



ORKNEY
ISLANDS COUNCIL

Item: 3

Local Review Body: 13 December 2024.

**Proposed Conversion of Meeting Room to Two Self-catering Units,
Install Replacement Windows and Doors and Two Air Source Heat
Pumps with Housing (Resubmission of 23/313/PP) at 10 Bridge Street
Wynd, Kirkwall (23/465/PP).**

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

1. Overview

- 1.1. Planning application 23/465/PP in respect of the proposed conversion of a meeting room to two self-catering units and installation of replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP) at 10 Bridge Street Wynd, Kirkwall, was refused by the Appointed Officer on 22 August 2024.
- 1.2. Under the Town and Country Planning (Scotland) Act 1997 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.
- 1.3. The applicant has submitted a Notice of Review (see Appendix 1) requesting that the decision of the Appointed Officer, referred to at paragraph 1.1 above, be reviewed. The applicant has indicated that the review can be determined without any further procedures.
- 1.4. A letter from the Chief Planner, Scottish Government, issued 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.
- 1.5. Section 21 of the Scheme of Administration states that the Local Review Body will undertake unaccompanied site inspections for all planning applications subject to a review, prior to meeting to consider the review. The purpose of the site inspection, together with the procedure to be adopted, are set out in section 21.2 of the Scheme of Administration. The applicant and interested parties have been

advised that an unaccompanied site inspection to 10 Bridge Street Wynd, Kirkwall, is due to be undertaken on 11 December 2024 at approximately 14:45.

- 1.6. The Scottish Environmental Protection Agency (SEPA) has objected to application 23/465/PP on the grounds of flood risk. The application is, therefore, subject to an objection from a Government Agency and, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, if the Local Review Body is minded to reverse the decision of the Appointed Officer then the Local Review Body must notify the Scottish Ministers. The Local Review Body must not grant planning permission before the expiry of a period of 28 days beginning with the day of notification. Further details are provided in section 6 below.
- 1.7. The review procedure is set out in section 4 below.

2. Recommendations

- 2.1. The Local Review Body is required to:
 - i. Determine whether it has sufficient information to proceed to determination of the review, and if so whether to uphold, vary or be minded to reverse the decision of the Appointed Officer.
- 2.2. Should the Local Review Body determine that the decision is varied or be minded to reverse the decision, it is required to:
 - i. Determine the reasons, and, if applicable, the relevant matters in respect of potential conditions to be attached to the decision notice.
- 2.3. Should the Local Review Body be minded to reverse the decision, the Local Review Body should notify the Scottish Ministers of its intention to approve planning permission, subject to conditions.
- 2.4. Should the review not be called in by Scottish Ministers for determination, it is recommended that members of the Local Review Body:
 - i. Delegates powers to the Corporate Director for Strategy, Performance and Business Solutions, following consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions to attach to the Decision Notice.

- 2.5. Should the Local Review Body determine that it does not have sufficient information to proceed to determination of the review, it is required to:
- i. Determine 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 (Schemes 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 (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

3. Planning Authority Decision

- 3.1. The Planning Handling Report, Planning Services file and the Decision Notice are attached as Appendices 2, 3 and 4 to this report.
- 3.2. On 22 August 2024, the Appointed Officer refused planning application 23/465/PP on the following grounds:
- The proposal does not comply with National Planning Framework 4 Policy 22 – Flood risk and water management as it may increase the risk of surface water flooding to others, or itself be at risk.
 - The proposal does not comply with Orkney Local Development Plan 2017 Policy 13 – Flood Risk, SuDS & Waste Water Drainage as would result in a situation where development would have a significant probability of being affected by flooding.

4. Local Review Procedure

- 4.1. In response to a Notice of Review, “interested parties” are permitted to make a representation to the Local Review Body. “Interested parties” include any party who has made, and not withdrawn, a representation in connection with the application. A representation was received from Orkney Heritage Society and is attached as Appendix 5.
- 4.2. In instances where a representation is received from an “interested party”, the applicant is afforded the opportunity to make comments on any representation received. No further comment was received from the applicant or the agent.

- 4.3. The Local Review Body may uphold, vary or be minded to reverse the decision of the Appointed Officer. In the event that the Local Review Body is minded to reverse the decision, an indication of relevant matters, in respect of potential planning conditions, are as follows:
- Duration of consent.
 - Occupation as self-catering accommodation.
 - Air source heat pump noise.
 - Air source heat pump housing.
 - Replacement window and door specification.
 - Replacement window and door implementation.
- 4.4. All conditions should be in accordance with Planning Circular 4/1998 regarding the use of conditions in planning permissions.
- 4.5. If the Local Review Body is minded to reverse the decision of the Appointed Officer, and the Scottish Ministers do not call in the review for determination following the notification procedure set out in section 6, it is proposed that powers are delegated to the Corporate Director for Strategy, Performance and Business Solutions, following consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions, based on the relevant matters, agreed in terms of section 4.3 above.
- 4.6. If the Local Review Body is minded to reverse the decision of the Appointed Officer, then planning permission must not be granted until the notification procedure set out in section 6 has been undertaken.
- 4.7. 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 (Schemes 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 (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

5. Relevant Planning Policy and Guidance

- 5.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended states, “Where, in making any determination under the Planning Acts, regard is to

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

- 5.2. 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 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.
- 5.3. 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.
- 5.4. It is for the Local Review Body to determine which policies are relevant to this application; however the policies listed below were referred to by the Appointed Officer in the Planning Handling Report:
 - Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages.
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - National Planning Framework 4:
 - Policy 7 – Historic assets and places.
 - Policy 22 – Flood risk and water management.
 - Policy 27 – City, town, local and commercial centres.
 - Policy 30 – Tourism.

6. Notification Requirements

- 6.1. The development is subject to objection by a government agency, in this case an objection by SEPA in relation to flood risk.

- 6.2. Under the provisions of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, should a planning authority, in this case the Local Review Body, propose to approve planning permission for a development falling within any of the descriptions of development listed in the Schedule to the above Direction (including where the application has been subject to objection from SEPA on grounds of flooding), the planning authority shall notify Scottish Ministers.
- 6.3. A planning authority must not approve planning permission for development before the expiry of a period of 28 days, beginning with the date of receipt by the Scottish Ministers of information which the planning authority is required to provide.

For Further Information please contact:

Susan Shearer, Planning Advisor to the Local Review Body, extension 2433, Email: susan.shearer@orkney.gov.uk.

Implications of Report

1. **Financial:** All resources associated with supporting the review procedure, mainly in the form of staff time, are contained within existing revenue budgets.
2. **Legal:** The legal implications are set out in the body of the report.
3. **Corporate Governance:** In accordance with the Scheme of Administration, determination of Notices of Review is delegated to the Local Review Body.
4. **Human Resources:** None.
5. **Equalities:** None.
6. **Island Communities Impact:** None.
7. **Links to Council Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
 - Growing our economy.
 - Strengthening our Communities.
 - Developing our Infrastructure.
 - Transforming our Council.
8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:
 - Cost of Living.
 - Sustainable Development.
 - Local Equality.
9. **Environmental and Climate Risk:** None.

10. **Risk:** None.
11. **Procurement:** None.
12. **Health and Safety:** None.
13. **Property and Assets:** None.
14. **Information Technology:** None.
15. **Cost of Living:** None.

List of Background Papers

Orkney Local Development Plan 2017, available [here](#).

National Planning Framework 4, available [here](#).

Planning Circular 4/1988, available [here](#).

Appendices

Appendix 1 – Notice of Review (pages 1 – 27).

Appendix 2 – Planning Handling Report (pages 28 - 31).

Appendix 3 – Planning Services File (pages 32 - 61).

Appendix 4 – Decision Notice (pages 62 - 65).

Appendix 5 – Representation from Orkney Heritage Society (pages 66 - 68).

Pages 1 to 65 can be viewed [here](#), clicking on “Accept and Search” and inserting the planning reference”23/465/PP.”.



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: 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 100640853-004

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="LBCA"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Leslie"/>	Building Name:	<input type="text" value="Seaview"/>
Last Name: *	<input type="text" value="Burgher"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="07730310110"/>	Address 1 (Street): *	<input type="text" value="Halley Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Deerness"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Orkney"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KW17 2QL"/>
Email Address: *	<input type="text" value="leslie@leslieburgher.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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="5"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="East Road"/>
Company/Organisation	<input type="text" value="The Old Storehouse Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kirkwall"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KW15 1HZ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="Orkney Islands Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="10 BRIDGE STREET WYND"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="KIRKWALL"/>
Post Code:	<input type="text" value="KW15 1JD"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="1011126"/>	Easting	<input type="text" value="345097"/>
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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)

Convert existing meeting room to two self-catering flats, works to existing flat, replace windows and doors, install heat pumps

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 Statement of Appeal 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)

Statement of Appeal Location Plan Site Plan Existing plans Proposed Plans Details Flood Risk Assessment Copies of email correspondence

Application Details

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

23/465/PP

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

22/12/2023

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

22/08/2024

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 Leslie Burgher

Declaration Date: 18/09/2024

2308

10 Bridge Street Wynd

Statement of Grounds for Review

Background:

A Planning Application for the works was submitted in August 2023. (23/313/PP) The application was severely delayed due to lack of response from statutory consultees. The original due date was 22/11/23

In December 2023 (email 1 7/12/23) we were advised by the Planning Authority that, due to objections from neighbours and from the OIC Roads Department on the grounds of lack of parking, the application would not go to a meeting before February 2024. There had been a suggestion from OIC Environmental Health that the location of heat pumps would be an issue but that in order to relocate them we would need to resubmit the application, but that since the application had almost reached approval stage, this would not create a significant delay.

In the meantime, OIC Roads withdrew their objection.

A revised application (23/465/PP) was submitted on 22/12/23 and only finally deemed valid on 23/01/24 (despite being substantially the same application as before). This would have given a decision date of 23/03/24.

On 14/03/24, in response to a query we were advised that responses were still awaited from Roads and Engineering, even though Roads had responded to the previous application, but that this meant it would not go before a committee before 08/05/24 as the neighbouring proprietor had resubmitted an objection based on a general complaint of lack of parking.

On 27/03/24 (see email 2) we were asked by planners to respond to OIC engineering who had raised the issue of flooding for the first time in the process. On 16/04/24 we submitted a flood risk assessment as requested in time for the committee deadline of 19/04/24 and were subsequently advised that the risk assessment was acceptable to OIC engineers.

On 22/04/24 we were advised that SEPA had requested to be consulted and that the application would no longer go to the May meeting. The next meeting would be 03/07/24.

On 13/06/24 SEPA forwarded a letter (see email 3) raising various issues regarding potential flooding. We responded on 18/06/24, (see email 4) however we were advised that it was now too late to meet the July Planning Meeting and that we could not discuss issues directly with SEPA as they would only communicate via OIC Planning.

We subsequently received notice that the Consent had been refused on the grounds of flood risk as advised by SEPA.

Flooding:

SEPA have suggested that residents in the property would be at risk because flooding of the Willowburn, might cause flooding to approximately floor level of this property in Bridge Street Wynd leading to “no flood free access or egress route”.

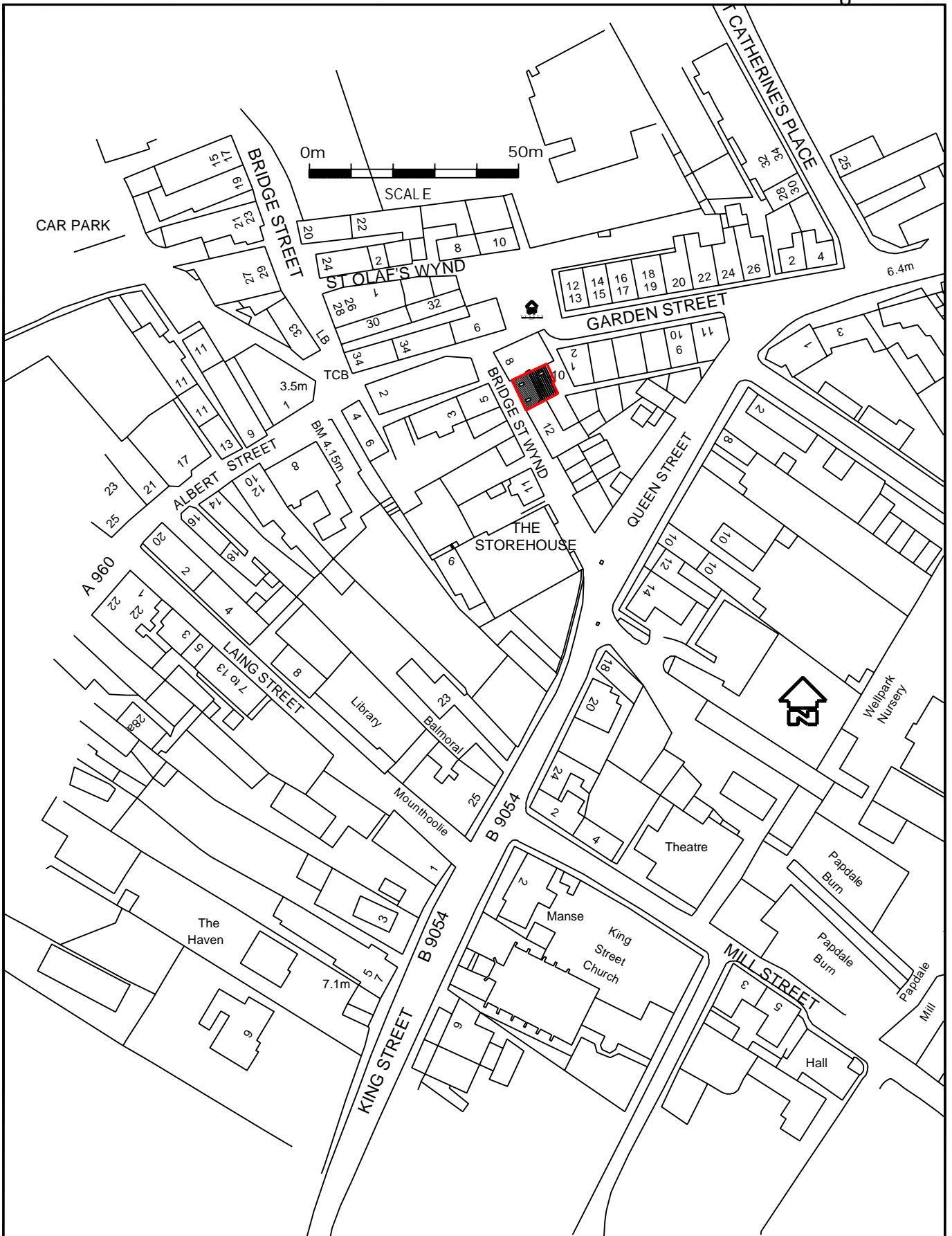
We responded to these issues in detail (Email 4) to point out:

- 1 Previous flooding referred to by SEPA (2006) had been caused by build up of debris in the Willowburn: a problem now mitigated by improved gratings, additional drainage and enhanced maintenance procedures put in place by OIC.
- 2 This is a commercial development rather than a domestic one and active management from the nearby Storehouse Restaurant with Rooms will be able to mitigate risk of entrapment by advising and informing residents of any issues as envisaged in the Flood Risk Assessment.
- 3 The ground level to the rear of property is approximately the same as the floor level of the premises and Garden Street rises away from Bridge Street Wynd so that this area will provide an escape route from any flooding. Shower room windows can act as escape windows providing access to this area. SEPA’s objection is on the basis that ‘there would be no flood free access or egress route’. Escape windows are an accepted means of providing emergency exit under Building Standards. The flood risk assessment has been updated in light of this new information.

