

Minute

Planning Committee

Wednesday, 25 March 2026, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, David Dawson, P Lindsay Hall, W Leslie Manson, James R Moar, Janette A Park, John A R Scott, Jean E Stevenson, Ivan A Taylor and Duncan A Tullock.

Clerk

- Katy Russell-Duff, Committees Officer.

In Attendance

- Gavin Barr, Head of Planning and Regulatory Services.
- Jamie Macvie, Service Manager (Development Management).
- Susan Shearer, Service Manager (Development and Marine Planning).
- Matthew Wylie, Team Manager (Roads Support) (for Items 1 to 5).
- Paul Maxton, Solicitor.

Observing

- Shankha Weerasekara, Graduate Planner (for Items 6 to 9).

Apology

- Councillor Raymond S Peace.

Declarations of Interest

- Councillor David Dawson – Item 4.
- Councillor W Leslie Manson – Item 5.

Chair

- Councillor Owen Tierney.

1. Planning Application 24/131/PP

Construction of Vehicle Parking near Italian Chapel, Lamb Holm

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

1.1. That a letter of objection relating to the application for planning permission in respect of the construction of vehicle parking near the Italian Chapel, Lamb Holm, had been received from Leslie Sinclair, 31A Broad Street, Kirkwall.

Councillor David Dawson, seconded by Councillor Duncan A Tullock, moved that planning permission in respect of the construction of vehicle parking near the Italian Chapel, Lamb Holm, be refused for the reasons set out in the officer's report.

Councillor James R Moar, seconded by Councillor Owen Tierney, moved an amendment that planning permission be granted in respect of the construction of vehicle parking near the Italian Chapel, Lamb Holm, as, in their opinion, the development:

- The development was an improvement on the current position in relation to public safety and that any potential impact on the setting of the listed building was outweighed by those benefits.
- In any case, the development would not have a significant impact on the listed building or its setting.

And, accordingly, the proposed development complied with the undernoted policies:

- National Planning Framework 4:
 - Policy 7 – Historic assets and places.
- Orkney Local Development Plan 2017:
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.

On a vote being taken 2 members voted for the amendment and 8 for the motion, and the Committee:

Resolved, in terms of delegated powers:

1.2. That planning permission in respect of the construction of vehicle parking near the Italian Chapel, Lamb Holm, be refused.

2. Planning Application 25/238/PP

Proposed Change of Use from Retail to Guest House/Hostel and Associated Works at 11 Victoria Street, Kirkwall

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

2.1. That a letter of objection relating to the application for planning permission in respect of the proposed change of use from retail to a guest house/hostel and associated works at 11 Victoria Street, Kirkwall, had been received from Leslie Sinclair, 31A Broad Street, Kirkwall.

The Committee resolved, in terms of delegated powers:

2.2. That the concerns of the objector had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

2.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
 - Policy 7 – Historic assets and places.
 - Policy 13 – Sustainable transport.
 - Policy 22 – Flood risk and water management.
 - Policy 30 – Tourism.
- Orkney Local Development Plan 2017:
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance:
 - Historic Environment and Cultural Heritage (2017).

2.4. That planning permission be granted in respect of the proposed change of use from retail to a guest house/hostel and associated works at 11 Victoria Street, Kirkwall, subject to the conditions attached as Appendix 1 to this Minute.

3. Planning Application 25/275/PIP

Proposed Siting of House near Skeldro, Burray.

Pamela Smy, objector, was present during consideration of this item.

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

3.1. That a letter of objection relating to the application for planning permission in principle in respect of the proposed siting of a house near Skeldro, Burray, had been received from Pamela Smy, Skeldro, Burray.

After hearing representations from Pamela Smy, objector, the Committee

Resolved, in terms of delegated powers:

3.2. That the concerns of the objector had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

3.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
 - Policy 4 – Natural places
 - Policy 15 – Local Living and 20 minute neighbourhoods.
 - Policy 16 – Quality Homes.
 - Policy 20 – Blue and green infrastructure.
 - Policy 22 – Flood risk and water management.
- Orkney Local Development Plan 2017:
 - Policy 1 – Criterial for All Development.
 - Policy 5A – Housing in Settlements.
 - Policy 9 – Natural Heritage and Landscape.
 - Policy 10A – Core Paths and Access.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance:
 - Natural Environment (2017).
 - Settlement Statements (2017).
- Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).
 - National Roads Development Guide (2015).
- Development Management Guidance:
 - Considering and Including Biodiversity in Development (2023).
- Amended Orkney Core Paths Plan (2018).

3.4. That planning permission in principle be granted in respect of the proposed siting of a house near Skeldro, Burray, subject to the conditions attached as Appendix 2 to this Minute.

