

Item: 5

Planning Committee: 14 February 2024.

Reinstate a house, extend, and install an air source heat pump, erect a replacement house with an integral garage and an air source heat pump (two for one), and alter an access (resubmission of 22/289/PP) at Cumbra (near Quean), Sandwick.

Report by Corporate Director for Neighbourhood Services and Infrastructure.

1. Summary

1.1.

Planning permission is sought to reinstate and extend a former house and erect a new house adjacent on a replacement house basis, at the historic property known as Cumbra, near Quean, Sandwick. The existing house is redundant and retains sufficient historic and architectural merit to justify a new dwelling on the adjacent site. Accordingly, the principle of the development as a ‘two for one’ is acceptable. The overall development is considered acceptable in scale, design, and layout. Two objections have been received on grounds of impact on residential amenity due to the location of the proposed access track, impacts on the functionality of an existing farm business, specifically cattle movement and impact on road safety. The objections are considered of insufficient weight to merit refusal.

Application Number:	23/115/PP
Application Type:	Planning permission.
Proposal:	Reinstate a house, extend, and install an air source heat pump, erect a replacement house with an integral garage and an air source heat pump (two for one), and alter an access (resubmission of 22/289/PP).
Applicant:	Mr Sean Stanger.
Agent:	Stephen Omand, 14 Victoria Street, Kirkwall, KW15 1DN.

1.2.

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

2. Consultations

2.1. Roads Services

Noting that this application is one of three that would result in a total of five houses using the same access to the public road, with the associated additional traffic that could be expected from five new dwellings, a planning condition is required to upgrade the access junction with the public road. On that basis, Roads Services has no objection.

2.2. Environmental Health

No objection, having assessed information provided by the applicant's noise consultant, on the assumption that the noise calculations for nearby wind turbines are correct.

2.3. Development and Marine Planning (Biodiversity)

Biodiversity measures included are proportionate to the nature and scale of the proposed development and would be secured by condition, including protection of breeding birds.

2.4. Scottish Water

No objections.

2.5 Islands Archaeologist

The proposed development comprises the reinstatement and extension of the nineteenth century dwelling of Cumbla, demolition of its outbuildings, the erection of a house adjacent and an access track. The revision to the proposed development turns the axis of the adjacent (easternmost) house by 90 degrees. The Islands Archaeologist does not anticipate significant impacts on designated heritage assets, including the Scheduled Monument area of the Cumbla and Newgarth Bronze Age burial mounds, their settings, or the Outstanding Universal Value of the Heart of Neolithic Orkney World Heritage Site and its associated Inner Sensitive Zone. The proposed access track is located downslope and far enough away from the Scheduled area for there to be no concerns about direct impacts on outlying undiscovered burial remains.

2.6. Historic Environment Scotland

The proposed reinstatement and extension of a derelict house and the erection of an adjacent new build house, installation of air source heat pumps at each dwelling, and the alteration of an existing access are located around 150 metres to the west of the scheduled monument at a slightly greater altitude. It would be conspicuous in inward views looking towards the barrow cemetery from the Loch of Harray; the spread of development on this hillside would be likely to reduce the ability to identify and hence understand and appreciate the monument and its positioning within its prehistoric context. However, key outward views from the monument looking down towards the Loch of Harray would not be interrupted by this scheme, and the level of change to the baseline setting of the monument that derives from this scheme is not significant.

In addition, HES welcomes that the access track has been repositioned considerably further away from the scheduled monument than it was in the previous application (22/289/PP). Given the above, this application is unlikely to result in a significant adverse impact on the setting of the monument. In addition to impact on the setting of the monument, it is also worth noting that the site is within the Heart of Neolithic Orkney World Heritage Site Sensitive Area. However, given the open character of the landscape in this area and the level of pre-existing development, these proposals would not have any significant impact on the outstanding universal value of the World Heritage Site.

3. Representations

3.1.

Two objections have been received, from:

- Mr Ronald Alexander, Quean, Sandwick, KW16 3JE
- Mr Richard Herdman, Linday, Sandwick, KW16 3JE

3.2.

3.2.1.

One objection relates to the location of the proposed access road:

“There has been a change made to road access, because of ancient tumuli in a nearby field. The repositioned road now goes directly past our house, Quean, despite being 170 metres from the proposed new build houses and over 300 metres from the main road access point (as the crow flies). By looking on Canmore, I can see record of the ancient tumuli dating back as far as the 19th century. However, as the records go on, they show clear signs of the tumuli being completely mutilated by agricultural ploughing...