It is noted that responsibility for this surface water drainage lies not with Scottish Water, but with OIC and that OIC engineers did not object to the development.

As we feel that the broad brush of SEPA’s assessment has not taken account of the current and detailed situation described above, and SEPA have not entered into discussion with us, the basis for refusal is flawed and we would request that permission be granted.

We also note that SEPA entered this discussion late in the process, well after the decision should have been determined, and that these delays are the result of the applicant attempting to work with the Planning Department in good faith to smooth the path of the application.

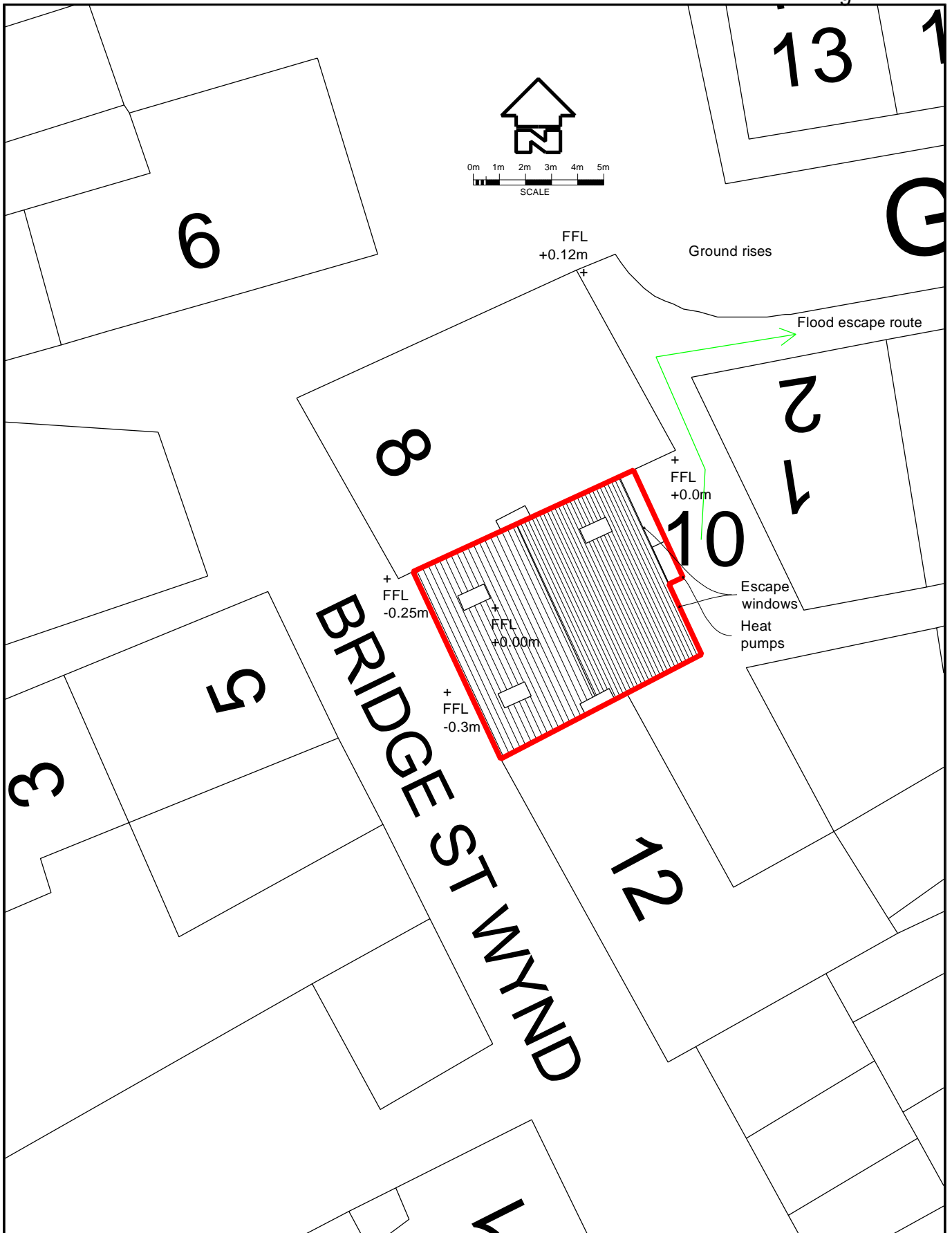



Leslie Burgher
Chartered Architect

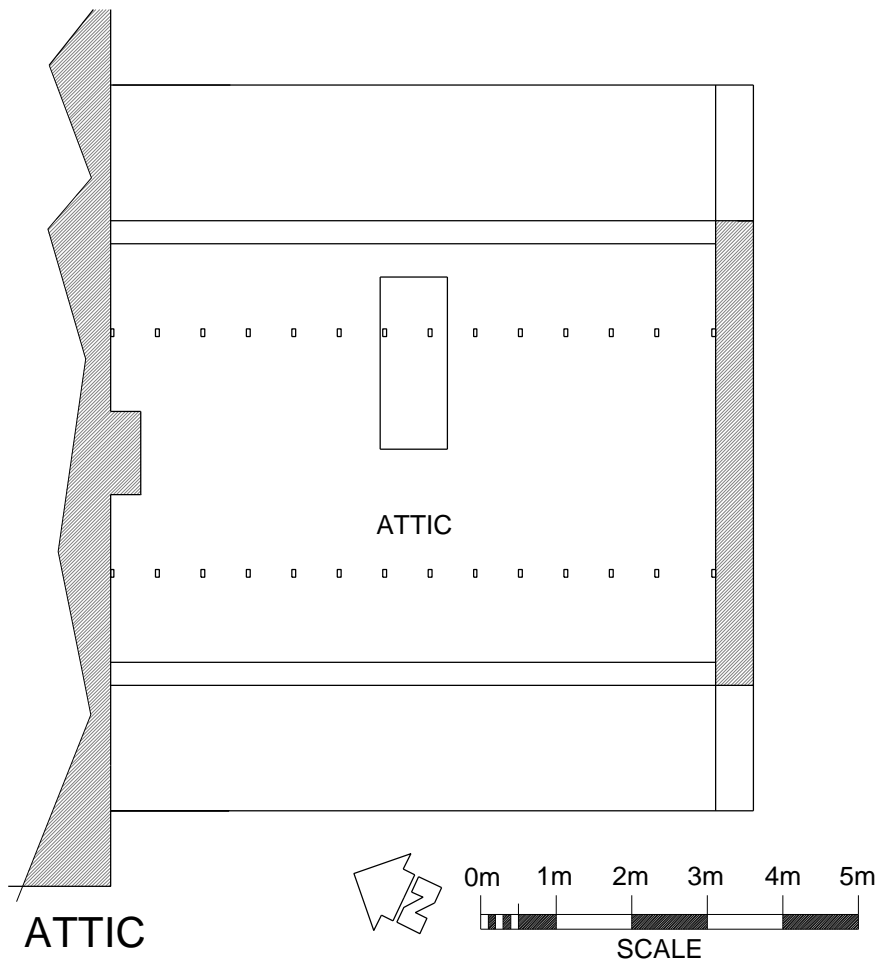


Roebank High Street Kirkwall Orkney KW15 1AZ
 t: 01856 871375 e: leslie@leslieburgher.co.uk

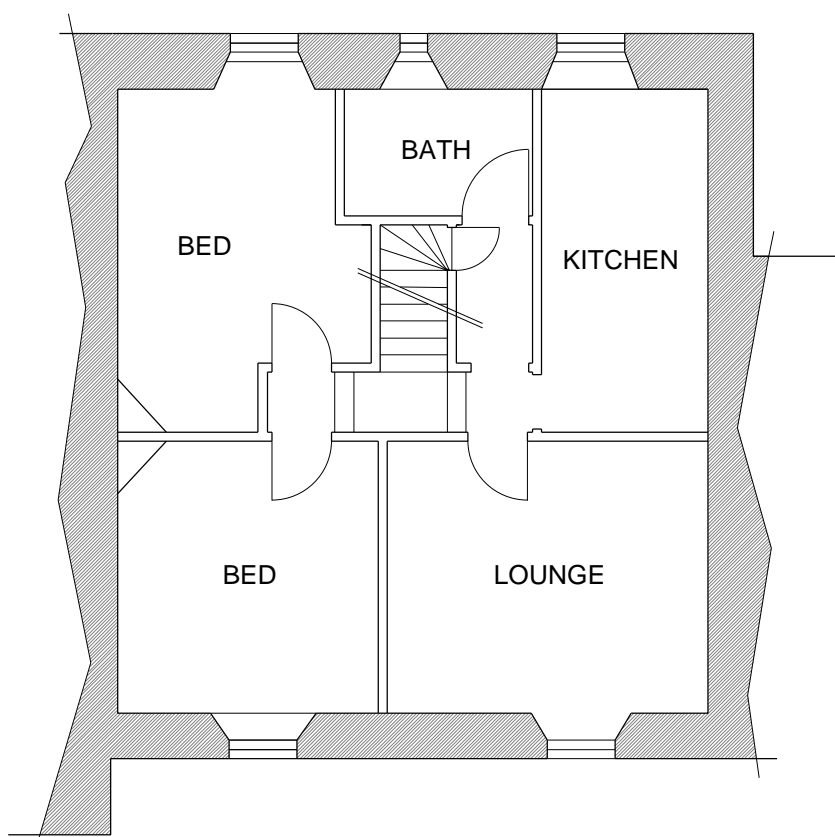
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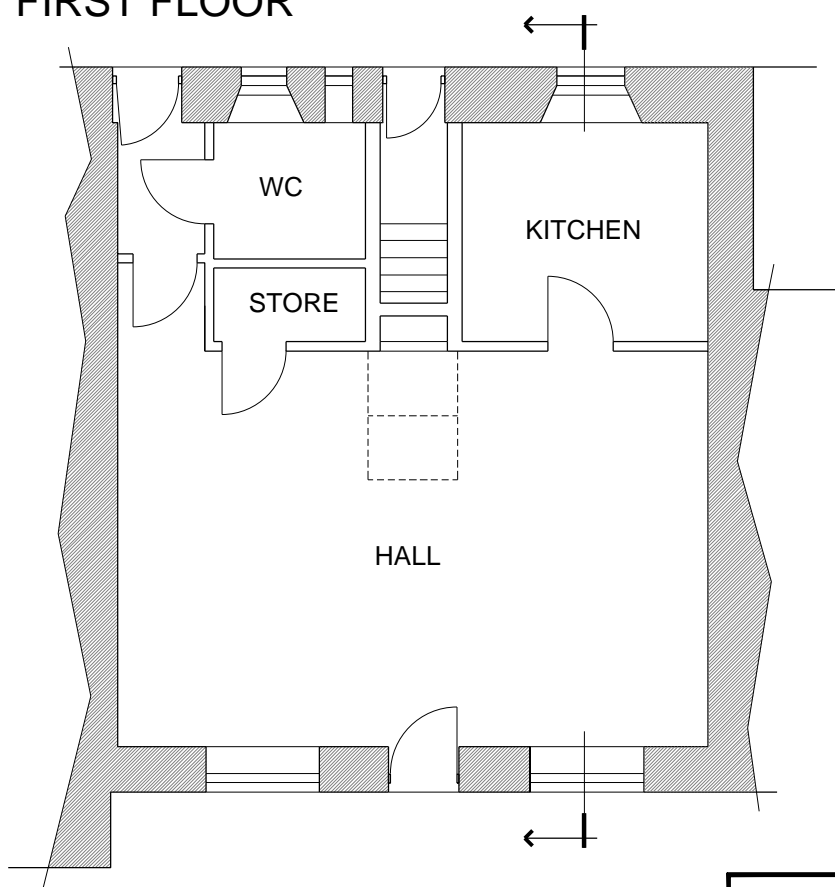
<p>Leslie Burgher <i>Chartered Architect</i></p> <p>Roebank High Street Kirkwall Orkney KW15 1AZ t: 01856 871375 e: leslie@leslieburgher.co.uk</p>				<p>Storehouse 10 Bridge Street Wynd</p>			<p>A4</p>	
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EAST ELEVATION



