

## Item: 5.2

**Planning Committee: 16 June 2020.**

**Erect 16 houses with associated infrastructure and landscaping (resubmission of 18/515/PP) at Greenfield House (Land Near), Greenfield, St Andrews.**

**Report by Executive Director of Development and Infrastructure.**

### 1. Summary

#### 1.1.

It is proposed to develop 16 houses with air source heat pumps, some with integral garages, construct an access, a footway, a road, a reedbed, treatment plants and a soakaway and associated landscaping on a greenfield site located on the seaward side of the A960 in the settlement of Toab. The site is allocated for housing development and the settlement statement in Supplementary Guidance: Settlement Statements, indicates a capacity for 8 houses within the 1.4 hectare site. The proposed development would double indicative capacity to a development of 16 houses. The principle of the development is acceptable, on the basis adequate justification has been provided for the proposed use and density. Three letters of objection have been received but are not considered of sufficient weight to merit refusal. On balance, the development accords with Policies 1, 2, 3, 5, 9, 10, 13 and 14 of the Orkney Local Development Plan 2017 and, accordingly, is recommended for approval.

Application Number:	19/367/PP.
Application Type:	Planning Permission.
Proposal:	Erect 16 houses with air source heat pumps, some with integral garages, construct an access, footway, road, reedbed, treatment plants and soakaway, and associated landscaping (resubmission of 18/515/PP).
Applicant:	Mr Bobby McLennan, 37 Clay Loan, Kirkwall, KW15 1QQ.
Agent:	Mr Colin Begley, HUS Architecture, Braehead, Holm, KW17 2SD.

#### 1.2.

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

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

## **2. Consultations**

Consultees have not objected or raised any issues which cannot be addressed by planning conditions.

## **3. Representations**

### **3.1.**

Three letters of objection have been received, from:

- Mr Tim Barnby and Dr Gabrielle Barnby, Greenfield House, Toab, KW17 2QG.
- Mr Richard Bland, Calrican, St Margaret's Hope, KW17 2TQ.
- Dr Alan Massey and Mrs Andrea Massey, Hollyfield, Quoybrae, Toab, KW17 2QG.

### **3.2.**

It should be noted that, where more than one representation is received from a household, it is defined as one 'valid representation'. In this case, multiple letters have been received from single objectors, and also separate representations from multiple individuals within a single household. Therefore, whilst less than the total number of individual letters received, three is the correct number of 'valid representations'.

### **3.3.**

The objections are on the following grounds:

- Road safety, including concerns over vehicular and pedestrian access, road speed and vehicle numbers.
- The development does not achieve a connected place supporting better transport connectivity.
- Impacts on residential amenity during the construction period and siting of site compound and temporary site/work shed in relation to existing dwelling and domestic curtilage with impacts of noise nuisance, loss of privacy, overshadowing, loss of daylight and light pollution.
- Scale and density of development, and not according with Supplementary Guidance: Housing in the Countryside.
- Environmental impacts contrary to the Orkney Local Biodiversity Action Plan 2018-2022 noting the various habitats and wildlife, plants, animals and bird species that may be impacted upon, including otters.
- Impacts to the adjoining Bay of Suckquoy Local Nature Conservation Site (LNCS), noting in particular the proximity of the proposed foul drainage system and disturbance to the site arising from development.
- Risk of contamination should coastal flooding impact the proposed foul drainage system.

- The development does not accord with the concept of developing a low carbon place.
- Lack of local amenities to service the proposed development.
- Insufficient domestic curtilage associated with each proposed house.
- Flooding – both in terms of surface water and coastal flood risk.

### **3.4.**

Other points of objection have been received on non-material grounds, principally relating to a previous development on an adjacent site. Those comments should be disregarded, and the current application must be considered on its merits.

### **3.5.**

During consideration, the application was subject to amendment, and additional notification (contributors / neighbours) was carried out. As with any planning application, the application site was outlined in red, and other land in the ownership of the applicant outlined in blue. Objectors noted additional land, which was initially outlined in blue but removed in a later, amended plan. The developer confirmed the land was no longer in his ownership, and therefore the blue outlined area was removed. The application site remained constant.