Being that they have been so badly destroyed by farming and no restrictions to farming activities have ever been placed and the fact that the location of the tumuli on the map aren't even directly on the original road route, I do not feel there is sufficient reasoning to disrupt the residential amenity of our property. The original route for the road (application 22/289/PP) is a far more logical plan, doesn't disrupt existing private property and doesn't split one agricultural field into three.”

3.2.2.

The second objection relates to implication on an agricultural operation due to the location of the proposed access:

“I'm objecting and forwarding concern to the planning of a new access road going from the main road up to Cumbla, Sandwick.

Our dairy farm, Linday, farms the field in which the new road is proposed. Currently, cattle use the track which reaches from the back of the farm up to the field to gain access, where they then graze all the way down to the main road. As this is a dairy farm, cattle need to come back into the parlour twice a day to be milked, with the process of taking them from field to farm taking around twenty minutes.

The concern comes from the plan for the new road to split the field into three, therefore meaning only one of three fields can be accessed by the farm track currently used and access to adjoining fields will be lost. This means the potential of crossing the new access road three times or leading cattle along 700 metres of main road, twice a day to be milked which is highly impractical, illogical, disrupting, and dangerous.”

4. Relevant Planning History

Reference	Proposal	Location	Decision	Date
23/114/PP	Reinstate a house, extend, and install an air source heat pump and erect a replacement house with an air source heat pump, (two for one) and alter an access (resubmission of part of 22/288/PP)	Savedale Cottage (Land Near), Sandwick, KW16 3JE.	Grant Subject to Conditions	10.10.2023
23/112/PP	Erect a replacement house with an integral garage and an air source heat pump (one for one)	Savedale Cottage (Land Near), Sandwick, Orkney, KW16 3JE	Grant Subject to Conditions	10.10.2023

5. Relevant Planning Policy and Guidance

5.1.

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

5.2.

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

- Orkney Local Development Plan 2017:
 - The Spatial Strategy – The Isles Approach.
 - Policy 1 - Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5 – Housing.
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 13 - Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14C - Transport, Travel and Road Network Structure.
- National Planning Framework 4:
 - Policy 3 - Biodiversity.
 - Policy 17 - Rural Homes.

6. Legal Aspects

6.1.

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

6.2.

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

6.3.

Annex A continues as follows:

- The House of Lords’ judgement also set out the following approach to deciding an application:
 - Identify any provisions of the development plan which are relevant to the decision.

- Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies.
 - Consider whether or not the proposal accords with the development plan.
 - Identify and consider relevant material considerations for and against the proposal.
 - Assess whether these considerations warrant a departure from the development plan.
- There are two main tests in deciding whether a consideration is material and relevant:
 - It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land.
 - It should relate to the particular application.
 - The decision maker will have to decide what considerations it considers are material to the determination of the application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.
 - The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:
 - Scottish Government policy and UK Government policy on reserved matters.
 - The National Planning Framework.
 - Designing Streets.
 - Scottish Government planning advice and circulars.
 - EU policy.
 - A proposed local development plan or proposed supplementary guidance.
 - Community plans.
 - The environmental impact of the proposal.
 - The design of the proposed development and its relationship to its surroundings.
 - Access, provision of infrastructure and planning history of the site.
 - Views of statutory and other consultees.
 - Legitimate public concern or support expressed on relevant planning matters.

- The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

6.4.

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

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

6.5.

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

6.6. Status of the Local Development Plan

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

6.7. Status of National Planning Framework 4

6.7.1.

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

6.7.2.

In the current case, the proposed development is considered to comply with the relevant provisions of both NPF4 and the Orkney Local Development Plan 2017.

7. Assessment

7.1. Background

Planning permission is sought to reinstate and extend the house of Cumbra, and install an air source heat pump, along with the erection of a replacement house with an integral garage and an air source heat pump (two for one) and alter an access (resubmission of 22/289/PP). The site is in the countryside, accessed from the B9057 as indicated in the Location Plan attached as Appendix 1.

7.2. Principle

7.2.1.

