

Item: 4.3

Planning Committee: 26 April 2023.

Erect Four Houses and Create Four Accesses at 8-10 Moar Drive, Kirkwall.

Report by Corporate Director for Neighbourhood Services and Infrastructure.

1. Summary

1.1.

It is proposed to erect four houses (two pairs of semi-detached) at 8-10 Moar Drive, Kirkwall. The application follows planning permission 13/325/PPMAJ at the wider site to erect two houses, erect ten semi-detached houses, erect 13 terraced houses, create 13 serviced sites, create access road, parking areas and footpaths/cycleways. The current application site comprises part of that previous application site, which was laid out as two serviced house sites. Two letters of objection have been received on grounds of density, road safety concerns, parking provision, access concerns, flood risk, drainage issues and failure to comply with the Watersfield Development Brief 2011 and relevant Local Development Plan policies. It is considered that the objections are of insufficient weight to merit refusal. The proposed development accords with the relevant policies of National Planning Framework 4 and Policies 1, 2, 5, 9, 13 and 14 of the Orkney Local Development Plan 2017. Accordingly, the application is recommended for approval.

Application Number:	22/425/PP.
Application Type:	Planning Permission.
Proposal:	Erect 4 houses and create 4 accesses.
Applicant:	WRC Construction Limited.
Agent:	Robert Potter and Partners LLP, c/o R Jonathan Potter, 110 West George Street, First Floor, Glasgow G2 1QJ.

1.3.

All application documents (including plans, consultation responses and representations) are available for members to view [here](#) (click on “Accept and Search” to confirm the Disclaimer and Copyright document has been read and understood, and then enter the application number given above).

2. Consultations

2.1. Roads Services

Having objected initially, Roads Services provided a subsequent response confirming no objection, subject to visibility splays being achieved and maintained:

“The drawing Visibility Splays (Sheet 2 of 2) indicates that a visibility splay of in excess of 19 metres is achievable from the front of the easternmost parking space on Plot 14, when this considered alongside existing traffic speed information for the area indicates that there is sufficient forward visibility both from and to proposed parking. However, a condition must be applied to ensure that the visibility splay area remains free from obstruction greater than one metre above edge of carriageway level, throughout the lifetime of the development...”

2.2. Scottish Water

No objections.

2.3. Engineering Services:

“I have reviewed the Drainage Statement and Drainage Layout Plan provided and comment as follows:

Flood risk at the site from existing sources is correctly assessed in the Drainage Statement.

The principles of surface water drainage proposed and calculations provided are satisfactory. However, clarification is required on the following points:

- Driveways are included in calculations as impermeable surfaces but it is not clear from the information provided how these would drain to the proposed lined filter drains.
- How orifice plates can be inspected and cleaned at a minimum cover to invert depth of 1.2m inside a 0.45m diameter chamber.”

3. Representations

3.1.

Two letters of objection have been received from:

- David and Katie Foulis, 5 Moar Drive, Kirkwall.
- Erlend and Alison Hutchison, 7 Moar Drive, Kirkwall KW15 1FA.

3.2.

The objections are based on the following matters, which have been considered in the assessment of the proposal:

- The proposed development does not comply with the ‘Watersfield Development Brief 2011’ in respect of boundary treatment.

- The proposed development does not comply with policies of the Orkney Local Development Plan.
- Housing density, number of houses and that the site “has not been planned as a whole but is being developed on a piecemeal basis...”.
- Lack of pedestrian access to the site.
- Overdevelopment, as the sites were designed as single house sites with associated access points.
- Road safety concerns due to poor visibility at corner and from access points, and concerns regarding accessing driveways.
- Road concerns due to existing layout of road and proposed new access points.
- Sites cannot be safely and conveniently accessed by service, delivery or other goods vehicles.
- Lack of additional provision for visitor parking in this area.
- Foul and surface water drainage within the area.
- Flood risk, questioning capacity in the surface water drainage pond for additional dwellings.
- Overlooking and privacy.
- Disruptions/road closures affecting surrounding properties due to the requirement for additional services to sites.