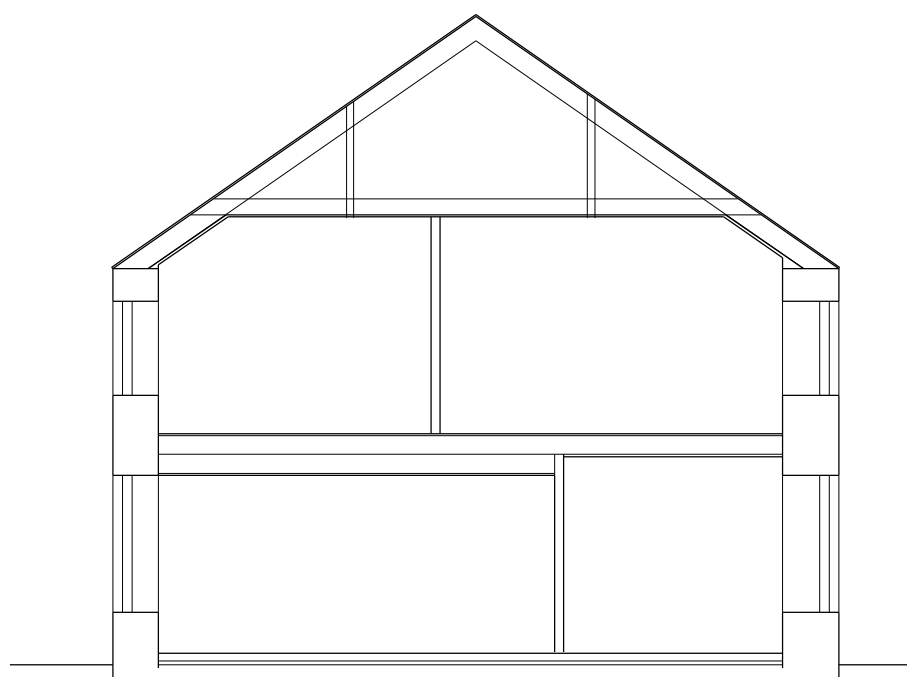
FIRST FLOOR



GROUND FLOOR



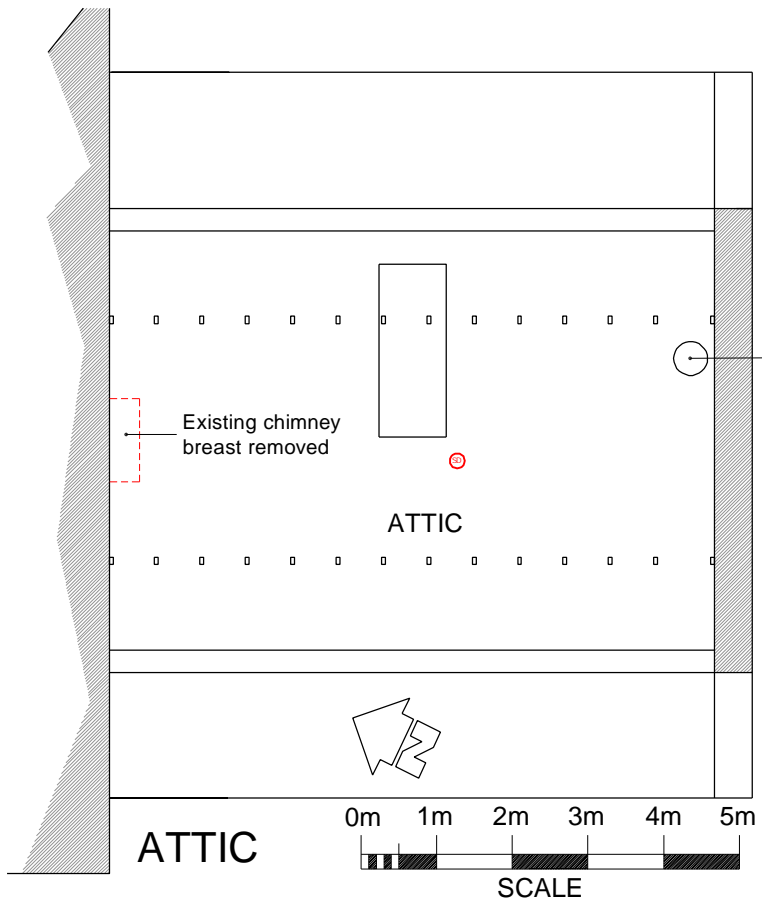
WEST ELEVATION



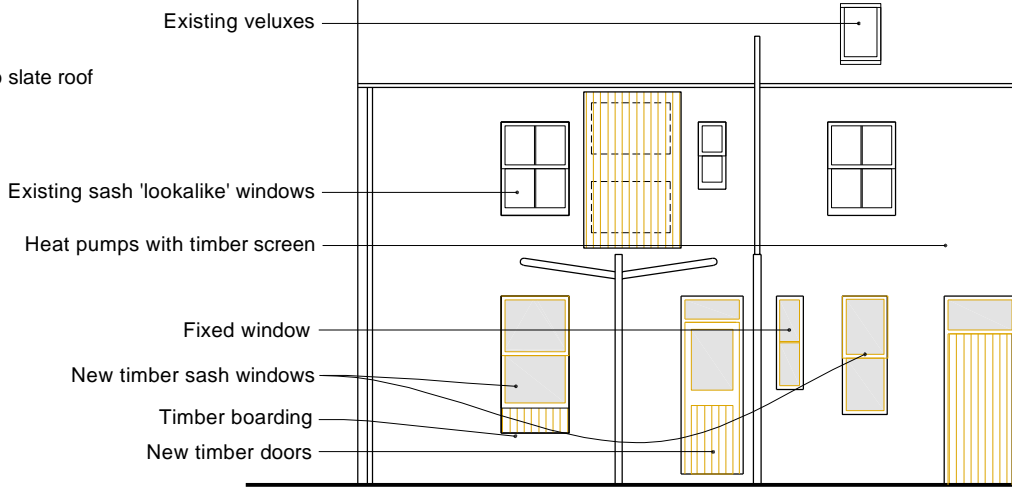
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Existing

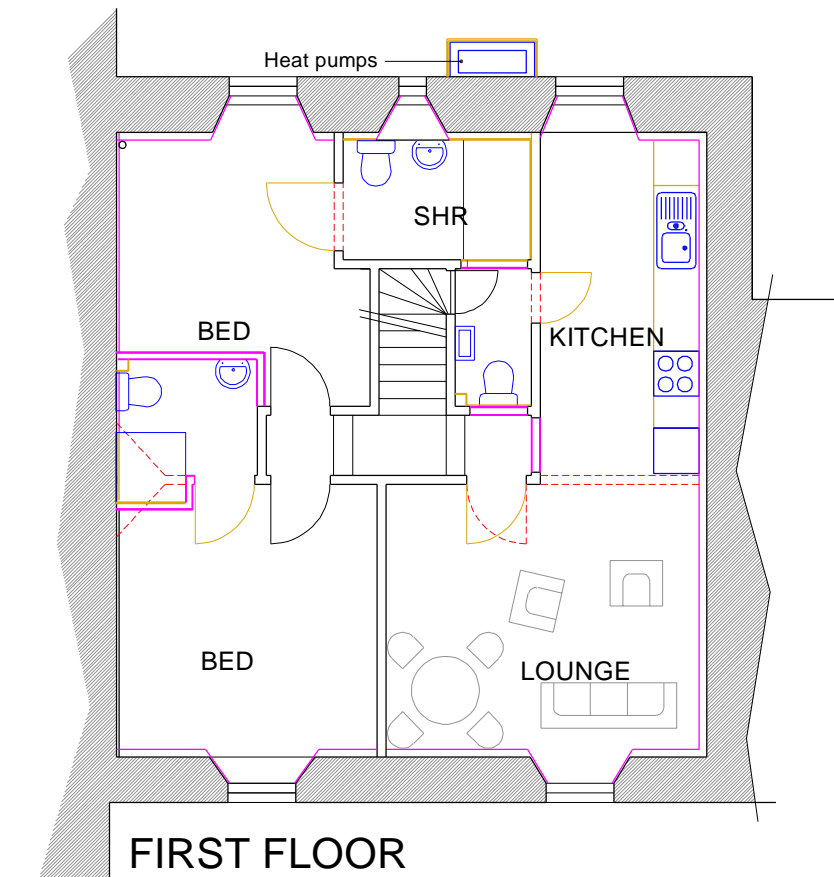
<p>Leslie Burgher <i>Chartered Architect</i></p> <p>Roebank High Street Kirkwall Orkney KW15 1AZ t: 01856 871375 e: leslie@leslieburgher.co.uk</p>				<p>Storehouse 10 Bridge Street Wynd</p>			<p>A3</p>	
<p>Drawing Existing</p>								
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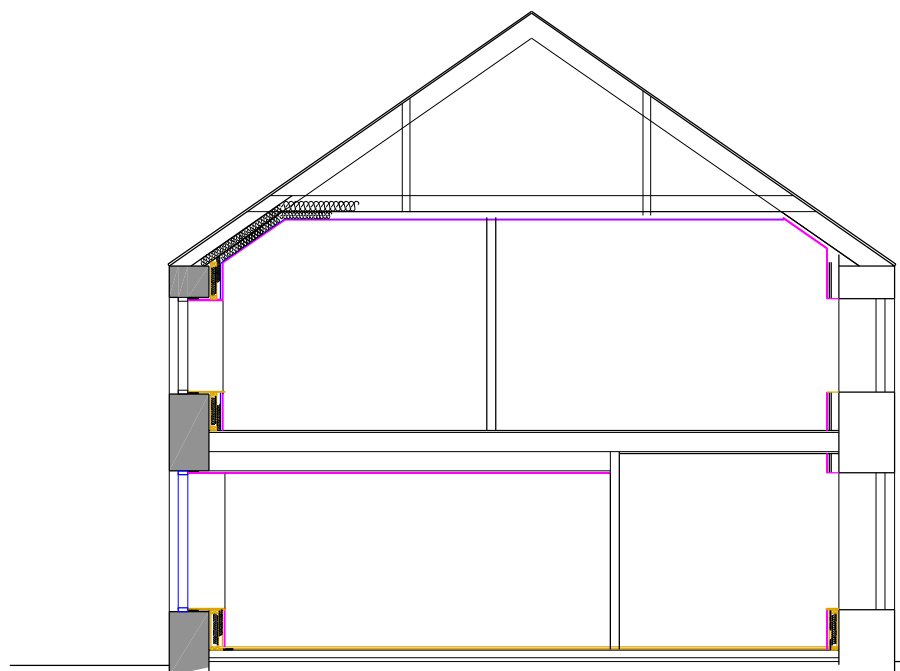
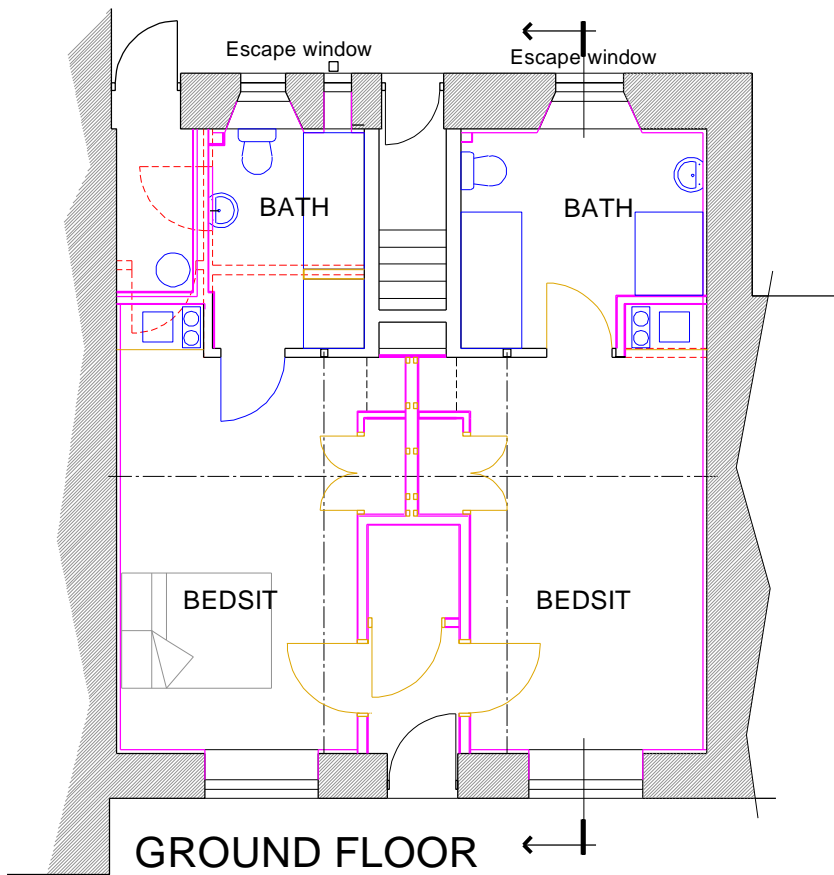
All woodwork to be painted/opaque stain RAL 6027



