

Item: 3

Local Review Body: 13 May 2025.

Proposed Erection of Two Houses with Air Source Heat Pumps and Integral Garages and Create Access at Plots 1 and 2, Hazelwood, Quoyloo, Sandwick (24/108/PP).

Report by Chief Executive.

1. Overview

- 1.1. Planning application 24/108/PP in respect of the proposed erection of two houses with air source heat pumps and integral garages and creation of an access at Plots 1 and 2, Hazelwood, Quoyloo, Sandwick, was granted by the Appointed Officer on 24 December 2024.
- 1.2. Under the Town and Country Planning (Scotland) Act 1997 (“the Act”) and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (“the Regulations”), where an application for planning permission for local development has been determined by the Appointed Officer in accordance with the Council’s Planning Scheme of Delegation, the applicant is entitled to seek a review of that decision by the Local Review Body.
- 1.3. The applicant’s agent has submitted a Notice of Review (see Appendix 1) requesting that the decision of the Appointed Officer, referred to at paragraph 1.1 above, be reviewed, specifically Conditions 02 and 03 imposed on the consent by the Appointed Officer. The applicant’s agent has indicated that the review can be determined without any further procedures.
- 1.4. A letter from the Chief Planner, Scottish Government, issued in July 2011, confirmed that a review by a Local Review Body should be conducted by means of a full consideration of the application afresh.
- 1.5. Section 21 of the Scheme of Administration states that the Local Review Body will undertake unaccompanied site inspections for all planning applications subject to a review, prior to the meeting to consider the review. The purpose of the site inspection, together with the procedure to be adopted, are set out in section 21.2 of the Scheme of Administration. The applicant and interested parties have been

advised that an unaccompanied site inspection to the site at Hazelwood, Quoyloo, Sandwick, is due to be undertaken on 12 May 2025 at approximately 14:40.

1.6. The review procedure is set out in section 4 below.

2. Recommendations

2.1. The Local Review Body is required to:

- i. Determine whether it has sufficient information to proceed to determination of the review, and if so whether to uphold, reverse or vary the decision of the Appointed Officer.

2.2. Should the Local Review Body determine that the decision is reversed or varied, it is required to:

- i. Determine the reasons, and, if applicable, the relevant matters in respect of potential conditions to be attached to the decision notice.

2.3. Should the Local Review Body determine that the decision is reversed or varied, it is recommended that members of the Local Review Body:

- i. Delegates powers to the Chief Executive, following consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions and informatives to attach to the Decision Notice.

2.4. Should the Local Review Body determine that it does not have sufficient information to proceed to determination of the review, it is required to:

- i. Determine what further information is required, which parties are to be requested to provide the information, and whether to obtain further information by one or more of the following methods:
 - By means of written submissions under the procedure set out in Regulation 15 of the Regulations; and/or
 - By the holding of one or more hearing under the Hearing Session Rules set out in Schedule 1 of the Regulations.

3. Planning Authority Decision

- 3.1. The Planning Handling Report, Planning Services file and the Decision Notice are attached as Appendices 2, 3 and 4 to this report.
- 3.2. On 24 December 2024, the Appointed Officer granted planning application 24/108/PP subject to conditions (see Decision Notice attached at Appendix 4). The Notice of Review relates specifically to Conditions 02 and 03, attached to the approval, as noted below.

02. No other development shall commence, except for the road widening specified in condition 03, until the access hereby approved 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 approved 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.

03. Notwithstanding the approved site plan, ref. 1663/3/P, dated March 2024, the public road (Bristol Road) across the length of the frontage of the site (from the south-east corner of Plot 1 to the north of the shared access) shall be widened to a minimum width of 5.5 metres, in accordance with the Council's details for carriageway construction, including a verge at least 1.5 metres wide provided from the edge of the widened carriageway to the boundary of the proposed development.

If these works require removal of the existing stone boundary wall, the wall shall be carefully dismantled, and prior to first use or occupation of the development, a replacement wall build along the east boundary of the site, of matching specification.

No other development shall commence until full details of road widening, verge construction, and boundary construction works have been submitted to and approved, in writing, by the Planning Authority, in conjunction with Roads Services.

Reason: In the interest of road safety, as a necessary public road upgrade associated with the scale of development, in a settlement boundary and adjacent to an allocated site.

4. Local Review Procedure

- 4.1. In response to a Notice of Review, “interested parties” are permitted to make a representation to the Local Review Body. “Interested parties” include any party who has made, and not withdrawn, a representation in connection with the application. No further representations were received.
- 4.2. The Local Review Body may uphold, reverse or vary the decision of the Appointed Officer.
- 4.3. All conditions should be in accordance with Planning Circular 4/1998 regarding the use of conditions in planning permissions. As a matter of policy, all conditions should only be imposed when they are:
 - Necessary.
 - Relevant to planning.
 - Relevant to the development to be permitted.
 - Enforceable.
 - Precise.
 - Reasonable in all other respects.
- 4.4. Paragraph 85 of Planning Circular 4/1998 indicates that, in exceptional circumstances, conditions may be imposed to restrict further development which would normally be permitted by the Provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order or the Town and Country Planning (Use Classes) (Scotland) Order 1997.
- 4.5. If the decision is varied, it is proposed that powers are delegated to the Chief Executive, following consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions and informatives.
- 4.6. If the Local Review Body decides that further procedure is required, it may decide to hold a pre-examination meeting to consider what procedures to follow in the review, or to obtain further information by one or more of the following methods:
 - By means of written submissions under the procedure set out in Regulation 15 of the Regulations; and/or.

- By the holding of one or more hearing under the Hearing Session Rules set out in Schedule 1 of the Regulations.

5. Relevant Planning Policy and Guidance

- 5.1. Section 25 of the Act as amended 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...”
- 5.2. The full text of the Orkney Local Development Plan 2017 (OLDP 2017) and other supplementary planning advice and guidance can be read on the Council website [here](#). Although the Orkney Local Development Plan 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.
- 5.3. National Planning Framework 4 was approved by Parliament on 11 January 2023 and formally adopted by Scottish Ministers on 13 February 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 National Planning Framework 4 and a provision of the Orkney Local Development Plan 2017, National Planning Framework 4 is to prevail as it was adopted later. It is important to note that National Planning Framework 4 must be read and applied as a whole, and that the intent of each of the 33 policies is set out in National Planning Framework 4 and can be used to guide decision-making.
- 5.4. It is for the Local Review Body to determine which policies are relevant to this application; however the policies listed below were referred to by the Appointed Officer in the Planning Handling Report:
 - National Planning Framework 4:
 - Policy 1 – Tackling the Climate and Nature Crises.
 - Policy 3 – Biodiversity.
 - Policy 13 – Sustainable Transport.
 - Policy 14 – Design, Quality and Place.
 - Policy 15 – Local Living and 20 Minute Neighbourhoods.
 - Policy 16 – Quality Homes.
 - Policy 17 – Rural Homes.

- Policy 18 – Infrastructure First.
- 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 5 – Housing in Settlements.
 - Policy 9 – Landscape.
 - Policy 13B – Sustainable Drainage Systems (SuDS).
 - Policy 13C – Waste Water Drainage.
 - Policy 14C – Road Network Infrastructure.
- Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).

For Further Information please contact:

Gavin Barr, Planning Advisor to the Local Review Body, extension 2530, Email: gavin.barr@orkney.gov.uk.

Implications of Report

1. **Financial:** All resources associated with supporting the review procedure, mainly in the form of staff time, are contained within existing revenue budgets.
2. **Legal:** The legal implications are set out in the body of the report.
3. **Corporate Governance:** In accordance with the Scheme of Administration, determination of Notices of Review is delegated to the Local Review Body.
4. **Human Resources:** None.
5. **Equalities:** None.
6. **Island Communities Impact:** None.
7. **Links to Council Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
 - Growing our economy.
 - Strengthening our Communities.
 - Developing our Infrastructure.
 - Transforming our Council.
8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:
 - Cost of Living.
 - Sustainable Development.
 - Local Equality.

- Improving Population Health.
9. **Environmental and Climate Risk:** None.
 10. **Risk:** None.
 11. **Procurement:** None.
 12. **Health and Safety:** None.
 13. **Property and Assets:** None.
 14. **Information Technology:** None.
 15. **Cost of Living:** None.

List of Background Papers

Orkney Local Development Plan 2017, available [here](#).

National Planning Framework 4, available [here](#).

Planning Circular 4/1998, available [here](#).

Appendices

Appendix 1 – Notice of Review (pages 1 – 13).

Appendix 2 – Planning Handling Report (pages 14 – 20).

Appendix 3 – Planning Services File (pages 21 –59).

Appendix 4 – Decision Notice (pages 60 – 69).

Pages 1 to 69 can be viewed [here](#), clicking on “Accept and Search” and inserting the planning reference”24/108/PP”.



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: planning@orkney.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100664151-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="KW15 1DN"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Stephen"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Omand"/>	Building Number:	<input type="text" value="14"/>
Telephone Number: *	<input type="text" value="01856876215"/>	Address 1 (Street): *	<input type="text" value="Victoria Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Kirkwall"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KW15 1DN"/>
Email Address: *	<input type="text" value="stephen@sjomand.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Kardale"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Brodgar Road"/>
Company/Organisation	<input type="text" value="Brian Brass Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Sandwick"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KW16 3HY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing Easting

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of 2 No House & Garage with heat pump.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached supporting statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

A4 supporting statement for Review, A3 1663/3/P Rev A Site layout, A4 original covering letter with Application, A4 letter of response to Roads Services consolation response 08-10-24,

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

24/108/PP

What date was the application submitted to the planning authority? *

09/03/2024

What date was the decision issued by the planning authority? *

24/12/2024

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Stephen Omand

Declaration Date: 09/03/2025

8th March 2025.

Planning Review Committee,
Orkney Islands Council,
Council Offices,
Kirkwall,
KW15 1NY

Dear Sirs

Planning Application Reference 24/108/PP.
Erect two houses with air source heat pumps and integral garages and create an access
At Plot 1 & 2 Hazelwood, Quoyloo, Sandwick Orkney.
For Brian Brass Ltd, Kardale, Sandwick, KW16 3HU.
Approved 24th December 2024.

Conditions 02 & 03 of the approval state.

02. No other development shall commence, except for the road widening specified in condition 03, until the access hereby approved 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 approved 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.

03. Notwithstanding the approved site plan, ref. 1663/3/P, dated March 2024, the public road (Bristol Road) across the length of the frontage of the site (from the south-east corner of Plot 1 to the north of the shared access) shall be widened to a minimum width of 5.5 metres, in accordance with the Council's details for carriageway construction, including a verge at least 1.5 metres wide provided from the edge of the widened carriageway to the boundary of the proposed development. If these works require removal of the existing stone boundary wall, the wall shall be carefully dismantled, and prior to first use or occupation of the development, a replacement wall build along the east boundary of the site, of matching specification. No other development shall commence until full details of road widening, verge construction, and boundary construction works have been submitted to and

**SERVICES
INCLUDE:**

Bank &
Building
Society
Valuations

Residential &
Commercial
Property Surveys

Single
Surveys

Energy
Performance
Certificates

SAP
Certifications

Building
Surveying
Services

Rental &
Insurance
Valuations

Residential
& Commercial
Plans

Title Deed
Plans

Overseeing
New Builds

Planning
& Building
Warrant
Applications

A list of partners is available at the above address

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approved, in writing, by the Planning Authority, in conjunction with Roads Services.

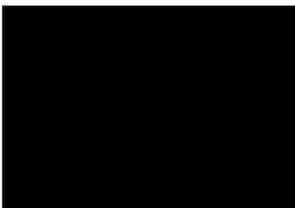
Reason: In the interest of road safety, as a necessary public road upgrade associated with the scale of development, in a settlement boundary and adjacent to an allocated site.

To reiterate the contents of the letter dated 8th October 2024, to Mrs Gillon, the Planning Officer dealing with the Application, in response to Road Services consultation response, the area of land referred to as Q-6, in the Quoyloo Settlement Area, has been sold off in three individual lots to three separate parties with absolutely no possibility that the overall area of land will ever be developed for up to eleven houses. Mr Brass acquired the land, hoping to erect two houses on it, but the parties who acquired the other two plots have confirmed they have no intentions of ever allowing houses to be erected on their land.

During initial pre-app discussions the Roads Engineer stated in an email of 24th August 2023 that “the location of the access should be acceptable, however when it comes in for planning, I am likely to ask for either a passing place, localised road widening or something along the lines of an SD-05 style access albeit the lay-by bit would be slightly longer”. The application lodged shows a passing place being formed in line with the above. Condition 03, requiring the developer to widen the road (Bristol Road), to a minimum width of 5.5 metres, over the frontage of the development with the public road, and to form a verge at least 1.5 metres wide, would appear to be, with all due respect, complete overkill, especially for two houses. With the approval of Mr Brass’s application, and the disposal of the land in three lots, in the unlikely event that the area of land identified as Q-6 would ever be developed in the future, there certainly will not be enough room left for eleven houses. The applicant is willing to form a passing place, as detailed in the application submitted, and as referred to by the Road’s Engineer in his email of 24th August 2024, but he does not wish to widen the Bristol Road for the full length of the site in preparation for a development that will never happen. In addition, given the fact the two approved sites will access from the north west corner of the development and that the majority of vehicles approaching the sites will come from the north, the full widening of the Bristol Road for some 52m does appear unnecessary.

