

Item: 4.2

Planning Committee: 1 June 2022.

Erect House with Integral Garage, Install Air Source Heat Pump and Create Access at Eastra, Stromness.

Report by Corporate Director for Neighbourhood Services and Infrastructure.

1. Summary

1.1.

It is proposed to erect a single storey 'L' plan house with an integral garage and an air source heat pump and create an access on Downie's Lane to the south of the property known as Eastra, Stromness. The proposed site is in the countryside and not within the defined settlement of Stromness. The site is within the Hoy and West Mainland National Scenic Area. Supporting information has been provided by the applicant in relation to the location and design of the proposed development and also the personal circumstances of the applicant. The application has been called in by two Councillors and, in accordance with the Scheme of Administration, the application must be reported to Committee for determination. The development is considered contrary to Policies 1, 2, 5E and 9 of the Orkney Local Development Plan 2017. Accordingly, and as there are no material planning considerations of sufficient weight which would indicate otherwise, the application is recommended for refusal.

Application Number:	22/047/PP.
Application Type:	Planning Permission.
Proposal:	Erect a house with an integral garage, install an air source heat pump and create an access.
Applicant:	Corinne Sinclair, Eastra, Downie's Lane, Stromness, KW16 3HS.
Agent:	Stephen J Omand, 14 Victoria Street, Kirkwall, KW15 1DN.

1.2.

All application documents (including plans, consultation responses and representations) are available for members to view at the following website address:

https://www.orkney.gov.uk/Service-Directory/D/application_search_submission.htm
(then enter the application number given above).

2. Consultations

2.1.

Consultation bodies have not objected or raised any technical issues which could not be addressed by planning conditions.

2.2.

Notwithstanding the above confirmation of no objection on technical matters, it should be noted that Roads Services requires the widening of Downie's Lane across the entire frontage of the site to address concern regarding forward visibility from the access in a southerly direction. The requirement for an upgrade to the road is consistent with other developments in the vicinity, accessed from Downie's Lane.

2.3.

To provide a policy position, Development and Marine Planning has responded to consultation as follows:

“The site is located on high ground directly to the south of the existing house known as Eastra off the Downie's Lane, Stromness. This location is in the open countryside as it is not located within the settlement boundary of Stromness. The settlement boundaries are detailed in the Proposals Map of the Orkney Local Development Plan 2017. Therefore, this application does not accord with Policy 5 – Housing, part A – Housing in Settlements of the Orkney Local Development Plan 2017.

Additionally, within this Policy at part E – Single Houses and new Housing Clusters in the Countryside, there are eight policy provisions that allow for appropriate housing development in the open countryside. These provisions are:

- i. The reinstatement or redevelopment of a former dwelling house;
- ii. The conversion of a redundant building or structure;
- iii. The replacement of an existing building or structure;
- iv. The re-use of brownfield and, where the previous use is evident on site;
- v. The subdivision of a dwelling house or its residential curtilage;
- vi. Single house infill development within existing housing groups;
- vii. The provision of a single dwelling house for a rural business where 24-hour supervision is an operational requirement; or
- viii. The provision of a single dwelling house to allow for the retirement succession of a viable farm holding.

This application does not accord with any of these provisions and therefore does not accord with Policy 5 – Housing, part E – Single Houses and new Housing Clusters in the Countryside of the Orkney Local Development Plan 2017.

The siting of the proposed house is in a prominent location within the National Scenic Area of the Hoy and the West Mainland. We note that the proposed house has been moved to be located closer to the dwelling house and curtilage of Eastra. Development and Marine Planning are concerned that the proposal may have a significant effect on the overall integrity of the area or the qualities for which it has been designated.

To conclude, this application does not accord with the Policy 5 – Housing and Policy 9 – Natural Heritage and Landscape of the Orkney Local Development Plan, 2017 and no information of a significant material weight has been provided that would change this opinion.”

3. Relevant Planning History

3.1.

Reference	Proposal	Location	Decision	Date
PPA-330-2027	Erect a house with an integral garage and an air source heat pump and create an access.	Land near Eastra, Stromness, KW16 3HS.	Appeal dismissed.	20.08.2021.
20/157/PP	Erect a house with an integral garage and an air source heat pump and create an access	Eastra (Land Near), Stromness, KW16 3HS.	Refused.	08.10.2020.

