

Minute

Local Review Body

Tuesday, 11 March 2025, 14:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, David Dawson, P Lindsay Hall, James R Moar, Janette A Park, Raymond S Peace, Jean E Stevenson, Ivan A Taylor and Duncan A Tullock.

Clerk

- Katy Russell-Duff, Committees Officer.

In Attendance

- Susan Shearer, Planning Advisor.
- Paul Maxton, Legal Advisor.

Observing

- Kelechi Eze, Solicitor.

Apologies

- Councillor W Leslie Manson.
- Councillor John A R Scott.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application 23/444/PIP

Proposed Siting of House at Ness Road, Stromness

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a presentation from the Planning Advisor, the Local Review Body:

Noted:

1.1. That planning permission in principle for the proposed siting of a house at Ness Road, Stromness, was refused by the Appointed Officer on 24 December 2024, for the following reasons:

- The proposal fails to comply with the Policy 14 'Transport, Travel and Road Network Infrastructure' of the Orkney Local Development Plan 2017 as it would result in an unacceptable impact on the safety of road users and pedestrians, and visibility from the proposed access is unacceptable. Roads Services as the roads authority has objected to the development.
- The development would not preserve or enhance the character or appearance of Stromness Conservation Area, and is contrary to Policy 7d) of National Planning Framework 4, Policy 8 of the Orkney Local Development Plan 2017, Supplementary Guidance 'Historic Environment and Cultural Heritage' (2017), and Planning Policy Advice 'Historic Environment (Topics and Themes)' (2017) and 'Urban Conservation Areas Management Plan' (2017), and fails the test of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended.

1.2. That the applicant's agent had submitted a Notice of Review requesting that the decision of the Appointed Officer, referred to at paragraph 1.1 above, be reviewed, a summary of which was provided as part of the presentation from the Planning Advisor.

1.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied site inspection to the site at Ness Road, Stromness, at 13:30 on 11 March 2025, where the following was observed:

- How the site was viewed within the historic and urban context of Stromness.
- The road, existing stone dyke, benches and the gradient of the site.

The Local Review Body determined that it had sufficient information to proceed to determination of the Review.

On the motion of Councillor Owen Tierney, seconded by Councillor Duncan A Tullock, the Local Review Body thereafter:

Resolved, in terms of delegated powers:

1.4. That the decision of the Appointed Officer, to refuse planning permission in principle for the proposed siting of a house at Ness Road, Stromness, should be upheld, in that planning permission in principle for the proposed siting of a house at Ness Road, Stromness, be refused, for the following reasons:

- The proposal fails to comply with the Policy 14 'Transport, Travel and Road Network Infrastructure' of the Orkney Local Development Plan 2017 as it would result in an unacceptable impact on the safety of road users and pedestrians, and visibility from the proposed access is unacceptable. Roads Services as the roads authority has objected to the development.
- The development would not preserve or enhance the character or appearance of Stromness Conservation Area, and is contrary of Policy 7d) of National Planning Framework 4, Policy 8 of the Orkney Local Development Plan 2017, Supplementary Guidance 'Historic Environment and Cultural Heritage' (2017), and Planning Policy Advice 'Historic Environment (Topics and Themes)' (2017) and 'Urban Conservation Areas Management Plan' (2017), and fails the test of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended.

2. Conclusion of Meeting

At 14:41 the Chair declared the meeting concluded.

Signed: Owen Tierney.