

## Minute

### Local Review Body

Wednesday, 7 July 2021, 12:00.

Microsoft Teams.



### Present

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

### Clerk

- Angela Kingston, Committees Officer.

### In Attendance

- Roddy Mackay, Planning Advisor.
- Paul Maxton, Legal Advisor.

### Observing

- David Hartley, Communications Team Leader.

### Apology

- Councillor Barbara Foulkes.

### 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 Local Review Body **suspended Standing Order 8.11** to enable members to participate in the meeting from a remote location, as 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 Local Review Body resolved that, should a vote be required in respect of the Notice of Review to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

## **3. Planning Application (21/142/PIP)**

### **Proposed Siting of Two Replacement Houses and Creation of Access at Dounby Farm, Sandwich**

Due to internet connectivity issues, Councillor Barbara Foulkes was unable to join the meeting to advise that, as she not taken part in the site visit, in terms of Standing Order 8.6, she was precluded from taking part in the deliberations of the Local Review Body.

As Councillor John A R Scott had not taken part in the site visit, in terms of Standing Order 8.6, he was precluded from taking part in the deliberations of the Local Review Body and left the meeting at this point.

After consideration of a report by the Chief Executive, copies of which had been circulated, the Local Review Body:

Noted:

**3.1.** That planning permission in principle for the proposed siting of two replacement houses and creation of an access at Dounby Farm, Sandwich, was refused by the Appointed Officer on 12 May 2021, for the reasons outlined in section 3.2 of the report by the Chief Executive.

**3.2.** That the applicant had submitted a Notice of Review in respect of the decision of the Appointed Officer to refuse planning permission in principle for the proposed siting of two replacement houses and creation of an access at Dounby Farm, Sandwich.

**3.3.** That, in accordance with policy, the Local Review Body had undertaken an unaccompanied visit to the site at Dounby Farm, Sandwich, at 15:00 on 1 July 2021.

After hearing a report from the Planning Advisor, the Local Review Body:

Resolved, in terms of delegated powers:

**3.4.** That the review in respect of the decision of the Appointed Officer to refuse planning permission in principle for the proposed siting of two replacement houses and creation of an access at Dounby Farm, Sandwich, should be determined without further procedure.

On the motion of Councillor Robin W Crichton, seconded by Councillor Norman R Craigie, the Local Review Body resolved, in terms of delegated powers:

**3.5.** That the decision of the Appointed Officer to refuse planning permission in principle for the proposed siting of two replacement houses at Dounby Farm, Sandwich, be upheld for the following reasons:

**3.5.1.** The proposed development was contrary to Policies 2 and 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance: Housing in the Countryside (March 2021), criterion (iii), as the application site was not on the same site as the host property and no exceptional case had been provided to justify relocating the sites a distance of approximately 600 metres, and DC3, as the development would exacerbate the suburbanisation of the countryside.

**3.5.2.** Supplementary Guidance: Housing in the Countryside (March 2021), at DC10 and within criterion (iii), required submission of a Site Development Statement, submitted with the first application, considering development opportunities within the entire building group, in this case the farm steading, even if to confirm there were no further opportunities. This had not been submitted, and the proposal was therefore contrary to Supplementary Guidance: Housing in the Countryside (March 2021).

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

At 12:37 the Chair declared the meeting concluded.

Signed: Rob Crichton.