4. Planning Application 25/353/PP

Proposed Alteration and Extension of Office Building, Change of Use to Mixed Use Facility, Extension of Car Parking, and Associated Infrastructure and Landscaping at Orkney Research and Innovation Campus, Stromness

Councillor David Dawson declared an interest in this item, in that he was a former Council-appointed director on the Orkney Research and Innovation Campus Limited Liability Partnership and, although he had no involvement with the new plans, public perception might be that his impartiality could be comprised, and was not present during discussion thereof.

Harvey Stevenson, Highlands and Islands Enterprise, John McGlynn, Orkney Research and Innovation Campus and Gavin Fraser, HRI Architects, representing the applicant, Highlands and Islands Enterprise, were present during consideration of this item.

Colin Borland, objector, was present during consideration of this item.

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

4.1. That letters of objections relating to the application for planning permission in respect of the proposed alteration and extension of an office building, change of use to a mixed use facility, extension of car parking, and associated infrastructure and landscaping at Orkney Research and Innovation Campus, Stromness, had been received from:

- Archibald Paterson, Ashburn, StrathSteven, Brora.
- Dr C W and Mrs I M Borland, Bea House, Back Road, Stromness.
- Eilidh McIntosh, 157 Maxwell Avenue, Bearsden, Glasgow.
- Gavin Beardmore, 689 Crewe Road, Sandbach, Cheshire.
- Graham Borland, 34 Hunters Way, Lochwinnoch.
- Joe Goldblatt, 15/6 East Parkside, Edinburgh.
- Neil Kermod, Quarry House, Finstown.
- Pauline Figliolini, 10 Kirkburn, Laurencekirk, Aberdeenshire.

After hearing representations from Colin Borland, objector, and from Gavin Fraser and Harvey Stevenson, representing the applicant, Highlands and Islands Enterprise, on the motion of Councillor John A R Scott, seconded by Councillor James R Moar, the Committee:

Resolved, in terms of delegated powers:

4.2. That the concerns of the objectors had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

4.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
 - Policy 2 – Climate mitigation and adaptation.
 - Policy 3 – Biodiversity.
 - Policy 7 – Historic assets and places.
 - Policy 14 – Design, quality and place.
 - Policy 22 – Flood risk and water management.
 - Policy 27 – City, town, local and commercial centres.

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 9 – Natural Heritage and Landscape.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.

4.4. That planning permission be granted in respect of the proposed alteration and extension of an office building, change of use to a mixed use facility, extension of car parking, and associated infrastructure and landscaping at Orkney Research and Innovation Campus, Stromness, subject to the conditions attached as Appendix 3 to this Minute.

5. Planning Application 25/368/PP

Proposed Erection of House, Demolition of Redundant House and Erection of Replacement House and Garage at Keldroseed, Lyking Road, Sandwick

Councillor W Leslie Manson declared an interest in this item, in that he was an occasional walking companion of the applicant's representative, and was not present during discussion thereof.

Stephen Kemp, representing the applicant, Orkney Builders (Contractors) Ltd, was present during consideration of this item.

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), and after hearing representations from Stephen Kemp, representing the applicant, Orkney Builders (Contractors) Ltd, on the motion of Councillor Owen Tierney, seconded by Councillor David Dawson, the Committee:

Resolved, in terms of delegated powers, that planning permission in respect of the proposed erection of a house, demolition of a redundant house and erection of a replacement house and garage at Keldroseed, Lyking Road, Sandwick, be refused.

6. Planning Application 25/377/PIP

Proposed Siting of House (Subdivision of Curtilage) at Midhouse, Tenston Road, Sandwick

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

6.1. That a letter of objection relating to the application for planning permission in principle in respect of the proposed siting of a house (subdivision of curtilage) at Midhouse, Tenston Road, Sandwick, had been received from Julia Gray, Arburn, Tenston Road, Sandwick.

The Committee resolved, in terms of delegated powers:

6.2. That the concerns of the objector had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

6.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
 - Policy 3 – Biodiversity.
 - Policy 14 – Design, quality and place.
 - Policy 16 – Quality homes.
 - Policy 17 – Rural homes.
- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5 – Housing.
 - Policy 9 – Natural Heritage and Landscape.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance:
 - Housing in the Countryside (2021).
- Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).
 - Heart of Neolithic Orkney World Heritage Site (2010).
 - National Roads Development Guide (2015).
- Development Management Guidance:
 - Considering and Including Biodiversity in the Development (2023).
 - Housing in the Countryside (2024).

6.4. That planning permission in principle be granted in respect of the proposed siting of a house (subdivision of curtilage) at Midhouse, Tenston Road, Sandwick, subject to the conditions attached as Appendix 4 to this Minute.

