

**Item: 3**

**Planning Committee: 28 May 2025.**

**Proposed Conversion of Building to Mixed Use Nightclub, Bar, Bowling Alley and Other Indoor Recreation, Convert Courtyard to Event Space, Erect Kiosks, and Associated Works (temporary for 10 years) (part amendment to 23/422/PP) (part retrospective) at 18 Bridge Street, Kirkwall.**

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

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## **1. Overview**

- 1.1. This report considers an application to convert a former shop, bakery and store to a mixed use nightclub, bar, bowling alley and other indoor recreation (Use Class 11), and ancillary storage, install five air source heat pumps, extend to create covered fire exit and storage (shed), install glazed screens, doors, and panelled cladding in courtyard openings, re-roof part of roof, install roof ducts and solar panels, convert part of courtyard to event space/garden and seating, erect four hot food takeaway kiosks, a temporary stretch tent, and gates including on street boundary, and associated landscaping including a sheet pile wall, resurfacing with flagstones, and planting including trees and shrubs (temporary for 10 years) (part amendment to 23/422/PP) (part retrospective) at 18 Bridge Street, Kirkwall. Due to the strategic importance of the development, and previous Planning Committee decision on the development, the application is reported to Planning Committee for determination. The development complies with relevant policies and there are no material considerations which would merit refusal of the application.

Application Reference:	25/083/PP.
Application Type:	Planning Permission
Proposal:	Convert a former shop, bakery and store to a mixed use nightclub, bar, bowling alley and other indoor recreation (Use Class 11), and ancillary storage, install five air source heat pumps, extend to create covered fire exit and storage (shed), install glazed screens, doors, and panelled cladding in courtyard openings, re-roof part of roof, install roof ducts and solar panels, convert part of courtyard to event space/garden and

	seating, erect four hot food takeaway kiosks, a temporary stretch tent, and gates including on street boundary, and associated landscaping including a sheet pile wall, resurfacing with flagstones, and planting including trees and shrubs (temporary for 10 years) (part amendment to 23/422/PP) (part retrospective).
Applicant:	Mr Wm Neil Stevenson.
Agent:	Stephen Omand, 14 Victoria Street, Kirkwall, KW15 1DN.

- 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 conversion of a former shop, bakery and store to a mixed use nightclub, bar, bowling alley and other indoor recreation (Use Class 11), and ancillary storage, installation of five air source heat pumps, extension to create covered fire exit and storage (shed), installation of glazed screens, doors, and panelled cladding in courtyard openings, re-roofing part of roof, installation of roof ducts and solar panels, conversion of part of courtyard to event space/ garden and seating, erection of four hot food takeaway kiosks, a temporary stretch tent, and gates including on street boundary, and associated landscaping including a sheet pile wall, resurfacing with flagstones, and planting including trees and shrubs (temporary for 10 years) (part amendment to 23/422/PP) (part retrospective) at 18 Bridge Street, Kirkwall, subject to the conditions detailed in Appendix 1 to this report.

## 3. Consultations

### Roads Services

- 3.1. No objection to the application.

## **Engineering Services**

- 3.2. “In our response to 23/422/PP, we were satisfied that the minimum 150mm gap proposed under gates and fences at Bridge Street would be adequate to allow free movement of surface water during extreme flooding events. Gate detail drawings included with this application (A(70)001, A(70)002 & A(70)003) suggest gaps of 19-25mm to the ground which would necessitate alterations to the existing threshold levels provided as part of 23/422/PP, thereby potentially restricting the free movement of surface water. OIC Development Management contacted the agent with these concerns on 23rd April 2025 and the agent confirmed on 12th May 2025 that ‘all levels are unchanged from what was previously agreed and that the minimum gap beneath the gates will be 150mm’.

We therefore have no objection to this application as the amendments from the previously approved application have no significant impact on flood risk.”

## **Development and Marine Planning (Policy)**

- 3.3. “Development and Marine Planning’s (D&MP) comment on the previous application (23/422/PP), noted the applicant’s early-stage discussions to ensure that development of the area aligned with the Orkney Local Development Plan 2017, and did not prejudice future long-term proposals within the area. It was also noted that the proposals would result in an improvement to the public realm of Bridge Street.

