

Minute

Local Review Body

Friday, 25 January 2019, 11:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, 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, Planning Advisor.
- Peter Trodden, Legal Advisor.

Observing

- Kirsty Groundwater, Press Officer (for Item 1).
- Chloe Rosie, Modern Apprentice, Business and Administration.

Apology

- Councillor Stephen Sankey.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application (17/379/PP)

Proposed Permanent Construction of Access Road at Copland's Dock, Stromness

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

Noted:

1.1. That planning permission for the proposed permanent construction of an access road at Copland's Dock, Stromness, was refused by the Appointed Officer on 25 October 2018, for the reasons outlined in section 3.2 of the report by the Chief Executive.

1.2. That the applicant had submitted a Notice of Review requesting that the decision of the Appointed Officer, referred to at paragraph 1.1 above, be reviewed.

1.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied visit to the site, referred to at paragraph 1.1 above, at 15:00 on 22 January 2019.

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

Resolved, in terms of delegated powers:

1.4. That the review be determined without further procedure.

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

1.5. That planning permission be granted in respect of the proposed permanent construction of an access road at Copland's Dock, Stromness, subject to the conditions attached as Appendix 1 to this Minute.

1.6. That the Local Review Body's reasons for granting planning permission were that, in the Local Review Body's opinion:

- Notwithstanding the Copland's Dock Development Brief envisaging that the pier be accessed by an alternative route to the east in the longer term, the temporary road was seen in the context of existing, and proposed, built development and designed to take into consideration the location within the National Scenic Area with minimal landscape and visual impact, thereby avoiding development of an alternate route inland with potential for greater landscape and visual impacts.
- Use of the pier and associated traffic movements had not developed to the extent previously anticipated and, with no definite future development proposals in respect of the Copland's Dock area, the proposed development would not create an unacceptable burden on existing infrastructure and services, nor have an unacceptable adverse impact on the surrounding area.
- The findings of the Copland's Dock Access Road Traffic Impact Assessment in respect of the access road had indicated a minor increase in traffic numbers using the road between 2014 and 2017 and, even allowing for potential increases in traffic movements as a result of any future development, traffic numbers using the road would still be low, hence there would be no unacceptable impact on the surrounding area or on residential amenity.

And, accordingly, the proposed development would comply with the following policies of the Orkney Local Development Plan 2017:

- Policy 1 – Criteria for All Development, parts (i), (iii), (iv), (v) and (ix).
- Policy 2 – Design, parts (ii) to (iv).
- Policy 14 – Transport, Travel and Road Network Infrastructure, section C – Road Network Infrastructure.

2. Planning Application (18/228/PIP)

Proposed Siting of Replacement House at Skelbister, Orphir

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

Noted:

2.1. That planning permission in principle for the proposed siting of a replacement house at Skelbister, Orphir, was refused by the Appointed Officer on 17 September 2018, for the reasons outlined in section 3.2 of the report by the Chief Executive.

2.2. That the applicant had submitted a Notice of Review requesting that the decision of the Appointed Officer, referred to at paragraph 2.1 above, be reviewed.

2.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied visit to the site, referred to at paragraph 2.1 above, at 09:30 on 25 January 2019.

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

Resolved, in terms of delegated powers:

2.4. That the review be determined without further procedure.

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

2.5. That planning permission in principle be granted in respect of the proposed siting of a replacement house at Skelbister, Orphir, subject to the conditions attached as Appendix 2 to this Minute.

2.6. That the Local Review Body's reasons for granting planning permission in principle were that, in the Local Review Body's opinion:

- The redundant mill building met the requirement for replacement of an existing building or structure as detailed in Supplementary Guidance: Housing in the Countryside.
- Noting the requirement in Supplementary Guidance: Housing in the Countryside that the proposed replacement house should be erected adjacent to and within the same curtilage as the original building, the proposed development site was considered to be sufficiently close to the building to be replaced, having regard to the difficulties in developing close to the burn adjacent to the mill, and recognising the difficulty in defining the extent of the mill curtilage.
- The proposed development site was appropriately located in order to reflect and maintain the character of the surrounding rural area.
- The proposed development site could accommodate a single house which could be sited and designed to integrate into the landscape thereby minimising the landscape and visual impacts of the development.

And, accordingly, the proposed development would comply with the following:

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development, parts (i) and (ii).
 - Policy 5 – Housing, section E – Single Houses and New Housing Clusters in the Countryside, part (iii).
 - Policy 9 – Natural Heritage and Landscape, section G – Landscape, parts (i) and (ii).
- Development Criteria 1 and 2 of Supplementary Guidance: Housing in the Countryside.

3. Planning Application (18/328/PIP)

Proposed Erection of House and Creation of Access on Land near Everybist, Westside Road, Rousay

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 erection of a house and creation of an access on land near Everybist, Westside Road, Rousay, was granted by the Appointed Officer on 23 October 2018, subject to the conditions outlined in section 3.2 of the report by the Chief Executive.

3.2. That the applicant had submitted a Notice of Review requesting that the decision of the Appointed Officer, specifically in respect of Condition 2 attached to the approval, referred to at paragraph 3.1 above, be reviewed.

3.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied visit to the site, referred to at paragraph 3.1 above, at 09:30 on 23 January 2019.

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

Resolved, in terms of delegated powers:

3.4. That the review be determined without further procedure.

On the motion of Councillor Robin W Crichton, seconded by Councillor Kevin F Woodbridge, the Local Review Body resolved, in terms of delegated powers:

3.5. That the decision of the Appointed Officer, to grant planning permission in principle for the proposed erection of a house and creation of an access on land near Everybist, Westside Road, Rousay, be upheld, subject to the conditions attached as Appendix 3 to this Minute.

4. Conclusion of Meeting

At 12:50 the Chair declared the meeting concluded.

Signed: Owen Tierney.