

## **Item: 4.1**

**Local Review Body: 19 May 2023.**

**Proposed Erection of Replacement House (One for One) and Upgrade Access at (Land Near) Skerryvoe, Evie (22/274/PP).**

**Report by Corporate Director for Strategy, Performance and Business Solutions.**

### **1. Purpose of Report**

To determine a review of the decision of the Appointed Officer to refuse planning permission for the proposed erection of a replacement house (one for one) and upgrade an access at Skerryvoe, Evie (22/274/PP).

### **2. Recommendations**

The Local Review Body is invited to note:

#### **2.1.**

That planning permission for the proposed erection of a replacement house (one for one) and upgrade an access at Skerryvoe, Evie, was refused by the Appointed Officer on 18 January 2023, for the reasons outlined in section 3.2 of this report.

#### **2.2.**

That the applicant has submitted a Notice of Review requesting that the decision of the Appointed Officer, referred to at paragraph 2.1 above, be reviewed.

#### **2.3.**

That, in accordance with policy, the Local Review Body undertook an unaccompanied visit to the site, referred to at paragraph 2.1 above, on 31 March 2023.

#### **2.4.**

That, on 31 March 2023, the Local Review Body resolved that the review should be deferred, to enable the following:

- A further written submission from the Roads Authority providing clarification on the term “intensification”, as given in the reason for refusal, being explicit to the National Roads Development Guide.
- A representative from the Roads Authority being invited to attend the meeting of the Local Review Body at which the Notice of Review would be determined.

**It is recommended:**

## **2.5.**

That the Local Review Body determines 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.
- In the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision notice.

## **2.6.**

That, in the event the Local Review Body agrees that further information is required to determine the review, 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 Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013; and/or.
- By the holding of one or more hearing under the Hearing Session Rules set out in Schedule 1 of the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

## **3. Background**

### **3.1.**

Planning application 22/274/PP relates to the proposed erection of a replacement house (one for one) and upgrade an access at Skerryvoe, Evie.

### **3.2.**

The Appointed Officer refused the planning application on 18 January 2023 on the following grounds:

#### **3.2.1.**

Policy 1: Criteria for All Development, part (vi) of Orkney Local Development Plan 2017 notes that development will only be supported where it “does not result in an unacceptable level of risk to public health and safety”. Policy 14C: Road Network Infrastructure states that development will only be permitted where “(iii) Any new access, or upgrades to an existing access, linking to the adopted road network has been designed to an adoptable standard defined by the National Roads Development Guide (new accesses should be resource efficient, safe for all road users, and convenient for sustainable travel modes).”

#### **3.2.2.**

Roads Services, as the roads authority, has confirmed that the upgrading and intensification of use of the access would create a crossroads situation which would

be a road safety concern. On that basis, the development is contrary to Policies 1(vi) and 14C(iii) of the Orkney Local Development Plan 2017.

### **3.3.**

In terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, the applicant has submitted a Notice of Review and supporting information, which is attached as Appendix 1 to this report.

### **3.4.**

The Planning Handling Report, Planning Services file and the Decision Notice, including the reason for refusal, referred to in section 3.2 above, are attached as Appendices 2, 3 and 4 to this report.

## **4. Further Information**

### **4.1.**

On 31 March 2023, the Committee requested further information from the Roads Authority providing clarification on the term “intensification”, as given in the reason for refusal, being explicit to the National Roads Development Guide. In accordance with Regulation 15 of the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013, the request for further information was intimated to the Roads Authority via a further procedure notice by email on 7 April 2023. The Roads Authority response dated 18 April 2023 is attached as Appendix 5 to this report.

### **4.2.**

In response to the clarification provided by the Roads Authority, the applicant has provided further comment by letter dated 23 April 2023, attached as Appendix 6 to this report.

## **5. Review Procedure**

### **5.1.**

The Local Review Body may uphold, reverse or vary the decision of the Appointed Officer. In the event that the decision is reversed, an indication of relevant matters, in respect of potential planning conditions, are as follows:

- Access specification.
- Surface water drainage.
- External lighting.
- Air source heat pump noise.
- Demolition of existing building and use of materials.
- Landscaping notwithstanding submitted details.
- Hours of construction work.

### **5.1.1.**

All conditions should be in accordance with [Planning Circular 4/1998](#) regarding the use of conditions in planning permissions.

### **5.2.**

If the decision is reversed and the development is approved, it is proposed that powers be delegated to the Corporate Director for Strategy, Performance and Business Solutions, in consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions, based on the relevant matters, agreed in terms of section 5.1 above.

### **5.3.**

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 Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013; and/or.
- By the holding of one or more hearing(s) under the Hearing Session Rules set out in Schedule 1 of the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

## **6. Relevant Planning Policy and Guidance**

### **6.1.**

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 is, unless material considerations indicate otherwise....to be made in accordance with that plan...”

### **6.2.**

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 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.

#### **6.2.1.**

The policies listed below are relevant to this application:

- Orkney Local Development Plan 2017:
  - Policy 1 – Criteria for All Development.

- Policy 5E – Single Houses and New Housing Clusters in the Countryside.
- Policy 9 – Natural Heritage and Landscape.
- Policy 13 – Flood Risk, SUDS and Waste Water Drainage.
- Policy 14C –Road Network Infrastructure.
- Supplementary Guidance:
  - Housing in the Countryside (March 2017).

### **6.2.2.**

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.

## **7. Corporate Governance**

This report relates to the Council complying with its statutory duties as a Planning Authority and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

## **8. Financial Implications**

All resources associated with supporting the review procedure, mainly in the form of staff time, are contained within existing Planning Service revenue budgets.

## **9. Legal Aspects**

### **9.1.**

Under the Planning etc (Scotland) Act 2006 and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 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.

### **9.2.**

The procedures to be followed in respect of the review are as detailed in section 5 above.

### **9.3.**

A letter from the Chief Planner, Scottish Government, 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.

## **10. Contact Officers**

Karen Greaves, Corporate Director for Strategy, Performance and Business Solutions, extension 2202, Email [karen.greaves@orkney.gov.uk](mailto:karen.greaves@orkney.gov.uk)

Angela Kingston, Clerk to the Local Review Body, Email [angela.kingston@orkney.gov.uk](mailto:angela.kingston@orkney.gov.uk)

Susan Shearer, Planning Advisor to the Local Review Body, Email [susan.shearer@orkney.gov.uk](mailto:susan.shearer@orkney.gov.uk)

Georgette Herd, Legal Advisor to the Local Review Body, Email [georgette.herd@orkney.gov.uk](mailto:georgette.herd@orkney.gov.uk)

Stuart Bevan, Legal Advisor to the Local Review Body, Email [stuart.bevan@orkney.gov.uk](mailto:stuart.bevan@orkney.gov.uk)

## **11. Appendices**

Appendix 1 – Notice of Review (pages 1 – 24).

Appendix 2 – Planning Handling Report (pages 25 – 29).

Appendix 3 – Planning Services File (pages 30 – 70).

Appendix 4 – Decision Notice and Reasons for Refusal (pages 71 – 76).

Appendix 5 – Further information received from Roads Authority.

Appendix 6 – Response from applicant to further information from Roads Authority.

The Notice of Review documents can be viewed at [here](#), clicking on “Accept and Search” and inserting the planning reference “22/274/PP”.



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: [planning@orkney.gov.uk](mailto: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 100589904-002

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="S J Omand"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Christopher"/>	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="Scotland"/>
		Postcode: *	<input type="text" value="KW15 1DN"/>
Email Address: *	<input type="text" value="christopher@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" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="Fisk-hellia"/>
First Name: *	<input type="text" value="Stephen"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Sclater"/>	Address 1 (Street): * <input type="text" value="Whitemire Road"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Evie"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="KW17 2NJ"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="sclaterjoinery@outlook.com"/>	

## 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)

Erect a replacement house (one for one) with an air source heat pump and upgrade an access

## 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 letter, 6 - A4 Response Letter to Refusal, which I have attached.

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)

1 - A1 Elevation and Floor Plan 2 - A4 Amended Site & Location Plan 3 - A4 Daikin Altherma 3 Brochure 4 - A4 Reply to Roads Services - 22-274-PP 5 - A4 Design Statement New House at Breckan, Evie, KW17 2NN 6 - A4 Response Letter to Refusal

## Application Details

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

22/274/PP

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

27/07/2022

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

18/01/2023

## 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 Christopher Omand

Declaration Date: 24/02/2023

Surface area to be drained is in the region of 200m<sup>2</sup>  
Assuming 5m<sup>3</sup> of soakaway per 100m<sup>2</sup>  
soakway size is 2.80m x 2.80m x 2.00m deep  
10m from road and 5m from building and  
boundaries.

Garden area to  
be laid to lawn

Septic Tank Volume to BS 6297 = 3,080 litres  
 $V \text{ (litres)} = (P \times 180) + 2000$  where P is number of people served.  
 $(56 \times 180) + 2000 = 2,900$  litres.  
Soakaway Area =  $P \times V \times 0.25$  where P is number of people  
served and V is Percolation Value.  
 $6 \times 35 \times 0.25 = 52.5\text{m}^2$

Inspection  
chamber

Septic tank

Existing post  
and wire  
fencing

Proposed post and  
wire fencing

Skerryvoe

Parking area to be  
compacted rolled dust

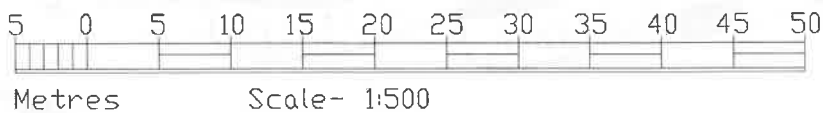
Heat pump

Redundant  
outbuilding to be  
replaced

Breckan  
Cottage

Existing access upgraded  
to Roads Services  
requirements

Existing boundary



Proposed one for one and erection of  
replacement house with air source heat pump

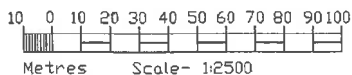
At - Near Breckan, Costa, Evie, KW17 2NN

For - Stephen Sclater

5117/PP/2

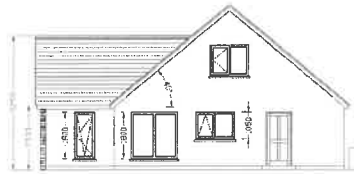
July 2022

OS Licence No- ES100003740

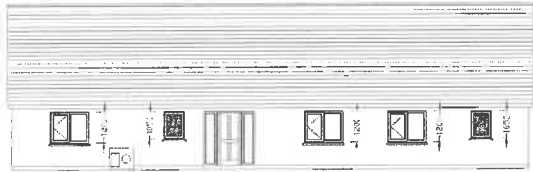




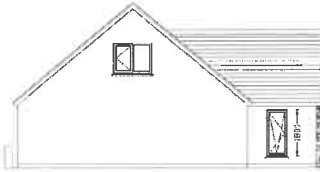
North East Elevation



North West Elevation



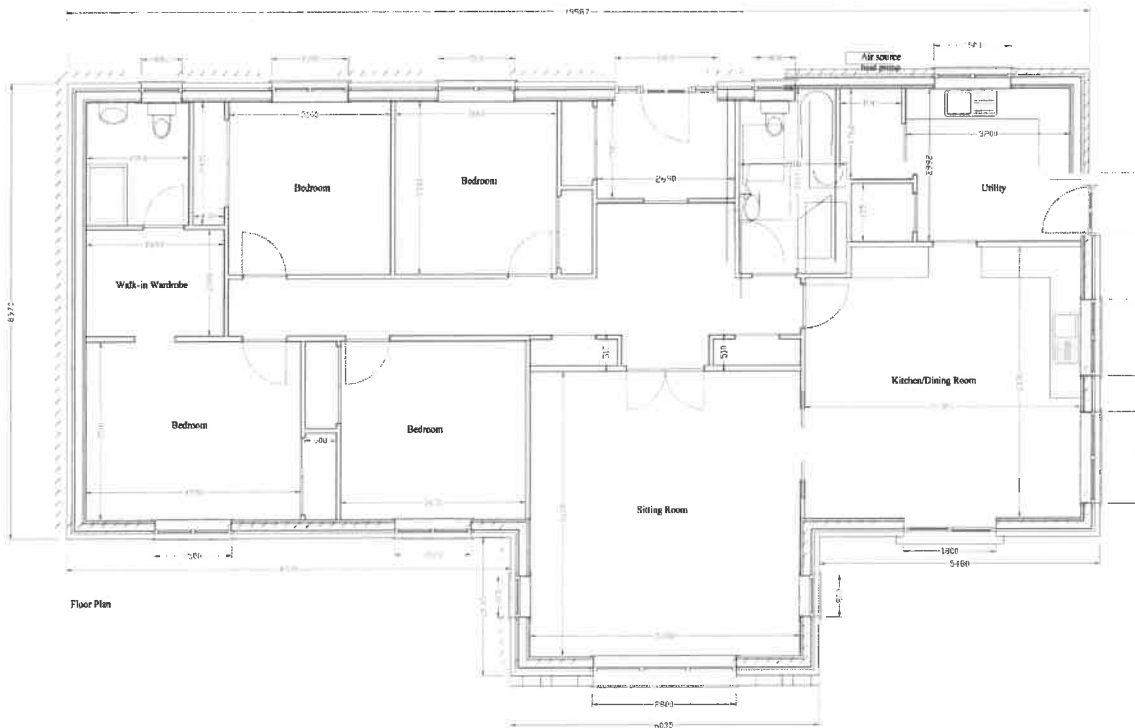
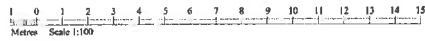
South West Elevation  
Air source heat pump



South East Elevation

**Proposed materials**

Roof - Black mini-stone-wald tiles.  
 Walls - Rendered whitewash with dash. Faced with stone from the redundant outbuilding and painted.  
 Facets & Soffits - Grey P.V.C.  
 Gutters and downpipes - Black P.V.C.  
 Windows and doors - Grey P.V.C.