### **3.6.**

Objectors raised the issue of a temporary works shed which was to be located in the plot in the south east corner of the site, adjacent to Greenfield House. In recognition of the objections, the developer has removed this temporary structure, the nature and use of which was to be restricted to the construction phase of the development for the fabrication of timber frame parts for the development on site. The developer has stated within the additional supporting statement, dated January 2020, that the proposed working methodology as the site is built out, shall now utilise prefabricated timber frame kits delivered to the site and that temporary lay-down areas will be subject to relocation around the site as development progresses thereby avoiding a single fixed location for a works compound.

### **3.7.**

In respect of objections related to the foul drainage system, further clarification of drainage matters was pursued in the course of consideration of the application to satisfy Engineering Services as the local flood authority, which was supported by a supporting statement. Minor amendment to the proposal resulted, with the technical matter of minor raising of drainage to ensure a satisfactory ground level of 4.65 metres above ordnance datum (AOD). This has necessitated separate Biodisc treatment units to serve plots 9 and 10 in the north-east corner of the site, with pumped outfall connected back into the system thereby avoiding significant changes in ground levels.

## 4. Relevant Planning History

### 4.1.

Reference.	Proposal.	Location.	Decision.	Date.
18/515/PP	Erect 16 houses with air source heat pumps, some with integral garages, construct an access, footway, road, reedbed, treatment plants and soakaway, and associated landscaping	Greenfield House (Land Near), Greenfield, St Andrews, Orkney, KW17 2QU	Withdrawn.	17.10.19.

### 4.2.

The withdrawn application did not include roadside footway provision adjacent to the A960. Following discussions with the applicant and Road Services, that proposal was withdrawn, and the current application submitted to include a proposed roadside footway.

## 5. Relevant Planning Policy Guidance

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

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

The policies listed below are relevant to this application:

- Orkney Local Development Plan 2017.
  - Policy 1 – Criteria for All Development.
  - Policy 2 - Design.
  - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
  - Policy 5 – Housing.
  - Policy 9 – Natural Heritage and Landscape.
  - Policy 10 – Green Infrastructure (Paths, Open Spaces and Green Networks).
  - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
  - Policy 14 – Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance: Natural Environment.
- Supplementary Guidance: Settlement Statements:
  - Toab – Housing Allocation TB-2.

This is defined as a short-term allocation, noted as a greenfield site extending to approximately 1.4 hectares, with an indicative capacity for 8 houses.

General 'Design Guidance' for Toab notes:

“Development in Toab should ensure that the settlement retains its rural character by: Having plot layouts and scales consistent with neighbouring properties; Avoiding urban and suburban types of development; Repairing and retaining historic and landscape features such as stone boundary dykes; and Providing pedestrian access to local footpaths, public transport and services.”.

- Planning Policy Advice 'Development Quality within Settlements' (March 2012).

## **6. Legal Aspects**

### **6.1.**

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

### **6.2.**

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 reasons. While the planning authority will need to consider the substance of any local opposition to a particular application, their duty is to decide a case on its planning merits.

### **6.3.**

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

## **7. Assessment**

### **7.1. Background**

The site is located within an identified housing allocation site within Toab. Development has mainly occurred since the mid-twentieth century between the old school and the new school at the junction of the A960 and the B9052, taking three forms: single dwellings; the new school; and housing developments built around

access roads. The proposed site is an agricultural field laid to grass on the seaward side of the A960 on entry to the settlement of Toab from the west, with the western boundary of the site sitting opposite the junction of the B9052, and the eastern boundary adjacent to existing housing. The seaward edge of the site, to the north is characterised by a slight coastal slope dropping down to The Ouse.

## **7.2. Proposal**

### **7.2.1.**

The proposal seeks to develop the full extent of the agricultural field, defined in greater part through existing field boundaries, noting that the boundary to the north, dropping to the shore, was unfenced at the time of application. The extent of land subject to development is obvious on the ground, given the change in levels owing to the coastal slope and change in vegetation cover – between improved grassland and uncultivated land. This is significant given that the near shore area along the coastal fringe is recognised as a component part of the Bay of Suckquoy Local Nature Conservation Site (LNCS).