7. Planning Application 25/414/PP

Proposed Erection of Self-Catering Cabin at Baikies Noust, Evie

Max Barratt, applicant, and Yvonne Clay, the applicant's partner, were present during consideration of this item.

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

7.1. That letters of objections relating to the application for planning permission in respect of the proposed erection of a self-catering cabin at Baikies Noust, Evie, had been received from the following:

- Frances Eccles, Mistra, Evie.
- Jane E Nelson, Quandale, 1 Hillside Road, Evie.

After hearing representations from the applicant, Max Barratt, the Committee:

Resolved, in terms of delegated powers:

7.2. That the concerns of the objectors had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

7.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
 - Policy 3 – Biodiversity.
 - Policy 14 – Design, quality and place.
 - Policy 26 – Business and industry.
 - Policy 30 – Tourism.
- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
 - Policy 4 – Business, Industry and Employment.
- Supplementary Guidance:
 - Settlement Statements (2017) – Evie Village.
- Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).

7.4. That planning permission be granted in respect of the proposed erection of a self-catering cabin at Baikies Noust, Evie, subject to the conditions attached as Appendix 5 to this Minute.

8. Planning Application 26/019/HH

Proposed Extension of House at 2 Scapa Crescent, Kirkwall.

Sonia Smith, applicant, was present during consideration of this item.

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

8.1. That a letter of objection relating to the application for planning permission in respect of the proposed extension of a house at 2 Scapa Crescent, Kirkwall, had been received from Steven Russell, Dellovo Cottage, New Scapa Road, Kirkwall.

After hearing representations from the applicant, Sonia Smith, the Committee:

Resolved, in terms of delegated powers:

8.2. That the concerns of the objector had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

8.3. That the proposed development had been fully assessed and was in accordance with the undernoted policies:

- National Planning Framework 4:
 - Policy 14 – Design, quality and place.
 - Policy 15 – Local Living and 20-minute neighbourhoods.
- Orkney Local Development Plan 2017:
 - Policy 1 – Criterial for All Development.
 - Policy 2 – Design.
- Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).

8.4. That planning permission be granted in respect of the proposed extension of a house at 2 Scapa Crescent, Kirkwall, subject to the conditions attached as Appendix 6 to this Minute.

9. Works Licence Application 26/012/WL

Proposed Erection of Causeway to Facilitate Mooring of Temporary Floating Pier or Barge near Eday Ferry Terminal, Eday

George Baxter and Nick Forrest, representing the applicant, Neven Point Wind Ltd, were present during consideration of this item.

Alan Kelly and Claire Stevens, objectors, were present via a remote link (Microsoft Teams) during consideration of this item.

After consideration of a report by the Director of Infrastructure and Organisational Development, copies of which had been circulated, and after hearing a report from the Service Manager (Development Management), the Committee:

Noted:

9.1. That letters of objection relating to the application for a works licence in respect of the proposed erection of a causeway to facilitate mooring of a temporary floating pier or barge near Eday Ferry Terminal. Eday, had been received from the following:

- Margaret Bremner, Coastahead, Eday.
- Walter J Cormack, Sties, Eday.
- Eday Estate, c/o Caroline Webster and Henrietta Joy, Hebden Cottage, Eday.
- Alan Kelly, Galtyha, Eday.
- Claire Stevens, 2 Hammarhill, Eday.
- Mr and Mrs Sylvester, Stenaquoy, Eday.

After hearing representations from Alan Kelly and Claire Stevens, objectors, and George Baxter and Nick Forrest, representing the applicant, Neven Point Wind Ltd, the Committee:

Resolved, in terms of delegated powers:

9.2. That the concerns of the objectors had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

9.3. That the application for a works licence in respect of the proposed erection of a causeway to facilitate mooring of a temporary floating pier or barge near Eday Ferry Terminal, Eday, be granted, subject to the conditions attached as Appendix 7 to this Minute.

10. Conclusion of Meeting

At 15:40 the Chair declared the meeting concluded.

Signed: Owen Tierney.

Appendix 1.**Proposed Change of Use from Retail to Guest House/Hostel and Associated Works at 11 Victoria Street, Kirkwall.****Grant, subject to the following conditions:**

01. The development hereby approved to which this planning permission relates must be begun not later than the expiration of three years, beginning with the date on which the permission is granted, which is the date of this decision notice. If development has not commenced within this period, this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended, which limits the duration of planning permission.

02. 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 or the Christmas or New Year Public Holidays, unless otherwise agreed, in writing, with the Planning Authority.

