

Item: 5.1

Planning Committee: 1 September 2021.

Convert Existing Building to Two Houses, Erect Terrace of Three Houses and Five Storey Block of Nine Flats, and Other Works at Ayre House, Ayre Road, Kirkwall.

Report by Interim Executive Director of Finance, Regulatory, Marine Services and Transportation.

1. Summary

1.1.

It is proposed to redevelop an existing site at Ayre House, Ayre Road, Kirkwall, to create 14 residential units, comprising a five-storey block of nine flats, a terrace of three two-storey houses and conversion of the existing Ayre House to two houses. The development is acceptable in principle, as redevelopment within the settlement boundary of Kirkwall. Management of surface water, flood risk, contaminated land and access have been adequately addressed. Roads Services has objected on grounds of parking provision, which is considered in balance with other policy and material considerations. Residential amenity would be adequately protected. The development is of significant scale, but on balance in relation to landscape and townscape, and in relation to the setting of the adjacent listed building, the design including scale is considered acceptable. The development is considered to accord with Policies 1, 2, 5A, 8A, 8B, 13A, 13B and 14C of the Orkney Local Development Plan 2017. Accordingly, the application is recommended for approval.

Application Number:	21/005/PP.
Application Type:	Planning Permission.
Proposal:	Convert existing building to two houses, erect a terrace of three houses and a five-storey block of nine flats, relocate access and associated infrastructure and hard and soft landscaping.
Applicant:	WRC Construction Limited, Crowness Crescent, Kirkwall, KW15 1GJ.
Agent:	Robert Potter and Partners LLP, c/o R Jonathan Potter, 110 West George Street, First Floor, Glasgow, G2 1QJ.

1.2.

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

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

2. Consultations

2.1. Environmental Health

“I have reviewed the ‘Phase I Geo-Environmental Risk Assessment’ undertaken by Envirocentre and submitted in support of the above planning application. I concur with the recommendations of the report that a further (Phase 2) geo-environmental site investigation is undertaken and pending the outcome of this investigation any necessary works that may arise. Environmental Health request that a condition is attached to any grant of planning consent to ensure that further investigation is undertaken and any associated works that may arise from the result of this investigation are carried out. The condition should be clear in that No Development shall commence until this has been completed to the satisfaction of the Planning Authority.”

2.2. Engineering Services

“We have no objection to the development proposed.”

2.3. Scottish Water

No objection.

2.4. Orkney Heritage Society

2.4.1.

“The Society welcomes the retention of Ayre House in the plans for housing redevelopment in the area. The terrace of three houses relates quite well to Ayre House. We do, however, have concerns about the 5-storey block of flats and worry that it is out of character with the surrounding buildings, though there was no unanimity in our board on this. On a positive note, the Society welcomes the proposed use of Orkney stone and its position set back from the road so that it does not compete with the Ayre Mills. We cannot see how this very modern square block could possibly be inspired by Orkney’s brochs and would prefer to see a design more in keeping with the surrounding buildings.”

2.4.2.

Significant redesign has been carried out since this response was received. Orkney Heritage Society was re-consulted in relation to the amended design, but no further comment was received.

2.5. Roads Services

2.5.1. Service Water Drainage.

“With regard to the proposed SuDS three of the four points raised previously have now been suitably addressed, which only leaves the matter of the actual construction detail for the proposed access, parking and pedestrian areas to be confirmed. However, this matter could be conditioned, provided the condition requires that detail is submitted and approved prior to any works commencing on site and that the

construction detail to be approved will not have an adverse impact on the approved SuDS for the development site.”

2.5.2. Parking.

“The provision of parking is a key element to all development sites and especially residential developments. While it is accepted that there are bus routes in the vicinity of the development which could be considered as justification for a slight reduction in parking, it in no way addresses the 50% reduction in parking spaces being provided with this development site proposal. It must also be noted the NRDG clearly states in Section 3.7 Parking Standards for Use Classes, Class 9: Houses “Dwellings are predominately travel origins”, it then goes on to state that “Therefore parking standards for origins should be used as a minimum standard”. Therefore, the parking currently being provided with this development proposal is unacceptable as it could have a negative impact on the public road network.”

“Given all of the above Roads Services has no option to object to this development proposal until such times as all matters raised have been suitably addressed.”

3. Representations

3.1.