The principle of replacing an existing building or structure within the countryside, and the retention of an existing derelict building of historic merit and replacement with a new house (2 for 1) is supported under the Orkney Local Development Plan 2017 Policy 5E(iii), provided that the proposal also meets the criteria set out under that policy together with other policies of the Plan, relevant Supplementary Guidance and other material planning considerations. The current proposal would comply with the requirements set out under Policy 5E(iii) and Supplementary Guidance 'Housing in the Countryside' (2021).

7.2.2.

This policy and guidance align with NPF4 Policy 17 a) which states, "Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area", and the development "reuses a redundant or unused building".

7.2.3.

The existing stone cottage has been abandoned but retains its form and structure. The attached outbuilding is in a much poorer state of repair and would be demolished as part of the proposal. It is proposed to reinstate the building and extend in a sympathetic manner. This would ensure a traditional stone dwelling of historic and architectural merit is retained. As such, the development accords with Policy 5E(iii), as justification for a new dwelling on the adjacent site.

7.3. Amenity and Design

7.3.1.

The proposal would be sympathetic and in keeping with the form of the historic building, with the extension sitting behind the original cottage thereby retaining the traditional stone cottage as the main frontage. This dwelling would be single storey, as existing. The proposed materials include natural stone slate to the roof, pointed stone walls, the extensions with cream/white render walls, anthracite doors and windows and black rainwater goods; these finishes are acceptable in the countryside location.

7.3.2.

The 'replacement' house would also be single storey, of a similar scale and form and also on an 'H' shaped floor plan. This dwelling would be set immediately to the east of the reinstated dwelling, perpendicular, and would be viewed in context with the reinstated dwelling and seen together as a grouping. The proposed materials would also help the dwelling to integrate into the site and with the adjacent reinstated dwelling. The proposed materials and colour scheme for the 'replacement' house and garage are also like nearby developments. It is considered that the proposed materials and the design and scale of the two houses and the garage together would be acceptable. Boundary treatments would include agricultural post and wire fencing and the existing stone boundary wall to the north of the sites retained and repaired.

7.3.3.

The plots would be largely laid to grass with honeysuckle planted along two of the boundaries; landscaping and biodiversity would be controlled by condition. It is considered that the development would comply with Policy 2 of the Local Development Plan. Both proposed dwellings include the installation of air source heat pumps. This is acceptable under Policy 7C.

7.3.4.

The area is generally scattered housing and farmsteads with the closest third-party house over 100 metres from the proposed development. This separation distance would help maintain privacy and it would be unlikely that the proposal would have a significant impact on residential amenity between the properties through overlooking or overshadowing.

7.3.5.

The objector's property at Quean is approximately 140 metres to the south-east of the proposed houses. As noted in the representation received, the proposed access would run immediately adjacent to the boundary of the property of Quean. The objector is concerned regarding impact on residential amenity due to the proximity of the access and traffic for the two houses passing close to the boundary of the house. Although the access will have some impact as Quean is currently isolated from other development, it is not considered that the anticipated impact from a domestic access serving two houses would be so significant as to warrant refusal. A condition would control hours of construction.

7.3.6.

The site area is sufficient to provide adequate amenity space and parking provision for each house.

7.3.7.

As is required under Policy 2(vi) of the Local Development Plan and Planning Policy Advice 'Amenity and Minimising Obtrusive Lighting' (March 2021), a condition would be attached requiring that any external lighting used on the development would minimise obtrusive light and would be downward facing.

7.4. Landscape

The site is located within the Inner Sensitive Zone of the Heart of Neolithic Orkney World Heritage Site. Given the scale of the development, the existing derelict building on site, existing built development nearby and the distance of the site from monuments, it is concluded that the development would not have a significant negative impact on the Outstanding Universal Value of the World Heritage Site or its setting. The development therefore accords with Policy 8 of the Local Development Plan.

7.5. Biodiversity

Biodiversity measures appropriate to the nature and scale of the development have been included, and a condition would be attached to ensure these are implemented. The proposal complies with Policy 3 of NPF4.

7.6. Drainage

Policy 13C provides for the use of private foul drainage systems provided there would be no detrimental impacts, including no unacceptable cumulative effects, to the built and natural environment or surrounding uses. There is no unacceptable risk from drainage, and the proposal complies with Policy 13 of the Local Development Plan.

7.7. Access

7.7.1.

