

## Minute

### Planning Committee

Wednesday, 18 April 2018, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



### Present

Councillors Owen Tierney, Stephen Sankey, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Barbara Foulkes, 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, Head of Planning, Development and Regulatory Services.
- Jamie Macvie, Planning Manager (Development Management).
- Peter Trodden, Solicitor.
- Donald Wilson, Roads Authority Officer.

### Observing

- Susan Shearer, Senior Planner (Development and Marine Planning).

### 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.

After hearing representations from Ian Cunningham, objector, and representing Allan Pugh and Lorraine Shearer, objectors, and from Kenneth Adam, applicant, Councillor Barbara Foulkes, seconded by Councillor Kevin F Woodbridge, moved 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 conditions as proposed by officers.

Councillor Norman R Craigie, seconded by Councillor Stephen Sankey, moved an amendment that 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, be deferred to enable members of the Committee to undertake an unaccompanied site visit.

On a vote being taken 7 members voted for the amendment and 5 for the motion. The amendment then became the motion.

Councillor Robin W Crichton, seconded by Councillor Graham L Sinclair, moved a further amendment, notice of which had been given, that 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, be refused, as, in their opinion, the proposed development did not constitute the subdivision of the residential curtilage of a dwelling house, as the application site did not serve as curtilage to the host property due to not being used ancillary or incidental to the use of Fea House, and, accordingly, the proposed development was contrary to Policy 5E(v) of the Orkney Local Development Plan 2017 and paragraph 3.17 of the Supplementary Guidance – Housing in the Countryside (March 2017).

On a vote being taken 3 members voted for the amendment and 9 for the motion, and the Committee:

Resolved, in terms of delegated powers:

**1.2.** That consideration of the application 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, be deferred to enable members of the Committee to undertake an unaccompanied site visit.

## **2. Conclusion of Meeting**

At 11:15 the Chair declared the meeting concluded.

Signed: Owen Tierney.