3.2.

The proposed site area overlaps with application 20/157/PP, also to erect a house, as pursued by the applicant and as cited within the Design and Supporting Statements submitted with the current application. That application was refused by the Planning Committee on 7 October 2020. The refusal was subject to an appeal to Scottish Ministers. The appeal was dismissed by the appointed reporter on behalf of the Planning and Environmental Appeals Division (DPEA), and planning permission refused on 20 August 2021.

3.3.

Written pre-application advice was provided in January 2022, which is referenced within the supporting statement submitted. Advice provided was in line with advice provided in advance of the previous application at the site, in principle supportive of an extension to the property at Eastra including the potential for a self-contained annexe, within an expanded curtilage of, but physically separate to, the existing house. An appropriately designed self-contained annexe could meet accommodation needs and achieve independent living adjacent to Eastra, which has been cited as essential in relation to physical and emotional support between the applicant and family members. This approach has been disregarded, citing financial constraints. The personal financial arrangements of the applicant are not material to the consideration of this application.

4. Relevant Planning Policy and Guidance

4.1.

The full text of the Orkney Local Development Plan 2017 and supplementary guidance can be read on the Council website at:

<https://www.orkney.gov.uk/Service-Directory/D/Planning-Policies-and-Guidance.htm>

The policies listed below are relevant to this application:

- Orkney Local Development Plan 2017.
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5E – Single Houses and new Housing Clusters in the Countryside.
 - Policy 9 – Natural Heritage and Landscape.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance: Housing in the Countryside.

4.2.

National Planning Framework 3 (NPF3) is cited in the call in by Councillors. As a long-term strategy for Scotland and the spatial expression of Scottish Government plans for development and investment in infrastructure, whilst a relevant consideration, it is not part of the Local Development Plan and does not create any standalone requirement to grant planning permission in circumstances where it would not otherwise be appropriate.

4.3.

A draft of the proposed Fourth National Planning Framework (Draft NPF4) was laid before the Scottish Parliament on 10 November 2021. A period of consultation on Draft NPF4 closed on 31 March 2022. When finalised, NPF4 will be part of the Local Development Plan. Until then, recognising the potential for the policies contained in the final version to be different from the draft, Draft NPF4 is a relevant consideration.

4.4.

Section 3A of the Town and Country Planning (Scotland) Act 1997 as amended sets out various intended outcomes for the National Planning Framework. Outcome (a) is “meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people”. Rather than making achieving these outcomes a standalone planning consideration, section 3A(3) explains that the National Planning Framework will contain a statement about how the Scottish Ministers consider that development will contribute to the section 3A outcomes.

4.5.

Paragraph (a) of Annex A of Draft NPF4 explains that Outcome (a) shall be met mainly by inclusion in NPF4 of Policy 9: Quality Homes, principally Policy 9(c) and Policy 9(f). Policy 9(c) is concerned with allocation of land to meet the 'Housing Land Requirement' and as such is not relevant to the determination of individual planning applications.

4.6.

Policy 9(f) provides potential support for new homes which improve affordability and choice, stating that an equalities-led approach to addressing identified gaps in provision should be taken informed by the Evidence Report or Local Housing Strategy, whichever is the latest. In anticipation of the review of the Local Development Plan, the Local Housing Strategy 2017-2022 notes that the next Local Development Plan is required to include targets for meeting the housing needs of people living in Orkney.

4.7.

Policy 9(i) confirms, "New homes on land not identified for housebuilding in the local development plan should not be supported." The policy provides for listed circumstances where an exception could be applied, none of which apply to the current application.

4.8.

Policy 7 states that development proposals that are consistent with the principles of 20 Minute Neighbourhoods should be supported. As part of this, consideration should be given to affordable housing options, ability to age in place, and housing diversity. This is in the context of recognising 20 Minute Neighbourhoods as an opportunity to rethink how housing, service provision, city, town or village centres could be re-configured to support new ways of working, homeworking and community hubs in line with localism objectives and reducing demand for motorised travel.

4.9.