### **7.2.2.**

The proposed scheme seeks to develop 16 houses of eleven differing types, referenced as submitted designs A to J, which provides for a range of accommodation needs including two-bedroom semi-detached units and three and four bedroom houses mainly with, but some without, integral garages. All proposed properties are single storey with a simple gable ended form. External finishes are specified as cream dry dash finish to walls and black mini Stonewold tiles for roof, white uPVC windows, soffits and fascias and black rainwater goods. Each plot has external garden space, typically to both front and rear of each house and dedicated vehicle parking. The general site layout is based on 13 houses around the perimeter of the site with four houses, located centrally. Foul and surface water drainage would be a private system, terminating in a treatment plant and reedbed system placed centrally, located on the northern edge of the site.

### **7.2.3.**

The development would be served by a single road access from the public road which sweeps around the site to a hammer head, the stub of which extends to the site boundary with a pedestrian access, thereby allowing pedestrians from the furthest extent of the access to exit the development at two points. A roadside footway is proposed along the entirety of the site adjoining the public road. A bin storage area for uplift purposes is located by the junction, which would be located towards the south east corner of the site. There is no significant allocation of publicly shared greenspace within the site.

## **7.3. Principle**

Critical to the principle of the development is that the site is allocated for housing development within the settlement of Toab, the largest such allocation within that settlement. The site is referenced TB-2 within Supplementary Guidance 'Settlement Statements' and is a short-term allocation with an indicative capacity of 8 houses. Allocation for short-term housing typically indicates that a site is largely free of

constraints and available for development within the lifetime of the Local Development Plan. The development is acceptable in principle in accordance with the Spatial Strategy and Policies 1, 3 and 5 of the Orkney Local Development Plan 2017.

## **7.4. Residential Amenity**

### **7.4.1.**

As a residential development, it is not considered that the housing would have any significant impact on the overall character of the area, which is predominantly housing, in addition to the nearby primary school. The houses would be at sufficient distance from any neighbouring properties to ensure no unacceptable impact on privacy, or loss of daylight and sunlight. Loss of views from existing properties adjacent to the site is not a material planning consideration.

### **7.4.2.**

A key issue raised in objections is potential impact on neighbouring properties and possibly the wider local area of Toab through the construction phase. As noted in section 3.6 above, the developer has removed an initial proposal to maintain a single temporary works compound and shed in a fixed location throughout the duration of construction, and instead would carry out construction in a phased manner, which would be controlled by planning condition. The construction phase of any development is transitory and subject to regulatory control by other agencies, particularly statutory nuisance which may arise including noise or air pollution. As such, temporary disruption would not normally be considered a material planning matter. It is also recognised that, whilst a significant development relative to the size of the settlement, the proposed development is for a relatively small number of houses and a balance must be achieved between allowing development on an allocated site and safeguarding amenity.

### **7.4.3.**

Ongoing maintenance of shared or communal facilities is also important to ensure residential amenity is safeguarded. It is therefore considered reasonable in this instance to clarify the phased nature of development, through securing an appropriate phasing plan, clarification of construction methodology, factoring agreement and securing matters through appropriate planning conditions that could otherwise negatively impact residential amenity – both to existing neighbouring houses and new houses as the development is built out. Through securing matters by appropriate planning condition(s) the development is considered to be in accordance with Policies 1, 3 and 5 of the Orkney Local Development Plan 2017.

## **7.5. Design and Layout**

### **7.5.1.**

The proposed design and external finishes of the individual dwellings do not raise any matters of concern as the house types proposed are of simple form with an established and accepted palette of colours and external finish materials in keeping with other recent development in Orkney. It has been raised within objections that

there is insufficient external space associated with each individual house in relation to other nearby development. Whilst there is clear disparity with housing development on the opposite side of the main road at Quoybrae and individual houses immediately adjoining the site to the east, which generally have large plot sizes incorporating generously-sized gardens, some of the most established housing in the settlement of Toab has a layout density and plot size similar to that proposed, noting the group of houses on the seaward side of the A960 approximately 150 metres to the east of the development, known as Greenfield.

### **7.5.2.**

The developer has amended the proposal from that withdrawn by introducing improvements to the layout of the development as a whole, including ensuring that the main body of the communal foul drainage system is located outside the neighbouring Bay of Suckquoy Local Nature Conservation Site (LNCS) on the seaward edge of the development site. The development also incorporates improved connectivity, with improvements in the public realm and non-vehicular access links and construction of a roadside footway along the frontage of the site with the A960 road. The development does not include dedicated public open space however, this is similar to surrounding development and each property would have a dedicated garden area, and play facilities exist at the nearby primary school, albeit those may be restricted in terms of public use. The development is considered to be in accordance with Policy 2 of the Orkney Local Development Plan 2017, as the design and layout of individual houses is considered to be sympathetic to the character of the local area.

