

## Minute

### Planning Committee

Wednesday, 6 March 2019, 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).
- Peter Trodden, Solicitor.

### Observing

- David Barclay, Senior Planner (Development Management).
- James Green, Senior Policy Planner (Development and Marine Planning) (for Item 1).

### Declarations of Interest

- No declarations of interest were intimated.

### Chair

- Councillor Owen Tierney.

## 1. Planning Application 17/343/MAR

### Proposed Creation of Salmon Farm with Feed Barge West of Glimps Holm, Scapa Flow

Chris Webb, representing the applicants, Cooke Aquaculture Scotland, and Brian Archibald, representing the objector, Marine Services, Orkney Islands Council, and Eoin Ross, 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:

**1.1.** That a request to defer consideration of the application for planning permission in respect of the proposal to create a salmon farm with a feed barge west of Glimps Holm, Scapa Flow, had been received from the applicants, Cooke Aquaculture Scotland.

**1.2.** The reason for the applicant's request was to provide additional time for a determination to be made by Scottish Ministers in respect of a Planning Permission Appeal (PPA-330-2021) against the decision of Orkney Islands Council to refuse planning permission for a proposal to create a salmon farming site and associated feed barge at Hunda North, Scapa Flow, and thereby allow further consideration of any material planning considerations arising as a result of that appeal decision to be considered in the assessment and determination of the current planning application .

After hearing views on the deferral request detailed at paragraphs 1.1 and 1.2 above from Eoin Ross, objector, and Brian Archibald, representing the objector, Marine Services, Orkney Islands Council, and from Chris Webb, representing the applicants, Cooke Aquaculture Scotland, on the motion of Councillor Robin W Crichton, seconded by Councillor Barbara Foulkes, the Committee:

Resolved, in terms of delegated powers:

**1.3.** That consideration of the application in respect of the proposal to create a salmon farm with a feed barge west of Glimps Holm, Scapa Flow, be deferred pending the determination of the Planning Permission Appeal referred to at paragraph 1.2 above.

## **2. Planning Application 18/356/LB**

### **Proposed Part Demolition and Alterations at Woo, Sanday**

Di Grieve, agent for the applicant, Gilles Favier, 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 part demolition and alterations at Woo, Sanday, had been received from Susan O'Connor, Scottish Civic Trust, The Tobacco Merchant's House, 42 Miller Street, Glasgow.

After hearing representations from Di Grieve, agent for the applicant, Gilles Favier, the Committee:

Resolved, in terms of delegated powers:

**2.2.** That planning permission be granted in respect of the proposal for part demolition and alterations at Woo, Sanday, subject to the conditions attached as Appendix 1 to this Minute.

### **3. Planning Application 18/523/PP**

#### **Proposed Change of Use from Retail to Café and Associated Alterations at 42 Broad Street, Kirkwall**

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 respect of the proposal for the change of use from retail to café and associated alterations at 42 Broad Street, Kirkwall, had been received from James Sinclair, 4 Erland Terrace, St Margaret's Hope.

The Committee resolved, in terms of delegated powers:

**3.2.** That planning permission be granted in respect of the proposal for the change of use from retail to café and associated alterations at 42 Broad Street, Kirkwall, subject to the conditions attached as Appendix 2 to this Minute.

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

At 11:05 the Chair declared the meeting concluded.

Signed: Owen Tierney.

**Appendix 1.**

**Proposed Part Demolition and Alterations at Woo, Sanday  
(18/356/LB)**

**Grant subject to the following condition:**

01. The development hereby approved shall be finished externally using the following materials and colours, unless otherwise agreed, in writing, by the Planning Authority:

- Roof – salvaged natural stone slates, with any shortfall made up using stone slates of matching specification.
- External stone walls – rebuilt sections to utilise stone salvaged from downtakings, and all stonework pointed using lime mortar.
- Render – traditional wet harl or smooth render, in off-white/cream.
- Ridge tiles – Fireclay, buff.
- Cast metal rainwater goods finished in black.
- Handrail and railings to forestair – metal finished in black.
- Windows – aluminium-clad timber, finished in black.
- Horizontal boarding – timber, finished in black.
- Doors – timber, finished in black.

Reason: To protect the setting and appearance, and special architectural and historic interest, of the listed building, and for the avoidance of doubt.

**Appendix 2.**

**Proposed Change of Use from Retail to Café and Associated Alterations at 42 Broad Street, Kirkwall (18/523/PP)**

**Grant subject to the following conditions:**

01. Hours of opening to the public at the development hereby approved shall be limited to 08:00 to 20:00 on any day, unless otherwise agreed, in writing, by the Planning Authority.

Reason: In the interest of residential amenity.

02. For the avoidance of doubt, all proposed windows shall be constructed from timber in accordance with the details hereby approved, with a painted finish, unless otherwise agreed, in writing, with the Planning Authority.

Reason: In the interest of visual amenity and to protect the character and appearance of the conservation area.

03. The materials, finishes and colours used on the external finishes of the development hereby approved shall be as detailed in the approved plans, unless otherwise agreed, in writing, by the Planning Authority.

Reason: In the interest of visual amenity and to protect the character and appearance of the conservation area.

04. The proposed rooflight hereby approved shall conform to conservation specifications being top hung with recessed installation, finished in black and have a vertical glazing bar located centrally, unless otherwise agreed, in writing, by the Planning Authority.

Reason: In the interest of visual amenity and to protect the character and appearance of the conservation area.

05. No mechanical extraction or other ventilation, or other plant or machinery, shall be installed in, or attached to, the exterior of the building, unless otherwise agreed, in writing, by the Planning Authority.

Reason: To protect the residential amenity of the area.

06. 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 50 mm).

Reason: To protect any nearby residents from excessive noise disturbance from the air source heat pumps.

07. Hours of work during the construction of the development hereby approved, 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 be restricted to 07:30 to 18:00 Mondays to Fridays, 08:00 to 13:00 on Saturdays and not at all on Sundays, Christmas or New Year Public Holidays, unless otherwise agreed, in writing, with the Planning Authority.

Reason: To protect the residential amenity of the area during the construction of this development.