Once NPF4 has been finalised, it will at that stage be part of the Local Development Plan and once its policies are certain, it therefore may be of relevance to the determination of individual planning applications. Such policies and the compliance of proposed development with those policies would then form part of the Section 25 assessment as to whether a proposed development complied with the Local Development Plan as a whole, as described in section 5.1. below. Compliance with those policies would not on its own automatically outweigh significant non-compliance with other relevant provisions of the adopted Local Development Plan.

4.10.

In relation to specialist housing provision and other specific needs, the only reference in Scottish Planning Policy for the provision of housing for independent living for those with a disability is in paragraph 132, where it is required as part of the

Housing Need and Demand Assessment, in relation to the preparation of policies to support the delivery of appropriate housing. This does not prejudice the determination of applications for individual houses.

5. Legal Aspects

5.1.

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

5.2.

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

5.3.

Annex A continues as follows:

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

or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.

- The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:
 - Scottish Government policy and UK Government policy on reserved matters.
 - The National Planning Framework.
 - Policy in the Scottish Planning Policy and Designing Streets.
 - Scottish Government planning advice and circulars.
 - EU policy.
 - A proposed strategic development plan, a proposed local development plan, or proposed supplementary guidance.
 - Guidance adopted by a Strategic Development Plan Authority or a planning authority that is not supplementary guidance adopted under section 22(1) of the 1997 Act.
 - Community plans.
 - The environmental impact of the proposal.
 - The design of the proposed development and its relationship to its surroundings.
 - Access, provision of infrastructure and planning history of the site.
 - Views of statutory and other consultees.
 - Legitimate public concern or support expressed on relevant planning matters.
- The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

5.4.

Where a decision to refuse an application is made, the applicant may appeal under section 47 of the Act. Scottish Ministers are empowered to make an award of expenses on appeal where one party's conduct is deemed to be unreasonable. Examples of such unreasonable conduct are given in Circular 6/1990 and include:

- Failing to give complete, precise and relevant reasons for refusal of an application.

- Reaching a decision without reasonable planning grounds for doing so.
- Not taking into account material considerations.
- Refusing an application because of local opposition, where that opposition is not founded upon valid planning grounds.

5.5.

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

6. Assessment

6.1. Background

6.1.1.

The site is located on the edge of an agricultural field laid to grass adjacent and to the west of Downie's Lane. The site is located adjacent to and south of the existing property of Eastr. The site is outside the defined town boundary of Stromness and as such must be considered as a house site in the countryside. The proposed site is in a prominent location given the elevated nature of this section of Downie's Lane in relation to Stromness.

6.1.2.

It is proposed to develop a single house in the countryside. A supporting document has been submitted by the agent, providing a background statement in support of the proposed development and presenting the personal circumstances of the applicant. A letter from a general practitioner, stated as on soul and conscience, has been submitted, stating personal support for the applicant. This correspondence details the health conditions of the applicant and states that "it is important that she has a place that is very close by but independent from the parental home".

6.1.3.

As such two elements of the personal circumstances of the applicant have been raised in support of the application:

- A lifelong, significant and debilitating health condition.
- Financial matters relating to the proposed development.

The complex medical evidence submitted by, and on behalf of, the applicant is considered as a relevant material planning consideration, whilst the financial matters are not.

6.1.4.

The existing property of Eastr is related to the current planning application, on the basis the supporting information confirms it is occupied by the applicant's parents (and currently the applicant) and therefore offers the potential for familial support in proximity to the proposed development site. This proximity forms a fundamental part of the applicant's case for the proposed site, combined with a desire for independent

accommodation. In review of supporting information, it is stated within the 'Design and Supporting Statements' document that the option of an annex was initially considered by the applicant prior to submission of the current application, but this was discounted following fiscal advice on matters of taxation and mortgage. These financial issues are not material planning matters.

6.1.5.

The soul and conscience letter refers to the benefits of a 'place that is independent' from the existing house. The letter does not refer to the specific house design or location proposed.

6.1.6.

There are no technical issues in relation to the servicing of the site which would make it unacceptable, with matters such as foul and surface water drainage, parking and sufficiency of amenity space likely to meet requirements, subject to securing the works required by Roads Services through condition, should the application be considered favourably.

6.2. Principle

6.2.1.