3.3.

A deed of condition, conditions of sale and legal requirements placed on other sites in the development, including that those other sites could only be developed as a single house development, have been raised in the objections; however, these are legal matters not a material planning consideration relevant to the determination of the current planning application.

4. Relevant Planning History

Reference	Proposal	Location	Decision	Date
13/325/PPMAJ.	Watersfield (Land Near), Kirkwall.	Erect 2 houses, erect 10 semidetached houses, erect 13 terraced houses, create 13 serviced sites, create access road, parking areas and footpaths/ cycleways.	Grant Subject to Conditions	04.03.2014

5. Relevant Planning Policy and Guidance

5.1.

The full text of the Orkney Local Development Plan 2017 and supplementary guidance can be read on the Council website [here](#).

5.2.

The key policies, supplementary guidance and planning policy advice listed below are relevant to this application:

- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5 – Housing in Settlements.
 - Policy 9 – Landscape.
 - Policy 13B – Sustainable Drainage Systems (SuDS).
 - Policy 13C – Waste Water Drainage.
 - Policy 14C – Road Network Infrastructure.
- Supplementary Guidance and Planning Policy Advice:
 - Planning Policy Advice 'Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).
 - Waterfield, Kirkwall, Development Brief 2011, Supplementary Guidance, (July 2012).
- National Planning Framework 4.

6. Legal Aspects

6.1.

Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended (the Act) states, "Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise...to be made in accordance with that plan..."

6.2.

Annex A of Planning Circular 3/2013: 'development management procedures' provides advice on defining a material consideration, and following a House of Lord's judgement with regards the legislative requirement for decisions on planning applications to be made in accordance with the development plan, confirms the following interpretation: "If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted."

6.3.

Annex A continues as follows:

- The House of Lord's judgement also set out the following approach to deciding an application:
 - Identify any provisions of the development plan which are relevant to the decision.
 - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies.
 - Consider whether or not the proposal accords with the development plan.
 - Identify and consider relevant material considerations for and against the proposal.
 - Assess whether these considerations warrant a departure from the development plan.
- There are two main tests in deciding whether a consideration is material and relevant:
 - It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land.
 - It should relate to the particular application.
- The decision maker will have to decide what considerations it considers are material to the determination of the application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the

development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.

- The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:
 - Scottish Government policy and UK Government policy on reserved matters.
 - The National Planning Framework.
 - Designing Streets.
 - Scottish Government planning advice and circulars.
 - EU policy.
 - A proposed local development plan or proposed supplementary guidance.
 - Community plans.
 - The environmental impact of the proposal.
 - The design of the proposed development and its relationship to its surroundings.
 - Access, provision of infrastructure and planning history of the site.
 - Views of statutory and other consultees.
 - Legitimate public concern or support expressed on relevant planning matters.
- The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

6.4.

Where a decision to refuse an application is made, the applicant may appeal under section 47 of the Act. Scottish Ministers are empowered to make an award of expenses on appeal where one party's conduct is deemed to be unreasonable.

Examples of such unreasonable conduct are given in Circular 6/1990 and include:

- Failing to give complete, precise and relevant reasons for refusal of an application.
- Reaching a decision without reasonable planning grounds for doing so.
- Not taking into account material considerations.
- Refusing an application because of local opposition, where that opposition is not founded upon valid planning grounds.

6.5.

An award of expenses may be substantial where an appeal is conducted either by way of written submissions or a local inquiry.

6.6. Status of the Local Development Plan

Although the Orkney Local Development Plan 2017 is “out-of-date” and has been since April 2022, it is still a significant material consideration when considering planning applications. The primacy of the plan should be maintained until a new plan is adopted. However, the weight to be attached to the Plan will be diminished where policies within the plan are subsequently superseded.

6.7. Status of National Planning Framework 4

6.7.1.