EAST ELEVATION



WEST ELEVATION



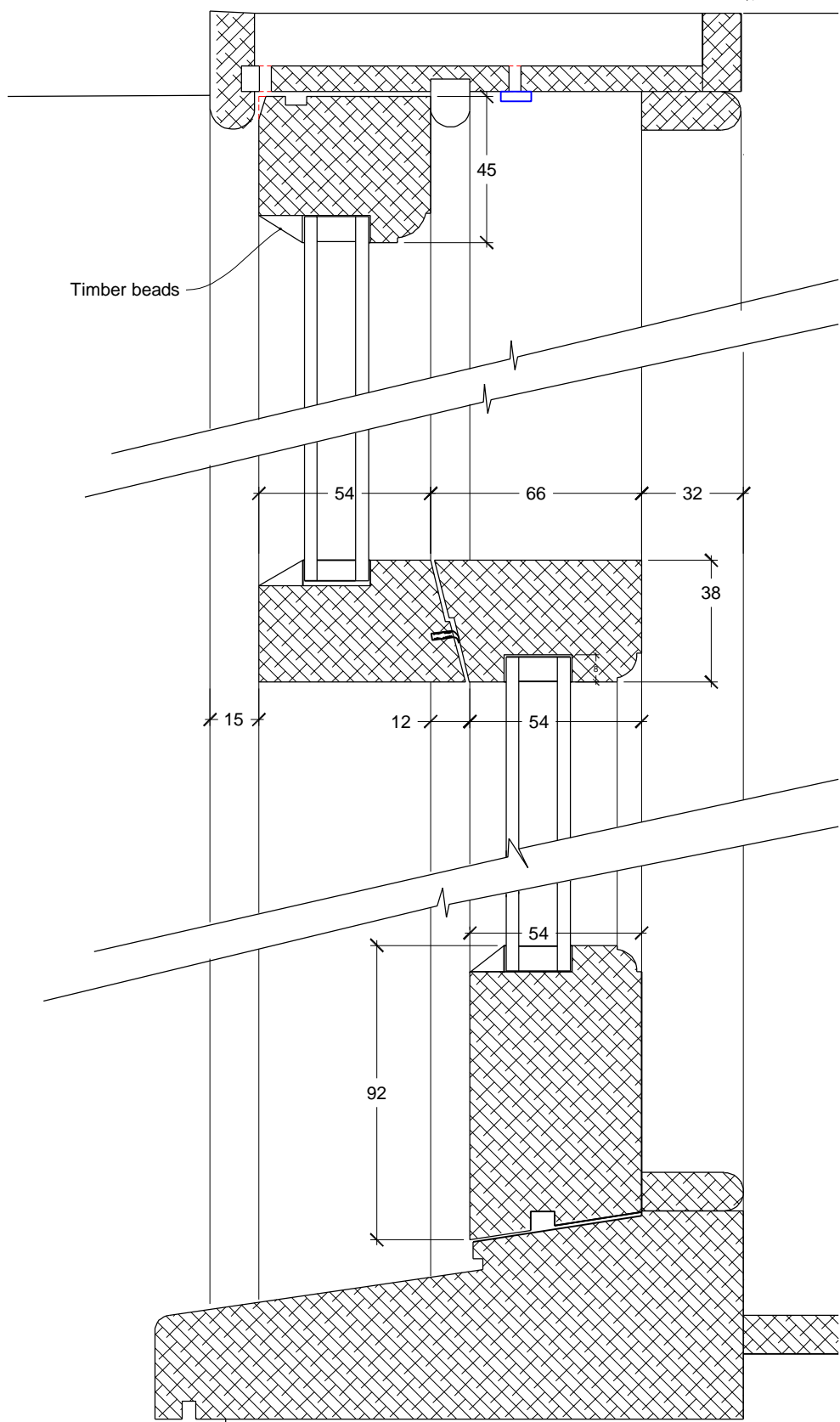
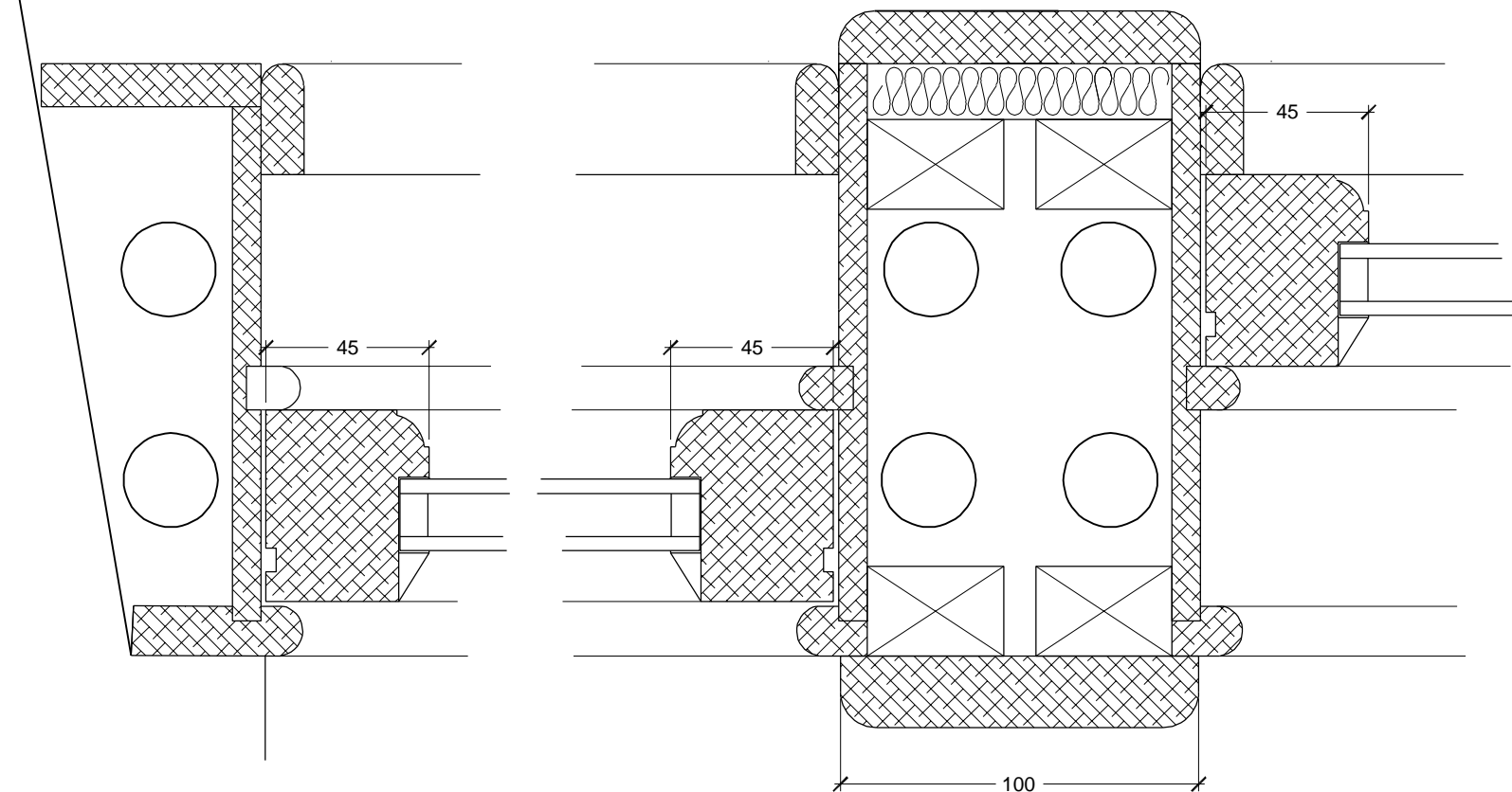
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<p>Leslie Burgher <i>Chartered Architect</i></p> <p>Roebank High Street Kirkwall Orkney KW15 1AZ t: 01856 871375 e: leslie@leslieburgher.co.uk</p>	<p>Storehouse 10 Bridge Street Wynd</p>		<p>Consents</p>		<p>A3</p>
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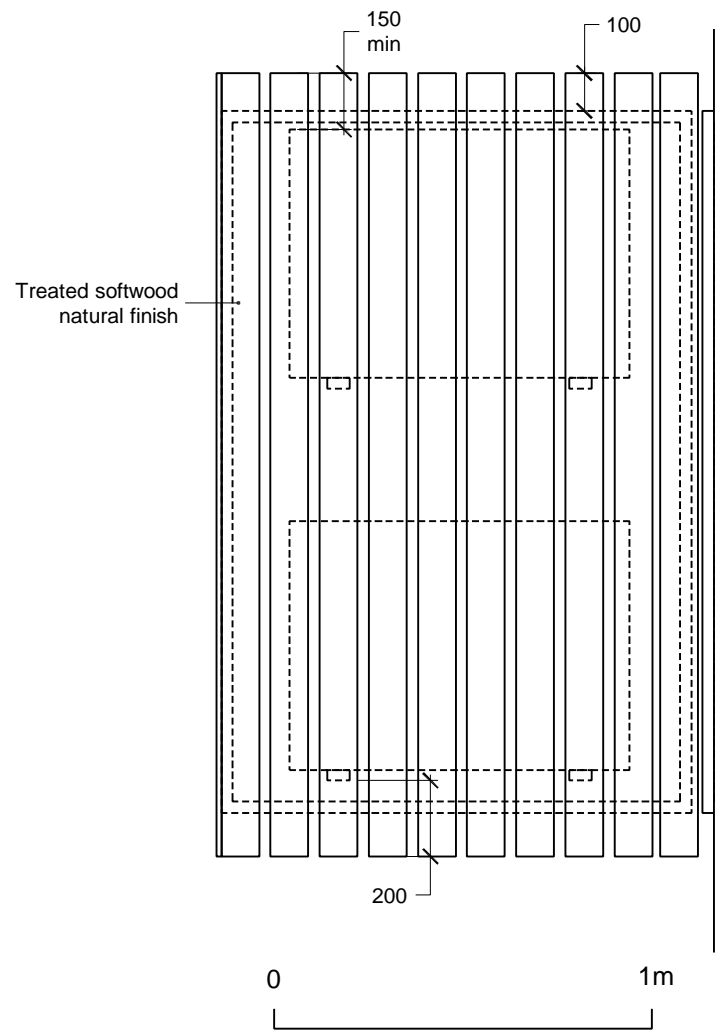
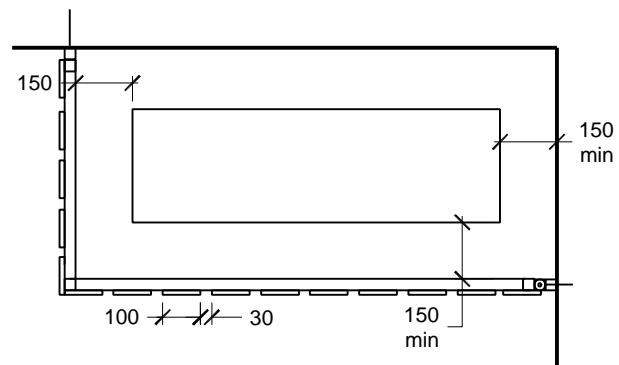
REPLACEMENT WINDOWS

Double glazed
Painted finish
Finish: Painted: RAL 6027 externally RAL TBC internally

0 100mm




SCREEN TO HEAT PUMPS 1:20



0 1m

Consents

WINDOW DETAILS

<p>Leslie Burgher <i>Chartered Architect</i></p> <p>Roebank High Street Kirkwall Orkney KW15 1AZ t: 01856 871375 e: leslie@leslieburgher.co.uk</p>				<p>Storehouse 10 Bridge Street Wynd</p>		<p>A3</p>	
<p>Drawing Details</p>							
Scale:	Drawn: jlb	Date:	Ref: 2308	No: A	No: 005	Amd: A	

10 Bridge Street Wynd

Flood Risk Assessment

PFR 1: Flood Risk

Flood Risk The property is adjacent to the underground route of Papdale Burn and is identified in SEPA flood risk mapping as being at high risk (10% likelihood in any year) of surface water flooding. Mapping undertaken by Scottish Water for the medium risk (0.5% chance in any year plus climate change uplift) indicates that surface water flooding could reach 0.3m deep to the west face of this property (where the external door is located).

PFR 2: Property survey

The building is an existing commercial premises.

The existing building has stone walls and a concrete floor to a level 250mm above the existing pavement level which would be resilient to flooding. It is proposed to lay a new timber floor over those which will increase the internal timber floor to 300mm above pavement level. A new stone step will be formed to match the internal floor height.

Rear windows can act as escape windows in the event of flooding. These give access to the rear of the property which is at the floor level of the building: approximately equal to flood level to the front of the building). From here the ground rises up Garden Street away from the site. (See site plan)

The walls are internally strapped and lined with plasterboard and PIR board insulation, but repair or replacement of this lining would be straightforward in the event of flooding. There is one existing vent in the wall which is redundant, and this will be sealed.

All electrical services will be above flood level.

PFR 4: Construction:

Following this risk assessment, specific flood resilience enhancements will be provided in the form of a removable proprietary door gate 0.3m in height.

PFR 5: Commissioning and handover

The building is existing. Equipment will be purchased and installed by the applicant.

PFR 6: Operation and Maintenance

The applicants operate the nearby Storehouse Restaurant with Rooms and will be able to manage the use of the property, install the flood gate and give advice to occupants in the event of a flood event. They are subscribed to SEPA Floodline service Floodline Scottish Environment Protection Agency (SEPA) and to Met Office weather warnings.

Drawings and details of the existing construction are available. These together with the instructions for the equipment described above will be retained in the property and handed on to any future purchaser.

Leslie Burgher Chartered Architect

Rev B: September 2024



Leslie Burgher <leslie@leslieburgher.co.uk>

23/313/PP - 10 Bridge Street Wynd, Kirkwall

Murray Couston <Murray.Couston@orkney.gov.uk>
To: Leslie Burgher <leslie@leslieburgher.co.uk>

7 December 2023 at 14:15

Classification: OFFICIAL

Hi Leslie

Thanks for sending this on.

Obviously, EH have not objected to the proposal but it may be harder to achieve NR25 with the air pumps in their current location. Given that it, currently, would be a committee item, removing this ambiguity would be the best choice.

However, changing the location of the pumps would also alter the red line of the site, so the current application would need to be withdrawn and a new application submitted. The next committee date is 14.02.23, so if this resubmission was to be done quickly, and there were no objections, then we could get a decision out before that date.

Lastly, technically a resubmission would require a new fee, as the red line would be altered, but we would be happy to waive that in this instance and transfer the fee from this application.

Please let me know how you would like to proceed.

Thank

Murray

[Quoted text hidden]



Leslie Burgher <leslie@leslieburgher.co.uk>

10 Bridge Street Wynd - 23/465/PP

9 messages

Murray Couston <Murray.Couston@orkney.gov.uk>
To: Leslie Burgher <leslie@leslieburgher.co.uk>

27 March 2024 at 17:39

Classification: NOT PROTECTIVELY MARKED

Hi Leslie

Please see attached the consultation response from Engineering for the above application.

The deadline for reports for committee is 19 April so should be time to have this all sorted before then.

Any questions, please let me know.

Thanks

Murray Couston

Planning Officer

Development Management

Planning and Community Protection

Neighbourhood Services and Infrastructure

Orkney Islands Council, Council Offices, Kirkwall, Orkney, KW15 1NY

Officers should only be contacted directly in relation to current applications. Pre-application advice, general enquiries, or enforcement or other correspondence regarding determined applications should be sent to planning@orkney.gov.uk

 **23-465-PP Bridge Street Wynd FR Consult Response.pdf**
247K

Murray Couston <Murray.Couston@orkney.gov.uk>
To: Leslie Burgher <leslie@leslieburgher.co.uk>

15 April 2024 at 11:42

Classification: NOT PROTECTIVELY MARKED

Hi Leslie

Just looking for an update on this. I'll need the info by Wednesday to get the report finalised for the next committee.