The proposed development is not located within a defined settlement and as such must be considered as the development of a single house in the countryside. Policy 5E is the key policy for determining whether a house proposal in the countryside is acceptable in principle. Policy provision is based on the development of land at existing buildings, housing needs of rural businesses and subdivision and infill development. These provisions are summarised within the consultation response from Development and Marine Planning at section 2.3 above, which confirms that the proposed development does not meet any of these criteria.

6.2.2.

The proposed development does not accord with any of the eight housing in the countryside policy provisions. With regards the principle of the development, a case has been presented based on the proximity to the existing house at Eastra and other development in the wider area, with comment referencing a 'dispersed building group'. This may be considered relevant in relation to design, but this is not relevant in relation to the principle of development. The application therefore relies on the personal circumstances of the applicant only. Furthermore, the proposed development fails to address key development criteria regarding siting and design, as set out in Supplementary Guidance: Housing in the Countryside.

6.2.3.

The proposed development does not meet any of the criteria set out in Policy 5E: Single Houses and New Housing Clusters in the Countryside.

6.2.4.

Supporting information in relation to the applicant's medical conditions and the soul and conscience letter provided by a general practitioner is considered as material to the planning consideration. The personal circumstances are fully considered, noting the medical opinion regarding the importance of independent accommodation. The key matter for the decision-maker is therefore the weight appropriate to be given to the personal circumstances of the applicant and how that relates to the non-compliance with the critical policy provision of the Local Development Plan.

6.2.5.

Pre-application advice was provided to the developer that made clear that a self-contained annex, within the (extended if required) domestic curtilage of the existing house 'Eastra', could be viewed favourably whilst a wholly independent new house on adjoining land would be contrary to policy and as such could not be supported. The resultant building may be similar in both scenarios – providing a separate building from the existing property, but in the immediate proximity of the existing house to address matters of both physical and emotional support as cited by the soul and conscience letter. This would also appear to address the medical advice provided for 'a place that is very close by but independent from the parental home'. However, this has been dismissed for financial reasons. Submission of the application as an independent house, achieving the stated financial benefits, makes the proposed development contrary to the critical policy.

6.2.6.

Determination of the application must be made on the merits of the application as presented. On balance, taking account of all relevant material planning considerations, any weight provided to the personal circumstances are significantly outweighed by the clear non-compliance of the critical policy which exists to establish the principle of new housing in the countryside.

6.3. Design and Appearance

6.3.1.

Key to the consideration of design and appearance are Policy 1: Criteria for All Development and Policy 2: Design. Both policies place significant emphasis on achieving appropriate development in appropriate locations, ensuring that all development is sited and designed taking into consideration the location, and in accordance with fundamental design principles as stated within Policy 2:

- Point (i) – it reinforces the distinctive identity of Orkney's built environment and is sympathetic to the character of its local area.
- Point (ii) – it has a positive or neutral effect on the appearance and amenity of the area.

6.3.2.

A design statement has been provided in support of the application. The proposed house would be single storey, with an 'L' plan, gable ended form and with an integral

garage. A heat pump is also proposed. Proposed external finishes are cream/white render to walls, black concrete roof tiles and anthracite windows and doors. The design of the proposed house has accounted for the medical needs of the applicant albeit no notable design features would be apparent externally. The deep plan/wide roof span and fenestration that is predominantly horizontal in emphasis would give the building a suburban appearance and does not reinforce local building traditions in the countryside. To better accord with the first design principle stated in Policy 2, a narrower plan and fenestration with a strong vertical emphasis would be appropriate. The proposal fails to comply with this design principle. In combination with the existing house adjacent, which itself is a modern bungalow with red-hued profiled tiles with horizontal emphasis to its primary window facing Downie's Lane, and extent of dashed boundary walls, the suburbanisation of this location would be exacerbated. The development would not have either a positive or neutral effect on the appearance and amenity of the area and as such fails to address the second principle of Policy 2.

6.3.3.

In addition to the policy criteria regarding the principle of development, Supplementary Guidance: Housing in the Countryside also details Development Criteria (DC) which must be addressed for all development for one or more houses in the countryside. The following DC are relevant in this case:

- DC 1 – it is located and sited to fit into the landscape, minimising the landscape and visual impacts of the development proposal.
- DC2 – the proposed development will be in keeping with the location.
- DC3 – the proposed pattern of development will not lead to the suburbanisation of Orkney's Countryside.

