

Item: 5

Local Review Body: 18 December 2025.

Proposed Siting of House and Detached Garage for Agricultural Worker and Create Access on Land South East of Sharalee, Sandwick (24/123/PIP).

Report by Head of Corporate Governance.

1. Overview

- 1.1. Planning application 24/123/PIP in respect of the proposed siting of a house and a detached garage for an agricultural worker and creation of an access on land south east of Sharalee, Sandwick, was refused by the Appointed Officer on 16 October 2025.
- 1.2. Under the Town and Country Planning (Scotland) Act 1997 (the Act) and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the Regulations), where an application for planning permission for local development has been determined by the Appointed Officer in accordance with the Council's Planning Scheme of Delegation, the applicant is entitled to seek a review of that decision by the Local Review Body.
- 1.3. The applicant has submitted a Notice of Review (see Appendix 1) requesting that the decision of the Appointed Officer, referred to at paragraph 1.1 above, be reviewed. The applicant has indicated that the review cannot be determined without further procedure, and has indicated that the further procedure should be by means of an inspection of the land and by holding one or more hearing sessions on specific matters.
- 1.4. A letter from the Chief Planner, Scottish Government, issued in July 2011, confirmed that a review by a Local Review Body should be conducted by means of a full consideration of the application afresh.
- 1.5. Section 21 of the Scheme of Administration states that the Local Review Body will undertake unaccompanied site inspections for all planning applications subject to a review, prior to the meeting to consider the review. The purpose of the site inspection together with the procedure to be adopted, are set out in section 21.2 of the Scheme of Administration. The applicant and interested parties have been

advised that an unaccompanied site inspection to land south east of Sharalee, Sandwich, is due to be undertaken on 18 December 2025 at 09:45.

1.6. The review procedure is set out in section 4 below.

2. Recommendations

2.1. The Local Review Body is required to:

- i. Determine whether it has sufficient information to proceed to determination of the review, and if so whether to uphold, reverse or vary the decision of the Appointed Officer.

2.2. Should the Local Review Body determine that the decision is reversed or varied, it is required to:

- i. Determine the reasons, and, if applicable, the relevant matters in respect of potential conditions and informatives to be attached to the decision notice.

2.3. Should the Local Review Body determine that the decision is reversed or varied, it is recommended that members of the Local Review Body:

- i. Delegate powers to the Head of Corporate Governance, following consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions and informatives to attach to the Decision Notice.

2.4. Should the Local Review Body determine that it does not have sufficient information to proceed to determination of the review, it is required to:

- i. Determine what further information is required, which parties are to be requested to provide the information, and whether to obtain further information by one or more of the following methods:
 - By means of written submissions under the procedure set out in Regulation 15 of the Regulations; and/or
 - By the holding of one or more hearing under the Hearing Session Rules set out in Schedule 1 of the Regulations.

3. Planning Authority Decision

3.1. The Planning Handling Report, Planning Services file and the Decision Notice are attached as Appendices 2, 3 and 4 to this report.

3.2. On 16 October 2025, the Appointed Officer refused planning application 24/123/PIP on the following grounds:

- 01. The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance ‘Housing in the Countryside’ (2021), specifically provision 5E (viii) ‘The Provision of a Single Dwelling House for a Rural Business’ and is not acceptable in principle, on the basis the longevity of the current business model has not been demonstrated, the need for ‘additional’ 24 hour supervision has not been demonstrated, relative to the business as it operates currently, the employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision, and the proposed development is not located with other buildings associated with the business, and does not form part of a building group.
- 02. The development is contrary to Policy 1 ‘Criteria for all development’ on the basis it is not sited taking into consideration the location and landscape character, and Policy 2 ‘Design’ on the basis the development would not have a positive effect on the appearance and amenity of an area.

4. Local Review Procedure

- 4.1. In response to a Notice of Review, “interested parties” are permitted to make a representation to the Local Review Body. “Interested parties” include any party who has made, and not withdrawn, a representation in connection with the application. No representations were received.
- 4.2. The Local Review Body may uphold, reverse or vary the decision of the Appointed Officer. In the event that the decision is reversed, an indication of relevant matters, in respect of potential planning conditions and informatives, are as follows:
- Duration of consent.
 - Matters:
 - Site Layout.
 - Site levels/sections.
 - Design and appearance.
 - Landscaping.
 - Access and parking arrangements.
 - Surface Water drainage.
 - Road access forward visibility.
 - Water supply
 - Foul drainage.

- Refuse and recycling storage.
 - Biodiversity enhancement.
 - Otter survey.
 - Hours of work.
 - Agricultural occupation.
 - Informative:
 - Roads.
- 4.3. All conditions should be in accordance with Planning Circular 4/1998 regarding the use of conditions in planning permissions.
- 4.4. If the decision is reversed and the development is approved, it is proposed that powers are delegated to the Head of Corporate Governance, following consultation with the Planning Advisor and the Legal Advisor, to determine the necessary conditions, and informatives, based on the relevant matters, agreed in terms of section 4.2 above.
- 4.5. If the Local Review Body decides that further procedure is required, it may decide to hold a pre-examination meeting to consider what procedures to follow in the review, or to obtain further information by one or more of the following methods:
- By means of written submissions under the procedure set out in Regulation 15 of the Regulations 2013; and/or.
 - By the holding of one or more hearing under the Hearing Session Rules set out in Schedule 1 of the Regulations.

5. Relevant Planning Policy and Guidance

- 5.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended states, “Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise ... to be made in accordance with that plan...”
- 5.2. The full text of the Orkney Local Development Plan 2017 (OLDP 2017) and other supplementary planning advice and guidance can be read on the Council website [here](#). Although the Orkney Local Development Plan is “out-of-date” and has been since April 2022, it is still a significant material consideration when considering planning applications. The primacy of the plan should be maintained until a new plan is adopted. However, the weight to be attached to the Plan will be diminished where policies within the plan are subsequently superseded.

- 5.3. National Planning Framework 4 was approved by Parliament on 11 January 2023 and formally adopted by Scottish Ministers on 13 February 2023. The statutory development plan for Orkney consists of the National Planning Framework and the Orkney Local Development Plan 2017 and its supplementary guidance. In the event of any incompatibility between a provision of National Planning Framework 4 and a provision of the Orkney Local Development Plan 2017, National Planning Framework 4 is to prevail as it was adopted later. It is important to note that National Planning Framework 4 must be read and applied as a whole, and that the intent of each of the 33 policies is set out in National Planning Framework 4 and can be used to guide decision-making.
- 5.4. It is for the Local Review Body to determine which policies are relevant to this application; however the policies listed below were referred to by the Appointed Officer in the Planning Handling Report:
- Orkney Local Development Plan 2017:
 - Policy 1 – Criteria for All Development.
 - Policy 2 – Design.
 - Policy 5E – Single Houses and new Housing Clusters in the Countryside
 - Supplementary Guidance:
 - Housing in the Countryside (2021).

For Further Information please contact:

Gavin Barr, Planning Advisor to the Local Review Body, extension 2530, Email: gavin.barr@orkney.gov.uk.

Implications of Report

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

- ☐ Developing our Infrastructure.
- ☐ Transforming our Council.
- 8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:
 - ☐ Cost of Living.
 - ☐ Sustainable Development.
 - ☐ Local Equality.
 - ☐ Improving Population Health.
- 9. **Environmental and Climate Risk:** None.
- 10. **Risk:** None.
- 11. **Procurement:** None.
- 12. **Health and Safety:** None.
- 13. **Property and Assets:** None.
- 14. **Information Technology:** None.
- 15. **Cost of Living:** None.

List of Background Papers

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

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

Planning Circulate 4/1998, available [here](#).

Appendices

Appendix 1 – Notice of Review (pages 1 – 103).

Appendix 2 – Planning Handling Report (pages 104 – 113).

Appendix 3 – Planning Services File (pages 114 – 228).

Appendix 4 – Decision Notice and Reasons for Refusal (pages 229 – 232).

Pages 1 to 232 can be viewed [here](#), clicking on “Accept and Search” and inserting the planning reference”24/123/PIP”.



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: planning@orkney.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100665033-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Bain Farm"/>
First Name: *	<input type="text" value="David"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Hourie"/>	Address 1 (Street): *	<input type="text" value="Shandwick"/>
Company/Organisation	<input type="text" value="WAJ Hourie"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Orkney"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KW16 3HZ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:

Orkney Islands Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB

Northing

1017935

Easting

326728

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Siting of a house and a detached garage for an agricultural worker, and create an access

Type of Application

What type of application did you submit to the planning authority? *

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Local Review Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Application as submitted. Report of Handling. Decision Notice. Local Review Statement. New Operational Needs Assessment October 2025.

Application Details

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

24/123/PIP

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

19/03/2024

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

16/10/2025

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

See Local Review Statement

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

See Local Review Statement

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☐ Yes ☒ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr David Hourie

Declaration Date: 29/10/2025

Payment Details

Online payment:

Payment date:

Created: 29/10/2025 08:52

Local Review Statement

Introduction

This statement has been prepared to accompany a local review in relation to the recent refusal of planning permission under delegated powers of planning application ref: 24/123/PIP for 'Siting of a house and a detached garage for an agricultural worker, and create an access' at land South East of Sharalee, Sandwick, Orkney Islands, KW16 3JB.

Planning permission was refused on 16th October 2025 for the following two reasons:

"01. The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle, on the basis the longevity of the current business model has not been demonstrated, the need for 'additional' 24 hour supervision has not been demonstrated, relative to the business as it operates currently, the employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision, and the proposed development is not located with other buildings associated with the business, and does not form part of a building group.

02. The development is contrary to Policy 1 'Criteria for all development' on the basis it is not sited taking into consideration the location and landscape character, and Policy 2 'Design' on the basis the development would not have a positive effect on the appearance and amenity of an area".

Given the importance of this house to the future of the farming business, and to David Hourie personally, it is requested that councillors do a site visit before coming to a decision.

David Hourie is willing to appear at a hearing to answer any questions about the current, and future, farming business, his involvement in it, the need for the house, and why he chose the specific application site.

David would also wish councillors to be aware that the business has so far spent over £10,000 on this planning application, with a considerable part of that expense going on the archaeological investigation, which has admittedly been done at risk, but shows the absolute commitment of the business to this proposal.

Planning Issues

Based upon the Report of Handling, and the reasons for refusal, there appear to be two issues only to consider in relation to this local review, as follows:

1. The need for the house to support the established farming business; and
2. The impact that the dwelling may have on landscape character.

In terms of the first issue, councillors are requested to read in full the new, updated Operational Needs Assessment October 2025 before going on to consider the rest of this statement. This updates the June 2025 version, which was the one that is referenced in the Report of Handling. There is a lot of new information in this report that counters what is said in the Report of Handling, and clearly shows that there is a need for an additional house to support the current, and future, farming business.

In terms of the case officer's comments on the longevity of the current business model (Report of Handling paragraph 7.7), these ignore the realities of modern day farming. The fact is that farming has its ebbs and flows, with any business having to adapt to the changing economic situation. Currently, farming is going through a difficult period in Orkney, and across the UK, with price inflation impacting on all farming inputs, and the price of outputs, and taxation changes putting pressure on the sector. It is, therefore, unfair to take what has been a difficult recent period for the farm and say that this, in some way, means that the farm does not have a future. The fact is that the farm is currently at a low point, it has been in better shape in the recent past, and it will be again. The future is being secured by the purchase of a Robotic Milking Unit¹ in October 2025, which should be operational by January 2026. The farm also has an additional 30 in calf heifers entering the herd to increase milking numbers. These will ensure that the farm can continue to provide a full range of dairy products to the local market and support the Orkney Cheese Company, and the Orkney Dairy, which are major customers for the milk produced on the farm.

In terms of the likely occupier of the house, then David Hourie does, indeed, work elsewhere for part of the time (Report of Handling paragraph 7.8). As the case officer accepts, this is entirely normal in most farming businesses, and ensures that those working on farms can have a reasonable income, and can make ends meet. In this case, David Hourie currently works part time at the Flotta Oil Terminal. However, his future employment there is likely to be limited to a couple of years, and after which he will be working fulltime on the farm taking over from his father who is currently 67, and who will be reducing his hours worked over the next few years. For David Hourie to be able to take over the farm, he needs his own home, and for that to be on the farm.

In terms of the case officer's comment that 'additional' 24 hour supervision has not been demonstrated (Report of Handling paragraphs 7.8 and 7.9), then there is a clear 'additional' need that has been explained in the Operational Needs Assessment. Increasingly, David Hourie will need to be available 24 hours a day to supervise the farm, herd, and milking, and this will increase in future years as the herd size is

¹ In order for a Milking Robot to function, you need to keep all pasture and fields around the unit available so that cows can come and go freely, without needing to cross roads, or pass through restricted areas. The land around the farm steading is, therefore, extremely valuable in allowing this system to function, and for the free (undisturbed) passage of the cows. It would undermine the functioning, and financial viability, of having the Milking Robot to then use some of this land for a dwelling.

increased, and his father steps back from taking on the more arduous tasks on the farm, and doing the more unsociable hours at night and early mornings.

Turning to the location of the proposed house (Report of handling paragraph 7.10 onwards), the site has been chosen as it is centrally located on the farm, and in a location that is suitable for the business and its operational needs. It offers visibility over a part of the farm that is away from the steading, and over five fields that have always been in a blind spot. Allowing a new house here will allow the occupier to quickly get to this part of the farm if there are any problems with livestock, or any other issues such as livestock getting out of the fields and, increasingly, other forms of criminality impacting on the farm.

In terms of what is said in the Report of Handling at paragraph 7.10, the case officer has, it is assumed, misunderstood the comments about welfare and calving. The farm, of course, meets all welfare standards. The comment about calving is nothing to do with moving cows to the fields near the proposed house site to justify a house, but is merely saying that, from time to time, cows may go into labour in the fields closest to this site, and having someone living close by would mean that they can get to the field more quickly, and thus ensure that any welfare issues are resolved.

In terms of what is said by the case officer in paragraph 7.11 of the Report of Handling, then this underlines that the author has little or no understanding of farming. Farming is inherently dangerous. Indeed, it is statistically the most dangerous industry in the UK, with 23 people losing their lives in 2024/2025 (This Farming Life 21st July 2025 <https://www.farminglife.com/country-and-farming/farming-revealed-as-uks-most-dangerous-job-accounting-for-1-in-every-5-workplace-fatalities-5233134>). This includes children being harmed. That is why, increasingly, farmers do not want to be living right next to their farm buildings, so they can better protect their, and their families, lives, and health. Having the house as part of the steading might have historically been the way to set up a farm in a non-mechanised age, but with agriculture now agri-business, with larger machinery, larger herds of livestock, chemicals, and the like, it makes no sense whatsoever.

More particularly on this, there are also some practical issues for why a house close to the steading makes no sense, which are that the grazing land around the steading is required for the new Milking Robot (see above, and footnote 1 on page 2 above) whilst the field directly next to the farm is not owned, but is rented, from the neighbouring farm, so is not anyway available.

Turning to the perceived landscape impact, then councillors will be able to consider that for themselves if they visit the site. They will see that there are multiple houses in the area, and there is a consented site for another house just 200 metres away. A house here will have little, if any, landscape impact, and any such impact can be mitigated at the design stage, and further mitigated by landscaping and biodiversity enhancement.

Conclusion

Based on the Operational Needs Assessment, and what has been said above, this is a longstanding farming business, which has a bright future that should be supported by allowing a new house.

The business is investing in the future, including the recent purchase of a Milking Robot, which will help its productivity, and ensure its continued financial stability.

There is a need for 'additional' 24 hour supervision, and this will increase as David Hourie increasingly takes over the whole farming business from his father.

David Hourie does, indeed, currently work part time elsewhere, but when he works on the farm, he is required 24 hours a day, and that will increase as he transitions from having a job elsewhere to running the farm fulltime.

If councillors wish to question David Hourie on the business, and his future intentions, they can do so by holding a hearing.

There are reasons why the house is sited where it is, which relate to having someone living on this part of the farm.

The house is not being proposed close to the steading because there are inherent dangers of living close to a working farm. Furthermore, the Milking Robot needs the fields around the steading to be available for cows for it to operate effectively.

The new house will have little, if any, landscape impact, and councillors can condition any consent to ensure that it is appropriately designed and landscaped.

For the above reasons, it is hoped that councillors will grant planning permission for the proposed house.

Operational Needs Assessment

Strictly confidential



SAC
CONSULTING

Part of Scotland's
Rural College (SRUC)

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28th October 2025

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Introduction

This report is written on behalf of the business of W A J Hourie, which is a family run partnership operating the farm of Bain in Sandwick. The land of Bain is just under 100ha and is good quality agricultural land, with a further 2ha rented seasonally by the business. The farm is run as a dairy farm with 50 cows producing 7,500l. The majority of the milk is sold to Orkney Cheese, with some used to support Miss Hourie's business of producing yoghurt, milkshakes and soft cheese.

The business is now a fourth-generation farm, with the introduction of Mr David Hourie and his sister Miss Lara Hourie to the firm in 2018. Mr David Hourie has off-farm employment, however, this job is 14 days "on", and 21 days "off" thus allowing him to work on the farm on those 21 days "off". His sister, Miss Lara Hourie works full-time with her own business, a subsidiary of W A J Hourie, "The Orkney Dairy".

However, there are currently no available houses on the farm, and it is essential that David resides on the farm, however, it is not suitable for a house to be at the steading as the priority is to "keep" the grass for the cows. This is due to the planned installation of a milking robot on farm (due to be installed in January 2026). Therefore a site for a new build home for David is requested, and unfortunately this site will have to be slightly further away from the main steading.

Current Farming System

The farm is run as a dairy unit, with 50 Fleckvieh cows and followers. Cows calve all year round, in order to guarantee a steady milk supply.

Cows are yielding approximately 7,500 litres and are fed in the parlour along with a Total Mixed Ration (TMR) in the shed. In addition approximately 17ha of spring barley is grown to feed to the cows, this yields approximately 120t per annum.

There are 120 cubicles, and the cows are bedded on mats and sawdust. The parlour is a 10:20 Herringbone. Milking takes around one hour and the cows are milked twice a day. This system is due to change in January 2026, with the purchase of a milking robot. The aim is have the robot installed by January 2026 to allow the cows to be milked via an automated system. This should have several benefits, the first being that robotic milking can increase milk yield by a minimum of 15% within six weeks. So potentially the milk yield could increase to 8,625 litres per cow by April 2026.

Every year, three cuts of silage are taken.

All of the farm work is carried out by the partners. The only jobs that contractors are used for are sowing barley and raking the silage. All of the other land work and crop work is done by the partners of the business.

Although the number of cows currently being milked is considerably less than in previous years, the plan is still to increase the dairy herd from 50 to 60 by March 2026. They have 15 heifers due to calf in November, and another 14 due in February/March next year which will increase the numbers going through the parlour to 60.

Existing Housing and Past Planning Applications for Housing

Recently the family home was sold Mr and Mrs Hourie are living in a caravan near the steading while they build a new home at Bain. David is in another caravan near the steading whilst he waits for planning permission and Lara has bought a house less than half a mile from the steading.

David wishes to move out of the family home and live in his own home, however, there are no other planning options and/or approvals on the farm.

Other Opportunities for Housing on the Land of the Business

There are no opportunities for any one-for-one planning applications and there are no redundant farm buildings, which would be suitable for conversion.

Viability, Scale and Longevity of the Business

The Hourie family have been living and farming at Bain for over 100 years, the business in its current format has been trading for over six years.

The business receives Basic Payment Scheme, Less Favoured Agricultural Support Scheme funding all through the Scottish Government.

Land

The land is all in Sandwick. As is standard in Orkney, all of the land is in the Less Favoured Area (LFA) and is classified as disadvantaged and fragile.

Table 1. Permanent Land

Land Use (permanent land)	Hectares
Arable	16.65
Temporary Grass	21.00
Permanent Grass	51.71
Rough Grazing	2.50
Total	91.86

Table 2. Seasonal Land

Land Use (seasonal land)	Hectares
Arable	1.71
Total	1.71

The biggest soil type on farm is Thurso Association, Bilbster Series with brown forest soils, brown rankers and some non-calcareous and peaty gleys.

The Macaulay Land Use Research Institute has classified most of the land as 4.1 and 4.2, which is land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

Farm Buildings

Description	Size	Use/Capacity	Owned/Rented
Cubicle Shed	120	Milking Cows	Owned
Parlour	10:20		Owned
Dry Cow Shed	Straw pens	Dry cows/calves	Owned
Slatted court with cubicles	30 cubicles	Bulling heifers	Owned
Cubicle house (small)	40 small cubicles	Yearlings	Owned
Silage pit			Owned
Dairy		Yoghurt/cheese making	Owned

Houses

There is no house at the steading, but there is planning in place for a house for Mr & Mrs Hourie close to the steading and building work is now underway for this property.

Machinery

Item
1 x Tractors (Fendt 716)
1 x Tele-handler
1 x Quadbike
1 x Gator
Silage Trailer x 2
Cattle Float
Forage Wagon
Feed Trailer
Tedder
Mower x 2
Combine
Plough
Grass Seeder
Baler & Wrapper
Sprayer
Bruiser
Shear grab
Feeder Wagon
Slurry Tanker, with trailing shoe

Livestock

Milk production for the Orkney Cheese Company Ltd is the main focus for the business. Moreover, since 2020 the business has started making its own yoghurt, milkshakes and just this year has launched its own soft cheese.

The unit milks 50 cows, with the majority of the milk sold to Orkney Cheese for cheese production. The farm breed's its own replacement heifers approximately 5 each year, with the other offspring sold at 1mth old at 50kgs.

The milking takes approximately one hour, and the cows are milked twice a day.

The aim is to increase the cows being milked to 60 by spring 2026, as they have a number of heifers due to calf in November and again another batch in spring 2026. This will allow the milking herd to increase slightly. The plan is for all of the calves to be reared on at Bain, the heifers will be kept as herd replacement and steer/bull calves will be kept for selling into the prime market. This plan is in conjunction with the proposal to install the milking robot in January 2026. This should increase the yield of the cows as previously mentioned. It will also allow less time to be spent in the parlour and more time to devote to fertility management, dealing with lame cows and also give the partners more sociable working hours, once the cows are used to the robot.

Cropping

Three cuts of silage are harvested each year, around 390acre in total. The silage yield is around 6t/ac.

The farm also grows 40acre of spring barley, yielding 3t/acre. All the grain and the straw are used on farm with any excess sold to neighbours.

Labour Requirements and 24-hour Supervision

- Stock numbers are based on livestock held on 28th October 2025.
- Cropping information is taken from the 2025 Single Application Form

Standard Labour Units¹ (current system)

Enterprise	Hours/ annum	Total
50 dairy cows	42hrs per head	2,310
77 other cattle	12hrs per head	924
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
38.86ha Grassland	3.1hrs per hectare	120.47
Labour requirement for farm		5,345.17 hrs/annum

A labour unit is now recognised as 1,900 hours per year. On this basis the existing farming system would require 2.8 full-time equivalents to function correctly. It is important to note that the above does not account for the dairy part of the business i.e. the production, manufacture and distribution of yoghurt, milkshakes and soft cheese.

The figures stated above clearly demonstrates the high labour requirement of this busy and successful family farm. It also highlights the need for housing to enable this traditional family farm to fully fulfil its succession plan.

Furthermore, it is important to remember that a dairy unit requires staff to work out with a typical working day and in order to keep and attract young people into the industry accommodation is essential.

FAWC² report states that “Animals are kept for various purposes and in return their needs should be provided for. Farm animals are recognised as sentient beings in the Treaty of Amsterdam. We have a moral obligation to each

¹ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

² <https://www.gov.uk/government/groups/farm-animal-welfare-committee-fawc>

Operational Needs Assessment – W A J Hourie

individual animal that we use.” Therefore, all farms must ensure that they meet high standards of animal welfare these are summarised in the Five Freedoms:

1. Freedom from hunger and thirst
2. Freedom from discomfort
3. Freedom from pain, injury, and disease
4. Freedom to express normal behaviour
5. Freedom from fear and distress

A farm such as Bain must put the needs of the cows before anything else, and in order to do this the unit needs competent employees/partners on site 24 hours a day. The family are lucky that the next generation is keen to take on the farm, the long hours, and the time commitment that is required for a successful dairy business. However, housing is essential for this to happen effectively.

As stated previously the plan is to calve 29 heifers in two batches, the first in November and the second in the spring of 2026 and increase the milking cows to 60, this would increase the labour requirement to 2.89FTE, please see below.

- Stock numbers are based on the farm’s future proposals.
- Cropping information is taken from the 2024 Single Application Form

Standard Labour Units³ (March 2026)

Enterprise	Hours/ annum	Total
60 dairy cows	42hrs per head	2520
70 other cattle	12hrs per head	840
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
48.52ha Grassland	3.1hrs per hectare	150.4
Labour requirement for farm		5,501.1 hrs/annum
Labour requirement for December onwards		2.89FTE

³ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

Employment Statement of the Partners

Mr William Hourie works full-time on the farm, his wife Mrs Kirsten Hourie works with their daughter Miss Lara Hourie with her yoghurt, milkshake and soft cheese making business. Mr David Hourie works off the farm on a rota system which is 14 days "on", and 21 days "off", when is "off" he works on the farm, helping his father as part of the succession plan for the farm.

There are currently no paid employees on the farm.

Justification for the House Location Proposed

As the site plan in the application shows, the family wish to site the house for Mr David Hourie near the land at Scarrataing Road. There are three reasons for this. Firstly, the fields on this road are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.

Secondly, the partners strongly feel that another house at the steading is not suitable for health and safety reasons. It is in all likelihood that Mr David Hourie will go on to have family, having the house next to the steading would mean that his family would be more at risk from being struck by moving vehicles or machinery. In fact, according to a report by the Health and Safety Executive⁴, there were 21 fatal injuries to farm workers in 2022/23, moreover 28% of deaths over the last five years on farm were due to being struck by a moving vehicle.

Thirdly, there will be one house at the steading already, once the house for Mr W Hourie and his wife is complete. The land around the steading is used for grazing cows and cannot be used for cropping due to the proximity to the milking parlour, therefore it does not make agricultural sense to sacrifice another part of the good grazing fields for housing. This is especially more important as once the robot is installed the cows will still be put to grass and they will always require easy access to the robot for milking. It is therefore not suitable for this business to sacrifice grass close to the steading for a house site.

⁴ HSE, "Agriculture, forestry and fishing statistics in Great Britain, 2023, published 22 November 2023, source: <https://www.hse.gov.uk/statistics/assets/docs/agriculture.pdf>

Conclusion

The business of W A J Hourie is an established dairy unit providing just over 375,000 litres of milk to Orkney Cheese per annum, with the intention to increase production to 450,000l by the spring 2026. The unit has no employees with all of the labour provided by Mr W Hourie and Mr D Hourie.

This report demonstrates the farm requires 2.8 labour equivalents. Currently this labour is provided by the partners, however, a house is essential for Mr David Hourie to fulfil the succession plan for this successful family farm.

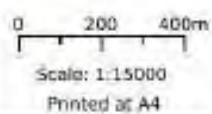
Map of Steading



Soil Map



Land Capability



Date Printed: 30/06/2025

- Field Boundary**
Hutton Institute - Latest Capability For Agriculture & Forestry



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: planning@orkney.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100665033-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Single dwelling and garage in principle

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Houghton Planning Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	Alloa Business Centre
Last Name: *	Houghton MRTPI	Building Number:	
Telephone Number: *	07780117708	Address 1 (Street): *	Whins Road
Extension Number:		Address 2:	Alloa
Mobile Number:		Town/City: *	Clacks
Fax Number:		Country: *	Scotland
		Postcode: *	FK10 3RF
Email Address: *	paul@houghtonplanning.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Bain Farm
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Sandwick
Company/Organisation	W A J Hourie	Address 2:	
Telephone Number: *		Town/City: *	Orkney
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KW16 3HZ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Orkney Islands Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB

Northing

1017935

Easting

326728

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.20

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agricultural land

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☐ Yes – connecting to public drainage network
- ☒ No – proposing to make private drainage arrangements
- ☐ Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- ☒ New/Altered septic tank.
- ☐ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
- ☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- ☐ Discharge to land via soakaway.
- ☒ Discharge to watercourse(s) (including partial soakaway).
- ☐ Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Do your proposals make provision for sustainable drainage of surface water?? * ☒ Yes ☐ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
- ☐ No, using a private water supply
- ☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☐ No ☒ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☐ No ☒ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

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

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☒ Yes ☐ No

Do you have any agricultural tenants? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: Paul Houghton MRTPI

On behalf of: W A J Hourie

Date: 19/03/2024

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☐ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Paul Houghton MRTPI

Declaration Date: 19/03/2024

Payment Details

Departmental Charge Code: .

Created: 19/03/2024 10:15

Planning Handling Report.

Siting of a house and a detached garage for an agricultural worker, and create an access at Land South East Of Sharalee, Sandwick.

Determination under delegated powers: 01 October 2025.

1. Summary

Application Number:	24/123/PIP
Application Type:	Planning in Principle
Applicant:	W A J Hourie.
Agent:	Houghton Planning Ltd, c/o Paul Houghton, Alloa Business Centre, Whins Road, Alloa, FK10 3RF.

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/our-services/planning-and-building/planning/application-search-and-submission/> (then enter the application number given above).

2. Consultations

2.1. Development & Marine Planning – Environment

“The proposed development site is located approximately 60 metres from the closest part of Lochs of Harray and Stenness SSSI, important for nutrient rich loch, saline lagoon, aquatic invertebrates and non-breeding tufted duck, pochard and scaup. There is a small collection of other houses and buildings in the vicinity of the proposed development, with the land use being predominantly agricultural down to the shoreline. Therefore, the non-breeding bird features of the SSSI will be habituated to human activity at this location. Provided any wastewater treatment system (if mains sewerage is not available) is within the red line boundary and complies with building regulations, there should not be any adverse effects on water quality. Therefore, the proposed development should not have adverse effects on the notified features of the SSSI.

Otter are a European Protected Species with a high level of legal protection. They could be affected by development proposals anywhere close to a water course, wetland, coastline or estuary. Simple measures can often avoid adverse effects on otter, but these need to be informed by an up-to-date otter survey.

The proposed development is located approximately 60 metres from Loch of Harray. Therefore, a condition is required to ensure that an otter survey is carried out prior to submission of a future full planning application, to enable the planning authority to determine that application.

Biodiversity measures proportionate to the nature and scale of the proposed development have been included, as described in the submitted Biodiversity form (dated 14 May 2024) and shown on the site plan drawing embedded within the form. A condition is required to ensure the proposed biodiversity measures are carried out and therefore contribute to meeting the requirements of National Planning Framework 4 (NPF4) policy 3 on biodiversity.”

2.2. Scottish Water

“Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced.”

2.3. Roads Services

“No adverse comment provided that undernoted informative is applied to any planning permission that may be granted.

It is an offence under Section 56 of the Roads (Scotland) Act 1984 to carry out any excavations within the boundary of the public road without written permission of the Roads Authority. Therefore, one or more separate consents will be required from the Council’s Roads Services to carry out any works within the road boundary, prior to any works commencing. These consents may require additional work and/or introduce additional specifications. You are therefore advised to contact Roads Services for further advice as early as possible. Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to the development being brought into use, to the satisfaction of the Planning Authority, in conjunction with Roads Services. It is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain beyond the working day, on a public road from any vehicle or development site.”

2.4. Development & Marine Planning – Policy (re-consultation)

“Thank you for consulting us on the above planning application and updated Operational Needs Assessment. Upon reviewing the updated Operational Needs Assessment whilst we note the evidence of hours required on the farm for different activities undertaken and labour required, we would highlight that several areas of the assessment and statements are based on future plans and not current status quo. Also, from the submitted information there appears a large amount of hours that are attributed to silage production compared to stock related labour. The stock labour requirement has been hugely reduced now with the reduction in stock numbers since the original assessment was completed.

