

Minute

Local Review Body

Tuesday, 3 July 2018, 15:45.

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, Planning Advisor.
- Katharine McKerrell, Legal Advisor.

Apologies

- Councillor Barbara Foulkes.
- Councillor Magnus O Thomson.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application (17/528/TPP)

Proposed Erection of Wind Turbine at Craiglands, Skidge Road, Birsay

Councillor Stephen Sankey stated that, as an objector to the current wind farm application at Hesta Head, South Ronaldsay, which remained to be determined, he would withdraw from discussions on any wind energy proposals, to avoid the possibility that any comments he made regarding the application of policies relating to wind turbine development would directly or indirectly influence other elected members in the future determination of the Hesta Head application, and he 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:

1.1. That planning permission for the proposed erection of a wind turbine at Craiglands, Skidge Road, Birsay, was refused by the Appointed Officer on 29 March 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 14:30 on 3 July 2018.

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.

Councillor Robin W Crichton, seconded by Councillor Owen Tierney, moved that the decision of the Appointed Officer, to refuse the application for the proposed erection of a wind turbine at Craiglands, Skidge Road, Birsay, be upheld.

Councillor John A R Scott, seconded by Councillor David Dawson, moved an amendment that planning permission be granted in respect of the proposed erection of a wind turbine at Craiglands, Skidge Road, Birsay, as, in their opinion:

(1) There was capacity within the landscape for a smaller scale turbine development.

(2) The cumulative impact of the proposed turbine in conjunction with other vertical structures in the area would be limited.

(3) A single small-scale turbine could be absorbed without a significant adverse cumulative landscape or visual impact on the existing landscape and would therefore not result in a change in the wind energy landscape type from a "landscape with occasional wind turbines" to a "landscape with wind turbines", as defined in the Landscape Capacity Assessment for Wind Energy in Orkney.

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

- Orkney Local Development Plan 2017:
 - Policy 7 – Energy (Part D Onshore Wind Energy Development).
 - Policy 9 – Natural Heritage and Landscape (Part A Landscape).
- Development Criterion DC2 – Landscape and Visual Impact of Supplementary Guidance: Energy.
- Landscape Capacity Assessment for Wind Energy in Orkney.

On a vote being taken 5 members voted for the amendment and 4 for the motion, and the Local Review Body:

Resolved, in terms of delegated powers:

1.5. That planning permission be granted in respect of the proposed erection of a wind turbine at Craiglands, Skidge Road, Birsay, subject to the conditions attached as Appendix 1 to this Minute.

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

- There was capacity within the landscape for a smaller scale turbine development.
- The cumulative impact of the proposed turbine in conjunction with other vertical structures in the area would be limited.
- A single small-scale turbine could be absorbed without a significant adverse cumulative landscape or visual impact on the existing landscape and would therefore not result in a change in the wind energy landscape type from a "landscape with occasional wind turbines" to a "landscape with wind turbines", as defined in the Landscape Capacity Assessment for Wind Energy in Orkney.

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

- Orkney Local Development Plan 2017:
 - Policy 7 – Energy (Part D Onshore Wind Energy Development).
 - Policy 9 – Natural Heritage and Landscape (Part A Landscape).
- Development Criterion DC2 – Landscape and Visual Impact of Supplementary Guidance: Energy.
- Landscape Capacity Assessment for Wind Energy in Orkney.

2. Conclusion of Meeting

At 16:05 the Chair declared the meeting concluded.

Signed: Owen Tierney.