National Planning Framework 4 (NPF4) was adopted by Scottish Ministers on 13 February 2023, following approval by the Scottish Parliament in January 2023. The statutory development plan for Orkney consists of the National Planning Framework and the Orkney Local Development Plan 2017 and its supplementary guidance. In the event of any incompatibility between a provision of NPF4 and a provision of the Orkney Local Development Plan 2017, NPF4 is to prevail as it was adopted later. It is important to note that NPF4 must be read and applied as a whole, and that the intent of each of the 33 policies is set out in NPF4 and can be used to guide decision-making.

6.7.2.

In the current case, there is not considered to be any incompatibility between the provisions of NPF4 and the provisions of the Orkney Local Development Plan 2017, to merit any detailed assessment in relation to individual NPF4 policies.

7. Assessment

7.1. Background

Planning application 13/325/PPMAJ, to erect two houses, erect ten semi-detached houses, erect 13 terraced houses, create 13 serviced sites, create access road, parking areas and footpaths/cycleways, was approved by the Planning Committee on 26 February 2014. The associated location plan is attached as Appendix 1 to this report. This includes two serviced sites, comprising the current application site, ‘SITE 1’ and ‘SITE 2’. The current application is higher density, for four houses, each with new/amended access points and service connections, as indicated in the current site plan, attached as Appendix 2 to this report. The surrounding development is a mix of house types, including single and multiple bedroom units, detached, semi-detached and terraced houses, social rented and private housing, and a care facility for children and young people. Phase 3 of the Watersfield development is largely completed with only one of the self-build serviced plots remaining unsold.

7.2. Principle

Policy 5A 'Housing and Settlements' confirms that the development of housing allocations will be supported where it accords with the relevant settlement statement and any adopted Development Brief, Masterplan or Urban Design Framework. The proposed development is greater density than the two serviced site approved previously; however, that previous approval does not prejudice consideration of the current application in relation to the current policy context. The Watersfield Development Brief (2011) notes an anticipated "mix of building types, including semi-detached and terraced buildings and individual dwellings". The development accords with the relevant criterion of the development brief, as well as Policy 5A, and the principle of the housing development is therefore accepted.

7.3. Proposal

7.3.1.

The current application is for four single storey dwellings, comprising two pairs of semi-detached units and associated works, at 8-10 Moar Drive, Kirkwall. Four access points would be taken from Moar Drive. Houses in this part of Moar Drive are generally large detached single storey houses set in their own garden, finished in a palette of materials mainly dark grey/black roofs, windows and detailing and light/white walls, with harled block front walls to match the house.

7.3.2.

The proposed dwellings would be of a simple form and single storey design, located centrally within the plots. The two semi-detached blocks would be of matching design and modern appearance and proposed materials have been amended to be in-keeping with the houses on the street, include white dry dashed walls, cement fibre clad porches in silver grey, dark grey roof tiles, white window frames and grey doors. The proposed design and finishes are considered acceptable, and the development would be unlikely to have a significant impact on the character of the area. Front/street boundary treatments would be subject to agreement, as controlled by proposed planning condition 10, to ensure cohesion with existing properties and compliance with the relevant criterion of the Watersfield Development Brief (2011).

7.3.3.

The dwellings would not exceed one third of their respective plots and each plot would be of adequate size to provide outdoor amenity space and off-street parking. It is considered that the proposed development would be acceptable in terms of design and appearance and would accord with Policy 1: Criteria for all Development and Policy 2: Design.

7.4. Residential Amenity

7.4.1.

All houses would front onto Moar Drive, any typical street arrangement facing the houses opposite. The gables of the properties would be blank, including facing towards the adjacent 6 Moar Drive. Together with the fact that the dwellings would

be single storey, it is considered unlikely that the proposed development would have any unacceptable impact on the residential amenity of the neighbouring properties through overlooking, privacy or overshadowing.

7.4.2.

All windows on the front would be at an acceptable distance from the properties opposite Moar Drive (over 20 metres from the dwellings). The closest parts of the dwellings to the rear boundaries are 6.6 metres and approximately 16 metres to the rear of dwellings on Rendall Road. As this is less than 20 metres, a 1.8 metre high fence is proposed to avoid risk of overlooking and loss of privacy. It is therefore considered that the proposed dwellings would be unlikely to have a significant impact upon the residential amenity of the dwellings in Rendall Road through overlooking or overshadowing.