The location of the proposed house is in a location remote from the farm steadings situated in an area of open countryside which will have landscape impacts. Whilst there is some discussion on the justification for the house location proposed we remain unclear how the proposed location of the house in its current location best supports 24-hour supervision and farm operations. For example, being remote from the farm steadings could reduce the ability to be on hand to support farm activities such as milking which based on the needs assessment is a key parts of the

business. In addition, with the applicant working on shifts patterns there will be a limited time when there will be an onsite presence to look at livestock calving close to the location of the house. Therefore, a location closer to the existing farm steadings would seem a preferred location from a farm management and landscape perspective.”

2.5. Islands Archaeologist (re-consultation)

“The proposed development site is in a location with at least four Bronze Age tumuli, a subsurface cremation cist and a scatter of prehistoric flints potentially indicative of a settlement or funerary site within 150 m, indicating the potential for significant remains to exist...”

The results of the archaeological investigations have shown that no further archaeological work is required at the development site.”

3. Representations

No valid representations received.

4. Relevant Planning History

4.1.

No known planning history.

4.2.

Pre-application advice has not been provided in relation to this application.

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 5E - Single Houses and new Housing Clusters in the Countryside.
- Supplementary Guidance:
 - ‘Housing in the Countryside’ (2021).

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.

6.4. Status of the Local Development Plan

Although the Orkney Local Development Plan 2017 is “out-of-date” and has been since April 2022, it is still 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 Plan will be diminished where policies within the plan are subsequently superseded.

6.5. Status of National Planning Framework 4

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 the National Planning Framework and the Orkney Local Development Plan 2017 and its supplementary guidance. In the event of any incompatibility between a provision of 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. Assessment

7.1. Proposal

The current application is submitted in principle, to erect a house on an open, agricultural field in Sandwick, accessed from the A967 by a private track. As an application in principle, no detailed design was required to be submitted.



Towards the application site from the A967.

7.2.

The application is submitted under the provision of Policy 5E (vii) as 'The Provision of a Single Dwelling House for a Rural Business'. On that basis, the application must be assessed in relation to and meet the tests of the criteria for that policy provision, as set out in Supplementary Guidance 'Housing in the Countryside' (2021).

7.3. Principle

Supplementary Guidance requires various matters to be demonstrated, including assessment of previous planning permissions on the farm, confirmation that the stated need is not a direct consequence of recent severance of housing, and for other opportunities for housing development to be evaluated. Statements have been provided in those regards which are accepted.

7.4.

As required by Supplementary Guidance, the application is therefore assessed in relation to the following requirements of the policy provision:

The applicant must demonstrate that:

4. The viability, scale, longevity and other relevant details of the business must demonstrate that the business is on a sound financial basis.

5. The labour requirements of the business, including the requirement for additional 24 hour supervision, will be assessed and established through the application process. 24hour supervision must be essential for a sustained period of the year (for more than 3 months).

6. Details of the employment status of the business owners and employees; and whether they have other employment (full or part time) that takes them away from the business will be considered.

These matters are addressed in an Operational Needs Assessment, prepared by an independent consultant.

7.5.

It should be noted that the application context has been updated since initial submission. In part due to archaeological investigation as described below, but also an updated Operational Needs Assessment submitted in July 2025 due to changes in the operation of the farm business.

7.6.

The dairy farm in which the site is located was subject to a significant reduction in cattle numbers during consideration of this application. This is acknowledged in the Assessment which states that “the number of cows currently being milked is considerably less than in previous years”. This is balanced by a statement that “the current plan is to increase the dairy herd from 48 to 60 by March 2026”. As noted in the consultation response from Development and Marine Planning, “...we would highlight that several areas of the assessment and statements are based on future plans and not current status quo.”

7.7.

In terms of the ‘viability, scale, longevity and other relevant details of the business’, given the significant change in the operation of the business including the number of cows milked, even in the time since the application was submitted, in terms of the current business model this cannot be considered adequate in terms of longevity. There may be a case for the farm as it currently operates, to proceed on that basis for two years or more, to then use that as the basis of an application submission, but it would be premature to base a house approval on a relatively recent change.

7.8.

As also confirmed within the Operational Needs Assessment, the applicant works off the farm on a rota system which is 14 days “on”, and 21 days “off”, confirming that when the applicant is “off” shift, he works on the farm, helping his father as part of the succession plan for the farm. It is acknowledged that this is a common way for family farms to operate, where one or more members of the family have employment elsewhere, which is of benefit in terms of income, and where time is available when not in the other employment, it is used on the farm. However, the specific test for the housing provision is not simply whether the Assessment demonstrates the need for 24 hour supervision on the farm, but whether ‘additional’ 24 hour supervision has been identified (i.e. additional to the farm labour already in existence), and also whether the new house and its occupants would meet this requirement for 24 hour supervision.

7.9.

Again, in relation to the relatively recent changes to the business operation, no current ‘additional’ need for 24 hour supervision has been identified. And whilst a legitimate means of supporting a family farm business, given the shift pattern of the applicant, the proposal cannot be regarded as meeting any requirement to provide

such 24 hour supervision. The proposal is therefore contrary to the relevant tests of the Supplementary Guidance.

7.10. Location

The Assessment states that the fields surrounding the application site “are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.” Again, this is partly based on future livestock numbers. And if a ‘requirement’ of the farm operation, it is not stated how calving is carried out currently. It is assumed that the applicant is not suggesting that welfare requirements are not currently being met by the farm business; on that basis if those requirements are being met, with calving in those fields, and with there being no house currently, then there is no ‘requirement’ for a house to meet the existing standards. [And if calving is not currently in those fields, it cannot be proposed to be moved there, to justify a house.]

7.11.

The Assessment provides two additional reasons for the proposed location, which carry minimal weight. Firstly, that in future the applicant may have a family, and that members of that family may be struck by moving vehicles or machinery. If that risk prohibited residential properties in such locations, there would be no houses in farm steadings. A house cannot be justified in an open countryside location on that basis. The case is also made that the applicant does not want to ‘sacrifice good grazing’ for the purposes of a house site. The demand for grazing land, relative to the significant reduction in the livestock numbers, has not been further explored in the Assessment.

7.12.

Development and Marine Planning considers the proposed location in its consultation response, including in relation to the relevant policy provisions, stating: “The location of the proposed house is in a location remote from the farm steadings in an area of open countryside which will have landscape impacts. Whilst there is some discussion on the justification for the house location proposed we remain unclear how the proposed location...best supports 24 hour supervision and farm operations. For example, being remote from the farm steading’s could reduce the ability to be on hand to support farm activities such as milking which based on the needs assessment is a key part of the business.” The shift pattern of the applicant is also noted.

7.13.

The requirements of Supplementary Guidance are clear, that: “The proposed house should be located with other buildings associated with the business, forming part of a building group or in a location that has full business justification.” This is not the case.

7.14.

Provision does exist in Supplementary Guidance for alternative locations in ‘some exceptional cases’, and in that context confirms that *“it would not be sufficient for an agricultural business to state that a proposed housing location allows the occupant to look over the land. Justification must be more detailed in terms of the activities which require to be viewed from this location and why from an operational perspective this is a requirement over a location near to the buildings of the business.”* As stated above, the justification provided is to view fields used for calving, justified as essential for welfare purposes. If these fields are already used for calving, and in the absence of a house, either that existing calving fails to meet welfare standards (which is not suggested) or it is possible for this operation to proceed without a house. This is not an exceptional case, and the proposal fails to meet the location requirements of Supplementary Guidance, and therefore does not comply with the relevant tests of Policy 5E.

7.15. Archaeology

When initially submitted, archaeological features were noted within the vicinity of the application site. During consideration of the application, a Written Scheme of Investigation was submitted and approved, and a geophysical survey report was subsequently submitted in February 2025. That indicated anomalies that could represent archaeology at the development site. A report on archaeological evaluation was submitted by an independent and approved archaeologist. The results of archaeological investigations have confirmed that no further archaeological work is required at the development site. The Islands Archaeologist therefore has no further comment or concern.

7.16. Access

Roads Services was consulted and has confirmed no objection, based on use of the existing private track access.

7.17. Biodiversity

Biodiversity enhancement measures could be incorporated in any future detailed design.

8. Conclusion

8.1.

The principle of the development relies on compliance with Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance ‘Housing in the Countryside’ (2021), and in this case as a proposal for a rural business (farm), compliance with the terms of 5E (viii) ‘The Provision of a Single Dwelling House for a Rural Business’.

8.2.

Based on relatively recent changes to the farm business operation, the longevity of the current business model has not been demonstrated. The need for ‘additional’ 24

hour supervision has not been demonstrated, relative to the business as it operates currently, noting the relatively recent changes to the business operation, and that the Assessment submitted includes future projections as well as current operations. The employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision. The proposed development is not located with other buildings associated with the business, and does not form part of a building group, and is not in a location that has full business justification. A case is made for the house location in relation to observing calving to meet welfare requirements; however, if those fields are already used for calving, and assuming welfare standards are not currently being breached, it is demonstrated that a house in the location is not essential.

8.3.

Advice provided to the applicant is that the case for a new house may be more justified closer to the existing farm buildings, with the practical benefit of being on hand for milking or other 24 hour activities in the steading, including during night-time or winter conditions. In the context that the justification for a house at all is already at its limits in terms of policy, the balance is tipped firmly against the development given the location proposed, in an open location, with significant landscape impact, where the impacts of the development are not outweighed by any justification provided. The applicant has chosen to pursue the location applied for, aware that it would be refused.

8.4.

On that basis the development is also contrary to Policy 1 'Criteria for all development' which states that development must be sited taking into consideration the location and landscape character, and Policy 2 'Design' which requires development to have a positive effect on the appearance and amenity of an area.

8.5.

The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle. The development is also contrary to Policy 1 'Criteria for all development' and Policy 2 'Design' in terms of landscape impact.

9. Reasons for Refusal

01. The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle, on the basis the longevity of the current business model has not been demonstrated, the need for 'additional' 24 hour supervision has not been demonstrated, relative to the business as it operates currently, the employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision, and the proposed development is not located with other buildings associated with the business, and does not form part of a building group.

02. The development is contrary to Policy 1 'Criteria for all development' on the basis it is not sited taking into consideration the location and landscape character, and Policy 2 'Design' on the basis the development would not have a positive effect on the appearance and amenity of an area.

10. Contact Officer

Jamie Macvie, Service Manager, 01856 873535 extension 2529,
Jamie.macvie@orkney.gov.uk



REFUSE PLANNING PERMISSION IN PRINCIPLE

DELEGATED DECISION

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

Ref: 24/123/PIP

W A J Hourie
c/o Paul Houghton MRTPI
Alloa Business Centre
Whins Road
Alloa
Clacks
Scotland
FK10 3RF

With reference to your application registered on 9th April 2024 for planning permission for the following development:-

PROPOSAL: Siting of a house and a detached garage for an agricultural worker, and create an access

LOCATION: Land South East Of Sharalee, Sandwick, Orkney Islands, KW16 3JB

Orkney Islands Council in exercise of its powers under the above Act and Regulations, hereby **REFUSE Planning Permission in Principle for the reason(s) outlined on the next page.**

The plans to which this decision relates are those identified in Schedule 1 attached.

The Council's reasoning for this decision is: The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle. The development is also contrary to Policy 1 'Criteria for all development' and Policy 2 'Design' in terms of landscape impact.

(For further detail you may view the Planning Handling Report for this case by following the Application Search and Submission link on the Council's web page and entering the reference number for this application).

Please read carefully the Terms and Conditions on the following pages as failure to comply may result in enforcement action.

Decision date: 16th October 2025

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

Ref: 24/123/PIP

REASONS FOR REFUSAL

01. The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle, on the basis the longevity of the current business model has not been demonstrated, the need for 'additional' 24 hour supervision has not been demonstrated, relative to the business as it operates currently, the employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision, and the proposed development is not located with other buildings associated with the business, and does not form part of a building group.
02. The development is contrary to Policy 1 'Criteria for all development' on the basis it is not sited taking into consideration the location and landscape character, and Policy 2 'Design' on the basis the development would not have a positive effect on the appearance and amenity of an area.

Ref: 24/123/PIP

SCHEDULE 1 – PLANS, VARIATIONS AND ANY OBLIGATION**1. Plans and Drawings**

The plans and drawings to which this decision relates are those identified below:

Location Plan	OIC-01	1
Site Plan	OIC-02	1

2. Variations

If there have been any variations made to the application in accordance with section 32A of the Act these are specified below:

Date of Amendment:

Reasons

RIGHT TO SEEK A REVIEW

If you are unhappy with the terms of this decision you have a right to ask for a review of your planning decision by following the procedure specified below.

PROCEDURE FOR REQUESTING A REVIEW BY THE LOCAL REVIEW BODY

1. If the applicant is aggrieved by the decision of the Appointed Officer to:
 - a. Refuse any application, or
 - b. Grant permission subject to conditions.

In accordance with the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations, the applicant may apply to the Local Review Body within three months from the date of this notice for a review of that decision.

2. Forms to request a review are available from either address below, or from [Appeal a Decision](#)

Completed forms to request a review should be submitted to the address below:

Committee Services
Orkney Islands Council
Council Offices
School Place
KIRKWALL
Orkney
KW15 1NY

and at the same time a copy of the notice for a review should be sent to:

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

Email: planning@orkney.gov.uk

3. whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Act.

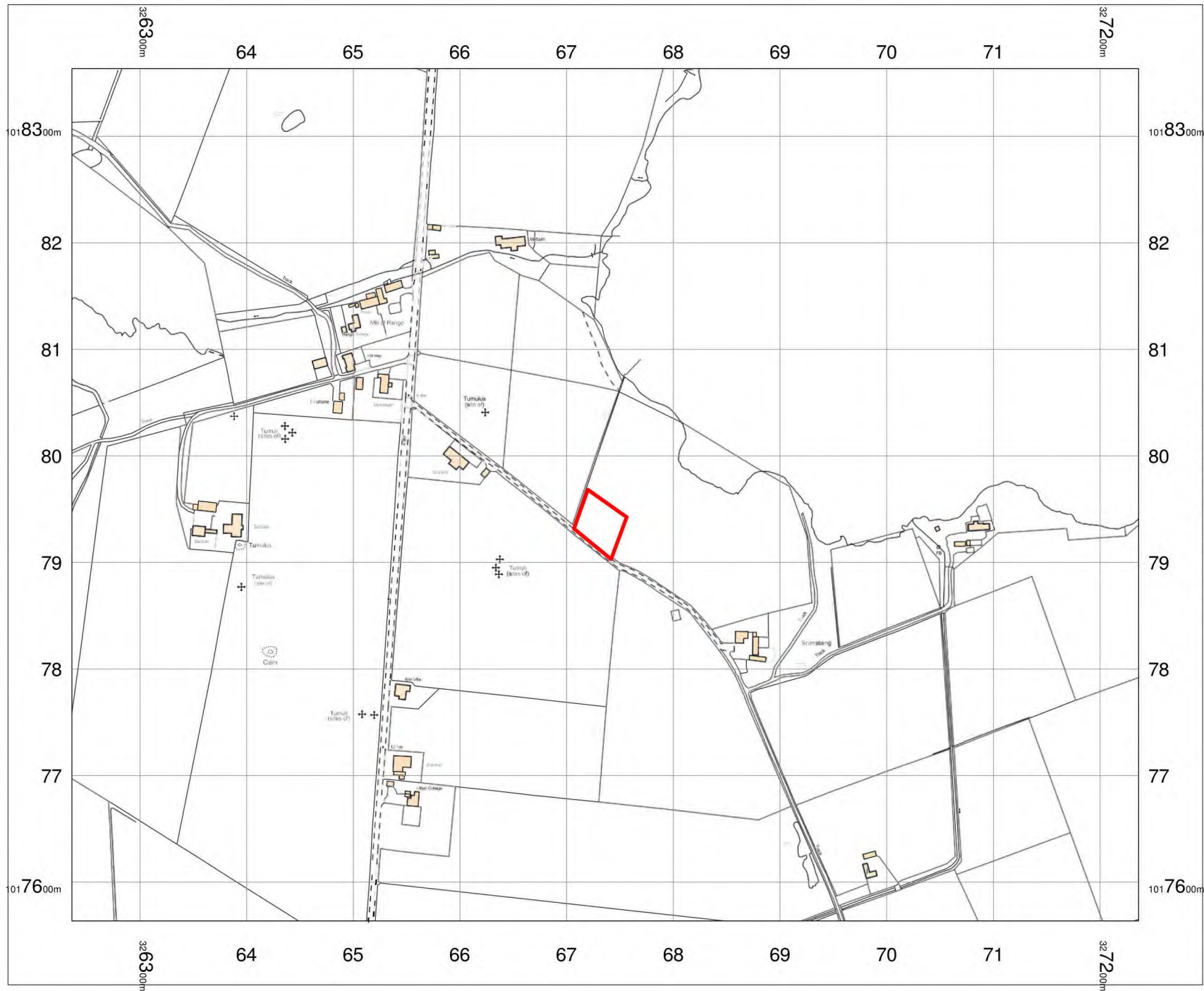


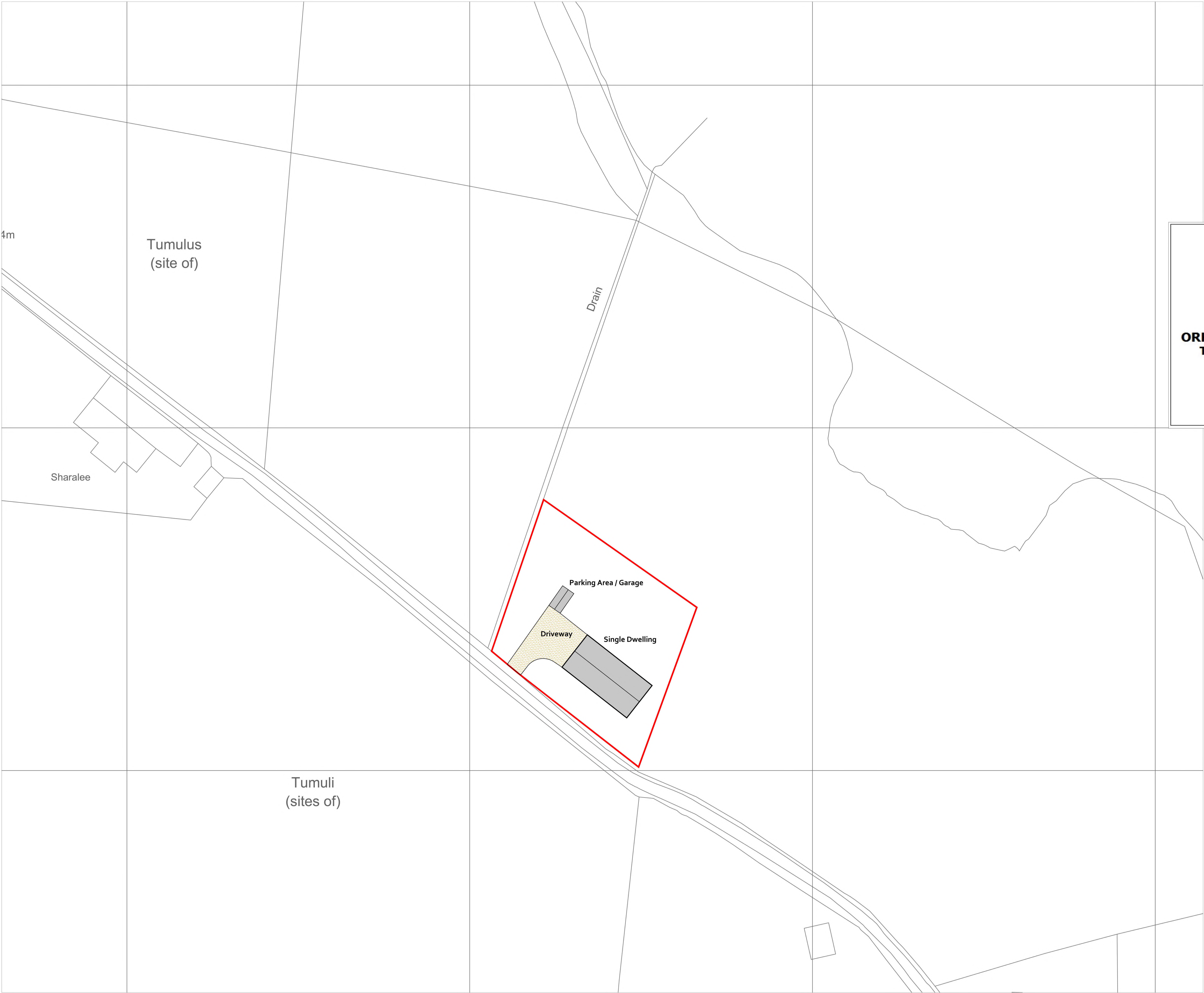
ORKNEY ISLANDS COUNCIL
Town & Country Planning
Planning (Scotland) Acts
REFUSED
24/123/PIP
16 October 2025

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FOR A BETTER POINT OF VIEW





- Legend**
- Site boundary
 - Single Dwelling
 - Garage / Parking Area
 - Access / Driveway



ORKNEY
ISLANDS COUNCIL

ORKNEY ISLANDS COUNCIL
Town & Country Planning
Planning (Scotland) Acts

REFUSED
24/123/PIP
16 October 2025



Project: Bain Dairy Farm, Orkney	Client: Mr David Hourie
Drawing Title: Indicative Site Plan	
Scale: 1:500@ A1	Date: 18 / 03 / 2024
Drawing No: Bain - HP - 02	Status: Planning
Drawn by: L Houghton	Checked by: P Houghton
t: 07780 117708 e: houghtonplanning.co.uk	

Land south-east of Sharalee

Sandwick

Mainland

Orkney Islands

Geophysical Survey Report

Report No: 1064.2

ORCA

UHI Archaeology Institute

Orkney College UHI

East Road

Kirkwall

KW15 1LX

Project Manager: Paul Clark

Report Author: Amanda Brend

Report Figures: Amanda Brend & Crane Begg

Client: W Hourie



This document has been prepared in accordance with ORCA standard operating procedures and CIfA standards

Authorised for Distribution by: Paul Clark MCIfA

Date: 17 December 2024

Title:	Land south-east of Sharalee, Sandwick, Mainland, Orkney Islands: Geophysical Survey Report
Author(s):	Amanda Brend
Derivation:	Client commission
Revised by:	Paul Clark
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Approval:	Paul Clark MCIfA

Executive Summary

This report sets out the results of a geophysical survey undertaken by Orkney Research Centre for Archaeology (ORCA) commissioned by Mr David Hourie on land south-east of Sharalee, Sandwick, Mainland, Orkney. The survey was requested by the Orkney Islands Archaeologist in response to the application for Planning in Principle for the Site (OIC Planning Ref: 24/123/PIP).

The results of the geophysical survey show several anomalies across the Site that may be archaeological in nature, particularly as there are numerous prehistoric sites in the immediate vicinity of the Site. Without further investigation, however, it is difficult to be more definitive about their nature or function.

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1 Introduction

This document was commissioned by Mr David Hourie (hereinafter referred to as ‘the Client’) and forms the final report detailing the results of a geophysical (magnetometer) survey carried out over a 0.25 hectare area, south-east of Sandwick, Orkney, KW16 3JB (hereafter referred to as ‘the Site’) in advance of the construction of a single dwelling and garage shown on **Figure 1**. The survey was requested by the Orkney Islands Archaeologist in response to the application for Planning in Principle for the Site (OIC Planning Ref: 24/123/PIP).

All works were carried out in accordance with the Written Scheme of Investigation (WSI) for the works (Talbot 2024), which sets out the legislation framework and planning background in detail. The fieldwork was undertaken in November 2024.

This report has been prepared in accordance with the Standards and Code of Practice laid down by the Chartered Institute for Archaeologists (CIfA 2014a & 2014b) and the European Archaeological Council (EAC) (Schmidt *et al* 2015).

2 Site Location, Topography and Geology

The Site is centred on NGR HY 26725 17940, south-east of Sandwick at the northern end of the Loch of Harray, off a minor road. It is currently agricultural land situated halfway between the properties of Sharalee and Scarrataing.

The solid geology in this section is Lower Stromness Flagstone Formation (siltstone, mudstone and sandstone). No overlying drift geology is recorded in this area. (<https://geologyviewer.bgs.ac.uk>).

3 Archaeological Background

Orkney has an exceptionally rich archaeological landscape with numerous important sites dating from the Mesolithic through to the modern period, and which includes the *Heart of Neolithic Orkney* designated UNESCO World Heritage Site (*HONO WHS*) (Historic Scotland 2014).

A table of sites recorded close to the Site is provided in the WSI for the project (Talbot 2024) and the following is a brief summary of this information.

A large number of probable Bronze Age sites is recorded around the northwest area of the Loch of Harray, some of which lie in the immediate vicinity of the site, for example, a cremation cist at Mill of Rango (Canmore ID 1646: [Mill Of Rango](#)) c. 100m northwest of the Site and a barrow, recorded in the Name Book of 1880, some 42m to the west of this (Canmore ID 1645: [Mill Of Rango](#)). A group of three mounds are recorded c. 110m southwest of the Site at Upper Scarrataing (Canmore ID 1647: [Upper Scarrataing](#)). Several other barrow sites are recorded further west of the site, including two mounds at Stockan (Canmore ID 1614: [Stockan](#)) c. 310m to the southwest, and another individual mound 350m to the west (Canmore ID 1639: [Stockan](#)).

In addition to this, a scatter of prehistoric flints is recorded 125m southeast of the site and an Iron Age broch at Scarrataing (Canmore ID 1633: [Scarrataing](#)) is situated c. 900m to the southeast.

4 Fieldwork Aims and Objectives

In consultation with the client and the Orkney Islands Archaeologist, a geophysical (magnetometer) survey was undertaken on the site in order to attempt to identify any features or deposits of potential archaeological significance, which would reduce or eliminate the risk of significant archaeology being present on site, such as the potential for prehistoric settlement and funerary remains.

The purpose of a geophysical survey as defined by the ClfA is to:

determine, as far as is reasonably possible, the nature of the detectable archaeological resource within a specified area using appropriate methods and practices.

A geophysical survey is further defined as (ClfA 2014a):

Archaeological geophysical survey uses non-intrusive and non-destructive techniques to determine the presence or absence of anomalies likely to be caused by archaeological features, structures or deposits, as far as reasonably possible, within a specified area or site on land, in the inter-tidal zone or underwater. Geophysical survey determines the presence of anomalies of archaeological potential through measurement of one or more physical properties of the subsurface.

In all cases, a geophysical survey will be intended:

as far as possible inform on the presence or absence, character, extent and in some cases, apparent relative phasing of buried archaeology, in order to make an assessment of its merit in the appropriate context, which may lead to one or more of the following:

- a. The formulation of a strategy to ensure further recording, preservation or management of the resource;*
- b. The formulation of a strategy to mitigate a threat to the archaeological resource;*
- c. The formulation of a proposal for further archaeological investigation within a programme of research;*

Geophysical results are not a map of the ground but a direct measurement of subsurface properties and the interpretation of any identified anomalies is subjective. While the scrutiny of the results is undertaken by qualified, experienced individuals, and rigorously checked for quality and consistency, it is often not possible to classify all anomaly sources.

5 Fieldwork Methodology

The table below summarises the equipment and methodology used in the field. Detailed explanation of the methodology is presented in **Appendix 1**.

Set Out	
Instrument	Trimble TDC 600/R8
Type of correction	RTK VRS GPS
Magnetometer Survey	
Instrument	Bartington Grad601-2
Grid size	20x20m
Sampling along the traverses	0.25m
Traverse intervals	1m
Collection mode	Zig-Zag

Table 1: The equipment and methodology used in the field.

6 Fieldwork Results

6.1 Magnetometer Survey

The magnetometer results are presented in a greyscale plot of the processed data (**Figures 2 and 3**). Anomalies referred to in the following text are presented in an annotated interpretation diagram (**Figure 4**).

There are several features across the Site that may be archaeological in nature. **Anomaly 1** is a cluster of positive anomalies and very strong positive responses in the western portion of the survey data that could be archaeological in origin, for example pits or heat-affected features. These curve around in a gentle arc from northeast to southwest for c. 15m and measure between 1.7m and 4.5m long by 1.4m and 4.7m wide. The northernmost of these is a very strong response and could be ferrous debris within the topsoil. A line of further positive features, **Anomaly 2**, running roughly north-south in the south of the Site, could also be archaeological in nature, and they could relate to Anomaly 1 to the northwest. A scatter of positive anomalies across the Site, **Anomaly 3**, may also be archaeological in origin, perhaps pits or heat-affected features, but their discrete nature makes their interpretation uncertain.

There are two curving trends visible in the data. The northernmost of these, **Anomaly 4**, arcs from southwest to northeast for a distance of c. 54m, while the southernmost, **Anomaly 5**, meanders east-west for c. 42m. It is not possible to determine whether these are archaeological features, such as remnants of former boundaries, or whether they are natural in origin.

The majority of the other anomalies across the Site are ferrous, likely representing modern debris within the topsoil. Magnetometer survey at barrow sites elsewhere in Orkney, such as the Knowes of Trotty (Challands 2001), revealed similarly strong responses across the mounds, suggesting that any of the ferrous anomalies identified in the present survey could be archaeological in nature.

7 Conclusions and Recommendations

The results of the geophysical survey revealed several anomalies that may be of archaeological origin. It is difficult to determine more about them given their discrete nature and the small scale of the area surveyed but given the presence of several Bronze Age sites in the immediate environment, there is a strong possibility that they may be archaeological in nature. In other geophysical surveys of barrow cemeteries, features similar to Anomalies 1 to 4, have been found to represent associated satellite burials and pyre sites, for example, at Linga Fold (Challands 2001) and barrows have also been shown to have distinct geophysical signatures dependent on their construction methods and subsequent histories (Brend *et al* 2020).

The final decision as to the requirement for further work on the site rests with Orkney Islands Council's designated Planning Archaeologist.

8 Acknowledgements

The author would like to thank Mr David Hourie for commissioning the work.