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

03. The pitched roof shall be finished using a traditionally profiled sinusoidal corrugated sheeted roof. No development shall commence until full details of the proposed galvanised steel roof, including trade names where applicable, have been submitted to and approved, in writing, by the Planning Authority. Thereafter, only these approved details shall be used on the development hereby approved.

Reason: To protect the character and appearance of the conservation area.

04. All rainwater goods and the soil vent pipe (SVP) hereby approved shall be constructed from metal with a black painted finish.

Reason: To protect the character and appearance of the conservation area.

05. Notwithstanding the details included in the door elevation and section hereby approved, the new entrance door facing into Victoria Street shall comprise four flat (not raised) panels, with raised mouldings. No development shall commence until full details of the proposed door, including sections, have been submitted to and approved, in writing, by the Planning Authority. Thereafter, only these approved details shall be used on the development hereby approved.

Reason: To protect the character and appearance of the conservation area.

06. Following completion of external alterations to Victoria Street including the addition of window and door openings, the development hereby approved shall not be occupied until the wall finish facing into Victoria Street, across both parts/heights of the building, is uniform in finish and appearance, with no visible areas of repair or patching. Should this uniform finish require application of a replacement render or paint or other covering, such works shall not be carried out until full details are submitted to and approved, in writing, by the Planning Authority, and thereafter any such works shall be carried out wholly in accordance with approved details.

Reason: To protect the character and appearance of the conservation area, by ensuring the exterior of the building is not characterised by patches in render resulting from damage to or loss of render during works to form new openings.

Appendix 2.

Proposed Siting of House near Skeldro, Burray.

Grant, subject to the following conditions:

01. The development hereby approved to which this planning permission in principle relates must be begun not later than the expiration of five years, beginning with the date on which the permission in principle is granted, which is the date of this decision notice. If development has not begun at the expiration of this period, the planning permission in principle lapses.

Reason: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.

02. No development shall commence until all matters specified below have been approved on application to the Planning Authority:

- i. A detailed layout of the site of the proposed development including all roads, footways, and parking areas.
- ii. Site levels as existing and proposed, based on a fixed datum point.
- iii. Detailed cross sections of the house on the site, including existing and proposed ground levels, and proposed finished floor level(s), including that all structures be excavated into existing contours without requirement for underbuilding.
- iv. The design and external appearance of the proposed development (all buildings and structures) including details of materials and colours. The total area of buildings shall not exceed one third of the site area, and no building shall exceed six metres to ridge height above existing ground level.
- v. All hard and soft landscaping proposals for the site of the proposed development (including boundary treatments). Full details of the landscaping of the site (including details of species, sizes, number, type) shall be indicated on a Landscape Plan.
- vi. Details of access and parking arrangements.
- vii. Details of the proposed water supply arrangements.
- viii. Details of the treatment of foul drainage, including route to connection to the Scottish Water outfall if proposed.
- ix. Details of the management of surface water, including in relation to the access. 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.
- x. Details of refuse and recycling bin storage, including for collection.
- xi. The design and location of all boundary walls and fences. Any boundary wall or fence adjacent to the track shall not exceed 1 metre in height.
- xii. A Biodiversity Enhancement Form, including full details of measures that will be implemented on the site, photographs, and site layout plan showing biodiversity measures including location, size and number of plants/trees/bushes. Names of all plants/trees/bushes should be given both their English and Latin names. This is to ensure that biodiversity measures are implemented as required by National Planning Framework 4 Policy 3.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to commencement of development.

03. The B6 (Burray Village) Core Path runs south from the A961 and along the track past the site and towards the shore at the head of Watersound.

Throughout the construction phase of the development hereby approved in principle, works shall not interrupt public use of the B6 (Burray Village) Core Path adjacent to the application site and at no time shall the Core Path be obstructed by construction-related activities.

Reason: To safeguard public access during the construction phase and during the use of the development in the interest of safety and to accord with Orkney Local Development Plan 2017 Policy 10A – Core Paths and Access, National Planning Framework 4 Policy 20 – Blue and Green Infrastructure and the Amended Core Path Plan (2108).

04. Hours of work during construction works related to the development hereby approved in principle, 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 to reduce any possible nuisance arising to nearby residents during the construction of this development.

Appendix 3.

Proposed Alteration and Extension of Office Building, Change of Use to Mixed Use Facility, Extension of Car Parking, and Associated Infrastructure and Landscaping at Orkney Research and Innovation Campus, Stromness.

Grant, subject to the following conditions:

01. The development hereby approved, to which this planning permission relates, must be begun not later than the expiration of three years, beginning with the date on which the permission is granted, which is the date of this decision notice. If development has not commenced within this period, this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended, which limits the duration of planning permission.