On behalf of the Applicant we would ask that you look favourably upon his request, with the removal of Condition 03 and the amendment to Condition 02 to remove reference to Condition 03 and to include provision of a passing place, as detailed on Drawing 1663/3/P Rev A attached.

Yours faithfully,



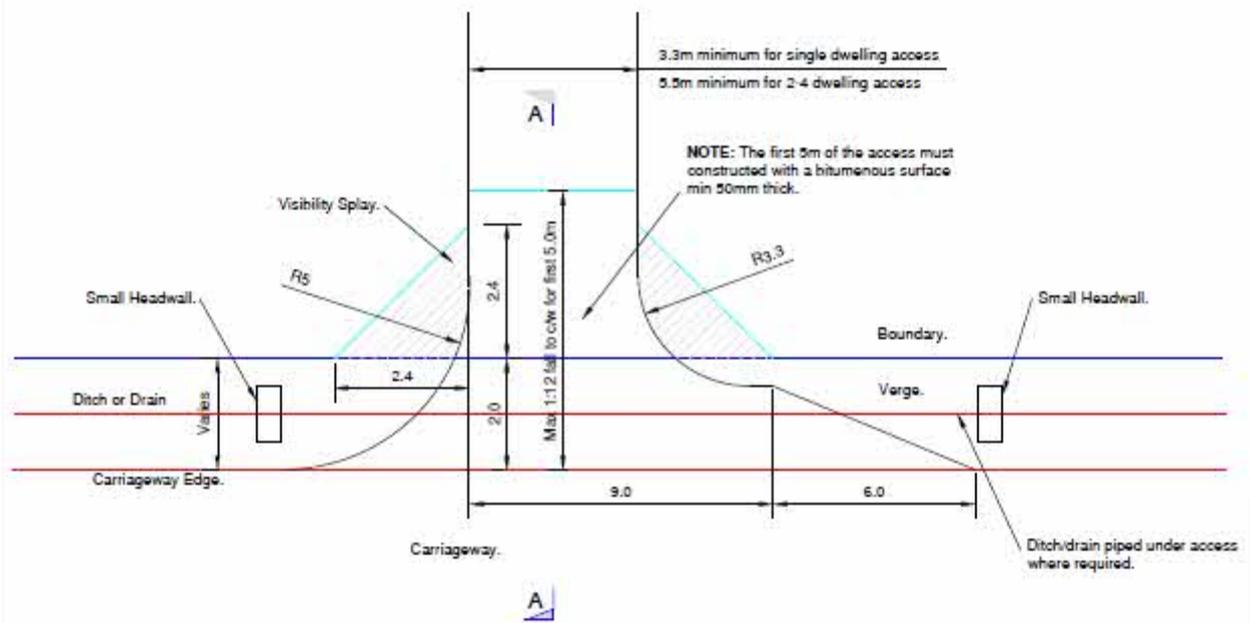
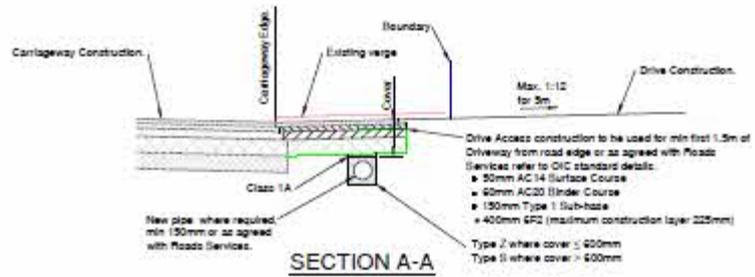
Stephen J Omand, FRICS.

Attached

Passing place suggested by Road Services on 24th August 2023 and proposed in Planning Application.

NOTES:

1. All dimensions are to be measured in meters, unless stated otherwise.
2. If obstructions within the visibility splay cannot be reduced in height to below 0.9m - walls, hedges, etc. - then 45° visibility splays of 2.4m x 2.4m are required for intervisibility between vehicles and pedestrians.
3. Driveway to property should be no steeper than 1:12, and must not be steeper than 1:12 for the first 5m from edge of carriageway.
4. Drive must be constructed in such a way to prevent any gravel or other loose material spilling onto the footway or carriageway.
5. Where new access crosses an existing ditch, or drain in the verge, pipe to be installed under access.
6. Prior to installation of pipe, confirmation of size must be obtained from the Roads Authority.
7. For drain Type 7, drain Type 8 and Small Headwall, refer to Orkney Islands Council's standard details.
8. All works carried out within the public road must be carried out by a Prescribed Contractor.

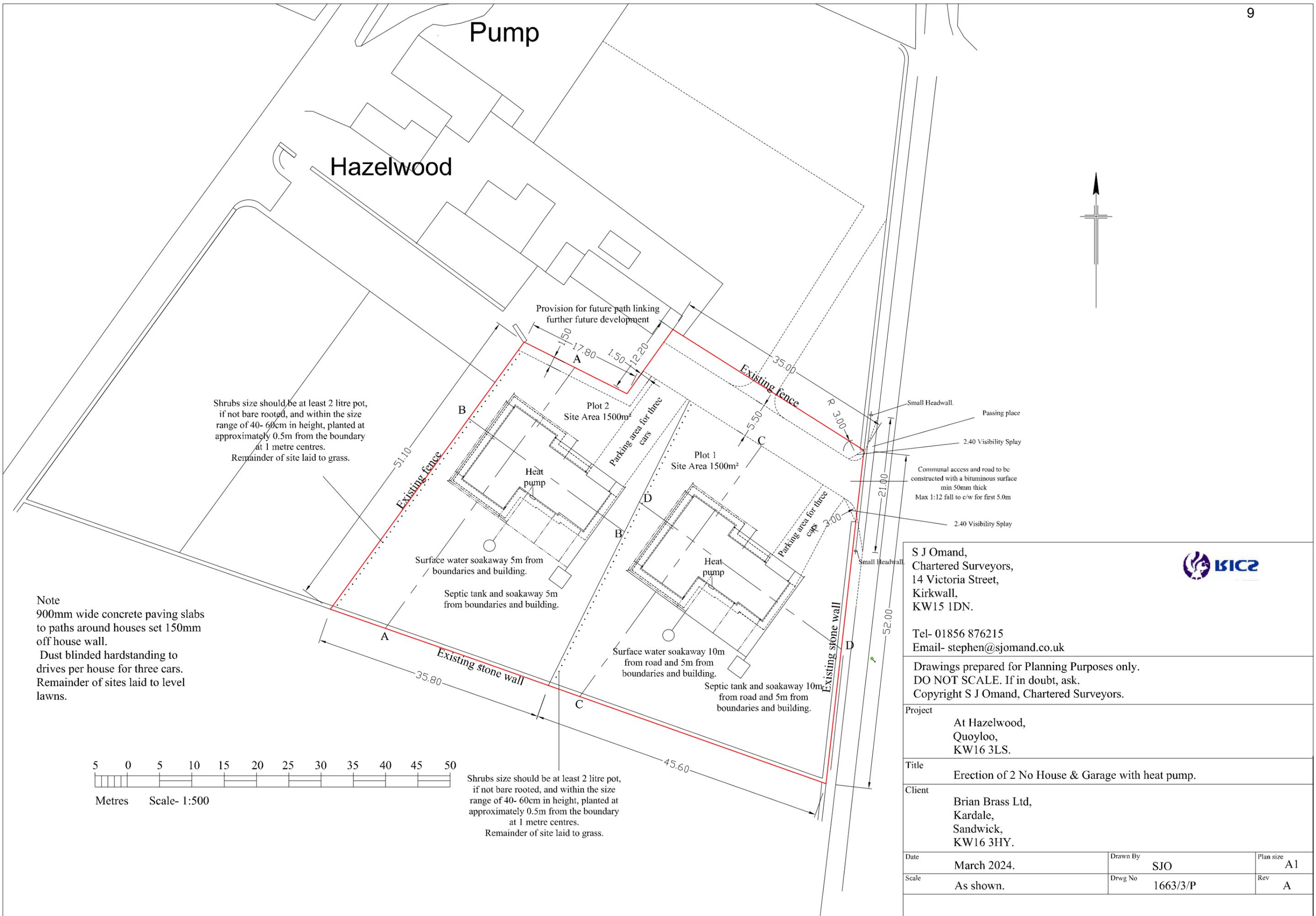


TYPICAL ACCESS OVER VERGE WITH SERVICE BAY

Rev 1 14/12/2020 DW Carriageway construction detail amended

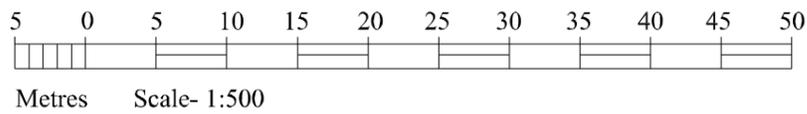
File Ref. R3.40.01 ?????	Drg. No. SD-05	ROADS SERVICES	NEIGHBOURHOOD SERVICES & INFRASTRUCTURE Council Offices, Kirkwall Orkney, KW15 1NY tel (01856) 873535 fax (01856) 876094 Corporate Director :- Hayley Green MBA (Public Service)	 ORKNEY ISLANDS COUNCIL
Revision 1				
Date May 2022	Drawn D.W.			
Scale N.T.S.	Checked K.D.R.			

Original drawing size 210mm x 297mm (A4)



Shrubs size should be at least 2 litre pot, if not bare rooted, and within the size range of 40- 60cm in height, planted at approximately 0.5m from the boundary at 1 metre centres. Remainder of site laid to grass.

Note
900mm wide concrete paving slabs to paths around houses set 150mm off house wall.
Dust blinded hardstanding to drives per house for three cars. Remainder of sites laid to level lawns.



Shrubs size should be at least 2 litre pot, if not bare rooted, and within the size range of 40- 60cm in height, planted at approximately 0.5m from the boundary at 1 metre centres. Remainder of site laid to grass.

S J Omand,
Chartered Surveyors,
14 Victoria Street,
Kirkwall,
KW15 1DN.



Tel- 01856 876215
Email- stephen@sjomand.co.uk

Drawings prepared for Planning Purposes only.
DO NOT SCALE. If in doubt, ask.
Copyright S J Omand, Chartered Surveyors.

Project	At Hazelwood, Quoyloo, KW16 3LS.		
Title	Erection of 2 No House & Garage with heat pump.		
Client	Brian Brass Ltd, Kardale, Sandwick, KW16 3HY.		
Date	March 2024.	Drawn By	SJO
Scale	As shown.	Drwg No	1663/3/P
		Plan size	A1
		Rev	A

8th March 2024.

Planning and Community Protection,
Neighbourhood Services and Infrastructure,
Orkney Islands Council,
Council Offices,
Kirkwall,
KW15 1NY

Dear Sirs,

**Proposed 2 No Sites with House, Garage & Heat Pump.
At Hazelwood, Quoyloo, KW16 3LS.
For Brian Brass Ltd, Kardale, Sandwick, KW16 3HY.**

Please find enclosed a Planning Application in respect of the above.

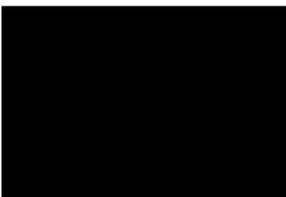
The proposed sites are part of Quoyloo Settlement Area, Housing Allocation Q6.

Early in 2023 the then owner offered the property of Hazelwood, Quoyloo for sale in three lots. The house and buildings of Hazelwood, along with a sizeable area of land to the south, Area 1, to the north east of the house, and Area 2, to the south east of the house, with all three lots selling to different parties. Only Area 2 is now available for development, with the House and Area 1 being purchased by parties who have no intentions of undertaking any development. In the case of Area 1 the purchaser acquired it as a buffer zone between his own house and any future development on Area 2.

The access to the two proposed sites will be taken off the Bristol Road, formed to comply with Roads Services requirements. Foul drainage will be to individual septic tanks and soakaways with surface drainage to SUDS within each site. Due to levels, it is not possible to take the drainage to the Daisybank system.

Should you have any queries, or wish to discuss anything, please do not hesitate to contact me.

Yours sincerely,



Stephen J Omand, FRICS.

SERVICES INCLUDE:

Bank &
Building
Society
Valuations

Residential &
Commercial
Property Surveys

Single
Surveys

Energy
Performance
Certificates

SAP
Certifications

Building
Surveying
Services

Rental &
Insurance
Valuations

Residential
& Commercial
Plans

Title Deed
Plans

Overseeing
New Builds

Planning
& Building
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Member Firm of
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National Valuation & Property Consultancy Service

8th October 2024.