The comments above are still applicable to this amended application, and its temporary nature does not have a significant effect on the long-term place strategy for this central Kirkwall location. The amendments within this application also still align with the Strategic Consideration Plan for this area, included as part of the previous application response.”

## **Environmental Planner**

- 3.4. No consultation response received. It should be noted that this post is currently vacant.

## **Environmental Health**

- 3.5. No objection to the application.

## **Islands Archaeologist**

- 3.6. No objection to the application.

### **Orkney Heritage Society**

- 3.7. “The technical aspects of the changes being proposed are beyond our abilities to make any meaningful comment. OHS is very supportive of this significant town centre development and approve of the use of sustainable energy sources. The Society therefore has no objection to this application and wishes the applicant success in this very ambitious project.”

### **Scottish Water**

- 3.8. No objection to the proposal. The applicant should follow the guidance set out in the consultation response.

## **4. Representations**

- 4.1. No representations received.

## **5. Relevant Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Location</b>	<b>Decision</b>	<b>Date</b>
25/098/PP.	Paint a mural.	18 Bridge Street, Kirkwall.	Pending decision.	N/A.
23/422/PP.	Convert a former shop, bakery and store to a mixed use nightclub, bowling alley and other indoor recreation, and shop (Use Classes 1A and 11), extend to rear to create toilets, install four air source heat pumps, install glazed screens, doors, and panelled cladding in courtyard openings, install roof ducts and solar panels, convert part of courtyard to event space/garden and	18 Bridge Street, Kirkwall.	Granted subject to conditions.	15.02.2024.

Reference	Proposal	Location	Decision	Date
	seating, erect two hot foot takeaway kiosks and a store, a temporary stretch tent, and gates including on street boundary, and associated landscaping including a sheet pile wall, resurfacing with flagstones, and planting including trees and shrubs.			
22/221/PIP.	Conversion of a former shop, bakery, store and adjoined courtyards to a mixed use restaurant/cafe, bowling alley, music venues, nightclub, gymnasium, exhibition space, visitor centre and retail (Use Classes 1, 3, 10 and 11).	18 Bridge Street, Kirkwall.	Granted subject to conditions.	08.09.2022.
21/345/PP.	Change of use of car park to community events and activities (limited days per year).	18 Bridge Street, Kirkwall.	Granted subject to conditions.	04.10.2021.
21/191/PP.	Change of use from store to gymnasium (Class 11).	18 Bridge Street, Kirkwall.	Granted subject to conditions.	09.07.2021.

## 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 3. Biodiversity.
    - Policy 7. Historic assets and places.
    - Policy 9. Brownfield, vacant and derelict land and empty building.
    - Policy 14. Design, quality and place.
    - Policy 22. Flood risk and water management.
    - Policy 26. Business and industry.
    - Policy 27. City, town, local and commercial centres.
    - Policy 28. Retail.
  - 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).

## 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**

- 8.1. Permission is sought to convert a former shop, bakery and store to a mixed use nightclub, bar, bowling alley and other indoor recreation (Use Class 11), and ancillary storage, install five air source heat pumps, extend to create covered fire exit and storage (shed), install glazed screens, doors, and panelled cladding in courtyard openings, re-roof part of roof, install roof ducts and solar panels, convert part of courtyard to event space/garden and seating, erect four hot food takeaway kiosks, a temporary stretch tent, and gates including on street boundary, and associated landscaping including a sheet pile wall, resurfacing with flagstones, and planting including trees and shrubs (temporary for 10 years) (part amendment to 23/422/PP) (part retrospective) at 18 Bridge Street, Kirkwall, as indicated in the Location Plan attached as Appendix 2 to this report.

- 8.2. Planning permission was approved for a similar proposed development in February 2024, reference 23/422/PP. Development commenced in accordance with that planning permission; however, during construction of the approved development, amendments have been made to the proposed design, which necessitate this current planning application. The existing approval remains the fallback; therefore, whilst this application considers the development afresh, the existing approval including the approved uses remains extant. Some of the proposed amendments have already been carried out on site, hence the application is part-retrospective. In addition to the changes to the design of the development, the temporary period of the current application is ten years, longer than the current approval of seven years.

