

Item: 4

Planning Committee: 8 October 2025.

**Proposed Erection of House (Resubmission of 24/259/PP) near
1 Hellihole Road, Stromness.**

Report by Director of Infrastructure and Operational Development.

1. Overview

- 1.1. This report considers an application to erect a house with an air source heat pump on land near 1 Hellihole Road, Stromness, as a resubmission of planning application 24/259/PP. The site is close to the Stromness Conservation Area. Consideration of the application has included assessment of the impacts on the harbour leading lights (navigation markers) and a rock stability assessment. One representation (objection) has been received. The development complies with relevant policies, and the objection and other material considerations do not merit refusal of the application.

Application Reference:	25/039/PP.
Application Type:	Planning Permission.
Proposal:	Erect a house.
Applicant:	Mr and Mrs Low.
Agent:	James Huntley Architectural Services, 4 Old Hall Buildings, Charlestown Road, Aboyne, AB34 5EJ.

- 1.2. All application documents (including plans, consultation responses and valid representations) are available for members to view [here](#) (click on “Accept and Search” to confirm the Disclaimer and Copyright document has been read and understood, and then enter the application number given above).

2. Recommendation

2.1. It is recommended that members of the Committee:

- i. Approve the application for planning permission in respect of the proposed erection of a house (resubmission of 24/259/PP) on land near 1 Hellihole Road, Stromness, subject to the conditions detailed in Appendix 1 to this report.

3. Consultations

Roads Services

- 3.1. Information provided during consideration of the application is acceptable and addresses earlier concerns by Roads Services. Conditions are required in relation to the construction of a widened section of driveway and to manage vegetation along the boundary of the public road, trimmed so that it does not encroach into the public road.

Scottish Water

- 3.2. No objection to the planning application.

Environmental Health

- 3.3. No objection, subject to a standard condition regarding air source heat pump noise.

Marine Services

- 3.4. No objection, following receipt of amended details, and subject to conditions:

“With reference to the latest drawing number 240/P04 A we can now see that the proposed development will not alter the visibility of the navigation marks. That being said we would like to make the following points, which if possible, should be conditions of any planning permissions granted:

1: That due to the close proximity of the alignment of the higher leading light and the path as shown in the drawing, that nothing be placed at any time in front of the proposed building that has a height more than the apex of the garage associated with the proposed building. This is to prevent the upper light being obscured.

2: Noting (1) above, that during construction of the proposed building there will be a need for scaffolding to be erected, which in turn would go against the requirement in (1) above. With this in mind we would require notification of when this would happen in order that a Notice to Mariners can be issued detailing the possibility that the higher light may be obscured. We would require this not to be longer than six (6) months) in duration before any scaffolding or other obstruction is removed.

3: It is obvious from the drawing that the angles of the higher light will pass the upper floor of the proposed building at in close proximity. It must be understood that we will not in any way accept any requests in the future to adjust this higher light, if there is any glare or perception that in looking out of the upper windows of the proposed building a person would in effect be looking through “red” light. These navigation lights have very specific and accurate cut off angles and therefore very little glare outside of the angles stated, but due to the close proximity of the upper light passing the proposed building we consider that there may be a perception of looking through a red tint. If that is the case and due to the statutory nature of navigation lights etc we will not alter in any way this Aid to Navigation. This must be understood by the applicant and any future owner/occupier of the house.”

Engineering Services

3.5. Earlier flood risk comments have been addressed, and no objection.

4. Representation

4.1. One valid representation (objection) has been received from:

- Fiona Matheson, 90 Dundas Street, Stromness, KW16 3DA.

4.2. The representation is on the following grounds:

- Detrimental to conservation area.
- Impact on historic environment.
- Impact on landscape, including cliff face of former quarry.
- Loss of green space.
- Prejudice the wider development of the area.
- Piecemeal development.
- Lack of infrastructure.