7.4.3.

There is sufficient amenity and parking space within the curtilage of each of the dwellings. A condition would be attached to an approval to ensure that any external lighting used on the buildings on the sites would minimise light pollution as required by Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (March 2021).

7.5. Parking Provision, Access and Road Safety

7.5.1.

The layout and parking provision within the individual sites have been increased and repositioned to meet the requirements of Roads Services. An increase in parking provision was negotiated to provide two car parking spaces per site. Pedestrian access to the sites would match that of the remainder of the street, as already established.

7.5.2.

Following submission of further information in respect of visibility splays and existing traffic speed information, proposed forward visibility is acceptable for the proposed parking. To meet the requirements of Roads Services, in relation to the confirmation of no objection, proposed planning condition 08 would ensure that the visibility splay remains free from obstruction greater than one metre above edge of carriageway level, throughout the lifetime of the development.

7.5.3.

Lack of parking and road safety concerns have been raised by the objectors. It is considered that the above measures are sufficient to protect the safety of road users, and to ensure the houses can be safely and conveniently accessed, including by service delivery vehicles typically expected of a domestic property. On the basis Roads Services has confirmed no objection to the development as now proposed, the development is considered to accord with the requirements of Policy 14: Transport, Travel and Road Network Infrastructure.

7.6. Sewerage

It is proposed to connect the four houses to the Scottish Water public sewerage infrastructure. Scottish Water was consulted and has no objections, and the development accords with Policy 13C: Wastewater Drainage.

7.7. Surface Water Drainage

7.7.1.

It is a requirement that all development includes provision for management of surface water; in this case the developer has designed surface water drainage within each house plot, utilising SuDS filter drains to treat and attenuate the surface water run off. Any further run off would be collected in existing surface water drainage infrastructure and into the existing SuDS pond which provides additional attenuation and control.

7.7.2.

A site-specific surface water management strategy would be required for the construction phase of the development to prevent run off from construction work to the existing water environment.

7.7.3.

Whilst drainage issues have been raised in the objections, it is considered that the above measures would be sufficient to ensure the development complies with Policy 13B: Sustainable Drainage Systems, subject to a planning condition to ensure compliance with the Drainage Statement and Drainage Layout Plan. A planning condition would also secure additional information required, prior to work commencing on site, including that a surface water management strategy is submitted for the construction and a maintenance strategy of surface water drainage infrastructure.

8. Conclusion and Recommendation

The design, scale, appearance and proposed materials are acceptable and there is adequate amenity space and parking provision within the sites. The dwellings would be viewed in context with other housing developments in the area. The dwellings would be unlikely to have a significant impact on residential amenity or the character of the area. The application is considered to comply with the provisions of National Planning Framework 4 and Policies 1, 2, 5, 9, 13 and 14 of the Orkney Local Development Plan 2017. Objections are of insufficient weight to warrant refusal. Accordingly, the application is **recommended for approval**, subject to the conditions attached as Appendix 3 to this report.

9. Contact Officers

Jamie Macvie, Service Manager (Development Management), extension 2529, Email jamie.macvie@orkney.gov.uk

Margaret Gillon, Senior Planner (Development Management), Email
margaret.gillon@orkney.gov.uk

10. Appendices

- Appendix 1: Location Plan for original wider site.
- Appendix 2: Site Plan.
- Appendix 3: Planning Conditions.