9 OASIS ID:

OASIS Id: orkneyre1-530462

10 Bibliography

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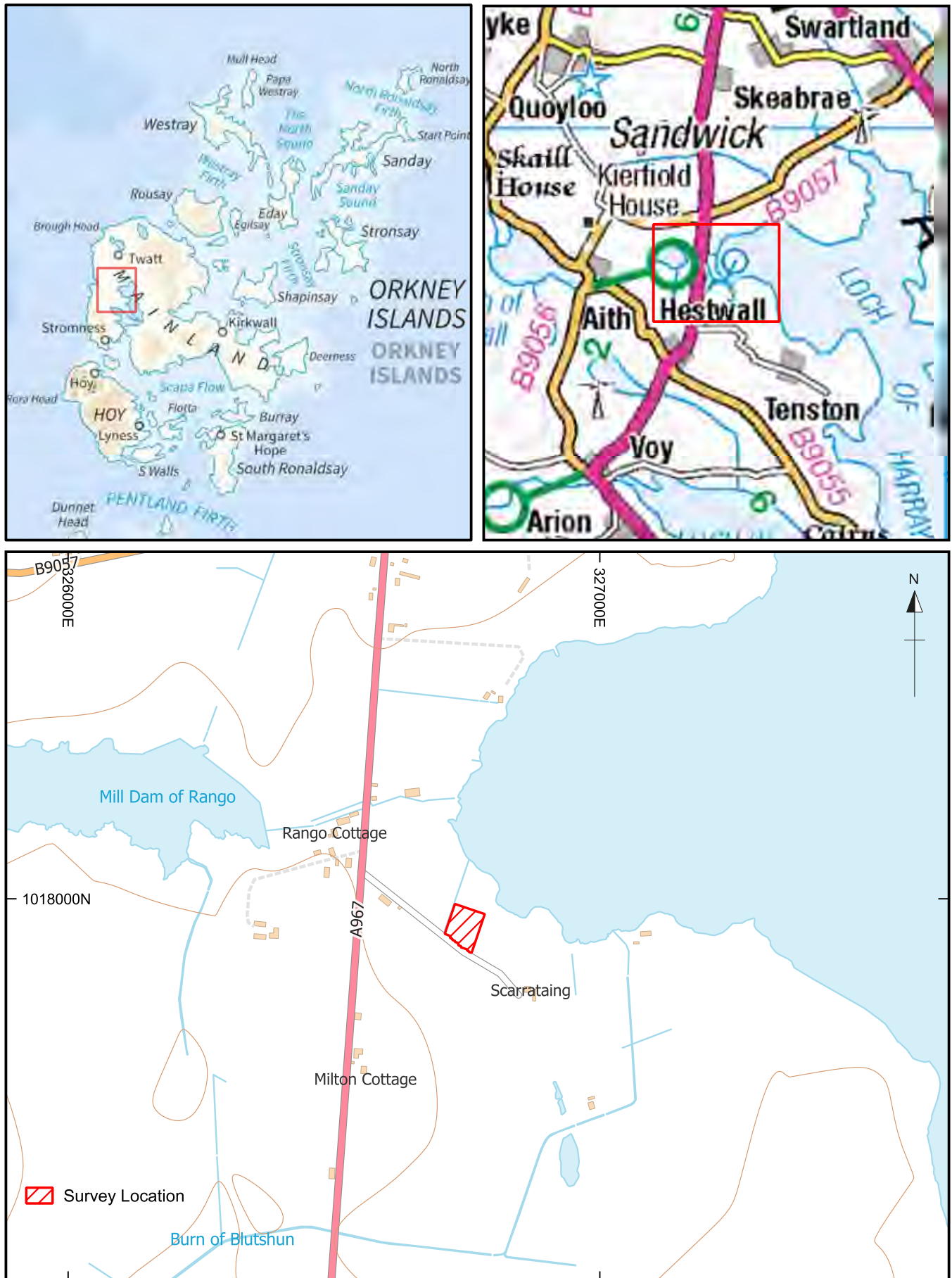
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Figures



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CRS: OSGB36 / British National Grid/ EPSG:27700

Figure 1: Site Location

Project Name: Land SE of Sharalee

Project No: 1064

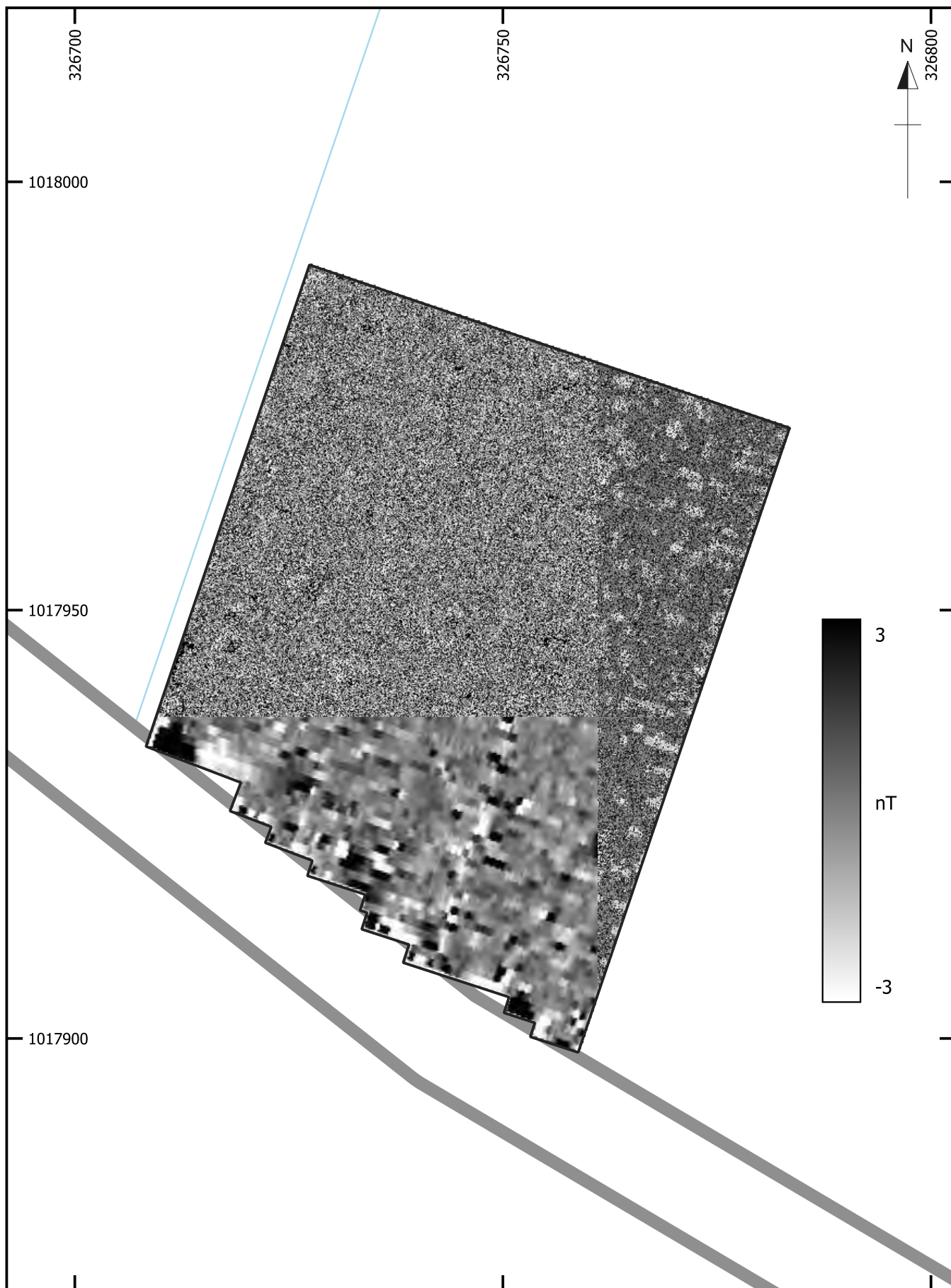
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Date: 12/2024

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Rev. No. 1.00



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0 10 20 30 m

Figure 2: Greyscale plot of raw magnetometer data.

Project Name: Land SE of Sharalee

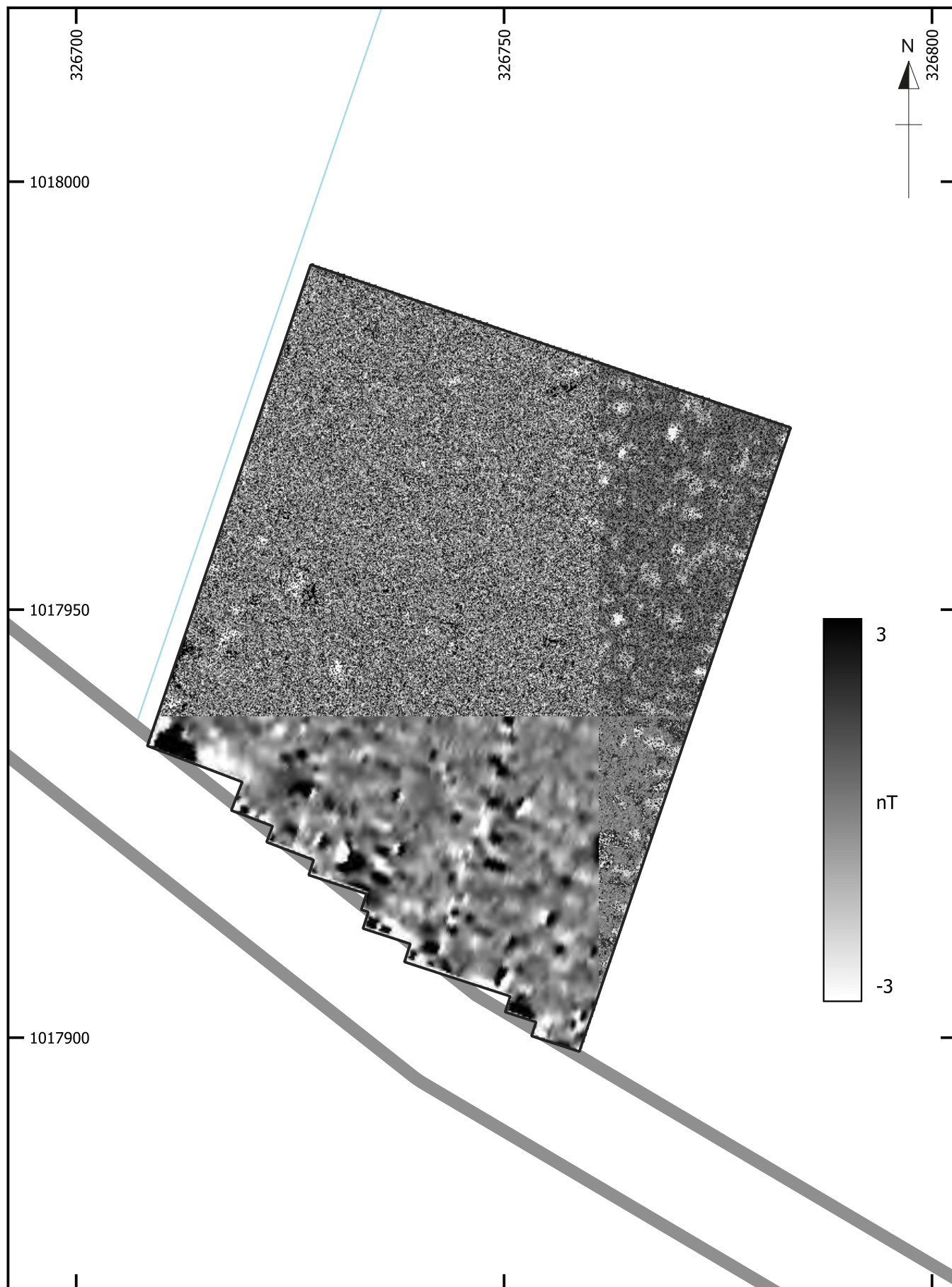
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ID: OR02AB

Rev. 1.00



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0 10 20 30 m

Figure 3: Greyscale plot of processed magnetometer data.

Project Name: Land SE of Sharalee

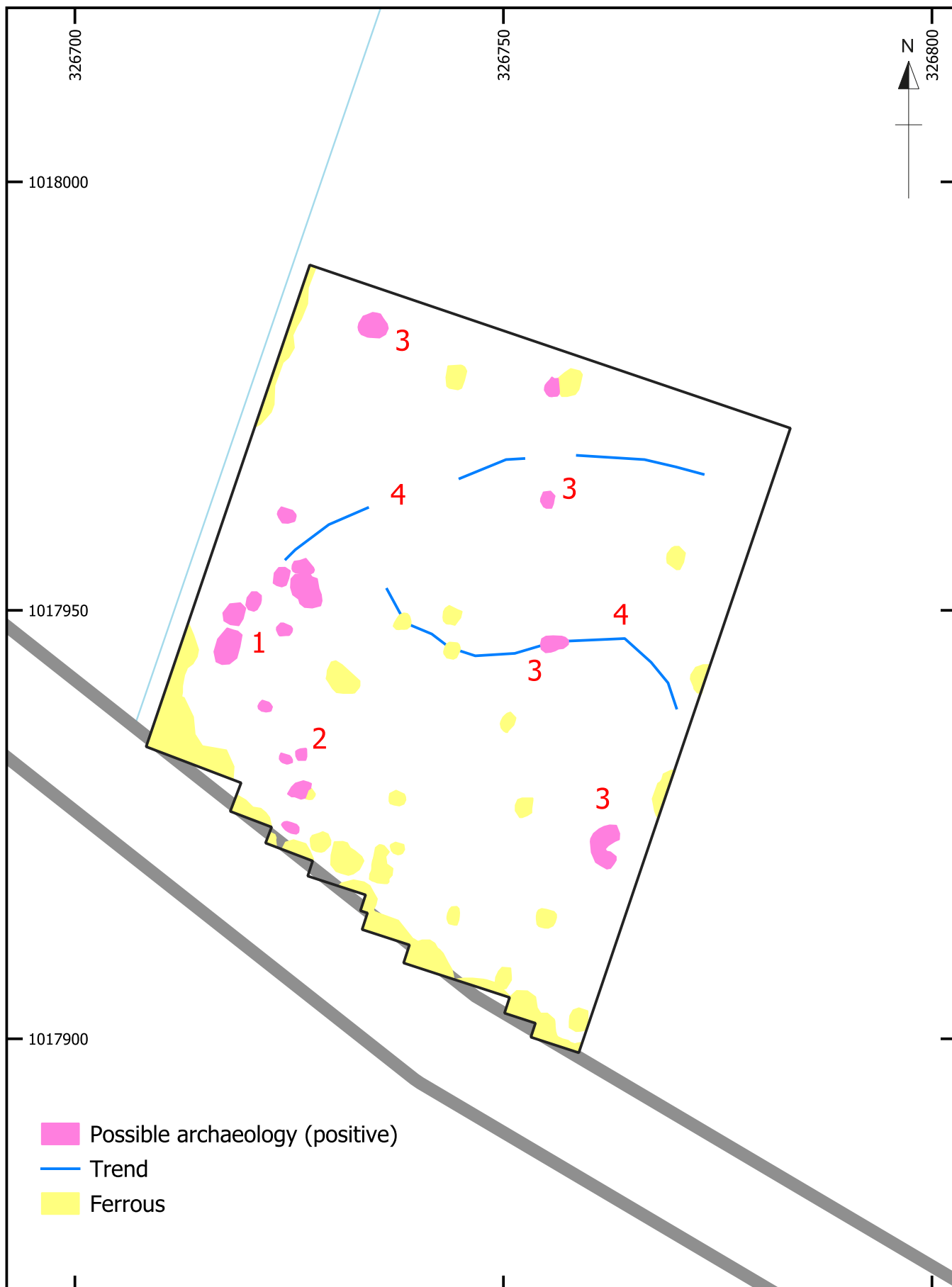
Project No: 1064

Scale @A4 1:625

Date: 12/2024

ID: OR02AB

Rev. 1.00



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0 10 20 30 m

Figure 4: Interpretation diagram of magnetometer data.

Project Name: Land SE of Sharalee

Project No: 1064

Scale @A4 1:625

Date: 12/2024

ID: OR02AB

Rev. 1.00

Appendices

Appendix 1 : Methodology

1. Metric Survey

All grids were set out by hand using tapes and surveyed in with a GPS.

2. Magnetometer Survey

Data Collection

Magnetometer survey was undertaken using a Bartington Grad601 gradiometer. The gradiometer comprises two fluxgate sensors mounted 1m apart on a vertical axis. Each sensor measures the earth's magnetic field, in nano-Tesla (nT), and the instrument records the difference between the observed readings for each sensor. By measuring the magnetic field in this manner, the dependency of fluxgate sensors upon the angle between the sensor and the earth's magnetic field and the variations due to large-scale geological variations and diurnal fluctuations are filtered out. By doing so the instrument is recording subtle changes or anomalies in the earth's magnetic field caused by material in the top metre or so of the earth's surface. G

Data were collected at 0.25m intervals along traverses 1m apart, in 'zig-zag' fashion i.e. the direction of the traverse alternating between adjacent traverses, within a series of 20m by 20m grids which were later merged together.

Fieldwork

Data were collected at 0.25m intervals along traverses 1m apart, in 'zig-zag' fashion i.e. the direction of the traverse alternating between adjacent traverses, within a series of 20m by 20m grids which were later merged together.

Data processing

The data were processed using Geoplot 4.0.

'Zero mean traverse' corrections have been applied to all the data. This process sets the mean of each line to zero. These corrections remove discontinuities between adjacent grids and striping effects within grids caused by 'zig-zag' collection of data.

The processed data has been interpolated twice in the Y direction to create a 'square' data set. This has the overall effect of smoothing the data.

Data Display

Greyscale images: Greyscale images display the data within a predefined range with all values below the minimum being white and all values over the maximum being black with gradual increments between these two extremes.

ORKNEY ISLANDS COUNCIL**BIODIVERSITY FORM FOR PLANNING APPLICATIONS
TO BE COMPLETED AND SUBMITTED WITH PLANNING APPLICATIONS****Planning reference or
address of development:**

24/123/PIP

Date of form completion:

14/05/2024

**Person/company
completing form:**

W A J HOURIE / David Hourie

Baseline - what's there

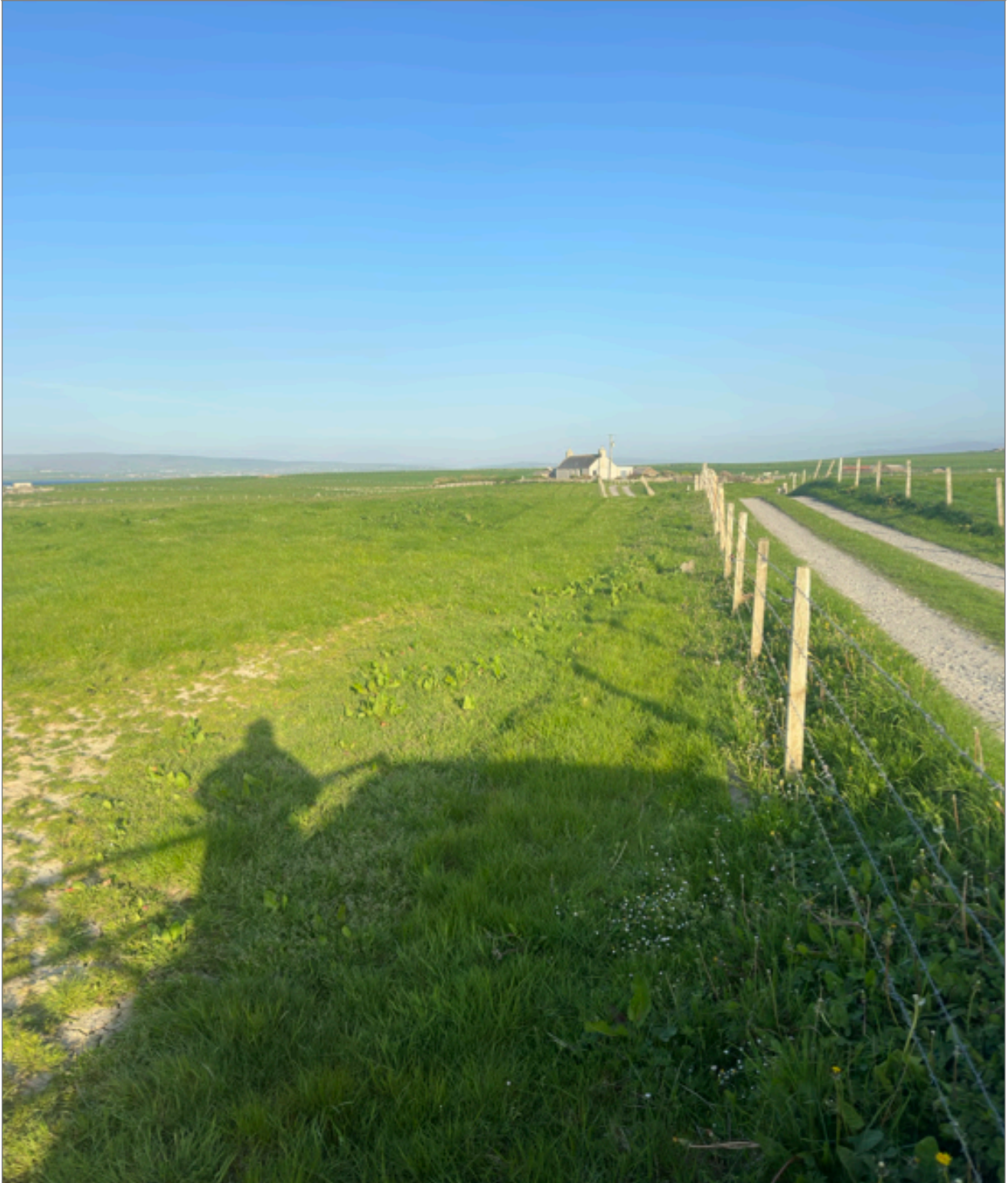
- Please provide photographs to give an overview of the habitats and features present on site, and, referring to the photographs, describe below the dominant habitat type and most recent land use. If the land use has recently changed please also describe the previous known land use. List any species of note that use the site.
(Example level of information: grass, grazed field, brown hare and curlew; coastal heath, rough grazing for sheep, Arctic skua; heather moorland, unmanaged, short eared owl; livestock fodder crops, agricultural field, geese; unmanaged meadow, previously livestock grazing field until farm changed hands last year, unknown; urban brownfield site previously with flats on it (demolished 5 years ago) within existing settlement, none as it's a concrete slab; etc).
- Please provide a site layout plan that shows the location of existing broad habitat types and biodiversity features such as wetter/drier areas, ditches, watercourses, trees and shrubs, stone walls, ditches, invasive plant species, etc, both within and adjoining the proposed development site. The biodiversity features should be marked on a site layout plan that shows all elements of the proposed development, including infrastructure such as roads, paths, services, drainage, electricity lines, etc. (This is to enable assessment of how the existing biodiversity features might be affected by the construction and use of the proposed development. It can also be helpful to include photographs of the biodiversity features and their context within the site.)

Grass, Grazed livestock field. - Has been cut for Silage in the past 3-5 Years.

Curlew, Oystercatcher, Starling, Skylark, Wren, House Sparrow, Blackbird, Seagulls and Geese all forage in the field and boundaries.

Brown hare and Rabbit are also present.









Minimising effects on existing biodiversity (conserving and restoring)

- Referring to the plan provided above, please describe below how you have minimised adverse effects on existing biodiversity through siting, design and layout that retains existing habitats and features of biodiversity value, and where this has not been possible, please explain why.
- Where relevant, please also describe how degraded existing biodiversity features are going to be restored. (Restoration will not be applicable to all sites.)

Restoration is not applicable to the existing biodiversity features on this site.

As this is just an application for planning principle I cannot indicate drainage points, etc.

A septic tank will be used on this site to ensure all waste is contained and there is no potential for contamination to the loch/ drainage nearby.

Enhancement of biodiversity

- Please list below what enhancement measures you intend to include and explain what they are seeking to achieve. Please include common and Latin names of plant species and where the plants or seeds will be sourced from. (This is to check that species appropriate to the site and Orkney conditions are used.)
- Please provide a site layout plan that shows the location of enhancement measures. The enhancement measures should be marked on a site layout plan that shows all elements of the proposed development, including infrastructure such as roads, paths, services, drainage, electricity lines, etc. (This is to enable assessment of how the construction and use of the proposed development might interact with the proposed enhancement measures.)

Privet Hedging- I would be intending to surround the site with privet hedging - *ligustrum ovalifolium* - this will add a biodiversity feature on site, creating a new habitat and food source for animals.



Monitoring and maintenance of biodiversity retained and enhanced

– Please describe below how will the retained and enhanced biodiversity features and measures be monitored and maintained in the longer term to ensure they continue to benefit biodiversity, and who will be responsible for monitoring and maintenance. (Where detailed information on monitoring and maintenance will be provided in a landscaping or other site management plan to be submitted with the planning application, please provide the document title, author and date, and summarise the information below.)

No formal monitoring and maintenance is proposed as the development is for a single dwelling house.

I will make it my own priority as house owner to ensure that the Hedge remains healthy and continues to be of benefit in a biodiversity manner.

Advice

- If you have sought or received advice about what is present on or makes use of the proposed development site and / or how to safeguard, restore and enhance biodiversity, please list below who has given you advice. (For example, an ecological consultant, others with relevant local knowledge, etc.)
- Where advice has been received, please summarise it below and provide a copy if advice was given in writing.

Myself and Father have farmed this land for over 10 years now, therefore we have a good knowledge of the area and the species in which live there. The field is of low biodiversity value as it is mainly used for grazing and silage (which includes the use of heavy machinery), therefore adding the site to the location will vastly improve the area in a biodiversity sense.

- Please describe how have you incorporated any advice you received into the proposed development, and if not, please explain why not.

I have discussed this with Nina Caudrey MRTPI, MCIEEM - Environmental planner

Report on Archaeological Evaluation in advance of the Erection of a dwellinghouse and garage at Land SE of Sharalee, Sandwick, Mainland Orkney

Planning Reference: 24/123/PIP

Prepared by: G Wilson & H Moore, EASE Archaeology

Date: 2/06/2025

1. SUMMARY

This report documents the findings of an archaeological evaluation (trial trenching) on land located to the southeast of Sharalee, Sandwick, Mainland, Orkney. The work was undertaken in advance of the erection of a new house and garage. The requirement and specification for this work was provided by the Orkney Archaeologist and was set out within the Planning Decision (Planning Reference: 24/123/PIP). The work was undertaken in compliance with Historic Environment Scotland and Chartered Institute for Archaeologists (CIFA) best practice and standards for archaeological Work.

No deposits or features of an archaeological nature were identified on the site during this stage of the archaeological work.

2. THE DEVELOPMENT SITE AND ITS ARCHAEOLOGICAL CONTEXT

The proposed development site is located on land to the southeast of Sharalee, Sandwick, Mainland, Orkney. The National Grid Reference is HY 26725 17940. The proposal seeks to erect a house and garage in an area of previously undeveloped farmland.

The development site lies within Inner Sensitive Zone (also known as the Buffer Zone) of the UNESCO - designated World Heritage Site of the 'Heart of Neolithic Orkney'. This area contains a wealth of archaeological and historical remains of all periods dating from the earliest prehistoric human presence in Orkney up to modern times. These include:

- (Canmore ID 1646) Mill of Rango, a cist containing cremated remains was found in 1878 (Orkney Name Book). It is located c.100m to the NW of the site.
- (Canmore ID 1645) Mill of Rango, a barrow noted here in 1880 (Orkney Name Book), is no longer visible.
- (Canmore ID 1647) Upper Scarrataing, 3 mounds were recorded in 1880 (Orkney Name Book), but are now no longer visible. They were located c110m to the SW of the site.

- (Canmore ID 1614) Stockan, two mounds were noted here in 1880 (Orkney Name Book). By 1967, one is described as amorphous and mutilated, and the other was no longer visible. This is located c.310m to the SW of the site.
- (Canmore ID 1638) Stockan, mound, grass covered mound 32ft in diameter, was mutilated during the formation of a farm steading. It is said to have contained 'many relics'. It is now visible as a bowl-shaped mound, 10m in diameter and 1.15m high (Orkney Barrows project, 1993). This is located c.350m to the SW of the site.
- (Canmore ID 306450) Upper Scarrataing, prehistoric flint scatter, located c.125m to the SE of the site.
- (Canmore ID 1633) Scarrataing Iron Age broch, located c.900m to the SE of the site.

Within the wider hinterland there are numerous further sites of archaeological interest. These are unlikely to extend into the development area but have implications in illustrating both the long duration of human activity in the area and the potential for the survival of a range of different types of remains within this locality.

3. SITE EVALUATION

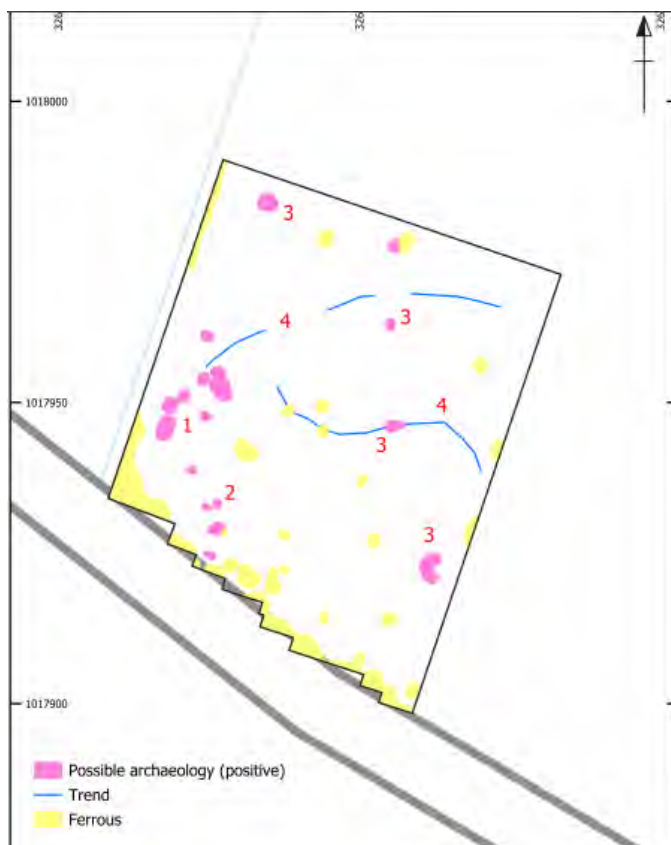
Because the proposed development site lies in undeveloped farmland and in an area which contains a large number of recorded archaeological remains it is considered to be of high archaeological potential. For this reason, an archaeological condition has been placed on the development which recommended that a geophysical survey be conducted and followed up

with archaeological trial trenching. The reason for this is to reduce or eliminate the risk of disturbing significant archaeological remains.

3.1 Geophysical Survey

A geophysical (magnetometer) survey of the site was undertaken by ORCA in November 2024 (ORCA 2024, Report number 1064.2). The purpose of this work was to identify hitherto unrecorded features of potential archaeological significance and gather evidence to inform a strategy for archaeological trial trenching and for mitigating the risk of disturbing significant archaeological remains.

The findings of the survey indicate a number of anomalies within the area.



Of these, four groups of anomalies were interpreted as potentially being of archaeological origin (ORCA 2024, Report number 1064.2 Figure 4). Anomaly 1, a cluster of 8 or more positive features, and Anomaly 2, a cluster of 5 or more positive features, were provisionally identified as pits or heat-affected areas. Anomaly 3, comprising of 5 more widely spaced positive features, was considered also to potentially represent pits or heat-affected areas. Anomalies 4 and 5, a series of meandering curvilinear features, were considered to be potentially of archaeological origin (e.g. remnant boundaries). In addition to this, a high number of ferrous anomalies were indicated, possibly representing either modern debris or archaeological remains.