### **Principle**

- 8.3. The proposal is for a mixed-use development, on an allocated site within the town centre that would generate significant footfall. The proposal is acceptable in principle and complies with Local Development Plan Policy 3 ‘Settlements, Town Centres and Primary Retail Frontages’, Policy 4 ‘Business and Industry’ and NPF4 Policies 9, 26, 27 and 28. In the consideration of principle, it is also material that planning permission in principle for redevelopment of the site, for a similar mixed-use development, remains extant. As noted above, the planning history including extant planning permission is also relevant in terms of establishing the principle of the development.

### **Design**

- 8.4. Policy 2 ‘Design’ of the Local Development Plan states that development will be acceptable where it reinforces the distinctive identity of Orkney’s built environment and is sympathetic to the character of its local area, has a positive effect on the appearance and amenity of the area, encourages easy wayfinding to and around the development, and is appropriately connected to pedestrian, vehicular and public transport routes, encouraging and prioritising pedestrian access; and it allows for future conversion, extension or adaptation to other uses.
- 8.5. Development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. NPF4 Policy 14 ‘Design, quality and place’ states that proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable.

- 8.6. The proposed design would create a strong and distinctive frontage to Bridge Street. The kiosks would be gable ended to the street and reinstate a former building line and would complement the character of the area. The materials proposed – cladding and corrugated sheeting, with sheet pile walls to the rear – provide a reference to previous non-domestic uses in and around the site.
- 8.7. The site would be semi-permeable in terms of access through the courtyard. The gates to the uses within the warehouses would be controlled and there would be a separate entrance to the walled garden. Given its location, and as discussed below, private car use would be discouraged. Overall, the site would provide a unique mixed-use venue within Kirkwall and Orkney. The enclosed garden would be available for a variety of events, creating a safe and attractive public area for a wide range of users.
- 8.8. The proposal complies with Local Development Plan Policy 2 ‘Design’ and NPF4 Policy 14 ‘Design, quality and place’.

### **Historic Environment**

- 8.9. The site lies within Kirkwall Conservation Area. There are listed buildings located to the south and west of the site. In terms of the suitability of the proposal, its impact on the character and appearance of conservation area and the setting of listed buildings must be assessed.
- 8.10. Policy 8 ‘Historic Environment and Cultural Heritage’ of the Local Development Plan seeks to protect the historic environment, whilst appreciating its role in the living landscape. NPF4 Policy 7 ‘Historic assets and places’ confirms that proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the architectural and historic character of the area, existing density, built form and layout of new development, and quality of design including suitable materials.
- 8.11. As noted above, the proposed buildings, on a smaller scale, would maintain the form of gables facing the street, key to the character of the conservation area. The proposed materials, although contemporary, are suitably high quality and have been used elsewhere in the conservation area for new development. Overall, the proposed buildings are sympathetic to the appearance of the area. Alterations to the existing warehouse buildings are of a relatively minor nature, with the restoration of the building frontage approved under a previous planning permission, and generally complete including repointing works. Proposed solar panels in the roof valleys are set back from the building frontage to ensure these

are not publicly visible. Air source heat pumps located to the rear would, again, not be publicly visible. Detailed specifications would be controlled by planning condition.

- 8.12. This part of the conservation area is characterised as being part of the vibrant town centre, with a mix of bars, hotels, hot food takeaway, retail and residential. The proposed mixed use of the site is compatible with this character.
- 8.13. The proposal complies with Local Development Plan Policy 8 ‘Historic Environment and Cultural Heritage’ and NPF4 Policy 7 ‘Historic assets and places’. It should also be noted that the proposal seeks temporary consent for ten years and that the proposed works are not permanent.

### **Amenity**

- 8.14. Following consultation, Environmental Health has no further comments to make beyond those included in the consultation response in relation to the existing, extant planning permission. As noted above, the existing approval remains extant and whilst the current application includes amendment to building design, the control required in relation to noise sources should be maintained. Therefore, it is recommended that the same planning conditions which control noise and require noise testing, as are attached to the existing planning permission, be repeated for any fresh planning permission.
- 8.15. Subject to conditions, the proposal is acceptable with regards to its impact on residential amenity.