Floor Plan



Rev.	Description	Drawn	Date
<p>© J.J. O'Connell                      Chartered Surveyors,                      14 Victoria Street,                      Oxford,                      OX16 1DN.</p> <p>Tel: 01865 870216                      Fax: 01865 870199                      Email: charles@jjoconnell.co.uk</p> <p>Project: New House,                      At Bleckna,                      Co. Wick,                      Co. Wick,                      KW17 2NN</p> <p>Title: Proposed use for one and erection of replacement house with                      air source heat pump</p> <p>Client: Stephen Miller,                      Plac-Hallie,                      Co. Wick,                      Wick,                      KW17 2NN</p> <p>Date: July 2022                      Scale: 1:100/1:50</p> <p>Drawn by: CJO                      Project No: 511789/1</p> <p>To comply with The Building (Scotland) Regs 2004.   DO NOT SCALE</p>			

## 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

## Proposed one for one for a redundant outbuilding and erection of a detached house with an air source heat pump.

**At**

**Breckan,  
Evie,  
KW17 2NN.**

**For**

**Stephen Sclater,  
Fisk-Hellia,  
Evie,  
KW17 2NN.**

**July 2022.**

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



- Address:** Breckan, Evie, KW17 2NN
- Applicant:** Stephen Sclater,  
Fisk-Hellia,  
Evie,  
KW17 2NN.
- Proposal:** One for one replacement of redundant outbuilding and erection of detached house, including installation of heat pump.
- Reason for submission of Design Statement:** This Design Statement has been prepared to accompany a full planning application for a one for one replacement of a redundant outbuilding.
- Location:** The application site is located within the rural parish of Evie with direct access off A966 via an existing access which is located across from the Whitemire Road.
- The proposed house is sited North of the redundant house of Breckan.
- The proposed house is located approx. 6m North of the redundant outbuilding to allow for suitable parking and turning areas.
- Planning History:** None.
- Future Possible Development:** The redundant house of Breckan is to be demolished and removed. There will be no other possible development on site.
- Neighbouring Properties:** Neighbouring properties are a mixture of age, design and construction
- Access & Parking:** The existing access to site will be used and upgraded to Roads Services standards. The existing access had been used for well over 85 years for both the original house of Breckan and latterly for tractor access. There will be sufficient space for the parking of at least three cars. The access road, drive and parking area will be formed from rolled dust off consolidated bottoming off a firm base.
- Site Works, Site Finishes & Boundary Finishes:** Existing redundant outbuildings to be demolished and site prepared for the new build.
- The existing redundant house of Breckan is in very poor condition that it is also to be demolished and the site cleared.
- The site is relatively flat and no digging in will be required. The house will have with no exposed underbuilding.
- All parts of the site, other than those covered by the road, car parking and paths, will be landscaped and laid to lawns, with no shrubs, bushes or trees proposed.
- Minimum 900mm wide paths will be laid around the perimeter of the building, as shown, formed from pre-cast concrete slabs off consolidated bottoming off a firm base.
- Accessible access will be provided to the main entrance, comprising a

1.2m x 1.2m concrete platt with accessible, concrete ramp.

All other boundaries are defined by agricultural type post and wire fencing.

**Scale & Form:**

The proposed house will be of detached single storey form of simple T shaped, gabled design, with a maximum ridge height of 6.48m to the main roof and 5.25m to the front projection and an eaves height of 2.53m above path level. The roof pitch will be 40° to both.

The surrounding area has a number of dwellings which vary from single storey, 1½ storey and 1¾ storey, which would allow for the proposed house to fit in with its rural location.

**External Materials:**

Roofs will be clad Mini-Stonewald, concrete tiles, in black, with grey PVC fascias, with minimal depth soffits, and black P.V.C. rainwater fittings.

Walls will be finished with a white/off white dash.

Doors and windows will be of double glazed in colour grey.

**General:**

Heating will be via an air source heat pump.

Services will be mains water and electricity.

Foul drainage will be to a septic tank and soakaway, within the curtilage.

Surface water will be to a soakaway, within the curtilage.

All external lighting will be designed to minimise light pollution



23<sup>rd</sup> February 2023

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

Dear Members

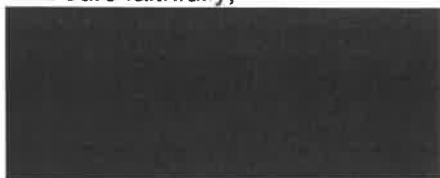
**Reference:** 22/274/PP  
**Subject:** Erect a replacement house (one for one) with an air source heat pump and upgrade an access.  
**At:** Site, Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ.  
**Date of refusal:** 18<sup>th</sup> January 2023.

In response to the reason for refusal 01. the applicant's grandfather, who is 85, has always known the access as a vehicular access to the house on site. The house was last occupied 50/55 years ago and this was, and still is, the established and recognised vehicular access to the property i.e. Breckan Cottage and the adjoining fields.

It is our opinion the proposed house will have no additional adverse impact on the existing access. The upgraded access, which would be a requirement of any such development, should only improve the situation.

I trust this clarifies our position.

Yours faithfully,



Christopher J Omand, BSc (Hons), M.R.I.C.S.

#### 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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13<sup>th</sup> October 2022..

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

Dear Sirs,

**Reference 22/274/PP**

**Erect a replacement house (one for one) with an air source heat pump and upgrade an access.**

**Site, Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ**

In response to Roads Services comments the applicants grandfather, who is 85, has always known the access as a vehicular access to the house on site. The house was last occupied 50/55 years ago and this was, and still is, the established and recognised vehicular access to the property.

I trust this confirms the position.

Yours sincerely,



Christopher J Omand, BSc Hons, MRICS.

**SERVICES INCLUDE:**

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**LOCAL KNOWLEDGE ■ NATIONAL COVERAGE**

**Offices throughout Scotland**

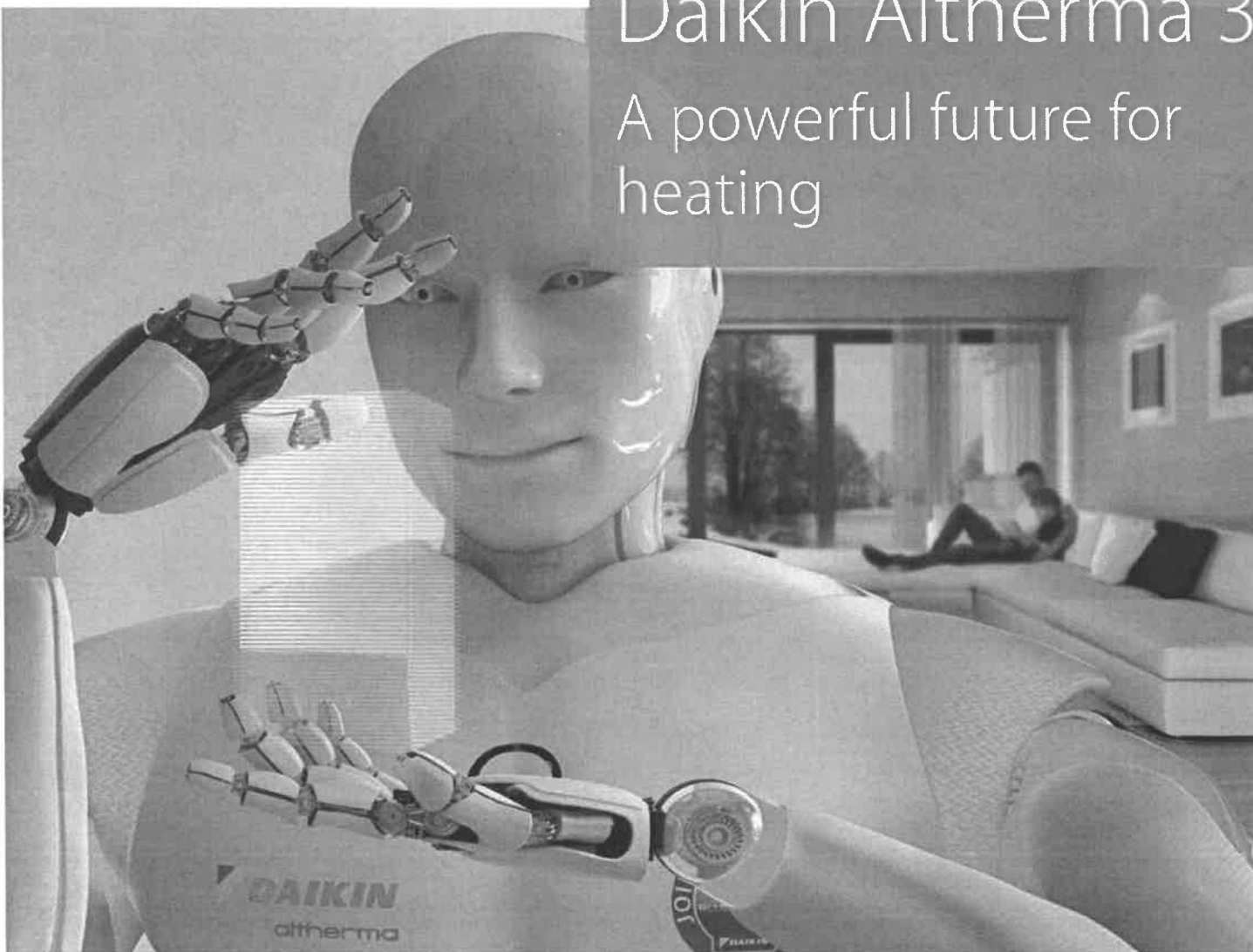
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**DAIKIN**  
altherma

# Daikin Altherma 3

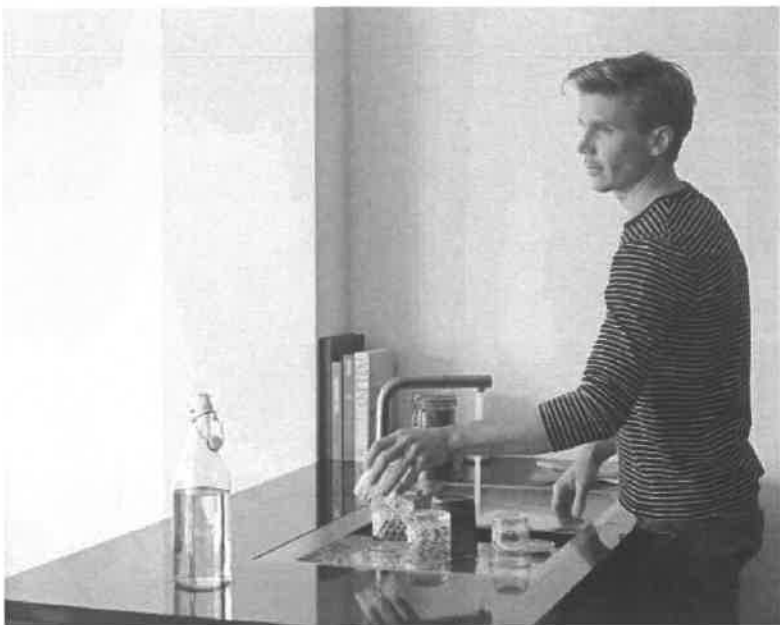
A powerful future for heating



Setting the new heat pump standard

**BLUEEVOLUTION**





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Bluevolution wall mounted unit	5
Domestic hot water	6
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## Daikin Altherma 3 with Bluevolution R32

### Why choose **Daikin Altherma 3**?

Bluevolution technology combines very high efficient compressors developed by Daikin with the refrigerant of the future: R32.



#### High performance

- › Delivering temperatures up to 65°C at high efficiency, the R32 Daikin Altherma 3 is suitable for both underfloor heating and radiators and retains its pedigree trademark in frost protection down to -25°C, ensuring reliable operation even in the coldest climates.
- › The optimal combination of Bluevolution technology offers the highest performance:
  - » seasonal efficiency up to A+++
  - » heating efficiency up to a COP of 5,1 (at 7°C/35°C)
  - » Domestic hot water efficiency up to COP of 3,3 (EN16147)
- › Available in 4, 6 and 8 kW

#### Easy to install

- › Delivered ready to work: all key hydraulic elements are already factory mounted
- › The new design enables that all servicing can be done from the front and all piping can be accessed at the top of the unit
- › Stylish modern outlook
- › The outdoor unit is tested and charged with refrigerant, installation time is reduced

#### Easy commissioning :

- › Integrated high resolution colour interface
- › Quick wizard allowing commissioning in maximum 9 easy steps to have the full system ready to work
- › Configuration can take place remotely and settings uploaded to the unit after installation.

#### Easy to control

- › The combined effect of the Daikin Altherma weather dependent set-point controls and its inverter compressors maximises the efficiency of the new Daikin Altherma 3 with R32 Bluevolution technology at each outdoor temperature, ensuring consistent room temperatures at all times.
- › To control on a daily basis your home temperature, settings can be done anywhere at any time via the Daikin Online Controller app. This online controller allows adjustment of home comfort levels to suit individual preferences while achieving further energy efficiencies.



Control  
via app

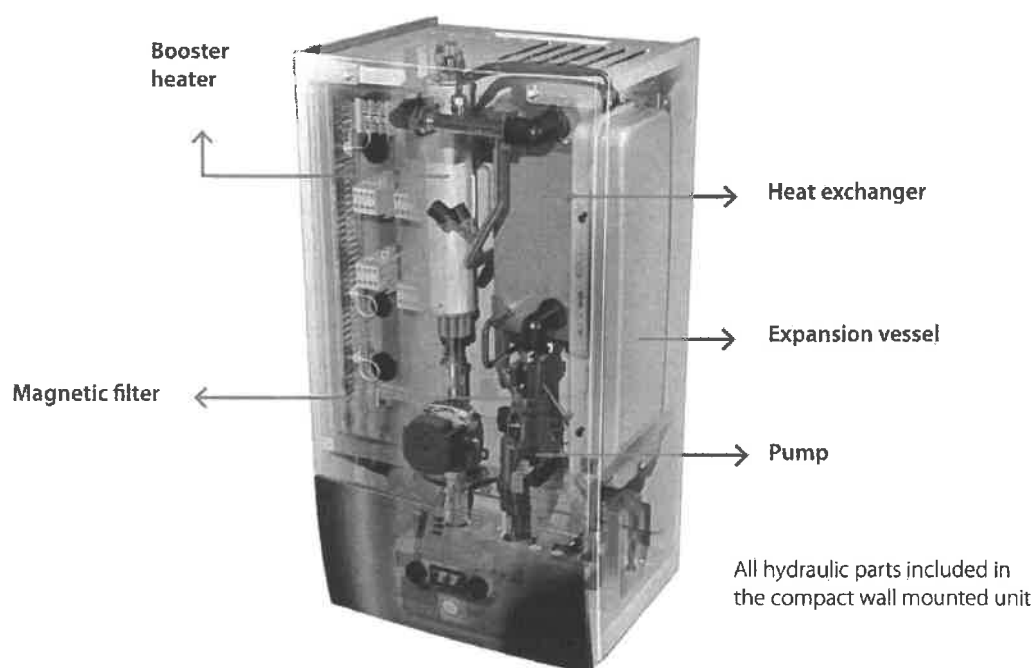


## Why choose a Daikin Altherma 3 wall mounted unit?

The Daikin Altherma 3 split wall mounted unit offers heating and cooling with high flexibility for a quick and easy installation, with an optional connection to deliver domestic hot water.