4. TRIAL TRENCHING

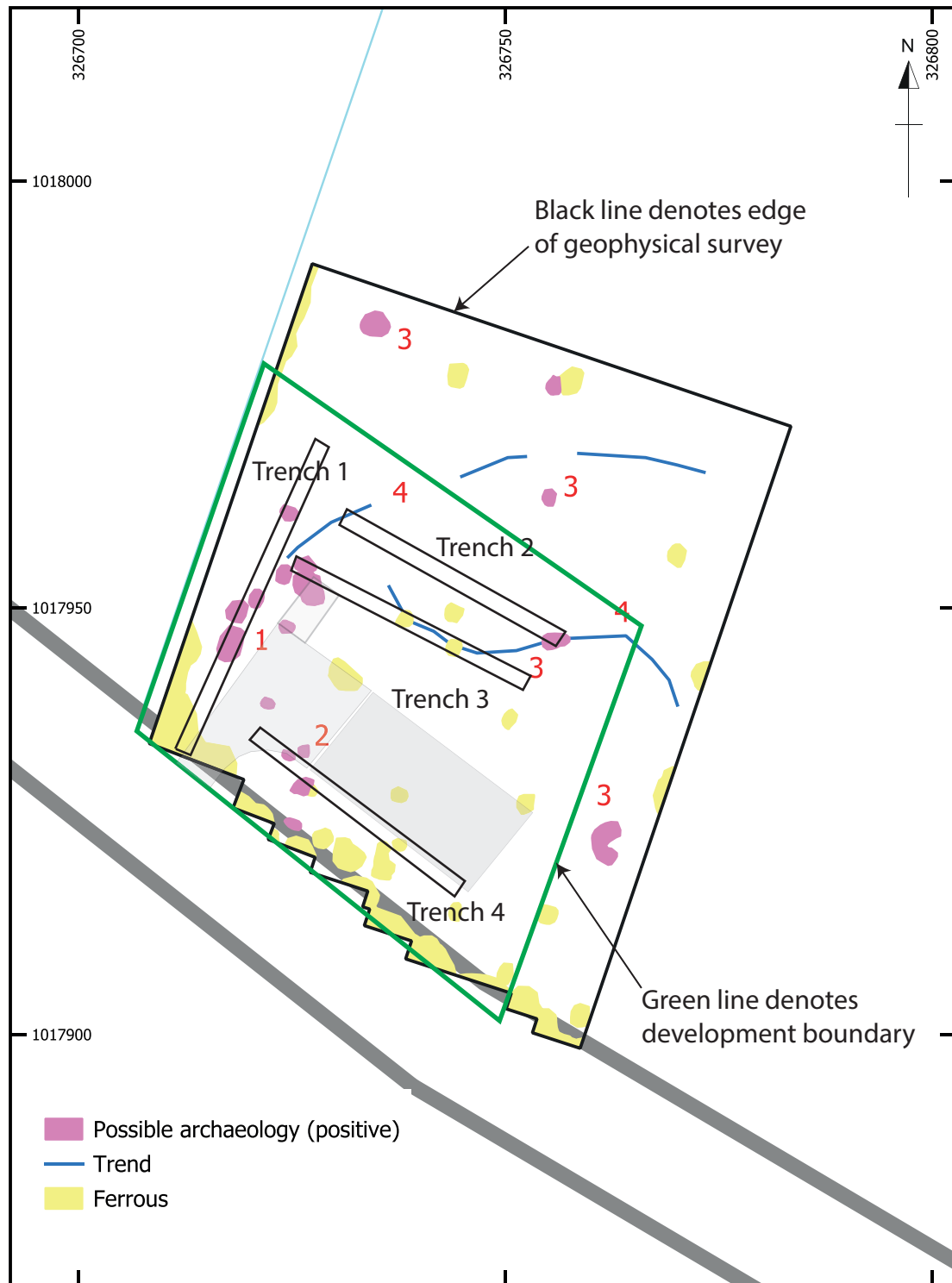
4.1 Aims

A second stage of evaluation using trial trenching to examine the subsurface remains was undertaken by the present authors on 2nd June 2025. The purpose of this was firstly to follow up on the findings of the Geophysical Survey by testing or ‘ground-truthing’ a representative sample of the anomalies indicated by that work. A second aim of trial trenching was to look for any remains or anthropic deposits which might be present but not amenable to identification via geophysical survey. The third aim was to generally examine and record the subsurface deposits present to characterise local geomorphology and soil conditions and evidence of past land use in this area.

4.2 Methodology

The trial trenching comprised of the excavation of four trenches by machine under the constant supervision of experienced archaeologists. The trenches were positioned to investigate a representative sample of the anomalies identified by the Geophysical Survey (see accompanying plan) and their locations were selected in prior consultation with the Orkney Archaeologist. Trench 1, located to the west of the site, measure 41m long by 1.8m wide; the other three each measured 30m in length by 1.8m. The trenches were each excavated to the level of natural till and/or bedrock surface.

In addition to monitoring the deposits under removal during the machining stage, the basal surface and vertical sections within each trench were also inspected and cleaned using hand tools to assess for archaeological features and inclusions. The subsurface deposits were recorded by means of digital photography, measured sketches and a written record detailing every soil context encountered.



Outline plan showing trench locations excavated June 2025
Trenches marked 1-4.

Background map derived from archaeological geophysics report, see Orkney Planning Portal planning ref 24/123/PIP, 'Archaeology Report', published 19th February 2025.

4.3 Findings

In summary, no features or deposits of an archaeological nature were identified on the site. The depth of soil above natural was shallow, mostly between 0.2m and 0.3m, and the soils themselves were almost wholly devoid of anthropic inclusions. No artefacts were found, and no samples were collected. The findings per trench are documented below.

- Trench 1

Trench 1 measured 41m X 1.8m and was oriented N-S. It extended over the full N-S extent of a natural rise. The soil depth above natural was deepest to the south end, where up to 0.5m of soil deposits covered the natural till. At the north end of the trench, the soil depth was reduced to 0.2m. The soil deposits comprised of the following sequence of contexts:

1/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.1m- 0.2m thick.

1/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This was up to 0.4m thick at the south end of the trench, dwindling elsewhere to an average thickness of 0.2m.

1/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

- Trench 2

Trench 2 measured 30m X 1.8m, was oriented E-W and was located towards the northern (downslope) periphery of a natural rise. The soil depth above natural till was, on average, 0.25m – 0.3m and comprised of the following sequence of contexts:

2/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.1m- 0.15m thick.

2/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This was between 0.1m and 0.2m thick.

2/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

- Trench 3

Trench 3 measured 30m X 1.8m and was oriented E-W. It extended across the shoulder of a natural rise. The soil depth above natural was between 0.2m and 0.3m in thickness. The deposits were of natural origin and comprised of the following sequence:

3/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.15m- 0.2m thick.

3/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This was on average, 0.15m thick.

3/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

- Trench 4

Trench 4 measured 30m X 1.8m and was oriented E-W. It was located on level ground, to the south (upper) side of a natural rise. The soil depth above natural till was, on average, 0.2m- 0.25m thick. The deposits were of natural origin and comprised of the following sequence:

4/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.15m thick.

4/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This had an average thickness of 0.1m.

4/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

4.4 Interpretation

The findings of trial trenching did not reveal any features or deposits of archaeological origin. The dearth of anthropic inclusions, moreover, would suggest that the site has not previously been inhabited or substantially altered through human agency. No features were found below the ground surface which directly coincided with or could be conclusively linked to the anomalies indicated by the geophysical survey, although it is possible that variations in the composition and compaction of the till may be implicated. Some iron staining was noted within the 'B' horizon in all trenches excavated. This took the form of sporadic mottling and there was no iron pan or denser concentrations in evidence. Nonetheless, the presence of iron here may be the source of the 'ferrous' anomalies indicated in the geophysical survey.

4.5 Conclusion

In conclusion, the results of this work found no evidence of any archaeological activity on the site, and it is suggested that the anomalies indicated by the geophysical survey relate to features of natural origin. No materials or samples were recovered, and no further analyses or post-excavation work is required.



General view over site to north.



Trench 1: view of soil profile.



Trench 1: view looking south.



Trench 1: view looking south.



Trench 2: view looking east.



Trench 2: view of soil profile.



Trench 2: view looking east.



Trench 3: view looking west.



Trench 3: view of soil profile.



Trench 3: view looking east.



Trench 4: view of soil profile.



Trench 4: view looking west.



Trench 4: view looking east.



Trench 4: view looking west.

Operational Needs Assessment

Strictly confidential



Part of Scotland's
Rural College (SRUC)

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27th June 2025

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Introduction

This report is written on behalf of the business of W A J Hourie, which is a family run partnership operating the farm of Bain in Sandwick. The land of Bain is just under 100ha and is good quality agricultural land, with a further 2ha rented seasonally by the business. The farm is run as a dairy farm with 48 cows producing 7,500l. The majority of the milk is sold to Orkney Cheese, with some used to support Miss Hourie's business of producing yoghurt, milkshakes and soft cheese.

The business is now a fourth-generation farm, with the introduction of Mr David Hourie and his sister Miss Lara Hourie to the firm in 2018. Mr David Hourie has off-farm employment, however, this job is 14 days "on", and 21 days "off" thus allowing him to work on the farm on those 21 days "off". His sister, Miss Lara Hourie works full-time with her own business, a subsidiary of W A J Hourie, "The Orkney Dairy".

However, there are currently no available houses on the farm, and it is essential that David resides on the farm, close to the where the cows will be calving. Therefore a site for a new build is requested.

Current Farming System

The farm is run as a dairy unit, with 48 Fleckvieh cows and followers. Cows calve all year round, in order to guarantee a steady milk supply.

Cows are yielding approximately 7,500 litres and are fed in the parlour along with a Total Mixed Ration (TMR) in the shed. In addition approximately 17ha of spring barley is grown to feed to the cows, this yields approximately 120t per annum.

There are 120 cubicles, and the cows are bedded on mats and sawdust. The parlour is a 10:20 Herringbone. Milking takes around one hour and the cows are milked twice a day.

Every year, three cuts of silage are taken.

All of the farm work is carried out by the partners. The only jobs that contractors are used for are sowing barley and raking the silage. All of the other land work and crop work is done by the partners of the business.

Although the number of cows currently being milked is considerably less than in previous years, the current plan is to increase the dairy herd from 48 to 60 by

March 2026. They have 15 heifers due to calf in October, and another 14 due in February/March next year which will increase the numbers going through the parlour to 60.

Existing Housing and Past Planning Applications for Housing

Recently the family home was sold Mr and Mrs Hourie are living in a caravan near the steading while they build a new home at Bain. David is in another caravan near the steading whilst he waits for planning permission and Lara has bought a house less than half a mile from the steading.

David wishes to move out of the family home and live in his own home, however, there are no other planning options and/or approvals on the farm.

Other Opportunities for Housing on the Land of the Business

There are no opportunities for any one-for-one planning applications and there are no redundant farm buildings, which would be suitable for conversion.

Viability, Scale and Longevity of the Business

The Hourie family have been living and farming at Bain for over 100 years, the business in its current format has been trading for over six years.

The business receives Basic Payment Scheme, Less Favoured Agricultural Support Scheme funding all through the Scottish Government.

Land

The land is mostly in Sandwick. As is standard in Orkney, all of the land is in the Less Favoured Area (LFA) and is classified as disadvantaged and fragile.

Table 1. Permanent Land

Land Use (permanent land)	Hectares
Arable	16.65
Temporary Grass	21.00
Permanent Grass	51.71
Rough Grazing	2.50
Total	91.86

Table 2. Seasonal Land

Land Use (seasonal land)	Hectares
Arable	1.71
Total	1.71

The biggest soil type on farm is Thurso Association with brown forest soils, brown rankers and some non-calcareous gleys. non-calcareous and peaty gleys.

The Macaulay Land Use Research Institute has classified most of the land as 4.1 and 4.2, which is land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

Farm Buildings

Description	Size	Use/Capacity	Owned/Rented
Cubicle Shed	120	Milking Cows	Owned
Parlour	10:20		Owned
Dry Cow Shed	Straw pens	Dry cows/calves	Owned
Slatted court with cubicles	30 cubicles	Bulling heifers	Owned
Cubicle house (small)	40 small cubicles	Yearlings	Owned
Silage pit			Owned
Dairy		Yoghurt/cheese making	Owned

Houses

There is no house at the steading, but there is planning in place for a house for Mr & Mrs Hourie close to the steading and building work is now underway for this property.

Machinery

Item
1 x Tractors (Fendt 716)
1 x Tele-handler
1 x Quadbike
1 x Gator
Silage Trailer x 2
Cattle Float
Forage Wagon
Feed Trailer
Tedder
Mower x 2
Combine
Plough
Grass Seeder
Baler & Wrapper
Sprayer
Bruiser
Shear grab
Feeder Wagon
Slurry Tanker, with trailing shoe

Livestock

Milk production for the Orkney Cheese Company Ltd is the main focus for the business. Moreover, since 2020 the business has started making its own yoghurt, milkshakes and just this year has launched its own soft cheese.

The unit milks 48 cows, with the majority of the milk sold to Orkney Cheese for cheese production. The farm breed's its own replacement heifers approximately 5 each year, with the other offspring sold at 1mth old at 50kgs.

The milking takes approximately one hour, and the cows are milked twice a day.

The aim is to increase the cows being milked to 60 by spring 2026, as they have a number of heifers due to calf in September/October and again another batch in spring 2026. This will allow the milking herd to increase slightly. The plan is for all of the calves to be reared on at Bain, the heifers will be kept as herd replacement and steer/bull calves will be kept for selling into the prime market.

Cropping

Three cuts of silage are harvested each year, around 390acre in total. The silage yield is around 6t/ac.

The farm also grows 40acre of spring barley, yielding 3t/acre. All the grain and the straw are used on farm with any excess sold to neighbours.

Labour Requirements and 24-hour Supervision

- Stock numbers are based on livestock held on 25th June 2025.
- Cropping information is taken from the 2025 Single Application Form

Standard Labour Units¹ (current system)

Enterprise	Hours/ annum	Total
48 dairy cows	42hrs per head	2016
77 other cattle	12hrs per head	924
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
38.86ha Grassland	3.1hrs per hectare	120.47
Labour requirement for farm		5,051.17 hrs/annum

A labour unit is now recognised as 1,900 hours per year. On this basis the existing farming system would require 2.66 full-time equivalents to function correctly. It is important to note that the above does not account for the dairy part of the business i.e. the production, manufacture and distribution of yoghurt, milkshakes and soft cheese.

The figures stated above clearly demonstrates the high labour requirement of this busy and successful family farm. It also highlights the need for housing to enable this traditional family farm to fully fulfil its succession plan.

Furthermore, it is important to remember that a dairy unit requires staff to work out with a typical working day and in order to keep and attract young people into the industry accommodation is essential.

FAWC² report states that “Animals are kept for various purposes and in return their needs should be provided for. Farm animals are recognised as sentient beings in the Treaty of Amsterdam. We have a moral obligation to each

¹ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

² <https://www.gov.uk/government/groups/farm-animal-welfare-committee-fawc>

Operational Needs Assessment – W A J Hourie

individual animal that we use.” Therefore, all farms must ensure that they meet high standards of animal welfare these are summarised in the Five Freedoms:

1. Freedom from hunger and thirst
2. Freedom from discomfort
3. Freedom from pain, injury, and disease
4. Freedom to express normal behaviour
5. Freedom from fear and distress

A farm such as Bain must put the needs of the cows before anything else, and in order to do this the unit needs competent employees/partners on site 24 hours a day, in particular for milking at 6am and again at 6pm in the evening. The family are lucky that the next generation is keen to take on the farm, the long hours, and the time commitment that is required for a successful dairy business. However, housing is essential for this to happen effectively.

As stated previously the plan is to calve 29 heifers in two batches, the first in October and the second in the spring of 2026 and increase the milking cows to 60, this would increase the labour requirement to 2.89FTE, please see below.

- Stock numbers are based on the farm’s future proposals.
- Cropping information is taken from the 2024 Single Application Form

Standard Labour Units³ (March 2026)

Enterprise	Hours/ annum	Total
60 dairy cows	42hrs per head	2520
70 other cattle	12hrs per head	840
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
48.52ha Grassland	3.1hrs per hectare	150.4
Labour requirement for farm		5,501.1 hrs/annum
Labour requirement for December onwards		2.89FTE

³ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

Employment Statement of the Partners

Mr William Hourie works full-time on the farm, his wife Mrs Kirsten Hourie works with their daughter Miss Lara Hourie with her yoghurt, milkshake and soft cheese making business. Mr David Hourie works off the farm on a rota system which is 14 days "on", and 21 days "off", when is "off" he works on the farm, helping his father as part of the succession plan for the farm.

There are currently no paid employees on the farm.

Justification for the House Location Proposed

As the site plan in the application shows, the family wish to site the house for Mr David Hourie near the land at Scarrataing Road. There are three reasons for this. Firstly, the fields on this road are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.

Secondly, the partners strongly feel that another house at the steading is not suitable for health and safety reasons. It is in all likelihood that Mr David Hourie will go on to have family, having the house next to the steading although handy for milking would mean that his family would be more at risk from being struck by moving vehicles or machinery. In fact, according to a report by the Health and Safety Executive⁴, there were 21 fatal injuries to farm workers in 2022/23, moreover 28% of deaths over the last five years on farm were due to being struck by a moving vehicle.

Thirdly, there will be one house at the steading already, once the house for Mr W Hourie and his wife is complete. The land around the steading is used for grazing cows and cannot be used for cropping due to the proximity to the milking parlour, therefore it does not make agricultural sense to sacrifice another part of the good grazing fields for housing.

Conclusion

The business of W A J Hourie is an established dairy unit providing just over 360,000 litres of milk to Orkney Cheese per annum, with the intention to increase production to 450,000l by the spring 2026. The unit has no employees with all of the labour provided by Mr W Hourie and Mr D Hourie.

This report demonstrates the farm requires 2.66 labour equivalents. Currently this labour is provided by the partners, however, a house is essential for Mr David Hourie to fulfil the succession plan for this successful family farm.

⁴ HSE, "Agriculture, forestry and fishing statistics in Great Britain, 2023, published 22 November 2023, source: <https://www.hse.gov.uk/statistics/assets/docs/agriculture.pdf>

Map of Steading



Soil Map



Planning Handling Report.

Siting of a house and a detached garage for an agricultural worker, and create an access at Land South East Of Sharalee, Sandwick.

Determination under delegated powers: 01 October 2025.

1. Summary

Application Number:	24/123/PIP
Application Type:	Planning in Principle
Applicant:	W A J Hourie.
Agent:	Houghton Planning Ltd, c/o Paul Houghton, Alloa Business Centre, Whins Road, Alloa, FK10 3RF.

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/our-services/planning-and-building/planning/application-search-and-submission/> (then enter the application number given above).

2. Consultations

2.1. Development & Marine Planning – Environment

“The proposed development site is located approximately 60 metres from the closest part of Lochs of Harray and Stenness SSSI, important for nutrient rich loch, saline lagoon, aquatic invertebrates and non-breeding tufted duck, pochard and scaup. There is a small collection of other houses and buildings in the vicinity of the proposed development, with the land use being predominantly agricultural down to the shoreline. Therefore, the non-breeding bird features of the SSSI will be habituated to human activity at this location. Provided any wastewater treatment system (if mains sewerage is not available) is within the red line boundary and complies with building regulations, there should not be any adverse effects on water quality. Therefore, the proposed development should not have adverse effects on the notified features of the SSSI.

Otter are a European Protected Species with a high level of legal protection. They could be affected by development proposals anywhere close to a water course, wetland, coastline or estuary. Simple measures can often avoid adverse effects on otter, but these need to be informed by an up-to-date otter survey.

The proposed development is located approximately 60 metres from Loch of Harray. Therefore, a condition is required to ensure that an otter survey is carried out prior to submission of a future full planning application, to enable the planning authority to determine that application.

Biodiversity measures proportionate to the nature and scale of the proposed development have been included, as described in the submitted Biodiversity form (dated 14 May 2024) and shown on the site plan drawing embedded within the form. A condition is required to ensure the proposed biodiversity measures are carried out and therefore contribute to meeting the requirements of National Planning Framework 4 (NPF4) policy 3 on biodiversity.”

2.2. Scottish Water

“Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced.”

2.3. Roads Services

“No adverse comment provided that undernoted informative is applied to any planning permission that may be granted.

It is an offence under Section 56 of the Roads (Scotland) Act 1984 to carry out any excavations within the boundary of the public road without written permission of the Roads Authority. Therefore, one or more separate consents will be required from the Council’s Roads Services to carry out any works within the road boundary, prior to any works commencing. These consents may require additional work and/or introduce additional specifications. You are therefore advised to contact Roads Services for further advice as early as possible. Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to the development being brought into use, to the satisfaction of the Planning Authority, in conjunction with Roads Services. It is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain beyond the working day, on a public road from any vehicle or development site.”

2.4. Development & Marine Planning – Policy (re-consultation)

“Thank you for consulting us on the above planning application and updated Operational Needs Assessment. Upon reviewing the updated Operational Needs Assessment whilst we note the evidence of hours required on the farm for different activities undertaken and labour required, we would highlight that several areas of the assessment and statements are based on future plans and not current status quo. Also, from the submitted information there appears a large amount of hours that are attributed to silage production compared to stock related labour. The stock labour requirement has been hugely reduced now with the reduction in stock numbers since the original assessment was completed.

The location of the proposed house is in a location remote from the farm steadings situated in an area of open countryside which will have landscape impacts. Whilst there is some discussion on the justification for the house location proposed we remain unclear how the proposed location of the house in its current location best supports 24-hour supervision and farm operations. For example, being remote from the farm steadings could reduce the ability to be on hand to support farm activities such as milking which based on the needs assessment is a key parts of the

business. In addition, with the applicant working on shifts patterns there will be a limited time when there will be an onsite presence to look at livestock calving close to the location of the house. Therefore, a location closer to the existing farm steadings would seem a preferred location from a farm management and landscape perspective.”

2.5. Islands Archaeologist (re-consultation)

“The proposed development site is in a location with at least four Bronze Age tumuli, a subsurface cremation cist and a scatter of prehistoric flints potentially indicative of a settlement or funerary site within 150 m, indicating the potential for significant remains to exist...”

The results of the archaeological investigations have shown that no further archaeological work is required at the development site.”

3. Representations

No valid representations received.

4. Relevant Planning History

4.1.

No known planning history.

4.2.

Pre-application advice has not been provided in relation to this application.

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 5E - Single Houses and new Housing Clusters in the Countryside.
- Supplementary Guidance:
 - ‘Housing in the Countryside’ (2021).

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.

6.4. Status of the Local Development Plan

Although the Orkney Local Development Plan 2017 is “out-of-date” and has been since April 2022, it is still 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 Plan will be diminished where policies within the plan are subsequently superseded.

6.5. Status of National Planning Framework 4

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 the National Planning Framework and the Orkney Local Development Plan 2017 and its supplementary guidance. In the event of any incompatibility between a provision of 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. Assessment

7.1. Proposal

The current application is submitted in principle, to erect a house on an open, agricultural field in Sandwich, accessed from the A967 by a private track. As an application in principle, no detailed design was required to be submitted.



Towards the application site from the A967.

7.2.

The application is submitted under the provision of Policy 5E (vii) as 'The Provision of a Single Dwelling House for a Rural Business'. On that basis, the application must be assessed in relation to and meet the tests of the criteria for that policy provision, as set out in Supplementary Guidance 'Housing in the Countryside' (2021).

7.3. Principle

Supplementary Guidance requires various matters to be demonstrated, including assessment of previous planning permissions on the farm, confirmation that the stated need is not a direct consequence of recent severance of housing, and for other opportunities for housing development to be evaluated. Statements have been provided in those regards which are accepted.

7.4.

As required by Supplementary Guidance, the application is therefore assessed in relation to the following requirements of the policy provision:

The applicant must demonstrate that:

4. The viability, scale, longevity and other relevant details of the business must demonstrate that the business is on a sound financial basis.

5. The labour requirements of the business, including the requirement for additional 24 hour supervision, will be assessed and established through the application process. 24hour supervision must be essential for a sustained period of the year (for more than 3 months).

6. Details of the employment status of the business owners and employees; and whether they have other employment (full or part time) that takes them away from the business will be considered.

These matters are addressed in an Operational Needs Assessment, prepared by an independent consultant.

7.5.

It should be noted that the application context has been updated since initial submission. In part due to archaeological investigation as described below, but also an updated Operational Needs Assessment submitted in July 2025 due to changes in the operation of the farm business.

7.6.

The dairy farm in which the site is located was subject to a significant reduction in cattle numbers during consideration of this application. This is acknowledged in the Assessment which states that “the number of cows currently being milked is considerably less than in previous years”. This is balanced by a statement that “the current plan is to increase the dairy herd from 48 to 60 by March 2026”. As noted in the consultation response from Development and Marine Planning, “...we would highlight that several areas of the assessment and statements are based on future plans and not current status quo.”

7.7.

In terms of the ‘viability, scale, longevity and other relevant details of the business’, given the significant change in the operation of the business including the number of cows milked, even in the time since the application was submitted, in terms of the current business model this cannot be considered adequate in terms of longevity. There may be a case for the farm as it currently operates, to proceed on that basis for two years or more, to then use that as the basis of an application submission, but it would be premature to base a house approval on a relatively recent change.

7.8.

As also confirmed within the Operational Needs Assessment, the applicant works off the farm on a rota system which is 14 days “on”, and 21 days “off”, confirming that when the applicant is “off” shift, he works on the farm, helping his father as part of the succession plan for the farm. It is acknowledged that this is a common way for family farms to operate, where one or more members of the family have employment elsewhere, which is of benefit in terms of income, and where time is available when not in the other employment, it is used on the farm. However, the specific test for the housing provision is not simply whether the Assessment demonstrates the need for 24 hour supervision on the farm, but whether ‘additional’ 24 hour supervision has been identified (i.e. additional to the farm labour already in existence), and also whether the new house and its occupants would meet this requirement for 24 hour supervision.

7.9.

Again, in relation to the relatively recent changes to the business operation, no current ‘additional’ need for 24 hour supervision has been identified. And whilst a legitimate means of supporting a family farm business, given the shift pattern of the applicant, the proposal cannot be regarded as meeting any requirement to provide

such 24 hour supervision. The proposal is therefore contrary to the relevant tests of the Supplementary Guidance.

7.10. Location

The Assessment states that the fields surrounding the application site “are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.” Again, this is partly based on future livestock numbers. And if a ‘requirement’ of the farm operation, it is not stated how calving is carried out currently. It is assumed that the applicant is not suggesting that welfare requirements are not currently being met by the farm business; on that basis if those requirements are being met, with calving in those fields, and with there being no house currently, then there is no ‘requirement’ for a house to meet the existing standards. [And if calving is not currently in those fields, it cannot be proposed to be moved there, to justify a house.]

7.11.

The Assessment provides two additional reasons for the proposed location, which carry minimal weight. Firstly, that in future the applicant may have a family, and that members of that family may be struck by moving vehicles or machinery. If that risk prohibited residential properties in such locations, there would be no houses in farm steadings. A house cannot be justified in an open countryside location on that basis. The case is also made that the applicant does not want to ‘sacrifice good grazing’ for the purposes of a house site. The demand for grazing land, relative to the significant reduction in the livestock numbers, has not been further explored in the Assessment.

7.12.

Development and Marine Planning considers the proposed location in its consultation response, including in relation to the relevant policy provisions, stating: “The location of the proposed house is in a location remote from the farm steadings in an area of open countryside which will have landscape impacts. Whilst there is some discussion on the justification for the house location proposed we remain unclear how the proposed location...best supports 24 hour supervision and farm operations. For example, being remote from the farm steading’s could reduce the ability to be on hand to support farm activities such as milking which based on the needs assessment is a key part of the business.” The shift pattern of the applicant is also noted.

7.13.

The requirements of Supplementary Guidance are clear, that: “The proposed house should be located with other buildings associated with the business, forming part of a building group or in a location that has full business justification.” This is not the case.

7.14.

Provision does exist in Supplementary Guidance for alternative locations in ‘some exceptional cases’, and in that context confirms that *“it would not be sufficient for an agricultural business to state that a proposed housing location allows the occupant to look over the land. Justification must be more detailed in terms of the activities which require to be viewed from this location and why from an operational perspective this is a requirement over a location near to the buildings of the business.”* As stated above, the justification provided is to view fields used for calving, justified as essential for welfare purposes. If these fields are already used for calving, and in the absence of a house, either that existing calving fails to meet welfare standards (which is not suggested) or it is possible for this operation to proceed without a house. This is not an exceptional case, and the proposal fails to meet the location requirements of Supplementary Guidance, and therefore does not comply with the relevant tests of Policy 5E.

7.15. Archaeology

When initially submitted, archaeological features were noted within the vicinity of the application site. During consideration of the application, a Written Scheme of Investigation was submitted and approved, and a geophysical survey report was subsequently submitted in February 2025. That indicated anomalies that could represent archaeology at the development site. A report on archaeological evaluation was submitted by an independent and approved archaeologist. The results of archaeological investigations have confirmed that no further archaeological work is required at the development site. The Islands Archaeologist therefore has no further comment or concern.

7.16. Access

Roads Services was consulted and has confirmed no objection, based on use of the existing private track access.

7.17. Biodiversity

Biodiversity enhancement measures could be incorporated in any future detailed design.

8. Conclusion

8.1.

The principle of the development relies on compliance with Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance ‘Housing in the Countryside’ (2021), and in this case as a proposal for a rural business (farm), compliance with the terms of 5E (viii) ‘The Provision of a Single Dwelling House for a Rural Business’.

8.2.

Based on relatively recent changes to the farm business operation, the longevity of the current business model has not been demonstrated. The need for ‘additional’ 24

hour supervision has not been demonstrated, relative to the business as it operates currently, noting the relatively recent changes to the business operation, and that the Assessment submitted includes future projections as well as current operations. The employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision. The proposed development is not located with other buildings associated with the business, and does not form part of a building group, and is not in a location that has full business justification. A case is made for the house location in relation to observing calving to meet welfare requirements; however, if those fields are already used for calving, and assuming welfare standards are not currently being breached, it is demonstrated that a house in the location is not essential.

8.3.

Advice provided to the applicant is that the case for a new house may be more justified closer to the existing farm buildings, with the practical benefit of being on hand for milking or other 24 hour activities in the steading, including during night-time or winter conditions. In the context that the justification for a house at all is already at its limits in terms of policy, the balance is tipped firmly against the development given the location proposed, in an open location, with significant landscape impact, where the impacts of the development are not outweighed by any justification provided. The applicant has chosen to pursue the location applied for, aware that it would be refused.

8.4.

On that basis the development is also contrary to Policy 1 'Criteria for all development' which states that development must be sited taking into consideration the location and landscape character, and Policy 2 'Design' which requires development to have a positive effect on the appearance and amenity of an area.

8.5.

The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle. The development is also contrary to Policy 1 'Criteria for all development' and Policy 2 'Design' in terms of landscape impact.

9. Reasons for Refusal

01. The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle, on the basis the longevity of the current business model has not been demonstrated, the need for 'additional' 24 hour supervision has not been demonstrated, relative to the business as it operates currently, the employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision, and the proposed development is not located with other buildings associated with the business, and does not form part of a building group.

02. The development is contrary to Policy 1 'Criteria for all development' on the basis it is not sited taking into consideration the location and landscape character, and Policy 2 'Design' on the basis the development would not have a positive effect on the appearance and amenity of an area.

10. Contact Officer

Jamie Macvie, Service Manager, 01856 873535 extension 2529,
Jamie.macvie@orkney.gov.uk



Council Offices School Place Kirkwall KW15 1NY Tel: 01856 873 535 (ex 2504) Email: planning@orkney.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100665033-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Single dwelling and garage in principle

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Houghton Planning Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	Alloa Business Centre
Last Name: *	Houghton MRTPI	Building Number:	
Telephone Number: *	07780117708	Address 1 (Street): *	Whins Road
Extension Number:		Address 2:	Alloa
Mobile Number:		Town/City: *	Clacks
Fax Number:		Country: *	Scotland
		Postcode: *	FK10 3RF
Email Address: *	paul@houghtonplanning.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Bain Farm
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Sandwick
Company/Organisation	W A J Hourie	Address 2:	
Telephone Number: *		Town/City: *	Orkney
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KW16 3HZ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Orkney Islands Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB

Northing

1017935

Easting

326728

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.20

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agricultural land

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ≤ Yes T No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * T Yes ≤ No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p>≤ Yes – connecting to public drainage network</p> <p>T No – proposing to make private drainage arrangements</p> <p>≤ Not Applicable – only arrangements for water supply required</p>
<p>As you have indicated that you are proposing to make private drainage arrangements, please provide further details.</p> <p>What private arrangements are you proposing? *</p> <p>T New/Altered septic tank.</p> <p>≤ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).</p> <p>≤ Other private drainage arrangement (such as chemical toilets or composting toilets).</p>
<p>What private arrangements are you proposing for the New/Altered septic tank? *</p> <p>≤ Discharge to land via soakaway.</p> <p>T Discharge to watercourse(s) (including partial soakaway).</p> <p>≤ Discharge to coastal waters.</p>
<p>Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *</p> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>
<p>Do your proposals make provision for sustainable drainage of surface water?? * T Yes ≤ No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p>T Yes</p> <p>≤ No, using a private water supply</p> <p>≤ No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

≤ Yes ≤ No T Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

≤ Yes ≤ No T Don't Know

Trees

Are there any trees on or adjacent to the application site? *

≤ Yes T No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

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

≤ Yes T No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

≤ Yes T No ≤ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

≤ Yes T No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

T Yes ≤ No

Is any of the land part of an agricultural holding? *

T Yes ≤ No

Do you have any agricultural tenants? *

≤ Yes T No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: Paul Houghton MRTPI

On behalf of: W A J Hourie

Date: 19/03/2024

☐ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☐ T Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☐ T Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☐ T Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☐ T Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☐ T Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☐ T Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☐ T Site Layout Plan or Block plan.