Two objections have been received from:

- Mrs K Danby, 9 West House Flats, Ayre Road, Kirkwall, KW15 1QZ.
- Mr DA Sanderson, 8 West House Flats, Ayre Road, Kirkwall, KW15 1QZ.

3.2.

It should be noted that these representations were received in relation to the original design submitted. Significant redesign has been carried out since these representations were received, and the objectors were notified of the amendments. No further representation was received. Matters raised include:

- Design of the proposed development, specifically the block of flats.
- Risk of flooding.
- Road safety, in relation to the proposed access.

3.3.

Other matters are raised in relation to management of adjacent land and resultant impact on residential amenity; these matters are not material planning considerations relevant to the current application.

4. Relevant Planning and Site History

Reference.	Proposal.	Location.	Decision.	Date.
08/199/PPF.	Demolish existing house and erect 24 apartments and car parking.	Station House, Ayre Road, Kirkwall.	Refused.	22.01.2013.
13/189/PP.	Demolish existing house and erect 24 flats with car parking.	Ayre House (Land Near), Ayre Road, Kirkwall.	Refused.	31.03.2015.

5. Relevant Planning Policy and Guidance

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

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

The policies listed below are relevant to this application.

- Orkney Local Development Plan 2017.
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5A – Housing in Settlements.
 - Policy 8 – Historic Environment and Cultural Heritage.
 - Policy 13 – Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14 – Transport, Travel and Road Network Infrastructure.

6. Legal Aspects

6.1.

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

6.2.

Where a decision to refuse an application is made, the applicant may appeal under section 47 of the Act. Scottish Ministers are empowered to make an award of expenses on appeal where one party's conduct is deemed to be unreasonable. Examples of such unreasonable conduct are given in Circular 6/1990 and include:

- Failing to give complete, precise and relevant reasons for refusal of an application.

- Reaching a decision without reasonable planning grounds for doing so.
- Not taking into account material considerations.
- Refusing an application because of local opposition, where that opposition is not founded upon valid planning grounds.

6.3.

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

7. Assessment

7.1. Background and Proposal

7.1.1.

The application site is dominated by the vacant Ayre House, a large villa dating from the end of the nineteenth century which was built on reclaimed land adjacent to Ayre Mills. Its orientation and siting are based on its original setting within a narrow strip of land reclaimed alongside the Ayre, from which the house enjoys uninterrupted views across the Peedie Sea. The remainder of the site is vacant and open, and accessed from Ayre Road to the north. The Peedie Sea bounds the site to the east, with open public amenity space to the south and Ayre Mills to the west, as shown in the site plan attached as Appendix 1 to this report.

7.1.2.

Two previous proposed redevelopments of the site included demolition of Ayre House and were both refused. It is proposed to retain and reinstate Ayre House as part of the wider redevelopment of the site, in conjunction with its subdivision to two houses. A terrace of three houses would be erected adjacent to and on a similar scale to Ayre House, on the western boundary. The main part of the development would be the erection of a five-storey block of flats, with two matching flats on each of the first four floors, and a single flat on the top floor mainly within the roof space.

7.1.3.

The existing Ayre House reinstatement would include a Welsh slate roof, buff fireclay ridge tiles, metal rainwater goods, repointing of walls with a lime mortar and removal of cement and installation of new windows and doors. The terrace of houses would be simple in the colour palette, comprising a natural slate roof, light smooth render on the walls and grey windows and doors. The block of flats is proposed with more contemporary detailing, including a standing seam roof with skews, aluminium clad windows and doors, metal rainwater goods and a combination of two different renders – a dark render on the main section of the flats, with a light render to match the terrace and the rear section, as shown in the elevations attached as Appendix 2 to this report. The combination ensures a distinction, to emphasise the form of the taller, main part.

7.1.4.

The grounds of the development would be a mix of hard and soft landscaping, including access and parking, bin storage adjacent to the entrance and soft landscaping in both private and shared outside amenity spaces.

7.2. Principle

The site is located within the settlement boundary of Kirkwall, and Policy 5A notes a presumption in favour of appropriate residential development where it consists of infill development, conversion and/or the redevelopment of derelict land. The principle of the development is therefore acceptable.

7.3. Residential Amenity

Although large in scale and relatively close to the existing flats within Ayre Mills, there would be no impact in relation to daylight or overlooking, given the orientation of the existing buildings and the blank gable to the east, facing towards the proposed development. As an entirely residential development, occupancy of the residential units would not introduce any activity to the area that would impact residential amenity. Any noise during construction, including hours of operation, would be controlled by planning condition.

