

## Appendix 5

21/054/PIP – Notice of Review

### Proposed Conditions

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

(a) The siting, design and external appearance (including details of materials) of all buildings and other structures (the dwelling and any other buildings proposed shall not exceed one third of the plot area) including plans and sections showing ground levels of the site and how the dwelling will be dug in to any slope. The plans should include existing and proposed ground levels, and proposed finished levels including a finished ridge height; sections from the boundaries through the east and west facing walls of the house and any other buildings, and through the north and south facing walls of the house and any other buildings, showing the buildings in relation to the existing and proposed ground levels of the site. All foundations must be excavated and not built on top of any slope. No underbuilding to compensate for any gradient is permitted.

(b) Access to the site (full details, including any surface water drainage scheme for the access). Details shall be provided showing surface water drainage and how surface water from the access will be prevented from flowing onto the public road.

(c) The layout of the site, including roads, footways, turning areas and parking areas.

(d) The design and location of all boundary walls and fences (including materials, colours and heights).

(e) Details of a scheme of hard and soft landscaping works. All landscaping works shall be carried out in accordance with the approved scheme and plans. All planting, seeding or turfing as may be comprised in the approved scheme and plans shall be carried out within two years of commencement of the development and shall be completed prior to the first occupation of the dwelling, unless otherwise stated in the approved scheme. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged, shall be replaced in the next planting season with others of the same size and species.

(f) The provision of drainage works and SuDS. The development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable Urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter. All surface water shall be contained within the development site and there shall be no surface water drainage run-off onto the road or adjacent land.

Further information on SUDs may be found on SEPA's website at: [www.sepa.org.uk](http://www.sepa.org.uk) and [http://www.susdrain.org/resources/SuDS\\_Manual.html](http://www.susdrain.org/resources/SuDS_Manual.html).

(g) The disposal of sewage. The private sewage system shall be included within the site boundary.

(h) Detail of refuse bin storage.

Reason: The approval is in principle only and these specified matters must be approved prior to development commencing.

02. Notwithstanding the details required in Condition 1(b) above, the access with the public road shall be constructed to the Council's Roads Services standard drawing 'SD-05 (Typical Access Over Verge With Service Bay)', attached to and forming part of this decision notice, including dimensions, road construction, any pipe required, and verge or footway. The access shall be constructed and completed wholly in accordance with these details prior to any other works commencing in relation to the development hereby approved, and thereafter shall be retained in accordance with these details throughout the lifetime of the development, unless otherwise agreed in writing by the Planning Authority. Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to first occupation of the development, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

Reason: In the interests of road safety.

03. Notwithstanding the details required in Condition 1(g), prior to the first occupation of the development hereby approved in principle, the sewage system approved under the subsequent AMC/Full Planning Application shall be connected and fully operational and prior to the commencement of the development, the developer shall consult the Scottish Environment Protection Agency (SEPA) with regard to authorisations required for discharges of sewerage effluent to land or water. SEPA (Orkney) can be contacted at Norlantic House, Hatston, Kirkwall (Telephone: 01856 871080). Further information may also be found on SEPA's website at: <https://www.sepa.org.uk/>.

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

04. Prior to the commencement of development within the application site hereby approved in principle, the existing ruinous/derelict building used for the one for one replacement, shall be entirely demolished and the material disposed of, unless retention and conversion to a suitable ancillary or alternative use has been agreed beforehand in writing by the Planning Authority. All material resulting from demolition not required in the construction of the replacement dwelling shall be removed from site and disposed of in a licensed waste disposal facility or used for purposes for which planning permission is either not needed or has been granted.

Reason: To protect the appearance of the area and as the demolition of the structure is required to establish the principle of the replacement house to comply with Orkney

Local Development Plan 2017 Policy 5E(iii) – Replacement of an Existing Building or Structure and Supplementary Guidance: Housing in the Countryside (2021).

05. Throughout the lifetime of the development, any external lighting used on the dwelling and any outbuildings, shall be downward facing only and shall comply with the Council's requirements of Orkney Local Development Plan 2017 Policy 2 (principle vi) that all external lighting shall minimise light pollution and shall meet the requirements specified by the Institution of Lighting Professionals for Zone E1/E2 areas (Rural/Low District Brightness). The lighting shall be turned off when not required either by automatic sensor or manually.

Note: Further information regarding the control of light pollution and obtrusive light can be viewed online at [www.theilp.org.uk/documents/obtrusive-light/](http://www.theilp.org.uk/documents/obtrusive-light/) (Institution of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light GN01:2011) and [www.scotland.gov.uk/Publications/2007/03/14164512/0](http://www.scotland.gov.uk/Publications/2007/03/14164512/0) Scottish Executive (Transport Scotland) Guidance Note (Controlling Light Pollution and Reducing Lighting Energy Consumption).

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

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

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

### **Informative**

01. Scottish Water has advised that the development impacts on existing Scottish Water assets in relation to a 1 x 8" AC main within the site boundary. The developer must identify any potential conflicts with Scottish Water assets and contact their Asset Impact Team via Scottish Water Customer Portal to apply for a diversion. The developer should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via their Customer Portal prior to any formal Technical Application being submitted. This will allow Scottish Water 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.

Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd. Tel: 0333 123 1223. Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk).  
[www.sisp](http://www.sisp)