5. Relevant Planning History

Reference.	Proposal.	Location.	Decision.	Date.
24/259/PP.	Erect a house with an air source heat pump and create an access.	1 Hellihole Road (Land Near), Stromness.	Withdrawn.	16.12.2024.
22/369/PP.	Erect a house and create an access.	1 Hellihole Road (Land Near), Stromness.	Withdrawn.	31.05.2024.
91/356/PPO.	Proposed Site for a House and Garage.	Hellihole Road (Land Near), Stromness.	Refused.	03.09.1991.
90/109/PPO.	Proposed Site for a House and Garage.	Hellihole Road (Land Near), Stromness.	Refused.	17.04.1990.
86/316/PPF.	Proposed Erection of a Garage.	Hellihole Road (Land Near), Stromness.	Granted subject to conditions.	25.11.1986.

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. National Planning Framework 4 can be read on the Scottish Government website [here](#).
- 6.3. The key policies, supplementary guidance and planning policy advice listed below are relevant to this application:
 - National Planning Framework 4:
 - Policy 1: Tackling the climate and nature crises.
 - Policy 2: Climate mitigation and adaptation.
 - Policy 3: Biodiversity.
 - Policy 7. Historic assets and places.
 - Policy 9: Brownfield, vacant and derelict land and empty buildings.
 - Policy 13: Sustainable transport.
 - Policy 14: Design, quality and place.

- Policy 15: Local Living and 20 minute neighbourhoods.
- Policy 22: Flood risk and water management.
- Orkney Local Development Plan 2017:
 - Policy 1: Criteria for All Development.
 - Policy 2: Design.
 - Policy 3: Settlements, Town Centres and Primary Retail Frontages.
 - Policy 4: Business, Industry and Employment.
 - Policy 8: Historic Environment and Cultural Heritage.
 - Policy 13: Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14: Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance:
 - Settlement Statements (2017).
- Planning Policy Advice:
 - Amenity and Minimising Obtrusive Lighting (2021).
- Development Management Guidance:
 - Considering and Including Biodiversity in Development (2023).

7. Legislative Position

- 7.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended (the Act) states, “Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise...to be made in accordance with that plan...”.
- 7.2. Annex A of Planning Circular 3/2013: ‘development management procedures’ provides advice on defining a material consideration, and following a House of Lords’ judgement with regards the legislative requirement for decisions on planning applications to be made in accordance with the development plan, confirms the following interpretation: “If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted”.
- 7.3. Annex A continues as follows:
 - The House of Lords’ judgement also set out the following approach to deciding an application:
 - Identify any provisions of the development plan which are relevant to the decision.

- Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies.
- Consider whether or not the proposal accords with the development plan.
- Identify and consider relevant material considerations for and against the proposal.
- Assess whether these considerations warrant a departure from the development plan.
- There are two main tests in deciding whether a consideration is material and relevant:
 - It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land.
 - It should relate to the particular application.
- The decision maker will have to decide what considerations it considers are material to the determination of the application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.
- The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:
 - Scottish Government policy and UK Government policy on reserved matters.
 - The National Planning Framework.
 - Designing Streets.
 - Scottish Government planning advice and circulars.
 - EU policy.
 - A proposed local development plan or proposed supplementary guidance.
 - Community plans.
 - The environmental impact of the proposal.
 - The design of the proposed development and its relationship to its surroundings.
 - Access, provision of infrastructure and planning history of the site.

- Views of statutory and other consultees.
 - Legitimate public concern or support expressed on relevant planning matters.
 - The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.
- 7.4. 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.
- 7.5. An award of expenses may be substantial where an appeal is conducted either by way of written submissions or a local inquiry.

Status of the Local Development Plan

- 7.6. Although the Orkney Local Development Plan 2017 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.

Status of National Planning Framework 4

- 7.7. National Planning Framework 4 (NPF4) was adopted by Scottish Ministers on 13 February 2023, following approval by the Scottish Parliament in January 2023. The statutory development plan for Orkney consists of NPF4 and the Orkney Local Development Plan 2017 and its supplementary guidance. In the event of any incompatibility between a provision of NPF4 and a provision of the Orkney Local

Development Plan 2017, NPF4 is to prevail as it was adopted later. It is important to note that NPF4 must be read and applied as a whole, and that the intent of each of the 33 policies is set out in NPF4 and can be used to guide decision-making.