02. No development, including any site clearance works or alterations to the existing building, shall commence until a Construction Method Statement has been submitted to and approved, in writing, by the Planning Authority. The Statement shall provide for:

- The means of access to and from the site for plant, machinery and all construction traffic.
- Parking of vehicles of site operatives and visitors.
- Anticipated traffic volumes.
- Loading and unloading of plant and materials.
- Construction compound.
- Welfare facilities.
- Storage of plant and materials used in constructing the development.
- Stockpiling of materials.
- The erection and maintenance of security hoarding.
- Construction lighting.
- Measures to control the emission of dust and dirt during construction.
- A scheme for recycling/disposing of waste resulting from demolition and construction works.
- The phasing of the development, including confirmation that no development shall commence in relation to the extension or alteration of Block 3 until the additional car parking to the south of the site is fully constructed and operational.

For the avoidance of doubt there shall be no burning or burying of waste within the site.

Thereafter, and throughout all construction phases, the site and development shall be undertaken wholly in accordance with the approved Construction Method Statement.

Reason: To safeguard the amenity of neighbouring properties and occupants.

03. Notwithstanding the details included within the site plan hereby approved, no development shall commence until a Scheme of Landscaping for all hard and soft landscaping is submitted to and approved, in writing, by the Planning Authority. The Scheme of Landscaping shall include:

- The location of all proposed tree, shrub, hedging and grass planting.
- A planting schedule comprising layout, number, density, species, height of all trees and shrubs and seed mix of all grass areas.
- Retention of existing trees and shrubs, unless expressly approved to be removed through discharge of this condition.
- The location, design and materials of all hard landscaping works, including walls, fences and gates.
- A timescale for implementation and completion of all soft and hard landscaping contained in the Scheme of Landscaping, including all tree and shrub planting in the first planting season following commencement of development. All hard landscaping shall be completed wholly in accordance with approved details prior to first occupation of any part of the development, in conjunction with the requirements of condition 05.

All soft and hard landscaping shall be carried out wholly in accordance with the approved Scheme of Landscaping, unless otherwise agreed, in writing, with the Planning Authority.

Any tree or shrub planting which, within a period of five years from planting, in the opinion of the Planning Authority, is dead, dying, diseased or severely damaged, shall be replaced by a tree or shrub of similar size and species to that originally planted, unless otherwise agreed, in writing, with the Planning Authority.

Thereafter, the development shall be maintained in accordance with the details included in the Scheme of Landscaping throughout the lifetime of the development.

Reason: To protect the character and appearance of the area and residential amenity and existing established planting.

04. Notwithstanding external finishes included in the drawings hereby approved, no development shall commence until full details of all external detailing (including construction drawings where applicable), finishes, materials and colours (with RAL colour specified where applicable) of the development hereby approved has been submitted to and approved, in writing, by the Planning Authority. Thereafter, the exterior of the development shall be finished wholly in accordance with approved details.

These details include, but are not limited to:

- Timber windows and doors in the original openings.
- Window frames.
- Cladding detail between floors at glazing.
- Doors and thresholds.
- Fins.
- Render.
- Balustrades.
- Sinusoidal cladding.

- Rainwater goods.
- Any exterior lighting.
- Retaining walls.
- Steps.
- Heat pump covers/screening.
- Handrails.
- Making good boundary wall at openings.

Reason: To protect the character and appearance of the area.

05. Notwithstanding the details included within the plans hereby approved, no development shall commence until full car park details have been submitted to and approved, in writing, by the Planning Authority. The car park details shall include:

- Construction details for all new car park works included in the red line boundary of the Proposed Car Parking Plan, including every proposed 'Shared surface'.
- Surfacing details for the areas annotated 'Contrasting Tarmac' in the Proposed Car Parking Plan, including areas: 'crossing with contrasting surface', 'Pedestrian zone' and the area delineated at the top of 'Existing steps' below the Charles Clouston Building.
- Surfacing details within Franklin Road, indicated as 'Proposed Paved Courtyard + Shared Surface' in the Proposed Site / Block Plan drawing 003 Rev 6 (noting this may not be acceptable in the adopted public road).
- Full details of all sections of 'dwarf wall', including jutting into the car park area in front of Block 3 (noting concerns that such sections of wall could be problematic for vehicles using the car park, and acceptable details may include amendment or omission of the detail).
- Full details of boundaries between the hard and soft landscaping within the car park area.
- Notwithstanding submitted details, full details of the lighting proposal (noting acceptable details may include amendment of the submitted details).

Reason: To protect the safety of users of the car park, and to ensure the provision of parking bays, and manoeuvrability within the car park are executed to an appropriate standard.