6.3.4.

The site can meet technical requirements for construction of a house as indicated through the submitted supporting design statement. It is also acknowledged that owing to proximity to Eastra, the impact of an isolated property in the countryside in a prominent location is reduced. The developer has attempted to relate the development to a 'dispersed building group' as referenced by the Reporter in the appeal decision. The proposed development would, by its nature, introduce further development in a skyline location, prominent from visual receptors in the local area and highly trafficked parts of Stromness, including Cairston Road, the A965 main road and Hillside Road. The proposed development would fail to respect the established pattern of rural housing in the area. Concerns regarding potential landscape impact are heightened by the situation of the development within the Hoy and West Mainland National Scenic Area. The development is not considered to be sympathetic to the character of the local area and as such would be considered contrary to both Policies 1 and 2.

6.4. Residential Amenity

The proposed house is adjacent to the property known as Eastra to the north of the proposed site. At closest point the proposed development is 4.35 metres from

Eastra. This would result in a very close relationship of the proposed house with that of Eastr. As both the proposed development and the existing house are required to be considered as independent houses, the siting and design of the proposed house must consider the impact on residential amenity of Eastr. The proposed house would face both the blank south gable of Eastr at closest proximity with the garden ground to the rear of Eastr being directly overlooked by the single window serving a room noted as 'carers bedroom' of the proposed house. This would in part be obscured by an existing greenhouse adjacent to the south boundary. The air source heat pump is proposed on the west gable and as such avoids the less favourable situation on the north gable facing Eastr. The amenity and privacy currently enjoyed by Eastr as an isolated house in the countryside would be negatively impacted by a house in such proximity.

6.5. Natural Heritage and Landscape

6.5.1.

The proposed development is situated within the Hoy and West Mainland National Scenic Area (NSA). The developer has stressed consideration of how the development is sited and designed to minimise wider landscape impacts arising. By siting the proposed house in close relationship to Eastr, the impression of an isolated new house in the countryside would be minimised. However this would be at the cost of increasing the perception of linear development alongside Downie's Lane. The proposed development would add to other properties in the general area which already break the skyline from various viewpoints locally. Continued erosion of landscape quality can affect the overall integrity of the NSA or the qualities for which it has been designated; incremental inappropriate development of single houses in the countryside, particularly in prominent situations, is not appropriate. The case remains that the proposal seeks to develop a site which would be prominent to multiple visual receptors and which has no policy basis.

6.5.2.

The proposed siting of the development is an improvement on the previously refused application which overlapped with the current application site. Whilst the current application is assessed afresh on its own merits, supporting information includes a narrative of how the current location, siting and design seek to address concerns stated in the appeal decision. Concerns regarding the isolation of the proposed house and the locally prominent part of the field are addressed at least in part as a consequence of relocating the proposed house site from the south east corner of the site to the north east corner of the same field, resulting in the proposed house being closer to Eastr. However, it is considered that the development does not address all points raised by the Reporter in the appeal decision, and the proposal remains unsympathetic to the character of the local area and is not sited to minimise negative impacts on the landscape. As such the development fails to accord with Policies 1, 2 and 9G, and the Development Criteria as listed within Supplementary Guidance: Housing in the Countryside.

6.6. Road Network Infrastructure

Access would be taken directly from the adjacent road. Roads Services has no objection, subject to a planning condition requiring the developer to widen Downie's Lane across the entire frontage of the site and requiring the proposed access to Downie's Lane to be carried out in compliance with appropriate roads authority standards. The site is considered of adequate size to accommodate any necessary parking and manoeuvring space.

7. Conclusion and Recommendation

7.1.

It is recognised that effort has been made by the applicant/agent in demonstrating a case for the development based on personal circumstances, furthermore the proposed development has been drawn closer to the existing property at Eastra since the previous refusal, albeit the site overlaps with the previous development site. The lifelong, significant and debilitating health condition of the applicant is acknowledged and has been given due weight, and a soul and conscience letter has been provided by a general practitioner in this regard, in which the importance of accommodation that is in close proximity, but independent from, the property at Eastra is steady. It is recognised that this correspondence does not specifically address the specific house design or location as proposed. Planning case law is such that exceptional personal circumstances can be regarded as a material planning consideration in the determination of a planning application.