## **7.6. Development Density**

### **7.6.1.**

The proposal is for 16 houses, which is double the indicative capacity of 8 houses as stated within the Toab settlement statement within Supplementary Guidance 'Settlement Statements' (2017). This has been raised within objections and cited as overdevelopment of the site. Capacities stated within Supplementary Guidance are indicative only, and additional density can be justified at the planning application stage when taking into consideration the wider context and details of any proposed development; this is clarified at point 007 of the guidance: "These capacity figures should therefore be used as a guide only with specific figures being justified at the planning application/design stage".

### **7.6.2.**

Whilst the density of the development has been significantly increased from the indicative allocation, it has been adequately demonstrated that the number and nature of housing units proposed can be adequately serviced, residential amenity of both existing and proposed houses retained, and that site constraints have been addressed. The development is therefore considered, on balance, to be in accordance with the Spatial Strategy and Policies 1, 2, 3 and 5 of the Orkney Local Development Plan 2017 and Supplementary Guidance 'Settlement Statements'.



## **7.7. Road Safety**

Roads Services was consulted and has no objections to the proposed development subject to appropriate conditions in the interests of road safety. Whilst road safety matters have been raised as reasons of objection, on the basis the roads authority is satisfied, the development accords with Policy 14C of the Orkney Local Development Plan 2017 as it could be safely and conveniently accessed and would be safe for all road users.

## **7.8. Sustainability**

The development is located within the bounds of an identified settlement adjacent to the A960. The site is also in proximity to St Andrews Primary School. Objection has been raised in relation to a lack of amenities and as a poorly connected location. The Spatial Strategy of the Orkney Local Development Plan 2017 confirms that “The Plan seeks to support the growth of Orkney’s communities in a sustainable manner, ensuring that development is directed in the first instance to places with sufficient infrastructure and facilities to support sustainable social and economic development; the towns, villages and rural settlements of the Plan”. The Spatial Strategy “identifies a hierarchy of twenty-six settlements throughout the Mainland and Linked Isles where services, facilities, retail, infrastructure, employment and centres of population are primarily located. These are Orkney’s most sustainable settlements, which are promoted as the main focus for new development, acting as service centres for Orkney’s rural communities and the non-linked isles”. Toab is recognised in the hierarchy of settlements as a village, with the development site being identified as a short-term allocation for housing. In addition to the proposed location, construction of the houses would meet the requirements of the building regulations, including insulation and other standards. Overall, the sustainability of the development is sound, and is deemed to be in accordance with The Spatial Strategy of the Orkney Local Development Plan 2017.

## **7.9. Natural Heritage**

### **7.9.1.**

The application site is located adjacent to the Bay of Suckquoy LNCS, which is important for its coastal saltmarsh and intertidal mud flats, as well as patches of upland heath, freshwater marsh and semi-improved grassland. Concerns were expressed in relation to potential impacts on the locally designated site from the development, particularly in relation to the original position of the proposed communal sewage treatment plants and reedbeds located along the southern margin of the LNCS, where the habitat is identified as ‘Coastal grassland and unimproved acid grassland’. Through negotiation, the development has been amended to relocate the proposed communal sewage treatment system entirely within the development area, not affecting the LNCS. The area surrounding the proposed treatment system is proposed to be seeded with a wildflower/meadow mix. This has potential to provide biodiversity benefits, in particular for insect pollinators. Further advice on seed choice has been offered by the Environment Officer in Development and Marine Planning.

### **7.9.2.**

The development, subject to appropriate planning conditions, would have no detrimental impact on biodiversity noting that the development is substantially confined to an area of agricultural land, managed as improved grassland, and does not encroach upon the boundary of the Bay of Suckquoy LNCS. To ensure compliance with Policy 9 of the Orkney Local Development Plan 2017 and Supplementary Guidance 'Natural Environment', appropriate planning conditions have been advised by the Environment Officer regarding mitigation and protection of the LNCS and safeguarding otter, which is a European Protected Species.