Planning and Community Protection,
Neighbourhood Services and Infrastructure,
Orkney Islands Council,
Council Offices,
Kirkwall,
KW15 1NY

Dear Mrs Gillon,

**Proposed 2 No Sites with House, Garage & Heat Pump.
At Hazelwood, Quoyloo, KW16 3LS.
For Brian Brass Ltd, Kardale, Sandwick, KW16 3HY.**

In response to Roads Services consultation comments, now that the area of land referred to as Q-6, in the Quoyloo Settlement Area, has been sold off in three individual lots to three separate parties there is absolutely no possibility that the overall area of land will ever be developed for up to eleven houses. Mr Brass did acquire the land hoping to erect two houses on it but both other parties have confirmed they have no intentions of ever allowing houses to be erected on their land. During initial pre-app discussions the Roads Engineer stated in his email of 24th August 2023 that “the location of the access should be acceptable, however when it comes in for planning, I am likely to ask for either a passing place, localised road widening or something along the lines of an SD-05 style access albeit the lay-by bit would be slightly longer”. The application lodged shows a passing place being formed in line with the above. With all due respect the Roads Engineer’s recommendation that a condition should be applied that requires the developer to widen the road (Bristol Road), to a minimum width of 5.5 metres over the frontage of the development with the public road, in accordance with the council’s detail for carriageway construction, and that additionally, a verge at least 1.5 metres wide should also be provided from the edge of the widened carriageway to the boundary of the proposed development, is complete overkill, especially for two houses. Should Mr Brass’s application be approved and should the area of land identified as Q-6 ever be developed in the future, there certainly will not be enough room left for eleven houses. As the indicative layout shows there might be room for two sites in front of Fairview and two in front of Hazelwood, but in such a scenario the two in front of Hazelwood would enter off Skaill Road. The applicant is willing to form a passing place, as detailed in the application submitted, and as referred to by the Road’s Engineer in his email of 24th August 2024, but he is not prepared to widen the Bristol Road for the full length of the site in preparation for a development that will never happen.

**SERVICES
INCLUDE:**

Bank &
Building
Society
Valuations

Residential &
Commercial
Property Surveys

Single
Surveys

Energy
Performance
Certificates

SAP
Certifications

Building
Surveying
Services

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Insurance
Valuations

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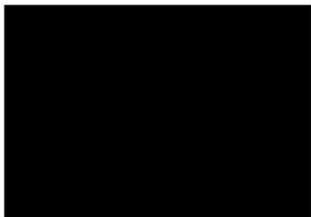
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Should you wish to discuss the matter further please do not hesitate to contact me.

12

Yours sincerely,



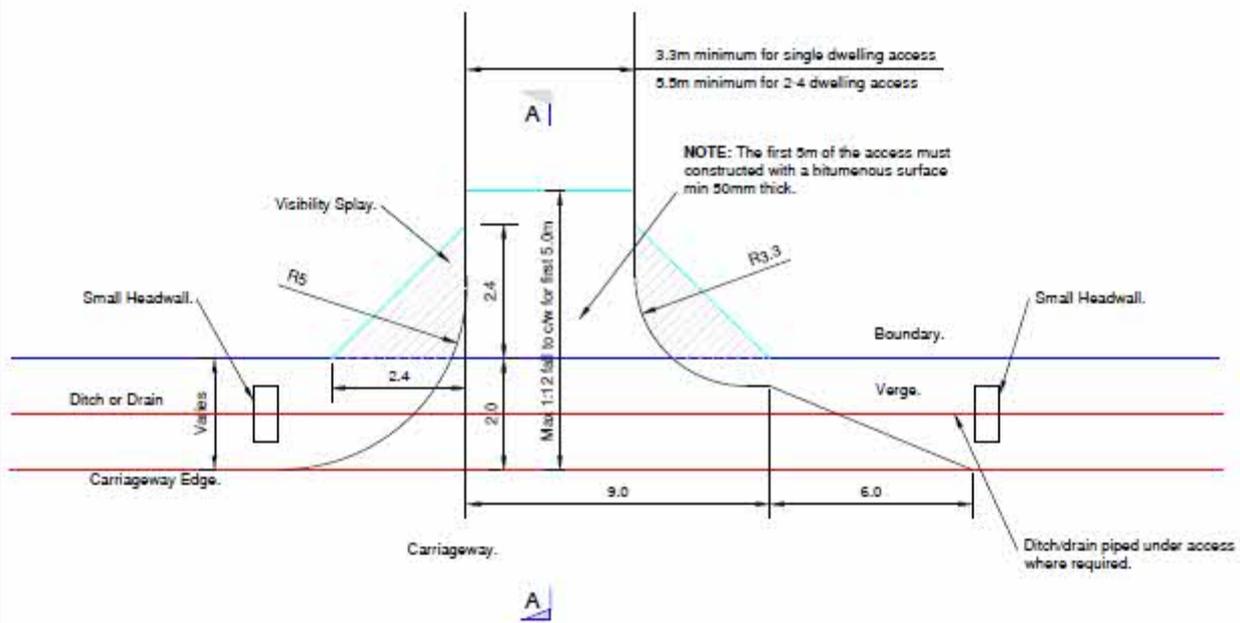
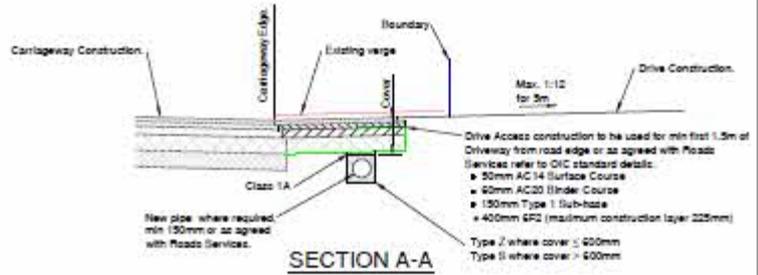
Stephen J Omand, FRICS.

Attached

Passing place suggested by Road Services on 24th August 2023 and proposed in Planning Application.

NOTES:

1. All dimensions are to be measured in meters, unless stated otherwise.
2. If obstructions within the visibility splay cannot be reduced in height to below 0.9m - walls, hedges, etc. - then 45° visibility splays of 2.4m x 2.4m are required for intervisibility between vehicles and pedestrians.
3. Driveway to property should be no steeper than 1:12, and must not be steeper than 1:12 for the first 5m from edge of carriageway.
4. Drive must be constructed in such a way to prevent any gravel or other loose material spilling onto the footway or carriageway.
5. Where new access crosses an existing ditch, or drain in the verge, pipe to be installed under access.
6. Prior to installation of pipe, confirmation of size must be obtained from the Roads Authority.
7. For drain Type Z, drain Type S and Small Headwall, refer to Orkney Islands Council's standard details.
8. All works carried out within the public road must be carried out by a Prescribed Contractor.



**TYPICAL ACCESS OVER VERGE
WITH SERVICE BAY**

Rev 1 14/12/2020 DW Carriageway construction detail amended

File Ref. R3.40.01	?????	Drg. No. SD-05	ROADS SERVICES	NEIGHBOURHOOD SERVICES & INFRASTRUCTURE Council Offices, Kirkwall Orkney, KW15 1NY tel (01856) 873535 fax (01856) 876094 Corporate Director :- Hayley Green MBA (Public Service)	 ORKNEY ISLANDS COUNCIL
Revision	1				
Date	May 2022	Drawn D.W.			
Scale	N.T.S.	Checked K.D.R.			

Original drawing size 210mm x 297mm (A4)

Planning Handling Report

Determination under delegated powers

Planning Application No.:	24/108/PP
Application address:	Plot 1 & 2 Hazelwood, Quoyloo, Sandwick Orkney
Proposal:	Erect two houses with air source heat pumps and integral garages and create an access

This proposal has been considered against relevant development plan policies and has been judged to comply. There have been no objections and any matters raised by consultees have been addressed by planning conditions. There are no other material considerations that warrant a decision other than approval. Full details of the proposal, plans and consultation replies can be viewed via the Online Planning facility on the Orkney Islands Council web site.

Reasons for approval or refusal:	<p>Proposal The proposed development for two house would be located between the B9056 and the Bristol road adjacent to the house of Hazelwood. The site lies within the settlement of Quoyloo and lies approximately a 115m from the crossroad in the centre of the settlement. The sites would be accessed of the Bristol Road which is a single wide public road which leads towards Kierfield and A967. The small grouping of 6 properties at Daisybank lies further out from the crossroads along the road. The land slope down towards the Bristol road from Hazelwood and from north to south.</p> <p>Planning policy</p> <p>National Planning Framework 4 Policy 1. Tackling the climate and nature crises Policy 3 Biodiversity Policy 13 Sustainable transport Policy 14. Design, quality and place Policy 15. Local living and 20 minute neighbourhoods Policy 16 Quality homes Policy 17. Rural homes Policy 18 Infrastructure first Policy 22. Flood risk and water management Policy 27 City, town, local and commercial centres</p> <p>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.</p> <p>Supplementary Guidance and Planning Policy Advice: Planning Policy Advice ‘Planning Policy Advice: Amenity and Minimising Obtrusive Lighting.</p>
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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. 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.

Planning History

Previous advice was given to the applicant before the application was submitted highlighting:

The site lies within the allocation Q-6 within the OLDP2017, which is identified for 11 units.

Although a development brief is not required on the site, as per Policy 5 (A,i) "The development of housing sites must be planned as a whole to ensure that the long-term development of the wider allocation and/or adjacent sites is not compromised by any piecemeal development".

In order to comply with this policy we would expect any application for the site identified within the pre-app to demonstrate how vehicle and pedestrian access could be provided through to the neighbouring parts of the allocations in order to not prejudice any future development options.

Q-6 as noted within the OLDP2017 Settlement Statement SPD is expected to provide 2 access points, one from Bristol Road and one from the B9056.

It would be interesting to hear what the Roads Authority's view on whether these two access points could function independently without the need to be internally linked for vehicles (pedestrian connectivity would still be expected). If this was acceptable, then the potential future access links required to be shown within a planning application to the other parts of the allocation could potentially be limited to just the northern area, identified as Area 1.

We would also expect any future applications to take into account the Design Guidance for the settlement area of Quoyloo as noted within the Settlement Statement SPD, which states:

"Development in Quoyloo should ensure that the settlement retains its distinctive rural character by:

- o Having plot layouts and scales consistent with neighbouring properties.
- o Avoiding urban and suburban types of development.
- o Repairing and retaining historic and landscape features such as stone boundary dykes.
- o Providing pedestrian access to local footpaths, public transport and services."

Housing Policy

Under Policy 5A of the Orkney Local Development Plan 2017 (OLDP 2017) there is provision for the erection of new dwellings within settlement boundaries, either on allocated sites or on other sites (infill and sub-divided garden ground) provided that the development would also meet other policies of the plan and any other material planning considerations, including relevant Supplementary Guidance. The proposed development would be located within an allocated housing site Q-6, and, in principle, the development of the site would comply with OLDP 2017 Policy 5A and NPF4 Policy 17

An indicative layout of the site has been provided by the applicant to show how the site could be developed to provide 6 house sites, the principle of the indicative layout works for the area.

Nonetheless it should be noted that the area identified as Q6 in the OLDP2017 has been sold off in three separate lots, therefore the applicant cannot be sur that the area will develop in this manner. The applicant agent has however advised that he under that the other land is not intended to come forward for development.

Landscape, Character of the Area and Visual Amenity

The allocated housing sites at Quoyloo the proposed dwellings would be sited close to and viewed with other built development within the area. It is considered that the proposed development would be unlikely to have a significant affect upon the character of the area, upon visual amenity or upon the wider landscape. The

site has stone dykes to the east boundary and the south boundary, stone dykes are an important characteristic of the area.

Historic Environment

The sites are located within the wider landscape area of the Heart of Neolithic Orkney World Heritage Site (WHS); however, it is not located on a sensitive ridgeline. It is considered that this two-house development would be unlikely to have a significant impact upon the within the inner sensitive zones of the WHS given its setting within the village boundary and being seen in context with other buildings thereby integrity into the wider landscape of the WHS.

Design and Appearance

The dwellings proposed are of a modern design on a 'T' shaped floor plan with a single storey and 1 1/2 storey element to the design.

The material for the houses are:

Black - mini stonewald tiles

Cream/white -render

Black -rainwater goods

Anthracite -Doors and windows

The design and materials are acceptable given the context of a number of modern houses existing within the village.

A single access is proposed to serve the houses the exiting house of Hazelwood The boundary treatment proposed for the sites are post and wire fencing to the west and north and the retention of existing drystone walling to the eastern and southern boundary, which is acceptable in the context of the site.

Residential Amenity

The proposed dwellings are at an adequate separation distance from the second house within this application or other houses within the immediate area. Due to the separation distances, it is considered unlikely that the proposed development would have a significant impact upon the residential amenity of third party dwellings by overshadowing, overlooking or have a detrimental impact upon privacy.