- 7.8. In the current case, there is not considered to be any incompatibility between the provisions of NPF4 and the provisions of the Orkney Local Development Plan 2017, to merit any detailed assessment in relation to individual NPF4 policies.

8. Assessment

Background and Proposal

- 8.1. As noted in section 1 above, planning permission is sought to erect a house near 1 Hellihole Road, Stromness, as indicated on the Location Plan attached as Appendix 2 to this report. It is proposed that the house would be connected to an existing garage on the site.

Location

- 8.2. Hellihole Road is relatively narrow, rising steeply from Melvin Place to Back Road with stone dykes on either side. Navigational marker lights (the leading lights) sit either side of the road, providing lighting for safe navigation into the harbour. The proposed site is on the north side of the road. This part of the town is at the outer edge of Stromness Conservation Area, forming part of the setting, and is within the Hoy and West Mainland National Scenic Area. The site is within an area of land between the road and a rock face to the north and has the character of formerly being separate gardens associated with the houses in the street. However, this site has the appearance of being unattended and is largely overgrown. Several buildings have been erected along the north side of Hellihole Road. There is a traditional two-storey house at the top of the road, with garages and shed at the lower end of the road. A two-storey house was built in 2008/2009 at the bottom of the hill. A garage built in the 1980s forms part of the current proposed development. There are several existing openings in the roadside stone, which is in poor condition in places.
- 8.3. The rock face on the northern boundary of the site is up to 5.5 metres in height. A chartered engineer was appointed by the applicant to carry out a survey of the rock face to ensure its stability, based on: “Both qualitative and quantitative approaches have been used to evaluate the risk of slope failure at the site on Hellihole road in Stromness”.

- 8.4. The report confirms that conservatively the lowest average site determined strength properties for both rock and soil were used in the numerical stability analysis. The global analysis of the slope using these conservative lower bound strength values demonstrates that the factor of safety against slope failure for both locations surveyed is in excess of the Eurocode minimum requirements for design stability.
- 8.5. Sensitivity analysis demonstrated some sensitivity of the factor of safety to the material models considered but showed that in all cases the factors of safety against slope failure were acceptable. Additionally the stereonet analysis undertaken with strike and dip measurements from the rock mass show that both plane and wedge failure mechanisms are very unlikely to occur.
- 8.6. Whilst presented in necessarily technical terms, the conclusion of the technical survey is that the rock face at the site is sufficiently stable, having adequate factor of safety against failure, and that this is not a reason for refusal of the application.

Principle

- 8.7. The proposed site is within the settlement boundary of Stromness. Under Policy 5A 'Housing in Settlements' of the Local Development Plan there is a presumption in favour of appropriate residential development where it consists of infill development, conversion, the redevelopment of derelict land/ existing premises and the sub-division of garden grounds. The development is therefore acceptable in principle, including incorporating the existing garage. Although described as prejudicing the wider development of the area in the representation, this type of infill development is specifically allowed for in allocated land within the settlement boundary. The representation also describes the development as 'piecemeal'. Again, individual houses as infill development within settlement boundaries is provided for by policy. Neither of these points of representation therefore merit refusal of the application.
- 8.8. The site is adjacent to the Stromness Conservation Area, with the boundary running along the eastern boundary of the site. The retention of the remaining stone wall is considered appropriate in that context. The proposal would be a clearly and deliberately modern design, but with proportions and simple form respecting its location. There is context for the proposed height in this location, and the design is not considered to have any unacceptable impact on the setting of the Conservation Area. Since initial submission including under the previous application that this forms resubmission of, the house has been redesigned and

relocated to the rear of the site to ensure that the building does not impact on the visibility to the leading lights.

- 8.9. The site is of adequate size to accommodate the necessary garden ground, meeting biodiversity requirement, amenity space, bin storage and car parking provision. Notwithstanding comments in the representation regarding lack of infrastructure, the site can be adequately connected to infrastructure, including electricity and water, and a foul drainage connection. Safe access can also be provided to the site.