KEY

- Serviced Sites
- SuDS Filter drain locations and swales
- Public Green Space
- Garden areas

Proposed Residential Properties

- 13 x Serviced Sites
- 13 x 1-Bed terraced housing units
- 8 x 2-Bed semi-detached housing units
- 2 x 3-Bed semi-detached housing units
- 2 x 4-Bed detached houses



NOTES:
 LAYOUT OF STREETS ARE INDICATIVE. EXACT LOCATIONS AND SIZES OF SuDS FILTER DRAINS AND ROAD LEVELS MAY BE ADJUSTED TO SUIT SITE CONDITIONS AND VEHICLE TRACK LINES WHEN FULLY DESIGNED AND CHECKED BY CONSULTANT ENGINEERS. ROADS TO BE DESIGNED IN ACCORDANCE WITH ORKNEY ISLANDS COUNCIL 'ROADS DEVELOPMENT GUIDE' AND THE SCOTTISH GOVERNMENT 'DESIGNING STREETS' DOCUMENT (ISBN: 978-0-7559-8264-6).
 FINISHES, AND EDGES OF THE SuDS FILTER DRAINS ARE TO INCORPORATE NATURAL STONE EDGING AND LOW STONE WALLS AS PER GUIDANCE NOTES AND 'DESIGNING STREETS' DOCUMENT.

FINISHED FLOOR LEVELS OF HOUSES ARE INDICATIVE AND MAY BE ADJUSTED ONCE EXACT DESIGN AND LEVELS HAVE BEEN DETERMINED FOR THE ROADS DESIGN.

LANDSCAPING AND PLANTING:
 FULL DETAILS OF LANDSCAPING AND PLANTING TO BE SUBMITTED TO THE PLANNING AUTHORITY FOR APPROVAL PRIOR TO CONSTRUCTION.
 PHASING OF PLANTING AREAS ALSO TO BE NOTED AND APPROVED. SuDS FILTER DRAINS TO BE PLANTED ON COMPLETION OF ROADS AND INFRASTRUCTURE WORKS. PUBLIC OPEN SPACES AND LANDSCAPED AREAS TO BE PLANTED OUT AND GRASS TUFTED PRIOR TO HANDOVER OF ADJACENT HOUSES. APART FROM BOUNDARY FENCES AND GATES, PLANTING TO ORKNEY COLLEGE GARDEN ARE NOT PART OF THE MAIN CONTRACT AND WILL BE CARRIED OUT BY COLLEGE STAFF.

DETAILS FOR CHILDREN'S PLAY AREA TO BE SUBMITTED TO PLANNING AUTHORITY PRIOR TO CONSTRUCTION.

B Existing track left as-is, and outline of future green zone shown. "dead-end" road end reduced in length and path adjusted. Children's play area moved to open area overlooked by houses. Terraced houses location adjusted to suit. DS 5-11-13
A Path through College Garden adjusted to College requirements. Site numbers added, note added for track & access to remaining fields to north. DS 22-9-13

REVISIONS

Project
Proposed Residential Development, Watersfield Kirkwall (Phase 3)

Title
Site Plan

Project No.	400448001	Drawing No.	P02
Revision	A B	Issue	PLANNING
Printed	05/11/2013	Drawn	DS
Date	Aug 2013	Checked	
Scale	1:500@A1		

All dimensions to be checked on site before work and the manufacture of elements commences.

This drawing is not to be scaled.

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 Director of Development and Environment Services



NOTES

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 ALL DIMENSIONS, INCLUDING FIGURED DIMENSIONS, TO BE CHECKED
 ON SITE PRIOR TO COMMENCING ANY WORKS

- 9 - Gate
- Rotary clothes dryer
- Vehicle Dropped Kerb
- Paving slab perimeter and paths
- Trip fence (450mm High)
- Timber Fence (900mm High)
- Privacy Screen (1800mm High)
- Site Boundary
- Asphalt driveways

N

REVISIONS & ADDITIONS	DATE	BY
A Site area outline changed to solid line. Key colour changes and boundary notes added.	30.11.22	LTP
B Additional Parking added.	07.02.23	JN

PROJECT

**New Housing Development at
 Moar Drive Watersfield Kirkwall
 WRC Construction Ltd**

DRAWING TITLE

Site Plan as Proposed

ROBERT POTTER & PARTNERS
 CHARTERED ARCHITECTS & PROJECT MANAGERS

7 MILLER ROAD, AYR KA7 2AX 01292 - 261228
 51 NEWALL TERRACE, DUMFRIES DG1 1LN 01387 - 255500
 110 WEST GEORGE STREET, GLASGOW G2 1QJ 0141- 332 9111
 2 KINGDOM STREET, LONDON W2 6BD 020 3479 5931