7.2.

Such matters must be considered in relation to, and in balance with, all other material planning considerations, and accordance with policy, principally compliance or non-compliance with the policies of the adopted Local Development Plan, in this case The Orkney Local Development Plan 2017 and relevant Supplementary Guidance. The proposal fails to comply with any policy requirement of Policy 5E: Housing in the Countryside or Supplementary Guidance: Housing in the Countryside, as set out within this report and clarified in the consultation response from Development and Marine Planning. A matter which exists as a material consideration in favour of a development does not necessarily draw a conclusion that a development should be approved. Therefore, it is legitimate to acknowledge that a material consideration exists, take that matter in balance with the provisions of a plan, and conclude that a development should be refused. In this case, material considerations including the personal circumstances of the applicant do not outweigh the policies of the adopted Local Development Plan; as such, any decision other than refusal cannot be justified.

7.3.

Beyond the key consideration of policy provisions for housing in the countryside and the principle of the development, the siting of the proposed development is also considered inappropriate in terms of landscape impact, which is of increased concern given the location within the Hoy and West Mainland National Scenic Area. Any reduced landscape impact because of the proposed house being closer to

Eastra does not address all adverse effects either to the overall integrity of the NSA or wider landscape. The development is therefore considered contrary to Policies 1, 2 and 9G regarding location and siting. The proposal also fails to address aspects of the ten listed Development Criteria as stated within the Supplementary Guidance: Housing in the Countryside.

7.4.

There are no material considerations evident either in the merits of the application as presented, or apparent on site, which would outweigh the policies of the Orkney Local Development Plan 2017, or which would warrant an outcome other than refusal of the application. The development is considered contrary to Policies 1, 2, 5E and 9G of the Orkney Local Development Plan 2017 and Supplementary Guidance: Housing in the Countryside. Accordingly, the application is **recommended for refusal**.

8. Reasons for Refusal

01. The proposed development fails to meet any policy requirement for a new house in the countryside. Specifically, the application fails to meet any one of the eight policy provisions in relation to Housing in the Countryside as included in Policy 5E. The application is contrary to Policy 5E: Housing – Single Houses and New Housing Clusters in the Countryside of the Orkney Local Development Plan 2017.

02. The site location would not reflect the character of the surrounding area and would appear incongruous and intrusive due to inappropriate siting within the landscape. The development fails to comply with Policy 1: Criteria for All Development, paragraphs i and ii, of the Orkney Local Development Plan 2017.

03. The site location and design would not reflect the local settlement pattern, would not reinforce the distinctive identity of Orkney's rural built environment and would not be sympathetic to the character of the local area. The development fails to comply with Policy 2: Design, paragraphs i and ii, of the Orkney Local Development Plan 2017.