Size and siting of the proposed house

- 8.10. The proposed house is two storeys, connected into the existing single-storey garage. The house has been designed as two elements around a T-shape footprint, utilising different finishing materials. The finishes include dark grey timber walls to the front and north elevations and standing seam metal to the roof and south elevation, with the walls of the existing garage retained as existing.
- 8.11. Whilst overtly modern in terms of materials and overall design, the scale and massing are appropriate to the location, particularly when considered and viewed behind a repaired traditional stone boundary wall to the public road.

Historic Environment

- 8.12. The impact of the proposal on the historic environment of Stromness and the characteristic of this area is raised in the representation. It is highlighted in the representation that the garden plots in this area were an important part of the landscape of the town, providing gardens for the properties on the street where the value to commerce was higher.
- 8.13. Notwithstanding comments raised in the representation, the area has become largely overgrown and the traditional characteristics that existed have been generally lost, mainly through lack of active use as garden ground, being used for storage associated with the existing building and garages.
- 8.14. It is not considered that the loss of this overgrown area of former garden would have an unacceptable adverse impact on the setting, character or appearance of the adjacent conservation area, replaced by a modern house with associated landscaped garden. As noted above, the development also has opportunity to enhance the approach to the Conservation Area by retaining and repairing the traditional stone boundary dyke on Hellihole Road.

- 8.15. In addition to the house already incorporating traditional proportions and presenting its two storeys, and the massing is broken down to the two elements, it should be noted that minor but important design amendments were also made during consideration of the application, including the reduction of overhangs at the edges of the roof and a simplified balustrade at the front decking, to help achieve a simplicity of design. Overall, and notwithstanding the representation regarding impact on the Conservation Area and the historic environment more generally, it is considered that the development would not have an unacceptable impact on the character or appearance of the Conservation Area.

Landscape

- 8.16. In the context that the land was used in the past for storage of vehicles and other materials, and as described above the current overgrown state, using this land as the site for a modern house and garden is considered as enhancing the green space. The representation has raised concerns regarding the loss of green space and valuable food growing space as well as landscape impact including the rock face; however, it has not been used for growing food for a long time, and this is not a reason to prohibit development. The biodiversity enhancement measures proposed in conjunction with the removal of scrap materials that would be necessary, will help ensure that in the long term the area will provide valuable green space. Whilst inevitably the development would result in the loss of a small area of currently undeveloped land, the proposal would ultimately provide more managed green space than at present, including the proposed planting and landscaping which would actively contribute to biodiversity value. The proposal complies with Policy 3 'Biodiversity' of NPF4 which seeks to conserve, restore and enhance biodiversity

Biodiversity

- 8.17. As noted above, proposed biodiversity measures are proportionate to the nature and scale of the development, as described in the submitted Biodiversity form (dated 18 July 2024). A condition would ensure the proposed biodiversity measures are carried out.

Access

- 8.18. Roads Services has raised no objection to the proposal, although highlighted concerns regarding the parking provision. The parking spaces shown are narrow in relation to the standard size required for two parking spaces; however, there is adequate land within the site to ensure that two vehicles can be parked. This matter can be controlled by planning condition to ensure these spaces are

provided. On that basis, the proposal complies with Policy 14 'Transport, Travel and Road Network Infrastructure' of the Local Development Plan.

Navigation

- 8.19. As noted above, navigational markers (leading lights) are located one on each side of Hellihole Road. These are critical to the navigation of vessels into Stromness Harbour. Amendments have been made to the proposed development to ensure it would not impact or compromise the clear line of sight to the leading lights. An impact assessment has been undertaken by the applicant in terms of visibility and, on consultation, Marine Services is satisfied there would be no impact on the visibility to the leading lights. Due to the close proximity of the building to one of the leading lights, Marine Services has requested that several planning conditions are attached to any approval, to control that during construction notification is provided so mariners are aware of any scaffolding on site, and in the long term to ensure the clear line of sight is maintained by ensuring that no obstruction to visibility. In addition, Marine Services request that the applicant be made aware that the leading lights are permanent statutory fixtures and will not be altered or adjusted or changed in the future due to any impact the lights are perceived to have on the house, including red light glare. Planning conditions would be attached as required.