☐ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	≤	Yes	T	N/A
A Design Statement or Design and Access Statement. *	≤	Yes	T	N/A
A Flood Risk Assessment. *	≤	Yes	T	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	≤	Yes	T	N/A
Drainage/SUDS layout. *	≤	Yes	T	N/A
A Transport Assessment or Travel Plan	≤	Yes	T	N/A
Contaminated Land Assessment. *	≤	Yes	T	N/A
Habitat Survey. *	≤	Yes	T	N/A
A Processing Agreement. *	≤	Yes	T	N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Paul Houghton MRTPI

Declaration Date: 19/03/2024

Payment Details

Departmental Charge Code: .

Created: 19/03/2024 10:15

Operational Needs Assessment

Strictly confidential



SAC
CONSULTING

Part of Scotland's
Rural College (SRUC)

Prepared by:

SAC Consulting
Martside
Grainshore Road
Kirkwall
KW15 1FL

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Introduction

This report is written on behalf of the business of W A J Hourie, which is a family run partnership operating the farm of Bain in Sandwick. The land of Bain is just under 110ha and is good quality agricultural land, with a further 47ha rented seasonally by the business. The farm is run as a dairy farm with 134 cows producing 7,500l. The majority of the milk is sold to Orkney Cheese, with some used to support Miss Hourie's business of producing yoghurt, milkshakes and soft cheese.

The business is now a fourth-generation farm, with the introduction of Mr David Hourie and his sister Miss Lara Hourie to the firm in 2018. Mr David Hourie works full-time on the farm and Miss Lara Hourie works full-time with her own business, a subsidiary of W A J Hourie, "The Orkney Dairy".

However, there are currently no available houses on the farm, and it is essential that David resides on the farm, close to the where the cows will be calving. Therefore a site for a new build is requested.

Current Farming System

The farm is run as a dairy unit, with 134 Fleckvieh cows and followers. Cows calve all year round, in order to guarantee a steady milk supply.

Cows are yielding approximately 7,500 litres and are fed in the parlour along with a Total Mixed Ration (TMR) in the shed. In addition approximately 36ha of spring barley is grown to feed to the cows, this yields approximately 250t per annum.

There are 120 cubicles, and the cows are bedded on mats and sawdust. The parlour is a 10:20 Herringbone. Milking takes around two and half hours and the cows are milked twice a day.

Every year, three cuts of silage are taken.

Most of the farm work is carried out by the partners and their full-time employee. The only jobs that contractors are used for are sowing barley and raking the silage. All of the other land work and crop work is done by the partners and the one employee of the business.

Existing Housing and Past Planning Applications for Housing

Currently all four partners live in the family home, which is at Flotterston House. This is one and half miles from the main steading, and the plan is for Mr and Mrs Hourie to sell this house and build at the steading at Bain, for which planning is in place.

David wishes to move out of the family home and live in his own home, however, there are no other planning approvals on the farm.

Other Opportunities for Housing on the Land of the Business

There are no opportunities for any one-for-one planning applications and there are no redundant farm buildings, which would be suitable for conversion.

Viability, Scale and Longevity of the Business

The Hourie family have been living and farming at Bain for over 100 years, the business in its current format has been trading for over five years.

The business receives Basic Payment Scheme, Less Favoured Agricultural Support Schem funding all through the Scottish Government.

Land

The land is mostly in Sandwick, with some land situated in Harray. As is standard in Orkney, all of the land is in the Less Favoured Area (LFA) and is classified as disadvantaged and fragile.

Table 1. Permanent Land

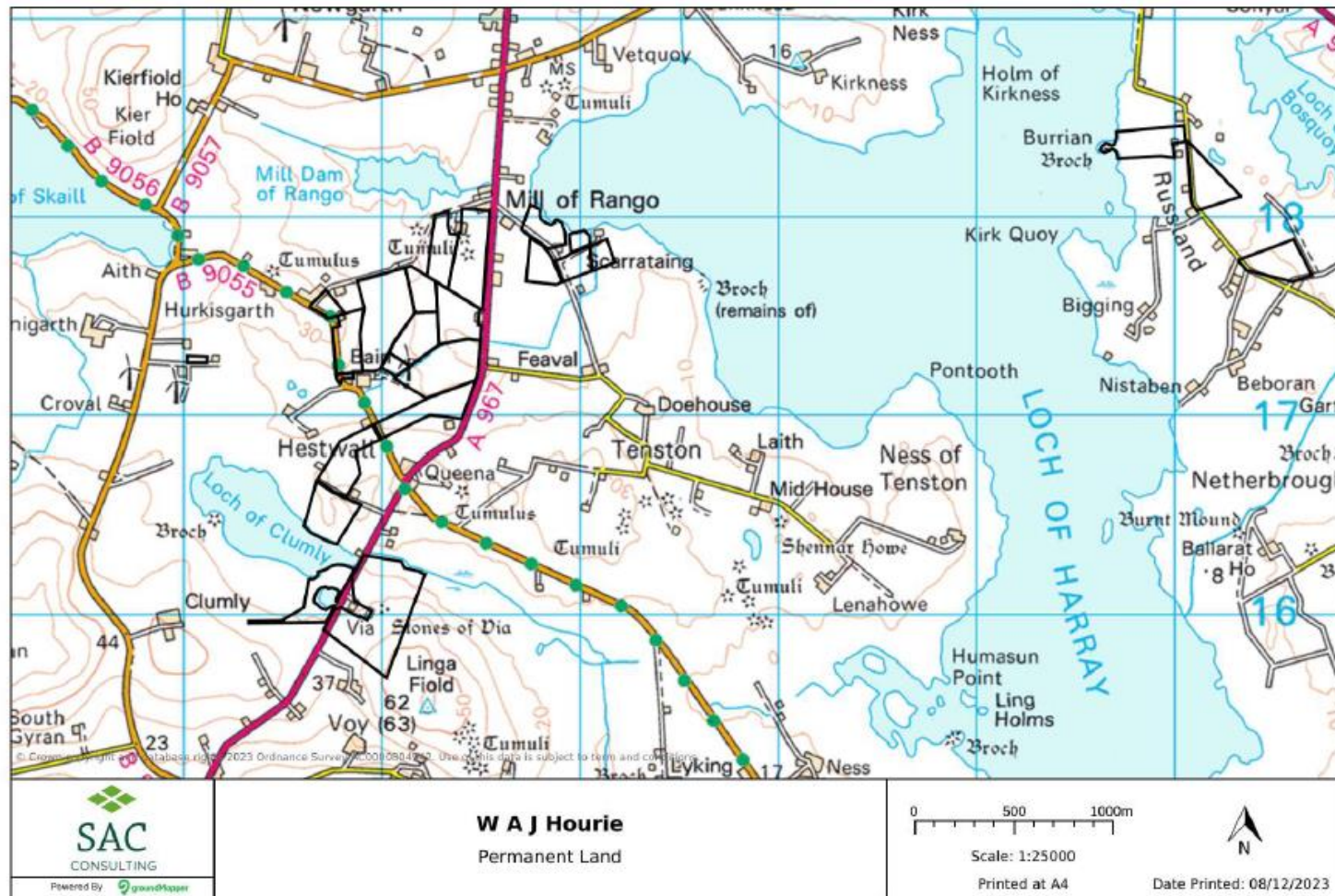
Land Use (permanent land)	Hectares
Arable	14.82
Temporary Grass	30.39
Permanent Grass	52.55
Rough Grazing	8.44
Total	106.20

Table 2. Seasonal Land

Land Use (seasonal land)	Hectares
Arable	21.18
Temporary Grass	12.05
Permanent Grass	14.33
Total	47.56

The biggest soil type on farm is Thurso Association with brown forest soils, brown rankers and some non-calcareous gleys. non-calcareous and peaty gleys.

The Macaulay Land Use Research Institute has classified most of the land as 4.1 and 4.2, which is land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

FIGURE 1. Permanent Land

Farm Buildings

Description	Size	Use/Capacity	Owned/Rented
Cubicle Shed	120	Milking Cows	Owned
Parlour	10:20		Owned
Dry Cow Shed	Straw pens	Dry cows/calves	Owned
Slatted court with cubicles	30 cubicles	Bulling heifers	Owned
Cubicle house (small)	40 small cubicles	Yearlings	Owned
Silage pit			Owned
Dairy		Yoghurt/cheese making	Owned

Houses

There is no house at the steading, but there is planning in place for a house for Mr & Mrs Hourie close to the steading.

Machinery

Item
2 x Tractors (Fendt 716 and Fendt 312)
1 x Tele-handler
1 x Quadbike
1 x Gator
Silage Trailer x 2
Cattle Float
Forage Wagon
Feed Trailer
Tedder
Mower x 2
Combine
Plough
Grass Seeder
Baler & Wrapper
Sprayer
Bruiser
Shear grab
Feeder Wagon
Slurry Tanker, with trailing shoe

Livestock

Milk production for the Orkney Cheese Company Ltd is the main focus for the business. Moreover, since 2020 the business has started making its own yoghurt, milkshakes and just this year has launched its own soft cheese.

The unit milks 134 cows, with the majority of the milk sold to Orkney Cheese for cheese production. The farm breeds its own replacement heifers approximately 30 each year, with the other offspring sold at 1mth old at 50kgs.

The milking takes approximately two and half hours, and the cows are milked twice a day.

CROPPING

Three cuts of silage are harvested each year, around 390acre in total. The silage yield is around 6t/ac.

The farm also grows 90acre of spring barley, yielding 2.5t – 3t/acre. All the grain and the straw are used on farm.

Labour Requirements and 24-hour Supervision

- Stock numbers are based on livestock held on 1st March 2023 as declared on the 2023 Single Application Form.
- Cropping information is taken from the 2023 Single Application Form

Standard Labour Units¹ (current system)

Enterprise	Hours/ annum	Total
150 dairy cows	28hrs per head	4,200
153 other cattle	12hrs per head	1,836
36.42ha Spring Barley	18hrs per hectare	656
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
64.34ha Grassland	3.1hrs per hectare	199
Labour requirement for farm		8,582 hrs/annum

A labour unit is now recognised as 1,900 hours per year. On this basis the existing farming system would require 4.5 full-time equivalents to function correctly. It is important to note that the above does not account for the dairy part of the business i.e. the production, manufacture and distribution of yoghurt, milkshakes and soft cheese.

The figures stated above clearly demonstrates the high labour requirement of this busy and successful family farm. It also highlights the need for housing to enable this traditional family farm to fully fulfil its succession plan.

¹ Figures taken from "The Farm Management Handbook 2023/24", SAC, 44th Edition, November 2023

Furthermore, it is important to remember that a dairy unit requires staff to work out with a typical working day and in order to keep and attract young people into the industry accommodation is essential.

FAWC² report states that “Animals are kept for various purposes and in return their needs should be provided for. Farm animals are recognised as sentient beings in the Treaty of Amsterdam. We have a moral obligation to each individual animal that we use.” Therefore, all farms must ensure that they meet high standards of animal welfare these are summarised in the Five Freedoms:

1. Freedom from hunger and thirst
2. Freedom from discomfort
3. Freedom from pain, injury, and disease
4. Freedom to express normal behaviour
5. Freedom from fear and distress

A farm such as Bain must put the needs of the cows before anything else, and in order to do this the unit needs competent employees on site 24 hours a day, in particular for milking at 6am and again at 6pm in the evening. The family are lucky that the next generation is keen to take on the farm, the long hours, and the time commitment that is required for a successful dairy business. However, housing is essential for this to happen effectively.

Employment Statement of the Partners

Mr William Hourie works full-time on the farm, his wife Mrs Kirsten Hourie splits her time between working on the farm and helping their daughter Miss Lara Hourie with her yoghurt, milkshake and soft cheese making business. Mr David Hourie works full-time on the farm.

They employ one person full-time on the farm.

² <https://www.gov.uk/government/groups/farm-animal-welfare-committee-fawc>

Justification for the House Location Proposed

As the site plan in the application shows, the family wish to site the house for Mr David Hourie near the land at Scarrataing Road. There are three reasons for this. Firstly, the fields on this road are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.

Secondly, the partners strongly feel that another house at the steading is not suitable for health and safety reasons. It is in all likelihood that Mr David Hourie will go on to have family, having the house next to the steading although handy for milking would mean that his family would be more at risk from being struck by moving vehicles or machinery. In fact, according to a report by the Health and Safety Executive³, there were 21 fatal injuries to farm workers in 2022/23, moreover 28% of deaths over the last five years on farm were due to being struck by a moving vehicle.

Thirdly, there will be one house at the steading already, once the house for Mr W Hourie and his wife is complete. The land around the steading is used for grazing cows and cannot be used for cropping due to the proximity to the milking parlour, therefore it does not make agricultural sense to sacrifice another part of the good grazing fields for housing.

Conclusion

The business of W A J Hourie is an established dairy unit providing just over 1million litres of milk to Orkney Cheese per annum. The unit employs one FTE with extra labour provided by Mr W Hourie and Mr D Hourie.

This report demonstrates the farm requires 4.5 labour equivalents. Currently this labour is provided by the partners and their employee, however, a house is essential for Mr David Hourie to fulfil the succession plan for this successful family farm.

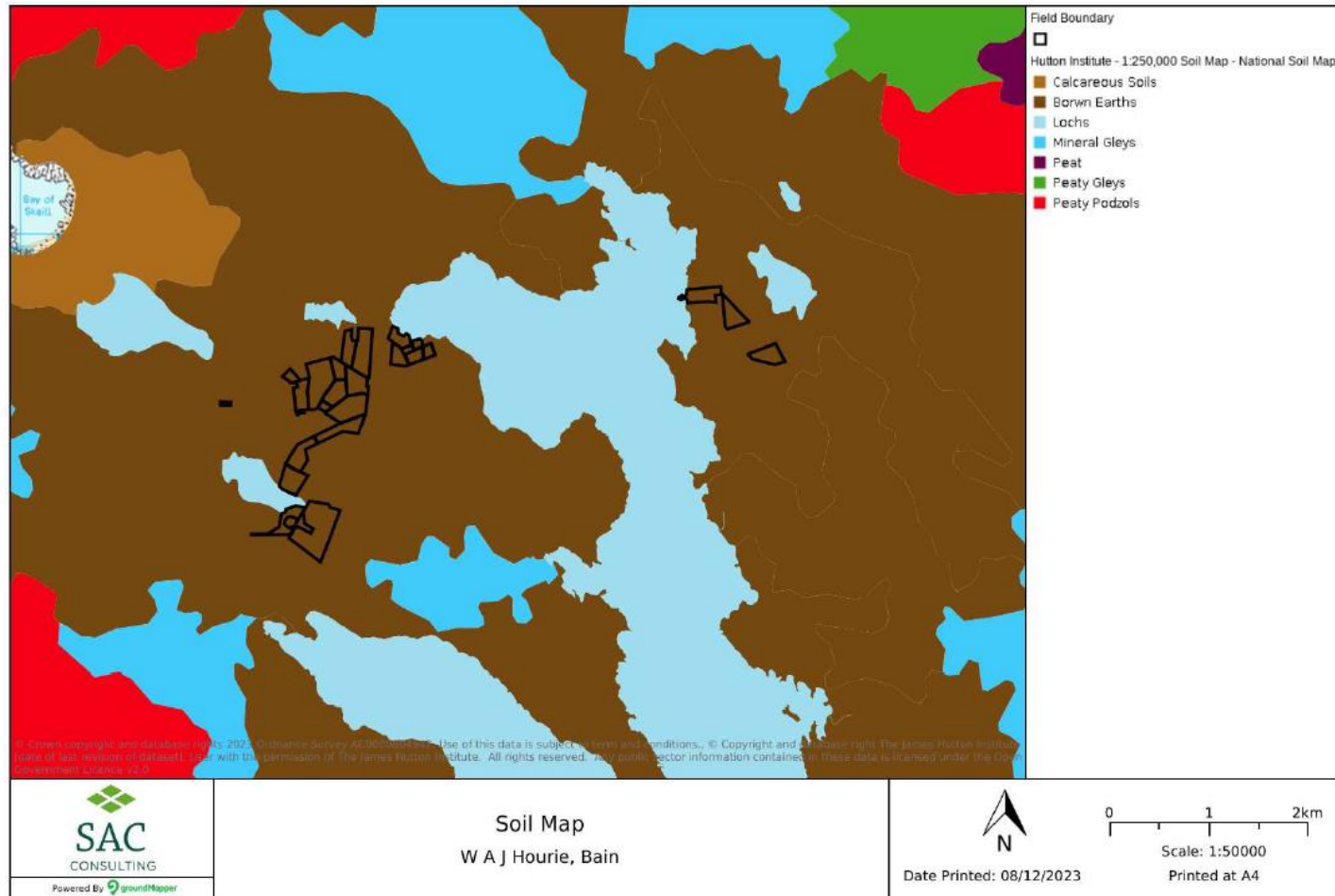
³ HSE, "Agriculture, forestry and fishing statistics in Great Britain, 2023, published 22 November 2023, source: <https://www.hse.gov.uk/statistics/assets/docs/agriculture.pdf>

Map of Steading



Operational Needs Assessment – W A J Hourie

Soil Map



18th March 2024

Orkney Islands Council
 Council Offices
 School Place
 Kirkwall KW15 1N

Our Ref.: PH

Dear Sirs,

**New dwelling and garage in principle
 Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB.**

Houghton Planning Ltd is instructed by the business of W A J Hourie (hereafter the Applicant), which is a family run partnership operating Bain Farm in Sandwick, to submit a Planning Application in Principle for a "*Single dwelling and garage in principle*" at land south east of Sharalee, Sandwick, Orkney, KW16 3JB (hereafter the Site).

The Application is accompanied by the following documents and information: -

- (this) Covering Letter;
- Planning Application Form;
- Relevant Certificate;
- Location Plan;
- (Indicative) Site Plan;
- Operational Needs Assessment (NB: This is commercially confidential and not for publication online); and
- Planning & Advertisement Fee, if necessary (to follow).

The Site is located south east of Sandwick, and at the northern end of the Loch of Harray, off a minor road. It is currently agricultural land situated halfway between the properties of Sharalee and Scarrataing.

The dwelling is required for a family member of the Hourie family that is employed at Bain Farm, and the need for which is explained in the Operational Needs Assessment being submitted with the Application.

The relevant policies and guidance in relation to this proposal can be found in National Planning Framework 4 (NPF4) and the Orkney Local Development Plan 2017 (OLDP). Guidance can be found in Supplementary Guidance: Housing in the Countryside (March 2021).

Policy 17 a v in NPF4 states that a new dwelling will be supported in the countryside where it "*is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work*".

Policy 5 vii – Housing, Section E: Single Houses and new Housing Clusters in the Countryside in the OLDP states that *“The provision of a single dwelling house for a rural business where 24 hour supervision is an operational requirement (including agricultural workers or crofters)”*.

The Operational Needs Assessment provides the justification that ensures compliance with these two policies showing that there is an operational need for a further agricultural worker to be available 24 hours a day on the farm.

In terms of Supplementary Guidance: Housing in the Countryside, the Operational Needs Assessment establishes that a new dwelling is required to serve the business, which is viable, and on a sound financial footing.

Furthermore, the Site has been chosen as it is centrally located on the farm, and in a location that is suitable for the business and its operational needs.

In terms of other OLDP policies and guidance, the following comments can be made:

- No landscape, biodiversity, or cultural heritage, designations, or features, will likely be impacted by the development.
- It is considered that the dwelling is located and sited to fit into the landscape, minimising the landscape and visual impacts.
- The scale and form of the overall proposal will be similar to neighbouring buildings in the vicinity.
- Road's infrastructure is considered suitable.
- The dwelling is not expected to have an unacceptable effect on the water environment.
- The proposed house will have its own domestic curtilage, with the proposed built form occupying less than 33% of the overall site.
- In preparing the detailed design for the Application for Matters Specified in Conditions, the Applicant will include low or carbon technologies for heating and power, and will design with a high standard of insulation.
- An electric vehicle charging point will be provided.

I trust that the above provides sufficient information for you to validate the Application. However, if you do require anything further, then please contact me at paul@houghtonplanning.co.uk, or call me on 07780 117708.

I look forward to hearing from you in due course.

Yours faithfully

Paul Houghton
Director on behalf of Houghton Planning Ltd

NEIGHBOURHOOD SERVICES AND INFRASTRUCTURE

Corporate Director: Hayley Green, MBA (Public Service)
Council Offices, Kirkwall, Orkney, KW15 1NY

Tel: 01856 873535 Website: www.orkney.gov.uk
Email: planning@orkney.gov.uk



9th April 2024

W A J Hourie
c/o Paul Houghton MRTPI
Alloa Business Centre
Whins Road
Alloa
Clacks
Scotland
FK10 3RF

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013 INVALID APPLICATION

Dear Sir/Madam

Ref No: 24/123/PIP
Type: Planning in Principle
Location: Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Proposal: Siting of a house and a detached garage for an agricultural worker, and create an access

Invalid application

Your recent application has been assessed on 9th April 2024 and we are writing to confirm that your submission is not sufficient to legally validate the application.

An invalid application is one where the form and/or the content of information submitted has not met the requirements of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

An application must be accompanied by all relevant plans and drawings as are considered necessary by the planning authority to describe the development to which the application relates (Regulation 9(3)) and other matters, including the correct forms, certificates and appropriate fee.

In this case, the application was assessed as invalid in the following matters:

01. **Fee**
£600
02. **Operational Needs Assessment**
Note that the submitted assessment will form a key part of the consideration of the application, with regards the principle of development. In terms of transparency, as is the case for information submitted as part of the planning process, the assessment would be made available for public inspection in the planning file. This is also required for consultation bodies, who will view the case file to advise on the principle of the development based on the content of the assessment, in relation to the relevant policies. The assessment is fundamental to that. The assessment also does not contain any information that would be considered sensitive. Therefore, confirm whether the assessment can be published and considered as part of the application, or whether you wish for it to be withdrawn from the submission. Or if you wish to submit a redacted version for consideration and publication.

Please note that the application cannot be made valid until all the above listed information is provided in accordance with statutory requirements.

To avoid further delay, all required information should be submitted as soon as possible. If the information is not submitted **within 28 days** of this correspondence, the application and all associated documents (and fee) will be returned to you and the application will not be processed.

Should you have any queries about the information required above please contact Development Management by email at planning@orkney.gov.uk or by telephone at the below number, using the extension provided.

Validation checks and issuing any requests for further information are carried out by different staff on different days. As such, there is no requirement to contact any particular member of staff in response to this invalid letter, and any queries can be answered by a technician on any given day.

Should you contact Development Management, simply confirm the application reference and that your contact is in relation to an invalid application.

Yours faithfully

Development Management,
Neighbourhood Services and Infrastructure,
Council Offices, School Place, Kirkwall, Orkney, KW15 1NY

Tel: 01856 873535 ext. 2504
Email: planning@orkney.gov.uk

Consultee List

Application Number 24/123/PIP

- Roads Services
- Scottish Water
- Development & Marine Planning - Environment

INTERNAL MEMORANDUM **TO: Development & Marine Planning - Environment**

Date of Consultation	22nd April 2024
Response required by	13th May 2024
Planning Authority Reference	24/123/PIP
Nature of Proposal (Description)	Siting of a house and a detached garage for an agricultural worker, and create an access
Site	Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Proposal Location Easting	326737
Proposal Location Northing	1017940
Area of application site (Metres)	2597
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/123/PIP
PA Office	Development Management
Case Officer	Mr Jamie Macvie
Case Officer Phone number	01856 873535 EXT 2529
Case Officer email address	jamie.macvie@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Advice provided by: Nina Caudrey, Environmental Planner **Date of assessment:** 25 April 2024

Is the advice final or interim?
(if interim then further information is needed, see detailed advice) interim

SUMMARY ADVICE (must be read in conjunction with detailed advice)

No information has been provided about biodiversity - **further information is therefore required.** A condition is required for otter.

Are condition(s) required/ recommended in the detailed advice? yes

Separate consideration of need for a Habitat Regulations Appraisal required? (9.A.1 / NPF4 4.b) no

If yes, which European site(s) may need further consideration?

n/a

DETAILED ADVICE

Which natural heritage interests have the potential to be significantly affected by the proposed development? Is further information or survey work required before final advice can be given? Are conditions required?

- **SSSIs** (9.A.2 / NPF4 4.c) **Lochs of Harray and Stenness Site of Special Scientific Interest (SSSI)**
The proposed development site is located approximately 60 metres from the closest part of Lochs of Harray and Stenness

	<p>SSSI, important for nutrient rich loch, saline lagoon, aquatic invertebrates and non-breeding tufted duck, pochard and scaup. There is a small collection of other houses and buildings in the vicinity of the proposed development, with the land use being predominantly agricultural down to the shoreline. Therefore, the non-breeding bird features of the SSSI will be habituated to human activity at this location. Provided any waste water treatment system (if mains sewerage is not available) is within the red line boundary and complies with building regulations, there should not be any adverse effects on water quality. Therefore the proposed development should not have adverse effects on the notified features of the SSSI.</p>
<p>– Local Nature Conservation Site, Local Nature Reserve, (9.A.3 / 4.d)</p>	
<p>– Protected species (9.B / NPF4 4.f)</p>	<p>European Protected Species – otter</p> <p>Otter are a European Protected Species with a high level of legal protection. They could be affected by development proposals anywhere close to a water course, wetland, coastline or estuary. Simple measures can often avoid adverse effects on otter, but these need to be informed by an up to date otter survey.</p> <p>The proposed development is located approximately 60 metres from Loch of Harray. Therefore, a condition is required to ensure that an otter survey is carried out prior to submission of a future full planning application, to enable the planning authority to determine that application:</p> <p>Condition: A survey for otter of proposed development site and surrounding area within 200m of the proposed development site must be carried out by a suitably experienced and licensed surveyor following NatureScot guidance (available via https://www.nature.scot/doc/standing-advice-planning-consultations-otters). The results of the survey and, if evidence of otter activity is found, a species protection plan identifying appropriate mitigation measures based on the survey results, must be submitted with the full planning application.</p> <p>Reason: To minimise adverse effects on protected species and comply with protected species legislation.</p> <p>Without an otter survey and (where necessary) a species protection plan, the planning authority will be unable to determine a future planning application.</p>
<p>– Wider biodiversity (9.C / NPF4 3)</p>	<p>Wider biodiversity</p> <p>No biodiversity information has been submitted with the application. The planning policy requirements of NPF4 policy 3.c on biodiversity apply to all relevant planning applications at both in principle and full application stages. Biodiversity</p>

measures should be proposed at the in principle stage to ensure that measures proportionate to the nature and scale of development can be accommodated within the proposed development site. Sensitive environmental areas and features should be identified and used to inform layout from the earliest stage, following the mitigation hierarchy of avoid, minimise, mitigate.

The applicant should use the Orkney Islands Council Considering and including biodiversity in development guidance and Biodiversity form (both available from <https://www.orkney.gov.uk/Service-Directory/B/Biodiversity.htm>) **to guide them through the process of identifying biodiversity measures appropriate for the site and submit the required information about biodiversity.**

Once this information has been submitted it should be possible to provide further advice about proposed biodiversity measures.

- **Water environment**
(9.D / NPF4 20, 22.e, 3.d)
- **Peat and soils**
(9.E / NPF4 5)
- **Trees or woodlands of significant ecological, landscape, shelter or recreational value**
(9.F / NPF4 6, 3.d)
- **Natural coastal resources**
(12.A.ii / NPF4 10)
- **Coastal and marine ecosystems, geomorphology**
(12.A.iii / NPF4 10)
- **Aquaculture habitats and species, designated sites, biodiversity, PMFs**
(12.D.i.a / NPF4 32.d)
- **SUDS in relation to ecology and habitat enhancement**
(13.B.ii.e / NPF4 22.c, 22.e, 3.d)
- **Have any opportunities been included in the proposed development to enhance**

biodiversity and promote ecological interest? (9.C.ii, 9.D.i.b / NPF4 3)

See advice for **Wider biodiversity**.

Monday, 29 April 2024



Local Planner
Development Management, Development and Infrastructure
Orkney Islands Council
Kirkwall
KW15 1NY

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Land South East Of Sharalee, Sandwick,, Orkney Islands, KW16 3JB
Planning Ref: 24/123/PIP
Our Ref: DSCAS-0108673-2VW
Proposal: Siting of a house and a detached garage for an agricultural worker, and create an access.

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ This proposed development will be fed from Boardhouse Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

Waste Water Capacity Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
-

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

INTERNAL MEMORANDUM TO: Roads Services

Date of Consultation	22nd April 2024
Response required by	13th May 2024
Planning Authority Reference	24/123/PIP
Nature of Proposal (Description)	Siting of a house and a detached garage for an agricultural worker, and create an access
Site	Land south east of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Proposal Location Easting	326737
Proposal Location Northing	1017940
Area of application site (Metres)	2597
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/123/PIP
PA Office	Development Management
Case Officer	Mr Jamie Macvie
Case Officer Phone number	01856 873535 EXT 2529
Case Officer email address	jamie.macvie@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

No adverse comment provided that undernoted informative is applied to any planning permission that may be granted.

INFORMATIVE

It is an offence under Section 56 of the Roads (Scotland) Act 1984 to carry out any excavations within the boundary of the public road without written permission of the roads authority. Therefore, one or more separate consents will be required from the Council's Roads Services to carry out any works within the road boundary, prior to any works commencing. These consents may require additional work and/or introduce additional specifications. You are therefore advised to contact Roads Services for further advice as early as possible.

Any damage caused to the existing road infrastructure during construction of the development shall be repaired prior to the development being brought into use, to the satisfaction of the Planning Authority, in conjunction with Roads Services.

It is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain beyond the working day, on a public road from any vehicle or development site.

D.W.

ORKNEY ISLANDS COUNCIL**BIODIVERSITY FORM FOR PLANNING APPLICATIONS
TO BE COMPLETED AND SUBMITTED WITH PLANNING APPLICATIONS****Planning reference or
address of development:**

24/123/PIP

Date of form completion:

14/05/2024

**Person/company
completing form:**

W A J HOURIE / David Hourie

Baseline - what's there

- Please provide photographs to give an overview of the habitats and features present on site, and, referring to the photographs, describe below the dominant habitat type and most recent land use. If the land use has recently changed please also describe the previous known land use. List any species of note that use the site.
(Example level of information: grass, grazed field, brown hare and curlew; coastal heath, rough grazing for sheep, Arctic skua; heather moorland, unmanaged, short eared owl; livestock fodder crops, agricultural field, geese; unmanaged meadow, previously livestock grazing field until farm changed hands last year, unknown; urban brownfield site previously with flats on it (demolished 5 years ago) within existing settlement, none as it's a concrete slab; etc).
- Please provide a site layout plan that shows the location of existing broad habitat types and biodiversity features such as wetter/drier areas, ditches, watercourses, trees and shrubs, stone walls, ditches, invasive plant species, etc, both within and adjoining the proposed development site. The biodiversity features should be marked on a site layout plan that shows all elements of the proposed development, including infrastructure such as roads, paths, services, drainage, electricity lines, etc. (This is to enable assessment of how the existing biodiversity features might be affected by the construction and use of the proposed development. It can also be helpful to include photographs of the biodiversity features and their context within the site.)

