

## **Minute**

### **Planning Committee**

Wednesday, 4 October 2023, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



### **Present**

Councillors Owen Tierney, Graham A Bevan, Alexander G Cowie, James R Moar, Raymond S Peace, John A R Scott, Jean E Stevenson, Ivan A Taylor, Mellissa-Louise Thomson and Duncan A Tullock.

### **Present via remote link (Microsoft Teams)**

Councillor P Lindsay Hall.

### **Clerk**

- Hazel Flett, Service Manager (Governance).

### **In Attendance**

- Roddy Mackay, Head of Planning and Community Protection.
- Jamie Macvie, Service Manager (Development Management).
- Derek Manson, Team Manager (Development Planning).
- Paul Maxton, Solicitor.
- Donald Wilson, Roads Authority Officer.

### **Observing**

- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- Katy Russell-Duff, Administrative Officer.

### **Apology**

- Councillor Kristopher D Leask,

### **Declarations of Interest**

- Councillor Jean Stevenson – Item 3.
- Councillor Mellissa-Louise Thomson – Item 3.
- Councillor Duncan A Tullock – Item 2.

### **Chair**

- Councillor Owen Tierney.

## 1. Suspension of Standing Orders

The Committee **suspended Standing Order 8.11** to enable members to participate in the meeting from a remote location, as a party had the right to be heard in person or through a representative and the decision to be made was as a result of a quasi-judicial or regulatory hearings process, such as a planning application or an appeal.

## 2. Planning Application 22/128/PP

### **Proposed Erection of Eight Houses and Associated Works near Brookfield, Rendall**

Bruce Pinkerton, objector, and representing Robbie and Gemma Morris; James and Julie Pickles; and Lilian and Paul Kelly, objectors, was present during consideration of this item.

Councillor Duncan A Tullock declared an interest in this item, his connection being that two of the objectors were known to him, and was not present during discussion thereof.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**2.1.** That letters of objections relating to the application for planning permission in respect of the proposal to erect eight houses, install communal foul drainage treatment, upgrade an access and associated landscaping, including bin storage, near Brookfield, Rendall, had been received from the following:

- Sarah Brodie and Simon Brodie, Brookfield, Rendall.
- Lilian and Paul Kelly, Northlea, Rendall.
- Robbie and Gemma Morris, Skiren, Rendall.
- James and Julie Pickles, BrooklyIn, Rendall.
- Bruce and Marie Pinkerton, Obansay, Rendall.
- Jay Wragg, Otterburn, Rendall.

After hearing representations from Bruce Pinkerton, objector, and also representing Robbie and Gemma Morris; James and Julie Pickles; and Lilian and Paul Kelly, objectors, and after hearing a report from the Service Manager (Development Management), on the motion of Councillor Graham A Bevan, seconded by Councillor Alexander G Cowie, the Committee:

Resolved, in terms of delegated powers:

**2.2.** That the concerns of the objectors had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

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

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

- Policy 2 – Design.
- Policy 3 – Settlements, Town Centres & Primary Retail Frontages.
- Policy 5 – Housing.
- Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
- Policy 14 – Transport, Travel and Road Network Infrastructure.
- Guidance:
  - Supplementary Guidance: Settlement Statements (2017).
  - Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).
- National Planning Framework 4.

**2.4.** That planning permission be granted in respect of the proposal to erect eight houses, install communal foul drainage treatment, upgrade an access and associated landscaping, including bin storage, near Brookfield, Rendall, subject to the conditions attached as Appendix 1 to this Minute.

### **3. Planning Application 23/116/PIP**

#### **Proposed Siting of House near Noneyha', Eday**

Christopher Omand, agent representing the applicant, John Skuse, was present during consideration of this item.

Walter Cormack, objector, was present during consideration of this item.

Councillor Jean E Stevenson declared an interest in this item, her connection being that one of the objectors was known to her, and was not present during discussion thereof.

Councillor Mellissa-Louise Thomson declared an interest in this item, her connection being that the applicant and one of the objectors were known to her, and was not present during discussion thereof.

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**3.1.** That letters of objections relating to the application for planning permission in principle in respect of the proposal to site a house near Noneyha', Eday, had been received from the following:

- Walter Cormack, Cayrne, Eday.
- Elizabeth de Stanford Wallitt, Green of Eday.
- Ashley J Wakeling, New Green, Green Farm, Eday.