Flooding/ Surface Water

- 8.20. Information on overland flows of surface water across the site have been provided, to an acceptable standard. Amended plans were submitted, resizing the soakaway to meet infiltration values for the site.
- 8.21. Engineering Services is satisfied with the proposed development plan and has removed an earlier objection. The proposed development would not create additional risk of flooding and complies with Policy 22 'Flood risk and water management' of NPF4 and Policy 13 'Flood Risk, SuDS and Waste Water Drainage' of the Local Development Plan.

Residential Amenity

- 8.22. Given the separation distances from neighbouring properties, it is considered the development would have no unacceptable impact on these neighbouring properties. There would be noise resulting from construction works. However, these works would be relatively short-term, and hours of work would be restricted by condition. Environmental Health has recommended a condition regarding potential noise from the proposed air source heat pump.

- 8.23. The proposal would comply with Policy 1 ‘Criteria for All Development’ of the Local Development Plan and Policy 14 ‘Design, quality and place’ of NPF4.
- 8.24. The proposed use would contribute positively to the living component of the 20-minute neighbourhoods within the settlement where it accords with Policy 15 ‘Local Living and 20 minute neighbourhoods’ of NPF4.

Representations

- 8.25. In addition to the points addressed above, in the context of being prejudicial to the development of the wider area, the representation includes reference to the nearby housing allocation STR-18. A development brief ‘Stromness: South End Development Brief’ was adopted in July 2024 which covers the adjacent allocated land, and other land in the wider area, and considers many of the additional matters raised regarding infrastructure requirements in terms of roads, water and sewerage. As noted above, this proposed development would not impact the wider development of the area including the land within the housing allocation.

9. Conclusion

- 9.1. The proposal complies with the Orkney Local Development Plan 2017 and National Planning Framework 4. The proposal is acceptable with regards to its impact on the historic environment, the character and appearance of the Conservation Area and the residential amenity of neighbouring properties. The proposed house would have adequate amenity space, safe access and parking provision. There are no material planning considerations, including the matters raised within the representation, that would merit refusal of the application.

For Further Information please contact:

Margaret Gillon, Senior Planner (Development Management), Email
margaret.gillon@orkney.gov.uk

Implications of Report

1. **Financial:** None.
2. **Legal:** Detailed in section 7 above.
3. **Corporate Governance:** In accordance with the Scheme of Administration, determination of this application is delegated to the Planning Committee.
4. **Human Resources:** None.
5. **Equalities:** Not relevant.
6. **Island Communities Impact:** Not relevant.
7. **Links to Council Plan:** Not relevant.
8. **Links to Local Outcomes Improvement Plan:** Not relevant.

- 9. Environmental and Climate Risk:** None.
- 10. Risk:** If Members are minded to refuse the application, it is imperative that clear reasons for proposing the refusal of planning permission on the basis of the proposal being contrary to the development plan policy and the officer's recommendation be given and minuted. This is in order to provide clarity in the case of a subsequent planning appeal or judicial review against the Planning Committee's decision. Failure to give clear planning reasons for the decision could lead to the decision being overturned or quashed. In addition, an award of costs could be made against the Council. This could be on the basis that it is not possible to mount a reasonable defence of the Council's decision.
- 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](#).

Appendices

Appendix 1 – Planning conditions.

Appendix 2 – Location Plan.

Appendix 1.

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

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

02. No development shall commence until a Construction Method Statement has been submitted to and approved, in writing, by the Planning Authority. The Statement shall include but not be limited to:

- Parking of vehicles of site operatives and visitors.
- Loading and unloading of plant and materials.
- Storage of plant and materials used in construction of the development.
- Erection and maintenance of site fencing.
- 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.

Thereafter, the development shall be constructed wholly in accordance with the approved Construction Method Statement.

