

Minute

Planning Committee

Wednesday, 29 May 2019, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Robin W Crichton, Alexander G Cowie, Norman R Craigie, David Dawson, Barbara Foulkes, Stephen Sankey, John A R Scott, Graham L Sinclair, 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.

Observing

- David Barclay, Senior Planner (Development Management).
- Kirsty Groundwater, Press Officer (for Item 1).

Apology

- Councillor Owen Tierney.

Not Present

- Councillor Magnus O Thomson.

Declaration of Interest

- Councillor David Dawson – Item 3.

Chair

- Councillor Robin W Crichton.

1. Appointment of Vice Chair

The Chair called for nominations for Vice Chair, and the Committee:

Resolved, in terms of delegated powers, that Councillor John A R Scott be appointed Vice Chair of the Planning Committee.

2. Planning Application 19/058/AMC

Proposed Erection of Replacement House at Barm, Redland Road, Firth

Calum Kirkness, representing the applicants, Calum W Kirkness Limited, was 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:

2.1. That a letter of objection relating to the application for planning permission in respect of the proposal for the erection of a replacement house at Barm, Redland Road, Firth, had been received from Bob Ferguson, Langalour, Redland Road, Firth.

After hearing representations from Calum Kirkness, representing the applicant, Calum W Kirkness Limited, the Committee:

Resolved, in terms of delegated powers:

2.2. That planning permission be granted in respect of the proposal for the erection of a replacement house at Barm, Redland Road, Firth, subject to the conditions attached as Appendix 1 to this Minute.

3. Planning Application 19/087/HH

Installation of Air Source Heat Pump, Creation of Access and Erection of Fence (Retrospective) at 2 Ingale, Kirkwall

Councillor David Dawson declared a non-financial interest in this item, in that he had provided advice for the objector to utilise the services of Advocacy Orkney for assistance, and, although he did not withdraw from the meeting, took no part in the discussion thereof.

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:

3.1. That a letter of objection relating to the application for retrospective planning permission in respect of the installation of an air source heat pump, creation of an access and erection of a fence at 2 Ingale, Kirkwall, had been received from Mrs J Rorie, c/o Advocacy Orkney, 46 Victoria Street, Kirkwall.

The Committee resolved, in terms of delegated powers:

3.2. That planning permission be granted retrospectively in respect of the installation of an air source heat pump, creation of an access and erection of a fence at 2 Ingale, Kirkwall, subject to the following condition:

- Total noise from the air source heat pump installed shall not exceed NR25 within any residential property outwith the development, 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 pump.

4. Conclusion of Meeting

At 10:55 the Chair declared the meeting concluded.

Signed: Rob Crichton.

Appendix 1.

Proposed Erection of Replacement House at Barm, Redland Road, Firth (19/058/AMC)

Grant subject to the following conditions:

01. Prior to occupation of the dwelling hereby approved, all landscaping within the site shall be completed, including all earth moving and ground levelling works. These landscaping works shall be completed in accordance with the details and ground levels indicated on the drawing 'Site Plan and Section through site looking from South to North', hereby approved, unless otherwise agreed, in writing, by the Planning Authority.

Reason: In the interests of the appearance of the area, to ensure the site is adequately landscaped and for the avoidance of doubt, as the approved site section drawing includes a superseded version of the house.

Note: Notwithstanding the house design included on drawing 'Site Plan and Section' above, the house shall be constructed and finished in accordance with other approved documents; this drawing shall be used to indicate the footprint of the house only.

02. Prior to commencement of the development, full details of all tree and shrub species to be planted within the application site, and the timescale for the planting of these trees and shrubs, shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter, all trees, shrubs and hedging shall be planted in accordance with these agreed details, and in accordance with the planting indicated on the drawing 'Site Plan and Section through site looking from South to North', hereby approved. If, within a period of five years from the date of this planting, any tree, shrub or hedging is removed or dies, a replacement tree or shrub of the same species and size as that originally planted shall be planted at the same location. All planted trees, shrubs and hedging shall be retained throughout the lifetime of the development, unless otherwise agreed, in writing, by the Planning Authority.

Reason: In the interests of the appearance of the area, to ensure the site is adequately landscaped.

03. Prior to commencement of development, the existing derelict dwelling, named Brendo and indicated in red on the attached site plan, shall be demolished and the material disposed of. All material resulting from demolition and not required in the construction of the replacement dwelling shall be removed from site and disposed of in a licensed waste disposal facility or used for purposes for which planning permission is either not needed or has been granted.

Reason: In the interests of the visual amenity of the area.

04. The junction of the access hereby approved with the public road 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 first occupation of 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.

05. Details of how the applicant will prevent the flow of surface water drainage from the upgraded access onto the public road shall be submitted for approval by the Planning Authority in consultation with Roads Services. The approved surface water drainage provision shall then be constructed and maintained prior to any works commencing on site.

Reason: In the interests of road safety.

06. Hours of construction and demolition work on site 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 only take place between the hours of 08:00 and 18:00 Mondays to Fridays, 08:00 to 12:30 on Saturdays and not at all on Sundays or the Christmas or New Year Public Holidays, unless otherwise agreed, in writing, with the Planning Authority.

Reason: To safeguard the amenity of nearby residents.