After hearing representations from Walter Cormack, objector, and from Christopher Omand, agent representing the applicant, John Skuse, and after hearing a report from the Service Manager (Development Management), on the motion of Councillor Graham A Bevan, seconded by Councillor Owen Tierney, the Committee:

Resolved, in terms of delegated powers:

**3.2.** That the concerns of the objectors had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

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

- Orkney Local Development Plan 2017:
  - The Spatial Strategy – The Isles Approach.
  - Policy 1 – Criteria for All Development.
  - Policy 5C – The Isles Approach for Housing.
  - Policy 9C – Wider Biodiversity and Geodiversity.
  - Policy 14C – Road Network Infrastructure.
- National Planning Framework 4:
  - Policy 3 – Biodiversity.
  - Policy 17 – Rural Homes.

**3.4.** That planning permission in principle be granted in respect of the proposal to site a house near Noneyha', Eday, subject to the conditions attached as Appendix 2 to this Minute.

#### **4. Planning Application 23/163/PP**

##### **Proposed Erection of House with Detached Garage near Whitehall Farm, Whitehall Road, Stronsay**

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Noted:

**4.1.** That a letter of objection relating to the application for planning permission in respect of the proposal to erect a house, with a detached garage, near Whitehall Farm, Whitehall Road, Stronsay, had been received from Leonardo B Martini-Brown, Brynley Cottage, 12 Whitehall, Stronsay.

After hearing a report from the Service Manager (Development Management), on the motion of Councillor Owen Tierney, seconded by Councillor John A R Scott, the Committee:

Resolved, in terms of delegated powers:

**4.2.** That the concerns of the objector had been considered in the assessment of the proposal but were of insufficient weight to warrant refusal.

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

- Orkney Local Development Plan 2017:
  - The Spatial Strategy – The Isles Approach.
  - Policy 1 – Criteria for All Development.
  - Policy 2 – Design.
  - Policy 5C – The Isles Approach for Housing.
  - Policy 8 – Historic Environment and Cultural Heritage.
  - Policy 9 – Natural Heritage and Landscape.
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Guidance:
  - Supplementary Guidance: Housing in the Countryside (2021).
  - Supplementary Guidance: Natural Environment (2017).
  - Supplementary Guidance: Historic Environment and Cultural Heritage (2017).
  - Planning Policy Advice: Historic Environment (Topics and Themes) (2017).
  - Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).
- National Planning Framework 4.

**4.4.** That planning permission be granted in respect of the proposal to erect a house, with a detached garage, near Whitehall Farm, Whitehall Road, Stronsay, subject to the conditions attached as Appendix 3 to this Minute.

## **5. Conclusion of Meeting**

At 10:45 the Chair declared the meeting concluded.

Signed: Owen Tierney.

## Appendix 1.

### **Proposed Erection of Eight Houses and Associated Works near Brookfield, Rendall (22/128/PP)**

#### **Grant, subject to the following conditions:**

01. The development hereby approved to which this planning permission relates must be begun not later than the expiration of three years, beginning with the date on which the permission is granted, which is the date of this decision notice. If development has not commenced within this period, this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended, which limits the duration of planning permission.

02. No development shall commence until a scheme for the maintenance, in perpetuity, of all communal areas, including roads and on-site green spaces and/or woodland and/or other spaces, facilities, features or parts of the development that are not the exclusive property of any identifiable individual home owner (such as bin storage areas, the greenspace to the southern end of the site, and those elements of both foul and surface water drainage regimes not maintained either by the Council or Scottish Water), have been submitted to, and approved, in writing by the Planning Authority. Thereafter, the approved scheme shall be implemented in full and in accordance with the timescales contained therein.

Reason: To ensure that all communal spaces, facilities and landscaping areas are properly managed and maintained.

03. No development, including any demolition works, shall commence until a Construction Method Statement has been submitted to and approved, in writing, by the Planning Authority. The statement shall provide for:

- The parking of vehicles of site operatives and visitors.
- Loading and unloading of plant and materials.
- Storage of plant and materials used in constructing the development.
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- Measures to control the emission of dust and dirt during construction.
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

For the avoidance of doubt there shall be no burning or burying of waste within the site.

The approved Construction Method Statement shall be applied and complied with throughout the construction period.