The site is of sufficient size to provide adequate parking provision and amenity space for the occupants of the dwelling.

Consent was granted for two turbines at the property known as Quoyhalen the owner of the land where the turbines were consent has confirmed in writing that the turbines were not on site when he bought the property in 2019 and that he had no intention to replace them. 08/483/PPF. A condition on this consent requires that the turbines are removed if they do not produce energy for one year, given the turbines have not been on site for well over one year there is no scope to reestablish the turbines on site under the 08/483/PPF consent, therefore there is no noise implication from the turbines.

Biodiversity

The proposed biodiversity enhancement measures have been fully assessed by the Council's Environmental Planner. The proposed biodiversity measures are proportionate to the nature and scale of the development and requires that a condition is attached to any approval to ensure that the proposed biodiversity measures are implemented in full and in accordance with the requirements of NPF4 Policy 3.

Roads

A single access to the sites is proposes incorporating passing place this is off Bristol Road a single width public road. The frontage of the site with Bristol Road extends to 52m which is 1115m from the edge of the site to the crossroad.

Roads Services advise that:

As noted in the letter from the agent this development proposal is for part of a larger development area, irrespective of the various owners of the three areas sold off or their current intentions for their respective areas of land the whole development area must be considered.

Therefore, a condition should be applied that require the developer to widen the public road (Bristol Road), to a minimum width of 5.5 metres over the frontage of the development with the public road, in accordance with the council's detail for carriageway construction. Additionally, a verge at least 1.5 metres wide should also

be provided from the edge of the widened carriageway to the boundary of the proposed development.

Pre application advice was provided previously which states: Roads Services were consulted due to the potential road/access issue and a response has been received, which states that in terms of access requirements, potentially a single access point for the proposed two dwellings in Area 2 could be acceptable and that it could also potentially be acceptable “for there to be a further access not the Bristol Road to access ‘Area 1’ as well as an access to the remaining area of the site onto the B9056”, but they also state that “However, there is the matter of considering the larger development area and the associated works that would be required. Irrespective of how the individual areas within the greater development area are sold off and developed there is still the need to consider the need for localised road widening, new footways, pedestrian connectivity between the B9056 and Bristol Road, streetlighting and both foul and surface water drainage for the greater site area at the earliest opportunity.

The applicant’s agent has advised: As the indicative layout shows there might be room for two sites in front of Fairview and two in front of Hazelwood, but in such a scenario the two in front of Hazelwood would enter off Skail Road. The applicant is willing to form a passing place, as detailed in the application submitted, and as referred to by the Road’s Engineer in his email of 24th August 2024, but he is not prepared to widen the Bristol Road for the full length of the site in preparation for a development that will never happen

Policy 14: Transport, Travel and Road Network Infrastructure confirms that, “Any developments within settlements will be required to provide safe and convenient opportunities for walking and cycling, for both active travel and recreation, in order to encourage options for healthy living and positive aging”. Policy 14B: Sustainable Travel and 14C: Road Network Infrastructure, are particularly relevant in this case. Paragraph ii of Policy 14B: Sustainable Travel states: “ii. Within settlements, all development must demonstrate how it will access and facilitate sustainable travel to minimise the need for independent car journeys. This requirement will be proportionate to the nature of the proposal and the size of the settlement; and may require sustainable travel infrastructure improvements within or outwith site.

Policy 14C: Road Network Infrastructure lists five requirements that the proposed development must demonstrate; criterion i. is particularly relevant to this application and confirms that development should demonstrate that:
“i. It is well connected to the existing network of roads, paths and cycleways and will not create a barrier to future development.”
A key aim of the policy is to facilitate sustainable travel and improve the network of footways (and cycleways), Under the ‘Sustainable transport’ heading, NPF4 sets out the policy intent, which is: “To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.”

Policy 18 – Infrastructure first of NPF4 highlights the importance of infrastructure for planned area with LDP , the requirement for road widening and provision of a verge by Roads Services is important to ensuring the existing and future potential for development of this settlement.

The sustainability, infrastructure first and travel policies in both the Local Development Plan and NPF4 are clear, with an aim to provide appropriate connection from development to existing footpaths to local facilities, and to facilitate walking etc.

Policy 1: Criteria for All Development of the Local Development Plan is an overarching policy, setting out key guiding principles that are relevant in the assessment of all planning applications.
Paragraph vi. states that development will be supported where: “It does not result in an unacceptable level of risk to public health and safety”. Roads safety is a consideration

The applicant’s agent provided a letter to advises that: As the indicative layout shows there might be room for two sites in front of Fairview and two in front of Hazelwood, but in such a scenario the two in front of Hazelwood would enter off

	<p>Skaill Road. The applicant is willing to form a passing place, as detailed in the application submitted, and as referred to by the Road's Engineer in his email of 24th August 2024, but he is not prepared to widen the Bristol Road for the full length of the site in preparation for a development that will never happen</p> <p>Appraisal NPF4 Policy 17(b) calls for rural housing proposals to consider local living, local housing needs, economic considerations and transport needs. Policy 15 expects development to contribute to local living including, where relevant, 20 minute neighbourhoods. Quoyloo contains a shop, garage, post office there is a bus limited bus service, within the wider community there is a brewery, cafés, visitors centers etc. Therefore, the proposal would be supported provided the public road is widened and verge provided to improve the road safe including for walk, cycling access to public transport to meet the policies of NPF4 and the OLDP 2017</p> <p>The development complies with relevant policy provisions of National Planning Framework 4 and the Orkney Local Development Plan 2017 and applicable supplementary guidance. There are no material considerations which would warrant refusal of the application as it is assessed that a condition can be used to require the required road widening and verge. The development accords with Policies 1, 3, 13, 14, 15, 16, 17,18, 22. and 27 of National Planning Framework and policies 1, 2, 5, 9, 13 and 14 of the Orkney Local Development Plan 2017.</p>
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Delegated decision:

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

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 access hereby approved with the public road shall be 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. The access shall be constructed and completed wholly in accordance with these details prior to any other works commencing on of the development hereby approved, and thereafter 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

03. Notwithstanding the approved site plan, ref. 1663/3/P, dated March 2024, the developer shall prior to any work commencing on the site hereby approved, widened to a minimum width of 5.5m the public road (Bristol Road) over the frontage of development site, in accordance with the council's details for carriage way construction. Additionally, a verge at least 1.5 metres wide should also be provided from the edge of the widened carriageway to the boundary of the proposed development. All details of works including boundary treatment shall be submitted to, and agreed in writing by, the Planning Authority in conjunction with the Roads Authority.

Reason: In the interest of road safety

04. Total noise from the Air Source Heat Pump 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 outwith the development open no more than 50 mm).

Reason: to protect any nearby residents from excessive noise disturbance from the air source heat pump.

05. That the biodiversity measures identified on the 1:500 Site plan drawing (reference 1663/3/P, dated March 2023) and described in the submitted Biodiversity form (dated 8 March 2024), are implemented in full no later than the first planting season following commencement of development.

Thereafter the biodiversity measures shall be permanently retained in accordance with the approved details, including replacement of any planting that does not survive, is removed, or is damaged, unless otherwise agreed in writing with the planning authority.

Reason: To ensure biodiversity measure is implemented as required by National Planning Framework 4 policy 3

06. Throughout the lifetime of the development hereby approved, 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. 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, NPF4, and to protect road safety.

07. Any exterior lighting employed shall be so positioned, angled and controlled to prevent any direct illumination, glare or light spillage outwith the site boundary. The use of automatic cut-out or sensor operated external lighting of limited timed illumination is advocated.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

08. Hours of work during all phases of the development hereby approved including the demolition of the existing structure, site clearance and construction phases, involving vehicle movements and / or 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 08:00 to 18:00 on 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 in advance, with the Planning Authority.

Throughout the construction phase of the development there shall be no burning of waste material on site.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

ADDITIONAL NOTES:

01. It is an offence under Section 56 of the Roads (Scotland) Act 1984 to carry out any excavations within the boundary of the public road without written permission of the roads authority. Therefore, one or more separate consents will be required from the Council's Roads Services to carry out any works within the road boundary, prior to any works commencing. These consents may require additional work and/or introduce additional specifications. You are therefore advised to contact Roads Services for further advice as early as possible.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to the development being brought into use, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

It is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain beyond the working day, on a public road from any vehicle or development site.

02. This application was subject to consultations with agencies and other interested parties. It would be helpful for you to look at the full terms of their response(s) as they include advice and contact details that are relevant to you. You can access these details by following the Online Planning link on the Council's website and then entering either the application address or the planning application number.

Ms Margaret Gillon
Senior Planner
Date: 14th November 2024



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: planning@orkney.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100664151-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of 2 No House & Garage with heat pump.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? Yes No
(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="KW15 1DN"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Stephen"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Omand"/>	Building Number:	<input type="text" value="14"/>
Telephone Number: *	<input type="text" value="01856876215"/>	Address 1 (Street): *	<input type="text" value="Victoria Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Kirkwall"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KW15 1DN"/>
Email Address: *	<input type="text" value="stephen@sjomand.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Kardale"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Brodgar Road"/>
Company/Organisation	<input type="text" value="Brian Brass Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Sandwick"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KW16 3HY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Orkney Islands Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Plot 1 & 2, Hazelwood, Quoyloo, Sandwick.

Northing

1021025

Easting

324245

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Pre-app.

Title:

Mrs

Other title:

First Name:

Sue

Last Name:

Doyle

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agricultural land.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

New/Altered septic tank.

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

Discharge to land via soakaway.

Discharge to watercourse(s) (including partial soakaway).

Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Septic tank and soakaway.

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

In accordance with Building Regulations.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *	2
Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.	
All Types of Non Housing Development – Proposed New Floorspace	
Does your proposal alter or create non-residential floorspace? *	≤ Yes <input checked="" type="checkbox"/> No
Schedule 3 Development	
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *	≤ Yes <input checked="" type="checkbox"/> No ≤ Don't Know
If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.	
If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.	
Planning Service Employee/Elected Member Interest	
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *	≤ Yes <input checked="" type="checkbox"/> No
Certificates and Notices	
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013	
One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.	
Are you/the applicant the sole owner of ALL the land? *	≤ Yes <input checked="" type="checkbox"/> No
Is any of the land part of an agricultural holding? *	≤ Yes <input checked="" type="checkbox"/> No
Are you able to identify and give appropriate notice to ALL the other owners? *	<input checked="" type="checkbox"/> Yes ≤ No
Certificate Required	
The following Land Ownership Certificate is required to complete this section of the proposal:	
Certificate B	

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mrs Patricia B Linklater

Address:

Kloveli, Houton, Orphir, KW17 2RE

Date of Service of Notice: *

09/03/2024

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Stephen Omand

On behalf of: Brian Brass Ltd

Date: 09/03/2024

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	≤ Yes T N/A
A Design Statement or Design and Access Statement. *	≤ Yes T N/A
A Flood Risk Assessment. *	≤ Yes T N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	≤ Yes T N/A
Drainage/SUDS layout. *	≤ Yes T N/A
A Transport Assessment or Travel Plan	≤ Yes T N/A
Contaminated Land Assessment. *	≤ Yes T N/A
Habitat Survey. *	≤ Yes T N/A
A Processing Agreement. *	≤ Yes T N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Stephen Omand

Declaration Date: 09/03/2024

Payment Details

Cheque: AAAAAAAAAAAAAA, 000000

Created: 09/03/2024 14:27



North East Boundary



North West Boundary



East Boundary including public road



South Boundary

Aquarea High Performance Bi-bloc J Generation 1 Phase • R32

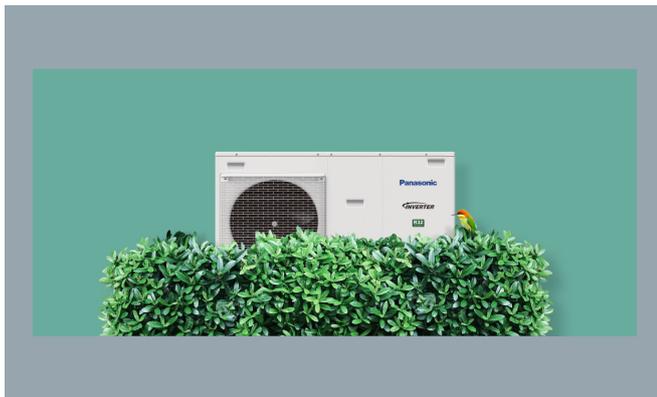
Aquarea, an innovative new low-energy system based on Air to Water heat pump technology

Aquarea warms your home effectively and efficiently, even with extreme outdoor temperatures. Aquarea can also cool space in summer and bring hot water all year round.

Aquarea High Performance is the range for new installations and low consumption homes. Outstanding efficiency and energy savings with minimised CO2 emissions and minimum space.