Roads Services advises that, as this development would add a further two houses to three houses already approved from a single road junction to the public road, the access would require to be constructed to a 5-10 house standard. The existing public road at the access junction is single track; the additional traffic associated with this overall development would require localised road widening for 15 metres in both directions from the access.

7.7.2.

One representation confirms that the proposed access would cut the field into three parcels, making access for the dairy herd more difficult and time consuming. Road safety is introduced to the representation, as the options to move the dairy herd would be to either cross the new access track, within the limits of the existing field, or lead the herd along the public road with a stated risk to road safety due to increased frequency of cattle movements and for greater distances. The functionality of the farm and such road movements of cattle have not been raised as a concern by Roads Services. Access across the access track, including gate arrangements, cattle grids, etc, is a private matter that would be managed directly between the landowner and the farmer whose dairy herd use the field. The impact on that particular and current agricultural operation is not of such weight to merit refusal of the application.

7.7.3.

Roads Services has no objection, subject to condition. The proposal complies with Policy 14 of the Local Development Plan.

7.8. Historic Environment

7.8.1.

The proposed development would not have significant impacts on designated heritage assets, including the Scheduled Monument area of the Cumbra and Newgarth Bronze Age burial mounds, their settings, or the Outstanding Universal Value of the Heart of Neolithic Orkney World Heritage Site and its associated Inner Sensitive Zone. The proposed access track is located downslope and sufficiently distant from the scheduled area for the Islands Archaeologist to have no concerns regarding direct impacts on outlying undiscovered burial remains associated with the scheduled monument.

7.8.2.

The proposed development would accord with NPF4 Policy 7, and Local Development Plan Policy 8.

7.9. Noise

Three wind turbines are located within 250 metres of the proposed site. The developer was required to demonstrate that these existing wind turbines would not cause an unacceptable amenity impact to the proposed development and that the legitimate operation of the approved wind turbines would not be negatively impacted. A noise statement was therefore requested and submitted, and following assessment, Environmental Health has confirmed no adverse comments.

8. Conclusion and Recommendation

The development is considered to accord with the Spatial Strategy and Policies 1, 2, 5, 8, 13 and 14 of the Orkney Local Development Plan 2017, and Policies 3 and 17 of National Planning Framework 4. The proposal is acceptable in principle, in terms of design, amenity, drainage and access. The objections have been considered but are not of sufficient weight to merit refusal. Accordingly, the application is recommended for approval, subject to the conditions attached as Appendix 2 to this report.

