

Minute

Planning Committee

Wednesday, 12 December 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, John A R Scott, Graham L Sinclair, 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).
- Margaret Gillon, Senior Planner (Development Management).
- Peter Trodden, Solicitor.

Apology

- Councillor Magnus O Thomson.

Not Present

- Councillor Barbara Foulkes.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application 18/267/PP

Proposed Conversion of Redundant Store to Four Flats at 42 Junction Road, Kirkwall

Neil Stevenson, applicant, and Stephen Omand, agent for the applicant, were present during discussion 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 convert a redundant store to four flats at 42 Junction Road, Kirkwall, had been received from the following:

- Engineering Services, Orkney Islands Council, Kirkwall.
- Daniel Hutchinson, 4 Stewart's Buildings, Junction Road, Kirkwall.

1.2. That the Scottish Environment Protection Agency had objected to the application, on the grounds that the proposal might place buildings and persons at flood risk, contrary to Scottish Planning Policy and PAN 69 – Flood Risk.

After hearing representations from Stephen Omand, agent for the applicant, and from Neil Stevenson, applicant, Councillor John A R Scott, seconded by Councillor Norman R Craigie, moved that planning permission be granted in respect of the proposal to convert a redundant store to four flats at 42 Junction Road, Kirkwall, subject to incorporating standard conditions, together with an additional condition requiring use of obscure glazing in windows to avoid overlooking with neighbouring properties, as, in their opinion:

(1) The proposed development would bring a site, consisting of two unused former storage buildings, within the settlement boundary of Kirkwall, where there was a general presumption in favour of residential development, including infill development and conversion and redevelopment of derelict buildings, back into use.

(2) Redevelopment of a prominent site would contribute to the regeneration of the town centre and took precedence over, and outweighed, the objection raised by the Scottish Environment Protection Agency.

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

- Policy 1 – Criteria for All Development.
- Policy 5 – Housing.
- Policy 13 – Flood Risk, SuDS and Waste Water Drainage.

Councillor Robin W Crichton, seconded by Councillor Stephen Sankey, moved an amendment that the application for planning permission in respect of the proposal to convert a redundant store to four flats at 42 Junction Road, Kirkwall, be deferred to enable members of the Committee to undertake an unaccompanied site visit.

On a vote being taken 3 members voted for the amendment and 6 for the motion, and the Committee:

Resolved, in terms of delegated powers:

1.3. That the Council should notify Scottish Ministers of its intention to approve the application for planning permission in respect of the proposed conversion of a redundant store to four flats at 42 Junction Road, Kirkwall, subject to conditions.

1.4. That, should the application not be called in by Scottish Ministers for determination, consent should be issued in respect of the proposed conversion of a redundant store to four flats at 42 Junction Road, Kirkwall, subject to conditions.

1.5. That powers be delegated to the Executive Director of Development and Infrastructure to issue the consent, referred to at paragraph 1.4 above, incorporating standard conditions, together with an additional condition requiring use of obscured glazing in windows to avoid overlooking with neighbouring properties.

1.6. That the Committee's reasons for granting planning permission against the recommendation of the Executive Director of Development and Infrastructure were that, in the Committee's opinion:

- The proposed development would bring a site, consisting of two unused former storage buildings, within the settlement boundary of Kirkwall, where there was a general presumption in favour of residential development, including infill development and conversion and redevelopment of derelict buildings, back into use.
- Redevelopment of a prominent site would contribute to the regeneration of the town centre and took precedence over, and outweighed, the objection raised by the Scottish Environment Protection Agency.

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

- Policy 1 – Criteria for All Development.
- Policy 5 – Housing.
- Policy 13 – Flood Risk, SuDS and Waste Water Drainage.

Councillor Kevin F Woodbridge joined the meeting during discussion of this item but took no part in the determination of this application.

2. Planning Application 18/322/PP

Proposed Demolition of House and Garage and Erection of Two Houses at Clifton, Upper Crantit Road, Kirkwall

Albert Bruce, representing the applicants, Mr and Mrs Bruce, and Stephen Omand, agent for the applicant, were present during discussion 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 to demolish a house and garage and erect two houses at Clifton, Upper Crantit Road, Kirkwall, had been received from Magnus Tullock, 3 Braedon Court, Kirkwall.

After hearing representations from Stephen Omand, agent for the applicant, and from Albert Bruce, representing the applicants, Mr and Mrs Bruce, on the motion of Councillor David Dawson, seconded by Councillor Robin W Crichton, the Committee:

Resolved, in terms of delegated powers:

2.2. That consideration of the application in respect of the proposal to demolish a house and garage and erect two houses at Clifton, Upper Crantit Road, Kirkwall, be deferred to enable members of the Committee to undertake an unaccompanied site visit.