Grass, Grazed livestock field. - Has been cut for Silage in the past 3-5 Years.

Curlew, Oystercatcher, Starling, Skylark, Wren, House Sparrow, Blackbird, Seagulls and Geese all forage in the field and boundaries.

Brown hare and Rabbit are also present.









Minimising effects on existing biodiversity (conserving and restoring)

- Referring to the plan provided above, please describe below how you have minimised adverse effects on existing biodiversity through siting, design and layout that retains existing habitats and features of biodiversity value, and where this has not been possible, please explain why.
- Where relevant, please also describe how degraded existing biodiversity features are going to be restored. (Restoration will not be applicable to all sites.)

Restoration is not applicable to the existing biodiversity features on this site.

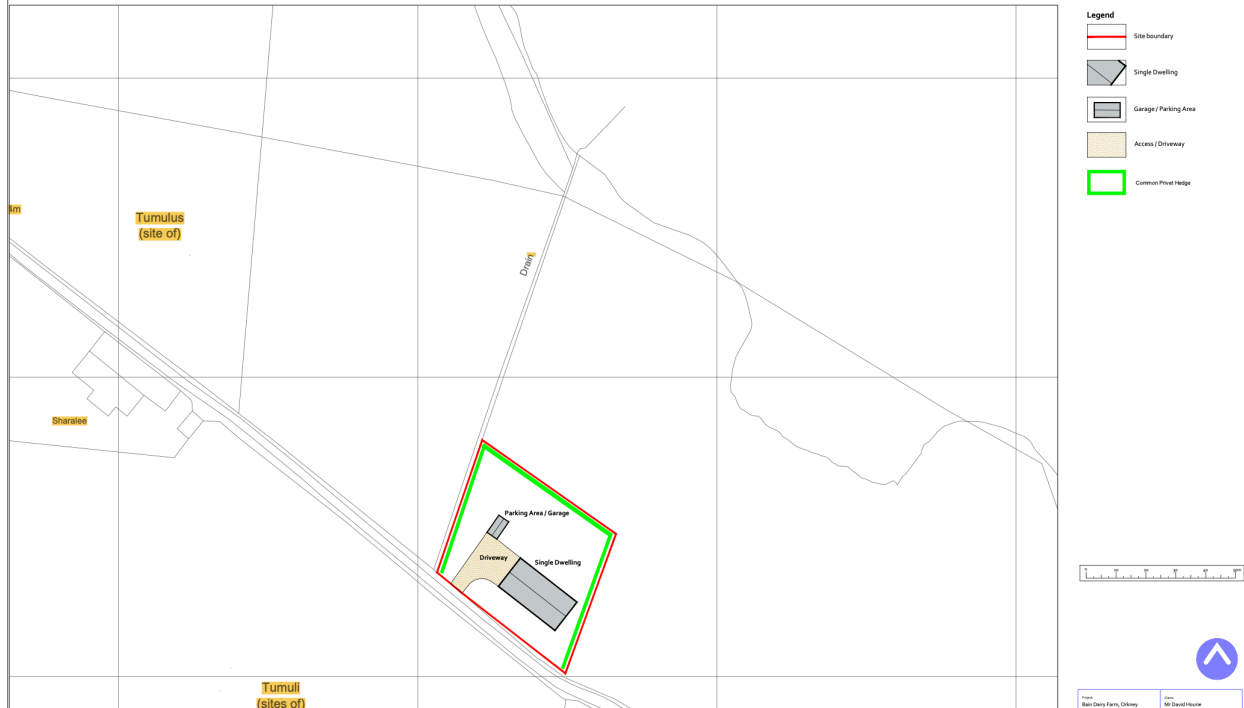
As this is just an application for planning principle I cannot indicate drainage points, etc.

A septic tank will be used on this site to ensure all waste is contained and there is no potential for contamination to the loch/ drainage nearby.

Enhancement of biodiversity

- Please list below what enhancement measures you intend to include and explain what they are seeking to achieve. Please include common and Latin names of plant species and where the plants or seeds will be sourced from. (This is to check that species appropriate to the site and Orkney conditions are used.)
- Please provide a site layout plan that shows the location of enhancement measures. The enhancement measures should be marked on a site layout plan that shows all elements of the proposed development, including infrastructure such as roads, paths, services, drainage, electricity lines, etc. (This is to enable assessment of how the construction and use of the proposed development might interact with the proposed enhancement measures.)

Privet Hedging- I would be intending to surround the site with privet hedging - *ligustrum ovalifolium* - this will add a biodiversity feature on site, creating a new habitat and food source for animals.



Monitoring and maintenance of biodiversity retained and enhanced

– Please describe below how will the retained and enhanced biodiversity features and measures be monitored and maintained in the longer term to ensure they continue to benefit biodiversity, and who will be responsible for monitoring and maintenance. (Where detailed information on monitoring and maintenance will be provided in a landscaping or other site management plan to be submitted with the planning application, please provide the document title, author and date, and summarise the information below.)

No formal monitoring and maintenance is proposed as the development is for a single dwelling house.

I will make it my own priority as house owner to ensure that the Hedge remains healthy and continues to be of benefit in a biodiversity manner.

Advice

- If you have sought or received advice about what is present on or makes use of the proposed development site and / or how to safeguard, restore and enhance biodiversity, please list below who has given you advice. (For example, an ecological consultant, others with relevant local knowledge, etc.)
- Where advice has been received, please summarise it below and provide a copy if advice was given in writing.

Myself and Father have farmed this land for over 10 years now, therefore we have a good knowledge of the area and the species in which live there. The field is of low biodiversity value as it is mainly used for grazing and silage (which includes the use of heavy machinery), therefore adding the site to the location will vastly improve the area in a biodiversity sense.

- Please describe how have you incorporated any advice you received into the proposed development, and if not, please explain why not.

I have discussed this with Nina Caudrey MRTPI, MCIEEM - Environmental planner

From: Derek Manson <Derek.Manson@orkney.gov.uk>
Sent: Monday, May 27, 2024 1:58 PM
To: planningconsultation <planningconsultation@orkney.gov.uk>; Jamie Macvie <jamie.macvie@orkney.gov.uk>
Cc: devplanconsultations <devplanconsultations@orkney.gov.uk>
Subject: RE: Planning Application Consultation 24/123/PIP

Classification: NOT PROTECTIVELY MARKED

Hello

Thank you for consulting development planning on the above planning application. We have the following comments to make on this application.

We note in the supporting operational needs assessment that the labour requirements are based on livestock held on 1st March 2023, given the time that has elapsed since this assessment was undertaken, and that we are aware from social media of potential changes to livestock numbers on the farm we would seek an uptodate operational needs assessment to be provided.

The current location proposed for a house is remote from the existing farm buildings and the policy seeks that it is only in some exceptional circumstances where there may be other locational requirements for the business that requires the proposed house to be sited away from structures and buildings. Whilst we note some justification is included in the operational needs assessment we would welcome a fuller business justification detailing this alternative location away from the existing buildings. This could also reference any planning benefits. This should also be based on the uptodate farming activities of the business.

Kind Regards
Derek

123

Consultation Request Notification - Development & Marine Planning - Environment

Planning Authority Name	Orkney Islands Council
Date of Consultation	22nd May 2024
Response required by	5th June 2024
Planning Authority Reference	24/123/PIP
Nature of Proposal (Description)	Siting of a house and a detached garage for an agricultural worker, and create an access
Site	Land South East Of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Site Postcode	N/A
Site Gazetteer UPRN	
Proposal Location Easting	326737
Proposal Location Northing	1017940
Area of application site (Metres)	2597
Clarification of Specific Reasons for Consultation	
Development Hierarchy Level	N/A
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/123/PIP
List of Available Supporting Documentation	As above URL
Offline Documents available?	N/A
Date of Validation by Planning Authority	9th April 2024
Governing Legislation	TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013
Consultation Type	Planning in Principle
Consultation Stage	N/A
Is this a re-consultation of an existing application?	No
EIA Required	No
EIA Regulations	N/A
Use Class (Current)	
Use Class (Proposed)	
Does the application conform with the Structure Plan / Local Plan Land Use	
Additional Comments relating to Structure Plan / Local Plan Use	N/A
Transport Assessment or Travel Plan	N/A
Applicant Name	W A J Hourie
Applicant Organisation Name	
Applicant Address	Bain Farm Sandwick Orkney Scotland KW16 3HZ

Agent Name	Paul Houghton MRTPI
Agent Organisation Name	Houghton Planning Ltd
Agent Address	Alloa Business Centre Whins Road Alloa Clacks Scotland FK10 3RF
Agent Phone Number	N/A
Agent Email Address	N/A
PA Office	Development Management
Case Officer	Mr Jamie Macvie
Case Officer Phone number	01856 873535 EXT 2529
Case Officer email address	jamie.macvie@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Advice provided by: Nina Caudrey,
Environmental Planner **Date of assessment:** 27 May 2024

Is the advice final or interim?
(if interim then further information is needed, see detailed advice) final

SUMMARY ADVICE (must be read in conjunction with detailed advice)

Biodiversity measures proportionate to the nature and scale of the proposed development have been included and should be secured by condition. A condition is also required for otter.

Are condition(s) required/ recommended in the detailed advice? yes

Separate consideration of need for a Habitat Regulations Appraisal required? (9.A.1 / NPF4 4.b) no

If yes, which European site(s) may need further consideration?

n/a

DETAILED ADVICE

Which natural heritage interests have the potential to be significantly affected by the proposed development? Is further information or survey work required before final advice can be given? Are conditions required?

- **SSSIs**
(9.A.2 / NPF4 4.c) **Lochs of Harray and Stenness Site of Special Scientific Interest (SSSI)**
The proposed development site is located approximately 60 metres from the closest part of Lochs of Harray and Stenness SSSI, important for nutrient rich loch, saline lagoon, aquatic invertebrates and non-breeding tufted duck, pochard and scaup. There is a small collection of other houses and buildings in the vicinity of the proposed development, with the land use being predominantly agricultural down to the shoreline. Therefore, the non-breeding bird features of the SSSI will be habituated to human activity at this location. Provided any waste water treatment system (if mains sewerage is not available) is within the red line boundary and complies with building regulations, there should not be any

- **Local Nature Conservation Site, Local Nature Reserve,**
(9.A.3 / 4.d)

adverse effects on water quality. Therefore the proposed development should not have adverse effects on the notified features of the SSSI.

- **Protected species**
(9.B / NPF4 4.f)

European Protected Species – otter

Otter are a European Protected Species with a high level of legal protection. They could be affected by development proposals anywhere close to a water course, wetland, coastline or estuary. Simple measures can often avoid adverse effects on otter, but these need to be informed by an up to date otter survey.

The proposed development is located approximately 60 metres from Loch of Harray. Therefore, a condition is required to ensure that an otter survey is carried out prior to submission of a future full planning application, to enable the planning authority to determine that application:

Condition: A survey for otter of proposed development site and surrounding area within 200m of the proposed development site must be carried out by a suitably experienced and licensed surveyor following NatureScot guidance (available via <https://www.nature.scot/doc/standing-advice-planning-consultations-otters>). The results of the survey and, if evidence of otter activity is found, a species protection plan identifying appropriate mitigation measures based on the survey results, must be submitted with the full planning application.

Reason: To minimise adverse effects on protected species and comply with protected species legislation.

Without an otter survey and (where necessary) a species protection plan, the planning authority will be unable to determine a future planning application.

- **Wider biodiversity**
(9.C / NPF4 3)

Wider biodiversity

Biodiversity measures proportionate to the nature and scale of the proposed development have been included, as described in the submitted Biodiversity form (dated 14 May 2024) and shown on the site plan drawing embedded within the form. A condition is required to ensure the proposed biodiversity measures are carried out and therefore contribute to meeting the requirements of National Planning Framework 4 (NPF4) policy 3 on biodiversity:

Condition: That the biodiversity measures described in the submitted Biodiversity form (dated 14 May 2024) and shown on the site plan drawing embedded within the form, are implemented in full no later than the first planting season following commencement of development (should full

planning permission be granted). 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.

- **Water environment**
(9.D / NPF4 20, 22.e, 3.d)
- **Peat and soils**
(9.E / NPF4 5)
- **Trees or woodlands of significant ecological, landscape, shelter or recreational value**
(9.F / NPF4 6, 3.d)
- **Natural coastal resources**
(12.A.ii / NPF4 10)
- **Coastal and marine ecosystems, geomorphology**
(12.A.iii / NPF4 10)
- **Aquaculture habitats and species, designated sites, biodiversity, PMFs**
(12.D.i.a / NPF4 32.d)
- **SUDS in relation to ecology and habitat enhancement**
(13.B.ii.e / NPF4 22.c, 22.e, 3.d)

- **Have any opportunities been included in the proposed development to enhance biodiversity and promote ecological interest?** (9.C.ii, 9.D.i.b / NPF4 3)

See advice for **Wider biodiversity**.

Operational Needs Assessment

Strictly confidential



SAC
CONSULTING

Part of Scotland's
Rural College (SRUC)

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Introduction

This report is written on behalf of the business of W A J Hourie, which is a family run partnership operating the farm of Bain in Sandwick. The land of Bain is just over 100ha and is good quality agricultural land, with a further 2ha rented seasonally by the business. The farm is run as a dairy farm with 27 cows producing 7,500l. The majority of the milk is sold to Orkney Cheese, with some used to support Miss Hourie's business of producing yoghurt, milkshakes and soft cheese.

The business is now a fourth-generation farm, with the introduction of Mr David Hourie and his sister Miss Lara Hourie to the firm in 2018. Mr David Hourie has recently started working off-farm, however, this job is 14 days "on", and 21 days "off" thus allowing him to work on the farm on those 21 days "off". His sister, Miss Lara Hourie works full-time with her own business, a subsidiary of W A J Hourie, "The Orkney Dairy".

However, there are currently no available houses on the farm, and it is essential that David resides on the farm, close to the where the cows will be calving. Therefore a site for a new build is requested.

Current Farming System

The farm is run as a dairy unit, with 27 Fleckvieh cows and followers. Cows calve all year round, in order to guarantee a steady milk supply.

Cows are yielding approximately 7,500 litres and are fed in the parlour along with a Total Mixed Ration (TMR) in the shed. In addition approximately 17ha of spring barley is grown to feed to the cows, this yields approximately 120t per annum.

There are 120 cubicles, and the cows are bedded on mats and sawdust. The parlour is a 10:20 Herringbone. Milking takes around one hour and the cows are milked twice a day.

Every year, three cuts of silage are taken.

All of the farm work is carried out by the partners. The only jobs that contractors are used for are sowing barley and raking the silage. All of the other land work and crop work is done by the partners of the business.

Although the number of cows currently being milked is considerably less than in previous years, the current plan is to increase the dairy herd from 27 to 40 in

December 2024. They have 13/15 heifers due to calf in December, which will increase the numbers going through the parlour.

Existing Housing and Past Planning Applications for Housing

Currently all four partners live in the family home, which is at Flotterston House. This is one and half miles from the main steading, and this house is currently on the market and Mr and Mrs Hourie plan to build at the steading at Bain, for which planning is in place.

David wishes to move out of the family home and live in his own home, however, there are no other planning options and/or approvals on the farm.

Other Opportunities for Housing on the Land of the Business

There are no opportunities for any one-for-one planning applications and there are no redundant farm buildings, which would be suitable for conversion.

Viability, Scale and Longevity of the Business

The Hourie family have been living and farming at Bain for over 100 years, the business in its current format has been trading for over five years.

The business receives Basic Payment Scheme, Less Favoured Agricultural Support Scheme funding all through the Scottish Government.

Land

The land is mostly in Sandwick, with some land situated in Harray. As is standard in Orkney, all of the land is in the Less Favoured Area (LFA) and is classified as disadvantaged and fragile.

Table 1. Permanent Land

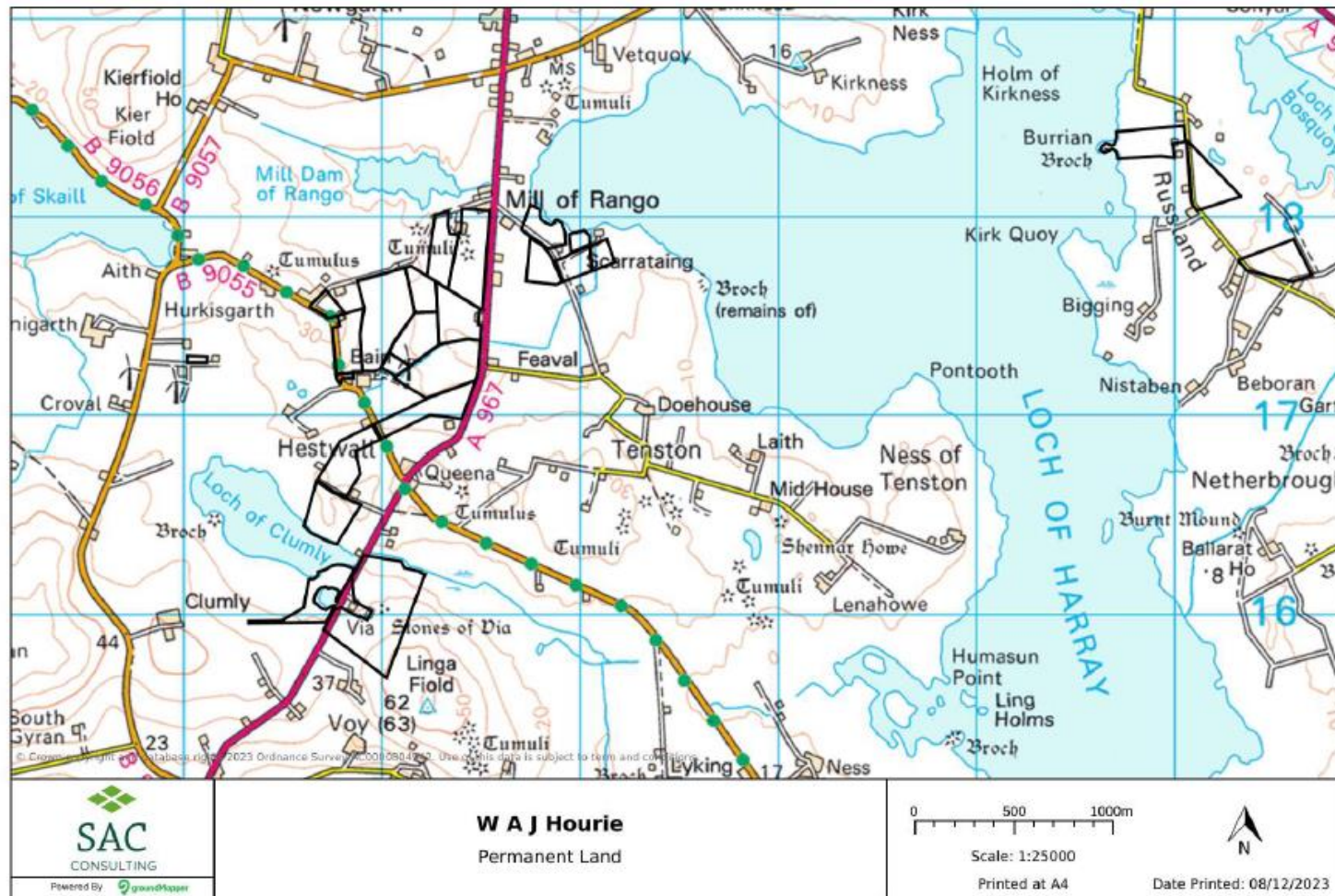
Land Use (permanent land)	Hectares
Arable	16.65
Temporary Grass	27.72
Permanent Grass	50.27
Rough Grazing	6.88
Total	101.52

Table 2. Seasonal Land

Land Use (seasonal land)	Hectares
Arable	1.71
Total	1.71

The biggest soil type on farm is Thurso Association with brown forest soils, brown rankers and some non-calcareous gleys. non-calcareous and peaty gleys.

The Macaulay Land Use Research Institute has classified most of the land as 4.1 and 4.2, which is land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

FIGURE 1. Permanent Land

Farm Buildings

Description	Size	Use/Capacity	Owned/Rented
Cubicle Shed	120	Milking Cows	Owned
Parlour	10:20		Owned
Dry Cow Shed	Straw pens	Dry cows/calves	Owned
Slatted court with cubicles	30 cubicles	Bulling heifers	Owned
Cubicle house (small)	40 small cubicles	Yearlings	Owned
Silage pit			Owned
Dairy		Yoghurt/cheese making	Owned

Houses

There is no house at the steading, but there is planning in place for a house for Mr & Mrs Hourie close to the steading.

Machinery

Item
1 x Tractors (Fendt 716)
1 x Tele-handler
1 x Quadbike
1 x Gator
Silage Trailer x 2
Cattle Float
Forage Wagon
Feed Trailer
Tedder
Mower x 2
Combine
Plough
Grass Seeder
Baler & Wrapper
Sprayer
Bruiser
Shear grab
Feeder Wagon
Slurry Tanker, with trailing shoe

Livestock

Milk production for the Orkney Cheese Company Ltd is the main focus for the business. Moreover, since 2020 the business has started making its own yoghurt, milkshakes and just this year has launched its own soft cheese.

The unit milks 27 cows, with the majority of the milk sold to Orkney Cheese for cheese production. The farm breed's its own replacement heifers approximately 5 each year, with the other offspring sold at 1mth old at 50kgs.

The milking takes approximately two and half hours, and the cows are milked twice a day.

The aim is to increase the cows being milked to 40 in December, as they have a number of heifers due to calf at this time. This will allow the milking herd to increase slightly. The plan is for all of the calves to be reared on at Bain, the heifers will be kept as herd replacement and steer/bull calves will be kept for selling into the prime market.

Cropping

Three cuts of silage are harvested each year, around 390acre in total. The silage yield is around 6t/ac.

The farm also grows 40acre of spring barley, yielding 3t/acre. All the grain and the straw are used on farm with any excess sold to neighbours.

Labour Requirements and 24-hour Supervision

- Stock numbers are based on livestock held on 31st May 2024.
- Cropping information is taken from the 2024 Single Application Form

Standard Labour Units¹ (current system)

Enterprise	Hours/ annum	Total
27 dairy cows	42hrs per head	1134
74 other cattle	12hrs per head	888
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
48.52ha Grassland	3.1hrs per hectare	150.4
Labour requirement for farm		4,163.10 hrs/annum

A labour unit is now recognised as 1,900 hours per year. On this basis the existing farming system would require 2.2 full-time equivalents to function correctly. It is important to note that the above does not account for the dairy part of the business i.e. the production, manufacture and distribution of yoghurt, milkshakes and soft cheese.

The figures stated above clearly demonstrates the high labour requirement of this busy and successful family farm. It also highlights the need for housing to enable this traditional family farm to fully fulfil its succession plan.

Furthermore, it is important to remember that a dairy unit requires staff to work out with a typical working day and in order to keep and attract young people into the industry accommodation is essential.

FAWC² report states that “Animals are kept for various purposes and in return their needs should be provided for. Farm animals are recognised as sentient beings in the Treaty of Amsterdam. We have a moral obligation to each

¹ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

² <https://www.gov.uk/government/groups/farm-animal-welfare-committee-fawc>

Operational Needs Assessment – W A J Hourie

individual animal that we use.” Therefore, all farms must ensure that they meet high standards of animal welfare these are summarised in the Five Freedoms:

1. Freedom from hunger and thirst
2. Freedom from discomfort
3. Freedom from pain, injury, and disease
4. Freedom to express normal behaviour
5. Freedom from fear and distress

A farm such as Bain must put the needs of the cows before anything else, and in order to do this the unit needs competent employees/partners on site 24 hours a day, in particular for milking at 6am and again at 6pm in the evening. The family are lucky that the next generation is keen to take on the farm, the long hours, and the time commitment that is required for a successful dairy business. However, housing is essential for this to happen effectively.

As stated previously the plan is to calve 13-15 heifers in December and increase the milking cows to 40, this would increase the labour requirement to 2.4FTE, please see below.

- Stock numbers are based on the farm’s future proposals.
- Cropping information is taken from the 2024 Single Application Form

Standard Labour Units³ (December 2024)

Enterprise	Hours/ annum	Total
40 dairy cows	42hrs per head	1680
59 other cattle	12hrs per head	708
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
48.52ha Grassland	3.1hrs per hectare	150.4
Labour requirement for farm		4,529.10 hrs/annum
Labour requirement for December onwards		2.4FTE

³ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

Employment Statement of the Partners

Mr William Hourie works full-time on the farm, his wife Mrs Kirsten Hourie works with their daughter Miss Lara Hourie with her yoghurt, milkshake and soft cheese making business. Mr David Hourie works off the farm on a rota system which is 14 days "on", and 21 days "off", he has just started this job and the intention is that when is "off" he will work on the farm, helping his father as part of the succession plan for the farm.

There are currently no paid employees on the farm.

Justification for the House Location Proposed

As the site plan in the application shows, the family wish to site the house for Mr David Hourie near the land at Scarrataing Road. There are three reasons for this. Firstly, the fields on this road are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.

Secondly, the partners strongly feel that another house at the steading is not suitable for health and safety reasons. It is in all likelihood that Mr David Hourie will go on to have family, having the house next to the steading although handy for milking would mean that his family would be more at risk from being struck by moving vehicles or machinery. In fact, according to a report by the Health and Safety Executive⁴, there were 21 fatal injuries to farm workers in 2022/23, moreover 28% of deaths over the last five years on farm were due to being struck by a moving vehicle.

Thirdly, there will be one house at the steading already, once the house for Mr W Hourie and his wife is complete. The land around the steading is used for grazing cows and cannot be used for cropping due to the proximity to the milking parlour, therefore it does not make agricultural sense to sacrifice another part of the good grazing fields for housing.

Conclusion

The business of W A J Hourie is an established dairy unit providing just over 200,000 litres of milk to Orkney Cheese per annum, with the intention to increase production to 300,000l by the end of 2024. The unit has no employees with all of the labour provided by Mr W Hourie and Mr D Hourie.

This report demonstrates the farm requires 2.2 labour equivalents. Currently this labour is provided by the partners, however, a house is essential for Mr David Hourie to fulfil the succession plan for this successful family farm.

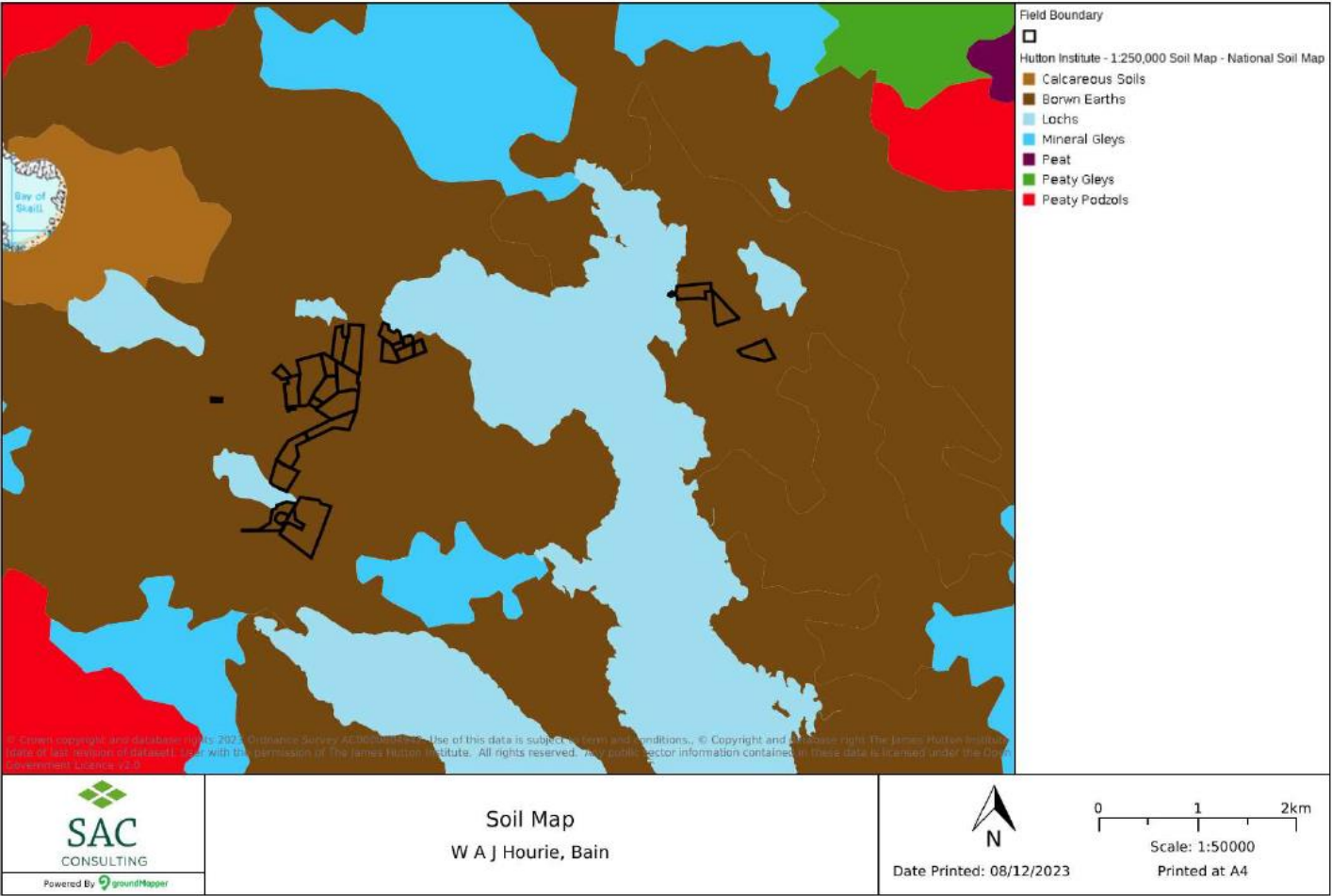
⁴ HSE, "Agriculture, forestry and fishing statistics in Great Britain, 2023, published 22 November 2023, source: <https://www.hse.gov.uk/statistics/assets/docs/agriculture.pdf>

Map of Steading



Operational Needs Assessment – W A J Hourie

Soil Map



Re-Consultation**INTERNAL MEMORANDUM TO: Development & Marine Planning - Policy**

Date of Consultation	4th July 2024
Response required by	11th July 2024
Planning Authority Reference	24/123/PIP
Nature of Proposal (Description)	Siting of a house and a detached garage for an agricultural worker, and create an access
Site	Land South East Of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Proposal Location Easting	326737
Proposal Location Northing	1017940
Area of application site (Metres)	2597
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/123/PIP
PA Office	Development Management
Case Officer	Mr Jamie Macvie
Case Officer Phone number	01856 873535 EXT 2529
Case Officer email address	jamie.macvie@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Thank you for consulting me.

The proposed development site is in a location with at least four Bronze Age tumuli, a subsurface cremation cist and a scatter of prehistoric flints potentially indicative of a settlement or funerary site within 150 m, indicating the potential for significant remains to exist.

In order to reduce or eliminate the risk of significant archaeology being present on site, I would recommend that an archaeological geophysical survey is conducted across the proposed development site, followed by archaeological evaluation trenching to groundtruth any geophysical anomalies, and to assess the potential for any significant remains not identified by the geophysics that may require further archaeological investigation. I would recommend that a programme of archaeological works such as those referred to above is detailed in a Written Scheme of Investigation (WSI) .

I am happy to be contacted for further discussion.