9. Contact Officers

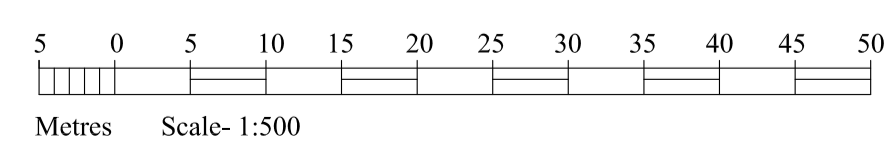
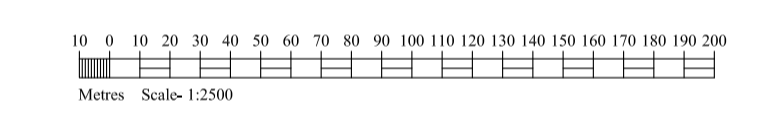
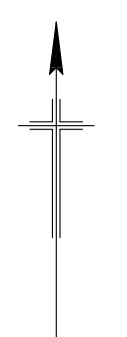
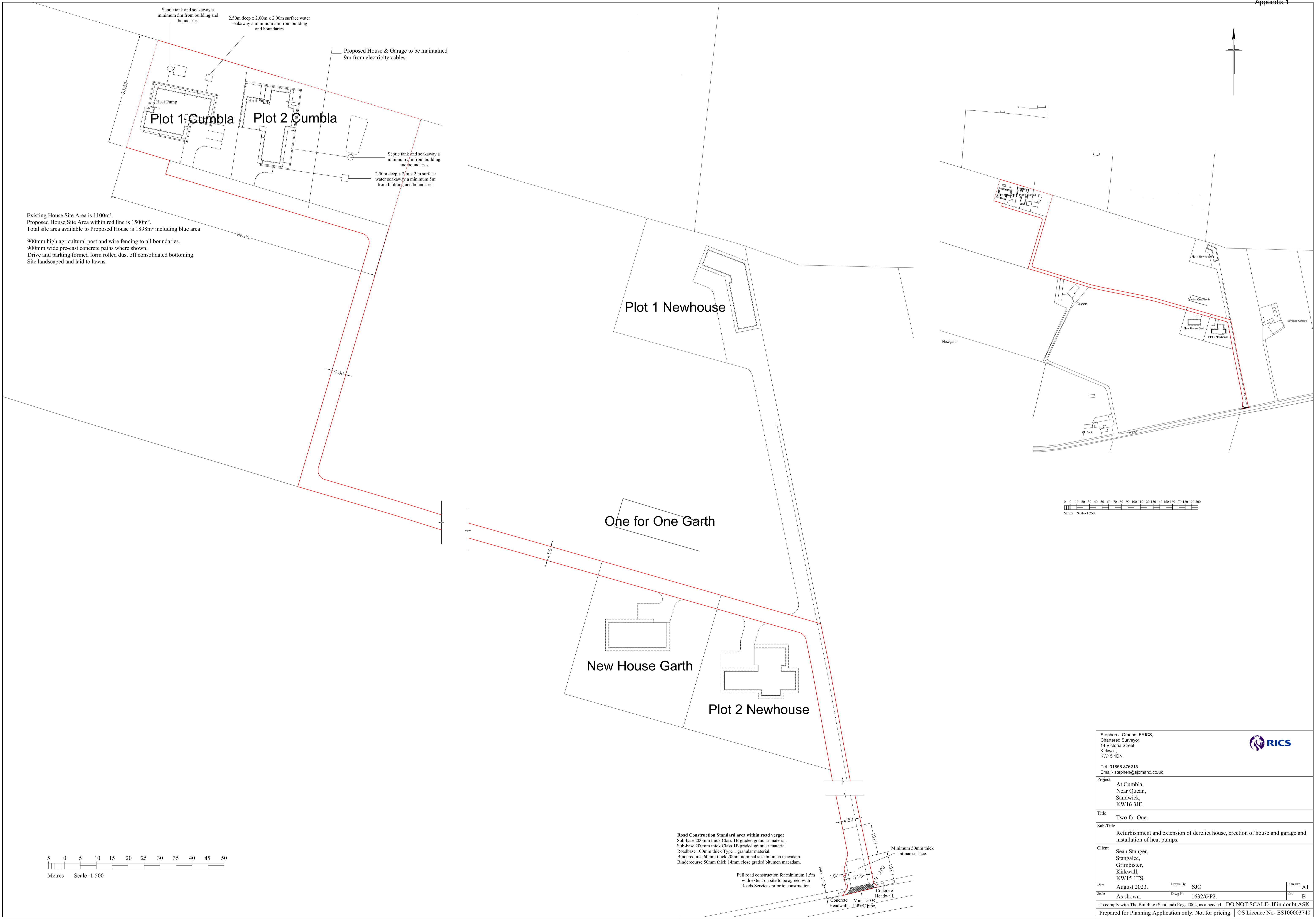
Jamie Macvie, Service Manager (Development Management), Email jamie.macvie@orkney.gov.uk

Margaret Gillon, Senior Planner, Email margaret.gillon@orkney.gov.uk.

10. Appendices

Appendix 1: Location Plan.

Appendix 2: Planning Conditions.



Stephen J Omand, FRICS, Chartered Surveyor, 14 Victoria Street, Kirkwall, KW15 1DN. Tel- 01856 876215 Email- stephen@sjomand.co.uk			
Project At Cumbla, Near Quean, Sandwick, KW16 3JE.			
Title Two for One.			
Sub-Title Refurbishment and extension of derelict house, erection of house and garage and installation of heat pumps.			
Client Sean Stanger, Stangalee, Grimbister, Kirkwall, KW15 1TS.			
Date	August 2023.	Drawn By	SJO
Scale	As shown.	Drawn No	1632/6/P2.
To comply with The Building (Scotland) Regs 2004, as amended. DO NOT SCALE- If in doubt ASK. Prepared for Planning Application only. Not for pricing. OS Licence No- ES100003740			Plan size A1 Rev B

Appendix 2

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. 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, and to protect road safety.

03. Foul drainage shall be managed wholly within the boundary of the application site, including the soakaway indicated in the site plan 1632/6/P2 hereby approved.