3. Planning Application 18/391/HH

Proposed Erection of Detached Garage at Glenlee, Corston Road, Harray

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 to erect a detached garage at Glenlee, Corston Road, Harray, had been received from Nicola Black and Andrew MacDonald, Durkadale, Harray.

The Committee resolved, in terms of delegated powers:

3.2. That planning permission be granted in respect of the proposal to erect a detached garage at Glenlee, Corston Road, Harray, subject to the conditions attached as Appendix 1 to this Minute.

4. Planning Application 18/441/PP

Amendment to Window Design, Extend Lift Overrun and Install Additional PV Roof Panels (Retrospective) at the Healthcare Facility, New Scapa Road, Kirkwall

Natalie Duthie, representing the applicant, Robertson Construction Group, and Ann McCarlie, NHS Orkney Project Director, were present during discussion 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), and after hearing representations from Natalie Duthie, representing the applicant, Robertson Construction Group, and Ann McCarlie, NHS Orkney Project Director, Councillor Robin W Crichton, seconded by Councillor David Dawson, moved that planning permission be granted retrospectively in respect of the amendment to window designs, extension of lift overrun and installation of additional PV roof panels at the Healthcare Facility, New Scapa Road, Kirkwall.

Councillor Graham L Sinclair moved an amendment that the application for retrospective planning permission in respect of the amendment to window designs, extension of lift overrun and installation of additional PV roof panels at the Healthcare Facility, New Scapa Road, Kirkwall, be deferred to enable members of the Committee to undertake an unaccompanied site visit.

On receiving no seconder, his amendment fell, and the Committee:

Resolved, in terms of delegated powers:

4.1. That planning permission be granted retrospectively in respect of the amendment to window designs, extension of lift overrun and installation of additional PV roof panels at the Healthcare Facility, New Scapa Road, Kirkwall.

5. Conclusion of Meeting

At 12:40 the Chair declared the meeting concluded.

Signed: Owen Tierney.

Appendix 1.

Proposed Erection of Detached Garage (Amendment to 18/035/HH) at Glenlee, Corston Road, Harray (18/391/HH)

Grant subject to the following conditions:

01. The materials used on the exterior of the development hereby granted planning permission shall be as stated:

- Roof – Marley eternit fibre cement profile 3 sheeting, colour: Anthracite.
- Walls – To match the existing dwelling in colour and texture.
- Windows and Door – Network Veka, PVCu to match the existing house.
- Garage Door – Hormann, steel, colour: White Aluminium (RAL 9006).
- Rainwater Goods – uPVC, colour: to match the existing dwelling.

Thereafter, only the approved materials shall be used on the development, unless otherwise agreed, in writing, by the Planning Authority.

Reason: To ensure that the external appearance of the development is acceptable.

02. Throughout the lifetime of the development hereby granted planning permission, surface water must be treated in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and be compliant with the guidance set out in CIRIA's SuDS Manual C697/C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

All surface water shall be contained within the development site and there shall be no surface water drainage run-off onto the road or adjacent land.

Uncontaminated surface water, including roof water, should be disposed of by the use of SUDS in accordance with General Binding Rules 10 and 11 of CAR.

Further information on SUDs may be found on SEPA's website at: www.sepa.org.uk and http://www.susdrain.org/resources/SuDS_Manual.html.

Reason: To ensure the provision of an adequate surface water drainage system and to accord with Policy 13B – Sustainable Drainage Systems (SuDS) of Orkney Local Development Plan 2017, Scottish Planning Policy - Managing Flood Risk and Drainage and in the interests of road safety.

03. Throughout the lifetime of the development hereby granted, the garage hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse at Glenlee. No commercial activity shall be carried out in, or from, the garage or the garage used for any purpose outwith incidental domestic use to the dwelling at Glenlee unless expressly approved by the Planning Authority.

Reason: In the interests of the protection of the residential amenity of the area and for the avoidance of doubt of the limit of the permission.

04. Access to the public road shall be constructed to the Council's Roads Services standard drawing 'SD-03 Access Over Verge for Single Dwelling', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. The access shall be constructed and completed wholly in accordance with these details prior to first use of the development hereby approved, and thereafter shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed, in writing, by the Planning Authority.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to first use of the development, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

Reason: In the interests of road safety.

05. Throughout the lifetime of the development, there shall be no external lighting to the north east elevation (facing towards Corston and The Windings) or north west elevation (facing Durkadale).

Reason: In the interests of residential amenity.

06. 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.

Throughout the construction phase of the development there shall be no burning of waste material on site.

Reason: In the interest of residential amenity of the area and in order to reduce any possible nuisance arising to nearby residents during the demolition and construction of this development.