

Minute

Planning Committee

Tuesday, 24 March 2026, 14:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Owen Tierney, David Dawson, P Lindsay Hall, W Leslie Manson, James R Moar, Janette A Park, Raymond S Peace, John A R Scott and Duncan A Tullock.

Present via remote link (Microsoft Teams)

Councillor Jean E Stevenson.

Clerk

- Katy Russell-Duff, Committees Officer.

In Attendance

- Jamie Macvie, Service Manager (Development Management).
- Derek Manson, Team Manager (Development Planning).
- Paul Maxton, Solicitor.

Apology

- Councillor Ivan A Taylor.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Owen Tierney.

1. Planning Application 25/362/PP

Proposed Erection of House near Gelderoo, Upper Crantit Road, Kirkwall

Stephen Omand, agent for the applicants, Mr and Mrs Ivan Taylor, was present during consideration of this item.

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

Noted:

1.1. That, as the planning application for the proposed erection of a house near Gelderoo, Upper Crantit Road, Kirkwall, was made on behalf of an Elected Member, in accordance with the Scheme of Administration, the application required to be determined by the Planning Committee.

The Committee resolved, in terms of delegated powers:

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

- National Planning Framework 4:
 - Policy 3 – Biodiversity.
 - Policy 9 – Brownfield, vacant and derelict land and empty buildings.
 - Policy 14 – Design, quality and place.
 - Policy 15 – Local Living and 20-minute neighbourhoods.
 - Policy 16 – Quality homes.
- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5 – Housing.

1.3. That planning permission be granted in respect of the proposed erection of a house near Gelderoo, Upper Crantit Road, Kirkwall, subject to the conditions attached as Appendix 1 to this Minute.

2. Planning Application 25/423/HH

Proposed Extension of House at Bigbreck Cottage, Birsay

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

Noted:

2.1. That, as the planning application for the proposed extension of a house at Bigbreck Cottage, Birsay, was made on behalf of a member of staff employed with the Planning Service, in accordance with the Scheme of Administration, the application required to be determined by the Planning Committee.

The Committee resolved, in terms of delegated powers:

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

- National Planning Framework 4:
 - Policy 16 – Quality homes.
- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.

2.3. That planning permission be granted in respect of the proposed extension of a house at Bigbreck Cottage, Birsay, subject to the undernoted condition:

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.

3. Conclusion of Meeting

At 14:20 the Chair declared the meeting concluded.

Signed: Owen Tierney.

Appendix 1.

Proposed Erection of House near Gelderoo, Upper Crantit Road, Kirkwall

Grant, subject to the following conditions:

1. 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.

2. The finished ground floor level shall be maintained at 19.13 Above Ordinance Datum (AOD) level (approximately 1,200 millimetres below the average road level adjacent) unless otherwise approved, in writing, by the Planning Authority.

Reason: To protect the amenity of the neighbours by ensuring there are no overshadowing or overlooking issues.

3. The development hereby approved shall not be occupied or brought into use until the access hereby approved with the public road has been constructed to the Council's Roads Services standard drawing 'SD-04 Typical Access Over Footway for Single Dwelling', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. Thereafter the access shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed, in writing, by the Planning Authority.

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

Reason: In the interests of road safety.

4. The development hereby approved shall not be occupied or brought into use until the existing access to the site has been removed and a new section of footway constructed to match the adjacent sections including a new kerbing to the front and rear of the footway, with the new footway being constructed in accordance with Roads Services standard detail for 'Footway Construction' attached to and forming part of this decision notice.

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.

5. No development shall commence until a design for the relocation of the existing streetlight has been submitted to and approved, in writing, by the Planning Authority, in conjunction with Roads Services. Thereafter, the development hereby approved shall not be occupied or brought into use until the streetlighting column has been relocated (or replaced as approved) to the approved location.

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.

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

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

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

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

7. The development hereby approved shall not be occupied until the development is connected to the public sewer network.

Reason: To ensure the development is connected to infrastructure.

8. The biodiversity enhancement measures identified on the Biodiversity Plan (Dwg. No. 1731-7-P) Rev. B and described in the amended Biodiversity Enhancement Form (dated 1 March 2026) 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, by the Planning Authority.

Reason: To ensure biodiversity measures are implemented as required by Policy 3 of National Planning Framework 4.

9. Existing vegetation/trees/shrubs on all four development area boundaries, including the bund along the south boundary as identified in approved drawings, and a distance not less than five metres inside the west boundary, shall be retained undamaged throughout the construction period, including avoiding use of plant or machinery or storage of materials directly within those areas. Thereafter, the planting and bund shall be retained throughout the lifetime of the development unless otherwise approved, in writing, by the Planning Authority.

Reason: To ensure the existing biodiversity is safeguarded as required by Policy 3 of National Planning Framework 4 and to protect the amenity of the neighbours by ensuring there are no overlooking issues.

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

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

11. Throughout the lifetime of the development, any exterior lighting employed on the development shall be so positioned, angled and controlled to prevent any direct illumination, glare or light spillage outwith the site boundary. External lighting on the building shall meet the requirements for Zone E3/E4 areas (Medium Brightness/High District Brightness) as defined by the Institution of Lighting Professionals.

Reason: 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' and to accord with Orkney Local Development Plan 2017 Policy 2 - Design and Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).

12. Hours of work during the construction of the development hereby approved, involving the use of machinery and powered tools, or any other operation, for example hammering, that would generate noise audible beyond the boundary of the site, shall be restricted to 07:30 to 18:00 Mondays to Fridays; 08:00 to 13:00 on Saturdays and not at all on Sundays, Christmas or New Year Public Holidays unless otherwise agreed, in writing, with the Planning Authority.

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

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