### High flexibility for installation and domestic hot water connection

- › Inclusion of all hydraulic components means no third party components are required
- › PCB board and hydraulic components are located in the front for easy access
- › Compact dimensions allows for small installation space, as almost no side clearances are required.
- › The unit's sleek design blends in with other household appliances.



## Daikin Altherma 3 adapts to your customers' needs

- **Highest seasonal efficiencies** providing the highest savings on running costs
- Perfect fit for **new builds**, as well as for low energy houses
- A leaving water temperature up to 65°C makes it a **perfect choice for refurbishments**



Wall mounted unit

### High flexibility for installation and domestic hot water connection

- › Compact unit with small installation (almost no side clearance is required)
- › Can be combined with a space separate domestic hot water tank up to 500 litres, with or without solar support
- › Stylish modern design

# Domestic hot water tank

## Hot water heating installation options



### Why choose a domestic hot water tank?

**Whether you only need hot water or you want to combine your hot water with solar systems, we offer you the best solutions to the highest levels of comfort, energy efficiency and reliability.**



**NEW**

Stainless steel tank

### Domestic hot water tank

#### Stainless steel tanks

##### Comfort

- › Available in 150, 180, 200, 250 and 300 litres in stainless steel EKHWSU-D

##### Efficiency

- › High-quality insulation keeps heat loss to a minimum
- › Efficient temperature heating: from 10°C to 50°C in only 60 minutes

##### Reliability

- › At necessary intervals, the unit can heat up water up to 60°C to prevent the risk of bacteria growth

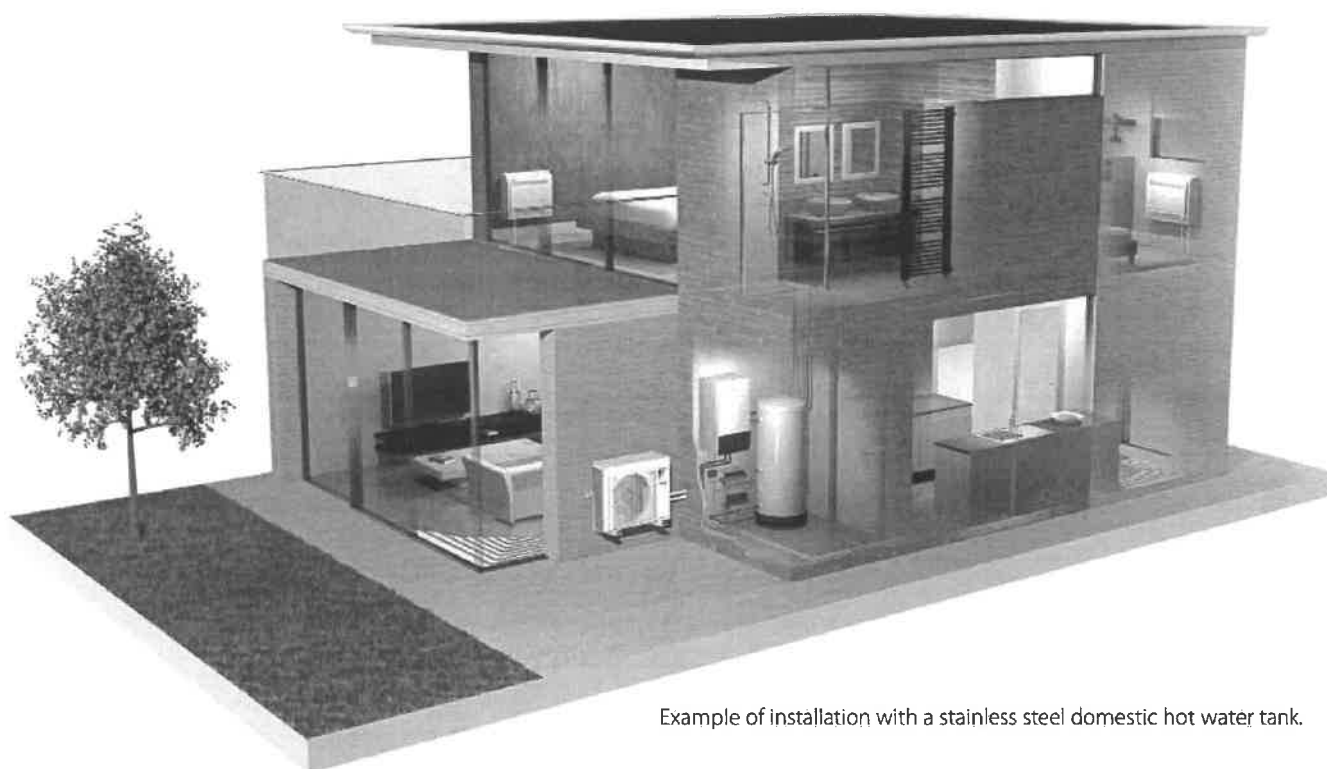




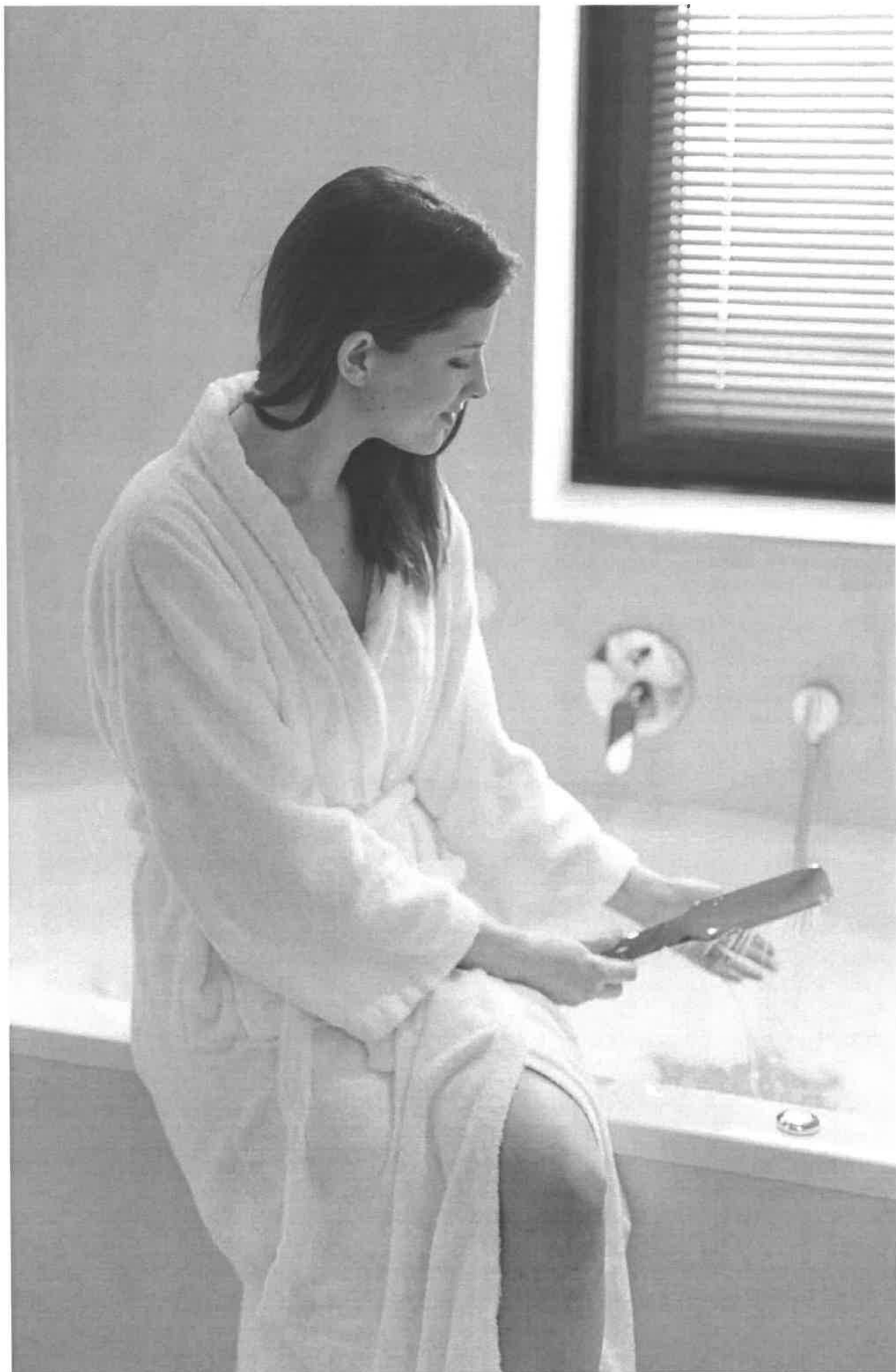
### Flexibility in providing domestic hot water

If the end user only requires hot water and installation height is limited, a separate stainless steel tank provides the required installation flexibility.

- › Fresh water principle: receive domestic hot water on demand while eliminating the risk of contamination and sedimentation
- › Optimal domestic hot water performance: with high tapping performance
- › Fit for future possibility to integrate with renewable solar energy and other heat sources.
- › Lightweight and robust build on the unit combined with cascade principle offers flexible installation options
- › Build for small and large homes, customers can choose between a pressureless and pressurised hot water system



Example of installation with a stainless steel domestic hot water tank.



# Always in control

## Daikin Online Controller

The Daikin Online Controller application can control and monitor the status of your heating system and allows you to:

### Monitor

- › The status of your heating system
- › Your energy consumption graphs\*

### Schedule

- › Schedule the set temperature\* and operation mode with up to **6 actions per day for 7 days**
- › Enable **holiday mode**
- › View in intuitive mode

### Control \*\*

- › The **operation mode** and set temperature
- › Remotely control your system and domestic hot water

\*Starting with ERGA-D

\*\*Control via the app

- › Room thermostat control for space heating and domestic hot water
- › Leaving water temperature control for domestic hot water
- › External control for domestic hot water



### Daikin Online Heating Control

The Daikin Online Control Heating app is a multifaceted programme that allows customers to control and monitor the status of their heating system.

### Main features

- › 'Daikin Eye' (intuitive setting)
- › Tank temperature monitoring
- › Equipped with GDPR (data protection)
- › Remote firmware update of LAN Adapter
- › Control over multiple unit locations

### Applicable Daikin units

- › Daikin Altherma low temperature split
- › Daikin Altherma low temperature monobloc (5-7 kW)
- › Daikin Altherma ground source heat pump
- › Daikin Altherma hybrid heat pump
- › Wall mounted gas condensing boiler D2CND
- › GCU compact

		Thermostat	APP	BRP069A61 BRP069A62	KRC501-1	EKRUDAS	EKRTR
Daikin Altherma 3	Room temperature	Yes	Yes	•		•	
		No	Yes	•	•		
	External control	Yes	No				•
	Leaving water temperature	Yes	No			•	

# Supporting tools

## Heating Solutions Navigator

Daikin's new Heating Solutions Navigator is designed to help you create the best solution for your customer's home.

The Heating Solutions Navigator is a versatile toolkit on Stand By Me, which brings together all the tools required to complete the design and selection of a system. It's so simple to use, you can create a solution for your customer in just five minutes – on your computer or mobile device.

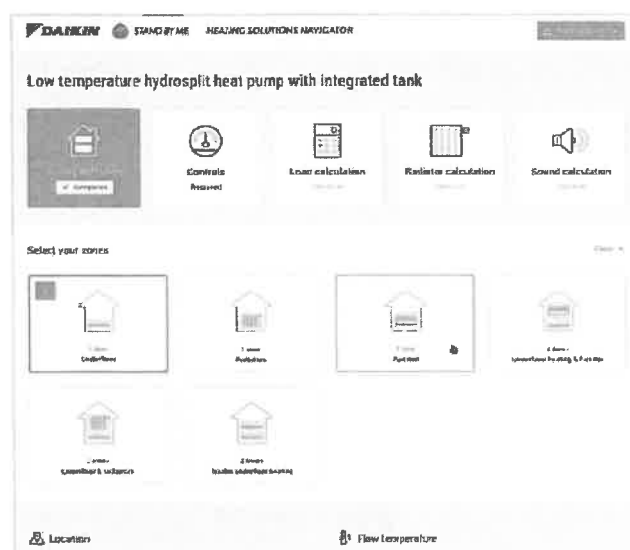
The Heating Solutions Navigator allows you to create quick estimates for initial enquiries or more detailed reports for hot prospects.

The reports offer a highly professional way to showcase Daikin heating solutions to your customers. All product and performance related information is in one place including the solution overview, product descriptions, specifications and schematics, images and literature, equipment list, energy labels, sound pressure information and RHI calculations.

All this can be shared with your customer at the click of a button. So you can follow up leads quickly, your customers can make informed decisions and you can maximise your project opportunities.

The Heating Solutions Navigator helps you to:

- › Quickly see the wide array of Daikin Heating Solutions available
- › Check all the options specifically for your installation
- › Link easily to the installation specific literature
- › Estimate the required heat load - from a simple snapshot to a detailed room-by-room calculation
- › Create custom made piping & wiring diagrams
- › Use the flue gas selection tool for gas based solutions
- › Set the configuration of your installation
- › Compare economic and environmental benefits of the Daikin system versus a conventional heating installation
- › Store all your leads on you Stand By Me account
- › Track projects from lead, installation and commissioning to inviting your customers to select after-sales services





STAND BY ME



Stand By Me is a new one-stop resource, providing a complete project management and customer after-care solution.

It provides easy online access to everything in one place including:

- › Heating Solutions Navigator selection tools and reports
- › Performance monitoring and remote metering tools required for MCS and RHI
- › Online commissioning and handover
- › Database of project leads, commissioned installations and registered warranties
- › End-user warranty registration and extension offers
- › End user service and maintenance package options



#### Installation database

**Stand By Me** provides a live dashboard of your project leads and, once the system is commissioned, your existing installations. So you can review and manage which products were installed, where and when.



#### Easy commissioning

Hand over couldn't be simpler either. Simply complete the commissioning details, add your customer's email address and they will receive a code so they can create an account on **Stand By Me** and select their warranty and maintenance options.