Thanks

Murray

[Quoted text hidden]

 **23-465-PP Bridge Street Wynd FR Consult Response.pdf**
247K

Leslie Burgher <leslie@leslieburgher.co.uk>
To: Murray Couston <Murray.Couston@orkney.gov.uk>

16 April 2024 at 10:37

Hi Murray,

Please find attached a copy of the flood risk assessment for the above.

Leslie

[Quoted text hidden]

--

leslie@leslieburgher.co.uk

Leslie Burgher Chartered Architect
Seaview, Deerness, Orkney KW17 2QL
t: 07730 310110
www.leslieburgher.co.uk

 **2308 Flood Risk Assessment.pdf**
22K

Murray Couston <Murray.Couston@orkney.gov.uk>
To: Leslie Burgher <leslie@leslieburgher.co.uk>

22 April 2024 at 12:54

Classification: NOT PROTECTIVELY MARKED

Hi Leslie

Thanks for sending this through.

The good news is that Engineering are happy with this but unfortunately, following discussions last week, SEPA have asked to be consulted now too, so we will miss the next committee date. Apologies for this. The reason for this is that the proposed use is considered more vulnerable than the existing.

Again, apologies for this. If you have any questions, please let me know.

Thanks

Murray

[Quoted text hidden]

Leslie Burgher <leslie@leslieburgher.co.uk>
To: David Spence <Dsdesignservices@aol.com>

22 April 2024 at 13:14

[Quoted text hidden]

Leslie Burgher <leslie@leslieburgher.co.uk>
To: Murray Couston <Murray.Couston@orkney.gov.uk>
Cc: David Spence <Dsdesignservices@aol.com>, Jamie MacVie <jamie.macvie@orkney.gov.uk>

30 April 2024 at 14:50

Hi Murray

As you will understand, my client is not best pleased about this.

We withdrew the original application because we wanted to be cooperative with Environmental Health over the location of the heat pumps (although we are unconvinced that this will make a material difference) and were assured that this would not delay the consent as the next committee meeting had been put back into February. No mention was made of flooding at that time. The application then missed that committee meeting whilst responses from consultees to the same development were awaited.

Now we are facing an indeterminate delay whilst SEPA are consulted on the issue. Are there no limitations on the time given to consultees to respond? When can we now expect this proposal to go before the committee?

We note the comments from the objector as before but would point out that the previous use as a meeting hall would have attracted greater numbers of vehicles, that the access from the lane to the rear to the ground floor will only be used for services, thereby reducing traffic in that area, and that guests staying at the premises will be encouraged to use the public short stay car parks.

Leslie

[Quoted text hidden]

Leslie Burgher <leslie@leslieburgher.co.uk>
To: Murray Couston <Murray.Couston@orkney.gov.uk>
Cc: David Spence <Dsdesignservices@aol.com>, Jamie MacVie <jamie.macvie@orkney.gov.uk>

9 May 2024 at 09:34

Hi Murray

Can you please advise

- 1) if there has been any progress on this,
- 2) if there is a contact at SEPA that we can speak to to try and advance matters, and
- 3) the date of the next Planning meeting as there's nothing on the Council website

Leslie

[Quoted text hidden]

Murray Couston <Murray.Couston@orkney.gov.uk>
To: Leslie Burgher <leslie@leslieburgher.co.uk>

16 May 2024 at 13:51

Classification: NOT PROTECTIVELY MARKED

Hi Leslie

The next committee date I have is 3 July. Reports for this are due 14 June so there is still some time before that.

As far as I know, SEPA will only deal directly with the Council. I did speak with them at the start of the week, and they are preparing their response.

If anything else comes up in the meantime, I will let you know.

[Quoted text hidden]

20/06/2024, 20:51

Leslie Burgher Chartered Architect Mail - 10 Bridge Street Wynd - 23/465/PP

Leslie Burgher <leslie@leslieburgher.co.uk>
To: David Spence <Dsdesignservices@aol.com>

18
16 May 2024 at 14:15

Leslie Burgher Chartered Architect
Seaview, Deerness, Orkney, KW17 2QL
077303 10110

----- Forwarded message -----

From: **Murray Couston** <Murray.Couston@orkney.gov.uk>

[Quoted text hidden]

[Quoted text hidden]



Murray Couston
 Planning Department
 Orkney Islands Council

Our Ref: PCS-20001265
 Your Ref: 23/465/PP

By email only to:
 planningconsultation@orkney.gov.uk

SEPA Email Contact:
 planning.north@sepa.org.uk

13 June 2024

Dear Murray Couston

Town and Country Planning (Scotland) Acts

23/465/PP

**Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)
 10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD**

Thank you for your consultation, which was received by SEPA on 16 April 2024, in relation to the above application. We understand the reason for consultation is flooding and you have confirmed that the proposed development does not fall within any of the exceptions outlined in Policy 22a of NPF4.

Advice for the planning authority

Unfortunately we must **object in principle** to the application and recommend that planning permission is refused. This is because the proposed development may put people or property at risk of flooding which is contrary to national planning policy. Please note the advice provided below.



Chair
 Lisa Tennant

CEO
 Nicole Paterson

SEPA
 Unit 6
 4 Parklands Avenue
 Holytown
 Motherwell
 ML1 4WQ

Tel: 03000 99 66 99
 www.sepa.org.uk

If the planning authority proposes to grant planning permission contrary to this advice on flood risk, the [Town and Country Planning \(Notification of Applications\) \(Scotland\) Direction 2009](#) provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

1. Flood risk

- 1.1 The intent of Policy 22 of National Planning Framework 4 is “To strengthen resilience to flood risk by promoting avoidance as a first principle”. The site is shown to be at risk of flooding based on the SEPA Future Flood Maps. This indicates that there is a risk of flooding from surface water. Although the mapping indicates a risk of surface water flooding, the Papdale Burn is culverted through this area and the flood maps do not cover small watercourses (catchment <3km²) but they can still cause serious flooding. You can view the SEPA Flood Maps and find out more about them at [Flood Maps | SEPA - Flood Maps | SEPA](#).
- 1.2 We hold records of flooding from surface water/the Papdale Burn from 2006 and studies (s16) undertaken by Scottish Water on the drainage network in Kirkwall confirm a flood risk in this area. Information provided by Orkney Islands Council from the s16 studies indicate that flooding along Bridge Street Wynd in the vicinity of the application site, could be up to approximately 0.3m. The October 2006 flood event was used for verification of the s16 model and there is therefore relatively high confidence in the outputs.
- 1.3 The proposals are for a change of use of an existing public hall to two self-contained holiday lets and we note there is already a flat on the upper floor of the building. Although the building is residential on the first floor, the change of use of the ground floor would be an increase in the number of properties in a flood risk area and could constitute an overall increase in flood risk.
- 1.4 The information provided in support of the application outlines that the existing concrete floor is approximately 0.25m above the pavement level at the Bridge Street Wynd access. This is approximately the same level as the maximum flood level at this

location from the s16 modelling. It is proposed to raise the finished floor levels internally by a further 0.3m to reduce the risk of floodwater being able to enter the building.

- 1.5 The detailed flood modelling carried out by Scottish Water is considered to provide a relatively robust assessment of flood risk for the area. As such, we consider that by raising the floor levels by 0.3m, to be 0.55m above pavement level, the properties themselves may be at low risk of flooding.
- 1.6 However, there could be up to 0.3m flood water on the road outside the property. As such, there would be no flood free access or egress route and we therefore must **object in principle** to the proposal.

2. Other planning matters

- 2.1 For all other planning matters, please see our [trriage framework and standing advice](#) which are available on our website: www.sepa.org.uk/environment/land/planning/

Advice for the applicant

3. Regulatory advice

- 3.1 Details of regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the [regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at nhni@sepa.org.uk.

If you have queries relating to this letter, please contact us at planning.north@sepa.org.uk including our reference number in the email subject.

Your sincerely,
Alison Wilson
Planning Unit Manager
Planning Service

Ecopy to: murray.couston@orkney.gov.uk, leslie@leslieburgher.co.uk

Disclaimer: This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages - www.sepa.org.uk/environment/land/planning/](http://www.sepa.org.uk/environment/land/planning/)



Leslie Burgher <leslie@leslieburgher.co.uk>

23/465/PP - 10 Bridge Street Wynd

Leslie Burgher <leslie@leslieburgher.co.uk>

18 June 2024 at 12:15

To: Murray Couston <Murray.Couston@orkney.gov.uk>

Cc: Jamie MacVie <jamie.macvie@orkney.gov.uk>, David Spence <Dsdesignservices@aol.com>, Planning.North@sepa.org.uk

Hi Murray,

We note the late correspondence received from SEPA and would make the following points:

In response to 1.2 Flooding in the area in 2006 did not, as far as we are aware, affect this property. That flooding was caused by a buildup of debris at the gratings installed on the Willowburn further upstream which had not been cleared. These have since been redesigned and are better maintained as a result. We also understand that the culvert of the Willowburn is not part of Scottish Water's infrastructure and is separately maintained by Orkney Islands Council. In the event of recurrence there are a large number of gulleys in the area which would capture a build up of water in the area and return it to the culvert and any overflow would carry on towards Bridge Street.

In response to 1.3, the 'increase' in the flood risk created by increasing the number of properties in a flood risk area is marginal at worst. A meeting room that might have been in use by 20 people is replaced by accommodation which at most will be occupied by 4. As noted in the Risk assessment, this is a commercial, rather than a residential development and the properties will be managed by The Storehouse Restaurant with Rooms which will have professional and experienced local staff overseeing any issues and advising guests when any problem is likely to arise.

In response to point 1.6, both flats would have windows which can act as escape windows to the rear of the property, where the ground level is significantly higher than the road at the front and which would provide a clear means of escape in the event of flooding. It is understandable that the broad brush of SEPA's flood maps will not pick up this kind of local detail and that they would be unaware of that solution.

Can you also confirm, as previously advised by OIC, that this application will go forward to the July Planning Meeting. It should be noted that this application was originally due to go to the December meeting of the Committee and we resubmitted the application in good faith to relocate the heat pumps (probably unnecessarily) as we were assured that it would be a straightforward application and would go to the (postponed) February meeting. Four months on from this, if it does not go to the meeting, the applicant will wish to seek determination by Scottish Ministers and/or pursue complaints procedures.

Leslie

--

leslie@leslieburgher.co.uk

Leslie Burgher Chartered Architect
Seaview, Deerness, Orkney KW17 2QL
t: 07730 310110
www.leslieburgher.co.uk

REFUSE PLANNING PERMISSION
DELEGATED DECISION



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

Ref: 23/465/PP

The Old Storehouse Ltd
c/o Leslie Burgher
Seaview
Halley Road
Deerness
Orkney
United Kingdom
KW17 2QL

With reference to your application registered on 23rd January 2024 for planning permission for the following development:-

PROPOSAL: Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)

LOCATION: 10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD

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: Although the proposal accords with some aspects of the Local Development Plan and National Planning Framework 4, given the potential of putting people or property at risk of the flooding, the application cannot be supported. Therefore, the proposal does not comply with the Orkney Local Development Plan 2017 and National Planning Framework 4.

(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: 22nd August 2024

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

Ref: 23/465/PP

REASONS FOR REFUSAL

01. The proposal does not comply with National Planning Framework 4 Policy 22 - Flood risk and water management as it may increase the risk of surface water flooding to others, or itself be at risk.

02. The proposal does not comply with Orkney Local Development Plan 2017 Policy 13 - Flood Risk, SuDS & Waste Water Drainage as would result in a situation where development would have a significant probability of being affected by flooding.

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 Plan	OIC-01	1
Site Plan	OIC-02	1
Floor & Elevation Plans	OIC-04	1
Window Detail	OIC-05	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:

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

Email: 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.

Planning Handling Report.

Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)

Application Number:	23/465/PP
Application Type:	Planning Permission
Address:	10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD
Applicant:	The Old Storehouse Ltd
Agent:	Leslie Burgher

1. Background

1.1.

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

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

2. Consultations

2.1

SEPA

SEPA have objected to the proposal and recommend that planning permission is refused on the grounds that the proposed development may put people or property at risk of flooding, contrary to national planning policy.

2.2

Engineering Services

No objection to the proposal.

2.3

Environmental Health

No objection to the proposal subject to a condition regarding noise from the air source heat pump.

2.4

Orkney Heritage Society

No objection to the proposal.

2.5

Scottish Water

No objection to the proposal, however, advice set out in the response should be noted by the applicant.

3. Relevant Planning History

3.1

Reference	Proposal	Location	Decision	Date
23/313/PP	Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing	10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD	Withdrawn	11.01.2024

4. Pre-application Advice

No formal pre-application advice was sought; however, the previous application was withdrawn as Environmental Health had concerns regarding the siting of the heat pump and its impact on neighbouring properties. The applicant was advised to withdraw and resubmit.

5. Representations

5.1

One letter of representation, objecting to the proposal, has been received from:

- Bridine MacDonald, 1 - 2 Garden Street, Kirkwall, Orkney Islands, KW15 1JA

5.2

The objection relates to concerns regarding parking.

6. Relevant Planning Policy and Guidance

6.1.

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

6.2.

The following policies are relevant to this application:

- Orkney Local Development Plan 2017
 - Policy 1 – Criteria for All Development
 - Policy 3 – Settlements, Town Centres and Primary Retail Frontages
 - Policy 8 – Historic Environment and Cultural Heritage
 - Policy 13 - Flood Risk, SuDS & Waste Water Drainage
- National Planning Framework 4
 - Policy 7 – Historic assets and places

- Policy 22 – Flood risk and water management
- Policy 27 – City, town, local and commercial centres
- Policy 30 - Tourism

7. Assessment

7.1. Background

Planning permission is sought to convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing at 10 Bridge Street Wynd, Kirkwall. The site was previously in use as meeting rooms and lies within Kirkwall Town Centre and Kirkwall Conservation Area.

