

Minute

Local Review Body

Wednesday, 22 January 2020, 14:15.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Robin W Crichton, John A R Scott, Alexander G Cowie, Norman R Craigie, David Dawson, Stephen Sankey, Magnus O Thomson, Owen Tierney, Duncan A Tullock and Kevin F Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Planning Advisor.
- Peter Trodden, Legal Advisor.
- Georgette Herd, Solicitor.

Apologies

- Councillor Barbara Foulkes.
- Councillor Graham L Sinclair.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Robin W Crichton.

1. Planning Application (19/094/PP)

Proposed Erection of House for Rural Business at land near Farewell, St Margaret's Hope

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 house for a rural business with an integral garage and an air source heat pump, at land near Farewell, St Margaret's Hope, was refused by the Appointed Officer on 4 September 2019, 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 21 January 2020.

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 Stephen Sankey, seconded by Councillor Duncan A Tullock, moved that planning permission be granted in respect of the proposed erection of a house for a rural business with an integral garage and an air source heat pump at land near Farewell, St Margaret's Hope, as, in their opinion:

(1) The nature, scale and operation of the farm business provided a clear business justification that 24 hour supervision was an operational requirement and that the principle of providing a single dwelling house for a rural business was satisfied.

(2) Noting that in most circumstances the proposed development should be located with other buildings associated with the business to form a building group, this proposal was considered as an exceptional case, where a full business justification had been provided for an alternative location.

(3) Business justification to support the proposed site had been provided by SAC Consulting, who had concluded that the site was an optimal location in terms of travel between the two farm steadings at Windbreck and Farewell, thereby providing benefits in terms of animal welfare considerations.

(4) The design of the proposed development was of a scale, form and design appropriate to its location and sympathetic to the character of the local area.

And, accordingly, the proposed development would comply with Policies 1 – Criteria for All Development, and Policy 5E – Single Houses and New Housing Clusters in the Countryside, part (vii), of the Orkney Local Development Plan 2017, and Supplementary Guidance: Housing in the Countryside, parts 3.24, 3.25, 3.26 and 3.28.

Councillor Robin W Crichton moved an amendment that the decision of the Appointed Officer, to refuse the application for the proposed erection of a house for a rural business with an integral garage and an air source heat pump at land near Farewell, St Margaret's Hope, be upheld.

On receiving no seconder, his amendment fell, 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 house for a rural business with an integral garage and an air source heat pump at land near Farewell, St Margaret's Hope, subject to the conditions attached as Appendix 1 to this Minute.

2. Conclusion of Meeting

At 14:35 the Chair declared the meeting concluded.

Signed: Rob Crichton.