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

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

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

04. All landscaping works shall be carried out in accordance with the proposed site plan (reference J8614). No development shall commence until full details of the number, density and species of trees proposed to be planted, and full details of any existing trees or shrubs on the site to be pruned or removed, have been submitted to and approved, in writing, by the Planning Authority. All approved planting and seeding shall be carried out in the first planting season following the commencement of the development, unless otherwise stated within the approved details. Any trees or plants which, within a period of five years from the completion of the development, die or for whatever reason are removed or damaged shall be replaced in the next

planting season with others of the same size and species unless otherwise approved, in writing, by the Planning Authority.

Reason: To ensure that the approved landscaping works are properly undertaken on site and that biodiversity measures are implemented.

05. Any exterior lighting installed within the site shall be positioned, angled and controlled to prevent any direct illumination, glare or light spillage outwith the site boundary.

Reason: To ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

06. In conjunction with the Construction Method Statement specified in condition 02, 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 to reduce any possible nuisance arising to nearby residents during the construction of this development.

07. Notwithstanding the provisions of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order with or without modification), no building, structure or any other development shall be carried out between the house and the public road that exceeds three metres above existing ground level (approximately the height of the apex of the garage). In addition, all trees, shrubs or any other vegetation shall also be maintained to not exceed three metres above existing ground level.

Reason: In the interest of navigational safety, to ensure the leading light is not obscured.

08. Notwithstanding the provisions of Part 4 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order with or without modification), if it is proposed to breach the terms of condition 07 or cause any obstruction to the visibility of the leading light due to scaffolding, plant, machinery or any other temporary obstruction during construction of the development, no such temporary works shall be carried out until notification has been provided to Marine Services, Orkney Islands Council, in order that a Notice to Mariners can be issued, including the proposed duration of those temporary works which shall never exceed six months, and no such temporary works shall be carried out until these works have been agreed, in writing, by the Planning Authority.

Reason: In the interest of navigational safety, to ensure the leading light is not obscured.

09. Total noise from the air source heat pump(s) 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.

10. No other development shall commence until the existing access junction with the public road has been widened and upgraded wholly in accordance with the details included in drawing "Site Plans & Sections drawing No 240/P02 C". Thereafter, the access shall be retained in accordance with these details throughout the lifetime of the development.

Reason: In the interests of road safety.

11. No development shall commence until all vegetation along the boundary of the public road has been pruned/reduced to ensure it does not encroach beyond the site boundary into the public road along the whole frontage of the site. Thereafter, all vegetation along the frontage of the road shall be retained in accordance with these details throughout the lifetime of the development.

Reason: In the interests of road safety.

12. Notwithstanding submitted details, all stone boundary dykes at the site shall be retained throughout the lifetime of the development, and shall be maintained in a functional condition, free from damage or disrepair. No development shall commence until full details of all proposed finished boundary treatments have been submitted to and approved, in writing, by the Planning Authority. Thereafter the boundary treatments shall be retained in accordance with these details throughout the lifetime of the development.