### **Roads**

- 8.16. Following consultation, Roads Services has no adverse comments to make on the proposal.
- 8.17. Policy 14Bii ‘Transport, Travel and Road Network Structure’ of the Local Development Plan and NPF4 Policy 13 ‘Sustainable Transport’ seek to minimise independent car journeys. The site is well served by public transport and there are various public car parks within a short walking distance. The site can be accessed locally by walking and wheeling.
- 8.18. Conditions would be attached requiring detailed plans for both the construction phase and subsequent service and deliveries once the site is in use. These would be later assessed in conjunction with Roads Services.

- 8.19. The proposal complies with Local Development Plan Policy 14Bii and NPF4 Policy 13.

### **Biodiversity**

- 8.20. No new biodiversity or landscaping details were submitted in support of the current application. The previous planning permission 23/422/PP included details of planting and soft landscaping which provided adequate biodiversity enhancement of the town centre site. That part of the proposed development has not been amended, since the previous approval; however, for the avoidance of doubt a condition would be attached requiring submission of these details and approval by the Planning Authority (even if this is fresh approval of the same, acceptable details). Subject to this planning condition, the proposal complies with Policy 3 'Biodiversity' of NPF4.

### **Flooding**

- 8.21. The site is in a part of Kirkwall at risk of surface water flooding. Following consultation, Engineering Services have stated that they have no objection to the application as the amendments from the previously approved application have no significant impact on flood risk. The proposal complies with Local Development Plan Policy 13 'Flood Risk, SuDS and Waste Water Drainage' and NPF4 Policy 22 'Flood risk and water management'.

### **Archaeology**

- 8.22. The Islands Archaeologist has confirmed no objection, in the context of seeking reassurances regarding works that could affect archaeology below the concrete slab. Limitations in terms of concrete slab match those of the existing approval, addressing the queries raised and the Islands Archaeologist consultation response, and the development would be controlled by a planning condition which would match that attached to the existing planning permission.

## **9. Conclusion**

- 9.1. The proposal is acceptable in principle. The design, impact on the historic environment, amenity, transport, flooding, and archaeology are considered acceptable, including the requirement to protect the character and appearance of the conservation area. The application complies with Policies 1, 2, 3, 4, 8, 13 and 14 of the Orkney Local Development Plan 2017, and Policies 3, 7, 9, 14, 22, 26, 27 and 28 of National Planning Framework 4, and is recommended for approval, subject to the conditions attached as Appendix 1 to this report.

### **For Further Information please contact:**

Murray Couston, Planning Officer (Development Management), Email  
[murray.couston@orkney.gov.uk](mailto:murray.couston@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](#).

### **Appendix**

Appendix 1 – Planning conditions.  
Appendix 2 – Location Plan.

## Appendix 1.

01. Planning permission is hereby approved for a temporary period only and shall cease to have effect in 10 years, beginning: (1) on the date any part of the development is brought into operation and use by the public, or (2) three years from the date of this decision notice, whichever is sooner. Prior to the cessation date, all physical development associated with this permission shall be removed from site, the land restored to its former condition, and all uses cease to the satisfaction of the Planning Authority.

Reason: To ensure that the temporary development is timeously removed from the site and temporary uses cease.

02. Total noise from all plant, machinery and equipment associated with ventilation, air-conditioning, heating and refrigeration services or similar, and including fans, ducting and external openings, shall be so installed, maintained and operated such that any associated operating noise does not exceed NR35 during the day and NR25 at night within any residential property outwith the development, where NR35 and NR25 is the Noise Rating Curve at 35 and 25 (noise measurements/predictions to be made with a window of any residential property outwith the development open no more than 50 millimetres).

Reason: To protect any nearby residents from the excessive noise disturbance from the fixed plant and equipment.

