

Minute

Local Review Body

Thursday, 6 February 2025, 11:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, David Dawson, P Lindsay Hall, W Leslie Manson, James R Moar, Raymond S Peace, John A R Scott, Ivan A Taylor and Duncan A Tullock.

Clerk

- Hazel Flett, Service Manager (Governance).

In Attendance

- Susan Shearer, Planning Advisor.
- Stuart Bevan, Legal Advisor.

In Attendance via remote link (Microsoft Teams)

- Katy Russell-Duff, Committees Officer.

Apologies

- Councillor Janette A Park.
- Councillor Jean E Stevenson.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application 24/019/PP

Proposed Reinstatement of Redundant House, Install Air Source Heat Pump and Upgrade Access (Resubmission of 21/297/PP) (Retrospective) near Norton House, Northfield Road, Burray

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a presentation from the Planning Adviser, the Local Review Body:

Noted:

1.1. That retrospective planning permission for the proposed reinstatement of a redundant house, installation of an air source heat pump and upgrading an access (resubmission of 21/297/PP) near Norton House, Northfield Road, Burray, was granted by the Appointed Officer on 3 September 2024, subject to conditions.

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, specifically in respect of Condition 08 attached to the approval, be reviewed, a summary of which was included in the presentation by the Planning Advisor.

1.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied site inspection to the site near Norton House, Northfield Road, Burray, at 09:30 on 6 February 2025, where the access with the A961, together with boundary treatments, were observed.

1.4. That, in accordance with Scottish Government advice on the use of conditions in planning permissions, conditions should only be imposed when they were:

- Necessary.
- Relevant to planning.
- Relevant to the development to be permitted.
- Enforceable.
- Precise.
- Reasonable in all other respects.

Councillor Duncan A Tullock, seconded by Councillor David Dawson, moved that, in their opinion, the Local Review Body had sufficient information to proceed to determination.

Councillor James R Moar, seconded by Councillor Owen Tierney, moved an amendment that, in their opinion, the Local Review Body had insufficient information to determine the review.

On a vote being taken 4 members voted for the amendment and 5 for the motion, and the Local Review Body thereafter determined that it had sufficient information to proceed to determination.

On the motion of Councillor Duncan A Tullock, seconded by Councillor David Dawson, the Local Review Body:

Resolved, in terms of delegated powers:

1.5. That the decision of the Appointed Officer, to grant retrospective planning permission for the reinstatement of a redundant house, installation an air source heat pump and upgrading an access (resubmission of 21/297/PP) on land near Norton House, Northfield Road, Burray, subject to conditions, be upheld.

2. Conclusion of Meeting

At 11:38 the Chair declared the meeting concluded.

Signed: Owen Tierney.