7.4. Surface Water Drainage

Policy 13B requires development of the skill proposed to incorporate sustainable drainage systems (SuDS). The submission includes a drainage design which demonstrates compliance with best practice and includes pre- and post-development run-off calculations and measures to be used to manage surface water. Engineering Services and Roads Services have no objections on grounds of surface water drainage.

7.5. Flood Risk

The site is protected from coastal flooding by the Kirkwall Harbour Flood Prevention Scheme. In relation to risk of surface water flooding, finished floor levels meet the highest surface water flood level with freeboard allowance around the Peedie Sea. Engineering Services has confirmed no objection on grounds of flood risk and finished floor levels would be controlled by planning condition.

7.6. Contaminated Land

7.6.1.

At least part of the site is artificial ground, being reclaim from coastal waters. An initial intrusive investigation was undertaken in October 2020, including excavation of six trial pits. All trial pits exposed made ground, which contained a variety of waste materials including ash, glass bottles, hard and soft plastics, lead piping, concrete, metal fragments/wire, timber fragments and tyres. Hydrocarbon odours were noted in pits excavated in the west of the site. A Phase I Geo-Environmental Risk Assessment has been submitted in support of the application which notes that the overall risk to human health, the water environment and property in the form of

buildings and services is considered medium. The Assessment recommends that further geo-environmental site investigation be undertaken incorporating geo-chemical analysis of soils for contaminants of concern and including installation of monitoring boreholes to allow ground gas and groundwater monitoring to be completed. Given the nature of the made ground on site, a geotechnical site investigation would also be required to inform the suitability of the material for construction.

7.6.2.

Environmental Health confirms acceptance of the recommendations of the Phase I Geo-Environmental Risk Assessment and that a further (Phase 2) geo-environmental site investigation be undertaken and has no objection to the current application pending the outcome of this investigation and any necessary works that may arise. In accordance with the requirements of Environmental Health, a planning condition would be attached to ensure that further investigation be undertaken and to ensure that any works that arise from the result of the investigation are carried out. The condition would be clear that no development would be authorised to commence until the investigation and any works required are completed to the satisfaction of the Planning Authority.

7.7. Access and Parking

7.7.1. Access

The access would be close to the existing site access, moved a few metres to accommodate bin storage. Visibility splays from the access junction have been tested and Roads Services has no objections on access. It is therefore considered that the safety of users of the development and Ayre Road would be adequately protected, in accordance with Policy 14C.

7.7.2. Parking

Roads Services has objected on grounds of lack of parking provisions, as follows: "The parking provision provided with this development proposal is less than would normally be expected for a development of this size and nature. The information provided with this development proposal indicates that fourteen parking spaces are to be provided which is approximately half of the provision required by the NRDG. While the NRDG does enable some reduction in parking if the development is close to good public transport links, it also indicates that the figures provided in the NRDG for domestic developments should be regarded as the minimum requirement."

7.7.3.

The development is therefore contrary to Policy 14B (part iii) which requires that, "Developments must accord with the car parking standards that are set in the National Roads Development Guide, which has been adopted as Planning Policy Advice."

7.7.4.

Failure to comply with this policy requirement is balanced against material considerations which would support the development, including that the site bounds the defined Town Centre, it is well connected to an existing network of roads, paths and cycleways, and long stay public car parking exists nearby. It is also relevant that the proposed development comprises redevelopment of a relatively constrained previously developed site. The weight afforded to those material considerations is a matter for the decision maker, in balance with policy provisions.

7.8. Affordable Housing

Policy 5B requires that “All housing proposals within Orkney’s settlements must demonstrate that they have considered and incorporated housing types and tenures which meet local housing requirements as outlined in relevant settlement statements, developments brief and masterplans”. There is no set number or proportion of units that would have to be delivered as affordable units by this policy provision, and it is a matter for the developer to reach agreement with the Planning Authority, in consultation with Housing Services, in relation to local housing requirements and the number and tenure of affordable units to be provided. It is available to the developer during that correspondence to provide a viability assessment and make any case that provision of affordable units would not be viable due to the costs of remediating the contaminated land or other matters; this has not formed part of negotiations to date and would be addressed by planning condition.