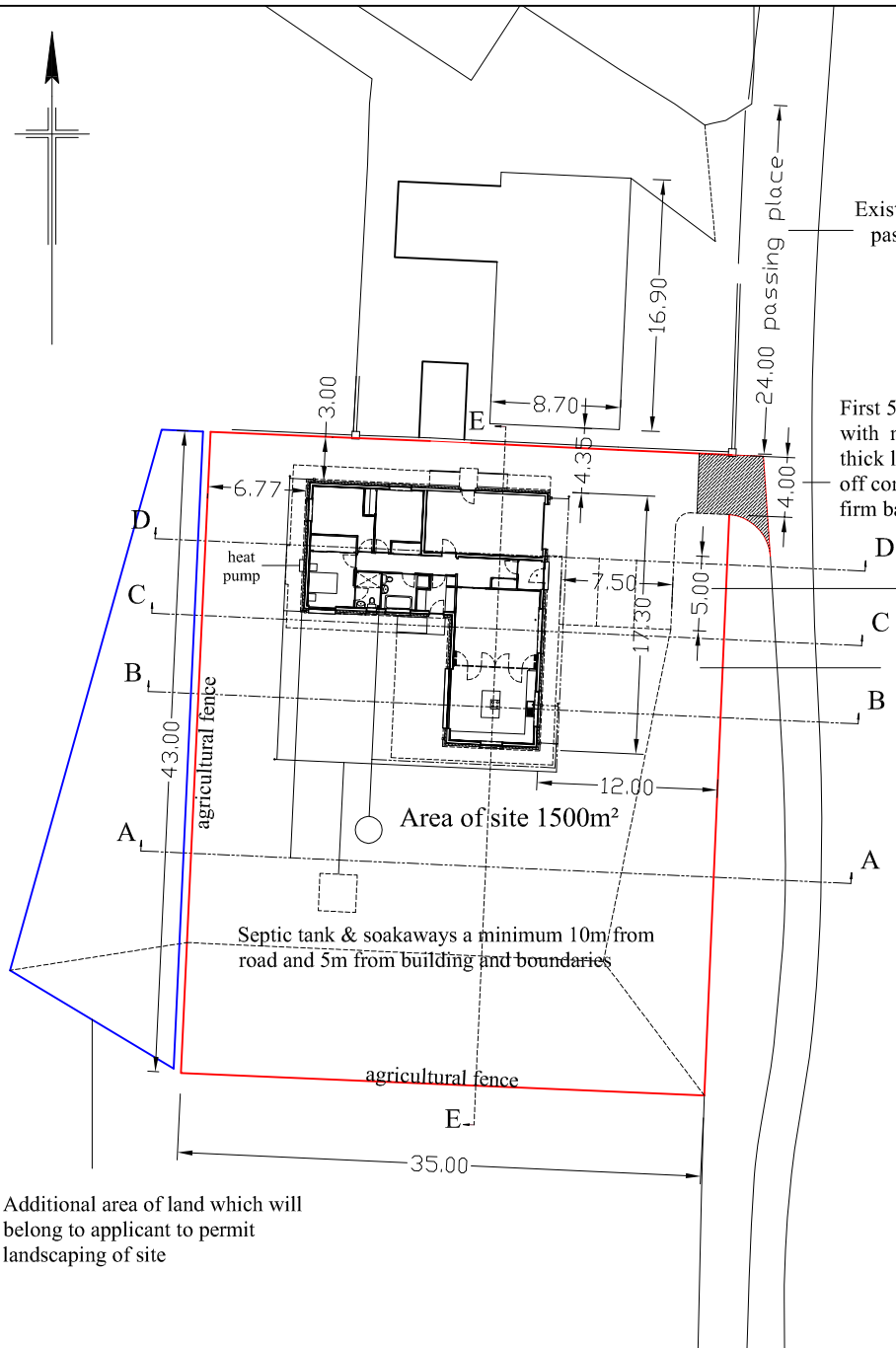
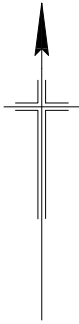
04. The proposed house location and footprint are not sited to minimise negative impacts on the local landscape. The proposed site location would also have the potential, in combination with the other development along Downie's Lane, to create incongruous development of individual houses in the landscape. Given the location of the development and prominence within the local landscape the proposal is considered contrary to Policy 9: Natural Heritage and Landscape, paragraph G i, ii and iii, of the Orkney Local Public Plan 2017.

9. Contact Officer

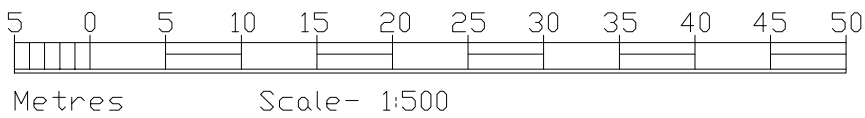
David Barclay, Senior Planner, Development Management, Email: david.barclay@orkney.gov.uk

10. Appendix

Appendix 1: Location and Site Plan.