7.2. Principle

7.2.1.

As noted above, the site lies within Kirkwall Town Centre. OLDP Policy 3 states that commercial development which is appropriate to the scale and function of individual settlements, and which contributes to the vibrancy and vitality of our town centres will be supported.

7.2.2.

NPF4 Policy 30 - Tourism states that any proposal should be compatible with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors. NPF4 Policy 27 - City, town, local and commercial Centres states that development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported

7.2.3.

Given the sites town centre location, the proposed use would be acceptable in principle, subject to compliance with other policies. The proposal complies with OLDP Policy 3 and NPF4 Policies 27 and 30.

7.3. Amenity

7.3.1.

Following consultation. Environmental Health raised no objections to the proposal subject to a condition relating to noise from the air source heat pump.

7.3.2.

As noted above, the site is within the town centre, where a mix of uses is supported, and a level of vitality is expected. Therefore, the addition of a further short-term let would not impact on the amenity of the area.

7.3.3.

The proposal would not adversely impact on the amenity of the area and complies with OLDP Policy 1.

7.4. Roads

Roads have offered no objection to the proposal, although have noted that it does not comply with the NRDG, as no new no parking has been proposed. However, NPF4 Policy 13 takes precedence in this case, and it is therefore acceptable. The proposal complies with NPF4 Policy 13.

7.5. Flood risk

7.5.1.

The site is identified as being in a high-risk area for surface water flooding (10% likelihood in any one year). Following consultation SEPA have objected to the proposal on the grounds that the proposed development may put people or property at risk of flooding, contrary to national planning policy.

7.5.2.

NPF4 Policy 22 states that development proposals must not increase the risk of surface water flooding to others, or itself be at risk. Although the building is residential on the first floor, the change of use of the ground floor would be an increase in the number of properties in a flood risk area and could constitute an overall increase in flood risk.

7.5.3.

OLDP Policy 13 seeks to avoid situations where development would have a significant probability of being affected by flooding.

7.5.4.

As the proposed development may put people or property at risk of flooding and as such, does not comply with OLDP Policy 13 and NPF4 Policy 22.

8. Conclusion

Although the proposal accords with some aspects of the Local Development Plan and National Planning Framework 4, given the potential of putting people or property at risk of the flooding, the application cannot be supported. Therefore, the proposal does not comply with the Orkney Local Development Plan 2017 and National Planning Framework 4.

9. Decision

Application Refused

01. The proposal does not comply with National Planning Framework 4 Policy 22 - Flood risk and water management as it may increase the risk of surface water flooding to others, or itself be at risk.

02. The proposal does not comply with Orkney Local Development Plan 2017 Policy 13 - Flood Risk, SuDS & Waste Water Drainage as would result in a situation where development would have a significant probability of being affected by flooding.

10. Contact Officer

Murray Couston, Planning Officer, murray.couston@orkney.gov.uk



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: 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 100640853-002

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.

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)

Convert existing meeting room to two self-catering flats, works to existing flat, replace windows and doors, install 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? Yes No
(Answer 'No' if there is no change of use.) *

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:	<input type="text" value="LBCA"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Leslie"/>	Building Name:	<input type="text" value="Seaview"/>
Last Name: *	<input type="text" value="Burgher"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="07730310110"/>	Address 1 (Street): *	<input type="text" value="Halley Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Deerness"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Orkney"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KW17 2QL"/>
Email Address: *	<input type="text" value="leslie@leslieburgher.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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="5"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="East Road"/>
Company/Organisation	<input type="text" value="The Old Storehouse Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kirkwall"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KW15 1HZ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Orkney Islands Council

Full postal address of the site (including postcode where available):

Address 1:

10 BRIDGE STREET WYND

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

KIRKWALL

Post Code:

KW15 1JD

Please identify/describe the location of the site or sites

Northing

1011126

Easting

345097

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Previous application - 23/313/PP - withdrawn. This application a 'free go'

Title:

Mr

Other title:

First Name:

Murray

Last Name:

Couston

Correspondence Reference Number:

Date (dd/mm/yyyy):

07/12/2023

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

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)

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

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

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)

See drawing

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Don't Know

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

82

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Self-catering flats

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: Leslie Burgher

On behalf of: The Old Storehouse Ltd

Date: 22/12/2023

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

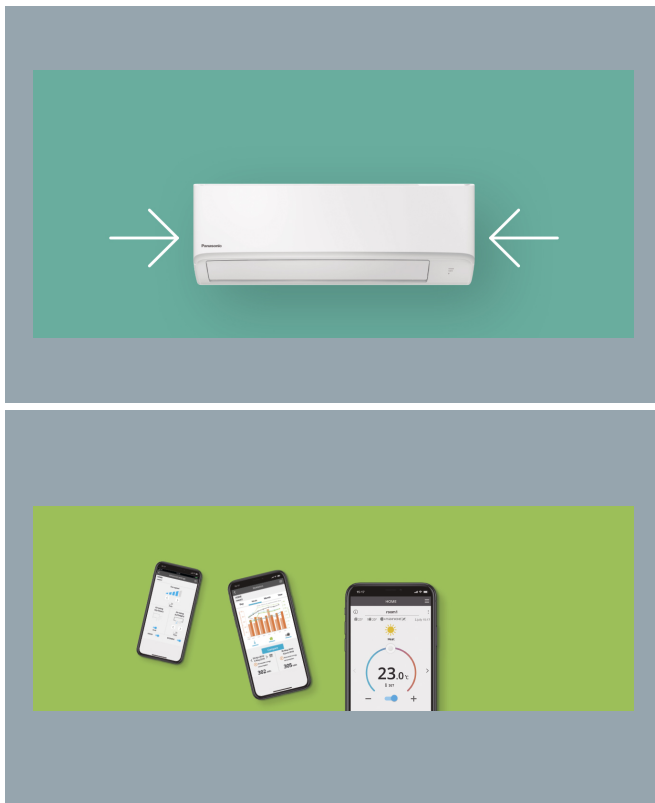
Declaration Date: 22/12/2023

TZ super-compact • R32

Wall-mounted TZ super-compact.

The perfect air conditioner for the smallest spaces in your home. New TZ with R32 refrigerant powerful and efficient, efficient and built-in wifi.

- Compact design with 779 mm (1102 mm for 6 and 7.1 kW)
- Built-in Wi-Fi Panasonic Comfort Cloud for internet control
- Compatible with voice control
- Infrared control Sky Controller
- PM2,5 Filter to create clean and comfortable indoor air quality
- Super Quiet operation
- Aerowings to control air draft direction
- High energy savings
- Wired control (Optional)



Only 779 mm New TZ super-compact

[FIND OUT MORE ABOUT TZ UNITS](#)

[FIND OUT MORE ABOUT SUPER-COMPACT UNITS](#)

Panasonic Comfort Cloud App. Convenient centralised control

[FIND OUT MORE](#)

TZ super-compact • R32		Single Phase
		4.2 kW
Kit		KIT-TZ42-WKE
Cooling capacity (Nominal)	kW	4,20
Cooling capacity (Min)	kW	0,85
Cooling capacity (Max)	kW	4,60
EER (Nominal) (1)	W/W	3,36
EER (Min) (1)	W/W	3,62
EER (Max) (1)	W/W	2,80
SEER (2)		6,40 A++
Pdesign (cooling)	kW	4,20
Input power cooling (Nominal)	kW	1,25
Input power cooling (Min)	kW	0,24
Input power cooling (Max)	kW	1,64
Annual energy consumption cooling (3)	kWh/a	230,00
Heating capacity (Nominal)	kW	5,00
Heating capacity (Min)	kW	0,80
Heating capacity (Max)	kW	6,80
Heating capacity at -7°C	kW	3,90
COP (Nominal) (1)	W/W	3,73
COP (Min) (1)	W/W	4,10
COP (Max) (1)	W/W	3,33
SCOP (2)		4,00 A+
Pdesign at -10°C	kW	3,60
Input power heating (Nominal)	kW	1,34
Input power heating (Min)	kW	0,20
Input power heating (Max)	kW	2,04
Annual energy consumption heating (3)	kWh/a	1260
Indoor unit		CS-TZ42WKEW
Indoor power source	V	230
Indoor recommended fuse	A	16
Indoor connection indoor / outdoor	mm ²	4 x 1,5
Indoor air flow (Cool)	m ³ /min	12,5
Indoor air flow (Heat)	m ³ /min	13,2
Moisture removal volume	L/h	2,4
Indoor sound pressure (Cool -Hi) (4)	dB(A)	44
Indoor sound pressure (Cool -Lo) (4)	dB(A)	31
Indoor sound pressure (Cool -Q-Lo) (4)	dB(A)	29
Indoor sound pressure (Heat -Hi) (4)	dB(A)	44
Indoor sound pressure (Heat -Lo) (4)	dB(A)	35
Indoor sound pressure (Heat -Q-Lo) (4)	dB(A)	28
Indoor dimension (Height)	mm	290
Indoor dimension (Width)	mm	779
Indoor dimension (Depth)	mm	209
Indoor net weight	kg	8
Outdoor unit		CU-TZ42WKE
Outdoor air flow (Cool)	m ³ /min	30,4
Outdoor air flow (Heat)	m ³ /min	30,8
Outdoor sound pressure (Cool -Hi) (4)	dB(A)	49
Outdoor sound pressure (Heat -Hi) (4)	dB(A)	51
Outdoor dimension (Height) (5)	mm	542
Outdoor dimension (Width) (5)	mm	780
Outdoor dimension (Depth) (5)	mm	289
Outdoor net weight	kg	31
Pipe diameter (Liquid)	Inch (mm)	1/4 (6,35)
Pipe diameter (Gas)	Inch (mm)	1/2 (12,7)
Pipe length range	m	3 ~ 15
Elevation difference (in/out) (6)	m	15
Pipe length for additional gas	m	7,5
Additional gas amount	g/m	10
Refrigerant (R32) / CO2 Eq.	kg / T	0,79 / 0,533
Operating range (Cool - Min)	°C	-10
Operating range (Cool - Max)	°C	+43
Operating range (Heat - Min)	°C	-15
Operating range (Heat - Max)	°C	+24

(1) EER and COP calculation is based in accordance to EN14511.

(2) Energy Label Scale from A+++ to D.

(3) The annual energy consumption is calculated in accordance to EU/626/2011.

(4) The sound pressure of the indoor unit shows the value measured of a position 1 m in front of the main body and 0,8 m below the unit. For outdoor unit 1 m in front and 1 m in rear side of main body. The sound pressure is measured in accordance with JIS C 9612. Q-Lo: Quiet mode. Lo: The lowest set fan speed.

(5) Add 70 mm for piping port.

(6) When installing the outdoor unit at a higher position than the indoor unit.

Complementary products



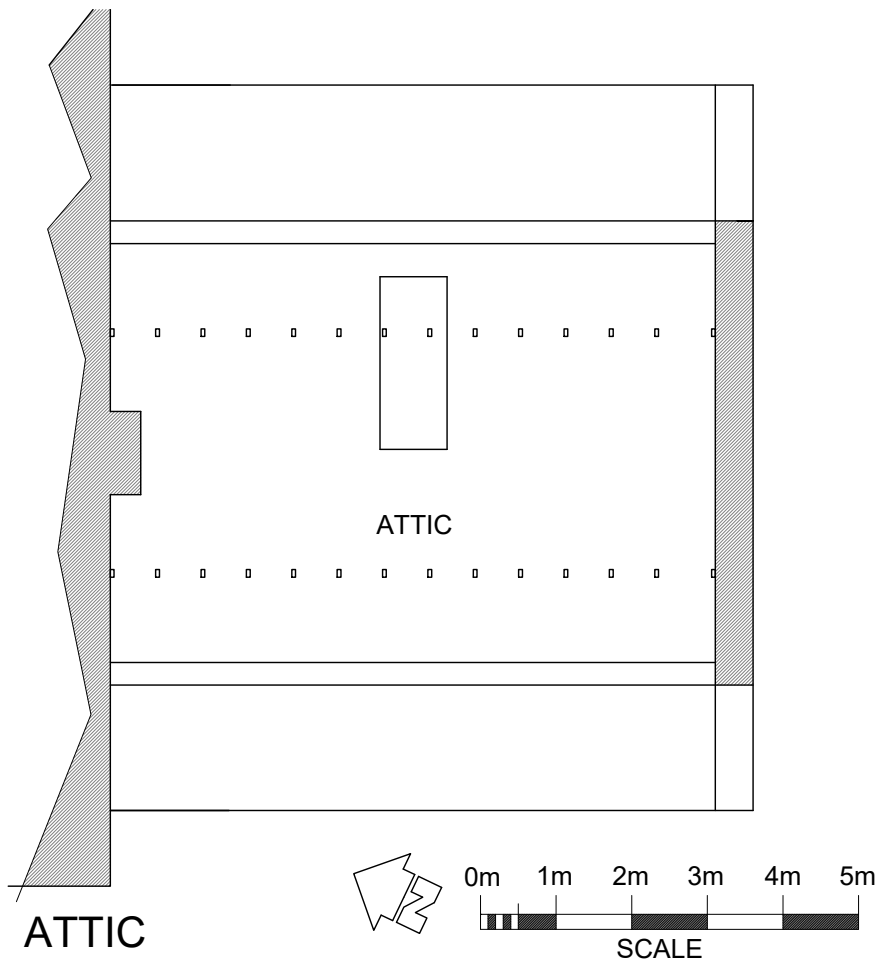
CZ-CAPRA1 RAC interface adapter for integration into P Link