7.9. Design

7.9.1.

As noted above, the design has been amended significantly since first submission, and the design as now proposed follows the advice and principles of design required by the Planning Authority during negotiations. The renovation works to Ayre House are high quality, including reinstatement of traditional roof and wall finishes. The terrace of three houses is based on a simple rectangular plan and would maintain the ridge height and orientation of Ayre House and include a single wall finish and natural slate roof to provide a high quality and simple palette of materials.

7.9.2.

The block of flats is the most significant part of the development visually. A key design principle provided in Planning Authority advice was to maintain traditional form, but with contemporary detailing, to respect the form and shape of traditional buildings, particularly on this site where a large traditional building provides the setting, but do not seek to replicate or copy those traditional buildings in the detailing, but instead maintain a deliberate distinction between traditional buildings and high quality new development, and throughout maintaining a simplicity in detailing and materials and colours.

7.9.3.

The main form of the flats reflects Ayre Mills, based on a rectangular plan form, with a gable width and symmetrically pitched roof to reflect that of Ayre Mills, and with the

building orientated in line with Ayre Mills so that both gables would be seen together from the town centre. This main part of the form would be finished with a dark, recessive render and a standing seam metal roof. Proposed windows are shown vertically with recessed panels, to ensure a vertical emphasis through the building. Balconies are proposed in the north corners, with views across the harbour. These have been set into the built form, with posts in the corners, so the strength of the form is maintained. A four-storey projection is proposed to the rear, south side of the building. This is proposed in a deliberately contrasting light render and set below the eave height, to maintain the perception of the tall narrow traditional form of the main part of the building, while providing a deeper plan overall. The rear projection also includes balconies in the corners, for the south-facing flats, looking across the public open space adjacent to the Peedie Sea. The single flat in the roof space of the main block would have access to a terrace on the top of the rear projection, with a glass balustrade. Construction details of building features have been provided on request, including roof detailing, skews, and a roof detail where the top flat would take access to the terrace.

7.9.4.

Ayre Mills is a dominant building in its setting and stands alone at that side of the Peedie Sea as a building of that scale. This can have two contrasting effects, of requiring other development to be of smaller scale so that dominance is maintained, or alternatively providing some context for other large-scale development. The proposed development takes the latter approach. The form (the shape) of the development is considered appropriate, reflecting that of Ayre Mills and other traditional buildings. The proportions also reflect traditional building, including depth of plan and roof pitch. Massing is appropriate, following design amendments, and the volume of the block of flats is broken down into the darker rendered traditionally proportioned part, with the contrasting south projection. Materials are of sufficient quality.

7.9.5.

The design issue of key consideration is scale, both in terms of site coverage, but principally height. Although of generally similar scale to Ayre Mills, the ridge is higher than the highest part of the neighbouring traditional building. This is mainly an issue in terms of the setting of the listed building but is also a design issue worthy of consideration in a townscape context. The test required by Policy 2 is whether the proposed development “reinforces the distinctive identity of Orkney’s built environment and is sympathetic to the character of its local area” and whether it would have “a positive effect on the appearance and amenity of the area”. The scale of the development is significant in its context, that must be acknowledged. It must also be acknowledged that the prominence of Ayre Mills when viewed from the town centre across the Peedie Sea would be diminished. On balance, given the positives in terms of form, massing, proportions and materials, the design is considered to meet the tests of Policy 2.

7.10 Setting of Listed Building

7.10.1.

Some of the considerations of setting are similar to those of design considered above, principally the risk of the prominence of Ayre Mills being diminished, or erosion of the spatial definition of the existing complex of buildings. Relevant to that is understanding the history of the site; Ayre Mills was built as a tidal sawmill, which is rare in Scotland, and it has played an important role in the economy of Kirkwall and Orkney, with its orientation and siting based on its original setting within a narrow strip of land reclaimed alongside the Ayre. Given this significance for the historic development of Kirkwall and the Peedie Sea, as evidenced by the linear form of Ayre Mills, impact on setting must be managed sensitively.

7.10.2.

The negative considerations are that the linear character would be lost, on the basis the development includes building along the southern boundary of the application site, on land reclaimed later than development of Ayre Mills. The spatial definition and individual prominence of Ayre Mills would also be diminished. In favour is development of derelict ground adjacent to the listed building, and critically retention and reinstatement of Ayre House. The siting of the block of flats allows Ayre House to remain visible when the complex of buildings is viewed from the town centre and maintains the views of Ayre House across the Peedie Sea. On balance, it is not considered that any adverse impact on the setting of the listed building would be so great to merit refusal, in accordance with Policy 8.