Reason: To safeguard the amenity of neighbouring properties and occupants.

04. Notwithstanding approved details of the communal foul drainage scheme, no development shall commence until full details of connection of all houses to the Lyron Waste Water Treatment Works have been submitted to and approved, in writing, by the Planning Authority. Thereafter, the connection as approved shall be implemented in full.

The only exception is if connection limitations or infrastructure constraints, including through consultation with Scottish Water, are evidenced to the extent that connection to the public system cannot be achieved. The private foul drainage scheme hereby approved shall not be implemented unless that evidence is accepted, in writing, by the Planning Authority.

No house within the development shall be occupied until it is connected to the Lyron Waste Water Treatment Works or, if the use of the private foul drainage system is approved, until that system is constructed wholly in accordance with approved details, and the house is connected.

Reason: In order to protect people and the environment from the impact of waste water and ensure the connection to the public sewerage network is achieved where appropriate.

05. No development shall commence until full details of the management of surface water from all elements of the shared access road are submitted to and approved, in writing, by the Planning Authority, in consultation with Engineering Services. These details shall include prevention of the flow of surface water from the shared access road into land adjacent. Thereafter, the development shall be constructed wholly in accordance with approved details and shall be retained in accordance with these details throughout the lifetime of the development.

Reason: To ensure the appropriate management of surface water from surfaced elements of the shared access road serving both the approved development and existing development.

06. No other development shall commence until completion of the section of footway along the public road and the refuse / recycling bin collection area. These works shall be completed wholly in accordance with construction details as shown on drawing JDC1623-PL-009 Rev J, to the satisfaction of the Planning Authority in consultation with the Roads Authority. Only the approved details shall be employed and thereafter these elements shall be maintained to the agreed standard unless/until it is adopted for maintenance under the Roads (Scotland) Act 1984 (as amended).

Reason: To ensure the timely provision of an appropriate means of access and servicing in the interests of road safety.

07. The development hereby approved shall not be occupied or otherwise brought into use until all communal parts of the proposed shared access track are finished with a bituminous surface, or other sealed surface agreed, in writing, by the Planning Authority and in accordance with construction details as shown on drawings JDC1623-PL-009 Rev J, and JDC 1623- pl-003 Rev. G to the satisfaction of the Planning Authority in consultation with the Roads Authority.

Reason: To ensure an appropriate specification and finish for communal accesses within a settlement as identified by Supplementary Guidance: Settlement Statements.

08. Throughout the lifetime of the development hereby approved, all surface water within the application site area shall be treated in accordance with the principles of Sustainable Drainage Systems (SuDS) and be compliant with the guidance set out in CIRIA's SuDS Manual C753. Requisite surface water drainage shall be operational prior to first occupation of the development and shall be maintained as such thereafter. All surface water shall be contained within the development site and there shall be no surface water drainage runoff to the public road or adjacent land.

Reason: To ensure the provision of an adequate surface water drainage system and to accord with Policy 13B 'Sustainable Drainage Systems (SuDS)' of Orkney Local Development Plan 2017.

09. All landscaping works in communal areas shall be carried out in accordance with the Proposed Landscaping Plan 'B' (reference JDC 1623 – PL – 008) hereby approved. All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out in the first planting and seeding seasons following the commencement of the development, unless otherwise stated in the approved scheme. Any trees or plants which, within a period of five years from the completion of the development, die or for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species, unless otherwise agreed, in writing, by the Planning Authority.

Reason: In order to ensure that the approved landscaping works are properly undertaken on site and that biodiversity measures are implemented as required by Policy 3 of National Planning Framework 4.

10. Throughout the lifetime of the development hereby approved, any external lighting used on the approved houses shall be downward facing only and shall comply with the requirements Policy 2 (principle vi), to minimise light pollution and meet the requirements specified by the Institution of Lighting Professionals for Zone E1/E2 areas (Rural/Low District Brightness). The lighting shall be turned off when not required either by automatic sensor or manually.

Reason: To minimise obtrusive light, glare or distraction in the interests of safeguarding the amenity of the area and to accord with Policy 2 'Design' of the Orkney Local Development Plan 2017.

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

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

12. Notwithstanding the inset detail on approved plans JDC 1623-PL-001 Proposed Plan and Elevations HT1 – Plots 4-7 and JDC 1623 -PL-002 Proposed Plan and Elevations HT2 – Plots 1-3 & 8-9 [noting that Plot 9 has been removed from the application] the installation of air source heat pumps does not form part of this planning permission.