#### End user warranty registration

Warranty registration (previously on KEY) is now all done on **Stand By Me**. Once you've commissioned the system and emailed the code to your customer, your database will show you if the end-user has completed the warranty registration and the length of time remaining on their warranty.



#### Annual maintenance records

**Stand By Me** provides an easy way to review the annual maintenance schedules for each site and track any repairs carried out.



#### RHI remote monitoring

**Stand By Me** means that social housing providers no longer need physical access to properties in order to read meters for RHI reports. Remote monitoring of meters on **Stand By Me** provides a daily summary of the energy produced, consumed and the system efficiency, which can be submitted to Ofgem for RHI reporting. The Daikin remote metering cloud has been designed specifically for Daikin Altherma Hybrid systems and connects with your installed meters to provide all the information needed for quarterly RHI reporting.

It couldn't be easier.

So get connected to Stand By Me today on [standbyme.daikin.co.uk](http://standbyme.daikin.co.uk)

## E-care app <sup>NEW</sup>

### All-in-one app

- › Register your installation on Stand By Me via simple **QR code** scanning
- › Quick configuration of your heat pump in **only 7 steps**
- › Diagnosis of malfunction by QR code scanning and error code input





## Trust Daikin

Daikin makes world-class heat pumps. In fact, more than 400,000 Daikin Altherma heat pumps have been fitted across Europe since its initial launch in 2006.

We focus on doing only what we're best at: creating the most efficient heating, ventilation and air conditioning solutions, renowned for design excellence, quality and reliability.

So you can depend on Daikin for the ultimate in comfort, for your customers, leaving you free to focus growing your business with a leading innovator in heating and renewable technologies.

More than 400,000 Daikin Altherma heat pumps have been fitted across Europe since its initial launch in 2006.

daikin.co.uk

Heating installer line: 0845 641 9070

Dedicated homeowner support line: 0845 641 9271



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## Planning Handling Report.

**Proposal: Erect a replacement house (one for one) with an air source heat pump and upgrade an access at Skerryvoe (land near), Evie, Orkney, KW17 2NJ**

**Determination under delegated powers: 17 January 2023.**

### 1. Summary

Application Number:	22/274/PP
Application Type:	Planning Permission
Applicant:	Mr Stephen Sclater
Agent:	Mr Stephen J Omand

#### 1.2.

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

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

## 2. Consultations

### 2.1. Roads Services

*“While it is accepted that there has been a field gate in the location of the proposed access for some time, it has been used on an infrequent basis as an agricultural access. Upgrading and intensification of use of the access would create a crossroads situation which would be far from acceptable, therefore Roads Services object to this development proposal on the grounds of road safety.”*

### 2.2. Scottish Water

No objections or concerns which could not be addressed by planning conditions.

### 2.3. Environmental Health

No objections or concerns which could not be addressed by planning conditions.

## 3. Representations

None received.

## 4. Relevant Planning History

None noted.

## 5. Pre-application Advice

No pre-application advice was sought by the agent or applicant in advance of a formal planning application.

## 6. Relevant Planning Policy and Guidance

The full text of the Orkney Local Development Plan 2017 (OLDP 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 5E – Single Houses and New Housing Clusters in the Countryside.
  - Policy 9 – Natural Heritage and Landscape.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14C – Road Network Infrastructure.
  
- Supplementary Guidance:
  - Housing in the Countryside (March 2017).

## 7. Legal Aspects

### 7.1.

Section 25 of the Town and Country Planning (Scotland) Act 1997 (“the Act”) states that in making determinations under the Planning Acts the determination should be in accordance with the development plan unless material considerations determine otherwise.

### 7.2.

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.

### 7.3.

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

## 8. Assessment

### 8.1. Proposal and Site

The proposal is to demolish a redundant building and erect a replacement dwelling including an air source heat pump and upgrade an existing field access. The proposed development is located in the countryside in the parish of Evie. The site is located adjacent to the property of Skerryvore, Evie and directly opposite the junction of the Whitemire Road with the A966.

### 8.2. Principle

As the development is to replace a redundant building or structure in the countryside, it would fall under policy 5E(iii) of the Orkney Local Development Plan 2017 (OLDP 2017) and Supplementary Guidance: Housing in the Countryside. There is a presumption in favour of such development, provided that it would also comply with other relevant policies of the OLDP 2017 and any other material planning considerations.

### 8.3. Design and Appearance

The proposal is for a rectangular form, single storey dwelling of a simple modern design. The design of the dwelling would be unlikely to have a significant impact on the character of the area or detract from other dwellings nearby, given the mix of periods, scale, design and materials of other houses in the vicinity.

The proposed materials include black flat profile concrete roof tiles, light coloured dry dash walls, with feature wall using reclaimed stone from the demolished building, window frames in anthracite and black rainwater goods. A single access from the A966 is proposed, off-road parking and adequate amenity space for the occupiers of the dwelling. The materials and amenity space are acceptable, and it is considered the dwelling would integrate with wider housing development in the vicinity.

It is therefore considered that the proposed development complies with Policy 1: Criteria for All Development and Policy 2: Design.

### 8.4. Amenity

It is considered unlikely that the proposed development would impact upon third party residential amenity of the neighbouring properties. The domestic curtilage is of sufficient size to provide adequate parking provision and amenity space for the occupants of the dwelling. Environmental Health have recommended a noise condition be included on any approval, due to the inclusion of an air source heat pump in the proposal.

## 8.5. Landscape and Visual Amenity

The development is directly adjacent to Skerryvoe and would be viewed with other buildings in the area and from a landscape and visual amenity perspective, in principle, it is considered that the development of a modest dwelling on the site would be unlikely to have a significant detrimental impact upon the wider landscape or visual amenity of the area.

## 8.6. Access

Access to the site is proposed to be taken from the existing field access and for it to be upgraded to an acceptable standard.

Roads Services were consulted on this application and have objected on the grounds of roads safety. While it is accepted that there has been a field gate in the location of the proposed access for some time, it has been used on an infrequent basis as an agricultural access. Upgrading and intensification of use of the access would create a crossroads situation which would not be acceptable.

Policy 1 'Criteria for All New Development', part (vi), notes that development will only be supported where it "does not result in an unacceptable level of risk to public health and safety". Policy 14C 'Road Network Infrastructure' states that development will only be permitted where "(iii) Any new access, or upgrades to an existing access, linking to the adopted road network has been designed to an adoptable standard defined by the National Roads Development Guide (new accesses should be resource efficient, safe for all road users, and convenient for sustainable travel modes)."

On the bases that the application would create and unacceptable risk to public safety the development must be considered contrary to policies 1 (vi) and 14C of the Orkney Local Development Plan 2017.

## 9. Conclusion

The principle of the replacement of a redundant building is acceptable, in accordance with policies for housing in the countryside. However, the upgrading and intensification of use of the access would create a crossroads situation, therefore Roads Services have objected on the grounds of road safety. The redevelopment is therefore contrary to Policies 1(vi) and 14C of the Orkney Local Development Plan 2017. There are no material considerations to warrant an outcome other than refusal.

## 10. Recommendation

### APPLICATION REFUSED

1. Policy 1 'Criteria for All New Development', part (vi), notes that development will only be supported where it "does not result in an unacceptable level of risk to public health and safety". Policy 14C 'Road Network Infrastructure' states

that development will only be permitted where “(iii) Any new access, or upgrades to an existing access, linking to the adopted road network has been designed to an adoptable standard defined by the National Roads Development Guide (new accesses should be resource efficient, safe for all road users, and convenient for sustainable travel modes).”

Roads Services, as the roads authority, has confirmed that the upgrading and intensification of use of the access would create a crossroads situation which would be a road safety concern. On that basis, the development is contrary to Policies 1 (vi) and 14 C of the Orkney Local Development Plan 2017.

## **11. Contact Officer**

Alison Poke, Planning Officer, extension 2536, Email [alison.poke@orkney.gov.uk](mailto:alison.poke@orkney.gov.uk)



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: [planning@orkney.gov.uk](mailto: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 100589904-001

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)

Proposed one for one for redundant outbuilding and erection of detached house and installation of an air source 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?

(Answer 'No' if there is no change of use.) \*

Yes  No

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:	S J Omand		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Christopher	Building Name:	
Last Name: *	Omand	Building Number:	14
Telephone Number: *	01856876215	Address 1 (Street): *	Victoria Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Kirkwall
Fax Number:		Country: *	Scotland
		Postcode: *	KW15 1DN
Email Address: *	christopher@sjomand.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Fisk-hellia
First Name: *	Stephen	Building Number:	
Last Name: *	Sclater	Address 1 (Street): *	Whitemire Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Evie
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KW17 2NN
Fax Number:			
Email Address: *	[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

New House at Breckan, Evie, KW17 2NN

Northing

1028204

Easting

333480

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

1500.00

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)

Land where redundant outbuilding sits.

## 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: \*

Drainage to private septic tank. Information provided on plan as per percolation carried out.

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  No  
(e.g. SUDS arrangements) \*

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 the current 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? \*

1

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  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  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  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  No

Is any of the land part of an agricultural holding? \*  Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.

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

Signed: Christopher Omand

On behalf of: Mr Stephen Sclater

Date: 27/07/2022

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. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> 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 Christopher Omand

Declaration Date: 27/07/2022

## Payment Details

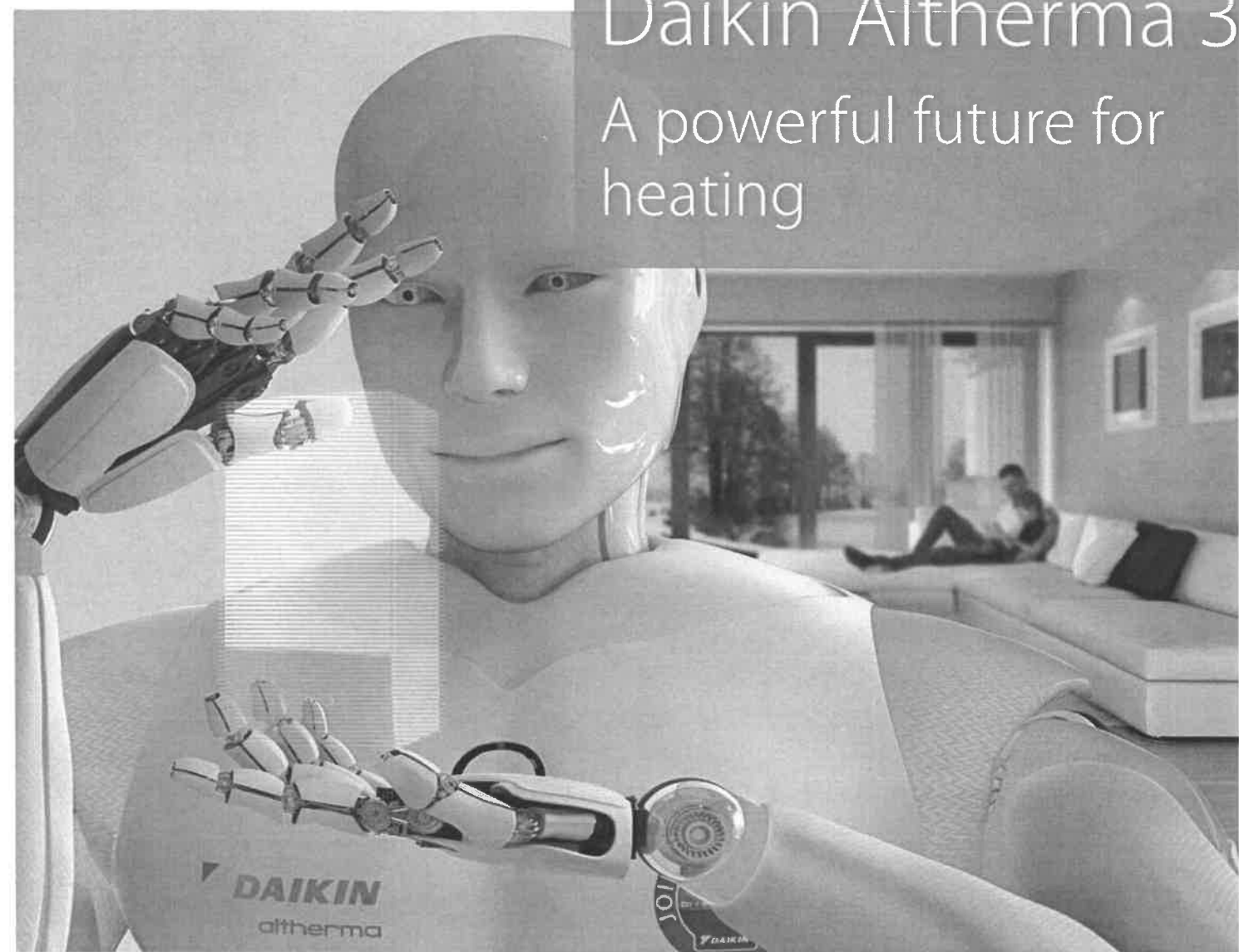
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Created: 27/07/2022 21:21

**DAIKIN**  
altherma

# Daikin Altherma 3

A powerful future for heating



Setting the new heat pump standard

**BLUEEVOLUTION**





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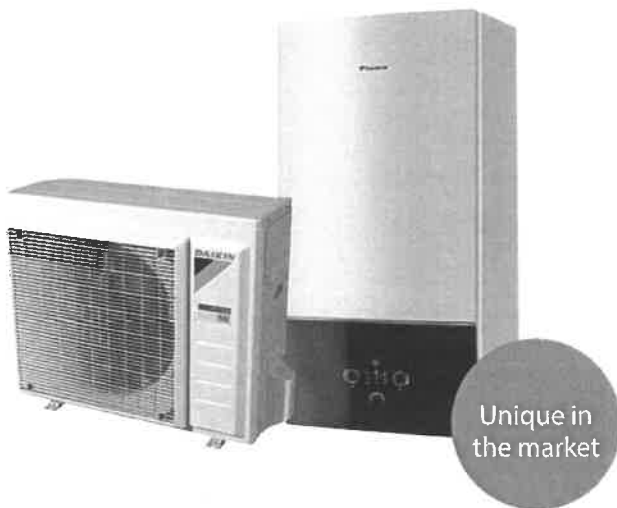
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## Daikin Altherma 3 with Bluevolution R32



### Why choose **Daikin Altherma 3**?

Bluevolution technology combines very high efficient compressors developed by Daikin with the refrigerant of the future: R32.