Additional area of land which will belong to applicant to permit landscaping of site



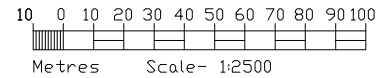
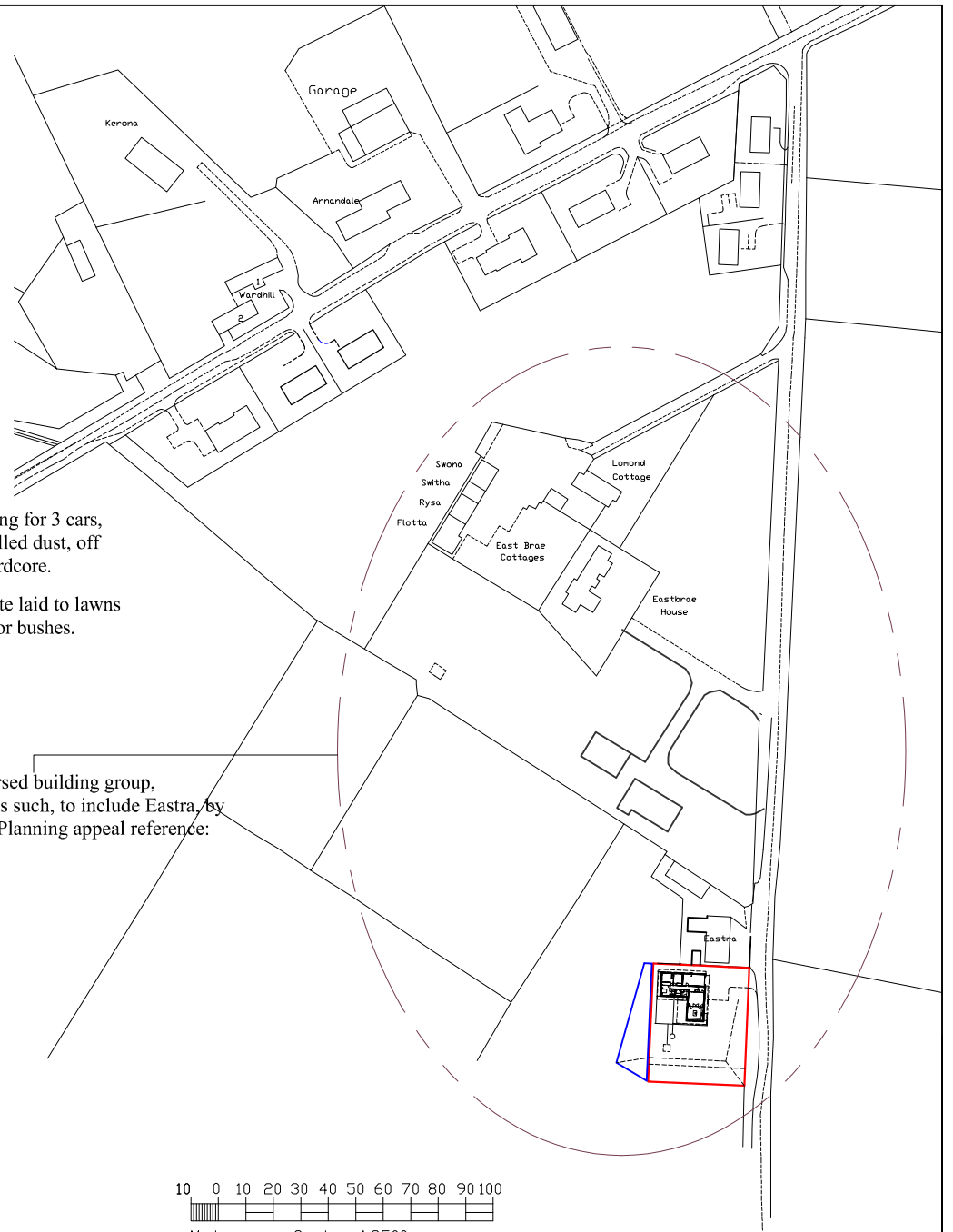
Existing surfaced passing place.

First 5m of access finished with minimum 50mm thick layer of tarmadam off compacted Type 1 off firm base.

Drive and parking for 3 cars, finished with rolled dust, off consolidated hardcore.

Remainder of site laid to lawns with no shrubs or bushes.

Assumed dispersed building group, acknowledged as such, to include Eastra, by the Reporter in Planning appeal reference: PPA-330-2027



Title
Erection of House & Garage and Installation of Air Source Heat Pump near Eastra, Stromness.
Client
Miss Corrine Sinclair, Estra, Stromness, KW16 3HS. Drwg No- 1611/1/P2 Plan Size- A4.