8. Conclusion

8.1.

The development would create 14 residential units within the settlement boundary, adjoining the defined Town Centre. Contaminated land would be remediated. Residential amenity and the safety of road users would be adequately protected. A redundant traditional building would be safeguarded, and the design submitted follows advice provided by the Planning Authority. Impact on the setting of the adjacent listed building due to the scale of development is a key consideration. The balance of consideration includes an objection from the Roads Authority in relation to parking provision and submitted objections on material planning grounds.

8.2.

The development is considered to accord with Policies 1, 2, 5A, 8A, 8B, 13A, 13B and 14C of the Orkney Local Development Plan 2017. Failure to comply with Policy 14B in relation to parking provision is balanced against other material considerations. Accordingly, the application is **recommended for approval**, subject to the conditions attached as Appendix 3 to this report.

9. Contact Officer

Jamie Macvie, Planning Manager, Development Management, Email jamie.macvie@orkney.gov.uk

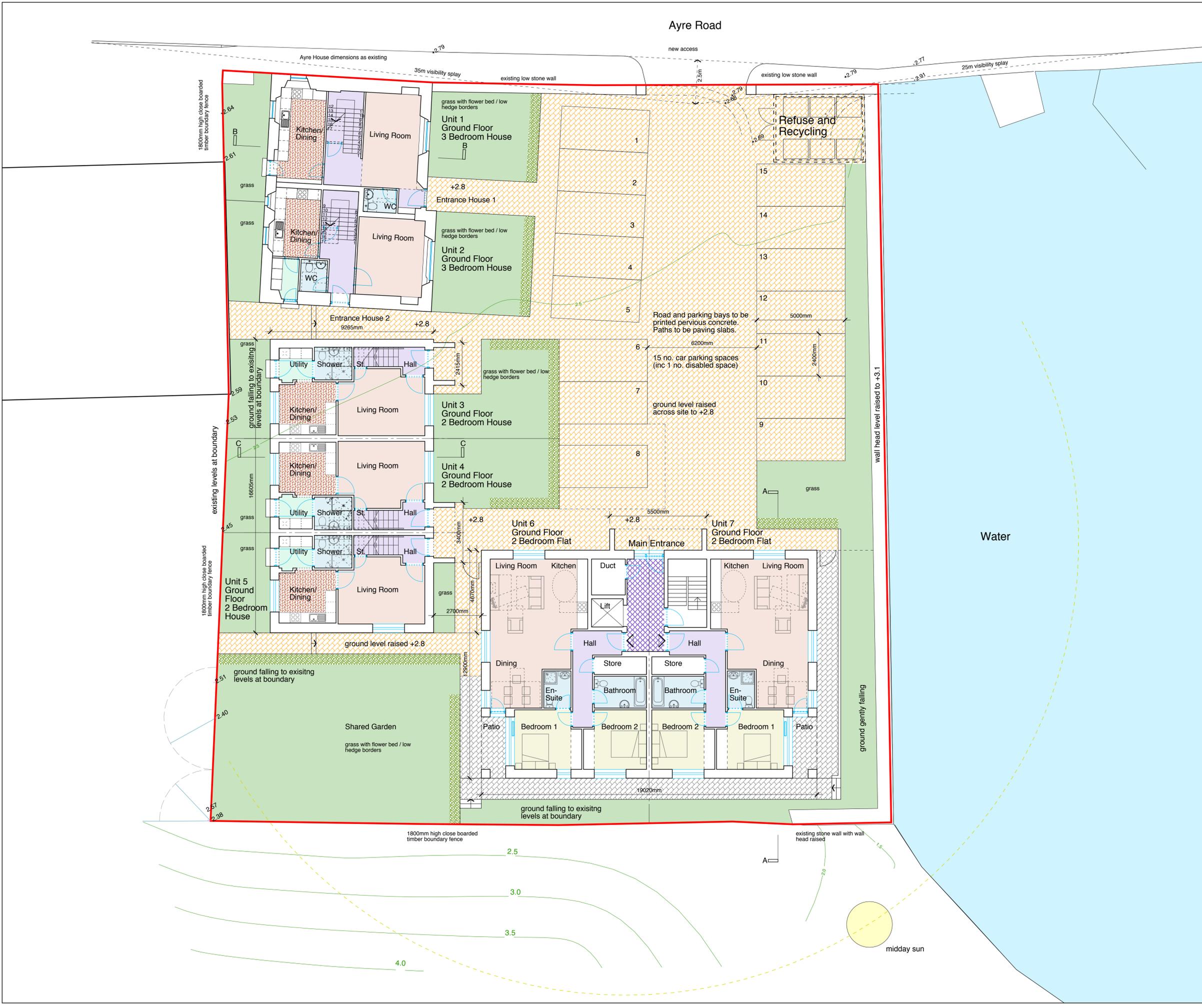
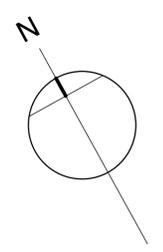
10. Appendices