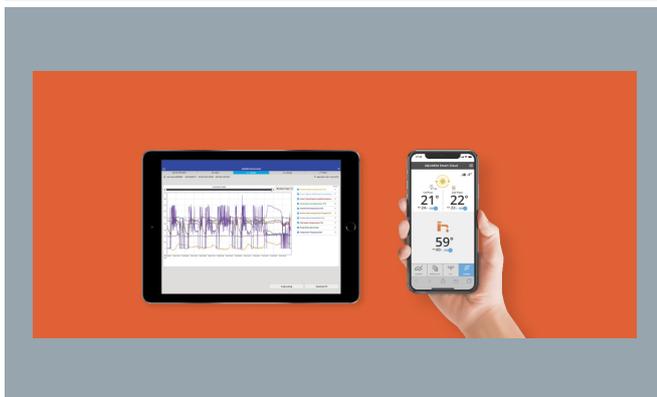
The Bi-bloc system: The system, separate indoor and outdoor units, connects to the heating and/or hot water system.

- High efficient R32 refrigerant
- A+++ energy Class (average climate at 35°C water outlet)
- Maximum hydraulic module output temperature: 60°C
- Special software for low consumption homes with minimum output temperature: 20°C
- Works at temperatures as low as -20°C
- Cloud control and service with CZ-TAW1
- Easy-to-use remote controller
- Domestic hot water with external tank
- Easy installation and maintenance
- Built-in magnet water filter and flow meter, and automatic air purge valve



Aquarea with R32 Refrigerant. A small change that changes everything.

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Aquarea Service Cloud. Control for today and for the future

[FOR END USER](#)

[FOR INSTALLERS / MAINTENANCE](#)

Aqueara High Performance Bi-bloc J Generation 1 Phase • R32		SINGLE PHASE (Power to indoor)
Kit		KIT-WC07J3E5
Heating capacity (A +7°C, W 35°C)	kW	7,00
COP (A +7°C, W 35°C)		4,76
Heating capacity (A +7°C, W 55°C)	kW	7,00
COP (A +7°C, W 55°C)		2,82
Heating capacity (A +2°C, W 35°C)	kW	6,85
COP (A +2°C, W 35°C)		3,41
Heating capacity (A +2°C, W 55°C)	kW	6,20
COP (A +2°C, W 55°C)		2,21
Heating capacity (A -7°C, W 35°C)	kW	5,60
COP (A -7°C, W 35°C)		2,87
Heating capacity (A -7°C, W 55°C)	kW	5,25
COP (A -7°C, W 55°C)		1,94
Cooling capacity (A 35°C, W 7°C)	kW	6,70
EER (A 35°C, W 7°C)		3,03
Cooling capacity (A 35°C, W 18°C)	kW	6,70
EER (A 35°C, W 18°C)		4,72
Heating average climate. Seasonal energy efficiency (W 35°C / W 55°C)	ηs %	193 / 130
Heating average climate. Seasonal energy efficiency (W 35°C / W 55°C)	SCOP	4,90 / 3,32
Heating average climate. Energy class (W 35°C / W 55°C) (1)	A+++ to D	A+++ / A++
Heating warm climate. Seasonal energy efficiency (W 35°C / W 55°C)	ηs %	227 / 160
Heating warm climate. Seasonal energy efficiency (W 35°C / W 55°C)	SCOP	5,75 / 4,07
Heating warm climate. Energy class (W 35°C / W 55°C) (1)	A+++ to D	A+++ / A+++
Heating cold climate. Seasonal energy efficiency (W 35°C / W 55°C)	ηs %	164 / 116
Heating cold climate. Seasonal energy efficiency (W 35°C / W 55°C)	SCOP	4,18 / 2,98
Heating cold climate. Energy class (W 35°C / W 55°C) (1)	A+++ to D	A++ / A+
Indoor unit		WH-SDC0709J3E5
Indoor sound pressure (Heat)	dB(A)	30
Indoor sound pressure (Cool)	dB(A)	30
Indoor dimension (Height)	mm	892
Indoor dimension (Width)	mm	500
Indoor dimension (Depth)	mm	340
Indoor net weight	kg	42
Water pipe connector	Inch	R 1¼
A class pump (Number of speeds)		Variable Speed
A class pump (Input power Min)	W	34
A class pump (Input power Max)	W	114
Heating water flow (ΔT=5 K, 35°C)	L/min	20,10
Capacity of integrated electric heater	kW	3,00
Indoor recommended fuse	A	15 / 30
Recommended cable size, supply 1	mm²	3 x 2,5
Recommended cable size, supply 2	mm²	3 x 1,5
Outdoor unit		WH-UD07JE5
Outdoor sound power part load (Heat) (3)	dB(A)	59
Outdoor sound power full load (Heat)	dB(A)	68
Outdoor sound power full load (Cool)	dB(A)	67
Outdoor dimension (Height)	mm	795
Outdoor dimension (Width)	mm	875
Outdoor dimension (Depth)	mm	320
Outdoor net weight	kg	61
Refrigerant (R32) / CO2 Eq.	kg / T	1,27 / 0,857
Pipe diameter (Liquid)	Inch (mm)	1/4 (6,35)
Pipe diameter (Gas)	Inch (mm)	5/8 (15,88)
Pipe length range	m	3 ~ 50
Elevation difference (in/out)	m	30
Pipe length for additional gas	m	10
Additional gas amount	g/m	25
Operation range (Outdoor ambient)	°C	-20 ~ +35
Water outlet (Heat)	°C	20 ~ 60
Water outlet (Cool)	°C	5 ~ 20

(1) Sound power in accordance to 8112013,81312013 and EN12102-1:2017 at +7°C.
EER and COP calculation is based in accordance to EN14511.

Complementary products



PAW-A2W-RTWIRED



PAW-A2W-RTWIRELESS



CZ-NS4P



CZ-TAW1



PAW-TD20C1E5

8th March 2024.

Planning and Community Protection,
Neighbourhood Services and Infrastructure,
Orkney Islands Council,
Council Offices,
Kirkwall,
KW15 1NY

Dear Sirs,

**Proposed 2 No Sites with House, Garage & Heat Pump.
At Hazelwood, Quoyloo, KW16 3LS.
For Brian Brass Ltd, Kardale, Sandwick, KW16 3HY.**

Please find enclosed a Planning Application in respect of the above.

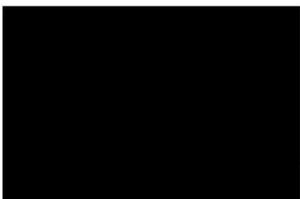
The proposed sites are part of Quoyloo Settlement Area, Housing Allocation Q6.

Early in 2023 the then owner offered the property of Hazelwood, Quoyloo for sale in three lots. The house and buildings of Hazelwood, along with a sizeable area of land to the south, Area 1, to the north east of the house, and Area 2, to the south east of the house, with all three lots selling to different parties. Only Area 2 is now available for development, with the House and Area 1 being purchased by parties who have no intentions of undertaking any development. In the case of Area 1 the purchaser acquired it as a buffer zone between his own house and any future development on Area 2.

The access to the two proposed sites will be taken off the Bristol Road, formed to comply with Roads Services requirements. Foul drainage will be to individual septic tanks and soakaways with surface drainage to SUDS within each site. Due to levels, it is not possible to take the drainage to the Daisybank system.

Should you have any queries, or wish to discuss anything, please do not hesitate to contact me.

Yours sincerely,



Stephen J Omand, FRICS.

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National Valuation & Property Consultancy Service

ORKNEY ISLANDS COUNCIL BIODIVERSITY FORM FOR PLANNING APPLICATIONS TO BE COMPLETED AND SUBMITTED WITH PLANNING APPLICATIONS	
Planning reference or address of development:	New Application Plots 1 & 2 Hazelwood, Quoyloo, Sandwick.
Date of form completion:	8 th March 2024.
Person/company completing form:	Stephen J Omand, FRICS Agent.
Baseline - what's there	
<p>– Please provide photographs to give an overview of the habitats and features present on site, and, referring to the photographs, describe below the dominant habitat type and most recent land use. If the land use has recently changed please also describe the previous known land use. List any species of note that use the site. (Example level of information: grass, grazed field, brown hare and curlew; coastal heath, rough grazing for sheep, Arctic skua; heather moorland, unmanaged, short eared owl; livestock fodder crops, agricultural field, geese; unmanaged meadow, previously livestock grazing field until farm changed hands last year, unknown; urban brownfield site previously with flats on it (demolished 5 years ago) within existing settlement, none as it's a concrete slab; etc).</p> <p>– Please provide a site layout plan that shows the location of existing broad habitat types and biodiversity features such as wetter/drier areas, ditches, watercourses, trees and shrubs, stone walls, ditches, invasive plant species, etc, both within and adjoining the proposed development site. The biodiversity features should be marked on a site layout plan that shows all elements of the proposed development, including infrastructure such as roads, paths, services, drainage, electricity lines, etc. (This is to enable assessment of how the existing biodiversity features might be affected by the construction and use of the proposed development. It can also be helpful to include photographs of the biodiversity features and their context within the site.)</p>	
<p>Curlew, oystercatcher, lapwing, starling, skylark, wren, house sparrow, blackbird, goldfinch, hen harrier, various seagulls, migratory thrush and wading bird species forage in the fields and along the field boundaries. Brown hare and rabbit are also present. Laid to grass only. Drystone wall to south and east boundaries with agriculture type fencing to other boundaries.</p>	

Minimising effects on existing biodiversity (conserving and restoring)

- Referring to the plan provided above, please describe below how you have minimised adverse effects on existing biodiversity through siting, design and layout that retains existing habitats and features of biodiversity value, and where this has not been possible, please explain why.
- Where relevant, please also describe how degraded existing biodiversity features are going to be restored. (Restoration will not be applicable to all sites.)

The sites sit in an agricultural field that has been consistently worked over the years. The existing open stone dykes to the south and east boundaries will be retained and maintained.

Enhancement of biodiversity

- Please list below what enhancement measures you intend to include and explain what they are seeking to achieve. Please include common and latin names of plant species and where the plants or seeds will be sourced from. (This is to check that species appropriate to the site and Orkney conditions are used.)
- Please provide a site layout plan that shows the location of enhancement measures. The enhancement measures should be marked on a site layout plan that shows all elements of the proposed development, including infrastructure such as roads, paths, services, drainage, electricity lines, etc. (This is to enable assessment of how the construction and use of the proposed development might interact with the proposed enhancement measures.)

Hardy Fuchsia magellanica hedging to west boundary of each site.
Stone walls to be retained and maintained.

Monitoring and maintenance of biodiversity retained and enhanced

- Please describe below how will the retained and enhanced biodiversity features and measures be monitored and maintained in the longer term to ensure they continue to benefit biodiversity, and who will be responsible for monitoring and maintenance. (Where detailed information on monitoring and maintenance will be provided in a landscaping or other site management plan to be submitted with the planning application, please provide the document title, author and date, and summarise the information below.)

To be regularly maintained by owners.

Advice

- If you have sought or received advice about what is present on or makes use of the proposed development site and / or how to safeguard, restore and enhance biodiversity, please list below who has given you advice. (For example, an ecological consultant, others with relevant local knowledge, etc.)
- Where advice has been received, please summarise it below and provide a copy if advice was given in writing.

General advice from Biodiversity Officer.

- Please describe how have you incorporated any advice you received into the proposed development, and if not, please explain why not.





NEIGHBOURHOOD SERVICES AND INFRASTRUCTURE

Corporate Director: Hayley Green, MBA (Public Service)
Council Offices, Kirkwall, Orkney, KW15 1NY

Tel: 01856 873535 Website: www.orkney.gov.uk
Email: planning@orkney.gov.uk



ORKNEY
ISLANDS COUNCIL

3rd April 2024

Brian Brass Ltd
c/o Stephen Ormand
14 Victoria Street
Kirkwall
United Kingdom
KW15 1DN

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013 INVALID APPLICATION

Dear Sir/Madam

Ref No: 24/108/PP
Type: Planning Permission
Location: Plot 1 & 2, Hazelwood, Quoyloo, Sandwick.
Proposal: Erect two houses with air source heat pumps and integral garages and create an access

Invalid application

Your recent application has been assessed on 3rd April 2024 and we are writing to confirm that your submission is not sufficient to legally validate the application.

An invalid application is one where the form and/or the content of information submitted has not met the requirements of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

An application must be accompanied by all relevant plans and drawings as are considered necessary by the planning authority to describe the development to which the application relates (Regulation 9(3)) and other matters, including the correct forms, certificates and appropriate fee.

In this case, the application was assessed as invalid in the following matters:

01. **Site Plan**
Full details of proposed soft and hard landscaping, including communal access, individual accesses, paths, patios, and the remainder of garden ground
[Note the requirement for any communal access within a settlement boundary to have a bituminous surface]
02. **Local Development Plan Allocation**
The site is located within short term housing allocation Q-7, at 0.9 hectares and allocated with capacity for 11 houses. The application site is approximately 39% of the area of the allocation, for 2 houses. Notwithstanding the assertion in supporting documentation that the other parts of the housing allocation will not be developed, provide a plan to at least show how the current proposed application would not prejudice future development of the entirety of the site.

Please note that the application cannot be made valid until all the above listed information is provided in accordance with statutory requirements.