Reason: For the avoidance of doubt. Whilst referenced in text, no detail nor position of any air source heat pumps has been provided for consideration or assessment, in the interests of safeguarding residential amenity.

## Appendix 2

### Proposed Siting of House near Noneyha', Eday (23/116/PIP)

#### Grant, subject to the following conditions:

01. An application (or applications) for the approval of matters specified in conditions attached to this planning permission in principle must be made no later than the expiration of three years beginning with the date of this decision notice.

The development to which this planning permission in principle relates must commence no later than two years from the date of the requisite approval of all matters specified in conditions (including, in the case of approval of different matters on different dates, two years from the date of approval of the last such matter). If development has not commenced within this period, then this planning permission in principle shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.

02. No development shall commence until all matters specified below have been approved on application to the Planning Authority:

- A detailed layout of the site of the proposed development.
- Site levels as existing and proposed, based on a fixed datum point.
- The design and external appearance of the proposed development (all buildings and structures), noting that the scale and proportions should relate to existing surrounding development.
- Confirmation by layout and levels of no development, or landraising, on ground below 3.7mAOD and that the house is located on ground with a minimum elevation of 4.3mAOD.
- All hard and soft landscaping proposals for the site of the proposed development (including boundary treatments).
- Measures for biodiversity enhancement, in accordance with Policy 3(c) of National Planning Framework 4, which shall include appropriate assessment of any impact of habitats, and species that may use those habitats, adjoining the application site, and also including an assessment of carbon rich soils.
- Details of access and parking arrangements, including width, detailed geometry and surfacing of the access track, including avoidance of the triangular area of species-rich habitat where the proposed access meets the existing access track.
- Details of the proposed water supply arrangements.
- Details of the foul drainage disposal.
- Details of the management of surface water.
- Details of refuse and recycling bin storage, including for collection.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to commencement of development.

03. No development shall commence until a condition / dilapidation survey of a defined section of the public road has been carried out by the developer, in conjunction with Roads Services, including any section of the public road used for access/egress to the site by construction traffic. Full details of the survey shall be submitted to, and approved in writing by, the Planning Authority, in conjunction with Roads Services, including the full length of road to be surveyed.

Thereafter, the survey shall be carried out wholly in accordance with approved details and shall be completed again following completion of the development.

This condition / dilapidation survey, and any repairs required to the public road to make good damage which is attributed to this development, including by any vehicles or plant accessing or egressing the site, shall be funded by the developer. All repairs or other works required to be carried out shall be completed to the satisfaction of the Planning Authority, in conjunction with Roads Services, within three months of completion of the development.

The developer shall also be responsible for maintaining any damage caused to the public road in such a manner that the roads always remain safe for other road users and until permanent repair works are agreed and carried out.

Reason: In the interest of road safety.

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

There shall be no burning of waste or any other materials on site at any time during the construction phase of the development.

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

### Appendix 3

## Proposed Erection of House with Detached Garage near Whitehall Farm, Whitehall Road, Stronsay (23/163/PP)

### Grant, subject to the following conditions:

01. The development hereby approved to which this planning permission relates must be begun not later than the expiration of three years, beginning with the date on which the permission is granted, which is the date of this decision notice. If development has not commenced within this period, this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended, which limits the duration of planning permission.

02. All existing dry stone walls bounding the application site shall be retained and repaired (as necessary) throughout the lifetime of the development.

Reason: To ensure that the external appearance of the development is acceptable, and to protect a traditional boundary finish.

03. Throughout the lifetime of the development hereby approved, surface water shall be managed in accordance with the principles of Sustainable Drainage Systems (SuDS) and the guidance set out in CIRIA's SuDS Manual C753. Requisite surface water drainage measures shall be operational prior to the development being brought into use and shall be maintained as operational thereafter and throughout the lifetime of the development.

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

Reason: To ensure appropriate management of surface water drainage, in accordance with Policy 13B 'Sustainable Drainage Systems (SuDS)' of the Orkney Local Development Plan 2017, National Planning Framework 4, and to protect road safety.

04. The foul drainage system hereby approved shall be connected and fully operational prior to the first occupation of the development hereby approved.