#### High performance

- › Delivering temperatures up to 65°C at high efficiency, the R32 Daikin Altherma 3 is suitable for both underfloor heating and radiators and retains its pedigree trademark in frost protection down to -25°C, ensuring reliable operation even in the coldest climates.
- › The optimal combination of Bluevolution technology offers the highest performance:
  - » seasonal efficiency up to A+++
  - » heating efficiency up to a COP of 5,1 (at 7°C/35°C)
  - » Domestic hot water efficiency up to COP of 3,3 (EN16147)
- › Available in 4, 6 and 8 kW

#### Easy to install

- › Delivered ready to work: all key hydraulic elements are already factory mounted
- › The new design enables that all servicing can be done from the front and all piping can be accessed at the top of the unit
- › Stylish modern outlook
- › The outdoor unit is tested and charged with refrigerant, installation time is reduced

#### Easy commissioning :

- › Integrated high resolution colour interface
- › Quick wizard allowing commissioning in maximum 9 easy steps to have the full system ready to work
- › Configuration can take place remotely and settings uploaded to the unit after installation.

#### Easy to control

- › The combined effect of the Daikin Altherma weather dependent set-point controls and its inverter compressors maximises the efficiency of the new Daikin Altherma 3 with R32 Bluevolution technology at each outdoor temperature, ensuring consistent room temperatures at all times.
- › To control on a daily basis your home temperature, settings can be done anywhere at any time via the Daikin Online Controller app. This online controller allows adjustment of home comfort levels to suit individual preferences while achieving further energy efficiencies.



Control  
via app

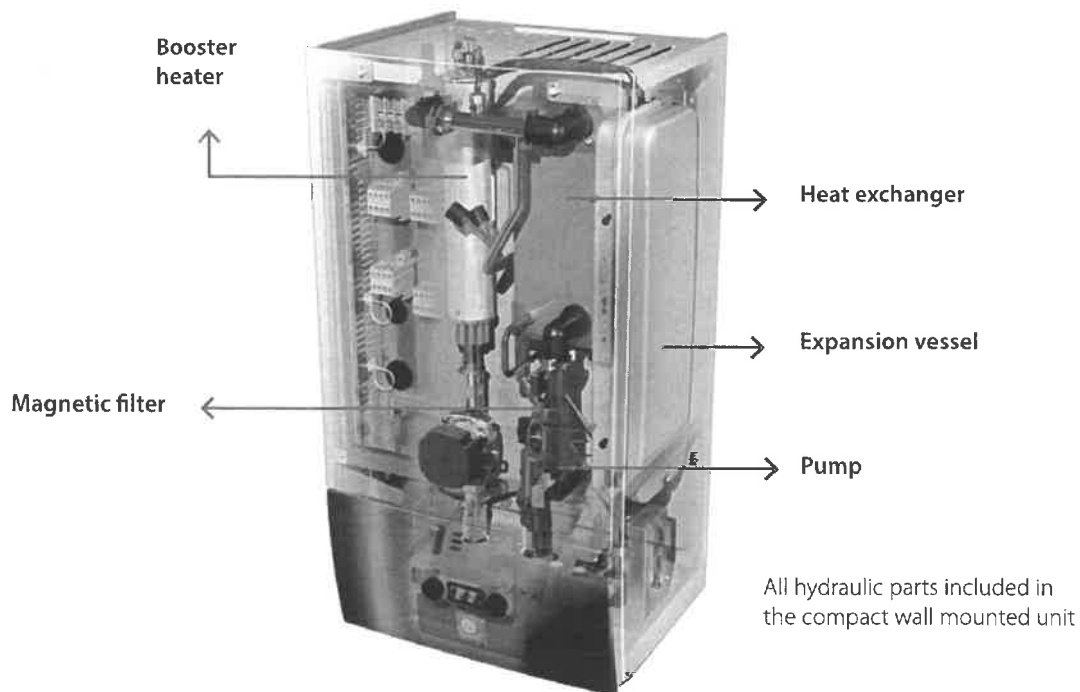


## Why choose a Daikin Altherma 3 wall mounted unit?

The Daikin Altherma 3 split wall mounted unit offers heating and cooling with high flexibility for a quick and easy installation, with an optional connection to deliver domestic hot water.

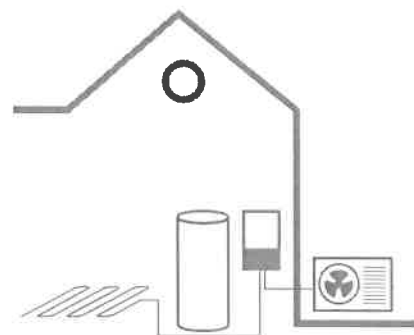
### High flexibility for installation and domestic hot water connection

- › Inclusion of all hydraulic components means no third party components are required
- › PCB board and hydraulic components are located in the front for easy access
- › Compact dimensions allows for small installation space, as almost no side clearances are required.
- › The unit's sleek design blends in with other household appliances.



## Daikin Altherma 3 adapts to your customers' needs

- **Highest seasonal efficiencies** providing the highest savings on running costs
- Perfect fit for **new builds**, as well as for low energy houses
- A leaving water temperature up to 65°C makes it **a perfect choice for refurbishments**



Wall mounted unit

### High flexibility for installation and domestic hot water connection

- › Compact unit with small installation (almost no side clearance is required)
- › Can be combined with a space separate domestic hot water tank up to 500 litres, with or without solar support
- › Stylish modern design



# Domestic hot water tank

## Hot water heating installation options

### Why choose a domestic hot water tank?

Whether you only need hot water or you want to combine your hot water with solar systems, we offer you the best solutions to the highest levels of comfort, energy efficiency and reliability.



**NEW**

Stainless steel tank

### Domestic hot water tank

#### Stainless steel tanks

##### Comfort

- › Available in 150, 180, 200, 250 and 300 litres in stainless steel EKHWSU-D

##### Efficiency

- › High-quality insulation keeps heat loss to a minimum
- › Efficient temperature heating: from 10°C to 50°C in only 60 minutes

##### Reliability

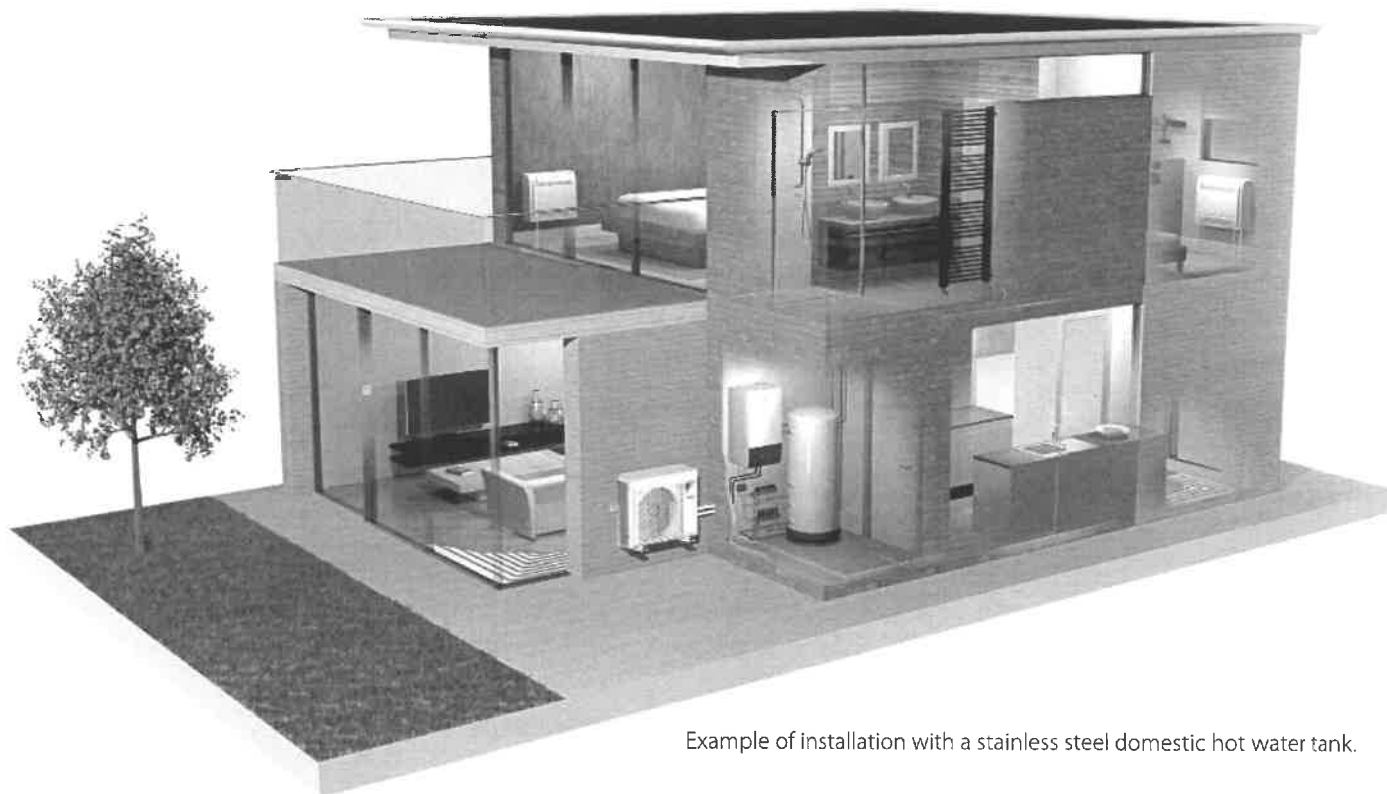
- › At necessary intervals, the unit can heat up water up to 60°C to prevent the risk of bacteria growth



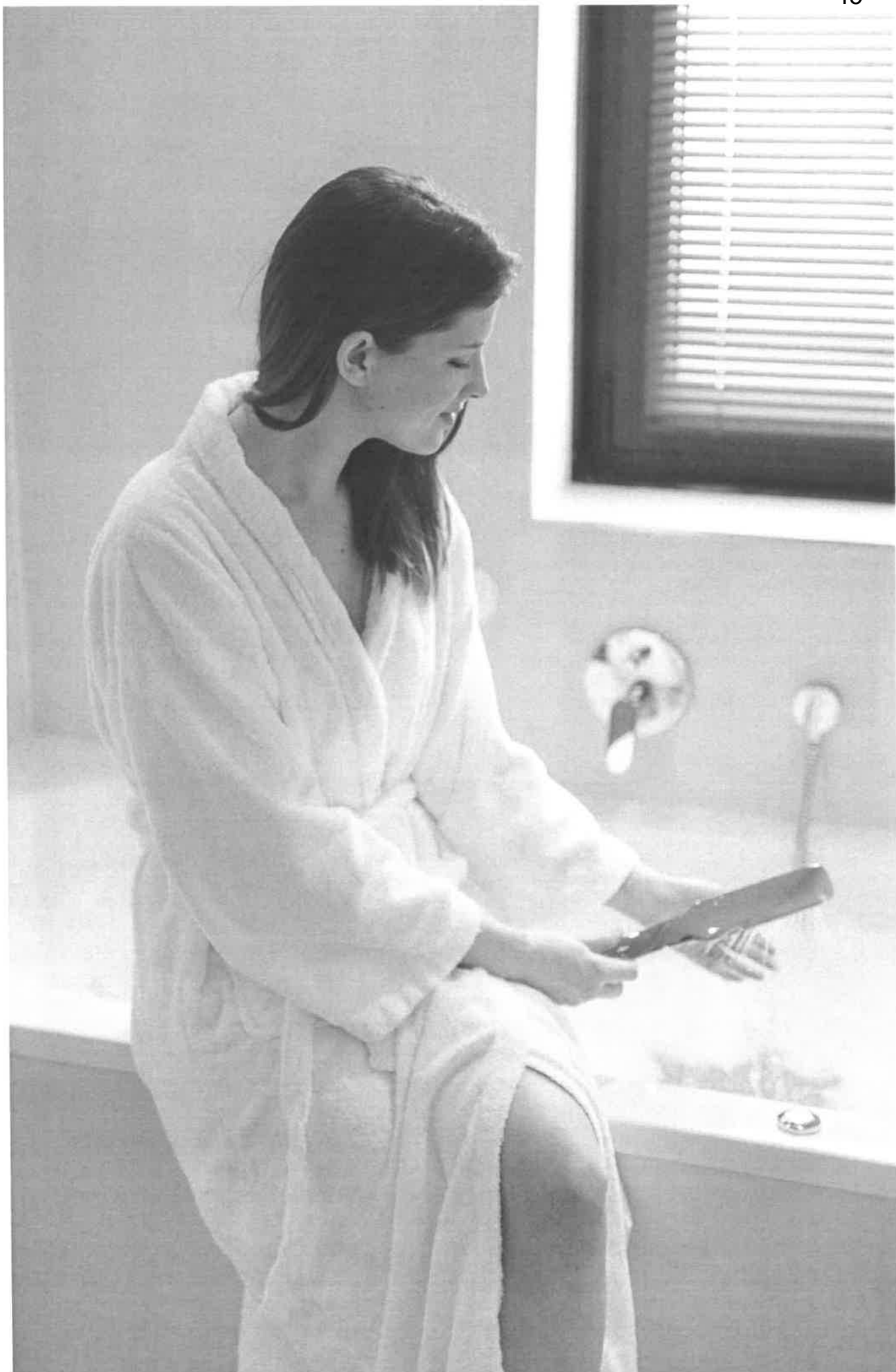
### Flexibility in providing domestic hot water

If the end user only requires hot water and installation height is limited, a separate stainless steel tank provides the required installation flexibility.

- › Fresh water principle: receive domestic hot water on demand while eliminating the risk of contamination and sedimentation
- › Optimal domestic hot water performance: with high tapping performance
- › Fit for future possibility to integrate with renewable solar energy and other heat sources.
- › Lightweight and robust build on the unit combined with cascade principle offers flexible installation options
- › Build for small and large homes, customers can choose between a pressureless and pressurised hot water system



Example of installation with a stainless steel domestic hot water tank.