To avoid further delay, all required information should be submitted as soon as possible. If the information is not submitted **within 28 days** of this correspondence, the application and all associated documents (and fee) will be returned to you and the application will not be processed.

Should you have any queries about the information required above please contact Development Management by email at planning@orkney.gov.uk or by telephone at the below number, using the extension provided.

Validation checks and issuing any requests for further information are carried out by different staff on different days. As such, there is no requirement to contact any particular member of staff in response to this invalid letter, and any queries can be answered by a technician on any given day.

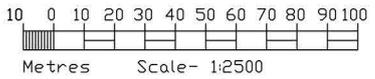
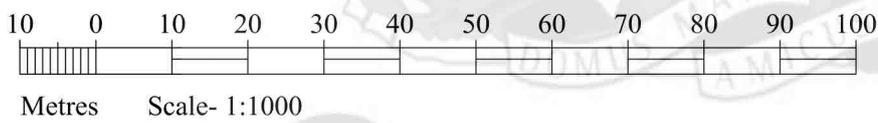
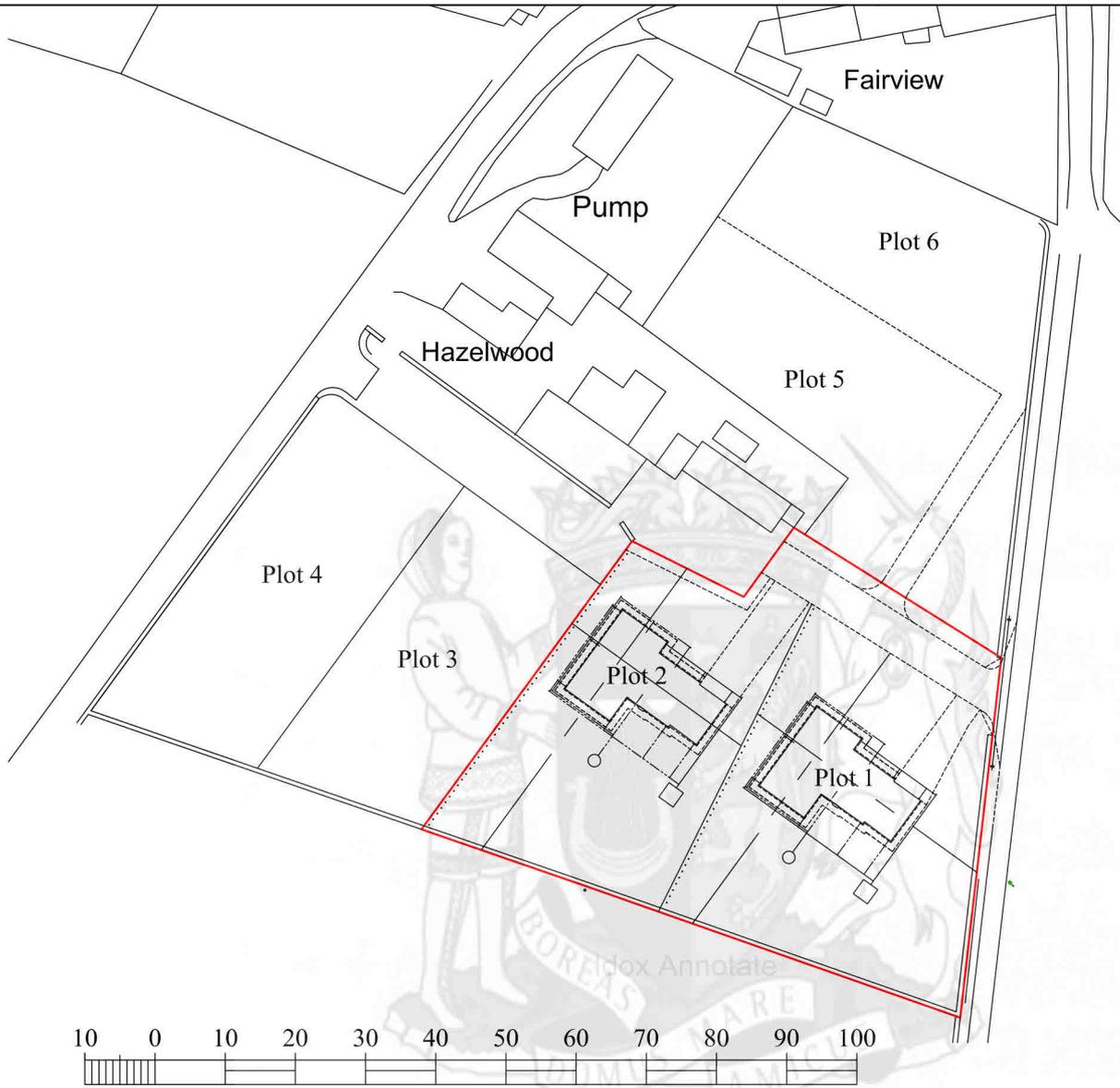
Should you contact Development Management, simply confirm the application reference and that your contact is in relation to an invalid application.

Yours faithfully

Development Management,
Neighbourhood Services and Infrastructure,
Council Offices, School Place, Kirkwall, Orkney, KW15 1NY

Tel: 01856 873535 ext. 2504

Email: planning@orkney.gov.uk



Erection of 2 No House & Garage with heat pump.
Indicative Future Layout.
At Hazelwood, Quoyloo, KW16 3LS.
Dwg No 1663/5/P.
Plan Size A4.

OS Licence No- ES100003740

Neighbour Notification List

From the 3rd August 2009 the responsibility for Neighbour Notification transferred from the applicant to Orkney Islands Council. The Council will send out Notices to those having an interest in land coterminous with or within 20 metres of the boundary of the land for which development is proposed. Where there are no premises on this land and where the Council is unable to identify a relevant address to which notification can be sent, it will advertise this in the local press.

Below is a list of the properties notified for this application.

Application Number 24/108/PP

- Hazelwood, Sandwick, Orkney Islands, KW16 3LS

Number of neighbours notified: 1

Consultee ListApplication Number 24/108/PP

- Roads Services
- Scottish Water
- Development & Marine Planning - Policy
- Development & Marine Planning - Environment
- Environmental Health

INTERNAL MEMORANDUM TO: Development & Marine Planning - Environment

Date of Consultation	7th May 2024
Response required by	28th May 2024
Planning Authority Reference	24/108/PP
Nature of Proposal (Description)	Erect two houses with air source heat pumps and integral garages and create an access
Site	Plot 1 & 2 Hazelwood, Quoyloo, Sandwick Orkney
Proposal Location Easting	324245
Proposal Location Northing	1021026
Area of application site (Metres)	3465
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/108/PP
PA Office	Development Management
Case Officer	Ms Margaret Gillon
Case Officer Phone number	(018560 873535 Ex2505
Case Officer email address	margaret.gillon@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Advice provided by: Nina Caudrey,
Environmental Planner **Date of assessment:** 8 May 2024

Is the advice final or interim?
(if interim then further information is needed, see detailed advice) final

SUMMARY ADVICE (must be read in conjunction with detailed advice)

Biodiversity measures proportionate to the nature and scale of the development have been proposed and should be secured by condition.

Are condition(s) required/ recommended in the detailed advice? yes

Separate consideration of need for a Habitat Regulations Appraisal required? (9.A.1 / NPF4 4.b) no

If yes, which European site(s) may need further consideration?

n/a

DETAILED ADVICE

Which natural heritage interests have the potential to be significantly affected by the proposed development? Is further information or survey work required before final advice can be given? Are conditions required?

- **SSSIs**
(9.A.2 / NPF4 4.c)
- **Local Nature Conservation Site, Local Nature Reserve**
(9.A.3 / 4.d)
- **Protected species**
(9.B / NPF4 4.f)
- **Wider biodiversity**
(9.C / NPF4 3)

Wider biodiversity

Biodiversity measures proportionate to the nature and scale of the proposed development have been included, as shown in the 1:500 Site plan drawing (reference 1663/3/P, dated March 2023) and described in the submitted Biodiversity form (dated 8 March 2024). A condition is required to ensure the proposed biodiversity measures are carried out and therefore contribute to meeting the requirements of National Planning Framework 4 (NPF4) policy 3 on biodiversity:

Condition: That the biodiversity measures identified on the 1:500 Site plan drawing (reference 1663/3/P, dated March 2023) and described in the submitted Biodiversity form (dated 8 March 2024), are implemented in full no later than the first planting season following commencement of development. Thereafter the biodiversity measures shall be permanently retained in accordance with the approved details, including replacement of any planting that does not survive, is removed, or is damaged, unless otherwise agreed in writing with the planning authority.

Reason: To ensure biodiversity measure is implemented as required by National Planning Framework 4 policy 3.

- **Water environment**
(9.D / NPF4 20, 22.e, 3.d)
- **Peat and soils**
(9.E / NPF4 5)
- **Trees or woodlands of significant ecological, landscape, shelter or recreational value**
(9.F / NPF4 6, 3.d)
- **Natural coastal**

resources

(12.A.ii / NPF4 10)

- **Coastal and marine ecosystems, geomorphology**
(12.A.iii / NPF4 10)
- **Aquaculture habitats and species, designated sites, biodiversity, PMFs**
(12.D.i.a / NPF4 32.d)
- **SUDS in relation to ecology and habitat enhancement**
(13.B.ii.e / NPF4 22.c, 22.e, 3.d)
- **Have any opportunities been included in the proposed development to enhance biodiversity and promote ecological interest?** (9.C.ii, 9.D.i.b / NPF4 3)

See above advice for **Wider biodiversity**.

From: Derek Manson <Derek.Manson@orkney.gov.uk>
Sent: Monday, May 20, 2024 4:30 PM
To: planningconsultation <planningconsultation@orkney.gov.uk>
Cc: devplanconsultations <devplanconsultations@orkney.gov.uk>; Margaret Gillon <Margaret.gillon@orkney.gov.uk>
Subject: RE: Planning Application Consultation 24/108/PP

Classification: NOT PROTECTIVELY MARKED

Hello

Thank you for consulting us on the above planning application. The above application is within part of the Quoyloo settlement area under housing allocation Q6 in the current Local Development Plan. We provided pre- application comments back to the agent and as was requested in that feedback we note the applicant has included details around how future access arrangements could be achieved so it does not prejudice future development. We have no further comments to make.

Kind Regards

Derek

Derek Manson
Team Manager – Development Planning

Planning and Community Protection
Neighbourhood and Infrastructure Service Orkney Islands Council School Place Kirkwall
KW15 1NY

Derek.manson@orkney.gov.uk
01856873535 ext 2517

From: Sam Walker <Sam.Walker@orkney.gov.uk>
Sent: Wednesday, May 22, 2024 10:15 AM
To: planningconsultation <planningconsultation@orkney.gov.uk>
Subject: 24/108/PP

Classification: OFFICIAL

**24/108/PP Erect two houses with air source heat pumps and integral garages and create an access
Plot 1 & 2 Hazelwood, Quoyoo, Sandwick**

Having considered the information provided by the applicant Environmental Health note that there are two wind turbines is located within 250 metres of the proposed site. Unless the applicant demonstrates that the existing wind turbines do not cause an unacceptable amenity impact to the proposed development and that the legitimate operation of the permitted wind turbines are not negatively impacted we will have to OBJECT to the application.

Regards

Sam Walker
Environmental Health Officer
Environmental Health | Planning and Community Protection
Neighbourhood Services and Infrastructure
Orkney Islands Council
School Place
KIRKWALL
KW15 1NY

Tel: 01856 873535 ext 2802

From: Margaret Gillon <Margaret.gillon@orkney.gov.uk>
Sent: Thursday, May 23, 2024 9:12 AM
To: Christopher Omand <christopher@sjomand.co.uk>; 'stephen@sjomand.co.uk'
<stephen@sjomand.co.uk>
Subject: FW: 24/108/PP

Classification: OFFICIAL

Hi

**24/108/PP Erect two houses with air source heat pumps and integral garages and create an access
Plot 1 & 2 Hazelwood, Quoyoo, Sandwick**

Further to my previous email I advise that Environmental Health have formally requested a noise assessment which demonstrates that the existing wind turbines do not cause an unacceptable amenity impact to the proposed development. The consultation response states:

“Having considered the information provided by the applicant Environmental Health note that there are two wind turbines is located within 250 metres of the proposed site. Unless the applicant demonstrates that the existing wind turbines do not cause an unacceptable amenity impact to the proposed development and that the legitimate operation of the permitted wind turbines are not negatively impacted we will have to OBJECT to the application.”

I look forward to receiving this information in due course, If you have any queries please do not hesitate to contact me.