### **7.10. Foul and Surface Water Drainage**

The development is to be served by a private communal foul drainage system. This is proposed primarily as a pair of Biodisc Treatment Plants with reed beds, located in a central position on the seaward boundary of the site. The location of this system was subject to scrutiny in relation to potential flood risk, and any risk of inundation by coastal water given its location close to the Bay of Suckquoy LNCS. The developer has provided cross sections and drainage details to the satisfaction of Engineering Services as the local flood authority and SEPA, noting that further authorisation would be required from SEPA to operate the drainage system, and would also be subject to approval in relation to the building regulations. The system is relatively simple and would be mainly gravity fed, although due to ground levels and to ensure that the main Biodisc treatment and reedbed system would be located above 4.65 metres AOD to protect it from flood risk, plots 9 and 10 in the north east corner of the site would require individual Biodisc treatment plants which would feed into the central system using a pumped discharge. Appropriate provision for surface water drainage can be achieved on site and the site is not recorded as being at significant risk from surface water flooding. The development, subject to appropriate planning condition(s), is considered to accord with Policy 13 of the Orkney Local Development Plan 2017.

### **7.11. Flood Risk**

Supplementary Guidance 'Settlement Statements' states: "There is an identified coastal flood risk adjacent to this site. A Flood Risk Assessment or topographic information would be required to establish the potential for coastal flooding; the development of low-lying parts of the site should be avoided.". Coastal flood risk mapping from SEPA similarly identifies the strip of land adjacent to the sea as being subject to flood risk. Both SEPA and Engineering Services were consulted in relation to flood risk. Policy 13A 'Flood Risk' requires that, where development would be at risk of flooding, measures must be put in place to protect against or manage that flood risk. Housing development is considered a 'highly vulnerable use' based on SEPA's Land Use Vulnerability Guidance. Additional information was provided by the developer in the course of consideration of the application to address concerns and additional information requests from Engineering Services and SEPA. This information included cross sections in relation to the seaward boundary of the site with consideration of site levels, finished floor levels and the communal foul drainage system. Both SEPA and Engineering Services have no objection on flood risk grounds. Based on submitted information and following consultation with the

appropriate bodies, the development is not at risk from coastal flooding and therefore accords with Policy 13 of the Orkney Local Development Plan 2017.

### **7.12. Access**

There are no rights of way or core paths within the application site. Access along the shoreline would not be impacted by the development. The application incorporates a roadside footway along the entire frontage of the site with the A960 and a pedestrian path would be included as a secondary access to the public road from the development. The development is therefore considered to be in accordance with Policy 10A of the Orkney Local Development Plan 2017.

## **8. Conclusion and Recommendation**

The principle of the development is acceptable as housing development on a site allocated for short-term housing within the settlement of Toab. The density of development proposed is higher than that indicated within the Supplementary Guidance; however, adequate justification has been provided, with all relevant matters addressed by the developer, including through significant improvements made to the proposed development following negotiation. The site layout, including housing density, and design of individual houses are acceptable. Residential amenity and biodiversity would be adequately protected. Objections received on material planning grounds are not considered of sufficient weight to merit refusal. The development accords with Policies 1, 2, 3, 5, 9, 10, 13 and 14 of the Orkney Local Development Plan 2017, Supplementary Guidance 'Settlement Statements' and Planning Policy Advice 'Development Quality within Settlements' (March 2012). Accordingly, the application is **recommended for approval**, subject to the conditions attached as Appendix 2 to this report.

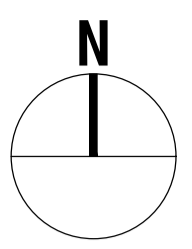
## **9. Contact Officer**

Jamie Macvie, Planning Manager, Development Management, extension 2529,  
Email [jamie.macvie@orkney.gov.uk](mailto:jamie.macvie@orkney.gov.uk)

## **10. Appendices**

- Appendix 1: Site Plan.
- Appendix 2: Planning Conditions.

ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK AND MANUFACTURE  
 ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE  
 ORIGINAL DRAWING SIZE: A1 (841 x 594 mm)  
 DO NOT SCALE OF DRAWING



- KEY:**
- Private Grassed Gardens
  - Internal Non-Adopted Tarmac Shared Surface Access Road
  - Private Chipped Parking / Drives
  - Tarmac Path including provision of 1.8m wide min. Public Pedestrian Path at Main Road to OIC Specification
  - Dedicated Planting Zones (Species tbc with OIC)
  - Local Nature Conservation Site (Bay of Suckquoy)
  - Wildflower / Wildgrass Seeded Area adjacent LNCS and Reed Beds (Species to OIC Requirements)
  - Treatment Plant, Reed Beds and Soakaway Service Strip (Linear Soakaway to be Grassed over within Plots)
  - Dropped Kerb with Tactile Paving to OIC Tactile - 01 Standard Detail
  - Flush Dropped Kerb - Tarmac Finish
  - Perforated Surface Water Collection in Chipped Roadside Trench to Remote Linear Soakaway
  - Public Road Surface Water Drainage to be provided by means of roadside gullies to OIC requirements as part of development with outfall to Shoreline
  - Proposed 300mm high timber post & single rail boundary divider (No Boundary Treatment at Road Edge)
  - Proposed 500mm high timber post & twin rail site boundary beside public path
  - Soakaway and Foul Treatment Extents (min. 5m from Buildings)
  - Binstore with Post & Rail Timber Enclosure at Road Entrance
  - Turning Head for Emergency Services or Large Vehicle Access



**PROPOSED SITE PLAN 1:500**



CLIENT McLennan Properties Ltd			
PROJECT Proposed New Development Greenfield Tankerness Orkney			
TITLE Site Plan			
PAPER <b>A1</b>	DATE July 2018	CHKD BY	DATE
SCALE 1:500		PROJECT STATUS Planning	
PROJECT NR <b>56</b>	DRG NR <b>02</b>	REV <b>E</b>	

## **Appendix 2.**

01. No development shall commence until a Phasing Plan specifying full details of the phasing of the development has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development shall be undertaken in accordance with this approved Phasing Plan.

Reason: To ensure that construction of the development is phased to avoid adverse impacts on services and infrastructure until required improvements have been put in place.

02. No development, including any site clearance 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 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 accord with the Phasing Plan required by condition 01 and shall be applied and complied with throughout the construction period.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

03. No development shall commence until a Scheme of Landscaping for all hard and soft landscaping is submitted to, and approved in writing by, the Planning Authority. The Scheme of Landscaping shall accord with indicative details in plans 02 Rev E and 03 Rev E, and shall include:

- The location of all proposed tree, shrub and grass planting.
- A planting schedule comprising layout, number, density, species and height of all planting.
- Full details of the seed mix to be used in the 'buffer' between the approved garden grounds and the shoreline.
- The location, design and materials of all hard landscaping works.
- The location, design, materials and height of all fences or other boundary treatments.

- A timescale for the implementation and completion of all soft and hard landscaping contained in the Scheme of Landscaping, including all planting in the first planting season following commencement of development, and completion of all roads, footpaths and hard landscaping in relation to the Phasing Plan required by condition 01.
- A programme for the management and maintenance in perpetuity of all the approved landscaped and open space areas within the development.

All soft and hard landscaping shall be carried out wholly in accordance with the approved Scheme of Landscaping, unless otherwise agreed, in writing, with the Planning Authority.

Any planting which, within a period of five years from planting, in the opinion of the Planning Authority, is dead, dying, diseased or severely damaged, shall be replaced to match the original plan, unless otherwise agreed, in writing, with the Planning Authority.

Thereafter, the development shall be maintained in accordance with the details included in the Scheme of Landscaping throughout the lifetime of the development.

Reason: To protect the character and appearance of the area and residential amenity, and to ensure appropriate works within the buffer to the Local Nature Conservation Site.

04. No development shall commence until a Maintenance and Management Schedule is submitted to, and approved in writing by, the Planning Authority. This Schedule shall include:

- Confirmation of maintenance responsibilities and arrangements for foul drainage infrastructure, surface water management infrastructure, the internal road, footpath, and all open space, boundary treatments, facilities and features of the development that are not the exclusive responsibility of any individual property.
- Full maintenance details, including a maintenance schedule, of all parts of the development listed in the above bullet point.
- A maintenance schedule for all surface water devices.

