

Minute

Planning Committee

Wednesday, 1 December 2021, 11:00.

Microsoft Teams.



Present

Councillors Robin W Crichton, John A R Scott, Alexander G Cowie, Norman R Craigie, David Dawson, Barbara Foulkes, Stephen Sankey, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Head of Planning, Development and Regulatory Services.
- Jamie Macvie, Planning Manager (Development Management).
- Paul Maxton, Solicitor.
- Donald Wilson, Roads Authority Officer.

Observing

- Susan Shearer, Planning Manager (Development and Marine Planning).
- Lorraine Stout, Press Officer.

Not Present

- Councillor Magnus O Thomson.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Robin W Crichton.

1. Suspension of Standing Orders

The Committee **suspended Standing Order 8.11** to enable members to participate in the meeting from a remote location, as a party had the right to be heard in person or through a representative and the decision to be made was as a result of a quasi-judicial or regulatory hearings process, such as a planning application or an appeal.

2. Form of Voting

The Committee resolved that, should a vote be required in respect of the planning applications to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the role (recorded vote).

3. Planning Application 19/014/PPMAJ

Proposed Construction of Access Roads and Other Housing Site Infrastructure including Surface Water Detention Basin and Landscaping at Corse West, Kirkwall

Moira Sinclair, representing the objector, Michael and Lynda Grieve, was present during consideration of this item.

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Planning Manager (Development Management), the Committee:

Noted:

3.1. That letters of objection relating to the application for planning permission in respect of the proposal for the construction of access roads with street lighting, footpaths, installation of boreholes and services, and drainage for 138 house sites, construction of a surface water detention basin, and associated landscaping, at Corse West, Kirkwall, had been received from the following:

- N and H Cooper, Eden, Soulisquoy Loan, Kirkwall.
- E Groat, Vara Hem, Soulisquoy Loan, Kirkwall.
- C Wishart, 1 Soulisquoy Loan, Kirkwall.
- Chris and Inga Rae, Rivendell, 8 Soulisquoy Loan, Kirkwall.
- Jennifer Macleod, Finmory, 4 Soulisquoy Loan, Kirkwall.
- Vina M Hume, 11 Soulisquoy Loan, Kirkwall.
- Alan E and Eileen D Cooper, 2 Soulisquoy Loan, Kirkwall.
- Eion and Sharon Ballantine, 3 Soulisquoy Loan, Kirkwall.
- Scott Milne, 7 Soulisquoy Loan, Kirkwall.
- David S Clark, 9 Soulisquoy Loan, Kirkwall.
- E Bews, Orcades Hostel, Muddisdale Road, Kirkwall.
- J and S Bews, Brekkness, Muddisdale Road, Kirkwall.
- C and E Mackay, Westlands, Muddisdale Road, Kirkwall.
- George and Margaret Peace, 5 Soulisquoy Loan, Kirkwall.
- John and Kay Scott, 10 Soulisquoy Loan, Kirkwall.
- E and H Smith, Ayre View, Muddisdale Road, Kirkwall.
- G and J Sinclair, Ichiban, Muddisdale Road, Kirkwall.
- Michael and Lynda Grieve, Brin-Novan, Muddisdale Road, Kirkwall.
- Moira King, Kinverdale, Muddisdale Road, Kirkwall.
- A Swannie, Shearwood, Muddisdale Road, Kirkwall.
- K and L Bruce, Glenavon, Muddisdale Road, Kirkwall.

- B and S Moodie, The Yard, Muddisdale Road, Kirkwall.
- M and M Scott, Norvana, Muddisdale Road, Kirkwall.
- N Stockan, Locksley, Muddisdale Road, Kirkwall.
- E Moodie, Muddisdale, Muddisdale Road, Kirkwall.

After hearing representations from Moira Sinclair, representing the objector, Michael and Lynda Grieve, Councillor Robin W Crichton, seconded by Councillor Barbara Foulkes, moved that consideration of the application for planning permission in respect of the proposal for the construction of access roads with street lighting, footpaths, installation of boreholes and services and drainage for 138 house sites, construction of a surface water detention basin and associated landscaping at Corse West, Kirkwall, be deferred to enable officers to engage in further discussions with the applicant in respect of road safety, with particular regard to considering the potential to restrict vehicular access to the proposed development from Muddisdale Road, Kirkwall, and, should vehicular traffic be restricted, to establish whether there would be an ability to accommodate a turning head for refuse and emergency vehicles within the site.

Councillor John A R Scott, seconded by Councillor Owen Tierney, moved an amendment that planning permission be granted in respect of the proposal for the construction of access roads with street lighting, footpaths, installation of boreholes and services and drainage for 138 house sites, construction of a surface water detention basin and associated landscaping at Corse West, Kirkwall, subject to conditions as proposed by officers.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Norman R Craigie, John A R Scott and Owen Tierney (3).

For the Motion:

Councillors Alexander G Cowie, Robin W Crichton, David Dawson, Barbara Foulkes, Stephen Sankey, Duncan A Tullock and Heather N Woodbridge (7).

The Motion was therefore carried.

The Committee thereafter resolved, in terms of delegated powers:

3.2. That consideration of the application for planning permission in respect of the proposal for the construction of access roads with street lighting, footpaths, installation of boreholes and services and drainage for 138 house sites, construction of a surface water detention basin and associated landscaping at Corse West, Kirkwall, be deferred to enable officers to engage in further discussions with the applicant in respect of road safety, with particular regard to considering the potential to restrict vehicular access to the proposed development from Muddisdale Road, Kirkwall, and, should vehicular traffic be restricted, to establish whether there would be an ability to accommodate a turning head for refuse and emergency vehicles within the site.

4. Planning Application 21/269/AMC

Proposed Erection of Three Houses with Air Source Heat Pumps, Creation of Access and Installation of Services at land near Burnbank, Burray

Leo Kerr, applicant, was present during consideration of this item.

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Planning Manager (Development Management), the Committee:

Noted:

4.1. That a letter of objection relating to the application for planning permission in respect of the proposal for the erection of three houses with air source heat pumps, creation of an access and installation of services at land near Burnbank, Burray, had been received from John Orr, Skalivoe, Burray.

After hearing representations from Leo Kerr, applicant, on the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Committee:

Resolved, in terms of delegated powers:

4.2. That planning permission be granted in respect of the proposal for the erection of three houses with air source heat pumps, creation of an access and installation of services at land near Burnbank, Burray, subject to conditions as proposed by officers, with the following exceptions:

- Condition 08, relating to the surfacing of the communal access road, being removed, in the interests of the protection of otters as a surfaced road may increase vehicle speeds, and as a permeable surface would be more appropriate in the location adjacent to a Local Nature Conservation Site.
- Condition 15 being amended to enable access for specific works within 6 metres of the Burn of Sutherland, as otherwise expressly granted planning permission.

4.3. That the conditions, attached as Appendix 1 to this Minute, incorporating the exceptions detailed at paragraph 4.2 above, should form part of the decision to grant planning permission for the erection of three houses with air source heat pumps, creation of an access and installation of services at land near Burnbank, Burray.

5. Conclusion of Meeting

At 13:07 the Chair declared the meeting concluded.

Signed: Rob Crichton.