Yours

Margaret

Margaret Gillon MSc MRTPI, Senior Planner (Development Management)
Planning and Community Protection
Neighbourhood Services and Infrastructure
Orkney Islands Council, Council Offices, Kirkwall, Orkney, KW15 1NY

Telephone 01856 873535 Extension 2505
mobile 07443300950
e-mail: margaret.gillon@orkney.gov.uk

My days of working are Mon to Thur

Please note I often send emails outside of normal working hours; you are not expected to read, reply or action until your normal working hours

Officers should only be contacted directly in relation to current applications. Pre-application advice, general enquiries, or enforcement or other correspondence regarding determined applications should be sent to planning@orkney.gov.uk

INTERNAL MEMORANDUM TO: Roads Services

Date of Consultation	7th May 2024
Response required by	28th May 2024
Planning Authority Reference	24/108/PP
Nature of Proposal (Description)	Erect two houses with air source heat pumps and integral garages and create an access
Site	Plot 1 & 2 Hazelwood, Quoyloo, Sandwick Orkney
Proposal Location Easting	324245
Proposal Location Northing	1021026
Area of application site (Metres)	3465
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/108/PP
PA Office	Development Management
Case Officer	Ms Margaret Gillon
Case Officer Phone number	(018560 873535 Ex2505
Case Officer email address	margaret.gillon@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

As noted in the letter from the agent this development proposal is for part of a larger development area, irrespective of the various owners of the three areas sold off or their current intentions for their respective areas of land the whole development area must be considered.

Therefore, a condition should be applied that require the developer to widen the public road (Bristol Road), to a minimum width of 5.5 metres over the frontage of the development with the public road, in accordance with the council's detail for carriageway construction. Additionally, a verge at least 1.5 metres wide should also be provided from the edge of the widened carriageway to the boundary of the proposed development.

The undernoted condition and informative should also be applied to any planning permission that may be granted.

CONDITION

The access hereby approved with the public road shall be 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. The access shall be constructed and completed wholly in accordance with these details prior to any other works commencing on of the development hereby approved, and thereafter 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.

INFORMATIVE

It is an offence under Section 56 of the Roads (Scotland) Act 1984 to carry out any excavations within the boundary of the public road without written permission of the roads authority. Therefore, one or more separate consents will be required from the Council's Roads Services to carry out any works within the road boundary, prior to any works commencing. These consents may require additional work and/or introduce additional specifications. You are therefore advised to contact Roads Services for further advice as early as possible.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to the development being brought into use, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

It is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain beyond the working day, on a public road from any vehicle or development site.

D.W.

From: Margaret Gillon <Margaret.gillon@orkney.gov.uk>
Sent: 19 September 2024 08:49
To: Stephen Omand <stephen@sjomand.co.uk>
Subject: 24/108/PP -

Classification: OFFICIAL

Hi

24/108/PP
Plot 1 & 2, Hazelwood, Quoyloo, Sandwick.

During the consultation process Roads Services has raised the following comments . as you will see they are looking for the carriage way to be widened . This is in line with NPF4 sustainable transport.

As noted in the letter from the agent this development proposal is for part of a larger development area, irrespective of the various owners of the three areas sold off or their current intentions for their respective areas of land the whole development area must be considered.

Therefore, a condition should be applied that require the developer to widen the public road (Bristol Road), to a minimum width of 5.5 metres over the frontage of the development with the public road, in accordance with the council's detail for carriageway construction. Additionally, a verge at least 1.5 metres wide should also be provided from the edge of the widened carriageway to the boundary of the proposed development. The undernoted condition and informative should also be applied to any planning permission that may be granted.

CONDITION

The access hereby approved with the public road shall be 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. The access shall be constructed and completed wholly in accordance with these details prior to any other works commencing on of the development hereby approved, and thereafter 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.

If you wish to discuss further please do not hesitate to contact me.

Yours

Margaret

Margaret Gillon MSc MRTPI, Senior Planner (Development Management)
Planning and Community Protection
Neighbourhood Services and Infrastructure
Orkney Islands Council, Council Offices, Kirkwall, Orkney, KW15 1NY

Telephone 01856 873535 Extension 2505
mobile 07443300950
e-mail: margaret.gillon@orkney.gov.uk

My days of working are Mon to Thur

8th October 2024.

Planning and Community Protection,
Neighbourhood Services and Infrastructure,
Orkney Islands Council,
Council Offices,
Kirkwall,
KW15 1NY

Dear Mrs Gillon,

**Proposed 2 No Sites with House, Garage & Heat Pump.
At Hazelwood, Quoyloo, KW16 3LS.
For Brian Brass Ltd, Kardale, Sandwick, KW16 3HY.**

In response to Roads Services consultation comments, now that the area of land referred to as Q-6, in the Quoyloo Settlement Area, has been sold off in three individual lots to three separate parties there is absolutely no possibility that the overall area of land will ever be developed for up to eleven houses. Mr Brass did acquire the land hoping to erect two houses on it but both other parties have confirmed they have no intentions of ever allowing houses to be erected on their land. During initial pre-app discussions the Roads Engineer stated in his email of 24th August 2023 that “the location of the access should be acceptable, however when it comes in for planning, I am likely to ask for either a passing place, localised road widening or something along the lines of an SD-05 style access albeit the lay-by bit would be slightly longer”. The application lodged shows a passing place being formed in line with the above. With all due respect the Roads Engineer’s recommendation that a condition should be applied that requires the developer to widen the road (Bristol Road), to a minimum width of 5.5 metres over the frontage of the development with the public road, in accordance with the council’s detail for carriageway construction, and that additionally, a verge at least 1.5 metres wide should also be provided from the edge of the widened carriageway to the boundary of the proposed development, is complete overkill, especially for two houses. Should Mr Brass’s application be approved and should the area of land identified as Q-6 ever be developed in the future, there certainly will not be enough room left for eleven houses. As the indicative layout shows there might be room for two sites in front of Fairview and two in front of Hazelwood, but in such a scenario the two in front of Hazelwood would enter off Skaill Road. The applicant is willing to form a passing place, as detailed in the application submitted, and as referred to by the Road’s Engineer in his email of 24th August 2024, but he is not prepared to widen the Bristol Road for the full length of the site in preparation for a development that will never happen.

**SERVICES
INCLUDE:**

Bank &
Building
Society
Valuations

Residential &
Commercial
Property Surveys

Single
Surveys

Energy
Performance
Certificates

SAP
Certifications

Building
Surveying
Services

Rental &
Insurance
Valuations

Residential
& Commercial
Plans

Title Deed
Plans

Overseeing
New Builds

Planning
& Building
Warrant
Applications

A list of partners is available at the above address

LOCAL KNOWLEDGE ■ NATIONAL COVERAGE

Offices throughout Scotland

Each member firm of First Surveyors Scotland is an independent entity and no partnership implies or otherwise exists between the firms by reason of their membership of First Surveyors Scotland. First Surveyors Scotland is the trading name of First Surveyors Scotland Limited a company registered in Scotland Company No 201050. Registered Office: 57 Albany Street, Edinburgh, EH1 3QY



Should you wish to discuss the matter further please do not hesitate to contact me.

58

Yours sincerely,



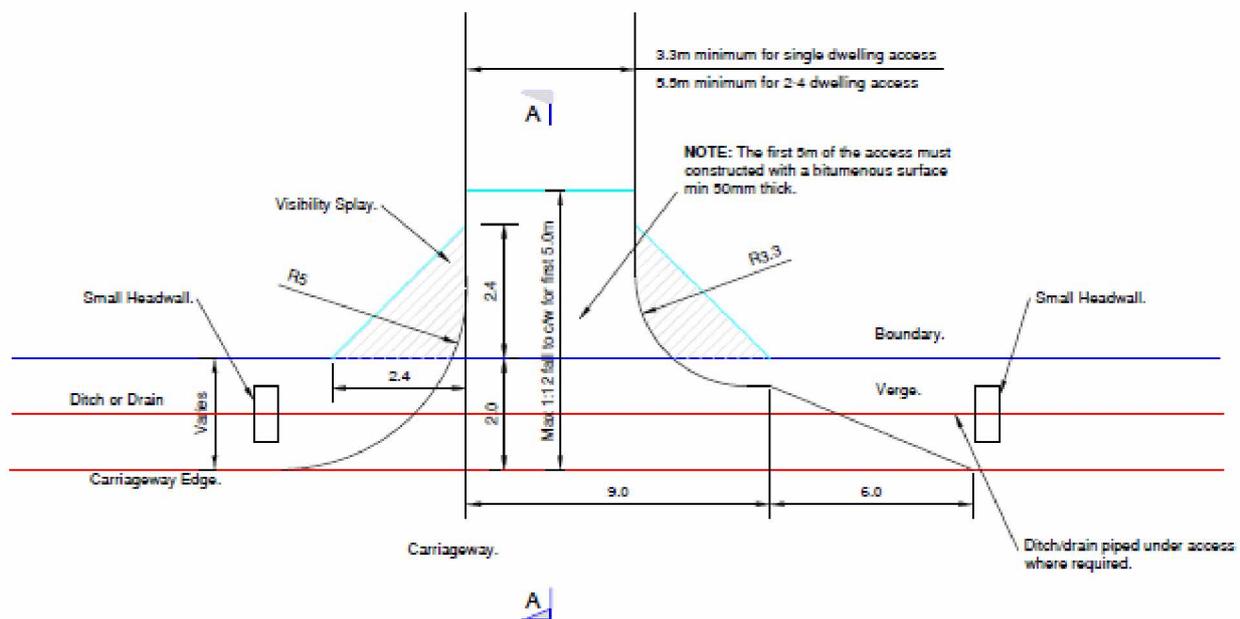
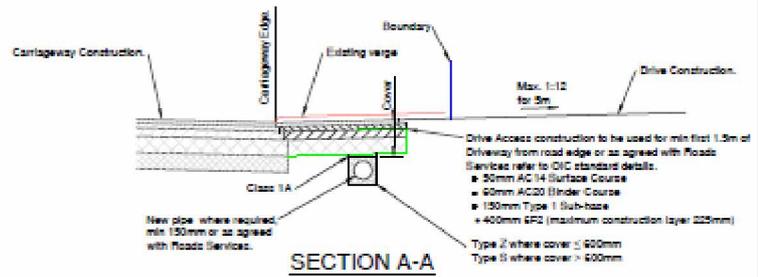
Stephen J Omand, FRICS.

Attached

Passing place suggested by Road Services on 24th August 2023 and proposed in Planning Application.

NOTES:

1. All dimensions are to be measured in meters, unless stated otherwise.
2. If obstructions within the visibility splay cannot be reduced in height to below 0.9m - walls, hedges, etc. - then 45° visibility splays of 2.4m x 2.4m are required for interoperability between vehicles and pedestrians.
3. Driveway to property should be no steeper than 1:12, and must not be steeper than 1:12 for the first 5m from edge of carriageway.
4. Drive must be constructed in such a way to prevent any gravel or other loose material spilling onto the footway or carriageway.
5. Where new access crosses an existing ditch, or drain in the verge, pipe to be installed under access.
6. Prior to installation of pipe, confirmation of size must be obtained from the Roads Authority.
7. For drain Type Z, drain Type S and Small Headwall, refer to Orkney Islands Council's standard details.
8. All works carried out within the public road must be carried out by a Prescribed Contractor.



TYPICAL ACCESS OVER VERGE WITH SERVICE BAY

Rev 1 14/12/2020 DW Carriageway construction detail amended

File Ref. R3.40.01	?????	Drg. No. SD-05	ROADS SERVICES	NEIGHBOURHOOD SERVICES & INFRASTRUCTURE Council Offices, Kirkwall Orkney, KW15 1NY tel (01856) 873535 fax (01856) 876094 Corporate Director :- Hayley Green MBA (Public Service)	 ORKNEY ISLANDS COUNCIL
Revision	1				
Date	May 2022	Drawn D.W.			
Scale	N.T.S.	Checked K.D.R.			

Original drawing size 210mm x 297mm (A4)



ORKNEY
ISLANDS COUNCIL

GRANT PLANNING PERMISSION

DELEGATED DECISION

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997 (as amended) ("The Act")

Ref: 24/108/PP

Brian Brass Ltd
c/o Stephen Omand
14 Victoria Street
Kirkwall
United Kingdom
KW15 1DN

With reference to your application registered on 4th April 2024 for planning permission for the following development:-

PROPOSAL: Erect two houses with air source heat pumps and integral garages and create an access

LOCATION: Plot 1 & 2 Hazelwood, Quoyloo, Sandwick Orkney

Orkney Islands Council in exercise of its powers under the above Act, hereby **Grants Planning Permission subject to the attached terms and conditions.**

The Council's reasoning for this decision is: The development complies with relevant policy provisions of National Planning Framework 4 and the Orkney Local Development Plan 2017 and applicable supplementary guidance. There are no material considerations which would warrant refusal of the application as it is assessed that a condition can be used to require the required road widening and verge. The development accords with Policies 1, 3, 13, 14, 15, 16, 17, 18, 22. and 27 of National Planning Framework and policies 1, 2, 5, 9, 13 and 14 of the Orkney Local Development Plan 2017.

(For further detail you may view the Planning Handling Report for this case by following the Application Search and Submission link on the Council's web page and entering the reference number for this application).

Please read carefully the Terms and Conditions on the following pages as failure to comply may result in enforcement action.