06. No development shall commence until a condition/dilapidation survey of a defined section of the public road has been carried out by the developer, in conjunction with Roads Services, including any section of the public road used for access/egress to the site by construction traffic. Full details of the survey shall be submitted to and approved in writing by, the Planning Authority, in conjunction with Roads Services, including the full length of road to be surveyed.

Thereafter, the survey shall be carried out wholly in accordance with approved details and shall be completed again following completion of the development.

This condition/dilapidation survey, and any repairs required to the public road to make good damage which is attributed to this development, including by any vehicles or plant accessing or egressing the sites, shall be funded by the developer. All repairs or other works required to be carried out shall be completed to the satisfaction of the Planning Authority, in conjunction with Roads Services, within three months of completion of the development.

The developer shall also be responsible for maintaining any damage caused to the public road in such a manner that the roads always remain safe for other road users and until permanent repair works are agreed and carried out.

Reason: In the interest of road safety.

07. No alterations shall be carried out to the existing Block 3 and no ground works shall commence until a Method Statement for the dismantling/removal and subsequent storage of historic features and material has been submitted to and approved, in writing, by the Planning Authority. This Method Statement shall include the down taking of the entrance porch and west projection, and shall also include, but not be limited to, retention, salvage and storage of:

- Dressed stone from the down takings of Block 3.
- Stone from demolished sections of stone dykes including pillars.
- Skew putts, skew stones, and finials.
- Flagstones, including those forming paths at the north and south ends of the building.

Where relevant, the Method Statement should also include the re-use of the materials in the final development. All removals, storage (and where relevant, re-use) of materials shall be in accordance with the approved Method Statement.

Reason: To ensure the retention of an important architectural detail of the existing building.

08. Total noise from the air source heat pumps hereby approved shall not exceed NR25 within any residential property outwith the development, where NR25 is the Noise Rating Curve at 25 (noise measurements to be made with a window of any residential property out with the development open no more than 50 millimetres).

Reason: To protect any nearby residents from excessive noise disturbance from the air source heat pumps.

09. Prior to occupation or use of any part of the development hereby approved, all surface water drainage works hereby approved, shall be constructed wholly in accordance with the approved drawings and submitted documents, including the 'Drainage Statement' revision dated 05/05/25. Thereafter, and throughout the lifetime of the development, the drainage shall be maintained in accordance with the approved details, and in accordance with the principles of Sustainable Drainage Systems (SuDS) and be compliant with the guidance set out in the CIRIA SuDS Manual C753.

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.

10. All windows in the north elevation of the development hereby approved shall be opaque glazed and fixed (non-opening) throughout the lifetime of the development. No windows shall be installed until full details of the opacity have been submitted to and approved, in writing, by the Planning Authority. Thereafter, only approved glazing shall be installed. Thereafter, the glazing shall be retained in accordance with approved details throughout the lifetime of the development.

Reason: To protect the amenity of the neighbouring property to the north, from risk of overlooking from approved windows.

11. 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 or the Christmas or New Year Public Holidays unless otherwise agreed, in writing, with the Planning Authority.

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

Appendix 4.

Proposed Siting of House (Subdivision of Curtilage) at Midhouse, Tenston Road, Sandwich.

Grant, subject to the following conditions:

01. The development hereby approved to which this planning permission in principle relates must be begun not later than the expiration of five years, beginning with the date on which the permission in principle is granted, which is the date of this decision notice. If development has not begun at the expiration of this period, the planning permission in principle lapses.

Reason: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.

02. No development shall commence until all matters specified below have been approved on application to the Planning Authority:

- i. A detailed layout of the site of the proposed development including all roads, footways, and parking areas.
- ii. Site levels as existing and proposed, based on a fixed datum point.
- iii. Detailed cross sections of the house on the site, including existing and proposed ground levels, and proposed finished floor level(s), including that all structures be excavated into existing contours without requirement for underbuilding.
- iv. The design and external appearance of the proposed development (all buildings and structures) including details of materials and colours. The total area of buildings shall not exceed one third of the site area.
- v. All hard and soft landscaping proposals for the site of the proposed development (including boundary treatments). Full details of the landscaping of the site (including details of species, sizes, number, type) shall be indicated on a Landscape Plan.
- vi. Details of access and parking arrangements.
- vii. Details of the proposed water supply arrangements.
- viii. Details of the treatment of foul drainage.
- ix. Details of the management of surface water, including in relation to the access. 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.
- x. Details of refuse and recycling bin storage, including for collection.
- xi. The design and location of all boundary walls and fences, noting that a boundary shall be installed to the public road.
- xii. A Biodiversity Enhancement Form, including full details of measures that will be implemented on the site, photographs, and site layout plan showing biodiversity measures including location, size and number of plants/trees/bushes. Names of all plants/trees/bushes should be given, both their common and scientific names. This is to ensure that biodiversity measures are implemented as required by National Planning Framework 4 Policy 3.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to commencement of development.