Thereafter, the development and all infrastructure and other features therein shall be maintained in accordance with the Maintenance and Management Schedule.

Reason: To ensure the proper maintenance and management of surface water devices, roads, footways and landscaping in perpetuity.

05. No other development shall commence on site until the road junction works, as detailed on approved plans 02 Rev E and 03 Rev E, have been completed, including dimensions, road construction, finishes, drainage works, verge and footway works and boundary treatments. For the avoidance of doubt, the access to the development shall be a minimum of 5.5 metres in width for not less than the first 10 metres of the access road. The junction with the public road shall be constructed and completed wholly in accordance with these details hereby approved, and thereafter

shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed, in writing, by the Planning Authority, in consultation with the Roads Authority.

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

Reason: In the interests of road safety.

06. Prior to occupation of any part of the development hereby approved, the footway alongside the A960, and the communal wheelie/kerbside recycling bin storage area adjacent to the road junction, as detailed on approved plans 02 Rev E and 03 Rev E, shall be completed, including dimensions, road construction, finishes, drainage works, verge and footway works and boundary treatments. The footway shall be constructed and completed wholly in accordance with these details hereby approved, including tactile paving sections and roadside drainage infrastructure, and the bin storage area shall be designed to meet Roads Services standards to serve 16 properties, unless otherwise agreed, in writing, by the Planning Authority, in consultation with the Roads Authority.

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

Reason: In the interests of road safety.

07. In accordance with conditions 02 and 03 above, the internal road and footpath works, as detailed on approved plans 02 Rev E and 03 Rev E, shall be completed prior to the first occupation of any house within the same phase of the development, as defined in the approved Phasing Plan, including dimensions, road construction, finishes, drainage works, verge and footway works and shall be constructed and completed wholly in accordance with these details hereby approved. For the avoidance of doubt, the internal road within the site to the boundary of each individual plot, shall have an asphalt concrete finish. Thereafter the development shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed, in writing, by the Planning Authority, in consultation with Roads Services.

Reason: In the interests of road safety and for the avoidance of doubt.

08. Prior to occupation of any part of the development hereby approved, all surface water drainage works hereby approved, shall be constructed wholly in accordance with the approved drawings. Thereafter, and throughout the lifetime of the development, the drainage shall be maintained in accordance with the approved details, and in accordance with the principles of Sustainable Drainage Systems (SUDS) and be compliant with the guidance set out in the CIRIA SuDS Manual C753.

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. Prior to occupation of any part of the development hereby approved, the communal foul drainage system shall be constructed and completed wholly in accordance with approved details, and maintained in accordance with the Maintenance and Management Schedule specified in condition 04, and no individual house shall be occupied until that house is connected to the communal foul drainage system.

Reason: To ensure adequate drainage facilities are provided, to protect the amenity of the area.

10. 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 on 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.

11. Throughout the life of the development, the maximum noise from the Air Source Heat Pumps hereby granted planning permission shall not exceed NR25 within any residential property outwith the individual development site, 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 pump.

12. All development shall be confined to ground outwith the boundary of the Bay of Suckquoy Local Nature Conservation Site (LNCS), the boundary of which is noted as the previous field boundary demarcating improved agricultural ground and the top of the coastal slope. For the avoidance of doubt there shall be no dumping or storage of any materials within the bounds of the Bay of Suckquoy LNCS prior to, during, or upon completion of development.

Reason: To minimise disturbance to nature conservation interests within the application site and ensure the protection of the Bay of Suckquoy Local Nature Conservation Site.

13. For the duration of the construction phase of the development, at the end of each period of construction work, e.g. daily, all excavations (including pits and trenches) shall be covered, or ramps left within them such that animals may exit with ease, and any open pipework (including incomplete penstock) shall be capped. All excavations should be checked daily to ensure that no wildlife has become trapped. Access to



open-water habitats should be safeguarded at all times and impacts to traditional routes between such areas (such as drainage ditches) during the construction phase should be minimised. All site operatives shall be fully briefed on these matters and be made aware of the possible presence of Otters and remain vigilant to prevent harm to this species as a consequence of construction works. These measures shall be maintained until such time as work next recommences on site.

Reason: To ensure that animals cannot gain access to, or become stuck within, pipework systems or excavations.