Decision date: 24th December 2024

Jamie Macvie MRTPI, Service Manager, Development Management, Orkney Islands Council, Council Offices, Kirkwall, Orkney, KW15 1NY

Ref: 24/108/PP

TERMS AND CONDITIONS

TERMS

- A. The development hereby approved must be carried out in accordance with the terms and conditions attached to this planning permission and with the approved plans and details identified in Schedule 1.
- B. Failure to implement the permission in accordance with the approved details and attached planning conditions may render the development unauthorised and may result in enforcement action.
- C. No development shall commence on the development hereby approved until the developer has formally advised the Planning Authority in writing of the intended start date. This should be done as soon as practicable. Take note that **failure to submit such a Notice would be a breach of planning control** under section 123(1) of the Act and could result in enforcement action.
- D. To accord with the provisions of Section 27B of the Act, once the development hereby approved is completed, and prior to the development being brought into use, the developer shall submit a completion notice to the Planning Authority.

(To comply with C & D above please use and submit the attached forms to ensure compliance with all of the statutory requirements in this regard. These forms are also available from the planning page on the Council's web site.)

- E. If, at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Planning Authority in advance of implementing any changes to establish whether the proposed changes require any further planning approval.
- F. It should be understood that this permission does not carry with it or supersede the need for any necessary consent or approval for the proposed development under any other statutory enactments, for example the Building (Scotland) Act, the Roads (Scotland) Act 1984, the Water (Scotland) Act 1980, and the Environmental Protection Act 1990.
- G. It is the responsibility of the developer to ensure that services including telephone and electricity lines, water mains and sewers are protected. You should contact the relevant service providers to check whether such services would be affected.

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 other development shall commence, except for the road widening specified in condition 03, until the access hereby approved 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 approved 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.

03. Notwithstanding the approved site plan, ref. 1663/3/P, dated March 2024, the public road (Bristol Road) across the length of the frontage of the site (from the south-east corner of Plot 1 to the north of the shared access) shall be widened to a minimum width of 5.5 metres, in accordance with the Council's details for carriageway construction, including a verge at least 1.5 metres wide provided from the edge of the widened carriageway to the boundary of the proposed development.

If these works require removal of the existing stone boundary wall, the wall shall be carefully dismantled, and prior to first use or occupation of the development, a replacement wall build along the east boundary of the site, of matching specification.

No other development shall commence until full details of road widening, verge construction, and boundary construction works have been submitted to and approved, in writing, by the Planning Authority, in conjunction with Roads Services.

Reason: In the interest of road safety, as a necessary public road upgrade associated with the scale of development, in a settlement boundary and adjacent to an allocated site.

04. Total noise from the Air Source Heat Pump 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 outwith the development open no more than 50 mm).

Reason: to protect any nearby residents from excessive noise disturbance from the air source heat pump.

05. The biodiversity measures identified on the 1:500 Site plan drawing (reference 1663/3/P, dated March 2023) and described in the submitted Biodiversity form (dated 8 March 2024) shall be implemented in full no later than the first planting season following commencement of development.

Thereafter the biodiversity measures shall be permanently retained in accordance with the approved details, including replacement of any planting that does not survive, is removed, or is damaged, unless otherwise agreed in writing with the planning authority.

Reason: To ensure biodiversity measure is implemented as required by National Planning Framework 4 policy 3.

06. Throughout the lifetime of the development hereby approved, 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. 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, NPF4, and to protect road safety.

07. Any exterior lighting employed shall be so positioned, angled and controlled to prevent any direct illumination, glare or light spillage outwith the site boundary. The use of automatic cut-out or sensor operated external lighting of limited timed illumination is advocated.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

08. Hours of work during all phases of the development hereby approved including the demolition of the existing structure, site clearance and construction phases, involving vehicle movements and / or 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 08:00 to 18:00 on 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 in advance, with the Planning Authority.

Throughout the construction phase of the development there shall be no burning of waste material on site.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

Informatives

01. It is an offence under Section 56 of the Roads (Scotland) Act 1984 to carry out any excavations within the boundary of the public road without written permission of the roads authority. Therefore, one or more separate consents will be required from the Council's Roads Services to carry out any works within the road boundary, prior to any works commencing. These consents may require additional work and/or introduce additional specifications. You are therefore advised to contact Roads Services for further advice as early as possible.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to the development being brought into use, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

It is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain beyond the working day, on a public road from any vehicle or development site.

02. This application was subject to consultations with agencies and other interested parties. It would be helpful for you to look at the full terms of their response(s) as they include advice and contact details that are relevant to you. You can access these details by following the Online Planning link on the Council's website and then entering either the application address or the planning application number.

Ref: 24/108/PP

SCHEDULE 1 – PLANS, VARIATIONS AND ANY OBLIGATION**1. Plans and Drawings**

The plans and drawings to which this decision relates are those identified below:

Location & Site Plans	OIC-01	1
Site Plan	OIC-02	1
Floor & Elevation Plans	OIC-03	1
Section Plan	OIC-04	1

2. Variations

If there have been any variations made to the application in accordance with section 32A of the Act these are specified below:

Date of Amendment:

Reasons

3. Legal Obligation

Has any obligation been entered into under section 75 of the Act? – N

If such an obligation has been entered into, the terms of such obligation or a summary of such terms may be inspected by contacting Legal Services.

RIGHT TO SEEK A REVIEW

If you are unhappy with the terms of this decision you have a right to ask for a review of your planning decision by following the procedure specified below.

PROCEDURE FOR REQUESTING A REVIEW BY THE LOCAL REVIEW BODY

1. If the applicant is aggrieved by the decision of the Appointed Officer to:
 - a. Refuse any application, or
 - b. Grant permission subject to conditions.

In accordance with the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations, the applicant may apply to the Local Review Body within three months from the date of this notice for a review of that decision.

2. Forms to request a review are available from either address below, or from <http://www.orkney.gov.uk/Service-Directory/D/appeal-a-decision.htm>.

Completed forms to request a review should be submitted to the address below:

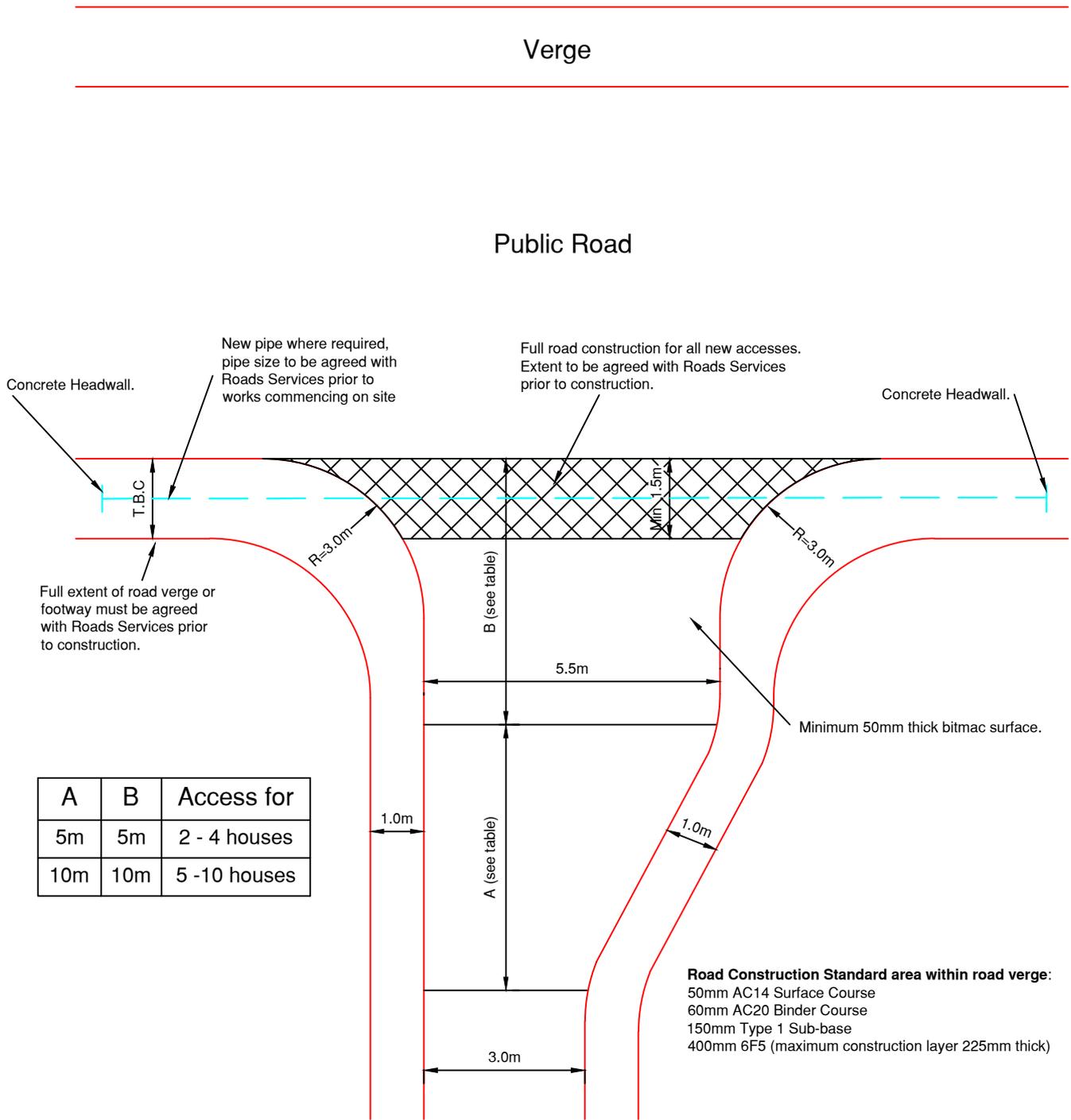
Committee Services
Orkney Islands Council
Council Offices
School Place
KIRKWALL
Orkney
KW15 1NY

and at the same time a copy of the notice for a review should be sent to:

Service Manager (Development Management)
Orkney Islands Council
Council Offices
School Place
KIRKWALL
Orkney
KW15 1NY

Email: planning@orkney.gov.uk

3. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Act.



**TYPICAL ACCESS FOR SINGLE DEVELOPMENT
(NON-ADOPTED)**

Rev 1 14/12/20 DW Road construction detail amended

File Ref. R3.40.01	Drg. No. SD-01	ROAD SERVICES	NEIGHBOURHOOD SERVICES & INFRASTRUCTURE	 ORKNEY ISLANDS COUNCIL
Revision 1			Council Offices, Kirkwall Orkney, KW15 1NY tel (01856) 873535 fax (01856) 876094	
Date January 2013	Drawn D R W		Corporate Director :- Hayley Green MBA (Public Service)	
Scale Not to Scale	Checked K D Roy			

To:
 Development Management
 Orkney Islands Council
 Council Offices
 School Place
 Kirkwall
 KW15 1NY

Or by email to planning@orkney.gov.uk

Notification of Initiation of Development

IMPORTANT: Failure to notify the planning authority of initiation of development would constitute a breach of planning control under Section 123(1) of The Town and Country Planning (Scotland) Act 1997, as amended.

Planning Application Reference: _____

Date of planning permission: _____

In accordance with Section 27A of The Town and Country Planning (Scotland) Act 1997, as amended, the planning authority is hereby advised that it is intended to initiate the above development as follows:

(a) Provide the date of initiation. _____

(b) Provide full name and address, and email address if available, of the person(s) intending to carry out the development. (Note that in the first instance, any correspondence relating to the Notification of Initiation of Development will be addressed to this person.)

(c) If the person included at (b) above is the owner of the land to which the development relates, state 'OWNER'. If that person is not the owner, provide the full name and address of the owner.

(d) If a person is, or is to be, appointed to oversee the carrying out of the development on site, provide the name of that person and details of how that person to be contacted.

Signed: _____ Applicant / Agent (delete as appropriate)

Print name: _____

Dated: _____

NOTE: Planning conditions may be attached to a grant of planning permission. These form part of the permission, and limit and control the way in which the permission must be implemented and may include mitigation or a requirement for further information. **If pre-commencement conditions are attached to the decision, development cannot proceed until these conditions have been discharged.**

When development commences, the planning authority may check for compliance with all conditions. If implemented or carried out contrary to planning conditions, the development would be unauthorised and may be subject to formal enforcement action.

To:
 Development Management
 Orkney Islands Council
 Council Offices
 School Place
 Kirkwall
 KW15 1NY

Or by email to planning@orkney.gov.uk

Notification of Completion of Development

It is important that the planning authority is informed as soon as possible following completion of works.

Planning Application Reference: _____

In accordance with Section 27B of The Town and Country Planning (Scotland) Act 1997, as amended, the planning authority is hereby advised of the completion of the above development.

- (a) Provide the date of completion of development. _____
- (b) Provide full name and address, and email address if available, of the person submitting Notification of Completion. (Note that any correspondence relating to the Notification of Completion will be addressed to this person.)

Signed: _____ Applicant / Agent (delete as appropriate)

Print name: _____

Dated: _____