Reason: In the interests of environmental protection and to accord with Policy 13C 'Waste Water Drainage' of the Orkney Local Development Plan 2017.

05. All foundations shall be excavated into the slope, and no part of the finished floor level shall exceed the existing ground level.

Reason: In the interests of visual and landscape amenity.

06. Throughout the lifetime of the development, the garage hereby approved shall be restricted to private use incidental to the enjoyment of the dwelling house. No commercial activity shall be carried out in, or from, the garage.

Reason: In the interests of the protection of the residential amenity of the area.

07. Throughout the lifetime of the development, any exterior lighting employed on the dwelling and garage and any outbuilding(s) within the site boundary, shall be so positioned, angled and controlled to prevent any direct illumination, glare or light spillage outwith the site boundary. The use of automatic cut-out or sensor operated external lighting of limited timed illumination is advocated. External lighting on the building shall meet the requirements for Zone E2 areas (Rural/Low District Brightness) as defined by the Institution of Lighting Professionals.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow' and to accord with Policy 2 'Design' of the Orkney Local Development Plan 2017 and Planning Policy Advice: Amenity and Minimising Obtrusive Lighting (2021).

08. Landscaping works shall be carried out in accordance with the approved scheme shown on Landscaping Plan (reference LPC 5599 PR 05 A, dated 19 July 2023), hereby approved. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees, shrubs or plants which, within a period of five years from the completion of the development, die or for whatever reason are removed or damaged, shall be replaced in the next planting season with others of the same size and species.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

09. Construction of the rainwater garden/SuDS pond shall not commence until full details of the design and planting are submitted to and approved, in writing, by the Planning Authority. Thereafter, the development shall be carried out wholly in accordance with approved details.

Reason: To ensure the design and planting of the rainwater garden/SUDS pond is appropriate in the context of Policy 3 of National Planning Framework 4.

10. With the exception of the bird boxes, the biodiversity measures identified on the Landscaping Plan (reference LPC 5599 PR 05 A, dated July 2023) and described in the submitted Biodiversity Form, and the agreed details of the rainwater garden/SuDS pond, shall be implemented in full no later than the first planting season following first occupation. Thereafter, the biodiversity measures shall be retained in accordance with the approved details throughout the lifetime of the development.

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

11. No development shall commence until a Written Scheme of Investigation (WSI), that details an Archaeological Watching Brief to be conducted during ground-breaking works at the development site, is submitted to and approved, in writing, by the Planning Authority, in conjunction with the Islands Archaeologist. Thereafter, the development shall be carried out wholly in accordance with the approved WSI.

The WSI shall include provision for dealing with human remains, artefacts, ecofacts, samples and structural remains, should any be found and which may cause temporary delays to the works. The works and provision for recovery, analysis and reporting of any archaeology found shall be funded by the applicant and carried out in accordance with the approved WSI and subsequent updates.

Reason: To protect Orkney's archaeological and cultural heritage resources and to accord with Policy 7 of National Planning Framework 4; Policies 8A and 8B(vi), Supplementary Guidance: Historic Environment and Cultural Heritage (2017) of the Orkney Local Development Plan 2017 and Planning Policy Advice: Historic Environment (Topics and Themes) (2017).

12. No other development shall commence until the access with the public road is constructed to the Council's Roads Services standard drawing 'SD-05 (Typical Access Over Verge with Service Bay)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway.

Thereafter, the access shall be retained in accordance with these details throughout the lifetime of the development.

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

Reason: In the interests of road safety.

13. Throughout the construction phase of the development hereby approved, the roadside ditches along the entire north-west and west facing boundaries to the land owned by the developer shall be protected from disruption.

Reason: In the interests of the prevention of flood risk.

14. A caravan, not exceeding 3 metres in width, may be located within the application site hereby approved on a temporary basis, limited to the residential use of the applicant/developer only, and for a maximum of 3 years from the date of the decision notice or until first occupation of the dwellinghouse, whichever is the sooner. At no time shall it be used for permanent residential use.

Reason: To ensure that the caravan is not used for permanent residential occupation in the interest of the visual amenity of the area and to comply with Policy 5D – Residential Caravans and other Temporary Residential Structures of the Orkney Local Development Plan 2017. A caravan is a temporary structure on self-build sites.

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

There shall be no burning of waste or any other materials on site at any time during the construction phase of the development.

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