03. The development hereby approved should not be operated or brought into use until pre-completion testing has been completed which demonstrates compliance with the following:

- Music and entertainment noise from the nightclub and bowling alley shall not exceed NR25 during the day and NR15 at night, as measured/predicted within the nearest noise sensitive receptor(s) (noise measurements/predictions to be made with a window of any residential property outwith the development open no more than 50 millimetres, where the NR measurement parameter is Leq, 5 mins). NR25 and NR15 are the Noise Rating Curves at 25 and 15.
- A series of testing shall be undertaken to ensure that representative music noise levels can be measured and recorded, and then these noise levels shall be used to calibrate and fix the onsite PA systems to not exceed this limit.
- A pre-occupation testing report detailing the results shall be submitted to and approved, in writing, by the Planning Authority, in conjunction with Environmental Health. Non-compliance with these levels would require additional mitigation measures to be incorporated into the development before it is brought into use.

Reason: To protect any nearby residents from excessive noise disturbance from the music and entertainment noise generated by the operation of the nightclub and bowling alley.

04. Should the Planning Authority receive complaints about music or entertainment noise from this site, an inspection on how exceedance could have occurred should be undertaken, followed by a noise breakout survey to ensure compliant levels are maintained, with a report on the findings being submitted to the Planning Authority for review.

Reason: To protect any nearby residents from excessive noise disturbance from the music and entertainment noise generated by the operation of the nightclub and bowling alley.

05. No development shall commence until a Management and Operating Plan is submitted to and approved, in writing, by the Planning Authority. This Plan shall include:

- The days and hours of operation of the bowling alley and nightclub.
- The nature, days and hours of operation of the garden courtyard including public events and proposed erection of the temporary stretch tent.
- Hours and methodology for commercial deliveries.

Thereafter, the development shall operate wholly in accordance with the approved Management and Operating Plan.

Reason: To protect any nearby residents from noise disturbance from the operation of the development, noting that hours of operation formed part of the noise impact assessment assessed by Environmental Health.

06. Due to the archaeological sensitivity of the site, the development hereby approved shall not result in:

- The removal of the concrete surface between the current warehouse buildings and the street frontage, immediately below which archaeology has been shown to exist.
- Any excavations within the buildings deeper than the depth of the concrete surface.
- Any excavation of foundations for the new extensions to the rear of the buildings.
- Any new trenches dug for waste water or sewage; development shall utilise existing services.

Reason: To protect the archaeological importance of the site.

07. Within four weeks of the date of this decision notice, full landscaping and biodiversity details (which may be as approved under planning permission 23/422/PP) shall be submitted to and approved, in writing, by the Planning Authority. The landscaping shall be implemented in full no later than the first planting season following the date of this decision notice. Thereafter, the biodiversity measures shall be retained throughout the lifetime of the development in accordance with the approved details unless otherwise agreed, in writing, by the Planning Authority.

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

08. No air source heat pumps shall be installed until an appropriate design and finish of external housing for the air source heat pumps hereby approved, has been submitted to and approved, in writing, by the Planning Authority. Development shall progress in accordance with the approved details. Thereafter, the approved housing shall be installed no later than six weeks after the installation date of the air source heat pumps, and shall be retained in situ throughout the lifetime of the development.



Reason: To ensure the screening of incongruous plant on the exterior of the building, to safeguard the character and qualities of the building and its setting, and to preserve the character and appearance of the conservation area.

09. Within four weeks of the date of this decision notice, a Construction Method Statement shall be submitted to the Planning Authority for approval, in writing, in consultation with Roads Services. No further works shall be carried out on site beyond four weeks from the date of this decision notice, until this Construction Method Statement is approved. The Statement shall include the following:

- Number, frequency, weights and lengths of construction-related vehicles.
- 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.
- Location and nature of temporary site welfare facilities as required.

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: In order to ensure that the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.

10. No development shall commence until samples of the specification and colours (with RAL colour specified where applicable) of all external materials to be used in the development hereby approved have been submitted to and approved, in writing, by the Planning Authority. This shall include:

- Sheet pile steel.
- Corrugated sheet cladding.
- Timber cladding.
- Doors and windows (including glazing bead profile and no trickle ventilation).
- Standing seam.
- Gates (no permission is given for the gate detail as submitted due to requirements regarding flood risk, and the clearance at the bottom of the gate).
- Metal mesh.
- Stretch tent.

Thereafter, the development shall be completed wholly in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development.

11. 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 or the Christmas or New Year Public Holidays

unless otherwise agreed, in writing, with the Planning Authority. There shall be no burning of materials on site.

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

