

## Minute

### Planning Committee

Wednesday, 7 March 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).
- Stuart West, Planning Manager (Development and Marine Planning).
- Peter Trodden, Solicitor.
- James Green, Senior Policy Planner (Development and Marine Planning) (for Item 1).
- Kenneth Roy, Team Leader Roads Support (for Items 2 to 4).

### Observing

- Gavin Barr, Executive Director of Development and Infrastructure (for Item 1).
- David Barclay, Senior Planner.

### Declarations of Interest

- Councillor Norman R Craigie – Item 1.
- Councillor David Dawson – Items 1 and 3.
- Councillor Duncan A Tullock – Item 2.
- Councillor Kevin F Woodbridge – Item 1.

### Chair

- Councillor Owen Tierney.

## **1. Planning Application 17/134/MAR**

### **Proposed Creation of Salmon Farming Site, including Feed Barge, (Redevelopment and Enlargement of Existing Fish Farm Site) at South Cava, Scapa Flow**

Councillors Norman R Craigie, David Dawson and Kevin F Woodbridge declared non-financial interests in this item, being members of the Royal Society for the Protection of Birds, but concluded that their interest did not preclude their involvement in the discussion.

Naomi Dempsey and Chris Webb, representing the applicant, Cooke Aquaculture Scotland, 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 create a salmon farming site, including a feed barge, (redevelopment and enlargement of the existing fish farm site) at South Cava, Scapa Flow, had been received from the following:

- Royal Society for the Protection of Birds Scotland, 12-14 North End Road, Stromness.
- Orkney Trout Fishing Association, Caolilla, Heddle Road, Finstown.
- Janie Bowman and Anabel Farnell-Watson, The Pit, Itchel Lane, Crondall, Near Farnham, Surrey.

After hearing representations from Naomi Dempsey and Chris Webb, representing the applicant, Cooke Aquaculture Scotland, Councillor Robin W Crichton, seconded by Councillor Barbara Foulkes, moved that planning permission be granted in respect of the proposal to create a salmon farming site, including a feed barge, (redevelopment and enlargement of the existing fish farm site) at South Cava, Scapa Flow, subject to conditions as proposed by officers.

Councillor David Dawson, seconded by Councillor Norman R Craigie, moved an amendment that the application for planning permission in respect of the proposal to create a salmon farming site, including a feed barge, (redevelopment and enlargement of the existing fish farm site) at South Cava, Scapa Flow, be refused as, in their opinion:

(1) The proposed development could have a significant effect on wild salmonid fish populations, in particular sea trout, which was a UK Biodiversity Action Plan priority species, and the Environmental Impact Assessment had failed to demonstrate whether the proposed development in isolation, or in combination with other developments in Scapa Flow, would have an adverse effect on the species, or on wider biodiversity interests, or whether the mitigation measures proposed were adequate.

(2) The proposed development could pose a risk of parasite or disease transfer, due to the position of the site in relation to trout spawning burns and the potential for sea lice from fish farms to impact on sea trout, and the Environmental Impact Assessment had failed to demonstrate whether the proposed development in isolation, or in combination with other developments in Scapa Flow, would have a cumulative impact on wild trout.

And, accordingly, the proposed development was contrary to the following:

- The Orkney Local Development Plan 2017:
  - Policy 12 – Coastal Development, section D part (i)(a) (Aquaculture).
- Supplementary Guidance Aquaculture 2017:
  - Development Criterion 4 – Wild Salmonid Fish Populations

On a vote being taken 2 members voted for the amendment and 9 for the motion, and the Committee:

Resolved, in terms of delegated powers:

**1.2.** That planning permission be granted in respect of the proposal to create a salmon farming site, including feed barge, (redevelopment and enlargement of the existing fish farm site), at South Cava, Scapa Flow, subject to the conditions attached as Appendix 1 to this Minute.

## **2. Planning Application 17/540/PP**

### **Proposed Construction of Pitched Roof over Flat Roof to Create Flat, Installation of Three Air Source Heat Pumps and Pruning of Tree (Part Retrospective) at 58 Albert Street, Kirkwall**

Councillor Duncan A Tullock declared a non-financial interest in this item, in that he was related to the applicant, and was not present during discussion thereof.

Leslie Burgher, agent for the applicant, R Rendall, and Irene McLaren, objector, 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:

**2.1.** That letters of objection relating to the application for planning permission in respect of the proposal for the construction of a pitched roof over a flat roof to create a flat, installation of three air source heat pumps and pruning a tree at 58 Albert Street, Kirkwall, had been received from the following:

- Irene McLaren, 2 Broad Street, Kirkwall.
- Jacqueline Mulcair, 28/1 Saughton Loan, Edinburgh.

After hearing representations from Irene McLaren, objector, and from Leslie Burgher, agent for the applicant, R Rendall, the Committee:

Resolved, in terms of delegated powers:

**2.2.** That planning permission be granted in respect of the proposal to construct a pitched roof over a flat roof to create a flat, install three air source heat pumps and pruning a tree at 58 Albert Street, Kirkwall, subject to the conditions attached as Appendix 2 to this Minute.

### **3. Planning Application 18/008/PIP**

#### **Proposed Siting of House at Carnmore, Annfield Crescent, Kirkwall**

Councillor David Dawson declared a non-financial interest in this item, in that the applicant was known to him, and left the meeting at this point.

Christopher Omand, agent for the applicant, Mr and Mrs T MacLeod, 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:

**3.1.** That a letter of objection relating to the application for planning permission in principle in respect of the proposed siting of a house at Carnmore, Annfield Crescent, Kirkwall, had been received from Tom Laird, Kemerton, Annfield Crescent, Kirkwall.

After hearing representations from Christopher Omand, agent for the applicant, Mr and Mrs T MacLeod, on the motion of Councillor Barbara Foulkes, seconded by Councillor John A R Scott, the Committee:

Resolved, in terms of delegated powers:

**3.2.** That planning permission in principle be granted in respect of the proposed siting of a house at Carnmore, Annfield Crescent, Kirkwall, subject to the conditions attached as Appendix 3 to this Minute.

### **4. Conclusion of Meeting**

At 12:25 the Chair declared the meeting concluded.

Signed: Owen Tierney.