From: Derek Manson <Derek.Manson@orkney.gov.uk>
Sent: Thursday, July 25, 2024 1:52 PM
To: planningconsultation <planningconsultation@orkney.gov.uk>
Cc: devplanconsultations <devplanconsultations@orkney.gov.uk>; Susan Shearer <Susan.shearer@orkney.gov.uk>
Subject: Re-Consultation - Planning 24/123/PIP

Classification: NOT PROTECTIVELY MARKED

Hello

Thank you for consulting us on the above planning application and updated Operational Needs Assessment. Upon reviewing the updated Operational Needs Assessment whilst we note the evidence of hours required on the farm for different activities undertaken and labour required, we would highlight that several areas of the assessment and statements are based on future plans and not current status quo. Also from the submitted information there appears a large amount of hours that are attributed to silage production compared to stock related labour. The stock labour requirement has been hugely reduced now with the reduction in stock numbers since the original assessment was completed.

The location of the proposed house is in a location remote from the farm steadings situated in an area of open countryside which will have landscape impacts. Whilst there is some discussion on the justification for the house location proposed we remain unclear how the proposed location of the house in its current location best supports 24 hour supervision and farm operations. For example being remote from the farm steadings could reduce the ability to be on hand to support farm activities such as milking which based on the needs assessment is a key parts of the business. In addition, with the applicant working on shifts patterns there will be a limited time when there will be an onsite presence to look at livestock calving close to the location of the house. Therefore, a location closer to the existing farm steadings would seem a preferred location from a farm management and landscape perspective.

Kind Regards

Derek

Land south-east of Sharalee

Sandwick

Mainland

Orkney Islands

Geophysical Survey Report

Report No: 1064.2

ORCA

UHI Archaeology Institute

Orkney College UHI

East Road

Kirkwall

KW15 1LX

Project Manager: Paul Clark

Report Author: Amanda Brend

Report Figures: Amanda Brend & Crane Begg

Client: W Hourie



This document has been prepared in accordance with ORCA standard operating procedures and Cifa standards

Authorised for Distribution by: Paul Clark MCifa

Date: 17 December 2024

Title:	Land south-east of Sharalee, Sandwick, Mainland, Orkney Islands: Geophysical Survey Report
Author(s):	Amanda Brend
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Date of last revision:	17 December 2024
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Approval:	Paul Clark MCIfA

Executive Summary

This report sets out the results of a geophysical survey undertaken by Orkney Research Centre for Archaeology (ORCA) commissioned by Mr David Hourie on land south-east of Sharalee, Sandwick, Mainland, Orkney. The survey was requested by the Orkney Islands Archaeologist in response to the application for Planning in Principle for the Site (OIC Planning Ref: 24/123/PIP).

The results of the geophysical survey show several anomalies across the Site that may be archaeological in nature, particularly as there are numerous prehistoric sites in the immediate vicinity of the Site. Without further investigation, however, it is difficult to be more definitive about their nature or function.

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1 Introduction

This document was commissioned by Mr David Hourie (hereinafter referred to as ‘the Client’) and forms the final report detailing the results of a geophysical (magnetometer) survey carried out over a 0.25 hectare area, south-east of Sandwick, Orkney, KW16 3JB (hereafter referred to as ‘the Site’) in advance of the construction of a single dwelling and garage shown on **Figure 1**. The survey was requested by the Orkney Islands Archaeologist in response to the application for Planning in Principle for the Site (OIC Planning Ref: 24/123/PIP).

All works were carried out in accordance with the Written Scheme of Investigation (WSI) for the works (Talbot 2024), which sets out the legislation framework and planning background in detail. The fieldwork was undertaken in November 2024.

This report has been prepared in accordance with the Standards and Code of Practice laid down by the Chartered Institute for Archaeologists (CIfA 2014a & 2014b) and the European Archaeological Council (EAC) (Schmidt *et al* 2015).

2 Site Location, Topography and Geology

The Site is centred on NGR HY 26725 17940, south-east of Sandwick at the northern end of the Loch of Harray, off a minor road. It is currently agricultural land situated halfway between the properties of Sharalee and Scarrataing.

The solid geology in this section is Lower Stromness Flagstone Formation (siltstone, mudstone and sandstone). No overlying drift geology is recorded in this area. (<https://geologyviewer.bgs.ac.uk>).

3 Archaeological Background

Orkney has an exceptionally rich archaeological landscape with numerous important sites dating from the Mesolithic through to the modern period, and which includes the *Heart of Neolithic Orkney* designated UNESCO World Heritage Site (*HONO WHS*) (Historic Scotland 2014).

A table of sites recorded close to the Site is provided in the WSI for the project (Talbot 2024) and the following is a brief summary of this information.

A large number of probable Bronze Age sites is recorded around the northwest area of the Loch of Harray, some of which lie in the immediate vicinity of the site, for example, a cremation cist at Mill of Rango (Canmore ID 1646: [Mill Of Rango](#)) c. 100m northwest of the Site and a barrow, recorded in the Name Book of 1880, some 42m to the west of this (Canmore ID 1645: [Mill Of Rango](#)). A group of three mounds are recorded c. 110m southwest of the Site at Upper Scarrataing (Canmore ID 1647: [Upper Scarrataing](#)). Several other barrow sites are recorded further west of the site, including two mounds at Stockan (Canmore ID 1614: [Stockan](#)) c. 310m to the southwest, and another individual mound 350m to the west (Canmore ID 1639: [Stockan](#)).

In addition to this, a scatter of prehistoric flints is recorded 125m southeast of the site and an Iron Age broch at Scarrataing (Canmore ID 1633: [Scarrataing](#)) is situated c. 900m to the southeast.

4 Fieldwork Aims and Objectives

In consultation with the client and the Orkney Islands Archaeologist, a geophysical (magnetometer) survey was undertaken on the site in order to attempt to identify any features or deposits of potential archaeological significance, which would reduce or eliminate the risk of significant archaeology being present on site, such as the potential for prehistoric settlement and funerary remains.

The purpose of a geophysical survey as defined by the ClfA is to:

determine, as far as is reasonably possible, the nature of the detectable archaeological resource within a specified area using appropriate methods and practices.

A geophysical survey is further defined as (ClfA 2014a):

Archaeological geophysical survey uses non-intrusive and non-destructive techniques to determine the presence or absence of anomalies likely to be caused by archaeological features, structures or deposits, as far as reasonably possible, within a specified area or site on land, in the inter-tidal zone or underwater. Geophysical survey determines the presence of anomalies of archaeological potential through measurement of one or more physical properties of the subsurface.

In all cases, a geophysical survey will be intended:

as far as possible inform on the presence or absence, character, extent and in some cases, apparent relative phasing of buried archaeology, in order to make an assessment of its merit in the appropriate context, which may lead to one or more of the following:

- a. The formulation of a strategy to ensure further recording, preservation or management of the resource;*
- b. The formulation of a strategy to mitigate a threat to the archaeological resource;*
- c. The formulation of a proposal for further archaeological investigation within a programme of research;*

Geophysical results are not a map of the ground but a direct measurement of subsurface properties and the interpretation of any identified anomalies is subjective. While the scrutiny of the results is undertaken by qualified, experienced individuals, and rigorously checked for quality and consistency, it is often not possible to classify all anomaly sources.

5 Fieldwork Methodology

The table below summarises the equipment and methodology used in the field. Detailed explanation of the methodology is presented in **Appendix 1**.

Set Out	
Instrument	Trimble TDC 600/R8
Type of correction	RTK VRS GPS
Magnetometer Survey	
Instrument	Bartington Grad601-2
Grid size	20x20m
Sampling along the traverses	0.25m
Traverse intervals	1m
Collection mode	Zig-Zag

Table 1: The equipment and methodology used in the field.

6 Fieldwork Results

6.1 Magnetometer Survey

The magnetometer results are presented in a greyscale plot of the processed data (**Figures 2 and 3**). Anomalies referred to in the following text are presented in an annotated interpretation diagram (**Figure 4**).

There are several features across the Site that may be archaeological in nature. **Anomaly 1** is a cluster of positive anomalies and very strong positive responses in the western portion of the survey data that could be archaeological in origin, for example pits or heat-affected features. These curve around in a gentle arc from northeast to southwest for c. 15m and measure between 1.7m and 4.5m long by 1.4m and 4.7m wide. The northernmost of these is a very strong response and could be ferrous debris within the topsoil. A line of further positive features, **Anomaly 2**, running roughly north-south in the south of the Site, could also be archaeological in nature, and they could relate to Anomaly 1 to the northwest. A scatter of positive anomalies across the Site, **Anomaly 3**, may also be archaeological in origin, perhaps pits or heat-affected features, but their discrete nature makes their interpretation uncertain.

There are two curving trends visible in the data. The northernmost of these, **Anomaly 4**, arcs from southwest to northeast for a distance of c. 54m, while the southernmost, **Anomaly 5**, meanders east-west for c. 42m. It is not possible to determine whether these are archaeological features, such as remnants of former boundaries, or whether they are natural in origin.

The majority of the other anomalies across the Site are ferrous, likely representing modern debris within the topsoil. Magnetometer survey at barrow sites elsewhere in Orkney, such as the Knowes of Trotty (Challands 2001), revealed similarly strong responses across the mounds, suggesting that any of the ferrous anomalies identified in the present survey could be archaeological in nature.

7 Conclusions and Recommendations

The results of the geophysical survey revealed several anomalies that may be of archaeological origin. It is difficult to determine more about them given their discrete nature and the small scale of the area surveyed but given the presence of several Bronze Age sites in the immediate environment, there is a strong possibility that they may be archaeological in nature. In other geophysical surveys of barrow cemeteries, features similar to Anomalies 1 to 4, have been found to represent associated satellite burials and pyre sites, for example, at Linga Fold (Challands 2001) and barrows have also been shown to have distinct geophysical signatures dependent on their construction methods and subsequent histories (Brend *et al* 2020).

The final decision as to the requirement for further work on the site rests with Orkney Islands Council's designated Planning Archaeologist.

8 Acknowledgements

The author would like to thank Mr David Hourie for commissioning the work.

9 OASIS ID:

OASIS Id: orkneyre1-530462

10 Bibliography

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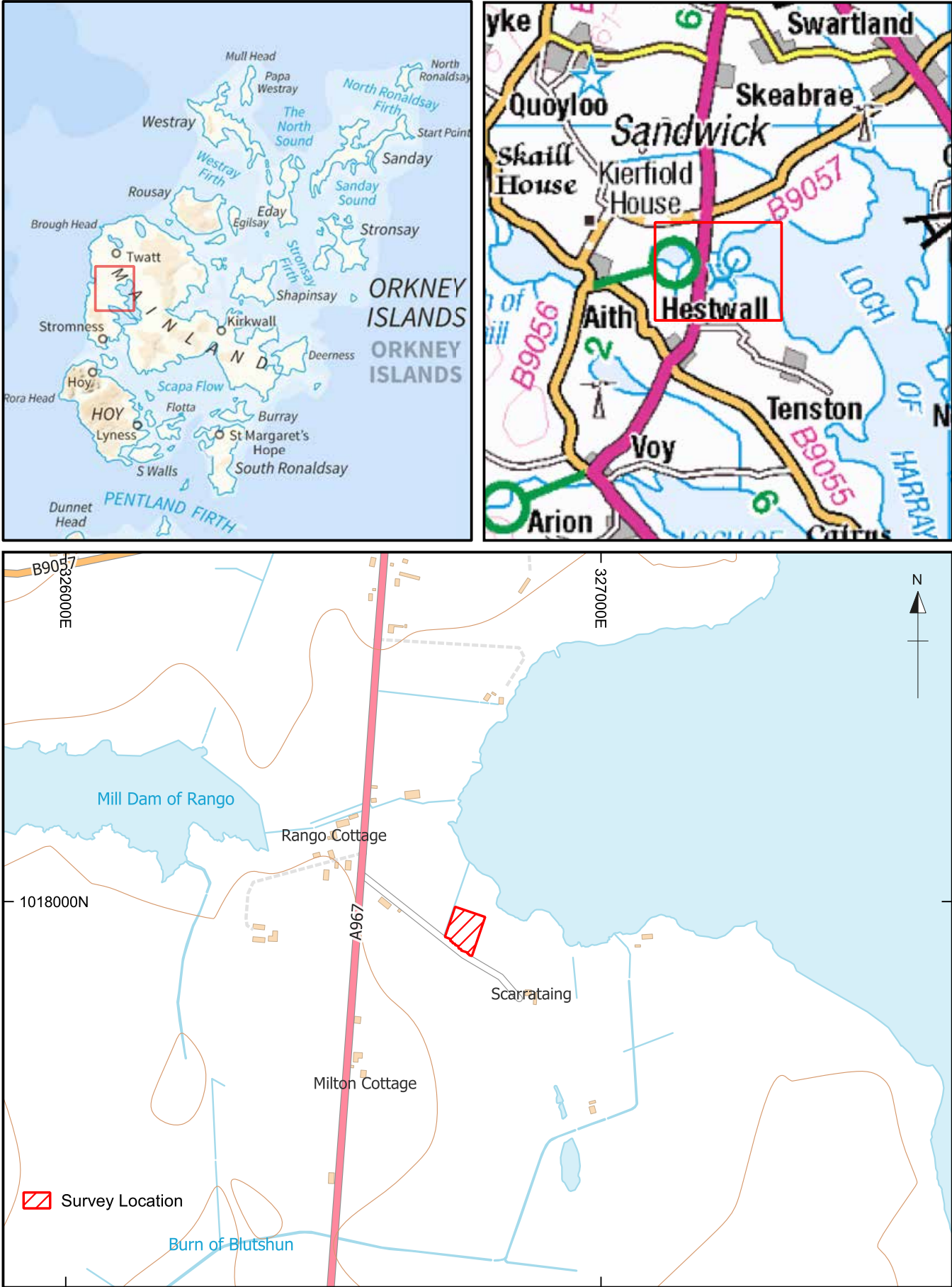
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Figures



Contains Ordnance Survey data ©Crown Copyright and database right (2024)

CRS: OSGB36 / British National Grid/ EPSG:27700

0 100 200 300 400 500 m

Figure 1: Site Location

Project Name: Land SE of Sharalee

Project No: 1064

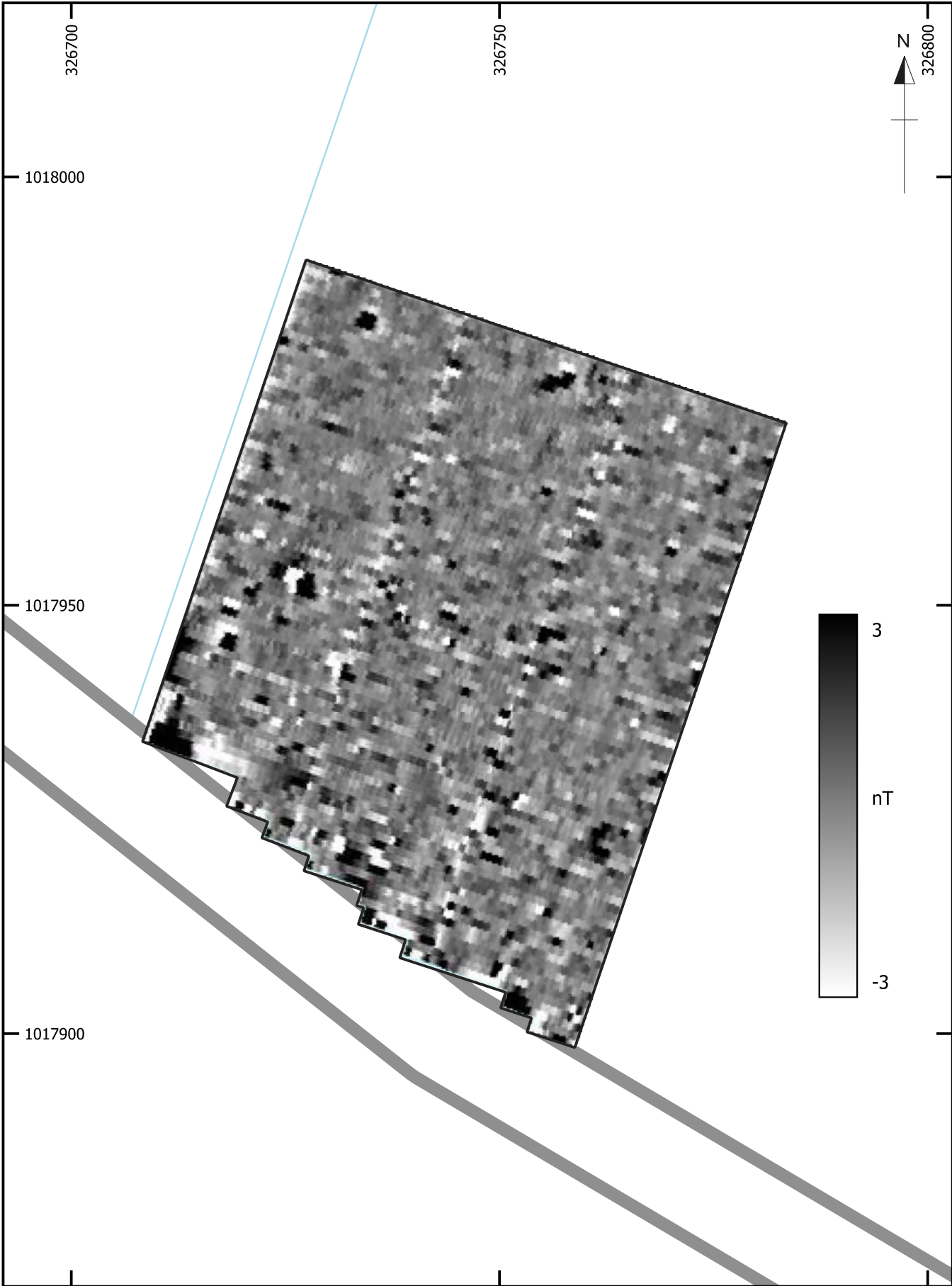
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Date: 12/2024

ID:OR02AB

Rev. No. 1.00

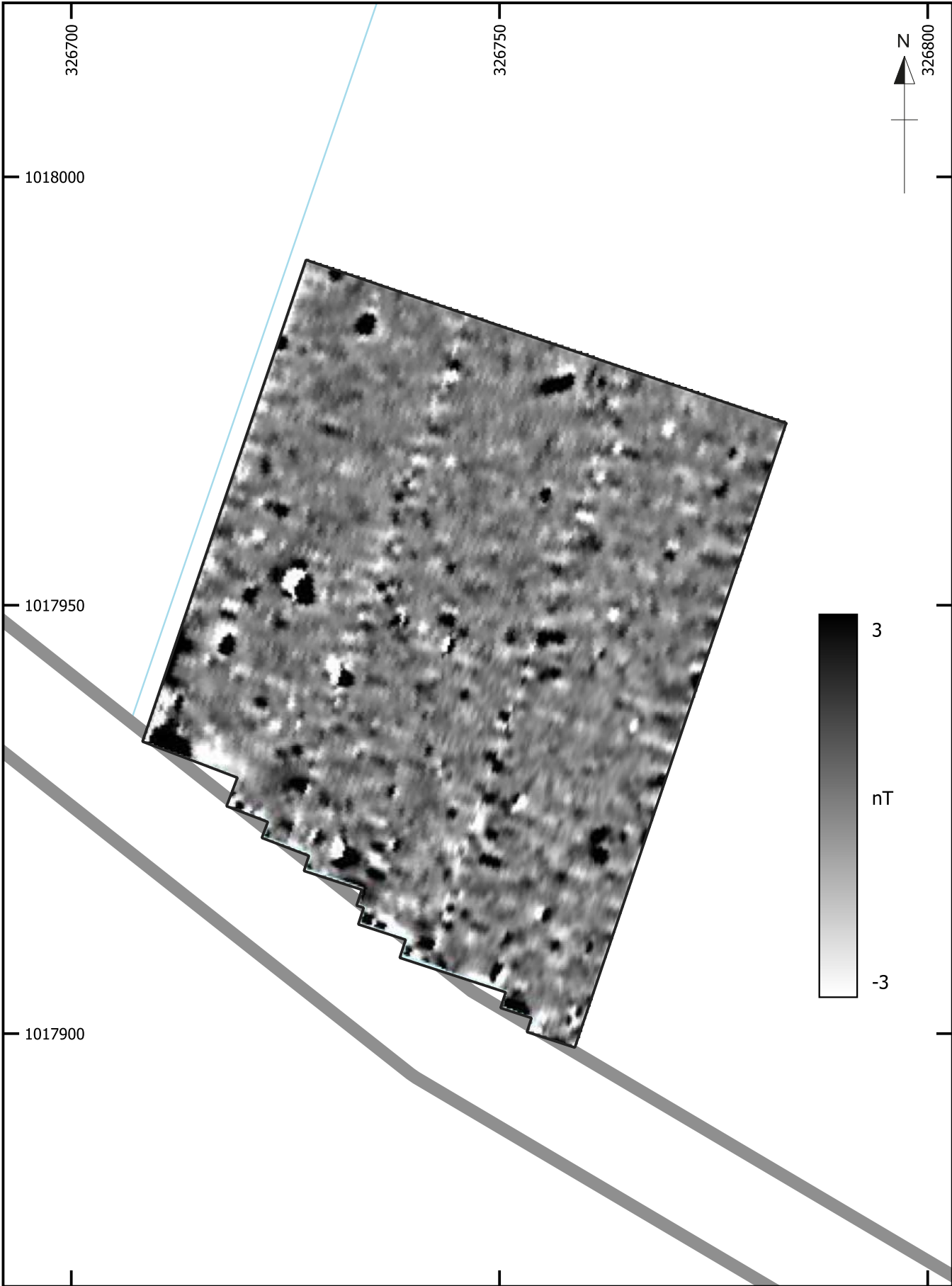


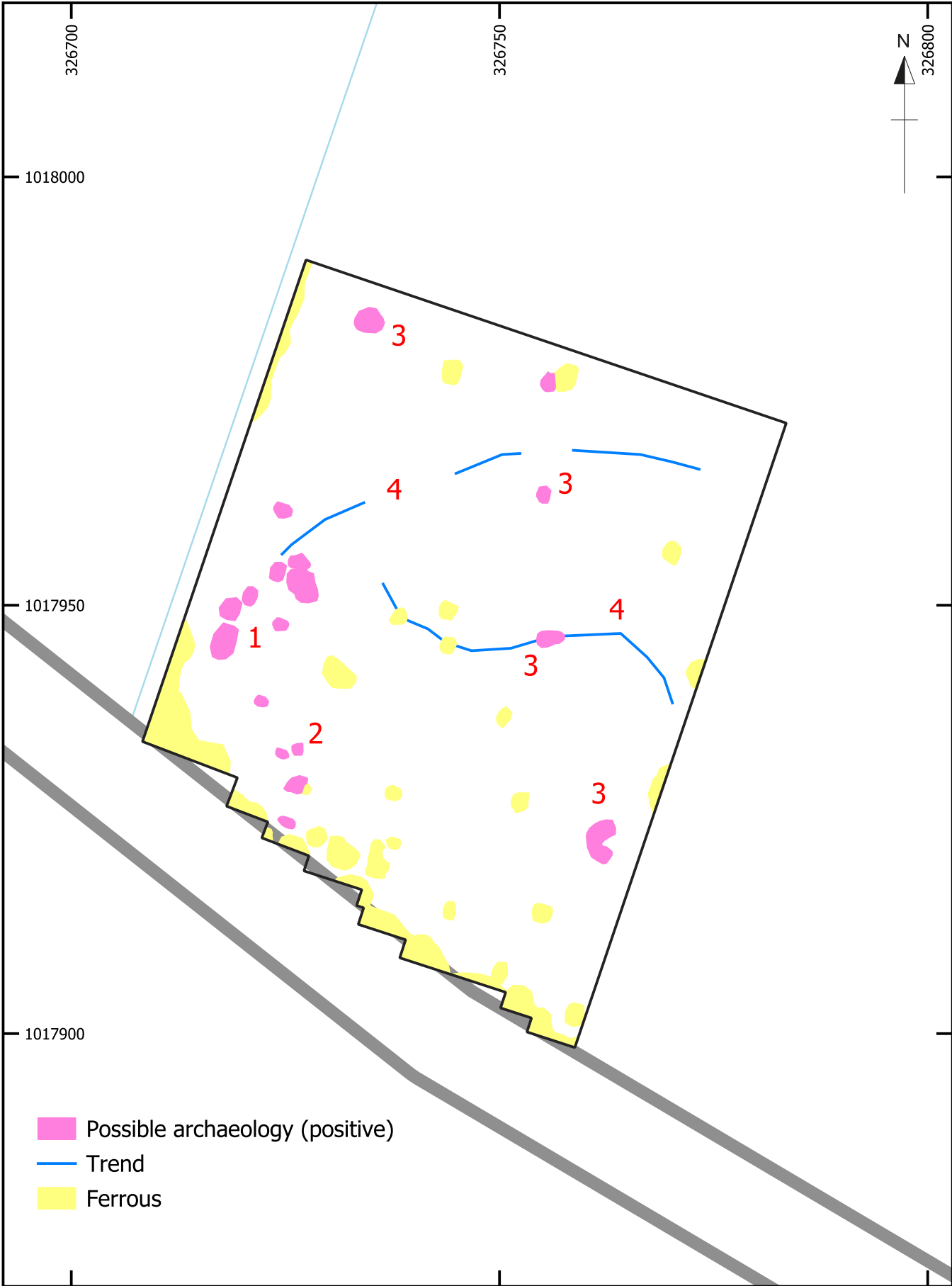
Contains Ordnance Survey data ©Crown Copyright and database right (2024) CRS: OSGB36 / British National Grid/ EPSG:27700

0 10 20 30 m

Figure 2: Greyscale plot of raw magnetometer data.

Project Name: Land SE of Sharalee		
Project No: 1064	Scale @A4 1:625	
Date: 12/2024	ID: OR02AB	Rev. 1.00





Contains Ordnance Survey data ©Crown Copyright and database right (2024) CRS: OSGB36 / British National Grid/ EPSG:27700

0 10 20 30 m

Figure 4: Interpretation diagram of magnetometer data.

Project Name: Land SE of Sharalee

Project No: 1064

Scale @A4 1:625

Date: 12/2024

ID: OR02AB

Rev. 1.00

Appendices

Appendix 1 : Methodology

1. Metric Survey

All grids were set out by hand using tapes and surveyed in with a GPS.

2. Magnetometer Survey

Data Collection

Magnetometer survey was undertaken using a Bartington Grad601 gradiometer. The gradiometer comprises two fluxgate sensors mounted 1m apart on a vertical axis. Each sensor measures the earth's magnetic field, in nano-Tesla (nT), and the instrument records the difference between the observed readings for each sensor. By measuring the magnetic field in this manner, the dependency of fluxgate sensors upon the angle between the sensor and the earth's magnetic field and the variations due to large-scale geological variations and diurnal fluctuations are filtered out. By doing so the instrument is recording subtle changes or anomalies in the earth's magnetic field caused by material in the top metre or so of the earth's surface. G

Data were collected at 0.25m intervals along traverses 1m apart, in 'zig-zag' fashion i.e. the direction of the traverse alternating between adjacent traverses, within a series of 20m by 20m grids which were later merged together.

Fieldwork

Data were collected at 0.25m intervals along traverses 1m apart, in 'zig-zag' fashion i.e. the direction of the traverse alternating between adjacent traverses, within a series of 20m by 20m grids which were later merged together.

Data processing

The data were processed using Geoplot 4.0.

'Zero mean traverse' corrections have been applied to all the data. This process sets the mean of each line to zero. These corrections remove discontinuities between adjacent grids and striping effects within grids caused by 'zig-zag' collection of data.

The processed data has been interpolated twice in the Y direction to create a 'square' data set. This has the overall effect of smoothing the data.

Data Display

Greyscale images: Greyscale images display the data within a predefined range with all values below the minimum being white and all values over the maximum being black with gradual increments between these two extremes.

Re-Consultation**INTERNAL MEMORANDUM TO: Islands Archaeologist**

Date of Consultation	19th February 2025
Response required by	26th February 2025
Planning Authority Reference	24/123/PIP
Nature of Proposal (Description)	Siting of a house and a detached garage for an agricultural worker, and create an access
Site	Land South East Of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Proposal Location Easting	326737
Proposal Location Northing	1017940
Area of application site (Metres)	2597
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/123/PIP
PA Office	Development Management
Case Officer	Mr Jamie Macvie
Case Officer Phone number	01856 873535 EXT 2529
Case Officer email address	jamie.macvie@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Thank you for consulting me.

The results of the archaeological geophysical survey (report uploaded to the Planning Portal 19th February 2025) indicate that there will need to be archaeological evaluation trenching to groundtruth the geophysical anomalies identified as potential archaeology (Anomalies 1, 2, 3 and 4) and to assess the potential for any significant remains not identified by the geophysics that may require further archaeological investigation.

The results of the evaluation trenching will then inform whether there is significant archaeology that requires further investigation. I would recommend that the archaeological works referred to above are detailed in a Written Scheme of Investigation (WSI), submitted for approval.

These investigations are recommended because of the potential for significant Bronze Age funerary remains and a prehistoric flint scatter to exist at the proposed development site.

I am happy to be contacted for further discussion.

Report on Archaeological Evaluation in advance of the Erection of a dwellinghouse and garage at Land SE of Sharalee, Sandwick, Mainland Orkney

Planning Reference: 24/123/PIP

Prepared by: G Wilson & H Moore, EASE Archaeology

Date: 2/06/2025

1. SUMMARY

This report documents the findings of an archaeological evaluation (trial trenching) on land located to the southeast of Sharalee, Sandwick, Mainland, Orkney. The work was undertaken in advance of the erection of a new house and garage. The requirement and specification for this work was provided by the Orkney Archaeologist and was set out within the Planning Decision (Planning Reference: 24/123/PIP). The work was undertaken in compliance with Historic Environment Scotland and Chartered Institute for Archaeologists (CIFA) best practice and standards for archaeological Work.

No deposits or features of an archaeological nature were identified on the site during this stage of the archaeological work.

2. THE DEVELOPMENT SITE AND ITS ARCHAEOLOGICAL CONTEXT

The proposed development site is located on land to the southeast of Sharalee, Sandwick, Mainland, Orkney. The National Grid Reference is HY 26725 17940. The proposal seeks to erect a house and garage in an area of previously undeveloped farmland.

The development site lies within Inner Sensitive Zone (also known as the Buffer Zone) of the UNESCO - designated World Heritage Site of the 'Heart of Neolithic Orkney'. This area contains a wealth of archaeological and historical remains of all periods dating from the earliest prehistoric human presence in Orkney up to modern times. These include:

- (Canmore ID 1646) Mill of Rango, a cist containing cremated remains was found in 1878 (Orkney Name Book). It is located c.100m to the NW of the site.
- (Canmore ID 1645) Mill of Rango, a barrow noted here in 1880 (Orkney Name Book), is no longer visible.
- (Canmore ID 1647) Upper Scarrataing, 3 mounds were recorded in 1880 (Orkney Name Book), but are now no longer visible. They were located c.110m to the SW of the site.

- (Canmore ID 1614) Stockan, two mounds were noted here in 1880 (Orkney Name Book). By 1967, one is described as amorphous and mutilated, and the other was no longer visible. This is located c.310m to the SW of the site.
- (Canmore ID 1638) Stockan, mound, grass covered mound 32ft in diameter, was mutilated during the formation of a farm steading. It is said to have contained 'many relics'. It is now visible as a bowl-shaped mound, 10m in diameter and 1.15m high (Orkney Barrows project, 1993). This is located c.350m to the SW of the site.
- (Canmore ID 306450) Upper Scarrataing, prehistoric flint scatter, located c.125m to the SE of the site.
- (Canmore ID 1633) Scarrataing Iron Age broch, located c.900m to the SE of the site.

