3 – Biodiversity.
  - Policy 7 – Historic assets and places.
  - Policy 9 – Brownfield, vacant and derelict land and empty buildings.
  - Policy 14 – Design, quality and place.
  - Policy 22 – Flood risk and water management.
  - Policy 26 – Business and industry.
  - Policy 27 – City, town, local and commercial centres.
  - Policy 28 – Retail.

**5.4.** That planning permission be granted in respect of the proposal to convert a former shop, bakery and store to a mixed use development of a nightclub, a bowling alley and other indoor recreation and a shop, convert part of a courtyard to an outdoor event space and gallery, and associated works, at 18 Bridge Street, Kirkwall, for a temporary period of seven years, subject to the conditions attached as Appendix 5 to this Minute.

## **6. Conclusion of Meeting**

At 12:05 the Chair declared the meeting concluded.

Signed: Owen Tierney.