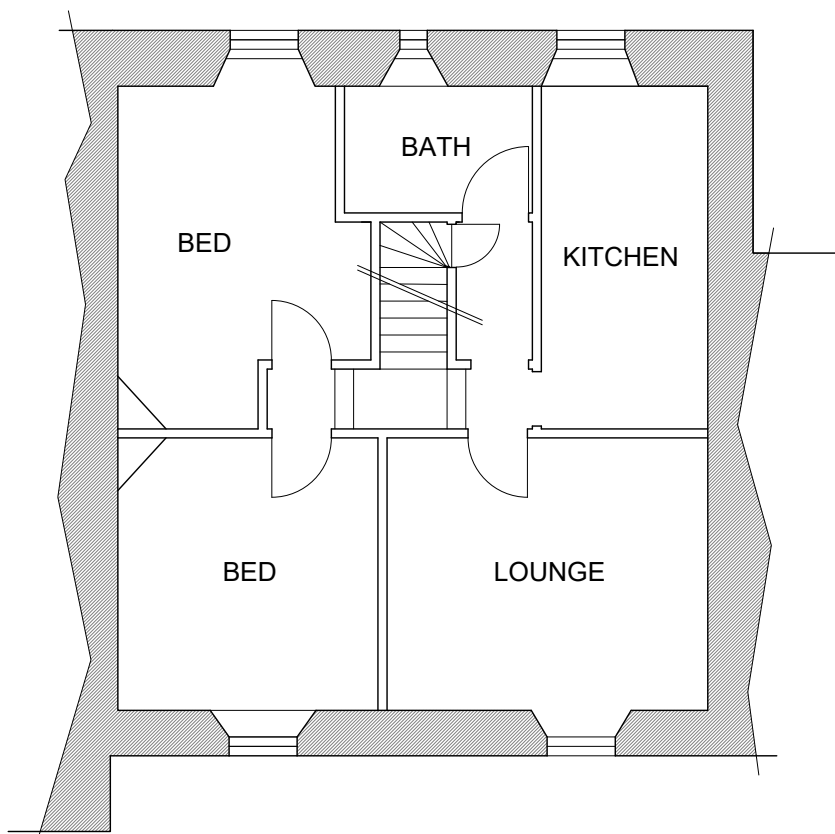
CZ-CAPRA1 RAC interface adapter for integration into P Link



Wired Remote Control CZ-RD514C



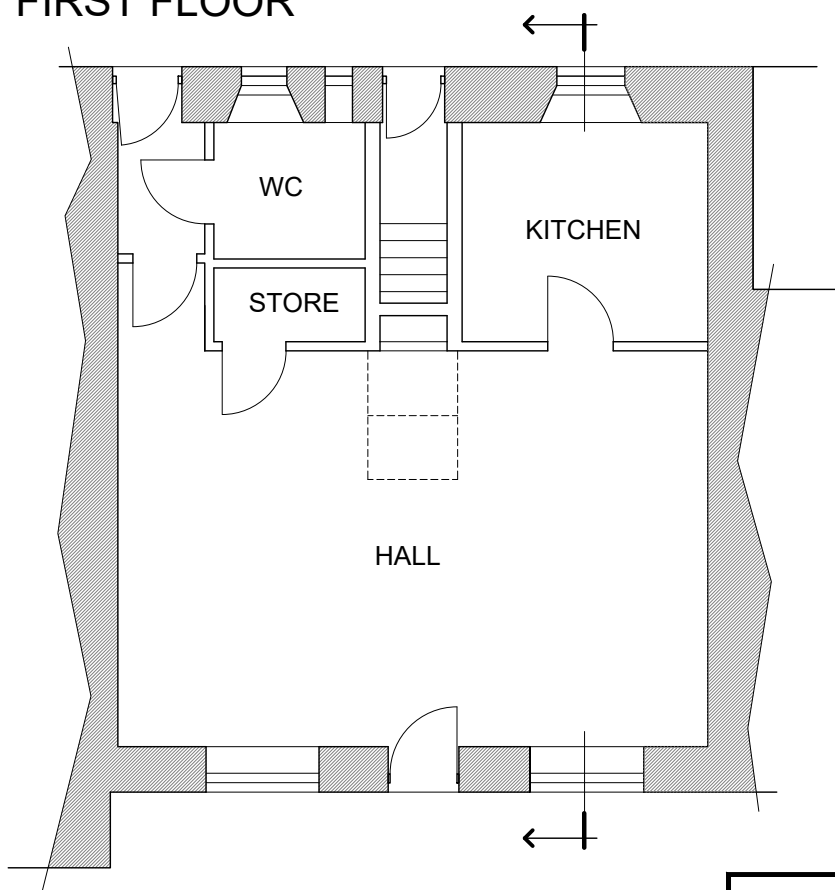
EAST ELEVATION



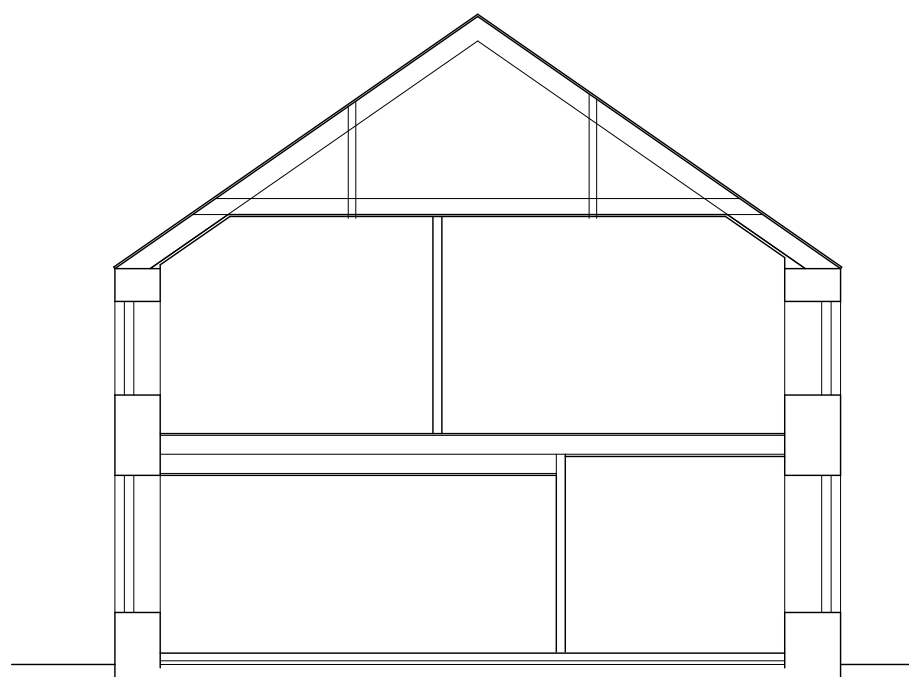
FIRST FLOOR



WEST ELEVATION




GROUND FLOOR



SECTION

Existing

<p>Leslie Burgher <i>Chartered Architect</i></p> <p>Roebank High Street Kirkwall Orkney KW15 1AZ t: 01856 871375 e: leslie@leslieburgher.co.uk</p>				<p>Storehouse 10 Bridge Street Wynd</p>		<p>A3</p>	
<p>Drawing Existing</p>							
Scale:	Drawn:	Date:	Ref:	No:	Amd:		
1:100	jlb		2308	A	003	-	

2308
Storehouse
10 Bridge Street Wynd
DESIGN STATEMENT

1 Background Information

- 1.1 Site address
10 Bridge St Wynd, Kirkwall
- 1.2 Description of Development
The proposal consists of the conversion of the former SWI meeting hall to two self-catering apartments and upgrading works to the existing first floor flat, including the installation of heat pumps.

2 Existing

- 2.1 Description of site and surroundings
The property is a 19th century stone-built building within the Conservation Area on two floors with an attic.

Ground floor windows have been replaced in uPVC and the street windows have been enlarged with an unsympathetic design.
- 2.2 Previous Use
At ground floor the building consists of a large meeting room with kitchen and toilets off.
- 2.3 Roads and Access
There is no parking on site. Current level access to the hall is provided from the lane to the rear with a stepped access at the street door. The access to the flat is via a self-contained stair from the lane to the rear.
- 2.4 Services
Mains services are existing.

3 Design Solution

- 3.1 Proposals
The two flats will be accessed from the street door entrance. The alterations to the existing first floor flat are principally internal.

New heat pump units for each flat will be located to the rear of the building with a timber screen.
- 3.2 Parking
Large public car parks are available within 5 minutes walk of the property.

4 Biodiversity Statement

There is no garden ground or planting and the site is within a street with existing hard landscaping surrounding. There will be no effect on Biodiversity.



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
Email: planning@orkney.gov.uk



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013
Regulation 20 - Publication of applications

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997, as amended

The Planning (Listed Building Consent and Conservation Area Consent Procedure) (Scotland) Regulations 2015
Regulation 8 - Advertisement of applications

SITE NOTICE

Application Affecting the Character or Appearance of a Conservation Area

The application described below together with the plans and other documents submitted with it may be examined online at www.orkney.gov.uk following the link to Planning/Building on the home page, followed by Application Search and Submission.

Information explaining the procedures which are followed in relation to applications is available from Development Management by email at planning@orkney.gov.uk

Representations may be made to the planning authority by writing to the Planning Manager, Development Management, Orkney Islands Council, School Place, Kirkwall, KW15 1NY, online at www.orkney.gov.uk, or by email to planning@orkney.gov.uk

Representations must be made not later than **21 days** after the date of publication of this notice

Application Reference: 23/465/PP

Proposed Development: Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/pp)

Address: 10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD

DATE OF SITE NOTICE: 29 January 2024

Zoe Montgomery

From: Bridine MacDonald [REDACTED]
Sent: 02 February 2024 11:19
To: planning
Subject: Application No. 23/456/PP
Attachments: 20240201_194222.jpg

Dear Sir/Madam

I have received another Neighbour notification regarding the change of use of 10 Bridge Street Wynd. I believe it is the same as the last application and is intended to be converted into two self-catering units.

As on the previous application my concerns regarding parking in the area are the same and again they are as follows.

I am concerned about the provision for parking and access to the rear of my property, which is 1- 2 Garden Street, KW15 1JA. It is the only usable access not only for my property but for the 3 flats behind my house. Parking in Garden Street and Queens Street and surrounding areas is already horrendous.

We have a shared access/drive directly in front of two of the three of the entrances to this 10 Bridge Steet Wynd and this is just enough space for two small cars or one van. Although usually only one vehicle as our neighbour who uses a mobile scooter can't get through there if two cars parked. One of the entrances was for the flat above the 10 Bridge Street Wynd the other was the entrance used previously by the SWRI. The third entrance is on the opposite side of the building and does not effect us. The shared drive is used by myself and neighbours , for me to get to my garden and for them to get to their flats. I have highlighted the entrances on map that was provided. Yellow represents entrances for 10 Bridge St Wynd and red is the area beside my house going to flats. We try to keep this access clear to be considerate to neighbours and trades persons who are currently working on several properties close by at the moment including 10 Bridge St Wynd. Tenants may need that space to get to and from their property but its not always possible and has caused friction in the past.

There have been many times especially in summer we can't get parked in this drive or even on street parking in Garden Street or Queen Street or had to park further in Willow Burn Road I have even ended up with parking tickets as forgot i had left my car in short stay carpark.

For example my chimney was damaged last week due to the recent storms. When I get it fixed it will require scaffolding in that drive but if someone is parked there and we can't hold of them then it won't get done. Also anyone needing to access to No 3,5,7 and 11 would use this area for parking and access as there its the nearest anyone can get to these addresses if working on them.

Garden Street is a very busy place with people living there, small businesses and a short stay carpark. I know there are other developments happening very close by that will again impact parking and access. Garden Street alone is two rows of over 26 terraced houses/flats with no garages only on street parking on one side of road. That does not include Bridge Street Wynd and St Olafs Wynd. There are couple of privately owned small parking areas. There needs to be more consideration for parking for all, visitors and residents and businesses .

Perhaps the council could provide parking permits for people who live and need to work on properties in Garden Street, St Olafs Wynd and Bridge Street Wynd? So when it's busy and we can't park in our Street we could park in the paying carpark in Garden Street without fear of a fine that's if there is even a space! This might be a good and sensible solution for all?

Regards
Bridine MacDonald

Application Reference:
Address/ Location:
Application Description:

23/485/PP
10 BRIDGE STREET WYND, KIRKWALL, ORKNEY
CONVERT A MEETING ROOM TO TWO SELF-C
REPLACEMENT WINDOWS AND DOORS AND T
PUMPS WITH HOUSING (RESUBMISSION OF 2
The Old Storehouse Ltd
LESLIE BURGHER, SEAVIEW, HALLEY ROAD,
UNITED KINGDOM,

Planning application has been submitted for the above development.

Representations may be made to the planning authority by writing to Development
Council, Council Offices, School Place, Kirkwall, Orkney, KW15 1NY or e
19th February 2024.

Should bring this notice to the attention of any other person who this may affect
owner or lessee.



Plan

From: Sam Walker <Sam.Walker@orkney.gov.uk>
Sent: Wednesday, February 7, 2024 3:54 PM
To: planningconsultation <planningconsultation@orkney.gov.uk>
Subject: 23/465

Classification: OFFICIAL

23/465/PP Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)
10 Bridge Street Wynd, Kirkwall KW15 1JD

Having considered the information provided by the applicant Environmental Health recommend the following condition be applied:

Total noise from the Air Source Heat Pumps 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.

Regards

Sam Walker
Environmental Health Officer
Environmental Health | Planning and Community Protection
Neighbourhood Services and Infrastructure
Orkney Islands Council
School Place
KIRKWALL
KW15 1NY

Tel: 01856 873535 ext 2802

From: sjrosie <sjrosie@btinternet.com>
Sent: Friday, February 16, 2024 10:47 AM
To: planningconsultation <planningconsultation@orkney.gov.uk>
Subject: Re: Planning Application Consultation 23/465/PP

As stated in a previous application for this property, OHS has no objection to this application.

Regards

Spencer Rosie

Monday, 19 February 2024



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
www.scottishwater.co.uk



Dear Sir/Madam,

10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD
Planning Ref: 23/465/PP
Our Ref: DSCAS-0103569-4MF
Proposal: Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)

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 KIRBISTER 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

- ▶ This proposed development will be serviced by KIRKWALL Waste 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.

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.
- ▶ The existing combined sewer system is under considerable pressure due to surface water entering the network. To provide capacity for this development it will be necessary for the Applicant to explore all avenues to remove surface water discharging from the property's curtilage to the combined sewer. This would help to offset the new foul demand. This could include replacing hardstanding with permeable surfaces and/or installing a soakaway.