- Appendix 1: Site Plan.
- Appendix 2: Elevations.
- Appendix 3: Conditions.

Ayre Road

NOTES

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14 no. Housing Units Proposed

2 no. 3 Bedroom Houses within Ayre House

3 no. 2 Bedroom Houses New-Build

8 no. 2 Bedroom Flats New-Build

1 no. 3 Bedroom Penthouse Flat New-Build

1:100 0 1 2 5 10m

REVISIONS & ADDITIONS	DATE	BY
A Ayre House plans added.	02.09.20	LTP
B Ayre House plans revised. Existing levels added. Notes added.	10.09.20	LTP
C Text added. Fill colours revised. 800mm window shown Flats Bedroom 1 LHS.	11.11.20	LTP
D Continuous boundary line shown, notes added re external specifications. Dimensions shown. Refuse Store reduced to allow 25m visibility splay.	18.01.21	LTP
E Corner column added to flat south patios.	13.05.21	LTP
F Path access to unit 3 terrace amended.	27.05.21	LTP

PROJECT

**Ayre Embankment,
Ayre House, Kirkwall.
Proposed Housing Development.**

DRAWING TITLE

Proposed Ground Floor Plan.

ROBERT POTTER & PARTNERS
CHARTERED ARCHITECTS & PROJECT MANAGERS

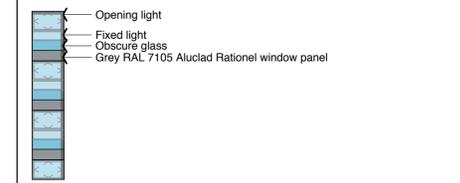
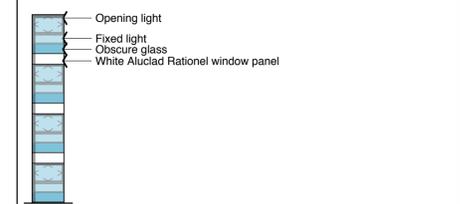
7 MILLER ROAD, AYR KAT 2AX 01292 - 261228
51 NEWALL TERRACE, DUMFRIES DG1 1LN 01387 - 255509
110 WEST GEORGE STREET, GLASGOW G2 1JQ 0141 - 332 9111
2 KINGDOM STREET, LONDON W2 6BD 020 3479 5931

SCALE	1:100@A1	6391/101
DATE	July 2020	
DRAWN BY	LTP	
CHECKED BY		REVISION
		F

NOTES

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KEY -
 R/M Rainwater downpipe and movement joint behind
 M Movement joint



REVISIONS & ADDITIONS	DATE	BY
A Elevations updated.	17.08.20	LTP
B Elevations updated. Stonework reduced. Existing levels shown.	02.09.20	LTP
C Ayre House existing stone fill colour revised.	11.09.20	LTP
D Elevations updated.	19.11.20	LTP
E External dimensions shown. Materials listed.	18.01.21	LTP
F Amendments made following discussions with Planning	09.05.21	LTP
G Amendments made following comments from Planning	27.05.21	LTP
H FFL raised to +2.95 AOD.	11.08.21	LTP

PROJECT
**Ayre Embankment,
 Ayre House, Kirkwall.
 Proposed Housing Development.**