# Always in control

## Daikin Online Controller

The Daikin Online Controller application can control and monitor the status of your heating system and allows you to:

### Monitor

- > The status of your heating system
- > Your energy consumption graphs\*

### Schedule

- > Schedule the set temperature\* and operation mode with up to **6 actions per day for 7 days**
- > Enable **holiday mode**
- > View in intuitive mode

### Control \*\*

- > The **operation mode** and set temperature
- > Remotely control your system and domestic hot water

\*Starting with ERGA-D

\*\*Control via the app

- > Room thermostat control for space heating and domestic hot water
- > Leaving water temperature control for domestic hot water
- > External control for domestic hot water



## Daikin Online Heating Control




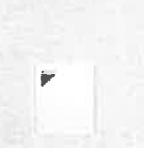

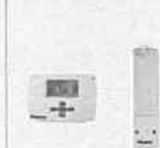
The Daikin Online Control Heating app is a multifaceted programme that allows customers to control and monitor the status of their heating system.

### Main features

- > 'Daikin Eye' (intuitive setting)
- > Tank temperature monitoring
- > Equipped with GDPR (data protection)
- > Remote firmware update of LAN Adapter
- > Control over multiple unit locations

### Applicable Daikin units

- > Daikin Altherma low temperature split
- > Daikin Altherma low temperature monobloc (5-7 kW)
- > Daikin Altherma ground source heat pump
- > Daikin Altherma hybrid heat pump
- > Wall mounted gas condensing boiler D2CND
- > GCU compact

							
Daikin Altherma 3	Room temperature	Yes	Yes	•		•	
		No	Yes	•	•		
	External control	Yes	No				•
	Leaving water temperature	Yes	No			•	

# Supporting tools

## Heating Solutions Navigator

Daikin's new Heating Solutions Navigator is designed to help you create the best solution for your customer's home.

The Heating Solutions Navigator is a versatile toolkit on Stand By Me, which brings together all the tools required to complete the design and selection of a system. It's so simple to use, you can create a solution for your customer in just five minutes – on your computer or mobile device.

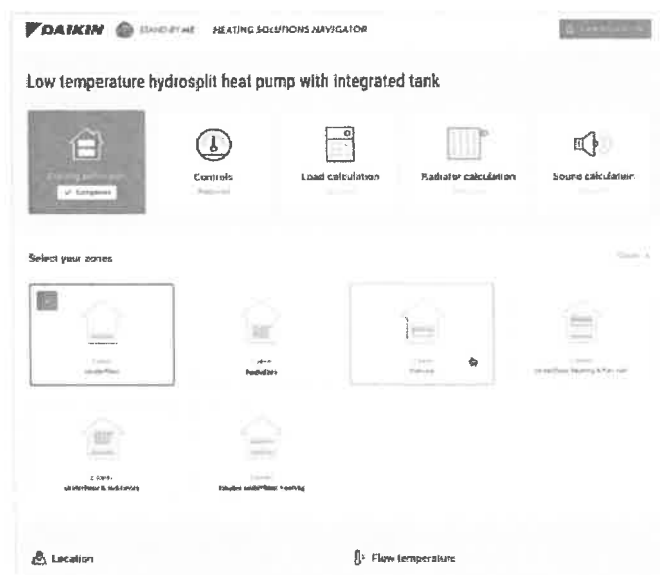
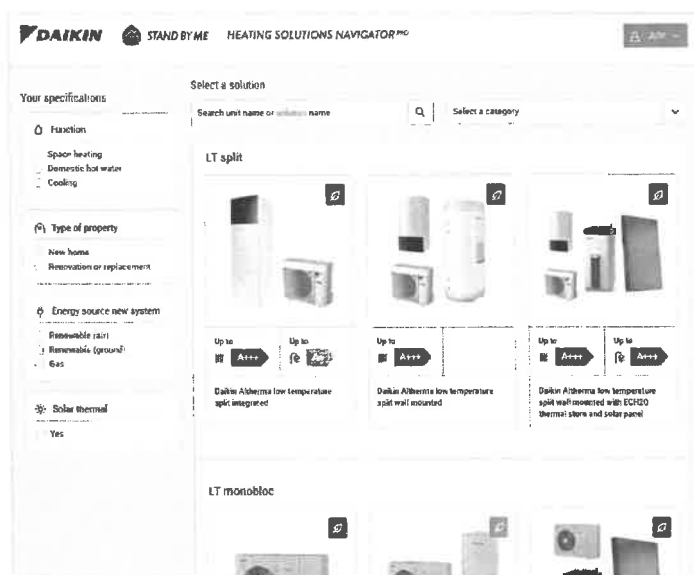
The Heating Solutions Navigator allows you to create quick estimates for initial enquiries or more detailed reports for hot prospects.

The reports offer a highly professional way to showcase Daikin heating solutions to your customers. All product and performance related information is in one place including the solution overview, product descriptions, specifications and schematics, images and literature, equipment list, energy labels, sound pressure information and RHI calculations.

All this can be shared with your customer at the click of a button. So you can follow up leads quickly, your customers can make informed decisions and you can maximise your project opportunities.

The Heating Solutions Navigator helps you to:

- › Quickly see the wide array of Daikin Heating Solutions available
- › Check all the options specifically for your installation
- › Link easily to the installation specific literature
- › Estimate the required heat load – from a simple snapshot to a detailed room-by-room calculation
- › Create custom made piping & wiring diagrams
- › Use the flue gas selection tool for gas based solutions
- › Set the configuration of your installation
- › Compare economic and environmental benefits of the Daikin system versus a conventional heating installation
- › Store all your leads on you Stand By Me account
- › Track projects from lead, installation and commissioning to inviting your customers to select after-sales services





STAND BY ME



Stand By Me is a new one-stop resource, providing a complete project management and customer after-care solution.

It provides easy online access to everything in one place including:

- › Heating Solutions Navigator selection tools and reports
- › Performance monitoring and remote metering tools required for MCS and RHI
- › Online commissioning and handover
- › Database of project leads, commissioned installations and registered warranties
- › End-user warranty registration and extension offers
- › End user service and maintenance package options

### ✓ Installation database

**Stand By Me** provides a live dashboard of your project leads and, once the system is commissioned, your existing installations. So you can review and manage which products were installed, where and when.

### ✓ Easy commissioning

Hand over couldn't be simpler either. Simply complete the commissioning details, add your customer's email address and they will receive a code so they can create an account on **Stand By Me** and select their warranty and maintenance options.

### ✓ End user warranty registration

Warranty registration (previously on KEY) is now all done on **Stand By Me**. Once you've commissioned the system and emailed the code to your customer, your database will show you if the end-user has completed the warranty registration and the length of time remaining on their warranty.

### ✓ Annual maintenance records

**Stand By Me** provides an easy way to review the annual maintenance schedules for each site and track any repairs carried out.

### ✓ RHI remote monitoring

**Stand By Me** means that social housing providers no longer need physical access to properties in order to read meters for RHI reports. Remote monitoring of meters on **Stand By Me** provides a daily summary of the energy produced, consumed and the system efficiency, which can be submitted to Ofgem for RHI reporting. The Daikin remote metering cloud has been designed specifically for Daikin Altherma Hybrid systems and connects with your installed meters to provide all the information needed for quarterly RHI reporting.

It couldn't be easier.

So get connected to Stand By Me today on [standbyme.daikin.co.uk](http://standbyme.daikin.co.uk)

## E-care app <sup>NEW</sup>

### All-in-one app

- › Register your installation on Stand By Me via simple **QR code** scanning
- › Quick configuration of your heat pump in **only 7 steps**
- › Diagnosis of malfunction by QR code scanning and error code input





## Trust Daikin

Daikin makes world-class heat pumps. In fact, more than 400,000 Daikin Altherma heat pumps have been fitted across Europe since its initial launch in 2006.

We focus on doing only what we're best at: creating the most efficient heating, ventilation and air conditioning solutions, renowned for design excellence, quality and reliability.

So you can depend on Daikin for the ultimate in comfort, for your customers, leaving you free to focus growing your business with a leading innovator in heating and renewable technologies.

More than 400,000 Daikin Altherma heat pumps have been fitted across Europe since its initial launch in 2006.

daikin.co.uk

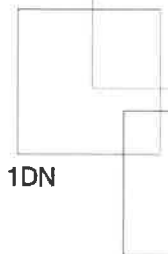
Heating installer line: 0845 641 9070

Dedicated homeowner support line: 0845 641 9271

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FSC



**Proposed one for one for a redundant outbuilding and erection  
of a detached house with an air source heat pump.**

**At**

**Breckan,  
Evie,  
KW17 2NN.**

**For**

**Stephen Sclater,  
Fisk-Hellia,  
Evie,  
KW17 2NN.**

**July 2022.**

**Address:**

**Erin, Bigswell Road, Stenness, Orkney, KW16 3LA.**

**SERVICES  
INCLUDE:**

Bank &  
Building  
Society  
Valuations

Residential &  
Commercial  
Property Surveys

Single  
Surveys

Energy  
Performance  
Certificates

SAP  
Certifications

Building  
Surveying  
Services

Rental &  
Insurance  
Valuations

Residential  
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Title Deed  
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New Builds

Planning  
& Building  
Warrant  
Applications

A list of partners is available at the above address

**LOCAL KNOWLEDGE ■ NATIONAL COVERAGE**

**Offices throughout Scotland**

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<b>Applicant:</b>	Stephen Sclater, Fisk-Hellia, Evie, KW17 2NN.
<b>Proposal:</b>	One for one replacement of redundant outbuilding and erection of detached house, including installation of heat pump.
<b>Reason for submission of Design Statement:</b>	This Design Statement has been prepared to accompany a full planning application for a one for one replacement of a redundant outbuilding.
<b>Location:</b>	The application site is located within the rural parish of Evie with direct access off A966 via an existing access which is located across from the Whitemire Road.  The proposed house is sited North of the redundant house of Breckan.  The proposed house is located approx. 6m North of the redundant outbuilding to allow for suitable parking and turning areas.
<b>Planning History:</b>	None.
<b>Future Possible Development:</b>	The redundant house of Breckan could potentially be a suitable one for one or two for one, depending on going through the necessary planning procedures. Currently nothing is proposed with the original dwelling.
<b>Neighbouring Properties:</b>	Neighbouring properties are a mixture of age, design and construction
<b>Access &amp; Parking:</b>	The existing access to site will be used and upgraded to Roads Services standards. There will be sufficient space for the parking of at least three cars. The access road, drive and parking area will be formed from rolled dust off consolidated bottoming off a firm base.
<b>Site Works, Site Finishes &amp; Boundary Finishes:</b>	Existing redundant outbuildings to be demolished and site prepared for the new build.  The site is relatively flat and no digging in will be required. The house will have with no exposed underbuilding.  All parts of the site, other than those covered by the road, car parking and paths, will be landscaped and laid to lawns, with no shrubs, bushes or trees proposed.  Minimum 900mm wide paths will be laid around the perimeter of the building, as shown, formed from pre-cast concrete slabs off consolidated bottoming off a firm base.  Accessible access will be provided to the main entrance, comprising a 1.2m x 1.2m concrete platt with accessible, concrete ramp.  All other boundaries are defined by agricultural type post and wire fencing.

**Scale & Form:**

The proposed house will be of detached single storey form of simple T shaped, gabled design, with a maximum ridge height of 6.48m to the main roof and 5.25m to the front projection and an eaves height of 2.53m above path level. The roof pitch will be 40° to both.

The surrounding area has a number of dwellings which vary from single storey, 1½ storey and 1¾ storey, which would allow for the proposed house to fit in with its rural location.

**External Materials:**

Roofs will be clad Mini-Stonewald, concrete tiles, in black, with grey PVC fascias, with minimal depth soffits, and black P.V.C. rainwater fittings.

Walls will be finished with a white/off white dash.

Doors and windows will be of double glazed in colour grey.

**General:**

Heating will be via an air source heat pump.

Services will be mains water and electricity.

Foul drainage will be to a septic tank and soakaway, within the curtilage.

Surface water will be to a soakaway, within the curtilage.

All external lighting will be designed to minimise light pollution

# 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](http://www.orkney.gov.uk)  
Email: [planning@orkney.gov.uk](mailto:planning@orkney.gov.uk)

8th August 2022



Mr Stephen Sclater  
c/o Mr Stephen J Omand  
C/o Christopher Omand  
14 Victoria Street  
Kirkwall  
Orkney  
KW15 1DN

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

Dear Mr Stephen J Omand

Ref No: 22/274/PP  
Type: Planning Permission  
Location: Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ  
Proposal: Erect a replacement house (one for one) with an air source heat pump and upgrade an access

### Invalid application

Your recent application has been assessed on 8th August 2022 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. **Location/Site Plan**  
Remove blue line from drainage (use black)  
Landscaping, including the extent and type of any hard surfacing  
Indicate car parking (extent of compacted rolled dust)  
Confirm the purpose of the line from the SW corner of the house to the west site boundary
02. **Fee**  
£600

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](mailto: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 sincerely

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

Tel: 01856 873535 ext. 2504

Email: [planning@orkney.gov.uk](mailto:planning@orkney.gov.uk)

## 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](http://www.orkney.gov.uk)  
Email: [planning@orkney.gov.uk](mailto:planning@orkney.gov.uk)



30th August 2022

Mr Stephen Sclater  
c/o Mr Stephen J Omand  
C/o Christopher Omand  
14 Victoria Street  
Kirkwall  
Orkney  
KW15 1DN

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013 REQUEST FOR FURTHER INFORMATION

Dear Mr Stephen J Omand

Ref No: 22/274/PP  
Type: Planning Permission  
Location: Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ  
Proposal: Erect a replacement house (one for one) with an air source heat pump and upgrade an access

I refer to your planning application, details of which are given above. The following additional information is required to enable me to process your application:

#### **Site Development Statement**

The former Breckan Cottage is to be retained, the building to be replaced related to Breckan Cottage historically, and the proposed replacement house is located immediately adjacent to the traditionally constructed cottage. The potential for the former house to meet the requirements for reinstatement, or a two for one, potentially creating three houses overall, is included in the Design Statement, noting, "The redundant house of Breckan could potentially be a suitable one for one or two for one, depending on going through the necessary planning procedures." Under the provisions of Supplementary Guidance 'Housing in the Countryside', Development Criterion 1, a Site Development Statement is required for the wider site, i.e. both existing buildings, where layout, siting and form of the overall proposal will be considered along with shared access, parking, drainage, open space and other development features. Supplementary Guidance confirms, "The Site Development Statement must form part of the first planning application submitted." As part of that, justification is required on how the proposed house would be in-keeping with, and would not dominate in terms of scale or form the existing cottage.

I should be obliged if you could provide me with this information by 13 September 2022. If you are unable to comply with this request within this time, please let me know when you will be able to do so, and if you are agreeable to the 2 month period for determination of the application being extended accordingly.