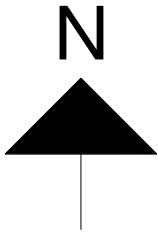
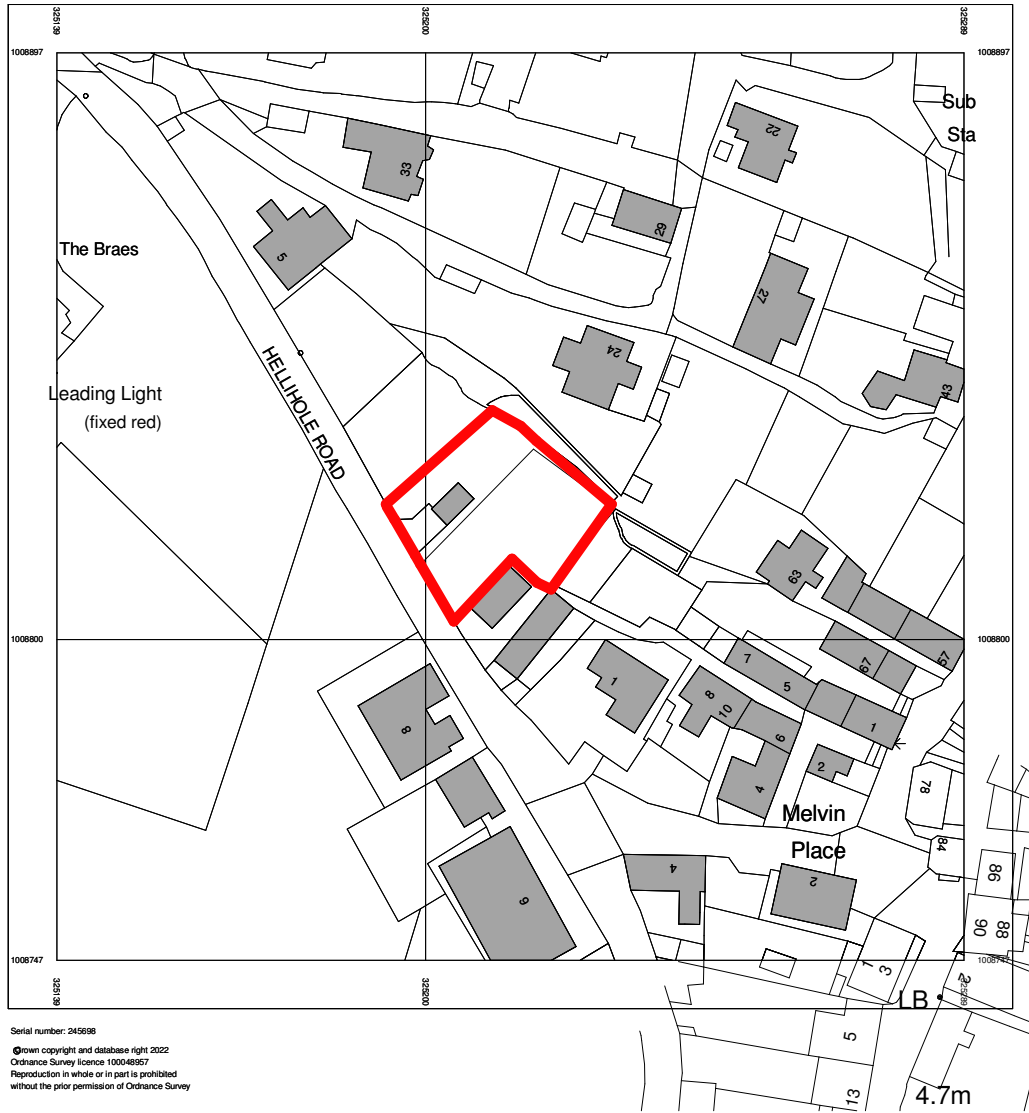
Reason: In the interests of visual amenity and to retain the character of the area.

13. The biodiversity measures described in the biodiversity form (dated 18.07.2024) shall be implemented in full no later than the first planting season following commencement of development. Thereafter the biodiversity measures shall be permanently retained in accordance with the approved details, including replacement of any planting that does not survive, is removed, or is damaged, unless otherwise agreed, in writing, with the planning authority.

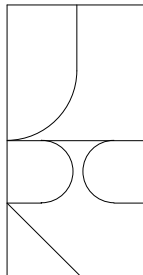
Reason: To ensure biodiversity measures are implemented as required by National Planning Framework 4 Policy 3.

14. In conjunction with the drawings hereby approved, no development shall commence until full and final details of the type and colouring of the cladding material for the roof and walls of the development have been submitted to and approved, in writing, by the Planning Authority. Thereafter, the development shall be completed wholly in accordance with approved details.

Reason: For the avoidance of doubt, to ensure the finish is appropriate in its context.



Rev	Date	Description



James Huntley BSc MCIAT
Architectural Services

4 Old Hall Buildings, Charlestown Road, Aboyne, AB34 5EJ

Tel: 07736773642

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www.jharchitectural.co.uk

PROJECT: New Build House

SHEET TITLE: Location Plan

ADDRESS: Hellihole Road Site, Stromness

SCALE: 1 : 1250

DRAWING
 NUMBER 240 / P01

CLIENT: Mr & Mrs Low

DATE: 11/01/25