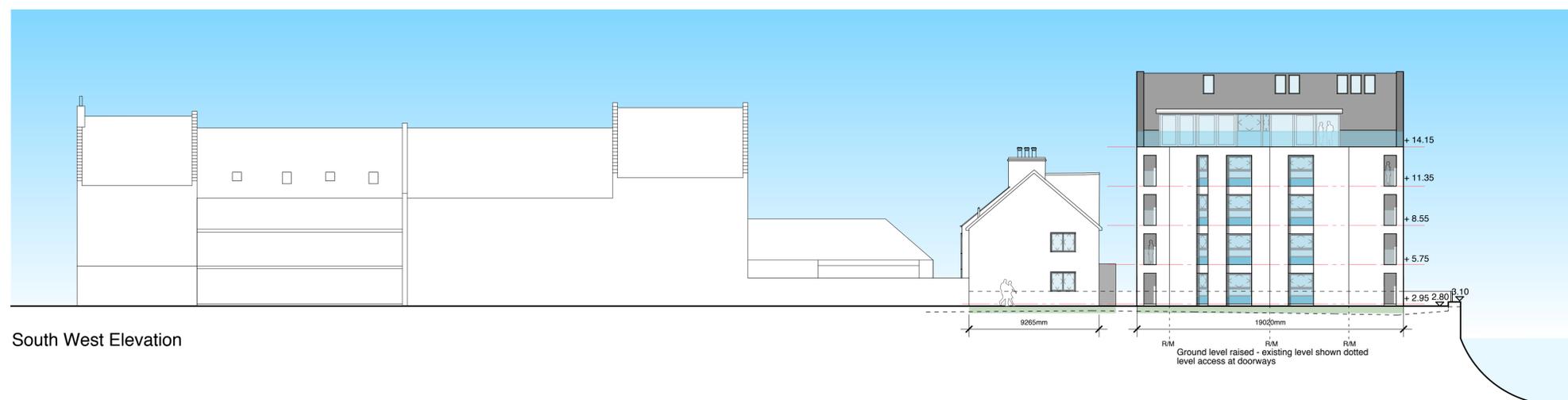
DRAWING TITLE
Proposed Alternative Elevations.

ROBERT POTTER & PARTNERS
 CHARTERED ARCHITECTS & PROJECT MANAGERS
 7 MILLER ROAD, AYR KAT 2AX 01292 - 261228
 51 NEWALL TERRACE, DUMFRIES DG1 1LN 01387 - 255509
 110 WEST GEORGE STREET, GLASGOW G2 1QU 0141-332 9111
 2 KINGDOM STREET, LONDON W2 6BD 020 3479 5931

SCALE	1:200	6391/103
DATE	April '21	
DRAWN BY	LTP	REVISION
CHECKED BY		



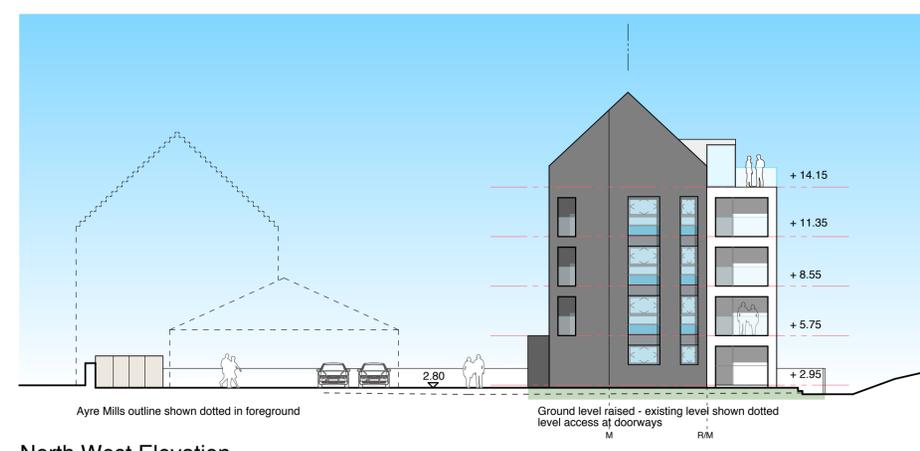
North East Elevation



South West Elevation



South East Elevation



North West Elevation

Appendix 3.

01. Hours of construction work on site 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 only take place between the hours of 07:30 and 19:00 Mondays to Fridays, 09:00 to 17:00 Saturdays, and not at all on Sundays or the Christmas or New Year Public Holidays, unless otherwise agreed, in writing, with the Planning Authority.