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
 - ▶ 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

▶ 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 laundrettes. 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 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 5kg 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

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.

Yours sincerely,

Carly Gourlay

Development Operations Analyst

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."

INTERNAL MEMORANDUM TO: Engineering Services

Date of Consultation	29th January 2024
Response required by	19th February 2024
Planning Authority Reference	23/465/PP
Nature of Proposal (Description)	Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/pp)
Site	10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD
Proposal Location Easting	345097
Proposal Location Northing	1011126
Area of application site (Metres)	89
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 23/465/PP
PA Office	Development Management
Case Officer	Mr Murray Couston
Case Officer Phone number	
Case Officer email address	murray.couston@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:**Flood Risk**

The property is adjacent to the underground route of Papdale Burn and is identified in SEPA flood risk mapping as being at high risk (10% likelihood in any year) of surface water flooding. Mapping undertaken by Scottish Water for the medium risk (0.5% chance in any year plus climate change uplift) indicates that surface water flooding could reach 0.3m deep to the west face of this property (where the external door is located).

In order ensure that residents are informed of flood risk at the property, aware of planned procedures when flooding is forecast and to limit any property damage, we request that the applicant be required to provide a report to Ciria C790A the Code of Practice for Property Flood Resilience. This will consist of the following sections.

- 1) Hazard Assessment – understand flood risk.
- 2) Property Survey – establish arrangement, construction and identify any vulnerabilities.
- 3) Options Development and Design – consider options and identify appropriate approaches to address flood risk including procedures and any protection measures.
- 4) Construction and/or implementation.
- 5) Commissioning and Handover.
- 6) Operation and Maintenance – detail how information on procedures will be shared and any protective measures maintained long term.

OIC Engineering could assist with the assessment of flood risk at the site and provide advice on a flood resilience report.

PW

10 Bridge Street Wynd

Flood Risk Assessment

PFR 1: Flood Risk

Flood Risk The property is adjacent to the underground route of Papdale Burn and is identified in SEPA flood risk mapping as being at high risk (10% likelihood in any year) of surface water flooding. Mapping undertaken by Scottish Water for the medium risk (0.5% chance in any year plus climate change uplift) indicates that surface water flooding could reach 0.3m deep to the west face of this property (where the external door is located).

PFR 2: Property survey

The building is an existing commercial premises.

The existing building has stone walls and a concrete floor to a level 250mm above the existing pavement level which would be resilient to flooding. It is proposed to lay a new timber floor over those which will increase the internal timber floor to 300mm above floor level. A new stone step will be formed to match the internal floor height.

The walls are internally strapped and lined with plasterboard and PIR board insulation, but repair or replacement of this lining would be straightforward in the event of flooding. There is one existing vent in the wall which is redundant, and this will be sealed.

All electrical services will be above flood level.

PFR 4: Construction:

Following this risk assessment, specific flood resilience enhancements will be provided in the form of a removable proprietary door gate 0.3m in height.

PFR 5: Commissioning and handover

The building is existing. Equipment will be purchased and installed by the applicant.

PFR 6: Operation and Maintenance

The applicants operate the nearby Storehouse Restaurant with Rooms and will be able to manage the use of the property, install the flood gate and give advice to occupants in the event of a flood event. They are subscribed to SEPA Floodline service Floodline | Scottish Environment Protection Agency (SEPA) and to Met Office weather warnings.

Drawings and details of the existing construction are available. These together with the instructions for the equipment described above will be retained in the property and handed on to any future purchaser.

Leslie Burgher Chartered Architect

April 2024

Re-Consultation**INTERNAL MEMORANDUM TO: Engineering Services**

Date of Consultation	25th April 2024
Response required by	2nd May 2024
Planning Authority Reference	23/465/PP
Nature of Proposal (Description)	Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)
Site	10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD
Proposal Location Easting	345097
Proposal Location Northing	1011126
Area of application site (Metres)	89
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 23/465/PP
PA Office	Development Management
Case Officer	Mr Murray Couston
Case Officer Phone number	
Case Officer email address	murray.couston@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Flood Risk

The Document 'Flood Risk Assessment' provided by the Agent satisfactorily addresses the points raised in our earlier consultation response.

It is noted that the strategy is to provide resistance measures to a height 300mm above the (raised) internal floor level. We therefore strongly recommend that, in addition to the measures described in the 'Flood Risk Assessment' document provided, consideration is also given to the provision of drainage back flow protection.

We do not object to the proposed development.

PW



Murray Couston
Planning Department
Orkney Islands Council

Our Ref: PCS-20001265
Your Ref: 23/465/PP

By email only to:
planningconsultation@orkney.gov.uk

SEPA Email Contact:
planning.north@sepa.org.uk

13 June 2024

Dear Murray Couston

Town and Country Planning (Scotland) Acts

23/465/PP

**Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)
10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD**

Thank you for your consultation, which was received by SEPA on 16 April 2024, in relation to the above application. We understand the reason for consultation is flooding and you have confirmed that the proposed development does not fall within any of the exceptions outlined in Policy 22a of NPF4.

Advice for the planning authority

Unfortunately we must **object in principle** to the application and recommend that planning permission is refused. This is because the proposed development may put people or property at risk of flooding which is contrary to national planning policy. Please note the advice provided below.



Chair
Lisa Tennant

CEO
Nicole Paterson

SEPA
Unit 6
4 Parklands Avenue
Holytown
Motherwell
ML1 4WQ

Tel: 03000 99 66 99
www.sepa.org.uk

If the planning authority proposes to grant planning permission contrary to this advice on flood risk, the [Town and Country Planning \(Notification of Applications\) \(Scotland\) Direction 2009](#) provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

1. Flood risk

- 1.1 The intent of Policy 22 of National Planning Framework 4 is “To strengthen resilience to flood risk by promoting avoidance as a first principle”. The site is shown to be at risk of flooding based on the SEPA Future Flood Maps. This indicates that there is a risk of flooding from surface water. Although the mapping indicates a risk of surface water flooding, the Papdale Burn is culverted through this area and the flood maps do not cover small watercourses (catchment <3km²) but they can still cause serious flooding. You can view the SEPA Flood Maps and find out more about them at [Flood Maps | SEPA - Flood Maps | SEPA](#).
- 1.2 We hold records of flooding from surface water/the Papdale Burn from 2006 and studies (s16) undertaken by Scottish Water on the drainage network in Kirkwall confirm a flood risk in this area. Information provided by Orkney Islands Council from the s16 studies indicate that flooding along Bridge Street Wynd in the vicinity of the application site, could be up to approximately 0.3m. The October 2006 flood event was used for verification of the s16 model and there is therefore relatively high confidence in the outputs.
- 1.3 The proposals are for a change of use of an existing public hall to two self-contained holiday lets and we note there is already a flat on the upper floor of the building. Although the building is residential on the first floor, the change of use of the ground floor would be an increase in the number of properties in a flood risk area and could constitute an overall increase in flood risk.
- 1.4 The information provided in support of the application outlines that the existing concrete floor is approximately 0.25m above the pavement level at the Bridge Street Wynd access. This is approximately the same level as the maximum flood level at this

location from the s16 modelling. It is proposed to raise the finished floor levels internally by a further 0.3m to reduce the risk of floodwater being able to enter the building.

- 1.5 The detailed flood modelling carried out by Scottish Water is considered to provide a relatively robust assessment of flood risk for the area. As such, we consider that by raising the floor levels by 0.3m, to be 0.55m above pavement level, the properties themselves may be at low risk of flooding.
- 1.6 However, there could be up to 0.3m flood water on the road outside the property. As such, there would be no flood free access or egress route and we therefore must **object in principle** to the proposal.

2. Other planning matters

- 2.1 For all other planning matters, please see our [triage framework and standing advice](#) which are available on our website: www.sepa.org.uk/environment/land/planning/

Advice for the applicant

3. Regulatory advice

- 3.1 Details of regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the [regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at nhni@sepa.org.uk.

If you have queries relating to this letter, please contact us at planning.north@sepa.org.uk including our reference number in the email subject.

Your sincerely,
Alison Wilson
Planning Unit Manager
Planning Service

Ecopy to: murray.couston@orkney.gov.uk, leslie@leslieburgher.co.uk

Disclaimer: This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages - www.sepa.org.uk/environment/land/planning/](http://www.sepa.org.uk/environment/land/planning/)

INTERNAL MEMORANDUM TO: Roads Services

Date of Consultation	29th January 2024
Response required by	19th February 2024
Planning Authority Reference	23/465/PP
Nature of Proposal (Description)	Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/pp)
Site	10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD
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PA Office	Development Management
Case Officer	Mr Murray Couston
Case Officer Phone number	
Case Officer email address	murray.couston@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

The application as submitted fails to meet the requirements of Section 3.7 Parking Standards for Use Classes of the NRDG, as no parking is being provided as required.

It is however recognised that NPF4, Policy 13 Sustainable Transport would take precedence on this occasion, therefore in this instance Roads Services do not object to planning permission being granted.

Whilst giving recognition to NPF4, Policy 13 Sustainable Transport, it must also be recognised that the cumulative effect of developments being granted planning permission with either no parking, or a reduced level of parking within the town center area is already having negative impact on the surrounding streets.

D.W.

REFUSE PLANNING PERMISSION
DELEGATED DECISION

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

Ref: 23/465/PP

The Old Storehouse Ltd
c/o Leslie Burgher
Seaview
Halley Road
Deerness
Orkney
United Kingdom
KW17 2QL

With reference to your application registered on 23rd January 2024 for planning permission for the following development:-

PROPOSAL: Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)

LOCATION: 10 Bridge Street Wynd, Kirkwall, Orkney, KW15 1JD

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: Although the proposal accords with some aspects of the Local Development Plan and National Planning Framework 4, given the potential of putting people or property at risk of the flooding, the application cannot be supported. Therefore, the proposal does not comply with the Orkney Local Development Plan 2017 and National Planning Framework 4.

(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: 22nd August 2024

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

Ref: 23/465/PP

REASONS FOR REFUSAL

01. The proposal does not comply with National Planning Framework 4 Policy 22 - Flood risk and water management as it may increase the risk of surface water flooding to others, or itself be at risk.

02. The proposal does not comply with Orkney Local Development Plan 2017 Policy 13 - Flood Risk, SuDS & Waste Water Drainage as would result in a situation where development would have a significant probability of being affected by flooding.

Ref: 23/465/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 Plan	OIC-01	1
Site Plan	OIC-02	1
Floor & Elevation Plans	OIC-04	1
Window Detail	OIC-05	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:

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

Email: 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.

Hazel Flett

From: sjrosie <sjrosie@btinternet.com>
Sent: 30 September 2024 11:47
To: Hazel Flett
Subject: Re: Planning App 23/465/PP - 10 Bridge Street Wynd, Kirkwall - Notice of Review

-- External e-mail: **Think before you Click.**--

Orkney Heritage Society is disappointed that this application was refused due to the potential of flooding and consider the stance taken by SEPA and the planners to be over cautious. It also has worrying implications. Does this decision preclude any ground floor habitation in this area? To keep our town centres vibrant, its buildings need to be used and maintained. Converting this property to self catering units is a good use of this existing property.

The scale of flood risk being considered is only 300mm or so deep. Whilst this is damaging, the location of the site is not one of great risk such as on the edge of a harbour or where there is a risk of washed-in debris of any substance. The risk to the life of residents will be low if the area is flooded, further reduced by the fact that the property will be supervised by the applicants, who have access to any weather warnings. With Orkney's short watercourses any fluvial flooding is likely to be short-lived. Tidal flooding may be of longer duration, but that too is likely to be only hours in duration. The need to evacuate people in that period is therefore smaller than where a site could be cut off for days as floodwaters from up-catchment come through the site. Overall the risk seems small, short and manageable.

In terms of further reducing flood risk:

1. Ensure the heat pumps are sited above flood level to prevent damage.
2. There is reference to plasterboard finishes. It would be reasonable to only start these finishes above flood level and to hard plaster with resistant plaster below flood level, so ensuring no damage to wall finishes.
3. There is reference to electrical equipment being above flood level. This can be achieved by ensuring that all cables drop from the ceiling to high level outlets rather than coming up from under the floor.
4. The use of flood proof surfaces such as polished concrete floors with rugs, tiles or with vinyl rather than timber would be a sensible.

Regards

Spencer Rosie on behalf of Orkney Heritage Society

----- Original Message -----

From: Hazel.Flett@orkney.gov.uk

To: sjrosie@btinternet.com Cc: Hazel.Flett@orkney.gov.uk; Kate.Russell-Duff@orkney.gov.uk

Sent: Thursday, September 26th 2024, 12:48

Subject: Planning App 23/465/PP - 10 Bridge Street Wynd, Kirkwall - Notice of Review

Classification: NOT PROTECTIVELY MARKED

Planning App 12/465/PP

Applicant: The Old Storehouse Ltd

Proposal: Convert a meeting room to two self-catering units, install replacement windows and doors and two air source heat pumps with housing (resubmission of 23/313/PP)

Notice of Review

The above planning application was refused by the Appointed Officer on 22 August 2024.

The applicant's agent has submitted a Notice of Review in terms of section 43A(8) of the Town and Country Planning (Scotland) Act 1997, as amended.

In terms of Regulation 10(b) of the Town and Country (Schemes of Delegation and Local Review Procedures)(Scotland) Regulations 2013, as an interested party to the above application, I hereby notify you of the same.

Copies of any representations previously made with respect to the application will be considered by the Local Review Body when determining the review.

You may make further representations to the Local Review Body, which should be submitted to me, in writing, not later than **Tuesday, 8 October 2024**. In writing includes by e-mail. A copy of any representations provided will be sent to the applicant for comment.

A copy of the Notice of Review and other documents related to the review can be inspected by following the link below and inserting the reference number "23/465/PP":

[Application Search and Submission \(orkney.gov.uk\)](http://orkney.gov.uk)

Kind regards

Hazel Flett

Service Manager (Governance)

Strategy, Performance and Business Solutions | Orkney Islands Council

Council Offices | Kirkwall | Orkney | KW15 1NY

Telephone: 01856 873535 Extension 2208 | Direct Dial: 01856 886463