Yours sincerely

Mrs Alison Poke  
Planning Officer

## 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 22/274/PP

- Skerryvoe, Whitemire Road, Evie, Orkney Islands, KW17 2NN
- Upper Breckan, Whitemire Road, Evie, Orkney Islands, KW17 2NJ

**Number of neighbours notified: 2**

**Consultee List**Application Number 22/274/PP

- Roads Services
- Scottish Water
- Environmental Health

Monday, 05 September 2022



Local Planner  
Development Management, Development and Infrastructure  
Orkney Islands Council  
Kirkwall  
KW15 1NY

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Skerryvoe Land Near, Evie, Orkney, KW17 2NJ**  
**Planning Ref: 22/274/PP**  
**Our Ref: DSCAS-0071849-FSJ**  
**Proposal: Erect a replacement house (one for one) with an air source heat pump and upgrade an access**

**Please quote our reference in all future correspondence**

## **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

## **Water Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ This proposed development will be fed from Boardhouse Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via our Customer Portal or contact Development Operations.

## **Waste Water Capacity Assessment**

- ▶ to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.



---

## Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

---

## Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
  - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
  - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

## **Next Steps:**

### ▶ **All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### ▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

### ▶ **Trade Effluent Discharge from Non-Domestic Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on 0800 389 0379 or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Kerry Lochrie**

Development Operations Analyst

Tel: 0800 389 0379

[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

### **Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*

**From:** Nick Blowfield <nick.blowfield@orkney.gov.uk>  
**Sent:** 02 September 2022 10:55  
**To:** planningconsultation <planningconsultation@orkney.gov.uk>  
**Subject:** RE: Planning Application Consultation 22/274/PP

Classification: OFFICIAL

Ali,

**22/274/PP | Erect a replacement house (one for one) with an air source heat pump and upgrade an access | Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ**

Having reviewed the information submitted by the applicant, Environmental Health offer the following comments and recommendation:

The information provided for the air source heat pump is a product brochure and does not provide any specifications with regards to noise output as suggested. However, given existing knowledge of Daikin ASHP's, on this occasion Environmental Health, will take this into consideration and recommend that the following condition is added, should permission be granted.

*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.*

Kind regards

**Nick Blowfield**  
Environmental Technical Officer  
Environmental Health | Planning and Community Protection  
Neighbourhood Services and Infrastructure,  
Orkney Islands Council, School Place, Kirkwall, KW15 1NY  
Tel: 01856 873535 Ext: 2803 email: [nick.blowfield@orkney.gov.uk](mailto:nick.blowfield@orkney.gov.uk)

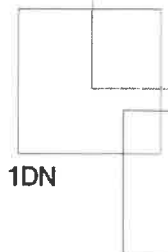
**INTERNAL MEMORANDUM TO: Roads Services**

Date of Consultation	30th August 2022
Response required by	20th September 2022
Planning Authority Reference	22/274/PP
Nature of Proposal (Description)	Erect a replacement house (one for one) with an air source heat pump and upgrade an access
Site	Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ
Proposal Location Easting	333513
Proposal Location Northing	1028194
Area of application site (Metres)	1457
Supporting Documentation URL	<a href="http://planningandwarrant.orkney.gov.uk/online-applications/">http://planningandwarrant.orkney.gov.uk/online-applications/</a>  Please enter - 22/274/PP
PA Office	Development Management
Case Officer	Mrs Alison Poke
Case Officer Phone number	01856 873535 EX 2536
Case Officer email address	alison.poke@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

**Comments:**

While it is accepted that there has been a field gate in the location of the proposed access for some time, it has been used on an infrequent basis as an agricultural access. Upgrading and intensification of use of the access would create a crossroads situation which would be far from acceptable, therefore Roads Services object to this development proposal on the grounds of road safety.

D.W.



**Proposed one for one for a redundant outbuilding and erection  
of a detached house with an air source heat pump.**

**At**

**Breckan,  
Evie,  
KW17 2NN.**

**For**

**Stephen Sclater,  
Fisk-Hellia,  
Evie,  
KW17 2NN.**

**July 2022.**

**SERVICES  
INCLUDE:**

Bank &  
Building  
Society  
Valuations

Residential &  
Commercial  
Property Surveys

Single  
Surveys

Energy  
Performance  
Certificates

SAP  
Certifications

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Surveying  
Services

Rental &  
Insurance  
Valuations

Residential  
& Commercial  
Plans

Title Deed  
Plans

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New Builds

Planning  
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<b>Address:</b>	Breckan, Evie, KW17 2NN
<b>Applicant:</b>	Stephen Sclater, Fisk-Hellia, Evie, KW17 2NN.
<b>Proposal:</b>	One for one replacement of redundant outbuilding and erection of detached house, including installation of heat pump.
<b>Reason for submission of Design Statement:</b>	This Design Statement has been prepared to accompany a full planning application for a one for one replacement of a redundant outbuilding.
<b>Location:</b>	The application site is located within the rural parish of Evie with direct access off A966 via an existing access which is located across from the Whitemire Road.  The proposed house is sited North of the redundant house of Breckan.  The proposed house is located approx. 6m North of the redundant outbuilding to allow for suitable parking and turning areas.
<b>Planning History:</b>	None.
<b>Future Possible Development:</b>	The redundant house of Breckan could potentially be a suitable one for one or two for one, depending on going through the necessary planning procedures. Currently nothing is proposed with the original dwelling.
<b>Neighbouring Properties:</b>	Neighbouring properties are a mixture of age, design and construction
<b>Access &amp; Parking:</b>	The existing access to site will be used and upgraded to Roads Services standards. There will be sufficient space for the parking of at least three cars. The access road, drive and parking area will be formed from rolled dust off consolidated bottoming off a firm base.
<b>Site Works, Site Finishes &amp; Boundary Finishes:</b>	Existing redundant outbuildings to be demolished and site prepared for the new build.  The site is relatively flat and no digging in will be required. The house will have with no exposed underbuilding.  All parts of the site, other than those covered by the road, car parking and paths, will be landscaped and laid to lawns, with no shrubs, bushes or trees proposed.  Minimum 900mm wide paths will be laid around the perimeter of the building, as shown, formed from pre-cast concrete slabs off consolidated bottoming off a firm base.  Accessible access will be provided to the main entrance, comprising a 1.2m x 1.2m concrete platt with accessible, concrete ramp.  All other boundaries are defined by agricultural type post and wire fencing.

**Scale & Form:**

The proposed house will be of detached single storey form of simple T shaped, gabled design, with a maximum ridge height of 6.48m to the main roof and 5.25m to the front projection and an eaves height of 2.53m above path level. The roof pitch will be 40° to both.

The surrounding area has a number of dwellings which vary from single storey, 1½ storey and 1¾ storey, which would allow for the proposed house to fit in with its rural location.

**External Materials:**

Roofs will be clad Mini-Stonewald, concrete tiles, in black, with grey PVC fascias, with minimal depth soffits, and black P.V.C. rainwater fittings.

Walls will be finished with a white/off white dash.

Doors and windows will be of double glazed in colour grey.

**General:**

Heating will be via an air source heat pump.

Services will be mains water and electricity.

Foul drainage will be to a septic tank and soakaway, within the curtilage.

Surface water will be to a soakaway, within the curtilage.

All external lighting will be designed to minimise light pollution



13<sup>th</sup> October 2022..

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

Dear Sirs,

**Reference 22/274/PP**

**Erect a replacement house (one for one) with an air source heat pump and upgrade an access.**

**Site, Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ**

In response to Roads Services comments the applicants grandfather, who is 85, has always known the access as a vehicular access to the house on site. The house was last occupied 50/55 years ago and this was, and still is, the established and recognised vehicular access to the property.

I trust this confirms the position.

Yours sincerely,



Christopher J Omand. BSc Hons. MRICS.

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Valuations

Residential &  
Commercial  
Property Surveys

Single  
Surveys

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Performance  
Certificates

SAP  
Certifications

Building  
Surveying  
Services

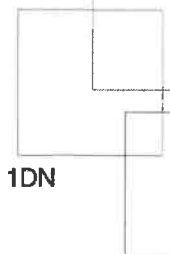
Rental &  
Insurance  
Valuations

Residential  
& Commercial  
Plans

Title Deed  
Plans

Overseeing  
New Builds

Planning  
& Building  
Warrant  
Applications



## Proposed one for one for a redundant outbuilding and erection of a detached house with an air source heat pump.

At

**Breckan,  
 Evie,  
 KW17 2NN.**

For

**Stephen Sclater,  
 Fisk-Hellia,  
 Evie,  
 KW17 2NN.**

**July 2022.**

### SERVICES INCLUDE:

Bank &  
 Building  
 Society  
 Valuations

Residential &  
 Commercial  
 Property Surveys

Single  
 Surveys

Energy  
 Performance  
 Certificates

SAP  
 Certifications

Building  
 Surveying  
 Services

Rental &  
 Insurance  
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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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- Address:** Breckan, Evie, KW17 2NN
- Applicant:** Stephen Sclater,  
Fisk-Hellia,  
Evie,  
KW17 2NN.
- Proposal:** One for one replacement of redundant outbuilding and erection of detached house, including installation of heat pump.
- Reason for submission of Design Statement:** This Design Statement has been prepared to accompany a full planning application for a one for one replacement of a redundant outbuilding.
- Location:** The application site is located within the rural parish of Evie with direct access off A966 via an existing access which is located across from the Whitemire Road.
- The proposed house is sited North of the redundant house of Breckan.
- The proposed house is located approx. 6m North of the redundant outbuilding to allow for suitable parking and turning areas.
- Planning History:** None.
- Future Possible Development:** The redundant house of Breckan is to be demolished and removed. There will be no other possible development on site.
- Neighbouring Properties:** Neighbouring properties are a mixture of age, design and construction
- Access & Parking:** The existing access to site will be used and upgraded to Roads Services standards. The existing access had been used for well over 85 years for both the original house of Breckan and latterly for tractor access. There will be sufficient space for the parking of at least three cars. The access road, drive and parking area will be formed from rolled dust off consolidated bottoming off a firm base.
- Site Works, Site Finishes & Boundary Finishes:** Existing redundant outbuildings to be demolished and site prepared for the new build.
- The existing redundant house of Breckan is in very poor condition that it is also to be demolished and the site cleared.
- The site is relatively flat and no digging in will be required. The house will have with no exposed underbuilding.
- All parts of the site, other than those covered by the road, car parking and paths, will be landscaped and laid to lawns, with no shrubs, bushes or trees proposed.
- Minimum 900mm wide paths will be laid around the perimeter of the building, as shown, formed from pre-cast concrete slabs off consolidated bottoming off a firm base.
- Accessible access will be provided to the main entrance, comprising a

1.2m x 1.2m concrete platt with accessible, concrete ramp.

All other boundaries are defined by agricultural type post and wire fencing.

**Scale & Form:**

The proposed house will be of detached single storey form of simple T shaped, gabled design, with a maximum ridge height of 6.48m to the main roof and 5.25m to the front projection and an eaves height of 2.53m above path level. The roof pitch will be 40° to both.

The surrounding area has a number of dwellings which vary from single storey, 1½ storey and 1¾ storey, which would allow for the proposed house to fit in with its rural location.

**External Materials:**

Roofs will be clad Mini-Stonewald, concrete tiles, in black, with grey PVC fascias, with minimal depth soffits, and black P.V.C. rainwater fittings.

Walls will be finished with a white/off white dash.

Doors and windows will be of double glazed in colour grey.

**General:**

Heating will be via an air source heat pump.

Services will be mains water and electricity.

Foul drainage will be to a septic tank and soakaway, within the curtilage.

Surface water will be to a soakaway, within the curtilage.

All external lighting will be designed to minimise light pollution

**REFUSE PLANNING PERMISSION**  
**DELEGATED DECISION**



**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997 (as amended) ("The Act")**  
**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

**Ref: 22/274/PP**

Mr Stephen Sclater  
c/o Mr Stephen J Omand  
C/o Christopher Omand  
14 Victoria Street  
Kirkwall  
Orkney  
KW15 1DN

With reference to your application registered on 24th August 2022 for planning permission for the following development:-

**PROPOSAL:** Erect a replacement house (one for one) with an air source heat pump and upgrade an access

**LOCATION:** Skerryvoe (Land Near), Evie, Orkney, KW17 2NJ

Orkney Islands Council in exercise of its powers under the above Act and Regulations, hereby **REFUSE Planning Permission for the reason(s) outlined on the next page.**

The plans to which this decision relates are those identified in Schedule 1 attached.

**The Council's reasoning for this decision is:** The principle of the replacement of a redundant building is acceptable, in accordance with policies for housing in the countryside. However, the upgrading and intensification of use of the access would create a crossroads situation, therefore Roads Services have objected on the grounds of road safety. The redevelopment is therefore contrary to Policies 1(vi) and 14C of the Orkney Local Development Plan 2017. There are no material considerations to warrant an outcome other than refusal.

(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).

Decision date: 18th January 2023

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

**Ref: 22/274/PP**

## **REASONS FOR REFUSAL**

01. Policy 1 'Criteria for All New Development', part (vi), notes that development will only be supported where it "does not result in an unacceptable level of risk to public health and safety". Policy 14C 'Road Network Infrastructure' states that development will only be permitted where "(iii) Any new access, or upgrades to an existing access, linking to the adopted road network has been designed to an adoptable standard defined by the National Roads Development Guide (new accesses should be resource efficient, safe for all road users, and convenient for sustainable travel modes)."

Roads Services, as the roads authority, has confirmed that the upgrading and intensification of use of the access would create a crossroads situation which would be a road safety concern. On that basis, the development is contrary to Policies 1 (vi) and 14 C of the Orkney Local Development Plan 2017.

Ref: 22/274/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
Floor & Elevation Plans	OIC-02	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

## 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.

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>

2. 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:

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

Email: [planning@orkney.gov.uk](mailto: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.



Surface area to be drained is in the region of 200m<sup>2</sup>  
Assuming 5m<sup>3</sup> of soakaway per 100m<sup>2</sup>  
soakway size is 2.80m x 2.80m x 2.00m deep  
10m from road and 5m from building and  
boundaries.