03. Hours of work during construction works related to the development hereby approved in principle, 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 to reduce any possible nuisance arising to nearby residents during the construction of this development.

04. In accordance with condition 02 above, no other development shall commence until the access with the public road has been constructed to the Council's Roads Services standard drawing 'SD-01 Typical Access for Single Development (2-4 houses)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. Thereafter, the access 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 occupation of the development, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

Reason: In the interests of road safety.

05. No development shall commence until a condition/dilapidation survey of a defined section of the public road has been carried out by the developer, in conjunction with Roads Services, including any section of the public road used for access/egress to the site by construction traffic. Full details of the survey shall be submitted to, and approved, in writing, by the Planning Authority, in conjunction with Roads Services, including the full length of road to be surveyed. Thereafter, the survey shall be carried out wholly in accordance with approved details and shall be completed again following completion of the development.

This condition/dilapidation survey, and any repairs required to the public road to make good damage which is attributed to this development, including by any vehicles or plant accessing or egressing the sites, shall be funded by the developer. All repairs or other works required to be carried out shall be completed to the satisfaction of the Planning Authority, in conjunction with Roads Services, within three months of completion of the development.

The developer shall also be responsible for maintaining any damage caused to the public road in such a manner that the roads always remain safe for other road users and until permanent repair works are agreed and carried out.

Reason: In the interest of road safety.

Appendix 5.

Proposed Erection of Self-Catering Cabin at Baikies Noust, Evie.

Grant, subject to the following conditions:

01. The development hereby approved to which this planning permission relates must be begun not later than the expiration of three years, beginning with the date on which the permission is granted, which is the date of this decision notice. If development has not commenced within this period, this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended, which limits the duration of planning permission.

02. Occupation of the self-catering unit hereby approved shall not exceed a maximum of 28 days by any person or group of persons, between the dates of 1 March and 31 October (inclusive) in any calendar year. To facilitate the enforcement of such control, the operators of the self-catering unit shall throughout the lifetime of the development maintain and shall make available to the Planning Authority, if requested, a register of occupiers of the self-catering unit to which this planning permission relates.

Reason: To ensure that the self-catering unit is occupied only on a short-term basis.

03. The self-catering unit hereby approved shall be retained in the same ownership and control of the owner of the adjacent dwelling, "Baikies Noust", throughout the lifetime of the development and shall not be disposed of or operated independently.

Reason: To protect the amenity of the occupants of all buildings, by ensuring a single management, given the proximity of the existing residential setting.

04. Total noise from the air source heat pump installed shall not exceed NR25 within any residential property outwith the development, where NR25 is the Noise Rating Curve at 25, (noise measurements to be made with a window of any residential property outwith the development open no more than 50 mm).

Reason: To protect any nearby residents from excessive noise disturbance from the air source heat pumps.

05. Surface water shall be managed in accordance with the principles of Sustainable Drainage Systems (SuDS) and the guidance set out in CIRIA's SuDS Manual C753 throughout the lifetime of the development hereby approved.

Requisite surface water drainage measures shall be operational prior to the development being brought into use and shall be maintained as operational thereafter and throughout the lifetime of the development.

All surface water shall be contained within the application site and shall be managed to avoid flow into any adjacent road or other land.

Reason: To ensure appropriate management of surface water drainage, in accordance with Policy 13B 'Sustainable Drainage Systems (SuDS)' of the Orkney Local Development Plan 2017, and to protect road safety.

06. The approved sewerage system shall be connected and fully operational prior to the first use of the development hereby approved.

Reason: In the interests of environmental protection.

07. The development hereby approved shall not be occupied or brought into use until the parking area shown on the 1:200 Site Plan hereby approved (reference 002 Rev A dated August 2023) has been provided, and thereafter this parking area shall be retained throughout the lifetime of the development for the use of the self-catering unit only.

Reason: To ensure adequate parking provision for the development.

08. Throughout the lifetime of the development hereby approved, any external lighting used shall be downward facing only and shall comply with the Council's requirements of Orkney Local Development Plan 2017 Policy 2 (principle vi) that all external lighting shall minimise light pollution and shall meet the requirements specified by the Institution of Lighting Professionals for Zone E1/E2 areas (Rural/Low District Brightness). The lighting shall be turned off when not required either by automatic sensor or manually.

Reason: To minimise obtrusive light, glare or distraction in the interests of safeguarding the amenity of the area and to accord with Orkney Local Development Plan 2017 Policy 2 - Design.