Reason: To ensure the provision of an adequate foul drainage system and to accord with Policy 13B - Sustainable Drainage Systems (SuDS) of Orkney Local Development Plan 2017, Scottish Planning Policy - Managing Flood Risk and Drainage and for the avoidance of doubt.

04. Any exterior lighting employed on the house hereby approved, 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: 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', in accordance with Amenity and Minimising Obtrusive Lighting Planning Policy Advice (2021).

05. No development shall commence until full details of a programme of historic building recording, including standing building survey and photographic survey, have been submitted to, and approved in writing by, the Planning Authority in conjunction with the Islands Archaeologist. The details of recording shall include survey of the entire existing structure including the part to be demolished, and as a minimum shall include all external elevations and the setting of the building, and any unusual features identified. The recording shall also include a written account of the origins, plan, form, function, age and development sequence if discernible, of each of the buildings.

All survey, evaluation, reporting, analysis and archive deposition, as required and approved, shall be funded by the developer. All submissions must be in digital format.

No demolition or other development shall be carried out within the site until the site is subsequently surveyed wholly in accordance with approved details, and the survey is submitted to, and approved in writing by, the Planning Authority.

Such work requires to be agreed and secured between the developer of the site and the archaeological contractor undertaking the archaeological works before it will be agreed in writing by the Planning Authority.

Reason: In the interests of protecting Orkney's archaeological and cultural heritage resources and to accord with Policies 8A and 8B(vi) of the Orkney Local Development Plan 2017 and Supplementary Guidance: Historic Environment and Cultural Heritage.

06. No other development shall commence until the access hereby approved with the public road is constructed to the Council's Roads Services standard drawing 'SD-01 Typical Access for Single Development (5-10 houses)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. Thereafter the access shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed in writing by the Planning Authority.

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

Reason: In the interests of road safety.

07. No development shall commence until full details of measures to prevent the flow of surface water from the access track to the public road are submitted to and approved, in writing, by Planning Authority, in conjunction with Roads Services. Thereafter, no other development shall commence until the access junction and approved measures to prevent the flow of surface water to the public road are constructed wholly in accordance with approved details, and the approved details shall be retained and maintained in an operational condition throughout the lifetime of the development.

Reason: In the interest of road safety.

08. No development shall commence until full details of the widening of a section of the public road for a minimum distance of 15 metres in both directions from the centre of the approved access, have been submitted to and approved, in writing, by the Planning Authority. These details shall include widening to a minimum width of six metres, with lead-in tapers at 5:1 to the widened area and including the piping of any roadside drainage affected by these works. Thereafter, except for works relating to the access, no development shall commence until the road widening is completed wholly in accordance with approved details.

Reason: In the interest of road safety.

09. No development shall commence (including demolition, ground preparation, construction, or any other works) during March to August (inclusive), or (if during these months) until a pre-start walkover of the site and inspection of the existing buildings, structures and vegetation has been completed by a suitably experienced (and licensed) ecologist, to identify signs of breeding birds and until an appropriate Breeding Bird Protection Plan has been submitted to and approved, in writing, by the Planning Authority. Thereafter, the development shall be carried out wholly in accordance with the approved Breeding Bird Protection Plan.

Reason: To avoid adverse effects on breeding birds, to meet the requirements of Policy 9C – Wider Biodiversity and Geodiversity of the Orkney Local Development Plan 2017, and to comply with protected species legislation.

10. The biodiversity measures described in the submitted Biodiversity form (dated 2 October 2023) and shown on the 1:200 site plan drawing (reference 1632/Cumbla near Queena Bio 1, dated July 2023), 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 'Biodiversity' of National Planning Framework 4.

11. Total noise from the Air Source Heat Pump(s) installed shall not exceed NR25 within any residential property outwith the development, where NR25 is the Noise Rating Curve at 25, (noise measurements to be made with a window of any residential property outwith the development open no more than 50 mm.)

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

12. The new house (Plot 2) hereby approved shall not be occupied or brought into use until the existing building (Plot 1) has been made fully wind and watertight in accordance with the approved details. Thereafter, the existing building shall be retained in the wind and watertight condition throughout the lifetime of the development.

Reason: To ensure the retention and protection of the building of historic merit and to comply with the requirements of Orkney Local Development Plan 2017 Policy 5E 'Housing Development in the Countryside' and Supplementary Guidance 'Housing in the Countryside'.

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

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