Existing post and  
wire fencing

Garden area to  
be laid to lawn

Septic Tank Volume to BS 6297 = 3,080 litres  
 $V \text{ (litres)} = (P \times 180) + 2000$  where P is number of people served.  
 $(56 \times 180) + 2000 = 2,900 \text{ litres.}$   
Soakaway Area =  $P \times V \times 0.25$  where P is number of people  
served and V is Percolation Value.  
 $6 \times 36 \times 0.25 = 52.5\text{m}^2.$

Inspection  
chamber

Septic tank

Existing post  
and wire  
fencing

Proposed post and  
wire fencing

Skerryvoe

Parking area to be  
compacted rolled dust

Heat pump

Redundant  
outbuilding to be  
replaced

Breckan  
Cottage

Existing access upgraded  
to Roads Services  
requirements

Existing boundary



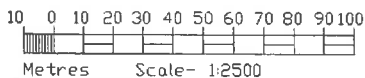
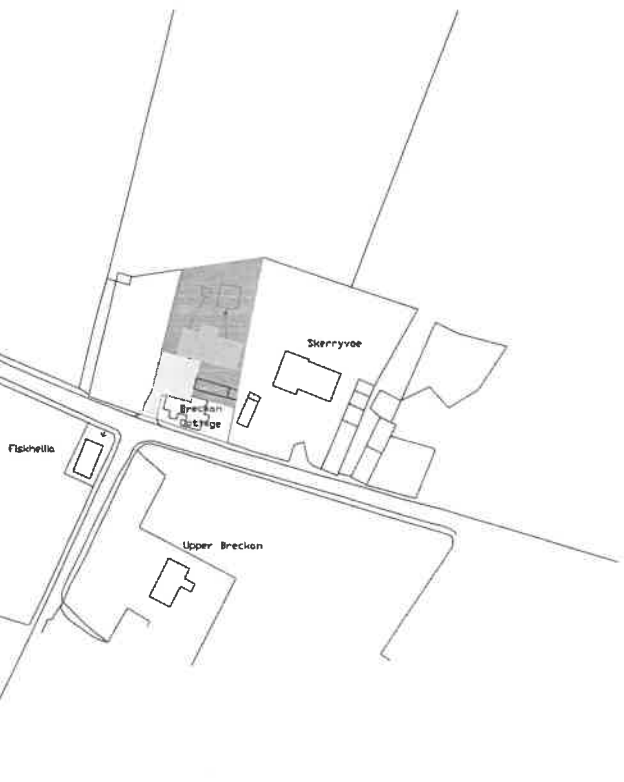
Metres Scale- 1:500



**ORKNEY**  
ISLANDS COUNCIL

**ORKNEY ISLANDS COUNCIL**  
Town & Country Planning  
Planning (Scotland) Acts

**REFUSED**  
**22/274/PP**  
**18 January 2023**



Metres Scale- 1:2500

Proposed one for one and erection of  
replacement house with air source heat pump

At - Near Breckan, Costa, Evie, KW17 2NN

For - Stephen Sclater

5117/PP/2

July 2022

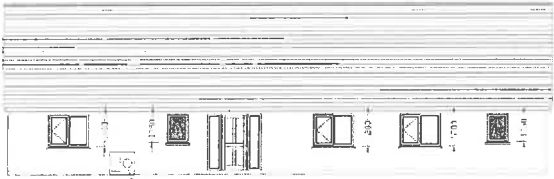
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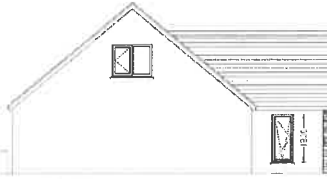
North East Elevation



North West Elevation



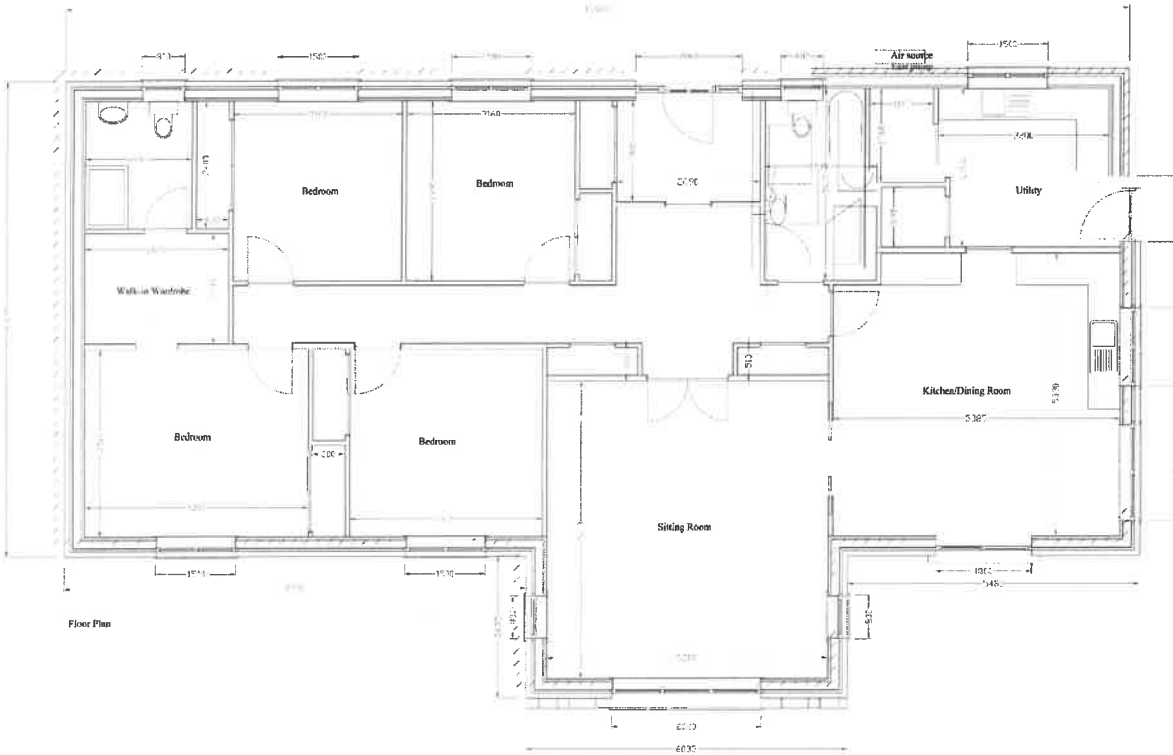
South West Elevation  
Air source heat pump



South East Elevation

**Proposed materials**

Roof - Black mini-stonewald tiles.  
Walls - Rendered white/off white dash. Facel with stone from the outdriens outbuilding and pointed.  
Floors & Soffits - Grey P.V.C.  
Gutters and downpipes - Black P.V.C.  
Windows and doors - Grey u.P.V.C.



Floor Plan



**REFUSED**  
22/274/PP  
18 January 2023

Ref.	Description	Drawn	Date
<p>S. J. Ormrod, Chartered Surveyor, 14 Victoria Street Orkney KW16 1DN. Tel: 01856 876215 Fax: 01856 876199 Email: s.j.ormrod@epdrament.co.uk</p>			
<p>Project: New House, At Breckan, Casta, Evie, KW17 2NN</p>			
<p>Title: Proposed case for one and erection of replacement house with air source heat pump</p>			
<p>Client: Stephan Seiler, Stak-Hallin, Casta, Evie, KW17 2NN</p>			
Date:	July 2022	Checked:	CJO
Scale:	1:100/1:50	Drawn by:	51177PP/1

## Appendix 5

**From:** [Donald Wilson](#)  
**To:** [Committees](#)  
**Cc:** [Kenny Roy](#); [Angela Kingston](#)  
**Subject:** FW: Planning App 22.274.PP - Notice of Review  
**Date:** 18 April 2023 15:29:35

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**Classification: OFFICIAL**

Angela,

Please find below a further representation from Roads Services as requested.

While the term 'intensification' is not specifically mentioned in the National Roads Development Guide, it must be noted that in the Notice of Review documentation there is a letter from the developers agent that clearly states that 'The house was last occupied 50 /55 years ago and this was, and still is, the established and recognised vehicular access to the property i.e. Breckan Cottage and the adjoining lands.'

In Roads Services consultation response the existence of the access is recognised but only as an agricultural access, with gated agricultural accesses of this nature generally considered as only being for occasional use. Therefore, given and as confirmed by the developers agent in their letter dated 23 February 2022 that Breckan Cottage had not been used as a dwelling for an extended period of time, the construction of any new dwelling using the existing access would result in intensification of use of the access.

When considering the proposed development under the Design Manual for Roads and Bridges (DMRB) and in particular CD123 Version 2.1.0, section 4 Geometric design of direct accesses, paragraph 4.1, Direct accesses shall only be used where access is to only one of the following and that the will be subject to less than 50 vehicle movements per week:

1. a single dwelling:
2. a single field:

Therefore given the clear indication from the applicants agent that the development would result in intensification of usage of the existing access, that it would create a crossroads situation which is far from ideal on a road subject to a 60mph speed limit, and that the access would fail to meet the requirements of the DMRB, which is referred to in the NRDG, the developer should seek to identify an alternative access location to the proposed development site.

Regards

Donald Wilson

Roads Authority Officer  
Neighbourhood Services  
Neighbourhood Services and Infrastructure  
Orkney Islands Council

Tel 01856 873535 ext 2302

**Customer Survey**

Your feedback is important to us. Please take a few moments to complete our online survey by clicking on the link below.

Many thanks for your time.

[Orkney Roads Survey](#)

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**From:** Committees <committees@orkney.gov.uk>

**Sent:** 07 April 2023 11:46

**To:** Kenny Roy <Kenny.roy@orkney.gov.uk>; Donald Wilson <donald.wilson@orkney.gov.uk>

**Cc:** Angela Kingston <angela.kingston@orkney.gov.uk>

**Subject:** Planning App 22.274.PP - Notice of Review

**Classification: OFFICIAL**

**Notice under Regulation 15 of The Town and Country Planning (Schemes of Delegation and Local Review Procedure)(Scotland) Regulations 2013**

**Planning Application 22/274/PP**

**Proposed Erection of Replacement House (One for One) and Upgrade Access at (Land Near) Skerryvoe, Evie Notice of Review**

I refer to the Review of the above planning application and advise you that, at its meeting held on 31 March 2023, the Local Review Body resolved that the review should not be determined without further procedure, the further procedure being as follows:

A further written submission from the Roads Authority providing clarification on the term "intensification", as given in the reason for refusal, being explicit to the National Roads Development Guide.

A representative from the Roads Authority be invited to attend the Local Review Body meeting at which the Notice of Review would be determined.

Further representations in response to the above should be submitted to me in writing, **no later than Thursday, 20 April 2023**. In writing includes by e-mail.

Representations received in response to the above will then be circulated to the applicant for any further comment prior to further consideration of the application by the Local Review Body.

Angela Kingston  
Clerk to the Local Review Body

Angela Kingston  
Committees Officer  
Strategy, Performance and Business Solutions  
Orkney Islands Council, Council Offices, Kirkwall, Orkney, KW15 1NY

As I am currently working from home, please email in the first instance ([angela.kingston@orkney.gov.uk](mailto:angela.kingston@orkney.gov.uk) or [committees@orkney.gov.uk](mailto:committees@orkney.gov.uk))

23<sup>rd</sup> April 2023.

Mrs Angela Kingston,  
 Committees Officer,  
 Strategy Performance and Business Solutions,  
 Council Offices,  
 School Place,  
 Kirkwall,  
 KW15 1NY.

Dear Mrs Kingston,

**Planning Reference 22/274/PP.  
 Proposed Erection of Replacement House (One for One) and Upgrade  
 Access at (Land Near) Skerryvoe, Evie.**

With regard to the above, in their initial response to Planning, Roads Services comments are "While the term 'intensification' is not specifically mentioned in the National Roads Development Guide, it must be noted that in the Notice of Review documentation there is a letter from the developer's agent that clearly states that 'The house was last occupied 50 /55 years ago and this was, and still is, the established and recognised vehicular access to the property i.e. Breckan Cottage and the adjoining lands.'

In actual fact, in our reply of 13<sup>th</sup> October 2022, to Planning, on behalf of the Applicant, we stated "In response to Roads Services comments the applicants grandfather, who is 85, has always known the access as a vehicular access to the house on site. The house was last occupied 50/55 years ago and this was, and still is, the established and recognised vehicular access to the property." We fail to see how this wording justifies such a strong and forceful response. We were merely recounting the recollections of an 85 year old gentleman, which more than supported the fact that there has been vehicular access to this property for a long number of years.

When considering the proposed development Roads Services conclude that under the Design Manual for Roads and Bridges (DMRB) and in particular CD123 Version 2.1.0, section 4 Geometric design of direct accesses, paragraph 4.1, Direct accesses shall only be used where access is to only one of the following and that they will be subject to less than 50 vehicle movements per week:

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1. a single dwelling:

2. a single field:

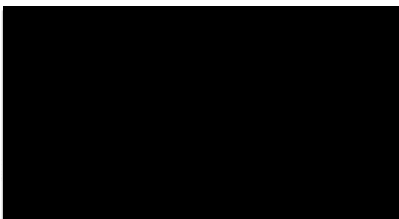
and go on to state, yet again, "Therefore given the clear indication from the applicants agent that the development would result in intensification of usage of the existing access, that it would create a crossroads situation..."

With all due respect surely this is a complete over reaction. Orkney is a farming community with more shared field and dwelling accesses than anyone could possibly recall. Also, there are numerous junctions throughout the whole of Orkney that are similar to that at Breckan Cottage. Without listing them all in detail, the following are some well known examples, which anyone familiar with the Orkney Mainland might recall.

- The junction between the A965 and the A986, Harray road end.
- The Howe Road End in Harray with the A986.
- The road end junction with the Merksister Road and Dounby Road (A986).
- The Hackland Road end in Rendall with the A966, Evie Road.
- Cloke road end with the Beaquoy Road Birsay (B9057).
- Beaquoy Road end (B9057) with the Hillside Road from Dounby..
- At Sydney Cottage in Deerness where two B Class Roads meet the main Kirkwall to Deerness Road, the A960.

In summing up, the access is a well established vehicular one, it is argued that the proposed house will have no adverse impact whatsoever on road safety at this existing junction and that the proposed upgrading in accordance with Roads Services requirements will further improve the existing access. It is a well established fact of life in rural Orkney that vehicular accesses are shared for both agricultural and residential use, as witness almost every farmhouse access, at least, and the 85 year old gentleman's recollections should be respected. If he says there has been vehicular access for as long as he recalls then who are any of us to argue with him.

Yours sincerely,



Christopher J Omand, BSc (Hons) MRICS,  
Chartered Surveyor.