09. The biodiversity measures identified on the 1:200 Site Plan hereby approved (reference 002 Rev A dated August 2023) and described in the submitted biodiversity form (dated 10 October 2023) shall be implemented in full during the first planting season following the development being first brought into use. Thereafter, the biodiversity measures shall be permanently retained in accordance with the approved details unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the proposed biodiversity measures are implemented.

10. 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 the amenity of the area and to reduce any possible nuisance arising to nearby residents/properties during the construction of the development.

Appendix 6.**Proposed Extension of House at 2 Scapa Crescent, Kirkwall.****Grant, subject to the following conditions:**

01. The development hereby approved to which this planning permission relates must be begun not later than the expiration of three years, beginning with the date on which the permission is granted, which is the date of this decision notice. If development has not commenced within this period, this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended, which limits the duration of planning permission.

02. The extension hereby approved shall be maintained and operated as a domestic annexe attached to the host house, within the residential curtilage and acting as a single planning unit only, unless express planning permission is approved by the Planning Authority.

Reason: To safeguard the residential amenity of the surrounding.

03. Surface water shall be managed in accordance with the principles of Sustainable Drainage Systems (SuDS) and the guidance set out in CIRIA's SuDS Manual C753 throughout the lifetime of the development hereby approved.

Requisite surface water drainage measures shall be operational prior to the development being brought into use and shall be maintained as operational thereafter and throughout the lifetime of the development.

All surface water shall be contained within the application site and shall be managed to avoid flow into any adjacent road or other land.

Reason: To ensure appropriate management of surface water drainage, in accordance with Policy 13B 'Sustainable Drainage Systems (SuDS)' of the Orkney Local Development Plan 2017, and to protect road safety.

04. The development hereby approved shall not be occupied or brought into use until the parking area shown on the 1:200 Site Plan hereby approved (reference 002 Amd. B) has been provided wholly in accordance with the approved drawing, and thereafter this parking area shall be retained throughout the lifetime of the development.

Reason: To ensure adequate parking provision for the development.

05. 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.

Reason: In the interest of the amenity of the area and to reduce any possible nuisance arising to nearby residents/properties during the construction of the development.

Appendix 7.**Proposed Erection of Causeway to Facilitate Mooring of Temporary Pier or Barge near Eday Ferry Terminal, Eday.****Grant, subject to the following conditions:**

01. Any shipping activity within the Orkney Harbour Area must be conducted within the requirements of the Orkney Pilotage Direction 1988 as amended 2007, 2010 and 2016. Vessels over 80m in length associated with the works will require a Pilot unless alternative arrangements to the satisfaction of the competent authority (for pilotage) are agreed following appropriate risk assessment.

02. Harbour dues may be payable for all operations within the Harbour Area.

03. During any works within the Harbour Area and its approaches, protocols, to be agreed, shall be followed with regards to communications and warnings with Orkney Vessel Traffic Services (VTS).

04. All construction vessel traffic near the approaches to the Harbour Authority area shall inform Vessel Traffic Services (VTS) of their intentions, and their exclusion zones shall not interfere with the movement of shipping to and from Orkney Harbours areas.

05. The applicant shall give to the Council not less than 21 days' notice in writing of their intention to commence works and shall comply with any requirement as respect the works imposed by the Council in the interests of safety or the orderly management of the planning of the Harbour Area in which the works are situated.

06. The works to which this licence relates shall be maintained in good repair at all times.

07. The applicant shall permit duly authorised officers of the Council to inspect the works to which this licence relates at all reasonable times for the purpose of ensuring that there is compliance with the terms of this licence.

08. The Council reserves the right to review and amend the terms and conditions upon which this licence is granted by giving to the applicant three months' notice in writing expiring at any time.

09. This licence shall remain the property of the Council at all times and the applicant shall if called upon to do so in writing by the Council deliver the licence to the Council forthwith. The applicant shall retain the licence in a safe place and shall not cause or permit the licence to be lost, damaged, defaced, mutilated or destroyed in any way.

10. In construing these presents unless the context otherwise requires:

1. Wherein any obligation is to be undertaken by more than one person the Council has the right to take any action in relation to this licence against any one of these persons who will be liable for the full extent of the obligation and not just for a share of the obligations under this licence.
2. Words importing the singular in number shall include the plural in number and vice versa.

3. Words importing the masculine gender shall include the feminine gender and vice versa.
 4. Any notice requiring to be given in writing shall be deemed to be effected 48 hours after despatch by First Class posted mail sent, in the case of the applicant, to the address stated in this licence and, in the case of the Council to the Council's principal offices.
11. No works shall commence until a detailed specification of the pontoon / barge has been submitted to and approved, in writing, by the Planning Authority. Thereafter, the works and design shall be wholly in accordance with these approved details.