SCALE	1:200@A1	6450/02
DATE	Nov. 2022	
DRAWN BY	JN	
CHECKED BY		REVISION
		B

Appendix 3

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 shall commence until the following, additional SuDS details are submitted to, and approved in writing by, the Planning Authority:

- Driveways are included in calculations as impermeable surfaces. Confirm how these would drain to the proposed lined filter drains.
- Confirm how orifice plates can be inspected and cleaned at a minimum cover to invert depth of 1.2 metres inside a 0.45 metre diameter chamber.
- A SuDS maintenance strategy, in accordance with the submitted 'Drainage Report' (November 2022).

Thereafter, the development including all surface water drainage infrastructure shall be completed wholly in accordance with the drawing 'Drainage Layout Plan' hereby approved and the submitted 'Drainage Report' (November 2022), including any approved details as specified above.

Throughout the lifetime of the development hereby approved, surface water shall be treated in accordance with the principles of Sustainable Drainage Systems (SuDS) and be compliant with the guidance set out in CIRIA's SuDS Manual 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.

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.

03. No development shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The statement shall include but not be limited to:

- The parking of vehicles of site operatives and visitors.
- Loading and unloading of plant and materials.
- Storage of plant and materials used in constructing the development.
- The erection and maintenance of security hoarding.
- Measures to control the emission of dust and dirt during construction.

- A scheme for recycling/disposing of waste resulting from construction works.
- Construction compound and site arrangement.

Details submitted shall include management of construction water runoff in accordance with the submitted 'Drainage Report' (November 2022).

Thereafter, the development shall be carried out wholly in accordance with the approved Construction Method Statement.

Reason: To protect residential amenity.

04. No development shall commence until northwest-southeast site sections, based on a fixed datum point, and through both buildings, are submitted to, and approved in writing by, the Planning Authority. Both buildings shall be excavated into the existing slope. Thereafter, the development shall be carried out wholly in accordance with approved details.

Reason: For the avoidance of doubt, and to minimise visual impact of development within the area.

05. Throughout the lifetime of the development hereby approved, the sites shall be accessed from the access points, and dropped kerbs indicated by 'VDK', in the 'Site Plan' only, and no other access shall be formed, throughout the lifetime of the development hereby approved.

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.

06. Throughout the lifetime of the development hereby approved, any external lighting used on the dwellings shall be downward facing only and shall comply with the Council's requirements that all external lighting shall minimise light pollution and shall meet the requirements specified by the Institution of Lighting Professionals for Zone E2/E3 areas (Low District/Medium 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, and Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (March 2021).

07. 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.

There shall be no burning of waste or any other materials on site at any time during the construction phase of the development.

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.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, or any order amending, revoking, or re-enacting that Order, no visual obstruction exceeding one metre in height is permitted within the visibility splays indicated in the drawings 'Visibility Splays (Sheet 1 of 2)' and 'Visibility Splays (Sheet 2 of 2)' hereby approved.

Reason: To enable drivers of vehicles using the road to have a clear view of other road users and pedestrians, in the interests of road safety.

09. No part of the development hereby approved shall be occupied or brought into use until a 1.8-metre-high screen fence has been erected along the rear, south-east boundary of the properties indicated by the yellow line and annotation 'Privacy Screen' on the 'Site Plan' hereby approved. Thereafter, the approved screen fence shall be retained in accordance with these details throughout the lifetime of the development.

Reason: In the interests of residential amenity.

10. Notwithstanding submitted details, no fencing or other boundary treatment shall be installed to the front, north-west of the houses until full details have been submitted to, and approved in writing by, the Planning Authority. Thereafter, the development shall be carried out and completed wholly in accordance with these approved details.

Reason: In the interests of visual amenity and to ensure cohesion with boundary treatments in the street.