Reason: To safeguard the amenity of nearby residents.

02. No development shall commence until a detailed contaminated land remediation method statement has been submitted to, and approved in writing by, the Planning Authority, in conjunction with Environmental Health. This remediation method statement shall follow the recommendations of the Phase I Geo-Environmental Risk Assessment previously submitted and shall detail the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and shall detail the information to be included in a validation report. The remediation method statement shall also provide information on a suitable discovery strategy to be utilised on site should contamination manifest itself during site works that was not anticipated. Thereafter, the Planning Authority shall be provided not less than two weeks prior written notice of the commencement of the remediation works on site, and the development shall be undertaken wholly in accordance with the approved details.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to contractors, future users of the land, occupiers of nearby land and the environment. This condition is required to be addressed prior to commencement of development in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

03. No development shall commence until details of affordable housing provision have been submitted to, and agreed in writing by, the Planning Authority, in conjunction with Housing Services. These details shall include consideration and incorporation of housing types and tenures which meet local housing requirements and phasing of the development, and/or a viability assessment. Thereafter, the development shall be delivered wholly in accordance with all agreed details.

Reason: To ensure the development meets local housing requirements in accordance with Policy 5B of the Orkney Local Development Plan 2017.

04. Notwithstanding the details included within the site plan hereby approved, no development shall commence until a Scheme of Landscaping for all hard and soft landscaping is submitted to, and approved in writing by, the Planning Authority. The Scheme of Landscaping shall include:

- The location of all proposed tree, shrub, hedging and grass planting.

- A planting schedule comprising layout, number, density, species, height of all trees and shrubs and seed mix of all grass areas.
- The location, design and materials of all hard landscaping works, including walls, fences and gates.
- A timescale for implementation and completion of all soft and hard landscaping contained in the Scheme of Landscaping, including all tree and shrub planting in the first planting season following commencement of development. All roads, footpaths, parking, bin storage and all other hard landscaping shall be completed wholly in accordance with approved details prior to first occupation of any residential unit within the development.

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

Any tree or shrub planting which, within a period of five years from planting, in the opinion of the Planning Authority, is dead, dying, diseased or severely damaged, shall be replaced by a tree or shrub of similar size and species to that originally planted, unless otherwise agreed, in writing, with the Planning Authority.

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

Reason: To protect the character and appearance of the area and residential amenity.

05. The development hereby approved shall be finished externally using the following materials and colours:

- Ayre House Roof – Welsh slate with buff fireclay ridge tiles and in-line slate vents.
- Ayre House Walls – cement pointing removed and repointed with a lime mortar.
- Terrace Roof – natural slate with buff fireclay ridge tiles and in-line slate vents.
- Terrace Walls – smooth render in white/off-white.
- Roof of Flats – standing seam metal.
- Walls of Flats – smooth render in dark grey and white/off-white.
- Windows and doors – aluminium clad.
- Rainwater goods – black metal.

Notwithstanding details included in the elevations hereby approved, no development affecting Ayre House shall commence until full details of window mullions within Ayre House are submitted to, and approved in writing by, the Planning Authority. Thereafter, the windows and mullions shall be installed in accordance with these approved details.

All openings within the existing wall of Ayre House that are blocked up shall be completed using matching materials and method of construction including repointing of the surrounding wall.

The existing fireclay chimney pots on Ayre House shall be retained in situ, or removed for the duration of works and replaced, or matching historic chimney pots reinstated.

No construction shall commence until a sample panels or samples of all external materials (including colours with RAL specified where applicable) are submitted to, and agreed in writing by, the Planning Authority.

The development and works shall thereafter be carried out wholly in accordance with these approved details.

No part of the development shall be occupied until all approved external works to Ayre House are completed in accordance with approved details.

Reason: To protect the character and appearance of the area and setting of the listed building, and to ensure external works to Ayre House are completed, as these works are part justification for the new build development.

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

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

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

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

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

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

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

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

- Confirmation of maintenance responsibilities and arrangements for all surface water devices, roads, footways and landscaping.
- Full maintenance details, including a maintenance schedule, of all roads and footways.
- Full maintenance details, including a maintenance schedule, of all surface water devices, including permeable paving.
- A maintenance schedule for all surface water devices.

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

09. The finished floor level of all development shall be not less than 2.9m AOD.

Reason: To minimise risk from flooding and in accordance with submitted information.