Within the wider hinterland there are numerous further sites of archaeological interest. These are unlikely to extend into the development area but have implications in illustrating both the long duration of human activity in the area and the potential for the survival of a range of different types of remains within this locality.

3. SITE EVALUATION

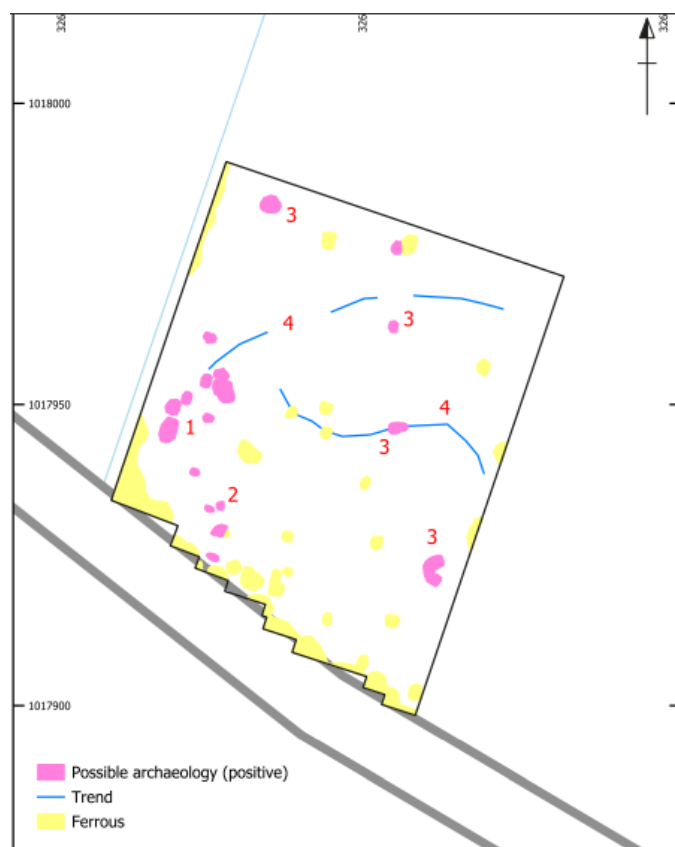
Because the proposed development site lies in undeveloped farmland and in an area which contains a large number of recorded archaeological remains it is considered to be of high archaeological potential. For this reason, an archaeological condition has been placed on the development which recommended that a geophysical survey be conducted and followed up

with archaeological trial trenching. The reason for this is to reduce or eliminate the risk of disturbing significant archaeological remains.

3.1 Geophysical Survey

A geophysical (magnetometer) survey of the site was undertaken by ORCA in November 2024 (ORCA 2024, Report number 1064.2). The purpose of this work was to identify hitherto unrecorded features of potential archaeological significance and gather evidence to inform a strategy for archaeological trial trenching and for mitigating the risk of disturbing significant archaeological remains.

The findings of the survey indicate a number of anomalies within the area.



Of these, four groups of anomalies were interpreted as potentially being of archaeological origin (ORCA 2024, Report number 1064.2 Figure 4). Anomaly 1, a cluster of 8 or more positive features, and Anomaly 2, a cluster of 5 or more positive features, were provisionally identified as pits or heat-affected areas. Anomaly 3, comprising of 5 more widely spaced positive features, was considered also to potentially represent pits or heat-affected areas. Anomalies 4 and 5, a series of meandering curvilinear features, were considered to be potentially of archaeological origin (e.g. remnant boundaries). In addition to this, a high number of ferrous anomalies were indicated, possibly representing either modern debris or archaeological remains.

4. TRIAL TRENCHING

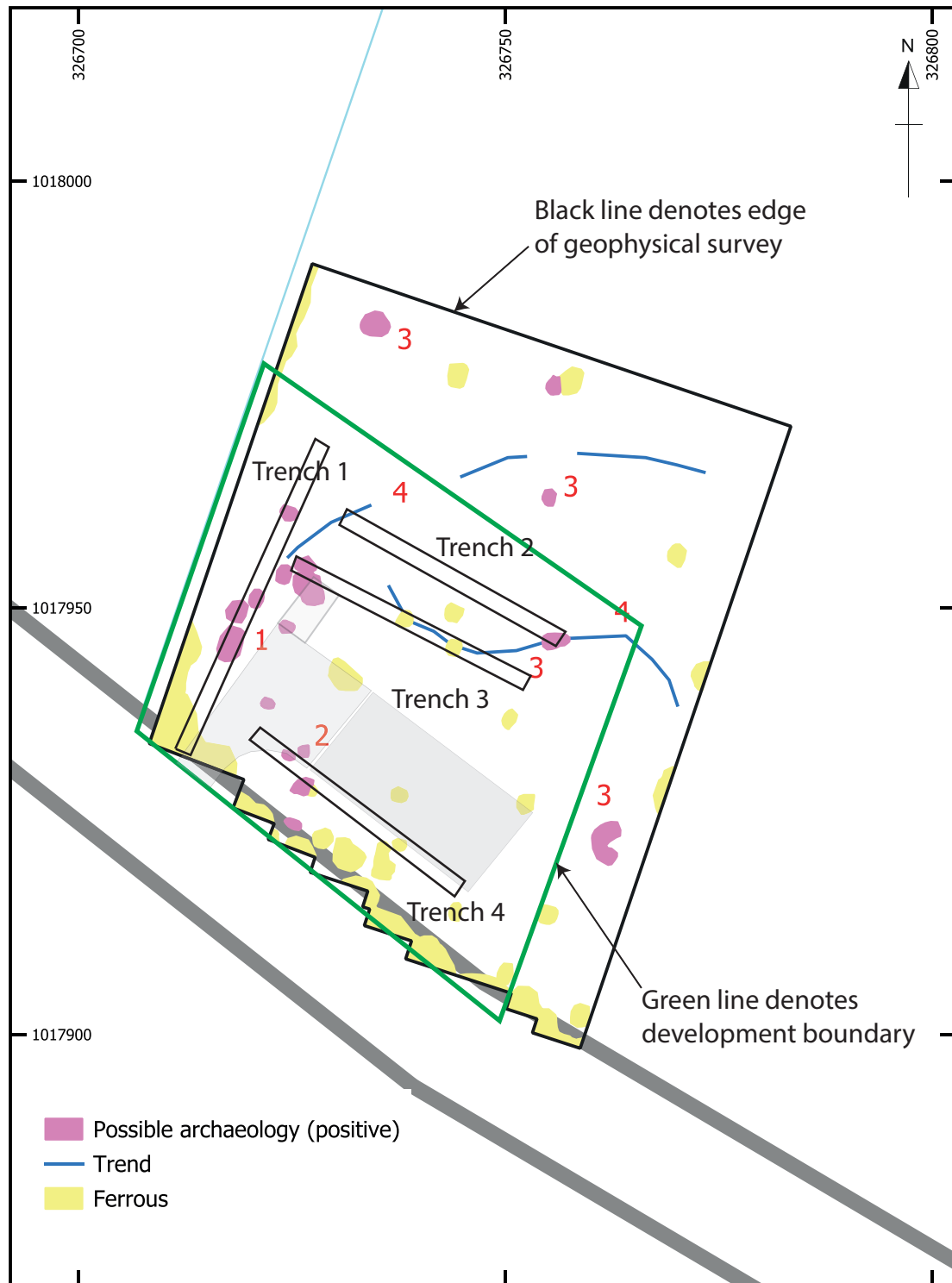
4.1 Aims

A second stage of evaluation using trial trenching to examine the subsurface remains was undertaken by the present authors on 2nd June 2025. The purpose of this was firstly to follow up on the findings of the Geophysical Survey by testing or 'ground-truthing' a representative sample of the anomalies indicated by that work. A second aim of trial trenching was to look for any remains or anthropic deposits which might be present but not amenable to identification via geophysical survey. The third aim was to generally examine and record the subsurface deposits present to characterise local geomorphology and soil conditions and evidence of past land use in this area.

4.2 Methodology

The trial trenching comprised of the excavation of four trenches by machine under the constant supervision of experienced archaeologists. The trenches were positioned to investigate a representative sample of the anomalies identified by the Geophysical Survey (see accompanying plan) and their locations were selected in prior consultation with the Orkney Archaeologist. Trench 1, located to the west of the site, measure 41m long by 1.8m wide; the other three each measured 30m in length by 1.8m. The trenches were each excavated to the level of natural till and/or bedrock surface.

In addition to monitoring the deposits under removal during the machining stage, the basal surface and vertical sections within each trench were also inspected and cleaned using hand tools to assess for archaeological features and inclusions. The subsurface deposits were recorded by means of digital photography, measured sketches and a written record detailing every soil context encountered.



Outline plan showing trench locations excavated June 2025

Trenches marked 1-4.

Background map derived from archaeological geophysics report, see Orkney Planning Portal planning ref 24/123/PIP, 'Archaeology Report', published 19th February 2025.

4.3 Findings

In summary, no features or deposits of an archaeological nature were identified on the site. The depth of soil above natural was shallow, mostly between 0.2m and 0.3m, and the soils themselves were almost wholly devoid of anthropic inclusions. No artefacts were found, and no samples were collected. The findings per trench are documented below.

- Trench 1

Trench 1 measured 41m X 1.8m and was oriented N-S. It extended over the full N-S extent of a natural rise. The soil depth above natural was deepest to the south end, where up to 0.5m of soil deposits covered the natural till. At the north end of the trench, the soil depth was reduced to 0.2m. The soil deposits comprised of the following sequence of contexts:

1/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.1m- 0.2m thick.

1/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This was up to 0.4m thick at the south end of the trench, dwindling elsewhere to an average thickness of 0.2m.

1/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

- Trench 2

Trench 2 measured 30m X 1.8m, was oriented E-W and was located towards the northern (downslope) periphery of a natural rise. The soil depth above natural till was, on average, 0.25m – 0.3m and comprised of the following sequence of contexts:

2/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.1m- 0.15m thick.

2/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This was between 0.1m and 0.2m thick.

2/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

- Trench 3

Trench 3 measured 30m X 1.8m and was oriented E-W. It extended across the shoulder of a natural rise. The soil depth above natural was between 0.2m and 0.3m in thickness. The deposits were of natural origin and comprised of the following sequence:

3/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.15m- 0.2m thick.

3/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This was on average, 0.15m thick.

3/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

- Trench 4

Trench 4 measured 30m X 1.8m and was oriented E-W. It was located on level ground, to the south (upper) side of a natural rise. The soil depth above natural till was, on average, 0.2m- 0.25m thick. The deposits were of natural origin and comprised of the following sequence:

4/100 topsoil- pale grey-yellowish brown silty loam with roots and small angular stones (up to 15%). On average, this was 0.15m thick.

4/200 'B' horizon – firm to compact homogenous pale grey- brown silt, becoming paler with depth, has some iron mottling present and a diffuse lower boundary, This had an average thickness of 0.1m.

4/300 Natural till – grey-pale yellow upper surface of till, with occasional areas of angular broken bedrock fragments protruding.

4.4 Interpretation

The findings of trial trenching did not reveal any features or deposits of archaeological origin. The dearth of anthropic inclusions, moreover, would suggest that the site has not previously been inhabited or substantially altered through human agency. No features were found below the ground surface which directly coincided with or could be conclusively linked to the anomalies indicated by the geophysical survey, although it is possible that variations in the composition and compaction of the till may be implicated. Some iron staining was noted within the 'B' horizon in all trenches excavated. This took the form of sporadic mottling and there was no iron pan or denser concentrations in evidence. Nonetheless, the presence of iron here may be the source of the 'ferrous' anomalies indicated in the geophysical survey.

4.5 Conclusion

In conclusion, the results of this work found no evidence of any archaeological activity on the site, and it is suggested that the anomalies indicated by the geophysical survey relate to features of natural origin. No materials or samples were recovered, and no further analyses or post-excavation work is required.



General view over site to north.



Trench 1: view of soil profile.



Trench 1: view looking south.



Trench 1: view looking south.



Trench 2: view looking east.



Trench 2: view of soil profile.



Trench 2: view looking east.



Trench 3: view looking west.



Trench 3: view of soil profile.



Trench 3: view looking east.



Trench 4: view of soil profile.



Trench 4: view looking west.



Trench 4: view looking east.



Trench 4: view looking west.

Operational Needs Assessment

Strictly confidential



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27th June 2025

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Introduction

This report is written on behalf of the business of W A J Hourie, which is a family run partnership operating the farm of Bain in Sandwick. The land of Bain is just under 100ha and is good quality agricultural land, with a further 2ha rented seasonally by the business. The farm is run as a dairy farm with 48 cows producing 7,500l. The majority of the milk is sold to Orkney Cheese, with some used to support Miss Hourie's business of producing yoghurt, milkshakes and soft cheese.

The business is now a fourth-generation farm, with the introduction of Mr David Hourie and his sister Miss Lara Hourie to the firm in 2018. Mr David Hourie has off-farm employment, however, this job is 14 days "on", and 21 days "off" thus allowing him to work on the farm on those 21 days "off". His sister, Miss Lara Hourie works full-time with her own business, a subsidiary of W A J Hourie, "The Orkney Dairy".

However, there are currently no available houses on the farm, and it is essential that David resides on the farm, close to the where the cows will be calving. Therefore a site for a new build is requested.

Current Farming System

The farm is run as a dairy unit, with 48 Fleckvieh cows and followers. Cows calve all year round, in order to guarantee a steady milk supply.

Cows are yielding approximately 7,500 litres and are fed in the parlour along with a Total Mixed Ration (TMR) in the shed. In addition approximately 17ha of spring barley is grown to feed to the cows, this yields approximately 120t per annum.

There are 120 cubicles, and the cows are bedded on mats and sawdust. The parlour is a 10:20 Herringbone. Milking takes around one hour and the cows are milked twice a day.

Every year, three cuts of silage are taken.

All of the farm work is carried out by the partners. The only jobs that contractors are used for are sowing barley and raking the silage. All of the other land work and crop work is done by the partners of the business.

Although the number of cows currently being milked is considerably less than in previous years, the current plan is to increase the dairy herd from 48 to 60 by

March 2026. They have 15 heifers due to calf in October, and another 14 due in February/March next year which will increase the numbers going through the parlour to 60.

Existing Housing and Past Planning Applications for Housing

Recently the family home was sold Mr and Mrs Hourie are living in a caravan near the steading while they build a new home at Bain. David is in another caravan near the steading whilst he waits for planning permission and Lara has bought a house less than half a mile from the steading.

David wishes to move out of the family home and live in his own home, however, there are no other planning options and/or approvals on the farm.

Other Opportunities for Housing on the Land of the Business

There are no opportunities for any one-for-one planning applications and there are no redundant farm buildings, which would be suitable for conversion.

Viability, Scale and Longevity of the Business

The Hourie family have been living and farming at Bain for over 100 years, the business in its current format has been trading for over six years.

The business receives Basic Payment Scheme, Less Favoured Agricultural Support Scheme funding all through the Scottish Government.

Land

The land is mostly in Sandwick. As is standard in Orkney, all of the land is in the Less Favoured Area (LFA) and is classified as disadvantaged and fragile.

Table 1. Permanent Land

Land Use (permanent land)	Hectares
Arable	16.65
Temporary Grass	21.00
Permanent Grass	51.71
Rough Grazing	2.50
Total	91.86

Table 2. Seasonal Land

Land Use (seasonal land)	Hectares
Arable	1.71
Total	1.71

The biggest soil type on farm is Thurso Association with brown forest soils, brown rankers and some non-calcareous gleys. non-calcareous and peaty gleys.

The Macaulay Land Use Research Institute has classified most of the land as 4.1 and 4.2, which is land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal.

W A J Hourie
Permanent Land

Scale: 1:15000
Printed at A4
Date Printed: 30/06/2025

Farm Buildings

Description	Size	Use/Capacity	Owned/Rented
Cubicle Shed	120	Milking Cows	Owned
Parlour	10:20		Owned
Dry Cow Shed	Straw pens	Dry cows/calves	Owned
Slatted court with cubicles	30 cubicles	Bulling heifers	Owned
Cubicle house (small)	40 small cubicles	Yearlings	Owned
Silage pit			Owned
Dairy		Yoghurt/cheese making	Owned

Houses

There is no house at the steading, but there is planning in place for a house for Mr & Mrs Hourie close to the steading and building work is now underway for this property.

Machinery

Item
1 x Tractors (Fendt 716)
1 x Tele-handler
1 x Quadbike
1 x Gator
Silage Trailer x 2
Cattle Float
Forage Wagon
Feed Trailer
Tedder
Mower x 2
Combine
Plough
Grass Seeder
Baler & Wrapper
Sprayer
Bruiser
Shear grab
Feeder Wagon
Slurry Tanker, with trailing shoe

Livestock

Milk production for the Orkney Cheese Company Ltd is the main focus for the business. Moreover, since 2020 the business has started making its own yoghurt, milkshakes and just this year has launched its own soft cheese.

The unit milks 48 cows, with the majority of the milk sold to Orkney Cheese for cheese production. The farm breed's its own replacement heifers approximately 5 each year, with the other offspring sold at 1mth old at 50kgs.

The milking takes approximately one hour, and the cows are milked twice a day.

The aim is to increase the cows being milked to 60 by spring 2026, as they have a number of heifers due to calf in September/October and again another batch in spring 2026. This will allow the milking herd to increase slightly. The plan is for all of the calves to be reared on at Bain, the heifers will be kept as herd replacement and steer/bull calves will be kept for selling into the prime market.

Cropping

Three cuts of silage are harvested each year, around 390acre in total. The silage yield is around 6t/ac.

The farm also grows 40acre of spring barley, yielding 3t/acre. All the grain and the straw are used on farm with any excess sold to neighbours.

Labour Requirements and 24-hour Supervision

- Stock numbers are based on livestock held on 25th June 2025.
- Cropping information is taken from the 2025 Single Application Form

Standard Labour Units¹ (current system)

Enterprise	Hours/ annum	Total
48 dairy cows	42hrs per head	2016
77 other cattle	12hrs per head	924
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
38.86ha Grassland	3.1hrs per hectare	120.47
Labour requirement for farm		5,051.17 hrs/annum

A labour unit is now recognised as 1,900 hours per year. On this basis the existing farming system would require 2.66 full-time equivalents to function correctly. It is important to note that the above does not account for the dairy part of the business i.e. the production, manufacture and distribution of yoghurt, milkshakes and soft cheese.

The figures stated above clearly demonstrates the high labour requirement of this busy and successful family farm. It also highlights the need for housing to enable this traditional family farm to fully fulfil its succession plan.

Furthermore, it is important to remember that a dairy unit requires staff to work out with a typical working day and in order to keep and attract young people into the industry accommodation is essential.

FAWC² report states that “Animals are kept for various purposes and in return their needs should be provided for. Farm animals are recognised as sentient beings in the Treaty of Amsterdam. We have a moral obligation to each

¹ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

² <https://www.gov.uk/government/groups/farm-animal-welfare-committee-fawc>

Operational Needs Assessment – W A J Hourie

individual animal that we use.” Therefore, all farms must ensure that they meet high standards of animal welfare these are summarised in the Five Freedoms:

1. Freedom from hunger and thirst
2. Freedom from discomfort
3. Freedom from pain, injury, and disease
4. Freedom to express normal behaviour
5. Freedom from fear and distress

A farm such as Bain must put the needs of the cows before anything else, and in order to do this the unit needs competent employees/partners on site 24 hours a day, in particular for milking at 6am and again at 6pm in the evening. The family are lucky that the next generation is keen to take on the farm, the long hours, and the time commitment that is required for a successful dairy business. However, housing is essential for this to happen effectively.

As stated previously the plan is to calve 29 heifers in two batches, the first in October and the second in the spring of 2026 and increase the milking cows to 60, this would increase the labour requirement to 2.89FTE, please see below.

- Stock numbers are based on the farm’s future proposals.
- Cropping information is taken from the 2024 Single Application Form

Standard Labour Units³ (March 2026)

Enterprise	Hours/ annum	Total
60 dairy cows	42hrs per head	2520
70 other cattle	12hrs per head	840
16.65ha Spring Barley	18hrs per hectare	299.7
53ha 1 st Cut	12hrs per hectare	631
53ha 2 nd Cut Silage	10hrs per hectare	530
53ha 3 rd Cut Silage	10hrs per hectare	530
48.52ha Grassland	3.1hrs per hectare	150.4
Labour requirement for farm		5,501.1 hrs/annum
Labour requirement for December onwards		2.89FTE

³ Figures taken from “The Farm Management Handbook 2023/24”, SAC, 44th Edition, October 2023

Employment Statement of the Partners

Mr William Hourie works full-time on the farm, his wife Mrs Kirsten Hourie works with their daughter Miss Lara Hourie with her yoghurt, milkshake and soft cheese making business. Mr David Hourie works off the farm on a rota system which is 14 days "on", and 21 days "off", when is "off" he works on the farm, helping his father as part of the succession plan for the farm.

There are currently no paid employees on the farm.

Justification for the House Location Proposed

As the site plan in the application shows, the family wish to site the house for Mr David Hourie near the land at Scarrataing Road. There are three reasons for this. Firstly, the fields on this road are used for calving cows and heifers. Currently, this is the only part of the farm that cannot be viewed from Bain and the family are keen to optimise animal welfare at calving, in order to do this someone needs to be on site with quick and easy access to the livestock.

Secondly, the partners strongly feel that another house at the steading is not suitable for health and safety reasons. It is in all likelihood that Mr David Hourie will go on to have family, having the house next to the steading although handy for milking would mean that his family would be more at risk from being struck by moving vehicles or machinery. In fact, according to a report by the Health and Safety Executive⁴, there were 21 fatal injuries to farm workers in 2022/23, moreover 28% of deaths over the last five years on farm were due to being struck by a moving vehicle.

Thirdly, there will be one house at the steading already, once the house for Mr W Hourie and his wife is complete. The land around the steading is used for grazing cows and cannot be used for cropping due to the proximity to the milking parlour, therefore it does not make agricultural sense to sacrifice another part of the good grazing fields for housing.

Conclusion

The business of W A J Hourie is an established dairy unit providing just over 360,000 litres of milk to Orkney Cheese per annum, with the intention to increase production to 450,000l by the spring 2026. The unit has no employees with all of the labour provided by Mr W Hourie and Mr D Hourie.

This report demonstrates the farm requires 2.66 labour equivalents. Currently this labour is provided by the partners, however, a house is essential for Mr David Hourie to fulfil the succession plan for this successful family farm.

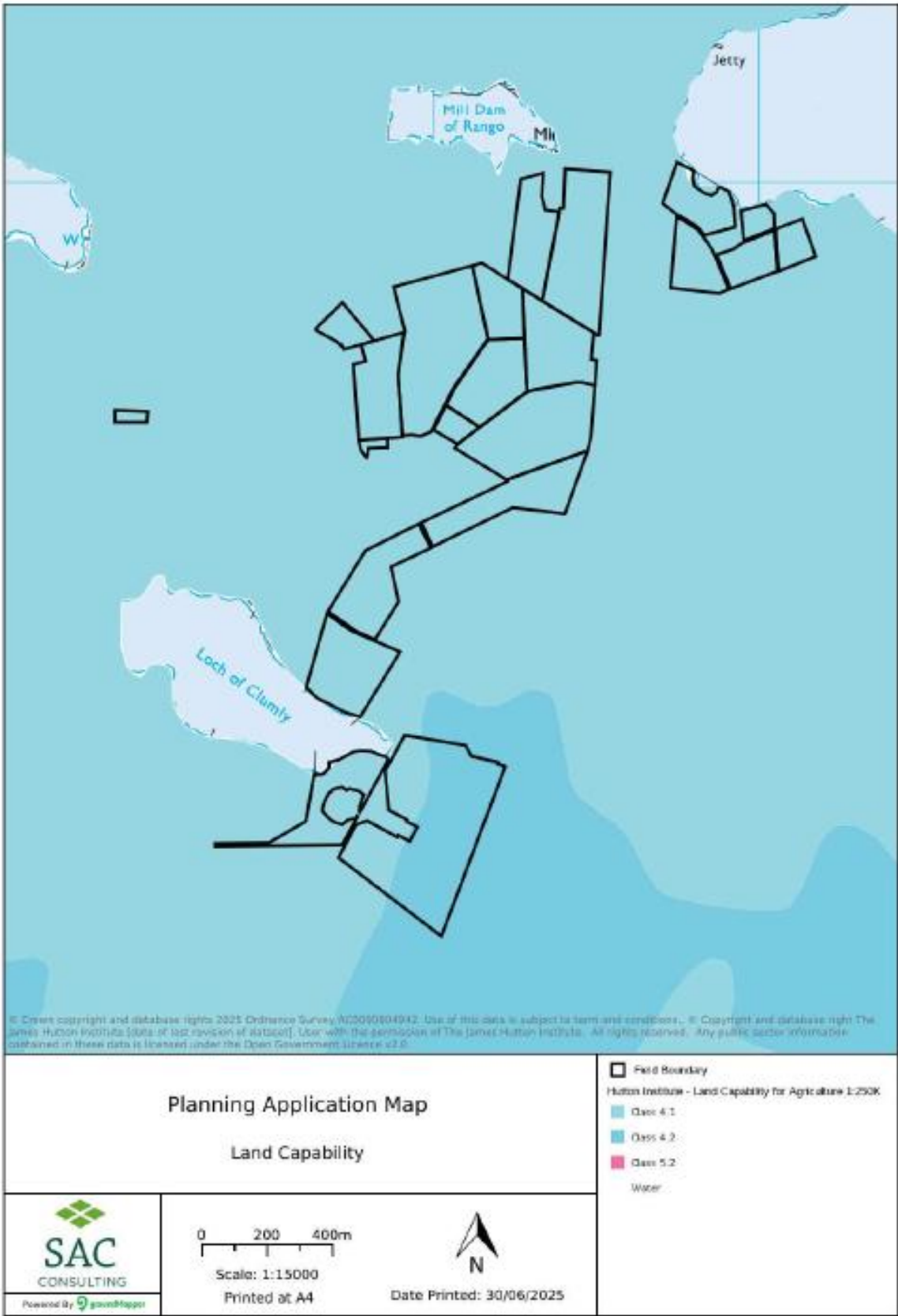
⁴ HSE, "Agriculture, forestry and fishing statistics in Great Britain, 2023, published 22 November 2023, source: <https://www.hse.gov.uk/statistics/assets/docs/agriculture.pdf>

Map of Steading



[illegible]

Land Capability Map



INTERNAL MEMORANDUM TO: Islands Archaeologist

Date of Consultation	17th June 2025
Response required by	8th July 2025
Planning Authority Reference	24/123/PIP
Nature of Proposal (Description)	Siting of a house and a detached garage for an agricultural worker, and create an access
Site	Land South East Of Sharalee, Sandwick, Orkney Islands, KW16 3JB
Proposal Location Easting	326737
Proposal Location Northing	1017940
Area of application site (Metres)	2597
Supporting Documentation URL	http://planningandwarrant.orkney.gov.uk/online-applications/ Please enter - 24/123/PIP
PA Office	Development Management
Case Officer	Mr Jamie Macvie
Case Officer Phone number	01856 873535 EXT 2529
Case Officer email address	jamie.macvie@orkney.gov.uk
PA Response To	planningconsultation@orkney.gov.uk

Comments:

Thank you for consulting me.

The proposed development site is in a location with at least four Bronze Age tumuli, a subsurface cremation cist and a scatter of prehistoric flints potentially indicative of a settlement or funerary site within 150 m, indicating the potential for significant remains to exist.

In order to reduce or eliminate the risk of significant archaeology being present on site, it was recommended in the response from the Islands Archaeologist (uploaded to the OIC Planning Portal on 17th July 2024) that an archaeological geophysical survey was conducted across the proposed development site, followed by archaeological evaluation trenching to groundtruth any geophysical anomalies, and to assess the potential for any significant remains not identified by the geophysics that may require further archaeological investigation.

The developer's archaeological contractor supplied an acceptable Written Scheme of Investigation to the Islands Archaeologist, and a geophysical survey report was submitted (uploaded to the OIC Planning Portal on 19th February 2025) that fulfilled requirements. It indicated anomalies that could represent archaeology at the development site.

The developer's archaeological contractor supplied an acceptable Written Scheme of Investigation on archaeological evaluation trenches to groundtruth the geophysical anomalies, and to assess the potential for any other significant remains to the Islands Archaeologist. The report on the archaeological evaluation was submitted (uploaded to the OIC Planning Portal on 19th February 2025) and fulfilled requirements.

The results of the archaeological investigations have shown that no further archaeological work is required at the development site.

REFUSE PLANNING PERMISSION IN PRINCIPLE
DELEGATED DECISION

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

Ref: 24/123/PIP

W A J Hourie
c/o Paul Houghton MRTPI
Alloa Business Centre
Whins Road
Alloa
Clacks
Scotland
FK10 3RF

With reference to your application registered on 9th April 2024 for planning permission for the following development:-

PROPOSAL: Siting of a house and a detached garage for an agricultural worker, and create an access

LOCATION: Land South East Of Sharalee, Sandwick, Orkney Islands, KW16 3JB

Orkney Islands Council in exercise of its powers under the above Act and Regulations, hereby **REFUSE Planning Permission in Principle for the reason(s) outlined on the next page.**

The plans to which this decision relates are those identified in Schedule 1 attached.

The Council's reasoning for this decision is: The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle. The development is also contrary to Policy 1 'Criteria for all development' and Policy 2 'Design' in terms of landscape impact.

(For further detail you may view the Planning Handling Report for this case by following the Application Search and Submission link on the Council's web page and entering the reference number for this application).

Please read carefully the Terms and Conditions on the following pages as failure to comply may result in enforcement action.

Decision date: 16th October 2025

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

Ref: 24/123/PIP

REASONS FOR REFUSAL

01. The development is contrary to Policy 5E of the Orkney Local Development Plan 2017, and Supplementary Guidance 'Housing in the Countryside' (2021), specifically provision 5E (viii) 'The Provision of a Single Dwelling House for a Rural Business' and is not acceptable in principle, on the basis the longevity of the current business model has not been demonstrated, the need for 'additional' 24 hour supervision has not been demonstrated, relative to the business as it operates currently, the employment status of the applicant confirms a shift pattern, which conflicts with the applicant and development providing 24 hour supervision, and the proposed development is not located with other buildings associated with the business, and does not form part of a building group.
02. The development is contrary to Policy 1 'Criteria for all development' on the basis it is not sited taking into consideration the location and landscape character, and Policy 2 'Design' on the basis the development would not have a positive effect on the appearance and amenity of an area.

Ref: 24/123/PIP

SCHEDULE 1 – PLANS, VARIATIONS AND ANY OBLIGATION**1. Plans and Drawings**

The plans and drawings to which this decision relates are those identified below:

Location Plan	OIC-01	1
Site Plan	OIC-02	1

2. Variations

If there have been any variations made to the application in accordance with section 32A of the Act these are specified below:

Date of Amendment:

Reasons

RIGHT TO SEEK A REVIEW

If you are unhappy with the terms of this decision you have a right to ask for a review of your planning decision by following the procedure specified below.

PROCEDURE FOR REQUESTING A REVIEW BY THE LOCAL REVIEW BODY

1. If the applicant is aggrieved by the decision of the Appointed Officer to:
 - a. Refuse any application, or
 - b. Grant permission subject to conditions.

In accordance with the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations, the applicant may apply to the Local Review Body within three months from the date of this notice for a review of that decision.

2. Forms to request a review are available from either address below, or from [Appeal a Decision](#)

Completed forms to request a review should be submitted to the address below:

Committee Services
Orkney Islands Council
Council Offices
School Place
KIRKWALL
Orkney
KW15 1NY

and at the same time a copy of the notice for a review should be sent to:

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

Email: planning@orkney.gov.uk

3. whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Act.